

Senate File 2188 - Introduced

SENATE FILE 2188
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3075)

A BILL FOR

1 An Act relating to serving a subpoena on a peace officer or
2 correctional officer.

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

1 Section 1. NEW SECTION. 622.78A Serving a subpoena on a
2 peace officer or correctional officer.

3 A subpoena may be served at the principal place of employment
4 of a correctional officer or peace officer, as defined in
5 section 801.4, if the subpoena is related to the performance
6 of any act which is within the scope of the lawful duty or
7 authority of the officer. A court shall not hold a peace
8 officer or correctional officer in contempt for failure to
9 obey the subpoena if the officer did not actually receive the
10 subpoena or have actual knowledge of the subpoena, but may
11 order other proper punishment as the court determines to be
12 just under the circumstances.

13 EXPLANATION

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

16 This bill relates to serving a subpoena on a peace officer
17 or correctional officer.

18 The bill provides that a subpoena may be served at
19 the principal place of employment of a peace officer or
20 correctional officer if the subpoena is related to the
21 performance of any act which is within the scope of the
22 employment of that officer.

23 The bill specifies that the court shall not hold a peace
24 officer or correctional officer in contempt for failure to
25 obey the subpoena if the officer did not actually receive
26 the subpoena or have actual knowledge of the subpoena, but
27 does permit the court to order other punishment as the court
28 determines to be just under the circumstances.