

Sixty-second  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2214**

Introduced by

Senators Schneider, Lyson, Olafson

Representatives Beadle, Klemin

1 A BILL for an Act to amend and reenact section 14-09-22 of the North Dakota Century Code,  
2 relating to the abuse or neglect of a child; and to provide a penalty.

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

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

6 **14-09-22. Abuse or neglect of child - Penalty.**

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

1        2. A person who provides care, supervision, education, or guidance for a child  
2        unaccompanied by the child's parent, adult family or household member, guardian, or  
3        custodian in exchange for money, goods, or other services and who while providing  
4        such services commits an offense under subdivision a of subsection 1 is guilty of a  
5        class B felony. Any such person who commits, allows to be committed, or conspires to  
6        commit, against the child, a sex offense as defined in chapter 12.1-20 is subject to the  
7        penalties provided in that chapter.

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