

House File 303 - Introduced

HOUSE FILE 303

BY HALL

A BILL FOR

1 An Act relating to child endangerment for willfully leaving a
2 child unattended, and providing for a criminal penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 726.6, subsection 1, Code 2013, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *i.* Willfully leaves a child under ten years
4 of age unattended in or at any place for such a period of
5 time as creates a substantial risk to the child's physical,
6 mental, or emotional health or safety. This paragraph does not
7 limit the applicability of child endangerment as described in
8 paragraph "d".

9

EXPLANATION

10 This bill relates to the supervision of a child.

11 Currently, a parent, guardian, person having custody
12 or control over a child, or person who is a member of
13 the household in which the child resides, commits child
14 endangerment when such person willfully deprives a child of
15 supervision appropriate to the child's age, the person is
16 reasonably able to make the necessary provisions, and the
17 failure to provide the supervision substantially harms the
18 child's physical, mental, or emotional health.

19 The bill provides that such a person also commits child
20 endangerment when the person willfully leaves a child under the
21 age of 10 unattended for such a period of time as creates a
22 substantial risk to the child's physical, mental, or emotional
23 health or safety.

24 A person who commits child endangerment is guilty of an
25 aggravated misdemeanor which carries a maximum sentence of
26 two years and has a minimum fine of \$625 and a maximum fine
27 of \$6,250. A person who commits child endangerment resulting
28 in the death of the child or minor is guilty of a class "B"
29 felony which carries a maximum sentence of 50 years. A person
30 who commits child endangerment that results in serious injury
31 to the child or minor is guilty of a class "C" felony which
32 carries a maximum sentence of 10 years and has a minimum fine
33 of \$1,000 and a maximum fine of \$10,000. A person who commits
34 child endangerment resulting in bodily injury to a child or
35 minor is guilty of a class "D" felony which carries a maximum

H.F. 303

1 sentence of five years and has a minimum fine of \$750 and a
2 maximum fine of \$7,500.