

709.3 Sexual abuse in the second degree.

1. A person commits sexual abuse in the second degree when the person commits sexual abuse under any of the following circumstances:

a. During the commission of sexual abuse the person displays in a threatening manner a dangerous weapon, or uses or threatens to use force creating a substantial risk of death or serious injury to any person.

b. The other person is a child.

c. The person is aided or abetted by one or more persons and the sex act is committed by force or against the will of the other person against whom the sex act is committed.

2. Sexual abuse in the second degree is a class "B" felony.

[C51, §2581; R60, §4204; C73, §3861; C97, §4756; C24, 27, 31, 35, 39, §12966; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §698.1; C79, 81, §709.3]

[84 Acts, ch 1188, §2](#); [99 Acts, ch 159, §3](#); [2013 Acts, ch 90, §228](#); [2021 Acts, ch 37, §3](#)

Referred to in [§321.375](#), [664A.2](#), [692A.101](#), [692A.102](#), [709.19](#), [709.23](#), [901A.2](#), [902.12](#), [902.14](#), [903B.10](#), [906.15](#)

Definition of child, [§702.5](#)

Definition of forcible felony, [§702.11](#)

Definition of sex act, [§702.17](#)

Sentencing restrictions for forcible felonies and mandatory reporters of child abuse, see [§907.3](#)

Subsection 1, paragraph b amended