

**Hall of the House of Representatives**  
85th General Assembly - Regular Session, 2005  
**Amendment Form**

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**Subtitle of House Bill No. 2616**

"AN ACT TO ENHANCE THE PENALTIES FOR ENDANGERING THE WELFARE OF AN  
INCOMPETENT PERSON AND TO CREATE THE OFFENSE OF ENDANGERING THE  
WELFARE OF AN INCOMPETENT PERSON IN THE THIRD DEGREE."

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**Amendment No. 1 to House Bill No. 2616.**

Amend House Bill No. 2616 as originally introduced:

Page 1, delete lines 9 and 10, and substitute the following:

"AN ACT TO CLARIFY THE REQUIREMENTS FOR THE OFFENSE OF ENDANGERING THE  
WELFARE OF AN INCOMPETENT PERSON IN THE FIRST DEGREE; TO CREATE"

AND

Page 1, delete lines 16 through 18, and substitute the following:

"AN ACT TO CLARIFY THE REQUIREMENTS FOR THE OFFENSE OF ENDANGERING THE  
WELFARE OF AN INCOMPETENT PERSON IN THE FIRST DEGREE AND TO CREATE THE"

AND

Page 1, delete lines 28 through 33, and substitute the following:

"incompetent person in the first degree if, being a parent, guardian, person  
legally charged with care or custody of an incompetent person, or a person  
charged with supervision of an incompetent person, he or she purposely:

(1) Engages in conduct creating a substantial risk of death or  
serious physical injury to an incompetent person; or

(2) ~~deserts~~ Deserts the"

AND

Page 1, line 36, delete "(1)"

AND

Page 2, delete lines 2 through 16

AND



Page 2, line 20, delete "(a)" and substitute "(a)(1)"

AND

Page 2, delete line 23, and substitute the following:

"welfare of a person known by the actor to be an incompetent person.

(2) As used in this section, "serious harm to the physical or mental welfare of a person" means physical or mental injury that causes protracted disfigurement, protracted impairment of physical or mental health, or loss or protracted impairment of the function of any bodily member or organ."

AND

Page 2, line 24, delete "(1)"

AND

Page 2, delete lines 26 through 36

AND

Page 3, delete lines 1 through 4

AND

Page 3, line 10, delete "(a)" and substitute "(a)(1)"

AND

Page 3, delete line 13, and substitute the following:

"welfare of a person known by the actor to be an incompetent person.

(2) As used in this section, "serious harm to the physical or mental welfare of a person" means physical or mental injury that causes protracted disfigurement, protracted impairment of physical or mental health, or loss or protracted impairment of the function of any bodily member or organ."

AND

Page 3, line 14, delete "(1)"

AND

Page 3, delete lines 16 through 30

The Amendment was read \_\_\_\_\_  
By: Representative J. Martin  
GRH/GRH - 03-29-2005 10:03 \_\_\_\_\_  
GRH378 Chief Clerk