

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
CORRECTIONS BILL)

A BILL FOR

1 An Act relating to the duties of the director of the department
2 of corrections, the board of corrections, superintendents,
3 and district directors.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 904.301, Code 2025, is amended to read
2 as follows:

3 **904.301 Appointment of superintendents.**

4 1. The director shall appoint, subject to the ~~approval~~
5 advice and recommendations of the board, the superintendents of
6 the institutions provided for in section 904.102.

7 2. The superintendent has the immediate custody and
8 control, subject to the orders and policies of the director,
9 of all property used in connection with the institution except
10 as otherwise provided by statute. The tenure of office of
11 a superintendent shall be at the pleasure of the appointing
12 authority but a superintendent may be removed for inability or
13 refusal to properly perform the duties of the office. ~~Removal~~
14 ~~shall occur only after an opportunity is given the person to~~
15 ~~be heard before the board and the director and upon preferred~~
16 ~~written charges. The removal when made is final.~~

17 Sec. 2. Section 904.301A, Code 2025, is amended to read as
18 follows:

19 **904.301A Appointment of directors.**

20 1. The director shall appoint, subject to the ~~approval~~
21 advice and recommendations of the board, a district director
22 for each district department established in section 904.104A.

23 2. The district director has the immediate custody and
24 control, subject to the orders and policies of the director, of
25 all property used in connection with the district department
26 except as otherwise provided by statute. The tenure of
27 office of a district director shall be at the pleasure of the
28 appointing authority but a district director may be removed
29 for inability or refusal to properly perform the duties of the
30 office.

31 Sec. 3. Section 904.317, subsection 1, Code 2025, is amended
32 to read as follows:

33 1. The director, subject to the ~~approval~~ advice and
34 recommendations of the board, may secure options to purchase
35 real estate and acquire and sell real estate for the proper

1 uses of the institutions. Real estate shall be acquired and
2 sold upon terms and conditions the director recommends subject
3 to the approval of the board. Upon sale of the real estate,
4 the proceeds shall be deposited in a corrections capital
5 reinvestment fund, which is established in the state treasury
6 under the purview of the department. There is appropriated
7 from the fund to the department the proceeds, which may be used
8 to purchase other real estate or for capital improvements upon
9 property under the director's supervision. Notwithstanding
10 section 8.33, moneys in the fund that remain unencumbered or
11 unobligated at the close of a fiscal year shall not revert
12 but shall remain available for expenditure for the purposes
13 designated. Notwithstanding section 12C.7, subsection 2,
14 interest or earnings on moneys in the fund shall be credited
15 to the fund.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill relates to the duties of the director of
20 the department of corrections, the board of corrections,
21 superintendents, and district directors.

22 The bill provides that the director of the department
23 of corrections shall appoint, subject to the advice and
24 recommendations of the board, the superintendents of the
25 department of corrections institutions. Current law requires
26 the approval of the board. Current law provides that a
27 superintendent serves at the pleasure of the director
28 but removal of a superintendent shall occur only after an
29 opportunity is given the person to be heard before the board
30 and the director and upon preferred written charges. The bill
31 removes the requirement of an opportunity to be heard.

32 The bill provides that the director shall appoint, subject
33 to the advice and recommendations of the board, a district
34 director for each district department. Current law requires
35 the approval of the board.

1 The bill provides that the district director has the
2 immediate custody and control, subject to the orders and
3 policies of the director, of all property used in connection
4 with the district department except as otherwise provided by
5 statute. The director serves at the pleasure of the appointing
6 authority but a district director may be removed for inability
7 or refusal to properly perform the duties of the office.

8 The bill provides that the director, subject to the advice
9 and recommendations of the board, may secure options to
10 purchase real estate and acquire and sell real estate for the
11 proper uses of the institutions. Current law requires the
12 approval of the board.