

five thousand dollars in value or theft of a motor vehicle as defined in chapter 321, irrespective of value, is theft in the second degree. Theft in the second degree is a class "D" felony.

3. The theft of property exceeding one hundred dollars but not exceeding five hundred dollars in value, or the theft of any property not exceeding one hundred dollars in value by one who has before been twice convicted of theft, is theft in the third degree. Theft in the third degree is an aggravated misdemeanor.

Sec. 10. Section 802.3, Code 1981, is amended to read as follows:

802.3 FELONY-*AGGRAVATED OR SERIOUS MISDEMEANOR. In all cases, except those enumerated in ~~sections~~ section 802.1 ~~and--802-2,~~ an indictment or information for a felony or aggravated or serious misdemeanor shall be found within three years after its commission.

Sec. 11. Section 802.5, Code 1981, is amended to read as follows:

802.5 EXTENSION FOR FRAUD, FIDUCIARY BREACH. If the period prescribed in ~~sections 802-2,~~ 802.3 and 802.4 has expired, prosecution may nevertheless be commenced for any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has legal duty to represent an aggrieved party and who is himself or herself not a party to the offense, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years.

Sec. 12. Section 802.2, Code 1981, is repealed.

Approved June 19, 1981

CHAPTER 205
TRESPASS ON PRIVATE PROPERTY

S. F. 289

AN ACT relating to trespass on private property and imposing a penalty.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 716.7, subsection 2, paragraph a, Code 1981, is amended to read as follows:

a. Entering upon or in property ~~without--justification--or~~ without the ~~implied--or--actual~~ express permission of the owner, lessee, or person in lawful possession with the intent to commit a public offense ~~or,~~ to use, remove therefrom, alter, damage, harass, or place thereon or therein anything animate or inanimate, or to hunt, fish or trap on or in the property. This paragraph does not prohibit the unarmed pursuit of game or furbearing animals lawfully injured or killed which come to rest on or escape to the property of another.

Approved June 17, 1981

*According to enrolled Act