

FILED FEB 13 1989
House Jud & Law

DO PASS 4-5-89 (p. 1296)

SENATE FILE 201

BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 173)

Passed Senate, Date 2-20-89 (p. 411) Passed House, Date _____

Vote: Ayes 48 Nays 0 Vote: Ayes _____ Nays _____

Motion to reconsider 2-20-89 (p. 418)

Approved _____
motion prevailed

2-22-89 (p. 482)

Motion reconsidered
passed senate 2-22-89 A BILL FOR

50 AYES - 0 NAYS (p. 483)

1 An Act expanding the definition of sex act and making more acts
2 subject to penalties.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

SF 201

1 Section 1. Section 702.17, Code 1989, is amended to read
2 as follows:

3 702.17 SEX ACT.

30904 The term "sex act" or "sexual activity" means any sexual
5 contact between two or more persons, by penetration of the
6 penis into the vagina or anus, by contact between the mouth
7 and genitalia or by contact between the genitalia of one
8 person and the genitalia or anus of another person, by contact
9 between the finger or hand of one person and the genitalia or
10 anus of another person, or by use of artificial sexual organs
11 or substitutes therefor in contact with the genitalia or anus.

3091

12 EXPLANATION

13 This bill expands the definition of "sex act" or "sexual
14 activity" by including contact between the finger or hand of
15 one person and the genitalia or anus of another person. Under
16 current law, such acts do not constitute sexual abuse, or
17 certain other criminal acts unless the act meets other
18 statutory requirements such as being offensive or performed
19 for the purpose of arousal.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SENATE FILE 201
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 173)

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 22, 1989)

_____ - New Language by the Senate

Passed Senate, Date 2/22/89 (p. 483) Passed House, Date 4-13-89 (p. 1563)
Vote: Ayes 50 Nays 0 Vote: Ayes 90 Nays 0
Approved 5-4-89 (p. 1908)

A BILL FOR

1 An Act expanding the definition of sex act and making more acts
2 subject to penalties.

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

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

S.F. 201

1 Section 1. Section 702.17, Code 1989, is amended to read
2 as follows:

3 702.17 SEX ACT.

4 The term "sex act" or "sexual activity" means any sexual
5 contact between two or more persons, by: penetration of the
6 penis into the vagina or anus, by; contact between the mouth
7 and genitalia or by contact between the genitalia of one
8 person and the genitalia or anus of another person; contact
9 between the finger or hand of one person and the genitalia or
10 anus of another person, except in the course of examination or
11 treatment by a person licensed pursuant to chapters 148, 148C,
12 150, 150A or 152; or by use of artificial sexual organs or
13 substitutes therefor in contact with the genitalia or anus.

14 Sec. 2. NEW SECTION. 709.14 LASCIVIOUS CONDUCT WITH A
15 MINOR. It is unlawful for a person over eighteen years of age
16 who is in a position of authority over a minor to force,
17 persuade, or coerce a minor, with or without consent, to
18 disrobe or partially disrobe for the purpose of arousing or
19 satisfying the sexual desires of either of them.

20 Lascivious conduct with a minor is a serious misdemeanor.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SENATE FILE 201

S-3090

Amend Senate File 201 as follows:

1. Page 1, by striking lines 5 through 10 and inserting the following: "contact between two or more persons; by: penetration of the penis into the vagina or anus; by: contact between the mouth and genitalia or by contact between the genitalia of one person and the genitalia or anus of another person; contact between the finger or hand of one person and the genitalia or anus of another person, except in the course of examination or treatment by a person licensed pursuant to chapters 148, 148C, 150, 150A or 152; or by use of artificial sexual organs".

By MARK R. HAGERLA

S-3090 FILED FEBRUARY 20, 1989

ADOPTED 2-22-89 (p.440)

SENATE FILE 201

S-3091

Amend Senate File 201 as follows:

1. Page 1, by inserting after line 11, the following:

31054 "Sec. ____ . NEW SECTION. 709.14 LASCIVIOUS CONDUCT WITH A MINOR. It is unlawful for a person over eighteen years of age who is in a position of authority over a minor, other than the spouse of a minor, to force, persuade, or coerce a minor, with or without consent, to disrobe or partially disrobe for the purpose of arousing or satisfying the sexual desires of either of them. Lascivious conduct with a minor is a serious misdemeanor."

By JOE WELSH

ROBERT M. CARR

S-3091 FILED FEBRUARY 20, 1989

adopted 2-22-89 (p.453)

SENATE FILE 201

S-3105

Amend the amendment, S-3091, to Senate File 201 as follows:

1. Page 1, by striking lines 7 and 8 and inserting the following: "authority over a minor to force, persuade, or coerce a minor, with or".

By TOM MANN, JR.

BEVERLY A. HANNON

ELAINE SZYMONIAK

CHARLES BRUNER

JIM LIND

MAGGIE TINSMAN

PAUL PATE

JULIA GENTLEMAN

S-3105 FILED FEBRUARY 22, 1989

ADOPTED 2-22-89 (p.453)

HAGERLA, CH.
TAYLOR
COLEMAN

SSB 173
JUDICIARY

SENATE FILE 201
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act expanding the definition of sex act and making more acts
2 subject to penalties.

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

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1 Section 1. Section 702.17, Code 1989, is amended to read
2 as follows:

3 702.17 SEX ACT.

4 The term "sex act" or "sexual activity" means any sexual
5 contact between two or more persons, by penetration of the
6 penis into the vagina or anus, by contact between the mouth
7 and genitalia or by contact between the genitalia of one
8 person and the genitalia or anus of another person, by contact
9 between the finger or hand of one person and the genitalia or
10 anus of another person, or by use of artificial sexual organs
11 or substitutes therefor in contact with the genitalia or anus.

12 EXPLANATION

13 This bill expands the definition of "sex act" or "sexual
14 activity" by including contact between the finger or hand of
15 one person and the genitalia or anus of another person. Under
16 current law, such acts do not constitute sexual abuse, or
17 certain other criminal acts unless the act meets other
18 statutory requirements such as being offensive or performed
19 for the purpose of arousal.

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

or coerce a minor, with or without consent, to disrobe or partially disrobe for the purpose of arousing or satisfying the sexual desires of either of them.

Lascivious conduct with a minor is a serious misdemeanor.

SENATE FILE 201

AN ACT
EXPANDING THE DEFINITION OF SEX ACT AND MAKING MORE ACTS
SUBJECT TO PENALTIES.

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

Section 1. Section 702.17, Code 1989, is amended to read as follows:

702.17 SEX ACT.

The term "sex act" or "sexual activity" means any sexual contact between two or more persons; by: penetration of the penis into the vagina or anus; by: contact between the mouth and genitalia or by contact between the genitalia of one person and the genitalia or anus of another person; contact between the finger or hand of one person and the genitalia or anus of another person, except in the course of examination or treatment by a person licensed pursuant to chapter 148, 148C, 150, 150A or 152; or by use of artificial sexual organs or substitutes therefor in contact with the genitalia or anus.

Sec. 2. NEW SECTION. 709.14 LASCIVIOUS CONDUCT WITH A MINOR.

It is unlawful for a person over eighteen years of age who is in a position of authority over a minor to force, persuade,

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 201, Seventy-third General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved 5/4 1989

TERRY E. BRANSTAD
Governor

SF 201