

EOC Legislative Brief 1/07/16

AB429/SB 326: Child Abuse and Neglect Bill

This bill requires a child welfare agency to refer any report of suspected child abuse or neglect it receives to the sheriff or police department. The agency must refer the report within 12 hours, with no exclusion for Saturdays, Sundays, or legal holidays. The bill requires the sheriff or police department to coordinate the investigation of any report of suspected child abuse or neglect, and to adopt a policy specifying the kinds of reports of suspected or threatened - 2 - child abuse of any type the department will routinely refer to the district attorney for criminal prosecution.

AB 429 Timeline

Bill introduced: 10/21/15

Public Hearing Held: 11/5/15

Executive Hearing: Scheduled for 1/13/16 (2 Amendments Pending)

SB 326 Timeline

Bill introduced: 10/14/15

Public Hearing Held: 10/22/16

Executive Hearing: 12/18/15 Passed 3-1

Senate Substitute Amendment 1 to Senate Bill 326 requires a child welfare agency to refer all reports of suspected abuse or neglect to the sheriff or police department as follows:

- Reports of suspected sexual abuse of a child must be referred within 12 hours after receiving the report, with no exclusion for Saturdays, Sundays, or legal holidays.
- Reports of all other types of suspected child abuse or neglect must be referred within 24 hours (with no exclusions) if the agency determines there is reason to suspect abuse or neglect has or will occur.
- Reports of all other types of suspected child abuse or neglect must be referred within 48 hours (with no exclusions) if the agency determines there is no reason to suspect abuse or neglect has or will occur.

Under the substitute amendment, the sheriff or police department must coordinate their response to each report with the child welfare agency. The substitute amendment also requires each sheriff and police department to adopt a written policy specifying the kinds of reports of suspected or threatened child sexual abuse that the sheriff or police department will routinely refer to the district attorney for criminal prosecution.

Full Senate Vote: Not yet scheduled