

1-14-97 Judiciary
1-30-79 Do Pass

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FILED JAN 14 1997

SENATE FILE 16
BY SZYMONIAK

Passed Senate, Date 2-27-97 Passed House, Date _____
Vote: Ayes 46 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to simulated incendiary or explosive materials
2 and establishing a penalty.

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

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SENATE FILE 16

S-3032

1 Amend Senate File 16 as follows:
2 1. Page 1, by striking lines 3 through 8 and
3 inserting the following:
4 "A person who places a simulated incendiary or
5 explosive device or material in any place where
6 placement of an actual incendiary or explosive device
7 or material would constitute arson, with the intent
8 that the simulated incendiary or explosive device or
9 material be perceived as an actual incendiary or
10 explosive device or material, commits an aggravated
11 misdemeanor."

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By RICHARD F. DRAKE
ELAINE SZYMONIAK

Adopted 2/27/97 (p.425)
S-3032 FILED FEBRUARY 4, 1997

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CONFIDENTIAL

1 Section 1. NEW SECTION. 712.7A SIMULATED INCENDIARY OR
2 EXPLOSIVE DEVICES OR MATERIALS.

3 A person who places a simulated incendiary or explosive
4 device or material in any place where persons or property
5 would be endangered, knowing that the simulated incendiary or
6 explosive device or material might be perceived as an actual
7 incendiary or explosive device or material, commits an
8 aggravated misdemeanor.

9 EXPLANATION

10 This bill provides that a person who places a simulated
11 incendiary or explosive device or material any place where
12 persons or property would be endangered, knowing that the
13 simulated incendiary or explosive device or material might be
14 perceived as an actual incendiary or explosive device or
15 material, commits an aggravated misdemeanor.

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**SENATE FILE 16
FISCAL NOTE**

The estimate for **Senate File 16** is hereby submitted as a fiscal note pursuant to Joint Rule 17 and as a correctional impact statement pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 16 makes it an aggravated misdemeanor to place a simulated incendiary or explosive device or material any place where persons or property would be endangered, knowing that these might be perceived as an actual incendiary or explosive device or material.

ASSUMPTIONS

The Bill creates a new offense not currently covered in the Arson Section of the Code of Iowa and closes a loophole to allow prosecution of the act of using a fake bomb.

CORRECTIONAL IMPACT

Because the Bill defines a new aggravated misdemeanor, there is potential for an impact on the correctional system. However, it is not expected to have a significant correctional impact.

FISCAL IMPACT

This Bill is not expected to have a significant fiscal impact.

SOURCES

Criminal and Juvenile Justice Planning Div., Dept. of Human
Rights
Department of Corrections

(LSB 1022SS, DPW)

FILED FEBRUARY 12, 1997

BY DENNIS PROUTY, FISCAL DIRECTOR

H. 2/3/97 Judiciary

SENATE FILE 16
BY SZYMONIAK

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 27, 1997)

_____ - New Language by the Senate

Passed Senate, Date _____ Passed House, Date _____

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

Approved _____

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S.F. 16

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