

House File 732 - Introduced

HOUSE FILE 732
BY MADISON

A BILL FOR

1 An Act relating to inmates, including requiring inmates to
2 be paid the minimum wage for labor performed in or while
3 under the custody of an institution under the control of the
4 department of corrections, and the automatic restoration of
5 the right to vote.

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

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1 Section 1. Section 904.508, subsection 2, Code 2025, is
2 amended to read as follows:

3 2. Pursuant to section 904.702, the director shall establish
4 and maintain an inmate savings fund in an interest-bearing
5 account for the deposit of all or part of an inmate's ~~allowances~~
6 wages and amounts, except amounts directed to be deposited in
7 the inmate telephone fund established in section 904.508A, sent
8 to the inmate from a source other than the department. All or
9 part of an inmate's ~~allowances~~ wages and amounts, except amounts
10 directed to be deposited in the inmate telephone fund established
11 in section 904.508A, from a source other than the department
12 shall be deposited into the savings fund, until the inmate's
13 deposit is equal to one hundred dollars as provided in section
14 906.9. If an inmate's deposits are equal to or in excess of
15 one hundred dollars, the inmate may voluntarily withdraw from the
16 savings fund. The director shall notify the inmate of this right
17 to withdraw and shall provide the inmate with a written request
18 form to facilitate the withdrawal. If the inmate withdraws
19 and the inmate's deposits exceed the amount due as provided in
20 section 906.9, the director shall disburse the excess amount
21 as provided for ~~allowances~~ wages under section 904.702, except
22 the director shall not deposit the excess amount in the inmate
23 savings fund. If the inmate chooses to continue to participate
24 in the savings fund, the inmate's deposits shall be returned to
25 the inmate upon discharge, parole, or placement on work release.
26 Otherwise, the inmate's deposits shall be disposed of as provided
27 in subsection 3. An inmate's deposits into the savings fund
28 may be used to provide the money due the inmate upon discharge,
29 parole, or placement on work release, as required under section
30 906.9. Interest earned from the savings fund shall be placed in
31 a separate account, and may be used for purchases approved by the
32 director to directly and collectively benefit inmates.

33 Sec. 2. Section 904.701, subsection 2, Code 2025, is amended
34 to read as follows:

35 2. The director ~~may when practicable~~ shall pay the inmate

1 ~~an allowance as the director deems proper in view of the~~
2 ~~circumstances, and in view of the cost attending the maintenance~~
3 ~~of the inmate. The allowance is a gratuitous payment and is not~~
4 ~~a wage arising out of an employment relationship. The payment~~
5 ~~shall not exceed the amount paid to free labor for a like or~~
6 ~~equivalent service hourly wage, which shall not be less than~~
7 ~~the minimum wage established in section 91D.1, subsection 1,~~
8 ~~paragraph "b".~~

9 Sec. 3. Section 904.702, subsection 1, Code 2025, is amended
10 to read as follows:

11 1. ~~If allowances are paid pursuant to section 904.701, the~~
12 ~~The~~ director shall establish an inmate account, for deposit of
13 ~~those allowances inmate wages paid pursuant to section 904.701~~
14 and for deposit of moneys sent to the inmate from a source
15 other than the department of corrections. The director may
16 deduct an amount, not to exceed ten percent of the amount of the
17 ~~allowance wage~~, unless the inmate requests a larger amount, to be
18 deposited into the inmate savings fund as required under section
19 904.508, subsection 2. In addition to deducting a portion of
20 the ~~allowance wage~~, the director may also deduct from an inmate
21 account any amount, except amounts directed to be deposited
22 in the inmate telephone fund established in section 904.508A,
23 sent to the inmate from a source other than the department of
24 corrections for deposit in the inmate savings fund as required
25 under section 904.508, subsection 2, until the amount in the
26 fund equals the amount due the inmate upon discharge, parole,
27 or placement on work release. The director shall deduct from
28 the inmate account an amount the inmate is legally obligated
29 to pay for child support. The director shall deduct from the
30 inmate account an amount established by the inmate's restitution
31 plan of payment. The director shall also deduct from any
32 remaining account balance an amount sufficient to pay all or part
33 of any judgment against the inmate, including but not limited
34 to judgments for taxes and child support, and court costs and
35 fees assessed either as a result of the inmate's confinement

1 or amounts required to be paid under section 610A.1. Written
2 notice of the amount of the deduction shall be given to the
3 inmate, who shall have five days after receipt of the notice
4 to submit in writing any and all objections to the deduction
5 to the director, who shall consider the objections prior to
6 transmitting the deducted amount to the clerk of the district
7 court. The director need give only one notice for each action
8 or appeal under section 610A.1 for which periodic deductions are
9 to be made. The director shall next deduct from any remaining
10 account balance an amount sufficient to pay all or part of
11 any costs assessed against the inmate for misconduct or damage
12 to the property of others. The director may deduct from the
13 inmate's account an amount sufficient to pay for the inmate's
14 share of the costs of health services requested by the inmate
15 and for the treatment of injuries inflicted by the inmate on
16 the inmate or others. The director may deduct and disburse an
17 amount sufficient for industries' programs to qualify under the
18 eligibility requirements established in the Justice Assistance
19 Act of 1984, Pub. L. No. 98-473, including an amount to pay all
20 or part of the cost of the inmate's incarceration. The director
21 may pay all or any part of remaining allowances paid pursuant
22 to section 904.701 directly to a dependent of the inmate, or may
23 deposit the allowance wage to the account of the inmate, or may
24 deposit a portion and allow the inmate a portion for the inmate's
25 personal use.

26 Sec. 4. Section 914.2, Code 2025, is amended to read as
27 follows:

28 **914.2 Right of application.**

29 Except as otherwise provided in section 902.2 or 914.8, a
30 person convicted of a criminal offense has the right to make
31 application to the board of parole for recommendation or to
32 the governor for a reprieve, pardon, commutation of sentence,
33 remission of fines or forfeitures, or restoration of rights of
34 citizenship at any time following the conviction.

35 Sec. 5. Section 914.6, subsection 3, Code 2025, is amended to

1 read as follows:

2 3. In the case of a remission of fines and forfeitures,
3 restoration of rights of citizenship other than the right to
4 register to vote and to vote, or a pardon, commutation of
5 sentence, or reprieve, if the person is not in custody, one copy
6 of the executive instrument shall be delivered to the person and
7 one copy to the clerk of the district court where the judgment is
8 of record. ~~A list of the restorations of rights of citizenship~~
9 ~~issued by the governor shall be delivered to the state registrar~~
10 ~~of voters at least once each month.~~

11 Sec. 6. NEW SECTION. **914.8 Restoration of right to register**
12 **and to vote.**

13 1. A person convicted of a felony criminal offense who has
14 been discharged from probation under section 907.9, discharged
15 from parole or work release under section 906.15, or released
16 from confinement under section 902.6 because the person has
17 completed the person's term of confinement shall have the right
18 to register to vote and to vote restored as provided in this
19 section.

20 2. Upon discharge from confinement or supervision, the
21 department of corrections or judicial district department of
22 correctional services, whichever is applicable, shall provide
23 written notice to the inmate, parolee, or probationer of the
24 person's discharge, which shall include a voter registration form
25 and a statement that the person's right to register to vote
26 and to vote is restored. The notice shall also inform the
27 person that when first registering to vote after discharge, the
28 person must present the discharge notice to the commissioner of
29 registration.

30 EXPLANATION

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

33 This bill requires inmates to be paid the minimum wage for
34 labor performed in or while under the custody of an institution
35 under the control of the department of corrections, and provides

1 for the automatic restoration of the right to vote.

2 Current law provides that the director of the department of
3 corrections may when practicable pay the inmate an allowance as
4 the director deems proper in view of the circumstances, and in
5 view of the cost attending the maintenance of the inmate. The
6 allowance is a gratuitous payment and is not a wage arising out
7 of an employment relationship. The payment shall not exceed the
8 amount paid to free labor for a like or equivalent service.

9 The bill provides that the director shall pay the inmate
10 an hourly wage, which shall not be less than the minimum wage
11 established in Code section 91D.1(1)(b).

12 The bill provides that the director shall establish an inmate
13 account for deposit of inmate wages paid pursuant to Code section
14 904.701 and for deposit of moneys sent to the inmate from a
15 source other than the department of corrections. The director
16 may deduct up to 10 percent of the amount of the wage, to be
17 deposited into the inmate savings fund. The director may also
18 deduct from an inmate account any amount sent to the inmate from
19 a source other than the department of corrections for deposit in
20 the inmate savings fund until the amount in the fund equals the
21 amount due the inmate upon discharge, parole, or placement on
22 work release. The director shall deduct from the inmate account
23 the following: an amount the inmate is legally obligated to
24 pay for child support; an amount established by the inmate's
25 restitution plan of payment; an amount sufficient to pay all
26 or part of any judgment against the inmate, including but not
27 limited to judgments for taxes and child support; court costs
28 and fees assessed as a result of the inmate's confinement; and
29 an amount sufficient to pay all or part of any costs assessed
30 against the inmate for misconduct or damage to the property of
31 others. The director may pay all or any part of remaining wages
32 paid directly to a dependent of the inmate, or may deposit the
33 wages to the account of the inmate, or may deposit a portion and
34 allow the inmate a portion for the inmate's personal use.

35 The bill requires the department of corrections or the

1 judicial district department of correctional services to provide
2 written notice upon discharge from confinement or supervision
3 that a person's voting rights are restored and that the person
4 must provide written notice of discharge when registering to
5 vote. The notice shall also include a voter registration form.

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