

House Amendment 8542

Amendment Text

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1 1 Amend [Senate File 2398](#), as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 "Section 1. NEW SECTION. 229A.1 LEGISLATIVE
1 6 FINDINGS.
1 7 The general assembly finds that a small but
1 8 extremely dangerous group of sexually violent
1 9 predators exists which is made up of persons who do
1 10 not have a mental disease or defect that renders them
1 11 appropriate for involuntary treatment pursuant to the
1 12 treatment provisions for mentally ill persons under
1 13 chapter 229, since that chapter is intended to provide
1 14 short-term treatment to persons with serious mental
1 15 disorders and then return them to the community. In
1 16 contrast to persons appropriate for civil commitment
1 17 under chapter 229, sexually violent predators
1 18 generally have antisocial personality features that
1 19 are unamenable to existing mental illness treatment
1 20 modalities and that render them likely to engage in
1 21 sexually violent behavior. The general assembly finds
1 22 that sexually violent predators' likelihood of
1 23 engaging in repeat acts of predatory sexual violence
1 24 is high and that the existing involuntary commitment
1 25 procedure under chapter 229 is inadequate to address
1 26 the risk these sexually violent predators pose to
1 27 society.
1 28 The general assembly further finds that the
1 29 prognosis for rehabilitating sexually violent
1 30 predators in a prison setting is poor, because the
1 31 treatment needs of this population are very long-term,
1 32 and the treatment modalities for this population are
1 33 very different from the traditional treatment
1 34 modalities available in a prison setting or for
1 35 persons appropriate for commitment under chapter 229.
1 36 Therefore, the general assembly finds that a civil
1 37 commitment procedure for the long-term care and
1 38 treatment of the sexually violent predator is
1 39 necessary.
1 40 Sec. _____. NEW SECTION. 229A.2 DEFINITIONS.
1 41 As used in this chapter:
1 42 1. "Agency with jurisdiction" means an agency
1 43 which releases a person serving a sentence or term of
1 44 confinement based upon a lawful order or authority,
1 45 and includes but is not limited to the department of
1 46 corrections, the department of human services, a
1 47 judicial district department of correctional services,
1 48 and the Iowa board of parole.
1 49 2. "Mental abnormality" means a congenital or
1 50 acquired condition affecting the emotional or
2 1 volitional capacity of a person and predisposing that
2 2 person to commit sexually violent offenses to a degree
2 3 which would constitute a menace to the health and
2 4 safety of others.
2 5 3. "Predatory" means acts directed toward a person
2 6 with whom a relationship has been established or
2 7 promoted for the primary purpose of victimization.

2 8 4. "Sexually motivated" means that one of the
2 9 purposes for commission of a crime is the purpose of
2 10 sexual gratification of the perpetrator of the crime.
2 11 5. "Sexually violent offense" means:
2 12 a. A violation of any provision of chapter 709.
2 13 b. A violation of any of the following if the
2 14 offense involves sexual abuse, attempted sexual abuse,
2 15 or intent to commit sexual abuse:
2 16 (1) Murder as defined in section 707.1.
2 17 (2) Kidnapping as defined in section 710.1.
2 18 (3) Burglary as defined in section 713.1.
2 19 (4) Child endangerment under section 726.6,
2 20 subsection 1, paragraph "e".
2 21 c. Sexual exploitation of a minor in violation of
2 22 section 728.12, subsection 1.
2 23 d. Pandering involving a minor in violation of
2 24 section 725.3, subsection 2.
2 25 e. An offense involving an attempt or conspiracy
2 26 to commit any offense referred to in this subsection.
2 27 f. An offense under prior law of this state or an
2 28 offense committed in another jurisdiction which would
2 29 constitute an equivalent offense under paragraphs "a"
2 30 through "e".
2 31 g. Any act which, either at the time of sentencing
2 32 for the offense or subsequently during civil
2 33 commitment proceedings pursuant to this chapter, has
2 34 been determined beyond a reasonable doubt to have been
2 35 sexually motivated.
2 36 6. "Sexually violent predator" means a person who
2 37 has been convicted of or charged with a sexually
2 38 violent offense and who suffers from a mental
2 39 abnormality which makes the person likely to engage in
2 40 predatory acts constituting sexually violent offenses,
2 41 if not confined in a secure facility.
2 42 Sec. _____. NEW SECTION. 229A.3 NOTICE OF
2 43 DISCHARGE OF SEXUALLY VIOLENT PREDATOR IMMUNITY
2 44 FROM LIABILITY MULTIDISCIPLINARY TEAM
2 45 PROSECUTOR'S REVIEW COMMITTEE ASSESSMENT OF PERSON.
2 46 1. When it appears that a person may meet the
2 47 definition of a sexually violent predator, the agency
2 48 with jurisdiction shall give written notice to the
2 49 attorney general and the multidisciplinary team
2 50 established in subsection 4, no later than ninety days
3 1 prior to any of the following events:
3 2 a. The anticipated discharge of a person who has
3 3 been convicted of a sexually violent offense from
3 4 total confinement, except that in the case of a person
3 5 who is returned to prison for no more than ninety days
3 6 as a result of revocation of parole, written notice
3 7 shall be given as soon as practicable following the
3 8 person's readmission to prison.
3 9 b. The discharge of a person who has been charged
3 10 with a sexually violent offense and who has been
3 11 determined to be incompetent to stand trial pursuant
3 12 to chapter 812.
3 13 c. The discharge of a person who has been found
3 14 not guilty by reason of insanity of a sexually violent
3 15 offense.
3 16 d. The discharge of a person who has been found
3 17 not guilty of a sexually violent offense referred to
3 18 under section 229A.2, subsection 5, paragraph "b", or
3 19 of an attempt or conspiracy to commit an offense under
3 20 that paragraph, where the court or jury who found the
3 21 person not guilty answers the special allegation in
3 22 section 229A.14 in the affirmative.
3 23 2. If notice is required under subsection 1, the
3 24 agency with jurisdiction shall inform the attorney

3 25 general and the multidisciplinary team established in
3 26 subsection 4, of both of the following:

- 3 27 a. The person's name, identifying factors,
3 28 anticipated future residence, and offense history.
- 3 29 b. Documentation of any institutional evaluation
3 30 and any treatment received.

3 31 3. The agency with jurisdiction, its employees,
3 32 officials, members of the multidisciplinary team
3 33 established in subsection 4, members of the
3 34 prosecutor's review committee appointed as provided in
3 35 subsection 5, and individuals contracting, appointed,
3 36 or volunteering to perform services under this section
3 37 shall be immune from liability for any good-faith
3 38 conduct under this section.

3 39 4. The director of the department of corrections
3 40 shall establish a multidisciplinary team which may
3 41 include individuals from other state agencies to
3 42 review available records of each person referred to
3 43 such team pursuant to subsection 1. The team, within
3 44 thirty days of receiving notice, shall assess whether
3 45 or not the person meets the definition of a sexually
3 46 violent predator. The team shall notify the attorney
3 47 general of its assessment.

3 48 5. The attorney general shall appoint a
3 49 prosecutor's review committee to review the records of
3 50 each person referred to the attorney general pursuant
4 1 to subsection 1. The prosecutor's review committee
4 2 shall assist the attorney general in the determination
4 3 of whether or not the person meets the definition of a
4 4 sexually violent predator. The assessment of the
4 5 multidisciplinary team shall be made available to the
4 6 attorney general and the prosecutor's review
4 7 committee.

4 8 Sec. _____. NEW SECTION. 229A.4 PETITION, TIME,
4 9 CONTENTS.

4 10 If it appears that a person presently confined may
4 11 be a sexually violent predator and the prosecutor's
4 12 review committee has determined that the person meets
4 13 the definition of a sexually violent predator, the
4 14 attorney general may file a petition, within seventy-
4 15 five days of the date the attorney general received
4 16 the written notice by the agency of jurisdiction
4 17 pursuant to section 229A.3, alleging that the person
4 18 is a sexually violent predator and stating sufficient
4 19 facts to support such an allegation.

4 20 Sec. _____. NEW SECTION. 229A.5 PERSON TAKEN INTO
4 21 CUSTODY, DETERMINATION OF PROBABLE CAUSE, HEARING,
4 22 EVALUATION.

4 23 1. Upon filing of a petition under section 229A.4,
4 24 the court shall make a preliminary determination as to
4 25 whether probable cause exists to believe that the
4 26 person named in the petition is a sexually violent
4 27 predator. Upon a preliminary finding of probable
4 28 cause, the court shall direct that the person named in
4 29 the petition be taken into custody and that the person
4 30 be served with a copy of the petition and any
4 31 supporting documentation and notice of the procedures
4 32 required by this chapter.

4 33 2. Within seventy-two hours after being taken into
4 34 custody, a hearing shall be held to determine whether
4 35 probable cause exists to believe the detained person
4 36 is a sexually violent predator. At the probable cause
4 37 hearing, the detained person shall have the following
4 38 rights:

- 4 39 a. To be provided with prior notice of date, time,
4 40 and location of the probable cause hearing.
- 4 41 b. To respond to the preliminary finding of

4 42 probable cause.
4 43 c. To appear in person at the hearing.
4 44 d. To be represented by counsel.
4 45 e. To present evidence on the respondent's own
4 46 behalf.
4 47 f. To cross-examine witnesses who testify against
4 48 the respondent.
4 49 g. To view and copy all petitions and reports in
4 50 the possession of the court.

5 1 3. At the hearing, the state may rely upon the
5 2 petition filed under subsection 1 but may also
5 3 supplement the petition with additional documentary
5 4 evidence or live testimony.

5 5 4. At the conclusion of the hearing, the court
5 6 shall enter an order which does both of the following:

5 7 a. Verifies the respondent's identity.

5 8 b. Determines whether probable cause exists to
5 9 believe that the respondent is a sexually violent
5 10 predator.

5 11 5. If the court determines that probable cause
5 12 does exist, the court shall direct that the respondent
5 13 be transferred to an appropriate secure facility,
5 14 including, but not limited to, a county jail, for an
5 15 evaluation as to whether the respondent is a sexually
5 16 violent predator. The evaluation shall be conducted
5 17 by a person deemed to be professionally qualified to
5 18 conduct such an examination.

5 19 Sec. _____. NEW SECTION. 229A.6 COUNSEL AND
5 20 EXPERTS, INDIGENT PERSONS.

5 21 1. A respondent to a petition alleging the person
5 22 to be a sexually violent predator shall be entitled to
5 23 the assistance of counsel upon the filing of the
5 24 petition under section 299A.4 and, if the respondent
5 25 is indigent, the court shall appoint counsel to assist
5 26 the respondent.

5 27 2. If a respondent is subjected to an examination
5 28 under this chapter, the respondent may retain experts
5 29 or professional persons to perform an independent
5 30 examination on the respondent's behalf. If the
5 31 respondent wishes to be examined by a qualified expert
5 32 or professional person of the respondent's own choice,
5 33 the examiner of the respondent's choice shall be given
5 34 reasonable access to the respondent for the purpose of
5 35 the examination, as well as access to all relevant
5 36 medical and psychological records and reports. If the
5 37 respondent is indigent, the court, upon the
5 38 respondent's request, shall determine whether the
5 39 services are necessary and the reasonable compensation
5 40 for the services. If the court determines that the
5 41 services are necessary and the requested compensation
5 42 for the services is reasonable, the court shall assist
5 43 the respondent in obtaining an expert or professional
5 44 person to perform an examination or participate in the
5 45 trial on the respondent's behalf. The court shall
5 46 approve payment for such services upon the filing of a
5 47 certified claim for compensation supported by a
5 48 written statement specifying the time expended,
5 49 services rendered, expenses incurred on behalf of the
5 50 respondent, and compensation received in the same case
6 1 or for the same services from any other source.

6 2 Sec. _____. NEW SECTION. 229A.7 TRIAL,
6 3 DETERMINATION, COMMITMENT PROCEDURE, INTERAGENCY
6 4 AGREEMENTS, MISTRIALS.

6 5 1. Within sixty days after the completion of any
6 6 hearing held pursuant to section 229A.5, the court
6 7 shall conduct a trial to determine whether the
6 8 respondent is a sexually violent predator. The trial

6 9 may be continued upon the request of either party and
6 10 a showing of good cause, or by the court on its own
6 11 motion in the due administration of justice, and when
6 12 the respondent will not be substantially prejudiced.
6 13 The respondent, the attorney general, or the judge
6 14 shall have the right to demand that the trial be
6 15 before a jury. Such demand for the trial to be before
6 16 a jury shall be filed, in writing, at least four days
6 17 prior to trial. The number and selection of jurors
6 18 shall be determined as provided in chapter 607A. If
6 19 no demand is made, the trial shall be before the
6 20 court.

6 21 2. At trial, the court or jury shall determine
6 22 whether, beyond a reasonable doubt, the respondent is
6 23 a sexually violent predator. If the determination
6 24 that the respondent is a sexually violent predator is
6 25 made by a jury, the determination shall be by
6 26 unanimous verdict of such jury.

6 27 If the court or jury determines that the respondent
6 28 is a sexually violent predator, the respondent shall
6 29 be committed to the custody of the director of the
6 30 department of human services for control, care, and
6 31 treatment until such time as the person's mental
6 32 abnormality has so changed that the person is safe to
6 33 be at large. The determination may be appealed.

6 34 3. The control, care, and treatment of a person
6 35 determined to be a sexually violent predator shall be
6 36 provided at a facility operated by the department of
6 37 human services. At all times, persons committed for
6 38 control, care, and treatment by the department of
6 39 human services pursuant to this chapter shall be kept
6 40 in a secure facility and those patients shall be
6 41 segregated at all times from any other patient under
6 42 the supervision of the department of human services.
6 43 A person committed pursuant to this chapter to the
6 44 custody of the department of human services may be
6 45 kept in a facility or building separate from any other
6 46 patient under the supervision of the department of
6 47 human services. The department of human services may
6 48 enter into an interagency agreement with the
6 49 department of corrections for the confinement of
6 50 patients who have been determined to be sexually
7 1 violent predators. Patients who are in the
7 2 confinement of the director of the department of
7 3 corrections pursuant to an interagency agreement shall
7 4 be housed and managed separately from criminal
7 5 offenders in the custody of the director of the
7 6 department of corrections, and except for occasional
7 7 instances of supervised incidental contact, shall be
7 8 segregated from those offenders.

7 9 4. If the court or jury is not satisfied beyond a
7 10 reasonable doubt that the respondent is a sexually
7 11 violent predator, the court shall direct the
7 12 respondent's release. Upon a mistrial, the court
7 13 shall direct that the respondent be held at an
7 14 appropriate secure facility, including, but not
7 15 limited to, a county jail, until another trial is
7 16 conducted. Any subsequent trial following a mistrial
7 17 shall be held within ninety days of the previous
7 18 trial, unless such subsequent trial is continued as
7 19 provided in subsection 1.

7 20 5. If a person charged with a sexually violent
7 21 offense has been found incompetent to stand trial or
7 22 has been found not guilty of a sexually violent
7 23 offense by reason of insanity, and the person is about
7 24 to be discharged pursuant to section 812.5, if a
7 25 petition has been filed seeking the person's

7 26 commitment under this chapter, the court shall first
7 27 hear evidence and determine whether the person did
7 28 commit the act or acts charged. At the hearing on
7 29 this issue, the rules of evidence applicable in
7 30 criminal cases shall apply, and all constitutional
7 31 rights available to defendants at criminal trials,
7 32 other than the right not to be tried while
7 33 incompetent, shall apply. After hearing evidence on
7 34 this issue, the court shall make specific findings on
7 35 whether the person did commit the act or acts charged,
7 36 the extent to which the person's incompetence or
7 37 insanity affected the outcome of the hearing,
7 38 including its effect on the person's ability to
7 39 consult with and assist counsel and to testify on the
7 40 person's own behalf, the extent to which the evidence
7 41 could be reconstructed without the assistance of the
7 42 person, and the strength of the prosecution's case.
7 43 If after the conclusion of the hearing on this issue,
7 44 the court finds, beyond a reasonable doubt, that the
7 45 person did commit the act or acts charged, the court
7 46 shall enter a final order, appealable by the person,
7 47 on that issue, and may proceed to consider whether the
7 48 person should be committed pursuant to this chapter.

7 49 Sec. ____ . NEW SECTION. 229A.8 ANNUAL
7 50 EXAMINATIONS, DISCHARGE PETITIONS BY PERSONS
8 1 COMMITTED.

8 2 1. Each person committed under this chapter shall
8 3 have a current examination of the person's mental
8 4 abnormality made once every year. The person may
8 5 retain, or if the person is indigent and so requests,
8 6 the court may appoint a qualified expert or
8 7 professional person to examine such person, and such
8 8 expert or professional person shall be given access to
8 9 all records concerning the person.

8 10 2. The annual report shall be provided to the
8 11 court that committed the person under this chapter.
8 12 The court shall conduct an annual review and probable
8 13 cause hearing on the status of the committed person.

8 14 3. Nothing contained in this chapter shall
8 15 prohibit the person from otherwise petitioning the
8 16 court for discharge at the probable cause hearing.
8 17 The director of human services shall provide the
8 18 committed person with an annual written notice of the
8 19 person's right to petition the court for discharge
8 20 over the director's objection. The notice shall
8 21 contain a waiver of rights. The director shall
8 22 forward the notice and waiver form to the court with
8 23 the annual report.

8 24 4. The committed person shall have a right to have
8 25 an attorney represent the person at the probable cause
8 26 hearing but the person is not entitled to be present
8 27 at the hearing. If the court at the hearing
8 28 determines that probable cause exists to believe that
8 29 the person's mental abnormality has so changed that
8 30 the person is safe to be at large and will not engage
8 31 in predatory acts or sexually violent offenses if
8 32 discharged, then the court shall set a final hearing
8 33 on the issue.

8 34 5. At the final hearing, the committed person
8 35 shall be entitled to be present and is entitled to the
8 36 benefit of all constitutional protections that were
8 37 afforded the person at the original commitment
8 38 proceeding. The attorney general shall represent the
8 39 state and shall have a right to a jury trial and to
8 40 have the committed person evaluated by experts chosen
8 41 by the state. The committed person shall also have
8 42 the right to have experts evaluate the person on the

8 43 person's behalf. The court shall appoint an expert if
8 44 the person is indigent and requests an appointment.
8 45 The burden of proof at the hearing shall be upon the
8 46 state to prove beyond a reasonable doubt that the
8 47 committed person's mental abnormality or personality
8 48 disorder remains such that the person is not safe to
8 49 be at large and if discharged is likely to engage in
8 50 acts of sexual violence.

9 1 Sec. _____. NEW SECTION. 229A.9 DETENTION AND
9 2 COMMITMENT TO CONFORM TO CONSTITUTIONAL REQUIREMENTS.

9 3 The involuntary detention or commitment of persons
9 4 under this chapter shall conform to constitutional
9 5 requirements for care and treatment.

9 6 Sec. _____. NEW SECTION. 229A.10 PETITION FOR
9 7 DISCHARGE PROCEDURE.

9 8 If the director of human services determines that
9 9 the person's mental abnormality has so changed that
9 10 the person is not likely to commit predatory acts or
9 11 sexually violent offenses if discharged, the director
9 12 shall authorize the person to petition the court for
9 13 discharge. The petition shall be served upon the
9 14 court and the attorney general. The court, upon
9 15 receipt of the petition for discharge, shall order a
9 16 hearing within thirty days. The attorney general
9 17 shall represent the state, and shall have the right to
9 18 have the petitioner examined by an expert or
9 19 professional person of the attorney general's choice.
9 20 The hearing shall be before a jury if demanded by
9 21 either the petitioner or the attorney general. The
9 22 burden of proof shall be upon the attorney general to
9 23 show beyond a reasonable doubt that the petitioner's
9 24 mental abnormality or personality disorder remains
9 25 such that the petitioner is not safe to be at large
9 26 and that if discharged is likely to commit predatory
9 27 acts or sexually violent offenses.

9 28 Sec. _____. NEW SECTION. 229A.11 SUBSEQUENT
9 29 DISCHARGE PETITIONS, LIMITATIONS.

9 30 Nothing in this chapter shall prohibit a person
9 31 from filing a petition for discharge pursuant to this
9 32 chapter. However, if a person has previously filed a
9 33 petition for discharge without the authorization of
9 34 the director of human services, and the court
9 35 determines either upon review of the petition or
9 36 following a hearing that the petition was frivolous or
9 37 that the petitioner's condition had not so changed
9 38 that the person was safe to be at large, then the
9 39 court shall summarily deny the subsequent petition
9 40 unless the petition contains facts upon which a court
9 41 could find the condition of the petitioner had so
9 42 changed that a hearing was warranted. Upon receipt of
9 43 a first or subsequent petition from a committed person
9 44 without the director's authorization, the court shall
9 45 endeavor whenever possible to review the petition and
9 46 determine if the petition is based upon frivolous
9 47 grounds. If the court determines that a petition is
9 48 frivolous, the court shall deny the petition without a
9 49 hearing.

9 50 Sec. _____. NEW SECTION. 229A.12 DIRECTOR OF HUMAN
10 1 SERVICES RESPONSIBILITY FOR COSTS DUTIES
10 2 REIMBURSEMENT.

10 3 The director of human services shall be responsible
10 4 for all costs relating to the evaluation and treatment
10 5 of persons committed to the director's custody under
10 6 any provision of this chapter. Reimbursement may be
10 7 obtained by the director from the patient and any
10 8 person legally liable or bound by contract for the
10 9 support of the patient for the cost of care and

10 10 treatment provided.

10 11 Sec. _____. NEW SECTION. 229A.13 NOTICE TO VICTIMS
10 12 OF DISCHARGE OF PERSONS COMMITTED.

10 13 In addition to any other information required to be
10 14 released under this chapter, prior to the discharge of
10 15 a person committed under this chapter, the director of
10 16 human services shall give written notice of the
10 17 person's discharge to any living victim of the
10 18 person's activities or crime whose address is known to
10 19 the director or, if the victim is deceased, to the
10 20 victim's family, if the family's address is known.
10 21 Failure to notify shall not be a reason for
10 22 postponement of discharge. Nothing in this section
10 23 shall create a cause of action against the state or an
10 24 employee of the state acting within the scope of the
10 25 employee's employment as a result of the failure to
10 26 notify pursuant to this action.

10 27 Sec. _____. NEW SECTION. 229A.14 SPECIAL
10 28 ALLEGATION OF SEXUAL MOTIVATION PROCEDURE
10 29 WITHDRAWAL OR DISMISSAL.

10 30 1. Except as otherwise provided in subsection 4,
10 31 the county attorney shall file a special allegation of
10 32 sexual motivation within ten days after arraignment,
10 33 when sufficient admissible evidence exists, which,
10 34 when considered with the most plausible, reasonably
10 35 foreseeable defense that could be raised under the
10 36 evidence, would justify a finding of sexual motivation
10 37 by a reasonable and objective fact finder.

10 38 2. In a criminal case in which a special
10 39 allegation of sexual motivation has been filed, the
10 40 state shall prove beyond a reasonable doubt that the
10 41 crime was sexually motivated. The court shall make a
10 42 finding of fact of whether or not a sexual motivation
10 43 was present at the time of the commission of the
10 44 crime, or if a jury trial is had, the jury shall
10 45 return a special verdict as to whether or not the
10 46 crime was sexually motivated.

10 47 3. The county attorney shall not withdraw the
10 48 special allegation of sexual motivation without
10 49 approval of the court through an order of dismissal of
10 50 the special allegation. The court shall not dismiss
11 1 the special allegation unless it finds that such an
11 2 order is necessary to correct an error in the initial
11 3 charging decision or unless evidentiary problems exist
11 4 which make proving the special allegation doubtful.

11 5 4. This section shall not apply to criminal cases
11 6 alleging a violation of chapter 709 or a case in which
11 7 the commission of a sex act is an element of the
11 8 offense charged.

11 9 Sec. _____. NEW SECTION. 229A.15 SEVERABILITY.

11 10 If any provision of this chapter or the application
11 11 thereof to any person or circumstances is held
11 12 invalid, the invalidity shall not affect other
11 13 provisions or applications of the chapter which can be
11 14 given effect without the invalid provisions or
11 15 application and, to this end, the provisions of this
11 16 chapter are severable.

11 17 Sec. _____. NEW SECTION. 229A.16 RELEASE OF
11 18 CONFIDENTIAL OR PRIVILEGED INFORMATION AND RECORDS.

11 19 Notwithstanding anything in chapter 22 to the
11 20 contrary, relevant information and records which would
11 21 otherwise be confidential or privileged shall be
11 22 released to the agency with jurisdiction or the
11 23 attorney general for the purpose of meeting the notice
11 24 requirement provided in section 229A.3 and determining
11 25 whether a person is or continues to be a sexually
11 26 violent predator.

11 27 Sec. _____. NEW SECTION. 229A.17 COURT RECORDS
11 28 SEALED AND OPENED BY COURT ORDER.
11 29 Any psychological reports, drug and alcohol
11 30 reports, treatment records, reports of any diagnostic
11 31 center, medical records, or victim impact statements
11 32 which have been submitted to the court or admitted
11 33 into evidence under this chapter shall be part of the
11 34 record but shall be sealed and opened only on order of
11 35 the court.
11 36 Sec. _____. NEW SECTION. 299A.18 SHORT TITLE.
11 37 This chapter shall be known and may be cited as the
11 38 "Sexually Violent Predator Act".
11 39 #2. By renumbering as necessary.
11 40
11 41
11 42 _____
11 43 COMMITTEE ON JUDICIARY
11 44 LAMBERTI of Polk, Chairperson
11 45 SF 2398.505 77
11 46 lh/jw/28