

# Senate Study Bill 115

## Conference Committee Text

PAG LIN

1 1 Section 1. Section [236.14](#), subsection 2, unnumbered  
1 2 paragraph 3, Code 1995, is amended to read as follows:  
1 3 The clerk of the court or other person designated by the  
1 4 court shall provide a copy of this order to the victim  
1 5 pursuant to chapter 910A. The order has force and effect  
1 6 until it is modified or terminated by subsequent court action  
1 7 in the contempt proceeding or the criminal or juvenile court  
1 8 action and is reviewable in the manner prescribed in section  
1 9 811.2. If a defendant is convicted for, receives a deferred  
1 10 judgment for, or pleads guilty to a violation of section  
1 11 708.2A, the court shall modify the no-contact order issued by  
1 12 the magistrate to provide that the no-contact order shall  
1 13 continue in effect for a period of one year from the date that  
1 14 the judgment is entered or the deferred judgment is granted,  
1 15 regardless of whether the defendant is placed on probation.  
1 16 If a charge of violating section 708.2A is dismissed or if a  
1 17 defendant pleads guilty to a violation of section 708.2A, the  
1 18 no-contact order may be modified or terminated at the request  
1 19 of the victim if the court finds that the defendant no longer  
1 20 poses a threat to the victim. Upon an application by the  
1 21 state which is filed within ninety days prior to the  
1 22 expiration of the modified no-contact order, the court shall  
1 23 modify and extend the no-contact order for an additional  
1 24 period of one year, if the court finds that the defendant  
1 25 continues to pose a threat to the safety of the victim,  
1 26 persons residing with the victim, or members of the victim's  
1 27 immediate family. The number of modifications extending the  
1 28 no-contact order permitted by this subsection is not limited.

#### EXPLANATION

1 30 This bill provides that a no-contact order based upon  
1 31 probable cause that the defendant has committed a domestic  
1 32 abuse assault or a no-contact order based upon a plea of  
1 33 guilty to the domestic abuse assault may be modified or  
1 34 terminated by the court at the request of the victim of the  
1 35 assault if the court finds that the defendant no longer poses  
2 1 a threat to the victim.

2 2 LSB 1434XC 76

2 3 mk/jw/5