

Amendment No. 3a (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 The Committee on Health & Human Services Appropriations
12 offered the following:

14 **Amendment (with title amendment)**

15 On page 72, lines 14 through 23,
16 remove from the bill: all of said lines,

17
18 and insert in lieu thereof: appropriate law enforcement
19 agency and shall report annually to the Legislature the number
20 of reports referred the state attorney for prosecution.

21 (4) If the department or its authorized agent has
22 determined after its investigation that a report is false, the
23 department shall, with the consent of the alleged perpetrator,
24 refer the report to the local law enforcement agency having
25 jurisdiction for an investigation to determine whether
26 sufficient evidence exists to refer the case for prosecution
27 for filing a false report as defined in s. 415.503. During
28 the pendency of the investigation by the local law enforcement
29 agency, the local law enforcement agency must be notified of
30 all subsequent reports concerning children in that same family
31 in accordance with s. 415.505. If the law enforcement agency

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1 finds sufficient evidence for prosecution for filing a false
2 report, it must refer the case to the appropriate state
3 attorney for prosecution.

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

11 (6)(5) Each state attorney shall establish written
12 procedures to facilitate the prosecution of persons under this
13 section, and shall report to the Legislature annually the
14 number of complaints that have resulted in the filing of an
15 information or indictment and the disposition of those
16 complaints under this section.

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

20 And the title is amended as follows:

21 On page 2, line 13, after the semicolon,

22
23

24 and insert:

25 deleting the requirement for the Department of
26 Children and Family Services to provide
27 information to the state attorney; providing
28 for the Department of Children and Family
29 Services to report annually to the Legislature
30 the number of reports referred to law
31 enforcement agencies; providing for

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1 investigation by local law enforcement agencies
2 of possible false reports; providing for law
3 enforcement agencies to refer certain reports
4 to the state attorney for prosecution;
5 providing for law enforcement entities to
6 handle certain reports of abuse or neglect
7 during the pendency of such an investigation;
8 providing procedures; specifying the penalty
9 for knowingly and willfully making, or advising
10 another to make, a false report; providing for
11 state attorneys to report annually to the
12 Legislature the number of complaints that have
13 resulted in informations or indictments and the
14 disposition of those complaints;

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