

Senate Study Bill 3038 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
HUMAN SERVICES BILL)

A BILL FOR

1 An Act relating to the sealing and expungement of child abuse
2 registry information.

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

1 Section 1. Section 235A.18, subsection 1, paragraph a, Code
2 Supplement 2011, is amended to read as follows:

3 a. Report and disposition data relating to a particular
4 case of alleged child abuse shall be sealed ten years after
5 the initial placement of the data in the registry unless good
6 cause be shown why the data should remain open to authorized
7 access. If a subsequent report of an alleged case of child
8 abuse involving the child named in the initial data placed in
9 the registry as the victim of abuse or a person named in the
10 data as having abused a child is received by the department
11 within this ten-year period, the data shall be sealed ten years
12 after receipt of the subsequent report unless good cause be
13 shown why the data should remain open to authorized access.
14 However, ~~such report and~~ a person named in the initial data
15 placed in the registry as having abused a child shall have the
16 person's name removed from the registry if that person has
17 not had a subsequent case of alleged abuse which resulted in
18 the person's name being placed in the registry as the person
19 responsible for the abuse within the ten-year period. Report
20 and disposition data shall be made available to the department
21 of justice if the department requests access to the alleged
22 child abuse records for purposes of review by the prosecutor's
23 review committee or commitment of sexually violent predators
24 under chapter 229A.

25

EXPLANATION

26 This bill amends Code section 235A.18, relating to sealing
27 and expungement of founded child abuse information. The bill
28 requires a person's name to be removed from the child abuse
29 registry by the department of human services after 10 years as
30 long as that person has had no subsequent founded child abuse
31 report or reports during that 10-year time span. The bill
32 states the person's name will be removed regardless of whether
33 the report and disposition data relating to the particular case
34 remain open to authorized access.