

229A.5C Criminal offenses committed while detained or subject to an order of commitment.

1. If a person who is detained pursuant to [section 229A.5](#) or who is subject to an order of civil commitment under [this chapter](#) commits a public offense, the civil commitment proceedings or treatment process shall be suspended until the criminal proceedings, including any term of confinement, are completed. The person shall also not be eligible for bail pursuant to [section 811.1](#).

2. a. Upon the filing of a complaint, indictment, or information, the person shall be transferred to the county jail in the county where the public offense occurred until the criminal proceedings have been completed.

b. If the person is sentenced to a term of confinement in a county jail, the person shall serve the sentence at the county jail. If the person is sentenced to the custody of the director of the department of corrections, the person shall serve the sentence at a correctional institution.

c. (1) If a person who is subject to an order of civil commitment under [this chapter](#) is transferred to a county jail or sentenced to a term of confinement in a county jail pursuant to [this subsection](#), the department shall reimburse the county at a rate of fifty dollars per day for the time period the person is temporarily held after transfer or is confined in the county jail.

(2) The department shall use funds appropriated to the department for costs associated with the treatment and commitment of sexually violent predators in the unit located at the state mental health institute at Cherokee, or use funds transferred pursuant to [section 218.6](#), for the payment of reimbursements pursuant to subparagraph (1).

3. A person who is subject to an order of civil commitment under [this chapter](#) shall not be released from jail or paroled or released to a facility or program located outside the county jail or correctional institution other than to a secure facility operated by the department.

4. A person who committed a public offense while in a transitional release program or on release with supervision may be returned to a secure facility operated by the department upon completion of any term of confinement that resulted from the commission of the public offense.

5. If the civil commitment proceedings for a person are suspended due to the commission of a public offense by the person, the ninety-day trial demand lapses. Upon completion of any term of confinement that resulted from the commission of the public offense, a new ninety-day trial demand automatically begins.

[2002 Acts, ch 1139, §5, 27; 2018 Acts, ch 1165, §98; 2023 Acts, ch 19, §535; 2025 Acts, ch 96, §1](#)

Subsection 2 amended