

Senate Study Bill 2205

Bill Text

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1 1 Section 1. Section 708.2A, subsection 6, paragraph b, Code
1 2 Supplement 1997, is amended to read as follows:
1 3 b. A person convicted of violating subsection 4 shall be
1 4 sentenced as provided under section 902.9, subsection 4,
1 5 committed to the custody of the director of the department of
1 6 corrections,

~~shall serve a minimum of one year of the sentence~~

1 7

~~imposed,~~

~~and shall be assessed a fine of at least seven~~
1 8 hundred fifty dollars. The person shall be denied parole or
1 9 work release until the person has served a minimum of one year
1 10 of the person's sentence. Notwithstanding section 901.5,
1 11 subsection 3, and section 907.3, subsection 3, the

~~sentence~~

1 12 person cannot

~~be~~

~~receive a suspended or deferred sentence or a~~
1 13 deferred judgment; however, the person sentenced shall receive
1 14 credit for any time the person was confined in a jail or
1 15 detention facility following arrest.

1 16 EXPLANATION

1 17 This bill makes changes relating to the imposition of
1 18 sentences for felony domestic abuse assault.

1 19 The felony domestic abuse assault sentencing language in
1 20 Code section 708.2A is amended to specify that the person is
1 21 to be sentenced to an indeterminate term of five years, but
1 22 that the person may not be released on parole or work release
1 23 unless the person has served a minimum of one year of the
1 24 person's sentence and that the person also may not receive a
1 25 deferred judgment or deferred sentence. Such a person also
1 26 cannot be given a suspended sentence under the current
1 27 provision in Code sections 708.2A and 907.3.

1 28 LSB 4368SC 77

1 29 lh/jw/5