

House File 2308 - Introduced

HOUSE FILE 2308
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2139)

A BILL FOR

1 An Act relating to the modification of a temporary no-contact
2 order.

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

1 Section 1. Section 664A.5, Code 2011, is amended to read as
2 follows:

3 **664A.5 Modification — entry of permanent no-contact order.**

4 If a defendant is convicted of, receives a deferred judgment
5 for, or pleads guilty to a public offense referred to in
6 section 664A.2, subsection 1, or is held in contempt for a
7 violation of a no-contact order issued under section 664A.3
8 or for a violation of a protective order issued pursuant
9 to chapter 232, 236, 598, or 915, the court shall either
10 terminate or modify the temporary no-contact order issued by
11 the magistrate. The court may enter a no-contact order or
12 continue the no-contact order already in effect for a period
13 of up to five years from the date the judgment is entered or
14 the deferred judgment is granted, regardless of whether the
15 defendant is placed on probation.

16

EXPLANATION

17 Current law provides that if a defendant is convicted of,
18 receives a deferred judgment for, or pleads guilty to domestic
19 abuse assault, harassment, stalking, sexual abuse in the first
20 degree, sexual abuse in the second degree, or sexual abuse in
21 the third degree or is held in contempt for a violation of
22 a no-contact order issued under Code section 664A.3 or for a
23 violation of a protective order issued pursuant to Code chapter
24 232, 236, 598, or 915, the court may enter a no-contact order
25 or continue a temporary no-contact order already in effect for
26 a five-year period from the date the judgment is entered or
27 the deferred judgment is granted. The bill allows the court
28 to enter a no-contact order or continue a temporary no-contact
29 order for up to five years from the date the judgment is
30 entered or the deferred judgment is granted.

31 A no-contact order is a court order issued in a criminal
32 proceeding which requires the defendant to have no contact with
33 the alleged victim, persons residing with the alleged victim,
34 or members of the alleged victim's immediate family, and to
35 refrain from harassing the alleged victim, persons residing

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1 with the alleged victim, or members of the alleged victim's
2 family.