

**House File 349 - Reprinted**

HOUSE FILE 349

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 55)

(As Amended and Passed by the House March 21, 2023)

**A BILL FOR**

1 An Act relating to probation, including discharge credits,  
2 educational credits, and workforce credits, and including  
3 effective date provisions.

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

1 Section 1. Section 907.1, Code 2023, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 01. "*Adult criminal problem-solving court*"  
4 means a court program under direct supervision of a judge  
5 established to treat drug or alcohol addiction or mental  
6 illness of adults charged with criminal offenses.

7 NEW SUBSECTION. 2A. "*Discharge credit*" means a fourteen-day  
8 reduction from a defendant's term of probation for each full  
9 calendar month the defendant is in compliance with the terms  
10 of the defendant's probation.

11 NEW SUBSECTION. 2B. "*Educational credit*" means a ninety-day  
12 reduction from a defendant's term of probation when a  
13 defendant earns a high school diploma, high school equivalency  
14 certificate, or academic degree or completes a certified  
15 vocational, technical, or career education or training program.

16 NEW SUBSECTION. 6. "*Special probation program*" means a  
17 program under the supervision of a district court or a judicial  
18 district department of correctional services established to  
19 treat drug or alcohol addiction, mental illness, or domestic  
20 or sexual abuse of the parties involved in a criminal case,  
21 or to improve outcomes for persons involved in the program  
22 including an intermediate criminal sanctions program under  
23 section 901B.1.

24 NEW SUBSECTION. 7. "*Workforce credit*" means a thirty-day  
25 reduction from a defendant's term of probation for each  
26 six-month period in which a defendant maintains verifiable  
27 employment.

28 Sec. 2. Section 907.9, Code 2023, is amended by adding the  
29 following new subsections:

30 NEW SUBSECTION. 6. a. On or after July 1, 2024, a  
31 defendant on probation shall earn a discharge credit from the  
32 defendant's term of probation for each full calendar month in  
33 which the defendant is in compliance with the terms of the  
34 defendant's probation.

35 b. A defendant shall not earn a discharge credit for a

1 calendar month in which a violation has occurred, the defendant  
2 has absconded from probation, or the defendant is incarcerated,  
3 except that a defendant shall be retroactively awarded a  
4 discharge credit for a calendar month in which a violation  
5 allegedly occurred if the violation is not sustained by the  
6 court.

7 c. A defendant shall not earn a discharge credit for a  
8 partial calendar month or the last full calendar month of  
9 probation.

10 NEW SUBSECTION. 7. On or after July 1, 2024, a defendant on  
11 probation shall earn an educational credit from the defendant's  
12 term of probation when a defendant earns a high school diploma,  
13 high school equivalency certificate, or academic degree  
14 or completes a certified vocational, technical, or career  
15 education or training program.

16 NEW SUBSECTION. 8. On or after July 1, 2024, a  
17 defendant on probation shall earn a workforce credit from  
18 the defendant's term of probation for each six-month period  
19 in which a defendant maintains verifiable employment for at  
20 least an average of thirty hours per week. The defendant's  
21 probation officer may verify such employment through  
22 supporting documentation, which may include but is not  
23 limited to any record, letter, pay stub, contract, or other  
24 department-approved methods of verification.

25 NEW SUBSECTION. 9. Beginning July 1, 2024, at least  
26 two times per year, the defendant's probation officer shall  
27 provide the defendant with an accounting of the defendant's  
28 discharge credits, educational credits, and workforce credits,  
29 if applicable, that have accrued under subsections 6, 7, and  
30 8. The department of corrections shall, without leave of  
31 court, award any accrued credits under subsections 6, 7, and  
32 8 toward the completion of the defendant's probation except  
33 that the maximum reduction of the defendant's probation term  
34 earned through the application of the credits shall not exceed  
35 forty percent of the probation period imposed and the defendant

1 shall not be discharged from probation until the defendant's  
2 probation officer determines that fees imposed under section  
3 905.14 and court debt collected pursuant to section 602.8107  
4 have been paid or are subject to a payment plan. The  
5 department of corrections shall adopt rules to implement the  
6 provisions of this subsection.

7 NEW SUBSECTION. 10. Subsections 6, 7, 8, and 9 shall not  
8 apply to proceedings in adult criminal problem-solving courts  
9 and special probation programs unless the problem-solving court  
10 or special probation program adopts some or all of subsections  
11 6, 7, 8, and 9.

12 NEW SUBSECTION. 11. Beginning July 1, 2024, the department  
13 of corrections shall collect information and report annually  
14 in a public report made available no later than December 1  
15 of each year the number of defendants on probation who have  
16 earned discharge credits, educational credits, and workforce  
17 credits pursuant to subsections 6, 7, and 8 during that year,  
18 the average amount of credits earned per defendant during that  
19 year, the total number of supervision days reduced due to  
20 the awarding of credits during that year, and the number of  
21 defendants terminated from probation early that year.

22 Sec. 3. EFFECTIVE DATE. This Act takes effect July 1, 2024.