

692A.126 Sexually motivated offense — determination.

1. If a judge or jury makes a determination, beyond a reasonable doubt, that any of the following offenses for which a conviction has been entered on or after July 1, 2009, are sexually motivated, the person shall be required to register as provided in this chapter:

- a. Murder in the first degree in violation of section 707.2.
- b. Murder in the second degree in violation of section 707.3.
- c. Voluntary manslaughter in violation of section 707.4.
- d. Involuntary manslaughter in violation of section 707.5.
- e. Attempt to commit murder in violation of section 707.11.
- f. Harassment in violation of section 708.7, subsection 1, 2, or 3.
- g. Stalking in violation of section 708.11, subsection 3, paragraph “b”, subparagraph (3).
- h. Any other indictable offense in violation of chapter 708 if the offense was committed against a minor or otherwise involves a minor.
- i. Kidnapping in the first degree in violation of section 710.2.
- j. Kidnapping in the second degree in violation of section 710.3.
- k. Kidnapping in the third degree in violation of section 710.4.
- l. Child stealing in violation of section 710.5.
- m. Purchase or sale or attempted purchase or sale of an individual in violation of section 710.11.
- n. Burglary in the first degree in violation of section 713.3, subsection 1, paragraph “a”, “b”, or “c”.
- o. Attempted burglary in the first degree in violation of section 713.4.
- p. Burglary in the second degree in violation of section 713.5.
- q. Attempted burglary in the second degree in violation of section 713.6.
- r. Burglary in the third degree in violation of section 713.6A.
- s. Attempted burglary in the third degree in violation of section 713.6B.
- t. Pimping in violation of section 725.2 if the offense was committed against a minor or otherwise involves a minor.
- u. Pandering in violation of section 725.3, subsection 2.
- v. Any indictable offense in violation of chapter 726 if the offense was committed against a minor or otherwise involves a minor.

2. a. The following persons shall be required to register as provided in this chapter if the department makes a determination that the offense was sexually motivated:

(1) A person convicted of an offense in this state specified under subsection 1 prior to July 1, 2009.

(2) A person convicted of an offense in another jurisdiction, or convicted of an offense that was prosecuted in a federal, military, or foreign court, prior to, on, or after July 1, 2009, that is comparable to an offense specified in subsection 1.

(3) A juvenile convicted of an offense in another jurisdiction, or convicted of an offense as a juvenile in a similar juvenile court proceeding in a federal, military, or foreign court, prior to, on, or after July 1, 2009, that is comparable to an offense specified in subsection 1.

b. A determination made pursuant to this subsection shall be issued in writing and shall include a summary of the information and evidence considered in making the determination that the offense was sexually motivated.

c. The determination made by the department shall be subject to judicial review in accordance with chapter 17A.

2009 Acts, ch 119, §26; 2010 Acts, ch 1104, §14, 23

Section amended