

House File 178 - Introduced

HOUSE FILE 178

BY BODEN

A BILL FOR

1 An Act requiring vehicle identification information to be
2 provided in a no-contact or protective order, and making
3 penalties applicable.

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

1 Section 1. Section 664A.2, subsection 2, Code 2023, is
2 amended to read as follows:

3 2. A protective order issued in a civil proceeding shall
4 be issued pursuant to chapter 232, 235F, 236, 236A, 598, or
5 915. Punishment for a A respondent identified in a protective
6 order shall comply with section 664A.3A. A violation of a
7 protective order shall be imposed is punishable pursuant to
8 section 664A.7.

9 Sec. 2. NEW SECTION. 664A.3A Vehicle identification
10 information required.

11 1. A no-contact order issued pursuant to section 664A.3
12 and a protective order issued as described in section 664A.2,
13 subsection 2, must include the identification information
14 regarding any vehicle the defendant or respondent owns or
15 operates, including but not limited to a vehicle the defendant
16 or respondent operates in the regular course of the defendant's
17 or respondent's employment or occupation and a vehicle owned
18 by or registered to another person in the defendant's or
19 respondent's household.

20 2. a. The defendant or respondent shall file the
21 identification information with the clerk of court within
22 ten days after receiving service of the no-contact order or
23 protective order. The clerk of court shall notify the court if
24 the identification information is not timely filed.

25 b. Following the initial filing under paragraph "a", the
26 defendant or respondent shall provide to the clerk of court any
27 new or updated identification information within five business
28 days of the change in identification information occurring.

29 3. A defendant or respondent who fails to timely file the
30 identification information or who fails to timely notify the
31 clerk of court of any new or updated identification information
32 pursuant to subsection 2 shall be held in contempt of court and
33 punished pursuant to chapter 665.

34 4. As used in this section:

35 a. "Identification information" includes a vehicle's make,

1 model, model year, color, and vehicle registration plate
2 number, if applicable.

3 *b. "Vehicle"* means a motor vehicle or vehicle, as those
4 terms are defined in section 321.1, or a vessel as defined in
5 section 462A.2.

6 EXPLANATION

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

9 Under current law, when a person is taken into custody
10 for certain contempt proceedings pursuant to Code section
11 236.11 or 236A.12, or arrested for domestic abuse assault,
12 older individual assault, harassment, stalking, sexual abuse
13 in the first, second, or third degree, or any other public
14 offense for which there is a victim, and the person is brought
15 before a magistrate for initial appearance, the magistrate
16 must enter a no-contact order if the magistrate finds probable
17 cause that any public offense or a violation of a no-contact
18 order, protective order, or consent agreement has occurred
19 and the presence of or contact with the defendant poses a
20 threat to the safety of the alleged victim, persons residing
21 with the alleged victim, or members of the alleged victim's
22 family. A protective order issued in a civil proceeding must
23 be issued pursuant to Code chapter 232 (juvenile justice),
24 235F (elder abuse), 236 (domestic abuse), 236A (sexual abuse),
25 598 (dissolution of marriage and domestic relations), or
26 915 (victim rights), but also includes orders establishing
27 conditions of release and sentencing orders in a criminal
28 prosecution arising from a domestic abuse assault (Code section
29 708.2A) or older individual assault (Code section 708.2D).

30 This bill requires a defendant or respondent, as applicable,
31 to provide identification information regarding any motor
32 vehicle, vehicle, or vessel the defendant or respondent owns
33 or operates, including the make, model, model year, color, and
34 vehicle registration plate number, if applicable. A defendant
35 or respondent must also provide identification information

1 about a vehicle or vessel the defendant or respondent operates
2 in the regular course of the defendant's or respondent's
3 employment or occupation and a vehicle or vessel owned by or
4 registered to another person in the defendant's or respondent's
5 household.

6 The defendant or respondent must file the identification
7 information with the clerk of court within 10 days after
8 receiving service of the no-contact order or protective order.
9 The clerk of court must notify the court if the identification
10 information is not timely filed.

11 Following the initial filing of the identification
12 information, the defendant or respondent must provide to the
13 clerk of court any new or updated identification information
14 within five business days of the change in identification
15 information occurring.

16 A defendant or respondent who fails to timely file the
17 identification information or who fails to timely notify the
18 clerk of court of any new or updated identification information
19 must be held in contempt of court and punished pursuant to Code
20 chapter 665.

21 A person held in contempt under Code chapter 665 by a
22 district judge, district associate judge, or an associate
23 juvenile judge may be ordered to pay a fine not exceeding \$500
24 or imprisoned in a county jail for up to six months, or both. A
25 person held in contempt by a judicial magistrate may be ordered
26 to pay a fine not exceeding \$100 or imprisoned in a county jail
27 for up to 30 days.