

*Fager, Chair*  
*Davis*  
*Kreiman*

*HSB 530*

S<sup>U</sup> JUDICIARY  
SF/HF \_\_\_\_\_

HOUSE FILE \_\_\_\_\_  
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 state criminal jurisdiction and to the crimes  
2 of escape and absence from custody.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 719.4, subsections 1 and 2, Code  
2 Supplement 1999, are amended to read as follows:

3 1. A person convicted of a felony, or charged with or  
4 arrested for the commission of a felony, who intentionally  
5 escapes, or attempts to escape, from a detention facility,  
6 community-based correctional facility, or institution to which  
7 the person has been committed by reason of the conviction,  
8 charge, or arrest, or from the custody of any public officer,  
9 or public employee, or any other person to whom the person has  
10 been entrusted, commits a class "D" felony.

11 2. A person convicted of, charged with, or arrested for a  
12 misdemeanor, who intentionally escapes, or attempts to escape,  
13 from a detention facility, community-based correctional  
14 facility, or institution to which the person has been  
15 committed by reason of the conviction, charge, or arrest, or  
16 from the custody of any public officer, or public employee, or  
17 any other person to whom the person has been entrusted,  
18 commits a serious misdemeanor.

19 Sec. 2. Section 719.4, Code Supplement 1999, is amended by  
20 adding the following new subsection:

21 NEW SUBSECTION. 5. Except for subsection 4, an offense  
22 committed under this section includes any offense committed  
23 wholly outside the state.

24 Sec. 3. Section 803.1, subsection 1, Code 1999, is amended  
25 by adding the following new paragraph after paragraph c:

26 NEW PARAGRAPH. cc. The offense is based upon a statute  
27 that specifically prohibits conduct wholly outside of the  
28 state.

29 EXPLANATION

30 This bill amends Code section 803.1 concerning the state's  
31 criminal jurisdiction. The bill provides that a criminal  
32 offense committed outside the state may be prosecuted in this  
33 state if a statute specifically prohibits the conduct outside  
34 the state.

35 Existing law generally permits the state to only prosecute

SB 530

1 an offender who committed an offense that occurred at least  
2 partly in this state.

3 The bill also amends Code section 719.4 regarding the  
4 criminal offense of escape or absence from custody. The bill  
5 provides that an escape or absence from custody that occurs  
6 outside the state may be prosecuted in this state.

7 The bill further provides that an offender who escapes from  
8 the custody of any person to whom the offender has been  
9 entrusted, commits the offense of escape. Under existing law  
10 a person commits escape if the person escapes from the custody  
11 of a public officer or employee.

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S-3/2/00 Judiciary  
S-3/15/00 Do Pass

FEB 15 2000

REPRINTED

Place On Calendar

HOUSE FILE

2253

BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 530)

Passed House, (p.520) Date 3/2/00 Passed Senate, (p.761) Date 3-21-00  
Vote: Ayes 97 Nays 0 Vote: Ayes 49 Nays 0  
Approved 3/31/00

A BILL FOR

1 An Act relating to state criminal jurisdiction and to the crimes  
2 of escape and absence from custody.

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

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HOUSE FILE 2253

H-8096

1 Amend House File 2253 as follows:

- 2 1. Page 1, by striking lines 27 and 28, and
- 3 inserting the following: "that specifically prohibits
- 4 conduct wholly outside of the state, and the conduct
- 5 bears a reasonable relation to a legitimate state
- 6 interest, and the person knows or should know that the
- 7 conduct is likely to affect that interest."

By JAGER of Black Hawk

H-8096 FILED FEBRUARY 29, 2000

*Adopted*  
*3/2/00 (p.520)*

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HF 2253

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8 charge, or arrest, or from the custody of any public officer,  
9 or public employee, or any other person to whom the person has  
10 been entrusted, commits a class "D" felony.

11 2. A person convicted of, charged with, or arrested for a  
12 misdemeanor, who intentionally escapes, or attempts to escape,  
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14 facility, or institution to which the person has been  
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34 the state.

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1 an offender who committed an offense that occurred at least  
2 partly in this state.

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HOUSE FILE 2253  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 530)

(As Amended and Passed by the House, March 2, 2000)

Passed House, Date \_\_\_\_\_ Passed Senate, Date <sup>(P. 761)</sup> 3-21-00  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 49 Nays 0  
Approved 3/31/00

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House Amendments \_\_\_\_\_

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9 or public employee, or any other person to whom the person has  
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17 any other person to whom the person has been entrusted,  
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19 Sec. 2. Section 719.4, Code Supplement 1999, is amended by  
20 adding the following new subsection:

21 NEW SUBSECTION. 5. Except for subsection 4, an offense  
22 committed under this section includes any offense committed  
23 wholly outside the state.

24 Sec. 3. Section 803.1, subsection 1, Code 1999, is amended  
25 by adding the following new paragraph after paragraph c:

26 NEW PARAGRAPH. cc. The offense is based upon a statute  
27 that specifically prohibits conduct wholly outside of the  
28 state, and the conduct bears a reasonable relation to a  
29 legitimate state interest, and the person knows or should know  
30 that the conduct is likely to affect that interest.

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HOUSE FILE 2253

AN ACT  
RELATING TO STATE CRIMINAL JURISDICTION AND TO THE  
CRIMES OF ESCAPE AND ABSENCE FROM CUSTODY.

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

Section 1. Section 719.4, subsections 1 and 2, Code Supplement 1999, are amended to read as follows:

1. A person convicted of a felony, or charged with or arrested for the commission of a felony, who intentionally escapes, or attempts to escape, from a detention facility, community-based correctional facility, or institution to which the person has been committed by reason of the conviction, charge, or arrest, or from the custody of any public officer, or public employee, or any other person to whom the person has been entrusted, commits a class "D" felony.

2. A person convicted of, charged with, or arrested for a misdemeanor, who intentionally escapes, or attempts to escape, from a detention facility, community-based correctional facility, or institution to which the person has been committed by reason of the conviction, charge, or arrest, or from the custody of any public officer, or public employee, or any other person to whom the person has been entrusted, commits a serious misdemeanor.

Sec. 2. Section 719.4, Code Supplement 1999; is amended by adding the following new subsection:

NEW SUBSECTION. 5. Except for subsection 4, an offense committed under this section includes any offense committed wholly outside the state.

Sec. 3. Section 803.1, subsection 1, Code 1999, is amended by adding the following new paragraph after paragraph c:

NEW PARAGRAPH. cc. The offense is based upon a statute that specifically prohibits conduct wholly outside of the

state, and the conduct bears a reasonable relation to a legitimate state interest, and the person knows or should know that the conduct is likely to affect that interest.

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BRENT SIEGRIST  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2253, Seventy-eighth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved 3/31, 2000

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THOMAS J. VILSACK  
Governor