

Senate File 482  
Crawford, Chairman  
Hargrave  
Newhard  
Higgins  
Freeman  
Readinger

SENATE FILE 482

FILED APR 5 1973

BY COMMITTEE ON HUMAN RESOURCES

*H. Human Resources 419  
Over for H. 387*

Passed Senate, Date 4-17-73 (915) Passed House, Date 6-22-73 (2266)

Vote: Ayes 39 Nays 6 Vote: Ayes 63 Nays 32

Approved 7-20-73

*Passed Senate as amended by House  
6-22-73 (2063)  
45-2*

## A BILL FOR

- 1 An Act relating to the establishment of community-based
- 2 correctional programs and services.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4

### FISCAL NOTE SENATE FILE 482

Date prepared May 29, 1973

Requested by Representative Lipsky.

Prepared in regard to S.F. 482 - An Act relating to the establishment of community-based correctional programs and services. Following is the fiscal effect in dollars of the legislative proposal as required by House Rule 48.

The cost to the state to implement the provisions of this Act will be \$350,000 the first year and \$500,000 the second year as appropriated by Senate File 511. Federal funds will be available for the two year period on a 3 to 1 match basis.

It is not possible to estimate the cost of this program beyond the second year.

Filed  
May 29, 1973

GERRY D. RANKIN  
Legislative Fiscal Director

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1 Section 1. NEW SECTION. As used in this Act, unless the  
2 context otherwise requires:

3 "Community-based correctional programs and services" means  
4 locally administered correctional programs and services  
5 designed to rehabilitate persons charged with or convicted  
6 of a felony or indictable misdemeanor and persons on parole  
7 or probation as a result of a sentence for or conviction of  
8 these offenses.

9 Sec. 2. NEW SECTION. Community-based correctional pro-  
10 grams and services may be established to serve the judicial  
11 districts of the state.

12 Sec. 3. NEW SECTION. The department of social services  
13 shall provide assistance, support and guidelines for the  
14 establishment and operation of community-based correctional  
15 programs and services.

16 Sec. 4. NEW SECTION. The department of social services  
17 shall provide for the allocation of any state funds appropri-  
18 ated for the establishment, operation, maintenance, support  
19 and evaluation of community-based correctional programs and  
20 services. State funds shall not be allocated unless the  
21 department has reviewed and approved the programs and services  
22 for compliance with state guidelines.

23 If community-based correctional programs and services are  
24 not established in a judicial district, or if established  
25 are designed to serve only part of the judicial district,  
26 the department of social services may provide community-based  
27 correctional programs and services for the judicial district  
28 or the parts of the judicial district not served by an estab-  
29 lished program.

30 Sec. 5. NEW SECTION. The guidelines established by the  
31 department of social services shall include, but not  
32 necessarily be limited to:

33 1. Providing for the utilization of existing facilities  
34 with a minimum of capital expenditures for acquisition, reno-  
35 vation and repair.

1 2. Providing for the maximum utilization of existing local  
2 rehabilitative resources, such as, but not limited to:  
3 employment; job training; general, special, and remedial edu-  
4 cation; psychiatric and marriage counseling; alcohol and drug  
5 abuse treatment.

6 3. Providing for pretrial release, presentence investiga-  
7 tion, probation and parole services and residential treatment  
8 centers.

9 4. Providing for locating community-based correctional  
10 programs and services in or near municipalities providing  
11 a substantial number of rehabilitation resources.

12 5. Providing for practices and procedures which maximize  
13 the availability of federal funding.

14 6. Providing for gathering and evaluating performance  
15 data.

16 Sec. 6. Section two hundred forty-seven point twenty-one  
17 (247.21), subsection two (2), unnumbered paragraph one (1),  
18 Code 1973, is amended to read as follows:

19 Of the chief parole officer. The chief parole officer  
20 ~~shall not, however,~~ may also accept the custody, care and  
21 supervision of any person granted probation or parole from  
22 a sentence to a term in a county jail ~~or.~~ Jurisdiction of  
23 these persons shall remain with the sentencing court. The  
24 chief parole officer shall not, however, accept the custody,  
25 care and supervision of any other person who in the his  
26 ~~judgment of the chief parole officer~~ could not be properly  
27 supervised.

28 EXPLANATION

29 This bill provides that community-based correctional pro-  
30 grams and services may be established in judicial districts  
31 and that the department of social services shall assist in  
32 the establishment and shall provide support and guidelines  
33 for operating the programs and for distributing any state  
34 funds which may be appropriated to these programs.

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LSB 71.2  
dh/cc/1

H-389

1 Amend Senate File 482 as follows:  
2 1. Page 2, by adding the following before  
3 line 1:  
4 Section 1. Chapter two hundred seventeen (217),  
5 Code 1973, is amended by adding thereto sections  
6 2 through 6 of this Act.  
7 2. By renumbering all sections in accordance  
8 with this amendment.

H-389 Filed - *Adopted 4/22*  
April 27, 1973

By COMMITTEE ON HUMAN RESOURCES  
LIPSKY of Linn, Chairman

H-593

1 Amend Senate File 482 as follows:  
2 Page 3, add the following new section:  
3 Sec. \_\_\_\_\_. Rules and guidelines issued pursuant to  
4 the authority granted in this Act shall be confined  
5 to programs and services authorized by this Act and  
6 supported by state funds. Notwithstanding any  
7 other provisions of the Code, any rules, regulations  
8 or guidelines issued under provisions of this Act  
9 shall be subject to approval by the departmental  
10 rules review committee and the attorney general.

H-593 Filed - *Adopted 4/22*  
May 25, 1973

By WELDEN of Hardin

HOUSE AMENDMENT TO SENATE FILE 482

1 Amend Senate File 482 as follows:  
2 1. Page 2, by adding the following before  
3 line 1:  
4 Section 1. Chapter two hundred seventeen (217),  
5 Code 1973, is amended by adding thereto sections  
6 1 through 5 of this Act.  
7 2. Page 3, after line 27, add the following new  
8 section:  
9 Sec. \_\_\_\_\_. Rules and guidelines issued pursuant to  
10 the authority granted in this Act shall be confined  
11 to programs and services authorized by this Act and  
12 supported by state funds. Notwithstanding any other  
13 provisions of the Code, any rules, regulations or  
14 guidelines issued under provisions of this Act shall  
15 be subject to approval by the departmental rules  
16 review committee and the attorney general.  
17 3. By renumbering all sections in accordance with  
18 this amendment.

Received from the House  
June 22, 1973

*Senate concurred 6/22*