

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1560

5 By: Representative Vaught  
6 By: Senator K. Hammer  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE CHILD MALTREATMENT ACT; TO  
10 CLARIFY THE LAW REGARDING REPORTS THAT ARE RECEIVED  
11 BY THE CHILD ABUSE HOTLINE CONCERNING ALLEGED VICTIMS  
12 WHO ARE EIGHTEEN YEARS OF AGE OR OLDER; TO PROHIBIT  
13 ANONYMOUS REPORTING TO THE CHILD ABUSE HOTLINE; AND  
14 FOR OTHER PURPOSES.  
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## Subtitle

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18 TO CLARIFY THE LAW REGARDING REPORTS THAT  
19 ARE RECEIVED BY THE CHILD ABUSE HOTLINE  
20 CONCERNING ALLEGED VICTIMS WHO ARE  
21 EIGHTEEN YEARS OF AGE OR OLDER; AND TO  
22 PROHIBIT ANONYMOUS REPORTING TO THE CHILD  
23 ABUSE HOTLINE.  
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. Arkansas Code § 12-18-302(d), concerning the acceptance of  
29 an anonymous report to the Child Abuse Hotline, is repealed.

30 ~~(d) A mandated reporter under this chapter who wishes to remain~~  
31 ~~anonymous shall make a report through the Child Abuse Hotline toll-free~~  
32 ~~telephone system.~~  
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34 SECTION 2. Arkansas Code § 12-18-303(e)(1), concerning minimum  
35 requirements for a report to be accepted by the Child Abuse Hotline, is  
36 amended to read as follows:



1 (e)(1)(A)(i) A report of child maltreatment that does not meet the  
 2 requirements of subsection (a) of this section shall not be accepted by the  
 3 Child Abuse Hotline.

4 (ii) The Child Abuse Hotline shall document a report  
 5 of an allegation of abuse, sexual abuse, or sexual exploitation of an alleged  
 6 victim who is eighteen (18) years of age or older and refer the report to  
 7 local law enforcement for criminal investigation if the alleged victim is:

8 (a) Enrolled in high school; or

9 (b) In the extended foster care program under  
 10 § 9-28-114.

11 (B) The Child Abuse Hotline may accept a report of child  
 12 maltreatment that does not meet the requirements of subsection (a) of this  
 13 section if sufficient information is provided to accept the report under §§  
 14 12-18-304 – 12-18-310.

15 (C) The Child Abuse Hotline shall not accept an anonymous  
 16 report.

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 18 SECTION 3. Arkansas Code § 12-18-601(b)(2)(B), concerning procedures  
 19 established by the Department of Human Services for the investigation of an  
 20 allegation of child maltreatment, is amended to read as follows:

21 (B) The procedures established by the Department of Human  
 22 Services shall require the:

23 (i) Closure of an investigation if there is no  
 24 evidence to support the report of child maltreatment other than the report  
 25 made to the Child Abuse Hotline;

26 (ii) Closure of an investigation if there is  
 27 insufficient detail to investigate the report of child maltreatment;

28 ~~(iii)(a) Closure of an investigation that is based~~  
 29 ~~on an allegation made by an anonymous reporter if there is no evidence to~~  
 30 ~~corroborate the report of child maltreatment after the investigating agency~~  
 31 ~~has conducted a preliminary investigation to determine whether there is any~~  
 32 ~~evidence to corroborate the report of child maltreatment.~~

33 ~~(b) A preliminary investigation shall include:~~

34 ~~(1) An interview with the alleged~~  
 35 ~~victim;~~

36 ~~(2) A visit to the home of the alleged~~

1 ~~victim if appropriate given the type of child maltreatment alleged; and~~

2 ~~(3) Evidence from a collateral witness;~~

3 ~~(iv)~~(iii) Closure of an investigation if:

4 (a) There has not been an additional report of  
5 abuse or neglect that has been committed by the alleged offender who is the  
6 subject of the current report;

7 (b) The investigator reviews the prior history  
8 of child maltreatment related to the family of the child and to the alleged  
9 offender and determines that the health and safety of the child can be  
10 assured without further investigation by the Department of Human Services or  
11 the Division of Arkansas State Police; and

12 (c) The investigator determines that abuse or  
13 neglect of the child did not occur; and

14 ~~(v)~~(iv) Approval of the:

15 (a) Director of the Division of Children and  
16 Family Services of the Department of Human Services or his or her designee  
17 for the administrative closure of an investigation that is conducted by the  
18 Department of Human Services; or

19 (b) Director of the Division of Arkansas State  
20 Police or his or her designee for the administrative closure of an  
21 investigation conducted by the Division of Arkansas State Police.

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