

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

341

By: Senator Benham

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 12-12-507 TO PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES SHALL NOT INVESTIGATE AN ANONYMOUS REPORT OF ALLEGED CHILD ABUSE; TO AMEND ARKANSAS CODE 12-12-516 (b) (1) TO PROVIDE THAT REPORTS OF ALLEGED CHILD ABUSE WHICH ARE DETERMINED TO BE UNFOUNDED SHALL BE EXPUNGED AS SOON AS SUCH DETERMINATION IS MADE; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 12-12-507 is hereby amended by adding a new subsection at the end thereof to read as follows:

"(e) The Department shall not respond to or investigate any anonymous report of alleged abuse or neglect."

SECTION 2. Arkansas Code 12-12-516 (b) (1) is hereby amended to read as follows:

"(b) (1) (A) Records of all reports of abuse, neglect, sexual abuse, or exploitation shall be retained by the Child Abuse and Neglect Central Registry in accordance with the terms of this subchapter and shall be sealed when the youngest minor victim-subject of the report reaches the age of twenty-one (21) years. Once sealed, the records shall not otherwise be available unless the department, upon notice to the subjects of the report, gives approval for an appropriate reason.

(B) If an investigation of a report conducted pursuant to this subchapter determines there is no credible evidence of alleged abuse, sexual abuse, or neglect, the report and all information identifying the person alleged to have been abused or neglected and the person or persons who were alleged to have perpetrated such abuse or neglect shall be expunged

immediately."

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

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 All laws and parts of laws in conflict with this act are hereby repealed.