

**Child Welfare Reporting Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kera Birkeland**

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**LONG TITLE****Committee Note:**

The Rules Review and General Oversight Committee recommended this bill.

Legislative Vote: 8 voting for 0 voting against 2 absent

**General Description:**

This bill amends provisions concerning false reports of child abuse or neglect.

**Highlighted Provisions:**

This bill:

- requires the Division of Child and Family Services to notify law enforcement when the division determines that a person knowingly made a false report of child abuse or neglect; and

- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**80-2-611**, as renumbered and amended by Laws of Utah 2022, Chapter 334

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

Section 1. Section **80-2-611** is amended to read:

**80-2-611 . False reports -- Investigation -- Notice of penalty.**

(1) The division may conduct an investigation to determine whether a report under Section 80-2-602 or 80-2-603 is false.

(2) The division shall send a certified letter to a person who makes a report of abuse or neglect that is placed into or included in any part of the Management Information System, if the division determines, at the conclusion of the division's investigation, that:

(a) the report is false;

- 32 (b) it is more likely than not that the person knew the report was false at the time that  
 33 person made the report; and
- 34 (c) the reporting person's address is known or reasonably available.
- 35 (3) The certified letter described in Subsection (2) shall inform the reporting person of:
- 36 (a) the division's determination made under Subsection (2);
- 37 (b) the penalty for submitting false information under Section 76-8-506 and other  
 38 applicable laws; and
- 39 (c) the obligation ~~[or ability]~~ of the division under Subsection (4) to inform law  
 40 enforcement and the person alleged to have committed abuse or neglect[:].
- 41 ~~[(i) in the present instance if the division considers an immediate referral of the  
 42 reporting person to law enforcement to be justified by the facts; or]~~
- 43 ~~[(ii) if the reporting person submits a subsequent false report involving the same  
 44 alleged perpetrator or victim.]~~
- 45 (4) The division:
- 46 (a) ~~[may]~~ subject to Subsection (4)(b), shall inform law enforcement and the alleged  
 47 perpetrator of a report for which a certified letter is required to be sent under  
 48 Subsection (2) ~~[, if an immediate referral is justified by the facts]; and~~
- 49 ~~[(b) shall inform law enforcement and the alleged perpetrator of a report for which a  
 50 certified letter is required to be sent under Subsection (2) if a second letter is sent to  
 51 the reporting person involving the same alleged perpetrator or victim; and]~~
- 52 ~~[(e)]~~ (b) shall determine, in consultation with law enforcement:
- 53 (i) what information should be given to an alleged perpetrator relating to a false  
 54 report; and
- 55 (ii) whether good cause exists, as defined by the division by rule made in accordance  
 56 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for not  
 57 informing an alleged perpetrator about a false report.
- 58 (5) This section does not require the division to conduct an investigation beyond what is  
 59 described in Subsections (1) and (2), to determine whether a report is false.

60 Section 2. **Effective date.**

61 This bill takes effect on May 7, 2025.