

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Establish Certain Crimes Relating to Missing or Deceased Children**

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

**Sec. 1. 17-A MRSA §§558 and 559** are enacted to read:

### **§ 558. Failure to report a missing child**

**1.** A person is guilty of failure to report a missing child if that person fails to make contact with or verify the location and safety of a child under 13 years of age in that person's care or custody for a period of 48 hours and to immediately report the child as missing to a law enforcement agency when the 48-hour period expires unless unable to make the report.

**2.** Failure to report a missing child is a Class C crime.

### **§ 559. Failure to cooperate in the investigation of the death of a child**

**1.** A person is guilty of failure to cooperate in the investigation of the death of a child if that person, being a parent, foster parent, guardian or other person having care or custody of a child, knowingly:

**A.** Fails to notify a law enforcement agency within 2 hours of learning of the child's death or likely death or within 2 hours after being able to contact a law enforcement agency after learning of the child's death or likely death if the person is unable to contact a law enforcement agency due to circumstances beyond the person's control during the 2-hour period following learning of the child's death or likely death;

**B.** Fails to provide to a law enforcement agency any medical or other information relevant to the investigation of the death of the child;

**C.** Fails to notify a law enforcement agency within 2 hours of learning of the location of the child's dead body or within 2 hours of being able to notify a law enforcement agency if the person is unable to contact a law enforcement agency within 2 hours of learning the location of the child's dead body due to circumstances beyond the person's control;

**D.** Gives false information to a law enforcement agency or to an employee of the Department of Health and Human Services who is conducting an investigation involving the child with the intent to mislead the agency or employee or impede the investigation; or

**E.** Otherwise obstructs the investigation of the death of the child.

**2.** Failure to cooperate in the investigation of the death of a child is a Class C crime.

## **SUMMARY**

This bill, modeled after "Caylee's Law," introduced in the State of Florida, makes it a Class C crime to fail to report a missing child under 13 years of age or to fail to cooperate in the investigation of the death of a child.