

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 592

S.P. 276

In Senate, February 25, 2025

**An Act to Amend the Laws Governing the Crime of Endangering
the Welfare of a Child**

Received by the Secretary of the Senate on February 19, 2025. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.
Cosponsored by Senator: RAFFERTY of York.

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

2 **Sec. 1. 17-A MRSA §554, sub-§1, ¶B-4**, as enacted by PL 2021, c. 388, §2, is
3 amended by amending the first blocked paragraph to read:

4 Violation of this paragraph is a Class D crime; or

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

7 ~~C. Otherwise recklessly endangers~~ Endangers the health, safety or welfare of ~~the~~ a
8 child by recklessly violating a duty of care or protection. Violation of this paragraph
9 is a Class D crime.;

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

11 D. Endangers the health, safety or welfare of a child by recklessly violating a duty of
12 care or protection, resulting in serious bodily injury to the child. Violation of this
13 paragraph is a Class C crime; or

14 **Sec. 4. 17-A MRSA §554, sub-§1, ¶E** is enacted to read:

15 E. Endangers the health, safety or welfare of a child by recklessly violating a duty of
16 care or protection, resulting in death of the child. Violation of this paragraph is a Class
17 B crime.

18 **SUMMARY**

19 The current Class D crime of endangering the welfare of a child under the Maine
20 Revised Statutes, Title 17-A, section 554, subsection 1, paragraph C is established when a
21 person violates a duty of care or protection to a child and thereby recklessly endangers the
22 child. This bill amends the provision to describe the crime by attaching the culpable mental
23 state element of recklessness to the violation of the duty. The bill amends the laws
24 governing the crime by enacting more serious penalty provisions if a person's reckless
25 violation of the duty of care or protection results in serious bodily injury to or death of a
26 child. If the child suffers serious bodily injury as a result, the crime is a Class C crime; if
27 the child dies, the crime is a Class B crime.