

House Bill 4048

Sponsored by Representative LINDSAY; Representatives BENTZ, BREWER, BUCKLEY, ESQUIVEL, GELSER, HUFFMAN, HUNT, KENNEMER, SHEEHAN, SPRENGER, WEIDNER, WINGARD, WITT, Senators DEVLIN, GIROD, MONNES ANDERSON, OLSEN, VERGER (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates crime of failure to report the death of a child. Punishes by maximum of five years' imprisonment, \$125,000 fine, or both.

Creates crime of failure to report a missing child. Punishes by maximum of five years' imprisonment, \$125,000 fine, or both.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to failing to make reports involving children; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) A person commits the crime of failure to report the death of a child if:**

5 **(a) The person is a parent or lawful guardian of a child under 12 years of age;**

6 **(b) The person knows that the child has died;**

7 **(c) The circumstances of the child's death that are known to the person would cause a**
8 **reasonable person to believe that the child's death was the result of a crime; and**

9 **(d) The person fails to report the child's death to a law enforcement agency within 24**
10 **hours after acquiring knowledge of the circumstances described in paragraph (c) of this**
11 **subsection.**

12 **(2) Failure to report the death of a child is a Class C felony.**

13 **(3) As used in this section, "law enforcement agency" means the Department of State**
14 **Police, a county sheriff's office, a city police department or a 9-1-1 emergency reporting**
15 **system as defined in ORS 403.105.**

16 **SECTION 2. (1) A person commits the crime of failure to report a missing child if:**

17 **(a) The person is a parent or lawful guardian of a child under 12 years of age;**

18 **(b) The person knows that the child is missing;**

19 **(c) The child is missing under circumstances that are known to the person and would**
20 **cause a reasonable person to believe that the child is in danger of physical harm; and**

21 **(d) The person fails to report the missing child to a law enforcement agency within 24**
22 **hours after acquiring knowledge of the circumstances described in paragraph (c) of this**
23 **subsection.**

24 **(2) Failure to report a missing child is a Class C felony.**

25 **(3) As used in this section, "law enforcement agency" means the Department of State**
26 **Police, a county sheriff's office, a city police department or a 9-1-1 emergency reporting**
27 **system as defined in ORS 403.105.**

28 **SECTION 3. Sections 1 and 2 of this 2012 Act are added to and made a part of ORS 163.505**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 to 163.575.

2 **SECTION 4. This 2012 Act being necessary for the immediate preservation of the public**
3 **peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect**
4 **on its passage.**

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