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HOUSE BILL 18

**54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

INTRODUCED BY

Dayan Hochman-Vigil

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,

underscoring material = new  
~~[bracketed material] = delete~~

underscoring material = new  
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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 is presumed to be acting in good faith and shall be  
11 immune from civil or criminal liability, unless the person  
12 acted in bad faith or with malicious purpose."

13 **SECTION 2. EFFECTIVE DATE.**--The effective date of the  
14 provisions of this act is July 1, 2020.

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