

1 **PRESUMPTION OF RESPONSIBILITY FOR**
2 **ABUSE OR NEGLECT**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: LaVar Christensen**

7 **LONG TITLE**

8 **General Description:**

9 This bill repeals the presumption of responsibility relating to abuse or neglect of a
10 minor.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ amends the Judicial Code by repealing the presumption that a person who has direct
14 and exclusive care and control of a minor at the time the minor is abused is
15 responsible for the abuse or neglect.

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 **REPEALS:**

22 **78-3a-305.1**, as enacted by Chapter 274, Laws of Utah 1998

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

25 Section 1. **Repealer.**

26 This bill repeals:

27 Section **78-3a-305.1, Presumption of responsibility.**



Legislative Review Note
as of 11-27-04 2:29 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

State Impact

The fiscal impact can not be quantified. It is estimated that any additional expense required by this bill can be absorbed within existing budgets.

Individual and Business Impact

The fiscal impact of this bill on the individual will depend on the circumstances involved. It could either increase or decrease legal expenses for those affected.

Office of the Legislative Fiscal Analyst