

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 619

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

AN ACT

RELATING TO CHILD ABUSE; LIMITING THE LIABILITY OF ANY PERSON
REPORTING CHILD ABUSE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 30-6-4 NMSA 1978 (being Laws 1989,
Chapter 287, Section 1, as amended) is amended to read:

"30-6-4. OBSTRUCTION OF REPORTING OR INVESTIGATION OF
CHILD ABUSE OR NEGLECT--IMMUNITY OF REPORTING PERSON--

A. Obstruction of reporting or investigation of
child abuse or neglect consists of:

~~[A-]~~ (1) knowingly inhibiting, preventing,
obstructing or intimidating another from reporting, pursuant to
Section 32A-4-3 NMSA 1978, child abuse or neglect, including
child sexual abuse; or

~~[B-]~~ (2) knowingly obstructing, delaying,

.214454.1

underscored material = new
[bracketed material] = delete

1 interfering with or denying access to a law enforcement officer
2 or child protective services social worker in the investigation
3 of a report of child abuse or sexual abuse.

4 B. Whoever commits obstruction of reporting or
5 investigation of child abuse or neglect is guilty of a
6 misdemeanor.

7 C. A person who reports an instance of alleged
8 child abuse or neglect as defined in Section 30-6-1 NMSA 1978
9 or participates in a judicial proceeding brought as a result of
10 the report and who acts with reasonable care and without
11 malicious purpose shall be immune from civil or criminal
12 liability that might otherwise be incurred or imposed by the
13 law."

14 **SECTION 2. EFFECTIVE DATE.**--The effective date of the
15 provisions of this act is July 1, 2019.