



General Assembly

January Session, 2013

Amendment

LCO No. 7999

HB0634207999HDO

Offered by:
REP. FOX, 146th Dist.

To: House Bill No. 6342

File No. 687

Cal. No. 470

"AN ACT CONCERNING CRIMINAL PENALTIES FOR FAILURE TO REPORT CHILD ABUSE."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 53-21 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2013*):

5 (a) Any person who (1) wilfully or unlawfully causes or permits any
6 child under the age of sixteen years to be placed in such a situation
7 that the life or limb of such child is endangered, the health of such
8 child is likely to be injured or the morals of such child are likely to be
9 impaired, or does any act likely to impair the health or morals of any
10 such child, or (2) has contact with the intimate parts, as defined in
11 section 53a-65, of a child under the age of sixteen years or subjects a
12 child under sixteen years of age to contact with the intimate parts of
13 such person, in a sexual and indecent manner likely to impair the
14 health or morals of such child, or (3) permanently transfers the legal or
15 physical custody of a child under the age of sixteen years to another

16 person for money or other valuable consideration or acquires or
17 receives the legal or physical custody of a child under the age of
18 sixteen years from another person upon payment of money or other
19 valuable consideration to such other person or a third person, except in
20 connection with an adoption proceeding that complies with the
21 provisions of chapter 803, or (4) intentionally and unreasonably
22 interferes with or prevents the making of a report of suspected child
23 abuse or neglect required under section 17a-101a, as amended by this
24 act, shall be guilty of (A) a class D felony for a violation of subdivision
25 (4) of this subsection, (B) a class C felony for a violation of subdivision
26 (1) or (3) of this subsection, and (C) a class B felony for a violation of
27 subdivision (2) of this subsection, except that, if the violation is of
28 subdivision (2) of this subsection and the victim of the offense is under
29 thirteen years of age, such person shall be sentenced to a term of
30 imprisonment of which five years of the sentence imposed may not be
31 suspended or reduced by the court.

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

35 Sec. 2. Section 17a-101a of the general statutes is repealed and the
36 following is substituted in lieu thereof (*Effective October 1, 2013*):

37 (a) Any mandated reporter, as defined in section 17a-101, who in the
38 ordinary course of such person's employment or profession has
39 reasonable cause to suspect or believe that any child under the age of
40 eighteen years (1) has been abused or neglected, as defined in section
41 46b-120, as amended by this act, (2) has had nonaccidental physical
42 injury, or injury which is at variance with the history given of such
43 injury, inflicted upon such child, or (3) is placed at imminent risk of
44 serious harm, shall report or cause a report to be made in accordance
45 with the provisions of sections 17a-101b to 17a-101d, inclusive.

46 (b) Any person required to report under the provisions of this
47 section who fails to make such report or fails to make such report

48 within the time period prescribed in sections 17a-101b to 17a-101d,
 49 inclusive, and section 17a-103 shall be [fined not less than five hundred
 50 dollars or more than two thousand five hundred dollars] guilty of a
 51 class A misdemeanor and shall be required to participate in an
 52 educational and training program. The program may be provided by
 53 one or more private organizations approved by the commissioner,
 54 provided the entire cost of the program shall be paid from fees charged
 55 to the participants, the amount of which shall be subject to the
 56 approval of the commissioner.

57 (c) The Commissioner of Children and Families, or the
 58 commissioner's designee, shall promptly notify the Chief State's
 59 Attorney when there is reason to believe that any such person has
 60 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, 2013</i>	53-21
Sec. 2	<i>October 1, 2013</i>	17a-101a