

Senate Study Bill 3102 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON ZAUN)

A BILL FOR

1 An Act relating to the criminal offense of child endangerment
2 by prohibiting a parent or guardian from allowing the parent
3 or guardian's spouse custody or control of, or unsupervised
4 access to, a child or certain minors if the spouse is a
5 registered sex offender, and providing penalties.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 726.6, subsection 1, paragraph h, Code
2 2018, is amended to read as follows:

3 h. Knowingly allows a person custody or control of, or
4 unsupervised access to a child or a minor after knowing the
5 person is required to register or is on the sex offender
6 registry as a sex offender under chapter 692A. However,
7 this paragraph does not apply to a person who is a parent or
8 guardian of a child or a minor, and who is required to register
9 as a sex offender, ~~or to a person who is married to and living~~
10 ~~with a person required to register as a sex offender.~~

11 EXPLANATION

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

14 This bill relates to the criminal offense of child
15 endangerment by prohibiting a parent or guardian from allowing
16 the parent or guardian's spouse custody or control of, or
17 unsupervised access to, a child or certain minors if the spouse
18 is a registered sex offender, and provides penalties.

19 A person commits child endangerment under the bill if a
20 parent or guardian knowingly allows the spouse of the person
21 custody or control of, or unsupervised access to, a child or a
22 minor with a mental or physical disability, after knowing the
23 spouse is required to register as a sex offender under Code
24 chapter 692A. Currently, a parent or guardian who knowingly
25 allows a person custody or control of, or unsupervised access
26 to, a child or a minor with a mental or physical disability,
27 after knowing the person is required to register as a sex
28 offender under Code chapter 692A, does not commit child
29 endangerment if the persons are married and residing together.

30 The penalties for the commission of child endangerment
31 in violation of Code section 726.6 range from an aggravated
32 misdemeanor to a class "B" felony depending upon the
33 circumstances of the case.

34 A person who violates the bill also commits child abuse
35 pursuant to Code section 232.68(2)(a)(9).