

Senate Amendment 3090

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 1, by inserting before line 1 the
1 4 following:
1 5 "Section 1. Section [8.6](#), Code 1995, is amended by
1 6 adding the following new subsection:
1 7 NEW SUBSECTION. 16. DEATH PENALTY COSTS AND
1 8 CLAIMS. In a criminal action for first degree murder
1 9 under section 707.2, where a notice of intent to seek
1 10 the death penalty has been filed, determine the costs
1 11 directly attributable to the administration and
1 12 imposition of the death penalty."
1 13 #2. Page 1, line 21, by striking the word
1 14 "subsection" and inserting the following:
1 15 "subsections".
1 16 #3. Page 1, by inserting after line 33 the
1 17 following:
1 18 "NEW SUBSECTION. 9. In a criminal action for
1 19 first degree murder under section 707.2, where a
1 20 notice of intent to seek the death penalty has been
1 21 filed, provide the department of management with
1 22 information relating to the costs directly
1 23 attributable to the administration and imposition of
1 24 the death penalty."
1 25 #4. Page 16, by inserting after line 4 the
1 26 following:
1 27 "Sec. ____ NEW SECTION. 903B.2 EXECUTIONS ‐
1 28 PAYMENT OF PROSECUTION COSTS.
1 29 1. In a criminal action for first degree murder
1 30 under section 707.2, where a notice of intent to seek
1 31 the death penalty has been filed, the state shall pay
1 32 all costs directly attributable to the administration
1 33 and imposition of the death penalty, which shall
1 34 include all of the following:
1 35 a. The employment of temporary assistants by the
1 36 county attorney under section 331.757, for purposes of
1 37 assisting in the trial.
1 38 b. The expenses incurred by the county for the
1 39 safekeeping and maintenance of prisoners detained in a
1 40 county jail or other facility during a penalty
1 41 proceeding.
1 42 c. The costs of depositions, transcripts, fees
1 43 payable to the clerk of the district court, court
1 44 costs taxed in connection with the trial of appeal,
1 45 and witness fees and mileage.
1 46 d. Any other costs allowed by law.
1 47 2. The determination of whether a cost is directly
1 48 attributable to the administration and imposition of
1 49 the death penalty under subsection 1 shall be made by
1 50 the department of management under section 8.6,
2 1 subsection 16, with information and assistance from
2 2 the division of criminal and juvenile justice planning
2 3 of the department of human rights, within one hundred
2 4 twenty days of the completion of the trial
2 5 proceedings. Within sixty days following the
2 6 completion of a trial proceeding in which the death
2 7 penalty was requested, the county may submit a written

2 8 estimate of the costs attributable to the death
2 9 penalty which were incurred during the trial."
2 10 #5. By designating, redesignating, and correcting
2 11 internal references as necessary.
2 12
2 13
2 14 _____
2 15 O. GENE [MADDOX](#)
2 16 [HF 2](#).275 76
2 17 lh/jj