

Sec. 32. PRESERVATION OF REASONABLE PARENTING. Nothing in this Act is intended to disrupt the family unnecessarily or to intrude inappropriately into family life, to prohibit the use of reasonable methods of parental discipline, or to prescribe a particular method of parenting.

Approved May 14, 1998

CHAPTER 1191

CITIZENS' AIDE REVIEW OF CHILD PROTECTION SYSTEM

S.F. 2359

AN ACT providing for a review of juvenile justice provisions involving child protection by the citizens' aide and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. CHILD PROTECTION SYSTEM REVIEW.

1. The citizens' aide shall conduct a review of the state's child protection system in accordance with this section. The review shall encompass all aspects of the system, including child abuse reporting, investigation, and assessment, child removal, child in need of assistance proceedings, review and appeals, and termination of parental rights. The purpose of review is to determine whether the current system adequately provides fairness and due process protections for all persons involved with the system.

2. The review may include but is not limited to all of the following:

a. Surveys of attorneys experienced in representing subjects of child abuse investigations and assessments and in child welfare and family law.

b. Surveys of persons who have been the subject of a child abuse investigation or assessment.

c. Reviews of known complaints concerning the system.

d. Reviews of previous testimony and submissions by critics and proponents of the system to legislative, administrative, and other bodies organized to provide oversight of the child protection system. In addition, the review may include review of the reports and findings of these bodies.

e. Review of legal information concerning child protection including state and federal statutory requirements, rules, regulations, and policies, judicial decisions including dissenting opinions, and opinions of the attorney general.

f. Interviews of recognized critics and supporters of the child protection system.

g. Use of focus groups to refine the issues for consideration.

h. Random sample reviews of closed child abuse investigations and assessments.

3. The citizens' aide may appoint a project team or contract for a project team to perform the review. Any project team shall include persons with skills and knowledge concerning child welfare and juvenile justice and due process rights. The project team may include an attorney, an authority on social work, and a skilled general investigator or a paralegal. The citizens' aide may also utilize a broad-based advisory group.

4. The citizens' aide shall submit a report containing findings and recommendations in accordance with chapter 2C to the department of human services, chief juvenile court officer of each judicial district, governor, and general assembly. The report shall be submitted on or before February 1, 1999.

5. Implementation of this section is subject to authorization of funding for the purposes of this section by the legislative council.*

Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 14, 1998

CHAPTER 1192

MINIMUM TERM OF INCARCERATION FOR FELONY DOMESTIC ABUSE ASSAULT

S.F. 2385

AN ACT relating to the mandatory minimum term of incarceration for felony domestic abuse assault.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 708.2A, subsection 6, paragraph b, Code Supplement 1997, is amended to read as follows:

b. A person convicted of violating subsection 4 shall be sentenced as provided under section 902.9, subsection 4, committed to the custody of the director of the department of corrections, ~~shall serve a minimum of one year of the sentence imposed~~, and shall be assessed a fine of at least seven hundred fifty dollars. The person shall be denied parole or work release until the person has served a minimum of one year of the person's sentence. Notwithstanding section 901.5, subsection 3, and section 907.3, subsection 3, the ~~sentenee person~~ cannot ~~be receive a suspended or deferred sentence or a deferred judgment~~; however, the person sentenced shall receive credit for any time the person was confined in a jail or detention facility following arrest.

Approved May 14, 1998

CHAPTER 1193

SOLID WASTE — TONNAGE FEES AND STANDARDS AND CRITERIA FOR LANDFILLS

S.F. 2413

AN ACT relating to exemptions from and reductions in solid waste tonnage fees for certain persons and the installation and use of scales by sanitary disposal projects.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 455B.304, subsection 15, Code Supplement 1997, is amended to read as follows:

15. The commission shall adopt rules which require all sanitary ~~landfills~~ disposal projects

* Funding authorized at the legislative council meeting held on June 23, 1998