

Senate File 2382

H-8461

1 Amend the amendment, H-8273, to Senate File 2382, as  
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 1, after line 2 by inserting:

4 <\_\_\_. Page 2, by striking lines 5 through 7 and inserting:

5 <2. The criminal records for the following offenses shall  
6 not be expunged:>>

7 2. Page 1, line 3, by striking <5, line 20> and inserting  
8 <10, line 23>

9 3. Page 1, by striking lines 6 and 7 and inserting:

10 <\_\_\_. By striking page 15, line 18, through page 20, line  
11 4.>

12 4. Page 1, after line 12 by inserting:

13 <\_\_\_. Page 26, after line 14 by inserting:

14 <DIVISION \_\_\_\_

15 JUROR SERVICE

16 Sec. \_\_\_\_. Section 607A.5, Code 2018, is amended to read as  
17 follows:

18 **607A.5 Automatic excuse from jury service.**

19 1. A person shall be excused from jury service if the  
20 person submits written documentation verifying, to the court's  
21 satisfaction, that the person is solely responsible for the  
22 daily care of a person with a permanent disability living  
23 in the person's household and that the performance of juror  
24 service would cause substantial risk of injury to the health of  
25 the person with a disability, or that the person is the mother  
26 of a breastfed child and is responsible for the daily care of  
27 the child. However, if the person is regularly employed at a  
28 location other than the person's household, the person shall  
29 not be excused under ~~this section~~ subsection.

30 2. A person shall be excused from jury service if the person  
31 is at least seventy-two years of age and notifies the court  
32 that the person is at least seventy-two years of age and wishes  
33 to be exempted from jury service.

34 DIVISION \_\_\_\_

35 EARNED TIME

1     Sec. \_\_\_\_\_. Section 903A.2, subsection 1, paragraph a,  
2 subparagraph (2), Code 2018, is amended to read as follows:

3     (2) However, an inmate required to participate in a sex  
4 offender treatment program shall not be eligible for a any  
5 reduction of sentence ~~unless~~ until the inmate participates in  
6 and completes a sex offender treatment program established by  
7 the director.

8     Sec. \_\_\_\_\_. Section 903A.2, subsection 1, paragraph b,  
9 subparagraph (2), Code 2018, is amended to read as follows:

10    (2) An inmate required to participate in a domestic abuse  
11 treatment program shall not be eligible for a any reduction of  
12 sentence ~~unless~~ until the inmate participates in and completes  
13 a domestic abuse treatment program established by the director.

14    Sec. \_\_\_\_\_. Section 903A.3, subsection 1, Code 2018, is  
15 amended to read as follows:

16    1. Upon finding that an inmate has violated an institutional  
17 rule, has failed to complete a sex offender or domestic abuse  
18 treatment program as specified in section 903A.2, or has  
19 had an action or appeal dismissed under [section 610A.2](#), the  
20 independent administrative law judge may order forfeiture of  
21 any or all earned time accrued and not forfeited up to the  
22 date of the violation by the inmate and may order forfeiture  
23 of any or all earned time accrued and not forfeited up to  
24 the date the action or appeal is dismissed, unless the court  
25 entered such an order under [section 610A.3](#). The independent  
26 administrative law judge has discretion within the guidelines  
27 established pursuant to [section 903A.4](#), to determine the amount  
28 of time that should be forfeited based upon the severity of the  
29 violation. Prior violations by the inmate may be considered by  
30 the administrative law judge in the decision.

31                                   DIVISION \_\_\_\_

32                                   HUMAN TRAFFICKING

33    Sec. \_\_\_\_\_. Section 710A.2, Code 2018, is amended to read as  
34 follows:

35    **710A.2 Human trafficking.**

1 1. A person who knowingly engages in human trafficking is  
2 guilty of a class "D" felony, except that if the victim is  
3 under the age of eighteen, the person is guilty of a class "C"  
4 "B" felony.

5 2. A person who knowingly engages in human trafficking by  
6 causing or threatening to cause serious physical injury to  
7 another person is guilty of a class "C" felony, except that if  
8 the victim is under the age of eighteen, the person is guilty  
9 of a class "B" felony.

10 3. A person who knowingly engages in human trafficking by  
11 physically restraining or threatening to physically restrain  
12 another person is guilty of a class "D" felony, except that if  
13 the victim is under the age of eighteen, the person is guilty  
14 of a class "C" "B" felony.

15 4. A person who knowingly engages in human trafficking by  
16 soliciting services or benefiting from the services of a victim  
17 is guilty of a class "D" felony, except that if the victim is  
18 under the age of eighteen, the person is guilty of a class "C"  
19 "B" felony.

20 5. A person who knowingly engages in human trafficking by  
21 abusing or threatening to abuse the law or legal process is  
22 guilty of a class "D" felony, except that if the victim is  
23 under the age of eighteen, the person is guilty of a class "C"  
24 "B" felony.

25 6. A person who knowingly engages in human trafficking  
26 by knowingly destroying, concealing, removing, confiscating,  
27 or possessing any actual or purported passport or other  
28 immigration document, or any other actual or purported  
29 government identification document of a victim is guilty of a  
30 class "D" felony, except that if that other person is under  
31 the age of eighteen, the person is guilty of a class "C" "B"  
32 felony.

33 7. A person who benefits financially or by receiving  
34 anything of value from knowing participation in human  
35 trafficking is guilty of a class "D" felony, except that if the

1 victim is under the age of eighteen, the person is guilty of a  
2 class "C" "B" felony.

3 8. A person's ignorance of the age of the victim or a belief  
4 that the victim was older is not a defense to a violation of  
5 this section.

6 DIVISION \_\_\_\_

7 EMPLOYEE'S CRIMINAL HISTORY — ADMISSIBILITY

8 Sec. \_\_\_\_ . NEW SECTION. 671A.1 Limitation on admissibility  
9 of evidence of an employee's criminal history.

10 1. Information regarding the criminal history of an  
11 employee or former employee shall not be introduced as evidence  
12 in a civil action against an employer or its employees or  
13 agents that is based on the conduct of the employee or former  
14 employee in any of the following circumstances:

15 a. The nature of the criminal history does not bear a direct  
16 relationship to the facts underlying the cause of action.

17 b. Before the occurrence of the act giving rise to the civil  
18 action, a court ordered the record of any criminal case sealed  
19 or the president of the United States or the chief executive of  
20 a state pardoned the employee or former employee.

21 c. The record is of an arrest or charge that did not result  
22 in a criminal conviction.

23 d. A court granted the employee or former employee a  
24 deferred judgment at sentencing and a court did not revoke the  
25 deferred judgment.

26 2. This section does not alter any statutory provision  
27 allowing an employer to conduct a criminal history background  
28 investigation or consider criminal history records in the  
29 employment process for particular types of employment.

30 3. This section does not create a duty for employers not  
31 otherwise so required by law to conduct criminal history  
32 background checks.

33 \_\_\_\_ . Title page, line 2, after <related> by inserting  
34 <criminal history admissibility, and>>

35 5. By renumbering, redesignating, and correcting internal

1 references as necessary.

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BALTIMORE of Boone