

HOUSE BILL NO. 381

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE MCGUIRE

Introduced: 1/20/04

Referred: Health, Education and Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to child endangerment."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 11.51.100(a) is amended to read:

4 (a) A person commits the crime of endangering the welfare of a child in the
5 first degree if, being a parent, guardian, or other person legally charged with the care
6 of a child under 16 years of age, the person

7 (1) intentionally deserts the child in a place under circumstances
8 creating a substantial risk of physical injury to the child;

9 (2) leaves the child with another person who is not a parent, guardian,
10 or lawful custodian of the child knowing that the person

11 (A) is registered or required to register as a sex offender under
12 AS 12.63 or a law or ordinance in another jurisdiction with similar
13 requirements;

14 (B) has been charged by complaint, information, or indictment
15 with a violation of AS 11.41.410 - 11.41.455 or a law or ordinance in another

1 jurisdiction with similar elements; or

2 (C) has been charged by complaint, information, or indictment
3 with an attempt, solicitation, or conspiracy to commit a crime described in (B)
4 of this paragraph; [OR]

5 (3) leaves the child with another person knowing that the person has
6 previously physically mistreated or had sexual contact with any child, and the other
7 person causes physical injury or engages in sexual contact with the child;

8 **(4) transports a child in a motor vehicle, aircraft, or watercraft**
9 **while under the influence of an intoxicant; or**

10 **(5) transports a child in a motor vehicle without requiring the**
11 **child to use the seating restraints required by law, and the child suffers physical**
12 **injury or dies.**

13 * **Sec. 2.** AS 11.51.100(c) is amended to read:

14 (c) Endangering the welfare of a child in the first degree under (a)(1), [OR]
15 (2), **or (4)** of this section is a class C felony.

16 * **Sec. 3.** AS 11.51.100(d) is amended to read:

17 (d) Endangering the welfare of a child in the first degree under (a)(3) **or (5)** of
18 this section is a

19 (1) class B felony if the child dies;

20 (2) class C felony if the child suffers sexual contact, sexual
21 penetration, or serious physical injury; or

22 (3) class A misdemeanor if the child suffers physical injury.

23 * **Sec. 4.** AS 11.51.100 is amended by adding a new subsection to read:

24 (e) In this section, "intoxicant" has the meaning given in AS 47.10.990.