SB 535   STAFF MEASURE SUMMARY

Senate Committee On Human Services, Mental Health and Recovery

Prepared By:	C. Ross, Counsel
Meeting Dates:	2/25

WHAT THE MEASURE DOES:

Adds hotel and innkeepers to list of mandatory reporters. Modifies misdemeanor crime of failure to report child pornography to require technician or processor of imagery to make the report *immediately,* and in conformity with provisions of the Juvenile Code applicable to mandatory reporters.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Current law requires all public and private officials to immediately report suspected abuse of vulnerable persons they have come in contact with, to law enforcement or the Department of Human Services (DHS), with some exceptions for privileged communications. Vulnerable persons may include children, disabled adults, and elderly individuals. Public and private officials are defined to include law enforcement, social workers, medical and other treatment providers, school personnel, child care providers, foster care providers, legal personnel, and clergy members, collectively referred to as "mandatory reporters."

A computer technician or processor of images may be convicted of failure to report child pornography, which is a class A misdemeanor, if they do not provide the name and address of any person in possession of or requesting an image to be processed that the technician reasonably believes may be of a child engaged in sexually explicit conduct. Current law requires them to make a report to the National Center for missing and Exploited Children, or law enforcement, or the Department of Human Services, but does not specify a reporting deadline or time frame.

Senate Bill 535 adds hotel and innkeepers to the definition of public and private officials who are mandatory reporters. The measure also modifies the misdemeanor crime of failure to report child pornography to require technicians or processors of suspect imagery to report it *immediately,* and in conformity with provisions of the Juvenile Code applicable to mandatory reporters.