

## VETOES

May 29, 1990

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
State House  
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 421.

This bill provides that a parent or guardian who is convicted of child abuse is subject to a separate and consecutive sentence of not more than 15 years, in addition to any sentence for another offense which is the act establishing the abuse.

House Bill 815, which was passed by the General Assembly and signed by me on May 29, 1990, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 421.

Sincerely,  
William Donald Schaefer  
Governor

Senate Bill No. 421

AN ACT concerning

### Child Abuse - Penalties

~~FOR the purpose of authorizing a court to impose a sentence on an individual convicted of child abuse separate from and consecutive to a sentence imposed on the individual for any other offense for which the individual is convicted that is based on the act or acts that establish the child abuse; and generally relating to penalties for child abuse.~~

FOR the purpose of reversing the holdings of the Maryland Court of Appeals in the cases of *Nightingale v. State* (312 Md. 699, 542, A2d 373 (1988)) and *White v. State* (filed February 28, 1990) by providing that if a conviction is entered against an individual for murder, rape, sexual offense, any sex crime, or any crime of physical violence, and a conviction is also entered for child abuse, a court may impose a sentence for the other offenses separate from and consecutive to or concurrent with a sentence imposed for child abuse; and generally relating to penalties for child abuse.

BY repealing and reenacting, with amendments,  
Article 27 - Crimes and Punishments  
Section 35A  
Annotated Code of Maryland