

3-6-97 *judicial*

FILED MAR 6 1997

SENATE FILE 324  
BY MADDOX

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

A BILL FOR

1 An Act relating to notification of school officials of persons  
2 under the age of eighteen who are identified as having  
3 possession of alcohol.

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

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S.F. 324

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. The peace officer shall also make  
17 a reasonable effort to identify the school which the person  
18 attends and may attempt to notify the superintendent or the  
19 superintendent's designee of the school which the person  
20 attends, or the authorities in charge of the nonpublic school  
21 which the person attends, of the possession. If the person is  
22 taken into custody, the peace officer shall notify a juvenile  
23 court officer who shall make a reasonable effort to identify  
24 the elementary or secondary school the person attends, if any,  
25 and to notify the superintendent of the school district or the  
26 superintendent's designee, or the authorities in charge of the  
27 nonpublic school, of the taking into custody. A reasonable  
28 attempt to notify the person includes but is not limited to a  
29 telephone call or notice by first-class mail.

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EXPLANATION

31 This bill authorizes peace officers who have identified a  
32 person under the age of 18 as being in possession of alcohol  
33 to identify the school which the person attends and notify  
34 school officials of the possession of alcohol, even if the  
35 peace officer does not arrest the person or issue the person a

1 citation.

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