

January 23, 1963.

Judiciary 1. *Pass as amended 1-31*

Passed House, Date *2-7-63*

Vote: Ayes *20* Nays *2*

Approved *2* *4-8-63*

House File 52

By MOWRY and CARSTENSEN.

Sen. Judiciary 1, 2-11 Pass 3/21
Passed Senate, Date *4-7-63*

Vote: Ayes *40* Nays *7*

A BILL FOR

An Act to amend chapter seven hundred ninety-five (795),
Code 1962, relating to criminal indictments.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section seven hundred ninety-five point one (795.1),
2 Code 1962, is hereby amended by inserting in line five (5) after
3 the word "answer" the words "or within thirty (30) days", and by
4 adding after the period in line seven (7) the following "An accused
5 not admitted to bail or unrepresented by legal counsel shall not be
6 be deemed to have waived his privilege of dismissal or be held to
7 make demand or request to enforce a guarantee of speedy trial, and
8 the court on its own motion shall carry out the provisions of this
9 act as to dismissal".

1 Sec. 2. Section seven hundred ninety-five point two (795.2),
2 Code 1962, is hereby amended by inserting in line five (5) after
3 the word "triable" the words "or within sixty (60) days", and by
4 adding after the period in line seven (7) the following "An accused
5 not admitted to bail or unrepresented by legal counsel shall not be
6 deemed to have waived his privilege of dismissal or be held to make
7 demand or request to enforce a guarantee of speedy trial, and the
8 court on its own motion shall carry out the provisions of this act
9 as to dismissal".

EXPLANATION OF HOUSE FILE 52

This bill provides that a criminal indictment shall be brought within 30 days when a person is held to answer for a public offense and also that he must then be brought to trial within 60 days after the indictment. The purpose of the amendment is to stop the practice of keeping persons held for trial in jail, when they cannot furnish bond, for as long as March through September in some cases.

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- 1 Amend House File 52 as follows:
 - 2 1. Amend section one (1), line three (3), by inserting after
 - 3 the word "days" the following: ", whichever first occurs,".
 - 4 2. Amend section two (2), line three (3), by inserting after
 - 5 the word "days" the following: ", whichever first occurs,".

Filed
January 31, 1963.

COMMITTEE ON JUDICIARY 1,
JOHN MOWRY, *Chairman*.

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- 1 Amend House File 52 as follows:
 - 2 1. Section one (1), line five (5), by striking the word
 - 3 "or" and inserting in lieu thereof the word "and".
 - 4 2. Section two (2), line five (5), by striking the word
 - 5 "or" and inserting in lieu thereof the word "and".

Filed and adopted
February 7, 1963.

MOWRY of Marshall.

STATE OF MISSISSIPPI
IN SENATE
January 31, 1963.
The following bills were introduced and read twice and passed by a majority of the members present:
S. B. 1000, by Mr. Mowry, to amend the Code of Criminal Procedure, to read as follows:
Section 1. Section one (1), line five (5), by striking the word "or" and inserting in lieu thereof the word "and".
Section 2. Section two (2), line five (5), by striking the word "or" and inserting in lieu thereof the word "and".