

JAN 21 1998  
JUDICIARY

HOUSE FILE 2067  
BY SHOULTZ

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

**A BILL FOR**

1 An Act to change the maximum age limit for eligibility of certain  
2 sex offenders for consideration as youthful offenders by the  
3 district and juvenile courts.

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

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HF 2062

1 Section 1. Section 232.45, subsection 7, paragraph a, Code  
2 Supplement 1997, is amended to read as follows:

3 a. The child is fifteen years of age or younger or if the  
4 delinquent offense under paragraph "b" is an offense which  
5 requires registration under chapter 692A and the child is  
6 seventeen years of age or younger.

7 EXPLANATION

8 This bill raises to age 17 the maximum age at which a  
9 juvenile who has committed a delinquent act which requires  
10 registration as a sex offender under chapter 692A, and which  
11 is currently excluded from the jurisdiction of the juvenile  
12 court, may be eligible for consideration as a youthful  
13 offender by the juvenile and district courts. Currently a  
14 juvenile can be no older than 15 years of age in order to be  
15 eligible for consideration as a youthful offender.

16 Offenses which trigger registration under Code chapter 692A  
17 include offenses defined as criminal offenses against a minor,  
18 sexually violent offenses, and offenses which would cause a  
19 person to be classified as a sexually violent predator under  
20 federal law. Of those offenses, only those which would  
21 constitute a forcible felony are excluded from the  
22 jurisdiction of the juvenile court under Code section 232.8,  
23 subsection 1, paragraph "c". A "forcible felony" is defined  
24 under section 702.11 as any felonious child endangerment,  
25 assault, murder, sexual abuse, kidnapping, robbery, arson in  
26 the first degree, or burglary in the first degree. However,  
27 sexual abuse in the third degree committed between spouses,  
28 sexual abuse in violation of section 709.4, subsection 2,  
29 paragraph "c", subparagraph (4), or sexual exploitation by a  
30 counselor or therapist in violation of section 709.15, are not  
31 forcible felonies.

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