

SENATE FILE 207  
BY LIND

(COMPANION TO LSB 2274HH  
BY DODERER)

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

A BILL FOR

1 An Act to prohibit sexual exploitation by law enforcement  
2 officers and providing a penalty.

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

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S.F. 207

1 Section 1. Section 702.11, Code 1997, is amended to read  
2 as follows:

3 702.11 FORCIBLE FELONY.

4 A "forcible felony" is any felonious child endangerment,  
5 assault, murder, sexual abuse, kidnapping, robbery, arson in  
6 the first degree, or burglary in the first degree. However,  
7 sexual abuse in the third degree committed between spouses,  
8 sexual abuse in violation of section 709.4, subsection 2,  
9 paragraph "c", subparagraph (4), or sexual exploitation by a  
10 counselor or therapist in violation of section 709.15, or  
11 sexual exploitation by a law enforcement officer in violation  
12 of section 709.15A, is not a "forcible felony".

13 Sec. 2. NEW SECTION. 709.15A SEXUAL EXPLOITATION BY A  
14 LAW ENFORCEMENT OFFICER -- PENALTY.

15 1. A law enforcement officer commits a class "D" felony  
16 when the officer sexually exploits a person who is the victim  
17 of, a suspect in, or a witness to a criminal act or other  
18 activity which the officer is investigating or to which the  
19 officer is responding.

20 2. For purposes of this section, "law enforcement officer"  
21 means a peace officer employed by the state or a political  
22 subdivision of the state.

23 3. For purposes of this section, "sexually exploits" means  
24 engaging in conduct that is for the purpose of arousing or  
25 satisfying the sexual desire of the law enforcement officer or  
26 other participant and includes but is not limited to kissing;  
27 touching of the clothed or unclothed inner thigh, breast,  
28 groin, buttock, anus, pubes, or genitals; or a sex act as  
29 defined in section 702.17.

30 EXPLANATION

31 This bill creates a class "D" felony offense of sexual  
32 exploitation by a law enforcement officer. Sexual  
33 exploitation by a law enforcement officer is committed when  
34 the law enforcement officer engages in certain sexual conduct  
35 that is for the purpose of arousing or satisfying the sexual

1 desire of the law enforcement officer or other participant. A  
2 class "D" felony is punishable by imprisonment of not more  
3 than five years and a fine of at least \$500 but not more than  
4 \$7,500.

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