

See Publishing 2/9 To Page 41 (p. 991)

HOUSE FILE 2374

Judiciary
Kudart, Chair
Coleman
Rush

B 24 1982

HOUSE FILE 2374

Place On Calendar

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(Formerly Study Bill 623)

Passed House, Date 3-4-82 (p. 675) Passed Senate, Date 4-7-82 (p. 1094)

Vote: Ayes 98 Nays 0 Vote: Ayes 42 Nays 4

Approved April 19, 1982

A BILL FOR

1 An Act relating to escape from a detention facility or
2 institution and providing a penalty.

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

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2374

1 Section 1. Section 719.4, subsections 1 and 2, Code 1981,
2 are amended to read as follows:

3 1. A person convicted of a felony, or charged with or
4 arrested for the commission of a felony, who intentionally
5 escapes from any detention facility or institution to which
6 the person has been committed by reason of such conviction
7 ~~or~~, charge, or arrest, or from the custody of any public
8 officer or employee to whom the person has been entrusted,
9 commits a class "D" felony.

10 2. A person convicted ~~or~~ of, charged with, or arrested
11 for a misdemeanor, who intentionally escapes from any detention
12 facility or institution to which the person has been committed
13 by reason of such conviction ~~or~~, charge, or arrest, or from
14 the custody of any public officer or employee to whom the
15 person has been entrusted, commits a serious misdemeanor.

16 EXPLANATION

17 This bill expands the crime of escape to include persons
18 who escape from a detention facility or institution after
19 arrest for a felony or misdemeanor. Presently under section
20 719.4 escape from the facility would not be an escape under
21 this section unless the escapee had been charged with or
22 convicted of the felony or misdemeanor.

23 The bill would take effect July 1 following enactment.

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S-5454

- 1 Amend House File 2374 as passed by the House as
 2 follows:
 3 1. Title, line 2, by inserting after the word
 4 "institution" the words "or lawful custody of or
 5 detention by a public officer".

S-5454 FILED
 APRIL 1, 1982

BY STEPHEN W. BIENIUS

W/D 4/1 (p. 1093)

HOUSE FILE 2374

S-5497

- 1 Amend House File 2374 as passed by the House as
 2 follows:
 3 1. Page 1, by inserting after line 15 the following
 4 new section:
 5 "NEW SECTION. A person who commits an assault
 6 on a public officer while in the lawful custody of
 7 or lawfully detained by a public officer, commits
 8 a class "D" felony."

S-5497 FILED
 APRIL 6, 1982

BY STEPHEN W. BIENIUS

W/D 4/7 (p. 1093)

HOUSE FILE 2374

S-5500

- 1 Amend House File 2374 as passed by the House as
 2 follows:
 3 1. Page 1, by inserting after line 15 the following
 4 new subsection:
 5 "3. A person who commits an assault on a public
 6 officer while in the lawful custody of or lawfully
 7 detained by a public officer, commits a class "D"
 8 felony."

S-5500 FILED
 APRIL 6, 1982

BY STEPHEN W. BIENIUS

W/D 4/7 (p. 1093)

HOUSE FILE 2374

S-5520

- 1 Amend House File 2374 as passed by the House as
 2 follows:
 3 1. Page 1, by inserting after line 15 the following
 4 new subsection:
 5 "3. A person who commits an assault on a public
 6 officer while attempting to escape from the lawful
 7 custody of or lawful detention by a public officer,
 8 commits a class "D" felony."
 9 2. Title, line 2, by inserting after the word
 10 "institution" the words "or escape from lawful custody
 11 of or detention by a public officer".

S-5520 FILED & LOST
 APRIL 7, 1982

BY STEPHEN W. BIENIUS

Lost 4/7 (p. 1094)

the custody of any public officer or employee to whom the person has been entrusted, commits a serious misdemeanor.

HOUSE FILE 2374

AN ACT

RELATING TO ESCAPE FROM A DETENTION FACILITY OR INSTITUTION AND PROVIDING A PENALTY.

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

Section 1. Section 719.4, subsections 1 and 2, Code 1981, are amended to read as follows:

1. A person convicted of a felony, or charged with or arrested for the commission of a felony, who intentionally escapes from any detention facility or institution to which the person has been committed by reason of such conviction ~~or~~ charge, or arrest, or from the custody of any public officer or employee to whom the person has been entrusted, commits a class "D" felony.

2. A person convicted ~~or of~~, charged with, or arrested for a misdemeanor, who intentionally escapes from any detention facility or institution to which the person has been committed by reason of such conviction ~~or~~ charge, or arrest, or from

DELWYN STROMER
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2374, Sixty-ninth General Assembly.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Approved April 19, 1982

ROBERT D. RAY
Governor

H.F. 2374