

House Study Bill 74

Bill Text

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1 1 Section 1. Section [812.4](#), Code 1997, is amended to read as
1 2 follows:

1 3 812.4 CESSATION OF CRIMINAL PROSECUTION.

1 4 If, upon hearing conducted by the court, the accused is
1 5 found to be incapacitated in the manner described in section
1 6 812.3, no further proceedings shall be taken under the
1 7 complaint or indictment until the accused's capacity is
1 8 restored, and, if the accused's release will endanger the
1 9 public peace or safety, the court must order the accused
1 10 committed for treatment to the custody of the department of
1 11 human services or to the custody of the department of
1 12 corrections for placement at the Iowa medical and
1 13 classification center.

1 14 EXPLANATION

1 15 This bill amends Code section 812.5 to permit the court, as
1 16 part of the commitment order, to order treatment for a
1 17 defendant who is determined to be incompetent to stand trial.

1 18 LSB 1297DP 77

1 19 jls/sc/14