

H. 2/13/97 Judiciary
H. 3/5/97 Do Pass
FILED FEB 6 1997
H. 4/10/97 Unfinished Business
Calendar

SENATE FILE 117
BY COMMITTEE ON JUDICIARY
H. 4/29/97 Referred Judiciary
(SUCCESSOR TO SSB 26)

Passed Senate, Date 2-11-97 ^(P. 248) Passed House, Date _____
Vote: Ayes 49 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. 117

1 Section 1. Section 321J.2, subsection 8, Code 1997, 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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McKean, Chair
Boettger
Redfern
Halvorson
Neuhauer

SSB. 26

Judiciary
Succeeded By
SF HF 117

SENATE/HOUSE FILE
BY (PROPOSED ATTORNEY
GENERAL BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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