

ASSEMBLY, No. 1845

STATE OF NEW JERSEY

INTRODUCED MAY 2, 1996

By Assemblywomen CRUZ-PEREZ, VANDERVALK,
Assemblymen Felice, Zisa, Roberts, Garcia, Assemblywomen
Gill, Buono and Assemblyman Caraballo

1 AN ACT concerning the Division of Youth and Family Services and
2 supplementing chapter 6 of Title 9 of the Revised Statutes.

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

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7 1. a. The Division of Youth and Family Services in the Department
8 of Human Services shall expunge from its records all information
9 relating to a report, complaint or allegation of an incident of child
10 abuse or neglect with respect to which the division has determined,
11 based upon its investigation thereof, that the report, complaint or
12 allegation of the incident was unfounded.

13 b. For purposes of this act, "unfounded" means there is no concern
14 on the part of the division that the safety or welfare of the child is at
15 risk.

16 The process of making a determination of an unfounded report,
17 complaint or allegation of an incident of child abuse or neglect shall be
18 further defined in regulations promulgated by the department pursuant
19 to the "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1
20 et seq.).

21 c. Any reason for denying the expungement of records shall be
22 made known by the division to the individual who is seeking the
23 expungement.

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25 2. This act shall take effect immediately.

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28 STATEMENT

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30 This bill requires that the Division of Youth and Family Services in
31 the Department of Human Services expunge from its records all
32 information relating to any report, complaint or allegation of child
33 abuse or neglect which the division has determined to be unfounded.

34 For the purposes of this bill, "unfounded" means there is no concern
35 on the part of the division that the safety or welfare of the child is at

1 risk.

2 The bill provides that any reason for denying the expungement of
3 records shall be made known by the division to the individual who is
4 seeking the expungement.

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9 Requires DYFS to expunge from its records information regarding
10 child abuse allegations determined to be unfounded.