



House Republican Staff Analysis

Bill: HF 271
Committee: Judiciary
Date: 3/3/2011
Member: Hagenow
Staff: Amanda Freel (1-5230)

Summary

Amends §811.1 to mirror §702.11 which was amended in 2010

Summary of Action

- Subcommittee 2/10/11
 - Committee (20-0) 2/10/11
 - Passed House (98-0) 3/3/11
 - Passed Senate 50-0) 3/28/11
 - Signed by Governor 4/5/11
-

Section-by-Section Analysis

Section I 811.1 Bail and bail restrictions

Amends §811.1 to mirror §702.11. A defendant before and after conviction or during an appeal can post bond except if they have committed a forcible felony. Removes listed crimes that did not mirror §702.11

8.11 Bail and bail restrictions

Defendants charged with robbery in the second degree would not be eligible for bond upon plea or verdict of guilty.

Section II and III

Adds municipal holding facilities to the list of facilities a prisoner can earn credit for time served.

The reason for these sections is that some judges in Polk County did not count the West Des Moines Jail or the Clive Jail in the list of facilities a prisoner could earn credit for time served. This amendment clarifies the language in the statute. Most other cities in Polk County take their prisoners directly to the county jail, and time in the county jail counts towards time served. This section makes time served in either the city jail, county jail or other facility all equal.