

House Amendment 3152

Amendment Text

PAG LIN

1 1 Amend the amendment, [H-3109](#), to [House File 2](#) as
1 2 follows:
1 3 #1. Page 1, by inserting after line 26 the
1 4 following:
1 5 "Sec. _____. Section 331.757, subsection 1, Code
1 6 1995, is amended to read as follows:
1 7 1. The county attorney may employ, with the
1 8 approval of a judge of the district court, a temporary
1 9 assistant to assist in the trial of a person charged
1 10 with a felony. The temporary assistant shall be paid
1 11 a reasonable compensation as determined by the board
1 12 upon certification of the services rendered by the
1 13 district judge before whom the defendant was tried.
1 14 If the temporary assistant is employed for purposes of
1 15 assisting in the trial of a person who has been
1 16 charged with first degree murder, in which a notice of
1 17 intent to seek the death penalty has been filed, the
1 18 determination of the amount of compensation determined
1 19 to be reasonable by the board shall be forwarded to
1 20 the treasurer of state and the compensation shall be
1 21 paid by the state."
1 22 Sec. _____. Section [356.15](#), Code 1995, is amended to
1 23 read as follows:
1 24 356.15 EXPENSES.
1 25 All charges and expenses for the safekeeping and
1 26 maintenance of prisoners shall be allowed by the board
1 27 of supervisors, except those committed or detained by
1 28 the authority of the courts of the United States, in
1 29 which cases the United States must pay such expenses
1 30 to the county, those detained during a penalty
1 31 proceeding in a first degree murder case in which a
1 32 notice of intent to seek the death penalty has been
1 33 filed, in which cases the state shall pay the
1 34 expenses to the county, and those committed for
1 35 violation of a city ordinance, in which case the city
1 36 shall pay expenses to the county."
1 37 #2. Page 3, by inserting after line 40 the
1 38 following:
1 39 "Sec. _____. Section [815.13](#), Code 1995, is amended
1 40 to read as follows:
1 41 815.13 PAYMENT OF PROSECUTION COSTS.
1 42 1.

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- Except as provided in subsection 2, county
1 43 or city which has the duty to prosecute a criminal
1 44 action shall pay the costs of depositions taken on
1 45 behalf of the prosecution, the costs of transcripts
1 46 requested by the prosecution, and in criminal actions
1 47 prosecuted by the county or city under county or city
1 48 ordinance the fees that are payable to the clerk of
1 49 the district court for services rendered and the court
1 50 costs taxed in connection with the trial of the action
2 1 or appeals from the judgment. The county or city
2 2 shall pay witness fees and mileage in trials of
2 3 criminal actions prosecuted by the county or city
2 4 under county or city ordinance. These fees and costs

2 5 are recoverable by the county or city from the
2 6 defendant unless the defendant is found not guilty or
2 7 the action is dismissed, in which case the state shall
2 8 pay the witness fees and mileage in cases prosecuted
2 9 under state law.

2 10 2. In a criminal action for first degree murder
2 11 under section 707.2, where a notice of intent to seek
2 12 the death penalty has been filed, the state shall pay
2 13 the costs of depositions, transcripts, the fees
2 14 payable to the clerk of district court, court costs
2 15 taxed in connection with the trial or appeal which are
2 16 incurred by the county, as well as any witness fees
2 17 and mileage."

2 18 #3. By designating, redesignating, and correcting
2 19 internal references as necessary.

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2 22 _____
2 23 [WEIGEL](#) of Chickasaw

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2 26 _____
2 27 [FALLON](#) of Polk

2 28
2 29

2 30 _____
2 31 [MASCHER](#) of Johnson

2 32
2 33

2 34 _____
2 35 [BERNAU](#) of Story

2 36 [HF 2.554 76](#)

2 37 lh/jw