

Senate Study Bill 1112 - Introduced

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

A BILL FOR

1 An Act relating to child in need of assistance proceedings
2 concerning determinations of reasonable efforts for
3 placement of a child and access to criminal history data.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.102A, subsection 5, Code 2023, is
2 amended to read as follows:

3 5. ~~Prior~~ With the exception of services provided to the
4 family in prior child in need of assistance or termination of
5 parental rights proceedings, prior services the state provided
6 to the family shall not be considered in making a determination
7 as to whether a waiver of reasonable efforts is appropriate.

8 Sec. 2. Section 692.1, subsection 7, Code 2023, is amended
9 to read as follows:

10 7. "*Criminal or juvenile justice agency*" means ~~an~~ either of
11 the following:

12 a. An agency or department of any level of government
13 or an entity wholly owned, financed, or controlled by one
14 or more such agencies or departments which performs as its
15 principal function the apprehension, prosecution, adjudication,
16 incarceration, or rehabilitation of criminal or juvenile
17 offenders.

18 b. The department of health and human services and agents
19 and employees of the department of health and human services
20 who have been appointed by a juvenile court to represent
21 the department of health and human services in a proceeding
22 alleging that a child is a child in need of assistance as
23 defined in section 232.2.

24 EXPLANATION

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

27 This bill relates to child in need of assistance proceedings
28 concerning determination of reasonable efforts for placement of
29 a child and access to criminal history data.

30 The bill allows a juvenile court to consider services
31 provided to a family during prior child in need of assistance
32 and termination of parental rights proceedings when determining
33 whether to waive reasonable efforts to keep a child with the
34 child's family in a child in need of assistance proceeding.

35 The bill adds to the definition of "criminal or juvenile

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1 justice agency" (relating to the provision of criminal history
2 data under Code chapter 692) the department of health and human
3 services (HHS) and HHS agents and employees who have been
4 appointed by a juvenile court to represent HHS in a proceeding
5 alleging that a child is a child in need of assistance.