

(3) "HOUSEHOLD MEMBER" HAS THE MEANING STATED IN § 3-601 OF THIS SUBTITLE.

(4) (I) "SEXUAL ABUSE" MEANS AN ACT THAT INVOLVES SEXUAL MOLESTATION OR EXPLOITATION OF A MINOR, WHETHER PHYSICAL INJURIES ARE SUSTAINED OR NOT.

(II) "SEXUAL ABUSE" INCLUDES:

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

(B) (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 SEXUAL ABUSE TO THE MINOR.

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

(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 15 YEARS.

(D) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR:

(1) ANY CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION; OR

(2) A VIOLATION OF § 3-601 OF THIS SUBTITLE INVOLVING AN ACT OF ABUSE SEPARATE FROM SEXUAL ABUSE UNDER THIS SECTION.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Correctional Services

3-404.

An inmate is not eligible for the program if the inmate:

(3) has been found guilty of the crime of:

(i) child abuse under [Article 27, § 35C of the Code] § 3-601 OR § 3-602 OF THE CRIMINAL LAW ARTICLE; or

7-801.

(a) In this section, "victim" means: