



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 434

PRINTERS NO. 2009

PRIME SPONSOR: Maloney

### COST / (SAVINGS)

FUND	FY 2012/13	FY 2013/14
General Fund	\$0	See Fiscal Impact

**SUMMARY:** House Bill 434, Printer's Number 2009, amends Title 23 (Domestic Relations) to eliminate separate standards for school employees with regard to child abuse investigations and background clearances. This legislation will take effect in 60 days after enactment.

**ANALYSIS:** This legislation removes language from the Child Protective Services Law (CPSL) so that school employees are not excluded from the definition of "person responsible for a child's welfare." The definitions of "school employee" and "student" are broadened to clarify that they include those who are involved with a "program, activity or service" sponsored by the school. In addition, the term "school" is defined to include every public, nonpublic, private and parochial school, as well as colleges and universities.

House Bill 434 repeals student abuse provisions, which apply specifically to school employees, so that when a school employee suspects another school employee of abusing a student, the standard for substantiating abuse, the reporting requirements and procedures, and the investigative response will parallel those for other alleged perpetrators of child abuse. The bill further repeals the language regarding background clearances for school employees and clarifies that school employees governed by clearance requirements in the Public School Code will comply with those provisions, except that they will comply with the CPSL with regard to the child abuse clearance statement (which is not covered by the School Code). School employees who are not subject to the School Code must comply with the background clearance requirements of the CPSL.

**FISCAL IMPACT:** This legislation is based upon recommendations of the Task Force on Child Protection. The bill removes the dual system for reporting and handling reports of child abuse and student abuse and holds school employees to the same reporting requirements and standards as other persons responsible for providing care to children. The Department of Public Welfare has indicated that they should be able to absorb any additional costs associated with the provisions of this bill within available funds.

**PREPARED BY:** Janelle Lynch  
House Appropriations Committee (R)

**DATE:** June 20, 2013

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*