

House File 554 - Introduced

HOUSE FILE _____
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 136)

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

A BILL FOR

1 An Act relating to a criminal defendant filing an application for
2 postconviction relief.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1103HV 82
5 jm/je/5

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1 1 Section 1. Section 822.2, subsection 1, unnumbered
1 2 paragraph 1, Code 2007, is amended to read as follows:
1 3 Any person who has been convicted of, or sentenced for, a
~~1 4 public an indictable offense as defined in section 801.4 and~~
1 5 who claims any of the following may institute, without paying
1 6 a filing fee, a proceeding under this chapter to secure
1 7 relief:

1 8 EXPLANATION

1 9 This bill relates to a criminal defendant filing an
1 10 application for postconviction relief.
1 11 The bill prohibits a person convicted of a simple
1 12 misdemeanor from filing an application for relief. The bill
1 13 does not prohibit any other criminal defendant from filing an
1 14 application for postconviction relief.
1 15 An application for postconviction relief generally is an
1 16 application to the court, after an unsuccessful appeal, by a
1 17 criminal defendant attacking the constitutionality or validity
1 18 of the sentence of the criminal defendant.
1 19 LSB 1103HV 82
1 20 jm:nh/je/5