

**HOUSE . . . . . No. 1591**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*John W. Scibak*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to child abuse reporting requirements.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Thomas M. Petrolati</i>	<i>7th Hampden</i>

**HOUSE . . . . . No. 1591**

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By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 1591) of John W. Scibak and others relative to child abuse reporting requirements. The Judiciary.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

An Act relative to child abuse reporting requirements.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 51A of Chapter 119 of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended by inserting after the first paragraph of subsection (a), the  
3 following paragraph:-

4           A mandated reporter who has reasonable cause to believe that a person who is alleged to  
5 have sexually abused a child in the past, presently represents a credible threat to a child under the  
6 age of 18 years, shall have the same obligation to make oral and written reports of such threat to  
7 the appropriate law enforcement agency or official and the department.

8           SECTION 2. Said section 51A is hereby further amended by inserting, in the first line of  
9 the second paragraph of subsection (c), after the words “neglect that resulted in”, the following  
10 words:- a sexual assault or.

11           SECTION 3. Said section 51A is hereby further amended by adding at the end of  
12 subsection (c), the following paragraph:-

13           Any corporation or other institution which employs a mandated reporter who fails to  
14 make a report required by this section, shall be punished by a fine of not more than one hundred  
15 thousand dollars. It shall be a defense to any prosecution under this section that the corporation  
16 or other institution has complied with the requirements of subsection (k).

17           SECTION 4. Said section 51 A is hereby further amended by adding at the end of  
18 subsection (k) the following paragraph:-

19           All corporation and other institutions, which employ mandated reporters not professional  
20 licensed by the commonwealth, shall institute a program to implement the reporting  
21 requirements of this section. Such program shall include, at a minimum, (i) the promulgation of  
22 a written protocol to be followed when a 51A report is required; (ii) an education program for  
23 each mandated reporter; and (iii) the posting, in a prominent public location, of the requirements  
24 of this section and the penalties for non-compliance.