

FILED FEB 1 1971

See Judiciary 2/9, Pass per amendment 3/3

SENATE FILE **L33**

By COMMITTEE ON JUDICIARY

Passed Senate, Date 2-2-71 Passed House, Date 3-23-71

Vote: Ayes 41 Nays 7 Vote: Ayes 73 Nays 19

Approved April 15, 1971

Passed Senate as amended by House

*3-24-71
ayes 75, nays 8*

A BILL FOR

1 An Act relating to the establishment of a second grand jury
2 in certain counties and to the appointment of assistant
3 clerks in such counties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section six hundred nine point twenty-five
2 (609.25), Code 1971, is amended as follows:

3 609.25 GRAND JURY PANEL. A grand jury panel of twelve
4 persons shall be drawn by the said commissioners from the
5 grand jury box on the last secular Monday of December preceding
6 the new calendar year, and shall be drawn in the same manner
7 and under the same conditions, except as otherwise provided,
8 as are specified for the drawing of said petit jury panel.
9 Such grand jury panel shall constitute the panel from which
10 to select the grand jurors for one year.

11 In counties whose population exceeds one hundred twenty
12 thousand, a majority of the judges of the district court may
13 order a second panel of twelve persons to be drawn in like
14 manner from which a second grand jury may be selected. Such
15 second grand jury shall serve on matters assigned to it by the
16 foreman of the first grand jury and it shall be served by the
17 same clerk and staff, but otherwise it shall be governed by
18 the same law as in the case of the original grand jury panel
19 and grand jury.

20 Sec. 2. Section seven hundred seventy point twenty-two
21 (770.22), Code 1971, is amended as follows:

22 770.22 ASSISTANT CLERK. In addition thereto the court may,
23 in counties having a population of one hundred twenty thousand
24 inhabitants and over, if it deems it necessary, appoint an as-
25 sistant ~~clerk~~ clerks of the grand jury and fix ~~his~~ their sal-
26 ary therefor.

27 Sec. 3. This Act, being deemed of immediate importance,
28 shall take effect and be in force from and after its publication
29 in _____, a newspaper published in
30 _____, Iowa, and in _____,
31 a newspaper published in _____, Iowa.

32 EXPLANATION

33 This bill will permit a majority of the district court
34 judges in a judicial district to establish a second Grand Jury
35 in counties of over 120,000 population to alleviate some of the

1 work load placed on the original Grand Jury. The second Grand
2 Jury would not work independently of the first since it would
3 act only on matters assigned by the original Grand Jury foreman.
4 The bill will also permit the appointment of more than one
5 assistant clerk of the Grand Jury in such counties.

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1 Amend Senate File 133, page 2, by striking lines 27 through
2 and inserting in lieu thereof the following: 31
3 "Sec. 3. This Act, being deemed of immediate importance,
4 shall take effect and be in force from and after its
5 in the Sioux County Index-Reporter, a newspaper published in
6 Hull, Iowa, and in The Clinton Herald, a newspaper published
7 in Clinton, Iowa."

Filed - *Adopted 2/8/71*
February 2, 1971

By DEKOSTER

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HOUSE AMENDMENT TO SENATE FILE 133

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1 Amend Senate File 133, as amended and passed by the
2 Senate, as follows:
3 1. Page 2, by striking line 11 and in line 12 the
4 words "thousand, a" and inserting in lieu thereof the
5 word "A".
6 2. Page 2, by deleting line 23 and the words
7 "inhabitants and over," in line 24.
8 3. Page 2, by striking lines 27 through 31, the
9 publication clause.
10 4. Amend the title by striking lines 2 and 3,
11 and inserting in lieu thereof the following: "and to
12 the appointment of additional clerks of the grand jury."

Received from the House
March 25, 1971

*Senate concurred
3/29*

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1 Amend Senate File 133, as amended and passed
2 by the Senate, as follows:
3 1. Page 2, by striking line 11 and in line 12
4 the words "thousand, a" and inserting in lieu
5 thereof the word "A".
6 2. Page 2, by striking lines 27 through 31.

Filed - *Adopted 3/23*
March 3, 1971

House

By COMMITTEE on JUDICIARY
PELTON, Chairman