

Senate Study Bill 1007 - Introduced

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

A BILL FOR

1 An Act relating to the placement of a child who is the subject
2 of a pending delinquency petition in a supervised apartment
3 living arrangement pursuant to a consent decree, and the
4 circumstances under which the placement is paid by the state.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 232.46, subsection 1, paragraph a,
2 subparagraph (5), Code 2025, is amended to read as follows:

3 (5) Placement of the child in a group or family foster care
4 setting or a supervised apartment living arrangement, if the
5 court makes a determination that such a placement is the least
6 restrictive option.

7 Sec. 2. Section 234.35, subsection 1, Code 2025, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *0e.* When a court has entered an order
10 transferring the legal custody of the child to a supervised
11 apartment living arrangement pursuant to section 232.46,
12 subsection 1, paragraph "a", subparagraph (5). However,
13 payment shall not be made for a supervised apartment living
14 arrangement unless the supervised apartment living arrangement
15 meets requirements as established by the department by rule.

16 EXPLANATION

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

19 This bill relates to the placement of a child who is the
20 subject of a pending delinquency petition in a supervised
21 apartment living arrangement pursuant to a consent decree, and
22 the circumstances under which the placement is paid by the state.

23 Under current law, any time after a petition is filed alleging
24 a child has committed a delinquent act and prior to the entry
25 of an order adjudicating the matter, a court may suspend the
26 proceedings on motion of the county attorney or the child's
27 counsel, enter a consent decree, and continue the case under
28 terms and conditions established by the court in the consent
29 decree. A court may select any combination of the following
30 terms of a consent decree: prohibit the child from driving a
31 motor vehicle for a specified period of time or under specific
32 circumstances; require supervision of the child by a juvenile
33 court officer or other agency or person designated by the court;
34 require the child to perform a work assignment of value to the
35 state or to the public; require the child to make restitution

1 consisting of a monetary payment to a victim or a work assignment
2 directly of value to the victim; or place the child in a group or
3 family foster care setting funded by the department of health and
4 human services (HHS), if the court determines that is the least
5 restrictive option.

6 The bill allows a court to place a child in a supervised
7 apartment living arrangement as a condition of a consent decree
8 if the court makes a determination that such a placement is the
9 least restrictive option.

10 The bill makes HHS responsible for the payment of foster care
11 services if a child is placed in a supervised apartment living
12 arrangement as a condition of a consent decree, provided that
13 such supervised apartment living arrangement meets requirements
14 as established by HHS by rule.

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