

Senate File 2399 - Reprinted

SENATE FILE 2399
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3162)

(As Amended and Passed by the Senate February 25, 2026)

A BILL FOR

- 1 An Act relating to pretrial bond amounts for certain felonies.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. **811.1B Pretrial bond amounts for**
2 **class "A" and forcible felonies.**

3 1. It is the policy of this state that, for certain
4 violent offenses, a court setting bond must give significant
5 consideration to the danger a defendant poses to another person
6 or the property of another if the defendant is not detained
7 pending trial. This consideration is in addition to all others
8 recognized by law, including but not limited to the bond amount
9 necessary to secure the defendant's appearance.

10 2. a. When probable cause for an offense is found by
11 the magistrate, or the district court has found the minutes
12 supporting an indictment or information are sufficient to
13 support a conviction if unexplained, and after considering the
14 conditions for release as provided in section 811.2, subsection
15 2, the following shall be presumed to be the minimum pretrial
16 bond amounts for each count charged, notwithstanding any other
17 provision of law:

18 (1) For a class "A" felony, a five hundred thousand dollar
19 bond.

20 (2) For a class "B" forcible felony, a twenty-five thousand
21 dollar bond.

22 (3) For a class "C" forcible felony, a ten thousand dollar
23 bond.

24 (4) For a class "D" forcible felony, a five thousand dollar
25 bond.

26 b. The bond amounts in paragraph "a" shall be presumed
27 reasonable, subject to adjustment based upon the factors in
28 section 811.2. In determining conditions of release, the court
29 shall not set bail at an amount that is less than the bond
30 amounts in paragraph "a" unless the court provides justification
31 pursuant to section 811.2, subsection 2, in writing. The bond
32 schedule shall be adjusted annually to account for inflation.

33 c. The court shall require the execution of a bail bond with
34 sufficient surety, or the deposit of cash in lieu of bond.

35 However, except as provided in section 811.1, bail initially

1 given remains valid until final disposition of the offense or
2 entry of an order deferring judgment. If the amount of bail
3 is deemed insufficient by the court before whom the offense
4 is pending, the court may order an increase of bail and the
5 defendant must provide the additional undertaking, as a surety
6 bond or in cash, to secure release.

7 3. The presumption established in subsection 2, paragraph
8 "b", may be rebutted upon a showing that the presumptive bond
9 amount is greater than necessary to reasonably assure the
10 defendant's appearance or the safety of another person or the
11 property of another, after consideration of the factors set
12 forth in section 811.2. In determining whether the presumption
13 has been rebutted, the court shall make findings on the record
14 addressing the basis for any adjustment to the bond amount. In
15 cases involving a violent crime, the court shall give substantial
16 weight to the safety of the victim and the community.

17 4. As with other bond reviews, a determination under this
18 section made by a magistrate is reviewable by a district
19 court judge or a district associate judge having original
20 jurisdiction of the offense with which the defendant is charged
21 pursuant to section 811.2, subsection 7, paragraph "a", while a
22 determination made by a district court judge is only reviewable
23 by the appellate court pursuant to section 811.2, subsection 7,
24 paragraph "b".

25 Sec. 2. Section 811.2, subsection 1, paragraph a,
26 subparagraph (3), Code 2026, is amended to read as follows:

27 (3) Require the execution of an appearance bond in a
28 specified amount and the deposit with the clerk of the district
29 court or a public officer designated under section 602.1211,
30 subsection 4, in cash or other qualified security, ~~of a sum not~~
31 ~~to exceed ten percent of the amount of the bond,~~ the deposit to
32 be returned to the person who deposited the specified amount with
33 the clerk upon the performance of the appearances as required in
34 section 811.6.

35 Sec. 3. Section 811.2, subsection 1, Code 2026, is amended by

1 adding the following new paragraph:

2 NEW PARAGRAPH. c. If a pretrial release evaluation is
3 completed by the department of corrections for a magistrate to
4 consider prior to the release of a defendant, the evaluator for
5 the department of corrections must verify all of the information
6 contained in the pretrial release evaluation prior to providing
7 it to the magistrate.

8 Sec. 4. JUDICIAL COUNCIL — UNIFORM BOND SCHEDULE. The
9 judicial council shall revise and update the bond schedule
10 to adjust for inflation since the previous update that became
11 effective on July 1, 2017. The revised bond schedule shall be
12 submitted to the supreme court no later than July 1, 2027, and
13 shall be adjusted annually thereafter.

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