

**CHAPTER 1041****TIME FOR SETTING AMOUNT OF RESTITUTION***H.F. 245*

**AN ACT** relating to the time by which a court shall set out the amount of restitution in a criminal case.

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

Section 1. Section 910.3, Code 1983, is amended to read as follows:

910.3 DETERMINATION OF AMOUNT OF RESTITUTION. The court shall require the county attorney to promptly prepare a statement of pecuniary damages to victims of the defendant and shall require the clerk of court to prepare a statement of court-appointed attorney's fees, the expense of a public defender and court costs which shall be promptly provided to the presentence investigator. These statements shall become a part of the presentence report. If a defendant believes no person suffered pecuniary damages, the defendant shall so state. If the defendant has any mental or physical impairment which would limit or prohibit the performance of a public service, the defendant shall so state. The court may order a mental or physical examination, or both, of the defendant to determine a proper course of action. At the time of sentencing or at a later date to be determined by the court, the court shall set out the amount of restitution including the amount of public service to be performed as restitution and the persons to whom restitution must be paid. This shall be known as the plan of restitution.

Approved April 10, 1984

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**CHAPTER 1042****DIFFERENTIAL TREATMENT BASED ON GENDER***H.F. 591*

**AN ACT** prohibiting the general assembly from passing any bill that uses gender as the basis for differential treatment.

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

Section 1. **NEW SECTION.** 2.33 DIFFERENTIAL TREATMENT. The general assembly shall not pass a bill that uses gender as the basis for differential treatment unless there is a compelling reason for the differential treatment and no reasonable alternatives exist by which the treatment could be mitigated or avoided.

Approved April 10, 1984