

**House File 627 - Introduced**

HOUSE FILE 627

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BRANDENBURG

**A BILL FOR**

1 An Act relating to termination of parental rights and  
2 identification information and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.2, subsection 4, paragraph f,  
2 subparagraph (7), Code 2011, is amended to read as follows:

3 (7) Provision for the department or a designee of the  
4 department on or before the date the child reaches age eighteen  
5 or upon entry of an order under this chapter for termination of  
6 parental rights to provide to the child a certified copy of the  
7 child's birth certificate and to facilitate securing a federal  
8 social security card. The fee for the certified copy that is  
9 otherwise chargeable under section 144.13A, 144.46, or 331.605  
10 shall be waived by the state or county registrar.

11 Sec. 2. Section 715A.8, Code 2011, is amended by adding the  
12 following new subsection:

13 NEW SUBSECTION. 9. A person whose parental rights with  
14 respect to a child have been terminated under section 232.117  
15 who at any time fraudulently uses or attempts to fraudulently  
16 use the child's identification information with the intent to  
17 obtain credit, property, services, or other benefit, commits  
18 the offense of identity theft.

19 EXPLANATION

20 This bill relates to termination of parental rights and  
21 identification information by requiring certain identity  
22 documents to be provided to children upon entry of a court  
23 order for termination of parental rights and establishing an  
24 identity theft crime for persons whose parental rights have  
25 been terminated.

26 The identity documents requirement is inserted as part of  
27 the definition of "case permanency plan" in Code section 232.2,  
28 that is required by federal law and applicable to children in  
29 a court-ordered out-of-home placement. Under current law,  
30 on or before a child in such a placement reaches age 18,  
31 the department of human services or a departmental designee  
32 is required to provide to the child a certified copy of the  
33 child's birth certificate and to facilitate securing a federal  
34 social security card.

35 Code section 715A.8, relating to the crime of identity

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1 theft, is amended to provide that a person whose parental  
2 rights with respect to a child have been terminated under Code  
3 section 232.117 who at any time fraudulently uses or attempts  
4 to fraudulently use the child's identification information  
5 with the intent to obtain credit, property, services, or other  
6 benefit, commits the offense of identity theft. This crime  
7 is an unlawful practice under Code section 714.16, relating  
8 to consumer frauds, and may be punished with civil penalties  
9 ordered by the court. The victim of the identity theft may  
10 also bring a civil action under Code section 714.16B for  
11 damages, recovery of costs, and punitive damages.