

**House File 2560 - Introduced**

HOUSE FILE 2560  
BY MEGGERS

**A BILL FOR**

- 1 An Act relating to recordings of interviews during child abuse
- 2 assessments and family assessments.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 232.68, subsection 3, Code 2026, is  
2 amended to read as follows:

3 3. "Confidential access to a child" means access to a child,  
4 who is alleged to be the victim of child abuse, during a child  
5 abuse assessment. The access may be accomplished by interview,  
6 observation, or physical assessment of the child. ~~As used in  
7 this subsection and this part:~~

8 ~~a. "Interview" means the verbal exchange between the child  
9 protection worker and the child for the purpose of developing  
10 information necessary to protect the child. A child protection  
11 worker is not precluded from recording visible evidence of abuse.~~

12 ~~b. "Observation" means direct physical viewing of a child  
13 under the age of four by the child protection worker where  
14 the viewing is limited to the child's body other than the  
15 genitalia and pubes. "Observation" also means direct physical  
16 viewing of a child aged four or older by the child protection  
17 worker without touching the child or removing an article of the  
18 child's clothing, and doing so without the consent of the child's  
19 parent, custodian, or guardian. A child protection worker is not  
20 precluded from recording evidence of abuse obtained as a result  
21 of a child's voluntary removal of an article of clothing without  
22 inducement by the child protection worker. However, if prior  
23 consent of the child's parent or guardian, or an ex parte court  
24 order, is obtained, "observation" may include viewing the child's  
25 unclothed body other than the genitalia and pubes.~~

26 Sec. 2. Section 232.68, Code 2026, is amended by adding the  
27 following new subsections:

28 NEW SUBSECTION. 6A. "Interview" means the verbal exchange  
29 between a child protection worker and another individual for  
30 the purpose of eliciting information concerning child abuse or  
31 a child's exposure to violence. A child protection worker shall  
32 not be precluded from recording visible evidence of abuse.

33 NEW SUBSECTION. 7A. a. "Observation" means all of the  
34 following:

35 (1) Direct physical viewing of a child under the age of four

1 by a child protection worker where the viewing is limited to the  
2 child's body other than the genitalia and pubes.

3 (2) Direct physical viewing of a child aged four or older by  
4 a child protection worker without touching the child or removing  
5 an article of the child's clothing.

6 (3) If a child protection worker obtains prior consent of a  
7 child's parent or guardian, or an ex parte court order, viewing  
8 the child's unclothed body other than the genitalia and pubes.

9 b. A child protection worker shall be permitted to perform an  
10 observation of a child without the consent of the child's parent,  
11 custodian, or guardian.

12 c. A child protection worker is not precluded from recording  
13 evidence of abuse obtained as a result of a child's voluntary  
14 removal of an article of clothing without inducement by the child  
15 protection worker.

16 Sec. 3. Section 232.71B, Code 2026, is amended by adding the  
17 following new subsection:

18 NEW SUBSECTION. 21. *Recorded interviews.*

19 a. Each interview conducted by the department during a  
20 child abuse assessment or a family assessment shall be recorded  
21 by electronic audio recording, body camera video, or other  
22 reasonable means of recording the interview.

23 b. A recording made pursuant to this subsection shall be  
24 subject to all of the following:

25 (1) The recording shall be retained for a minimum of five  
26 years from the date the recording was made.

27 (2) The recording shall only be released in the following  
28 circumstances:

29 (a) To a person investigating the possible child abuse or  
30 exposure to violence that required the recorded interview.

31 (b) Upon the request of a person caring for the child who is  
32 the subject of the child abuse assessment or family assessment  
33 and in connection with a legal proceeding, to the person caring  
34 for the child, provided that a court has not ordered the  
35 recording to be withheld from the person caring for the child.

1 (c) Upon the request of a guardian for the child who is the  
2 subject of the child abuse assessment or family assessment and  
3 in connection with a legal proceeding, to the guardian for the  
4 child, provided that a court has not ordered the recording to be  
5 withheld from the guardian.

6 c. The department shall establish penalties for a person who  
7 violates paragraph "b", subparagraph (2).

8 d. The department shall store and distribute recordings made  
9 pursuant to this subsection in a secure manner with access  
10 controls and role-based permission management.

11 e. The department's failure to comply with this subsection,  
12 in whole or in part, shall not do any of the following:

13 (1) Provide an individual a cause of action against the  
14 state, a subdivision of the state, or an agent of the state or  
15 a subdivision of the state.

16 (2) Constitute grounds to preclude statements, observations,  
17 or other evidence obtained during an interview from being  
18 admitted in a legal proceeding.

19 f. The department shall adopt rules pursuant to chapter 17A  
20 to implement this subsection.

21 EXPLANATION

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

24 The federal Generate Recordings of All Child protective  
25 Interviews Everywhere (GRACIE) Act established grants for states  
26 that meet certain requirements. This bill implements the  
27 requirements of the GRACIE Act by redefining "interview" for  
28 purposes of child abuse assessments and family assessments  
29 (assessments), and requiring each interview performed by the  
30 department of health and human services (HHS) during an  
31 assessment to be recorded by audio recording, body camera video,  
32 or other reasonable means of recording the interview. Recordings  
33 must be retained for a minimum of five years from the date the  
34 recording was made and released only to persons specified in  
35 the bill. A person who releases a recording to a person not

1 authorized by the bill shall be subject to a penalty established  
2 by HHS. HHS's failure to comply with the bill's provisions does  
3 not provide an individual a cause of action against the state,  
4 a subdivision, or an agent of the state or a subdivision of the  
5 state; and does not constitute grounds to preclude statements,  
6 observations, or other evidence obtained during an interview from  
7 being admitted in a legal proceeding. The bill directs HHS to  
8 adopt rules to implement the bill.

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