

Senate Study Bill 3083 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOGG)

A BILL FOR

1 An Act relating to the criminal sentencing of juveniles in
2 district court.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 901.5, subsection 14, Code 2014, is
2 amended to read as follows:

3 14. Notwithstanding any provision in section 907.3 or
4 any other provision of law prescribing a mandatory minimum
5 sentence for the offense, if the defendant, other than a child
6 being prosecuted as a youthful offender, is guilty of a public
7 offense other than a class "A" felony, and was under the age of
8 eighteen at the time the offense was committed, the court may
9 suspend the sentence, suspend any mandatory minimum sentence in
10 whole or in part, ~~including any mandatory minimum sentence,~~ or
11 with the consent of the defendant, defer judgment or sentence,
12 and place the defendant on probation upon such conditions as
13 the court may require.

14 EXPLANATION

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

17 This bill relates to the criminal sentencing of juveniles.

18 The bill specifies that the court may suspend the sentence of
19 a juvenile in district court, and suspend any mandatory minimum
20 sentence in whole or in part, if the juvenile did not commit
21 a class "A" felony and is not being prosecuted as a youthful
22 offender.

23 Current law specifies that the court may suspend the
24 sentence of a juvenile in whole or in part, including any
25 mandatory minimum sentence, if the juvenile did not commit a
26 class "A" felony and is not being prosecuted as a youthful
27 offender.

28 The bill amends newly codified language enacted in SF 288
29 during the 2013 legislative session.