

FILED FEB 22 1996

SENATE FILE 2291  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 2082)

Passed Senate, <sup>(p. 629)</sup> Date 3/5/96 Passed House, Date \_\_\_\_\_  
 Vote: Ayes 50 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
 Approved \_\_\_\_\_

**A BILL FOR**

1 An Act eliminating the restitution limit for the offense of  
2 operating while intoxicated.

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

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S.F. 2291

1 Section 1. Section 321J.2, subsection 8, Code 1995, is  
2 amended to read as follows:

3 8. The court shall order a defendant convicted of or  
4 receiving a deferred judgment for a violation of this section  
5 to make restitution, ~~in an amount not to exceed two thousand~~  
6 ~~dollars,~~ pursuant to chapter 910 for damages resulting  
7 directly from the violation. An amount paid pursuant to this  
8 restitution order shall be credited toward any adverse  
9 judgment in a subsequent civil proceeding arising from the  
10 same occurrence. However, other than establishing a credit, a  
11 restitution proceeding pursuant to this section shall not be  
12 given evidentiary or preclusive effect in a subsequent civil  
13 proceeding arising from the same occurrence.

14 EXPLANATION

15 This bill eliminates the \$2,000 limit on court-ordered  
16 restitution for an operating while intoxicated offense, and  
17 provides that the amount of restitution shall be determined  
18 under the provisions of chapter 910, the victim restitution  
19 chapter.

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Mc Kean  
Dianetto  
Vilsack  
Neuhouser  
Reifen

SSB-2082

Judiciary

Succeeded By

SENATE/HOUSE FILE SF/HF 229/  
BY (PROPOSED GOVERNOR'S BILL)

Passed Senate, Date \_\_\_\_\_

Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

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