

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 950

S.P. 301

March 1, 2007

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

Reference to the Committee on Criminal Justice and Public Safety 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 WESTON of Waldo.
Cosponsored by Representative CRAVEN of Lewiston and
Senators: DIAMOND of Cumberland, McCORMICK of Kennebec, PLOWMAN of Penobscot,
SHERMAN of Aroostook.

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 enacted by PL 2005, c. 373, §2, is
3 amended to read:

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

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

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

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

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

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

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

18 **SUMMARY**

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