

FEB 23 2006
PUBLIC SAFETY

HOUSE FILE 2499
BY MASCHER

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

A BILL FOR

1 An Act relating to temporary county confinement of persons
2 committed to the custody of the department of corrections.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2499

1 Section 1. Section 904.513, subsection 2, Code 2005, is
2 amended to read as follows:

3 2. Upon request by the director a county ~~shall~~ may provide
4 temporary confinement for offenders allegedly violating the
5 conditions of assignment to a program under this chapter, ~~if~~
6 ~~space-is-available-in-the-county~~. The department shall
7 negotiate a reimbursement rate with each county willing to
8 provide temporary confinement for offenders. The amount to be
9 reimbursed shall be determined by multiplying the number of
10 days a person is confined by the average daily cost of
11 confining a person in the county facility as negotiated with
12 the department. ~~A-county-holding-offenders-in-jail-due-to~~
13 ~~insufficient-space-in-a-community-residential-facility-shall~~
14 ~~be-reimbursed~~. Payment shall be made upon submission of a
15 voucher executed by the sheriff and approved by the director.

16 Sec. 2. Section 904.908, Code 2005, is amended to read as
17 follows:

18 904.908 ALLEGED WORK RELEASE VIOLATORS -- TEMPORARY
19 CONFINEMENT BY COUNTIES -- REIMBURSEMENT.

20 1. Upon request by the Iowa department of corrections, the
21 board of parole, or a judicial district department of
22 correctional services a county ~~shall~~ may provide temporary
23 confinement for alleged violators of work release conditions
24 ~~if-space-is-available~~.

25 2. The Iowa department of corrections shall negotiate a
26 reimbursement rate with each county willing to provide for the
27 temporary confinement of alleged violators of work release
28 conditions who are in the custody of the director of the Iowa
29 department of corrections or who are housed or supervised by
30 the judicial district department of correctional services.
31 The amount to be reimbursed shall be determined by multiplying
32 the number of days a person is confined by the average daily
33 cost of confining a person in the county facility as
34 negotiated with the department. Payment shall be made upon
35 submission of a voucher executed by the sheriff and approved

1 by the director of the Iowa department of corrections.

2 Sec. 3. Section 906.17, Code 2005, is amended to read as
3 follows:

4 906.17 ALLEGED PAROLE VIOLATORS -- TEMPORARY CONFINEMENT
5 BY COUNTIES -- REIMBURSEMENT.

6 1. Upon request by the Iowa department of corrections a
7 county ~~shall~~ may provide temporary confinement for alleged
8 parole violators ~~if-space-is-available~~.

9 2. The Iowa department of corrections shall reimburse a
10 county willing to provide for the temporary confinement of
11 alleged parole violators. The amount to be reimbursed shall
12 be determined by multiplying the number of days confined by
13 the average daily cost of confining a person in the county
14 facility as negotiated by the department. Payment shall be
15 made upon submission of a voucher executed by the sheriff and
16 approved by the director of the Iowa department of
17 corrections.

18 EXPLANATION

19 This bill relates to the temporary county confinement of
20 persons committed to the custody of the department of
21 corrections.

22 The bill provides that a county may enter into a contract
23 with the department of corrections to temporarily confine
24 persons committed to the custody of the department of
25 corrections. Current law requires a county to temporarily
26 confine inmates committed to the custody of the department of
27 corrections who are allegedly violating conditions of parole,
28 work release, or programs for persons convicted of operating
29 while intoxicated.

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