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JUDICIARY

HOUSE FILE

2002

BY HOLMES

(p.83) Passed House, Date 1-27-98 (p.355) Passed Senate, Date 2/18/98  
 Vote: Ayes 92 Nays 1 Vote: Ayes 47 Nays 0  
 Approved Feb 27, 1998

A BILL FOR

1 An Act to provide that persons convicted of attempted murder  
 2 serve at least eighty-five percent of the sentence imposed.  
 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2002

H-8003

- 1 Amend House File 2002 as follows:
- 2 1. Page 1, by inserting after line 4 the
- 3 following:
- 4 "Sec. 2. EFFECTIVE DATE. This Act, being deemed
- 5 of immediate importance, takes effect upon enactment."
- 6 2. Title page, line 2, by inserting after the
- 7 word "imposed" the following: "and providing an
- 8 effective date".

*Adopted 1/27/98 (p.83)*

By KREIMAN of Davis  
MILLAGE of Scott

H-8003 FILED JANUARY 22, 1998

*HF 2002*

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1 Section 1. Section 902.12, Code 1997, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 1A. Attempted murder in violation of  
4 section 707.11.

5 EXPLANATION

6 This bill adds attempted murder to the list of crimes for  
7 which an inmate must serve 100 percent of their sentence less  
8 any of the limited amount of good time which may be granted to  
9 the inmate. Under section 903A.2, inmates sentenced under  
10 section 902.12 may only receive reductions in sentence for  
11 good behavior in an amount not to exceed 15 percent of the  
12 sentence imposed--meaning that the inmate must effectively  
13 serve at least 85 percent of the sentence imposed.

14 Attempted murder is a class "B" felony. Class "B" felons  
15 are to be confined for no more than 25 years.

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**HOUSE FILE 2002  
FISCAL NOTE**

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The estimate for House File 2002 is hereby submitted as a fiscal note pursuant to Joint Rule 17 and as a correctional impact statement pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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House File 2002 adds attempted murder to the list of crimes for which the offender is required to serve 100.0% of the sentence with a maximum reduction of 15.0% for good time.

**BACKGROUND**

Attempted murder is a Class B Felony and carries a maximum sentence of 25 years.

**ASSUMPTIONS**

1. Charge, conviction, and sentencing patterns will remain constant over the projection period.
2. Prisoner length of stay, revocation rates, and other correctional system policies and practices will remain constant over the projection period, except for penalty under examination.
3. There is a lag effect of one year from the law's effective date for the first offender's entry into the prison system.
4. Eleven offenders will be incarcerated annually for attempted murder under the enhanced penalty.
5. The current average sentence for attempted murder is 103 months (8.6 years).
6. The projected length of stay will be 255 months (85.0% of 25 years or 21.3 years).
7. The average cost per day for inmate support is \$12.
8. Costs are stated in FY 1999 dollars.

**CORRECTIONAL IMPACT**

This Bill will have no short-term effect on the correctional system. In the long-term, this Bill will add 70 inmates to the prison system during the first ten years after implementation (FY 2008) and will add another 110 inmates during the next ten year period (FY 2018).

**FISCAL IMPACT**

This Bill will create no additional costs in the short-term. This Bill is projected to increase the annual cost for inmate support by an additional \$307,000 over the first ten years after implementation (FY 2008). By twenty years after implementation (FY 2018), the annual inmate support costs are projected to have increased to an additional \$788,000.

This Bill will increase prison overcrowding. Because of the different building options, no estimate is included for when prison beds will be added or how much they will cost.

SOURCES

Criminal and Juvenile Justice Planning Division,  
Department of Human Rights  
Department of Corrections

(LSB 3186hh, MDF)

FILED JANUARY 20, 1998

BY DENNIS PROUTY, FISCAL DIRECTOR

1/29/98 Referred to Judiciary  
2/5/98 Do Pass

HOUSE FILE 2002  
BY HOLMES

(As Amended and Passed by the House, January 27, 1998)

Passed House, Date \_\_\_\_\_ Passed Senate, Date 2/18/98 (P. 335)  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 47 Nays 0  
Approved Feb. 27, 1998

**A BILL FOR**

1 An Act to provide that persons convicted of attempted murder  
2 serve at least eighty-five percent of the sentence imposed and  
3 providing an effective date.

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

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New Language \_\_\_\_\_

1 Section 1. Section 902.12, Code 1997, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 1A. Attempted murder in violation of  
4 section 707.11.

5 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
6 immediate importance, takes effect upon enactment.

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HOUSE FILE 2002

AN ACT

TO PROVIDE THAT PERSONS CONVICTED OF ATTEMPTED MURDER  
SERVE AT LEAST EIGHTY-FIVE PERCENT OF THE SENTENCE  
IMPOSED AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 902.12, Code 1997, is amended by adding  
the following new subsection:

NEW SUBSECTION. 1A. Attempted murder in violation of  
section 707.11.

Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
immediate importance, takes effect upon enactment.

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RON J. CORBETT  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and  
is known as House File 2002, Seventy-seventh General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved Feb. 27, 1998

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TERRY E. BRANSTAD  
Governor

HF 2002