

HB0359/912312/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 359
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Family Law – Child Abuse and Neglect – Mental Injury”; strike beginning with “definition” in line 4 down through “neglect” in line 10 and substitute “definition of “mental injury” for the purpose of certain child abuse and neglect statutes; and generally relating to child abuse and neglect”; and strike in their entirety lines 11 through 25, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – Family Law

Section 5–701(b)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–701(r)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 3 on page 2 through line 10 on page 4, inclusive, and substitute:

“Article – Family Law

5–701.

(Over)

HB0359/912312/1 House Judiciary Committee
Amendments to HB 359
Page 2 of 2

(b) “Abuse” means:

(1) the physical or mental injury of a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the child’s health or welfare is harmed or at substantial risk of being harmed; or

(2) sexual abuse of a child, whether physical injuries are sustained or not.

(r) (1) “Mental injury” means the observable, identifiable, and substantial impairment of a child’s mental or psychological ability to function.

(2) “MENTAL INJURY” INCLUDES THE OBSERVABLE, IDENTIFIABLE, AND SUBSTANTIAL IMPAIRMENT OF A CHILD’S MENTAL OR PSYCHOLOGICAL ABILITY TO FUNCTION THAT RESULTS FROM THE CHILD’S EXPOSURE TO AN ACT THAT CONSTITUTES A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE, COMMITTED BY A PARENT OR HOUSEHOLD OR FAMILY MEMBER AGAINST A PARENT OR HOUSEHOLD OR FAMILY MEMBER.”.