

Senate Bill 442

By: Senators Moody of the 56th, Carter of the 13th, Meyer von Bremen of the 12th, Kemp of the 46th, Weber of the 40th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 7 of Title 19 of the Official Code of Georgia Annotated, relating to parent
2 and child relationship generally, so as to change certain provisions relating to reporting of
3 child abuse; to provide for related matters; to provide for an effective date; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 7 of Title 19 of the Official Code of Georgia Annotated, relating to parent and child
8 relationship generally, is amended by striking paragraph (2) of subsection (c) and subsection
9 (e) of Code Section 19-7-5, relating to reporting of child abuse, and inserting in lieu thereof
10 the following:

11 "(2) If a person is required to report abuse pursuant to this subsection because that person
12 attends to a child pursuant to such person's duties as a member of the staff of a hospital,
13 school, social agency, or similar facility, that person shall notify the person in charge of
14 the facility, or the designated delegate thereof, and the person so notified shall report or
15 cause a report to be made in accordance with this Code section. A staff member who
16 makes a report to the person designated pursuant to this paragraph shall be deemed to
17 have fully complied with this subsection. Under no circumstances shall any person in
18 charge of such hospital, school, agency, or facility, or the designated delegate thereof, to
19 whom such notification has been made exercise any control, restraint, modification, or
20 make other change to the information provided by the reporter, although each of the
21 aforementioned persons may be consulted prior to the making of a report and may
22 provide any additional, relevant, and necessary information when making the report."

23 "(e) An oral report shall be made ~~as soon as possible~~ immediately, but in no case later than
24 24 hours from the time there is reasonable cause to believe a child has been abused, by
25 telephone or otherwise and followed by a report in writing, if requested, to a child welfare
26 agency providing protective services, as designated by the Department of Human

Resources, or, in the absence of such agency, to an appropriate police authority or district attorney. If a report of child abuse is made to the child welfare agency or independently discovered by the agency, and the agency has reasonable cause to believe such report is true or the report contains any allegation or evidence of child abuse, then the agency shall immediately notify the appropriate police authority or district attorney. Such reports shall contain the names and addresses of the child and the child's parents or caretakers, if known, the child's age, the nature and extent of the child's injuries, including any evidence of previous injuries, and any other information that the reporting person believes might be helpful in establishing the cause of the injuries and the identity of the perpetrator. Photographs of the child's injuries to be used as documentation in support of allegations by hospital staff, physicians, law enforcement personnel, school officials, or staff of legally mandated public or private child protective agencies may be taken without the permission of the child's parent or guardian; ~~provided, however, that any photograph taken pursuant to this Code section shall, if reasonably possible, be taken in a manner which shall not reveal the identity of the subject.~~ Such photograph shall be made available as soon as possible to the chief welfare agency providing protective services and to the appropriate police authority."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.