

692A.114 Residency restrictions — presence — child care facilities and schools.

1. As used in this section:

a. “*Minor*” means a person who is under eighteen years of age or who is enrolled in a secondary school.

b. “*School*” means a public or nonpublic elementary or secondary school.

c. “*Sex offender*” means a person required to be registered under this chapter who has been convicted of an aggravated offense against a minor.

2. A sex offender shall not reside within two thousand feet of the real property comprising a school or a child care facility.

3. A sex offender residing within two thousand feet of the real property comprising a school or a child care facility does not commit a violation of this section if any of the following apply:

a. The sex offender is required to serve a sentence at a jail, prison, juvenile facility, or other correctional institution or facility.

b. The sex offender is subject to an order of commitment under chapter 229A.

c. The sex offender has established a residence prior to July 1, 2002.

d. The sex offender has established a residence prior to any newly located school or child care facility being established.

e. The sex offender is a minor.

f. The sex offender is a ward in a guardianship, and a district judge or associate probate judge grants an exemption from the residency restriction.

g. The sex offender is a patient or resident at a health care facility as defined in section 135C.1 or a patient in a hospice program, and a district judge or associate probate judge grants an exemption from the residency restriction.

2009 Acts, ch 119, §14