

692A.7 Failure to comply penalty.

1. A person required to register under this chapter who violates any requirements specified under sections 692A.2, 692A.3, and 692A.4 commits an aggravated misdemeanor for a first offense and a class "D" felony for a second or subsequent offense. A person required to register under this chapter who violates any requirements specified under section 692A.3A commits a serious misdemeanor for a first offense and a class "D" felony for a second or subsequent offense. However, a person required to register under this chapter who violates any of the requirements specified under section 692A.2, 692A.3, 692A.3A, or 692A.4 and who commits a criminal offense against a minor, sexual exploitation, an other relevant offense, or a sexually violent offense is guilty of a class "C" felony. Any fine imposed for a second or subsequent violation shall not be suspended. The court shall not defer judgment or sentence for any violation of any requirements specified under section 692A.2, 692A.3, 692A.3A, or 692A.4. A violation by a person, who is on probation, parole, work release, or any other form of release, of any requirements specified under section 692A.2, 692A.3, 692A.3A, or 692A.4 shall result in the automatic revocation of the person's probation, parole, or work release. For purposes of this subsection, a violation occurs when a person knows or reasonably should know of the duty to fulfill a requirement specified in the offense charged.

2. In determining if a violation is a second or subsequent offense, a conviction for a violation of this section which occurred more than ten years prior to the date of the violation charged shall not be considered in determining that the violation charged is a second, third, or subsequent offense. Violations in any other states under sex offender registry provisions that are substantially similar to those contained in this section shall be counted as previous offenses. The court shall judicially notice the statutes of other states which are substantially equivalent to this section.

95 Acts, ch 146, §7; 98 Acts, ch 1169, §11; 2000 Acts, ch 1044, §3, 4; 2002 Acts, ch 1020, §3; 2002 Acts, ch 1119, §192