

**CHAPTER 1215**  
**EMERGENCY CARE OF CHILDREN**  
*S.F. 2425*

**AN ACT** relating to the care of children when a legally responsible adult is unavailable to provide the care.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 232.79, subsections 2 and 4, Code Supplement 1989, are amended to read as follows:

2. If a person authorized by this section removes or retains custody of a child, the person shall:

a. Bring the child immediately to a place designated by the rules of the court for this purpose, unless the person is a physician treating the child and the child is or will presently be admitted to a hospital.

b. Make every reasonable effort to inform the parent, guardian, or custodian of the whereabouts of the child.

c. ~~Promptly~~ In accordance with court-established procedures, immediately orally inform the court in writing of the emergency removal and the circumstances surrounding the removal.

d. Within twenty-four hours of orally informing the court of the emergency removal in accordance with paragraph "c", inform the court in writing of the emergency removal and the circumstances surrounding the removal.

4. a. When the court is informed that there has been an emergency removal or keeping of a child without a court order, the court shall direct the department of human services or the juvenile probation department to make every reasonable effort to communicate immediately with the child's parent or parents or other person legally responsible for the child's care. Upon locating the child's parent or parents or other person legally responsible for the child's care, the department of human services or the juvenile probation department shall, in accordance with court-established procedures, immediately orally inform the court. After orally informing the court, the department of human services or the juvenile probation department shall provide to the court written documentation of the oral information.

b. The court shall also authorize the department of human services or the juvenile probation department to cause a child thus removed or kept to be returned if it concludes there is not an imminent risk to the child's life and health in so doing. If the department of human services or the juvenile probation department receives information which could affect the court's decision regarding the child's return, the department of human services or the juvenile probation department, in accordance with court established procedures, shall immediately orally provide the information to the court. After orally providing the information to the court, the department of human services or the juvenile probation department shall provide to the court written documentation of the oral information. If the child is not returned, the department of human services or the juvenile probation department shall forthwith cause a petition to be filed within three days after the removal.

**Sec. 2. NEW SECTION. 232.79A CHILDREN WITHOUT ADULT SUPERVISION.**

If a peace officer determines that a child does not have adult supervision because the child's parent, guardian, or other person responsible for the care of the child has been arrested and detained or has been unexpectedly incapacitated, and that no adult who is legally responsible for the care of the child can be located within a reasonable period of time, the peace officer shall attempt to place the child with an adult relative of the child, an adult person who cares for the child, or another adult person who is known to the child. The person with whom the child is placed is authorized to give consent for emergency medical treatment of the child and shall not be held liable for any action arising from giving the consent. Upon the request of the peace officer, the department shall assist in making the placement. The placement shall not exceed a period of twenty-four hours and shall be terminated when a person who is legally responsible for the care of the child is located and takes custody of the child. If a person who

is legally responsible for the care of the child cannot be located within the twenty-four hour period or a placement in accordance with this section is unavailable, the provisions of section 232.79 shall apply. If the person with whom the child is placed charges a fee for the care of the child, the fee shall be paid from funds provided in the appropriation to the department for protective child care.

Approved April 30, 1990

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## CHAPTER 1216

### SCHEDULED FINES

*S.F. 2349*

**AN ACT** relating to scheduled fines and court procedures for certain violations of snowmobile and all-terrain vehicle regulations, game and fish regulations, and parks.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 805.8, subsection 4, paragraph a, Code Supplement 1989, is amended to read as follows:

a. For registration and identification violations under sections section 321G.3 and 321G.5, the scheduled fine is five twenty dollars. When the scheduled fine is paid, the violator shall submit sufficient proof that a valid registration has been obtained.

Sec. 2. Section 805.8, subsection 4, Code Supplement 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. For identification violations under section 321G.5, the scheduled fine is ten dollars.

Sec. 3. Section 805.8, subsection 5, Code 1989, is amended by striking the subsection and inserting in lieu thereof the following:

5. Fish and game law violations.

a. For violations of section 110B.2, the scheduled fine is ten dollars.

b. For violations of sections 109.54, 109.69, 109.71, 109.72, 109B.6, 110.3, 110.6, 110.19, and 110.27, the scheduled fine is twenty dollars.

c. For violations of sections 109.6, 109.21, 109.22, 109.24, 109.26, 109.50, 109.56, 109.60 through 109.62, 109.82, 109.83, 109.84, 109.92, 109.123, 109B.7, 110.7, 110.8, 110.23, and 110.24, the scheduled fine is twenty-five dollars.

d. For violations of sections 109.7, 109.47, 109.52, 109.53, 109.55, 109.58, 109.63, 109.64, 109.76, 109.81, 109.90, 109.91, 109.97, 109.122, 109.126, 109B.8, and 110.37, the scheduled fine is fifty dollars.

e. For violations of sections 109.85, 109.93, 109.95, 109.120, 109A.5, 109B.3, and 109B.9, the scheduled fine is one hundred dollars.

f. For violations of section 109.38 relating to the taking, pursuing, killing, trapping or ensnaring, buying, selling, possessing, or transporting any game, protected nongame animals, furbearing animals, or fur or skin of the animals, mussels, frogs, or fish or part of them, the scheduled fines are as follows:

(1) For deer or turkey, the scheduled fine is one hundred dollars.

(2) For protected nongame, the scheduled fine is one hundred dollars.

(3) For mussels, frogs, spawn, or fish, the scheduled fine is twenty-five dollars.

(4) Other game, the scheduled fine is fifty dollars.

(5) For furbearing animals, the scheduled fine is seventy-five dollars.