

February 22, 1961.  
Passed on File.

**Senate File 313**

By BOARD OF CONTROL COMMITTEE.

Passed Senate, Date 3-27-61 Passed House, Date 4-14-61  
Vote: Ayes 48 Nays 1 Vote: Ayes 83 Nays 1  
Approved 4-18-61

## A BILL FOR

An Act relating to application for release of criminal sexual psychopaths.

*Be It Enacted by the General Assembly of the State of Iowa:*

- 1 Section 1. Section two hundred twenty-five A point twelve
- 2 (225A.12), Code 1958, is hereby amended by striking from lines
- 3 three (3) to seven (7) inclusive thereof the following:
- 4 "setting forth facts showing that such criminal psychopath
- 5 has improved to the extent that his release will not be in-
- 6 compatible with the welfare of society may be filed with the
- 7 committing court." and inserting in lieu thereof the
- 8 following: "may be filed with the committing court, setting
- 9 forth facts showing that such criminal psychopath has, in the
- 10 opinion of three qualified psychiatrists designated by the
- 11 superintendent to examine said person, attained maximum
- 12 hospital benefit."

### EXPLANATION OF SENATE FILE 313

The present statute requires the superintendent to assure the court the "release will not be incompatible with the welfare of society," a non-medical opinion the superintendent cannot validly make. Yet if he cannot make this statement the patient can never be discharged.

The change suggested is designated to place the superintendent in a tenable position where he is only required to give his opinion based on sound medical concepts in order to discharge a patient committed under this law.

SENATE FILE 313

1 Amend Senate File 313 by adding after the word "benefit"  
2 in line 12 the following: "and that such person has been  
3 cured to a reasonable degree of medical certainty."

*Withheld*  
*3/29*

Filed  
March 28, 1961.

By NOLAN.

SENATE FILE 313

1 Amend Senate File 313 by adding after the word "benefit"  
2 in line 12 the following: "and that in their opinion his  
3 release will not be incompatible with the welfare of society."

*Withheld*  
*3/29*

Filed  
March 24, 1961.

By WOLF.