

Senate File 2241 - Enrolled

Senate File 2241

AN ACT

RELATING TO THE COMMISSION OF A PAROLE VIOLATION OR A CRIMINAL
OFFENSE WHILE ON PAROLE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 908.1, Code 2018, is amended to read as follows:

908.1 Arrest of alleged parole violator — newly discovered evidence.

A parole officer having probable cause to believe that any person released on parole has violated the parole plan or the conditions of parole may arrest such person, or the parole officer may make a complaint before a magistrate in the judicial district in which the person is being supervised, charging such violation, and if it appears from such complaint, or from affidavits filed with it, that there is probable cause to believe that such person has violated the parole plan or the terms of parole, the magistrate shall issue a warrant for the arrest of such person. If a parole officer has newly discovered evidence which indicates that a person released on parole should not have been granted parole originally, the parole officer shall present the evidence to the board of parole and the board may issue an order to rescind the parole.

Sec. 2. Section 908.10, unnumbered paragraph 1, Code 2018, is amended to read as follows:

When a person is convicted and sentenced to incarceration in this state for a felony committed while on parole, or is

convicted and sentenced to incarceration ~~under the laws of in~~ any other state of the United States or a foreign ~~government or~~ country for an offense committed while on parole, and which if committed in this state would be a felony, the person's parole shall be deemed revoked as of the date of the commission of the new felony offense.

Sec. 3. Section 908.10A, unnumbered paragraph 1, Code 2018, is amended to read as follows:

When a person is convicted and sentenced to incarceration in a state correctional institution in this state for an aggravated misdemeanor committed while on parole, or is convicted and sentenced to incarceration ~~under the laws of in~~ any other state of the United States or a foreign ~~government or~~ country for an offense committed while on parole, and which if committed in this state would be an aggravated misdemeanor, the person's parole shall be deemed revoked as of the date of the commission of the new aggravated misdemeanor offense.

Sec. 4. REPEAL. Section 908.7, Code 2018, is repealed.

CHARLES SCHNEIDER
President of the Senate

LINDA UPMEYER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2241, Eighty-seventh General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2018

KIM REYNOLDS
Governor