

HCS SCS SB 256 -- CHILD ABUSE AND NEGLECT

SPONSOR: Silvey (Torpey)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Crime Prevention and Public Safety by a vote of 11 to 2.

This substitute changes the laws regarding child abuse and neglect.

TASK FORCE ON THE PREVENTION OF SEXUAL ABUSE OF CHILDREN (Section 160.2100)

The substitute removes the expiration date of January 1, 2013, of the Task Force on the Prevention of Sexual Abuse of Children and requires the Department of Elementary and Secondary Education, in collaboration with the task force, to report annually to the General Assembly on the department's progress in preventing child sexual abuse.

MENINGOCOCCAL DISEASE (Section 174.335)

The substitute requires each student attending a public institution of higher education who lives in on-campus housing to receive the meningococcal vaccine unless he or she has a medical or religious exemption. The Department of Health and Senior Services must oversee, supervise, and enforce this requirement and may establish rules.

SAFE PLACE FOR NEWBORNS ACT (Sections 1, 210.950 and 211.447)

The substitute changes the laws regarding the Safe Place for Newborns Act of 2002. Currently, a parent will not be prosecuted for the abandonment of a child up to 5 days old if he or she leaves the child in the custody of a medical facility staff member, provider or volunteer; a firefighter; emergency medical technician; or a law enforcement officer. The substitute increases the age of a child to 45 days after birth and includes maternity homes and pregnancy resource centers as permissible places to relinquish a child.

A parent voluntarily relinquishing a child will not be required to release any identifying information about the child or parent. An officer, employee, or agent of this state or any political subdivision cannot attempt to locate or determine the identity of a parent or disclose identifying information except in certain cases.

The substitute also specifies that the affirmative defense to prosecution for the abandonment of a child will only be allowed for a defendant who voluntarily relinquishes a child no more than one

year old.

The substitute also allows a school district or charter school to provide high school students enrolled in health education at least 30 minutes of age and grade appropriate classroom instruction relative to the Safe Place for Newborns Act of 2002.

#### FORENSIC EXAMINATIONS IN CHILD ABUSE CASES (Section 595.220)

The substitute requires the Department of Public Safety to establish rules for the reimbursement of the costs of forensic examinations for children younger than 14 years of age, including establishing conditions and definitions for emergency and non-emergency forensic exams and specific qualifications for appropriate medical providers performing non-emergency forensic exams.

PROPOSERS: Supporters say that the bill expands the time period in which a parent can relinquish a newborn to 45 days, which is more in line with the laws of surrounding states. This can be crucial for saving the life of a newborn. The number of places a newborn can be relinquished is expanded, thus providing more safe places. A parent relinquishing a newborn can be asked for his or her identifying information, but cannot be compelled to give it. The ability of a school to provide students with information on the safe place law may keep newborns from being abandoned by young parents who are scared and find themselves, or a friend, in a troubled situation.

Testifying for the bill were Representative Torpey; Senator Silvey; Campaign Life Missouri; Missouri Kids First; and Missouri Family Network.

OPPOSERS: There was no opposition voiced to the committee.