

House File 271

H-1110

1 Amend House File 271 as follows:

2 1. Page 1, after line 31 by inserting:

3 <Sec. _____. Section 903A.2, subsection 3, Code 2011,
4 is amended to read as follows:

5 3. Time served in a jail, ~~or~~ municipal holding
6 facility, or another facility prior to actual placement
7 in an institution under the control of the department
8 of corrections and credited against the sentence by
9 the court shall accrue for the purpose of reduction of
10 sentence under this section. Time which elapses during
11 an escape shall not accrue for purposes of reduction of
12 sentence under this section.

13 Sec. _____. Section 903A.5, subsection 1, Code 2011,
14 is amended to read as follows:

15 1. An inmate shall not be discharged from the
16 custody of the director of the Iowa department of
17 corrections until the inmate has served the full term
18 for which the inmate was sentenced, less earned time
19 and other credits earned and not forfeited, unless
20 the inmate is pardoned or otherwise legally released.
21 Earned time accrued and not forfeited shall apply
22 to reduce a mandatory minimum sentence being served
23 pursuant to section 124.406, 124.413, 902.7, 902.8,
24 902.8A, or 902.11. An inmate shall be deemed to be
25 serving the sentence from the day on which the inmate
26 is received into the institution. If an inmate was
27 confined to a county jail, municipal holding facility,
28 or other correctional or mental facility at any time
29 prior to sentencing, or after sentencing but prior to
30 the case having been decided on appeal, because of
31 failure to furnish bail or because of being charged
32 with a nonbailable offense, the inmate shall be given
33 credit for the days already served upon the term of the
34 sentence. However, if a person commits any offense
35 while confined in a county jail, municipal holding
36 facility, or other correctional or mental health
37 facility, the person shall not be granted jail credit
38 for that offense. Unless the inmate was confined in
39 a correctional facility, the sheriff of the county in
40 which the inmate was confined or the officer in charge
41 of the municipal holding facility in which the inmate
42 was confined shall certify to the clerk of the district
43 court from which the inmate was sentenced and to the
44 department of corrections' records administrator at the
45 Iowa medical and classification center the number of
46 days so served. The department of corrections' records
47 administrator, or the administrator's designee, shall
48 apply jail credit as ordered by the court of proper
49 jurisdiction or as authorized by this section and
50 section 907.3, subsection 3.>

- 1 2. Title page, line 1, after <relating to>
- 2 by inserting <criminal defendants and inmates by
- 3 modifying>
- 4 3. Title page, line 2, after <defendants> by
- 5 inserting <and applying credit for time served>
- 6 4. By renumbering as necessary.

McCARTHY of Polk