

Senate Study Bill 1008

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CO=CHAIRPERSON KREIMAN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to payment of legal expenses for an indigent
2 claimant.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1333XC 81
5 jm/sh/8

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1 1 Section 1. Section 815.11, Code 2005, is amended to read
1 2 as follows:
1 3 815.11 APPROPRIATIONS FOR INDIGENT DEFENSE.
1 4 Costs incurred under chapter 229A, 665, or 822, or section
1 5 232.141, subsection 3, paragraph "c", or section 598.23A,
1 6 814.9, 814.10, 814.11, 815.4, 815.7, 815.10, or 908.11 on
1 7 behalf of an indigent shall be paid from funds appropriated by
1 8 the general assembly to the office of the state public
1 9 defender in the department of inspections and appeals for
1 10 those purposes. ~~Costs incurred representing an indigent~~
~~1 11 defendant in a contempt action, or representing an indigent~~
~~1 12 juvenile in a juvenile court proceeding under chapter 600, are~~
~~1 13 also payable from these funds.~~ However, costs incurred in any
1 14 administrative proceeding or in any other proceeding under
1 15 chapter 598, ~~600~~, 600A, 633, or 915 or other provisions of the
1 16 Code or administrative rules are not payable from these funds.

1 17 EXPLANATION
1 18 This bill repeals a provision of H.F. 2138 enacted during
1 19 the 2004 legislative session. Under the bill, costs incurred
1 20 representing an indigent defendant in a contempt hearing, or
1 21 an indigent juvenile in an adoption proceeding under Code
1 22 chapter 600 are not payable from the appropriation for
1 23 indigent defense.
1 24 LSB 1333XC 81
1 25 jm/sh/8