

**Hall of the House of Representatives**  
84th General Assembly - Regular Session, 2003  
**Amendment Form**

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**Subtitle of House Bill No. 1636**

"AN ACT TO AMEND THE CHILD MALTREATMENT ACT."

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**Amendment No. 1 to House Bill No. 1636.**

Amend House Bill No. 1636 as originally introduced:

Page 1, delete line 36 and substitute the following:

"(B) Place children who are in immediate danger of severe maltreatment in a safe environment;"

AND

Page 2, line 1 delete "from prosecution" and substitute "from criminal prosecution"

AND

Page 2, line 4 delete "and" after the semicolon

AND

Page 2, delete line 7 and substitute the following:

"prosecution, and treatment of child maltreatment; and  
(7) Stabilize the home environment if the juvenile's health and safety are not at risk;"

AND

Page 2, delete lines 22 and 23 and substitute the following:

"(B) "Abandonment" does not include acts or omissions of a parent toward a married minor."

AND

Page 3, line 19 add "or" after the semicolon

AND

Page 3, delete lines 20 and 21 and substitute the following:



"(d) Pinching or striking a child in the genital area."

AND

Page 9, delete line 10 and substitute the following:

"that requests searches of the investigative files."

(4) No fee may be charged to a person who is indigent."

AND

Page 11, delete lines 12 through 16 and substitute the following:

"purposes of screening employees, applicants, or volunteers who are or will be engaged in employment or activity with children, the elderly, the disabled, or the mentally ill upon submission of a signed, notarized release from the employee, applicant, or volunteer."

(b) The registry shall release only the following information on founded reports to the employer or agency:

(1) That the employee, applicant, or volunteer has a founded report;

(2) The date the investigation was completed; and

(3) The type of founded report."

AND

Page 11 delete SECTION 6 in its entirety

AND

Page 11, line 35, delete "SECTION 7." and substitute "SECTION 6."

AND

Page 12, line 30, delete "not"

AND

Page 13, delete line 6 and substitute the following:

"(i) A petition for dependency-neglect has been filed and the pending investigation is the basis in whole or part for the petition for dependency-neglect;

(ii) The department identifies the pending"

AND

Page 13, line 9 delete "(ii)" and substitute "(iii)"

AND

Page 13, delete line 29 and substitute the following:

"information will not compromise a criminal investigation."

(C) However, nothing in subdivision (j)(4)(B) of this section limits discovery by a party if a petition for dependency-neglect has been filed but not yet adjudicated."

AND

Page 13, line 31 delete "SECTION 8." and substitute "SECTION 7."

AND

Page 14, delete line 29 and substitute the following:

"(25) A teacher.

SECTION 8. Arkansas Code § 12-12-507(d), concerning reports of suspected child abuse or neglect, is amended to read as follows:

(d) In the event that the child abuse hotline receives notification that a client or a resident of any facility licensed or registered by the State of Arkansas has been subjected to child maltreatment while at such a facility, the ~~child abuse hotline department~~ shall immediately notify that facility's licensing or registering authority of its receipt of initial notification of suspected maltreatment."

AND

Page 15, line 17 add "or" after the semicolon

AND

Page 15, delete lines 18 and 19 and substitute the following:

"(D) Pinching or striking a child in the genital area."

AND

Page 16, delete line 15 and substitute the following:

"maltreatment in Arkansas at the time the incident occurred, the hot line shall refer the report to the"

AND

Delete SECTION 10 in its entirety and appropriately renumber the following SECTIONs

AND

Page 18, delete line 26 and substitute the following:

"(E) If the report is determined to be true and is a report of sexual intercourse, deviate sexual activity, or sexual contact, an assessment"

AND

Page 23, delete line 14 and substitute the following:  
"offender or adult subject of a report.

(4) If the petitioner prevails at the administrative hearing or circuit court hearing and the report is changed from true to unsubstantiated, upon request by the petitioner, the department shall tender a list of persons to whom a disclosure had previously been made that the report was true."

AND

Page 23, line 18, delete "(c)(1)" and substitute "(c)(1)(A)"

AND

Page 23, delete line 20 and substitute the following:  
"immediately be filed at no cost with the central registry.

(B) All information gathered during the course of the investigation shall be contained in the department's file whether or not the information supports the investigative determination."

The Amendment was read \_\_\_\_\_

By: Representative Dees

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Chief Clerk