

House Amendment 1065

PAG LIN

1 1 Amend House File 481 as follows:
1 2 #1. Page 1, by inserting before line 1 the
1 3 following:
1 4 <Section 1. Section 232.2, subsection 12, Code
1 5 2003, is amended by adding the following new
1 6 paragraph:
1 7 NEW PARAGRAPH. d. The violation of section 299.6
1 8 by a child twelve years of age or older.
1 9 Sec. _____. Section 232.22, subsection 8, Code 2003,
1 10 is amended to read as follows:
1 11 8. Notwithstanding any other provision of the Code
1 12 to the contrary, a child shall not be placed in
1 13 detention for a violation of section 123.47 or 299.6,
1 14 or for failure to comply with a dispositional order
1 15 which provides for performance of community service
1 16 for a violation of section 123.47 or 299.6.>
1 17 #2. Page 1, by inserting after line 15 the
1 18 following:
1 19 <Sec. _____. Section 299.5A, unnumbered paragraph 4,
1 20 Code 2003, is amended to read as follows:
1 21 The school district shall be responsible for
1 22 monitoring any agreements arrived at through
1 23 mediation. If a parent, guardian, or legal or actual
1 24 custodian, or the child if the child is twelve years
1 25 of age or older, refuses to engage in mediation or
1 26 violates a term of the agreement, the matter shall be
1 27 rereferred to the county attorney for prosecution
1 28 under section 299.6. The county attorney's office or
1 29 the mediation service shall require the parent,
1 30 guardian, or legal or actual custodian and the school
1 31 to pay a fee to help defray the administrative cost of
1 32 mediation services. The county attorney's office or
1 33 the mediation service shall establish a sliding scale
1 34 of fees to be charged parents, guardians, and legal or
1 35 actual custodians based upon ability to pay. A
1 36 parent, guardian, or legal or actual custodian shall
1 37 not be denied the services of a mediator solely
1 38 because of inability to pay the fee.
1 39 Sec. _____. Section 299.6, unnumbered paragraph 1,
1 40 Code 2003, is amended to read as follows:
1 41 Any person who violates a mediation agreement under
1 42 section 299.5A, who is referred for prosecution under
1 43 section 299.5A and is convicted of a violation of any
1 44 of the provisions of sections 299.1 through 299.5, who
1 45 violates any of the provisions of sections 299.1
1 46 through 299.5, or who refuses to participate in
1 47 mediation under section 299.5A, for a first offense,
1 48 is guilty of a simple misdemeanor. If a child twelve
1 49 years of age or older violates a mediation agreement
1 50 under section 299.5A, or refuses to participate in
2 1 mediation under section 299.5A, the child commits a
2 2 delinquent act.>
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2 6 _____
2 7 MASCHER of Johnson
2 8 HF 481.301 80
2 9 kh/cf