

FILED FEB 20 2002

SENATE FILE 2263
BY McCOY

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

A BILL FOR

1 An Act creating a criminal offense for leaving an unattended or
2 not properly supervised child in a motor vehicle, and
3 publicizing the hazards of leaving a child in a motor vehicle
4 and providing a penalty.

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

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SF 2263
HUMAN RESOURCES

1 Section 1. NEW SECTION. 321.8A UNATTENDED OR NOT
2 PROPERLY SUPERVISED CHILD IN A MOTOR VEHICLE -- PUBLICATION.

3 The department shall provide information to the public
4 concerning the hazards of leaving a child unattended or not
5 properly supervised in a motor vehicle. The department is
6 encouraged to include such information in the publication
7 distributed pursuant to section 321.15.

8 Sec. 2. NEW SECTION. 321.276 UNATTENDED OR NOT PROPERLY
9 SUPERVISED CHILD IN A MOTOR VEHICLE.

10 A person shall not leave a child six years of age or
11 younger in a motor vehicle unattended or under the supervision
12 of a person who is eleven years of age or younger. A person
13 does not violate this section if the person can maintain
14 visual contact with the child. A person who violates this
15 section commits a simple misdemeanor punishable as a scheduled
16 violation under section 805.8A, subsection 14, paragraph "j".

17 Sec. 3. Section 602.8108, subsection 2, Code Supplement
18 2001, is amended to read as follows:

19 2. Except as otherwise provided, the clerk of the district
20 court shall report and submit to the state court
21 administrator, not later than the fifteenth day of each month,
22 the fines and fees received during the preceding calendar
23 month. Except as provided in subsections 4, and 5, and 6, the
24 state court administrator shall deposit the amounts received
25 with the treasurer of state for deposit in the general fund of
26 the state. The state court administrator shall report to the
27 legislative fiscal bureau within thirty days of the beginning
28 of each fiscal quarter the amount received during the previous
29 quarter in the account established under this section.

30 Sec. 4. Section 602.8108, Code Supplement 2001, is amended
31 by adding the following new subsection:

32 NEW SUBSECTION. 7. The state court administrator shall
33 allocate fifty percent of the fines and fees attributable to a
34 violation of section 321.276 to the state department of
35 transportation to be used as provided in section 321.8A.

1 Sec. 5. Section 805.8A, subsection 14, Code Supplement
2 2001, is amended by adding the following new paragraph:
3 NEW PARAGRAPH. j. UNATTENDED CHILD IN A MOTOR VEHICLE.
4 For a violation under section 321.276, the scheduled fine is
5 one hundred dollars.

6 EXPLANATION

7 This bill creates a criminal offense for leaving an
8 unattended or not properly supervised child in a motor
9 vehicle.

10 The bill provides that a person shall not leave a child in
11 a motor vehicle unattended or under the supervision of a
12 person who is 11 years of age or younger. A person who is
13 able to maintain visual contact with the child in the motor
14 vehicle does not violate the bill.

15 The bill provides that a person who violates the bill
16 commits a simple misdemeanor subject to a scheduled fine of
17 \$100.

18 The bill provides that 50 percent of the fines and fees
19 collected for a violation of this bill shall be used by the
20 department of transportation to publicize the hazards of
21 leaving an unattended or not properly supervised child in a
22 motor vehicle.

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