

House BILL NO. *122*

INTRODUCED BY *Request - Dingardley*

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 PROVIDING AN EFFECTIVE DATE."

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:

"94-5-607. Endangering welfare of children. (1) A parent, guardian, or other person supervising the welfare of a child less than sixteen (16) years old commits the offense of endangering the welfare of children if he knowingly endangers the child's welfare by violating a duty of care, 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 10-1203, R.C.M. 1947.

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

to exceed six (6) months, or both. A person convicted of a second offense of endangering welfare of children shall be fined not to exceed one thousand dollars (\$1,000) or be imprisoned in the county jail for any term not to exceed six (6) months, or both.

~~(4)~~ (4) Evidence. On the issue of whether there has been a violation of the duty of care, protection, and support, the following in addition to all other admissible evidence, shall be admissible: cruel treatment, abuse, infliction of unnecessary and cruel punishment, abandonment, neglect, lack of proper medical care, clothing, shelter and food; evidence of past bodily injury. On the issue of whether there has been a violation of contributing to the delinquency of a youth, the following in addition to all other admissible evidence, shall be admissible: furnishing habitation without permission of the parent or legal guardian; supplying or encouraging the use of intoxicating substances by a child; assisting, promoting, or encouraging a child to: leave or abandon his place of residence, enter a place of prostitution, engage in sexual conduct, or enter places selling intoxicating beverages or other places exclusively for adults.

~~(5)~~ (5) The court may order, in its discretion, any fine levied or any bond forfeited upon a charge of endangering welfare of children paid to or for the benefit

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

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

-End-

Approved by Committee
on Judiciary

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

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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

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(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 10-1203, R.C.M. 1947 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)~~ (3) A person convicted of endangering welfare of children shall be fined not to exceed five hundred dollars (\$500) or be imprisoned in the county jail for any term not to exceed six (6) months, or both. A person convicted of a second offense of endangering welfare of children shall be fined not to exceed one thousand dollars (\$1,000) or be imprisoned in the county jail for any term not to exceed six (6) months, or both.

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1 ~~a--child--to--leave--or--abandon--his--place--of--residence--enter~~
2 ~~a--place--of--prostitution--engage--in--sexual--conduct--or--enter~~
3 ~~places--selling--intoxicating--beverages--or--other--places~~
4 ~~exclusively--for--adults.~~

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