

ARKANSAS SENATE
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of Senate Bill No. 1046

TO AMEND THE LAW CONCERNING REPORTS AND INVESTIGATIONS OF CHILD MALTREATMENT.

Amendment No. 2 to Senate Bill No. 1046

Amend Senate Bill No. 1046 as engrossed, S3/16/15 (version: 03/16/2015 10:21:04 AM):

Page 1, delete line 26, and substitute the following:

"SECTION 2. Arkansas Code § 12-18-103(22), concerning the definition of sexual exploitation, is amended to to read as follows:

(22) "Sexual exploitation" means:

(A) The following by a person eighteen (18) years of age or older to a child who is not his or her spouse:

~~(A)(i)~~ Allowing, permitting, or encouraging participation or depiction of the child in:

~~(i)(a)~~ Prostitution;

~~(ii)(b)~~ Obscene photography; or

~~(iii)(c)~~ Obscene filming; or

~~(B)(ii)~~ Obscenely depicting, obscenely posing, or obscenely posturing ~~a~~ the child for any use or purpose;

(B) The following by a caretaker to a child:

(i) Allowing, permitting, or encouraging participation or depiction of the child in:

(a) Prostitution;

(b) Obscene photography; or

(c) Obscene filming; or

(ii) Obscenely depicting, obscenely posing, or obscenely posturing the child for any use or purpose;"

SECTION 3. Arkansas Code § 12-18-304, concerning qualifying reports of certain types of child maltreatment, is amended to add an additional subsection to read as follows:

(f) The Child Abuse Hotline shall not accept a report of giving a child or permitting a child to consume or inhale a poisonous or noxious substance as described in § 12-18-103(3)(A)(vii)(f) unless the alleged incident occurred within the previous three (3) months.

SECTION 4. Arkansas Code § 12-18-506(a), concerning the report of"

AND



Page 2, line 10, delete "SECTION 3" and substitute "SECTION 5"

AND

Page 2, line 26, delete "SECTION 4" and substitute "SECTION 6"

AND

Page 2, line 33, delete "SECTION 5" and substitute "SECTION 7"

AND

Page 3, line 11, delete "SECTION 6" and substitute "SECTION 8"

AND

Page 3, delete lines 14 through 29, and substitute the following:

"(e) Information on a pending investigation, including protected health information, shall be released upon request to:

(1) The Department of Human Services, excluding pending investigations on an employee or spouse of the Division of Children and Family Services;

(2) Law enforcement;

(3) The prosecuting attorney;

(4) The responsible multidisciplinary team;

(5) Attorney ad litem of the alleged victim or offender;

(6) Court Appointed Special Advocate of the alleged victim or offender;

(7) Any licensing or registering authority to the extent necessary to carry out its official responsibilities;

(8) Any department division director or facility director receiving notice of a Child Abuse Hotline report pursuant to this chapter;

(9) Any facility director receiving notice of a Child Abuse Hotline report pursuant to this chapter; and

(10)(A) Acting in their official capacities, individual"

AND

Page 3, line 36, delete "SECTION 7" and substitute "SECTION 9"

AND

Page 4, line 25, delete "SECTION 8" and substitute "SECTION 10"

AND

Page 4, line 32, delete "SECTION 9" and substitute "SECTION 11"

AND

Page 5, line 16, delete "SECTION 10" and substitute "SECTION 12"

AND

Page 5, delete lines 22 through 35, and substitute the following:

"(2) ~~The department~~ Department of Human Services, excluding pending investigations on an employee or spouse of the Division of Children and Family Services;

(3) Law enforcement;

(4) The prosecuting attorney;

(5) The responsible multidisciplinary team;

(6) Attorney ad litem for the victim or offender;

(7) Court-appointed special advocate for the victim or offender;

(8) Any licensing or registering authority to the extent necessary to carry out its official responsibilities;

(9) Any department division director or facility director receiving notice of a Child Abuse Hotline report under this chapter;

(10) Any facility director receiving notice of a Child Abuse Hotline report under this chapter; and

(11)(A) Acting in their official capacities, individual"

AND

Page 6, line 6, delete "SECTION 11" and substitute "SECTION 13"

AND

Page 6, line 15, delete "SECTION 12" and substitute "SECTION 14"

AND

Page 6, line 36, delete "SECTION 13" and substitute "SECTION 15"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Woods

MGF/RJW - 03-18-2015 10:46:05

MGF298

Secretary