

MAR 14 1995
JUDICIARY

HOUSE FILE 410
BY HARRISON

(COMPANION TO SF 4 BY KIBBIE)

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

A BILL FOR

1 An Act relating to requiring persons who cannot pay criminal
2 fines to perform community service.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 410

1 Section 1. Section 909.7, Code 1995, is amended to read as
2 follows:

3 909.7 ABILITY TO PAY FINE PRESUMED.

4 A defendant is presumed to be able to pay a fine. However,
5 if the defendant proves to the satisfaction of the court that
6 the defendant cannot pay the fine, the defendant shall not be
7 sentenced to confinement for the failure to pay the fine.

8 A defendant who proves that the defendant cannot pay the
9 fine ~~may, at the discretion of the court,~~ shall be ordered to
10 perform community service pursuant to section 909.3A.

11 EXPLANATION

12 This bill makes it mandatory that a court order a
13 defendant, who proves that the defendant cannot pay a criminal
14 fine, to perform community service.

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