

*Junkins 1/15 Do Pass 1/30 (p. 231)*

*Reprinted 2/7*

**JAN 14 1980**

SENATE FILE 2003  
By JUNKINS

Passed Senate, Date 2-5-80 (p. 308) Passed House, Date \_\_\_\_\_  
Vote: Ayes 46 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved March 13, 1980

## A BILL FOR

1 An Act providing that a person sentenced for a new offense  
2 while committed to the custody of the director of the  
3 division of adult corrections shall serve the new  
4 sentence in the same facility in which the person is  
5 already confined.

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

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SENATE FILE 2003

S-5060

- 1 Amend Senate File 2003 as follows:
- 2 1. By striking page 1 line 35 through page 2
- 3 line 1.

S-5060 FILED & ADOPTED (308) BY LOWELL JUNKINS  
FEBRUARY 5, 1980

1 Section 1. Section nine hundred one point eight (901.8),  
2 Code 1979, is amended to read as follows:

3 901.8 CONSECUTIVE SENTENCES. If a person is sentenced  
4 for two or more separate offenses, the sentencing judge may  
5 order the second or further sentence to begin at the expiration  
6 of the first or succeeding sentence. If a person is sentenced  
7 for escape under section 719.4 or for a crime committed while  
8 confined in a detention facility or penal institution, the  
9 sentencing judge shall order the sentence to begin at the  
10 expiration of any existing sentence. If the person is  
11 presently in the custody of the director of the division of  
12 adult corrections, the sentence shall be served at the facility  
13 or institution in which the person is already confined unless  
14 the person is transferred by the director. If consecutive  
15 sentences are specified in the order of commitment, the several  
16 terms shall be construed as one continuous term of  
17 imprisonment.

18 Sec. 2. Section nine hundred three point four (903.4),  
19 Code 1979, is amended to read as follows:

20 903.4 PROVIDING PLACE OF CONFINEMENT. All persons  
21 sentenced to confinement for a period of one year or less  
22 shall be confined in a place to be furnished by the county  
23 where the conviction was had unless the person is presently  
24 committed to the custody of the director of the division of  
25 adult corrections, in which case the provisions of section  
26 nine hundred one point eight (901.8) of the Code apply. All  
27 persons sentenced to confinement for a period of more than  
28 one year shall be committed to the custody of the director  
29 of the division of adult corrections to be confined in a place  
30 to be designated by the director and the cost of such  
31 confinement shall be borne by the state. The director may  
32 contract with local governmental units for the use of detention  
33 or correctional facilities maintained by such units for the  
34 confinement of such persons.

35 Sec. 3. This Act takes effect January first following

1 its enactment.

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EXPLANATION

3 This bill provides that if a person is sentenced for a  
4 new offense while committed to the custody of the director  
5 of the division of adult corrections, the new sentence shall  
6 be served at the facility or institution in which the person  
7 is presently confined unless the person is transferred by  
8 the director.

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SENATE FILE 2003

By JUNKINS

*Sub. for S.F. 2462*

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 5, 1980)

Passed Senate, Date 2-5-80 (p. 308) Passed House, Date 2-28-80 (p. 699)

Vote: Ayes 46 Nays 0 Vote: Ayes 89 Nays 0

Approved March 13 1980

## A BILL FOR

1 An Act providing that a person sentenced for a new offense  
2 while committed to the custody of the director of the  
3 division of adult corrections shall serve the new  
4 sentence in the same facility in which the person is  
5 already confined.

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

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\* = Language Stricken  
by the Senate

1 Section 1. Section nine hundred one point eight (901.8),  
2 Code 1979, is amended to read as follows:

3 901.8 CONSECUTIVE SENTENCES. If a person is sentenced  
4 for two or more separate offenses, the sentencing judge may  
5 order the second or further sentence to begin at the expiration  
6 of the first or succeeding sentence. If a person is sentenced  
7 for escape under section 719.4 or for a crime committed while  
8 confined in a detention facility or penal institution, the  
9 sentencing judge shall order the sentence to begin at the  
10 expiration of any existing sentence. If the person is  
11 presently in the custody of the director of the division of  
12 adult corrections, the sentence shall be served at the facility  
13 or institution in which the person is already confined unless  
14 the person is transferred by the director. If consecutive  
15 sentences are specified in the order of commitment, the several  
16 terms shall be construed as one continuous term of  
17 imprisonment.

18 Sec. 2. Section nine hundred three point four (903.4),  
19 Code 1979, is amended to read as follows:

20 903.4 PROVIDING PLACE OF CONFINEMENT. All persons  
21 sentenced to confinement for a period of one year or less  
22 shall be confined in a place to be furnished by the county  
23 where the conviction was had unless the person is presently  
24 committed to the custody of the director of the division of  
25 adult corrections, in which case the provisions of section  
26 nine hundred one point eight (901.8) of the Code apply. All  
27 persons sentenced to confinement for a period of more than  
28 one year shall be committed to the custody of the director  
29 of the division of adult corrections to be confined in a place  
30 to be designated by the director and the cost of such  
31 confinement shall be borne by the state. The director may  
32 contract with local governmental units for the use of detention  
33 or correctional facilities maintained by such units for the  
34 confinement of such persons.

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SF 2003  
slc/ms/26c

SENATE FILE 2003

AN ACT

PROVIDING THAT A PERSON SENTENCED FOR A NEW OFFENSE WHILE COMMITTED TO THE CUSTODY OF THE DIRECTOR OF THE DIVISION OF ADULT CORRECTIONS SHALL SERVE THE NEW SENTENCE IN THE SAME FACILITY IN WHICH THE PERSON IS ALREADY CONFINED.

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

Section 1. Section nine hundred one point eight (901.8), Code 1979, is amended to read as follows:

901.8 CONSECUTIVE SENTENCES. If a person is sentenced for two or more separate offenses, the sentencing judge may order the second or further sentence to begin at the expiration of the first or succeeding sentence. If a person is sentenced for escape under section 719.4 or for a crime committed while confined in a detention facility or penal institution, the sentencing judge shall order the sentence to begin at the expiration of any existing sentence. If the person is presently in the custody of the director of the division of adult corrections, the sentence shall be served at the facility or institution in which the person is already confined unless the person is transferred by the director. If consecutive sentences are specified in the order of commitment, the several terms shall be construed as one continuous term of imprisonment.

Sec. 2. Section nine hundred three point four (903.4), Code 1979, is amended to read as follows:

903.4 PROVIDING PLACE OF CONFINEMENT. All persons sentenced to confinement for a period of one year or less shall be confined in a place to be furnished by the county where the conviction was had unless the person is presently committed to the custody of the director of the division of

adult corrections, in which case the provisions of section nine hundred one point eight (901.8) of the Code apply. All persons sentenced to confinement for a period of more than one year shall be committed to the custody of the director of the division of adult corrections to be confined in a place to be designated by the director and the cost of such confinement shall be borne by the state. The director may contract with local governmental units for the use of detention or correctional facilities maintained by such units for the confinement of such persons.

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TERRY E. BRANSTAD  
President of the Senate

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WILLIAM H. HARBOR  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2003, Sixty-eighth General Assembly.

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FRANK J. STORK  
Secretary of the Senate

Approved March 13, 1980

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ROBERT D. RAY  
Governor