

Sec. 3. Section 99B.7, Code 1999, is amended by adding the following new subsection:
NEW SUBSECTION. 3A. If a licensee derives ninety percent or more of its total income from conducting bingo, raffles, or small games of chance, at least seventy-five percent of the licensee's net receipts shall be distributed to an unrelated entity for an educational, civic, public, charitable, patriotic, or religious use.

Approved April 21, 2000

CHAPTER 1131

CRIMINAL DEFENDANTS — APPEARANCE — RELEASE

S.F. 2146

AN ACT relating to the appearance in court and the release from custody of certain criminal defendants.

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

Section 1. Section 805.6, subsection 1, paragraph c, Code 1999, is amended by adding the following new subparagraph before subparagraph (1):

NEW SUBPARAGRAPH. (0) If the offense is one to which an assessment of a minimum fine is applicable and the entry is otherwise not prohibited by this section, an amount equal to one and one-half times the minimum fine plus court costs.

Sec. 2. Section 805.6, subsection 1, paragraph c, subparagraph (3), Code 1999, is amended to read as follows:

(3) If the violation is for any offense for which a court appearance is mandatory, and an assessment of a minimum fine is not applicable, the amount of one hundred dollars plus court costs.

Sec. 3. Section 805.6, subsection 1, paragraph d, Code 1999, is amended to read as follows:

d. The written appearance defined in paragraph "b" shall not be used for any offense other than a simple misdemeanor and shall not be used for any offense under section 321.218 or 321A.32.

Sec. 4. Section 805.10, subsection 1, Code 1999, is amended to read as follows:

1. When the violation charged involved or resulted ~~in an accident or injury to property and the total damages are one thousand dollars or more, or in an~~ a death or caused serious injury to person as defined under section 702.18.

Sec. 5. Section 805.10, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. When the violation charged involved or resulted in an accident or injury to property and based upon the violator's driving record, or failure to pay any fine, surcharge, or court costs, or any other circumstances involving the accident, the officer determines a court appearance is necessary.

Sec. 6. Section 811.2, subsection 2, Code Supplement 1999, is amended to read as follows:
2. DETERMINATION OF CONDITIONS. In determining which conditions of release will reasonably assure the defendant's appearance and the safety of another person or persons, the magistrate shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of the defendant's residence in the community, the defendant's record of convictions, including the defendant's failure to pay any fine, surcharge, or court costs, and the defendant's record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings.

Approved April 21, 2000

CHAPTER 1132

DOMESTIC ABUSE RECORDS AND ELECTRONIC HARRASSMENT

S.F. 2308

AN ACT relating to domestic violence protective orders and harassment via electronic communications and making penalties applicable.

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

Section 1. Section 236.10, Code 1999, is amended to read as follows:
236.10 CONFIDENTIALITY OF RECORDS.

1. ~~The entire file or a portion of the file in a domestic abuse case shall be sealed by the clerk of court when it is complete and after the time for appeal has expired as ordered by the court to protect the privacy interest or safety of any person. However, the clerk shall open the file upon application to and order of the court for good cause shown or upon request of the child support recovery unit. Support payment records, whether maintained by the clerk of the district court or the department of human services, are public records and may be released upon request. However, a payment record shall not include address or location information.~~

2. Notwithstanding subsection 1, court orders and support payment records shall remain public records, although the court may order that address and location information be redacted from the public records.

Sec. 2. Section 236.19, Code Supplement 1999, is amended to read as follows:
236.19 FOREIGN PROTECTIVE ORDERS — REGISTRATION — ENFORCEMENT.

1. As used in this section, "foreign protective order" means a protective order entered ~~in a state other than Iowa which~~ by a court of another state, Indian tribe, or United States territory that would be an order or court-approved consent agreement entered under this chapter, a temporary or permanent protective order or order to vacate the homestead under chapter 598, or an order that establishes conditions of release or is a protective order or sentencing order in a criminal prosecution arising from a domestic abuse assault if it had been entered in Iowa.