



Iowa Department of Human Services

New Child Sex Trafficking Abuse Code and Modification to Sexual Abuse Code

Summary:

On April 6, 2016, Governor Branstad signed SF2258 into law, **effective July 1, 2016**, to:

- Implement federal requirements from the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183), which addresses:
 - Human Trafficking
 - Reasonable and Prudent Parent Standard
 - APPLA for 16+
 - Transition Planning for 14+
 - Webinars and resources were provided on each of these four topics, beginning in July 2015, and remain available on the DHS Training website.
- Implements federal requirements from the Justice for Victims of Trafficking Act of 2015 (P.L. 114-22, amends the Child Abuse Prevention Treatment Act), which requires:
 - Child Sex Trafficking to be a new type of child abuse
 - Workers identify, assess, and provide services for victims of sex trafficking
- Modifies the child abuse definition of sexual abuse
- Directs a stakeholder workgroup be established to address Drug Endangered Children.

New Child Sex Trafficking Abuse Code*:

Iowa Code section 232.68(2)(a)(11) defines “Child Sex Trafficking” as the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a child for the purpose of commercial sexual activity as defined in Iowa Code section 710A.1

- “Commercial sexual activity” means any sex act or sexually explicit performance for which anything of value is given, promised to, or received by any person and includes, but is not limited to, prostitution, participation in the production of pornography, and performance in strip clubs.
- **NOTE: This category of child abuse that does not require caretaker status.**

Modification to Sexual Abuse Code*:

Iowa Code section 232.68(2)(a)(3) defines “Sexual Abuse” as the commission of a sexual offense with or to a child pursuant to Iowa Code chapter 709, section 726.2, or section 728.12(1), as a result of the acts or omissions of the person responsible for the care of the child or of a person who resides in a home with the child.

- **NOTE: This category of child abuse is expanded from caretaker status to also include any person who resides in a home with the child.**