

FILED FEB 19 1997

SENATE FILE 176
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 69)

Passed Senate, Date 3/4/97 (p. 461) Passed House, Date 4-10-97 (P. 1153)
Vote: Ayes 44 Nays 0 Vote: Ayes 97 Nays 0
Approved April 30, 1997

A BILL FOR

1 An Act relating to child sexual abuse reporting.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 176

1 Section 1. Section 232.69, subsection 1, unnumbered
2 paragraph 1, Code 1997, is amended to read as follows:

3 The ~~following~~ classes of persons enumerated in this
4 subsection shall make a report within twenty-four hours and as
5 provided in section 232.70, of cases of child abuse. In
6 addition, the classes of persons enumerated in this subsection
7 shall make a report of abuse of a child who is under twelve
8 years of age and may make a report of abuse of a child who is
9 twelve years of age or older, which would be defined as child
10 abuse under section 232.68, subsection 2, paragraph "c" or
11 "e", except that the abuse resulted from the acts or omissions
12 of a person other than a person responsible for the care of
13 the child.

14 Sec. 2. Section 232.71, Code 1997, is amended by adding
15 the following new subsection:

16 NEW SUBSECTION. 1A. If a report would be determined to
17 constitute an allegation of child abuse as defined under
18 section 232.68, subsection 2, paragraph "c" or "e", except
19 that the suspected abuse resulted from the acts or omissions
20 of a person other than a person responsible for the care of
21 the child, the department shall refer the report to the
22 appropriate law enforcement agency having jurisdiction to
23 investigate the allegation. The department shall refer the
24 report orally as soon as practicable and in writing within
25 seventy-two hours of receiving the report.

26 EXPLANATION

27 This bill relates to reporting of child sexual abuse.

28 Code section 232.69 is amended to require mandatory
29 reporters of child abuse to also report sexual abuse of a
30 child who is under 12 years which would be defined as child
31 abuse except that the abuse resulted from acts or omissions of
32 a person other than a person responsible for the care of the
33 child. The bill also authorizes a mandatory reporter to
34 report sexual abuse by this type of perpetrator of a child who
35 is 12 years of age or older. Under current law, a finding of

1 child abuse requires that the abuse results from the acts or
2 omissions of a "person responsible for the care of a child",
3 which is a defined term. The term includes a parent,
4 guardian, foster parent, child care provider, or other person
5 who assumes care or supervision of a child. The sexual abuse
6 required to be reported under the bill includes sexual abuse
7 under chapter 709, incest, involvement in prostitution, or
8 sexual exploitation of a minor.

9 Code section 232.71 is amended to require the department of
10 human services to refer reports of sexual abuse of a child
11 which result from the acts or omissions of a person other than
12 a person responsible for the care of a child to an appropriate
13 law enforcement agency. The referral must be made orally as
14 soon as practicable and in writing within 72 hours of
15 receiving the report.

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Tixman
Dearden
J. Black

SSB 69

Human Resources

Succeeded By
SF/HF 176

SENATE/HOUSE FILE _____
BY (PROPOSED ATTORNEY GENERAL
BILL)

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

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SENATE FILE 176

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RELATING TO CHILD SEXUAL ABUSE REPORTING.

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Section 1. Section 232.69, subsection 1, unnumbered paragraph 1, Code 1997, is amended to read as follows:

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MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 176, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate

Approved  1997

TERRY E. BRANSTAD
Governor