

House Bill 1144

By: Representatives Nguyen of the 89th, Cantrell of the 22nd, Nix of the 69th, Oliver of the 82nd, Hutchinson of the 107th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 19-7-5 of the Official Code of Georgia Annotated, relating to
2 reporting of child abuse, when mandated or authorized, content of report, to whom made,
3 immunity from liability, report based upon privileged communication, and penalty for failure
4 to report, so as to prohibit employment retaliation against persons who fulfill a lawful
5 requirement to report a suspected case of child abuse; to provide for a cause of action; to
6 provide for a definition; to provide for related matters; to repeal conflicting laws; and for
7 other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 style="text-align:center">**SECTION 1.**

10 Code Section 19-7-5 of the Official Code of Georgia Annotated, relating to reporting of child
11 abuse, when mandated or authorized, content of report, to whom made, immunity from
12 liability, report based upon privileged communication, and penalty for failure to report, is
13 amended by adding a new subsection to read as follows:

14 "(h.1)(1) As used in this subsection, the term 'retaliation' means any negative job action,
15 including, but not limited to, disciplinary action, demotion, reassignment, termination,
16 negative job reference, negative performance evaluation, and salary reduction or loss.

17 (2) No person or official required by subsection (c) of this Code section to report a
18 suspected case of child abuse shall be the subject of retaliation by his or her employer
19 because he or she reports a suspected case of child abuse pursuant to such subsection.

20 (3) Any person or official who is provided for under subsection (c) of this Code section
21 and who suffers retaliation by an employer for reporting a suspected case of child abuse
22 shall have a cause of action against such employer for a tort for which damages may be
23 recovered."

24 style="text-align:center">**SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.