

House File 266 - Enrolled

House File 266

AN ACT

RELATING TO THE CIVIL COMMITMENT OF SEXUALLY VIOLENT PREDATORS.

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

Section 1. Section 229A.2, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 7A. *“Presently confined”* means incarceration or detention in a correctional facility, a rehabilitation camp, a residential facility, a county jail, a halfway house, or any other comparable facility, including but not limited to placement at such a facility as a condition of probation, parole, or special sentence following conviction for a sexually violent offense.

Sec. 2. Section 229A.2, subsection 11, paragraph c, Code 2019, is amended to read as follows:

c. Sexual exploitation of a minor in violation of section 728.12, ~~subsection 1.~~

Sec. 3. Section 229A.3, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION. 6. This section shall not be construed as a limit on persons subject to commitment under this chapter.

Sec. 4. Section 229A.4, subsection 2, paragraph a, Code 2019, is amended to read as follows:

a. The person was convicted of a sexually violent offense and ~~has been discharged after the completion of the sentence imposed for the offense~~ is no longer presently confined for that offense.

Sec. 5. Section 229A.7, subsection 5, Code 2019, is amended by adding the following new paragraph:

NEW PARAGRAPH. *c.* At trial, the court shall admit, and the fact finder may rely on, the findings of an administrative parole judge or other agency fact finder.

LINDA UPMAYER
Speaker of the House

CHARLES SCHNEIDER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 266, Eighty-eighth General Assembly.

CARMINE BOAL
Chief Clerk of the House

Approved _____, 2019

KIM REYNOLDS
Governor