

JAN 19 1972

HOUSE FILE 1042

Judiciary, Pass 2/15/72 (470)

By KELLY, McCORMICK, SCHWIEGER,  
CHRISTENSEN, and DOYLE  
(Kennedy, Lamborn, Potter,  
and Glenn)

Passed House, Date 2-18-72 Passed Senate, Date 2-23-72

Vote: Ayes 77 Nays 0 Vote: Ayes 33 Nays 11

Approved March 17, 1972

*Motion to reconsider filed 2-24(578)  
Lost 3-10-72*

## A BILL FOR

1 An Act relating to time served on parole.

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

3 Section 1. Section two hundred forty-seven point twelve  
4 (247.12), Code 1971, is amended to read as follows:

5 247.12 PAROLE TIME ~~NOT~~ COUNTED. The time when a prisoner  
6 is on parole ~~or-absent~~ from the institution shall ~~not~~ be held  
7 to apply upon the sentence against the parolee even if the  
8 parole ~~be~~ is subsequently revoked, except that the time when  
9 the parolee is in violation of the terms of his parole  
10 agreement shall not apply upon the sentence.

11 The time when a prisoner is absent from the institution  
12 by reason of an escape shall not apply upon the sentence  
13 against the prisoner.

### EXPLANATION

14  
15 This bill provides that time served on parole will count  
16 against the inmate's sentence even if the parole is revoked,  
17 with some exceptions.

18 Present law causes some inmates to refuse parole, serve  
19 out their sentences and be discharged without any supervision  
20 or gradual transition back into the community. The inmates  
21 fear they will fail their parole in the final months and be  
22 returned to the institution with the remainder of their  
23 sentence undiminished by the several months served on parole.

24 Recommendation of the Penal and Correctional Systems Study  
25 Committee Progress Report.

1 Amend House File 1042, as passed by both the House  
2 and Senate, line 6, by striking the word "shall" and  
3 inserting in lieu thereof "~~shall~~ may".

Filed  
March 1, 1972

By NICHOLSON