

**708.3A Assaults on persons engaged in certain occupations.**

1. A person who commits an assault, as defined in [section 708.1](#), against a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, whether paid or volunteer, with the knowledge that the person against whom the assault is committed is a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter and with the intent to inflict a serious injury upon the peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, is guilty of a class “C” felony.

2. A person who commits an assault, as defined in [section 708.1](#), against a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, whether paid or volunteer, who knows that the person against whom the assault is committed is a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter and who uses or displays a dangerous weapon in connection with the assault, is guilty of a class “C” felony.

3. A person who commits an assault, as defined in [section 708.1](#), against a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, whether paid or volunteer, who knows that the person against whom the assault is committed is a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, and who causes bodily injury or mental illness, is guilty of a class “D” felony.

4. Any other assault, as defined in [section 708.1](#), including an assault causing another to come into contact with saliva by throwing, tossing, spitting, or expelling the fluid, committed against a peace officer, jailer, correctional or juvenile detention staff, member or employee of

the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, whether paid or volunteer, by a person who knows that the person against whom the assault is committed is a peace officer, jailer, correctional or juvenile detention staff, member or employee of the board of parole, health care provider, employee of the department of health and human services, employee of the department of inspections, appeals, and licensing who conducts investigations or inspections, employee of the department of revenue, national guard member engaged in national guard duty or state active duty, civilian employee of a law enforcement agency, civilian employee of a fire department, or fire fighter, is an aggravated misdemeanor. A person convicted of violating [this subsection](#) shall serve a minimum term of seven days of the sentence imposed by law, and shall not be eligible for suspension of the minimum sentence.

5. As used in [this section](#), the following definitions apply:

a. “*Correctional staff*” means a person who is not a peace officer but who is employed by the department of corrections or a judicial district department of correctional services to work at or in a correctional institution, community-based correctional facility, or an institution under the management of the Iowa department of corrections which is used for the purposes of confinement of persons who have committed public offenses.

b. “*Employee of the department of health and human services*” means a person who is an employee of an institution controlled by the director of health and human services that is listed in [section 218.1](#), or who is an employee of the civil commitment unit for sex offenders operated by the department of health and human services. A person who commits an assault under [this section](#) against an employee of the department of health and human services at a department of health and human services institution or unit is presumed to know that the person against whom the assault is committed is an employee of the department of health and human services.

c. “*Employee of the department of revenue*” means a person who is employed as an auditor, agent, tax collector, or any contractor or representative acting in the same capacity. The employee, contractor, or representative shall maintain current identification indicating that the person is an employee, contractor, or representative of the department.

d. “*Health care provider*” means an emergency medical care provider as defined in [chapter 147A](#) or a person licensed or registered under [chapter 148](#), [148C](#), [148D](#), or [152](#) who is providing or who is attempting to provide emergency medical services, as defined in [section 147A.1](#), or anyone who is working, volunteering, or participating in an educational course of instruction at a hospital or rural emergency hospital as defined in [chapter 135B](#), or at a nursing facility as defined in [chapter 135C](#). A person who commits an assault under [this section](#) against a health care provider in a hospital, or at the scene or during out-of-hospital patient transportation in an ambulance, is presumed to know that the person against whom the assault is committed is a health care provider.

e. “*Jailer*” means a person who is employed by a county or other political subdivision of the state to work at a county jail or other facility used for purposes of the confinement of persons who have committed public offenses, but who is not a peace officer.

f. “*National guard*” means the same as defined in [section 29A.1](#).

g. “*National guard duty*” means the same as defined in [section 29A.1](#).

h. “*State active duty*” means the same as defined in [section 29A.1](#).

95 Acts, ch 90, §3; 96 Acts, ch 1069, §1; 98 Acts, ch 1026, §2; 99 Acts, ch 64, §1; 2004 Acts, ch 1135, §1, 2; 2005 Acts, ch 3, §109; 2005 Acts, ch 140, §69, 70; 2008 Acts, ch 1088, §140; 2021 Acts, ch 183, §40, 43; 2022 Acts, ch 1153, §45, 46; 2023 Acts, ch 19, §1300, 1301; 2025 Acts, ch 18, §1; 2025 Acts, ch 119, §1; 2025 Acts, ch 120, §72

Referred to in [§719.1](#)

Assault on national guard, see also [§29A.44](#)

See Code editor’s note on simple harmonization at the beginning of this Code volume

Subsections 1, 2, 3, and 4 amended

Subsection 5, paragraph d amended