

MAR 10 1995

JUDICIARY

HOUSE FILE 341

BY KREMER

WITHDRAWN 1-17-96

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to juvenile justice by providing for notification  
2 of school officials of alcoholic beverage violations and  
3 prohibiting a juvenile from operating a motor vehicle in  
4 certain circumstances.

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

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WITHDRAWN

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HF 341

1 Section 1. Section 123.47B, Code 1995, is amended to read  
2 as follows:

3 123.47B PARENTAL AND SCHOOL NOTIFICATION -- PERSONS UNDER  
4 EIGHTEEN YEARS OF AGE.

5 A peace officer shall make a reasonable effort to identify  
6 a person under the age of eighteen discovered to be in  
7 possession of alcoholic liquor, wine, or beer in violation of  
8 section 123.47 and if the person is not referred to juvenile  
9 court, the law enforcement agency of which the peace officer  
10 is an employee shall make a reasonable attempt to notify the  
11 person's custodial parent or legal guardian of such  
12 possession, whether or not the person is arrested or a  
13 citation is issued pursuant to section 805.16, unless the  
14 officer has reasonable grounds to believe that such  
15 notification is not in the best interests of the person or  
16 will endanger that person. If the person is taken into  
17 custody, the peace officer shall make a reasonable effort to  
18 identify the elementary or secondary school the person  
19 attends, if any, and to notify the superintendent of the  
20 school district or the superintendent's designee, or the  
21 authorities in charge of the nonpublic school of the taking  
22 into custody. A juvenile court officer may also notify the  
23 superintendent of the school district or the superintendent's  
24 designee, or the authorities in charge of the nonpublic school  
25 of the taking into custody. A reasonable attempt to notify  
26 the person includes but is not limited to a telephone call or  
27 notice by first class mail.

28 Sec. 2. Section 232.29, Code 1995, is amended by adding  
29 the following new subsection:

30 NEW SUBSECTION. 3. The person performing the duties of  
31 intake officer shall notify the superintendent of the school  
32 district or the superintendent's designee, or the authorities  
33 in charge of the nonpublic school which the child attends, of  
34 any informal adjustment regarding the child for an act which  
35 would be an indictable offense if committed by an adult.

1     Sec. 3. Section 232.52, subsection 2, paragraph a, Code  
2 1995, is amended by adding the following new subparagraph:  
3     NEW SUBPARAGRAPH. (5) That the child is prohibited from  
4 operating a motor vehicle for a specified period of time or  
5 under specific circumstances. The court shall notify the  
6 state department of transportation of the order prohibiting  
7 the child from operating.

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## EXPLANATION

9     This bill provides that a law enforcement agency taking a  
10 juvenile into custody for a violation of chapter 123 regarding  
11 alcoholic beverages shall attempt to notify the public school  
12 district or nonpublic school authorities in charge of the  
13 school which the juvenile attends. The bill also provides  
14 that the juvenile court may enter a dispositional order  
15 following the adjudication of a juvenile as a delinquent  
16 prohibiting the juvenile from operating a motor vehicle for a  
17 specific period or under certain circumstances. Further, the  
18 bill provides that intake officers will notify school  
19 officials of an informal adjustment agreement entered into by  
20 a juvenile for a delinquent act which would be an indictable  
21 offense.

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