

Senate Study Bill 166

Conference Committee Text

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1 1 Section 1. Section [804.28](#), Code 1995, is amended to read
1 2 as follows:

1 3 804.28 DEPARTMENT OF PUBLIC SAFETY PRISONERS.

1 4 The sheriff of any county shall accept for custody in the
1 5 county jail of the sheriff's respective county any person
1 6 handed over to the sheriff for safekeeping and lodging by any
1 7 member of the department of public safety. However, if the
1 8 person arrested by a member of the department of public safety
1 9 is injured during the course of the arrest, the department of
1 10 public safety is responsible for the medical expenses incurred
1 11 in treating the injury.

1 12 EXPLANATION

1 13 This bill provides that the department of public safety is
1 14 responsible for medical costs relating to injuries sustained
1 15 by a person during the person's arrest by a member of the
1 16 department. The county sheriff is required to take custody of
1 17 the person arrested by a member of the department of public
1 18 safety, but the county will not be responsible for medical
1 19 costs for injuries sustained during the course of arrest by
1 20 the state officer.

1 21 LSB 2260SC 76

1 22 tj/jw/5