

**DATE:** January 28, 2020

**BILL NUMBER:** HB 246

**COMMITTEE:** Judiciary

**BILL TITLE:** Sexual Solicitation of a Minor - Solicitation Through Parent, Guardian, or Custodian - Prohibition and Penalties

**DHS POSITION:** Support

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The Department of Human Services (the Department) respectfully submits this letter of support regarding House Bill 246. House Bill 246 strengthens the penalties on individuals who solicit consent from a parent, guardian, or custodian of a minor to engage in an illegal sexual activity with that minor. The increased penalty for a subsequent offense will serve as a deterrent to violators, and thereby protect Maryland's children from susceptibility to sexual abuse and potential trafficking.

The Department is responsible for ensuring that Maryland's most vulnerable children remain safe, and protecting them from further harm or maltreatment. As we continue to work to protect children, we are always looking to decrease the risk of any continuing abuse or neglect in the home. House Bill 246 supports the efforts of the Department, in ensuring that those who seek an illegal sexual relationship with a minor through the consent of a parent, guardian, or custodian are prosecuted and face a penalty that enforces the severity of the crime.

An individual who intends to commit a crime of (1) rape in the second degree; (2) sexual offense in the third; (3) engaging in prostitution; (4) receiving the earnings of a prostitute; (5) abduction of a child younger than age 16 for the commission of a sexual crime; (6) procuring or soliciting prostitution; or (7) maintaining a house of prostitution in a subsequent offense should face a second, more severe penalty for violating this law. As it stands, a violation carries a penalty of imprisonment not exceeding 10 years and/or a fine not exceeding \$25,000. The law is silent on penalties for secondary and subsequent violations. This bill will continue to protect Maryland's children from potential sex trafficking by increasing those penalties for secondary and subsequent violators.

For these reasons, the Maryland Department of Human Services supports this bill as it provides additional penalties for a second or subsequent offense in the solicitation of consent of a parent, guardian, or custodian of a minor to engage in illegal sexual activity with that minor. The Department respectfully requests that the Committee return a favorable report for HB 246.