

2023 -- H 5358

LC001162

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO HUMAN SERVICES -- ABUSED AND NEGLECTED CHILDREN

Introduced By: Representatives Casimiro, Noret, Craven, Chippendale, and Roberts

Date Introduced: February 03, 2023

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40-11-6.1 of the General Laws in Chapter 40-11 entitled "Abused
2 and Neglected Children" is hereby amended to read as follows:

3 **40-11-6.1. Penalty for failure to report or perform required act.**

4 (a) Any person, official, physician, except the persons identified in subsection (b) of this
5 section, or institution required by this chapter to report known or suspected child abuse or neglect
6 or to perform any other act who knowingly fails to do so or who knowingly prevents any person
7 acting reasonably from doing so shall be guilty of a misdemeanor, and upon conviction thereof,
8 shall be subject to a fine of not more than five hundred dollars (\$500) or imprisonment for not more
9 than one year or both. In addition, any person, official, physician, or institution who knowingly
10 fails to perform any act required by this chapter or who knowingly prevents another person from
11 performing a required act shall be civilly liable for the damages proximately caused by that failure.

12 (b) Any coach, teacher, school administrator, or person in a position of authority who
13 knowingly fails to report known or suspected child abuse or neglect, sexual assault or battery
14 involving a child or who knowingly fails to perform any other act required by law for the protection
15 or safety of a child, or who knowingly prevents any person acting reasonably from doing so, shall
16 be guilty of a felony, and upon conviction, shall be subject to a fine of not less than five thousand
17 dollars (\$5,000), nor more than ten thousand dollars (\$10,000), or to imprisonment for not more
18 than five (5) years, or both.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HUMAN SERVICES -- ABUSED AND NEGLECTED CHILDREN

1 This act would require that any coach, teacher, school administrator, or person in a position
2 of authority who knowingly fails to report known or suspected child abuse or neglect, sexual assault
3 or battery involving a child or who knowingly fails to perform any other act required by law for the
4 protection or safety of a child would be guilty of a felony, and upon conviction, would be subject
5 to a fine of not less the five thousand dollars (\$5,000), nor more than ten thousand dollars (\$10,000),
6 or to imprisonment for not more than five (5) years, or both.

7 This act would take effect upon passage.

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