

FIRST EXTRAORDINARY SESSION OF THE
SECOND REGULAR SESSION

HOUSE BILL NO. 11

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHROER.

5792H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

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

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Section A. Section 568.045, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 568.045, to read as follows: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 offense of endangering the welfare of a child in the first degree if he or she:

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

(2) 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) Knowingly encourages, aids or causes a child less than seventeen years of age to engage in any conduct which violates the provisions of chapter **571 or 579**;

(4) In the presence of a child less than seventeen years of age or in a residence where a child less than seventeen years of age resides, unlawfully manufactures~~[r]~~ or attempts to manufacture, compounds, possesses, produces, prepares, sells, transports, tests, or analyzes amphetamine or methamphetamine or any of ~~[thei~~ **its** analogues.

2. The offense of endangering the welfare of a child in the first degree is a class D felony unless the offense:

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.

15 (1) Is committed as part of an act or series of acts performed by two or more persons as
16 part of an established or prescribed pattern of activity, or where physical injury to the child
17 results, or the offense is a second or subsequent offense under this section, in which case the
18 offense is a class C felony;

19 (2) Results in serious physical injury to the child, in which case the offense is a class B
20 felony; or

21 (3) Results in the death of a child, in which case the offense is a class A felony.

Section B. Because immediate action is necessary to further equip and enhance our
2 criminal justice system to fight violent crime in Missouri and protect our citizens and residents
3 due to the recent unprecedented wave of violent crime across our nation and state, section A of
4 this act is deemed necessary for the immediate preservation of the public health, welfare, peace,
5 and safety, and is hereby declared to be an emergency act within the meaning of the constitution,
6 and section A of this act shall be in full force and effect upon its passage and approval.

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