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§3–602.1.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Family member” has the meaning stated in § 3–601 of this subtitle.
- (3) “Household member” has the meaning stated in § 3–601 of this subtitle.
- (4) “Mental injury” means the substantial impairment of a minor’s mental or psychological ability to function.
- (5) (i) “Neglect” means the intentional failure to provide necessary assistance and resources for the physical needs or mental health of a minor that creates a substantial risk of harm to the minor’s physical health or a substantial risk of mental injury to the minor.
- (ii) “Neglect” does not include the failure to provide necessary assistance and resources for the physical needs or mental health of a minor when the failure is due solely to a lack of financial resources or homelessness.
- (b) A parent, family member, household member, or other person who has permanent or temporary care or custody or responsibility for the supervision of a minor may not neglect the minor.
- (c) A person who violates this section is guilty of the misdemeanor of child neglect and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both.
- (d) A sentence imposed under this section shall be in addition to any other sentence imposed for a conviction arising from the same facts and circumstances unless the evidence required to prove each crime is substantially identical.

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