

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass with Amendments to the A-Engrossed Measure. (Printed B-Engrossed)

Vote: 3 - 2 - 0

Yeas: Kruse, Whitsett, Prozanski

Nays: Bonamici, Dingfelder

Exc.: 0

Prepared By: Aaron Knott, Counsel

Meeting Dates: 5/25, 6/1

WHAT THE MEASURE DOES: Creates the violation of making a false report of child abuse. Confines the report to instances where an individual acts with intent to influence a custody, parenting time, visitation or child support decision.

ISSUES DISCUSSED:

- Failure to report child abuse as a mandatory reporter as a comparable offense
- Definition and application of a “knowing” mental state for the offense
- Typical cases encountered by law enforcement and child protection
- Possible chilling effect of imposition of sanctions on false reporters on reporters who are simply unsure of the veracity of their claim

EFFECT OF COMMITTEE AMENDMENT: Confines the report to instances where an individual acts with intent to influence a custody, parenting time, visitation or child support decision.

BACKGROUND: House Bill 2183 B creates the violation of making a false report of child abuse, punishable as a Class A violation and carrying a maximum fine of \$720. This violation is committed if, with the intent to influence a custody, parenting time, visitation or child support decision, a person makes a false report of child abuse to the Department of Human Services or a law enforcement agency, knowing that the report is false, or knowingly makes a false report of child abuse to a public or private official in order to encourage him or her to make a report of such to the Department of Human Services or a law enforcement agency.