

MAR 18 2003  
Place On Calendar

HOUSE FILE 610  
BY COMMITTEE ON HUMAN RESOURCES  
(SUCCESSOR TO HF 320)

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

**A BILL FOR**

1 An Act relating to child abuse reporting by providing for a  
2 report to be made to a local law enforcement agency.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 610

1 Section 1. Section 232.68, Code 2003, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 5A. "Local law enforcement agency" means  
4 the law enforcement agency of the local governmental  
5 subdivision where a child suspected of having suffered abuse  
6 is believed to be present.

7 Sec. 2. Section 232.70, subsection 3, Code 2003, is  
8 amended to read as follows:

9 3. The oral report shall be made by telephone or otherwise  
10 to the department of human services. If the person making the  
11 report has reason to believe that immediate protection for the  
12 child is advisable or it appears that there is an immediate  
13 threat or high risk to the child's safety, that person shall  
14 also immediately make an oral report to an-appropriate the  
15 local law enforcement agency.

16 Sec. 3. Section 232.70, Code 2003, is amended by adding  
17 the following new subsection:

18 NEW SUBSECTION. 10. Upon receiving a child abuse report,  
19 a local law enforcement agency shall make a determination  
20 whether or not immediate action may be necessary for  
21 protection of the child. If it is determined that immediate  
22 action may be necessary, the agency shall immediately attempt  
23 to interview or observe the child. If it is determined that  
24 immediate action is not necessary but the child may be in need  
25 of protection, the agency shall attempt to interview or  
26 observe the child at the earliest practical time or shall  
27 refer the report to the department along with information as  
28 to any response made by the agency. The primary purpose of  
29 the law enforcement agency in responding to a report shall be  
30 to protect the child named in the report. The secondary  
31 purpose of the law enforcement agency in responding to a  
32 report is to perform any criminal investigation that is  
33 warranted.

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EXPLANATION

35 This bill relates to child abuse reporting requirements for

1 a report to be made to a local law enforcement agency.

2 Current law allows a mandatory reporter to report child  
3 abuse to the department of human services orally, in writing,  
4 or both. Current law directs a mandatory reporter to also  
5 make an oral report to law enforcement when the reporter has  
6 reason to believe that immediate protection for the child is  
7 advisable. The bill adds new requirements for making an  
8 immediate report to law enforcement when it appears there is  
9 immediate threat or high risk to the child's safety. "Local  
10 law enforcement agency" is defined by the bill as the law  
11 enforcement agency of the local governmental subdivision where  
12 the child suspected of having suffered abuse is believed to be  
13 present.

14 Upon receiving a child abuse report, the bill directs a  
15 local law enforcement agency to determine whether or not  
16 immediate action may be needed to protect the child. If it is  
17 determined that immediate action may be necessary, the agency  
18 is required to immediately attempt to interview or observe the  
19 child. If it is determined that immediate action is not  
20 necessary but the child may be in need of protection, the  
21 agency is required to attempt to interview or observe the  
22 child at the earliest practical time or to refer the report to  
23 the department along with information as to any response made  
24 by the agency. The primary purpose of the law enforcement  
25 agency in responding to a report is to protect the child named  
26 in the report. The secondary purpose of the law enforcement  
27 agency in responding to a report is to perform any criminal  
28 investigation that is warranted.

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