

### **236.8 Violation of order contempt penalties hearings.**

1. A person commits a simple misdemeanor or the court may hold a person in contempt for a violation of an order or court-approved consent agreement entered under this chapter, including a violation of a valid foreign protective order under section 236.19, subsection 3, for a violation of a temporary or permanent protective order or order to vacate the homestead under chapter 598, for a violation of any order that establishes conditions of release or is a protective order or sentencing order in a criminal prosecution arising from a domestic abuse assault, or for a violation by an adult of a protective order under chapter 232.
2. If convicted or held in contempt for a violation, the defendant shall serve a jail sentence. Any jail sentence of more than one day imposed under this section shall be served on consecutive days. A defendant who is held in contempt or convicted may be ordered by the court to pay the plaintiff's attorney fees and court costs incurred in the proceedings under this section.
3. A hearing in a contempt proceeding brought pursuant to this section shall be held not less than five and not more than fifteen days after the issuance of a rule to show cause, as set by the court.
4. A person shall not be convicted of and held in contempt for the same violation of an order or court-approved consent agreement entered under this chapter including the same violation of a valid foreign protective order under section 236.19, subsection 3, for the same violation of a temporary or permanent protective order or order to vacate the homestead under chapter 598, for a violation of any order that establishes conditions of release or is a protective order or sentencing order in a criminal prosecution arising from a domestic abuse assault, or for violation of a protective order under chapter 232.

[C81, § 236.8]

87 Acts, ch 154, §4; 88 Acts, ch 1065, §1; 88 Acts, ch 1218, §17, 18; 91 Acts, ch 218, §9; 93 Acts, ch 157, §5; 95 Acts, ch 180, § 12; 96 Acts, ch 1134, § 3; 2004 Acts, ch 1131, §2