

HOUSE BILL NO. HB0087

Methamphetamine-endangering children before birth.

Sponsored by: Representative(s) Harvey, Gingery, Hastert,
Osborn, Pedersen and White and Senator(s)
Anderson, J., Barrasso and Jennings

A BILL

for

1 AN ACT relating to children; providing that criminal child
2 endangerment includes prenatal exposure to methamphetamine,
3 as specified; amending the definition of "child" for
4 purposes of child protective services to include newborns
5 exposed to methamphetamine prenatally; and providing for an
6 effective date.

7

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

9

10 **Section 1.** W.S. 6-4-405 by creating a new subsection
11 (d) and 14-3-202(a)(iii) are amended to read:

12

13 **6-4-405. Endangering children; controlled substances;**
14 **penalty.**

15

16 (d) For purposes of paragraph (a)(i) of this section,

1 "child" includes a newly born child exposed to
2 methamphetamine before birth, as established by any
3 evidence, including but not limited to the following:

4
5 (i) Signs and symptoms consistent with
6 methamphetamine exposure, including withdrawal, in the
7 child or mother;

8
9 (ii) Medical documentation of signs and symptoms
10 consistent with methamphetamine exposure in the child at
11 birth;

12
13 (iii) Results of a confirmed toxicology test for
14 methamphetamine performed at birth on the mother, the child,
15 the placenta, mucosa or the umbilical cord;

16
17 (iv) Medical effects or developmental delays
18 during the child's first year of life that medically
19 indicate prenatal exposure to methamphetamine; or

20
21 (v) A statement by an individual with personal
22 knowledge that the mother ingested methamphetamine while
23 pregnant with the child.

24

1 **14-3-202. Definitions.**

2

3 (a) As used in W.S. 14-3-201 through 14-3-216:

4

5 (iii) "Child" means:

6

7 (A) Any person under the age of eighteen
8 (18) ; and

9

10 (B) For purposes of paragraph (a)(ii) of
11 this section, includes a newly born child exposed to
12 methamphetamine before birth, as established by any
13 evidence, including but not limited to the following:

14

15 (I) Signs and symptoms consistent with
16 methamphetamine exposure, including withdrawal, in the
17 child or mother;

18

19 (II) Medical documentation of signs
20 and symptoms consistent with methamphetamine exposure in
21 the child at birth;

22

23 (III) Results of a confirmed
24 toxicology test for methamphetamine performed at birth on

1 the mother, the child, the placenta, mucosa or the
2 umbilical cord;

3

4 (IV) Medical effects or developmental
5 delays during the child's first year of life that medically
6 indicate prenatal exposure to methamphetamine; or

7

8 (V) A statement by an individual with
9 personal knowledge that the mother ingested methamphetamine
10 while pregnant with the child.

11

12 **Section 3.** This act is effective July 1, 2006.

13

14 (END)