



HOUSE BILL 489: Child Abuse & Neglect/Military Affiliation.

2017-2018 General Assembly

Committee:	House Health. If favorable, re-refer to Judiciary IV	Date:	April 21, 2017
Introduced by:	Reps. G. Martin, Szoka, Hardister, Strickland	Prepared by:	Theresa Matula
Analysis of:	First Edition		Committee Staff

OVERVIEW: House Bill 489 would require that when a juvenile is alleged to have been abused or neglected, directors of departments of social services must 1) determine if the parent, guardian, custodian, or caretaker of that juvenile has a military affiliation and 2) notify the appropriate military authority, including disclosing confidential information to the appropriate military authority, when there is a report or allegation of abuse or neglect relating to the parent, guardian, custodian, or caretaker with the military affiliation. This bill would become effective when it becomes law.

[As introduced, this bill was identical to S403, as introduced by Sens. Britt, J. Jackson, which is currently in Senate Rules and Operations of the Senate.]

CURRENT LAW:

G.S. 7B-101(1) defines abused juvenile.

G.S. 7B-101 (15) defines neglected juvenile.

BILL ANALYSIS:

Section 1 of House Bill 489 would amend G.S. 7B-302 to require that in addition making a prompt and thorough assessment of the facts of the case when a report of abuse or neglect is received, the director of the department of social services must also collect information concerning the military affiliation of a parent, guardian, custodian, or caretaker of a juvenile alleged to have been abused or neglected.

Under G.S. 7B-302(a1)(1), the department is required to disclose confidential information to any federal, State, or local government entity or its agent, or any private child placing or adoption agency in order to protect a juvenile from abuse or neglect. The bill requires this disclosure to include sharing information with the appropriate military authority if the department determines the parent, guardian, custodian, or caretaker of the juvenile alleged to have been abused or neglected has a military affiliation. Under current law, any confidential information disclosed to a federal, State, or local government entity pursuant to G.S. 7B-302(a1)(1), must remain confidential with the other entity or its agent and only redisclosed for purposed directly connected with carrying out the entity's mandated responsibilities.

Section 2 would amend G.S. 7B-307 to require that if a director finds evidence that a juvenile may have been abused or neglected and that juvenile has a parent, guardian, custodian or caretaker with a military affiliation, the director must notify the appropriate military authority within 48 hours that there is an allegation of abuse or neglect relating to the parent, guardian, custodian, or caretaker with a military affiliation.

EFFECTIVE DATE: House Bill 489 would become effective when it becomes law.

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Legislative Analysis
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