

REPRINTED

Reprinted 3/21/86

MAR 10 1986

Place On Calendar

HOUSE FILE 2422
BY COMMITTEE ON HUMAN RESOURCES

(Formerly House Study Bill 716)

Passed House, Date 3-18-86 (p. 870) Passed Senate, Date _____

Vote: Ayes 96 Nays 0 Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

- 1 An Act relating to the department of human services' authority to
- 2 investigate certain child sexual abuse cases and control
- 3 access to certain information in child abuse cases.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2422

H-5350

1 Amend House File 2422 as follows:

2 1. Page 1, by striking lines 17 through 22 and
3 inserting the following:

4 "Sec. 2. Section 235A.15, subsection 2, paragraph
5 "f", Code Supplement 1985, is amended to read as
6 follows:

7 f. To a person conducting bona fide research on
8 child abuse, ~~if the details identifying any subject of~~
9 ~~a child abuse report are deleted~~ but without
10 information identifying individuals named in a child
11 abuse report, unless having the information open to
12 review is essential to the research or evaluation and
13 the authorized registry official gives prior written
14 approval and the child's guardian or guardian ad litem
15 gives permission to release the information."

BY MULLINS of Kossuth
HAMMOND of Story

H-5350 FILED MARCH 17, 1986

Adopted 3/18 (p. 870)

HF 2422

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1 Section 1. Section 232.68, subsection 2, paragraphs b and
2 d, Code Supplement 1985, are amended to read as follows:

3 b. The commission of any a sexual offense with or to a
4 child pursuant to chapter 709, section 726.2, or section
5 728.12, subsection 1, as a result of the acts or omissions of
6 the person responsible for the care of the child.

7 Notwithstanding section 702.5, the commission of a sexual
8 offense under this paragraph includes any sexual offense
9 referred to in this paragraph with or to a person under the
10 age of eighteen years.

11 d. The acts or omissions of a person responsible for the
12 care of a child which allow, permit, or encourage the child to
13 engage in prostitution acts prohibited pursuant to section
14 725.1. Notwithstanding section 702.5, acts or omissions under
15 this paragraph include an act or omission referred to in this
16 paragraph with or to a person under the age of eighteen years.

5350 17 Sec. 2. Section 235A.15, subsection 2, paragraph h, Code
18 Supplement 1985, is amended to read as follows:

19 h. To registry or department personnel where if necessary
20 for them to the performance of perform their official duties,
21 or to a person or agency under contract with the department to
22 carry out official duties of the registry.

23 EXPLANATION

24 This bill specifies that child abuse includes the
25 commission of any specified sexual offense or act or omission
26 encouraging prostitution with, to, or of a child under the age
27 of eighteen. The bill also grants access to child abuse
28 information, other than unfounded child abuse information, to
29 persons or agencies under contract with the department of
30 human services to carry out official duties of the child abuse
31 registry.

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Sen. Hanna ~~Bill~~ 3/21 Do Pass 3/26 (p. 867)

HOUSE FILE 2422

BY COMMITTEE ON HUMAN RESOURCES

(As Amended and Passed by the House March 18, 1986)

Passed House, Date 3-18-86 (p. 870) Passed Senate, Date 4-2-86 (p. 1003)

Vote: Ayes 96 Nays 0 Vote: Ayes 43 Nays 0

Approved May 2, 1986 (p. 2320)
Motion to reconsider (p. 1004) w/d 4/18

A BILL FOR

- 1 An Act relating to the department of human services' authority to
- 2 investigate certain child sexual abuse cases and control
- 3 access to certain information in child abuse cases.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2422

S-5577

- 1 Amend House File 2422, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 24, by inserting after the word
- 4 "and" the following: "the juvenile court authorizes
- 5 the access or".

S-5577 Filed April 3, 1986
BY COLEMAN

Placed o/o 4/18 (p. 1291)

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7 Notwithstanding section 702.5, the commission of a sexual
8 offense under this paragraph includes any sexual offense
9 referred to in this paragraph with or to a person under the
10 age of eighteen years.

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12 care of a child which allow, permit, or encourage the child to
13 engage in prostitution acts prohibited pursuant to section
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15 this paragraph include an act or omission referred to in this
16 paragraph with or to a person under the age of eighteen years.

17 Sec. 2. Section 235A.15, subsection 2, paragraph "f", Code
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19 f. To a person conducting bona fide research on child
20 abuse, if-the-details-identifying-any-subject-of-a-child-abuse
21 report-are-deleted but without information identifying
22 individuals named in a child abuse report, unless having the
23 information open to review is essential to the research or
24 evaluation and the authorized registry official gives prior
25 written approval and the child's guardian or guardian ad litem
26 gives permission to release the information.

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Human Resources: Hammond, Chair; Clark, Fey, Mullins and Teaford.

HUMAN RESOURCES

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NF 2422

SENATE HOUSE FILE 2422
BY (PREFILED DEPARTMENT OF
HUMAN SERVICES BILL)

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

A BILL FOR

1 An Act relating to the department of human services' authority to
2 investigate certain child sexual abuse cases and control
3 access to certain information in child abuse cases.

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

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5 728.12, subsection 1, as a result of the acts or omissions of
6 the person responsible for the care of the child.

7 Notwithstanding section 702.5, the commission of a sexual
8 offense under this paragraph includes any sexual offense
9 referred to in this paragraph with or to a person under the
10 age of eighteen years.

11 d. The acts or omissions of a person responsible for the
12 care of a child which allow, permit, or encourage the child to
13 engage in prostitution acts prohibited pursuant to section
14 725.1. Notwithstanding section 702.5, acts or omissions under
15 this paragraph include an act or omission referred to in this
16 paragraph with or to a person under the age of eighteen years.

17 Sec. 2. Section 235A.15, subsection 2, paragraph h, Code
18 Supplement 1985, is amended to read as follows:

19 h. To registry or department personnel where if necessary
20 for them to the-performance-of perform their official duties,
21 or to a person or agency under contract with the department to
22 carry out official duties of the registry.

23 EXPLANATION

24 This bill specifies that child abuse includes the
25 commission of any specified sexual offense or act or omission
26 encouraging prostitution with, to, or of a child under the age
27 of eighteen. The bill also grants access to child abuse
28 information, other than unfounded child abuse information, to
29 persons or agencies under contract with the department of
30 human services to carry out official duties of the child abuse
31 registry.

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HOUSE FILE 2422

AN ACT

RELATING TO THE DEPARTMENT OF HUMAN SERVICES' AUTHORITY TO
INVESTIGATE CERTAIN CHILD SEXUAL ABUSE CASES AND CONTROL
ACCESS TO CERTAIN INFORMATION IN CHILD ABUSE CASES.

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

Section 1. Section 232.68, subsection 2, paragraphs b and
d, Code Supplement 1985, are amended to read as follows:

b. The commission of any a sexual offense with or to a
child pursuant to chapter 709, section 726.2, or section
728.12, subsection 1, as a result of the acts or omissions of
the person responsible for the care of the child.

Notwithstanding section 702.5, the commission of a sexual
offense under this paragraph includes any sexual offense
referred to in this paragraph with or to a person under the
age of eighteen years.

d. The acts or omissions of a person responsible for the
care of a child which allow, permit, or encourage the child to
engage in prostitution acts prohibited pursuant to section
725.1. Notwithstanding section 702.5, acts or omissions under
this paragraph include an act or omission referred to in this
paragraph with or to a person under the age of eighteen years.

Sec. 2. Section 235A.15, subsection 2, paragraph f, Code
Supplement 1985, is amended to read as follows:

f. To a person conducting bona fide research on child
abuse, ~~if the details identifying any subject of a child abuse
report are deleted~~ but without information identifying
individuals named in a child abuse report, unless having the
information open to review is essential to the research or
evaluation and the authorized registry official gives prior

written approval and the child's guardian or guardian ad litem
gives permission to release the information.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 2422, Seventy-first General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 2, 1986

TERRY E. BRANSTAD
Governor