

Human Resources: Shoultz, Chair; Buhr, Hammond, Hermann and Van Camp.

Amended (2000) by H. Pass 3/2/85

**HUMAN RESOURCES**

HOUSE FILE 413

BY ROSENBERG and SHOULTZ

Passed House, Date 3-26-85 (p. 1062) Passed Senate, Date 4/16/85 (P. 1404)  
Vote: Ayes 95 Nays 0 Vote: Ayes 46 Nays 0  
Approved May 23, 1985

**A BILL FOR**

1 An Act to include domestic violence as compensable from the  
2 victims reparations fund provided the offender and victim  
3 were not residing together at the time of the act.

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

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HF 413

1 Section 1. Section 912.7, subsection 2, paragraph c, Code  
2 1985, is amended to read as follows:

3 c. An act committed by a person who is, at the time of the  
4 criminal act, the spouse, child, stepchild, parent,  
5 stepparent, brother, stepbrother, sister, or stepsister of the  
6 victim, or the parent or stepparent of the victim's spouse, or  
7 a brother, stepbrother, sister, or stepsister of the victim's  
8 spouse, unless a criminal conviction for the act is obtained,  
9 or unless the person who committed the criminal act and the  
10 victim were not living in the same household both at the time  
11 of the act.

12 EXPLANATION

13 This bill includes domestic violence as compensable from  
14 the victim's reparations fund provided the offender and the  
15 victim were not living together both at the time of the act.

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H-3389

1 Amend House File 413 as follows:

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

4 "Section 1. Section 912.6, Code 1985, is amended  
5 by adding the following new subsections after  
6 subsection 1 and renumbering the subsequent  
7 subsections:

8 NEW SUBSECTION. 2. Reasonable charges incurred  
9 for counseling provided to victims of domestic abuse  
10 or victims under eighteen years of age by a  
11 psychologist licensed under chapter 154B or by an  
12 individual holding at least a master's degree in  
13 social work or counseling and guidance, not to exceed  
14 five hundred dollars.

15 NEW SUBSECTION. 3. Reasonable charges incurred  
16 for victim counseling provided by a victim counselor  
17 as defined in section 236.17, as contained in 1985  
18 Iowa Acts, House File 549, if enacted, not to exceed  
19 five hundred dollars.

20 Sec. 2. Section 912.7, Code 1985, is amended by  
21 adding the following new subsection after subsection 2  
22 and renumbering the subsequent subsection:

23 NEW SUBSECTION. 3. Notwithstanding subsection 2,  
24 paragraph "b" or "c", reparation for medical care  
25 under section 912.6, subsection 1 or for counseling  
26 under section 912.6, subsection 1, 2, or 3 shall be  
27 made if the bodily injury or death for which  
28 reparation is sought was caused by an act of domestic  
29 abuse, as defined in section 236.2, committed by a  
30 spouse of the victim or by a person living in the same  
31 household with the victim, if the victim seeks and  
32 receives victim counseling which qualifies for  
33 reparation under section 912.6, subsection 1, 2, or 3,  
34 and one of the following applies:

35 a. The act is the first act of domestic abuse  
36 involving the alleged perpetrator reported by the  
37 victim.

38 b. The act is the second act of domestic abuse  
39 involving the same alleged perpetrator reported by the  
40 victim, and a criminal complaint or trial information  
41 is filed or a grand jury returns an indictment against  
42 the alleged perpetrator.

43 Sec. 3. This Act applies to crime reports received  
44 on or after the effective date of this Act by a local  
45 police department or county sheriff department, or if  
46 a crime report is not required, to reports received on  
47 or after the effective date of this Act by the  
48 department of human services or to reparation claims  
49 filed on or after the effective date of this Act by a  
50 licensed or certified professional providing immediate

Page 2

1 or short-term medical services or mental health  
2 services to a child victim."

3 2. Title page, by striking lines 1 through 3 and  
4 inserting the following: "An Act relating to  
5 reparations for medical care and counseling under  
6 chapter 912 for victims of domestic abuse and sexual  
7 assault and for child victims."

H-3389 FILED MARCH 21, 1985 BY COMMITTEE ON HUMAN RESOURCES

*Adopted & amended by 3415 3/26  
(g. 1062)*

HOUSE FILE 413

H-3415

1 Amend the amendment, H-3389, to House File 413 as  
2 follows:

3 1. Page 1, lines 9 and 10, by striking the words  
4 "abuse or" and inserting the following: "abuse, as  
5 defined in section 236.2, or to".

H-3415 FILED MARCH 22, 1985 BY SPEAR of Lee

*Adopted 3/26 (y. 10627)*

HUMAN RESOURCES: Bruner, Chair; Wells and Gentleman

HOUSE FILE 413

BY ROSENBERG and SHOULTZ

(As Amended and Passed by the House March 26, 1985)

Passed House, Date 4-26-85 (p. 1957) Passed Senate, Date 4-16-85 (p. 1404)

Vote: Ayes 91 Nays 0 Vote: Ayes 46 Nays 0

Approved May 23, 1985

*Motion to Reconsider (p. 1430) w/d 4/23/85*

## A BILL FOR

- 1 An Act relating to reparations for medical care and
- 2 counseling under chapter 912 for victims of domestic
- 3 abuse and sexual assault and for child victims.

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

S-3629

HOUSE FILE 413

- 1 Amend House File 413 as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 6, by inserting after the figure
- 4 "236.2," the following: "to victims of sexual
- 5 assault,".

S-3629 Filed April 3, 1985

By COM. ON HUMAN RESOURCES

*Adopted 4/16/85 (p. 1404)*

SENATE AMENDMENT TO HOUSE FILE 413

H-3982

- 1 Amend House File 413 as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 6, by inserting after the figure
- 4 "236.2," the following: "to victims of sexual
- 5 assault,".

H-3982 FILED APRIL 23, 1985

RECEIVED FROM THE SENATE

*House concurred 4/26/85 (p. 1957)*

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1 Section 1. Section 912.6, Code 1985, is amended by adding  
2 the following new subsections after subsection 1 and  
3 renumbering the subsequent subsections:

4 NEW SUBSECTION. 2. Reasonable charges incurred for  
5 counseling provided to victims of domestic abuse, as defined  
6 in section 236.2, or to victims under eighteen years of age by  
7 a psychologist licensed under chapter 154B or by an individual  
8 holding at least a master's degree in social work or  
9 counseling and guidance, not to exceed five hundred dollars.

10 NEW SUBSECTION. 3. Reasonable charges incurred for victim  
11 counseling provided by a victim counselor as defined in  
12 section 236.17, as contained in 1985 Iowa Acts, House File  
13 549, if enacted, not to exceed five hundred dollars.

14 Sec. 2. Section 912.7, Code 1985, is amended by adding the  
15 following new subsection after subsection 2 and renumbering  
16 the subsequent subsection:

17 NEW SUBSECTION. 3. Notwithstanding subsection 2,  
18 paragraph "b" or "c", reparation for medical care under  
19 section 912.6, subsection 1 or for counseling under section  
20 912.6, subsection 1, 2, or 3 shall be made if the bodily  
21 injury or death for which reparation is sought was caused by  
22 an act of domestic abuse, as defined in section 236.2,  
23 committed by a spouse of the victim or by a person living in  
24 the same household with the victim, if the victim seeks and  
25 receives victim counseling which qualifies for reparation  
26 under section 912.6, subsection 1, 2, or 3, and one of the  
27 following applies:

28 a. The act is the first act of domestic abuse involving  
29 the alleged perpetrator reported by the victim.

30 b. The act is the second act of domestic abuse involving  
31 the same alleged perpetrator reported by the victim, and a  
32 criminal complaint or trial information is filed or a grand  
33 jury returns an indictment against the alleged perpetrator.

34 Sec. 3. This Act applies to crime reports received on or  
35 after the effective date of this Act by a local police

1 department or county sheriff department, or if a crime report  
2 is not required, to reports received on or after the effective  
3 date of this Act by the department of human services or to  
4 reparation claims filed on or after the effective date of this  
5 Act by a licensed or certified professional providing  
6 immediate or short-term medical services or mental health  
7 services to a child victim.

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HOUSE FILE 413

AN ACT

RELATING TO REPARATIONS FOR MEDICAL CARE AND COUNSELING UNDER CHAPTER 912 FOR VICTIMS OF DOMESTIC ABUSE AND SEXUAL ASSAULT AND FOR CHILD VICTIMS.

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

Section 1. Section 912.6, Code 1985, is amended by adding the following new subsections after subsection 1 and renumbering the subsequent subsections:

NEW SUBSECTION. 2. Reasonable charges incurred for counseling provided to victims of domestic abuse, as defined in section 236.2, to victims of sexual assault, or to victims

under eighteen years of age by a psychologist licensed under chapter 154B or by an individual holding at least a master's degree in social work or counseling and guidance, not to exceed five hundred dollars.

NEW SUBSECTION. 3. Reasonable charges incurred for victim counseling provided by a victim counselor as defined in section 236.17, as contained in 1985 Iowa Acts, House File 549, if enacted, not to exceed five hundred dollars.

Sec. 2. Section 912.7, Code 1985, is amended by adding the following new subsection after subsection 2 and renumbering the subsequent subsection:

NEW SUBSECTION. 3. Notwithstanding subsection 2, paragraph "b" or "c", reparation for medical care under section 912.6, subsection 1 or for counseling under section 912.6, subsection 1, 2, or 3 shall be made if the bodily injury or death for which reparation is sought was caused by an act of domestic abuse, as defined in section 236.2, committed by a spouse of the victim or by a person living in the same household with the victim, if the victim seeks and receives victim counseling which qualifies for reparation under section 912.6, subsection 1, 2, or 3, and one of the following applies:

- a. The act is the first act of domestic abuse involving the alleged perpetrator reported by the victim.
- b. The act is the second act of domestic abuse involving the same alleged perpetrator reported by the victim, and a criminal complaint or trial information is filed or a grand jury returns an indictment against the alleged perpetrator.

Sec. 3. This Act applies to crime reports received on or after the effective date of this Act by a local police department or county sheriff department, or if a crime report is not required, to reports received on or after the effective date of this Act by the department of human services or to reparation claims filed on or after the effective date of this Act by a licensed or certified professional providing

immediate or short-term medical services or mental health services to a child victim.

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DONALD D. AVENSON  
Speaker of the House

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ROBERT T. ANDERSON  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 413, Seventy-first General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved May 23, 1985

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TERRY E. BRANSTAD  
Governor