

FIRST REGULAR SESSION

# SENATE BILL NO. 438

93RD GENERAL ASSEMBLY

---

---

INTRODUCED BY SENATORS BARTLE AND CALLAHAN.

Read 1st time February 28, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

1743S.011

---

---

## AN ACT

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

---

---

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Section A. Section 568.045, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 568.045, to read as follows: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

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

(2) The person 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) The person knowingly encourages, aids or causes a child less than seventeen years of age to engage in any conduct which violates the provisions of chapter 195, RSMo;

(4) Such person enlists the aid, either through payment or coercion, of a person less than seventeen years of age to unlawfully manufacture, compound, produce, prepare, sell, transport, test or analyze amphetamine or methamphetamine or any of their analogues, or to obtain any material used to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues; or

(5) Such person, in the presence of a person less than seventeen years of age **or in a residence where a person less than seventeen years of age resides**, unlawfully manufactures **or attempts to manufacture**, compounds,

produces, prepares, sells, transports, tests or analyzes amphetamine or methamphetamine or any of their analogues.

2. Endangering the welfare of a child in the first degree is a class C felony unless the offense is committed as part of a ritual or ceremony, or except on a second or subsequent offense, in which case the crime is a class B felony.

**T**

Unofficial

Bill

Copy