



Bill Number: S.B. 1406

Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

## FLOOR AMENDMENT EXPLANATION

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1. Prohibits Department of Child Safety (DCS) records and files maintained by the Ombudsman-Citizens Aide from being disclosed unless statutorily authorized or in accordance with federal requirements for state grants for Child Abuse or Neglect Prevention and Treatment Programs.
2. Requires staff of the Ombudsman-Citizens Aide who field complaints regarding DCS, rather than all staff, to have access to DCS records.
3. Requires all investigative staff of the Ombudsman-Citizens Aide, rather than all staff, to have access to the DCS automated case management system.
4. Removes language allowing the Ombudsman-Citizens Aide to disclose information contained in records and files prepared for an investigation when redacted of personally-identifiable information and included in the Ombudsman-Citizens Aide's annual report or opinions and recommendations.
5. Defines *DCS records and files* and *records and files*.

Amendment explanation prepared by Mike Hans

3/9/20

FARNSWORTH D FLOOR AMENDMENT  
SENATE AMENDMENTS TO S.B. 1406  
(Reference to printed bill)

1 Page 2, line 8, after "STAFF" insert "WHO FIELD COMPLAINTS REGARDING THE  
2 DEPARTMENT OF CHILD SAFETY"

3 Line 9, after "records" insert a comma; after "and" insert "THE  
4 OMBUDSMAN-CITIZENS AIDE AND ALL INVESTIGATIVE STAFF HAVE ACCESS"

5 Between lines 33 and 34, insert:

6 "D. RECORDS AND FILES THAT ARE MAINTAINED BY THE OMBUDSMAN-CITIZENS  
7 AIDE ARE NOT PUBLIC RECORDS AND ARE EXEMPT FROM DISCLOSURE UNDER TITLE 39,  
8 CHAPTER 1. FOR THE PURPOSES OF THIS SUBSECTION, "RECORDS AND FILES" MEANS  
9 ALL INFORMATION THE OFFICE OF THE OMBUDSMAN-CITIZENS AIDE GATHERS DURING  
10 THE COURSE OF AN INVESTIGATION CONDUCTED UNDER THIS ARTICLE FROM THE TIME A  
11 FILE IS OPENED UNTIL IT IS CLOSED."

12 Reletter to conform

13 Line 34, after "D." insert "DEPARTMENT OF CHILD SAFETY"; strike "are"

14 Strike lines 35 through 44

15 Line 45, strike "attorney pursuant to section 41-1379" insert "MAY NOT BE  
16 DISCLOSED EXCEPT IN ACCORDANCE WITH 42 UNITED STATES CODE SECTION 5106a AND  
17 AS ALLOWED OR REQUIRED BY THIS ARTICLE"

18 Line 46, after "subsection" insert a comma strike remainder of line

Senate Amendments to S.B. 1406

1 Page 3, strike lines 1 through 6

2 Line 7, strike "2."; after the first quotation mark insert "DEPARTMENT OF

3 CHILD SAFETY"

4 Amend title to conform

DAVID C FARNSWORTH

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03:14 PM  
C: NS