

Do Pass 1/18 (p. 164)

Judiciary
Ritsema, Chair
Mann
Small

IAN 9 1984

Senate File 2021

SENATE FILE 2021

Judiciary and Law Enforcement: Rosenberg, Chair; Halvorson of Clayton, McKean, Tabor and Varn.

BY RITSEMA

Do Pass 3/23 (p. 1246)

Passed Senate, Date 1-23-84 (p. 195) Passed House, Date 3-27-84 (p. 1314)

Vote: Ayes 46 Nays 0 Vote: Ayes 98 Nays 0

Approved April 10, 1984 (p. 1464)

A BILL FOR

1 An Act relating to the tolling of a statute of limitations
2 when restitution is ordered.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

S. 2021

1 Section 1. Section 910.8, Code 1983, is amended to read
2 as follows:

3 910.8 CIVIL LIABILITY. This chapter and proceedings under
4 this chapter ~~shall~~ do not limit or impair the rights of victims
5 to sue and recover damages from the offender in a civil action.
6 The institution of a restitution plan shall toll the applicable
7 statute of limitations for a civil action arising out of the
8 same facts or event for the period of time that the restitution
9 plan is effective. However, any restitution payment by the
10 offender to a victim shall be set off against any judgment
11 in favor of the victim in a civil action arising out of the
12 same facts or event.

13 EXPLANATION

14 This bill provides for the tolling of the statute of
15 limitations for a civil action arising out of the same facts
16 or event which led to the restitution order. This bill
17 protects the rights of the victim to pursue civil actions
18 against an offender if the offender should default on the
19 ordered restitution plan.

20 This Act takes effect July 1 following its enactment.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

in favor of the victim in a civil action arising out of the same facts or event.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

SENATE FILE 2021

AN ACT

RELATING TO THE TOLLING OF A STATUTE OF LIMITATIONS WHEN
RESTITUTION IS ORDERED.

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

Section 1. Section 910.8, Code 1983, is amended to read as follows:

910.8 CIVIL LIABILITY. This chapter and proceedings under this chapter ~~shall~~ do not limit or impair the rights of victims to sue and recover damages from the offender in a civil action. The institution of a restitution plan shall toll the applicable statute of limitations for a civil action arising out of the same facts or event for the period of time that the restitution plan is effective. However, any restitution payment by the offender to a victim shall be set off against any judgment

I hereby certify that this bill originated in the Senate and is known as Senate File 2021, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved April 10, 1984

TERRY E. BRANSTAD
Governor

S.F. 2021