

Child Welfare Reporting Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Christine F. Watkins

LONG TITLE**Committee Note:**

The Rules Review and General Oversight Committee recommended this bill.

Legislative Vote: 8 voting for 0 voting against 2 absent

General Description:

This bill amends provisions concerning false reports of child abuse or neglect.

Highlighted Provisions:

This bill:

- requires the Division of Child and Family Services to notify law enforcement when the division determines that a person knowingly made a false report of child abuse or neglect; and

- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

80-2-611, as renumbered and amended by Laws of Utah 2022, Chapter 334

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **80-2-611** is amended to read:

80-2-611 . False reports -- Investigation -- Notice of penalty.

(1) The division may conduct an investigation to determine whether a report under Section 80-2-602 or 80-2-603 is false.

(2) The division shall send a certified letter to a person who makes a report of abuse or neglect that is placed into or included in any part of the Management Information System, if the division determines, at the conclusion of the division's investigation, that:

(a) the report is false;

(b) it is more likely than not that the person knew the report was false at the time that person made the report; and

(c) the reporting person's address is known or reasonably available.

(3) The certified letter described in Subsection (2) shall inform the reporting person of:

(a) the division's determination made under Subsection (2);

(b) the penalty for submitting false information under Section 76-8-506 and other applicable laws; and

(c) the obligation ~~[or ability]~~ of the division under Subsection (4) to inform law enforcement and the person alleged to have committed abuse or neglect~~[:]~~ .

~~[(i) in the present instance if the division considers an immediate referral of the reporting person to law enforcement to be justified by the facts; or]~~

~~[(ii) if the reporting person submits a subsequent false report involving the same alleged perpetrator or victim.]~~

(4) The division:

(a) ~~[may]~~ subject to Subsection (4)(b), shall inform law enforcement and the alleged perpetrator of a report for which a certified letter is required to be sent under Subsection (2)~~[, if an immediate referral is justified by the facts]; and~~

~~[(b) shall inform law enforcement and the alleged perpetrator of a report for which a certified letter is required to be sent under Subsection (2) if a second letter is sent to the reporting person involving the same alleged perpetrator or victim; and]~~

~~[(e)]~~ (b) shall determine, in consultation with law enforcement:

(i) what information should be given to an alleged perpetrator relating to a false report; and

(ii) whether good cause exists, as defined by the division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for not informing an alleged perpetrator about a false report.

(5) This section does not require the division to conduct an investigation beyond what is described in Subsections (1) and (2), to determine whether a report is false.

Section 2. **Effective date.**

This bill takes effect on May 7, 2025.