

**Senate Study Bill 3144 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON HOGG)

**A BILL FOR**

1 An Act modifying the parole and work release eligibility for  
2 persons convicted of robbery in the first or second degree.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 902.12, Code 2014, is amended to read as  
2 follows:

3 **902.12 Minimum sentence for certain felonies — eligibility**  
4 **for parole or work release.**

5 1. A person serving a sentence for conviction of the  
6 following felonies, including a person serving a sentence  
7 for conviction of the following felonies prior to July 1,  
8 2003, shall be denied parole or work release unless the person  
9 has served at least seven-tenths of the maximum term of the  
10 person's sentence:

11 ~~1.~~ a. Murder in the second degree in violation of section  
12 707.3.

13 ~~2.~~ b. Attempted murder in violation of section 707.11.

14 ~~3.~~ c. Sexual abuse in the second degree in violation of  
15 section 709.3.

16 ~~4.~~ d. Kidnapping in the second degree in violation of  
17 section 710.3.

18 ~~5. Robbery in the first or second degree in violation of~~  
19 ~~section 711.2 or 711.3.~~

20 ~~6.~~ e. Vehicular homicide in violation of section 707.6A,  
21 subsection 1 or 2, if the person was also convicted under  
22 section 321.261, subsection 4, based on the same facts or  
23 event that resulted in the conviction under section 707.6A,  
24 subsection 1 or 2.

25 2. a. A person serving a sentence for a conviction of  
26 robbery in the first degree in violation of section 711.2 shall  
27 be denied parole or work release unless the person has served  
28 at least seven years of the sentence imposed by law.

29 b. A person serving a sentence for a conviction of robbery  
30 in the second degree in violation of section 711.3 shall be  
31 denied parole or work release unless the person has served at  
32 least three years of the sentence imposed by law.

33

#### EXPLANATION

34 The inclusion of this explanation does not constitute agreement with  
35 the explanation's substance by the members of the general assembly.

1 This bill modifies the parole and work release eligibility  
2 for persons convicted of robbery in the first or second degree.  
3 Under the bill, a person serving a sentence for a conviction  
4 of robbery in the first degree in violation of Code section  
5 711.2 shall be denied parole or work release unless the person  
6 has served a minimum of seven years of confinement. A person  
7 who commits robbery in the first degree commits a class "B"  
8 felony which is punishable by confinement for no more than 25  
9 years. Under current law, a person serving a sentence for  
10 robbery in the first degree is not eligible for parole until  
11 the person has served a minimum of 17.5 years of confinement.  
12 Under the bill, a person serving a sentence for a conviction  
13 of robbery in the second degree in violation of Code section  
14 711.3 shall be denied parole or work release unless the person  
15 has served a minimum of three years of confinement. A person  
16 who commits robbery in the second degree commits a class "C"  
17 felony. A class "C" felony is punishable by confinement for  
18 no more than 10 years and a fine of at least \$1,000 but not  
19 more than \$10,000. Under current law, a person serving a  
20 sentence for robbery in the second degree is not eligible for  
21 parole until the person has served a minimum of seven years of  
22 confinement.  
23 The bill does not change the formula for calculating earned  
24 time for a person convicted of robbery in the first or second  
25 degree pursuant to Code section 903A.2(1)(b). Under current  
26 law and the bill, a person convicted of robbery in the first or  
27 second degree is subject to a maximum accumulation of earned  
28 time of 15 percent of the total sentence of confinement.  
29 Robbery in the first degree or second degree remains  
30 classified as a forcible felony under the bill which requires a  
31 mandatory prison sentence.