SENATE FILE 2379
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3089)

(As Amended and Passed by the Senate March 17, 2026)

= New Language by the Senate

= Language Stricken by the Senate

A BILL FOR

An Act relating to victim protections including victim counselors, protective orders, sex offender registration, rights of sexual abuse victims, mental competency and civil commitment, restitution, and victim rights.

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

DIVISION I

VICTIM COUNSELORS

Section 1. Section 915.20A, subsection 1, paragraphs a and d, Code 2026, are amended to read as follows:

a. "Confidential communication" means information shared between a crime victim and a victim counselor within the counseling relationship, and includes all information received by the counselor and any advice, report, or working paper given to or prepared by the counselor in the course of the counseling relationship with the victim. *"Confidential information"* is confidential information ~~which~~ that, so far as the victim is aware, is not disclosed to a third party with the exception of a person present in the consultation for the purpose of furthering the interest of the victim, a person to whom disclosure is reasonably necessary for the transmission of the information, or a person with whom disclosure is necessary for accomplishment of the purpose for which the counselor is consulted by the victim, or as may be required by this section.

d. "Victim counselor" means a person who is engaged in a crime victim center, is certified as a counselor by the crime victim center, and is under the control of a direct services supervisor of a crime victim center, whose primary purpose is the rendering of advice, counseling, and assistance to the victims of crime. To qualify as a ~~"victim counselor"~~ victim counselor under this section, the person must also have completed at least twenty hours of training provided by the center in which the person is engaged~~, by the Iowa organization of victim assistance, by the Iowa coalition against sexual assault, or by the Iowa coalition against domestic violence,~~ or by an organization under contract with the department to provide training, which training shall include but not be limited to the dynamics of victimization, substantive laws relating to violent crime, human trafficking, sexual assault, and domestic violence, crisis intervention techniques, communication skills, working with diverse populations, an

overview of the state criminal justice system, information regarding pertinent hospital procedures, and information regarding state and community resources for victims of crime.

Sec. 2. Section 915.20A, subsections 2 and 5, Code 2026, are amended to read as follows:

2. A victim counselor shall not be compelled to produce confidential communications or confidential information or be examined or required to give evidence in any civil or criminal proceeding as to any confidential communication or confidential information made by a victim to the counselor, nor shall a clerk, secretary, stenographer, or any other employee who types or otherwise prepares or manages the confidential reports or working papers of a victim counselor be required to produce evidence of any such confidential communication or confidential information, ~~unless the~~ except under any of the following circumstances:

a. The victim waives this privilege in writing ~~or disclosure~~.

b. Disclosure of the information is compelled by a court pursuant to subsection 7. Under no circumstances shall the location of a crime victim center or the identity of the victim counselor be disclosed in any civil or criminal proceeding.

5. The privilege under this section does not apply in matters of proof concerning the chain of custody of evidence, or in matters of proof concerning the physical appearance of the victim at the time of the injury or the counselor's first contact with the victim after the injury~~, or where the counselor has reason to believe that the victim has given perjured testimony and the defendant or the state has made an offer of proof that perjury may have been committed~~.

DIVISION II

PROTECTIVE ORDERS

Sec. 3. Section 236A.7, subsection 3, Code 2026, is amended to read as follows:

3. *a.* An order for a protective order or approved consent

agreement shall be for a fixed period of time not to exceed one year except as provided in this section. The court may amend or extend its order or a consent agreement at any time upon a petition filed by the plaintiff or defendant and after notice and hearing. The court may extend the order if the court, after hearing at which the defendant has the opportunity to be heard, finds that the defendant continues to pose a threat to the safety of the plaintiff, persons residing with the plaintiff, or members of the plaintiff's immediate family. The number of extensions that can be granted by the court is not limited.

b. Notwithstanding paragraph "*a*", in the sentencing proceeding for a person convicted of a sexual offense as provided in section 709.8, 709.8A, 709.11, 709.12, 709.14, 709.15, 709.21, or 709.23, any violation of chapter 710A, or a violation of section 713.3, subsection 1, paragraph "*d*", a prosecutor may request that the criminal court grant the victim an order of protection to remain in effect for the duration of the criminal court's jurisdiction over the person. At any time after the expiration of a criminal court's jurisdiction over a person against whom an order of protection was granted pursuant to a request under this paragraph, the victim may:

(1) File a petition for an order of protection against the person.

(2) Submit evidence of the person's conviction for a sexual offense as provided in this section as cause for the court to grant the order of protection.

c. Based on evidence submitted pursuant to paragraph "*b*", a court may take judicial notice of the facts that led to a person's conviction for a sexual offense as provided in this section and a victim shall not be required to appear before the court on the victim's petition for an order of protection; provided, however, that another person may appear on the victim's behalf.

d. A court may grant an order of protection pursuant to

this section for any length of time, including for a victim's lifetime.

e. An order of protection granted pursuant to this section shall continue until the expiration provided in the order, if any, or until modified or rescinded upon a motion by the victim.

DIVISION III

SEX OFFENDER REGISTRATION

Sec. 4. Section 692A.104, subsections 1, 2, 3, 5, 7, and 8, Code 2026, are amended to read as follows:

1. A sex offender shall appear in person to register with the sheriff of each county where the offender has a residence, maintains employment, or is in attendance as a student, within ~~five~~ three business days of being required to register under section 692A.103 by providing all relevant information to the sheriff. A sheriff shall accept the registration of any person who is required to register in the county pursuant to the provisions of this chapter.

2. A sex offender shall, within ~~five~~ three business days of changing a residence, employment, or attendance as a student, appear in person to notify the sheriff of each county where a change has occurred.

3. A sex offender shall, within ~~five~~ three business days of a change in relevant information, other than relevant information enumerated in subsection 2, notify the sheriff of the county where the principal residence of the offender is maintained about the change to the relevant information. The department shall establish by rule what constitutes proper notification under this subsection.

5. A sex offender shall, within ~~five~~ three business days of the establishment of a residence, employment, or attendance as a student in another jurisdiction, appear in person to notify the sheriff of the county where the principal residence of the offender is maintained, about the establishment of a residence, employment, or attendance in another jurisdiction. A sex

offender shall, within ~~five~~ three business days of establishing a new residence, employment, or attendance as a student in another jurisdiction, register with the registering agency of the other jurisdiction, if the offender is required to register under the laws of the other jurisdiction. The department shall notify the registering agency in the other jurisdiction of the sex offender's new residence, employment, or attendance as a student in the other jurisdiction.

7. Except as provided in subsection 8, the initial or subsequent registration and any notifications required in subsections 1, 2, 4, 5, and 6 shall be by appearance at the sheriff's office and completion of the initial or subsequent registration or notification shall be on a printed form, which shall be signed and dated by the sex offender. If the sheriff uses an electronic form to complete the initial registration or notification, the electronic form shall be printed upon completion and signed and dated by the sex offender. The sheriff shall transmit the registration or notification form completed by the sex offender within ~~five~~ three business days by paper copy, or electronically, using procedures established by the department by rule.

8. The collection of relevant information by a court or releasing agency under section 692A.109 shall serve as the sex offender's initial or subsequent registration for purposes of this section. However, the sex offender shall register by appearing in person in the county of residence to verify the offender's arrival and relevant information. The court or releasing agency shall forward a copy of the registration to the department within ~~five~~ three business days of completion of registration using procedures established by the department by rule.

Sec. 5. Section 692A.105, Code 2026, is amended to read as follows:

692A.105 Additional registration requirements — temporary lodging.

In addition to the registration provisions specified in section 692A.104, a sex offender, within ~~five~~ three business days of a change, shall also appear in person to notify the sheriff of the county of principal residence~~,~~ of any location in which the offender is staying when away from the principal residence of the offender for more than five days~~,~~ by identifying the location and the period of time the offender is staying in such location.

Sec. 6. NEW SECTION. **692A.105A Additional registration requirements.**

In addition to the registration provisions specified in section 692A.104, a sex offender, within three business days of a change, shall also appear in person to notify the sheriff of the county of the sex offender's principal residence of the following:

1. The name, address, and telephone number of the sex offender's place of employment, and any changes to such information.

2. The license plate number and a physical description, including make, model, and color, of any vehicle owned or regularly operated by the sex offender.

DIVISION IV

SEXUAL ABUSE — RIGHTS

Sec. 7. Section 709.10, subsections 6 and 7, Code 2026, are amended to read as follows:

6. The law enforcement agency shall store the kit in a clean, dry location for a minimum of ~~fifteen~~ twenty years, or in the case of a minor victim for ~~a minimum of fifteen years after the minor reaches the age of majority~~ the lifetime of the minor victim, even if the reported victim of sexual abuse has not filed a criminal complaint.

7. Prior to the disposal of a kit by a law enforcement agency, the law enforcement agency shall notify the reported victim ~~of~~ in writing not fewer than sixty days before the intended date of disposal of the kit, the reason for disposal

of the kit, and the options that remain available for retention and analysis of the kit, if any. The law enforcement agency shall obtain written approval from the appropriate county attorney and retain that approval in the victim's case file prior to disposal. Any kit disposed of shall be documented by a law enforcement agency in the kit tracking system within forty-eight hours of disposal. Upon written request of the reported victim, the law enforcement agency shall grant further preservation of the kit or its probative contents.

Sec. 8. Section 709.22, subsection 1, paragraph c, Code 2026, is amended to read as follows:

c. Providing a victim with immediate and adequate notice of the victim's rights. The notice shall consist of handing the victim a document that includes the telephone numbers of shelters, support groups, and crisis lines operating in the area and contains the following statement of rights written in English and Spanish; asking the victim to read the document; and asking whether the victim understands the rights:

[1] You have the right to ask the court for help with any of the following on a temporary basis:

[a] Keeping your attacker away from you, your home, and your place of work.

[b] The right to stay at your home without interference from your attacker.

[c] The right to seek a no-contact order under section 664A.3 or 915.22, if your attacker is arrested for sexual assault.

[2] You have the right to register as a victim with the county attorney under section 915.12.

[3] You have the right to file a complaint for threats, assaults, or other related crimes.

[4] You have the right to seek restitution against your attacker for harm to you or your property.

[5] You have the right to apply for victim compensation.

[6] You have the right to contact the county attorney or local law enforcement to determine the status of your case.

[7] If you are in need of medical treatment, you have the right to request that the officer present assist you in obtaining transportation to the nearest hospital or otherwise assist you.

[8] You have the right to a sexual assault examination performed at state expense. You have the right not to be prevented from receiving a sexual assault examination. If you choose to have a sexual assault examination:

[a] You have the right to have a sexual assault examination kit or its probative contents preserved, without charge, for twenty years, or in the case of a minor victim for the lifetime of the minor victim, even if you do not file a criminal complaint, pursuant to section 709.10, subsection 6.

[b] You have the right to be informed of any results of a sexual assault examination kit if such disclosure would not impede or compromise an ongoing investigation.

[c] You have the right to be informed of the status and location of a sexual assault examination kit.

[d] At least sixty days prior to the intended disposal of a sexual assault examination kit, you have the right to be notified in writing by a law enforcement agency of the intended disposal. This is so that you can make a written request for further preservation of the kit or its probative contents.

[e] In order to notify a victim, the law enforcement office that has custody of the sexual assault examination kit must verify the victim's physical address. A victim must notify the law enforcement office with custody of the sexual assault examination kit of any change to the victim's contact information.

[9] You have the right to request the presence of a victim counselor, as defined in section 915.20A, at any proceeding related to an assault including a medical examination.

[10] If you believe that police protection is needed for your physical safety, you have the right to request that the officer present remain at the scene until you and other affected

parties can leave or until safety is otherwise ensured.

DIVISION V

MENTAL COMPETENCY

Sec. 9. Section 812.8, subsections 4 and 8, Code 2026, are amended to read as follows:

4. *a.* Upon receiving a notification under this section, the court shall schedule a hearing to be held within fourteen days. Within ten days of receiving notice, a party may request a separate independent psychiatric evaluation to be performed by a psychiatrist or licensed, doctorate-level psychologist of the party's own choosing. The requesting party must file notice of intent to seek such evaluation before the scheduled hearing and proceedings shall be stayed until such separate evaluation is completed. Upon receipt of the independent expert's report, the requesting party shall file notice of receipt of that report with the court. The court shall schedule a hearing to be held within fourteen days of receipt of notice. The court shall also issue an order to transport the defendant to the hearing if the defendant is in custody or is being held in an inpatient facility. The defendant shall be transported by the sheriff of the county where the court's motion or the application pursuant to section 812.3 was filed.

b. Following the submission of an initial evaluation finding that there is no substantial probability that the defendant will be restored to competency in a reasonable amount of time and provided the defendant is otherwise eligible for pretrial release, the defendant may request a bond review hearing. In determining the conditions, if any, of the defendant's release, the court shall consider whether the defendant is likely to voluntarily participate in the second evaluation as a factor in setting bond or other conditions of release.

c. Upon receipt of the second evaluation, or upon expiration of the time period for obtaining a second evaluation, the court shall schedule and hold a hearing to determine the defendant's competency status. At the hearing, the court shall make one of

the following findings:

(1) The defendant is competent to stand trial.

(2) The defendant is not currently competent but there is a substantial probability that the defendant will be restored to competency within a reasonable period of time.

(3) The defendant is not competent and there is no substantial probability that the defendant will be restored to competency within a reasonable period of time.

8. If the court finds by a preponderance of the evidence that there is no substantial probability the defendant's competency will be restored in a reasonable amount of time, the court shall terminate the commitment under section 812.6 in accordance with the provisions of section 812.9 and, if the person is charged with a forcible felony, set the matter for commencement of civil proceedings. A charge of a forcible felony shall be deemed a recent overt act for purposes of civil commitment proceedings under chapter 229.

DIVISION VI

RESTITUTION

Sec. 10. Section 602.8107, subsection 2, paragraph c, Code 2026, is amended to read as follows:

c. Payments received under this section shall be applied in the following priority order:

(1) Pecuniary damages as defined in section 910.1, subsection 6.

(2) Fines or penalties and the crime services surcharge.

~~(3) Crime victim compensation program reimbursement.~~

~~(4)~~ (3) Court costs, court-appointed attorney fees, or public defender expenses.

Sec. 11. Section 910.1, subsections 1 and 2, Code 2026, are amended to read as follows:

1. *"Category "A" restitution"* means fines, penalties, payment of crime victim compensation program reimbursements, and surcharges.

2. *"Category "B" restitution"* means the contribution of

funds to a local anticrime organization ~~which~~ that provided assistance to law enforcement in an offender's case, ~~the payment of crime victim compensation program reimbursements,~~ payment of restitution to public agencies pursuant to section 321J.2, subsection 13, paragraph *"b"*, court costs, court-appointed attorney fees ordered pursuant to section 815.9, including the expense of a public defender, and payment to the medical assistance program pursuant to chapter 249A for expenditures paid on behalf of the victim resulting from the offender's criminal activities including investigative costs incurred by the Medicaid fraud control unit pursuant to section 249A.50.

Sec. 12. Section 910.1, Code 2026, is amended by adding the following new subsections:

NEW SUBSECTION. 2A. *"Crime victim compensation program"* means the program established in sections 915.80 through 915.94 that provides financial assistance to crime victims for out-of-pocket expenses resulting from criminal acts.

NEW SUBSECTION. 2B. *"Crime victim compensation program reimbursements"* means amounts a court has ordered a defendant to pay to the crime victim compensation program to reimburse the program for amounts the program expended to assist the defendant's victim with out-of-pocket expenses incurred as a result of the defendant's criminal actions. Reimbursements shall be made in accordance with this chapter and chapter 915.

Sec. 13. Section 910.2, subsection 1, paragraph c, Code 2026, is amended to read as follows:

c. In structuring a plan of restitution, the plan of payment shall provide for payments in the following order of priority:

(1) Pecuniary damages to the victim.

(2) Category "A" restitution.

(3) Category "B" restitution in the following order:

~~(a) Crime victim compensation program reimbursement.~~

~~(b)~~ (a) Public agencies.

~~(c)~~ (b) Court costs.

~~(d)~~ (c) Court-appointed attorney fees ordered pursuant to section 815.9, including the expense of a public defender.

~~(e)~~ (d) Contribution to a local anticrime organization.

~~(f)~~ (e) The medical assistance program.

Sec. 14. Section 915.80, Code 2026, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. *"Crime victim compensation program"* means the same as defined in section 910.1.

DIVISION VII

VICTIM RIGHTS

Sec. 15. Section 915.46, subsection 1, paragraph e, Code 2026, is amended to read as follows:

e. "Sexual assault nurse examiner" means a registered nurse, an advanced registered nurse practitioner, or an advanced practice registered nurse, licensed pursuant to chapter 152 or 152E who has completed a sexual assault forensic examiner program that meets the sexual assault nurse examiner education guidelines ~~established~~ approved by the ~~international association of forensic nurses~~ federal department of justice.

Sec. 16. Section 915.46, subsection 2, Code 2026, is amended to read as follows:

2. A sexual assault forensic examiner program is established within the state department of justice. The sexual assault forensic examiner program shall maintain a list of sexual assault examiners and sexual assault nurse examiners who have completed didactic and clinical training approved by the state department of justice and consistent with the sexual assault forensic examiner education guidelines ~~established~~ approved by the ~~international association of forensic nurses~~ federal department of justice.

Sec. 17. Section 915.46, subsection 4, paragraph b, Code 2026, is amended to read as follows:

b. The sexual assault forensic examiner program shall provide didactic and clinical training opportunities consistent with the sexual assault forensic examiner education guidelines

~~established~~ approved by the ~~international association of forensic nurses~~ federal department of justice, in collaboration with the department of health and human services and the Iowa coalition against sexual assault, in sufficient numbers and geographical locations across the state to assist treatment facilities with training sexual assault examiners and sexual assault nurse examiners.

Sec. 18. Section 915.80, subsection 7, Code 2026, is amended to read as follows:

7. *"Secondary victim"* means the victim's spouse, children, parents, ~~and~~ siblings, foster parents, custodians, and any person who resides in the victim's household at the time of the crime or at the time of the discovery of the crime. *"Secondary victim"* does not include persons who are the survivors of a victim who dies as a result of a crime.