

SENATE FILE 33
BY LUNDBY and MADDOX

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

A BILL FOR

1 An Act relating to runaway children, by defining when a child is
2 a chronic runaway, authorizing county runaway treatment plans,
3 providing for assessment and treatment procedures for chronic
4 runaways, and making an appropriation.

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

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1 Section 1. Section 232.2, Code 1997, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 6A. "Chronic runaway" means a child who
4 is reported to law enforcement as a runaway more than once in
5 any month or three or more times in any year.

6 Sec. 2. Section 232.19, subsection 1, paragraph c, Code
7 1997, is amended to read as follows:

8 c. By a peace officer ~~for the purpose of reuniting a child~~
9 ~~with the child's family or removing the child to a shelter~~
10 ~~care facility,~~ when the peace officer has reasonable grounds
11 to believe the child has run away from the child's parents,
12 guardian, or custodian, for the purposes of determining
13 whether the child shall be reunited with the child's parents,
14 guardian, or custodian, placed in shelter care, or, if the
15 child is a chronic runaway and the county has an approved
16 county runaway treatment, placed in a runaway assessment and
17 counseling center under section 232.196.

18 Sec. 3. NEW SECTION. 232.195 RUNAWAY TREATMENT PLAN.

19 A county may develop a runaway treatment plan to address
20 problems with chronic runaway children in the county. The
21 county shall submit the plan to the department of human
22 services for approval. The plan shall identify the problems
23 with chronic runaway children in the county and specific
24 solutions to be implemented by the county, including the
25 development of a runaway assessment and counseling center, and
26 may include a request for funding. The department may award
27 funds appropriated for this purpose to a county to implement
28 an approved county runaway treatment plan.

29 Sec. 4. NEW SECTION. 232.196 RUNAWAY ASSESSMENT AND
30 COUNSELING CENTER.

31 1. As part of a county runaway treatment plan under
32 section 232.195, a county may establish a runaway assessment
33 and treatment center. The center, if established, shall
34 provide services to assess a child who is referred to the
35 center for being a chronic runaway and intensive family

1 counseling services designed to address any problem causing
2 the child to run away.

3 2. a. If not sent home with the child's parent, guardian,
4 or custodian, a chronic runaway may be placed in a runaway
5 assessment and treatment center by the peace officer who takes
6 the child into custody under section 232.19, if the officer
7 believes it to be in the child's best interest after
8 consulting with the child's parent, guardian, or custodian. A
9 chronic runaway shall not be placed in a runaway assessment
10 and treatment center for more than forty-eight hours.

11 b. Within twenty-four hours of being placed in the center
12 the child shall be assessed by a center counselor to determine
13 the following:

14 (1) The reasons why the child is a runaway.

15 (2) Whether the initiation or continuation of child in
16 need of assistance or family in need of assistance proceedings
17 is appropriate.

18 c. As soon as practicable following the assessment, the
19 child and the child's parents, guardian, or custodian shall be
20 provided the opportunity for a counseling session to identify
21 the underlying causes of the runaway behavior and develop a
22 plan to address those causes.

23 d. A child shall be released from a runaway assessment and
24 treatment center to the child's parents, guardian, or
25 custodian not later than forty-eight hours after being placed
26 in the center unless the child is placed in shelter care under
27 section 232.21 or an order is entered under section 232.78. A
28 child whose parents, guardian, or custodian failed to attend
29 counseling at the center or who fails to take custody of the
30 child at the end of placement in the center may be the subject
31 of a child in need of assistance petition or such other order
32 as the juvenile court finds to be in the child's best
33 interest.

34 Sec. 5. APPROPRIATION. There is appropriated from the
35 general fund of the state to the department of human services

1 for the fiscal year beginning July 1, 1997, and ending June
2 30, 1998, the following amount, or so much thereof as is
3 necessary, to be used for the purpose designated:

4 For assistance to counties which are implementing a county
5 runaway treatment plan under section 232.195:

6 \$ 6,000,000

7 EXPLANATION

8 This bill provides for the development of county plans to
9 address problems regarding chronic runaway children and
10 provides an appropriation.

11 The bill defines chronic runaway as a juvenile who is
12 reported to law enforcement as a runaway more than once in any
13 month or three or more times in any year which consists of 12
14 consecutive months per Code section 4.1, subsection 40. The
15 bill authorizes a peace officer to take a juvenile into
16 custody to determine whether the juvenile should be returned
17 home or placed in shelter care or in a runaway assessment and
18 counseling center. A county may develop a runaway assessment
19 and counseling center as part of a plan to address the
20 problems of runaways in the county. A county which develops
21 such a plan may apply to the department of human services for
22 funding from a \$6 million appropriation made in the bill for
23 that purpose.

24 A runaway assessment and treatment center shall provide
25 services to assess and address the problem causing a juvenile
26 to run away from home. A juvenile may not be held in a center
27 for more than 48 hours. The juvenile and the juvenile's
28 parents are to have a short counseling session to address the
29 problem causing the running away prior to the juvenile being
30 released from the center. Failure to attend counseling may
31 lead to the filing of a child in need of assistance petition.

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