

Increases in Penalties for Violent Crimes Including 2nd Degree Murder, child abuse
causing death, – Criminal Law (CL) Art., §2-204, 3-601,

lays

Article – Criminal Law

2-204.

(a) A murder that is not in the first degree under § 2-201 of this subtitle is in the second degree.

(b) A person who commits a murder in the second degree is guilty of a felony and on conviction is subject to imprisonment not exceeding [30] 40 years.

3-601.

(a) (1) In this section the following words have the meanings indicated.

(2) “Abuse” means physical injury sustained by a minor as a result of cruel or inhumane treatment or as a result of a malicious act under circumstances that indicate that the minor’s health or welfare is harmed or threatened by the treatment or act.

(3) “Family member” means a relative of a minor by blood, adoption, or marriage.

(4) “Household member” means a person who lives with or is a regular presence in a home of a minor at the time of the alleged abuse.

(5) “Severe physical injury” means:

(i) brain injury or bleeding within the skull;

(ii) starvation; or

(iii) physical injury that:

1. creates a substantial risk of death; or

2. causes permanent or protracted serious:

A. disfigurement;

B. loss of the function of any bodily member or organ; or

C. impairment of the function of any bodily member or organ.

1 **(b) (1)** A parent, family member, household member, or other person who has
2 permanent or temporary care or custody or responsibility for the supervision of a minor may
3 not cause abuse to the minor that:

4 **(i)** results in the death of the minor; or

5 **(ii)** causes severe physical injury to the minor.

6 **(2)** Except as provided in subsection (c) of this section, a person who violates
7 paragraph (1) of this subsection is guilty of the felony of child abuse in the first degree and
8 on conviction is subject to:

9 **(i)** imprisonment not exceeding 25 years; [or]

10 **(ii)** if the violation results in the death of [the] A victim **AT LEAST 13**
11 **YEARS OLD**, imprisonment not exceeding 40 years; **OR**

12 **(III)** **IF THE VIOLATION RESULTS IN THE DEATH OF A VICTIM**
13 **UNDER THE AGE OF 13 YEARS, IMPRISONMENT NOT EXCEEDING LIFE.**

14 **(c)** A person who violates this section after being convicted of a previous violation
15 of this section is guilty of a felony and on conviction is subject to:

16 **(1)** imprisonment not exceeding 25 years; or

17 **(2)** if the violation results in the death of the victim, imprisonment not
18 exceeding [40 years] **LIFE**.

19 **(d) (1) (i)** A parent or other person who has permanent or temporary care or
20 custody or responsibility for the supervision of a minor may not cause abuse to the minor.

21 **(ii)** A household member or family member may not cause abuse to a
22 minor.

23 **(2)** Except as provided in subsection (c) of this section, a person who violates
24 paragraph (1) of this subsection is guilty of the felony of child abuse in the second degree
25 and on conviction is subject to imprisonment not exceeding 15 years.

26 **(e)** A sentence imposed under this section may be separate from and consecutive to
27 or concurrent with a sentence for any crime based on the act establishing the violation of this
28 section.

29 5-601.

30 **(a)** Except as otherwise provided in this title, a person may not: