

# House Amendment 1218

PAG LIN

1 1 Amend House File 619 as follows:  
1 2 #1. Page 1, by inserting before line 1 the  
1 3 following:  
1 4 <Section 1. Section 709.8, unnumbered paragraph 2,  
1 5 Code 2005, is amended to read as follows:  
1 6 Any person who violates a provision of this section  
1 7 shall, upon conviction, be guilty of a class "D"  
1 8 felony. ~~A person who violates a provision of this~~  
~~1 9 section and who is sentenced to a term of confinement~~  
~~1 10 shall also be sentenced to an additional term of~~  
~~1 11 parole or work release not to exceed two years. The~~  
~~1 12 board of parole shall determine whether the person~~  
~~1 13 should be released on parole or placed in a work~~  
~~1 14 release program. The sentence of an additional term~~  
~~1 15 of parole or work release supervision shall commence~~  
~~1 16 immediately upon the expiration of the preceding~~  
~~1 17 sentence and shall be under the terms and conditions~~  
~~1 18 as set out in chapter 906. Violations of parole or~~  
~~1 19 work release shall be subject to the procedures set~~  
~~1 20 out in chapter 905 or 908 or rules adopted under those~~  
~~1 21 chapters. The sentence of an additional term of~~  
~~1 22 parole or work release shall be consecutive to the~~  
~~1 23 original term of confinement.~~  
1 24 Sec. \_\_\_\_ Section 901.5, Code 2005, is amended by  
1 25 adding the following new subsection:  
1 26 NEW SUBSECTION. 13. In addition to any sentence  
1 27 or other penalty imposed against the defendant, the  
1 28 court shall sentence the defendant to an additional  
1 29 term of years if required under chapter 901A, or  
1 30 section 902.14 or 903.2A.  
1 31 Sec. \_\_\_\_ Section 901A.2, subsection 8, Code 2005,  
1 32 is amended to read as follows:  
1 33 8. In addition to any other sentence imposed on a  
1 34 person convicted of a sexually predatory offense  
1 35 pursuant to subsection 1, 2, or 3, the person shall be  
1 36 sentenced to an additional indeterminate term of  
1 37 ~~parole or work release years~~ not to exceed two years.  
1 38 The board of parole shall determine whether the person  
1 39 should be released on parole or placed in a work  
1 40 release program. ~~The sentence of parole supervision~~  
~~1 41 shall commence immediately upon the person's release~~  
~~1 42 by the board of parole and shall be under the When a~~  
~~1 43 person commences service of the additional term of~~  
~~1 44 years, the person shall initially be released by the~~  
~~1 45 board of parole subject to the terms and conditions as~~  
~~1 46 set out in chapter 906. Violations of parole or work~~  
~~1 47 release terms and conditions of release shall be~~  
1 48 subject to the procedures set out in chapter 905 or  
1 49 908 or rules adopted under those chapters. ~~For~~  
~~1 50 purposes of disposition of a parole violator upon~~  
~~2 1 revocation of parole or work release, the sentence of~~  
~~2 2 an additional term of parole or work release shall be~~  
~~2 3 considered part of the original term of commitment to~~  
~~2 4 the department of corrections.~~  
2 5 Sec. \_\_\_\_ NEW SECTION. 902.14 ADDITIONAL TERM OF  
2 6 YEARS == FELONIES.  
2 7 A person who is convicted of a felony under chapter  
2 8 709, or under section 692A.7, 708.2A, 708.11, or  
2 9 726.2, and who is committed to the custody of the  
2 10 director of the department of corrections to serve a  
2 11 term of confinement shall also be sentenced to an  
2 12 additional indeterminate term of years not to exceed  
2 13 two years. The board of parole shall determine  
2 14 whether the person should be released on parole or  
2 15 placed in a work release program. When a person  
2 16 commences service of the additional term of years, the  
2 17 person shall initially be released by the board of  
2 18 parole subject to the terms and conditions set out in  
2 19 chapter 906. Violations of the terms and conditions  
2 20 of release shall be subject to the procedures set out  
2 21 in chapter 905 or 908 or rules adopted under those  
2 22 chapters. The sentence of an additional term of years  
2 23 shall be consecutive to the original term of  
2 24 confinement.

2 25 Sec. \_\_\_\_\_. NEW SECTION. 903.2A ADDITIONAL TERM OF  
2 26 YEARS == MISDEMEANORS.

2 27 A person who is convicted of an aggravated  
2 28 misdemeanor under chapter 709, or section 692A.7 or  
2 29 708.11, and who is committed to the custody of the  
2 30 director of the department of corrections to serve a  
2 31 term of confinement shall also be sentenced to an  
2 32 additional indeterminate term of years not to exceed  
2 33 two years. The board of parole shall determine  
2 34 whether the person should be released on parole or  
2 35 placed in a work release program. When a person  
2 36 commences service of the additional term of years, the  
2 37 person shall initially be released by the board of  
2 38 parole subject to the terms and conditions set out in  
2 39 chapter 906. Violations of the terms and conditions  
2 40 of release shall be subject to the procedures set out  
2 41 in chapter 905 or 908 or rules adopted under those  
2 42 chapters. The sentence of an additional term of years  
2 43 shall be consecutive to the original term of  
2 44 confinement.

2 45 Sec. \_\_\_\_\_. Section 906.15, unnumbered paragraph 1,  
2 46 Code 2005, is amended to read as follows:

2 47 Unless sooner discharged, a person released on  
2 48 parole shall be discharged when the person's term of  
2 49 parole equals the period of imprisonment specified in  
2 50 the person's sentence, less all time served in  
3 1 confinement. Discharge from parole may be granted  
3 2 prior to such time, when an early discharge is  
3 3 appropriate. The board shall periodically review all  
3 4 paroles, and when the board determines that any person  
3 5 on parole is able and willing to fulfill the  
3 6 obligations of a law-abiding citizen without further  
3 7 supervision, the board shall discharge the person from  
3 8 parole. A parole officer shall periodically review  
3 9 all paroles assigned to the parole officer, and when  
3 10 the parole officer determines that any person assigned  
3 11 to the officer is able and willing to fulfill the  
3 12 obligations of a law-abiding citizen without further  
3 13 supervision, the officer may discharge the person from  
3 14 parole after notification and approval of the district  
3 15 director and notification of the board of parole. In  
3 16 any event, discharge from parole shall terminate the  
3 17 person's sentence. If a person has been sentenced to  
3 18 an additional term of years under chapter 901A, or  
3 19 section 902.14 or 903.2A, the person may be discharged  
3 20 from the term in the same manner as a person on  
3 21 parole. However, a person convicted of a violation of  
3 22 section 709.3, 709.4, or 709.8 committed on or with a  
3 23 child, or a person serving a sentence under section  
3 24 902.12, shall not be discharged from parole until the  
3 25 person's term of parole equals the period of  
3 26 imprisonment specified in the person's sentence, less  
3 27 all time served in confinement.

3 28 Sec. \_\_\_\_\_. NEW SECTION. 906.19 APPLICABILITY OF  
3 29 ADDITIONAL TERM OF YEARS.

3 30 Notwithstanding chapter 901A, or section 902.14 or  
3 31 903.2A, if a person is paroled prior to the expiration  
3 32 of the person's term and prior to the commencement of  
3 33 the additional term of years, the person shall not  
3 34 serve the additional term of years.

3 35 Sec. \_\_\_\_\_. ADDITIONAL TERM OF YEARS == REPORT. The  
3 36 department of corrections and the eight judicial  
3 37 district departments of correctional services, in  
3 38 cooperation with the division of criminal and juvenile  
3 39 justice planning of the department of human rights,  
3 40 the state public defender, and the office of the  
3 41 prosecuting attorneys training coordinator in the  
3 42 department of justice, shall compile and provide a  
3 43 report regarding offenders serving an additional term  
3 44 of years, to the general assembly, cochairpersons and  
3 45 ranking members of the joint appropriations  
3 46 subcommittee on the justice system, and the  
3 47 legislative services agency on or before January 15,  
3 48 2007. The report shall include the actual number of  
3 49 offenders sentenced to serve an additional term of  
3 50 years from July 1, 2006, through December 31, 2006, in  
4 1 each judicial district, including each offender's race  
4 2 and gender. The report shall also include the  
4 3 anticipated number of offenders who will be serving an  
4 4 additional term of years in each judicial district in  
4 5 the fiscal year beginning July 1, 2006, and ending

4 6 June 30, 2007, and the fiscal year beginning July 1,  
4 7 2007, and ending June 30, 2008. The report shall  
4 8 detail the number of probation and parole officers and  
4 9 staff needed to supervise offenders serving an  
4 10 additional term of years and the capacity to supervise  
4 11 such offenders in each judicial district. The report  
4 12 shall detail actual expenditures related to  
4 13 supervising offenders serving an additional term of  
4 14 years for the fiscal year beginning July 1, 2006, and  
4 15 ending June 30, 2007, and the revenue source and  
4 16 budgeted expenditures for the fiscal year beginning  
4 17 July 1, 2007, and ending June 30, 2008. The report  
4 18 shall include any quantitative measures analyzing  
4 19 persons serving an additional term of years.>  
4 20 #2. Title page, by striking lines 1 and 2 and  
4 21 inserting the following: <An Act relating to persons  
4 22 convicted of criminal offenses requiring registration  
4 23 on the sex offender registry or requiring an  
4 24 additional indeterminate sentence, establishing a sex  
4 25 offender registry database task force, and providing  
4 26 penalties.>

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4 30 PAULSEN of Linn

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4 34 J. K. VAN FOSSEN of Scott

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4 38 J. R. VAN FOSSEN of Scott

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4 42 KURTENBACH of Story

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4 46 KAUFMANN of Cedar

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4 49

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4 50 BOAL of Polk

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5 4 LUKAN of Dubuque

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5 8 HEATON of Henry

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5 12 GREINER of Washington

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5 16 DE BOEF of Keokuk

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5 20 ELGIN of Linn

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5 24 HUTTER of Scott

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5 28 RANTS of Woodbury

5 29 HF 619.703 81

5 30 jm/gg/l248