

9:6-8.40a

LEGISLATIVE HISTORY CHECKLIST
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(Child abuse)

NJSA: 9:6-8.40a

LAWS OF: 1997 CHAPTER: 62

BILL NO: S608

SPONSOR(S): Schulter

DATE INTRODUCED: January 29, 1996

COMMITTEE: ASSEMBLY: Community Affairs

SENATE: Women's Issues

AMENDED DURING PASSAGE: Yes Amendments during passage denoted
First reprint enacted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: March 10, 1997

SENATE: July 25, 1997

DATE OF APPROVAL: April 1, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: ~~No~~ Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:
REPORTS: No

HEARINGS: No

KBP:pp

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[First Reprint]
SENATE, No. 608

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Senator SCHLUTER

1 AN ACT concerning the Division of Youth and Family Services and
2 supplementing chapter 6 of Title 9 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. The Division of Youth and Family Services in the
8 Department of Human Services shall expunge from its records all
9 information relating to a report, complaint or allegation of an incident
10 of child abuse or neglect with respect to which the division has
11 determined, based upon its investigation thereof, that the report,
12 complaint or allegation of the incident was unfounded.

13 b. For purposes of this act, "unfounded" means there is no concern
14 on the part of the division that the safety or welfare of the child is at
15 risk.

16 The process of making a determination of an unfounded report,
17 complaint or allegation of an incident of child abuse or neglect shall be
18 further defined in regulations promulgated by the department pursuant
19 to the "Administrative Procedure Act," P.L.1968, c. 410 (C.52:14B-1
20 et seq.).

21 ¹**[c. Any reason for denying the expungement of records shall be**
22 **made known by the division to the individual who is seeking the**
23 **expungement.]¹**

24

25 2. This act shall take effect immediately.

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30 Requires DYFS to expunge from its records information regarding
31 child abuse allegations determined to be unfounded.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACO committee amendments adopted October 21, 1996.

ASSEMBLY COMMUNITY SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 608

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 10, 1996

The Assembly Community Services Committee reports favorably and with committee amendments Senate Bill No. 608.

As amended by committee this bill requires that the Division of Youth and Family Services in the Department of Human Services expunge from its records all information relating to any report, complaint or allegation of child abuse or neglect which the division has determined to be unfounded.

For the purposes of this bill, "unfounded" means there is no concern on the part of the division that the safety or welfare of the child is at risk.

The amendments delete the provision in the bill which requires that any reason for denying the expungement of records shall be made known by the division to the individual who is seeking the expungement.

This bill is identical to Assembly Bill No. 1845 (Cruz-Perez/Vandervalk) which was amended and released by this committee on this date.

SENATE WOMEN'S ISSUES, CHILDREN AND FAMILY
SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 608

STATE OF NEW JERSEY

DATED: JUNE 6, 1996

The Senate Women's Issues, Children and Family Services Committee favorably reports Senate Bill No. 608.

This bill requires that the Division of Youth and Family Services in the Department of Human Services expunge from its records all information relating to any report, complaint or allegation of child abuse or neglect which the division has determined to be unfounded.

For the purposes of this bill, "unfounded" means there is no concern on the part of the division that the safety or welfare of the child is at risk.

The bill provides that any reason for denying the expungement of records shall be made known by the division to the individual who is seeking the expungement.

SENATE, No. 608

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Senator SCHLUTER

1 AN ACT concerning the Division of Youth and Family Services and
2 supplementing chapter 6 of Title 9 of the Revised Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. The Division of Youth and Family Services in the Department
8 of Human Services shall expunge from its records all information
9 relating to a report, complaint or allegation of an incident of child
10 abuse or neglect with respect to which the division has determined,
11 based upon its investigation thereof, that the report, complaint or
12 allegation of the incident was unfounded.

13 b. For purposes of this act, "unfounded" means there is no concern
14 on the part of the division that the safety or welfare of the child is at
15 risk.

16 The process of making a determination of an unfounded report,
17 complaint or allegation of an incident of child abuse or neglect shall be
18 further defined in regulations promulgated by the department pursuant
19 to the "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1
20 et seq.).

21 c. Any reason for denying the expungement of records shall be
22 made known by the division to the individual who is seeking the
23 expungement.

24

25 2. This act shall take effect immediately.

26

27

28

STATEMENT

29

30 This bill requires that the Division of Youth and Family Services in
31 the Department of Human Services expunge from its records all
32 information relating to any report, complaint or allegation of child
33 abuse or neglect which the division has determined to be unfounded.

34 For the purposes of this bill, "unfounded" means there is no concern
35 on the part of the division that the safety or welfare of the child is at
36 risk.

37 The bill provides that any reason for denying the expungement of

1 records shall be made known by the division to the individual who is
2 seeking the expungement.

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