

(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.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

May 15, 2002

The Honorable Casper R. Taylor, Jr.
Speaker of the House
State House
Annapolis MD 21401