

# Senate Study Bill 2082

## Conference Committee Text

PAG LIN

1 1 Section 1. Section [321J.2](#), subsection 8, Code 1995, is  
1 2 amended to read as follows:  
1 3 8. The court shall order a defendant convicted of or  
1 4 receiving a deferred judgment for a violation of this section  
1 5 to make restitution

~~1 6 , in an amount not to exceed two thousand~~

~~1 7~~  
1 6

~~1 8 dollars,~~

~~1 9 pursuant to chapter 910~~ for damages resulting

1 7 directly from the violation. An amount paid pursuant to this  
1 8 restitution order shall be credited toward any adverse  
1 9 judgment in a subsequent civil proceeding arising from the  
1 10 same occurrence. However, other than establishing a credit, a  
1 11 restitution proceeding pursuant to this section shall not be  
1 12 given evidentiary or preclusive effect in a subsequent civil  
1 13 proceeding arising from the same occurrence.

1 14 EXPLANATION

1 15 This bill eliminates the \$2,000 limit on court-ordered  
1 16 restitution for an operating while intoxicated offense, and  
1 17 provides that the amount of restitution shall be determined  
1 18 under the provisions of chapter 910, the victim restitution  
1 19 chapter.

1 20 LSB 3724XL 76

1 21 jls/sc/14