

WITHDRAWN

FEB 27 1997

JUDICIARY

HOUSE FILE 385
BY GRUNDBERG

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

A BILL FOR

1 An Act relating to notification of school officials of citations
2 of juveniles for certain criminal offenses.

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

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HF 385

TLSB 2244HH 77
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WITHDRAWN

1 Section 1. Section 123.47B, Code 1997, 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 or is cited for possession of alcoholic liquor, wine,
18 or beer in violation of section 123.47, the peace officer
19 shall notify a juvenile court officer who shall make a
20 reasonable effort to identify the elementary or secondary
21 school the person attends, if any, and to notify the
22 superintendent of the school district or the superintendent's
23 designee, or the authorities in charge of the nonpublic school
24 of the taking into custody or the citation of the juvenile for
25 possession of alcoholic liquor, wine, or beer in violation of
26 section 123.47. A reasonable attempt to notify the person
27 includes but is not limited to a telephone call or notice by
28 first-class mail.

29 Sec. 2. Section 124.415, Code 1997, is amended to read as
30 follows:

31 124.415 PARENTAL AND SCHOOL NOTIFICATION -- PERSONS UNDER
32 EIGHTEEN YEARS OF AGE.

33 A peace officer shall make a reasonable effort to identify
34 a person under the age of eighteen discovered to be in
35 possession of a controlled substance, counterfeit substance,

1 or simulated controlled substance in violation of this chapter
2 or chapter 124A, and if the person is not referred to juvenile
3 court, the law enforcement agency of which the peace officer
4 is an employee shall make a reasonable attempt to notify the
5 person's custodial parent or legal guardian of such
6 possession, whether or not the person is arrested, unless the
7 officer has reasonable grounds to believe that such
8 notification is not in the best interests of the person or
9 will endanger that person. If the person is taken into
10 custody or is issued a citation for possession of a controlled
11 substance, counterfeit substance, or simulated controlled
12 substance in violation of chapter 124 or 124A, the peace
13 officer shall notify a juvenile court officer who shall make a
14 reasonable effort to identify the elementary or secondary
15 school the person attends, if any, and to notify the
16 superintendent of the school district, the superintendent's
17 designee, or the authorities in charge of the nonpublic school
18 of the taking into custody or the issuance of the citation to
19 the juvenile for possession of a controlled substance,
20 counterfeit substance, or simulated controlled substance. A
21 reasonable attempt to notify the person includes but is not
22 limited to a telephone call or notice by first-class mail.

23 EXPLANATION

24 This bill provides for the notification of school officials
25 by a peace officer if a juvenile under the age of 18 is issued
26 a citation for possession of alcoholic liquor, wine, or beer
27 in violation of Code section 123.47. This bill also provides
28 for the notification of school officials by a peace officer if
29 a juvenile is issued a citation for possession of a controlled
30 substance, counterfeit substance, or simulated controlled
31 substance.

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