

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

Senate Bill 718

FISCAL
NOTE

BY SENATORS MARONEY, CLINE, HAMILTON, PREZIOSO,
RUCKER, SWOPE, SYPOLT, TAKUBO, TRUMP, FACEMIRE,
AND STOLLINGS

[Introduced February 6, 2020; referred
to the Committee on Health and Human Resources]

1 A BILL to amend and reenact §49-2-810 of the Code of West Virginia, 1931, as amended, relating
 2 to immunity from criminal and civil liability; and amending the provision of immunity to
 3 explicitly grant immunity from civil or criminal liability for individuals providing information
 4 or assistance to a good-faith report of child abuse or neglect.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-810. Immunity from liability.

1 Any person, official, or institution participating in good faith in any act permitted or required
 2 by this article ~~are~~ is immune from any civil or criminal liability that otherwise might result by reason
 3 of those actions, including individuals making good faith reports of suspected or known instances
 4 of child abuse or neglect, or who otherwise provide information or assistance, including medical
 5 evaluations or consultations, in connection with a report, investigation or legal intervention
 6 pursuant to a good faith report of child abuse or neglect.

NOTE: The purpose of this bill is to explicitly provide immunity from civil or criminal liability for individuals providing information or assistance, including medical evaluations or consultations in connection with a report, investigation, or legal intervention pursuant to a good faith report of child abuse or neglect.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.