

MAR 16 1995

JUDICIARY

HOUSE FILE 458

BY HARRISON

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

A BILL FOR

1 An Act relating to establishing penalties for providing aid,
 2 support, or shelter to a runaway or truant.

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

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HF 458

1 Section 1. Section 299.6, unnumbered paragraph 1, Code
2 1995, is amended to read as follows:

3 Any A person who violates a mediation agreement under
4 section 299.5A, who is referred for prosecution under section
5 299.5A and is convicted of a violation of any of the
6 provisions of sections 299.1 through 299.5, who violates any
7 of the provisions of sections 299.1 through 299.5, or who
8 refuses to participate in mediation under section 299.5A, for
9 a first offense, is guilty of a simple misdemeanor. A person
10 who violates a provision of section 299.17, for a first
11 offense, is guilty of a simple misdemeanor.

12 Sec. 2. NEW SECTION. 299.17 AID, SUPPORT, OR SHELTER OF
13 TRUANT PROHIBITED.

14 A person other than a child's parent, guardian, legal or
15 actual custodian, or other responsible adult relative shall
16 not knowingly provide aid, support, or shelter during the
17 school day to a child who is truant as defined in section
18 299.8. A person or a charitable organization providing
19 shelter care services to at-risk children is exempt from this
20 provision.

21 Sec. 3. Section 710.8, subsection 2, Code 1995, is amended
22 to read as follows:

23 2. A person shall not harbor a runaway child with the in-
24 tent of committing a criminal act involving the child or with
25 the intent of enticing or forcing the runaway child to commit
26 a criminal act. A person convicted of a violation of this
27 subsection is guilty of an aggravated misdemeanor.

28 Sec. 4. Section 710.8, subsection 3, Code 1995, is amended
29 by striking the subsection and inserting in lieu thereof the
30 following:

31 3. A person other than a child's parent, guardian, legal
32 or actual custodian, or other responsible adult relative shall
33 not harbor a runaway child. A person or a charitable
34 organization providing shelter care services to at-risk
35 children is exempt from this provision. A person convicted of

1 a violation of this subsection is guilty of a simple
2 misdemeanor.

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EXPLANATION

4 The bill provides penalties for providing aid, support, or
5 shelter to runaway or truant children.

6 Under the bill, a person other than the child's parent,
7 guardian, or legal or actual custodian, or other responsible
8 adult relative who knowingly provides aid, support, or shelter
9 to a runaway, or to a child who is truant during the school
10 day, is guilty of a single misdemeanor for the first offense.
11 A person or a charitable organization providing shelter care
12 services to at-risk children is exempt from these provisions.
13 Punishments and fines are provided for in the bill.

14 The Code defines a runaway child as a person under 18 years
15 of age who is voluntarily absent from the person's home
16 without the consent of the parent, guardian, or custodian.

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