

January 24, 1963.

Passed on File.

*Amended 1/29
No reconsideration 1-31*

Passed Senate, Date *2-4-63*

Vote: Ayes *39* Nays *4*

Senate File 58

By SCHROEDER, O'MALLEY,
VANCE and FULTON.

Passed House, Date *2-11-63*

Vote: Ayes *119* Nays *62*

Approved *3-25-63*
Recalled for further consideration 3/13

*Return for correction 3/13
amended vote 1-3-19
ays 98-nays 0*

*amended 2/5
Reconsidered both
amended vote 1-3/15
ays 42 Nays 3*

A BILL FOR

An Act relating to paroles by courts, and to amend various sections of the Code relating thereto.

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

1 Section 1. Section two hundred forty-seven point twenty
2 (247.20), Code 1962, is hereby repealed and the following is
3 enacted in lieu thereof:

4 "The trial court before which a person has been convicted of
5 any crime, except for treason or murder, or narcotic drug
6 violations, may by record entry at time of or after sentence is
7 pronounced but before imprisonment suspend the sentence and
8 grant probation to said person during good behavior. The said
9 court shall have authority by record entry to withhold execution
10 of any judgment or sentence for such time as shall be reasonably
11 necessary for an investigation with respect to suspension of
12 sentence and probation.

13 "The length of the probation shall be for such term as the
14 court may fix, unless the person is ordered placed under the
15 supervision of the board of parole, in which case the term of
16 probation shall be determined by said board.

17 "In cases where the court fixes the term of probation the
18 court may grant a final discharge to such person at the expiration
19 of said period and, in cases involving a conviction of a felony,
20 the court shall forward to the governor of the state of Iowa

21 a recommendation for restoration of citizenship rights to such
22 person."

1 Sec. 2. Section two hundred forty-seven point twenty-one
2 (247.21) is hereby amended as follows:

3 1. By striking from line one (1) the words "a parole" and
4 inserting in lieu thereof the word "probation".

5 2. By striking from line seven (7) the word "paroled" and
6 inserting in lieu thereof the words "granted probation".

7 3. By substituting a comma (,) for the period (.) following
8 the word "jail" in line eight (8) and inserting the following:
9 "or any other person who in the judgment of the board of parole
10 could not be properly supervised."

11 4. By striking from line twenty-eight (28) the word
12 "parole" and inserting in lieu thereof the word "probation".

1 Sec. 3. Section two hundred forty-seven point twenty-two
2 (247.22) is hereby amended by striking from line two (2) the
3 word "parolee" and inserting in lieu thereof the word "probationer".

1 Sec. 4. Section two hundred forty-seven point twenty-three
2 (247.23) is hereby amended as follows:

3 1. By striking from line three (3) the words "a parole"
4 and inserting in lieu thereof the word "probation".

5 2. By striking from line seven (7) the word "paroled" and
6 inserting in lieu thereof the words "granted probation".

7 3. By striking from line eight (8) the word "parole"
8 and inserting in lieu thereof the word "probation".

1 Sec. 5. Section two hundred forty-seven point twenty-four
2 (247.24) is hereby amended by striking from lines four (4) and
3 five (5) the words "paroled persons" and inserting in lieu
4 thereof the words "person granted a parole or probation".

1 Sec. 6. Section two hundred forty-seven point twenty-five
 2 (247.25) is hereby amended by striking from lines two (2) and
 3 six (6) the words "paroled person" and inserting in lieu thereof
 4 the words "persons granted probation".

1 Sec. 7. Section two hundred forty-seven point twenty-seven
 2 (247.27) is hereby amended by striking from line four (4) the
 3 word "parole" and inserting in lieu thereof the word "probation".

SENATE FILE 58

- 1 Amend Senate File 58 as follows:
 2 1. Amend section 2 by adding the following after the
 3 figures "(247.21)" in line 2: ", Code 1962,".
 4 2. Amend section 3 by adding the following after the
 5 figures "(247.22)" in line 2: ", Code 1962,".
 6 3. Amend section 4 by adding the following after the
 7 figures "(247.23)" in line 2: ", Code 1962,".
 8 4. Amend section 5 by adding the following after the
 9 figures "(247.24)" in line 2: ", Code 1962,".
 10 5. Amend section 6 by adding the following after the
 11 figures "(247.25)" in line 2: ", Code 1962,".
 12 6. Amend section 7 by adding the following after the
 13 figures "(247.27)" in line 2: ", Code 1962,".

Filed and adopted
February 4, 1963.

By SCHROEDER.

- 1 Amend Senate File 58, section 1, by striking from lines 5 and
 2 6 the following: "or narcotic drug violations,".

Filed - Last 24-63
January 28, 1963.

By TURNER.

SENATE FILE 58

- 1 Amend Senate File 58 as follows:
 2 1. Amend section one (1) by striking in lines five (5)
 3 and six (6) the words "or narcotic drug violations" and inserting
 4 in lieu thereof the words "or manufacturing, selling, administering
 5 to another person, or dispensing a narcotic drug".
 6 2. Amend section one (1) by inserting after the period in line
 7 eight (8) the following: "This section shall prevail over any
 8 inconsistent provision of section two hundred four point
 9 twenty-two (204.22) of the Code."
 10 3. Amend section one (1) by inserting in line twenty-one (21)
 11 after the word "for" the words "or against".

*Senate concurred
as amended 3/15
3/14*

*Senate
Adopted
2/27/63*

Reconsidered 3/15

Filed
February 12, 1963.

*Adopted
2/19*

COMMITTEE ON JUDICIARY 1,
JOHN L. MOWRY, Chairman.

SENATE FILE 58

- 1 Amend the House amendment to Senate File 58 as follows:
 2 1. Line 3, by inserting preceding the word "or" the following
 3 "or murder,".
 4 2. Line 4, by striking the word "or" and inserting in lieu
 5 thereof the following: ", murder, or violation of law concerning
 6 the".
 7 3. By striking all of division 2 of the House amendment and
 8 inserting in lieu thereof the following:
 9 "2. Add a new section as follows:
 10 'Sec. 8. Amend section two hundred four point twenty-two
 11 (204.22), Code 1962, by inserting in line two (2) of subsection
 12 four (4) after the word "chapter" the words "concerning the manu-
 13 facturing, selling, administering to another person, or dis-
 14 pensing a narcotic drug,".'

Filed
March 14, 1963.

*Adopted 3/15
House concurred in Senate
amendment 3/19*

By O'MALLEY.