

## 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.

ROBERT B. HUNT Clerk

R(+ B. Hunt

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 3	<b>Sec. 1. 17-A MRSA §554, sub-§1, ¶B-3,</b> as amended by PL 2015, c. 358, §3, is further amended to read:
4 5 6 7	B-3. Being the parent, foster parent, guardian or other person having the care and custody of a child, knowingly deprives the child of necessary health care, with a result that the child is placed in danger of serious harm. Violation of this paragraph is a Class D crime; of
8	Sec. 2. 17-A MRSA §554, sub-§1, ¶B-4 is enacted to read:
9 10 11	B-4. Knowingly transfers a scheduled drug under chapter 45 or a metabolite of a scheduled drug under chapter 45 to a child through breast milk. Violation of this paragraph is a Class C crime; or
12	SUMMARY
13 14 15	This bill establishes the Class C crime of endangering the welfare of a child by knowingly transferring a scheduled drug or a metabolite of a scheduled drug to a child through breast milk.