

1 parent, guardian or custodian is guilty of a felony and, upon
2 conviction thereof, shall be fined not less than \$100 nor more than
3 \$1,000 or imprisoned in a state correctional facility not less than
4 one nor more than three years or, be confined in jail for not more
5 than one year, or both fined and confined or imprisoned.

6 (b) Any parent, guardian or custodian who neglects a child and
7 by such neglect causes a child serious bodily injury, as such term
8 is defined in section one, article eight-b of this chapter, then
9 such parent, guardian or custodian is guilty of a felony and, upon
10 conviction thereof, shall be fined not less that \$300 nor more than
11 \$3,000 or imprisoned in a state correctional facility for not less
12 than one nor more than ten years or, both fined and imprisoned.

13 (c) Any parent, guardian or custodian who grossly neglects a
14 child and by the gross neglect creates a substantial risk of
15 serious bodily injury or of death to the child is guilty of a
16 felony and, upon conviction thereof, shall be fined not more than
17 \$3,000 or imprisoned in a state correctional facility for not less
18 than one nor more than five years.

19 (d) Any parent, guardian or custodian who neglects a child and
20 by the neglect creates a substantial risk of bodily injury, as
21 defined in section one, article eight-b of this chapter, to the
22 child is guilty of a misdemeanor and, upon conviction thereof,
23 shall be fined not more than \$1,000 or shall be confined in jail

1 for not more than one year, or both fined and confined.

2 (e) The provisions of this section do not apply if the neglect
3 by the parent, guardian or custodian is due primarily to a lack of
4 financial means on the part of such parent, guardian or custodian.

5 (f) The provisions of this section do not apply to any parent,
6 guardian or custodian who fails or refuses, or allows another
7 person to fail or refuse, to supply a child under the care, custody
8 or control of such parent, guardian or custodian with necessary
9 medical care when such medical care conflicts with the tenets and
10 practices of a recognized religious denomination or order of which
11 such parent, guardian or custodian is an adherent or member.

NOTE: The purpose of this bill is to add a misdemeanor for
child neglect creating a substantial risk of bodily injury.

This section has been completely rewritten; therefore strike-
throughs and underscoring have been omitted.