

House Amendment 8395

Amendment Text

PAG LIN

1 1 Amend [Senate File 2325](#), as passed by the Senate, as
1 2 follows:

1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:

1 5 "Section 1. Section [713.6A](#), Code 1999, is amended
1 6 to read as follows:

1 7 713.6A BURGLARY IN THE THIRD DEGREE.

1 8 1. All burglary which is not burglary in the first
1 9 degree or burglary in the second degree is burglary in
1 10 the third degree. Burglary in the third degree is a
1 11 class "D" felony.

1 12 2. A person convicted of burglary in the third
1 13 degree involving a burglary of a motor vehicle or
1 14 motor truck as defined in section 321.1, or a vessel
1 15 defined in section 462A.2, shall be sentenced as
1 16 provided in subsection 3.

1 17 3. Notwithstanding any other provision of the Code
1 18 to the contrary, a person may be sentenced to a level
1 19 or any combination of any intermediate criminal
1 20 sanction level or sublevel under section 901B.1,
1 21 subsection 1. If a person is sentenced to prison, the
1 22 maximum indeterminate term may be less than the
1 23 maximum term provided for class "D" felonies under
1 24 section 902.9 or 903.1, if the facts and circumstances
1 25 warrant a reduction in the maximum term."

1 26 #2. Title page, by striking the words "crimes of
1 27 burglary and forgery" and inserting the following:
1 28 "crime of burglary".

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1 32 COMMITTEE ON [JUDICIARY](#)

1 33 LARSON of Linn, Chairperson

1 34 [SF 2325.301](#) 78

1 35 jm/cf