



General Assembly

February Session, 2012

Raised Bill No. 5552

LCO No. 2683

02683_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT CONCERNING THE PENALTIES FOR FAILURE TO REPORT
CHILD ABUSE.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 53-21 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) Any person who (1) wilfully or unlawfully causes or permits any
4 child under the age of sixteen years to be placed in such a situation
5 that the life or limb of such child is endangered, the health of such
6 child is likely to be injured or the morals of such child are likely to be
7 impaired, or does any act likely to impair the health or morals of any
8 such child, or (2) has contact with the intimate parts, as defined in
9 section 53a-65, of a child under the age of sixteen years or subjects a
10 child under sixteen years of age to contact with the intimate parts of
11 such person, in a sexual and indecent manner likely to impair the
12 health or morals of such child, or (3) intentionally interferes with or
13 prevents the making of a report of suspected child abuse or neglect
14 required under section 17a-101a, as amended by this act, or (4)
15 permanently transfers the legal or physical custody of a child under
16 the age of sixteen years to another person for money or other valuable

17 consideration or acquires or receives the legal or physical custody of a
18 child under the age of sixteen years from another person upon
19 payment of money or other valuable consideration to such other
20 person or a third person, except in connection with an adoption
21 proceeding that complies with the provisions of chapter 803, shall be
22 guilty of a class C felony for a violation of subdivision (1) or [(3)] (4) of
23 this subsection, a class D felony for a violation of subdivision (3) of this
24 subsection and a class B felony for a violation of subdivision (2) of this
25 subsection, except that, if the violation is of subdivision (2) of this
26 subsection and the victim of the offense is under thirteen years of age,
27 such person shall be sentenced to a term of imprisonment of which
28 five years of the sentence imposed may not be suspended or reduced
29 by the court.

30 (b) The act of a parent or agent leaving an infant thirty days or
31 younger with a designated employee pursuant to section 17a-58 shall
32 not constitute a violation of this section.

33 Sec. 2. Section 17a-101a of the 2012 supplement to the general
34 statutes is repealed and the following is substituted in lieu thereof
35 (*Effective October 1, 2012*):

36 Any mandated reporter, as defined in section 17a-101, who in the
37 ordinary course of such person's employment or profession has
38 reasonable cause to suspect or believe that any child under the age of
39 eighteen years (1) has been abused or neglected, as defined in section
40 46b-120, (2) has had nonaccidental physical injury, or injury which is at
41 variance with the history given of such injury, inflicted upon such
42 child, or (3) is placed at imminent risk of serious harm, shall report or
43 cause a report to be made in accordance with the provisions of sections
44 17a-101b to 17a-101d, inclusive. Any person required to report under
45 the provisions of this section who fails to make such report or fails to
46 make such report within the time period prescribed in sections 17a-
47 101b to 17a-101d, inclusive, and section 17a-103 shall be [fined not less
48 than five hundred dollars or more than two thousand five hundred

49 dollars] guilty of a class A misdemeanor and shall be required to
50 participate in an educational and training program pursuant to
51 subsection (d) of section 17a-101. The Commissioner of Children and
52 Families, or the commissioner's designee, shall promptly notify the
53 Chief State's Attorney when there is reason to believe that any such
54 person has failed to make a report in accordance with this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	53-21
Sec. 2	<i>October 1, 2012</i>	17a-101a

Statement of Purpose:

To strengthen the penalties associated with an individual's failure to report suspected child abuse or neglect.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]