

House File 2478 - Introduced

HOUSE FILE 2478
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 711)

A BILL FOR

1 An Act relating to the inclusion of victims of domestic
2 abuse within the victim rights Act for the purposes of
3 victim registration, notification, and rights in criminal
4 proceedings.

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

1 Section 1. Section 915.10, subsection 3, Code 2022, is
2 amended to read as follows:

3 3. a. "Victim" means a person who has suffered physical,
4 emotional, or financial harm as the result of a any of the
5 following committed in this state:

6 (1) A public offense or a delinquent act, other than a
7 simple misdemeanor, committed in this state.

8 (2) Domestic abuse as defined in section 236.2.

9 (3) An incident where a peace officer identified the person
10 as an abused person pursuant to section 236.12, subsection 1.

11 b. "Victim" also includes the immediate family members of a
12 victim who died or was rendered incompetent as a result of the
13 offense or who was under eighteen years of age at the time of
14 the offense.

15 Sec. 2. Section 915.50, Code 2022, is amended to read as
16 follows:

17 **915.50 General rights of domestic abuse and sexual abuse**
18 **victims.**

19 1. In addition to other victim rights provided in this
20 chapter, victims of domestic abuse and sexual abuse shall have
21 the following rights:

22 ~~1-~~ a. The right to file a pro se petition for relief from
23 domestic abuse and sexual abuse in the district court, pursuant
24 to [sections 236.3 through 236.10](#) and sections 236A.3 through
25 236A.11.

26 ~~2-~~ b. The right, pursuant to [sections 236.12](#) and [236A.13](#),
27 for law enforcement to remain on the scene, to assist the
28 victim in leaving the scene, to assist the victim in obtaining
29 transportation to medical care, and to provide the person with
30 a written statement of victim rights and information about
31 domestic abuse and sexual abuse shelters, support services, and
32 crisis lines.

33 ~~3-~~ c. The right to receive a no-contact order upon a
34 finding of probable cause, pursuant to [section 664A.3](#).

35 2. As used in this subchapter, unless the context otherwise

1 requires, "victim of domestic abuse" means a person who has
2 suffered physical, emotional, or financial harm as a result of
3 domestic abuse as defined in section 236.2, subsection 2.

4 EXPLANATION

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

7 This bill relates to the inclusion of victims of domestic
8 abuse within the victim rights Act for the purposes of victim
9 registration, notification, and rights in criminal proceedings.

10 The bill includes within the meaning of "victim" for the
11 purposes of victim registration, notification, and rights in
12 criminal proceedings, a person who has suffered physical,
13 emotional, or financial harm as a result of domestic abuse or
14 an incident where a peace officer identified the person as an
15 abused person due to domestic abuse.

16 The bill defines a "victim", for the purposes of general
17 rights of victims of domestic abuse, to include a person who
18 has suffered physical, emotional, or financial harm as a result
19 of domestic abuse.