

Jen Plumb proposes the following substitute bill:

Child and Animal Abuse Cross-reporting Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor: Steve Eliason

LONG TITLE

General Description:

This bill addresses cross-reporting between instances of child abuse and animal abuse.

Highlighted Provisions:

This bill:

- ▶ requires the courts to report information about certain animal abuse convictions to the Division of Child and Family Services (DCFS);
- ▶ requires an animal control officer to notify DCFS in certain circumstances;
- ▶ clarifies that a DCFS caseworker may report instances of potential animal abuse or neglect; and
- ▶ prohibits an employer preventing or retaliating against a veterinarian for reporting suspected animal cruelty.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-28-602, as enacted by Laws of Utah 2006, Chapter 109

80-2-301, as last amended by Laws of Utah 2025, Chapters 173, 174

80-2-701, as last amended by Laws of Utah 2022, Chapter 308 and renumbered and amended by Laws of Utah 2022, Chapter 334 and last amended by Coordination Clause, Laws of Utah 2022, Chapter 334

ENACTS:

11-46-105, Utah Code Annotated 1953

76-13-105, Utah Code Annotated 1953

29
30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **11-46-105** is enacted to read:

32 **11-46-105 . Animal control officer reporting requirements.**

33 An animal control officer shall notify the Division of Child and Family Services if the
34 animal control officer:

35 (1) receives a report of animal abuse or neglect with a child in the same home as the alleged
36 abused or neglected animal;
37 (2) observes a child safety concern while investigating animal abuse or neglect; or
38 (3) takes serious enforcement action in a home with a child.

39 Section 2. Section **58-28-602** is amended to read:

40 **58-28-602 . Cruelty to animals -- Immunity for reporting.**

41 (1) A licensed veterinarian who in good faith and in the normal course of business,
42 reports a suspected case of animal cruelty to law enforcement or the proper authorities is
43 immune from liability in any civil or criminal action brought against the veterinarian for
44 reporting the suspected cruelty.
45 (2) A licensed veterinarian's employer may not:
46 (a) prohibit a licensed veterinarian from reporting suspected animal cruelty; or
47 (b) penalize a licensed veterinarian that reports suspected animal cruelty.

48 Section 3. Section **76-13-105** is enacted to read:

49 **76-13-105 . Cruelty to animals -- Reporting requirements.**

50 (1) At least once in each quarter of the year, the Administrative Office of the Courts shall
51 report all convictions of the animal cruelty offenses described in Subsection (2) to the
52 Division of Child and Family Services in the previous quarter.
53 (2) The report described in Subsection (1) shall include the name, birth date, address, and
54 the offense of each individual convicted of a violation of:
55 (a) Section 76-13-202, cruelty to an animal;
56 (b) Section 76-13-203, aggravated cruelty to an animal;
57 (c) Section 76-13-204, torturing a companion animal;
58 (d) Section 76-13-205, dog fighting;
59 (e) Section 76-13-206, attending a dog fight or related activity;
60 (f) Section 76-13-211, injuring, harassing, or endangering a service animal; or
61 (g) Section 76-13-215, failure of an animal care facility to maintain required standards.
62 (3)(a) The Division of Child and Family Services shall:

97 (ix) services for minors who are victims of human trafficking or human smuggling,
98 as described in Sections 76-5-308 through 76-5-310.1, or who have engaged in
99 prostitution or sexual solicitation, as defined in Sections 76-5d-202 and 76-5d-209;
100 and

101 (x) training for staff and providers involved in the administration and delivery of
102 services offered by the division in accordance with this chapter and Chapter 2a,
103 Removal and Protective Custody of a Child;

104 (c) establish standards for all:

105 (i) contract providers of out-of-home care for minors and families;

106 (ii) facilities that provide substitute care for dependent, abused, or neglected children
107 placed in the custody of the division; and

108 (iii) direct or contract providers of domestic violence services described in
109 Subsection (2)(b)(vi);

110 (d) have authority to:

111 (i) contract with a private, nonprofit organization to recruit and train foster care
112 families and child welfare volunteers in accordance with Section 80-2-405;

113 (ii) approve facilities that meet the standards established under Subsection (2)(c) to
114 provide substitute care for dependent, abused, or neglected children placed in the
115 custody of the division; and

116 (iii) approve an individual to provide short-term relief care to a foster parent if the
117 individual:
118 (A) provides the relief care for less than six consecutive nights;
119 (B) provides the relief care in the short-term relief care provider's home;
120 (C) is direct access qualified, as that term is defined in Section 26B-2-120; and
121 (D) is an immediate family member or relative, as those terms are defined in
122 Section 80-3-102, of the foster parent;

123 (e) cooperate with the federal government in the administration of child welfare and
124 domestic violence programs and other human service activities assigned by the
125 department;

126 (f) in accordance with Subsection (5)(a), promote and enforce state and federal laws
127 enacted for the protection of abused, neglected, or dependent children, in accordance
128 with this chapter and Chapter 2a, Removal and Protective Custody of a Child, unless
129 administration is expressly vested in another division or department of the state;

130 (g) cooperate with the Workforce Development Division within the Department of

Workforce Services in meeting the social and economic needs of an individual who is eligible for public assistance;

- (h) compile relevant information, statistics, and reports on child and family service matters in the state;
- (i) prepare and submit to the department, the governor, and the Legislature reports of the operation and administration of the division in accordance with the requirements of Sections 80-2-1102 and 80-2-1103;
- (j) within appropriations from the Legislature, provide or contract for a variety of domestic violence services and treatment methods;
- (k) enter into contracts for programs designed to reduce the occurrence or recurrence of abuse and neglect in accordance with Section 80-2-503;
- (l) seek reimbursement of funds the division expends on behalf of a child in the protective custody, temporary custody, or custody of the division, from the child's parent or guardian in accordance with an order for child support under Section 78A-6-356;
- (m) ensure regular, periodic publication, including electronic publication, regarding the number of children in the custody of the division who:
 - (i) have a permanency goal of adoption; or
 - (ii) have a final plan of termination of parental rights, under Section 80-3-409, and promote adoption of the children;
- (n) subject to Subsections (5) and (7), refer an individual receiving services from the division to the local substance abuse authority or other private or public resource for a court-ordered drug screening test;
- (o) report before November 30, 2020, and every third year thereafter, to the Social Services Appropriations Subcommittee regarding:
 - (i) the daily reimbursement rate that is provided to licensed foster parents based on level of care;
 - (ii) the amount of money spent on daily reimbursements for licensed foster parents during the previous fiscal year; and
 - (iii) any recommended changes to the division's budget to support the daily reimbursement rates described in Subsection (2)(o)(i);
- (p) when a division child welfare caseworker identifies a safety concern with the foster home, cooperate with the Office of Licensing and make a recommendation to the Office of Licensing concerning whether the foster home's license should be placed on

165 conditions, suspended, or revoked; and

166 (q) perform other duties and functions required by law.

167 (3)(a) The division may provide, directly or through contract, services that include the
168 following:

- 169 (i) adoptions;
- 170 (ii) day-care services;
- 171 (iii) out-of-home placements for minors;
- 172 (iv) health-related services;
- 173 (v) homemaking services;
- 174 (vi) home management services;
- 175 (vii) protective services for minors;
- 176 (viii) transportation services; or
- 177 (ix) domestic violence services.

178 (b) The division shall monitor services provided directly by the division or through
179 contract to ensure compliance with applicable law and rules made in accordance with
180 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

181 (c)(i) Except as provided in Subsection (3)(c)(ii), if the division provides a service
182 through a private contract, the division shall post the name of the service provider
183 on the division's website.

184 (ii) Subsection (3)(c)(i) does not apply to a foster parent placement.

185 (4)(a) The division may:

- 186 (i) receive gifts, grants, devises, and donations;
- 187 (ii) encourage merchants and service providers to:
 - 188 (A) donate goods or services; or
 - 189 (B) provide goods or services at a nominal price or below cost;
- 190 (iii) distribute goods to applicants or consumers of division services free or for a
191 nominal charge and tax free; and
- 192 (iv) appeal to the public for funds to meet needs of applicants or consumers of
193 division services that are not otherwise provided by law, including Sub-for-Santa
194 programs, recreational programs for minors, and requests for household
195 appliances and home repairs.

196 (b) If requested by the donor and subject to state and federal law, the division shall use a
197 gift, grant, devise, donation, or proceeds from the gift, grant, devise, or donation for
198 the purpose requested by the donor.

199 (5)(a) In carrying out the requirements of Subsection (2)(f), the division shall:

200 (i) cooperate with the juvenile courts, the Division of Juvenile Justice and Youth
201 Services, and with all public and private licensed child welfare agencies and
202 institutions to develop and administer a broad range of services and support;

203 (ii) take the initiative in all matters involving the protection of abused or neglected
204 children, if adequate provisions have not been made or are not likely to be made;
205 and

206 (iii) make expenditures necessary for the care and protection of the children described
207 in Subsection (5)(a)(ii), within the division's budget.

208 (b) If an individual is referred to a local substance abuse authority or other private or
209 public resource for court-ordered drug screening under Subsection (2)(n), the court
210 shall order the individual to pay all costs of the tests unless:

211 (i) the cost of the drug screening is specifically funded or provided for by other
212 federal or state programs;

213 (ii) the individual is a participant in a drug court; or

214 (iii) the court finds that the individual is an indigent individual.

215 (6) Except to the extent provided by rules made in accordance with Title 63G, Chapter 3,
216 Utah Administrative Rulemaking Act, the division is not required to investigate
217 domestic violence in the presence of a child, as described in Section 76-5-114.

218 (7)(a) Except as provided in Subsection (7)(b), the division may not:

219 (i) require a parent who has a child in the custody of the division to pay for some or
220 all of the cost of any drug testing the parent is required to undergo; or

221 (ii) refer an individual who is receiving services from the division for drug testing by
222 means of a hair, fingernail, or saliva test that is administered to detect the presence
223 of drugs.

224 (b) Notwithstanding Subsection (7)(a)(ii), the division may refer an individual who is
225 receiving services from the division for drug testing by means of a saliva test if:

226 (i) the individual consents to drug testing by means of a saliva test; or

227 (ii) the court, based on a finding that a saliva test is necessary in the circumstances,
228 orders the individual to complete drug testing by means of a saliva test.

229 (8)(a) The division may notify a local county or municipal animal control authority if the
230 division:

231 (i) supports a finding of child abuse or neglect; and

232 (ii) is aware of an animal in the same home as the child.

233 (b) The division may only release private and protected information and records in
234 accordance with Title 63G, Chapter 2, Government Records Access and Management
235 Act.

236 Section 5. Section **80-2-701** is amended to read:

237 **80-2-701 . Division preremoval investigation -- Supported or unsupported**
238 **reports -- Convening of child protection team -- Coordination with law enforcement --**
239 **Consultation with child protection team before close of investigation.**

240 (1)(a) The division shall conduct a thorough preremoval investigation upon receiving a
241 report under Section 80-2-602 or 80-2-603 if there is reasonable cause to suspect that
242 a situation of abuse, neglect, or the circumstances described in Subsection
243 80-2-603(2) exist.

244 (b) The primary purpose of the preremoval investigation described in Subsection (1)(a)
245 shall be protection of the child.

246 (2) The preremoval investigation described in Subsection (1)(a) shall meet the reasonable
247 professional standards described in Section 80-2-702.

248 (3) The division shall make a written report of the division's preremoval investigation under
249 Subsection (1)(a) that includes a determination regarding whether the alleged abuse or
250 neglect in the report described in Subsection (1)(a) is supported, unsupported, or without
251 merit.

252 (4) The division:

253 (a) shall use an interdisciplinary approach if appropriate in dealing with a report made
254 under Section 80-2-602, 80-2-603, or 80-2-604;

255 (b) in accordance with Section 80-2-706, shall convene a child protection team to assist
256 the division in the division's protective, diagnostic, assessment, treatment, and
257 coordination services; and

258 (c) may include a member of the child protection team in the division's protective,
259 diagnostic, assessment, treatment, or coordination services.

260 (5) If a report of neglect is based on or includes an allegation of educational neglect, the
261 division shall immediately consult with school authorities to verify the child's status in
262 accordance with Sections 53G-6-201 through 53G-6-206.

263 (6) Upon completion of the initial preremoval investigation under this section, the division
264 shall give notice of the completion to the person who made the initial report described in
265 Subsection (1)(a).

266 (7) A division child welfare caseworker:

267 (a) has authority to:

268 (i) enter upon public or private premises, using appropriate legal processes; and

269 (ii) [to-]investigate a report of alleged child abuse or neglect, upon notice to a parent

270 of the parent's rights under the Child Abuse Prevention and Treatment Act, 42

271 U.S.C. Sec. 5106, or any successor thereof; and

272 (b) may take a child into protective custody in accordance with Chapter 2a, Removal

273 and Protective Custody of a Child.

274 (8) In a case, if law enforcement has investigated or is conducting an investigation of

275 alleged abuse or neglect of a child, the division:

276 (a) shall coordinate with law enforcement to ensure that there is an adequate safety plan

277 to protect the child from further abuse or neglect; and

278 (b) is not required to duplicate an aspect of the investigation that, in the division's

279 determination, has been satisfactorily completed by law enforcement.

280 (9) In a mutual case in which a child protection team is involved in the investigation of

281 alleged abuse or neglect of a child, the division shall consult with the child protection

282 team before closing the case.

283 (10) A division child welfare caseworker that is investigating alleged abuse or neglect of a

child may report a concern of animal abuse or neglect to a local animal control authority

or law enforcement agency.

286 **Section 6. Effective Date.**

287 This bill takes effect on May 6, 2026.