

1st Sub. H.B. 460
CHILD AND FAMILY PROTECTION

Representative **Lorie D. Fowlke** proposes the following amendments:

1. *Page 1, Lines 15 through 20:*

15 ▶ provides that a person who commits child abandonment, or encourages or causes
16 another to commit child abandonment, or an enterprise that encourages, commands,
17 or causes another to commit child abandonment is:
18 • { ~~guilty of a class A misdemeanor;~~
19 ~~if the child abandonment results in physical injury to the child,~~ } guilty of a felony
20 of the third degree; or

2. *Page 5, Line 145 through Page 6, Line 158:*

145 (4) A person who commits child abandonment, or encourages or causes another to
146 commit child abandonment, or an enterprise that encourages, commands, or causes another to
147 commit child abandonment, is:
148 { ~~(a) except as provided in Subsection (4)(b) or (c), guilty of a class A misdemeanor;~~ }
149 { ~~(b)~~ } (a) except as provided in Subsection (4) { ~~(c)~~ } (b) , guilty of a felony of the third
150 degree { ~~if, as a~~
151 result of the child abandonment, the child suffers a physical injury } ; or
152 { ~~(c)~~ } (b) guilty of a felony of the second degree if, as a result of the child abandonment:
153 (i) the child suffers a serious physical injury; or
154 (ii) the person or enterprise receives, directly or indirectly, any benefit.
155 (5) (a) In addition to the penalty described in Subsection (4) { ~~(c)~~ } (b) (ii), the court may order
156 the person or enterprise described in Subsection (4) { ~~(c)~~ } (b) (ii) to pay the costs of investigating and
157 prosecuting the offense and the costs of securing any forfeiture provided for under Subsection
158 (5)(b).
 (b) Any tangible or pecuniary benefit received under Subsection (4) { ~~(c)~~ } (b) (ii) is subject to