

**Senate Study Bill 3029 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON ZAUN)

**A BILL FOR**

1 An Act relating to an assault committed by a person against  
2 whom a protective order is issued, and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 708.2E Assault committed by a  
2 person against whom a protective order is issued.

3 1. For purposes of this section:

4 a. "Protective order" means a protective order issued by  
5 a court of this state and in effect pursuant to chapter 236  
6 or chapter 664A, or a protective order issued by a court of  
7 another state under conditions substantially similar to those  
8 provided in chapter 236 or chapter 664A if the order would have  
9 been issued in this state.

10 b. "Assault" means any offense defined in sections 708.1 or  
11 708.2A.

12 2. A person against whom a protective order has been issued  
13 who commits an assault against a person protected by the same  
14 protective order, if the protective order is in effect at the  
15 time of the assault, is guilty of a class "D" felony.

16 3. An offense charged under this section shall constitute a  
17 separate and distinct violation from any other offense charged  
18 under this chapter or chapter 664A.

19 EXPLANATION

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

22 This bill relates to an assault committed by a person against  
23 whom a protective order is issued.

24 Under current law, a violation of a protective order issued  
25 under Code chapter 664A (no-contact orders) or Code chapter 236  
26 (domestic abuse) is punishable as either contempt of court or  
27 as a simple misdemeanor.

28 The bill provides that a person against whom a protective  
29 order has been issued who commits an assault, which is defined  
30 in the bill as any offense defined in Code sections 708.1  
31 (assault defined) or 708.2A (domestic abuse assault), against  
32 a person protected by the same protective order, if the  
33 protective order is in effect at the time of the assault, is  
34 guilty of a class "D" felony.

35 The bill provides that an offense charged under the bill

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1 constitutes a separate and distinct violation from any other  
2 offense charged under Code chapters 664A or 708.

3 A class "D" felony is punishable by confinement for no more  
4 than five years and a fine of at least \$1,025 but not more than  
5 \$10,245.