

COMMITTEE AMENDMENT ANALYSIS

Bill: House Bill 414

Printer's No.: 584

Amendment No.: A04294

Prepared by: Gregg Warner

Summary: The amendment furthers the intent of House Bill 414 by ensuring the availability of protective services information, including child abuse reports, when a court or other agency is making a determination in which that information would be useful.

The bill adds section 5329.1 to the Domestic Relations Code, Title 23, to provide for the consideration of child abuse and involvement with protective services. The amendment specifies that where a court makes a determination in a custody case regarding the involvement of the child in protective services, the court shall make the determination subject to the examination of the parties. In addition to the information provided to the court in new section 5329.1, the amendment makes clear that the court may question the parties about these issues as well.

The amendment adds a provision to section 6375 of the Domestic Relations Code making reports of a child in need of general protective services available to individuals and entities authorized to receive information under section 6340, relating to the release of information in confidential reports, generally reports relating to child abuse.

The amendment also adds provisions to sections 6307 and 6308 of the Judicial Code, Title 42, to allow the Department of Public Welfare to have access to juvenile record information necessary in determining whether an individual named as a perpetrator of an indicated report of child abuse should be expunged from the statewide database.

The effective date is changed to January 1, 2014, or immediately, whichever occurs later.