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MAR 16 1981

HOUSE FILE 762

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

Place On Calendar

(Formerly Study Bill 180)

Passed House, Date 4-2-81 (p.1011) Passed Senate, Date 4/29/81 (P.1489)
Vote: Ayes 87 Nays 8 Vote: Ayes 41 Nays 1
Approved 5/11/81

A BILL FOR

1 An Act relating to the annual inspection of the state adult
2 penal and correctional facilities and the state juvenile
3 facilities.

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

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762

1 Section 1. Section 135.11, subsection 5, Code 1981, is
2 amended to read as follows:

3 5. Make inspections of the sanitary conditions in the
4 educational, charitable, correctional, and penal institutions
5 in the state. However, the secretary of agriculture shall
6 make inspections for sanitation of the areas where food is
7 prepared or served in the adult penal and correctional
8 facilities and the juvenile facilities as provided in section
9 2 of this Act.

10 Sec. 2. Section 159.5, Code 1981, is amended by adding
11 the following new subsection:

12 NEW SUBSECTION. Annually inspect for sanitation the areas
13 where food is prepared and where food is served, including
14 but not limited to the utensils, machinery, and other
15 equipment, in the adult penal or correctional facilities
16 operated by the department of social services and in the Iowa
17 training school for boys, the Iowa training school for girls,
18 and the Iowa juvenile home. For purposes of this subsection,
19 community-based correctional facilities shall be considered
20 operated by the department of social services.

21 The secretary of agriculture shall prepare a report on
22 the inspections and shall send a copy of the report concerning
23 the adult penal or correctional facilities to the director
24 of the division of corrections of the department of social
25 services. A copy of the report concerning the Iowa training
26 school for boys, the Iowa training school for girls, and the
27 Iowa juvenile home shall be sent to the director of the
28 division of child and family services of the department of
29 social services.

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EXPLANATION

31 This bill mandates the secretary of agriculture to annually
32 inspect the food preparation and service areas of the adult
33 penal and correctional facilities operated by the department
34 of social services and the Iowa training school for boys,
35 the Iowa training school for girls, and the Iowa juvenile

1 home. A report of the inspections shall be sent to the
2 director of the division of corrections or the director of
3 the division of child and family services of the department
4 of social services concerning the respective facilities.
5 This bill is effective July 1 following its enactment.

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HOUSE FILE 762

H-3311

- 1 Amend House File 762 as follows:
- 2 1. Page 1, by striking lines 16 and 17, and
- 3 inserting in lieu thereof the following: "operated
- 4 by the department of social services and in the Eldora
- 5 training school, the Mitchellville training school,".
- 6 2. Page 1, by striking lines 25 and 26 and
- 7 inserting in lieu thereof the following: "services.
- 8 A copy of the report concerning the Eldora training
- 9 school, the Mitchellville training school, and the".

H-3311 FILED MARCH 17, 1981 BY SHIMANEK of Jones
Adopted 4/2/81 (p. 1010)

HOUSE FILE 762

H-3384

- 1 Amend House File 762 as follows:
- 2 1. Page 1, by inserting after line 20 the following:
- 3 "If a municipal corporation wants its local board
- 4 of health to make the inspections required by this
- 5 section on facilities located within its jurisdiction,
- 6 the municipal corporation may enter into an agreement
- 7 with the secretary. The secretary may enter into such
- 8 an agreement if the secretary finds that the local
- 9 board of health has adequate resources to perform
- 10 the required functions."

H-3384 FILED MARCH 30, 1981 BY DODERER of Johnson
Adopted 4/2/81 (p. 1010)

HOUSE FILE 762

H-3439

- 1 Amend House File 762 as follows:
- 2 1. Page 1, by inserting after line 29 the
- 3 following:
- 4 "Sec. ____ Sections 356.9, 356.10, 356.11,
- 5 356.12 and 356.13, Code 1981, are repealed."

H-3439 FILED APRIL 1, 1981 BY JAY of Appanoose
Adopted 4/2/81 (p. 1011)

HOUSE FILE 762

H-3462

- 1 Amend House File 762 as follows:
- 2 1. Title page, by striking lines 1 and 2 and
- 3 inserting in lieu thereof the following: "An Act
- 4 relating to inspections of state and local correctional
- 5 facilities and the state juvenile".

H-3462 FILED APRIL 2, 1981 BY SHIMANEK of Jones
ADOPTED BY UNANIMOUS CONSENT (*p. 1011*)

4/7/81
Do Pass 4/15/81
(g. 1295)

HOUSE FILE 762

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(As Amended and Passed by the House)

Passed House, Date 4-2-81 (p. 1011) Passed Senate, Date 4-29-81 (p. 1439)

Vote: Ayes 87 Nays 8 Vote: Ayes 41 Nays 1

Approved May 11, 1981

A BILL FOR

1 An Act relating to inspections of state and local correctional
2 facilities and the state juvenile facilities.

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

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House Amendments _____

1 Section 1. Section 135.11, subsection 5, Code 1981, is
2 amended to read as follows:

3 5. Make inspections of the sanitary conditions in the
4 educational, charitable, correctional, and penal institutions
5 in the state. However, the secretary of agriculture shall
6 make inspections for sanitation of the areas where food is
7 prepared or served in the adult penal and correctional
8 facilities and the juvenile facilities as provided in section
9 2 of this Act.

10 Sec. 2. Section 159.5, Code 1981, is amended by adding
11 the following new subsection:

12 NEW SUBSECTION. Annually inspect for sanitation the areas
13 where food is prepared and where food is served, including
14 but not limited to the utensils, machinery, and other
15 equipment, in the adult penal or correctional facilities
16 operated by the department of social services and in the
17 Eldora training school, the Mitchellville training school,
18 and the Iowa juvenile home. For purposes of this subsection,
19 community-based correctional facilities shall be considered
20 operated by the department of social services.

21 If a municipal corporation wants its local board of health
22 to make the inspections required by this section on facilities
23 located within its jurisdiction, the municipal corporation
24 may enter into an agreement with the secretary. The secretary
25 may enter into such an agreement if the secretary finds that
26 the local board of health has adequate resources to perform
27 the required functions.

28 The secretary of agriculture shall prepare a report on
29 the inspections and shall send a copy of the report concerning
30 the adult penal or correctional facilities to the director
31 of the division of corrections of the department of social
32 services. A copy of the report concerning the Eldora training
33 school, the Mitchellville training school, and the Iowa
34 juvenile home shall be sent to the director of the division
35 of child and family services of the department of social

1 services.

2 Sec. 3. Sections 356.9, 356.10, 356.11, 356.12 and 356.13,
3 Code 1981, are repealed.

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HOUSE FILE 762

AN ACT

RELATING TO INSPECTIONS OF STATE AND LOCAL CORRECTIONAL FACILITIES AND THE STATE JUVENILE FACILITIES.

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

Section 1. Section 135.11, subsection 5, Code 1981, is amended to read as follows:

5. Make inspections of the sanitary conditions in the educational, charitable, correctional, and penal institutions in the state. However, the secretary of agriculture shall make inspections for sanitation of the areas where food is prepared or served in the adult penal and correctional facilities and the juvenile facilities as provided in section 2 of this Act.

Sec. 2. Section 159.5, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. Annually inspect for sanitation the areas where food is prepared and where food is served, including but not limited to the utensils, machinery, and other equipment, in the adult penal or correctional facilities operated by the department of social services and in the Eldora training school, the Mitchellville training school, and the Iowa juvenile home. For purposes of this subsection, community-based correctional facilities shall be considered operated by the department of social services.

If a municipal corporation wants its local board of health to make the inspections required by this section on facilities located within its jurisdiction, the municipal corporation may enter into an agreement with the secretary. The secretary may enter into such an agreement if the secretary finds that the local board of health has adequate resources to perform the required functions.

The secretary of agriculture shall prepare a report on the inspections and shall send a copy of the report concerning the adult penal or correctional facilities to the director of the division of corrections of the department of social services. A copy of the report concerning the Eldora training school, the Mitchellville training school, and the Iowa juvenile home shall be sent to the director of the division of child and family services of the department of social services.

Sec. 3. Sections 356.9, 356.10, 356.11, 356.12 and 356.13, Code 1981, are repealed.

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 762, Sixty-ninth General Assembly.

PAT H. HARPER
Chief Clerk of the House

Approved 5/11, 1981

ROBERT D. RAY
Governor

H.F. 762