

915.100 Victim restitution rights.

1. Victims, as defined in [section 910.1](#), have the right to recover pecuniary damages, as defined in [section 910.1](#).

2. The right to restitution includes the following:

a. In all criminal cases in which there is a plea of guilty, verdict of guilty, or special verdict upon which a judgment of conviction is rendered, the sentencing court shall order that restitution be made by each offender to victims of the offender's criminal activities.

b. A judge may require a juvenile who has been found to have committed a delinquent act to compensate the victim of that act for losses due to the act.

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 or heirs at law, pursuant to the provisions of [section 910.3B](#).

d. The clerk of court shall forward a copy of the plan of payment or the modified plan of payment to the victim or victims.

e. Victims shall be paid in full pursuant to an order of restitution, before fines, penalties, surcharges, crime victim compensation program reimbursement, public agency reimbursement, court costs, correctional fees, court-appointed attorney fees, expenses of a public defender, or contributions to local anticrime organizations are paid.

f. A judgment of restitution may be enforced by a victim entitled under the order to receive restitution, or by a deceased victim's estate, in the same manner as a civil judgment.

g. A victim in a criminal proceeding who is entitled to restitution under a court order may file a restitution lien.

h. If a convicted felon or the representative of a convicted felon receives or is owed any profit which is realized as a result of the commission of the crime, and the attorney general brings an action to recover such profits, the victim may be entitled to funds held in escrow, pursuant to the provisions of [section 910.15](#).

i. The right to victim restitution for the pecuniary damages incurred by a victim as the result of a crime does not limit or impair the right of the victim to sue and recover damages from the offender in a civil action.

j. In cases where the offender was convicted of sexual exploitation of a minor in violation of [section 728.12, subsection 1 or 2](#), the court shall order restitution under [this section](#) in an amount to be determined by the court as follows:

(1) The court shall determine the full amount of the victim's losses that were incurred or are reasonably projected to be incurred by the victim as a result of the sexual exploitation of the victim, but in no case shall such amount be less than three thousand dollars.

(2) After completing the determination required under subparagraph (1), the court shall order pecuniary damages in an amount that reflects the offender's relative role in the causal process that underlies the victim's losses, but in no case shall such amount be less than three thousand dollars.

(3) For purposes of this paragraph, in addition to the definition of victim provided in [section 915.10, subsection 3](#), "victim" means the individual harmed as a result of a commission of a crime under [section 728.12](#). The legal guardian of the victim or representative of the victim's estate, another family member, or any other person appointed as suitable by the court, may assume the crime victim's rights under this paragraph, but in no event shall the offender be named as a representative or guardian.

[98 Acts, ch 1090, §57, 84; 99 Acts, ch 10, §3; 99 Acts, ch 114, §53; 2003 Acts, 1st Ex, ch 2, §64, 209; 2023 Acts, ch 74, §8](#)

Subsection 2, NEW paragraph j