

MAR 14 1995

JUDICIARY

HOUSE FILE 415  
BY HARRISON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the rights of victims of criminal acts, by  
2 providing that victims receive notice of all proceedings  
3 relating to the crime and the transfer of custody of offenders  
4 charged with the crime, and giving victims the right to be  
5 informed of the progress of the investigation or prosecution  
6 and to make oral or written statements at sentencing, and  
7 removing special immunity provisions for certain persons.  
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 415

1 Section 1. Section 331.756, Code 1995, is amended by  
2 adding the following new subsection:

3 NEW SUBSECTION. 83A. Carry out the duties imposed under  
4 chapter 910A.

5 Sec. 2. Section 910A.6, subsection 1, Code 1995, is  
6 amended to read as follows:

7 1. The scheduled date and cancellation or postponement of  
8 a court proceeding that-was-expected-to-require-the-victim's  
9 attendance in any criminal case relating to the crime for  
10 which the person is a registered victim.

11 Sec. 3. Section 910A.6, Code 1995, is amended by adding  
12 the following new subsections:

13 NEW SUBSECTION. 6. The right to be informed of the  
14 progress of the investigation or prosecution, including any  
15 plea agreements, related to the crime for which the person is  
16 a registered victim.

17 NEW SUBSECTION. 7. The right to make an oral or written  
18 statement to the court at the time of sentencing of any person  
19 charged with the crime for which the person is a registered  
20 victim.

21 Sec. 4. Section 910A.8, Code 1995, is amended by adding  
22 the following new subsection:

23 NEW SUBSECTION. 4. The offender's transfer from local  
24 custody to custody in another locality.

25 Sec. 5. Section 910A.9, Code 1995, is amended by adding  
26 the following new subsection:

27 NEW SUBSECTION. 6. The date on which the offender is  
28 expected to be and actually is transferred from custody in one  
29 institution to another, or to custody in an institution not  
30 under the control of the department of corrections.

31 Sec. 6. REPEAL. Section 910A.18, Code 1995, is repealed.

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#### EXPLANATION

33 This bill provides for notification to persons, registered  
34 as victims under the victim and witness protection chapter, of  
35 court hearings related to the crime of which they were a

1 victim. The bill also gives them the right to be informed of  
2 the progress of the investigation or prosecution, including  
3 any plea agreements, related to the crime for which the person  
4 is a registered victim, and to make oral as well as submit  
5 written victim impact statements at the sentencing of a person  
6 who is charged with the crime. A provision for immunity from  
7 civil actions for damages, based on negligent acts or  
8 omissions by persons who are given duties or responsibilities  
9 under chapter 910A, is stricken. Language is added to the  
10 duties of the county attorney which specifically requires the  
11 county attorney to carry out the duties imposed under chapter  
12 910A.

13 This bill may create a state mandate under chapter 25B.

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