

House Study Bill 532

Bill Text

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1 1 Section 1. Section 692A.7, subsection 1, Code 1999, is
1 2 amended to read as follows:
1 3 1. A willful failure to register or to provide notice of a
1 4 change of address or name as required under this chapter is an
1 5 aggravated misdemeanor for a first offense and a class "D"
1 6 felony for a second or subsequent offense. However, a person
1 7 who willfully fails to register, or to provide notice of a
1 8 change of address or name as required under this chapter and
1 9 who commits a criminal offense against a minor, sexual
1 10 exploitation, an other relevant offense, or a sexually violent
1 11 offense is guilty of a class "C" felony. Any fine imposed for
1 12 a second or subsequent offense shall not be suspended. The
1 13 court shall not defer judgment or sentence for any violation
1 14 of the registration or notification requirements of this
1 15 chapter. The willful failure of a person who is on probation,
1 16 parole, or work release, or any other form of release to
1 17 register or provide notice as required under this chapter
1 18 shall result in the automatic revocation of the person's
1 19 probation, parole, or work release.

1 20 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
1 21 immediate importance, takes effect upon enactment.

EXPLANATION

1 23 This bill makes changes to the criminal penalties relating
1 24 to the sex offender registry. The bill provides that an
1 25 offender who willfully fails to notify the sheriff of each
1 26 change of address within a county, or fails to notify a
1 27 sheriff of a newly established residency located outside the
1 28 state or fails to notify a sheriff of a name change, commits
1 29 an aggravated misdemeanor for a first offense and a class "d"
1 30 felony for a second or subsequent offense. The bill also
1 31 provides that an offender who fails to notify the sheriff of
1 32 each change of address and subsequently commits an offense
1 33 against a minor or certain sexual offenses commits a class "C"
1 34 felony. The bill also provides that an offender shall have
1 35 the offender's probation, parole, or work release revoked if
2 1 the offender fails to notify of a change of address.

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

2 9 The bill takes effect upon enactment.

2 10 LSB 5193YC 78

2 11 jm/gg/8