

SECOND REGULAR SESSION

SENATE BILL NO. 924

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RIDDLE.

Read 1st time January 27, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4976S.011

AN ACT

To repeal section 210.135, RSMo, and to enact in lieu thereof one new section relating to immunity for child assessment center employees.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 210.135, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 210.135, to read as follows:

210.135. 1. Any person, official, or institution complying with the
2 provisions of sections 210.110 to 210.165 in the making of a report, the taking of
3 color photographs, or the making of radiologic examinations pursuant to sections
4 210.110 to 210.165, or both such taking of color photographs and making of
5 radiologic examinations, or the removal or retaining a child pursuant to sections
6 210.110 to 210.165, or in cooperating with the division, or any other law
7 enforcement agency, juvenile office, court, or child-protective service agency of
8 this or any other state, in any of the activities pursuant to sections 210.110 to
9 210.165, or any other allegation of child abuse, neglect or assault, pursuant to
10 sections 568.045 to 568.060, shall have immunity from any liability, civil or
11 criminal, that otherwise might result by reason of such actions. Provided,
12 however, any person, official or institution intentionally filing a false report,
13 acting in bad faith, or with ill intent, shall not have immunity from any liability,
14 civil or criminal. Any such person, official, or institution shall have the same
15 immunity with respect to participation in any judicial proceeding resulting from
16 the report.

17 **2. An employee, including a contracted employee, of a state-**
18 **funded child assessment center, as provided for in subsection 2 of**
19 **section 210.001, shall be immune from any civil liability that arises**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 **from the employee's participation in the investigation process and**
21 **services by the child assessment center, unless such person acted in**
22 **bad faith. This subsection shall not displace or limit any other**
23 **immunity provided by law.**

24 **3.** Any person, who is not a school district employee, who makes a report
25 to any employee of the school district of child abuse by a school employee shall
26 have immunity from any liability, civil or criminal, that otherwise might result
27 because of such report. Provided, however, that any such person who makes a
28 false report, knowing that the report is false, or who acts in bad faith or with ill
29 intent in making such report shall not have immunity from any liability, civil or
30 criminal. Any such person shall have the same immunity with respect to
31 participation in any judicial proceeding resulting from the report.

32 **[3.] 4.** In a case involving the death or serious injury of a child after a
33 report has been made under sections 210.109 to 210.165, the division shall
34 conduct a preliminary evaluation in order to determine whether a review of the
35 ability of the circuit manager or case worker or workers to perform their duties
36 competently is necessary. The preliminary evaluation shall examine:

37 (1) The hotline worker or workers who took any reports related to such
38 case;

39 (2) The division case worker or workers assigned to the investigation of
40 such report; and

41 (3) The circuit manager assigned to the county where the report was
42 investigated.

43 Any preliminary evaluation shall be completed no later than three days after the
44 child's death. If the division determines a review and assessment is necessary,
45 it shall be completed no later than three days after the child's death.

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