

House Study Bill 510 - Introduced

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

A BILL FOR

1 An Act relating to the possession of contraband in department of
2 corrections facilities, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 719.7, Code 2026, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 4A. Any punishment imposed under this
4 section upon an inmate of a correctional institution specified
5 in section 904.102 shall be served consecutively to the sentence
6 being served by the inmate at the time of the violation.

7 Sec. 2. Section 719.7A, Code 2026, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 4A. Any punishment imposed under this
10 section upon an inmate of a correctional institution specified
11 in section 904.102 shall be served consecutively to the sentence
12 being served by the inmate at the time of the violation.

13 Sec. 3. NEW SECTION. **719.7B Restricted or disruptive**
14 **contraband — criminal penalties.**

15 1. As used in this section, unless the context otherwise
16 requires:

17 a. "Facility" means a county jail, municipal holding
18 facility, or institution under the management of the department
19 of corrections.

20 b. (1) "Restricted or disruptive contraband" means any
21 object, material, substance, or article that is not inherently
22 illegal to possess under the laws of this state but that is
23 prohibited by the facility due to the threat it poses to the
24 order, discipline, or security of the facility, or to the life,
25 health, or safety of an individual.

26 (2) "Restricted or disruptive contraband" includes but is not
27 limited to any of the following:

28 (a) Tobacco, tobacco products, or electronic smoking devices.

29 (b) Money, currency, negotiable instruments, or other items
30 of value.

31 (c) Cellular telephones, electronic communication devices, or
32 any component thereof, unless otherwise prosecuted under section
33 719.7A.

34 (d) Synthetic cannabinoids or synthetic cannabinoid
35 derivatives, whether or not listed as a controlled substance

1 under chapter 124, unless otherwise prosecuted under section
2 719.7.

3 (e) Pornographic or sexually explicit materials as defined by
4 institutional policy.

5 (f) Any other item designated as restricted or disruptive
6 contraband by the facility.

7 2. A person commits the offense of possessing restricted
8 or disruptive contraband under this section if the person, not
9 authorized by law or facility policy, does any of the following:

10 a. Knowingly introduces, supplies, or attempts to supply
11 restricted or disruptive contraband to any person confined in a
12 correctional facility or jail, or to any person confined while
13 being transported or moved incidental to confinement.

14 b. Knowingly makes, obtains, or possesses restricted or
15 disruptive contraband while confined in a correctional facility
16 or jail, or while being transported or moved incidental to
17 confinement.

18 3. A person who possesses restricted or disruptive contraband
19 commits a class "D" felony.

20 4. a. A person commits the offense of failing to report
21 restricted or disruptive contraband when the person fails to
22 report a known violation or attempted violation of this section
23 to an official or officer at a facility.

24 b. A person who violates this subsection commits an
25 aggravated misdemeanor.

26 5. Any punishment imposed under this section upon an inmate
27 of a correctional institution specified in section 904.102 shall
28 be served consecutively to the sentence being served by the
29 inmate at the time of the violation.

30 6. A sheriff, a supervising law enforcement agency, or the
31 department of corrections may authorize taking an X ray of a
32 person under its control if there is reason to believe that the
33 person is in possession of restricted or disruptive contraband.
34 A licensed physician or x-ray technician under the supervision of
35 a licensed physician shall x-ray the person.

1 7. Nothing in this section is intended to limit the authority
2 of the administrator of any facility to prescribe or enforce
3 rules concerning the definition of restricted or disruptive
4 contraband, and the supplying, making, obtaining, or possession
5 of restricted or disruptive contraband.

6 8. This section shall not be construed to limit or restrict
7 the offenses provided in section 719.7 or 719.7A.

8 EXPLANATION

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

11 This bill relates to the possession of contraband in
12 department of corrections facilities.

13 The bill provides that any punishment for the possession of
14 contraband by an inmate of a facility under the control of the
15 department of corrections shall be served consecutively to the
16 sentence being served by the inmate at the time of the violation.

17 The bill adds a new category of restricted or disruptive
18 contraband. "Restricted or disruptive contraband" means any
19 object, material, substance, or article that is not inherently
20 illegal to possess under the laws of the state but that is
21 prohibited by the facility due to the threat it poses to the
22 order, discipline, or security of the facility, or to the
23 life, health, or safety of an individual. "Restricted or
24 disruptive contraband" includes but is not limited to tobacco,
25 tobacco products, or electronic smoking devices; money, currency,
26 negotiable instruments, or other items of value; cellular
27 telephones, electronic communication devices, or any component
28 thereof, unless otherwise prosecuted under Code section 719.7A;
29 synthetic cannabinoids or synthetic cannabinoid derivatives,
30 whether or not listed as a controlled substance under Code
31 chapter 124, unless otherwise prosecuted under Code section
32 719.7; pornographic or sexually explicit materials as defined by
33 institutional policy; and any other item designated as restricted
34 or disruptive contraband by the facility.

35 The bill authorizes taking an X ray of a person under the

1 control of a facility if there is reason to believe that the
2 person is in possession of restricted or disruptive contraband.
3 A licensed physician or x-ray technician under the supervision of
4 a licensed physician shall x-ray the person.

5 A person who possesses restricted or disruptive contraband
6 commits a class "D" felony. A class "D" felony is punishable
7 by confinement for no more than five years and a fine of at least
8 \$1,025 but not more than \$10,245.

9 The bill provides that a person commits the offense of failing
10 to report restricted or disruptive contraband when the person
11 fails to report a known violation or attempted violation to
12 an official or officer at a facility. A person who violates
13 this provision commits an aggravated misdemeanor. An aggravated
14 misdemeanor is punishable by confinement for no more than two
15 years and a fine of at least \$855 but not more than \$8,540.