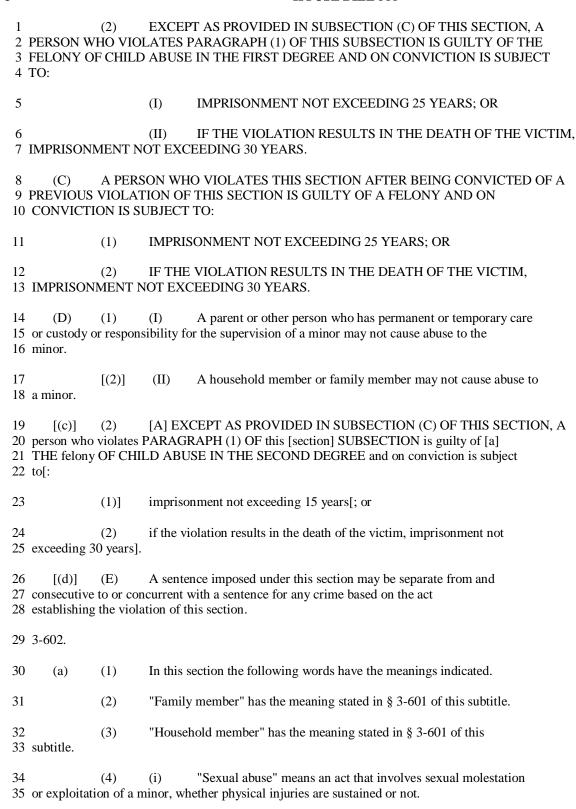
Unofficial Copy E1 2003 Regular Session 3lr1000 CF SB 133

By: <b>Delegate O'Donnell</b> Introduced and read first time: February 6, 2003 Assigned to: Judiciary				
Committee Report: Favorable with amendments House action: Adopted Read second time: March 21, 2003				
	CHAPTER			
1 AN	N ACT concerning			
2	Criminal Law - Child Abuse and Child Sexual Abuse - Increased Penalties			
3 FC 4 5 6 7 8 9	OR the purpose of prohibiting certain persons with permanent or temporary care or custody or responsibility for the supervision of a minor from causing abuse resulting in serious severe physical injury or death to the minor; altering certain penalties for child abuse; establishing the offenses of child abuse in the first and second degrees; increasing certain penalties for child sexual abuse; establishing certain penalties for certain subsequent convictions of certain offenses; defining a certain term; and generally relating to penalties for abuse and sexual abuse of a minor.			
11 BY 12 13 14 15	Y repealing and reenacting, with amendments, Article - Criminal Law Section 3-601 and 3-602 Annotated Code of Maryland (2002 Volume)			
16 17 M	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF ARYLAND, That the Laws of Maryland read as follows:			
18	Article - Criminal Law			
19 3-	601.			
20	(a) (1) In this section the following words have the meanings indicated.			
21 22 cr	(2) "Abuse" means physical injury sustained by a minor as a result of uel or inhumane treatment or as a result of a malicious act under circumstances			

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1 that indicate that the minor's health or welfare is harmed or threatened by the 2 treatment or act.					
3 (3) 4 marriage.	"Famil	"Family member" means a relative of a minor by blood, adoption, or			
5 (4) "Household member" means a person who lives with or is a regular 6 presence in a home of a minor at the time of the alleged abuse.					
7 (5)	" <del>SERI</del> (	<del>DUS</del> <u>SEV</u>	<u>/ERE</u> PHYSICAL INJURY" MEANS:		
8	<del>(I)</del>	ANY B	SONE FRACTURE;		
9	<del>(II)</del>	ANY II	NTERNAL INJURY OR BLEEDING;		
10	<del>(III)</del>	SECON	ND OR THIRD DEGREE BURNS;		
11	<del>(IV)</del>	POISO	NING;		
12	<del>(V)</del>	BRAIN	HNJURY OR BLEEDING WITHIN THE SKULL; OR		
13	<del>(VI)</del>	ANY II	NJURY THAT CREATES A RISK OF DEATH.		
14	<u>(I)</u>	BRAIN	I INJURY OR BLEEDING WITHIN THE SKULL;		
15	<u>(II)</u>	STARV	VATION; OR		
16	<u>(III)</u>	PHYSI	CAL INJURY THAT:		
17		<u>1.</u>	CREATES A SUBSTANTIAL RISK OF DEATH; OR		
18		<u>2.</u>	CAUSES PERMANENT OR PROTRACTED SERIOUS:		
19		<u>A.</u>	DISFIGUREMENT;		
20 21 <u>ORGAN; OR</u>		<u>B.</u>	LOSS OF THE FUNCTION OF ANY BODILY MEMBER OR		
22 23 <u>OR ORGAN.</u>		<u>C.</u>	IMPAIRMENT OF THE FUNCTION OF ANY BODILY MEMBER		
24 (b) (1) A PARENT OR OTHER PERSON WHO HAS PERMANENT OR TEMPORARY 25 CARE OR CUSTODY OR RESPONSIBILITY FOR THE SUPERVISION OF A MINOR MAY NOT 26 CAUSE ABUSE RESULTING IN SERIOUS PHYSICAL INJURY TO THE MINOR TO THE 27 MINOR THAT:					
28	<u>(I)</u>	RESUL	TS IN THE DEATH OF THE MINOR; OR		
29	<u>(II)</u>	CAUSES SEVERE PHYSICAL INJURY TO THE MINOR.			

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a violation of § 3-601 of this subtitle involving an act of abuse

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

18

20

21 October 1, 2003.

(2)

19 separate from sexual abuse under this section.