

H-8026

1 Amend House File 2253 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 710.3, Code 2014, is amended to
5 read as follows:

6 **710.3 Kidnapping in the second degree.**

7 1. Kidnapping where the in the second degree is any
8 of the following:

9 a. Where the purpose of the kidnapping is to hold
10 the victim for ransom or where the.

11 b. Where the kidnapper is armed with a dangerous
12 weapon is kidnapping in the second degree. Kidnapping
13 in the second degree is a class "B" felony.

14 c. Where the victim of the kidnapping is under
15 sixteen years of age other than a kidnapping by
16 a parent or grandparent whose sole purpose of the
17 kidnapping is to assume custody of the victim.

18 2. For purposes of determining whether the person
19 should register as a sex offender pursuant to the
20 provisions of chapter 692A, the fact finder shall make
21 a determination as provided in section 692A.126.

22 3. Kidnapping in the second degree is a class "B"
23 felony.

24 Sec. 2. Section 710.4, Code 2014, is amended to
25 read as follows:

26 **710.4 Kidnapping in the third degree.**

27 1. All other kidnappings are kidnappings in the
28 third degree. Kidnapping in the third degree is a
29 class "C" felony except as provided in subsection 2.

30 2. a. If a person is convicted of kidnapping
31 in the third degree and the person has a previous
32 conviction for kidnapping, the person is guilty of a
33 class "B" felony.

34 b. In determining if a violation charged is a
35 previous conviction for purposes of criminal sentencing
36 under this subsection, a conviction in this state or
37 under statutes substantially corresponding to this
38 section in another state, or in a federal, military,
39 tribal, or foreign court, shall be counted as a
40 previous conviction. A previous conviction also
41 includes a juvenile who has been adjudicated delinquent
42 but whose juvenile court records have been sealed under
43 section 232.150, a juvenile prosecuted as an adult,
44 and a person who has received a deferred sentence or
45 deferred judgment.

46 3. For purposes of determining whether the person
47 should register as a sex offender pursuant to the
48 provisions of chapter 692A, the fact finder shall make
49 a determination as provided in section 692A.126.

50 Sec. 3. PUBLIC SAFETY ADVISORY BOARD. The public

1 safety advisory board shall study the accumulation of
2 earned time by inmates committed to the custody of the
3 director of the department of corrections. The study
4 shall include the effect of earned time on the length
5 of sentences and the costs and effectiveness of the
6 use of earned time in the correctional system. The
7 board shall file a report detailing the findings and
8 recommendations of the study with the general assembly
9 by January 15, 2015.>

10 2. Title page, by striking lines 1 through 3
11 and inserting <An Act relating to kidnapping, the
12 accumulation of earned time, and providing penalties.>

WOLFE of Clinton