

HOUSE BILL NO. HB0259

Child battery and child abuse.

Sponsored by: Representative(s) Olsen, Brown and Pownall
and Senator(s) Nethercott

A BILL

for

1 AN ACT relating to crimes and offenses; amending the crime
2 of child abuse; specifying the crime of battery against a
3 child by a person employed by or operating a child caring
4 facility; providing definitions; and providing for an
5 effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 6-2-503(a)(intro), (ii)(A),
10 (b)(intro), (i) and by creating new subsections (d) and (e)
11 is amended to read:

12

13 **6-2-503. Child abuse; child battery; penalties.**

14

1 (a) A person who is not responsible for a child's
2 welfare ~~as defined by W.S. 14-3-202(a)(i),~~ is guilty of
3 child abuse, a felony punishable by imprisonment for not
4 more than ten (10) years, if:

5
6 (ii) The actor intentionally or recklessly
7 inflicts upon a child under the age of sixteen (16) years:

8
9 (A) Physical injury; ~~as defined in W.S.~~
10 ~~14-3-202(a)(ii)(B);~~

11
12 (b) A person is guilty of child abuse, a felony
13 punishable by imprisonment for not more than ten (10)
14 years, if a person responsible for a child's welfare ~~as~~
15 ~~defined in W.S. 14-3-202(a)(i)~~ intentionally or recklessly
16 inflicts upon a child under the age of eighteen (18) years:

17
18 (i) Physical injury, ~~as defined in W.S.~~
19 ~~14-3-202(a)(ii)(B),~~ excluding minor bruising associated
20 with reasonable corporal punishment;

21
22 (d) Except under circumstances constituting child
23 abuse under subsections (a) through (c) of this section, a

1 person who is employed by or operates a child caring
2 facility as defined in W.S. 14-4-101(a)(vi) is guilty of
3 child battery, a misdemeanor punishable by imprisonment for
4 not more than one (1) year, a fine of not more than one
5 thousand dollars (\$1,000.00), or both, if:

6
7 (i) The person has physical custody or control
8 of a child under the age of eighteen (18) years; and

9
10 (ii) The person intentionally or recklessly
11 inflicts upon the child bodily injury, including minor skin
12 bruising resulting from reasonable corporal punishment.

13
14 (e) For purpose of this section:

15
16 (i) "A person who is responsible for a child's
17 welfare" includes the child's parent, noncustodial parent,
18 guardian, custodian, stepparent, foster parent or other
19 individual having the physical custody or control of the
20 child;

21
22 (ii) "A person who is not responsible for a
23 child's welfare" includes any person who is not responsible

1 for a child's welfare and a child caring facility as
2 defined in W.S. 14-4-101(a)(vi).

3
4 (iii) "Physical injury" means any harm to a
5 child including but not limited to disfigurement,
6 impairment of any bodily organ, skin bruising if greater in
7 magnitude than minor bruising, bleeding, burns, fracture of
8 any bone, subdural hematoma or substantial malnutrition.

9
10 **Section 2.** This act is effective July 1, 2017.

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12

(END)