

Sixty-Fourth  
Legislative Assembly  
of North Dakota

\_\_\_\_\_ BILL NO. \_\_\_\_\_

Introduced by:

A BILL for an Act to create and enact a new section to chapter 14-09 of the North Dakota Century Code relating to neglect of child; and to amend and reenact section 14-09-22 of the North Dakota Century Code relating to abuse of a child; and to provide a penalty.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA**

**SECTION 1. AMENDMENT.** Section 14-09-22 of the North Dakota Century Code is amended and reenacted as follows:

1. Except as provided in subsection 2 or 3, a parent, adult family or household member, guardian, or other custodian of any child, who willfully ~~commits any of the following offenses~~inflicts, or allows to be inflicted, upon the child, bodily injury, substantial bodily injury, or serious bodily injury as defined by section 12.1-01-04 or mental injury is guilty of a class C felony except if the victim of an offense under ~~subdivision at this section~~ is under the age of six years in which case the offense is a class B felony:
  - a. ~~Inflicts, or allows to be inflicted, upon the child, bodily injury, substantial bodily injury, or serious bodily injury as defined by section 12.1-01-04 or mental injury.~~
  - b. ~~Fails to provide proper parental care or control, subsistence, education as required by law, or other care or control necessary for the child's physical, mental, or emotional health, or morals.~~
  - c. ~~Permits the child to be, or fails to exercise reasonable diligence in preventing the child from being, in a disreputable place or associating with vagrants or vicious or immoral persons.~~
  - d. ~~Permits the child to engage in, or fails to exercise reasonable diligence in preventing the child from engaging in, an occupation forbidden by the laws of this state or an occupation injurious to the child's health or morals or the health or morals of others.~~
2. A person who provides care, supervision, education, or guidance for a child unaccompanied by the child's parent, adult family or household member,

guardian, or custodian in exchange for money, goods, or other services and who while providing such services commits an offense under ~~subdivision a of subsection 1~~this section is guilty of a class B felony. Any such person who commits, allows to be committed, or conspires to commit, against the child, a sex offense as defined in chapter 12.1-20 is subject to the penalties provided in that chapter.

3. A person who commits an offense under ~~subdivision a of subsection 1~~this section is guilty of a class B felony if the victim suffers permanent loss or impairment of the function of a bodily member or organ, except if the victim of the offense is under the age of six years in which case the offense is a class A felony.

**SECTION 2.** A new section to chapter 14-09 of the North Dakota Century Code is created and enacted as follows:

**Neglect of child - Penalty.**

A parent, adult family or household member, guardian, or other custodian of any child, who willfully commits any of the following offenses is guilty of a class C felony:

- a. Fails to provide proper parental care or control, subsistence, education as required by law, or other care or control necessary for the child's physical, mental, or emotional health, or morals.
- b. Permits the child to be, or fails to exercise reasonable diligence in preventing the child from being, in a disreputable place or associating with vagrants or vicious or immoral persons.
- c. Permits the child to engage in, or fails to exercise reasonable diligence in preventing the child from engaging in, an occupation forbidden by the laws of this state or an occupation injurious to the child's health or morals or the health or morals of others.