

FEB 20 1998  
HUMAN RESOURCES

HOUSE FILE 2378  
BY HOUSER

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

**A BILL FOR**

1 An Act relating to injunctions restraining the provision of child  
2 day care.

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

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HF 2378

1 Section 1. Section 237A.20, Code 1997, is amended to read  
2 as follows:

3 237A.20 INJUNCTION.

4 A person who establishes, conducts, manages, or operates a  
5 center without a license or a group day care home without a  
6 certificate of registration may be restrained by temporary or  
7 permanent injunction. A person who has been convicted of a  
8 crime against a person or a person with a record of founded  
9 child abuse may be restrained by temporary or permanent  
10 injunction from providing unregistered, registered, or  
11 licensed child day care. The action may be instituted by the  
12 state, the county attorney, a political subdivision of the  
13 state, or an interested person. A person authorized to  
14 institute an action under this section who acts in good faith  
15 shall have immunity from any civil or criminal liability that  
16 might be incurred or imposed relating to instituting or  
17 prosecuting the action.

18 EXPLANATION

19 This bill relates to injunctions restraining the provision  
20 of child day care. Code section 237A.20, relating to these  
21 injunctions for provision of child day care without a required  
22 license or registration or for violation of other  
23 prohibitions, is amended. The amendment includes county  
24 attorneys in the listing of persons authorized to institute an  
25 action for an injunction. In addition, the bill provides  
26 civil and criminal immunity for authorized persons who act in  
27 good faith in instituting or prosecuting an action for an  
28 injunction.

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