

Senate Study Bill 3010

Bill Text

PAG LIN

1 1 Section 1. Section [915.80](#), Code 2001, is amended by adding
1 2 the following new subsection:

1 3 NEW SUBSECTION. 5A. "Survivor of a homicide victim" means
1 4 a victim's spouse; child, foster child, stepchild, son-in-law,
1 5 or daughter-in-law; parent, foster parent, or stepparent;
1 6 sibling, foster sibling, stepsibling, brother-in-law, or
1 7 sister-in-law; grandparent; grandchild; aunt, uncle, or first
1 8 cousin; legal ward; or person residing with the victim.

1 9 Sec. 2. Section [915.86](#), subsections 1, 3, 4, 5, 7, 8, 9,
1 10 10, and 12, Code 2001, are amended to read as follows:

1 11 1. Reasonable charges incurred for medical care not to
1 12 exceed

~~—fifteen~~

- ~~twenty-five~~ thousand dollars. Reasonable
1 13 charges incurred for mental health care not to exceed

~~—three~~

-
1 14 five thousand dollars which includes services provided by a
1 15 psychologist licensed under chapter 154B, a person holding at
1 16 least a master's degree in social work or counseling and
1 17 guidance, or a victim counselor as defined in section 915.20A.

1 18 3. Loss of income from work that the victim's parent or
1 19 caretaker would have performed and for which the victim's
1 20 parent or caretaker would have received remuneration when the
1 21 victim's parent or caretaker accompanies the victim to medical
1 22 and counseling services, or while the victim's parent or
1 23 caretaker cares for the victim for up to three days after the
1 24 crime or the discovery of the crime, not to exceed one
1 25 thousand dollars per parent or caretaker.

1 26 4. Loss of income from work that the victim, the victim's
1 27 parent or caretaker, or the survivor of a homicide victim

~~—as~~

-
1 28

~~—described in subsection 10~~

- would have performed and for which
1 29 that person would have received remuneration, where the loss
1 30 of income is a direct result of cooperation with the
1 31 investigation and prosecution of the crime or attendance at
1 32 criminal justice proceedings including the trial and
1 33 sentencing in the case, not to exceed one thousand dollars.

1 34 5. Reasonable replacement value of clothing that is held
1 35 for evidentiary purposes not to exceed

~~—one~~

- two hundred
2 1 dollars.

2 2 7. Loss of support for dependents resulting from death or
2 3 a period of disability of the victim of sixty days or more not
2 4 to exceed

~~—two~~

- four thousand dollars per dependent.

2 5 8. In the event of a victim's death, reasonable charges
2 6 incurred for counseling the victim's spouse, children,
2 7 parents, siblings, or persons

~~cohabiting~~

- residing with or

2 8 related by blood or affinity to the victim if the counseling
2 9 services are provided by a psychologist licensed under chapter
2 10 154B, a victim counselor as defined in section 915.20A,
2 11 subsection 1, or an individual holding at least a master's
2 12 degree in social work or counseling and guidance, and
2 13 reasonable charges incurred by such persons for medical care
2 14 counseling provided by a psychiatrist licensed under chapter
2 15 147 or 150A. The allowable charges under this subsection
2 16 shall not exceed

~~three~~

- five thousand dollars per person.

2 17 9. In the event of a homicide, reasonable charges incurred
2 18 for health care for

~~the victim's spouse; child, foster child,~~

2 19

~~stepchild, son in law, or daughter in law; parent, foster~~

2 20

~~parent, or stepparent; sibling, foster sibling, stepsibling,~~

2 21

~~brother in law, or sister in law; grandparent; grandchild;~~

2 22

~~aunt, uncle, or first cousin; legal ward; or person cohabiting~~

2 23

~~with the victim~~

- the survivors of a homicide victim, not to

2 24 exceed three thousand dollars per survivor.

2 25 10. In the event of a homicide, loss of income from work
2 26 that, but for the death of the victim, would have been earned
2 27 by the

~~victim's spouse; child, foster child, stepchild, son~~

2 28

~~in law, or daughter in law; parent, foster parent, or~~

2 29

~~stepparent; sibling, foster sibling, stepsibling, brother in~~

2 30

~~law, or sister in law; grandparent; grandchild; aunt, uncle,~~

2 31

~~or first cousin; legal ward; or person cohabiting with the~~

~~victim~~

- survivors of a homicide victim, not to exceed six
2 33 thousand dollars.

2 34 12. Reasonable charges incurred for mental health care for
2 35 secondary victims which include the services provided by a
3 1 psychologist licensed under chapter 154B, a person holding at
3 2 least a master's degree in social work, counseling, or a
3 3 related field, a victim counselor as defined in section
3 4 915.20A, or a psychiatrist licensed under chapter 147, 148, or
3 5 150A. The allowable charges under this subsection shall not
3 6 exceed

~~one~~

- two thousand dollars per secondary victim.

3 7 EXPLANATION

3 8 This bill provides monetary increases for certain current
3 9 economic benefits under the Iowa crime victim compensation
3 10 program.

3 11 The bill provides monetary increases for economic losses
3 12 incurred as a direct result of an injury to or death of a
3 13 victim for medical care benefits (\$10,000 increase), mental
3 14 health care benefits (\$2,000 increase), clothing reimbursement
3 15 benefits for clothing held for evidentiary purposes (\$100
3 16 increase), loss of support benefits (\$2,000 increase),
3 17 counseling benefits in the event of a victim's death (\$2,000
3 18 increase), and mental health care benefits for secondary
3 19 victims (\$1,000 increase).

3 20 The bill also expands lost wage benefits for a victim's
3 21 parent or caretaker who takes time away from work when the
3 22 victim's parent or caretaker accompanies the victim to medical
3 23 or counseling services or while the victim's parent or
3 24 caretaker cares for the victim for up to three days after the
3 25 crime or the discovery of the crime, by allowing the
3 26 reimbursement to be up to \$1,000 per parent or caretaker
3 27 rather than up to \$1,000 per case.

3 28 The bill also expands the definition of persons who could
3 29 be affected by a victim's crime to include persons residing
3 30 with the victim, rather than persons cohabiting with the
3 31 victim.

3 32 LSB 5035DP 79

3 33 rh/sh/8.2