

Introduced by Senator Block

February 23, 2015

An act to amend Section 11165.9 of the Penal Code, relating to child abuse reporting.

LEGISLATIVE COUNSEL'S DIGEST

SB 332, as introduced, Block. Child abuse reporting.

Existing law requires a mandated reporter, as defined, to report suspected child abuse or neglect to a police department or sheriff's department, not including a school district police or security department, county probation department, if designated by the county to receive mandated reports, or the county welfare department.

This bill would additionally authorize a mandated reporter to make those reports to a school district police department.

By imposing additional duties on a school district, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11165.9 of the Penal Code is amended
2 to read:

3 11165.9. Reports of suspected child abuse or neglect shall be
4 made by mandated reporters, or in the case of reports pursuant to
5 Section 11166.05, may be made, to any of the following:

6 (1) A police ~~department or~~ department.

7 (2) A sheriff's ~~department, not including a~~ department.

8 (3) A school district police ~~or security~~ department, *not including*
9 *a school district security department.*

10 (4) A county probation department, if designated by the county
11 to receive mandated ~~reports, or the~~ reports.

12 (5) *The county welfare department. Any*

13 (b) Any of those agencies shall accept a report of suspected
14 child abuse or neglect whether offered by a mandated reporter or
15 another person, or referred by another agency, even if the agency
16 to whom the report is being made lacks subject matter or
17 geographical jurisdiction to investigate the reported case, unless
18 the agency can immediately electronically transfer the call to an
19 agency with proper jurisdiction. When an agency takes a report
20 about a case of suspected child abuse or neglect in which that
21 agency lacks jurisdiction, the agency shall immediately refer the
22 case by telephone, fax, or electronic transmission to an agency
23 with proper jurisdiction. ~~Agencies~~

24 (c) Agencies that are required to receive reports of suspected
25 child abuse or neglect may not refuse to accept a report of
26 suspected child abuse or neglect from a mandated reporter or
27 another person unless otherwise authorized pursuant to this section,
28 and shall maintain a record of all reports received.

29 SEC. 2. If the Commission on State Mandates determines that
30 this act contains costs mandated by the state, reimbursement to
31 local agencies and school districts for those costs shall be made
32 pursuant to Part 7 (commencing with Section 17500) of Division
33 4 of Title 2 of the Government Code.

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