

**Senate File 2051 - Introduced**

SENATE FILE 2051

BY WILHELM

**A BILL FOR**

1 An Act relating to restrictions on the receipt by certain  
2 felons of certain insurance proceeds and other benefits.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 633.536, Code 2014, is amended to read  
2 as follows:

3 **633.536 Procedure to deny benefits to a person causing death.**

4 A determination under section 633.535 may be made by any  
5 court of competent jurisdiction by a preponderance of the  
6 evidence separate and apart from any criminal proceeding  
7 arising from the death. However, such a civil proceeding  
8 shall not proceed to trial, and the person causing death is  
9 not required to submit to discovery in such a civil proceeding  
10 until the criminal proceeding has been finally determined  
11 by the trial court, or in the event no criminal charge has  
12 been brought, until six months after the date of death. A  
13 person convicted of murder or voluntary manslaughter of the  
14 decedent is conclusively presumed to have intentionally and  
15 unjustifiably caused the death for purposes of this section and  
16 section 633.535. A person convicted of a felony perpetrated  
17 against the decedent in the year immediately prior to the  
18 decedent's death is presumed to have intentionally and  
19 unjustifiably caused the death for purposes of section 633.535,  
20 subsection 3, and this section.

21

EXPLANATION

22 The inclusion of this explanation does not constitute agreement with  
23 the explanation's substance by the members of the general assembly.

24 This bill relates to restrictions on the receipt by certain  
25 felons of certain insurance proceeds and other benefits.

26 The bill provides that a person convicted of a felony  
27 perpetrated against a decedent in the year immediately prior  
28 to the decedent's death is presumed to have intentionally and  
29 unjustifiably caused the decedent's death. If that presumption  
30 prevails, the person is not entitled, as a named beneficiary  
31 of a bond, life insurance policy, or any other contractual  
32 arrangement, to any benefit under the bond, policy, or other  
33 contractual arrangement, and the benefits become payable as  
34 though the person causing death had predeceased the decedent.