

FEB 15 2000

JUDICIARY

HOUSE FILE 2264
BY RICHARDSON

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to provide an additional term of parole or work release
2 for certain persons who commit the crime of lascivious acts
3 with a child.

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

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HF 2264

1 Section 1. Section 709.8, unnumbered paragraph 2, Code
2 1999, is amended to read as follows:

3 Any person who violates a provision of this section shall,
4 upon conviction, be guilty of a class "D" felony. A person
5 who violates a provision of this section and who is sentenced
6 to a term of confinement shall also be sentenced to an
7 additional term of parole or work release not to exceed two
8 years. The board of parole shall determine whether the person
9 should be released on parole or placed in a work release
10 program. The sentence of an additional term of parole or work
11 release supervision shall commence immediately upon the
12 expiration of the preceding sentence of confinement and shall
13 be under the terms and conditions as set out in chapter 906.
14 Violations of parole or work release shall be subject to the
15 procedures set out in chapter 905 or 908 or rules adopted
16 under those chapters. The sentence of an additional term of
17 parole or work release shall be consecutive to the original
18 term of confinement.

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EXPLANATION

20 This bill provides for the imposition of an additional
21 sentence of mandatory parole or work release for certain
22 persons convicted of the criminal offense of lascivious acts
23 with a child in violation of Code section 709.8.

24 The bill provides that if an offender is sentenced to a
25 period of confinement, the court shall also sentence the
26 person to an additional sentence of parole or work release not
27 to exceed two years. The bill provides that the additional
28 sentence of parole or work release shall run consecutive to
29 the first sentence of confinement. The bill also provides
30 that upon the expiration of the first sentence, the board of
31 parole shall determine whether the person shall be placed on
32 parole or work release during the additional sentence. Under
33 the bill, if a person violates a condition of the additional
34 sentence of parole or work release, the additional sentence of
35 parole or work release may be revoked and the person sentenced

1 to a period of confinement in the same manner as any other
2 person on parole or work release status.

3 Generally, a person who commits lascivious acts with a
4 child touches, solicits, or inflicts pain on a child for the
5 purpose of arousing the sexual desires of the person or the
6 child. A person who commits lascivious acts with a child is
7 guilty of a class "D" felony. A class "D" felony is
8 punishable by confinement for no more than five years and a
9 fine of at least \$750 but not more than \$7,500.

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