



HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 2704 will sub SF 2379	House Committee:	PASSED on February 19 (16-4)
Committee:	Judiciary	House Floor:	
Floor Manager:	Rep. Gustoff	Senate Floor:	PASSED on March 17 (42-1)
Date:	April 13, 2026	Governor:	
Staff:	Amanda Wille (1-5230)		

Victim Protection

- HF 2704/ SF 2379 addresses victim protections. Including victim counselors, protective orders, sex offender registration, rights of sexual abuse survivors, mental competency, civil commitment, restitution and victim's rights.

Section by Section Analysis

Division I: Victim Counselors

1. Strengthens confidentiality between victims and victim counselor's.
2. Confidential information can only be disclosed if the victim waives it in writing, a court orders disclosure, or withholding information is likely to result in imminent risk of serious harm.
3. Counselors and victim centers acting in good faith when disclosing this information are granted immunity from liability. (will be struck with conforming amendment)

Division II: Protective Orders

1. Allows courts to issue protective orders for victims of certain sexual offenses at sentencing, lasting as long as the court has jurisdiction.
2. Victims can later request that protection be extended or made permanent.
3. Protective orders can be granted for any length of time, including a victim's lifetime.
4. Courts can use conviction facts for decisions; victims are not required to appear in person.

Division III: Sex Offender Registration

1. Sex offenders must register or update their information in person, in the Sheriff's office within three days. Current law allows five days.
2. Requires notification of any prolonged absence from home or changes in employment, education, or vehicle information.

Division IV: Sexual Abuse – Rights

1. Requires storage of sexual assault evidence kits for at least 20 years, or if the victim is a minor, for the life of the victim, even if no criminal complaint is filed.
2. Victims receive written notice at least 60 days before kits are destroyed and can request further preservation.
3. Expands rights notifications for sexual abuse victims, including specific rights to kit preservation and notification of kit status and disposal.

Division V: Mental Competency

1. Expands rights for defendants found possibly incompetent to stand trial.
2. Allows for an independent second evaluation upon request.
3. Sets timelines for hearings and clarifies court decisions on competency.
4. If restoration to competency is unlikely, the commitment ends and civil commitment proceedings may begin in serious cases.

Division VI: Restitution

1. Changes the order and definitions of payment priorities related to criminal restitution.
2. "Crime victim compensation program reimbursements" moved to a higher payment priority (Category "A" restitution, paid regardless of offender's ability to pay).
3. Introduces clear definitions for both the crime victim compensation program and what "reimbursements" entail.

Division VII: Victim Rights

1. Updates standards for sexual assault nurse examiners, aligning training and certification under the Iowa Department of Justice.
2. Expands who qualifies as a "secondary victim" to include foster parents and custodians, in addition to immediate family members.

Amendment Analysis

H-8346 to HF 2704 by Gustoff – Conforming amendment to SF 2379

H-8291 to SF 2379- In Division VIII, victims rights, the senate added language regarding the state and federal department of justice. The amendment strikes that language.

H-8347 to SF 2379- Delays the effective date of Division VII