



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

April 28, 2010

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 2377, an Act relating to extending a period of probation and including applicability provisions.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver", with a long, sweeping flourish extending to the right.

Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
Chief Clerk of the House





House File 2377

AN ACT
RELATING TO EXTENDING A PERIOD OF PROBATION AND INCLUDING
APPLICABILITY PROVISIONS.

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

Section 1. Section 907.7, subsection 1, Code 2009, is amended to read as follows:

1. The length of the probation shall be for a ~~term~~ period as the court shall fix but not to exceed five years if the offense is a felony or not to exceed two years if the offense is a misdemeanor. The period of probation may be extended for up to one year including one year beyond the maximum period as provided in section 908.11.

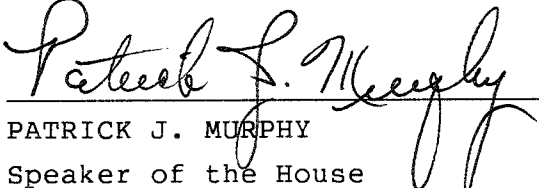
Sec. 2. Section 908.11, subsection 4, Code 2009, is amended to read as follows:


4. If the violation is established, the court may continue the probation or youthful offender status with or without an alteration of the conditions of probation or a youthful offender status. If the defendant is an adult or a youthful offender the court may hold the defendant in contempt of court and sentence the defendant to a jail term while continuing the probation or youthful offender status, order the defendant to be placed in a violator facility established pursuant to section 904.207 while continuing the probation or youthful offender status, extend the term of probation for up to one year as authorized in section 907.7 while continuing the probation or youthful offender status, or revoke the probation or youthful offender status and require the defendant to serve the sentence imposed or any lesser sentence, and, if imposition of sentence was deferred, may impose any sentence which might originally have been imposed.

Sec. 3. Section 910.4, subsection 1, paragraph b, subparagraph (1), Code 2009, is amended to read as follows:

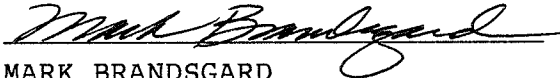
(1) If the court extends the period of probation, ~~it the~~ period of probation shall not be for more than the maximum period of probation for the offense committed except for an extension of a period of probation as provided authorized in section 907.7. After discharge from probation or after the expiration of the period of probation, as extended if applicable, the failure of an offender to comply with the plan of restitution ordered by the court shall constitute contempt of court.

Sec. 4. APPLICABILITY. This Act applies to criminal offenses committed on or after July 1, 2010.

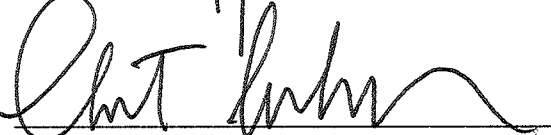

PATRICK J. MURPHY
Speaker of the House


JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2377, Eighty-third General Assembly.


MARK BRANDSGARD
Chief Clerk of the House

Approved April 28th, 2010


CHESTER J. CULVER
Governor