

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 644 (Formerly HSB 156)	House Committee:	PASSED on March 3 (14-6)
Committee:	Judiciary	House Floor:	PASSED on March 22 (95-0)
Floor Manager:	Rep. Holt	Bounce:	PASSED on May 1 (94-0)
Date:	May 8, 2023	Senate Floor:	PASSED on April 25 (49-0)
Staff:	Amanda Wille (1-5230)	Governor:	

Criminal Procedure Rules

- Makes changes to multiple areas of criminal procedure, including defense subpoenas, depositions, conditional guilty pleas, depositions of children, and jury qualifications.
- **Fiscal Note-** Division I- Office of the State Public Defender will require 15.0 Investigator 2 FTE positions, at a total cost of \$1.0 million to the State Public Defender operating budget, which is funded through the General Fund. There will also be costs to the courts and the indigent defense fund that cannot be calculated.

Section by Section Analysis

Division I- Depositions

A person who has the expectation of being a party in a criminal trial shall not conduct a deposition prior to the indictment.

Division II- Conditional Guilty Pleas

A conditional guilty plea that purports to reserve an issue for appeal may only be entered with the consent of the prosecuting attorney and the Attorney General and the defendant.

Division III- Prosecution Witnesses- Minors

The Iowa Supreme Court shall amend the rules of criminal procedure to apply with Iowa code that eliminates the requirement that a defendant be physically present at a deposition of a minor.

Division IV- Juror Qualifications

A person is disqualified from jury service if they have been convicted of a felony and are under the supervision of the DOC, a CBC, or the board of parole. Additionally, if a person has been convicted for a sex offense that places them on the sex offender registry they are also disqualified from jury service.

Division V- Supreme Court- Rules of Criminal Procedure

The Iowa Supreme Court shall revise the rules of criminal procedure to comply with the bill. The revised rules shall be submitted to legislative council for review by June 1, 2023. If the court does not resubmit rules the previously submitted rules shall be rejected in their entirety.

Amendment Analysis