

129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 871

H.P. 645

House of Representatives, February 19, 2019

An Act To Establish the Crime of Endangering the Welfare of a Child by Transferring Illegal Drugs through Breast Milk

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative COSTAIN of Plymouth. Cosponsored by Senator CYRWAY of Kennebec and Representatives: CUDDY of Winterport, GRIFFIN of Levant, HALL of Wilton, JOHANSEN of Monticello, LANDRY of Farmington, PICKETT of Dixfield, RECKITT of South Portland, SAMPSON of Alfred.

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

Sec. 1. 17-A MRSA §554, sub-§1, ¶B-3, as amended by PL 2015, c. 358, §3, is
 further amended to read:

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

8 Sec. 2. 17-A MRSA §554, sub-§1, ¶B-4 is enacted to read:

9 <u>B-4. Knowingly transfers a scheduled drug under chapter 45 or a metabolite of a</u>
 10 <u>scheduled drug under chapter 45 to a child through breast milk. Violation of this</u>
 11 <u>paragraph is a Class C crime; or</u>

SUMMARY

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This bill establishes the Class C crime of endangering the welfare of a child by knowingly transferring a scheduled drug or a metabolite of a scheduled drug to a child through breast milk.