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JAN 21 1988

Judiciary & Law Enforcement

HOUSE FILE 2088

BY SVOBODA

Passed House, Date 3/1/88 (p. 208)

Passed Senate, Date 3/29/88 (P. 1118)

Vote: Ayes 70 Nays 0

Vote: Ayes 44 Nays 0

Approved April 26, 1988

A BILL FOR

1 An Act relating to work release for prisoners in county jails by
2 providing for intermittent sentencing and by providing that a
3 gainfully employed prisoner on work release is liable for the
4 cost of the prisoner's lodging.

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

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HF 2088

1 Section 1. Section 356.26, unnumbered paragraph 1, Code
2 1987, is amended to read as follows:

3 The district court may grant by appropriate order to any
4 person sentenced to a county jail the privilege of an
5 intermittent sentence or the privilege of leaving the jail at
6 necessary and reasonable hours for any of the following
7 purposes:

8 Sec. 2. Section 356.30, Code 1987, is amended to read as
9 follows:

10 356.30 PRISONER TO PAY FOR BOARD AND LODGING --
11 LIMITATIONS.

12 Every prisoner gainfully employed and released pursuant to
13 section 356.26 is liable for the cost of the prisoner's board
14 and lodging in the jail as fixed by the county board of
15 supervisors. The sheriff shall charge the prisoner's account
16 for the board, lodging, and any meals provided in section
17 356.31. If the prisoner is gainfully self-employed the
18 prisoner shall pay the sheriff for the board and lodging, in
19 default of which the prisoner's privilege under this chapter
20 is automatically forfeited. If necessarily absent from jail
21 at a meal time, the prisoner shall at the prisoner's request
22 be furnished with a lunch to carry to work. If the jail food
23 is furnished directly, by the county, the sheriff shall
24 account for and pay over the meal payments to the county
25 treasurer. The county board of supervisors may by resolution
26 provide that the county furnish or pay for the transportation
27 of prisoners employed under sections 356.26 to 356.35 to and
28 from the place of employment. However, the charges for board,
29 lodging, and meals under this section shall not exceed fifty
30 percent of the wages or salaries of the prisoner, after
31 deductions required by law, earned during the period of time
32 for which the charges are made.

33 Sec. 3. Section 356.31, subsection 1, Code 1987, is
34 amended to read as follows:

35 1. The meals and lodging of the prisoner.

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EXPLANATION

This bill provides that the district court may sentence a person to county jail on an intermittent sentence for purposes of the person's employment, education, or medical attention, and also provides that the salary earned by a prisoner on work release may be applied to the prisoner's lodging as well as meals.

Sen. J. J. ... 3/10 Do Pass 3/23 (p. 985)

HOUSE FILE 2088

BY SVOBODA

(As Amended and Passed by the House March 10, 1988)

Passed House, Date 3/10/88 (p. 727) Passed Senate, Date 3/29/88 (p. 118)

Vote: Ayes 70 Nays 0 Vote: Ayes 44 Nays 0

Approved April 26, 1988

A BILL FOR

1 An Act relating to work release for prisoners in county jails by
2 providing for intermittent sentencing.

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

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House Amendments _____

Deleted Language ✕

1 Section 1. Section 356.26, unnumbered paragraph 1, Code
2 1987, is amended to read as follows:

3 The district court may grant by appropriate order to any
4 person sentenced to a county jail the privilege of a sentence
5 to accommodate the work schedule of the person or the
6 privilege of leaving the jail at necessary and reasonable
7 hours for any of the following purposes:

8 Sec. 2. Section 356.30, Code 1987, is amended to read as
9 follows:

*10 356.30 PRISONER TO PAY FOR BOARD -- LIMITATIONS.

11 Every prisoner gainfully-employed-and-released-pursuant-to
12 of a county jail under a sentence to accommodate the person's
13 work schedule in accordance with section 356.26 is liable for
*14 the cost of the prisoner's board in the jail as fixed by the
15 county board of supervisors. The sheriff shall charge the
*16 prisoner's account for the board and any meals provided in
17 section 356.31. If the prisoner is gainfully self-employed
*18 the prisoner shall pay the sheriff for the board, in default
19 of which the prisoner's privilege under this chapter is
20 automatically forfeited. If necessarily absent from jail at a
21 meal time, the prisoner shall at the prisoner's request be
22 furnished with a lunch to carry to work. If the jail food is
23 furnished directly, by the county, the sheriff shall account
24 for and pay over the meal payments to the county treasurer.
25 The county board of supervisors may by resolution provide that
26 the county furnish or pay for the transportation of prisoners
27 employed under sections 356.26 to 356.35 to and from the place
*28 of employment. However, the charges for board and meals under
29 this section shall not exceed fifty percent of the wages or
30 salaries of the prisoner, after deductions required by law,
31 including deductions to satisfy any court-ordered child
32 support obligations, earned during the period of time for
33 which the charges are made.

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HOUSE FILE 2088

AN ACT
RELATING TO WORK RELEASE FOR PRISONERS IN COUNTY JAILS BY
PROVIDING FOR INTERMITTENT SENTENCING.

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

Section 1. Section 356.26, unnumbered paragraph 1, Code 1987, is amended to read as follows:

The district court may grant by appropriate order to any person sentenced to a county jail the privilege of a sentence to accommodate the work schedule of the person or the privilege of leaving the jail at necessary and reasonable hours for any of the following purposes:

Sec. 2. Section 356.30, Code 1987, is amended to read as follows:

356.30 PRISONER TO PAY FOR BOARD -- LIMITATIONS.

Every prisoner ~~gainfully-employed-and-released-pursuant-to~~ of a county jail under a sentence to accommodate the person's work schedule in accordance with section 356.26 is liable for the cost of the prisoner's board in the jail as fixed by the county board of supervisors. The sheriff shall charge the prisoner's account for the board and any meals provided in section 356.31. If the prisoner is gainfully self-employed the prisoner shall pay the sheriff for the board, in default of which the prisoner's privilege under this chapter is automatically forfeited. If necessarily absent from jail at a meal time, the prisoner shall at the prisoner's request be furnished with a lunch to carry to work. If the jail food is furnished directly by the county, the sheriff shall account for and pay over the meal payments to the county treasurer. The county board of supervisors may by resolution provide that the county furnish or pay for the transportation of prisoners employed under sections 356.26 to 356.35 to and from the place

of employment. However, the charges for board and meals under this section shall not exceed fifty percent of the wages or salaries of the prisoner, after deductions required by law, including deductions to satisfy any court-ordered child support obligations, earned during the period of time for which the charges are made.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2088, Seventy-second General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved *Cepri 26*, 1988

TERRY E. BRANSTAD
Governor

HF 2088