

CS FOR HOUSE BILL NO. 381(RLS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE

Offered: 4/30/04

Referred: Today's Calendar

Sponsor(s): REPRESENTATIVES MCGUIRE, Lynn, Dahlstrom

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
6 LEGALLY CHARGED WITH THE CARE OF A CHILD UNDER 16 YEARS OF
7 AGE,] the person

8 (1) **being a parent, guardian, or other person legally charged with**
9 **the care of a child under 16 years of age,**

10 **(A)** intentionally deserts the child in a place under
11 circumstances creating a substantial risk of physical injury to the child;

12 **(B)** [(2)] leaves the child with another person who is not a
13 parent, guardian, or lawful custodian of the child knowing that the person

14 **(i)** [(A)] is registered or required to register as a sex
15 offender under AS 12.63 or a law or ordinance in another jurisdiction

1 with similar requirements;

2 **(ii)** [(B)] has been charged by complaint, information,
3 or indictment with a violation of AS 11.41.410 - 11.41.455 or a law or
4 ordinance in another jurisdiction with similar elements; or

5 **(iii)** [(C)] has been charged by complaint, information,
6 or indictment with an attempt, solicitation, or conspiracy to commit a
7 crime described in **(ii)** [(B)] of this **subparagraph** [PARAGRAPH]; or

8 **(C)** [(3)] leaves the child with another person knowing that the
9 person has previously physically mistreated or had sexual contact with any
10 child, and the other person causes physical injury or engages in sexual contact
11 with the child; **or**

12 **(2) transports a child in a motor vehicle, aircraft, or watercraft**
13 **while in violation of AS 28.35.030.**

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

15 (c) Endangering the welfare of a child in the first degree under **(a)(1)(A) or**
16 **(B)** [(a)(1) OR (2)] of this section is a class C felony. **Endangering the welfare of a**
17 **child under (a)(2) of this section is a class A misdemeanor.**

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

19 (d) Endangering the welfare of a child in the first degree under **(a)(1)(C)**
20 [(a)(3)] of this section is a

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

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

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