

RESPONSIBLE AGENCIES ON BEHALF OF SUCH CHILDREN.

(a) Penalty.- Any parent, adoptive parent or other person who has the permanent or temporary care or custody or responsibility for the supervision of a minor child under the age of [sixteen] EIGHTEEN years who [maliciously beats, strikes or otherwise mistreats] CAUSES ABUSE TO such minor child [to such degree as to require medical treatment for such child] shall be guilty of: [] a felony and upon conviction shall be sentenced to not more than fifteen years in the penitentiary. []

[(1) A FELONY IF THE FINDER OF FACT DETERMINES THAT THE CONDITION OF ABUSE IS SERIOUS OR AGGRAVATED AND UPON CONVICTION, SAID PERSON SHALL BE SENTENCED TO IMPRISONMENT FOR NOT MORE THAN FIFTEEN YEARS;

(2) A MISDEMEANOR IF THE FINDER OF FACT DETERMINES THAT THE CONDITION OF ABUSE IS NOT SERIOUS OR AGGRAVATED AND UPON CONVICTION SAID PERSON SHALL BE SENTENCED TO IMPRISONMENT FOR NOT MORE THAN FIVE YEARS;]

(b) Definitions.- Wherever used in this section, unless the context clearly indicates otherwise:

1. "Health practitioner" includes any physician, surgeon, PSYCHOLOGIST, dentist and ANY other person[s] authorized to engage in the practice of healing, any resident or intern in any of these professions, and any registered or licensed practical nurse attending or treating a child in the absence of a practitioner of any of these professions.

2. "Child" means any person under the age of [sixteen (16)] EIGHTEEN (18) years.

3. "Local department of social services" and "local State's attorney" refer to the jurisdiction in which the child lives, OR WHERE THE ABUSE IS ALLEGED TO HAVE TAKEN PLACE, IF DIFFERENT.

4. "[Education] EDUCATOR or social worker" shall mean any teacher, COUNSELOR OR OTHER PROFESSIONAL EMPLOYEE OF [in] any school, public, parochial or private, or any caseworker or social worker OR OTHER PROFESSIONAL EMPLOYEE OF [in] any public or private social, educational, health or social service agency OR ANY PROBATION OR PAROLE OFFICER OR ANY PROFESSIONAL EMPLOYEE OF A CORRECTIONAL INSTITUTION.

5. "Law-enforcement officer" shall mean any [policeman] POLICE OFFICER, [constable, sheriff, deputy sheriff] or State trooper in the service of the State of Maryland or any county or municipality thereof.

6. "LAW-ENFORCEMENT AGENCY" SHALL MEAN ANY POLICE DEPARTMENT, BUREAU OR FORCE OF ANY COUNTY OR BALTIMORE CITY, ANY POLICE DEPARTMENT, BUREAU OR FORCE OF ANY INCORPORATED MUNICIPALITY OR THE MARYLAND STATE POLICE.

7. "ABUSE" SHALL MEAN ANY [NON-ACCIDENTAL] PHYSICAL INJURY OR INJURIES SUSTAINED BY A CHILD AS A RESULT OF CRUEL OR INHUMANE TREATMENT OR AS A RESULT OF MALICIOUS ACT OR ACTS BY ANY PARENT, ADOPTIVE PARENT OR