

716.5 Criminal mischief in the third degree.

1. Criminal mischief is criminal mischief in the third degree if any of the following apply:
 - a. The cost of replacing, repairing, or restoring the property that is damaged, defaced, altered, or destroyed exceeds five hundred dollars, but does not exceed one thousand dollars.
 - b. The property is a deed, will, commercial paper or any civil or criminal process or other instrument having legal effect.
 - c. The act consists of rendering substantially less effective than before any light, signal, obstruction, barricade, or guard which has been placed or erected for the purpose of enclosing any unsafe or dangerous place or of alerting persons to an unsafe or dangerous condition.
 - d. The person intentionally disinters human remains from a burial site without lawful authority.
 - e. The person intentionally disinters human remains that have state and national significance from an historical or scientific standpoint for the inspiration and benefit of the United States without the permission of the state archaeologist.
 - f. The act is committed upon property that consists of a device that has the ability to process a payment card as defined in [section 715A.10](#).

2. Criminal mischief in the third degree is an aggravated misdemeanor.

[C51, §2638, 2714, 2746; R60, §4265, 4356, 4396; C73, §3929, 4017, 4075; C97, §4865, 4945, 5043; C24, 27, 31, 35, 39, §**13050, 13100, 13148**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §713.5, 714.21, 718.10; C79, 81, §716.5]

[83 Acts, ch 99, §1](#); [92 Acts, ch 1060, §10](#); [2009 Acts, ch 41, §169](#); [2018 Acts, ch 1011, §2](#)

Referred to in [§523L.316](#), [716.6A](#), [717A.3](#)

Subsection 1, NEW paragraph f