

FEB 24 2000

JUDICIARY

HOUSE FILE
BY SCHERRMAN

2417

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

A BILL FOR

1 An Act relating to the dissemination or exhibition of obscene
2 material to an incompetent person and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2417

1 Section 1. Section 692A.1, subsection 6, Code Supplement
2 1999, is amended by adding the following new paragraph after
3 paragraph c:

4 NEW PARAGRAPH. cc. Dissemination and exhibition of
5 obscene material to an incompetent person in violation of
6 section 728.2.

7 Sec. 2. Section 692A.1, subsection 6, paragraph d, Code
8 Supplement 1999, is amended to read as follows:

9 d. A criminal offense committed in another jurisdiction
10 which would constitute an indictable offense under paragraphs
11 "a" through "e" "cc" if committed in this state.

12 Sec. 3. Section 728.2, Code 1999, is amended to read as
13 follows:

14 728.2 DISSEMINATION AND EXHIBITION OF OBSCENE MATERIAL TO
15 MINORS AND INCOMPETENT PERSONS.

16 Any person, other than the parent or guardian of the a
17 minor or of a person who is incompetent as defined in section
18 633.3, who knowingly disseminates or exhibits obscene material
19 to a minor or an incompetent person, including the exhibition
20 of obscene material so that it can be observed by a minor or
21 an incompetent person on or off the premises where it is
22 displayed, is guilty of a public offense and shall upon
23 conviction be guilty of a serious misdemeanor.

24 EXPLANATION

25 This bill relates to the dissemination and exhibition of
26 obscene materials to incompetent persons.

27 The bill provides that any person who knowingly
28 disseminates or exhibits obscene material to an incompetent
29 person commits a serious misdemeanor. A person who
30 disseminates and exhibits obscene material to an incompetent
31 person in violation of this bill must also register as a sex
32 offender under Code chapter 692A.

33 A serious misdemeanor is punishable by confinement for no
34 more than one year and a fine of at least \$250 but not more
35 than \$1,500.