

(II) "SEXUAL ABUSE" INCLUDES:

1. INCEST;
2. RAPE;
3. SEXUAL OFFENSE IN ANY DEGREE;
4. SODOMY; AND
5. UNNATURAL OR PERVERTED SEXUAL PRACTICES.

(B) PROHIBITED.

(1) A PARENT OR OTHER PERSON WHO HAS PERMANENT OR TEMPORARY CARE OR CUSTODY OR RESPONSIBILITY FOR THE SUPERVISION OF A MINOR MAY NOT CAUSE ABUSE TO THE MINOR.

(2) A HOUSEHOLD MEMBER OR FAMILY MEMBER MAY NOT CAUSE ABUSE TO A MINOR.

(C) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO:

(1) IMPRISONMENT NOT EXCEEDING 15 YEARS; OR

(2) IF THE VIOLATION RESULTS IN THE DEATH OF THE VICTIM, IMPRISONMENT NOT EXCEEDING 30 YEARS.

(D) SENTENCING.

A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 35C(a)(1), (2), and (4) through (6) and (b).

Throughout this section, the defined term "minor" is substituted for the former term "child" which was defined as an individual under the age of 18 years.

In subsection (a)(2)(i) and (5) of this section, the former references to actions "by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member" are deleted as duplicative of the references to a "parent or other person who has permanent or temporary care or custody or responsibility for the supervision of a minor" and a "household member or family member" in subsection (b)(1) and (2) of this section, respectively.

In subsection (c) of this section, the former reference to a person being subject to imprisonment "in the penitentiary" is deleted for consistency