

FEB 10 1997  
LOCAL GOVERNMENT

WITHDRAWN

HOUSE FILE 180  
BY RICHARDSON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the methods of collection of fees charged  
2 prisoners for room and board, by providing for the entry of  
3 judgment against the prisoner and enforcement of the judgment  
4 through writ of execution.

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

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HF 180

WITHDRAWN

TLSB 1683HH 77  
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1 Section 1. Section 356.7, subsections 1, 2, and 3, Code  
2 1997, are amended to read as follows:

3 1. The county sheriff may charge a prisoner who is  
4 eighteen years of age or older for the room and board provided  
5 to the prisoner while in the custody of the county sheriff.  
6 Moneys collected by the sheriff under this section shall be  
7 credited to the county general fund and distributed as  
8 provided in this section. If a prisoner fails to pay for the  
9 room and board, the sheriff may file a room and board  
10 reimbursement ~~lien~~ claim with the district court as provided  
11 in subsection 2. The county attorney may file the room and  
12 board reimbursement ~~lien~~ claim on behalf of the sheriff and  
13 the county. This section does not apply to prisoners who are  
14 paying for their room and board by court order pursuant to  
15 sections 356.26 through 356.35.

16 2. The sheriff or the county attorney, on behalf of the  
17 sheriff, may file a room and board reimbursement ~~lien~~ claim  
18 with the clerk of the district court which shall include all  
19 of the following information, if known:

20 a. The name and date of birth of the person whose property  
21 or other interests are subject to ~~the-lien~~ execution.

22 b. The present address of the residence and principal  
23 place of business of the person named in the ~~lien~~ claim.

24 c. The criminal proceeding pursuant to which the ~~lien~~  
25 claim is filed, including the name of the court, the title of  
26 the action, and the court's file number.

27 d. The name and address of the sheriff or the name and  
28 address of the county attorney who is filing the ~~lien~~ claim on  
29 behalf of the sheriff.

30 e. A statement that the notice is being filed pursuant to  
31 this section.

32 f. The amount of room and board reimbursement charges the  
33 person ~~has-been-ordered-to-pay-or-is-likely-to-be-ordered-to~~  
34 pay owes.

35 3. ~~The-filing-of-a~~ Upon receipt of a claim for room and

1 board reimbursement ~~lien-in-accordance-with-this-section~~  
2 ~~creates-a-lien,~~ the court shall enter a judgment in favor of  
3 the sheriff or the county in ~~any-personal-or-real-property~~ an  
4 amount equal to the value of the room and board provided to  
5 the prisoner identified in the ~~lien-to-the-extent-of-the~~  
6 ~~interest-held-in-that-property-by-the-person-named-in-the-lien~~  
7 claim. The sheriff may enforce the judgment in the manner  
8 provided in chapter 626.

9 EXPLANATION

10 This bill provides that claims for reimbursement for room  
11 and board provided while a prisoner is in the custody of a  
12 county sheriff may be filed by the sheriff or the county  
13 attorney with the district court as part of the criminal  
14 proceeding. Upon receipt of a claim for reimbursement, the  
15 court is to enter judgment against the prisoner in an amount  
16 equal to the value of the room and board provided to the  
17 prisoner while the prisoner was in the county sheriff's  
18 custody. The sheriff may enforce the judgment through a writ  
19 of execution under chapter 626.

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