

FEB 15 1996  
JUDICIARY

HOUSE FILE 2217  
BY TYRRELL

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to assistance in the initiation of contempt  
2 proceedings by the county attorney against a person for  
3 willfully disobeying the visitation provisions of a temporary  
4 order or final dissolution decree.

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

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1188-114

1 Section 1. NEW SECTION. 598.23B VISITATION -- INITIATION  
2 OF ACTIONS BY COUNTY ATTORNEY.

3 Upon request, a county attorney's office shall provide  
4 assistance to a person wishing to initiate a contempt  
5 proceeding under this chapter, against a person who willfully  
6 disobeys the visitation provisions of the order or decree.  
7 The assistance provided may include, but is not limited to,  
8 assistance in obtaining or completing forms, filing a petition  
9 or other necessary pleading, presenting evidence to the court,  
10 and enforcing the orders of the court entered pursuant to this  
11 chapter. Providing assistance pursuant to this section shall  
12 not be considered the private practice of law for the purposes  
13 of section 331.752.

14 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
15 3, shall does not apply to this Act.

16 EXPLANATION

17 This bill provides for the assistance of a county attorney,  
18 upon the request of a person, to initiate a contempt  
19 proceeding against a person who willfully disobeys the  
20 visitation provisions of a temporary order or final  
21 dissolution decree. The bill also provides that the  
22 assistance is not considered the private practice of law which  
23 is prohibited under section 331.752 for full-time and part-  
24 time county attorneys.

25 This bill may include a state mandate as defined in section  
26 25B.3. This bill makes inapplicable section 25B.2, subsection  
27 3, which would relieve a political subdivision for complying  
28 with a state mandate if funding for the cost of the state  
29 mandate is not provided or specified. Therefore, political  
30 subdivisions are required to comply with any state mandate  
31 included in this bill.

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