

Senate File 2238 - Introduced

SENATE FILE 2238
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SF 2141)

A BILL FOR

1 An Act relating to the reporting of child abuse of a child who
2 has been sexually abused or prostituted by a person other
3 than a caretaker and making penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.69, subsection 1, unnumbered
2 paragraph 1, Code 2016, is amended to read as follows:

3 The classes of persons enumerated in **this subsection** shall
4 make a report within twenty-four hours and as provided in
5 section 232.70, of cases of child abuse. In addition, the
6 classes of persons enumerated in **this subsection** shall make a
7 report of abuse of a child ~~who is under twelve years of age and~~
8 ~~may make a report of abuse of a child who is twelve years of age~~
9 ~~or older,~~ which would be defined as child abuse under section
10 232.68, subsection 2, paragraph "a", subparagraph (3) or (5),
11 except that the abuse resulted from the acts or omissions of
12 a person other than a person responsible for the care of the
13 child.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill relates to the reporting of child abuse of a child
18 who has been sexually abused or prostituted by a person other
19 than a caretaker and makes penalties applicable.

20 Current law requires a mandatory reporter (including certain
21 health practitioners and other professionally licensed child
22 service providers) of child abuse to report a child under
23 12 years of age who has been sexually abused or prostituted
24 by a person other than a caretaker to the department of
25 human services, but only allows, but does not require, such
26 reporting of a child age 12 or older who has been sexually
27 abused or prostituted by a person other than a caretaker. The
28 bill requires a mandatory reporter to report a child who has
29 been sexually abused or prostituted by a person other than a
30 caretaker, regardless of the age of the child.

31 A mandatory reporter who knowingly and willfully fails
32 to report a suspected case of child abuse or who knowingly
33 interferes with the making of such a report is subject to
34 criminal and civil penalties.