

1 HB524
2 137796-1
3 By Representative Mitchell
4 RFD: Children and Senior Advocacy
5 First Read: 14-MAR-12

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8 SYNOPSIS: Under existing law, the purpose of reporting
9 child abuse or neglect is to safeguard and enforce
10 the general welfare of children who are abused and
11 neglected.

12 This bill would further provide that for
13 purposes of reporting child abuse or neglect, a
14 disability of the parent or child is not to be a
15 consideration and would prohibit the law from being
16 construed to interfere with raising a child,
17 including reasonable parental discipline that is
18 not injurious to the health, safety, or welfare of
19 the child.

20
21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 To amend Section 26-14-2 of the Code of Alabama
26 1975, relating to the purpose of reporting child abuse or
27 neglect; to provide further that a disability is not a

1 consideration for reporting child abuse or neglect and to
2 prohibit the law from being construed to interfere with
3 raising a child, including reasonable parental discipline that
4 is not injurious to the health, safety, or welfare of the
5 child.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. Section 26-14-2 of the Code of Alabama
8 1975, is amended to read as follows:

9 "§26-14-2.

10 "(a) In order to protect children whose health and
11 welfare may be adversely affected through abuse and neglect,
12 the legislature hereby provides for the reporting of such
13 cases to the appropriate authorities. It is the intent of the
14 legislature that, as a result of such efforts, and through the
15 cooperation of state, county, local agencies and divisions of
16 government, protective services shall be made available in an
17 effort to prevent further abuses and neglect, to safeguard and
18 enforce the general welfare of such children, and to encourage
19 cooperation among the states in dealing with the problems of
20 child abuse.

21 "(b) The existence of a mental, physical, or
22 developmental disability, or any other disability as defined
23 by the Americans with Disabilities Act, 42 U.S.C. §12131(2) of
24 the parent or guardian shall not in and of itself be
25 considered child abuse or neglect.

26 "(c) This chapter shall not be construed to
27 authorize interference with the rearing of a child, including

1 reasonable parental discipline that is not injurious to the
2 health, safety, or welfare of the child."

3 Section 2. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.