

2020 Regular Session

SENATE BILL NO. 433

BY SENATOR MIZELL

CRIMINAL PROCEDURE. Provides that a mandatory reporter of child abuse has cause to suspect abuse if a child under the age of thirteen is pregnant. (gov sig)

1 AN ACT
2 To amend and reenact Children's Code Article 609(A)(1), relative to child abuse reporting
3 and investigation; to provide that a mandatory reporter of child abuse has cause to
4 suspect abuse if a child under the age of thirteen is pregnant; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Children's Code Article 609(A)(1) is hereby amended and reenacted to
8 read as follows:

9 Art. 609. Mandatory and permitted reporting; training requirements

10 A. With respect to mandatory reporters:

11 (1)(a) Notwithstanding any claim of privileged communication, any
12 mandatory reporter who has cause to believe that a child's physical or mental health
13 or welfare is endangered as a result of abuse or neglect or that abuse or neglect was
14 a contributing factor in a child's death shall report in accordance with Article 610.

15 **(b) For purposes of this Article, the pregnancy of a child under the age**
16 **of thirteen years shall constitute cause to consider whether the child has been**
17 **abused.**

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

The original instrument was prepared by Alden A. Clement, Jr. The following digest, which does not constitute a part of the legislative instrument, was prepared by Brandi Cannon.

DIGEST

SB 433 Reengrossed

2020 Regular Session

Mizell

Present law provides that any "mandatory reporter", as defined by present law, who has cause to believe that a child's physical or mental health or welfare is endangered as a result of abuse or neglect, or that abuse or neglect was a contributing factor in a child's death, must report that suspected abuse to the proper authorities in accordance with present law.

Proposed law retains present law and adds that, for purposes of the reporting requirements of present law, the pregnancy of a child under the age of 13 years constitutes cause to consider whether the child has been abused.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends Ch.C. Art. 609(A)(1))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Changes the initial presumption of child abuse to a requirement to investigate the possibility of child abuse.