

FEB 1 2000

JUDICIARY

HOUSE FILE

2118

BY MYERS

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the prosecution of juveniles in district  
2 court.

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

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*HF 2118*

1 Section 1. Section 232.8, subsection 3, Code 1999, is  
2 amended to read as follows:

3 3. The juvenile court, after a hearing and in accordance  
4 with the provisions of section 232.45, may waive jurisdiction  
5 of a child alleged to have committed a public offense so that  
6 the child may be prosecuted as an adult or youthful offender  
7 for such offense in another court. If the child, except a  
8 child being prosecuted as a youthful offender, pleads guilty  
9 or is found guilty of a public offense other than a class "A"  
10 felony in another court of this state that court may suspend  
11 the sentence or, with the consent of the child, defer judgment  
12 and without regard to restrictions placed upon deferred  
13 judgments for adults, place the child on probation for a  
14 period of not less than one year upon such conditions as it  
15 may require. Upon fulfillment of the conditions of probation  
16 the, a child who receives a deferred judgement shall be  
17 discharged without entry of judgment.

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## EXPLANATION

19 This bill makes changes relating to the prosecution of  
20 juvenile offenders in district court.

21 The bill provides the district court with the option to  
22 suspend a sentence of a juvenile offender who has been waived  
23 to adult court except for a juvenile who commits a class "A"  
24 felony. The bill also provides that a juvenile waived to  
25 adult court may not receive a deferred judgment for a class  
26 "A" felony. Under existing law, the district court may  
27 suspend the sentence of an adult offender under certain  
28 statutes but is unable to suspend the sentence of any juvenile  
29 offender waived to adult court. Existing law also permits a  
30 court to grant a deferred judgment to a juvenile waived to  
31 adult court for a class "A" felony.

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