

FILED MAR 17 1997

SENATE FILE **476**
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 124)

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

A BILL FOR

1 An Act requiring a person convicted of the offense of attempted
2 murder to serve one hundred percent of the sentence with
3 limited credit for good behavior.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

S.F. 476

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 offenses for
7 which a person, if convicted, must serve 100 percent of the
8 sentence and is only eligible for credit for good behavior of
9 up to 15 percent of the term. Attempted murder is a class "B"
10 felony. The sentence for class "B" felonies is confinement
11 for no more than 25 years. Adding attempted murder to the
12 list of offenses in Code section 902.12 means that a person
13 sentenced to 25 years for the offense will serve at least
14 21.25 years of the term imposed.

15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SENATE FILE 476
FISCAL NOTE

The estimate for Senate File 476 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.

Senate File 476 adds attempted murder to the list of offenses requiring an offender to serve 100.0% of the sentence and permits earned good time of up to 15.0% of the sentence.

ASSUMPTIONS

1. The Bill makes no changes to the procedures for trial or prosecution of these offenders.
2. Sentencing patterns and other policies will remain the same.
3. The marginal cost for an inmate added to the prison system is \$12 per day.
4. The average length of stay for these offenders will increase from 7.1 years to 21.25 years.

CORRECTIONAL IMPACT

The change has no impact on the Judicial Branch. Prison populations will increase as follows:

FY 1998	No additional inmates
FY 2003	No additional inmates
FY 2008	57 additional inmates
FY 2018	147 additional inmates
FY 2028	159 additional inmates

FISCAL IMPACT

The Department of Corrections will incur the following costs for inmate support.

FY 1998	\$	0
FY 2003		0
FY 2008		250,000
FY 2018		644,000
FY 2028		696,000

SOURCES

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

(LSB 2193SV, MDF)