

**Senate File 360 - Introduced**

SENATE FILE 360  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1092)

**A BILL FOR**

1 An Act relating to bail restrictions placed on criminal  
2 defendants.

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

1 Section 1. Section 811.1, subsections 1 and 2, Code 2011,  
2 are amended to read as follows:

3 1. A defendant awaiting judgment of conviction and  
4 sentencing following either a plea or verdict of guilty of a  
5 class "A" felony, ~~murder,~~ forcible felony as defined in section  
6 702.11, any class "B" felony included in section 462A.14 or  
7 707.6A; ~~felonious assault; felonious child endangerment; sexual~~  
8 ~~abuse in the second degree; sexual abuse in the third degree;~~  
9 ~~kidnapping; robbery in the first degree; arson in the first~~  
10 ~~degree; burglary in the first degree;~~ any felony included  
11 in section 124.401, subsection 1, paragraph "a" or "b"; or a  
12 second or subsequent offense under section 124.401, subsection  
13 1, paragraph "c"; any felony punishable under section 902.9,  
14 subsection 1; any public offense committed while detained  
15 pursuant to section 229A.5; or any public offense committed  
16 while subject to an order of commitment pursuant to chapter  
17 229A.

18 2. A defendant appealing a conviction of a class "A"  
19 felony; ~~murder,~~ forcible felony as defined in section 702.11;  
20 any class "B" or "C" felony included in section 462A.14 or  
21 707.6A; ~~felonious assault; felonious child endangerment; sexual~~  
22 ~~abuse in the second degree; sexual abuse in the third degree;~~  
23 ~~kidnapping; robbery in the first degree; arson in the first~~  
24 ~~degree; burglary in the first degree;~~ any felony included in  
25 section 124.401, subsection 1, paragraph "a" or "b"; or a second  
26 or subsequent conviction under section 124.401, subsection  
27 1, paragraph "c"; any felony punishable under section 902.9,  
28 subsection 1; any public offense committed while detained  
29 pursuant to section 229A.5; or any public offense committed  
30 while subject to an order of commitment pursuant to chapter  
31 229A.

32 EXPLANATION

33 This bill relates to bail restrictions placed on criminal  
34 defendants.

35 The bill specifies a defendant awaiting sentencing after a

1 plea of guilty or a conviction for a forcible felony is not  
2 eligible for bail.

3 The bill also specifies a defendant appealing a conviction  
4 for a forcible felony is not eligible for bail.

5 The changes in the bill make a defendant eligible for bail if  
6 the defendant was convicted of or appealing a conviction for  
7 assault without the intent to cause serious injury but causing  
8 serious injury in violation of Code section 708.2(4), willful  
9 injury causing bodily injury in violation of Code section  
10 708.4(2), sexual abuse between spouses, sexual abuse against a  
11 minor 14 or 15 years of age when the defendant is at least four  
12 years older than the minor, or child endangerment in violation  
13 of Code section 726.6(6).

14 The bill makes a defendant ineligible for bail if the  
15 defendant was convicted of or appealing a conviction for  
16 robbery in the second degree in violation of Code section  
17 711.3.