

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill Nos. 1108 & 1181, Page 24, Section 567.030, Line 20,  
2 by inserting after said section and line the following:  
3

4 "568.045. 1. A person commits the offense of endangering the welfare of a child in the first degree  
5 if he or she:

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

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

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

12 (4) In the presence of a child less than seventeen years of age or in a residence where a child less  
13 than seventeen years of age resides, unlawfully manufactures[,] or attempts to manufacture, compounds,  
14 possesses, produces, prepares, sells, transports, tests, or analyzes amphetamine or methamphetamine or any  
15 of their analogues; or

16 (5) Knowingly fails to secure a readily available firearm, as defined in section 571.010, in the  
17 presence of a child under seventeen years of age or in a residence where a child under seventeen years of age  
18 resides. For the purposes of this subdivision, the term "secure" means storing a firearm in a locked safe,  
19 cabinet, gun vault, or storage case or using a firearm locking device. It shall not be an affirmative defense to  
20 a charge under this subdivision if the offense results in the death of a child and the death is determined to be  
21 the result of a suicide.

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

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

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

28 (3) Results in the death of a child, in which case the offense is a class A felony."; and  
29

30 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_