

CHAPTER 9

OPEN MEETINGS VIOLATIONS — ATTORNEY FEES

H.F. 164

AN ACT concerning the open meetings statute by permitting the awarding of appellate attorney fees for a successful action involving the statute.

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

Section 1. Section 21.6, subsection 3, paragraph b, Code 1999, is amended to read as follows:

b. Shall order the payment of all costs and reasonable attorneys fees in the trial and appellate courts to any party successfully establishing a violation of this chapter. The costs and fees shall be paid by those members of the governmental body who are assessed damages under paragraph "a" ~~of this subsection~~. If no such members exist because they have a lawful defense under that paragraph to the imposition of such damages, the costs and fees shall be paid to the successful party from the budget of the offending governmental body or its parent.

Approved March 31, 1999

CHAPTER 10

CRIME VICTIM RIGHTS

H.F. 222

AN ACT relating to crime victim rights.

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

Section 1. Section 915.84, subsection 1, Code 1999, is amended to read as follows:

1. To claim compensation under the crime victim compensation program, a person shall apply in writing on a form prescribed by the department and file the application with the department within two years after the date of the crime, the discovery of the crime, or the date of death of the victim. The department may waive the time limitation if good cause is shown.

Sec. 2. Section 915.86, subsection 1, Code 1999, is amended to read as follows:

1. Reasonable charges incurred for medical care not to exceed ~~ten~~ fifteen thousand ~~five hundred~~ dollars. Reasonable charges incurred for mental health care not to exceed three thousand dollars which includes services provided by a psychologist licensed under chapter 154B, a person holding at least a master's degree in social work or counseling and guidance, or a victim counselor as defined in section 915.20A.

Sec. 3. Section 915.100, subsection 2, paragraph c, Code 1999, is amended to read as follows:

c. In cases where the act committed by an offender causes the death of another person, in addition to the amount ordered for payment of the victim's pecuniary damages, the court shall also order the offender to pay at least one hundred fifty thousand dollars in restitution to the victim's estate, pursuant to the provisions of section 910.3B.

Approved March 31, 1999