

CHAPTER 78

CHILDREN'S BOARDING HOMES

H. F. 133

AN ACT to define, license, and regulate children's boarding homes.

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Definitions.** The words "person" or "agency" where
 2 used in this act shall include individuals, institutions, partnerships,
 3 voluntary associations and corporations other than institutions under
 4 the management of the state board of control or its officers or agents.
 5 Any person who receives for care and treatment or has in his custody
 6 at any one time more than two children under the age of three years
 7 unattended by parent or guardian, for the purpose of providing them
 8 with food, care and lodging, except children related to him by blood
 9 or marriage, and except children received by him with the intent of
 10 adopting them into his own family, shall be deemed to maintain a
 11 children's boarding home. This definition shall not include any per-
 12 son who, without compensation, is caring for children for a temporary
 13 period.

1 **SEC. 2. Licenses for children's boarding homes.** The state board
 2 of control is hereby empowered to grant a license for one year for the
 3 conduct of any children's boarding home that is for the public good,
 4 that has adequate equipment for the work which it undertakes, and
 5 that is conducted by a reputable and responsible person; and it shall
 6 be the duty of the board to provide such general regulations and rules
 7 for the conduct of all such homes as shall be necessary to effect the
 8 purpose of this and of all other laws of the state relating to children
 9 so far as the same are applicable, and to safeguard the well-being of
 10 all children kept therein. No person shall receive a child for care in
 11 any such home or solicit or receive funds for its support unless it has
 12 an unrevoked license issued by the board of control within twelve
 13 months preceding to conduct such home. No such license shall be
 14 issued unless the premises are in a fit sanitary condition, and the
 15 application for such license shall have been approved by the state
 16 department of health. The license shall state the name of the licensee,
 17 the particular premises in which the business may be carried on, and
 18 the number of children that may be properly boarded or cared for
 19 therein at any one time; and such license shall be kept posted in a
 20 conspicuous place on the licensed premises. No greater number of
 21 children shall be kept at any one time on the licensed premises than
 22 is authorized by the license and no child shall be kept in a building
 23 or place not designated in the license. A record of the licenses so
 24 issued shall be kept by the board of control which shall forthwith give
 25 notice to the state department of health and to the local board of
 26 health of the city, village or town in which the licensed premises are
 27 located of the granting of such license and the conditions thereof.

1 **SEC. 3. Revocation of licenses of children's boarding homes.** Licenses
 2 granted under this act shall be valid for one year from the date of

3 issuance thereof unless revoked in accordance with the provisions of
4 this act. The state board of control may revoke any such license
5 under the conditions and by the procedure specified for the revocation
6 of licenses of child-placing agencies.

1 **SEC. 4. Records and inspection.** The board of control shall have
2 the same rights and duties relative to records, reports and inspections
3 of children's boarding homes as are provided for in connection with
4 maternity hospitals.

1 **SEC. 5. Proof of relationship.** In a prosecution under the provi-
2 sions of this law or any penal law relating thereto a defendant who
3 relies for defense upon the relationship of any child to himself shall
4 have the burden of proof.

1 **SEC. 6. Penalty.** Every person who violates any of the provisions
2 of this act or who intentionally shall make any false statements or
3 reports to the state board of control with reference to the matters
4 contained herein, shall be guilty of a misdemeanor.

Approved March 28, A. D. 1925.

CHAPTER 79

MATERNITY HOSPITALS

H. F. 132

AN ACT to repeal chapter one hundred thirteen (113), of the code, 1924, relating to
maternity hospitals and to provide a substitute therefor.

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Definitions.** The word "person" where used in this
2 act shall include individuals, partnerships, voluntary associations,
3 and corporations. Any person who receives for care and treatment
4 during pregnancy or during delivery or within ten days after delivery
5 more than one woman within a period of six months, except women
6 related to him by blood or marriage, shall be deemed to maintain a
7 maternity hospital; provided, however, that this definition shall not
8 be construed to include nurses who care for women during confine-
9 ment in the homes of the patients, nor any institution under the
10 management of the state board of education or state board of control,
11 nor any general hospital.

1 **SEC. 2. Certain locations prohibited.** No maternity hospital shall
2 be operated within two hundred feet of any church building, school,
3 educational institution, or public park, or in a building situated within
4 fifty feet of building owned by another.

1 **SEC. 3. Licenses for maternity hospitals.** No maternity hospital
2 shall receive a woman for care therein or solicit or receive money for
3 its maintenance unless it has an unrevoked license issued by the
4 board of control in accordance with this act within the preceding