

FILED FEB 21 2000

SENATE FILE

2223

BY HAMMOND

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act permitting the court to suspend the sentence of a
2 defendant who has been convicted of a felony other than a
3 class "A" felony.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SF 2223
JUDICIARY

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1 Section 1. NEW SECTION. 907.3B SUSPENSION OF SENTENCE --
2 FELONY OFFENDERS.

3 Notwithstanding section 907.3 or any other provision of the
4 Code to the contrary, the court may suspend the sentence of a
5 defendant, if all of the following apply:

6 1. The defendant was convicted of a felony other than a
7 class "A" felony.

8 2. The court finds that the community is sufficiently
9 protected from further offenses by the defendant.

10 3. The defendant is the custodial parent or guardian of a
11 minor child and the court finds that it would be in the
12 child's best interest to not confine the defendant in a
13 department of corrections institution.

14 4. The court finds there are appropriate treatment
15 programs accessible to the defendant and the child.

16 EXPLANATION

17 This bill permits the court, under certain circumstances,
18 to suspend a sentence of a defendant who has been convicted of
19 a felony other than a class "A" felony.

20 The bill provides that a court may suspend the sentence of
21 any defendant even if the defendant would not otherwise be
22 eligible for a suspended sentence, if all of the following
23 apply: the defendant was convicted of a felony other than a
24 class "A" felony, the community is sufficiently protected from
25 further offenses by the defendant, the defendant is the
26 custodial parent or guardian of a minor child and it would be
27 in the child's best interest to not confine the defendant in a
28 department of corrections institution, and there are
29 appropriate treatment programs accessible to the defendant and
30 the child.

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