

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

ACT 1351 OF 1997
HOUSE BILL 1954

4
5 By: Representative Wren
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For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE § 12-12-504 TO INCREASE THE
10 PENALTIES FOR WILLFULLY MAKING FALSE ALLEGATION OF CHILD
11 ABUSE AND FOR SUBSEQUENT CONVICTIONS; AND FOR OTHER
12 PURPOSES."
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Subtitle

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15 "TO INCREASE THE PENALTIES FOR WILLFULLY
16 MAKING FALSE ALLEGATION OF CHILD ABUSE."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 12-12-504 is amended to read as follows:
21 "12-12-504. Penalties.

22 (a)(1) Any person, official, or institution ~~willfully making false~~
23 ~~notification pursuant to this subchapter, knowing such allegations to be~~
24 ~~false, or~~ negligently or willfully failing to make notification when required
25 by this subchapter shall be guilty of a Class C misdemeanor.

26 (2) Any person, official, or institution willfully making false
27 notification pursuant to this subchapter, knowing such allegations to be
28 false, shall be guilty of a Class A misdemeanor.

29 (3) Any person, official, or institution willfully making false
30 notification pursuant to this subchapter, knowing such allegations to be
31 false, and who has been previously convicted of making willful false
32 allegations shall be guilty of a Class D felony.

33 (b) Any person, official, or institution required by this subchapter to
34 make notification of suspected child maltreatment who willfully fails to do so
35 shall be civilly liable for damages proximately caused by that failure.

36 (c) Any person who willfully permits, and any other person who

1 encourages, the release of data or information contained in the central
2 registry to persons to whom disclosure is not permitted by this subchapter
3 shall be guilty of a Class A misdemeanor.

4 (d) Judges or prosecuting attorneys who fail to make notification when
5 required by this subchapter shall not be subject to any of the penalties
6 outlined in this subchapter."

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8 SECTION 2. All provisions of this act of general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 3 . If any provisions of this act or the application thereof to
13 any person or circumstance is held invalid, the invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provisions or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 4. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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21 APPROVED: BECAME LAW WITHOUT GOVERNOR'S SIGNATURE.

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