Senate File 2399

S-5034

1   Amend Senate File 2399 as follows:

2   1. Page 1, by striking lines 15 and 16 and inserting <2, the
3   following>

4   2. Page 1, lines 28 and 29, by striking <the defendant's
5   ability and>

6   3. Page 1, line 29, after <section 811.2.> by inserting <In
7   determining conditions of release, the court shall not set bail
8   at an amount that is less than the bond amounts in paragraph
9   *a*˝ unless the court provides justification pursuant to section
10 811.2, subsection 2, in writing. The bond schedule shall be
11 adjusted annually to account for inflation.>

12   4. Page 2, line 2, by striking <written> and inserting <as
13 a surety bond>

14   5. Page 2, line 9, by striking <and the defendant's ability
15 to pay>

16   6. Page 2, after line 22 by inserting:

17   <Sec. ___. Section 811.2, subsection 1, paragraph a,
18 subparagraph (3), Code 2026, is amended to read as follows:

19   (3) Require the execution of an appearance bond in a
20 specified amount and the deposit with the clerk of the district
21 court or a public officer designated under section 602.1211,
22 subsection 4, in cash or other qualified security, ~~of a sum not~~
23 ~~to exceed ten percent of the amount of the bond,~~ the deposit to
24 be returned to the person who deposited the specified amount
25 with the clerk upon the performance of the appearances as
26 required in section 811.6.

27   Sec. ___. Section 811.2, subsection 1, Code 2026, is amended
28 by adding the following new paragraph:

29   NEW PARAGRAPH. *c.* If a pretrial release evaluation is
30 completed by the department of corrections for a magistrate to
31 consider prior to the release of a defendant, the evaluator
32 for the department of corrections must verify all of the
33 information contained in the pretrial release evaluation prior
34 to providing it to the magistrate.

35   Sec. ___. JUDICIAL COUNCIL —— UNIFORM BOND SCHEDULE. The

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1 judicial council shall revise and update the bond schedule to
2 adjust for inflation since the previous update that became
3 effective on July 1, 2017. The revised bond schedule shall be
4 submitted to the supreme court no later than July 1, 2027, and
5 shall be adjusted annually thereafter.>
6   7. By renumbering as necessary.

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MIKE BOUSSELOT

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