

FILED MAR 4 1997

SENATE FILE 278
BY NEUHAUSER and McKIBBEN

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

A BILL FOR

1 An Act relating to the right of crime victims to be present at
2 all public proceedings where the accused or convicted persons
3 have the right to be present, and providing a notification
4 procedure.

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

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S.F. 278

1 Section 1. Section 910A.2, Code 1997, is amended to read
2 as follows:

3 910A.2 REGISTRATION -- RIGHT TO BE PRESENT AT PUBLIC
4 PROCEEDINGS.

5 1. The county attorney shall be the sole registrar of
6 victims under this chapter. A victim may register by filing a
7 written request-for-registration form with the county
8 attorney.

9 2. A victim has the right to be present at all public
10 proceedings where the accused or convicted person has a right
11 to be present, with regard to any criminal case relating to
12 the crime for which the victim is registered.

13 3. The county attorney shall notify the victims in writing
14 and advise them of their registration and rights under this
15 chapter. The county attorney shall provide the appropriate
16 offices, agencies, and departments with a registered victim
17 list for notification purposes.

18 Sec. 2. Section 910A.6, subsection 1, Code 1997, is
19 amended to read as follows:

20 1. With regard to any criminal case relating to the crime
21 for which the victim is registered:

22 a. The victim's right to be present at all public
23 proceedings where the accused or convicted person has a right
24 to be present.

25 b. The scheduled date, time, and place of trial any public
26 proceeding where the accused or convicted person has a right
27 to be present, and the cancellation or postponement of a court
28 proceeding that was expected to require the victim's
29 attendance; -in-any-criminal-case-relating-to-the-crime-for
30 which-the-person-is-a-registered-victim.

31 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection
32 3, shall not apply to this Act.

33 EXPLANATION

34 This bill amends chapter 910A to provide an express right
35 for a crime victim to be present at all public proceedings

1 where the accused or convicted person has the right to be
2 present. The county attorney must notify a crime victim of
3 this right in conjunction with established notification
4 procedures under the chapter, and must notify the victim of
5 the scheduled time, date, and place of such public
6 proceedings.

7 This bill may include a state mandate as defined in Code
8 section 25B.3. This bill makes inapplicable Code section
9 25B.2, subsection 3, which would relieve a political
10 subdivision from complying with a state mandate if funding for
11 the cost of the state mandate is not provided or specified.
12 Therefore, political subdivisions are required to comply with
13 any state mandate included in this bill.

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