

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 762

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H.P. 567

House of Representatives, March 5, 2021

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**An Act To Clarify the Response to Truancy under the Child and  
Family Services and Child Protection Act**

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Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.  
Reference to the Committee on Health and Human Services suggested and ordered printed.

*Robert B. Hunt*

ROBERT B. HUNT  
Clerk

Presented by Representative MEYER of Eliot.

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

2 **Sec. 1. 22 MRSA §4002, sub-§1**, as amended by PL 2015, c. 360, §2, is further  
3 amended to read:

4 **1. Abuse or neglect.** "Abuse or neglect" means a threat to a child's health or welfare  
5 by physical, mental or emotional injury or impairment, sexual abuse or exploitation  
6 including under Title 17-A, sections 282, 852, 853 and 855, deprivation of essential needs  
7 or lack of protection from these or ~~failure to ensure compliance with school attendance~~  
8 ~~requirements under Title 20-A, section 3272, subsection 2, paragraph B or section 5051-A,~~  
9 ~~subsection 1, paragraph C~~ truancy under Title 20-A, section 3272, subsection 2, paragraph  
10 C or section 5051-A, subsection 1, paragraph C or D, by a person responsible for the child.

11 **Sec. 2. 22 MRSA §4002, sub-§6, ¶B**, as amended by PL 2007, c. 304, §11, is  
12 further amended to read:

13 B. Deprivation of adequate food, clothing, shelter, supervision or care ~~or education~~  
14 ~~when the child is at least 7 years of age and has not completed grade 6;~~

15 **Sec. 3. 22 MRSA §4002, sub-§6, ¶B-2** is enacted to read:

16 B-2. Truancy under Title 20-A, section 3272, subsection 2, paragraph C or section  
17 5051-A, subsection 1, paragraph C or D;

18 **SUMMARY**

19 This bill amends definitions in the Child and Family Services and Child Protection Act  
20 to update cross-references and to ensure the Department of Health and Human Services has  
21 the authority to intervene in situations involving truancy under the Maine Revised Statutes,  
22 Title 20-A.