

MAR 8 1995

JUDICIARY

HOUSE FILE 296

BY BURNETT and MASCHER

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act creating a statewide protective order registry.

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

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HF 296

1 Section 1. Section 236.5, subsection 4, Code 1995, is
2 amended to read as follows:

3 4. A certified copy of any order or approved consent
4 agreement shall be issued to the plaintiff, the defendant and
5 the county sheriff having jurisdiction to enforce the order or
6 consent agreement, and the twenty-four hour dispatcher for the
7 county sheriff, and the statewide protective order registry
8 established in section 236.19. Any subsequent amendment or
9 revocation of an order or consent agreement shall be forwarded
10 by the clerk to all individuals, and the county sheriff, and
11 the statewide registry previously notified. The clerk shall
12 notify the county sheriff and the twenty-four hour dispatcher
13 for the county sheriff in writing so that the county sheriff
14 and the county sheriff's dispatcher receive written notice
15 within six hours of filing the order, approved consent
16 agreement, amendment, or revocation. The clerk may fulfill
17 this requirement by sending the notice by facsimile or other
18 electronic transmission which reproduces the notice in writing
19 within six hours of filing the order. The county sheriff's
20 dispatcher shall notify all law enforcement agencies having
21 jurisdiction over the matter and the twenty-four hour
22 dispatcher for the law enforcement agencies upon notification
23 by the clerk. The clerk shall send or deliver a written copy
24 of any such document to the law enforcement agencies and the
25 twenty-four hour dispatcher within twenty-four hours of filing
26 the document.

27 Sec. 2. Section 236.14, subsection 2, unnumbered paragraph
28 4, Code 1995, is amended to read as follows:

29 The clerk of the district court shall also provide notice
30 and copies of the no-contact order to the applicable law
31 enforcement agencies, and the twenty-four hour dispatcher for
32 the law enforcement agencies, and the statewide protective
33 order registry, in the manner provided for protective orders
34 under section 236.5. The clerk shall provide notice and
35 copies of modifications or vacations of these orders in the

1 same manner.

2 Sec. 3. NEW SECTION. 236.19 STATEWIDE PROTECTIVE ORDER
3 REGISTRY.

4 A central registry of protective orders is established in
5 the department of public safety. The registry shall be
6 staffed and accessible on a continuous basis for use by law
7 enforcement agencies and peace officers. The registry shall
8 contain the following:

9 1. Orders or court-approved consent agreements entered
10 under chapter 236.

11 2. Temporary or permanent protective orders or orders to
12 vacate the homestead entered under chapter 598.

13 3. Orders establishing conditions of release, protective
14 orders, or sentencing orders in criminal prosecutions arising
15 from a domestic abuse assault.

16 4. Restraining orders for victim and witness protection
17 under chapter 910A.

18 The registry may be colocated with another department of
19 public safety facility which operates on a continuous basis.

20 Sec. 4. Section 598.42, Code 1995, is amended to read as
21 follows:

22 598.42 NOTICE OF CERTAIN ORDERS BY CLERK OF COURT.

23 The clerk of the district court shall provide notice and
24 copies of temporary or permanent protective orders and orders
25 to vacate the homestead entered pursuant to this chapter to
26 the applicable law enforcement agencies, and the twenty-four
27 hour dispatcher for the law enforcement agencies, and the
28 statewide protective order registry in the manner provided for
29 protective orders under section 236.5. The clerk shall
30 provide notice and copies of modifications or vacations of
31 these orders in the same manner.

32 Sec. 5. Section 708.2A, subsection 6, Code 1995, is
33 amended to read as follows:

34 6. The clerk of the district court shall provide notice
35 and copies of a judgment entered under this section to the

1 applicable law enforcement agencies, and the twenty-four hour
2 dispatcher for the law enforcement agencies, and the statewide
3 protective order registry in the manner provided for
4 protective orders under section 236.5. The clerk shall
5 provide notice and copies of modifications of the judgment in
6 the same manner.

7 Sec. 6. Section 910A.11, subsection 5, Code 1995, is
8 amended to read as follows:

9 5. The clerk of the district court shall provide notice
10 and copies of restraining orders issued pursuant to this
11 section in a criminal case involving an alleged violation of
12 section 708.2A to the applicable law enforcement agencies, and
13 the twenty-four hour dispatcher for the law enforcement
14 agencies, and the statewide protective order registry, in the
15 manner provided for protective orders under section 236.5.
16 The clerk shall provide notice and copies of modifications or
17 vacations of these orders in the same manner.

18 EXPLANATION

19 The bill establishes a statewide registry for protective
20 orders in the department of public safety, which is to be
21 accessible to law enforcement agencies and officers on a 24-
22 hour-a-day basis. The registry shall contain all protective
23 orders entered in domestic abuse cases, entered pursuant to a
24 marriage dissolution proceeding, or entered for the protection
25 of a victim or witnesses.

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