CHAPTER 18

ASSAULT — OFFENSE AGAINST JUVENILE DETENTION STAFF AND CERTAIN INVESTIGATORS AND INSPECTORS

S.F. 397

AN ACT relating to assaults, including assaults on persons engaged in certain occupations and inmate assaults on department of corrections employees, and providing penalties.

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

Section 1. Section 708.3A, subsections 1, 2, 3, and 4, Code 2025, are amended to read as follows:

1. A person who commits an assault, as defined in section 708.1, against a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, whether paid or volunteer, with the knowledge that the person against whom the assault is committed is a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter and with the intent to inflict a serious injury upon the peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, is guilty of a class ~~"D"~~ "C" felony.

2. A person who commits an assault, as defined in section 708.1, against a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, whether paid or volunteer, who knows that the person against whom the assault is committed is a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter and who uses or displays a dangerous weapon in connection with the assault, is guilty of a class ~~"D"~~ "C" felony.

3. A person who commits an assault, as defined in section 708.1, against a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, whether paid or volunteer, who knows that the person against whom the assault is committed is a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider,

employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, and who causes bodily injury or mental illness, is guilty of ~~an aggravated misdemeanor~~ a class "D" felony.

4. Any other assault, as defined in section 708.1, including an assault causing another to come into contact with saliva by throwing, tossing, spitting, or expelling the fluid, committed against a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, whether paid or volunteer, by a person who knows that the person against whom the assault is committed is a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, is ~~a serious~~ an aggravated misdemeanor. A person convicted of violating this subsection shall serve a minimum term of seven days of the sentence imposed by law, and shall not be eligible for suspension of the minimum sentence.

Sec. 2. Section 708.3B, Code 2025, is amended to read as follows:

708.3B Inmate assaults — bodily fluids or secretions.

A person who, while confined in a jail or in an institution or facility under the control of the department of corrections, commits any of the following acts commits a class "D" felony:

1. An assault, as defined under section 708.1, upon an employee of the jail or institution or facility under the control of the department of corrections~~, which~~ that results in the employee's contact with blood, seminal fluid, urine, saliva, or feces.

2. An act ~~which~~ that is intended to cause pain or injury or be insulting or offensive and ~~which~~ that results in blood, seminal fluid, urine, saliva, or feces being cast or expelled upon an employee of the jail or institution or facility under the control of the department of corrections.

Approved April 18, 2025