

House Amendment 3787

Amendment Text

PAG LIN

1 1 Amend [Senate File 373](#), as passed by the Senate, as
1 2 follows:

1 3 #1. Page 1, by striking lines 23 through 30 and
1 4 inserting the following: "constitute contempt of
1 5 court. As part of the order discharging an offender
1 6 from probation, the court shall enter a civil judgment
1 7 against the offender for the balance, if any, of any
1 8 restitution owed by the offender to the victim of the
1 9 crime."

1 10 #2. Page 1, by inserting after line 33, the
1 11 following:

1 12 "Sec. _____. Section [910.5](#), subsection 1, unnumbered
1 13 paragraph 2, Code 1995, is amended to read as follows:

1 14 An offender committed to a penal or correctional
1 15 facility of the state, shall make restitution while
1 16 placed in that facility. Upon commitment to the
1 17 custody of the director of the Iowa department of
1 18 corrections, the director or the director's designee
1 19 shall prepare a restitution plan of payment or modify
1 20 any existing plan of payment. The new or modified
1 21 plan of payment shall reflect the offender's present
1 22 circumstances concerning the offender's income,
1 23 physical and mental health, education, employment, and
1 24 family circumstances. The director or the director's
1 25 designee may modify the plan of payment at any time to
1 26 reflect the offender's present circumstances. After
1 27 the expiration of the offender's sentence, the failure
1 28 of an offender to comply with the plan of restitution
1 29 ordered by the court shall constitute contempt of
1 30 court. Upon the expiration of the offender's
1 31 sentence, the department shall notify the court which
1 32 sentenced the offender and the court shall enter a
1 33 civil judgment against the offender for the balance,
1 34 if any, of any restitution owed by the offender to the
1 35 victim of the crime."

1 36 #3. Page 2, by striking lines 17 through 23 and
1 37 inserting the following: "court. Upon the expiration
1 38 of the offender's sentence, the bureau chief shall
1 39 notify the court which sentenced the offender and the
1 40 court shall enter a civil judgment against the
1 41 offender for the balance, if any, of any restitution
1 42 owed by the offender to the victim of the crime."

1 43 #4. Page 3, by striking lines 7 through 14 and
1 44 inserting the following: "contempt of court. Upon
1 45 the expiration of the offender's sentence, the office
1 46 or individual charged with supervision of the offender
1 47 shall notify the court which sentenced the offender
1 48 and the court shall enter a civil judgment against the
1 49 offender for the balance, if any, of any restitution
1 50 owed by the offender to the victim of the crime."

2 1 #5. By striking page 3, line 34, through page 4,
2 2 line 5, and inserting the following: "of court. Upon
2 3 the expiration of the offender's sentence, the parole
2 4 officer shall notify the court which sentenced the
2 5 offender and the court shall enter a civil judgment
2 6 against the offender for the balance, if any, of any
2 7 restitution owed by the offender to the victim of the

2 8 crime."
2 9 #6. Title page, line 3, by inserting after the
2 10 word "ended" the following: "and providing for the
2 11 entry of a civil judgment for restitution owed to a
2 12 victim".
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2 15 _____
2 16 COMMITTEE ON JUDICIARY
2 17 HURLEY of Fayette, Chairperson
2 18 SF 373.302 76
2 19 lh/cf