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HOUSE BILL NO. 37

House Amendments in [] — February 13, 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. A.] 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. B.] 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.

ENGROSSED

HB37E