

815.1 Costs payable by state in special cases.

All costs and fees incurred in a parole revocation proceeding or in a criminal case brought against an inmate of a state institution for a crime committed while confined in the institution, or for a crime committed by the inmate while placed outside the walls or confines of the institution under the control and direction of a warden, supervisor, officer, or employee of the institution, or for a crime committed by the inmate during an escape or other unauthorized departure from the institution or from the control of a warden, supervisor, officer, or employee of the institution, or from wherever the inmate may have been placed by authorized personnel of the institution, are waived if the prosecution fails, or if the person liable to pay the costs and fees cannot pay the costs and fees. An award of attorney fees to a court-appointed attorney incurred in these cases shall be paid out of the state treasury from the general fund if the prosecution fails or if the person liable to pay the attorney fees cannot pay them. The facts shall be certified by the clerk of the district court under the clerk's seal of office to the director of the department of corrections, including a statement of the amount of fees or costs incurred, approved by the presiding judge in writing. When a conviction is rendered and the court orders restitution for costs of the prosecution, the inmate, work releasee, or parolee shall make restitution to the general fund pursuant to section 910.2.

[C24, 27, 31, 35, 39, § **13968**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, § 789.20; C79, 81, § 815.1]

86 Acts, ch 1075, § 5; 86 Acts, ch 1238, § 34; 90 Acts, ch 1233, § 44; 92 Acts, ch 1212, § 39