

Judiciary and Law Enforcement: Mautsby, Chair; Doyle and Corey.

JAN 16 1979

To Pass 5/13

HOUSE FILE 61

Judiciary & Law Enforcement

House File 61

2/1 To Pass
per 3288 3/27 (p. 917)

BY CONNORS

Judiciary
Scott, Chairperson
Ramsey
Gentleman

Passed House, Date 5-26-79 (p. 671) Passed Senate, Date 4-6-79 (p. 1111)

Vote: Ayes 87 Nays 0 Vote: Ayes 43 Nays 0

Approved May 4, 1979

Approved House by Senate
4-25-79 (p. 1507)
91-0

A BILL FOR

- 1 An Act providing that a defendant awaiting a judgment
- 2 of conviction and sentencing or appealing a conviction
- 3 for a class A felony shall not be admitted to bail.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 61

S-3288

- 1 Amend House File 61 as follows:
- 2 1. Page 1, by striking lines 11 and 12
- 3 and inserting in lieu thereof the words:
- 4 "2. A defendant appealing conviction of a
- 5 class A felony."

S-3288 FILED Adopted 4/6 BY COMMITTEE ON JUDICIARY
MARCH 27, 1979 (p. 1111) LUCAS DeKOSTER, CHAIRPERSON

SENATE AMENDMENT TO
HOUSE FILE 61

H-3829

- 1 Amend House File 61 as follows:
- 2 1. Page 1, by striking lines 11 and 12
- 3 and inserting in lieu thereof the following:
- 4 "2. A defendant appealing a conviction of a
- 5 class A felony."

H-3829 FILED
APRIL 10, 1979

RECEIVED FROM THE SENATE
House Amendment 4/25 (p. 1507)

1 Section 1. Section eight hundred eleven point one (811.1),
2 Code 1979, is amended to read as follows:

3 811.1 BAILABLE AND NONBAILABLE OFFENSES. All defendants
4 are bailable both before and after conviction, by sufficient
5 surety, or subject to release upon condition or on their own
6 recognizance, except that ~~a-defendant-convicted-of-a-class~~
7 ~~A-felony~~ the following defendants shall not be admitted to
8 bail ~~while-appealing-such-conviction~~:

9 1. A defendant awaiting judgment of conviction and
10 sentencing for a class A felony.

11 2. A defendant convicted of a class A felony while
12 appealing the conviction.

13 Sec. 2. This Act, being deemed of immediate importance,
14 shall take effect from and after its publication in The Des
15 Moines Register, a newspaper published in Des Moines, Iowa,
16 and in the Quad-City Times, a newspaper published in Davenport,
17 Iowa.

18 EXPLANATION

19 This bill provides that a defendant awaiting a judgment
20 of conviction and sentencing for a class A felony shall not
21 be admitted to bail.

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shall take effect from and after its publication in The Des Moines Register, a newspaper published in Des Moines, Iowa, and in the Quad-City Times, a newspaper published in Davenport, Iowa.

HOUSE FILE 61

AN ACT

PROVIDING THAT A DEFENDANT AWAITING A JUDGMENT OF CONVICTION AND SENTENCING OR APPEALING A CONVICTION FOR A CLASS A FELONY SHALL NOT BE ADMITTED TO BAIL.

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

Section 1. Section eight hundred eleven point one (811.1), Code 1979, is amended to read as follows:

811.1 BAILABLE AND NONBAILABLE OFFENSES. All defendants are bailable both before and after conviction, by sufficient surety, or subject to release upon condition or on their own recognizance, except that ~~a defendant convicted of a class A felony~~ the following defendants shall not be admitted to bail ~~while appealing such conviction~~:

1. A defendant awaiting judgment of conviction and sentencing for a class A felony.
2. A defendant appealing a conviction of a class A felony.

Sec. 2. This Act, being deemed of immediate importance,

FLOYD H. MILLEN
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 61, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved May 4 1979

ROBERT D. RAY
Governor

H.F. 61