

FEB 14 2001

JUDICIARY

HOUSE FILE 258

BY KREIMAN

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to a criminal defendant on bail submitting a
2 physical specimen for the performance of a drug test as a
3 condition of release.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 258

1 Section 1. Section 811.2, subsection 1, unnumbered
2 paragraph 2, Code 2001, is amended to read as follows:

3 Any bailable defendant who is charged with unlawful
4 possession, manufacture, delivery, or distribution of a
5 controlled substance or other drug under chapter 124 and is
6 ordered released shall be required, as a condition of that
7 release, to submit to a substance abuse evaluation and follow
8 any recommendations proposed in the evaluation for appropriate
9 substance abuse treatment. In addition, the defendant shall
10 be required to randomly submit a specimen of the defendant's
11 blood, breath, or urine for the conducting of a drug test. If
12 a drug test is conducted with respect to the defendant
13 pursuant to this paragraph, the court may require the
14 defendant to pay the costs of the test.

15 EXPLANATION

16 This bill relates to a defendant on bail submitting a
17 physical specimen for the conducting of a drug test as a
18 condition of release.

19 The bill provides that a defendant who has been released on
20 bail and who has been charged with a controlled substance-
21 related offense under Code chapter 124 shall submit to random
22 drug testing. The bill also provides that the court may also
23 require the defendant to pay the cost of the test.

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