

*Sunderbruch, Chair*  
*Millage*  
*Doderer*

**HSB 532**

JUDICIARY

Succeeded By  
HOUSE FILE S 02154  
BY (PROPOSED COMMITTEE ON JUDICIARY  
BILL BY CHAIRPERSON LARSON)

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

**A BILL FOR**

1 An Act relating to the sex offender registry and criminal  
2 penalties and providing an effective date.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 692A.7, subsection 1, Code 1999, is  
2 amended to read as follows:

3 1. A willful failure to register or to provide notice of a  
4 change of address or name as required under this chapter is an  
5 aggravated misdemeanor for a first offense and a class "D"  
6 felony for a second or subsequent offense. However, a person  
7 who willfully fails to register, or to provide notice of a  
8 change of address or name as required under this chapter and  
9 who commits a criminal offense against a minor, sexual  
10 exploitation, an other relevant offense, or a sexually violent  
11 offense is guilty of a class "C" felony. Any fine imposed for  
12 a second or subsequent offense shall not be suspended. The  
13 court shall not defer judgment or sentence for any violation  
14 of the registration or notification requirements of this  
15 chapter. The willful failure of a person who is on probation,  
16 parole, or work release, or any other form of release to  
17 register or provide notice as required under this chapter  
18 shall result in the automatic revocation of the person's  
19 probation, parole, or work release.

20 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
21 immediate importance, takes effect upon enactment.

22 EXPLANATION

23 This bill makes changes to the criminal penalties relating  
24 to the sex offender registry. The bill provides that an  
25 offender who willfully fails to notify the sheriff of each  
26 change of address within a county, or fails to notify a  
27 sheriff of a newly established residency located outside the  
28 state or fails to notify a sheriff of a name change, commits  
29 an aggravated misdemeanor for a first offense and a class "d"  
30 felony for a second or subsequent offense. The bill also  
31 provides that an offender who fails to notify the sheriff of  
32 each change of address and subsequently commits an offense  
33 against a minor or certain sexual offenses commits a class "C"  
34 felony. The bill also provides that an offender shall have  
35 the offender's probation, parole, or work release revoked if

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1 the offender fails to notify of a change of address.

2 A class "C" felony is punishable by confinement for no more  
3 than 10 years and a fine of at least \$1,000 but not more than  
4 \$10,000. A class "D" felony is punishable by confinement for  
5 no more than five years and a fine of at least \$750 but not  
6 more than \$7,500. An aggravated misdemeanor is punishable by  
7 confinement for no more than two years and a fine of at least  
8 \$500 but not more than \$5,000.

9 The bill takes effect upon enactment.

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*Substituted Jocr by SF2031*  
*2/16/00 p. 318*

FEB 4 2000

Place On Calendar

HOUSE FILE **2154**  
BY COMMITTEE ON JUDICIARY

**WITHDRAWN** (SUCCESSOR TO HSB 532)

Passed House, Date 2/15/00 (p. 322) Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the sex offender registry and criminal  
2 penalties and providing an effective date.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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*HF 2154*

1 Section 1. Section 692A.7, subsection 1, Code 1999, is  
2 amended to read as follows:

3 1. ~~A willful-failure-to-register-as-required-under-this~~  
4 ~~chapter-is~~ person required to register under this chapter who  
5 knowingly violates any requirements specified under sections  
6 692A.2 through 692A.4 commits an aggravated misdemeanor for a  
7 first offense and a class "D" felony for a second or  
8 subsequent offense. However, a person ~~who-willfully-fails-to~~  
9 ~~register-as-required-under-this-chapter~~ required to register  
10 under this chapter who knowingly violates any of the  
11 requirements specified under sections 692A.2 through 692A.4  
12 and who commits a criminal offense against a minor, sexual  
13 exploitation, an other relevant offense, or a sexually violent  
14 offense is guilty of a class "C" felony. Any fine imposed for  
15 a second or subsequent offense violation shall not be  
16 suspended. The court shall not defer judgment or sentence for  
17 any violation of ~~the-registration~~ any requirements of-this  
18 ~~chapter~~ specified under sections 692A.2 through 692A.4. The  
19 ~~willful-failure~~ A knowing violation of a person who is on  
20 probation, parole, or work release, or any other form of  
21 release to ~~register-as-required-under-this-chapter~~ comply with  
22 any requirements specified under sections 692A.2 through  
23 692A.4 shall result in the automatic revocation of the  
24 person's probation, parole, or work release.

25 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
26 immediate importance, takes effect upon enactment.

27 EXPLANATION

28 This bill makes changes to the criminal penalties relating  
29 to the sex offender registry. The bill provides that an  
30 offender who knowingly violates any provision in Code sections  
31 692A.2 through 692A.4 of the sex offender registry law commits  
32 an aggravated misdemeanor for a first offense and a class "D"  
33 felony for a second or subsequent offense. The bill also  
34 provides that an offender who knowingly violates Code sections  
35 692A.2 through 692A.4 of the sex offender registry law and

1 subsequently commits an offense against a minor or certain  
2 sexual offenses commits a class "C" felony. The bill also  
3 provides that an offender shall have the offender's probation,  
4 parole, or work release revoked if the offender knowingly  
5 commits a violation.

6 A class "C" felony is punishable by confinement for no more  
7 than 10 years and a fine of at least \$1,000 but not more than  
8 \$10,000. A class "D" felony is punishable by confinement for  
9 no more than five years and a fine of at least \$750 but not  
10 more than \$7,500. An aggravated misdemeanor is punishable by  
11 confinement for no more than two years and a fine of at least  
12 \$500 but not more than \$5,000.

13 The bill takes effect upon enactment.

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