

CHAPTER 705

SOLICITATION

Referred to in [§331.307](#), [364.22](#), [701.1](#)

705.1 Solicitation.

705.2 Renunciation.

705.1 Solicitation.

1. A person solicits another person to commit a felony or aggravated misdemeanor when the person commands, entreats, or otherwise attempts to persuade the other person to commit a particular felony or aggravated misdemeanor, with the intent that such act be done and under circumstances which corroborates that intent by clear and convincing evidence.

2. A person who solicits another person to commit a felony of any class commits a class “D” felony.

3. A person who solicits another person to commit an aggravated misdemeanor commits an aggravated misdemeanor.

[C79, 81, §705.1]

[2013 Acts, ch 90, §221](#)

Referred to in [§692A.102](#), [704.11](#)

Solicitation to commit murder, see [§707.3A](#)

705.2 Renunciation.

It is a defense to a prosecution for solicitation that the defendant, after soliciting another person to commit a felony or aggravated misdemeanor, persuaded the person not to do so or otherwise prevented the commission of the offense, under circumstances manifesting a complete and voluntary renunciation of the defendant’s criminal intent. A renunciation is not “*voluntary and complete*” if it is motivated in whole or in part by either of the following:

1. The person’s belief that circumstances exist which increase the possibility of detection or apprehension of the defendant or another or which make more difficult the consummation of the offense.

2. The person’s decision to postpone the offense until another time or to substitute another victim or another but similar objective.

[C79, 81, §705.2]

[2013 Acts, ch 90, §222](#)

Referred to in [§707.3A](#)