

Senate File 2212 - Introduced

SENATE FILE _____
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3122)

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

A BILL FOR

1 An Act relating to determinations in child in need of assistance
2 proceedings, and modifying circumstances for termination of
3 parental rights.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5975SV 82
6 jm/nh/5

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1 1 Section 1. Section 232.102, subsection 12, paragraph c,
1 2 Code Supplement 2007, is amended to read as follows:
1 3 c. The parent's parental rights have been terminated under
1 4 section 232.116 or terminated by an order of a court of
1 5 competent jurisdiction in another state with respect to
1 6 another child who is a member of the same family, and there is
1 7 clear and convincing evidence to show that the offer or
1 8 receipt of services would not be likely within a reasonable
1 9 period of time to correct the conditions which led to the
1 10 child's removal.
1 11 Sec. 2. Section 232.116, subsection 1, paragraph g,
1 12 subparagraph (2), Code Supplement 2007, is amended to read as
1 13 follows:
1 14 (2) The court has terminated parental rights pursuant to
1 15 section 232.117 with respect to another child who is a member
1 16 of the same family or a court of competent jurisdiction in
1 17 another state has entered an order terminating parental rights
1 18 with respect to another child who is a member of the same
1 19 family.

EXPLANATION

1 20 This bill modifies aggravated circumstance determinations
1 21 in child in need of assistance proceedings and circumstances
1 22 for termination of parental rights.
1 23 Under the bill, in child in need of assistance proceedings,
1 24 if the juvenile court finds that the parent's parental rights
1 25 have been terminated by an order of a court of competent
1 26 jurisdiction in another state with respect to another child
1 27 who is a member of the same family, the court may waive the
1 28 requirement that reasonable efforts be made to preserve the
1 29 family. Current law provides that if the court finds the
1 30 parent's parental rights have been terminated under Iowa law
1 31 with respect to another child who is a member of the same
1 32 family, the court may waive the requirement that reasonable
1 33 efforts be made to preserve the family.
1 34 Currently, in termination of parental rights proceedings,
1 35 the juvenile court may terminate the parental rights of a
2 1 parent if certain circumstances exist, including that the
2 2 parent's parental rights have been terminated under Iowa law.
2 3 The bill provides that such termination could have occurred
2 4 pursuant to an order of a court of competent jurisdiction in
2 5 another state with respect to another child who is a member of
2 6 the same family.
2 7 LSB 5975SV 82
2 8 jm/nh/5