

1 HB523
2 137910-1
3 By Representative Mitchell
4 RFD: Judiciary
5 First Read: 14-MAR-12

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8 SYNOPSIS: Under existing law, the juvenile court
9 exercises original jurisdiction of proceedings
10 concerning any child in a situation subjecting the
11 child to abuse or neglect.

12 This bill would provide in such a proceeding
13 that the existence of a mental, physical, or
14 developmental disability or any other disability of
15 the parent or guardian is not in and of itself
16 considered child abuse or neglect unless their
17 actions or inactions, as with any other parent or
18 guardian, are injurious to the health, safety, or
19 welfare of his or her child.

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21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 To provide for determinations of the consequence of
26 a disability of a parent or guardian in proceedings of the
27 juvenile court concerning children.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. In a proceeding under this section, the
3 existence of a mental, physical, or developmental disability,
4 or any other disability of the parent or guardian shall not in
5 and of itself be considered child abuse or neglect unless his
6 or her actions or inactions, as with any other parent or
7 guardian, are injurious to the health, safety, or welfare of
8 the child.

9 Section 2. This act shall become effective on the
10 first day of the third month following its passage and
11 approval by the Governor, or its otherwise becoming law.