

FEB 23 2001
JUDICIARY

HOUSE FILE 393
BY FOEGE

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for termination of parental rights of a child
2 whose parent has committed certain crimes against the other
3 parent of the child.

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

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HF 393

1 Section 1. Section 232.116, subsection 1, Code 2001, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. n. The court finds that both of the
4 following circumstances exist:

5 (1) The child's parent has been convicted of any of the
6 following:

7 (a) Murder or voluntary manslaughter of the child's other
8 parent.

9 (b) Aiding, abetting, attempting, conspiring in, or
10 soliciting the commission of the murder or voluntary
11 manslaughter of the child's other parent.

12 (c) Assault which resulted in serious bodily injury to the
13 child's other parent.

14 (2) That, upon giving consideration as provided in
15 subsection 2, termination of both the parental rights with
16 respect to the child and the relationship between the parent
17 and the child is in the best interest of the child.

18 EXPLANATION

19 This bill provides for termination of parental rights under
20 the juvenile justice code of a child whose parent has
21 committed certain crimes against the other parent of the
22 child.

23 Under the bill, termination may be ordered if the parent
24 has committed a crime against the child's other parent that is
25 listed in the bill and the court finds the termination is in
26 the child's best interest after considering, in accordance
27 with Code section 232.116, subsection 2, the child's safety,
28 best placement for furthering the long-term nurturing and
29 growth of the child, and the physical, mental, and emotional
30 condition and needs of the child. The listed crimes against
31 the other parent include the following: murder or voluntary
32 manslaughter; aiding, abetting, attempting, conspiring in, or
33 soliciting the commission of the murder or voluntary
34 manslaughter of the child's other parent; or assault which
35 resulted in serious bodily injury to the other parent.