

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred Senate Bill No. 9 entitled  
3 “An act relating to improving Vermont’s system for protecting children from  
4 abuse and neglect” respectfully reports that it has considered the same and  
5 recommends that the House propose to the Senate that the bill be amended as  
6 recommended by the Committee on Appropriations and be further amended by  
7 inserting a new section to be Sec. 18a to read as follows:

8 Sec. 18a. 13 V.S.A. § 1304a is added to read:

9 § 1304a. CHILD ENDANGERMENT

10 (a) A person 18 years of age or older, having the custody or care of a child,  
11 commits the crime of child endangerment if:

12 (1) the person intentionally or recklessly engages in conduct that is  
13 likely to cause:

14 (A) death;

15 (B) serious bodily injury as defined in section 1021 of this title;

16 (C) lewd or lascivious conduct with a child in violation of section  
17 2602 of this title;

18 (D) sexual exploitation of children in violation of chapter 64 of this  
19 title; or

20 (E) sexual assault in violation of chapter 72 of this title; and

1           (2) the person’s conduct is the proximate cause of the child suffering  
2           any of the possible outcomes as set forth in subdivision (1) of this subsection;  
3           and

4           (3) the person was not under the justifiable apprehension of bodily  
5           injury, death, or sexual assault to the person, child, or household member when  
6           the person engaged in the conduct.

7           -or-

8           (3) the person would have been able to prevent the outcomes as set forth  
9           in subdivision (1) of this subsection without risk of bodily injury, death, or  
10          sexual assault to the person or household member.

11          (b) A person who violates subsection (a) of this section shall be imprisoned  
12          for not more than two years or fined not more than \$500.00, or both.

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Representative \_\_\_\_\_

FOR THE COMMITTEE