

Senate Study Bill 3020

Bill Text

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1 1 Section. 1. Section [719.4](#), Code Supplement 1999, is
1 2 amended by adding the following new subsection:
1 3 NEW SUBSECTION. 5. Except for subsection 4, an offense
1 4 committed under this section includes any offense committed
1 5 wholly outside the state.
1 6 Sec. 2. Section [803.1](#), subsection 1, Code 1999, is amended
1 7 by adding the following new paragraph after paragraph c:
1 8 NEW PARAGRAPH. cc. The offense is based upon a statute
1 9 that specifically prohibits conduct wholly outside of the
1 10 state, and the conduct bears a reasonable relation to a
1 11 legitimate state interest, and the person knows or should know
1 12 that the conduct is likely to affect that interest.
1 13 EXPLANATION
1 14 This bill amends Code section 803.1 concerning the state's
1 15 criminal jurisdiction. The bill provides that a criminal
1 16 offense committed outside the state may be prosecuted in this
1 17 state if the following apply: a statute specifically
1 18 prohibits the conduct outside the state; there is a legitimate
1 19 state interest; and the offender knew or should know that the
1 20 offense would affect that state interest.
1 21 Existing law generally permits the state to only prosecute
1 22 an offender who committed an offense that occurred at least
1 23 partly in this state.
1 24 The bill also amends Code section 719.4 regarding the
1 25 criminal offense of escape or absence from custody. The bill
1 26 provides that an escape or absence from custody that occurs
1 27 outside the state may be prosecuted in this state.
1 28 Existing law does not provide for the prosecution of Iowa
1 29 offenders for escape or absence from custody if the offense
1 30 occurred outside the state.
1 31 LSB 5183DP 78
1 32 jm/cls/14