

VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

CHAPTER 828

An Act to amend and reenact § 63.1-248.5:1.01 of the Code of Virginia, relating to falsely reporting child abuse; penalty.

[H 1628]

Approved March 29, 1999

Be it enacted by the General Assembly of Virginia:

1. That § 63.1-248.5:1.01 of the Code of Virginia is amended and reenacted as follows:

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

A. Any person fourteen years of age or older 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 ~~1~~ misdemeanor. Any person fourteen years of age or older 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~~ *felony*.

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.

2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0.