

# HOUSE BILL 50

D4, E1

9lr1018

(PRE-FILED)

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By: **Delegate G. Clagett**

Requested: November 17, 2008

Introduced and read first time: January 14, 2009

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Child Endangerment**

3 FOR the purpose of prohibiting a parent or other person who has permanent or  
4 temporary care, custody, or responsibility for the supervision of a minor from  
5 recklessly acting in a manner that creates, or failing to act in a manner that  
6 prevents, a substantial risk of death to the minor or permanent or protracted  
7 serious disfigurement, loss of the function of a bodily member or organ, or  
8 impairment of the function of a bodily member or organ of the minor;  
9 establishing certain penalties for a violation of this Act; and generally relating  
10 to the crime of child endangerment.

11 BY adding to  
12 Article – Criminal Law  
13 Section 3–602.1  
14 Annotated Code of Maryland  
15 (2002 Volume and 2008 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Criminal Law**

19 **3–602.1.**

20 (A) A PARENT OR OTHER PERSON WHO HAS PERMANENT OR  
21 TEMPORARY CARE, CUSTODY, OR RESPONSIBILITY FOR THE SUPERVISION OF A  
22 MINOR MAY NOT RECKLESSLY ACT IN A MANNER THAT CREATES, OR FAIL TO  
23 ACT IN A MANNER THAT PREVENTS, A SUBSTANTIAL RISK OF:

24 (1) DEATH TO THE MINOR; OR

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(2) PERMANENT OR PROTRACTED SERIOUS:**

2                           **(I) DISFIGUREMENT OF THE MINOR;**

3                           **(II) LOSS OF THE FUNCTION OF A BODILY MEMBER OR**  
4 **ORGAN OF THE MINOR; OR**

5                           **(III) IMPAIRMENT OF THE FUNCTION OF A BODILY MEMBER**  
6 **OR ORGAN OF THE MINOR.**

7           **(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE**  
8 **MISDEMEANOR OF CHILD ENDANGERMENT AND ON CONVICTION IS SUBJECT TO**  
9 **IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR**  
10 **BOTH.**

11           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2009.