

SENATE FILE NO. SF0089

Child protection-dangerous drugs.

Sponsored by: Senator(s) Hutchings, Kolb, Salazar and
Steinmetz and Representative(s) Baker, Bear,
Duncan, Haroldson, Oakley, Olsen, Ottman and
Washut

A BILL

for

1 AN ACT relating to crimes and offenses; creating a new
2 offense for child abuse; providing a penalty; amending
3 requirements for mandatory reporting of suspected child
4 abuse; and providing for an effective date.

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

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8 **Section 1.** W.S. 6-2-503 by creating a new subsection
9 (c) and by renumbering (c) as (d) and 14-3-205(a) are
10 amended to read:

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12 **6-2-503. Child abuse; penalty.**

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1 (c) A person is guilty of child abuse, a felony
2 punishable by imprisonment for not more than ten (10)
3 years, if:

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5 (i) The person intentionally or recklessly
6 exposes an unborn child to a controlled substance;

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8 (ii) The person does not possess a current and
9 valid prescription for the controlled substance;

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11 (iii) At birth, there is a measurable amount of
12 the controlled substance present in the child's umbilical
13 cord, blood or tissue; and

14
15 (iv) The exposure to the controlled substance
16 causes bodily injury, disability or disfigurement to the
17 child.

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19 ~~(e)~~(d) Aggravated child abuse is a felony punishable
20 by imprisonment for not more than twenty-five (25) years if
21 in the course of committing the crime of child abuse, as
22 defined in subsection (a) or (b) of this section, the
23 person intentionally or recklessly inflicts serious bodily

1 injury upon the victim or the person intentionally inflicts
2 substantial mental or emotional injury upon the victim by
3 the torture or cruel confinement of the victim.

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5 **14-3-205. Child abuse or neglect; persons required to**
6 **report.**

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8 (a) Any person who knows or has reasonable cause to
9 believe or suspect that a child has been abused or
10 neglected, or who observes any child being subjected to
11 conditions or circumstances that would reasonably result in
12 abuse or neglect including when an unborn child as defined
13 in W.S. 6-1-104(a)(xviii) has been exposed to a
14 non-prescribed controlled substance which could result in
15 bodily injury, permanent disability or disfigurement at
16 birth, shall immediately report it to the child protective
17 agency or local law enforcement agency or cause a report to
18 be made. The fact a child, who is at least sixteen (16)
19 years of age, is homeless as defined in W.S. 14-1-102(d)
20 shall not, in and of itself, constitute a sufficient basis
21 for reporting neglect. Female genital mutilation under W.S.
22 6-2-502(a)(v) when the victim is a minor shall be

1 considered child abuse for mandatory reporting under this
2 section.

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4 **Section 2.** This act is effective July 1, 2022.

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(END)