

**702.11 Forcible felony.**

1. A “*forcible felony*” is any felonious child endangerment, assault, murder, sexual abuse, kidnapping, robbery, arson in the first degree, or burglary in the first degree.

2. Notwithstanding subsection 1, the following offenses are not forcible felonies:

- a. Willful injury in violation of section 708.4, subsection 2.
- b. Sexual abuse in the third degree committed between spouses.
- c. Sexual abuse in violation of section 709.4, subsection 1, paragraph “b”, subparagraph (3), subparagraph division (d).
- d. Sexual exploitation by a counselor, therapist, or school employee in violation of section 709.15.
- e. Child endangerment subject to penalty under section 726.6, subsection 6.
- f. Assault in violation of section 708.2, subsection 4.
- g. Domestic abuse assault in violation of section 708.2A, subsection 5.
- h. Removal of an officer’s communication or control device in violation of section 708.12, subsection 3, paragraph “f”.

[C79, 81, §702.11]

85 Acts, ch 180, §2; 89 Acts, ch 138, §2; 91 Acts, ch 130, §1; 92 Acts, ch 1163, §117; 94 Acts, ch 1023, §69; 99 Acts, ch 65, §2; 2001 Acts, ch 3, §1; 2001 Acts, ch 176, §79; 2003 Acts, ch 180, §64; 2004 Acts, ch 1151, §2; 2010 Acts, ch 1072, §1; 2012 Acts, ch 1002, §3; 2013 Acts, ch 30, §248; 2013 Acts, ch 52, §1

Referred to in §232.52, 272.2, 670A.1, 723A.1, 808B.3, 811.1, 915.10

[P] Sentencing options excluded, see §907.3

[T] Subsection 2, paragraph c amended

[T] Subsection 2, NEW paragraph h