

1. Referred to the Committee on 2/23/88. See Page 5/2 (p. 380)

FEB 17 1988

Place On Calendar

HOUSE FILE 2262

BY COMMITTEE ON HUMAN RESOURCES

(Formerly House Study Bill 622)

Passed House, Date 2/22/88 (p. 435) Passed Senate, Date 3/24/88 (p. 1100)

Vote: Ayes 96 Nays 0 Vote: Ayes 52 Nays 0

Approved May 5, 1988

*Approved House as amended by Senate 4/1/88 (p. 1301)
92-0*

A BILL FOR

- 1 An Act relating to the deduction and disbursement of certain
- 2 moneys from an allowance paid to an inmate.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2262

S-5203

- 1 Amend House File 2262, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by striking lines 13 through 15 and
- 4 inserting the following: "established in the Justice
- 5 Assistance Act of 1984, Pub. L. No. 98-473, including
- 6 an amount to pay all or part of the cost of the
- 7 inmate's incarceration. The director".

S-5203

Filed March 2, 1988

Adopted 3/23 (p. 1104)

BY COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chairperson

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1 Section 1. Section 246.702, Code Supplement 1987, is
2 amended to read as follows:

3 246.702 DEDUCTION TO PAY COURT COSTS, INDUSTRIES PROGRAM
4 COSTS, INCARCERATION COSTS, OR DEPENDENTS -- DEPOSITS.

5 If allowances are paid pursuant to section 246.701, the
6 director may deduct an amount established by the inmate's
7 restitution plan of payment or an amount sufficient to pay all
8 or part of the court costs taxed as a result of the inmate's
9 commitment. The amount deducted shall be forwarded to the
10 clerk of the district court or proper official. The director
11 may deduct and disburse an amount sufficient for industries'
12 programs to qualify under the eligibility requirements
13 established in the Justice Assistance Act of 1984, Pub. L. 98-
14 473. The director may also deduct an amount to pay all or
15 part of the cost of the inmate's incarceration. The director
16 may pay all or any part of remaining allowances paid pursuant
17 to section 246.701 directly to a dependent of the inmate, or
18 may deposit the allowance to the account of the inmate, or may
19 deposit a portion and allow the inmate a portion for the
20 inmate's personal use.

21 Sec. 2. Section 912.3, Code 1987, is amended by adding the
22 following new subsection 6 and by renumbering the subsequent
23 subsection:

24 NEW SUBSECTION. 6. Receive moneys collected pursuant to
25 section 246.702 for the purpose of compliance with Pub. L. 98-
26 743.

27 EXPLANATION

28 This bill provides that certain amounts may be deducted
29 from an inmate's allowance and paid to the director of public
30 safety for the purpose of certifying prison industries for
31 cooperative public-private production agreements as provided
32 for under federal law.

33 SUCCESSOR TO HSB 622 (LSB 7664DH)

34 COMPANION TO LSB 7137DS

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SENATE AMENDMENT TO HOUSE FILE 2262

H-6065

1 Amend House File 2262, as passed by the House, as
 2 follows:
 3 1. Page 1, by striking lines 13 through 15 and
 4 inserting the following: "established in the Justice
 5 Assistance Act of 1984, Pub. L. No. 98-473, including
 6 an amount to pay all or part of the cost of the
 7 inmate's incarceration. The director".

H-6065 FILED MARCH 30, 1988 RECEIVED FROM THE SENATE

House amended 4/14 (p. 1201)

HOUSE FILE 2262

AS AMENDED BY AMENDMENT S-5203

REQUESTED BY REPRESENTATIVE FEY

In compliance with a written request received February 16, 1988, a fiscal note for HOUSE FILE 2262 AS AMENDED BY S - 5203 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2262 as amended provides that certain amounts may be deducted from an inmate's allowance and paid to the Director of Public Safety for the purpose of certifying Iowa State Industries for cooperative public-private production agreements as provided under federal law. An amount may also be deducted to pay all or part of the cost of an inmate's incarceration.

Fiscal Impact

The proposed legislation has no fiscal impact.

Source: Department of Corrections

(LSB 7664H, BAL)

FILED MARCH 9, 1988

BY DENNIS PROUTY, FISCAL DIRECTOR

Spear, Chair

HSB 622

House Study Bill 622

MAN RESOURCES

Human Resources: Spear, Chair: Bisignano, Buhr, Corey and Miller.

Nov

*Miller
Corey*

HOUSE FILE

2262

BY (PROPOSED DEPARTMENT OF CORRECTIONS BILL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the deduction and disbursement of certain
2 moneys from an allowance paid to an inmate.

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

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1 Section 1. Section 246.702, Code Supplement 1987, is
2 amended to read as follows:

3 246.702 DEDUCTION TO PAY COURT COSTS, INDUSTRIES PROGRAM
4 COSTS, INCARCERATION COSTS, OR DEPENDENTS -- DEPOSITS.

5 If allowances are paid pursuant to section 246.701, the
6 director may deduct an amount established by the inmate's
7 restitution plan of payment or an amount sufficient to pay all
8 or part of the court costs taxed as a result of the inmate's
9 commitment. The amount deducted shall be forwarded to the
10 clerk of the district court or proper official. The director
11 may deduct and disburse an amount sufficient for industries'
12 programs to qualify under the eligibility requirements
13 established in the Justice Assistance Act of 1984, Pub. L. 98-
14 473. The director may also deduct an amount to pay all or
15 part of the cost of the inmate's incarceration. The director
16 may pay all or any part of remaining allowances paid pursuant
17 to section 246.701 directly to a dependent of the inmate, or
18 may deposit the allowance to the account of the inmate, or may
19 deposit a portion and allow the inmate a portion for the
20 inmate's personal use.

21 Sec. 2. Section 912.3, Code 1987, is amended by adding the
22 following new subsection 6 and by renumbering the subsequent
23 subsection:

24 NEW SUBSECTION. 6. Receive moneys collected pursuant to
25 section 246.702 for the purpose of compliance with Pub. L. 98-
26 743.

27 EXPLANATION

28 This bill provides that certain amounts may be deducted
29 from an inmate's allowance and paid to the director of public
30 safety for the purpose of certifying prison industries for
31 cooperative public-private production agreements as provided
32 for under federal law.

33 BACKGROUND STATEMENT

34 SUBMITTED BY THE AGENCY

35 Purpose: This amendment brings Iowa's Code language

1 regarding deductions from inmate wages into compliance with
2 federal regulations for the purpose of certifying prison
3 industries for cooperative public-private production
4 agreements.

5 COMPANION TO LSB 7137DS

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NEW SUBSECTION. 6. Receive moneys collected pursuant to section 246.702 for the purpose of compliance with Pub. L. 98-743.

HOUSE FILE 2262

AN ACT
RELATING TO THE DEDUCTION AND DISBURSEMENT OF CERTAIN MONEYS
FROM AN ALLOWANCE PAID TO AN INMATE.

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

Section 1. Section 246.702, Code Supplement 1987, is amended to read as follows:

246.702 DEDUCTION TO PAY COURT COSTS, INDUSTRIES PROGRAM COSTS, INCARCERATION COSTS, OR DEPENDENTS -- DEPOSITS.

If allowances are paid pursuant to section 246.701, the director may deduct an amount established by the inmate's restitution plan of payment or an amount sufficient to pay all or part of the court costs taxed as a result of the inmate's commitment. The amount deducted shall be forwarded to the clerk of the district court or proper official. The director may deduct and disburse an amount sufficient for industries' programs to qualify under the eligibility requirements established in the Justice Assistance Act of 1984, Pub. L. No. 98-473, including an amount to pay all or part of the cost of the inmate's incarceration. The director may pay all or any part of remaining allowances paid pursuant to section 246.701 directly to a dependent of the inmate, or may deposit the allowance to the account of the inmate, or may deposit a portion and allow the inmate a portion for the inmate's personal use.

Sec. 2. Section 912.3, Code 1987, is amended by adding the following new subsection 6 and by renumbering the subsequent subsection:

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 2262, Seventy-second General Assembly.

JOSEPH O'BERN
Chief Clerk of the House
Approved *May 5*, 1988

TERRY E. BRANSTAD
Governor

HF 2262