



KIM REYNOLDS  
GOVERNOR

OFFICE OF THE GOVERNOR

ADAM GREGG  
LT GOVERNOR

April 10, 2024

The Honorable Paul Pate  
Secretary of State of Iowa  
State Capitol  
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

Senate File 2243, an Act relating to sexual exploitation of a minor by the creation, adaptation, or modification of a visual depiction to give the appearance that an identifiable minor is engaged in a prohibited sexual act or the simulation of a prohibited sexual act, and making penalties applicable.

The above Senate File is hereby approved on this date.

Sincerely,

A handwritten signature in black ink that reads "Kim Reynolds".

Kim Reynolds  
Governor of Iowa

cc: Secretary of the Senate  
Clerk of the House



Senate File 2243

AN ACT

RELATING TO SEXUAL EXPLOITATION OF A MINOR BY THE CREATION, ADAPTATION, OR MODIFICATION OF A VISUAL DEPICTION TO GIVE THE APPEARANCE THAT AN IDENTIFIABLE MINOR IS ENGAGED IN A PROHIBITED SEXUAL ACT OR THE SIMULATION OF A PROHIBITED SEXUAL ACT, AND MAKING PENALTIES APPLICABLE.

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

Section 1. Section 728.12, subsection 3, Code 2024, is amended to read as follows:

3. a. It shall be unlawful to knowingly purchase or possess a visual depiction of a minor engaging in a prohibited sexual act or the simulation of a prohibited sexual act.

b. A visual depiction containing pictorial representations of different minors shall be prosecuted and punished as separate offenses for each pictorial representation of a different minor in the visual depiction. However, violations of this subsection involving multiple visual depictions of the same minor shall be prosecuted and punished as one offense.


c. A person who commits a violation of this subsection commits a class "D" felony for a first offense and a class "C" felony for a second or subsequent offense.

d. For purposes of this subsection, an offense is considered a second or subsequent offense if, prior to the person's having been convicted under this subsection, the person has a prior conviction or deferred judgment under this subsection or has a prior conviction or deferred judgment in another jurisdiction

for a substantially similar offense. The court shall judicially notice the statutes of other states that define offenses substantially similar to the offenses defined in this subsection and that therefore can be considered corresponding statutes.

e. Nothing in this subsection shall be construed to require proof of the actual identity of the identifiable minor.

f. For purposes of this subsection, "visual depiction of a minor" includes any visual depiction that has been created, adapted, or modified to give the appearance that an identifiable minor is engaged in a prohibited sexual act or the simulation of a prohibited sexual act. An "identifiable minor" is a person who was a minor at the time the visual depiction was created, adapted, or modified, or whose image as a minor was used in creating, adapting, or modifying the visual depiction and is recognizable as an actual person by the person's face, likeness, or other distinguishing features.



AMY SINCLAIR  
President of the Senate



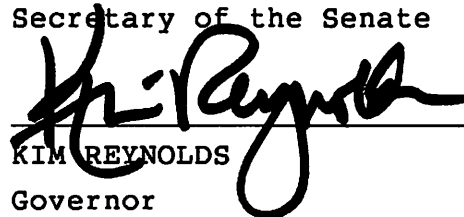
PAT GRASSLEY  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2243, Ninetieth General Assembly.



W. CHARLES SMITHSON  
Secretary of the Senate

Approved April 10<sup>th</sup>, 2024



KIM REYNOLDS  
Governor