

**House File 2018 - Introduced**

HOUSE FILE 2018

BY CARLSON

**A BILL FOR**

1 An Act requiring the department of health and human services  
2 to reimburse a county for the temporary holding of, or  
3 confinement of, a sexually violent predator who commits  
4 a public offense while subject to an order of civil  
5 commitment.

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

1 Section 1. Section 229A.5C, subsection 2, Code 2024, is  
2 amended to read as follows:

3 2. a. Upon the filing of a complaint, indictment, or  
4 information, the person shall be transferred to the county  
5 jail in the county where the public offense occurred until the  
6 criminal proceedings have been completed.

7 b. If the person is sentenced to a term of confinement  
8 in a county jail, the person shall serve the sentence at the  
9 county jail. If the person is sentenced to the custody of the  
10 director of the department of corrections, the person shall  
11 serve the sentence at a correctional institution.

12 c. (1) If a person who is subject to an order of civil  
13 commitment under this chapter is transferred to a county jail  
14 or sentenced to a term of confinement in a county jail pursuant  
15 to this subsection, the department shall reimburse the county  
16 at a rate of fifty dollars per day for the time period the  
17 person is temporarily held after transfer, or is confined, in  
18 the county jail.

19 (2) The department shall use funds appropriated to the  
20 department for costs associated with the treatment and  
21 commitment of sexually violent predators in the unit located  
22 at the state mental health institute at Cherokee, or use funds  
23 transferred pursuant to section 218.6, for the payment of  
24 reimbursements pursuant to subparagraph (1).

25 EXPLANATION

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

28 This bill requires the department of health and human  
29 services (HHS) to reimburse a county at a rate of \$50 per  
30 day when a sexually violent predator (SVP) is transferred to  
31 the county's jail after the SVP committed a public offense  
32 while subject to an order of civil commitment. If the SVP is  
33 subsequently sentenced to confinement at the county jail, HHS  
34 must reimburse the jail at a rate of \$50 per day for each day  
35 the SVP is confined.

H.F. 2018

1 The bill requires HHS to use funds appropriated to HHS for  
2 costs associated with the treatment and commitment of sexually  
3 violent predators in the unit located at the state mental  
4 health institute at Cherokee, or use funds transferred pursuant  
5 to Code section 218.6 for the payment of reimbursements to  
6 county jails.