

Reported Recommending.....  
 Ind. Postponed.....  
 Passed House.....  
 Failed to Pass House.....  
 Passed Senate.....  
 Failed to Pass Senate.....

**House File 289**

February 18, 1941. By RANDALL, CLAYPOOL, KUESTER.  
 County and Township Organization.

## A BILL FOR

An Act to repeal sections three thousand four hundred six (3406), three thousand four hundred seven (3407), three thousand four hundred eight (3408), three thousand four hundred nine (3409), and three thousand four hundred ten (3410), Code, 1939, relating to the institutions for feeble-minded and to enact substitutes therefore, to amend chapter one hundred seventy (170), Code, 1939, by adding sections thereto, all providing liability for, collection, and payment of the costs of supporting inmates of said institution.

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

1 Section 1. Sections three thousand four hundred six (3406),  
 2 three thousand four hundred seven (3407), three thousand four  
 3 hundred eight (3408), three thousand four hundred nine (3409), and  
 4 three thousand four hundred ten (3410), code, 1939, are hereby  
 5 repealed and the following enacted in lieu thereof:

6 "The superintendent shall supply all inmates with clothing  
 7 when not otherwise supplied. The actual costs thereof together with  
 8 the necessary and legal costs and expenses attending the care,  
 9 investigation, commitment, and support of an inmate of the institution  
 10 for feeble-minded persons shall be paid:

11 (1) By the county in which the feeble-minded person has a  
 12 legal settlement provided that for the purpose of this chapter a

13 minor child must have physically resided in the county at least one  
14 year for same to be deemed the county of his settlement.

15 (2) By the state when such person has no legal settlement in  
16 this state or when his settlement is unknown.

17 The residence of any inmate of the institution for feeble-  
18 minded shall be that existing at the time of admission.”

1 Sec. 2. Amend chapter one hundred seventy (170), code, 1939,  
2 by adding thereto as follows:

3 1. “At the time of commitment under chapter one hundred  
4 seventy-one (171), code, 1939, the court shall determine the county  
5 liable for support of the person committed.”

6 2. “Voluntary commitments must be with the approval of the  
7 board of supervisors of the county of legal settlement.”

8 3. “Each county shall be liable to the state for the support  
9 of all patients from that county in the school for feeble-minded at  
10 Glenwood. The amounts due shall be certified by the superintendent  
11 to the state comptroller, who shall collect the same from the  
12 counties liable at the times and in the manner required for  
13 certification and collection of money from counties, for the support  
14 of inmates of the hospitals for the insane.”

15 4. “Sections three thousand six hundred one (3601) and  
16 three thousand six hundred two (3602), code, 1939, are hereby made  
17 applicable to this chapter and shall apply to the payment of  
18 charges for the support of inmates of the institution for feeble-  
19 minded persons.”

20 5. “In the case of disputed residence arising between the

21 different counties or between the board of control and a county  
22 as to the legal settlement of a person committed to the Glenwood  
23 state school for feeble-minded, the attorney general, at the  
24 request of the board of control, shall, without the advancement  
25 of fees, cause an action to be brought in the district court of any  
26 county where such dispute exists, to determine such legal  
27 settlement. Said action may be brought at any time when it appears  
28 that said dispute cannot be amicably settled. All counties which  
29 may be the place of such legal settlement, so far as known, shall  
30 be made defendants and the allegation of such settlement may be in the  
31 alternative. Said action shall be tried as in equity.”

32 6. “The court shall determine whether the legal settlement of  
33 said feeble-minded person, at the time of the commitment, was in  
34 one of the defendant counties. If the court so finds judgment shall  
35 be entered against the county of such settlement in favor of any  
36 other county for all legal costs and expenses arising out of said  
37 proceedings in commitment and paid by said other county. If any  
38 such costs have not been paid, judgment shall be rendered against the  
39 county of settlement, in favor of the parties, including the state,  
40 to whom said costs or expenses may be due.”

41 7. “All laws now existing or hereafter made creating liability,  
42 providing for the collection of amounts paid by counties for patients  
43 in the hospitals for the insane and those legally bound for their  
44 support and defining persons legally bound for support shall apply to  
45 this chapter. The committed persons and those legally bound for his  
46 support shall be liable to the county to the same degree and in the

47 same manner as though the person were an inmate of a hospital for the  
48 insane.”

49 8. “The board of supervisors is empowered to compromise any  
50 liability to the county created hereby when such compromise is  
51 deemed for the best interests of the county.”

52 9. “Section three thousand six hundred three (3603), code,  
53 1939, shall apply to this chapter, and when making the levy therein  
54 provided, the board of supervisors shall include in their estimate  
55 the amount necessary to meet the costs of commitment, transportation  
56 and support of inmates in the institutions for feeble-minded. All  
57 such costs shall be paid from the fund raised under section three  
58 thousand six hundred three (3603), code, 1939, or, if such fund be  
59 not sufficient, then from the general county fund.”