

SENATE BILL NO. 314

INTRODUCED BY JACOBSON, VAN VALKENBURG,
KEENAN, HANSEN, KADAS

IN THE SENATE

February 4, 1985	Introduced and referred to Committee on Public Health, Welfare and Safety.
February 19, 1985	Committee recommend bill do pass. Report adopted.
February 20, 1985	Bill printed and placed on members' desks.
February 21, 1985	Second reading, do pass as amended.
February 22, 1985	Correctly engrossed.
February 23, 1985	Third reading, passed. Ayes, 49; Noes, 0.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Judiciary.
March 18, 1985	Committee recommend bill be concurred in as amended. Report adopted.
March 20, 1985	Second reading, concurred in as amended.
March 22, 1985	Third reading, concurred in. Returned to Senate with amendments.

IN THE SENATE

March 22, 1985

Received from House.

March 27, 1985

Second reading, amendments
concurrent in.

March 29, 1985

Third reading, amendments
concurrent in. Ayes, 49;
Noes, 0.

Sent to enrolling.

Reported correctly enrolled.

1 Senate BILL NO. 314
 2 INTRODUCED BY Richard W. Veltrop, Republican
 3 Kocher

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT FAILURE
 5 TO REPORT KNOWN OR SUSPECTED CHILD ABUSE OR NEGLECT IS A
 6 MISDEMEANOR; AMENDING SECTION 41-3-207, MCA."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 41-3-207, MCA, is amended to read:
 10 "41-3-207. Penalty for failure to report. Any person,
 11 official, or institution required by law to report known or
 12 suspected child abuse or neglect or required to perform any
 13 other act who fails to do so or who prevents another person
 14 from reasonably doing so is guilty of a misdemeanor and is
 15 civilly liable for the damages proximately caused by such
 16 failure or prevention."

-End-



INTRODUCED BILL
 SB 314

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

1 *Senate* BILL NO. *314*
2 INTRODUCED BY *Michael V. Volkening, Keenan, & Blodgett*
3 *Kocher*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT FAILURE
5 TO REPORT KNOWN OR SUSPECTED CHILD ABUSE OR NEGLECT IS A
6 MISDEMEANOR; AMENDING SECTION 41-3-207, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 41-3-207, MCA, is amended to read:
10 "41-3-207. Penalty for failure to report. Any person,
11 official, or institution required by law to report known or
12 suspected child abuse or neglect or required to perform any
13 other act who fails to do so or who prevents another person
14 from reasonably doing so is guilty of a misdemeanor and is
15 civilly liable for the damages proximately caused by such
16 failure or prevention."

-End-



SECOND READING
SB 314

1 SENATE BILL NO. 314

2 INTRODUCED BY JACOBSON, VAN VALKENBURG,

3 KEENAN, HANSEN, KADAS,

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT FAILURE
6 TO REPORT KNOWN OR SUSPECTED CHILD ABUSE OR NEGLECT IS A
7 MISDEMEANOR; AMENDING SECTION 41-3-207, MCA."

8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 41-3-207, MCA, is amended to read:

11 "41-3-207. Penalty for failure to report. Any person,
12 official, or institution required by law to report known or
13 suspected child abuse or neglect ~~or required to perform any~~
14 ~~other act~~ who fails to do so or who prevents another person
15 from reasonably doing so is guilty of a misdemeanor and is
16 civilly liable for the damages proximately caused by such
17 failure or prevention."

-End-

STANDING COMMITTEE REPORT

HOUSE

March 18

19 85

MR. Speaker

We, your committee on Judiciary

having had under consideration Senate

Bill No. 314

Third reading copy (Blue color)

MISDEMEANOR FOR FAILURE TO REPORT CHILD ABUSE OR NEGLECT

Senate

314

Respectfully report as follows: That

Bill No.

be amended as follows:

1. Title, line 6.

Strike: "OR SUSPECTED"

2. Page 1, line 15.

Following: "is"

Strike: "guilty" through "is"

3. Page 1, line 17.

Following: "prevention."

Insert: "Any person or official required by law to report known or suspected child abuse or neglect who purposely or knowingly fails to do so or purposely or knowingly prevents another person from doing so is guilty of a misdemeanor."

AND AS AMENDED,
BE CONCURRED IN

~~DO NOT~~

3/18

Tom Hannah
REP. TOM HANNAH,

Chairman.

COMMITTEE OF THE WHOLE AMENDMENT

3191200P.CW

HOUSE

3-19-85

DATE

12:00

TIME

MR. CHAIRMAN: I MOVE TO AMEND

Senate Bill

No. 314

third reading copy (blue) as follows:
Color

AMENDMENT TO HOUSE STANDING COMMITTEE REPORT OF
MARCH 18, 1985

- Amend amendment number 3 as follows:
 In Insert, following: "knowingly fails to"
 Strike: "do so"
 Insert: "report known child abuse or neglect"

KMK

ADOPT
REJECT

Hannah
Rep. Hannah

1 SENATE BILL NO. 314
2 INTRODUCED BY JACOBSON, VAN VALKENBURG,
3 KEENAN, HANSEN, KADAS
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT FAILURE
6 TO REPORT KNOWN OR-SUSPECTED CHILD ABUSE OR NEGLECT IS A
7 MISDEMEANOR; AMENDING SECTION 41-3-207, MCA."
8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Section 41-3-207, MCA, is amended to read:
11 "41-3-207. Penalty for failure to report. Any person,
12 official, or institution required by law to report known or
13 suspected child abuse or neglect ~~or-required-to-perform-any~~
14 ~~other--act~~ who fails to do so or who prevents another person
15 from reasonably doing so is ~~guilty-of-a-misdemeanor--and--is~~
16 civilly liable for the damages proximately caused by such
17 failure or prevention. ANY PERSON OR OFFICIAL REQUIRED BY
18 LAW TO REPORT KNOWN OR SUSPECTED CHILD ABUSE OR NEGLECT WHO
19 PURPOSELY OR KNOWINGLY FAILS TO BE--SO REPORT KNOWN CHILD
20 ABUSE OR NEGLECT OR PURPOSELY OR KNOWINGLY PREVENTS ANOTHER
21 PERSON FROM DOING SO IS GUILTY OF A MISDEMEANOR."

-End-



REFERENCE BILL
SB 314