

FEB 9 2006
HUMAN RESOURCES

HOUSE FILE 2329
BY BERRY

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

A BILL FOR

1 An Act relating to child abuse reporting requirements involving a
2 child sharing a residence with a person required to register
3 as a sex offender.

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

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HF 2329

1 Section 1. Section 232.68, subsection 2, paragraph i, Code
2 Supplement 2005, is amended to read as follows:

3 i. ~~Cohabitation-with-a-person-on-the-sex-offender-registry~~
4 ~~under-chapter-692A-in-violation-of-section-726.6.~~ The person
5 responsible for the care of the child allows an individual who
6 the person knows is required to register as a sex offender
7 under chapter 692A to share a residence with the child. For
8 the purposes of this paragraph, "residence" means the same as
9 defined in section 692A.1. This paragraph is applicable
10 without regard to the length of time or continuity of the
11 sharing of the residence. However, this paragraph is not
12 applicable if the individual required to register as a sex
13 offender is a child or minor over whom the person responsible
14 for the care of a child has custody or control, or if the
15 individual is married to and residing with the person.

16 EXPLANATION

17 This bill relates to child abuse reporting requirements
18 involving a child sharing a residence with a person required
19 to register as a sex offender by amending an element of the
20 definition of child abuse in Code section 232.68. This
21 definition is used for reporting of child abuse and
22 assessments of reports by the department of human services.
23 The element amended by the bill provides that cohabitation
24 with a person on the sex offender registry under Code chapter
25 692A in violation of Code section 726.6, relating to child
26 endangerment, is child abuse.

27 The bill is directed to the person responsible for the care
28 of the child, a defined term meaning the parent, guardian,
29 foster parent, relative or other person with whom the child
30 resides, or other persons providing care for the child. The
31 bill provides that it is child abuse if a person responsible
32 for the care of a child allows an individual who the person
33 knows is required to register as a sex offender to share a
34 residence with the child. An exception to the definition,
35 similar to the exception in the child endangerment law in Code

1 section 726.6, provides that child abuse does not include an
2 individual required to register as a sex offender if the
3 individual is a child or minor over whom the person
4 responsible for the care of a child has custody or control, or
5 if the individual is married to and residing with the person.

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