

SENATE FILE 222
BY GIANNETTO

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the possession of an actual or simulated
2 explosive or incendiary device and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 222

1 Section 1. Section 712.6, Code 1995, is amended to read as
2 follows:

3 712.6 POSSESSION OF EXPLOSIVE OR INCENDIARY MATERIALS OR
4 DEVICES -- ACTUAL OR SIMULATED.

5 1. Any person who shall possess any actual or simulated
6 incendiary or explosive device or material with the intent to
7 use such device or material to commit any public offense shall
8 be guilty of a class "C" felony.

9 2. Any person who possesses any actual or simulated
10 incendiary or explosive device or material and who is not a
11 person authorized under section 724.2 to possess the device or
12 material shall be guilty of a class "D" felony.

13 EXPLANATION

14 This bill provides that the possession with the intent to
15 commit a public offense of a simulated explosive or incendiary
16 device is a class "C" felony and that the illegal possession
17 of a real or simulated explosive or incendiary device is a
18 class "D" felony. A person possesses an incendiary device
19 illegally if the person is not authorized to possess offensive
20 weapons under section 724.2.

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