

House Amendment 8333

Amendment Text

PAG LIN

1 1 Amend the amendment, [H-8279](#), to [House File 2394](#), as
1 2 follows:
1 3 #1. Page 1, by striking lines 2 through 25 and
1 4 inserting the following:
1 5 "#____. Page 1, by striking lines 1 through 18.
1 6 #____. Page 1, by inserting after line 21 the
1 7 following:
1 8 "1. If a trial information or indictment is filed
1 9 charging a person with the offense of homicide by
1 10 vehicle under section 707.6A, subsection 1, and the
1 11 person's license has not previously been suspended
1 12 under chapter 321J, or under section 707.6A,
1 13 subsection 2, the clerk of the district court shall,
1 14 upon the filing of the information or indictment,
1 15 forward notice to the department including the name
1 16 and address of the party charged, the registration
1 17 number of the vehicle involved, the nature of the
1 18 offense, and the date of the filing of the indictment
1 19 or information."
1 20 #____. By striking page 1, line 22, through page 2,
1 21 line 16 and inserting the following:
1 22 "2. Upon receiving notice from the clerk of the
1 23 district court that an indictment or information has
1 24 been filed charging an operator with homicide by
1 25 vehicle under section 707.6A, subsection 1 or 2, the
1 26 department shall notify the person that the person's
1 27 motor vehicle license will be suspended effective ten
1 28 days from the date of issuance of the notice. The
1 29 department shall adopt rules relating to the
1 30 suspension of the license of an operator pursuant to
1 31 this section which shall include, but are not limited
1 32 to, procedures for the surrender of the person's
1 33 license to the department upon the effective date of
1 34 the suspension.
1 35 3. If a person whose motor vehicle license has
1 36 been suspended pursuant to this section is not
1 37 convicted of the charge of homicide by vehicle under
1 38 section 707.6A, subsection 1 or 2, upon record entry
1 39 of disposition of the charge, the clerk of the
1 40 district court shall forward a notice including the
1 41 name and address of the party charged, the
1 42 registration number of the vehicle involved, the
1 43 nature of the offense charged by indictment or
1 44 information, the date of the filing of the indictment
1 45 or information, and of the disposition of the charge
1 46 to the department. Upon receipt of the notice from
1 47 the clerk, the department shall automatically rescind
1 48 the suspension and reinstate the person's motor
1 49 vehicle license without payment of any charge or
1 50 penalty."
2 1 #____. Page 2, line 17, by striking the figure "3."
2 2 and inserting the following: "4."
2 3 #____. Page 2, lines 18 and 19, by striking the
2 4 words and figures "1, paragraph "b" or "c"" and
2 5 inserting the following: "1 or 2".
2 6 #____. Page 2, line 21, by striking the figure "1"
2 7 and inserting the following: "2".

2 8 #____. By striking page 2, line 23, through page 4,
2 9 line 10.
2 10 #____. Page 4, by inserting after line 16 the
2 11 following:
2 12 "Sec. _____. Section [902.12](#), Code 1997, is amended
2 13 by adding the following new unnumbered paragraph:
2 14 NEW UNNUMBERED PARAGRAPH. Except as otherwise
2 15 provided in section 903A.2, a person serving a
2 16 sentence for conviction under section 707.6A,
2 17 subsection 1 or 2, shall serve one hundred percent of
2 18 the maximum term of the person's sentence and shall
2 19 not be released on parole or work release, if the
2 20 person was also convicted under section 321.261,
2 21 subsection 3, based on the same facts or event that
2 22 resulted in the conviction under section 707.6A,
2 23 subsection 1 or 2."
2 24 #____. Title page, line 1, by striking the words
2 25 "an immediate" and inserting the following: "service
2 26 of one hundred percent of the maximum sentence by and
2 27 the".
2 28 #____. By numbering and renumbering as necessary."
2 29
2 30
2 31 _____
2 32 [LARSON](#) of Linn
2 33
2 34
2 35 _____
2 36 [HUSER](#) of Polk
2 37
2 38
2 39 _____
2 40 [KREIMAN](#) of Davis
2 41 [CHIODO](#) of Polk
2 42 [HF 2394.303](#) 77
2 43 lh/cf/28