

Senate Study Bill 3074 - Introduced

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

A BILL FOR

1 An Act relating to the guardianship of minors.

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

1 Section 1. Section 232D.103, Code 2020, is amended to read
2 as follows:

3 **232D.103 Jurisdiction.**

4 The juvenile court has exclusive jurisdiction in a
5 guardianship proceeding concerning a minor who is alleged to be
6 in need of a guardianship, and guardianships of minors.

7 Sec. 2. Section 232D.105, subsection 1, Code 2020, is
8 amended to read as follows:

9 1. A petition alleging that a minor is in need of a
10 conservatorship is not subject to **this chapter**. Such
11 proceedings shall be governed by **chapter 633** and may be
12 initiated pursuant to **section 633-627** 633.557.

13 Sec. 3. Section 232D.301, subsection 2, paragraph d,
14 subparagraph (3), Code 2020, is amended to read as follows:

15 (3) Any adult who has had the primary care of the minor or
16 with whom the minor has lived for at least six months ~~prior to~~
17 immediately preceding the filing of the petition.

18 Sec. 4. Section 232D.302, subsection 2, Code 2020, is
19 amended to read as follows:

20 2. Notice shall be served upon the minor's known parents
21 listed in the petition in accordance with the rules of civil
22 procedure. If a parent has not filed an affidavit consenting
23 to the appointment of a guardian, the notice shall inform
24 the minor's known parents listed in the petition that the
25 parents are entitled to representation if the parents meet the
26 conditions of section 232D.304.

27 Sec. 5. Section 232D.401, subsection 3, unnumbered
28 paragraph 1, Code 2020, is amended to read as follows:

29 An order by the court appointing a guardian for a minor shall
30 state the powers granted to the guardian. Except as otherwise
31 limited by court order, the court may grant the guardian the
32 following powers, ~~which may be exercised without prior court~~
33 ~~approval:~~

34 Sec. 6. Section 232D.501, subsection 1, paragraph a, Code
35 2020, is amended by adding the following new subparagraph:

