

SECOND REGULAR SESSION

HOUSE BILL NO. 1875

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TAYLOR.

5531H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 568.045, RSMo, and to enact in lieu thereof one new section relating to endangering the welfare of a child, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 568.045, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 568.045, to read as follows:

568.045. 1. A person commits the offense of endangering the welfare of a child in the first degree if he or she:

(1) Knowingly acts in a manner that creates a substantial risk to the life, body, or health of a child less than seventeen years of age; or

(2) Knowingly engages in sexual conduct with a person under the age of seventeen years over whom the person is a parent, guardian, or otherwise charged with the care and custody;

(3) Knowingly encourages, aids or causes a child less than seventeen years of age to engage in any conduct which violates the provisions of chapter 579;

(4) In the presence of a child less than seventeen years of age or in a residence where a child less than seventeen years of age resides, unlawfully manufactures[;] or attempts to manufacture, compounds, possesses, produces, prepares, sells, transports, tests, or analyzes amphetamine or methamphetamine or any of their analogues.

2. **A person commits the offense of endangering the welfare of a child in the first degree if such person knowingly ingests, injects, consumes, inhales, or otherwise uses a narcotic drug or a controlled substance without a prescription or in contravention to a valid prescription while such person is pregnant with an unborn child as defined under section 188.015 and such person knows or reasonably should know that she is pregnant.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **3.** The offense of endangering the welfare of a child in the first degree is a class D felony
19 unless the offense:

20 (1) Is committed as part of an act or series of acts performed by two or more persons as
21 part of an established or prescribed pattern of activity, or where physical injury to the child
22 results, or the offense is a second or subsequent offense under this section, in which case the
23 offense is a class C felony;

24 (2) Results in serious physical injury to the child, in which case the offense is a class B
25 felony; or

26 (3) Results in the death of a child, in which case the offense is a class A felony.

27 **4. Unless otherwise prohibited under section 478.005, a violation of subsection 2 of**
28 **this section may be considered for referral to a drug court.**

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