

Date:

(Filing No. S-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 276, L.D. 592, “An Act to Amend the Laws Governing the Crime of Endangering the Welfare of a Child”

Amend the bill by striking out the title and substituting the following:

'Resolve, to Study Laws Regarding Endangering the Welfare of a Child'

Amend the bill by striking out everything after the title and inserting the following:

'Sec. 1. Office of Child and Family Services to convene working group.

Resolved: That the Department of Health and Human Services, Office of Child and Family Services, established in the Maine Revised Statutes, Title 22, section 5308 and referred to in this resolve as "the office," shall convene a working group with broad representation to study the laws regarding endangering the welfare of a child.

Sec. 2. Membership. Resolved: That the working group under section 1 consists of, at a minimum, the following members:

1. The director of the office or the director's designee;
2. The Commissioner of Public Safety or the commissioner's designee;
3. The chair of the Criminal Law Advisory Commission or the chair's designee;
4. The Victim Services Coordinator of the Office of Victim Services within the Department of Corrections or the coordinator's designee;
5. A representative of a statewide organization advocating on behalf of children;
6. A representative of a statewide organization with expertise in the child welfare system advocating on behalf of children;
7. A representative of a statewide organization representing domestic violence victims;
8. A representative of a statewide association representing prosecutors;
9. A representative of a statewide association representing criminal defense attorneys;
10. A representative of a statewide organization advocating for civil liberties;

COMMITTEE AMENDMENT

11. A representative of a statewide association representing law enforcement officers;
and

12. A representative of a statewide organization representing individuals with
substance use disorder.

Sec. 3. Working group duties. Resolved: That the working group under section 1
shall, at a minimum, study the following issues:

1. Current developments in state law as they relate to endangering the welfare of a
child, including, but not limited to, the crimes of assault, manslaughter and endangering
the welfare of a child, and whether those current state laws are sufficiently protective;

2. Whether establishing a Class C or higher crime for endangering the welfare of a
child when it results in serious bodily injury would deter actions that endanger the welfare
of a child;

3. Whether establishing a Class C or higher crime for endangering the welfare of a
child when it results in serious bodily injury would deter parents from seeking medical
assistance for their child; and

4. How other states' criminal statutes establish crimes for endangering the welfare of
a child and the efficacy of those laws.

Sec. 4. Report. Resolved: That, by January 1, 2026, the office shall submit a report
that includes the findings and recommendations of the working group under section 1,
including suggested legislation, for presentation to the Joint Standing Committee on
Criminal Justice and Public Safety. The committee may submit legislation based on the
report to the Second Regular Session of the 132nd Legislature.

Sec. 5. Appropriations and allocations. Resolved: That the following
appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Office of Child and Family Services - Central 0307

Initiative: Provides one-time funding for contracted services to facilitate a working group
and prepare a report.

GENERAL FUND	2025-26	2026-27
All Other	\$22,139	\$0
GENERAL FUND TOTAL	\$22,139	\$0

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
All Other	\$8,610	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,610	\$0

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
number to read consecutively.

SUMMARY

This amendment, which is the majority report of the committee, replaces the bill with a resolve. The amendment directs the Department of Health and Human Services, Office of Child and Family Services to convene a working group to study the laws regarding endangering the welfare of a child. In conducting the study, the working group must study developments in state law regarding endangering the welfare of a child; whether establishing a felony-level crime for endangering the welfare of a child when it results in serious bodily injury will deter actions that endanger the welfare of a child or if it would deter parents from seeking medical assistance for their child; and how other states' criminal statutes establish crimes for endangering the welfare of a child. The office is required to submit a report by January 1, 2026 to the Joint Standing Committee on Criminal Justice and Public Safety, which may submit legislation to the Second Regular Session of the 132nd Legislature. The amendment adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)