

H-8127

1 Amend House File 2505 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. NEW SECTION. 811.1B Pretrial bond amounts for  
5 class "A" and forcible felonies.

6 1. It is the policy of this state that, for certain  
7 violent offenses, a court setting bond must give significant  
8 consideration to the danger a defendant poses to another person  
9 or the property of another if the defendant is not detained  
10 pending trial. This consideration is in addition to all others  
11 recognized by law, including but not limited to the bond amount  
12 necessary to secure the defendant's appearance.

13 2. a. When probable cause for an offense is found by  
14 the magistrate, or the district court has found the minutes  
15 supporting an indictment or information are sufficient to  
16 support a conviction if unexplained, and after considering the  
17 conditions for release as provided in section 811.2, subsection  
18 2, the following shall be presumed to be the minimum pretrial  
19 bond amounts for each count charged, notwithstanding any other  
20 provision of law:

21 (1) For a class "A" felony, a five hundred thousand dollar  
22 bond.

23 (2) For a class "B" forcible felony, a twenty-five thousand  
24 dollar bond.

25 (3) For a class "C" forcible felony, a ten thousand dollar  
26 bond.

27 (4) For a class "D" forcible felony, a five thousand dollar  
28 bond.

29 b. The bond amounts in paragraph "a" shall be presumed  
30 reasonable, subject to adjustment based upon the factors  
31 in section 811.2. In determining conditions of release,  
32 the court shall not set bail at an amount that is less than  
33 the bond amounts in paragraph "a" unless the court provides  
34 justification pursuant to section 811.2, subsection 2, in  
35 writing. The bond schedule shall be adjusted annually to

1 account for inflation.

2 c. The court shall require the execution of a bail bond  
3 with sufficient surety, or the deposit of cash in lieu of bond.  
4 However, except as provided in section 811.1, bail initially  
5 given remains valid until final disposition of the offense or  
6 entry of an order deferring judgment. If the amount of bail  
7 is deemed insufficient by the court before whom the offense  
8 is pending, the court may order an increase of bail and the  
9 defendant must provide the additional undertaking, as a surety  
10 bond or in cash, to secure release.

11 3. The presumption established in subsection 2, paragraph  
12 "b", may be rebutted upon a showing that the presumptive bond  
13 amount is greater than necessary to reasonably assure the  
14 defendant's appearance or the safety of another person or the  
15 property of another, after consideration of the factors set  
16 forth in section 811.2. In determining whether the presumption  
17 has been rebutted, the court shall make findings on the  
18 record addressing the basis for any adjustment to the bond  
19 amount. In cases involving a violent crime, the court shall  
20 give substantial weight to the safety of the victim and the  
21 community.

22 4. As with other bond reviews, a determination under this  
23 section made by a magistrate is reviewable by a district  
24 court judge or a district associate judge having original  
25 jurisdiction of the offense with which the defendant is charged  
26 pursuant to section 811.2, subsection 7, paragraph "a", while a  
27 determination made by a district court judge is only reviewable  
28 by the appellate court pursuant to section 811.2, subsection  
29 7, paragraph "b".

30 Sec. 2. Section 811.2, subsection 1, paragraph a,  
31 subparagraph (3), Code 2026, is amended to read as follows:

32 (3) Require the execution of an appearance bond in a  
33 specified amount and the deposit with the clerk of the district  
34 court or a public officer designated under section 602.1211,  
35 subsection 4, in cash or other qualified security, ~~of a sum not~~

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(amending this HF 2505 to CONFORM to SF 2399)

1 ~~to exceed ten percent of the amount of the bond,~~ the deposit to  
2 be returned to the person who deposited the specified amount  
3 with the clerk upon the performance of the appearances as  
4 required in [section 811.6](#).

5 Sec. 3. Section 811.2, subsection 1, Code 2026, is amended  
6 by adding the following new paragraph:

7 NEW PARAGRAPH. *c.* If a pretrial release evaluation is  
8 completed by the department of corrections for a magistrate to  
9 consider prior to the release of a defendant, the evaluator  
10 for the department of corrections must verify all of the  
11 information contained in the pretrial release evaluation prior  
12 to providing it to the magistrate.

13 Sec. 4. JUDICIAL COUNCIL — UNIFORM BOND SCHEDULE. The  
14 judicial council shall revise and update the bond schedule to  
15 adjust for inflation since the previous update that became  
16 effective on July 1, 2017. The revised bond schedule shall be  
17 submitted to the supreme court no later than July 1, 2027, and  
18 shall be adjusted annually thereafter.>

19 2. Title page, by striking line 1 and inserting <An Act  
20 relating to pretrial bond amounts for certain felonies.>

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VONDRAN of Scott