
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2628 Session of
2006

INTRODUCED BY WATERS, DONATUCCI, PARKER, THOMAS, BELFANTI, BOYD,
CORNELL, CREIGHTON, DENLINGER, FABRIZIO, GOODMAN, HALUSKA,
HARPER, KOTIK, MANN, PISTELLA, SAYLOR, SIPTROTH, SOLOBAY,
STABACK, TIGUE, WANSACZ AND YOUNGBLOOD, APRIL 25, 2006

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 25, 2006

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 is amended to read:

9 § 6318. Immunity from liability.

10 (a) General rule.--A person, hospital, institution, school,
11 facility, agency or agency employee that participates in good
12 faith in the making of a report, cooperating with an
13 investigation, testifying in a proceeding arising out of an
14 instance of suspected child abuse, the taking of photographs or
15 the removal or keeping of a child pursuant to section 6315
16 (relating to taking child into protective custody), and any
17 official or employee of a county agency who refers a report of
18 suspected abuse to law enforcement authorities or provides

1 services under this chapter, shall have immunity from civil and
2 criminal liability that might otherwise result by reason of
3 those actions except as provided under section 6320 (false
4 reports of child abuse).

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

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

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

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