

A CHILD LESS THAN 12 YEARS OF AGE AT THE TIME AND PLACE OF AN ACT TO WHICH ANY PROVISION OF THIS SECTION IS, OR MAY BE ALLEGED TO BE, APPLICABLE. THE TERM SHALL INCLUDE ANY PERSON SO AUTHORIZED:

(1) BY AN ORDER OF A COURT OF COMPETENT JURISDICTION OF THIS STATE.

(2) BY AN ORDER OF A COURT OF COMPETENT JURISDICTION OF ANOTHER STATE, TERRITORY, OR THE DISTRICT OF COLUMBIA. HOWEVER, WHEN THERE HAS BEEN A DESIGNATION OF A LAWFUL CUSTODIAN BY AN ORDER OF A COURT OF THIS STATE AND THERE APPEARS TO BE A CONFLICT BETWEEN THAT ORDER AND A CUSTODY ORDER ISSUED BY THE COURT OF ANOTHER STATE OR JURISDICTION QUALIFYING SOME OTHER PERSON AS THE CUSTODIAN OF THE CHILD, THE "LAWFUL CUSTODIAN" IS THE PERSON APPOINTED BY ORDER OF A COURT OF THIS STATE UNLESS THE ORDER OF THE OTHER STATE OR JURISDICTION:

(I) IS LATER IN DATE THAN THE ORDER OF A COURT OF THIS STATE; AND

(II) WAS ISSUED IN PROCEEDINGS IN WHICH THE PERSON APPOINTED BY A CUSTODY ORDER OF A COURT OF THIS STATE EITHER CONSENTED TO THE CUSTODY ORDER ENTERED BY THE COURT OF THE OTHER STATE OR JURISDICTION, OR PARTICIPATED THEREIN PERSONALLY AS A PARTY OR WITNESS.

(B) AS USED IN THIS SECTION, "RELATIVE" MEANS A PARENT, OTHER ANCESTOR, BROTHER, SISTER, UNCLE, OR AUNT, OR ONE WHO HAS AT SOME PRIOR TIME BEEN A LAWFUL CUSTODIAN.

(C) A RELATIVE, WHO IS AWARE THAT ANOTHER PERSON IS A LAWFUL CUSTODIAN OF A CHILD, MAY NOT:

(1) ABDUCT, TAKE, OR CARRY AWAY A CHILD UNDER 12 YEARS OF AGE FROM THE LAWFUL CUSTODIAN;

(2) DETAIN A CHILD UNDER 12 YEARS OF AGE AWAY FROM THE LAWFUL CUSTODIAN FOR MORE THAN 48 HOURS AFTER RETURN IS DEMANDED BY THE LAWFUL CUSTODIAN;

(3) HARBOR OR SECRETE A CHILD UNDER 12 YEARS OF AGE KNOWING THAT THE PHYSICAL CUSTODY OF THE CHILD HAS BEEN OBTAINED OR RETAINED IN VIOLATION OF THIS SECTION; OR

(4) ACT AS AN ACCESSORY TO ANY OF THE ACTIONS FORBIDDEN IN THIS SECTION.

(D) A PERSON CONVICTED OF VIOLATING ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR; AND UPON CONVICTION, SHALL BE IMPRISONED FOR A PERIOD NOT EXCEEDING 30 DAYS, OR FINED A SUM NOT EXCEEDING \$250, OR BOTH.

(E) IF THE COURT DETERMINES THAT THE ABDUCTING, DETAINING, OR SECRETING OF A CHILD BY A RELATIVE WAS DONE AT A TIME OR TIMES WHEN TO DO OTHERWISE WOULD HAVE RESULTED IN A CLEAR AND PRESENT DANGER TO THE HEALTH, SAFETY, OR WELFARE