

**CHAPTER 1071**  
IN-HOME DETENTION  
*H.F. 2407*

**AN ACT** relating to in-home detention.

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

Section 1. Section 356.26, unnumbered paragraph 3, Code Supplement 1991, is amended to read as follows:

The district court may also grant by order to any person sentenced to held in a county jail the privilege of a sentence of in-home detention where if the county sheriff has certified to the court that the jail has an in-home detention program.

Approved April 13, 1992

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**CHAPTER 1072**

CUSTODY OF CERTAIN PERSONS — ABSENCE WITHOUT LEAVE  
*H.F. 2436*

**AN ACT** relating to the detention of persons alleged to be seriously mentally impaired or to be chronic substance abusers.

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

Section 1. Section 125.81, subsection 3, Code Supplement 1991, is amended to read as follows:

3. In a facility in the community which is suitably equipped and staffed for the purpose, provided that detention in a jail or other facility intended for confinement of those accused or convicted of a crime shall not be ordered, ~~except in cases of actual emergency if no other secure resource is accessible, and then only for a period of not more than twenty-four hours and under close supervision.~~

Sec. 2. Section 125.85, Code 1991, is amended by adding the following new subsection:

**NEW SUBSECTION. 5.** A person who is placed for evaluation at a facility under section 125.83 or who is committed to a facility under section 125.84, subsection 2, shall remain at that facility unless discharged or otherwise permitted to leave by the court or administrator of the facility. If a person placed at a facility or committed to a facility leaves the facility without permission or without having been discharged, the administrator may notify the sheriff of the person's absence and the sheriff shall take the person into custody and return the person promptly to the facility.

Sec. 3. Section 229.11, subsection 3, Code 1991, is amended to read as follows:

3. In a public or private facility in the community which is suitably equipped and staffed for the purpose, provided that detention in a jail or other facility intended for confinement of those accused or convicted of crime may shall not be ordered ~~except in cases of actual emergency when no other secure facility is accessible and then only for a period of not more than twenty-four hours and under close supervision.~~

Sec. 4. **NEW SECTION. 229.14A ESCAPE FROM CUSTODY.**

A person who is placed in a hospital or other suitable facility for evaluation under section 229.13 or who is required to remain hospitalized for treatment under section 229.14, subsection 2, shall remain at that hospital or facility unless discharged or otherwise permitted to leave by the court or the chief medical officer of the hospital or facility. If a person placed

at a hospital or facility or required to remain at a hospital or facility leaves the facility without permission or without having been discharged, the chief medical officer may notify the sheriff of the person's absence and the sheriff shall take the person into custody and return the person promptly to the hospital or facility.

Approved April 13, 1992

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## CHAPTER 1073

### COUNTY OFFICERS' POWERS AND DUTIES

*H.F. 2443*

**AN ACT** making technical amendments to the powers, duties, and procedures of county officers and providing for other properly related matters.

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

Section 1. Section 106.77, subsection 7, Code 1991, is amended to read as follows:

7. The county recorder shall maintain a record of any certificate of title ~~it which the county recorder issues and shall keep each certificate of title on record until the certificate of title has been inactive for five years.~~

Sec. 2. Section 176.5, Code 1991, is amended to read as follows:

176.5 ADDITIONAL PROVISIONS.

~~Such~~ The articles may include other provisions which are not inconsistent with the provisions of this chapter and shall be recorded by the county recorder ~~without~~ for the fee specified in section 331.604.

Sec. 3. Section 321.126, subsection 6, unnumbered paragraph 1, Code 1991, is amended to read as follows:

If a vehicle is sold or junked ~~and a replacement vehicle is not purchased within the thirty days following the date of sale or junking,~~ the owner in whose name the vehicle was registered, ~~after the expiration of the thirty-day period,~~ may make claim to the department for a refund of the sold or junked vehicle's registration fee. Also if the owner of a vehicle receives a vehicle registration fee credit under section 321.46, subsection 3, and the credit allowed exceeds the amount of the registration fee for the vehicle acquired, the owner may claim a refund for the balance of the credit. The refund is subject to the following limitations:

Sec. 4. Section 321.153, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The distributed teleprocessing network shall be used in the collection, receipting, accounting, and reporting of any fee collected through the registration renewal or title process, with sufficient time and financial resources provided for implementation.

Sec. 5. Section 331.486, Code 1991, is amended to read as follows:

331.486 ASSESSMENT OF COSTS OF PUBLIC IMPROVEMENTS.

A county may assess to property within a county special assessment district the cost of construction and repair of public improvements benefiting the district and may assess to county property within a joint special assessment district the cost of construction and repair of public improvements benefiting the district. A county may construct and assess the cost of public improvements within a district in the same manner as a city may proceed under chapter 384,