

222.16 Petition for adjudication of mental retardation.

A petition for the adjudication of the mental retardation of a person within the meaning of this chapter may, with the permission of the court, be filed without fee against a person with the clerk of the district court of the county or city in which the person who is alleged to have mental retardation resides or is found. The petition may be filed by any relative of the person, by a guardian, or by any reputable citizen of the county where the person who is alleged to have mental retardation resides or is found.

Commitment of a person pursuant to section 222.31 does not constitute a finding or raise a presumption that the person is incompetent to vote. The court shall make a separate determination as to the person's competency to vote. The court shall find a person incompetent to vote only upon determining that the person lacks sufficient mental capacity to comprehend and exercise the right to vote.

[C24, 27, 31, 35, 39, § **3413**; C46, 50, 54, 58, 62, § 222.3; C66, 71, 73, 75, 77, 79, 81, § 222.16]

96 Acts, ch 1129, §44; 98 Acts, ch 1185, §6