

of the army or the air force would in the absence of express statutory authorization be prohibited under section 1385 of Title 18, United States Code.

Approved May 7, 1997

CHAPTER 130

DESIGNATION OF CERTAIN CORRECTIONAL FACILITIES

S.F. 442

AN ACT relating to the designation of certain correctional facilities.

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

Section 1. Section 602.6201, subsection 3, paragraph b, Code 1997, is amended to read as follows:

b. All other judicial election districts are entitled to the number of judgeships equal to the average, rounded to the nearest whole number, of the following two quotients, each rounded to the nearest hundredth:

(1) The combined civil and criminal filings in the election district divided by four hundred fifty.

(2) The election district's population divided by forty thousand.

However, the judicial election district in which the Iowa state penitentiary at Fort Madison is located is entitled to one additional judgeship.

Sec. 2. Section 904.102, subsection 2, Code 1997, is amended to read as follows:

2. Iowa Anamosa state men's reformatory penitentiary.

Sec. 3. Section 904.102, subsection 8, Code 1997, is amended to read as follows:

8. ~~Correctional release~~ Newton correctional facility.*

Sec. 4. Section 904.102, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 8A. Fort Dodge correctional facility.

Sec. 5. Section 904.206, Code 1997, is amended by striking the section and inserting in lieu thereof the following:

904.206 NEWTON CORRECTIONAL FACILITY.

The correctional facility at Newton shall be utilized as a correctional facility. The facility shall include minimum security facilities and violator facilities pursuant to section 904.207.

Sec. 6. Section 904.904, Code 1997, is amended to read as follows:

904.904 HOUSING FACILITIES — HALFWAY HOUSES.

Unless the inmate ~~is transferred to the correctional release center, or~~ returns after working hours to the institution under jurisdiction of the department of corrections, the department of corrections shall contract with a judicial district department of correctional services for the quartering and supervision of the inmate in local housing facilities. The board of parole shall include as a specific term or condition in the work release plan of any inmate the place where the inmate is to be housed when not on the work assignment. The board of parole shall not place an inmate on work release for longer than six months in any twelve-month period unless approval is given by a majority of the full board of parole. Inmates may be temporarily released to the supervision of a responsible person to partici-

* "~~Correctional release center~~ Newton correctional facility" probably intended

pate in family and selected community, religious, educational, social, civic, and recreational activities when it is determined that the participation will directly facilitate the release transition from institution to community. The department of corrections shall provide a copy of the work release plan and a copy of any restitution plan of payment to the judicial district department of correctional services quartering and supervising the inmate.

Approved May 7, 1997

CHAPTER 131

REDUCTION OF CRIMINAL SENTENCES FOR GOOD BEHAVIOR

H.F. 226

AN ACT relating to computation of time by which criminal sentences may be reduced for good behavior and providing for limited retroactive applicability.

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

Section 1. Section 901.8, Code 1997, is amended to read as follows:
901.8 CONSECUTIVE SENTENCES.

If a person is sentenced for two or more separate offenses, the sentencing judge may order the second or further sentence to begin at the expiration of the first or succeeding sentence. If a person is sentenced for escape under section 719.4 or for a crime committed while confined in a detention facility or penal institution, the sentencing judge shall order the sentence to begin at the expiration of any existing sentence. If the person is presently in the custody of the director of the Iowa department of corrections, the sentence shall be served at the facility or institution in which the person is already confined unless the person is transferred by the director. If Except as otherwise provided in section 903A.7, if consecutive sentences are specified in the order of commitment, the several terms shall be construed as one continuous term of imprisonment.

Sec. 2. Section 903A.2, Code 1997, is amended by striking the section and inserting in lieu thereof the following:

903A.2 GOOD TIME.

1. Each inmate committed to the custody of the director of the department of corrections is eligible for a reduction of sentence for good behavior in the manner provided in this section. For purposes of calculating the amount of time by which an inmate's sentence may be reduced, inmates shall be grouped into the following two sentencing categories:

a. Category "A" sentences are those sentences which are not subject to a maximum accumulation of good time of fifteen percent of the total sentence of confinement under section 902.12. To the extent provided in subsection 5, category "A" sentences also include life sentences imposed under section 902.1. An inmate of an institution under the control of the department of corrections who is serving a category "A" sentence is eligible for a reduction of sentence equal to one day for each day of good conduct while committed to one of the department's institutions. In addition, each inmate who is serving a category "A" sentence is eligible for an additional reduction of up to five days per month if the inmate participates satisfactorily in any of the following activities:

- (1) Employment in the institution.
- (2) Iowa state industries.
- (3) An employment program established by the director.