Huse BILL NO. 122 INTRODUCED BY Nequest - Danglam (CC 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 4 5 94-5-607, R.C.M. 1947, BY INCLUDING CONTRIBUTING TO THE 6 DELINQUENCY OF A YOUTH AS ENDANGERING WELFARE OF CHILDREN, 7 PROVIDING INCREASED PENALTIES FOR SECOND OFFENSE AND PROVIDING AN EFFECTIVE DATE." ಶ 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 94-5-607, R.C.M. 1947, is amended to read as follows: 12 13 *94-5-607. Endangering welfare of children. (1) A 14 parent, quardian, or other person supervising the welfare of 15 a child less than sixteen (16) years old commits the offense 16 of endangering the welfare of children if he knowingly 17 endangers the child's welfare by violating a duty of care, 18 protection or support. 19 (2) A parent, guardian, or other person commits the 20 offense of endangering the welfare of children if he 21 knowingly contributes to the delinquency of a youth as 22 defined in section 10-1203, R.C.M. 1947. 23 (2--) (3) A person convicted of endangering welfare of 24 children shall be fined not to exceed five nundred dollars

25 (\$500) or be imprisoned in the county jair for any term not

INTRODUCED BILL

to exceed six (6) months, or both. A person convicted of a 1 second offense of endangering welfare of children shall be 2 fined not to exceed one thousand dollars (\$1,000) or be 3 imprisoned in the county jail for any term not to exceed six (6) months, or both. 5 (3) (4) Evidence. On the issue of whether there has 6 7 been a violation of the duty of care, protection, and support, the following in addition to all other admissible 9 evidence, shall be admissible: cruel treatment, abuse, 10 infliction of unnecessary and cruel punishment, abandonment, 11 neglect, lack of proper medical care, clothing, shelter and 12 food; evidence of past bodily injury. On the issue of 13 whether there has been a violation of contributing to the delinquency of a youth, the following in addition to all 14 15 other admissible evidence, shall be admissible: furnishing 16 habitation without permission of the parent or legal 17 guardian; supplying or encouraging the use of intoxicating 18 substances by a child; assisting, promoting, or encouraging 19 a child to: leave or abandon his place of residence, enter 20 a place of prostitution, engage in sexual conduct, or enter 21 places selling intoxicating beverages or other places 22 exclusively for adults. 23 (4) (5) The court may order, in its discretion, any 24 fine levied or any bond forfeited upon a charge of 25 endangering welfare of children paid to or for the benefit

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of the person or persons whose welfare the defendant has

- 2 endangered."
- 3 Section 2. This act is effective on passage and
- 4 approval.

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HB 0122/02

Approved by Committee on Judiciary

1	HOUSE BILL NO. 122
2	INTRODUCED BY YARDLEY (BY REQUEST)
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
5	94-5-607, R.C.M. 1947, BY INCLUDING CONTRIBUTING TO THE
6	DELINQUENCY OF A YOUTH AS ENDANGERING WELFARE OF CHILDREN,
7	PROVIDING INCREASED PENALTIES FOR SECOND OFFENSE AND

8 PROVIDING AN EFFECTIVE DATE."

9

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 94-5-607, R.C.M. 1947, is amended to read as follows:

93 "94-5-607. Endangering welfare of children. (1) A 14 parent, guardian, or other person supervising the welfare of 15 a child less than sixteen (16) years old commits the offense 16 of endangering the welfare of children if he knowingly 17 endangers the child's welfare by violating a duty of care, 18 protection or support.

(2) A parent, guardian, or other person commits the
offense of endangering the welfare of children if he
knowingly contributes to the delinguency of a youth as
defined in section 10-1203, R.C.M. 1947.

23 (2) (3) A person convicted of endangering welfare of
24 children shall be fined not to exceed five hundred dollars
25 (\$500) or be imprisoned in the county jail for any term not

1	to exceed six (6) months, or both. A person convicted of a
2	second offense of endangering welfare of children shall be
3	fined not to exceed one thousand dollars (\$1,000) or be
4	imprisoned in the county jail for any term not to exceed six
5	(6) months, or both.
6	(3) (4) Evidence. On the issue of whether there has
7	been a violation of the duty of care, protection, and
8	support, the following in addition to all other admissible
9	evidence, shall be admissible: cruel treatment, abuse,
10	infliction of unnecessary and cruel punishment, abandonment,
11	neglect, lack of proper medical care, clothing, shelter and
12	food; evidence of past bodily injury. On the issue of
13	whether there has been a violation of contributing to the
14	delinquency of a youth, the following in addition to all
15	other admissible evidence, shall be admissible: furnishing
16	habitation without permission of the parent or legal
17	guardian; supplying or encouraging the use of intoxicating
18	substances by a child; assisting, promoting, or encouraging
19	a child to: leave or abandon his place of residence, enter
20	a place of prostitution, engage in sexual conduct, or enter
21	places sellingintexicatingbeveragesorotherplaces
22	exclusively for adults.
23	(4) (5) The court may order, in its discretion, any
24	fine levied or any bond forfeited upon a charge of
. 25	endangering welfare of children paid to or for the benefit

SECOND READING

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HB 0122/02

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of the person or persons whose welfare the defendant has
 endangered."

3 Section 2. This act is effective on passage and 4 approval.

-End-

HB 0122/02

HOUSE BILL NO. 122 INTRODUCED BY YARDLEY (BY REQUEST)

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 4 94-5-607, R.C.M. 1947, BY INCLUDING CONTRIBUTING TO THE 5 DELINOUENCY OF A YOUTH AS ENDANGERING WELFARE OF CHILDREN, 6 PROVIDING INCREASED PENALTIES FOR SECOND OFFENSE AND 7 PROVIDING AN EFFECTIVE DATE." 8

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 11 Section 1. Section 94-5-607, R.C.M. 1947, is amended to read as follows: 12

"94-5-607. Endangering welfare of children. (1) A 93 parent, guardian, or other person supervising the welfare of 14 15 a child less than sixteen (16) years old commits the offense 16 of endangering the welfare of children if he knowingly endangers the child's welfare by violating a duty of care, 17 protection or support. 18

(2) A parent, quardian, or other person commits the 19 20 offense of endangering the welfare of children if he 21 knowingly contributes to the delinquency of a youth as 22 defined in section 10-1203, R.C.M. 1947.

(2) A person convicted of endangering welfare of 23 24 children shall be fined not to exceed five hundred dollars (\$500) or be imprisoned in the county jail for any term not 25

THIRD READING

. 25

to exceed six (6) months, or both. A person convicted of a 1 2 second offense of endangering welfare of children shall be 3 fined not to exceed one thousand dollars (\$1,000) or be imprisoned in the county jail for any term not to exceed six Δ 5 (6) months, or both. (3) (4) Evidence. On the issue of whether there has 6 7 been a violation of the duty of care, protection, and support, the following in addition to all other admissible 8 9 evidence, shall be admissible: cruel treatment, abuse, 10 infliction of unnecessary and cruel punishment, abandonment, 11 neglect, lack of proper medical care, clothing, shelter and food; evidence of past bodily injury. On the issue of 12 whether there has been a violation of contributing to the 13 delinquency of a youth, the following in addition to all 14 15 other admissible evidence, shall be admissible: furnishing 16 habitation without permission of the parent or legal 17 quardian; supplying or encouraging the use of intoxicating 18 substances by a child; assisting, promoting, or encouraging 19 a child to: leave or abandon his place of residence, enter 20 a place of prostitution, engage in sexual conduct, or enter 21 places selling--intoxicating--beverages--or--other--places 22 exclusively for adults. 23 (4) (5) The court may order, in its discretion, any 24 fine levied or any bond forfeited upon a charge of

endangering welfare of children paid to or for the benefit -2-

of the person or persons whose welfare the defendant has 1 2 endangered." Section 2. This act is effective on passage and 3

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approval. 4

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March 4, 1975

SENATE COMMITTEE ON JUDICIARY

AMENDMENTS TO HOUSE BILL NO. 122

That House Bill No. 122, third reading, be amended as follows:

- 1. Amend page 1, section 1, lines 21 and 22. Following: "youth" Strike: "as defined in section 10-1203, R.C.M. 1947" Insert: "by: (a) supplying or encouraging the use of intoxicating substances by a child; (b) assisting, promoting, or encouraging a child to leave or abandon his place of residence without the consent of his parents or guardian, to enter a place of prostitution, to engage in sexual conduct, or to enter places exclusively for adults"
- 2. Amend page 2, section 1, lines 12 through 22. Following: "injury." Strike: lines 12 through 22 in their entirety

HOUSE BILL NO. 122 INTRODUCED BY YARDLEY (BY REQUEST) A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 94-5-607, R.C.M. 1947, BY INCLUDING CONTRIBUTING TO THE DELINQUENCY OF A YOUTH AS ENDANGERING WELFARE OF CHILDREN, PROVIDING INCREASED PENALTIES FOR SECOND OFFENSE AND

8 PROVIDING AN EFFECTIVE DATE."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 94-5-607, R.C.M. 1947, is amended 12 to read as follows:

13 "94-5-607. Endangering welfare of children. (1) A 14 parent, guardian, or other person supervising the welfare of 15 a child less than sixteen (16) years old commits the offense 16 of endangering the welfare of children if he knowingly 17 endangers the child's welfare by violating a duty of care, 13 protection or support.

(2) A parent, guardian, or other person commits the
 offense of endangering the welfare of children if he
 knowingly contributes to the delinquency of a youth as
 defined-in-section-10-12007-R-C+M+-1947 BY:

23 (A) SUPPLYING OR ENCOURAGING THE USE OF INTOXICATING
 24 SUBSTANCES BY A CHILD;

25 (B) ASSISTING, PROMOTING, OR ENCOURAGING A CHILD TO

REFERENCE BILL

1	LEAVE OR ABANDON HIS PLACE OF RESIDENCE WITHOUT THE CONSENT
2	OF HIS PARENTS OR GUARDIAN, TO ENTER A PLACE OF
3	PROSTITUTION, TO ENGAGE IN SEXUAL CONDUCT, OR TO ENTER
4	PLACES EXCLUSIVELY FOR ADULTS.
5	(2) (3) A person convicted of endangering welfare of
6	children shall be fined not to exceed five hundred dollars
7	(\$500) or be imprisoned in the county jail for any term not
8	to exceed six (6) months, or both. A person convicted of a
9	second offense of endangering welfare of children shall be
10	fined not to exceed one thousand dollars (\$1,000) or be
11	imprisoned in the county jail for any term not to exceed six
12	(6) months, or both.
13	(3) (4) Evidence. On the issue of whether there has
14	been a violation of the duty of care, protection, and
15	support, the following in addition to all other admissible
16	evidence, shall be admissible: cruel treatment, abuse,
17	infliction of unnecessary and cruel punishment, abandonment,
18	neglect, lack of proper medical care, clothing, shelter and
19	food; evidence of past bodily injury. Ontheissueof
20	whethertherehasbeen-a-violation-of-contributing-to-the
21	delinguency-of-a-youthy-the-followinginadditiontoall
22	otheradmissible-evidence;-shall-be-admissible;furnishing
23	habitationwithoutpermissionoftheparentorlegal
24	guardian;supplyingor-encouraging-the-use-of-intoxicating
25	substances-by-a-child;-assisting;-promoting;-orencouraging
	-2- нв 122

1 a-child-to:--leave-or-abandon-his-place-of-residencey--enter 2 a--place-of-prostitutiony-engage-in-gexual-conducty-or-enter places--selling--intexicating--beverages--or--other---places 3 4 exclusively-for-adults. (4) (5) The court may order, in its discretion, any 5 б fine levied or any bond forfeited upon a charge of 7 endangering welfare of children paid to or for the benefit of the person or persons whose welfare the defendant has 8

9 endangered."

10 Section 2. This act is effective on passage and 11 approval.

-End-

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