

Senate File 2018 - Introduced

SENATE FILE 2018

BY DAWSON

A BILL FOR

1 An Act relating to bestiality and providing penalties.

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

1 Section 1. Section 717C.1, subsection 1, paragraph b, Code
2 2024, is amended to read as follows:

3 b. ~~"Sex act" means any sexual contact between a person and~~
4 ~~an animal by penetration of the penis into the vagina or anus,~~
5 ~~contact between the mouth and genitalia, or by contact between~~
6 ~~the genitalia of one and the genitalia or anus of the other.~~
7 of the following conduct that is not an accepted veterinary
8 medical practice, an accepted animal husbandry practice that
9 provides care for animals, an accepted practice related to the
10 insemination of animals for the purpose of procreation, or an
11 accepted practice related to conformation judging:

12 (1) An act between a person and an animal involving physical
13 contact between the sex organ, genitals, or anus of one and the
14 mouth, sex organ, genitals, or anus of the other.

15 (2) Any touching or fondling by a person, either directly
16 or through clothing, of the sex organ, genitals, or anus of
17 an animal or any insertion, however slight, of any part of a
18 person's body or any object into the vaginal or anal opening
19 of an animal.

20 (3) Any insertion, however slight, of any part of an
21 animal's body into the vaginal or anal opening of a person.

22 (4) Advertising, offering, selling, transferring,
23 purchasing, or otherwise obtaining an animal with the intent
24 that the animal be used for sexual contact in this state.

25 (5) Organizing, promoting, conducting, or participating
26 as an observer of an act involving conduct described in
27 subparagraph (1), (2), or (3).

28 (6) Permitting conduct described in subparagraph (1), (2),
29 or (3) to occur in any premises under the person's ownership
30 or control.

31 (7) Photographing or filming obscene material, as defined
32 in section 728.1, depicting a person engaging in conduct
33 described in subparagraph (1), (2), or (3).

34 (8) Distributing, selling, publishing, or transmitting
35 obscene material, as defined in section 728.1, depicting a

1 person engaged in conduct described in subparagraph (1), (2),
2 or (3).

3 (9) Possessing with the intent to distribute, sell,
4 publish, or transmit obscene material, as defined in section
5 728.1, depicting a person engaged in conduct described in
6 subparagraph (1), (2), or (3).

7 (10) Forcing, coercing, enticing, or encouraging a minor to
8 engage in conduct described in subparagraph (1), (2), or (3).

9 Sec. 2. Section 717C.1, subsection 2, Code 2024, is amended
10 to read as follows:

11 2. a. A person who performs a sex act with an animal is
12 guilty of an aggravated misdemeanor.

13 b. A person who commits a second or subsequent violation of
14 this section is guilty of a class "D" felony.

15 c. A person previously convicted of a violation of section
16 717B.2, 717B.3, 717B.3A, or 717B.3B who commits a violation of
17 this section is guilty of a class "D" felony.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill relates to bestiality.

22 Under current law, a person who performs a sex act with an
23 animal is guilty of an aggravated misdemeanor. Current law
24 defines "sex act" as any sexual contact between a person and
25 an animal by penetration of the penis into the vagina or anus,
26 contact between the mouth and genitalia, or by contact between
27 the genitalia of one and the genitalia or anus of the other.

28 The bill provides that a "sex act" includes the following
29 conduct that is not an accepted veterinary medical practice,
30 an accepted animal husbandry practice that provides care for
31 animals, an accepted practice related to the insemination
32 of animals for the purpose of procreation, or an accepted
33 practice related to conformation judging: an act between a
34 person and an animal involving physical contact between the
35 sex organ, genitals, or anus of one and the mouth, sex organ,

1 genitals, or anus of the other; any touching or fondling by
2 a person, either directly or through clothing, of the sex
3 organ, genitals, or anus of an animal or any insertion, however
4 slight, of any part of a person's body or any object into the
5 vaginal or anal opening of an animal; any insertion, however
6 slight, of any part of an animal's body into the vaginal or
7 anal opening of a person; advertising, offering, selling,
8 transferring, purchasing, or otherwise obtaining an animal with
9 the intent that the animal be used for sexual contact in this
10 state; organizing, promoting, conducting, or participating
11 as an observer of an act involving a sex act with an animal;
12 permitting a sex act with an animal to occur in any premises
13 under the person's ownership or control; photographing or
14 filming obscene material depicting a person engaging in a
15 sex act with an animal; distributing, selling, publishing,
16 or transmitting obscene material depicting a person engaged
17 in a sex act with an animal; possessing with the intent
18 to distribute, sell, publish, or transmit obscene material
19 depicting a person engaged in a sex act with an animal; or
20 forcing, coercing, enticing, or encouraging a minor to engage
21 in a sex act with an animal.

22 The bill provides that a person who performs a sex act
23 with an animal is guilty of an aggravated misdemeanor. A
24 second or subsequent violation is a class "D" felony. A
25 person who was previously convicted of a violation of Code
26 section 717B.2 (animal abuse), 717B.3 (animal neglect), 717B.3A
27 (animal torture), or 717B.3B (animal mistreatment) who commits
28 bestiality is guilty of a class "D" felony. An aggravated
29 misdemeanor is punishable by confinement for no more than two
30 years and a fine of at least \$855 but not more than \$8,540. A
31 class "D" felony is punishable by confinement for no more than
32 five years and a fine of at least \$1,025 but not more than
33 \$10,245.

34 Current law also requires a person convicted of bestiality
35 to submit to a psychological evaluation and treatment at the

S.F. 2018

1 person's expense, in addition to any sentence authorized by
2 law.