

Judiciary  
Glenn, Chairperson  
Rush  
Scott  
Ramsey  
Holden

REC'D JAN 10 1978

SENATE FILE 2033

By MURRAY

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

### A BILL FOR

1 An Act to make violation of a custodial order punishable  
2 whether or not the child is removed from the state, and  
3 providing that a parent who takes a child from the custody  
4 of the other parent prior to a court order shall be guilty  
5 of a serious misdemeanor.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section seven hundred ten point six (710.6),  
2 Code 1977 Supplement, is amended to read as follows:

3 710.6 VIOLATING CUSTODIAL ORDER. Any relative of a child  
4 who, acting in violation of any order of any court which  
5 fixes, permanently or temporarily, the custody of such child  
6 in another, takes such child and removes him or her from the  
7 state, custody of the other without the consent of the person  
8 having lawful custody, commits a class D felony.

9 Any parent of a child living apart from the other parent  
10 who takes that child from another in violation of an express  
11 custodial agreement and without the other parent's consent  
12 shall be guilty of a serious misdemeanor.

13 Sec. 2. This Act is effective January 1, 1979.

14 EXPLANATION

15 This bill provides that a relative can be charged with  
16 violating a custodial order whether or not the child is removed  
17 from the state, and also provides that a parent who takes  
18 a child from the custodial parent prior to a court order but  
19 in violation of an express agreement between the parents  
20 commits a serious misdemeanor.

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