

**House File 2086 - Introduced**

HOUSE FILE 2086  
BY NORDMAN

**A BILL FOR**

1 An Act relating to child endangerment.

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

unofficial

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

3 **726.6 Child endangerment.**

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

6 ~~1- 2.~~ A person who is the parent, guardian, or person having  
7 custody or control over a child ~~or a minor under the age of~~  
8 ~~eighteen with a mental or physical disability,~~ or a person who  
9 is a member of the household in which a child ~~or such a minor~~  
10 resides, commits child endangerment when the person does any of  
11 the following:

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

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

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

21 d. Willfully deprives a child ~~or minor~~ of necessary food,  
22 clothing, shelter, health care, or supervision appropriate to  
23 the ~~child or minor's~~ child's age, when the person is reasonably  
24 able to make the necessary provisions and which deprivation  
25 substantially harms the ~~child or minor's~~ child's physical,  
26 mental, or emotional health. For purposes of this paragraph, the  
27 failure to provide specific medical treatment shall not for that  
28 reason alone be considered willful deprivation of health care  
29 if the person can show that such treatment would conflict with  
30 the tenets and practice of a recognized religious denomination of  
31 which the person is an adherent or member. This exception does  
32 not in any manner restrict the right of an interested party to  
33 petition the court on behalf of the best interest of the child ~~or~~  
34 ~~minor~~.

35 e. Knowingly permits the continuing physical or sexual abuse

1 of a child ~~or minor~~. However, it is an affirmative defense  
2 to this subsection if the person had a reasonable apprehension  
3 that any action to stop the continuing abuse would result in  
4 substantial bodily harm to the person or the child ~~or minor~~.

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

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

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

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

26 ~~2.~~ 3. A person who is required to register as a sex offender  
27 under chapter 692A for a sex offense against a ~~minor~~ child who  
28 knowingly has control of a ~~minor~~ child, or who knowingly has  
29 unsupervised access to a ~~minor~~ child, commits child endangerment.  
30 However, this subsection does not apply to any of the following:

31 a. A person who is required to register as a sex offender  
32 under chapter 692A for a sex offense against a ~~minor~~ child who  
33 knowingly has control of a ~~minor~~ child, or who knowingly has  
34 unsupervised access to a ~~minor~~ child, when the person is the  
35 legal parent or guardian of the ~~minor~~ child and the control or

1 unsupervised access is not otherwise illegal.

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

9     ~~3.~~ 4. A parent or person authorized by the parent shall not  
10 be prosecuted for a violation of subsection ~~4 2~~, paragraph "f",  
11 relating to abandonment, if the parent or person authorized by  
12 the parent has voluntarily released custody of a newborn infant  
13 in accordance with section 233.2.

14     ~~4.~~ 5. For the purposes of subsection ~~4 2~~, "person having  
15 control over a child ~~or a minor~~" means any of the following:

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

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

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

24     ~~5.~~ 6. A person who commits child endangerment resulting  
25 in the death of a child ~~or minor~~ is guilty of a class "B"  
26 felony. Notwithstanding section 902.9, subsection 1, paragraph  
27 "b", a person convicted of a violation of this subsection shall  
28 be confined for no more than fifty years.

29     ~~6.~~ 7. A person who commits child endangerment resulting in  
30 serious injury to a child ~~or minor~~ is guilty of a class "C"  
31 felony.

32     ~~7.~~ 8. A person who commits child endangerment resulting  
33 in bodily injury to a child ~~or minor~~ or child endangerment in  
34 violation of subsection ~~4 2~~, paragraph "g", that does not result  
35 in a serious injury, or a person who commits child endangerment

1 in violation of subsection ~~2~~ 3, is guilty of a class "D" felony.  
2 ~~8.~~ 9. A person who commits child endangerment that is not  
3 subject to penalty under subsection ~~5, 6, or 7~~ 6, 7, or 8 is  
4 guilty of an aggravated misdemeanor.

5 EXPLANATION

6 The inclusion of this explanation does not constitute agreement with  
7 the explanation's substance by the members of the general assembly.

8 This bill relates to child endangerment.

9 Current law provides that a person who is the parent,  
10 guardian, or person having custody or control over a child or a  
11 minor under the age of 18 with a mental or physical disability,  
12 or a person who is a member of the household in which a child or  
13 such a minor resides, commits child endangerment when the person  
14 does any of the actions described in Code section 726.6.

15 The bill adds a definition of "child" to mean any person under  
16 18 years of age, and removes references to minors.