

**CHAPTER 173**  
**CHILD PROTECTION**  
*H.F. 451*

**AN ACT** relating to child protection and providing penalties.

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

Section 1. NEW SECTION. 144.13A REGISTRATION FEE.

The local registrar and state registrar shall charge the parent a ten dollar fee for the registration of a certificate of birth. If the person responsible for the filing of the certificate of birth under section 144.13 is not the parent, the person shall collect the fee from the parent. The fee shall be remitted to the appropriate registrar. If the expenses of the birth are reimbursed under the medical assistance program established by chapter 249A or paid for under the statewide indigent patient care program established by chapter 249A or paid for under the statewide indigent patient care program established by chapter 255, or if the parent is indigent and unable to pay the expenses of the birth and no other means of payment is available to the parent, the registration fee is waived. If the person responsible for the filing of the certificate is not the parent, the person is discharged from the duty to collect and remit the fee under this section if the person has made a good faith effort to collect the fee from the parent. The fees collected by the local registrar and state registrar shall be remitted to the treasurer of state for deposit in the general fund of the state. It is the intent of the general assembly that the funds generated from the registration fees be appropriated and used for primary and secondary child abuse prevention programs.

Sec. 2. Section 232.68, subsection 6, paragraph c, Code 1985, is amended to read as follows:

c. An employee or agent of any public or private facility providing care for a child, including an institution, hospital, health care facility, group home, mental health center, residential treatment center, shelter care facility, detention center, or child care facility.

Sec. 3. Section 232.69, subsection 1, paragraph b, Code 1985 is amended to read as follows:

b. Every self-employed social worker, every social worker under the jurisdiction of the department of human services, any social worker employed by a public or private agency or institution, public or private health care facility as defined in section 135C.1, certified psychologist, certificated school employee, employee or operator of a licensed child care center or registered group day care home or registered family day care home, individual licensee under chapter 237, member of the staff of a mental health center, or peace officer, who, in the course of employment or in providing child foster care, examines, attends, counsels or treats a child and reasonably believes a child has suffered abuse. If a person is required to report under this section as a member of the staff of a public or private institution, agency or facility, that person shall immediately notify the person in charge of the institution, agency or facility, or that person's designated agent, and the person in charge of the institution, agency, or facility, or the designated agent shall make the report.

Sec. 4. Section 232.69, subsection 1, paragraph a, Code 1985, is amended to read as follows:

a. Every health practitioner who examines, attends, or treats a child and who reasonably believes the child has been abused. ~~If, however, the health practitioner examines, attends, or treats the child as a member of the staff of a hospital or similar institution, the examining health practitioner shall immediately notify and give complete information to the person in charge of the institution or the health practitioner's designated agent and the person in charge of the institution or designated agent shall make the report.~~

Sec. 5. Section 232.69, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 3. A person required to make a report under subsection 1, other than a physician whose professional practice does not regularly involve providing primary health care to children, shall complete two hours of training relating to the identification and reporting of child abuse within one year of initial employment or self-employment involving the examination, attending, counseling, or treatment of children on a regular basis. The person shall complete at least two hours of additional child abuse identification and reporting training every five years. If the person is an employee of a hospital or similar institution, or of a public or private institution, agency, or facility, the employer shall be responsible for providing the child abuse identification and reporting training. If the person is self-employed, the person shall be responsible for obtaining the child abuse identification and reporting training. The person may complete the initial or additional training as part of a continuing education program required under chapter 258A or may complete the training as part of a training program offered by the department of human services, the department of public instruction, an area education agency, a school district, the Iowa law enforcement academy, or a similar public agency.

Sec. 6. Section 232.71, subsection 2, paragraph e, Code 1985, is amended by striking the paragraph.

Sec. 7. Section 232.71, subsection 3, Code 1985, is amended to read as follows:

3. The investigation may with the consent of the parent or guardian include a visit to the home of the child or with the consent of the administrator of a facility include a visit to the facility providing care to the child named in the report and examination of ~~such~~ the child. If permission to enter the home or facility and to examine the child is refused, the juvenile court or district court upon a showing of probable cause may authorize the person making the investigation to enter the home or facility and examine the child. The department may utilize a multidisciplinary team in investigations of child abuse involving employees or agents of a facility providing care for a child.

Sec. 8. Section 232.71, Code 1985, is amended by adding the following new subsection after subsection 3 and renumbering the subsequent subsections:

NEW SUBSECTION. 4. Based on an investigation of alleged child abuse by an employee of a facility providing care to a child, the department shall notify the licensing authority for the facility, the governing body of the facility, and the administrator in charge of the facility of any of the following:

- a. A violation of facility policy noted in the investigation.
- b. An instance in which facility policy or lack of facility policy may have contributed to the alleged child abuse.
- c. An instance in which general practice in the facility appears to differ from the facility's written policy.

The licensing authority, the governing body, and the administrator in charge of the facility shall take any lawful action which may be necessary or advisable to protect children residing in the facility.

Sec. 9. Section 232.71, subsection 6, Code 1985, is amended to read as follows:

6. The department of human services, upon completion of its investigation, shall make a preliminary report of its investigation as required by subsection 2. A copy of this report shall be transmitted to juvenile court within ninety-six hours after the department of human services initially receives the abuse report unless the juvenile court grants an extension of time for good cause shown. If the preliminary report is not a complete report, a complete report shall be filed within ten working days of the receipt of the abuse report, unless the juvenile court grants an extension of time for good cause shown. The department shall notify a subject of the report of the result of the investigation, of the subject's right to correct the information pursuant to section 235A.19, and of the procedures to correct the information. The juvenile court shall notify the registry of any action it takes with respect to a suspected case of child abuse.

Sec. 10. Section 232.78, subsection 1, paragraph a, Code 1985, is amended to read as follows:

a. The parent, guardian, legal custodian, or employee of the child day care facility is absent, or though present, was asked and refused to consent to the removal of the child and was informed of an intent to apply for an order under this section, or the parent, guardian, or legal custodian has a prior instance of flight to avoid a child abuse investigation.

Sec. 11. Section 232.78, Code 1985, is amended by adding the following new subsection as subsection 4 and renumbering as necessary:

NEW SUBSECTION. 4. The juvenile court, before or after the filing of a petition under this chapter, may enter an ex parte order authorizing a physician or hospital to conduct an outpatient physical examination or authorizing a physician, a psychologist certified under section 154B.7, or a community mental health center accredited pursuant to chapter 230A to conduct an outpatient mental examination of a child if necessary to identify the nature, extent, and cause of injuries to the child as required by section 232.71, subsection 2, provided all of the following apply:

a. The parent, guardian, or legal custodian is absent, or though present, was asked and refused to provide written consent to the examination.

b. The juvenile court has entered an ex parte order directing the removal of the child from the child's home or a child day care facility under this section.

c. There is not enough time to file a petition and to hold a hearing as provided in section 232.98.

Sec. 12. Section 232.98, subsection 1, unnumbered paragraph 1, Code 1985, is amended to read as follows:

A Except as provided in section 232.78, subsection 4, a physical or mental examination of the child may be ordered only after the filing of a petition pursuant to section 232.87 and after a hearing to determine whether an examination is necessary to determine the child's physical or mental condition.

Sec. 13. Section 232.102, Code 1985, is amended by adding the following new subsection as subsection 2 and renumbering as necessary:

NEW SUBSECTION. 2. After a dispositional hearing and upon the request of the department, the court may enter an order appointing the department as the guardian of an unaccompanied refugee minor or of a child without parent or guardian.

Sec. 14. Section 232.141, subsection 2, Code 1985, is amended to read as follows:

2. Whenever If legal custody of a minor is transferred by the court or whenever, if the minor is placed by the court with someone other than the parents, or whenever if a minor is

given physical or mental examinations or treatment under order of the court and no provision is otherwise made by law for payment for the care, examination, or treatment of the minor, the costs shall be charged upon the funds of the county in which the proceedings are held upon certification of the judge to the board of supervisors. If a minor is given physical or mental examinations or treatment with the consent of the parent, guardian, or legal custodian relating to a child abuse investigation and no other provision is otherwise made by law for payment for the examination or treatment of the minor, the costs shall be charged upon the funds of the county in which the child resides upon certification of the department to the board of supervisors. Except where the parent-child relationship is terminated, the court may inquire into the ability of the parents to support the minor and after giving the parents a reasonable opportunity to be heard may order the parents to pay in the manner and to whom the court may direct, such sums as will cover in whole or in part the cost of care, examination, or treatment of the minor. An order entered under this section shall not obligate a parent paying child support under a custody decree, except that any part of such a monthly support payment may be used to satisfy the obligations imposed by an order entered under this section. If the parents fail to pay the sum without good reason, the parents may be proceeded against for contempt or the court may inform the county attorney who shall proceed against the parents to collect the unpaid sums or both. Any such sums ordered by the court shall be a judgment against each of the parents and a lien as provided in section 624.23. If all or any part of the sums that the parents are ordered to pay is subsequently paid by the county, the judgment and lien shall thereafter be against each of the parents in favor of the county to the extent of such the county's payments.

Sec. 15. Section 232.149, Code 1985, is amended by adding the following new subsection:

**NEW SUBSECTION. 5.** This section does not prohibit a criminal justice agency from disclosing or releasing pursuant to chapter 694 the identity of a missing child or information useful in the recovery of a missing child.

Sec. 16. Section 235A.15, Code 1985, is amended to read as follows:

**235A.15 AUTHORIZED ACCESS.**

1. Notwithstanding chapter 22, the confidentiality of all child abuse information shall be maintained, except as specifically provided by subsection 2 and subsection 3.

2. Access to child abuse information other than unfounded child abuse information is authorized only:

a. To a health practitioner who is examining, attending or treating a child whom the practitioner believes or has reason to believe has been the victim of abuse.

b. To employees of the department of human services having responsibility for the investigation of a child abuse report.

c. To a law enforcement officer having responsibility for the temporary emergency removal of a child from the child's parent or other legal guardian.

d. To a juvenile court or district court upon a finding that information is necessary for the resolution of an issue arising in any phase of a case involving child abuse, except that information obtained through the registry shall not be utilized in any aspect of any criminal prosecution.

e. To an authorized person or agency having responsibility for the care or supervision of a child named in a report as a victim of abuse or a person named in a report as having abused a child, if the juvenile court or the registry deems access to child abuse information by such person or agency to be necessary.

- f. To a person conducting bona fide research on child abuse, if the details identifying any subject of a child abuse report are deleted.
- g. To a person who is the subject of any report as provided in section 235A.19.
- h. To registry or department personnel where necessary to the performance of their official duties.
- i. To a court hearing an appeal for correction or expungement of registry information as provided in section 235A.19.
- j. In an individual case, to the mandatory reporter who reported the child abuse.
- k. To a multidisciplinary team, if the department of human services approves the composition of the multidisciplinary team and determines that access to the team is necessary to assist the department in the diagnosis, assessment, and disposition of a child abuse case.
- 1. To a licensing authority for a facility providing care for a child named in a report, if the licensing authority is notified of a relationship between facility policy and the child abuse under section 232.71, subsection 4.

3. Access to unfounded child abuse information is authorized only to those persons identified in subsection 2, paragraphs "b", "g", "h", and "j".

Sec. 17. Section 235A.18, subsection 2, Code 1985, is amended to read as follows:

2. Child abuse information which cannot be determined by a preponderance of the evidence to be founded or unfounded shall be expunged one year after the receipt of the initial report of such abuse if the information cannot be determined by a preponderance of the evidence to be founded or unfounded. Child and child abuse information which is determined by a preponderance of the evidence to be unfounded shall be expunged if the information is determined to be unfounded six months after the receipt of the initial report of abuse, as a result of any of the following:

- a. The investigation of a report of suspected child abuse by the department.
- b. A successful appeal as provided in section 235A.19.
- c. A court adjudication finding by a juvenile or district court.

3. However, if a correction of child abuse information is requested under section 235A.19 and the issue is not resolved at the end of the one-year or six-month period, the information shall be retained until the issue is resolved and if the child abuse information is not determined to be founded, the information shall be expunged at the appropriate time under subsection 2.

Sec. 18. Section 235A.19, subsections 2 and 3, Code 1985, are amended to read as follows:

2. Any A person who files may file with the registry department within six months of the date of the notice of the results of an investigation required by section 232.71, subsection 6, a written statement to the effect that child abuse information referring to such the person is in whole or in part erroneous, and requests may request a correction or expungement of that information, shall be notified within sixty days by the registry, in writing, of its decision or order regarding the correction or elimination or of the findings of the investigation report. All decisions and orders shall be accompanied by findings of fact, and the registry shall provide the opportunity for a fair hearing when it initially determines that the information should not be corrected or expunged as requested. The department shall provide the person with an opportunity for an evidentiary hearing pursuant to chapter 17A to correct the information or the findings, unless the department corrects the information or findings as requested. The department shall delay the expungement of information which is not determined to be founded until the conclusion of a proceeding to correct the information or findings. The department may defer the hearing until the conclusion of a pending juvenile or district court case relating to the information or findings.

3. The ~~registry's decision or order~~ resulting from the hearing may be appealed to the district court of Polk county by the person requesting the ~~correction or expungement~~ or to the district court of the district in which ~~such~~ the person resides. Immediately upon ~~such~~ appeal the court shall order the ~~registry department~~ to file with the court a certified copy of the child abuse information. Appeal shall be taken in accordance with the ~~provisions of the Iowa administrative procedure Act chapter 17A~~.

Sec. 19. Section 237A.4, Code 1985, is amended to read as follows:

**237A.4 INSPECTION AND EVALUATION.**

The ~~department shall make periodic inspections of licensed centers to insure compliance with licensing requirements provided in this chapter, and the local boards of health shall may make periodic inspections of licensed centers to insure compliance with health-related licensing requirements provided in this chapter. In those instances where no local board of health exists then the director may make periodic inspections of licensed centers as necessary to carry out the provisions of this chapter.~~ The director may inspect records maintained by a licensed center and may inquire into matters concerning these centers and the persons in charge. The director shall require that the center be inspected by the state fire marshal or a designee for compliance with rules relating to fire safety before a license is granted or renewed. The director or a designee may periodically visit registered family day care homes for the purpose of evaluation of an inquiry into matters concerning compliance with rules ~~promulgated adopted~~ under section 237A.12. Evaluation of family day care homes under this section may include consultative services provided pursuant to section 237A.6.

Sec. 20. Section 237A.12, unnumbered paragraph 3, Code 1985, is amended to read as follows:

Rules relating to fire safety ~~and sanitation shall be promulgated adopted~~ under this chapter by the state fire marshal and the commissioner of public health respectively, in consultation with the department, and all. Rules relating to sanitation shall be adopted by the department in consultation with the commissioner of public health. All rules shall be developed in consultation with the state day care advisory committee. The state fire marshal shall inspect the facilities.

Sec. 21. Section 238.33, article II, paragraph d, Code 1985, is amended to read as follows:

d. "Placement" means the arrangement for the care of a child in a family free or boarding home or in a child-caring agency or institution, but not in an institution caring for the mentally ill, mentally defective, or epileptic, in an institution primarily educational in character, or in a hospital or other medical facility.

Sec. 22. Section 238.33, article III, paragraph a, Code 1985, is amended to read as follows:

a. ~~No A sending state agency shall not send, bring, or cause to be sent or brought into any other party state any a child for placement in foster care or as a preliminary to a possible adoption unless the sending agency shall comply complies with each and every requirement set forth in this article and with the applicable laws of the receiving state governing the placement of children therein in the receiving state.~~

Sec. 23. Section 238.33, article VIII, paragraph a, Code 1985, is amended to read as follows:

a. The sending or bringing of a child into a receiving state by the child's parent, relative stepparent, grandparent, adult brother or sister, adult uncle or aunt, or the child's guardian and leaving the child with any such relative or nonagency guardian in the receiving state.

Sec. 24. **NEW SECTION. 242.16 STANDARDS — MULTIDISCIPLINARY TEAM REVIEW — ADVISORY COMMITTEE.**

1. The department of human services shall adopt rules pursuant to chapter 17A establishing standards for services provided by the state training school, which shall address:

- a. The number, qualifications, and character of staff necessary to assure the health, safety, and welfare of children committed to the state training school.
- b. Programs for education and in-service training of staff.
- c. Policies for intake, assessment, admission, and discharge of children committed to the state training school.
- d. Policies for involvement of the parents of children committed to the state training school.
- e. The adequacy of programs available to children committed to the state training school, including activity programs, social services, behavior management procedures, and educational programs.
- f. Health, safety, and medical care policies.

2. The department shall establish an advisory committee for the state training school consisting of fifteen persons representing the local community, the juvenile court, providers of juvenile services, state agencies concerned with juvenile services, and persons with expertise in the treatment of youth. No more than five members of the advisory committee shall be state employees. The advisory committee shall meet at least three times annually, and shall review and make recommendations to the department regarding the programming and policies of the state training school.

**Sec. 25. NEW SECTION. 244.15 STANDARDS – MULTIDISCIPLINARY TEAM REVIEW – ADVISORY COMMITTEE.**

1. The department of human services shall adopt rules pursuant to chapter 17A establishing standards for services provided by the Iowa juvenile home, which shall address:

- a. The number, qualifications, and character of staff necessary to assure the health, safety, and welfare of children committed to the home.
- b. Programs for education and in-service training of staff.
- c. Policies for intake, assessment, admission, and discharge of children committed to the home.
- d. Policies for involvement of the parents of children committed to the home.
- e. The adequacy of programs available to children committed to the home, including activity programs, social services, behavior management procedures, and educational programs.
- f. Health, safety, and medical care policies.

2. The department shall establish an advisory committee for the home consisting of fifteen persons representing the local community, the juvenile court, providers of juvenile services, state agencies concerned with juvenile services, and persons with expertise in the treatment of youth. No more than five members of the advisory committee shall be state employees. The advisory committee shall meet at least three times annually, and shall review and make recommendations to the department regarding the programming and policies of the home.

**Sec. 26. NEW SECTION. 279.49 CHILD DAY CARE PROGRAMS.**

The board of directors of a school corporation may operate or contract for the operation of a program to provide child day care to children not enrolled in school or to students enrolled in kindergarten through grade six before and after school, or to both. The person employed to be responsible for coordinating a program operated by a board shall be an appropriately certificated teacher under chapter 260 or the program operated by contract with the board shall be licensed as a child care center under chapter 237A. The board shall require the employment of adequate personnel for a program to meet the personnel standards adopted by the department of human services pursuant to section 237A.12, subsection 1.

The board shall establish a fee for the cost of participation in a program. The parent or guardian of a child participating in a program is responsible for payment of the fee and for transportation of the child. The fee shall cover staffing costs and other necessary expenses as deemed appropriate by the board.

**Sec. 27. NEW SECTION. 280.16 PROCEDURES FOR HANDLING CHILD ABUSE REPORTS.**

The board of directors of a public school and the authorities in control of a nonpublic school shall prescribe procedures, in accordance with the guidelines contained in the model policy developed by the department of public instruction in consultation with the department of human services, and adopted by the department of public instruction pursuant to chapter 17A, for the handling of reports of child abuse, as defined in section 232.68, subsection 2, paragraph "a", "b", or "d", alleged to have been committed by an employee or agent of the public or non-public school.

**Sec. 28. Section 321B.30, Code 1985, is amended to read as follows:  
321B.30 CIVIL PENALTY – VICTIM REPARATION FUND.**

When the department revokes a person's license or operating privilege under this chapter, the department shall assess the person a civil penalty of one hundred dollars. The money collected by the department under this section shall be transmitted to the treasurer of state who shall deposit the money in a separate fund dedicated to and used for the purposes of chapter 912, and for the operation of a missing person clearinghouse and domestic abuse registry by the department of public safety. A temporary restricted license shall not be issued or a license or privilege to drive reinstated until the civil penalty has been paid.

**Sec. 29. NEW SECTION. 694.10 MISSING PERSON INFORMATION CLEARINGHOUSE.**

1. As used in this section:

a. "Missing person" means a missing person as defined in 694.1 whose temporary or permanent residence is in Iowa, or is believed to be in Iowa, whose location has not been determined, and who has been reported as missing to a law enforcement agency.

b. "Missing person report" is a report prepared on a form designed by the department of public safety for use by private citizens and law enforcement agencies to report missing person information to the missing person information clearinghouse.

2. The department of public safety shall establish a statewide missing person information clearinghouse. In connection with the clearinghouse, the department shall:

a. Collect, process, maintain, and disseminate information concerning missing persons in Iowa.

b. Develop training programs for local law enforcement personnel concerning appropriate procedures to report missing persons to the clearinghouse and to comply with legal procedures relating to missing person cases.

c. Provide specialized training to law enforcement officers, in conjunction with the law enforcement academy, to enable the officers to more efficiently handle the tracking of missing persons and unidentified bodies on the local level.

d. Develop training programs to assist parents in avoiding child kidnapping.

e. Cooperate with other states and the national crime information center in efforts to locate missing persons.

f. Maintain a toll-free telephone line, available twenty-four hours a day, seven days a week, to receive and disseminate information related to missing persons.

g. Distribute monthly bulletins to all local law enforcement agencies and to media outlets which request missing person information, containing the names, photos, and descriptions of missing persons, information related to the events surrounding the disappearance of the missing persons, the law enforcement agency or person to contact if missing persons are located or if other relevant information is discovered relating to missing persons, and the names of persons reported missing whose locations have been determined and confirmed.



h. Produce, update at least weekly, and distribute public service announcements to media outlets which request missing person information, containing the same or similar information as contained in the monthly bulletins.

i. Encourage and seek both financial and in-kind support from private individuals and organizations in the production and distribution of clearinghouse bulletins and public service announcements under paragraphs "g" and "h".

j. Maintain a registry of approved prevention and education materials and programs regarding missing and runaway children.

k. Coordinate public and private programs for missing and runaway children.

3. A law enforcement agency shall submit all missing person reports compiled pursuant to section 694.3 and updated information relating to the reports to the clearinghouse.

4. Subsequent to the filing of a complaint of a missing person with a law enforcement agency pursuant to section 694.2, the person filing the complaint may submit information regarding the missing person to the clearinghouse. If the person reported missing is an unemancipated minor, any person may submit information regarding the missing unemancipated minor to the clearinghouse.

5. A person who has filed a missing person complaint with a law enforcement agency shall immediately notify that law enforcement agency when the location of the missing person has been determined.

6. After the location of a person reported missing to the clearinghouse has been determined and confirmed, the clearinghouse shall only release information described in subsection 2, paragraphs "g" and "h" concerning the located person. After the location of a missing person has been determined and confirmed, other information concerning the history of the missing person case shall be disclosed only to law enforcement officers of this state and other jurisdictions when necessary for the discharge of their official duties and to the juvenile court in the county of a formerly missing child's residence. All information relating to a missing person in the clearinghouse shall be purged when the person's location has been determined and confirmed, except that information relating to a missing child shall be purged when the child reaches eighteen years of age and the child's location has been determined and confirmed.

Sec. 30. The Code editor shall transfer sections 238.33 through 238.41 to chapter 232 as a new division before or after division VII.

Sec. 31. The amendments to sections 232.71, subsection 6 and 235A.19, subsection 2 in this Act apply to information entered in the central registry for child abuse information on or after the effective date of this Act.

Sec. 32. EFFECTIVE DATE. Section 27 of this Act takes effect January 1, 1987.

Sec. 33. PROSPECTIVE REPEAL. Sections 242.16 and 244.15 contained in sections 24 and 25 of this Act are repealed July 1, 1988. The advisory committees established in those sections shall report to the general assembly by January 1, 1988 their recommendations relating to the prospective repeal of sections 242.16 and 244.15.

Sec. 34. The Iowa merit employment department shall conduct a study to develop a model state employment policy for state employees who are parents of young children to be implemented no later than July 1, 1986. The study shall include an assessment of the costs and benefits of the implementation of the model state employment policy. The study shall draw on the experiences of other governmental units and private entities and shall review individual state employment policy components including but not limited to flexible working hours, use of sick time for necessary child care, on-site child day care, flexible benefit options, and use of employer and employee economic incentives for the provision of child day care. In developing

a realistic model state employment policy, the study shall attempt to combine individual components into an innovative benefit package for state employees who are parents of young children. The study shall include a recommendation concerning the costs and benefits of on-site child day care located at the state capitol complex in Des Moines and other appropriate sites around the state. The Iowa merit employment department shall complete the study and report its findings and recommendations to the legislative council and the general assembly by December 1, 1985.

**Sec. 35. MODEL POLICY FOR THE HANDLING OF CHILD ABUSE REPORTS.**

The department of public instruction, in consultation with the department of human services, shall develop a model policy for public and nonpublic schools, as defined in section 280.2, for the handling of reports of child abuse, as defined in section 232.68, subsection 2, paragraph "a", "b", or "d", alleged to have been committed by employees or agents of public or nonpublic schools. The departments shall jointly report the model policy to the general assembly by January 1, 1986. The department of public instruction shall adopt rules pursuant to chapter 17A to implement the model policy, and the rules shall be effective by January 1, 1987. The department of public instruction shall distribute the model policy to the public and nonpublic schools.

Approved May 23, 1985

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**CHAPTER 174**

**PROTECTION OF VICTIMS AND WITNESSES**

*H.F. 462*

**AN ACT** relating to the protection of victims and witnesses in judicial proceedings, and providing penalties.

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

Section 1. Section 235A.15, subsection 2, Code 1985, is amended by adding the following new paragraph:

**NEW PARAGRAPH. 1.** To the department of public safety for the sole purpose of the filing of a claim for reparation pursuant to section 910A.5 and section 912.4, subsections 3, 4, and 5.

**Sec. 2. NEW SECTION. 802.2 SEXUAL ABUSE OF CHILD.**

An information or indictment for sexual abuse in the first, second or third degree committed on or with a child under the age of ten years shall be found within four years after its commission.

**Sec. 3. Section 802.3, Code 1985, is amended to read as follows:**

**802.3 FELONY – AGGRAVATED OR SERIOUS MISDEMEANOR.**

In all cases, except those enumerated in ~~section~~ sections 802.1 and 802.2, an indictment or information for a felony or aggravated or serious misdemeanor shall be found within three years after its commission.