

## HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 2221 (Formerly HSB 522)	House Committee:	<b>PASSED</b> on January 31 (19-0)
Committee:	Judiciary	House Floor:	
Floor Manager:	Rep. Jones	Senate Floor:	
Date:	February 21, 2022	Governor:	
Staff:	Amanda Wille (1-5230)		

### Evidence in Sexual Abuse Cases

- HF 2221 allows a person who received a report of sexual abuse from a child, or person with developmental delays to testify on the report instead of the victim.
- **Fiscal Note:** no fiscal note can be determined

### Section by Section Analysis

#### Section 1- Evidence- Admissibility of Evidence in Certain Physical Abuse and Sexual Offense Cases (622.31A)

This bill permits a hearsay exception if the victim of a sexual assault was a child or person with cognitive impairment.

A third party will be permitted to testify about the victims out of court statements made about the assault.

In order to waive the hearsay exception notice must be given to the defendant. This notice must include the names of the people testifying, and a written summary of the statement they will offer.

The court can review this information away from the jury to determine if there are sufficient safeguards in place to protect both the victim and defendant.

### Amendment Analysis

**H-8056- Wolfe-** if a third party testifies to the statements made by a victim the victim statements would have to be an initial disclosure of the offense.

**H-8060- Jones-** corrective.