

True from Res. 3/26

SENATE FILE 2247

BY COMMITTEE ON HUMAN
RESOURCES

approved (of SSB)

(SUCCESSOR TO SSB 2208)

Passed Senate, Date 3/26/92 (p. 1022) Passed House, Date _____
Vote: Ayes 23 Nays 14 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the prohibition of the use of corporal
2 punishment by foster parents and allowing the use of
3 reasonable physical force to control foster children in
4 certain circumstances.

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

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SF 2247

1 Section 1. Section 234.40, Code 1991, is amended to read
2 as follows:

3 234.40 CORPORAL PUNISHMENT.

4 The department of human services shall ~~not~~ adopt or enforce
5 ~~any rule or policy~~ rules prohibiting ~~limited~~ corporal
6 punishment of foster children by foster parents licensed by
7 the department. ~~This paragraph shall not prevent promulgation~~
8 ~~of rules prohibiting malicious, willful and wanton conduct by~~
9 ~~a foster parent which causes injury or damage to a foster~~
10 ~~child, or exposes the foster child to danger of such injury or~~
11 ~~damage.~~ The rules shall allow foster parents to use
12 reasonable physical force to restrain a foster child in order
13 to prevent injury to the foster child, injury to others, the
14 destruction of property, or extremely disruptive behavior.
15 For the purposes of this section, "corporal punishment" means
16 the intentional physical punishment of a foster child. A
17 foster parent's physical contact with the body of a foster
18 child shall not be considered corporal punishment if the
19 contact is reasonable and necessary under the circumstances
20 and is not designed or intended to cause pain or if the foster
21 parent uses reasonable force, as defined under section 704.1.

22 EXPLANATION

23 The bill prohibits the use of corporal punishment by foster
24 parents but allows for the development of rules by the
25 department of human services which allows for the use of
26 reasonable physical force by foster parents under certain
27 circumstances.

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HANNON, CH.
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SSB 2208
HUMAN RESOURCES
NOW

SENATE FILE 2247
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL
BY CHAIRPERSON HANNON)

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

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