

Senate Study Bill 3027 - Introduced

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

A BILL FOR

1 An Act relating to the modification and extension of a
2 no-contact order.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 664A.8, Code 2022, is amended to read as
2 follows:

3 **664A.8 Extension of no-contact order.**

4 ~~Upon the filing of an application by the state or by the~~
5 ~~victim of any public offense referred to in section 664A.2,~~
6 ~~subsection 1 which is filed within ninety days prior to the~~
7 ~~expiration of a modified no-contact order, the~~ The court shall
8 modify and extend the no-contact order upon the expiration of
9 the no-contact order for an additional period of five years,
10 unless, upon the filing of an application by the defendant
11 within ninety days prior to the expiration of a modified
12 no-contact order, the court finds ~~that~~ the defendant no longer
13 poses a threat to the safety of the victim, persons residing
14 with the victim, or members of the victim's family. The number
15 of modifications extending the no-contact order permitted by
16 this section is not limited.

17 EXPLANATION

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

20 This bill relates to the modification and extension of a
21 no-contact order.

22 Current law provides that upon the filing of an application
23 by the state or by a victim of domestic abuse assault,
24 harassment, stalking, sexual abuse in the first, second, or
25 third degree, or any other public offense for which there is a
26 victim which is filed within 90 days prior to the expiration of
27 a modified no-contact order, the court shall modify and extend
28 the no-contact order for an additional period of five years
29 unless the court finds the defendant no longer poses a threat
30 to the safety of the victim, persons residing with the victim,
31 or members of the victim's family.

32 The bill provides that the court shall modify and extend the
33 no-contact order upon the expiration of the no-contact order
34 for an additional period of five years, unless, upon the filing
35 of an application by the defendant within 90 days prior to the

S.F. _____

1 expiration of a modified no-contact order, the court finds the
2 defendant no longer poses a threat to the safety of the victim,
3 persons residing with the victim, or members of the victim's
4 family.