

Senate File 2230

H-8361

1 Amend Senate File 2230, as passed by the Senate, as follows:

2 1. Page 1, after line 14 by inserting:

3 <Sec. \_\_\_\_\_. Section 717B.1, Code 2018, is amended by adding  
4 the following new subsection:

5 NEW SUBSECTION. 6A. *“Magistrate”* means the same as defined  
6 in section 801.4.

7 Sec. \_\_\_\_\_. NEW SECTION. 717B.5A **Initial appearance —**  
8 **pretrial release.**

9 1. At the time of a defendant’s initial appearance for a  
10 charge involving a violation of this chapter, a magistrate’s  
11 order for the defendant’s pretrial release from custody may  
12 impose a condition that prohibits or restricts the defendant  
13 from doing any of the following:

- 14 a. Acquiring an ownership interest in a dog or cat.  
15 b. Acquiring or retaining custody of a dog or cat.  
16 c. Residing in a dwelling located on the same premises where  
17 a dog or cat is kept.

18 2. The condition imposed pursuant to this section shall be  
19 in addition to any other provision allowed or required to be  
20 part of the magistrate’s order for the defendant’s pretrial  
21 release under chapter 811.

22 Sec. \_\_\_\_\_. NEW SECTION. 717B.5B **Sentencing order —**  
23 **prohibition.**

24 1. At the time of a person’s sentencing for an offense  
25 involving a violation of this chapter, the court’s order may  
26 prohibit or restrict the defendant from doing any of the  
27 following:

- 28 a. Acquiring an ownership interest in a dog or cat.  
29 b. Acquiring or retaining custody of a dog or cat.  
30 c. Residing in a dwelling located on the same premises where  
31 a dog or cat is kept.

32 2. The prohibition or restriction imposed pursuant to this  
33 section shall be for not less than one year commencing on the  
34 date that the convicted person is placed on probation, released  
35 on parole or work release, or released from incarceration or

1 from placement in a juvenile facility.

2 3. The prohibition or restriction imposed pursuant to this  
3 section shall be in addition to any other provision allowed  
4 or required to be part of a sentencing order, including those  
5 conditions imposed pursuant to section 717B.3A for animal  
6 torture.

7 4. A person who violates the prohibition or restriction  
8 imposed pursuant to this section commits a simple misdemeanor.>

9 2. Title page, line 1, by striking <kidnapping in the second  
10 degree> and inserting <criminal offenses involving kidnapping  
11 or injury to animals>

12 3. By renumbering as necessary.

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WOLFE of Clinton