

Senate File 100

SENATE FILE _____
BY HOGG

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

A BILL FOR

1 An Act relating to the disposition of a child with mental illness
2 or mental retardation in juvenile court.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1973SS 83
5 rh/rj/14

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1 1 Section 1. Section 232.51, Code 2009, is amended to read
1 2 as follows:
1 3 232.51 DISPOSITION OF CHILD WITH MENTAL ILLNESS OR MENTAL
1 4 RETARDATION.
1 5 1. If the evidence received at an adjudicatory or a
1 6 dispositional hearing indicates that the child is mentally
1 7 ill, the court may direct the juvenile court officer or the
1 8 department to initiate proceedings or to assist the child's
1 9 parent or guardian to initiate civil commitment proceedings in
1 10 the juvenile court. ~~These and such~~ proceedings in the
1 11 juvenile court shall adhere to the requirements of chapter
1 12 229.
1 13 2. If the evidence received at an adjudicatory or a
1 14 dispositional hearing indicates that the child is mentally
1 15 retarded, the court may direct the juvenile court officer or
1 16 the department to initiate proceedings or to assist the
1 17 child's parent or guardian to initiate civil commitment
1 18 proceedings in the juvenile court. ~~These and such~~ proceedings
1 19 shall adhere to the requirements of chapter 222. ~~If the child~~
~~1 20 is committed as a child with mental illness or mental~~
~~1 21 retardation, any order adjudicating the child to have~~
~~1 22 committed a delinquent act shall be set aside and the petition~~
~~1 23 shall be dismissed.~~

EXPLANATION

1 24 This bill eliminates the requirement that a juvenile court
1 25 order adjudicating a child to have committed a delinquent act
1 26 shall be set aside and the petition shall be dismissed if that
1 27 child is civilly committed for treatment as a child with
1 28 mental retardation or mental illness.
1 29
1 30 LSB 1973SS 83
1 31 rh/rj/14