

FEB 18 2004
TRANSPORTATION

HOUSE FILE 2298
BY FORD

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

A BILL FOR

1 An Act relating to issuance of nonoperator's identification cards
2 to certain inmates.

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

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HF 2298

1 Section 1. Section 321.190, Code Supplement 2003, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 3. INMATE PROGRAM. The department, in
4 cooperation with the department of corrections, shall issue
5 nonoperator's identification cards to inmates who will be
6 subject to driver's license suspension, revocation, or delayed
7 issuance upon release from confinement as provided in section
8 906.10. The department may adopt rules to modify the
9 application requirements under section 321.182 for issuance of
10 nonoperator's identification cards under this subsection.

11 Sec. 2. Section 904.108, subsection 1, Code Supplement
12 2003, is amended by adding the following new paragraph:

13 NEW PARAGRAPH. p. In cooperation with the state
14 department of transportation, provide for the issuance of
15 nonoperator's identification cards to inmates who will be
16 subject to driver's license suspension, revocation, or delayed
17 issuance upon release from confinement as provided in section
18 906.10.

19 Sec. 3. Section 904.702, unnumbered paragraph 1, Code
20 Supplement 2003, is amended to read as follows:

21 If allowances are paid pursuant to section 904.701, the
22 director shall establish an inmate account, for deposit of
23 those allowances and for deposit of moneys sent to the inmate
24 from a source other than the department of corrections. The
25 director may deduct an amount, not to exceed ten percent of
26 the amount of the allowance, unless the inmate requests a
27 larger amount, to be deposited into the inmate savings fund as
28 required under section 904.508, subsection 2. If the inmate
29 is to be issued a nonoperator's identification card pursuant
30 to section 906.10 prior to discharge, parole, or being placed
31 on work release, the director shall deduct the amount of the
32 fee required for issuance of the nonoperator's identification
33 card. In addition to deducting a portion of the allowance,
34 the director may also deduct from an inmate account any
35 amount, except amounts directed to be deposited in the inmate

1 telephone fund established in section 904.508A, sent to the
2 inmate from a source other than the department of corrections
3 for deposit in the inmate savings fund as required under
4 section 904.508, subsection 2, until the amount in the fund
5 equals the amount due the inmate upon discharge, parole, or
6 placement on work release. The director shall deduct from the
7 inmate account an amount established by the inmate's
8 restitution plan of payment. The director shall also deduct
9 from any remaining account balance an amount sufficient to pay
10 all or part of any judgment against the inmate, including but
11 not limited to judgments for taxes and child support, and
12 court costs and fees assessed either as a result of the
13 inmate's confinement or amounts required to be paid under
14 section 610A.1. Written notice of the amount of the deduction
15 shall be given to the inmate, who shall have five days after
16 receipt of the notice to submit in writing any and all
17 objections to the deduction to the director, who shall
18 consider the objections prior to transmitting the deducted
19 amount to the clerk of the district court. The director need
20 give only one notice for each action or appeal under section
21 610A.1 for which periodic deductions are to be made. The
22 director shall next deduct from any remaining account balance
23 an amount sufficient to pay all or part of any costs assessed
24 against the inmate for misconduct or damage to the property of
25 others. The director may deduct from the inmate's account an
26 amount sufficient to pay for the inmate's share of the costs
27 of health services requested by the inmate and for the
28 treatment of injuries inflicted by the inmate on the inmate or
29 others. The director may deduct and disburse an amount
30 sufficient for industries' programs to qualify under the
31 eligibility requirements established in the Justice Assistance
32 Act of 1984, Pub. L. No. 98-473, including an amount to pay
33 all or part of the cost of the inmate's incarceration. The
34 director may pay all or any part of remaining allowances paid
35 pursuant to section 904.701 directly to a dependent of the

1 inmate, or may deposit the allowance to the account of the
2 inmate, or may deposit a portion and allow the inmate a
3 portion for the inmate's personal use.

4 Sec. 4. NEW SECTION. 906.10 NONOPERATOR'S IDENTIFICATION
5 CARDS.

6 An inmate who is subject to suspension, revocation, or
7 delayed issuance of a driver's license shall be issued a
8 nonoperator's identification card, upon application pursuant
9 to rules adopted under section 321.190, subsection 3, prior to
10 being discharged, paroled, or placed on work release. The
11 nonoperator's identification card shall be issued at least
12 three months prior to the inmate's release from confinement,
13 or as close to that time as is practicable in relation to the
14 term of confinement. The fee required by the state department
15 of transportation for issuance of the card shall be paid by
16 the department of corrections and, if applicable, deducted
17 from the inmate's account under section 904.702.

18 EXPLANATION

19 This bill requires the state department of transportation
20 and the department of corrections to cooperate to issue
21 nonoperator's identification cards to inmates who will be
22 subject to driver's license suspension, revocation, or delayed
23 issuance upon discharge, parole, or placement on work release.
24 The nonoperator's identification card is to be issued three
25 months prior to the inmate's release from confinement, or as
26 close to that time as is practicable considering the term of
27 confinement. The \$5 fee for issuance of a nonoperator's
28 identification card is to be paid by the department of
29 corrections and, if the inmate has an inmate account, deducted
30 from the inmate's account.

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