

Senate Study Bill 26

Bill Text

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1 1 Section 1. Section 321J.2, subsection 8, Code 1997, 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

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

1 6

~~dollars,~~

~~- 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 1119DP 77

1 21 jls/jj/8