

HOUSE BILL NO. 571

INTRODUCED BY DAILY, PAVLOVICH, QUILICI, HANNAH

IN THE HOUSE

FEBRUARY 2, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON HUMAN SERVICES & AGING.

FEBRUARY 9, 1987 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

PRINTING REPORT.

FEBRUARY 11, 1987 SECOND READING, DO PASS.

FEBRUARY 12, 1987 ENGROSSING REPORT.

ON MOTION, TAKEN FROM THIRD READING
AND REREFERRED TO SECOND READING.

SECOND READING, DO PASS AS AMENDED.

FEBRUARY 13, 1987 ENGROSSING REPORT.

FEBRUARY 14, 1987 THIRD READING, PASSED.
AYES, 88; NOES, 7.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 16, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON PUBLIC HEALTH, WELFARE & SAFETY.

MARCH 25, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 28, 1987 SECOND READING, CONCURRED IN.

MARCH 30, 1987 THIRD READING, CONCURRED IN.
AYES, 50; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 31, 1987

RECEIVED FROM SENATE.

SENT TO ENROLLING.

1
 2 INTRODUCED BY *Hand* *House BILL NO. 571*
 3 *Daryl Paulson Dulci*

4 A BILL FOR AN ACT ENTITLED: "AN ACT RAISING FROM 16 TO 18
 5 YEARS THE AGE OF CHILDREN COVERED BY THE OFFENSE OF
 6 ENDANGERING THE WELFARE OF CHILDREN; AND AMENDING SECTION
 7 45-5-622, MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 45-5-622, MCA, is amended to read:

11 "45-5-622. Endangering the welfare of children. (1) A
 12 parent, guardian, or other person supervising the welfare of
 13 a child less than 16 18 years old commits the offense of
 14 endangering the welfare of children if he knowingly
 15 endangers the child's welfare by violating a duty of care,
 16 protection, or support.

17 (2) A parent or guardian or any person who is 18 years
 18 of age or older, whether or not he is supervising the
 19 welfare of the child, commits the offense of endangering the
 20 welfare of children if he knowingly contributes to the
 21 delinquency of a child less than 16 18 years old by:

- 22 (a) supplying or encouraging the use of intoxicating
- 23 substances by the child; or
- 24 (b) assisting, promoting, or encouraging the child to:
- 25 (i) abandon his place of residence without the consent

1 of his parents or guardian;

- 2 (ii) enter a place of prostitution; or
- 3 (iii) engage in sexual conduct.

4 (3) A person convicted of endangering the welfare of
 5 children shall be fined not to exceed \$500 or imprisoned in
 6 the county jail for any term not to exceed 6 months, or
 7 both. A person convicted of a second offense of endangering
 8 the welfare of children shall be fined not to exceed \$1,000
 9 or imprisoned in the county jail for any term not to exceed
 10 6 months, or both.

11 (4) On the issue of whether there has been a violation
 12 of the duty of care, protection, and support, the following,
 13 in addition to all other admissible evidence, is admissible:
 14 cruel treatment; abuse; infliction of unnecessary and cruel
 15 punishment; abandonment; neglect; lack of proper medical
 16 care, clothing, shelter, and food; and evidence of past
 17 bodily injury.

18 (5) The court may order, in its discretion, any fine
 19 levied or any bond forfeited upon a charge of endangering
 20 the welfare of children paid to or for the benefit of the
 21 person or persons whose welfare the defendant has
 22 endangered."

-End-



-2-
 INTRODUCED BILL
 HB 571

APPROVED BY COMM. ON HUMAN SERVICES AND AGING

House BILL NO. 571
Daryl Patrick Sullivan

INTRODUCED BY Hand

A BILL FOR AN ACT ENTITLED: "AN ACT RAISING FROM 16 TO 18 YEARS THE AGE OF CHILDREN COVERED BY THE OFFENSE OF ENDANGERING THE WELFARE OF CHILDREN; AND AMENDING SECTION 45-5-622, MCA."

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

Section 1. Section 45-5-622, MCA, is amended to read:

"45-5-622. Endangering the welfare of children. (1) A parent, guardian, or other person supervising the welfare of a child less than 16 18 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 or guardian or any person who is 18 years of age or older, whether or not he is supervising the welfare of the child, commits the offense of endangering the welfare of children if he knowingly contributes to the delinquency of a child less than 16 18 years old by:

- (a) supplying or encouraging the use of intoxicating substances by the child; or
(b) assisting, promoting, or encouraging the child to:
(i) abandon his place of residence without the consent

- of his parents or guardian;
(ii) enter a place of prostitution; or
(iii) engage in sexual conduct.

(3) A person convicted of endangering the welfare of children shall be fined not to exceed \$500 or imprisoned in the county jail for any term not to exceed 6 months, or both. A person convicted of a second offense of endangering the welfare of children shall be fined not to exceed \$1,000 or imprisoned in the county jail for any term not to exceed 6 months, or both.

(4) 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, is admissible: cruel treatment; abuse; infliction of unnecessary and cruel punishment; abandonment; neglect; lack of proper medical care, clothing, shelter, and food; and evidence of past bodily injury.

(5) The court may order, in its discretion, any fine levied or any bond forfeited upon a charge of endangering the welfare of children paid to or for the benefit of the person or persons whose welfare the defendant has endangered."

-End-



HOUSE BILL NO. 571

INTRODUCED BY DAILY, PAVLOVICH, QUILICI, HANNAH

A BILL FOR AN ACT ENTITLED: "AN ACT RAISING FROM 16 TO 18 YEARS THE AGE OF CHILDREN COVERED, IN CERTAIN CASES, BY THE OFFENSE OF ENDANGERING THE WELFARE OF CHILDREN; AND AMENDING SECTION 45-5-622, MCA."

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Section 1. Section 45-5-622, MCA, is amended to read:

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(2) A parent or guardian or any person who is 18 years of age or older, whether or not he is supervising the welfare of the child, commits the offense of endangering the welfare of children if he knowingly contributes to the delinquency of a child less than ~~16~~ 18 years-old-by:

(a) 18 YEARS OLD BY supplying or encouraging the use of intoxicating substances by the child OR ASSISTING, PROMOTING, OR ENCOURAGING THE CHILD TO ENTER A PLACE OF PROSTITUTION; or

(b) 16 YEARS OLD BY assisting, promoting, or encouraging the child to:

(i) abandon his place of residence without the consent of his parents or guardian; OR
~~{ii}-enter-a-place-of-prostitution;-or~~
~~{iii}{II}~~ engage in sexual conduct.

(3) A person convicted of endangering the welfare of children shall be fined not to exceed \$500 or imprisoned in the county jail for any term not to exceed 6 months, or both. A person convicted of a second offense of endangering the welfare of children shall be fined not to exceed \$1,000 or imprisoned in the county jail for any term not to exceed 6 months, or both.

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(5) The court may order, in its discretion, any fine levied or any bond forfeited upon a charge of endangering the welfare of children paid to or for the benefit of the person or persons whose welfare the defendant has endangered."

-End-

-2-

THIRD READING
HB 571
SECOND PRINTING
AS AMENDED



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(2) A parent or guardian or any person who is 18 years of age or older, whether or not he is supervising the welfare of the child, commits the offense of endangering the welfare of children if he knowingly contributes to the delinquency of a child less than 16 18 years-old-by:

(a) 18 YEARS OLD BY supplying or encouraging the use of intoxicating substances by the child OR ASSISTING, PROMOTING, OR ENCOURAGING THE CHILD TO ENTER A PLACE OF PROSTITUTION; or

(b) 16 YEARS OLD BY assisting, promoting, or encouraging the child to:

(i) abandon his place of residence without the consent of his parents or guardian; OR ~~+++enter-a-place-of-prostitution;-or~~ ~~+++~~(II) engage in sexual conduct.

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-End-

-2-

HB 571

REFERENCE BILL

