

Senate Study Bill 69

Bill Text

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1 1 Section 1. Section [232.69](#), subsection 1, unnumbered
1 2 paragraph 1, Code 1997, is amended to read as follows:
1 3 The

~~following~~

~~classes of persons enumerated in this~~

1 4 ~~subsection~~ shall make a report within twenty-four hours and as
1 5 provided in section 232.70, of cases of child abuse

~~In~~

1 6 ~~addition, the classes of persons enumerated in this subsection~~
1 7 ~~shall make a report of abuse of a child who is under twelve~~
1 8 ~~years of age and may make a report of abuse of a child who is~~
1 9 ~~twelve years of age or older, which would be defined as child~~
1 10 ~~abuse under section 232.68, subsection 2, paragraph "c" or~~
1 11 ~~"e", except that the abuse resulted from the acts or omissions~~
1 12 ~~of a person other than a person responsible for the care of~~
1 13 ~~the child.~~

1 14 Sec. 2. Section [232.71](#), Code 1997, is amended by adding
1 15 the following new subsection:

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

1 26 EXPLANATION

1 27 This bill relates to reporting of child sexual abuse.

1 28 Code section 232.69 is amended to require mandatory
1 29 reporters of child abuse to also report sexual abuse of a
1 30 child who is under 12 years which would be defined as child
1 31 abuse except that the abuse resulted from acts or omissions of
1 32 a person other than a person responsible for the care of the
1 33 child. The bill also authorizes a mandatory reporter to
1 34 report sexual abuse by this type of perpetrator of a child who
1 35 is 12 years of age or older. Under current law, a finding of
2 1 child abuse requires that the abuse results from the acts or
2 2 omissions of a "person responsible for the care of a child",
2 3 which is a defined term. The term includes a parent,
2 4 guardian, foster parent, child care provider, or other person
2 5 who assumes care or supervision of a child. The sexual abuse
2 6 required to be reported under the bill includes sexual abuse
2 7 under chapter 709, incest, involvement in prostitution, or
2 8 sexual exploitation of a minor.

2 9 Code section 232.71 is amended to require the department of
2 10 human services to refer reports of sexual abuse of a child
2 11 which result from the acts or omissions of a person other than
2 12 a person responsible for the care of a child to an appropriate
2 13 law enforcement agency. The referral must be made orally as
2 14 soon as practicable and in writing within 72 hours of
2 15 receiving the report.

2 16 LSB 1120DP 77
2 17 jp/cf/24