

House File 2038 - Introduced

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BY VONDRAN

A BILL FOR

1 An Act relating to initial appearance minimum bond amounts for
2 certain criminal offenses.

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

1 Section 1. Section 804.21, subsection 2, Code 2024, is
2 amended to read as follows:

3 2. a. Where the offense is bailable, the magistrate shall
4 fix bail giving due consideration to the bail endorsed on the
5 warrant or other conditions stipulated on the warrant for the
6 defendant's appearance in the court ~~which~~ that issued the
7 warrant; if such person is not released on bail, the magistrate
8 must redeliver the warrant to the officer, and the officer
9 shall retain custody of the arrested person until the person's
10 removal to appear before the magistrate who issued the warrant.

11 b. The initial minimum bond amount set by the magistrate
12 shall not be less than one hundred thousand dollars for a
13 person arrested in obedience to a warrant for any of the
14 following offenses:

- 15 (1) Attempted murder under section 707.11.
16 (2) Assault with a weapon under section 708.1.
17 (3) Willful injury under section 708.4, subsection 1.
18 (4) Intimidation with a dangerous weapon under section
19 708.6, subsection 1.
20 (5) Going armed with intent under section 708.8.
21 (6) Possession by a felon under section 724.26.

22 Sec. 2. Section 804.21, subsection 5, paragraph b,
23 subparagraph (1), Code 2024, is amended to read as follows:

24 (1) The person was arrested for a crime other than a
25 violation of section 707.11, 708.1, 708.4, subsection 1,
26 section 708.6, ~~section~~ 708.8, or 724.26, subsection 1, or a
27 forcible felony, ~~and~~.

28 EXPLANATION

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

31 This bill relates to initial appearance minimum bond amounts
32 for certain criminal offenses.

33 The bill provides that the initial minimum bond amount set
34 by the magistrate shall not be less than \$100,000 for a person
35 arrested in obedience to a warrant for any of the following

1 offenses: attempted murder under Code section 707.11, assault
2 with a weapon under Code section 708.1, willful injury under
3 Code section 708.4(1), intimidation with a dangerous weapon
4 under Code section 708.6(1), going armed with intent under Code
5 section 708.8, or possession by a felon under Code section
6 724.26.

7 The bill provides that the bond schedule established by the
8 judicial council for release of an arrested person at a time
9 when the courts are not in session shall not be used for a
10 person arrested for a violation of Code section 707.11, 708.1,
11 708.4(1), 708.6, 708.8, or 724.26(1), or a forcible felony
12 (Code section 702.11).