

JUDICIARY: Deyie, Chair, Mann and Holt

Senate File 269

Judiciary and Law Enforcement: Carpenter, Chair; Peterson of Carroll

FILED FEB 25 1987

SENATE FILE 269
BY HUTCHINS and HULTMAN

Passed Senate, Date 3-2-87 (p. 500) Passed House, Date 3-20-87 (p. 713)
Vote: Ayes 46 Nays 0 Vote: Ayes 89 Nays 0
Approved April 2, 1987 (p. 1049)

A BILL FOR

1 An Act affirming and reenacting certain provisions affecting the
2 criminal laws, and providing an effective date.

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

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SF 269

1 Section 1. LEGISLATIVE FINDINGS. It is the finding of the
2 general assembly that certain recent court cases have raised
3 questions in regard to the proper enactment of certain
4 provisions contained in Code editor's bills. It is the intent
5 of the general assembly to resolve any doubt as to the
6 validity of provisions enacted in the Code editor's bills of
7 prior years. It is the position of the general assembly that
8 all of the following provisions contained in Code editor's
9 bills and all other provisions of the Code editor's bills were
10 properly enacted in the Code editor's bills. Passage of an
11 Act by the general assembly necessarily includes a finding by
12 the general assembly that the Act embraced but one subject,
13 and matters properly connected therewith; and that the subject
14 is properly expressed in the title.

15 Sec. 2. Section 232.75, subsection 3, Code 1987, is
16 affirmed and reenacted in accordance with the amendment to
17 section 232.75, Code 1985, in 1986 Iowa Acts, chapter 1238,
18 section 11, and including any other 1986 amendments and
19 editorial changes.

20 Sec. 3. Section 246.702, Code 1987, is affirmed and
21 reenacted in accordance with the amendment to section 217A.47,
22 Code 1985, in 1985 Iowa Acts, chapter 21, section 24, and
23 chapter 195, section 24, and including the transfer of section
24 217A.47 to section 246.702, and subsequent amendments and
25 editorial changes.

26 Sec. 4. Section 708.7, Code 1987, is affirmed and
27 reenacted in accordance with the amendment to section 708.7,
28 Code 1985, in 1986 Iowa Acts, chapter 1238, section 28, and
29 including any other 1986 amendments and editorial changes.

30 Sec. 5. Section 724.4, subsection 6, Code 1987, is
31 affirmed and reenacted in accordance with the amendment to
32 section 724.4, subsection 6, Code 1979, in 1980 Iowa Acts,
33 chapter 1015, section 68, and including subsequent amendments
34 and editorial changes.

35 Sec. 6. Section 809.13, subsection 5, paragraph "b", Code

1 1987, is affirmed and reenacted in accordance with the
2 amendment to section 809.13, subsection 5, paragraph "b", as
3 enacted by 1986 Iowa Acts, chapter 1140, section 15, in 1986
4 Iowa Acts, chapter 1238, section 32, and including any other
5 1986 amendments and editorial changes.

6 Sec. 7. Section 809.21, Code 1987, is affirmed and
7 reenacted in accordance with its enactment in 1986 Iowa Acts,
8 chapter 1238, section 33, and including any other 1986
9 amendments and editorial changes.

10 Sec. 8. This Act, being deemed of immediate importance,
11 takes effect upon enactment.

12 EXPLANATION

13 This bill affirms and reenacts certain provisions contained
14 in Code correction bills enacted in 1980, 1985, and 1986, and
15 enacts a statement of the general assembly's position that the
16 bills were properly enacted. This bill takes effect upon
17 enactment.

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SENATE FILE 269

AN ACT
AFFIRMING AND REENACTING CERTAIN PROVISIONS AFFECTING THE
CRIMINAL LAWS, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. LEGISLATIVE FINDINGS. It is the finding of the general assembly that certain recent court cases have raised questions in regard to the proper enactment of certain provisions contained in Code editor's bills. It is the intent of the general assembly to resolve any doubt as to the validity of provisions enacted in the Code editor's bills of prior years. It is the position of the general assembly that all of the following provisions contained in Code editor's bills and all other provisions of the Code editor's bills were

properly enacted in the Code editor's bills. Passage of an Act by the general assembly necessarily includes a finding by the general assembly that the Act embraced but one subject, and matters properly connected therewith; and that the subject is properly expressed in the title.

Sec. 2. Section 232.75, subsection J, Code 1987, is affirmed and reenacted in accordance with the amendment to section 232.75, Code 1985, in 1986 Iowa Acts, chapter 1238, section 11, and including any other 1986 amendments and editorial changes.

Sec. 3. Section 246.702, Code 1987, is affirmed and reenacted in accordance with the amendment to section 217A.47, Code 1985, in 1985 Iowa Acts, chapter 21, section 24, and chapter 195, section 24, and including the transfer of section 217A.47 to section 246.702, and subsequent amendments and editorial changes.

Sec. 4. Section 708.7, Code 1987, is affirmed and reenacted in accordance with the amendment to section 708.7, Code 1985, in 1986 Iowa Acts, chapter 1238, section 28, and including any other 1986 amendments and editorial changes.

Sec. 5. Section 724.4, subsection 6, Code 1987, is affirmed and reenacted in accordance with the amendment to section 724.4, subsection 6, Code 1979, in 1980 Iowa Acts, chapter 1015, section 68, and including subsequent amendments and editorial changes.

Sec. 6. Section 809.13, subsection 5, paragraph "b", Code 1987, is affirmed and reenacted in accordance with the amendment to section 809.13, subsection 5, paragraph "b", as enacted by 1986 Iowa Acts, chapter 1140, section 15, in 1986 Iowa Acts, chapter 1238, section 32, and including any other 1986 amendments and editorial changes.

Sec. 7. Section 809.21, Code 1987, is affirmed and reenacted in accordance with its enactment in 1986 Iowa Acts, chapter 1238, section 33, and including any other 1986 amendments and editorial changes.

Sec. 8. This Act, being deemed of immediate importance, takes effect upon enactment.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 269, Seventy-second General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 2, 1987

TERRY E. BRANSTAD
Governor