

## Reporting Death or Disappearance of a Child; HB 2534

**HB 2534** creates two new crimes: failure to report the disappearance of a child and failure to report the death of a child. Failure to report the disappearance of a child is defined as the knowing failure of a parent, legal guardian, or caretaker to report the disappearance of a child under the age of 13, as soon as practically possible, to a law enforcement officer, law enforcement agency, or state investigative agency when such person:

- Knows or reasonably should know the child is missing and with the intent to conceal the commission of a crime; or
- Knows the child is missing and has reason to believe the child is in imminent danger of death or great bodily harm.

Failure to report the disappearance of a child is a severity level 8, nonperson felony.

Failure to report the death of a child is defined as the knowing failure to report the death of a child promptly to a law enforcement officer, law enforcement agency, or state investigative agency, with the intent to conceal the commission of a crime. When committed by a parent, legal guardian, or caretaker, the crime is a severity level 8, nonperson felony. When committed by a person required by law to make a report of suspected child abuse, unless that person is a parent, legal guardian, or caretaker, the crime is a class B misdemeanor. The bill states, however, these provisions do not apply when the child's death has been reported by another person or is otherwise known by a law enforcement agency or state investigative agency.

"Caretaker" is defined in the bill as a person 16 or older who had willfully assumed responsibility for the care of a child at the time of the child's disappearance or death.

The bill also amends the definition of the crime of interference with law enforcement. First, it adds a false report of any information concerning a crime or suspected crime to a law enforcement officer, law enforcement agency, or state investigative agency. Further, it amends the definition to include a false report to a law enforcement officer, law enforcement agency, or state investigative agency of any information concerning the death, disappearance, or potential death or disappearance of a child under the age of 13, knowing that information is false and intending the officer or agency will act in reliance upon that information. Such a report is a severity level 8, nonperson felony.