

[First Reprint]  
ASSEMBLY, No. 1845

STATE OF NEW JERSEY

INTRODUCED MAY 2, 1996

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

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 <sup>1</sup>[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.]<sup>1</sup>

24

25 2. This act shall take effect immediately.

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

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly ACO committee amendments adopted October 21, 1996.

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