SENATE FILE 2399
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3162)

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

_____ and [= New Language by the Senate

* = Language Stricken by the Senate

A BILL FOR

An Act relating to pretrial bond amounts for certain felonies.

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

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

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

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

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

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

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

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

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

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

However, except as provided in section 811.1, bail initially given remains valid until final disposition of the offense or entry of an order deferring judgment. If the amount of bail is deemed insufficient by the court before whom the offense is pending, the court may order an increase of bail and the defendant must provide the additional undertaking, as a surety bond or in cash, to secure release.

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

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

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

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

required in section 811.6.

Sec. 3. Section 811.2, subsection 1, Code 2026, is amended by adding the following new paragraph:

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

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