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HUMAN RESOURCES

HOUSE FILE 133

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Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act increasing the child age applicable to mandatory reporting
2 of suspected child sexual abuse perpetrated by a person other
3 than the person responsible for the care of the child.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 232.69, subsection 1, unnumbered
2 paragraph 1, Code 2003, is amended to read as follows:

3 The classes of persons enumerated in this subsection shall
4 make a report within twenty-four hours and as provided in
5 section 232.70, of cases of child abuse. In addition, the
6 classes of persons enumerated in this subsection shall make a
7 report of abuse of a child who is under ~~twelve~~ sixteen years
8 of age and may make a report of abuse of a child who is ~~twelve~~
9 sixteen years of age or older, which would be defined as child
10 abuse under section 232.68, subsection 2, paragraph "c" or
11 "e", except that the abuse resulted from the acts or omissions
12 of a person other than a person responsible for the care of
13 the child.

14 EXPLANATION

15 This bill increases the child age for mandatory reporting
16 of suspected child sexual abuse perpetrated by a person other
17 than the person responsible for the care of the child.

18 Under current law, a finding of child abuse requires that
19 the abuse results from the act or omissions of a "person
20 responsible for the care of a child", which is a defined term.
21 The term includes a parent, guardian, foster parent, relative,
22 other person with whom the child resides, care provider, or
23 other person who assumes care or supervision of a child.
24 However, mandatory reporters are required by law to report
25 suspected child sex abuse of a child who is under age 12 by a
26 person who is not a caretaker of the child and may report such
27 abuse for older children. Under Code section 232.70, the
28 department of human services is required to refer reports of
29 suspected sexual abuse of a child by a noncaretaker to the
30 appropriate law enforcement agency having jurisdiction to
31 investigate the allegation.

32 The bill increases the child age for mandatory reporting of
33 suspected sexual abuse of a child by a noncaretaker from under
34 age 12 to under age 16.

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