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An Act To Amend the Endangering the Welfare of a Child Laws

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 17-A MRSA §554, sub-§1, ¶B-3, as enacted by PL 2005, c. 373, §2, is amended to read:

B-3. Being the parent, foster parent, guardian or other person having the care and custody of the child, knowingly deprives the child of necessary health care, with the result that the child is placed in danger of serious harm; ~~or~~

Sec. 2. 17-A MRSA §554, sub-§1, ¶C, as enacted by PL 1991, c. 672, §1, is amended to read:

C. Otherwise recklessly endangers the health, safety or welfare of a child under 16 years of age by violating a duty of care or protection; or

Sec. 3. 17-A MRSA §554, sub-§1, ¶D is enacted to read:

D. Otherwise recklessly endangers the health, safety or welfare of a child under 6 years of age by violating a duty of care or protection.

Sec. 4. 17-A MRSA §554, sub-§3, as amended by PL 2001, c. 429, §3, is further amended to read:

3. Endangering the welfare of a child is a Class D crime, except that a violation of subsection 1, paragraph B-2 or D is a Class C crime.

SUMMARY

This bill makes endangering the health, safety or welfare of a child who is under 6 years of age by violating a duty of care or protection a Class C crime. This bill makes the law on child endangerment consistent with other Maine criminal statutes by increasing the penalties for crimes against children under 6 years of age.