

JAN 23 2002

JUDICIARY

HOUSE FILE 2126
BY HAHN

(COMPANION LSB 5825SS BY MCKEAN)

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

A BILL FOR

1 An Act relating to analyzing the confinement and detention needs
2 of jails, and other local or regional confinement facilities,
3 prohibiting certain financial interests in the construction of
4 a jail or facility, and providing an effective date.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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HF 2126

1 Section 1. NEW SECTION. 356.36A CONFINEMENT AND
2 DETENTION REPORT -- DESIGN PROPOSALS.

3 The Iowa department of corrections, in consultation with
4 the Iowa state sheriff's association, the Iowa association of
5 chiefs of police and peace officers, a statewide organization
6 representing rural property taxpayers, the Iowa league of
7 cities, and the Iowa board of supervisors association, shall
8 prepare a report analyzing the confinement and detention needs
9 of jails, alternative jails, municipal holding facilities, and
10 facilities established pursuant to chapter 356A. The report
11 for each type of jail or facility shall include but is not
12 limited to an inventory of prisoner space, daily prisoner
13 counts, the compliance status under section 356.36 for each
14 jail or facility, and an estimate by the department of
15 corrections of the amount of additional prisoner space needed
16 in the next two, five, and ten years, on a county, geographic
17 region, and statewide basis. The report shall contain an
18 inventory of jail or facility construction projects in which
19 voters have approved the issuance of general obligation bonds,
20 essential county purpose bonds, revenue bonds, or bonds issued
21 pursuant to section 422B.12. The report shall be revised
22 periodically as directed by the director of the department of
23 corrections.

24 The governing body of a political subdivision shall not
25 appropriate funds to a person to prepare a design proposal for
26 the construction of or major modification to a jail,
27 alternative jail, municipal holding facility, or a facility
28 established pursuant to chapter 356A if the person has a
29 financial interest in the construction or modification. For
30 purposes of this section, "political subdivision" means a
31 county, city, or authority created pursuant to section 346.27.

32 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
33 immediate importance, takes effect upon enactment.

34 EXPLANATION

35 This bill relates to analyzing the confinement and

1 detention needs of jails, and other local or regional
2 confinement facilities, and prohibiting certain financial
3 interests in the construction of a jail or facility.

4 The bill provides that the department of corrections, in
5 consultation with the Iowa state sheriff's association, the
6 Iowa association of chiefs of police and peace officers, a
7 statewide organization representing rural property taxpayers,
8 the Iowa league of cities, and the Iowa board of supervisors
9 association, shall prepare a report analyzing the confinement
10 and detention needs of jails, alternative jails, municipal
11 holding facilities, and facilities established pursuant to
12 Code chapter 356A. The bill provides that the analysis for
13 each type of jail or facility shall include but is not limited
14 to daily prisoner counts, the compliance status under Code
15 section 356.36 of each jail or facility, and an estimate by
16 the department of corrections of the amount of additional
17 prisoner space needed in each county, geographic region, and
18 statewide over the next two, five, and 10 years. The report
19 shall also contain an inventory of jail or facility
20 construction projects in which voters have approved the
21 issuance of general obligation bonds, essential county purpose
22 bonds, revenue bonds, or bonds issued pursuant to Code section
23 422B.12.

24 The bill also provides that a governing body of a political
25 subdivision shall not appropriate funds to a person who
26 prepares a design proposal for the construction of or major
27 modification to a jail, alternative jail, municipal holding
28 facility, or a facility established pursuant to Code chapter
29 356A if the person has a financial interest in the
30 construction or modification. The bill defines "political
31 subdivision" to mean a county, city, or authority created
32 under Code section 346.27.

33 The bill takes effect upon enactment.

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