

House Study Bill 81

Conference Committee Text

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1 1 Section 1. Section [356.15](#), Code 1995, is amended by adding
1 2 the following new unnumbered paragraph:

1 3 NEW UNNUMBERED PARAGRAPH. The state shall reimburse each
1 4 county for all costs of confinement and maintenance incurred
1 5 during the time period for completion of presentence
1 6 investigations of felons who have pled guilty to, or have been
1 7 convicted of, a class "B", class "C", or class "D" felony.
1 8 Each affected county auditor shall make a quarterly billing of
1 9 the confinement and maintenance costs on forms provided by the
1 10 department of revenue and finance. The director of revenue
1 11 and finance shall make quarterly reimbursement payments from
1 12 state funds appropriated for that purpose. As used in this
1 13 paragraph, "costs of confinement and maintenance" includes
1 14 food, lodging, clothing, and necessary medical expenses.

1 15 Sec. 2. Section [901.7](#), Code 1995, is amended to read as
1 16 follows:

1 17 901.7 COMMITMENT TO CUSTODY.

1 18 In imposing a sentence of confinement for more than one
1 19 year, the court shall commit the defendant to the custody of
1 20 the director of the Iowa department of corrections. Upon
1 21 entry of judgment and sentence, the clerk of the district
1 22 court immediately shall notify the director of the commitment.
1 23 The court shall make an order as appropriate for the temporary
1 24 custody of the defendant pending the defendant's transfer to
1 25 the custody of the director and for the payment of the costs
1 26 of temporary custody as provided in section 356.15. The court
1 27 shall order the county where a person was convicted to pay the
1 28 cost of

~~temporarily confining the person and of
- transporting~~

1 29 the person to the state institution where the person is to be
1 30 confined in execution of the judgment. The order shall
1 31 require that a person transported to a state institution
1 32 pursuant to this section shall be accompanied by a person of
1 33 the same sex.

1 34 EXPLANATION

1 35 This bill requires that the state reimburse counties for
2 1 the costs of confinement and maintenance of felons who have
2 2 pled guilty to, or have been convicted of, a class "B", class
2 3 "C", or class "D" felony, during the time period for
2 4 completion of the presentence investigation. Upon a plea of
2 5 guilty or conviction, a felon normally is transferred to the
2 6 custody of the state correctional system. However, the class
2 7 "B", class "C", and class "D" felons are required to have a
2 8 presentence investigation completed for them before
2 9 sentencing, a procedure which may require an additional period
2 10 of confinement in the county jail. Currently, the counties
2 11 pay for the costs of confinement and maintenance during the
2 12 investigation.

2 13 LSB 1678HC 76

2 14 tj/sc/14