

retirement system created by the laws of this state of which regular peace officers may become members.

Sec. 15. NEW SECTION. CIVIL DEFENSE AUXILIARY POLICE EXEMPT. This Act does not apply to local civil defense auxiliary police forces organized by local civil defense officials and trained according to standards established by the United States office of civil defense and contained in the code of federal regulations.

Sec. 16. Section eighty-five point thirty-six (85.36), subsection ten (10), paragraph "a", Code 1979, is amended to read as follows:

a. In computing the compensation to be allowed a volunteer ~~fireman~~ fire fighter or reserve peace officer, his or her earnings as a ~~fireman~~ fire fighter or reserve peace officer shall be disregarded and he or she shall be paid the maximum compensation allowable under the workers' compensation law.

Sec. 17. Section eighty-five point sixty-one (85.61), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. The words "reserve peace officer" shall mean a person defined as such by section one (1) of this Act who is not a full-time member of a paid law enforcement agency. A person performing such services shall not be classified as a casual employee.

Approved May 24, 1980

CHAPTER 1192
PRESENTENCE INVESTIGATIONS

H. F. 2429

AN ACT requiring presentence investigators to inquire into mental disabilities of the defendant.

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

Section 1. Section nine hundred one point three (901.3), Code 1979, is amended to read as follows:

901.3 PRESENTENCE INVESTIGATION REPORT. Whenever a presentence investigation is ordered by the court, the investigator shall promptly inquire into: The defendant's characteristics, family and financial circumstances, needs, and potentialities, including the presence of any previously diagnosed mental disorder; the defendant's criminal record and social history; the circumstances of the offense; the time the defendant has been in detention; and the harm to the victim, the victim's immediate family, and the community. All local and state mental and correctional institutions, courts, and police agencies shall furnish to the investigator on request the defendant's criminal record and other relevant information. With the approval of the court, a physical examination or psychiatric evaluation of the defendant may be ordered, or the defendant may be committed to a an inpatient or outpatient psychiatric facility for an evaluation of his or her

personality and mental health. The results of any such examination or evaluation shall be included in the report of the investigator.

Approved April 7, 1980

CHAPTER 1193
NEW OFFENSE WHILE IN CUSTODY
S. F. 2003

AN ACT providing that a person sentenced for a new offense while committed to the custody of the director of the division of adult corrections shall serve the new sentence in the same facility in which the person is already confined.

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

Section 1. Section nine hundred one point eight (901.8), Code 1979, is amended to read as follows:

901.8 CONSECUTIVE SENTENCES. If a person is sentenced for two or more separate offenses, the sentencing judge may order the second or further sentence to begin at the expiration of the first or succeeding sentence. If a person is sentenced for escape under section 719.4 or for a crime committed while confined in a detention facility or penal institution, the sentencing judge shall order the sentence to begin at the expiration of any existing sentence. If the person is presently in the custody of the director of the division of adult corrections, the sentence shall be served at the facility or institution in which the person is already confined unless the person is transferred by the director. If consecutive sentences are specified in the order of commitment, the several terms shall be construed as one continuous term of imprisonment.

Sec. 2. Section nine hundred three point four (903.4), Code 1979, is amended to read as follows:

903.4 PROVIDING PLACE OF CONFINEMENT. All persons sentenced to confinement for a period of one year or less shall be confined in a place to be furnished by the county where the conviction was had unless the person is presently committed to the custody of the director of the division of adult corrections, in which case the provisions of section nine hundred one point eight (901.8) of the Code apply. All persons sentenced to confinement for a period of more than one year shall be committed to the custody of the director of the division of adult corrections to be confined in a place to be designated by the director and the cost of such confinement shall be borne by the state. The director may contract with local governmental units for the use of detention or correctional facilities maintained by such units for the confinement of such persons.

Approved March 13, 1980