

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 850

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 26, 2018

The Assembly Education Committee reports favorably Assembly Bill No. 850 with committee amendments.

Under current law, a person who has reasonable cause to believe that an act of child abuse has been committed is required to notify the Division of Child Protection and Permanency. Failure to report abuse to the division is a disorderly persons offense. As amended, this bill clarifies that the notification requirement includes acts of child sexual abuse, and upgrades the failure to report an act of child sexual abuse to a crime of the fourth degree.

The penalty for a disorderly persons offense is a term of imprisonment for up to 6 months, a fine of up to \$1,000, or both. The penalty for a fourth degree crime is up to 18 months imprisonment, a fine of up to \$10,000, or both.

As amended and reported by the committee, this bill is identical to Senate Bill No. 641 (1R), which also was reported by the committee on this same date.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- delete the language that required a person having reasonable cause to believe that a child has been subjected to an act of sexual abuse or any sexual offense defined in chapter 14 of Title 2C of the New Jersey Statutes to immediately report the act or offense to law enforcement officials. Child abuse, however, includes sexual abuse; therefore the requirement to make a report to the Division of Child Protection and Permanency under these circumstances remains;
- provide that the upgraded penalty for knowingly failing to report applies only to child sexual abuse, not to sexual offenses defined in chapter 14 of Title 2C of the New Jersey Statutes.