

[First Reprint]

SENATE, No. 641

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

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District 30 (Monmouth and Ocean)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

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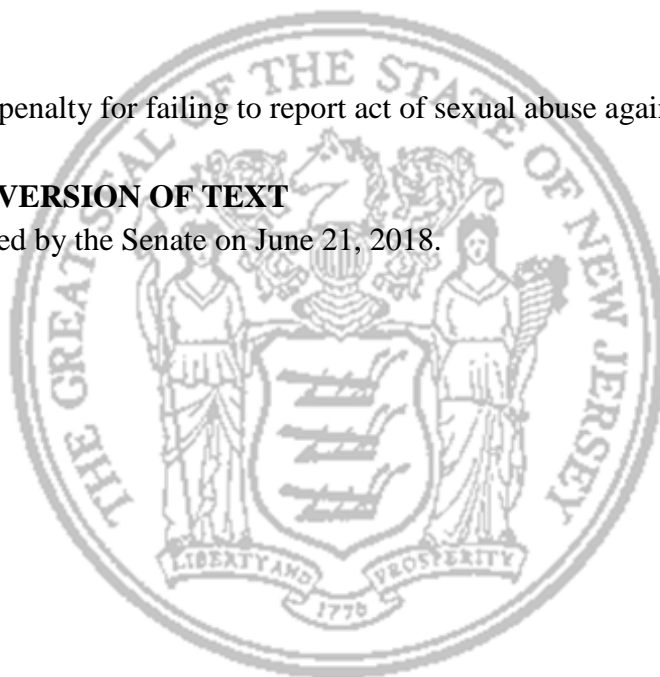
Senator Greenstein, Assemblywomen Murphy and Downey

SYNOPSIS

Upgrades penalty for failing to report act of sexual abuse against child.

CURRENT VERSION OF TEXT

As amended by the Senate on June 21, 2018.



(Sponsorship Updated As Of: 2/1/2019)

1 AN ACT concerning child abuse and amending P.L.1971, c.437.

2

3 **BE IT ENACTED** *by the Senate and General Assembly of the State*
4 *of New Jersey:*

5

6 1. Section 3 of P.L.1971, c.437 (C.9:6-8.10) is amended to read as
7 follows:

8 3. **[Any]** ¹a. Except as provided in subsection b. of this section
9 any] Any¹ person having reasonable cause to believe that a child has
10 been subjected to child abuse ¹, including sexual abuse.¹ or acts of
11 child abuse shall report the same immediately to the Division of Child
12 Protection and Permanency by telephone or otherwise. **[Such**
13 **reports,]**

14 ¹**[b. Any person having reasonable cause to believe that a child**
15 **has been subjected to an act of sexual abuse as defined in section 1 of**
16 **P.L.1992, c.109 (C.2A:61B-1) or any sexual offense as defined in**
17 **chapter 14 of Title 2C of the New Jersey Statutes shall immediately**
18 **report the act or offense to law enforcement officials.**

19 c. Reports made pursuant to subsections a. and b. of this section,]
20 Such reports,¹ where possible, shall contain the names and addresses
21 of the child and his parent, guardian, or other person having custody
22 and control of the child and, if known, the child's age, the nature and
23 possible extent of the child's injuries, abuse or maltreatment, including
24 any evidence of previous injuries, abuse or maltreatment, and any
25 other information that the person believes may be helpful with respect
26 to the child abuse and the identity of the perpetrator.
27 (cf: P.L.2012, c.16, s.21)

28

29 2. Section 7 of P.L.1971, c.437 (C.9:6-8.14) is amended to read as
30 follows:

31 7. **[Any]** a. Except as provided in subsection b. of this section
32 any person knowingly violating the provisions of this act including the
33 failure to report an act of child abuse having reasonable cause to
34 believe that an act of child abuse has been committed, is a disorderly
35 person.

36 b. Any person who knowingly fails to report an act of sexual
37 abuse ¹**[or any sexual offense pursuant to subsection b. of section 3 of**
38 **P.L.1971, c.437 (C.9:6-8.10)]**¹ against a child and who has reasonable
39 cause to believe that an act of sexual abuse ¹**[or the sexual offense]**¹
40 has been committed is guilty of a crime of the fourth degree.
41 (cf: P.L.1971, c.437, s.7)

42

43 3. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted June 21, 2018.