

FIRST REGULAR SESSION

HOUSE BILL NO. 389

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HARRIS (23) (Sponsor), WITTE, ROORDA, JOLLY, LAMPE, BAKER (25), OXFORD, HENKE, LeVOTA, BARNITZ, WHORTON, SHOEMYER, LIESE, STORCH, FRASER, SCHOEMEHL, RUCKER, ROBINSON, BURNETT, AULL, MEADOWS, BROWN (50), CASEY, WILDBERGER, HUBBARD, WALSH, CURLS, SKAGGS, CORCORAN, KUESSNER, MEINERS, HARRIS (110), GEORGE, SANDERS BROOKS, PAGE, YAEGER, YOUNG, WALTON, DAUS, DARROUGH, KRATKY, HOSKINS, ZWEIFEL, DONNELLY, CHAPPELLE-NADAL, VOGT, BOWMAN, WAGNER, JOHNSON (61), SWINGER, BLAND, HAYWOOD, BRINGER, SALVA, HUGHES, JOHNSON (90), VILLA, BOYKINS, LOWE (44), SELBY, EL-AMIN, LOW (39) AND SPRENG (Co-sponsors).

Read 1st time January 27, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1007L.011

AN ACT

To repeal section 568.045, RSMo, and to enact in lieu thereof one new section relating to endangering the welfare of a child in the first degree, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 568.045, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 568.045, to read as follows:

568.045. 1. A person commits the crime of endangering the welfare of a child in the first degree if:

(1) The person knowingly acts in a manner that creates a substantial risk to the life, body, or health of a child less than seventeen years old; or

(2) The person knowingly engages in sexual conduct with a person under the age of seventeen years over whom the person is a parent, guardian, or otherwise charged with the care and custody;

(3) The person knowingly encourages, aids or causes a child less than seventeen years of age to engage in any conduct which violates the provisions of chapter 195, RSMo;

(4) Such person enlists the aid, either through payment or coercion, of a person less than

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11 seventeen years of age to unlawfully manufacture, compound, produce, prepare, sell, transport,
12 test or analyze amphetamine or methamphetamine or any of their analogues, or to obtain any
13 material used to manufacture, compound, produce, prepare, test or analyze amphetamine or
14 methamphetamine or any of their analogues; or

15 (5) Such person, in the presence of **or within the residence of** a person less than
16 seventeen years of age, unlawfully manufactures, compounds, produces, prepares, sells,
17 transports, tests or analyzes amphetamine or methamphetamine or any of their analogues.

18 2. Endangering the welfare of a child in the first degree is a class C felony unless the
19 offense is committed as part of a ritual or ceremony, or except on a second or subsequent
20 offense, in which case the crime is a class B felony.