

SENATE FILE 118
BY MILLER

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

A BILL FOR

1 An Act relating to prisoner labor at county jails.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 118 LOCAL GOVERNMENT

1 Section 1. Section 356.16, Code 2001, is amended to read
2 as follows:

3 356.16 HARD LABOR.

4 Able-bodied persons over the age of sixteen, confined in
5 any jail under the judgment of any tribunal authorized to
6 imprison for the violation of any law, ordinance, bylaw or
7 police regulation, may be required to labor during the whole
8 or part of the time of their sentences, as hereinafter
9 provided, and such tribunal, when passing final judgment of
10 imprisonment, whether for nonpayment of fine or otherwise,
11 shall have the power to and shall determine whether such
12 imprisonment shall be at hard labor or not. The county and
13 its officers, employees, and agents are not liable for any
14 injury caused by implementing and conducting any type of labor
15 program under this section including a hard labor program,
16 unless the injury is the result of gross negligence on the
17 part of the county, its officers, employees, or agents.

18 Sec. 2. Section 85.1, Code 2001, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 7. Any person confined as a prisoner in a
21 county jail or confined in any other facility in lieu of
22 confinement in a county jail.

23 Sec. 3. Section 85.62, Code 2001, is repealed.

24 EXPLANATION

25 This bill relates to prisoner labor at county jails. The
26 bill provides that a county which implements a labor program,
27 including a hard labor program at a county jail, is not liable
28 for any injury to a prisoner, unless the county, its officers,
29 employees, or agents were grossly negligent. The bill also
30 provides that a prisoner is not eligible to collect workers'
31 compensation benefits for injuries sustained while working.

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