

SB 101 B STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

Senate Committee On Judiciary

Action Date: 04/18/17

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Dembrow, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Prohibits school personnel from disclosing existence of, and information related to, child abuse investigation conducted on school grounds, while investigation is pending. Provides that Department of Human Services or law enforcement agency conducting investigation is not required to reveal information about the investigation to school personnel. Applies statute to private schools. Excludes investigations or interviews of persons suspected of committing abuse from application of statute. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- School officials preventing child abuse investigations at schools and notifying parents who may be suspected of committing abuse
- School officials not legally trained
- Students suspected of assaulting other students

EFFECT OF AMENDMENT:

Provides that statute applies solely to investigations involving an interview of a suspected victim or witness and does not apply to someone suspected of committing child abuse. Declares emergency, effective on passage.

BACKGROUND:

Current law requires law enforcement and the Department of Human Services (DHS) to notify school administrators when child abuse investigations occur on public school premises. Senate Bill 101-B provides that these investigators are not required to disclose information about the investigation to school personnel and prohibits school personnel from disclosing any information about a pending investigation. The bill applies these changes to both private and public schools. It applies these provisions to investigations or interviews of suspected victims and witnesses, and excludes investigations or interviews of people suspected of committing abuse from their coverage.