

condition of work release. The office or individual charged with supervision of the offender shall prepare a restitution plan of payment or may modify any previously existing restitution plan of payment. The new or modified plan of payment shall reflect the offender's present circumstances concerning the offender's income, physical and mental health, education, employment and family circumstances. Failure of the offender to comply with the restitution plan of payment including the community service requirement, if any, constitutes a violation of a condition of work release. The office or individual charged with supervision of the offender may modify the plan of restitution at any time to reflect the offender's present circumstances. After the expiration of the offender's sentence, the failure of an offender to comply with the plan of restitution ordered by the court shall constitute contempt of court. Upon the expiration of the offender's sentence, the office or individual charged with supervision of the offender shall notify the court which sentenced the offender and the court shall enter a civil judgment against the offender for the balance, if any, of any restitution owed by the offender to the victim of the crime.

4. If an offender is to be placed on parole, restitution shall be a condition of parole. The district department of correctional services to which the offender will be assigned shall prepare a restitution plan of payment or may modify any previously existing restitution plan of payment. The new or modified plan of payment shall reflect the offender's present circumstances concerning the offender's income, physical and mental health, education, employment, and family circumstances. Failure of the offender to comply with the restitution plan of payment including a community service requirement, if any, shall constitute a violation of a condition of parole. The parole officer may modify the plan of payment any time to reflect the offender's present circumstances. A restitution plan of payment or modified plan of payment, prepared by a parole officer, must meet the approval of the director of the district department of correctional services. After the expiration of the offender's sentence, the failure of an offender to comply with the plan of restitution ordered by the court shall constitute contempt of court. Upon the expiration of the offender's sentence, the parole officer shall notify the court which sentenced the offender and the court shall enter a civil judgment against the offender for the balance, if any, of any restitution owed by the offender to the victim of the crime.

Approved May 1, 1995

CHAPTER 128
COMMUTATION OF LIFE SENTENCES
S.F. 398

AN ACT relating to commutation of sentences of persons who have been sentenced to life imprisonment.

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

Section 1. Section 902.2, Code 1995, is amended by striking the section and inserting in lieu thereof the following:

902.2 COMMUTATION PROCEDURE FOR CLASS "A" FELONS.

A person who has been sentenced to life imprisonment under section 902.1, may, no more frequently than once every ten years, make an application to the governor requesting that the person's sentence be commuted to a term of years. The director of the Iowa department of corrections may make a request to the governor that a person's sentence be

commuted to a term of years at any time. Upon receipt of a request for commutation, the governor shall send a copy of the request to the Iowa board of parole for investigation and recommendations as to whether the person should be considered for commutation. The board shall conduct an interview of the class "A" felon and shall make a report of its findings and recommendations to the governor.

Sec. 2. Section 914.2, Code 1995, is amended to read as follows:

914.2 RIGHT OF APPLICATION.

A Except as otherwise provided in section 902.2, a person convicted of a criminal offense has the right to make application to the board of parole for recommendation or to the governor for a reprieve, pardon, commutation of sentence, remission of fines or forfeitures, or restoration of rights of citizenship at any time following the conviction.

Sec. 3. Section 914.3, subsection 1, Code 1995, is amended to read as follows:

1. The Except as otherwise provided in section 902.2, the board of parole shall periodically review all applications by persons convicted of criminal offenses and shall recommend to the governor the reprieve, pardon, commutation of sentence, remission of fines or forfeitures, or restoration of the rights of citizenship for persons who have by their conduct given satisfactory evidence that they will become or continue to be law-abiding citizens.

Approved May 1, 1995

CHAPTER 129

CIVIL RIGHTS

S.F. 457

AN ACT relating to the civil rights commission concerning the enforcement of civil rights laws.

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

Section 1. Section 22.7, subsection 32, Code 1995, is amended to read as follows:

32. Memoranda, work products, and case files of a mediator and all other confidential communications in the possession of a mediator, as provided in ~~chapter~~ chapters 86 and 216. Information in these confidential communications is subject to disclosure only as provided in ~~section~~ sections 86.44 and 216.15B, notwithstanding any other contrary provision of this chapter.

Sec. 2. Section 216.2, subsection 3, Code 1995, is amended to read as follows:

3. "Court" means the district court in and for ~~the~~ any judicial district of the state of Iowa ~~in which the alleged unfair or discriminatory practice occurred~~ or any judge of ~~said~~ the court if the court is not in session at that time.

Sec. 3. Section 216.5, subsection 2, Code 1995, is amended to read as follows:

2. To receive, investigate, mediate, and finally determine the merits of complaints alleging unfair or discriminatory practices.

Sec. 4. Section 216.5, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 15. To utilize volunteers to aid in the conduct of the commission's business including case processing functions such as intake, screening, investigation, and mediation.