

FEB 11 2004
HUMAN RESOURCES

HOUSE FILE 2211
BY STEVENS

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

A BILL FOR

1 An Act providing for grandparent or other relative visitation
2 under certain circumstances with a child adjudicated as a
3 child in need of assistance.

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

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HF 2211

1 Section 1. Section 232.102, Code Supplement 2003, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 13. Unless prohibited by the court order
4 transferring custody of the child for placement or other court
5 order or the department or agency that received the custody
6 transfer finds that allowing the visitation would not be in
7 the child's best interest, the department or agency may
8 authorize reasonable visitation with the child by the child's
9 grandparent, great-grandparent, or other adult relative who
10 has established a substantial relationship with the child.
11 The visitation shall not be authorized for a grandparent or
12 great-grandparent whose petition for visitation under section
13 598.35 has been denied. If visitation with the grandparent,
14 great-grandparent, or other relative was authorized by court
15 order prior to removal of the child, a visitation
16 authorization under this subsection shall comply with the
17 court order.

18 EXPLANATION

19 This bill provides for grandparent or other relative
20 visitation under certain circumstances with a child
21 adjudicated as a child in need of assistance.

22 The bill amends Code section 232.102, relating to
23 disposition orders for children found to be in need of
24 assistance. The amendment allows the department of human
25 services or private agency to which custody of the child has
26 been transferred to allow the child's grandparent or other
27 adult relative to have visitation. The visitation may be
28 prohibited by the court order for the child's removal and may
29 not be allowed if the department or agency finds the
30 visitation is not in the child's best interest. In addition,
31 authorizing the visitation is prohibited when the grandparent
32 or great-grandparent has petitioned for visitation under Code
33 section 598.35 and the petition has been denied. If a court
34 order entered prior to removal of the child authorized
35 visitation by the child's grandparent, great-grandparent, or

1 other relative, an authorization for visitation during the
2 out-of-home placement must comply with that order.

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