

Legislative Analysis



INFORMATION ON DEATH OF A CHILD

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House Bill 4386

Sponsor: Rep. Gail Haines

Committee: Families, Children, and Seniors

Complete to 5-6-11

A SUMMARY OF HOUSE BILL 4386 AS INTRODUCED 3-3-11

The bill would amend the Child Protection Law to make certain information available to a court that had jurisdiction over a child in a suspected child abuse or neglect case, in the event of the child's death.

Currently under the law, a written report, document, or photograph filed with the department is a confidential record available only to certain government agencies, law enforcement officials, and other specified entities, including a court that determines the information is necessary to decide an issue before the court.

House Bill 4386 would also make the information available to a court that had jurisdiction over a child under Section 2(b) of the Juvenile Code, in the event of the child's death.

[Note: Section 2(b) grants the Family Division of Circuit Court jurisdiction in proceedings involving a juvenile under the age of 18 whose parent or legal guardian neglects to provide proper or necessary support, education, medical, surgical or other necessary care; who is subject to a substantial risk of harm to his or her mental well-being; who is abandoned by his or her parents or guardian; or who is without proper custody or guardianship. The court also has jurisdiction over a juvenile whose home or environment is an unfit place to live in because of a parent's or guardian's neglect, cruelty, drunkenness, criminality, or depravity; or whose parent has substantially failed, without good cause, to comply with a limited guardianship plan or a court-structured plan.]

FISCAL IMPACT:

The bill would have no fiscal impact on state or local government.

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