

§555. Endangering welfare of dependent person

1. A person is guilty of endangering the welfare of a dependent person if:

A. The person recklessly endangers the health, safety or mental welfare of a dependent person. Violation of this paragraph is a Class D crime; [PL 2019, c. 543, §1 (AMD).]

B. The person intentionally or knowingly endangers the health, safety or mental welfare of a dependent person. Violation of this paragraph is a Class C crime; [PL 2019, c. 543, §1 (AMD).]

C. The person recklessly infringes on a dependent person's rights of association, including but not limited to the right to receive visitors, mail or telephone or electronic communication, for the purpose of establishing or maintaining undue influence over that person. Violation of this paragraph is a Class D crime; or [PL 2019, c. 543, §2 (NEW).]

D. The person intentionally or knowingly infringes on a dependent person's rights of association, including but not limited to the right to receive visitors, mail or telephone or electronic communication, for the purpose of establishing or maintaining undue influence over that person. Violation of this paragraph is a Class C crime. [PL 2019, c. 543, §2 (NEW).]

[PL 2019, c. 543, §§1, 2 (AMD).]

2. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Endanger" includes a failure to act only when the defendant has a legal duty to protect the health, safety or mental welfare of the dependent person. For purposes of this paragraph, a legal duty may be inferred if the defendant has assumed responsibility in whole or in part for the care of the dependent person. [PL 2015, c. 306, §2 (NEW).]

B. "Dependent person" means a person, regardless of where that person resides, who is wholly or partially dependent upon one or more other persons for care or support because the person suffers from a significant limitation in mobility, vision, hearing or mental functioning or is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect. [PL 2015, c. 306, §2 (NEW).]

C. "Undue influence" has the same meaning as in section 109, subsection 4. [PL 2019, c. 543, §3 (NEW).]

[PL 2019, c. 543, §3 (AMD).]

3.

[PL 2005, c. 431, §1 (RP).]

SECTION HISTORY

PL 1975, c. 499, §1 (NEW). PL 1995, c. 110, §1 (AMD). PL 2001, c. 111, §1 (AMD). PL 2005, c. 431, §1 (RPR). PL 2015, c. 306, §§1, 2 (AMD). PL 2019, c. 543, §§1-3 (AMD).

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