

718C.2 Illegal reentry into state by certain aliens.

1. A person who is an alien commits an offense if the person enters, attempts to enter, or is at any time found in this state under any of the following circumstances:

a. The person has been denied admission to or has been excluded, deported, or removed from the United States.

b. The person has departed from the United States while an order of exclusion, deportation, or removal is outstanding.

2. An offense under [this section](#) is an aggravated misdemeanor, except that the offense is:

a. A class “D” felony if any of the following are true:

(1) The person’s removal was subsequent to a conviction for commission of two or more misdemeanors involving drugs, crimes against a person, or both.

(2) The person was excluded pursuant to 8 U.S.C. §1225(c) because the defendant was excludable under 8 U.S.C. §1182(a)(3)(B).

(3) The person was removed pursuant to the provisions of 8 U.S.C. ch. 12, subch. V.

(4) The person was removed pursuant to 8 U.S.C. §1231(a)(4)(B).

b. A class “C” felony if the person was removed subsequent to a conviction for the commission of a felony.

3. For purposes of [this section](#), “removal” includes an order issued under [this chapter](#) or any other agreement in which an alien stipulates to removal pursuant to a criminal proceeding under either federal or state law.

[2024 Acts, ch 1020, §2](#)

Referred to in [§718C.10, 907.3](#)

NEW section