

CHAPTER 1047**ARREST — RECEIPT FOR DEFENDANT'S PROPERTY***H.F. 2267*

AN ACT eliminating the requirement that a duplicate receipt for property taken incident to an arrest be filed with the clerk of the district court.

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

Section 1. Section 804.19, Code 1993, is amended to read as follows:
804.19 RECEIPT GIVEN.

When money or other property is taken from the defendant arrested on a charge of a public offense, the officer taking it shall, at the time, give duplicate receipts therefor, specifying particularly the amount of money and the kind of property taken; ~~one of which receipts the~~ The officer must shall deliver one of the receipts to the defendant, and the other the officer must forthwith file with the clerk of the district court of the county where the depositions and statements are to be sent by the magistrate shall retain the other receipt with the defendant's file.

Approved April 8, 1994

CHAPTER 1048**REVOCATIONS OF PAROLE AND WORK RELEASE***H.F. 2270*

AN ACT relating to revocations of parole and work release, by permitting reductions in credits against a parolee's sentence at a parole revocation hearing, and providing for the automatic revocation of parole for a parolee convicted and sentenced to incarceration for an aggravated misdemeanor.

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

Section 1. Section 906.16, Code 1993, is amended by striking the section and inserting in lieu thereof the following:

906.16 PAROLE OR WORK RELEASE TIME APPLIED.

1. Except as otherwise provided in this section, the time when a prisoner is on parole or work release from the institution shall apply to the sentence against the parolee or work releasee.

2. If a parole revocation hearing is held, the administrative parole judge or the board of parole shall determine the amount of time on parole that shall apply to the sentence against the parolee. In making the determination, the administrative parole judge or the board of parole shall apply any time that has elapsed prior to the violation during which the parolee was in compliance with the terms of the person's parole.

3. If a work release is revoked, the board of parole shall determine the amount of time on work release that shall apply to the sentence against the work releasee. In making the determination, the board shall apply any time that has elapsed prior to the violation during which the work releasee was in compliance with the terms of the person's work release.

4. The time when a prisoner is absent from the institution by reason of an escape shall not apply upon the sentence against the prisoner.

Sec. 2. NEW SECTION. 908.10A CONVICTION OF AN AGGRAVATED MISDEMEANOR WHILE ON PAROLE.

When a person is convicted and sentenced to incarceration in a state correctional institution in this state for an aggravated misdemeanor committed while on parole, or is convicted