

CHAPTER 156
PAROLE BOARD ACTIONS

H. F. 331

AN ACT relating to meetings of the board of parole and the grant or denial of parole.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section two hundred forty-seven point five (247.5), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

The board of parole shall determine which of the inmates of the state penal institutions qualify and thereafter shall be placed upon parole. The grant or denial of parole shall not be deemed a contested case as defined in section seventeen A point two (17A.2) of the Code. Once an inmate is placed on parole he or she shall be under the supervision of the director of the division of corrections of the department of social services. There shall be a sufficient number of parole agents to insure proper supervision of all persons placed on parole. Parole agents shall not revoke the parole of any person but may recommend that the board of parole revoke such parole.

Sec. 2. Chapter one thousand two hundred forty-five (1245), Acts of the Sixty-sixth General Assembly, 1976 Session, chapter three (3), section six hundred two (602), is amended to read as follows:

SEC. 602. NEW SECTION. AUTHORITY OF PAROLE BOARD. The board of parole shall promulgate regulations regarding a system of paroles from correctional institutions, and shall direct, control, and supervise the administration of such system of paroles. The board shall determine which of those persons who have been committed to the custody of the director of the division of adult corrections, by reason of their conviction of a public offense, shall be released on parole. The grant or denial of parole shall not be deemed a contested case as defined in section seventeen A point two (17A.2) of the Code.

Sec. 3. Section one (1) of this Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Sioux City Journal, a newspaper published in Sioux City, Iowa, and in the Telegraph Herald, a newspaper published in Dubuque, Iowa.

Sec. 4. Section two (2) of this Act is effective on the date set forth in chapter one thousand two hundred forty-five (1245), Acts of the Sixty-sixth General Assembly, 1976 Session, chapter four (4), section five hundred twenty-nine (529).

Approved April 15, 1977

I hereby certify that the foregoing Act, House File 331, was published in The Sioux City Journal, Sioux City, Iowa on April 23, 1977, and in the Telegraph Herald, Dubuque, Iowa on April 22, 1977.

MELVIN D. SYNHORST, *Secretary of State*

CHAPTER 157

CRIMINAL CODE REVISION

S. F. 319

AN ACT amending the criminal code revision so that a liaison officer shall preside over a probable cause hearing regarding violation of parole.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Chapter one thousand two hundred forty-five (1245), Acts of the Sixty-sixth General Assembly, 1976 Session, chapter three (3), section eight hundred three (803), is amended to read as follows:

SEC. 803. NEW SECTION. PLACE OF PROBABLE CAUSE HEARING. The probable cause hearing shall be held in the same county as the alleged parole violator had his or her initial appearance. ~~The clerk of court shall provide a room suitable for the probable cause hearing.~~

Sec. 2. Chapter one thousand two hundred forty-five (1245), Acts of the Sixty-sixth General Assembly, 1976 Session, chapter three (3), section eight hundred four (804), is amended to read as follows:

SEC. 804. NEW SECTION. PROBABLE CAUSE HEARING. At the probable cause hearing, a magistrate liaison officer appointed pursuant to section four hundred five (405) of this chapter and who is an attorney shall determine whether there is probable cause to believe that the alleged parole violator has violated ~~his or her~~ parole. The alleged parole violator shall be informed of the inculpatory evidence ~~against him or her~~. The alleged parole violator shall be given an opportunity to be heard in person and to present witnesses