

H-3/24/95 Local Gov
H-3/30/95 Do Par

FILED MAR 16 1995

SENATE FILE 391
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 166)

Passed Senate, Date 3/23/95 (p. 850) Passed House, Date _____
Vote: Ayes 50 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the payment of medical costs of temporary
2 prisoners.

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

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SENATE FILE 391

H-3761

1 Amend Senate File 391, as passed by the Senate, as
2 follows:
3 1. Page 1, line 11, by inserting after the word
4 "injury." the following: "This section does not apply
5 when:
6 1. A department of public safety officer is
7 requested by another law enforcement agency to pursue
8 and arrest.
9 2. A department of public safety officer is
10 assisting another law enforcement agency attempting to
11 effect an arrest.
12 3. A department of public safety officer is
13 participating with another law enforcement agency in
14 effecting an arrest.
15 For purposes of this section, "during the course of
16 the arrest" means the time a prisoner is in the sole
17 custody of a department of public safety officer."

By WEIDMAN of Cass

H-3761 FILED APRIL 5, 1995

S.F. 391

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1 Section 1. Section 804.28, Code 1995, is amended to read
2 as follows:

3 804.28 DEPARTMENT OF PUBLIC SAFETY PRISONERS.

4 The sheriff of any county shall accept for custody in the
5 county jail of the sheriff's respective county any person
6 handed over to the sheriff for safekeeping and lodging by any
7 member of the department of public safety. However, if the
8 person arrested by a member of the department of public safety
9 is injured during the course of the arrest, the state is
10 responsible for the medical expenses incurred in treating the
11 injury.

12 EXPLANATION

13 This bill provides that the state is responsible for
14 medical costs relating to injuries sustained by a person
15 during the person's arrest by a member of the department of
16 public safety. The county sheriff is required to take custody
17 of the person arrested by a member of the department of public
18 safety, but the county will not be responsible for medical
19 costs for injuries sustained during the course of arrest by an
20 officer of the department of public safety.

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Salvorson
Fraise
Maddox

SSB-166

Local Government

Succeeded By

SE/HE 391

SENATE FILE

BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL
BY CHAIRPERSON SORENSEN)

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

A BILL FOR

1 An Act relating to the payment of medical costs of temporary
2 prisoners.

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

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1 Section 1. Section 804.28, Code 1995, is amended to read
2 as follows:

3 804.28 DEPARTMENT OF PUBLIC SAFETY PRISONERS.

4 The sheriff of any county shall accept for custody in the
5 county jail of the sheriff's respective county any person
6 handed over to the sheriff for safekeeping and lodging by any
7 member of the department of public safety. However, if the
8 person arrested by a member of the department of public safety
9 is injured during the course of the arrest, the department of
10 public safety is responsible for the medical expenses incurred
11 in treating the injury.

12 EXPLANATION

13 This bill provides that the department of public safety is
14 responsible for medical costs relating to injuries sustained
15 by a person during the person's arrest by a member of the
16 department. The county sheriff is required to take custody of
17 the person arrested by a member of the department of public
18 safety, but the county will not be responsible for medical
19 costs for injuries sustained during the course of arrest by
20 the state officer.

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