

(II) CAUSES SERIOUS ~~BODILY~~ PHYSICAL INJURY TO THE VULNERABLE ADULT; OR

(III) INVOLVES SEXUAL ABUSE OF THE VULNERABLE ADULT.

(c) A person who violates this section is guilty of [a misdemeanor] THE FELONY OF ABUSE OR NEGLECT OF A VULNERABLE ADULT IN THE FIRST DEGREE and on conviction is subject to imprisonment not exceeding [5] ~~15~~ 10 years or a fine not exceeding [\$5,000] ~~\$15,000~~ \$10,000 or both.

(d) A sentence imposed under this section shall be in addition to any other sentence imposed for a conviction arising from the same facts and circumstances unless the evidence required to prove each crime is substantially identical.

3-604.

(A) THIS SECTION DOES NOT APPLY TO ABUSE THAT INVOLVES SEXUAL ABUSE OF A VULNERABLE ADULT.

(B) (1) A CAREGIVER, A PARENT, OR OTHER PERSON WHO HAS PERMANENT OR TEMPORARY CARE OR RESPONSIBILITY FOR THE SUPERVISION OF A VULNERABLE ADULT MAY NOT CAUSE ABUSE OR NEGLECT OF THE VULNERABLE ADULT.

(2) A HOUSEHOLD MEMBER OR FAMILY MEMBER MAY NOT CAUSE ABUSE OR NEGLECT OF A VULNERABLE ADULT.

(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE MISDEMEANOR OF ABUSE OR NEGLECT OF A VULNERABLE ADULT IN THE SECOND DEGREE AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

(D) A SENTENCE IMPOSED UNDER THIS SECTION SHALL BE IN ADDITION TO ANY OTHER SENTENCE IMPOSED FOR A CONVICTION ARISING FROM THE SAME FACTS AND CIRCUMSTANCES UNLESS THE EVIDENCE REQUIRED TO PROVE EACH CRIME IS SUBSTANTIALLY IDENTICAL.

3-605.

If a State or local unit receives a report of present or past abuse or neglect of a vulnerable adult, an investigation shall be conducted in accordance with:

(1) § 7-1005 of the Health - General Article if the adult has a developmental disability as defined in § 7-101 of the Health - General Article;

(2) § 10-705 of the Health - General Article if the adult is in a facility as defined in § 10-101 of the Health - General Article;

(3) § 19-346 or § 19-347 of the Health - General Article if the adult is a resident of a related institution as defined in § 19-301 of the Health - General Article; and

(4) §§ 14-301 through 14-309 of the Family Law Article if the adult does not meet the criteria of item (1), (2), or (3) of this [subsection] SECTION.