

March 18, 1953.  
Passed on File.

**House File 473**  
By JUDICIARY 1.

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

## A BILL FOR

An Act relating to the penalty for the third and all subsequent offenses of operating a motor vehicle while intoxicated, and to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, as amended by the Acts of the Fifty-fourth General Assembly.

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

1 Section 1. Section three hundred twenty-one point two  
2 hundred eighty-one (321.281), Code 1950, as amended by chapters  
3 one hundred eighteen (118) and one hundred nineteen (119), Acts  
4 of the Fifty-fourth General Assembly, is hereby amended by  
5 striking from line seventeen (17), Code 1950, the words "a period  
6 not to exceed three years" and inserting in lieu thereof "any  
7 term of years not less than one nor more than five, and the  
8 court may pronounce sentence for the lesser period than the  
9 maximum, the provisions of the indeterminate sentence law  
10 to the contrary notwithstanding".

**This is an identical and companion bill to S. F. 289.**

### EXPLANATION OF H. F. 473

The purpose of this bill is to increase the possible penalty which can be imposed for the third and all subsequent convictions of operating a motor vehicle while intoxicated yet vesting in the trial court the discretion to specify the period in terms of years of imprisonment without being required to pronounce the maximum terms under the provisions of the indeterminate sentence law. This would mean that the board of parole would have no jurisdiction and the only reduction of the pronounced term would be through credit for good behavior and honor time provided generally by statute.



11

12

