

MAR 5 1997
JUDICIARY

HOUSE FILE 440
BY FORD

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to child endangerment and providing penalties.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 440

1 Section 1. Section 726.6, Code 1997, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 2A. A person who commits child
4 endangerment resulting in bodily injury to a child or minor is
5 guilty of a class "D" felony.

6 NEW SUBSECTION. 4. A person sentenced under this section
7 shall not be eligible for parole until the person has served a
8 minimum period of confinement of one-third of the maximum
9 indeterminate sentence prescribed by law.

10 Sec. 2. Section 726.6, subsection 3, Code 1997, is amended
11 to read as follows:

12 3. A person who commits child endangerment not resulting
13 in a serious or bodily injury to a child or minor is guilty of
14 an aggravated misdemeanor.

15 EXPLANATION

16 This bill relates to the penalties for the crime of child
17 endangerment under Code section 726.6.

18 The bill provides a new penalty of a Class "D" felony for a
19 person who commits child endangerment resulting in bodily
20 injury to a child or minor. Under Code section 907.3,
21 felonious child endangerment is a forcible felony not eligible
22 for deferred judgment, deferred sentence, or suspended
23 sentence.

24 The bill amends the current aggravated misdemeanor penalty
25 for child endangerment to conform with the new bodily injury
26 penalty.

27 The bill also provides a minimum sentence of at least one-
28 third of the maximum indeterminate sentence.

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