

House File 1036 - Introduced

HOUSE FILE 1036
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 908)
(SUCCESSOR TO HF 452)

A BILL FOR

1 An Act relating to human trafficking, including screening
2 children, civil statutes of limitations, an annual
3 stakeholder meeting and report, depositions of victims,
4 restitution, restorative facilities and protective services,
5 and investigation and prosecution, and including effective
6 date provisions.

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

1 Section 1. Section 80.45, subsection 3, Code 2025, is amended
2 by adding the following new paragraph:

3 NEW PARAGRAPH. i. Hold an annual meeting of stakeholders to
4 develop legislative proposals to combat human trafficking, and
5 submit a report, by December 15, 2025, and annually thereafter
6 for a period of five years ending with the submission of
7 the report in 2030, to the governor and general assembly.

8 Participants shall include the following:

9 (1) A representative of the department of public safety.

10 (2) A representative of the office to combat human
11 trafficking.

12 (3) A representative of the attorney general's office.

13 (4) A representative of the department of health and human
14 services.

15 (5) A representative of juvenile court services.

16 (6) A chief of police or head law enforcement official of a
17 city in this state.

18 (7) A county sheriff.

19 (8) A county attorney who serves on a child protection
20 assistance team under section 915.35, subsection 4, paragraph
21 "a".

22 (9) A public defender or criminal law attorney with
23 experience working on human trafficking cases.

24 (10) A member of the public, or the person's legal
25 representative, who is a former human trafficking victim.

26 (11) A representative from the Iowa network against human
27 trafficking.

28 (12) A representative from a nonprofit organization whose
29 primary focus is services for human trafficking survivors.

30 (13) A representative from state court administration with
31 expertise in child welfare law.

32 Sec. 2. Section 232.2, Code 2025, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 7A. "*Commercial sexual exploitation*" refers
35 to a range of crimes and activities involving the sexual abuse

1 or exploitation of a child for the financial benefit of any
2 person or in exchange for anything of value including monetary
3 and nonmonetary benefits given or received by any person.

4 Sec. 3. Section 232.28, subsection 2, Code 2025, is amended
5 to read as follows:

6 2. a. The court or its designee shall refer the complaint
7 to an intake officer who shall consult with law enforcement
8 authorities having knowledge of the facts and conduct a
9 preliminary inquiry to determine what action should be taken.

10 b. The court or its designee shall order every complaint
11 to be reviewed using a standardized human trafficking indicator
12 list. The court or its designee may order the child subject
13 to the complaint with the presence of an indicator to be
14 screened for commercial sexual exploitation using a standardized,
15 evidence-based, trauma-informed screening tool.

16 Sec. 4. Section 232.71B, subsection 1, paragraph a,
17 unnumbered paragraph 1, Code 2025, is amended to read as follows:

18 If the department determines a report constitutes a child
19 abuse allegation, the department shall ~~promptly~~ have the child
20 subject to the child abuse allegation screened for commercial
21 sexual exploitation using a standardized, evidence-based,
22 trauma-informed screening tool, and shall commence either a child
23 abuse assessment within twenty-four hours of receiving the report
24 or a family assessment within seventy-two hours of receiving the
25 report.

26 Sec. 5. Section 614.8, subsection 2, Code 2025, is amended to
27 read as follows:

28 2. Except as provided in section 614.1, subsection 9, or
29 section 614.8A, the times limited for actions in this chapter,
30 or chapter 216, 659A, 669, or 670, except those brought for
31 penalties and forfeitures, are extended in favor of minors,
32 so that they shall have ~~one year~~ five years from and after
33 attainment of majority within which to file a complaint pursuant
34 to chapter 216, to make a claim pursuant to chapter 669, or to
35 otherwise commence an action.

1 Sec. 6. Section 614.8A, Code 2025, is amended to read as
2 follows:

3 **614.8A Damages Commencement of action for child or minor**
4 **sexual abuse or human trafficking — time limitation.**

5 1. Notwithstanding section 614.8, subsection 2, and the times
6 limited for actions in this chapter, the time to file an action
7 related to sexual abuse or human trafficking that occurred when
8 the injured person was a minor is extended to five years beyond
9 the minor's attainment of eighteen years of age.

10 2. An In addition to the extension of the time provided in
11 subsection 1, an action for damages for injury suffered as a
12 result of sexual abuse ~~which~~ or human trafficking that occurred
13 when the injured person was a child, but not discovered until
14 after the injured person is of the age of majority, shall be
15 brought within ~~four~~ five years from the time of discovery by
16 the injured party of both the injury and the causal relationship
17 between the injury and the sexual abuse or human trafficking.

18 Sec. 7. Section 710A.1, subsection 4, paragraph a, unnumbered
19 paragraph 1, Code 2025, is amended to read as follows:

20 "Human trafficking" means ~~participating in a venture to~~
21 ~~recruit, harbor, transport, supply provisions, or obtain~~
22 recruiting, harboring, transporting, supplying provisions to,
23 obtaining, patronizing, or soliciting a person for any of the
24 following purposes:

25 Sec. 8. Section 710A.1, subsection 10, Code 2025, is amended
26 to read as follows:

27 10. "Services" means ~~an ongoing relationship between a person~~
28 ~~and the actor in which the person performs~~ performing activities
29 under the supervision of or for the benefit of ~~the~~ an actor,
30 including commercial sexual activity and sexually explicit
31 performances.

32 Sec. 9. Section 725.1, subsection 1, paragraph b, Code 2025,
33 is amended to read as follows:

34 b. If the person who sells or offers for sale the person's
35 services as a partner in a sex act is under the age of eighteen,

1 the county attorney may elect, in lieu of filing a petition
2 alleging that the person has committed a delinquent act, ~~to refer~~
3 ~~that person~~ that the person shall not be arrested, charged, or
4 prosecuted for an offense under this section, but instead may be
5 taken into temporary custody under section 232.78 or 232.79 or
6 shall be referred to the department of health and human services
7 for the possible filing of a petition alleging that the person is
8 a child in need of assistance.

9 Sec. 10. Section 910.1, subsections 1 and 2, Code 2025, are
10 amended to read as follows:

11 1. "Category "A" restitution" means fines, penalties, the
12 payment of crime victim compensation program reimbursements, and
13 surcharges.

14 2. "Category "B" restitution" means the contribution of
15 funds to a local anticrime organization ~~which~~ that provided
16 assistance to law enforcement in an offender's case, ~~the payment~~
17 ~~of crime victim compensation program reimbursements,~~ payment
18 of restitution to public agencies pursuant to section 321J.2,
19 subsection 13, paragraph "b", court costs, court-appointed
20 attorney fees ordered pursuant to section 815.9, including
21 the expense of a public defender, and payment to the medical
22 assistance program pursuant to chapter 249A for expenditures paid
23 on behalf of the victim resulting from the offender's criminal
24 activities including investigative costs incurred by the Medicaid
25 fraud control unit pursuant to section 249A.50.

26 Sec. 11. DEPARTMENT OF HEALTH AND HUMAN SERVICES —
27 RESTORATION FACILITIES. The department of health and human
28 services shall develop a plan in consultation with nonprofit
29 service providers who provide restoration services to victims
30 of human trafficking to increase the availability of restoration
31 facilities and protective services available to juvenile victims
32 of human trafficking, including juvenile victims who are not,
33 at the time of victimization, either a child in need of
34 assistance or otherwise involved in the juvenile court system.
35 The department shall consider developing a network with other

1 states to provide housing outside of the state for victims
2 at risk of returning to the person involved in the victim's
3 trafficking. The department of health and human services shall
4 present a report detailing the plan to the governor and the
5 general assembly by December 15, 2025.

6 Sec. 12. EFFECTIVE DATE. The following takes effect July 1,
7 2026:

8 The section of this Act amending section 910.1.

9 EXPLANATION

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

12 This bill relates to human trafficking, including civil
13 statutes of limitations, an annual stakeholder meeting and
14 report, depositions of victims, restitution, restorative
15 facilities and protective services, and investigation and
16 prosecution.

17 The bill directs the office to combat human trafficking within
18 the department of public safety to hold an annual meeting of
19 stakeholders to develop legislative proposals to combat human
20 trafficking, and submit a report to the governor and general
21 assembly by December 15, 2025, and annually thereafter for five
22 years until the submission of the report in 2030. The bill
23 specifies the participants in the meeting.

24 The bill increases the statute of limitations for commencing
25 an action for sexual abuse or human trafficking of a minor or
26 child to five years after the victim has attained 18 years of
27 age.

28 The bill provides that "commercial sexual exploitation" refers
29 to a range of crimes and activities involving the sexual abuse
30 or exploitation of a child for the financial benefit of any
31 person or in exchange for anything of value including monetary
32 and nonmonetary benefits given or received by any person.

33 The bill provides that the court or the court's designee may
34 order a child screened for commercial sexual exploitation using
35 a standardized, evidence-based, trauma-informed screening tool

1 when the court reviews a complaint using a standardized human
2 trafficking indicator list.

3 The bill requires the department of health and human services
4 (HHS) to screen a child for exploitation using a standardized,
5 evidence-based, trauma-informed screening tool if HHS determines
6 a report it receives alleging child abuse constitutes a child
7 abuse allegation.

8 The bill provides that the time limitations for actions are
9 extended in favor of minors so that they have five years from
10 reaching the age of majority to make a claim.

11 The bill provides that if a person who sells or offers for
12 sale the person's services as a partner in a sex act is under
13 the age of 18, the county attorney may elect, in lieu of filing a
14 petition alleging that the person has committed a delinquent act,
15 that the person shall not be arrested, charged, or prosecuted
16 for the offense, but instead may be taken into temporary custody
17 under Code section 232.78 or 232.79 or shall be referred to HHS
18 for the possible filing of a petition alleging that the person is
19 a child in need of assistance.

20 Current law provides that "category "A" restitution" means
21 fines, penalties, and surcharges, and "category "B" restitution"
22 means the contribution of funds to a local anticrime organization
23 which provided assistance to law enforcement in an offender's
24 case, the payment of crime victim compensation program
25 reimbursements, payment of restitution to public agencies
26 pursuant to Code section 321J.2(13)(b) (operating while under
27 the influence), court costs, court-appointed attorney fees, and
28 payment to the medical assistance program.

29 The bill provides that the payment of crime victim
30 compensation program reimbursements is category "A" restitution.

31 The bill directs HHS to develop a plan in consultation with
32 nonprofit service providers who provide restoration services
33 to victims of human trafficking to increase the availability
34 of restoration facilities and protective services available to
35 juvenile victims of human trafficking, including juvenile victims

1 who are not, at the time of victimization, either a child in need
2 of assistance or otherwise involved in the juvenile court system.
3 HHS shall consider developing a network with other states to
4 provide housing outside of the state for victims at risk of
5 returning to the person involved in the victim's trafficking. A
6 report detailing the plan shall be presented to the governor and
7 the general assembly by December 15, 2025.

8 The bill takes effect on January 1, 2026.

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