

Judiciary and Law Enforcement: Halvorson of Clayton, Chair; Conlon, Rapp, Smalley and Welsh.

HOUSE FILE 748

MAR 11 1981 HOUSE FILE 748

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Place On Calendar
Judiciary
Coleman, Chair
Baughner
DeLuery

(Formerly Study Bill 182)

Passed House, Date 2-5-82 (p. 251) Passed Senate, Date 4-5-82 (p. 1040)

Vote: Ayes 75 Nays 0 Vote: Ayes 41 Nays 0

Approved May 3 1982
Motion to reconsider (p. 1040) 4/15

A BILL FOR

1 An Act requiring the director of the division of adult
2 corrections to provide available habilitative services
3 and treatment to imprisoned mentally retarded offenders.

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

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HOUSE FILE 748

H-5031

1 Amend House File 748 as follows:
2 1. Page 1, line 6, by inserting after the
3 word "available" the following: "within the division
4 of adult corrections".

H-5031 FILED FEBRUARY 2, 1982

BY HALVORSON of Clayton

Adopted 2/5 (p. 250)

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1 Section 1. Section 217.14, subsection 3, Code 1981, is
2 amended to read as follows:

3 3. Establishment and maintenance of acceptable standards
4 of treatment, training, education and rehabilitation in the
5 various state penal and corrective institutions which, to
6 the extent that resources are available, shall include
7 habilitative services and treatment for mentally retarded
8 offenders. For the purposes of this subsection habilitative
9 services and treatment means medical, mental health, social,
10 educational, counseling, and other services which will assist
11 a mentally retarded person to become self-reliant. A person
12 is considered mentally retarded if the person is diagnosed
13 as mentally retarded, as defined in section 222.2, subsection
14 5, by a qualified mental retardation professional. However,
15 the director may also provide habilitative treatment and
16 services to other persons who require the services.

17 EXPLANATION

18 Although the Code presently requires the director of the
19 division of adult corrections in the department of social
20 services to provide treatment and services in the state correc-
21 tional institutions, this bill requires available habilitative
22 services and treatment to be provided for mentally retarded
23 offenders. Mentally retarded is defined and the types of
24 required treatment and services are listed.

25 This bill would take effect July 1 following its enactment.

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also provide habilitative treatment and services to other persons who require the services.

HOUSE FILE 748

AN ACT

REQUIRING THE DIRECTOR OF THE DIVISION OF ADULT CORRECTIONS TO PROVIDE AVAILABLE HABILITATIVE SERVICES AND TREATMENT TO IMPRISONED MENTALLY RETARDED OFFENDERS.

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

Section 1. Section 217.14, subsection 3, Code 1981, is amended to read as follows:

3. Establishment and maintenance of acceptable standards of treatment, training, education and rehabilitation in the various state penal and corrective institutions which, to the extent that resources are available within the division of adult corrections, shall include habilitative services and treatment for mentally retarded offenders. For the purposes of this subsection habilitative services and treatment means medical, mental health, social, educational, counseling, and other services which will assist a mentally retarded person to become self-reliant. A person is considered mentally retarded if the person is diagnosed as mentally retarded, as defined in section 222.2, subsection 5, by a qualified mental retardation professional. However, the director may

DELWYN STROMER
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 748, Sixty-ninth General Assembly.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Approved 5/3, 1982

ROBERT D. RAY
Governor

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