

MAR 1 2001
JUDICIARY

HOUSE FILE 464
BY BRADLEY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to inmate telephone rebate funds and creating a
2 commission to approve fund disbursements.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HC 464

1 Section 1. Section 904.508A, Code 2001, is amended to read
2 as follows:

3 904.508A INMATE TELEPHONE REBATE FUND AND COMMISSION.

4 1. The department is authorized to establish and maintain
5 an inmate telephone rebate fund in each institution for the
6 deposit of moneys received for inmate telephone rebates. All
7 funds deposited in this fund shall be used for the benefit of
8 inmates. ~~The director shall adopt rules providing for the~~
9 disbursement of moneys from the fund. The moneys may only be
10 used for educational, vocational, or recreational projects or
11 services for inmates, or for work or treatment programs for
12 inmates.

13 2. An inmate telephone rebate commission is established
14 and is located in the department for administrative purposes
15 within the department. The director shall provide staff
16 assistance and necessary supplies and equipment for the
17 commission. The director shall budget funds to pay the
18 compensation and expenses of the commission. In performing
19 its functions the commission is performing a public function
20 on behalf of the state and is a public instrumentality of the
21 state.

22 3. The membership of the commission shall be as follows:

23 a. Two members appointed by the governor.

24 b. One member appointed by the president of the senate who
25 shall serve as an ex officio, nonvoting member.

26 c. One member appointed by the speaker of the house of
27 representatives who shall serve as an ex officio, nonvoting
28 member.

29 d. The director of the department of corrections, or the
30 director's designee.

31 4. The members, except for the director or the director's
32 designee, shall be appointed to three-year staggered terms and
33 the terms shall commence and end as provided by section 69.19.
34 If a vacancy occurs, a successor shall be appointed to serve
35 for the unexpired term. A successor shall be appointed in the

1 same manner as the person who is no longer a member. The
2 governor shall appoint the chairperson of the commission from
3 the five members of the commission.

4 5. The commission shall oversee and provide approval of
5 any disbursement of moneys from any inmate telephone rebate
6 fund.

7 6. A majority of the commission constitutes a quorum.

8 EXPLANATION

9 This bill relates to the inmate telephone rebate fund
10 established in each institution controlled by the department
11 of corrections. The bill establishes a commission to oversee
12 and provide approval of all moneys disbursed from each fund.
13 The bill requires the director of the department of
14 corrections to provide staff assistance to the commission and
15 necessary supplies and equipment. The bill provides that the
16 moneys in each fund are to be used for educational,
17 vocational, or recreational projects or services for inmates.
18 Moneys may also be used for work or treatment programs for
19 inmates.

20 Current law provides that inmate telephone rebate funds are
21 to be used for the benefit of the inmates. Current
22 administrative rules also provide that the board of
23 corrections and the regional deputy director of operations
24 shall approve all disbursements from the fund.

25
26
27
28
29
30
31
32
33
34
35