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5 Replace line 51 on page 2 with the following:

6 This bill would further provide for the procedures,
7 timelines, penalties, and prosecutions related to
8 mandatory reporting of child abuse or neglect.

9 This bill would also make various conforming

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11 Replace line 81 on page 3 with the following:

12 conforming changes; to amend Sections 26-14-3, Code
13 of Alabama 1975, to further provide for the circumstances
14 when a mandatory reporter must submit a report to a duly
15 constituted authority; to further provide for the
16 timeline of submitting reports; to provide an enhanced
17 penalty for subsequent violations; to further provide for
18 the commencement of prosecution; and to make
19 nonsubstantive, technical

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21 Replace line 559 on page 20 with the following:

22 Section 6. Section 26-14-3, Code of Alabama 1975, is
23 amended to read as follows:

24 "§26-14-3



(a) All hospitals, clinics, sanitariums, doctors, physicians, surgeons, medical examiners, coroners, dentists, osteopaths, optometrists, chiropractors, podiatrists, physical therapists, nurses, public and private K-12 employees, school teachers and officials, peace officers, law enforcement officials, pharmacists, social workers, day care workers or employees, mental health professionals, employees of public and private institutions of postsecondary and higher education, members of the clergy as defined in Rule 505 of the Alabama Rules of Evidence, or any other person called upon to render aid or medical assistance to any child, when the child is known or suspected to be a victim of child abuse or neglect, shall be required to report orally, either by telephone or direct communication immediately, and shall be followed by a written report, to a duly constituted authority. (1) An individual or entity identified in subdivision (2) shall submit an oral report to a law enforcement official or the Department of Human Resources immediately upon knowing or suspecting that a child is a victim of child abuse or neglect, receiving a report from a third party that a child is or is suspected of being a victim of child abuse or neglect, or obtaining any other information that would lead a



49 reasonable person to believe or suspect that a child is a
50 victim of child abuse or neglect. The individual or
51 entity shall submit an additional written report to the
52 official or department within 72 hours of the oral
53 report.

54 (2) All of the following are subject to the
55 requirements of subdivision (1):

- 56 a. A hospital.
- 57 b. A clinic.
- 58 c. A sanitarium.
- 59 d. A doctor.
- 60 e. A physician.
- 61 f. A surgeon.
- 62 g. A medical examiner.
- 63 h. A coroner.
- 64 i. A dentist.
- 65 j. An osteopath.
- 66 k. An optometrist.
- 67 l. A chiropractor.
- 68 m. A podiatrist.
- 69 n. A physical therapist.
- 70 o. A nurse.
- 71 p. A public or private K-12 school employee.
- 72 q. A school teacher.



73 r. A school official.

74 s. A peace officer.

75 t. A law enforcement official.

76 u. A pharmacist.

77 v. A social worker.

78 w. A day care worker or employee.

79 x. A mental health professional.

80 y. An employee of a public or private institution of
81 postsecondary or higher education.

82 z. A member of the clergy as defined in Rule 505 of
83 the Alabama Rules of Evidence.

84 aa. Any other person called upon to render aid or
85 medical assistance to any child.

86 (b) (1) ~~When an initial~~ Immediately upon the receipt
87 of a ~~report is made to a law enforcement official~~ pursuant
88 to subsection (a), the law enforcement official
89 ~~subsequently~~ shall inform the Department of Human
90 Resources of the report so that the department can carry
91 out its responsibility to provide protective services
92 when deemed appropriate to the respective child or
93 children.

94 (2) As soon as is practicable after the receipt of a
95 report ~~of known or suspected child abuse or neglect is~~
96 made pursuant to subsection (a), the Department of Human



97 Resources shall make efforts to determine the military
98 status of the parent or guardian of the child who is the
99 subject of the child abuse or neglect allegation.

100 (3) If the Department of Human Resources determines
101 that a parent or guardian under subdivision (2) is in the
102 military, the department shall notify a United States
103 Department of Defense family advocacy program at ~~the~~
104 ~~military installation of~~ the parent or ~~guardian~~
105 guardian's military installation that there is an
106 allegation of child abuse or neglect that is being
107 investigated ~~that which~~ involves a child of the military
108 parent or guardian.

109 (c) When the Department of Human Resources receives
110 initial reports of suspected abuse or neglect, ~~as defined~~
111 ~~in Section 26-14-1,~~ including suspected abuse or neglect
112 involving discipline or corporal punishment committed in
113 a public or private school or suspected abuse or neglect
114 in a state-operated child residential facility, the
115 Department of Human Resources shall transmit a copy of
116 school reports ~~to the law enforcement agency and or~~
117 residential facility reports to the law enforcement
118 agency and the operating state agency which shall conduct
119 the investigation. When the investigation is completed, a
120 written report of the completed investigation ~~shall~~



121 ~~contain~~ containing the information required by the ~~state~~
122 State Department of Human Resources ~~which~~ shall be
123 submitted by the law enforcement agency or the state
124 agency to the county department of human resources for
125 entry into the state's central registry.

126 (d) Nothing in this chapter shall preclude
127 interagency agreements between departments of human
128 resources, law enforcement, ~~and~~ or any other state
129 agencies on procedures for investigating reports of
130 suspected child abuse and neglect to provide for
131 departments of human resources to assist law enforcement
132 ~~and~~ or other state agencies in these investigations.

133 ~~(e) Any provision of this section to the contrary~~
134 ~~notwithstanding, if any agency or authority investigates~~
135 ~~any report pursuant to this section and the report does~~
136 ~~not result in a conviction, the agency or authority shall~~
137 ~~expunge any record of the information or report and any~~
138 ~~data developed from the record.~~

139 ~~(f) (e)~~ Subsection (a) to the contrary
140 notwithstanding, a member of the clergy shall not be
141 required to report information gained solely in a
142 confidential communication privileged pursuant to Rule
143 505 of the Alabama Rules of Evidence, ~~which~~ and the
144 communication shall continue to be privileged as provided



145 by law.

146 ~~(g)~~ (f) (1) Commencing on August 1, 2013, a public or
147 private employer who discharges, suspends, disciplines,
148 or penalizes an employee solely for reporting suspected
149 child abuse or neglect pursuant to this section shall be
150 guilty of a Class C misdemeanor.

151 (2) A violation of subdivision (1) following a
152 previous conviction for a violation of subdivision (1)
153 shall be a Class C felony.

154 (g) (1) A misdemeanor prosecution for a violation of
155 this section must be commenced within 12 months after the
156 violation was first reported to a law enforcement agency.

157 (2) A felony prosecution for a violation of this
158 section must be commenced within five years after the
159 violation was first reported to a law enforcement
160 agency."

161 Section 7. This act shall become effective on October