

FEB 25 2000
JUDICIARY

HOUSE FILE 2465
BY WARNSTADT

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

A BILL FOR

1 An Act changing the criminal penalty for absence from custody.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2465

1 Section 1. Section 719.4, subsection 3, Code Supplement
2 1999, is amended to read as follows:

3 3. A person who has been committed to an institution under
4 the control of the Iowa department of corrections, to a
5 community-based correctional facility, or to a jail or
6 correctional institution, who knowingly and voluntarily is
7 absent from a place where the person is required to be,
8 commits a serious misdemeanor. If, however, the person is
9 absent from the place where the person is required to be for
10 two hours or more, the person commits a class "D" felony.

11 EXPLANATION

12 Current law provides that an offender who is incarcerated,
13 committed to a community-based correctional facility, or on
14 work release, and who is knowingly absent from the place where
15 the offender is required to be present, commits a serious
16 misdemeanor.

17 This bill changes the penalty from a serious misdemeanor to
18 a class "D" felony, if an offender who is knowingly absent
19 from the place where the offender is required to be present,
20 is absent for two hours or more.

21 A serious misdemeanor is punishable by confinement for no
22 more than one year and a fine of at least \$250 but not more
23 than \$1,500. A class "D" felony is punishable by confinement
24 for no more than five years and a fine of at least \$750 but
25 not more than \$7,500.

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