

Senate File 113 - Enrolled

Senate File 113

AN ACT

ALLOWING CERTAIN OPERATING-WHILE-INTOXICATED OFFENDERS TO
BE SENTENCED AS HABITUAL OFFENDERS, AND MAKING PENALTIES
APPLICABLE.

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

Section 1. Section 321J.2, subsection 5, unnumbered
paragraph 1, Code 2019, is amended to read as follows:

A third or subsequent offense is punishable by all of the
following:

Sec. 2. Section 321J.2, subsection 5, Code 2019, is amended
by adding the following new paragraph:

NEW PARAGRAPH. e. Notwithstanding the maximum sentence
set forth in paragraph "a", a person convicted of a third or
subsequent offense may be sentenced as an habitual offender

pursuant to sections 902.8 and 902.9 if the person qualifies as an habitual offender as described in section 902.8.

CHARLES SCHNEIDER
President of the Senate

LINDA UPMEYER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 113, Eighty-eighth General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2019

KIM REYNOLDS
Governor