

House Study Bill 4

Bill Text

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1 1 Section 1. Section [702.11](#), subsection 2, Code 2001, is
1 2 amended by adding the following new paragraph:
1 3 NEW PARAGRAPH. e. Child endangerment resulting in bodily
1 4 injury to a child in violation of section 726.6, subsection
1 5 2A.
1 6 Sec. 2. Section [726.6](#), subsection 1, unnumbered paragraph
1 7 1, Code 2001, is amended to read as follows:
1 8 A person who is the parent, guardian, or person having
1 9 custody or control over a child or a minor under the age of
1 10 eighteen with a mental or physical disability, or a person who
1 11 is a member of the household in which a child or such a minor
1 12 resides, commits child endangerment when the person does any
1 13 of the following:
1 14 Sec. 3. Section [726.6](#), subsection 1, paragraph b, Code
1 15 2001, is amended to read as follows:
1 16 b. By an intentional act or series of intentional acts,
1 17 uses unreasonable force, torture or cruelty that results in
1 18 physical injury, or that is intended to cause bodily injury or
1 19 serious injury.
1 20 Sec. 4. Section [726.6](#), Code 2001, is amended by adding the
1 21 following new subsection:
1 22 NEW SUBSECTION. 2A. A person who commits child
1 23 endangerment resulting in bodily injury to a child or minor is
1 24 guilty of a class "D" felony.
1 25 Sec. 5. Section [726.6](#), subsection 3, Code 2001, is amended
1 26 to read as follows:
1 27 3. A person who commits child endangerment not resulting
1 28 in bodily injury or serious injury to a child or minor is
1 29 guilty of an aggravated misdemeanor.
1 30 EXPLANATION
1 31 This bill amends Code section 726.6, relating to child
1 32 endangerment violations, and includes a conforming change to
1 33 Code section 702.11, relating to forcible felonies.
1 34 Code section 726.6 is amended to include a person who is a
1 35 member of the child's or minor's household in the list of
2 1 possible perpetrators of an act of child endangerment. The
2 2 list of child endangerment acts is amended to include acts
2 3 intended to cause bodily injury. A new subsection provides
2 4 that an act of child endangerment resulting in bodily injury
2 5 to a child is a class "D" felony and the bill provides that an
2 6 act of child endangerment that does not result in bodily
2 7 injury or serious injury to a child is an aggravated
2 8 misdemeanor.
2 9 Current law provides that a felonious act of child
2 10 endangerment is a forcible felony. Code section 702.11 is
2 11 amended to provide that a class "D" felony act of child
2 12 endangerment resulting in bodily injury to a child is not a
2 13 forcible felony.
2 14 LSB 1274HC 79
2 15 jp/pj/5