

Senate Amendment 3085

Amendment Text

PAG LIN

1 1 Amend [House File 2](#), as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 10, by inserting after line 33 the
1 4 following:
1 5 "____. If the evidence relied upon by the jury, or
1 6 the court, if there is no jury, in reaching the
1 7 verdict, finding that the defendant has been proven
1 8 guilty beyond a reasonable doubt, in the initial
1 9 proceeding does not include a confession by the
1 10 defendant, a DNA profiling match, a fingerprint match,
1 11 or the testimony of two eyewitnesses to the murder,
1 12 the jury, or the court, if there is no jury, shall
1 13 return a special verdict on the issue. If the jury,
1 14 or the court, if there is no jury, did not rely upon a
1 15 confession, a DNA profiling match, a fingerprint
1 16 match, or the testimony of two eyewitnesses to the
1 17 murder, the court shall enter a judgment of conviction
1 18 and shall sentence the defendant to life imprisonment
1 19 as provided in section 902.1, subsection 1, even if
1 20 the jury or the court returns unanimous affirmative
1 21 findings on each of the issues submitted under
1 22 subsection 5. "DNA profiling" means as defined in
1 23 section 13.10."
1 24 #2. Page 19, by inserting after line 31 the
1 25 following:
1 26 "____. If the evidence relied upon by the jury, or
1 27 the court, if there is no jury, in reaching the
1 28 verdict, finding that the defendant has been proven
1 29 guilty beyond a reasonable doubt, in the initial
1 30 proceeding does not include a confession by the
1 31 defendant, a DNA profiling match, a fingerprint match,
1 32 or the testimony of two eyewitnesses to the murder,
1 33 the jury, or the court, if there is no jury, shall
1 34 return a special verdict on the issue. If the jury,
1 35 or the court, if there is no jury, did not rely upon a
1 36 confession, a DNA profiling match, a fingerprint
1 37 match, or the testimony of two eyewitnesses to the
1 38 murder, the court shall enter a judgment of conviction
1 39 and shall sentence the defendant to life imprisonment
1 40 as provided in section 902.1, subsection 1, even if
1 41 the jury or the court returns unanimous affirmative
1 42 findings on each of the issues submitted under
1 43 subsection 3. "DNA profiling" means as defined in
1 44 section 13.10."
1 45 #3. By numbering, renumbering, and correcting
1 46 internal references as necessary.
1 47
1 48
1 49 _____
1 50 ROD [HALVORSON](#)
2 1 [HF 2.273 76](#)
2 2 lh/jj