

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1764

S.P. 588

In Senate, April 3, 2001

An Act to Create the Crime of Aggravated Endangering the Welfare of a Child.

(AFTER DEADLINE)

Submitted by the Department of the Attorney General and approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator McALEVEY of York.

Cosponsored by Representative POVICH of Ellsworth and

Senators: DAVIS of Piscataquis, O'GARA of Cumberland, Representatives: BLANCHETTE of Bangor, GERZOFSKY of Brunswick, MAYO of Bath, O'BRIEN of Lewiston, SNOWE-MELLO of Poland.

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

4 **Sec. 1. 17-A MRSA §554-B** is enacted to read:

6 **§554-B. Aggravated endangering welfare of child**

8 1. A person is guilty of aggravated endangering the welfare of a child if:

10 A. The person is a parent, foster parent or guardian or is otherwise responsible for the care and custody of a child under 16;

14 B. The person knows that the child in fact sustained serious bodily injury or bodily injury under circumstances posing a substantial risk of serious bodily injury and that bodily injury was caused by the unlawful use of physical force by another person; and

20 C. The person thereafter recklessly fails to take reasonable measures to protect the child from the risk of further bodily injury.

24 2. Aggravated endangering the welfare of a child is a Class C crime.

26

28 **SUMMARY**

30 This bill creates the crime of aggravated endangering the welfare of a child, which is committed when a parent, foster parent, guardian or person responsible for the care and custody of the child knows that the child has been subject to serious

32 bodily injury by another and fails to protect the child from

34 further injury.