

FIRST REGULAR SESSION

HOUSE BILL NO. 902

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES NETH (Sponsor), MARSHALL AND CIERPIOT (Co-sponsors).

1995L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 210.135, RSMo, and to enact in lieu thereof one new section relating to reporting of child abuse.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 210.135, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 210.135, to read as follows:

210.135. Any person, official, or institution complying with the provisions of sections 210.110 to 210.165 in the making of a report, the taking of color photographs, or the making of radiologic examinations pursuant to sections 210.110 to 210.165, or both such taking of color photographs and making of radiologic examinations, or the removal or retaining a child pursuant to sections 210.110 to 210.165, or in cooperating with the division, or any other law enforcement agency, juvenile office, court, or child-protective service agency of this or any other state, in any of the activities pursuant to sections 210.110 to 210.165, or any other allegation of child abuse, neglect or assault, pursuant to sections 568.045 to 568.060, **or any person who notifies an agent of a medical institution, school facility, or public or private agency of suspected abuse** shall have immunity from any liability, civil or criminal, that otherwise might result by reason of such actions, **including any civil or criminal liability for a third party that otherwise may result for any action taken by an institution, facility, or agency as a result of notification of suspected abuse by such third party.** Provided, however, any person, official or institution intentionally filing a false report, acting in bad faith, or with ill intent, shall not have immunity from any liability, civil or criminal. Any such person, official, or institution shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.