

# Hall of the House of Representatives

83rd General Assembly - Regular Session, 2001

## Amendment Form

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### Subtitle of House Bill No. 1765

"AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE CONCERNING  
CHILD MALTREATMENT."

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### Amendment No. 1 to House Bill No. 1765.

Amend House Bill No. 1765 as originally introduced:

Add Representative Borhauer as a cosponsor of the bill

AND

Page 3, delete lines 2 through 14 and substitute the following:

"(v) Any nonaccidental physical injury; or  
(vi) Any of the following intentional or knowing  
acts, with physical injury and without justifiable cause, provided that  
nothing in this subdivision (2)(A)(vi) shall be construed to permit a finding  
of abuse without having established the elements of abuse:

(a) Throwing, kicking, burning, biting, or  
cutting a child;

(b) Striking a child with a closed fist;

(c) Shaking a child;

(d) Interfering with a child's breathing; or

(e) Striking a child on the face."

AND

Page 13, delete lines 12 through 15 and substitute the following:

"(f)(1) The child abuse hotline shall accept a report when the  
allegations if true would constitute child maltreatment as defined in § 12-  
12-503 and as long as sufficient identifying information is provided to  
identify and locate the child or the family.

(2) The child abuse hotline shall accept a report of physical  
abuse if any of the following intentional or knowing acts are alleged to  
occur, but the report shall not be determined to be true unless the child  
suffered an injury as the result of the act:

(a) Throwing, kicking, burning, biting, or  
cutting a child;

(b) Striking a child with a closed fist;

(c) Shaking a child;

(d) Interfering with a child's breathing; or  
(e) Striking a child on the face."

AND

Page 14, delete SECTION 8

AND

Appropriately renumber the subsequent SECTIONS

AND

Page 20, delete line 4 and substitute the following:

~~"(1) Any provision of the Arkansas Uniform Rules of Evidence"~~

AND

Page 20, delete lines 10 through 12 and substitute the following:

"(1)(A) No privilege shall prevent anyone from reporting concerning child maltreatment when the information is obtained from a child.

(B) No privilege shall prevent anyone, except between a lawyer and client or between a minister, including a Christian Science practitioner, and any person confessing to or being counseled by the minister, from testifying concerning child maltreatment when the information is obtained from a child."

AND

Page 21, delete line 11 and 12 and substitute the following:

"protective custody as outlined in § 12-12-516 or pursuant to the Arkansas Juvenile Code."

AND

Page 21, delete line 14 and substitute the following:

"shall be placed in a licensed or approved foster home, shelter or facility, or an exempt child welfare agency as defined at § 9-28-402(12)."

AND

Page 21, delete line 30 and substitute the following:

"outlined in § 12-12-516 or pursuant to the Arkansas"

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

By: Representative Dees

MF/RTK

RTK037

\_\_\_\_\_  
Chief Clerk