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MEMORANDUM

To: House Judiciary Committee
From: Natalie Scott, Assistant Revisor of Statutes
Date: March 18, 2019
Subject: Bill Brief on HB 2394

HB 2394 makes changes to the elements and penalties for the crime of abuse of a child and creates the crime of aggravated abuse of a child.

The bill would provide that abuse of a child would be (1) knowingly causing physical contact with a child that either does or could reasonably be expected to result in physical injury or (2) recklessly causing bodily harm to a child. Aggravated abuse of a child would be (1) knowingly torturing or cruelly beating a child; (2) knowingly inflicting cruel and inhuman corporal punishment that results in bodily harm or is done in a way where disfigurement could occur; (3) knowingly inflicting cruel and inhuman corporal punishment with a deadly weapon; or (4) recklessly causing great bodily harm, permanent disability or disfigurement.

Abuse of a child in current law is a severity level 5, person felony. The bill would provide violation of paragraph (1) would be a severity level 9, person felony and violation of paragraph (2) would be a severity level 7, person felony. Aggravated abuse of a child as defined in paragraph (1), (2), (3) or (4) would be a severity level 5, person felony and as defined in paragraph (5) would be a severity level 3, person felony.