
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 611 Session of
2007

INTRODUCED BY WATERS, BOYD, DALEY, KIRKLAND, PALLONE, STABACK,
YOUNGBLOOD AND BELFANTI, MARCH 6, 2007

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 6, 2007

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, further providing for immunity from
3 liability; and providing for false reports of child abuse or
4 neglect.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 6318 of Title 23 of the Pennsylvania
8 Consolidated Statutes, amended November 29, 2006 (P.L.1581,
9 No.179), is amended to read:

10 § 6318. Immunity from liability.

11 (a) General rule.--A person, hospital, institution, school,
12 facility, agency or agency employee that participates in good
13 faith in the making of a report, whether required or not,
14 cooperating with an investigation, testifying in a proceeding
15 arising out of an instance of suspected child abuse, the taking
16 of photographs or the removal or keeping of a child pursuant to
17 section 6315 (relating to taking child into protective custody),
18 and any official or employee of a county agency who refers a

1 report of suspected abuse to law enforcement authorities or
2 provides services under this chapter, shall have immunity from
3 civil and criminal liability that might otherwise result by
4 reason of those actions except as provided under section 6320
5 (relating to false reports of child abuse).

6 (b) Presumption of good faith.--For the purpose of any civil
7 or criminal proceeding, the good faith of a person required to
8 report pursuant to section 6311 (relating to persons required to
9 report suspected child abuse) and of any person required to make
10 a referral to law enforcement officers under this chapter shall
11 be presumed and may be rebutted only by clear and convincing
12 evidence.

13 Section 2. Title 23 is amended by adding a section to read:
14 § 6320. False reports of child abuse.

15 A person who knowingly or intentionally makes a report of
16 child abuse under this chapter that the person knows is false
17 commits a misdemeanor.

18 Section 3. This act shall take effect in 60 days.