

MAINE STATE LEGISLATURE

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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.

A handwritten signature in cursive script that reads "Robert 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:**

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

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

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

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

12 **SUMMARY**

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