

House Study Bill 111 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
CORRECTIONS BILL)

A BILL FOR

1 An Act relating to the duties of the director of the department
2 of corrections, the board of corrections, superintendents, and
3 district directors.

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

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1 Section 1. Section 904.301, Code 2025, is amended to read as
2 follows:

3 **904.301 Appointment of superintendents.**

4 1. The director shall appoint, subject to the approval advice
5 and recommendations of the board, the superintendents of the
6 institutions provided for in section 904.102.

7 2. The superintendent has the immediate custody and control,
8 subject to the orders and policies of the director, of all
9 property used in connection with the institution except as
10 otherwise provided by statute. The tenure of office of a
11 superintendent shall be at the pleasure of the appointing
12 authority but a superintendent may be removed for inability or
13 refusal to properly perform the duties of the office. ~~Removal~~
14 ~~shall occur only after an opportunity is given the person to~~
15 ~~be heard before the board and the director and upon preferred~~
16 ~~written charges. The removal when made is final.~~

17 Sec. 2. Section 904.301A, Code 2025, is amended to read as
18 follows:

19 **904.301A Appointment of directors.**

20 1. The director shall appoint, subject to the approval advice
21 and recommendations of the board, a district director for each
22 district department established in section 904.104A.

23 2. The district director has the immediate custody and
24 control, subject to the orders and policies of the director,
25 of all property used in connection with the district department
26 except as otherwise provided by statute. The tenure of office
27 of a district director shall be at the pleasure of the appointing
28 authority but a district director may be removed for inability or
29 refusal to properly perform the duties of the office.

30 Sec. 3. Section 904.317, subsection 1, Code 2025, is amended
31 to read as follows:

32 1. The director, subject to the approval advice and
33 recommendations of the board, may secure options to purchase
34 real estate and acquire and sell real estate for the proper
35 uses of the institutions. Real estate shall be acquired and

1 sold upon terms and conditions the director recommends subject
2 to the approval of the board. Upon sale of the real estate, the
3 proceeds shall be deposited in a corrections capital reinvestment
4 fund, which is established in the state treasury under the
5 purview of the department. There is appropriated from the fund
6 to the department the proceeds, which may be used to purchase
7 other real estate or for capital improvements upon property under
8 the director's supervision. Notwithstanding section 8.33, moneys
9 in the fund that remain unencumbered or unobligated at the close
10 of a fiscal year shall not revert but shall remain available for
11 expenditure for the purposes designated. Notwithstanding section
12 12C.7, subsection 2, interest or earnings on moneys in the fund
13 shall be credited to the fund.

14 **EXPLANATION**

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

17 This bill relates to the duties of the director of
18 the department of corrections, the board of corrections,
19 superintendents, and district directors.

20 The bill provides that the director of the department
21 of corrections shall appoint, subject to the advice and
22 recommendations of the board, the superintendents of the
23 department of corrections institutions. Current law requires
24 the approval of the board. Current law provides that a
25 superintendent serves at the pleasure of the director but removal
26 of a superintendent shall occur only after an opportunity is
27 given the person to be heard before the board and the director
28 and upon preferred written charges. The bill removes the
29 requirement of an opportunity to be heard.

30 The bill provides that the director shall appoint, subject to
31 the advice and recommendations of the board, a district director
32 for each district department. Current law requires the approval
33 of the board.

34 The bill provides that the district director has the immediate
35 custody and control, subject to the orders and policies of the

1 director, of all property used in connection with the district
2 department except as otherwise provided by statute. The director
3 serves at the pleasure of the appointing authority but a district
4 director may be removed for inability or refusal to properly
5 perform the duties of the office.

6 The bill provides that the director, subject to the advice
7 and recommendations of the board, may secure options to purchase
8 real estate and acquire and sell real estate for the proper uses
9 of the institutions. Current law requires the approval of the
10 board.

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