

CHAPTER 107

DNA SAMPLES FROM AGGRAVATED MISDEMEANANTS

H.F. 527

AN ACT requiring certain aggravated misdemeanants to submit a DNA sample and including effective date provisions.

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

Section 1. Section 81.1, Code 2013, is amended by adding the following new subsection:
NEW SUBSECTION. 01. “*Aggravated misdemeanor*” means an offense classified as an aggravated misdemeanor committed by a person eighteen years of age or older on or after the effective date of this Act, other than any of the following offenses:

a. A violation of chapter 321.

b. A second offense violation of section 321J.2, unless the person has more than one previous revocation as determined pursuant to section 321J.2, subsection 8, within the twelve-year period immediately preceding the commission of the offense in question.

c. A violation of chapter 716B.

d. A violation of chapter 717A.

e. A violation of section 725.7.

Sec. 2. Section 81.2, subsection 1, Code 2013, is amended to read as follows:

1. A person who receives a deferred judgment for a felony or against whom a judgment or conviction for a felony or aggravated misdemeanor has been entered shall be required to submit a DNA sample for DNA profiling pursuant to section 81.4.

Sec. 3. Section 81.10, subsection 1, Code 2013, is amended to read as follows:

1. A defendant who has been convicted of a felony or aggravated misdemeanor and who has not been required to submit a DNA sample for DNA profiling may make a motion to the court for an order to require that DNA analysis be performed on evidence collected in the case for which the person stands convicted.

Sec. 4. IMPLEMENTATION OF ACT. Section 25B.2, subsection 3, shall not apply to this Act.

Sec. 5. EFFECTIVE DATE. This Act takes effect July 1, 2014.

Approved May 15, 2013