

House File 295 - Introduced

HOUSE FILE 295

BY MASCHER

A BILL FOR

1 An Act concerning background checks relating to certain
2 nonregistered child care home providers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 237A.5, subsection 2, paragraph a,
2 subparagraph (1), Code 2015, is amended by adding the following
3 new subparagraph division:

4 NEW SUBPARAGRAPH DIVISION. (f) The person will reside or
5 resides in a child care home that is not registered under this
6 chapter and that does not receive public funding for providing
7 child care.

8 Sec. 2. Section 237A.5, subsection 2, paragraph d,
9 subparagraph (2), Code 2015, is amended to read as follows:

10 (2) Except as otherwise provided by law, the cost of a
11 national criminal history check conducted in accordance with
12 subparagraph (1) and the state record checks conducted in
13 accordance with paragraph "c" that are conducted in connection
14 with a person's involvement with a child care center or that
15 are conducted in connection with a person's involvement with
16 a child care home pursuant to paragraph "a", subparagraph (1),
17 subparagraph division (f), are not the responsibility of the
18 department. The department is responsible for the cost of such
19 checks conducted in connection with a person's involvement
20 with a child development home or a child care home pursuant to
21 paragraph "a", subparagraph (1), subparagraph division (e).

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with
24 the explanation's substance by the members of the general assembly.

25 The bill provides that a person who will reside or who
26 resides in a child care home that is not registered by the
27 department of human services pursuant to Code chapter 237A and
28 that does not receive public funding for providing child care
29 shall be subject to a record check. The bill provides that the
30 department is not responsible for the costs of such records
31 checks.

32 Under Code section 237A.5, the department is required to
33 conduct a criminal and child abuse record check in this state
34 for a person who is subject to a record check under Code
35 chapter 237A and may conduct such a check in other states.

1 In addition, the department may conduct a dependent adult
2 abuse, sex offender registry, or other public or civil offense
3 record check in this state or in other states for a person
4 who is subject to a record check. In addition, the person's
5 fingerprints shall be provided to the department of public
6 safety for submission through the state criminal history
7 repository to the United States department of justice, federal
8 bureau of investigation for a national criminal history check.
9 Under Code section 237A.1, "child care home" means a person
10 or program providing child care to five or fewer children at
11 any one time that is not registered to provide child care under
12 Code chapter 237A.