

House File 2598 - Enrolled

House File 2598

AN ACT

ESTABLISHING THE CRIMINAL OFFENSE OF LOOTING, AND PROVIDING
PENALTIES.

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

Section 1. NEW SECTION. 714.2B Looting.

1. For purposes of this section, "*looting*" means the intentional entry without authorization of any dwelling, place of business, vehicle, watercraft, building, plant, or other structure, moveable or immovable, by a person, acting in joint criminal conduct, as defined in section 703.2, with another person or any group of persons and the person obtains, exerts control over, damages, or removes the property of another without authorization.

2. The looting of property exceeding ten thousand dollars in value, by any one person or all persons engaged in the looting of the property, or the looting of any property not exceeding ten thousand dollars in value by one person who has once before been convicted of looting in the first or second degree, or any looting that involves a dangerous weapon, is looting in

the first degree. Looting in the first degree is a class "C" felony punishable by all of the following:

a. Commitment to the custody of the director of the department of corrections for an indeterminate term not to exceed ten years, with a mandatory minimum term of five years.

b. Assessment of a minimum fine of one thousand dollars and a maximum fine of ten thousand dollars.

3. The looting of property exceeding one thousand dollars in value but not exceeding ten thousand dollars in value, by any one person or all persons engaged in the looting of the property, or the looting of any property not exceeding one thousand dollars in value by one person who has once before been convicted of looting in the third degree, is looting in the second degree. Looting in the second degree is a class "D" felony punishable by all of the following:

a. Commitment to the custody of the director of the department of corrections for an indeterminate term not to exceed five years, with a mandatory minimum term of one and one-half years.

b. Assessment of a minimum fine of six hundred fifty dollars and a maximum fine of seven thousand five hundred dollars.

4. The looting of property exceeding three hundred dollars in value but not exceeding one thousand dollars in value, by any one person or all persons engaged in the looting of the property, is looting in the third degree. Looting in the third degree is an aggravated misdemeanor punishable by all of the following:

a. Commitment to the custody of the director of the department of corrections for an indeterminate term not to exceed two years.

b. Assessment of a minimum fine of five hundred seventy dollars and a maximum fine of six thousand two hundred fifty dollars.

5. A person whose business or property is directly or indirectly injured by conduct constituting a violation of this section may bring a civil action against any person involved in the violation, and may recover up to threefold the actual damages sustained and costs and expenses including reasonable

attorney fees. Each person exerting control over, damaging, or removing the property of another shall be jointly and severally liable for any such injury.

PAT GRASSLEY
Speaker of the House

AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2598, Ninetieth General Assembly.

MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2024

KIM REYNOLDS
Governor