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**HOUSE COMMITTEE AMENDMENTS**

2024 Regular Session

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 335 by Representative Carver

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1 AMENDMENT NO. 1

2 On page 1, line 2, after "Articles" delete the remainder of the line and insert "603(17) (d) and  
3 (e) and 610(A),"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "providers" insert "and police officers or law enforcement officials"

6 AMENDMENT NO. 3

7 On page 1, line 5, after "requirements;" insert "to prohibit employers from preventing  
8 mandatory reporters from complying with the law; to provide for penalties for employers  
9 who prevent mandatory reporters from complying with the law;"

10 AMENDMENT NO. 4

11 On page 1, line 8, after "Articles" delete the remainder of the line and insert "603(17)(d) and  
12 (e) and 610(A) are"

13 AMENDMENT NO. 5

14 On page 1, line 17, after "member," insert "school resource officer,"

15 AMENDMENT NO. 6

16 On page 2, between lines 3 and 4, insert the following:

17 "(e) Police officers or law enforcement officials. Any police officer or law  
18 enforcement official who works as a school resource officer shall be considered a  
19 mandatory reporter. A school resource officer shall not receive information from  
20 another mandatory reporter or commence or oversee any investigation into the  
21 report."

22 AMENDMENT NO. 7

23 On page 2, delete lines 5 through 16 in their entirety

24 AMENDMENT NO. 8

25 On page 2, delete lines 19 through 29 and on page 3, delete lines 1 through 9 and insert the  
26 following:

27 "A.(1) Reports of A reporter shall immediately report suspected child abuse  
28 or neglect or that such child abuse or neglect was a contributing factor in a child's  
29 death; in the following ways: where the abuser is believed to be

30 (a) To the Department of Children and Family Services if the reporter has  
31 reason to believe that the perpetrator is a parent or caretaker, a person who maintains  
32 an interpersonal dating or engagement relationship with the parent or caretaker, or  
33 a person living in the same residence with the parent or caretaker as a spouse  
34 whether married or not, shall be made immediately to the department. A permitted  
35 reporter shall make a report through the designated state child protection reporting

1 ~~hotline telephone number or in person at any child welfare office. A mandatory~~  
 2 ~~reporter shall make a report through the designated state child protection reporting~~  
 3 ~~hotline telephone number, via the Louisiana Department of Children and Family~~  
 4 ~~Services Mandated Reporter Portal online, or in person at any child welfare office.~~  
 5 ~~Reports in which~~

6 (b) To a local or state law enforcement agency if the reporter has reason to  
 7 believe that the abuse or neglect is believed to be being perpetrated by someone other  
 8 than a caretaker, a person who maintains an interpersonal dating or engagement  
 9 relationship with the parent or caretaker, or a person living in the same residence  
 10 with the parent or caretaker as a spouse whether married or not, and the caretaker is  
 11 not believed to have any responsibility for the abuse or neglect shall be made  
 12 immediately to a local or state law enforcement agency the individuals provided for  
 13 in Subparagraph (a) of this Paragraph. Abuse or neglect perpetrated on a student by  
 14 a teaching or child care provider, as defined by Article 603, shall be immediately  
 15 reported to local or state law enforcement.

16 (c) Dual reporting to both the department and the local or state law  
 17 enforcement agency is permitted.

18 (2) Reports to the department shall be made as follows:

19 (a) A mandatory reporter shall make a report of suspected abuse or neglect  
 20 requiring immediate assistance via the designated state child protection reporting  
 21 hotline telephone number. A report of suspected abuse or neglect which is of a non-  
 22 emergency nature may be reported via the Louisiana Department of Children and  
 23 Family Services Mandated Reporter Portal online. Reports may also be made in  
 24 person at any child welfare office.

25 (b) If a report involves alleged sex trafficking, all mandatory reporters shall  
 26 report via the hotline telephone number to the department regardless of whether there  
 27 is alleged parental or caretaker culpability.

28 (c) A permitted reporter shall make a report through the designated state  
 29 child protection reporting hotline telephone number or in person at any child welfare  
 30 office.

31 (3) If a mandatory reporter is prohibited from immediately making the report  
 32 required by this Chapter to the department or local or state law enforcement because  
 33 of an employer's policies or employee manual, the mandatory reporter shall file a  
 34 complaint with local or state law enforcement. Local or state law enforcement shall  
 35 investigate the complaint and an employer violating this Chapter shall be subject to  
 36 the penalties provided for in R.S. 14:131.1 and 403. An employer shall not  
 37 discriminate against or retaliate against an employee who is a mandatory reporter for  
 38 complying with this Section. If an employer is found to be discriminating or  
 39 retaliating against an employee for complying with this Section, the employer shall  
 40 be subject to double the fines provided for in R.S. 14:131.1 and 403.

41 (2)(4) In an investigation of a report of abuse or neglect allegedly committed  
 42 by a person responsible for a child's care, custody, or welfare, parent or caretaker,  
 43 the department shall determine whether the person is an active duty member of the  
 44 United States Armed Forces or the spouse of a member on active duty. If the  
 45 department determines the person is an active duty member of the United States  
 46 Armed Forces or the spouse of a member on active duty, the department shall notify  
 47 the United States Department of Defense Family Advocacy Program at the closest  
 48 active duty military installation of the investigation.

49 (3) A report made to the department by facsimile does not relieve the reporter  
 50 of his duty to report in accordance with the applicable requirements of this Article."