



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Assembly Bill 489

Assembly Amendment 1

Memo published: February 4, 2016

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CURRENT LAW

Current law requires individuals engaged in specific professions to report to child welfare authorities or to law enforcement if, in the course of an individual's professional duties, an individual has reasonable cause to believe that a child has been abused or neglected or has been threatened with abuse or neglect and the abuse or neglect is likely to occur.

2015 ASSEMBLY BILL 489

Assembly Bill 489 (AB 489) recodifies the abuse and neglect mandatory reporting law for clarity and organization and expands the list of individuals who are mandatory reporters to include the following:

- School contractors and volunteers who work directly with children for at least 40 hours in a school year.
- Higher education institution employees, contractors, and volunteers who have regular ongoing contact with children in a professional or primary setting.
- Probation agents.
- Parole agents.

AB 489 restricts which school employees are mandatory reporters to those who work directly with children for at least 40 hours in a school year.

AB 489 expands mandatory reporting training requirements to specify that school boards must provide employees, contractors, and volunteers who work directly with children for at least 40 hours in a school year with training provided by the Department of Public Instruction

in identifying children who have been abused, neglected, or who are victims of human trafficking and training in the laws and procedures that govern mandatory reporting.

AB 489 expands the definitions of “abuse” and “neglect” for reporting purposes by eliminating the requirement that bruising must be “severe or frequent” to qualify as abuse and by eliminating the provision that neglect resulting from poverty need not be reported. However, for purposes of investigating reports of abuse or neglect, the definitions of “abuse” and “neglect” under current law are not amended.

Finally, AB 489 eliminates the limited health care provider exception to reporting suspected or threatened abuse consisting of sexual intercourse or sexual contact involving a child.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 (AA 1) removes school volunteers and volunteers at institutions of higher education from the list of mandatory reporters. However, AA 1 retains the requirement that school volunteers who work directly with children for at least 40 hours in a school year receive training in how to identify children who have been abused, neglected, or who are victims of human trafficking and training in the laws and procedures that govern mandatory reporting

AA 1 removes the amended definition of “abuse” so that bruising only qualifies as abuse that must be reported if it is “severe or frequent,” as required under current law. AA 1 retains the definition of neglect, as modified under AB 489, for reporting purposes.

BILL HISTORY

AA 1 was offered by Representative Brandtjen. On February 2, 2016, the Assembly Committee on Family Law recommended adoption of AA 1 on a vote of Ayes, 8; Noes, 0. A recommendation to pass Assembly Bill 489, as amended, failed on a vote of Ayes, 4; Noes, 4.

RES:ksm