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A BILL FOR AN ACT

To amend the Kosrae State Code by amending Section 16.1201(1), Section 16.1202 and Section 16.1203 under Chapter 12 of Title 16 of Kosrae State Code and for other purposes.

BE IT ENACTED BY THE KOSRAE STATE LEGISLATURE

1 Section 1. Purpose. The purpose of this Act is to amend the Kosrae State Code by
2 under Chapter 12 Child Abuse of Title 16 amending Section 16.1201(1) to amend the
3 definition of abuse to include “sexual abuse as defined in Section 13.312 insofar as it
4 concerns a person less than 18 years of age”, to delete reference to “sexual molestation”,
5 to amend Section 16.1202 to include “or she” and “or her” where appropriate and to
6 amend Section 16.1203 to include “or she” where appropriate.

7 Section 2. Amendment. Title 16 of the Kosrae State Code is hereby amended by
8 under Chapter 12 thereof amending 16.1201(1), Section 16.1202 and Section 16.1203 to
9 read respectively as follows:

10 “Section 16.1201 Definitions in this chapter

11 (1) "Abuse" means a case in which a minor exhibits evidence of skin
12 bruising, bleeding, burns, fracture of bone, subdural hematoma,
13 soft-tissue swelling, sexual abuse as defined in Section 13.312
14 insofar as it concerns a person who is less than 18 years of age and
15 the condition or death is not justifiably explained, the history given
16 concerning the condition or death is at variance with the degree or
17 type of the condition or death, or the circumstances indicate that the
18 condition or death may not be the product of an accidental
19 occurrence.

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1 Section 16.1202 Report . A person examining, attending, teaching or treating a
2 minor and having reason to believe that the minor has had serious injury or injuries, either
3 physical or mental, inflicted upon him or her as a result of abuse, reports the matter
4 promptly to the Office of the Attorney General, or in the case of a Department of Health
5 Services employee, to the Director who promptly makes the report to the Office of the
6 Attorney General. If the person attending a child is a school teacher or other school
7 official, he or she reports the abuse to his or her supervisor who promptly reports to the
8 Office of the Attorney General. The report is in writing, whether initially or following an
9 initial oral report, and states the minor's name, age, address, and parents or other person
10 known to be responsible for the minor and the nature and extent of the minor's injuries,
11 including evidence of previous injuries, and other information which the maker of the
12 report believes might be helpful in establishing the cause of the injuries and the identity of
13 the person responsible for the abuse.

14 Cross-reference:
15 *For offense see Section 13.614.*

17 Section 16.1203 Immunity. A person participating in the making of a report
18 pursuant to this chapter is immune from civil and criminal liability arising from the
19 making of the report and with respect to oral, written or other evidence he or she provides
20 concerning the report in a judicial proceeding.”

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TWELFTH KOSRAE STATE LEGISLATURE
THIRD REGULAR SESSION, FEBRUARY 2020

L.B. No. 12-124

1 Section 3. Effective Date. This act takes effect upon the approval of the Governor
2 or upon its becoming law without such approval.

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4 Date: 3/12/20

Introduced by: 
Senator Salpasr E. Tilfas