

Senate File 2416 - Introduced

SENATE FILE 2416
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3167)

A BILL FOR

1 An Act relating to interviews conducted with a child subsequent
2 to a report of child abuse.

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

unofficial

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

3 a. "Interview" means the verbal exchange between the child
4 protection worker or peace officer and the child for the purpose
5 of developing information necessary to protect the child and
6 may include an interview of the child authorized by the child
7 protection worker or peace officer at an accredited child
8 protection center or child advocacy center established pursuant
9 to section 135.118. A child protection worker or peace officer
10 is not precluded from recording visible evidence of abuse.

11 Sec. 2. Section 232.71B, subsection 3, paragraph b, Code
12 2026, is amended to read as follows:

13 b. If a report is determined not to constitute a child abuse
14 allegation or if the child abuse report is accepted but assessed
15 under the family assessment, but a criminal act harming a child
16 is alleged, the department shall immediately refer the matter to
17 the appropriate law enforcement agency. With the consent of the
18 child's parent or guardian, a peace officer may visit the home
19 of the child for an interview or observation. If permission to
20 enter the home, to interview the child, or to observe the child
21 is refused, the court or a district court, upon a showing of
22 probable cause, may authorize the interview or observation of the
23 child.

24 Sec. 3. Section 232.71B, subsection 6, Code 2026, is amended
25 to read as follows:

26 6. *Home visit and child interview.* The assessment may, with
27 the consent of the parent or guardian, include a visit to the
28 home of the child named in the report and. The assessment
29 may include an interview or observation of the child ~~may be~~
30 ~~conducted.~~ If permission to enter the home, to interview the
31 child, or to observe the child is refused, the juvenile court or
32 district court upon a showing of probable cause may authorize the
33 person making the assessment to enter the home and may authorize
34 the person making the assessment to complete a child interview or
35 observe the child.

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EXPLANATION

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

This bill relates to interviews conducted with a child subsequent to a report of child abuse.

The bill allows peace officers to conduct an interview with a child for the purpose of a child abuse investigation, and allows a child protection worker or peace officer to conduct an interview at a location including but not limited to an accredited child protection center or child advocacy center, and record visible evidence of abuse during an interview.

Under current law, if an allegation of child abuse alleges a child has been harmed by a criminal act, the department of health and human services is required to refer the matter to the appropriate law enforcement agency. The bill allows a peace officer to visit the home of the child for an interview or observation if the peace officer obtained consent from the child's parent or guardian to interview or observe the child in the child's home, or the juvenile court, upon a showing of probable cause, authorized the peace officer to interview or observe the child in the child's home.

The bill makes conforming changes to Code section 232.68 (child abuse reporting, assessment, and rehabilitation — definitions).