

SENATE FILE NO. SF0060

Protection of children-child endangerment amendments.

Sponsored by: Senator(s) Schuler and Ellis and
Representative(s) Barlow, Crank, Kirkbride
and Zwonitzer

A BILL

for

1 AN ACT relating to the protection of children; amending when
2 a child may be taken into protective custody as specified;
3 and providing for an effective date.

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

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7 **Section 1.** W.S. 14-3-206 by creating a new subsection
8 (d) and 14-3-405(a)(intro), (i), by creating a new paragraph
9 (iii) and (b) are amended to read:

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11 **14-3-206. Child abuse or neglect; written report;**
12 **statewide reporting center; documentation and examination;**
13 **costs and admissibility thereof.**

14

1 (d) Any authorized person examining a child and finding
2 probable cause to believe the child is a victim of child abuse
3 or neglect and having probable cause to believe that other
4 children residing in the same home may also be a victim of
5 child abuse or neglect may bring any other child residing in
6 the same home for examination. The examination shall take
7 place within twenty-four (24) hours. Any authorized person
8 denied access to a child for the purposes of examination under
9 this subsection may seek an appropriate court order by ex
10 parte proceedings or other appropriate proceedings to provide
11 for the examination. After receiving the timely results of
12 the examination the examining physician, law enforcement or
13 local child protective agency shall consider whether
14 temporary protective custody is necessary under W.S.
15 14-3-405.

16

17 **14-3-405. Taking of child into custody; when permitted.**

18

19 (a) A child, or any other child residing in the same
20 household, may be taken into custody by a law enforcement
21 officer without a warrant or court order and without the
22 consent of the parents, guardians or others exercising
23 temporary or permanent control over the child when:

1

2 (i) There are reasonable grounds to believe a
3 child, or any other child residing in the same household, is
4 abandoned, lost, suffering from illness or injury or
5 seriously endangered by ~~his~~ the child's surroundings and
6 immediate custody appears to be necessary for his protection;
7 or

8

9 (iii) The child, or any other child residing in
10 the same household, is as evidenced by an examination being
11 abused or neglected by a parent, guardian or legal custodian,
12 a member of the parent's, guardian's or legal custodian's
13 household or any other person known to the parent, guardian
14 or legal custodian.

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16 (b) A child, or any other child residing in the same
17 household, may be taken into temporary protective custody by
18 a physician, physician's assistant or nurse practitioner
19 without a warrant or court order and without the consent of
20 the parents, guardians or others exercising temporary or
21 permanent control over the child when the physician,
22 physician's assistant or nurse practitioner treating the
23 child, or a hospital in which the child is being treated,

1 finds that there is reasonable cause to believe an imminent
2 danger to the child's life, health or safety exists unless
3 the child is taken into protective custody, whether or not
4 additional medical treatment is required, and there is not
5 time to apply for a court order.

6

7 **Section 2.** This act is effective July 1, 2019.

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(END)