

CHAPTER 1126
WAIVER OF PRESENCE INVESTIGATION

H.F. 2267

AN ACT relating to the waiver of presentence investigations for class "B", "C", and "D" felonies.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 901.2, unnumbered paragraph 1, Code Supplement 1983, is amended to read as follows:

Upon a plea of guilty, a verdict of guilty, or a special verdict upon which a judgment of conviction of any public offense may be rendered, the court shall receive from the state, from the judicial district department of correctional services, and from the defendant any information which may be offered which is relevant to the question of sentencing. The court may consider information from other sources. The court shall order a presentence investigation when the offense is a class "B," class "C," or class "D" felony. A presentence investigation for a class "B", class "C", or class "D" felony shall not be waived. The court may order, with the consent of the defendant, that the presentence investigation begin prior to the acceptance of a plea of guilty, or prior to a verdict of guilty. The court may order a presentence investigation when the offense is an aggravated or serious misdemeanor.

Approved April 20, 1984