

Sen Judiciary 3/28/85 Amend (3652) & to Pass 4/8

House File 688

JUDICIARY. Gentleman. Chair: Small and Drake

Place On Calendar

HOUSE FILE 688

BY COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

(Formerly House Study Bill 360)

Passed House, Date 3-26-85 (p. 1076) Passed Senate, Date 4-16-85 (p. 1422)

Vote: Ayes 91 Nays 2 Vote: Ayes 43 Nays 4

Approved May 23, 1985

*By passed House 4-26-85 (p. 1732)
90-0*

A BILL FOR

1 An Act relating to the use of juvenile records in the sentencing
2 of a person for an offense other than a simple or serious
3 misdemeanor.

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

S-3652 HOUSE FILE 688

1 Amend House File 688 as passed by the House as
2 follows:

3 1. Page 1, by inserting after line 12 the
4 following:

5 "However, the use of adjudication and disposition
6 proceedings pursuant to this subsection shall be
7 subject to the restrictions contained in section
8 232.150."

S-3652 Filed April 8, 1985

By COMMITTEE ON JUDICIARY

Adopted 4/16/85 (p. 1422)

SENATE AMENDMENT TO HOUSE FILE 688

H-3898

1 Amend House File 688 as passed by the House as
2 follows:

3 1. Page 1, by inserting after line 12 the
4 following:

5 "However, the use of adjudication and disposition
6 proceedings pursuant to this subsection shall be
7 subject to the restrictions contained in section
8 232.150."

H-3898 FILED APRIL 18, 1985

RECEIVED FROM THE SENATE

House concurred 4/26/85 (p. 1732)

1 Section 1. Section 232.55, subsection 2, Code 1985, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 2. Adjudication and disposition proceedings under this
5 division are not admissible as evidence against a person in a
6 subsequent proceeding in any other court before or after the
7 person reaches majority except in a sentencing proceeding
8 after conviction of the person for an offense other than a
9 simple or serious misdemeanor. Adjudication and disposition
10 proceedings may properly be included in a presentence
11 investigation report prepared pursuant to chapter 901 and
12 section 906.5.

13 EXPLANATION

14 This bill provides that prior juvenile records of
15 adjudication and disposition can be considered by a judge
16 prior to sentencing a person convicted of a public offense
17 other than a simple or serious misdemeanor.

18 The bill also provides that such information may be
19 included in presentence investigation reports referred to in
20 chapter 901 and section 906.5.

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Handwritten: 7/11/68
RF 688

HSB 360

Judiciary & Law Enforcement

HOUSE FILE 688

BY (PROPOSED COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT BILL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the use of juvenile records in the sentencing
2 of a person for an offense other than a simple or serious
3 misdemeanor.

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

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20 chapter 901 and section 906.5.

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However, the use of adjudication and disposition proceedings pursuant to this subsection shall be subject to the restrictions contained in section 232.150.

HOUSE FILE 688

AN ACT

RELATING TO THE USE OF JUVENILE RECORDS IN THE SENTENCING OF A PERSON FOR AN OFFENSE OTHER THAN A SIMPLE OR SERIOUS MISDEMEANOR.

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

Section 1. Section 232.55, subsection 2, Code 1985, is amended by striking the subsection and inserting in lieu thereof the following:

2. Adjudication and disposition proceedings under this division are not admissible as evidence against a person in a subsequent proceeding in any other court before or after the person reaches majority except in a sentencing proceeding after conviction of the person for an offense other than a simple or serious misdemeanor. Adjudication and disposition proceedings may properly be included in a presentence investigation report prepared pursuant to chapter 901 and section 906.5.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 688, Seventy-first General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 23, 1985

TERRY E. BRANSTAD
Governor

H.F. 688