

# Senate Study Bill 1219

## Bill Text

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1 1 Section 1. Section [135.11](#), Code 2001, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 26. Establish and administer a substance  
1 4 abuse facility pursuant to section 135.130.

1 5 DIVISION XIII  
1 6 Sec. 2. NEW SECTION. 135.130 SUBSTANCE ABUSE FACILITY  
1 7 FOR PERSONS ON PROBATION.

1 8 The director of public health shall establish and operate a  
1 9 facility for the purpose of providing a structured treatment  
1 10 program for persons with a substance abuse problem who are on  
1 11 probation and under the supervision of a judicial district  
1 12 department of correctional services. The department shall  
1 13 enter into an agreement pursuant to chapter 28E with the  
1 14 department of corrections to provide security for the  
1 15 facility. The department, in consultation with the department  
1 16 of corrections, shall adopt rules under chapter 17A to  
1 17 administer this section.

1 18 Sec. 3. Section [901B.1](#), subsection 1, paragraph c, Code  
1 19 2001, is amended by adding the following new subparagraph:

1 20 NEW SUBPARAGRAPH. (5) A substance abuse treatment  
1 21 facility as established and administered by the Iowa  
1 22 department of public health.

1 23 Sec. 4. Section [901B.1](#), subsection 4, paragraph a, Code  
1 24 2001, is amended to read as follows:

1 25 4. a. The district department of correctional services  
1 26 shall place an individual committed to it under section 907.3  
1 27 to the sanction and level of supervision which is appropriate  
1 28 to the individual based upon a current risk assessment  
1 29 evaluation. Placements may be to levels two and three of the  
1 30 corrections continuum. The district department may, with the  
1 31 approval of the Iowa department of public health, place an  
1 32 individual in a level three substance abuse treatment facility  
1 33 established pursuant to section 135.130, to assist the  
1 34 individual in complying with a condition of probation. The  
1 35 district department may, with the approval of the department  
2 1 of corrections, place an individual in a level four violator  
2 2 facility established pursuant to section 904.207 only as a  
2 3 penalty for a violation of a condition imposed under this  
2 4 section.

2 5 EXPLANATION

2 6 This bill requires the Iowa department of public health to  
2 7 establish a substance abuse treatment facility for persons on  
2 8 probation due to the commission of a criminal offense.

2 9 The bill provides that the substance abuse treatment  
2 10 facility shall provide a structured substance abuse treatment  
2 11 program for persons who are on probation and under the  
2 12 supervision of a judicial district department of correctional  
2 13 services. The bill provides that the department of public  
2 14 health and the department of corrections shall enter into a  
2 15 Code chapter 28E agreement to provide security for the  
2 16 facility. The bill provides that a judicial district may,  
2 17 with the approval of the department of public health, place a  
2 18 person who is on probation at the substance abuse facility to  
2 19 assist the person in complying with the terms and conditions  
2 20 of probation.

2 21 LSB 3199SC 79

