

TERRY E. BRANSTAD  
GOVERNOR

**OFFICE OF THE GOVERNOR**

KIM REYNOLDS  
LT. GOVERNOR

May 11, 2017

The Honorable Paul Pate  
Secretary of State of Iowa  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 69, an Act relating to criminal trespass and modifying penalties.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink that reads "Terry E. Branstad".

Terry E. Branstad  
Governor

cc: Secretary of the Senate  
Clerk of the House



House File 69

AN ACT

RELATING TO CRIMINAL TRESPASS AND MODIFYING PENALTIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 716.7, subsection 2, paragraph a, subparagraph (2), Code 2017, is amended to read as follows:

(2) Entering or remaining upon or in property without justification after being notified or requested to abstain from entering or to remove or vacate therefrom by the owner, lessee, or person in lawful possession, or the agent or employee of the owner, lessee, or person in lawful possession, or by any peace officer, magistrate, or public employee whose duty it is to supervise the use or maintenance of the property. A person has received notice to abstain from entering or remaining upon or in property within the meaning of this subparagraph (2) if any of the following is applicable:

(a) The person has been notified to abstain from entering or remaining upon or in property personally, either orally or in writing, including by a valid court order under chapter 236.

(b) A printed or written notice forbidding such entry has been conspicuously posted or exhibited at the main entrance to the property or the forbidden part of the property.

Sec. 2. Section 716.8, subsections 1 and 5, Code 2017, are amended to read as follows:

1. Any person who knowingly trespasses upon the property of another commits a simple misdemeanor, ~~except that any person who intentionally trespasses as defined in section 716.7, subsection 2, paragraph "a", subparagraph (7), commits a serious misdemeanor~~ punishable as a scheduled violation under section 805.8C, subsection 11. A peace officer shall consider arresting and may arrest the person under section 805.9, subsection 3, paragraph "c", if the person refuses to leave the property after receiving a citation or immediately returns to the property after receiving a citation, or may arrest the person as otherwise provided under law.

5. A person who commits a trespass while hunting deer, other than a farm deer as defined in section 170.1 or preserve whitetail as defined in section 484C.1, commits a simple misdemeanor punishable as a scheduled violation under section 805.8C, subsection 11. A peace officer shall consider arresting and may arrest the person under section 805.9, subsection 3, paragraph "c", if the person refuses to leave the property after receiving a citation or immediately returns to the property after receiving a citation, or may arrest the person as otherwise provided under law. The person shall also be subject to civil penalties as provided in sections 481A.130 and 481A.131. A deer taken by a person while committing such a trespass shall be subject to seizure as provided in section 481A.12.

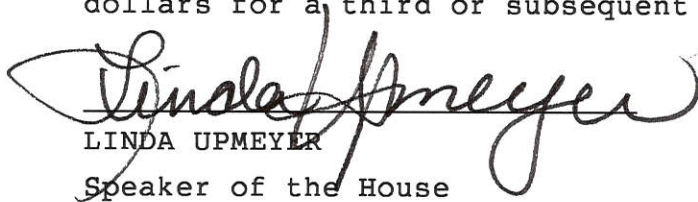
Sec. 3. Section 716.8, Code 2017, is amended by adding the following new subsection:

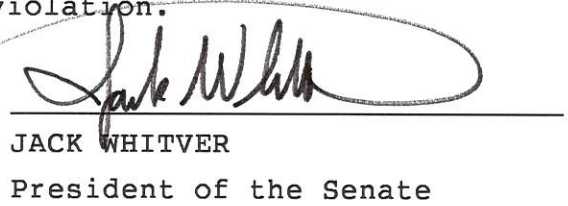
NEW SUBSECTION. 7. Any person who intentionally trespasses as defined in section 716.7, subsection 2, paragraph "a", subparagraph (7), commits a serious misdemeanor.

Sec. 4. Section 805.8C, Code 2017, is amended by adding the following new subsection:

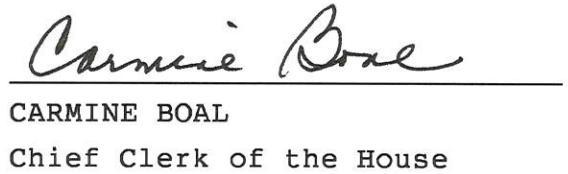
NEW SUBSECTION. 11. *Trespassing violations.* For trespasses punishable under section 716.8, subsection 1 or 5, the

scheduled fine is two hundred dollars for a first violation, five hundred dollars for a second violation, and one thousand dollars for a third or subsequent violation.

  
LINDA UPMEYER  
Speaker of the House

  
JACK WHITVER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 69, Eighty-seventh General Assembly.

  
CARMINE BOAL  
Chief Clerk of the House

Approved May 11, 2017

  
TERRY E. BRANSTAD  
Governor