

See Journal of 1992, for Passed 3/20

HOUSE FILE 2407
BY COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

MAR 9 1992

Place On Calendar

(SUCCESSOR TO HSB 722)

Passed House, Date 3/10/92 (p. 667) Passed Senate, Date 3/20/92 (p. 1040)
Vote: Ayes 92 Nays 0 Vote: Ayes 48 Nays 2
Approved April 13, 1992 (p. 1321)

A BILL FOR

1 An Act relating to in-home detention.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2407

1 Section 1. Section 356.26, unnumbered paragraph 3, Code
2 Supplement 1991, is amended to read as follows:

3 The district court may also grant by order to any person
4 ~~sentenced-to held in~~ a county jail the privilege ~~of-a-sentence~~
5 of in-home detention ~~where~~ if the county sheriff has certified
6 to the court that the jail has an in-home detention program.

7 EXPLANATION

8 The bill expands in-home detention programs to include any
9 person held in the county jail, and not just persons serving a
10 sentence as provided in current law.

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HOUSE FILE 2407
FISCAL NOTE

A fiscal note for House File 2407 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2407 expands in-home detention to include any person held in the county jails, and not just persons serving a sentence as provided in current law.

Assumptions

1. The average cost per day for operating county jails is \$45.
2. Those offenders released to in-home detention under an electronic monitoring program will pay for the cost of the program.
3. Jails in the more populated counties are currently overcrowded.
4. Approximately 63.0% of the people incarcerated in jail are awaiting trial, rather than serving a jail sentence.

Fiscal Impact

Depending upon the extent to which judges use in-home detention as an alternative to detention prior to trial, there may be a reduction in jail overcrowding in those counties where jails are currently operating beyond capacity. The demand for more jail construction may be reduced. House File 2407 may reduce operating expenses for county jails, depending upon the number of people released to in-home detention. However, it is not possible to predict the number of people who may be released under HF 2407.

Source: Iowa State Association of Counties
Department of Human Rights

(LSB 6232hv, BAL)

FILED MARCH 10, 1992

BY DENNIS PROUTY, FISCAL DIRECTOR

HSB 722

Judiciary & Law Enforcement

Now

HOUSE FILE 2407
BY (PROPOSED COMMITTEE ON
JUDICIARY AND LAW
ENFORCEMENT BILL BY
CHAIRPERSON JAY)

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

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ALL COMMITTEE ASSIGNMENTS
CHAIRPERSON *Sherron*
COMMITTEE *Judiciary*
3-6-92

722

S.F. _____ H.F. _____

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ROBERT C. ARNOULD
Speaker of the House

MICHAEL E. GRONSTAL
President of the Senate

HOUSE FILE 2407

AN ACT
RELATING TO IN-HOME DETENTION.

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

Section 1. Section 356.26, unnumbered paragraph 3, Code Supplement 1991, is amended to read as follows:

The district court may also grant by order to any person sentenced to hold in a county jail the privilege of a sentence

I hereby certify that this bill originated in the House and is known as House File 2407, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 13, 1992

TERRY E. BRANSTAD
Governor

HF 2407