

HCS#2 HB 1317 -- ABUSE OF A CHILD

SPONSOR: Franz (Riddle)

COMMITTEE ACTION: Voted "do pass" by the Committee on General Laws by a vote of 12 to 0.

This substitute specifies that a person commits the crime of abuse of a child if he or she recklessly causes serious physical injury to a child younger than 17 years of age which results in abusive head trauma. "Abusive head trauma" is defined as any serious physical injury to the head or brain caused by any means, including but not limited to, shaking, jerking, pushing, pulling, slamming, hitting, or kicking.

Abuse of a child is a class C felony, unless the person inflicts serious physical injury or serious emotional injury on a child younger than two years of age or it is committed as part of a ritual or ceremony in which case it will be a class B felony.

FISCAL NOTE: Estimated Net Cost on General Revenue Fund of Less than \$100,000 in FY 2013, FY 2014, and FY 2015. No impact on Other State Funds in FY 2013, FY 2014, and FY 2015.

PROPOSERS: Supporters say that prosecutors are having difficulty prosecuting those who abuse a child in the manner in which the bill addresses because of the way in which child abuse is currently defined in statute. The bill adds the actions that lead to abusive head trauma in children to the crime of abuse of a child. Many children who are injured in this manner die due to the injuries inflicted, while others are severely, and often permanently, disabled.

Testifying for the bill were Representative Riddle; Maryann Williamson; Marilyn Nivert; Lou Edwards, Children's Mercy Hospital; and Missouri Kids First.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that the commonly used term "shaken baby syndrome" is a problem because it can be difficult to prove a child was actually shaken. The term "abusive head trauma" is more accurate.

Testifying on the bill was Holly Monroe.