

Judiciary and Law Enforcement: Brammer, Chair; Carl, Clark, Hammond, Running, Shoning and Siegrist.

*Do Pass 4/11/85  
House Judiciary 1/13/86 Do Pass 1/23/86 (p. 159)*

SENATE FILE 530

BY COMMITTEE ON JUDICIARY  
*Approved 2/22 (p. 741)*

FILED MAR 22 1985

Passed Senate, Date 3-28-85 (p. 1095) Passed House, Date 1-30-86 (p. 202)

Vote: Ayes 49 Nays 0 Vote: Ayes 91 Nays 9

Approved February 11, 1986 (p. 279)

### A BILL FOR

1 An Act relating to the parole of persons convicted for the  
2 offenses of sexual abuse and lascivious acts with a child.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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*87530*

1 Section 1. Section 906.15, Code 1985, is amended to read  
2 as follows:

3 906.15 DISCHARGE FROM PAROLE.

4 Unless sooner discharged, a person released on parole shall  
5 be discharged when the person's term of parole equals the  
6 period of imprisonment specified in the person's sentence,  
7 less all time served in confinement. Discharge from parole may  
8 be granted prior to such time, when an early discharge is  
9 appropriate. The board shall periodically review all paroles,  
10 and when it shall determine that any person on parole is able  
11 and willing to fulfill the obligations of a law-abiding  
12 citizen without further supervision, it shall discharge the  
13 person from parole. In either event, discharge from parole  
14 shall terminate the person's sentence. However, a person  
15 convicted of a violation of section 709.3, 709.4 or 709.8  
16 committed on or with a child shall not be discharged from  
17 parole until the person's term of parole equals the period of  
18 imprisonment specified in the person's sentence, less all time  
19 served in confinement.

20 EXPLANATION

21 This bill provides that a person convicted for the crime of  
22 sexual abuse or lascivious acts committed on or with a child  
23 must serve a period of parole equal to the person's sentence,  
24 less all time served in confinement.

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SSB 157

JUDICIARY: Doyle, Chair; Taylor and Dieleman

SSB 157  
Judiciary

SENATE FILE 530

BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL)

*New  
SF 530*

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the penalties for the offenses of sexual  
2 abuse and lascivious acts with a child.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 902.11 MINIMUM SENTENCE --  
2 SEXUAL OFFENSES AGAINST CHILDREN.

3 A person convicted of a violation of section 709.3, 709.4,  
4 or 709.8 committed on or with a child shall serve a minimum of  
5 fifteen years for a conviction under section 709.3, eight  
6 years for a conviction under section 709.4, or three years for  
7 a conviction under section 709.8 if the trier of fact  
8 determines beyond a reasonable doubt that any one of the  
9 following is true:

10 1. The offender committed the offense against more than  
11 one child at the same time or in the same course of conduct.

12 2. The person has previously been convicted of a violation  
13 of section 709.3, 709.4, or 709.8 in this state, or has  
14 previously been convicted of an offense in any other state  
15 which, if it had occurred in this state, would have  
16 constituted a violation of section 709.3, 709.4, or 709.8.

17 3. The person used force, violence, duress, menace,  
18 coercion or threat of bodily injury in the commission of the  
19 offense.

20 4. The person was a stranger to the child and made friends  
21 with or initiated extended contact with the child for the  
22 purpose of committing the offense.

23 5. The person occupied a position of special trust  
24 concerning the child. For the purposes of this subsection,  
25 "position of special trust" means a position of authority over  
26 the child which enables the person to exercise undue influence  
27 or control over the child.

28 A person sentenced pursuant to this section is not eligible  
29 for parole until the person has served the minimum sentence of  
30 confinement imposed by this section.

31 EXPLANATION

32 This bill provides that a person committing sexual abuse or  
33 lascivious acts against a child will be subject to a minimum  
34 term of confinement if the trier of fact determines that any  
35 one of a number of aggravating circumstances exist.

imprisonment specified in the person's sentence, less all time served in confinement.

SENATE FILE 530

AN ACT

RELATING TO THE PAROLE OF PERSONS CONVICTED FOR THE OFFENSES  
OF SEXUAL ABUSE AND LASCIVIOUS ACTS WITH A CHILD.

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

Section 1. Section 906.15, Code 1985, is amended to read  
as follows:

906.15 DISCHARGE FROM PAROLE.

Unless sooner discharged, a person released on parole shall  
be discharged when the person's term of parole equals the  
period of imprisonment specified in the person's sentence,  
less all time served in confinement. Discharge from parole  
may be granted prior to such time, when an early discharge is  
appropriate. The board shall periodically review all paroles,  
and when it shall determine that any person on parole is able  
and willing to fulfill the obligations of a law-abiding  
citizen without further supervision, it shall discharge the  
person from parole. In either event, discharge from parole  
shall terminate the person's sentence. However, a person  
convicted of a violation of section 709.3, 709.4 or 709.8  
committed on or with a child shall not be discharged from  
parole until the person's term of parole equals the period of

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ROBERT T. ANDERSON  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and  
is known as Senate File 530, Seventy-first General Assembly.

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K. MARIE THAYER  
Secretary of the Senate

Approved Feb. 11, 1986

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TERRY E. BRANSTAD  
Governor

S.F. 530