

House File 2360 - Enrolled

House File 2360

AN ACT

RELATING TO CHILD ENDANGERMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 726.6, Code 2026, is amended to read as follows:

726.6 Child endangerment.

1. As used in this section, unless the context otherwise requires, "child" means any person under eighteen years of age.

~~1.~~ 2. A person who is the parent, guardian, or person having custody or control over a child ~~or a minor under the age of eighteen with a mental or physical disability,~~ or a person who is a member of the household in which a child ~~or such a minor~~ resides, commits child endangerment when the person does any of the following:

a. Knowingly acts in a manner that creates a substantial risk to a ~~child or minor's~~ child's physical, mental, or emotional health or safety.

b. By an intentional act or series of intentional acts, uses unreasonable force, torture, or cruelty that results in bodily injury, or that is intended to cause serious injury.

c. By an intentional act or series of intentional acts, evidences unreasonable force, torture, or cruelty ~~which~~ that causes substantial mental or emotional harm to a child ~~or minor~~.

d. Willfully deprives a child ~~or minor~~ of necessary food, clothing, shelter, health care, or supervision appropriate to the ~~child or minor's~~ child's age, when the person is reasonably able to make the necessary provisions and which deprivation

substantially harms the ~~child or minor's~~ child's physical, mental, or emotional health. For purposes of this paragraph, the failure to provide specific medical treatment shall not for that reason alone be considered willful deprivation of health care if the person can show that such treatment would conflict with the tenets and practice of a recognized religious denomination of which the person is an adherent or member. This exception does not in any manner restrict the right of an interested party to petition the court on behalf of the best interest of the child ~~or minor~~.

e. Knowingly permits the continuing physical or sexual abuse of a child ~~or minor~~. However, it is an affirmative defense to this subsection if the person had a reasonable apprehension that any action to stop the continuing abuse would result in substantial bodily harm to the person or the child ~~or minor~~.

f. Abandons the child ~~or minor~~ to fend for the ~~child or minor's~~ child's self, knowing that the child ~~or minor~~ is unable to do so.

g. Knowingly permits a child ~~or minor~~ to be present at a location where amphetamine, its salts, isomers, or salts of isomers, or methamphetamine, its salts, isomers, or salts of isomers, is manufactured in violation of section 124.401, subsection 1, or where a product is possessed in violation of section 124.401, subsection 4.

h. Knowingly allows a person custody or control of, or unsupervised access to, a child ~~or a minor~~ after knowing the person is required to register or is on the sex offender registry as a sex offender under chapter 692A. However, this paragraph does not apply to a person who is a parent or guardian of a child ~~or a minor~~, who is required to register as a sex offender, or to a person who is married to and living with a person required to register as a sex offender.

i. Knowingly provides direct supervision of a person under section 724.22, subsection 4, while intoxicated as provided under the conditions set out in section 321J.2, subsection 1, paragraph "a", "b", or "c".

~~2.~~ 3. A person who is required to register as a sex offender under chapter 692A for a sex offense against a ~~minor~~ child who knowingly has control of a ~~minor~~ child, or who knowingly has unsupervised access to a ~~minor~~ child, commits child endangerment.

However, this subsection does not apply to any of the following:

a. A person who is required to register as a sex offender under chapter 692A for a sex offense against a ~~minor~~ child who knowingly has control of a ~~minor~~ child, or who knowingly has unsupervised access to a ~~minor~~ child, when the person is the legal parent or guardian of the ~~minor~~ child and the control or unsupervised access is not otherwise illegal.

b. A person who is required to register as a sex offender under chapter 692A for a sex offense against a ~~minor~~ child who knowingly has control of a ~~minor~~ child, or who knowingly has unsupervised access to a ~~minor~~ child, when the person is married to and living with the legal parent or guardian of the ~~minor~~ child and the control or unsupervised access is not otherwise illegal.

~~3.~~ 4. A parent or person authorized by the parent shall not be prosecuted for a violation of subsection ~~4~~ 2, paragraph "f", relating to abandonment, if the parent or person authorized by the parent has voluntarily released custody of a newborn infant in accordance with section 233.2.

~~4.~~ 5. For the purposes of subsection ~~4~~ 2, "person having control over a child ~~or a minor~~" means any of the following:

a. A person who has accepted, undertaken, or assumed supervision of a child ~~or such a minor~~ from the parent or guardian of the child ~~or minor~~.

b. A person who has undertaken or assumed temporary supervision of a child ~~or such a minor~~ without explicit consent from the parent or guardian of the child ~~or minor~~.

c. A person who operates a motor vehicle with a child ~~or such a minor~~ present in the vehicle.

~~5.~~ 6. A person who commits child endangerment resulting in the death of a child ~~or minor~~ is guilty of a class "B" felony. Notwithstanding section 902.9, subsection 1, paragraph "b", a person convicted of a violation of this subsection shall be confined for no more than fifty years.

~~6.~~ 7. A person who commits child endangerment resulting in serious injury to a child ~~or minor~~ is guilty of a class "C" felony.

~~7.~~ 8. A person who commits child endangerment resulting in bodily injury to a child ~~or minor~~ or child endangerment in violation of subsection ~~4~~ 2, paragraph "g", that does not result

in a serious injury, or a person who commits child endangerment in violation of subsection 2 3, is guilty of a class "D" felony.

~~8.~~ 9. A person who commits child endangerment that is not subject to penalty under subsection ~~5, 6, or 7~~ 6, 7, or 8 is guilty of an aggravated misdemeanor.

PAT GRASSLEY
Speaker of the House

AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2360, Ninety-first General Assembly.

MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2026

KIM REYNOLDS
Governor