



**IOWA HOUSE
DEMOCRATS**

BILL SUMMARY

Delegation of
Parental Authority
HF 721

Status of Bill: House Calendar
Committee: Judiciary Committee (17-4)
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Lead Democrat: Rep. McKean
Floor Manager: Rep. Meyer

Bill Summary

Allows a parent, guardian, or legal custodian of a child to delegate to another person the care or custody of the child. The delegation must be done with a property executed power of attorney. The power of attorney cannot delegate the:

- The power to consent to the child's marriage.
- The power to consent to the child's adoption.
- The power to consent to the performance or inducement of an abortion for the child.
- The power to consent to the termination of the parental rights of a parent of the child.
- The power to transfer the power of attorney to another person unless the other person is designed as a successor agent.

A power of attorney to delegate parental authority must be signed by all parents, guardians, and legal custodians. The power of attorney must be notarized. A parent, guardian, or legal custodian has the authority to revoke or terminate a delegation of parental authority at any time by giving notification of the revocation to the agent in writing. If a parent or guardian revokes a delegation of parental authority the child must be returned within 24 hours of the date of the revocation or termination.

A delegation of parental authority cannot be for more than three months. A delegation can be made for an additional three months, but cannot be for more than six months total. An agent exercises authority over the child on a continuous basis and without compensation during the duration of the delegation of authority. The agent is not considered a foster parent.

A delegation of parental authority is not considered abandonment, abuse, or neglect of a child. A delegation of parental authority is not valid if the purpose is to avoid filing of a Child In Need of Assistance petition.

The bill creates minimum requirements for forms to be used to create a power to attorney temporary delegation of parental authority.