

Bill No. CS for SB 2170

Amendment No. 2

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Rules and Calendar recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 73, lines 18-27, delete those lines

and insert: appropriate law enforcement agency and shall report annually to the Legislature the number of reports referred the state attorney for prosecution.

(4) If the department or its authorized agent has determined after its investigation that a report is false, the department shall, with the consent of the alleged perpetrator, refer the report to the local law enforcement agency having jurisdiction for an investigation to determine whether sufficient evidence exists to refer the case for prosecution for filing a false report as defined in s. 39.01(27). During the pendency of the investigation by the local law enforcement agency, the department must notify the local law enforcement agency of and the local law enforcement agency must respond to all subsequent reports concerning children in that same family in accordance with s. 39.301. If the law enforcement agency

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1 believes that there are indicators of abuse or neglect, it  
2 must immediately notify the department, which must assure the  
3 safety of the children. If the law enforcement agency finds  
4 sufficient evidence for prosecution for filing a false report,  
5 it must refer the case to the appropriate state attorney for  
6 prosecution.

7        (5)(4) A person who knowingly and willfully makes a  
8 false report of child abuse, abandonment, or neglect, or who  
9 advises another to make a false report, is guilty of a felony  
10 of the third misdemeanor of the second degree, punishable as  
11 provided in s. 775.082 or s. 775.083. Anyone making a report  
12 who is acting in good faith is immune from any liability under  
13 this subsection.

14        (6)(5) Each state attorney shall establish written  
15 procedures to facilitate the prosecution of persons under this  
16 section, and shall report to the Legislature annually the  
17 number of complaints that have resulted in the filing of an  
18 information or indictment under this section and the  
19 disposition of those complaints.

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22 ===== T I T L E    A M E N D M E N T =====

23 And the title is amended as follows:

24        On page 2, line 13, after the semicolon

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insert:

27        providing for the Department of Children and  
28        Family Services to report annually to the  
29        Legislature the number of reports referred to  
30        law enforcement agencies; increasing penalties;

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