

726.26 Dependent adult abuse — initiation of charges — penalty.

1. For the purposes of [this section](#), “*caretaker*”, “*dependent adult*”, and “*dependent adult abuse*” mean the same as defined in [section 235B.2](#).

2. A charge of dependent adult abuse may be initiated upon the complaint of a private individual, as a result of an investigation by a social service agency, or on the direct initiative of the office of the attorney general, a county attorney, or a law enforcement agency.

3. A caretaker who intentionally or recklessly commits dependent adult abuse is guilty of murder in the second degree in violation of [section 707.3](#) if the intentional or reckless dependent adult abuse results in the death of the dependent adult.

4. A caretaker who intentionally commits dependent adult abuse is guilty of a class “C” felony if the intentional dependent adult abuse results in serious injury.

5. A caretaker who recklessly commits dependent adult abuse is guilty of a class “D” felony if the reckless dependent adult abuse results in serious injury.

6. A caretaker who intentionally commits dependent adult abuse is guilty of a class “C” felony if the intentional dependent adult abuse results in physical injury.

7. A caretaker who commits dependent adult abuse by exploitation of a dependent adult is guilty of a class “D” felony if the value of the property, assets, or resources exceeds one hundred dollars.

8. A caretaker who recklessly commits dependent adult abuse is guilty of an aggravated misdemeanor if the reckless dependent adult abuse results in physical injury.

9. A caretaker who otherwise intentionally or knowingly commits dependent adult abuse is guilty of a serious misdemeanor.

10. A caretaker who commits dependent adult abuse by exploitation of a dependent adult is guilty of a simple misdemeanor if the value of the property, assets, or resources is one hundred dollars or less.

11. A caretaker alleged to have committed dependent adult abuse shall be charged with the respective offense cited, unless a charge may be brought based upon a more serious offense, in which case the charge of the more serious offense shall supersede the less serious charge.

[2022 Acts, ch 1132, §6](#); [2022 Acts, ch 1153, §47](#)

Referred to in [§235E.4](#), [272C.15](#), [671A.2](#)

NEW section