

# 1996 SESSION

INTRODUCED

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## HOUSE BILL NO. 37

Offered January 10, 1996

Prefiled January 10, 1996

*A BILL to amend the Code of Virginia by adding a section numbered 63.1-248.5:1.01, relating to false reports of child abuse and neglect; penalties.*

Patrons—Melvin, Brickley, Davies, Hamilton, Mayer, Puller and Van Yahres; Senators: Gartlan, Lucas and Woods

Referred to Committee for Courts of Justice

### Be it enacted by the General Assembly of Virginia:

**1. That the Code of Virginia is amended by adding a section numbered 63.1-248.5:1.01 as follows:**

*§ 63.1-248.5:1.01. Knowingly making false reports; penalties.*

*A. Any adult who maliciously makes or causes to be made a report of child abuse or neglect pursuant to this chapter which he knows to be false shall be guilty of a Class 1 misdemeanor.*

*B. Any adult who makes or causes to be made a report of child abuse or neglect pursuant to this chapter which he knows to be false shall be guilty of a Class 4 misdemeanor. Any adult who has been previously convicted under this subsection and who is subsequently convicted of making a false report of child abuse or neglect under this subsection shall be guilty of a Class 2 misdemeanor.*

*C. The child protective services records regarding the person who was alleged to have committed abuse or neglect which result from a report for which a conviction is obtained under this section shall be purged immediately by any custodian of such records upon presentation to the custodian of a certified copy of such conviction. After purging the records, the custodian shall notify the person in writing that such records have been purged.*

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