

HOUSE BILL NO. 66

INTRODUCED BY COCCHIARELLA
BY REQUEST OF THE DEPARTMENT OF FAMILY SERVICES

IN THE HOUSE

DECEMBER 23, 1992	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
JANUARY 4, 1993	FIRST READING.
JANUARY 8, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 11, 1993	PRINTING REPORT.
	SECOND READING, DO PASS.
JANUARY 12, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 83; NOES, 13.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 14, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
MARCH 5, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 6, 1993	SECOND READING, CONCURRED IN.
MARCH 8, 1993	THIRD READING, CONCURRED IN. AYES, 47; NOES, 1.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 16, 1993	RECEIVED FROM SENATE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

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4
5 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A REBUTTABLE
6 PRESUMPTION OF GOOD FAITH AND NO MALICIOUS PURPOSE FOR
7 CERTAIN PERSONS INVOLVED IN CHILD ABUSE AND NEGLECT
8 INVESTIGATIONS AND PROCEEDINGS; AMENDING SECTION 41-3-203,
9 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN
10 APPLICABILITY DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 41-3-203, MCA, is amended to read:

14 "41-3-203. Immunity from liability. Anyone
15 investigating or reporting any incident of child abuse or
16 neglect under 41-3-201 or 41-3-202, participating in
17 resulting judicial proceedings, or furnishing hospital or
18 medical records as required by 41-3-202 is immune from any
19 liability, civil or criminal, that might otherwise be
20 incurred or imposed, unless the person acted in bad faith or
21 with malicious purpose. There is a rebuttable presumption
22 that the person acted in good faith and with no malicious
23 purpose."

24 NEW SECTION. Section 2. Applicability. [This act]
25 applies to reports made or records furnished after [the

1 effective date of this act].

2 NEW SECTION. Section 3. Effective date. [This act] is
3 effective on passage and approval.

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APPROVED BY COMMITTEE
ON JUDICIARY

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