SENATE BILL 568

E1, D4 (9lr2652)

ENROLLED BILL

— Judicial Proceedings/Judiciary —

— Suarciai i roceeariigs/ Suarciary —
Introduced by Senator Lee
Read and Examined by Proofreaders:
Proofreader.
Proofreader.
Sealed with the Great Seal and presented to the Governor, for his approval this
day of at o'clock,M.
President.
CHAPTER
AN ACT concerning
Crimes – Child Abuse and Neglect – Failure to Report
FOR the purpose of establishing that certain persons who are required to provide certain notice or make certain reports of suspected child abuse or neglect may not knowingly fail to provide the notice or make the report; establishing the misdemeanor of the knowing failure to report child abuse or neglect under certain circumstances; providing certain penalties for a violation of this Act; providing for the application of this Act; and generally relating to child abuse and neglect.
BY adding to Article – Criminal Law Section 3–602.2 Annotated Code of Maryland (2012 Replacement Volume and 2018 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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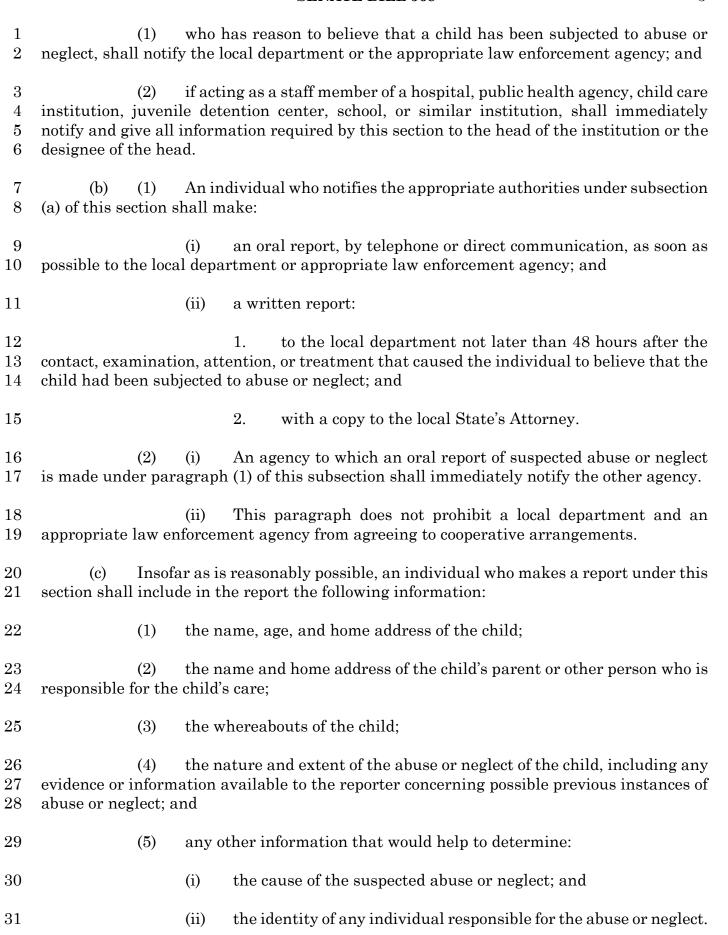
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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 2 3 4 5	BY repealing and reenacting, without amendments, Article – Family Law Section 5–704 Annotated Code of Maryland (2012 Replacement Volume and 2018 Supplement)											
6 7	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:											
8	Article - Criminal Law											
9	3-602.2.											
10 11 12 13 14	(A) A PERSON WHO IS REQUIRED TO PROVIDE NOTICE OF SUSPECTED ABUSE OR NEGLECT OF A CHILD OR MAKE A WRITTEN REPORT OF SUSPECTED ABUSE OR NEGLECT OF A CHILD UNDER § 5–704 OF THE FAMILY LAW ARTICLE MAY NOT KNOWINGLY FAIL TO PROVIDE THE REQUIRED NOTICE OR MAKE THE REQUIRED WRITTEN REPORT IF THE PERSON HAS <u>ACTUAL</u> KNOWLEDGE OF THE ABUSE OR NEGLECT.											
16	(B) THE KNOWLEDGE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION:											
17	(1) MAY BE INFERRED FROM THE CIRCUMSTANCES;											
18	(2) INCLUDES ACTUAL KNOWLEDGE; AND											
9	(3) DOES NOT INCLUDE A DUTY TO INVESTIGATE.											
20 21 22	(c) (b) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING $\$10,000$ OR IMPRISONMENT NOT EXCEEDING 6 MONTHS 3 YEARS OR BOTH.											
23 24 25 26	(D) (C) THIS SECTION APPLIES ONLY TO A FAILURE TO PROVIDE THE REQUIRED NOTICE OR MAKE THE REQUIRED WRITTEN REPORT THAT OCCURS NOT MORE THAN-7 YEARS AFTER THE VICTIM REACHES THE AGE OF MAJORITY REPORT CHILD ABUSE OR NEGLECT THAT OCCURS DURING THE TIME THE CHILD IS A MINOR.											
27	Article – Family Law											
28	5–704.											
29 30 31	(a) Notwithstanding any other provision of law, including any law on privileged communications, each health practitioner, police officer, educator, or human service worker, acting in a professional capacity in this State:											



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SECTI October 1, 20	ON 19.	2.	AND	BE	IT	FURTHER	ENACTED,	That	this	Act	shall	take	ef
pproved:													
										G	overn	or.	
]	Presid	ent o	f the	Sena	te.	
							Speaker of	the H	ouse of Delegates.				