

HOUSE BILL NO. 226

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE ORTIZ

Introduced: 4/12/17

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to endangering the welfare of a child in the first degree."**

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

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

4 (b) A person commits the crime of endangering the welfare of a **child**
5 [MINOR] in the first degree if the person

6 **(1) transports a child in a motor vehicle, aircraft, or watercraft while in**
7 **violation of AS 28.35.030; or**

8 **(2) is the parent, guardian, or other person legally charged with**
9 **the care of a child under 16 years of age and secludes, restrains, or places the**
10 **child in a cage or similar structure under circumstances that create a substantial**
11 **risk of physical harm or mental injury to the child.**

12 * **Sec. 2.** AS 11.51.100 is amended by adding a new subsection to read:

13 (g) Paragraph (b)(2) of this section does not apply to a parent, guardian, or
14 other person legally charged with the care of a child who

15 (1) secludes or restrains the child if the parent, guardian, or other

1 person reasonably believes there is a risk of injury or harm to the child, the adult, or
2 others; or

3 (2) restrains or secludes the child in compliance with AS 14.33.125.

4 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
5 read:

6 APPLICABILITY. AS 11.51.100(b), as amended by sec. 1 of this Act, and
7 AS 11.51.100(g), enacted by sec. 2 of this Act, apply to offenses committed on or after the
8 effective date of this Act.