

# HOUSE BILL 311

E1  
HB 20/12 – JUD

3lr0319

---

By: **Delegates K. Kelly, Arora, Clippinger, Cluster, Conaway, Dumais, Hough, Lee, McComas, McDermott, Mitchell, Simmons, Valderrama, and Valentino-Smith**

Introduced and read first time: January 24, 2013  
Assigned to: Judiciary

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Requirement to Report Death or Disappearance of Minor –**  
3 **Penalties**

4 FOR the purpose of requiring, under certain circumstances, a parent or other person  
5 who has permanent care or custody or responsibility for the supervision of a  
6 minor under a certain age to notify, within a certain period of time, the  
7 appropriate law enforcement agency that the minor is a missing child;  
8 requiring, under certain circumstances, a parent or other person who has  
9 permanent care or custody or responsibility for the supervision of a minor to  
10 notify, within a certain period of time, the appropriate law enforcement agency  
11 or medical authority that the minor has died; establishing certain penalties;  
12 defining a certain term; and generally relating to a requirement to report the  
13 death or disappearance of a minor.

14 BY adding to  
15 Article – Criminal Law  
16 Section 3–608 and 3–609  
17 Annotated Code of Maryland  
18 (2012 Replacement Volume and 2012 Supplement)

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

21 **Article – Criminal Law**

22 **3–608.**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (A) IN THIS SECTION, "MISSING CHILD" MEANS A MINOR WHOSE  
2 WHEREABOUTS ARE UNKNOWN TO A PARENT OR OTHER PERSON WHO HAS  
3 PERMANENT CARE AND CUSTODY OR RESPONSIBILITY FOR THE SUPERVISION  
4 OF THE MINOR.

5           (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A  
6 PARENT OR OTHER PERSON WHO HAS PERMANENT CARE OR CUSTODY OR  
7 RESPONSIBILITY FOR THE SUPERVISION OF A MINOR UNDER THE AGE OF 13  
8 YEARS MAY NOT RECKLESSLY OR WILLFULLY FAIL TO NOTIFY THE  
9 APPROPRIATE LAW ENFORCEMENT AGENCY THAT THE MINOR IS A MISSING  
10 CHILD WITHIN 24 HOURS OF THE TIME AT WHICH THE PARENT OR OTHER  
11 PERSON KNEW OR SHOULD HAVE KNOWN THAT THE MINOR IS A MISSING CHILD.

12           (C) THIS SECTION DOES NOT APPLY IF THE FACT THAT THE MINOR IS A  
13 MISSING CHILD HAS ALREADY BEEN REPORTED TO THE APPROPRIATE LAW  
14 ENFORCEMENT AGENCY.

15           (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
16 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT  
17 EXCEEDING 3 YEARS.

18   **3-609.**

19           (A) UNLESS THE DEATH OF A MINOR HAS ALREADY BEEN REPORTED TO  
20 THE APPROPRIATE LAW ENFORCEMENT AGENCY OR MEDICAL AUTHORITY, A  
21 PARENT OR OTHER PERSON WHO HAS PERMANENT CARE OR CUSTODY OR  
22 RESPONSIBILITY FOR THE SUPERVISION OF A MINOR SHALL REPORT THE  
23 DEATH OF THE MINOR TO THE APPROPRIATE LAW ENFORCEMENT AGENCY OR  
24 MEDICAL AUTHORITY WITHIN 5 HOURS OF BECOMING AWARE OF THE DEATH.

25           (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
26 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT  
27 EXCEEDING 3 YEARS.

28           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2013.