

JAN 16 1997
JUDICIARY

HOUSE FILE
BY WELTER

39

WITHDRAWN

2/4/98

(P.150)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act to prohibit the intentional tossing, throwing, or
2 expelling of bodily fluids or material on correctional
3 employees by inmates, and providing penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 39

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1 Section 1. NEW SECTION. 708.12 THROWING OR EXPELLING
 2 BODILY FLUIDS OR MATERIAL ON CORRECTIONAL FACILITY EMPLOYEES
 3 -- PENALTY.

4 An inmate of a correctional facility commits a class "D"
 5 felony if all of the following occur:

6 1. The inmate tosses, throws, or expels blood, seminal
 7 fluid, urine, or feces.

8 2 The act is committed with the intent to harm, harass,
 9 annoy, threaten, or alarm a person whom the inmate knows or
 10 reasonably should have known is an employee of a correctional
 11 facility.

12 3. The employee comes into contact with the blood, seminal
 13 fluid, urine, or feces.

14 EXPLANATION

15 This bill establishes a new class "D" felony for the
 16 intentional tossing, throwing, or expelling of blood, seminal
 17 fluid, urine, or feces by inmates on employees of a
 18 correctional facility. In order for the offense to be
 19 established, the inmate must have tossed, thrown, or expelled
 20 blood, seminal fluid, urine, or feces; the act must have been
 21 committed with the intent to harm, harass, annoy, threaten, or
 22 alarm a correctional facility employee; and the employee must
 23 have come into contact with the blood, seminal fluid, urine,
 24 or feces. Class "D" felonies are punishable by imprisonment
 25 of not more than five years and a fine of at least \$500 but
 26 not more than \$7,500.

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