

Section G

Legislative Update

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**IAJ Criminal Defense and Family Law Conference
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HF 684	ALCOHOL IMMUNITY Provides limited immunity from certain criminal offenses and prohibiting certain disciplinary sanctions for persons under twenty-one years of age who report, seek, or require emergency assistance for alcohol overdoses, and modifying penalties.
HF 737	ANIMAL MISTREATMENT OFFENSES Defines primary offenses against animal mistreatment (abuse, abandonment, neglect and torture) including defining injuries and increasing the range of penalties to a Class C felony. Makes changes to the animal mistreatment offenses, including adding intentional, knowing or reckless requirements to animal abuse, adding intentional or knowing, but not reckless, to animal torture, conditions for animal neglect and abandonment. Creates an exception to certain animal abandonment offenses for cats that are returned under specific circumstances. Treatment: Strikes requirements for court-order evaluations and specifies whether a court must order, or may order, psychological treatment for persons convicted of animal mistreatment. Collars & Tags: Prohibits removing or damaging a rabies tag on a dog collar, or an electronic collar or handling device. Makes the 1st offense a simple misdemeanor and 2nd or subsequent offenses a serious misdemeanor. Includes exceptions.
HF 2235	CDL BAN FOR HUMAN TRAFFICKING Disqualifies a person for life from having a CDL if the person is convicted of using a commercial vehicle to commit a felony human trafficking offense.
HF 2411	24/7 PROGRAM ELIGIBILITY Strikes the requirement for a person to be eligible for a temporary driver's license or have an ignition interlock device installed before participating in the 24/7 sobriety program. Requires a court order putting a person in the program to require the person to submit proof to law enforcement that an ignition interlock device has been installed on all vehicles owned or operated by the person prior to the end of participation in the program.
HF 2445	SEX OFFENSE VICTIM PRIVACY Deems sexual offense victims under the age of 18 to be children. Does not allow the release of the names of these victims, except as authorized by the court, even if the victim turns 18. Limits the use of biographical information. Allows the release of information to the defendant and the lawyer for the defendant but limits the further release of such information.
HF 2474	ARREST WARRANT CONFIDENTIALITY Expressly allows a court to restrict access to confidential information used to obtain an arrest warrant by court order. Includes a court-appointed private attorney for a defendant on the list of individuals who can access this information after a warrant has been issued but not served, if the person is in custody.
HF 2554	CONTINUOUS SEXUAL ABUSE Makes it a Class B felony with a sentence up to 50 years for an adult to commit three or more sexual abuse offenses against a child under 14 in a period over a month. Does not require unanimous agreement by a jury on the exact nature of the offenses or the exact time. Includes other provisions on charging.

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HF 2647	POLICE CHOKEHOLDS Chokeholds: Limits the use of chokeholds by police in making arrests except in circumstances when deadly force is justified (the person has used or threatened a in committing a felony or the officer has a reasonable belief that the person would use deadly force unless immediately arrested). Certification: Allows the ILEA Council to appoint ALJs. Sets forth grounds for the revocation or suspension of an officer’s certification. Allows the Council to set up a process for examining officers certified in another jurisdiction and includes required disclosures about discipline and other matters. Prohibits certification if an officer has committed various kinds of misconduct. Training: Requires law enforcement agencies to include training for officers on de-escalating situations and on preventing bias. Requires ILEA to establish training standards in consultation with the Civil Rights Commission and other groups. AG: Allows the AG to prosecute officers for criminal offenses for actions that result in death, regardless of whether the county attorney requests assistance. Allows the AG to refer the case to ILEA for action on certification, instead of prosecution.
SF 457	CRIMINAL SURCHARGES Surcharges: Changes the criminal penalty surcharges to criminal services surcharges. Allocates 15% of the surcharge to the county treasurer; and splits the remaining 85% three ways (59% to the victim fund, 38% to the criminalistics lab fund and 3% to DARE). Combines the sexual abuse/trafficking and domestic abuse surcharges into a single \$90 surcharge. Makes corresponding changes to other surcharges. Ag Theft: Establishes a \$500 surcharge for the felony theft of crops, livestock or honeybees. Includes other specifics on agricultural theft crimes covered. Appropriates the funds to the Judicial Branch for its operations. School Bus Safety: Strikes the potential 30-day imprisonment portion of the penalty for a 1st offense of failing to stop for a school bus. Requires the DOT to adopt rules requiring drivers guilty of a 1st offense to attend a driving improvement class in lieu of a license suspension. Increases fines. Court Modernization: Increases the allocation to the Court Technology & Modernization Fund to \$9 million. Civil Fees: Increases civil fees by \$20. Scheduled Violations: Reschedules various car insurance and title registration offenses and other traffic offenses as scheduled violations. Raises fines for scheduled violations approximately 28%. Fines: Decreases simple misdemeanors (\$90 to \$885); Increases serious misdemeanor (\$430 to \$2,560); aggravated misdemeanor (\$855 to \$8,540); Class D (\$1,025 to \$10,245); Class C (\$1,370 to \$13,660). Other: Deems the Criminalistic Lab fund shall receive appropriations and surcharges. Establishes the DARE fund.
SF 526	BLUE ALERTS Creates a Blue Alert program in ‘DPS to aid in capturing someone suspected of killing or injuring a peace officer. Makes definitions and includes criteria for the Blue Alert program.
SF 2097	INDECENT EXPOSURE Includes instances when a person touches their genitals, either under or outside of their clothing, in order to arouse the sexual desires of either party and the person reasonably knows that the act is offensive or that a child is present.
SF 2225	THEFT OFFENSES Increases the amount to trigger 3rd degree theft charges for a person who has been twice convicted of 3rd degree theft to \$750. 1st Degree: Requires a person convicted of 1st degree theft as of July 2019 to serve 50% to 70% of a sentence before being eligible for parole or work release.

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SF 2275	ELUDING OFFENSES Enhances the penalties for eluding offenses to make a second or subsequent offense an aggravated misdemeanor and increases the penalty for aggravated eluding offenses to a Class D felony. Makes a subsequent violation of the current Class D aggravated offenses a Class C felony.
SF 2348	DISCHARGE OF A SENTENCE Defines the discharge of a criminal sentence for the purposes of the proposed constitutional amendment to restore voting rights for felons. Includes requirements to pay restitution as a part of discharging a sentence. Contingent on adoption of a constitutional amendment; repealed in 2023 if such an amendment is not passed.