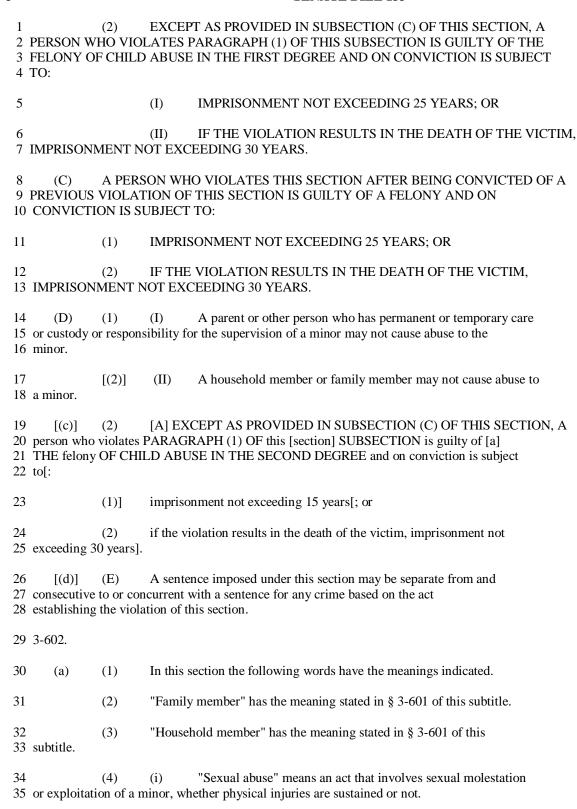
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By: Senators Brochin, Hollinger, Klausmeier, Ruben, and Stone Introduced and read first time: January 24, 2003 Assigned to: Judicial Proceedings				
Committee Report: Favorable with amendments denate action: Adopted Read second time: March 20, 2003				
CHAPTER				
1 AN ACT concerning				
2 Criminal Law - Child Abuse and Child Sexual Abuse - Increased Penalties				
3 FOR the purpose of prohibiting certain persons with permanent or temporary care or 4 custody or responsibility for the supervision of a minor from causing abuse 5 resulting in serious severe physical injury or death to the minor; altering certain 6 penalties for child abuse; establishing the offenses of child abuse in the first and 7 second degrees; increasing certain penalties for child sexual abuse; establishing 8 certain penalties for certain subsequent convictions of certain offenses; defining 9 a certain term; and generally relating to penalties for abuse and sexual abuse of 10 a minor. 11 BY repealing and reenacting, with amendments, 12 Article - Criminal Law 13 Section 3-601 and 3-602 14 Annotated Code of Maryland				
 (2002 Volume) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 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 (2) "Abuse" means physical injury sustained by a minor as a result of 22 cruel 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 the2 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)	" SERI	OUS SEVERE PHYSICAL INJURY" MEANS:		
8	(I)	ANY I	BONE FRACTURE;	
9	(II)	ANY INTERNAL INJURY OR BLEEDING;		
10	(III)	SECO	SECOND OR THIRD DEGREE BURNS;	
11	(IV)	POISONING;		
12	(V)	BRAIN INJURY OR BLEEDING WITHIN THE SKULL; OR		
13	(VI)	ANY I	NJURY THAT CREATES A RISK OF DEATH.	
14	<u>(I)</u>	BRAIN INJURY OR BLEEDING WITHIN THE SKULL;		
15	<u>(II)</u>	STARVATION; OR		
16	<u>(III)</u>	PHYSICAL 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>	RESULTS 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

17 or

(2)

19 separate from sexual abuse under this section.

18

20

21 October 1, 2003.