

Senate Study Bill 3074

Bill Text

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1 1 Section 1. Section 709.8, unnumbered paragraph 2, Code
1 2 1999, is amended to read as follows:
1 3 Any person who violates a provision of this section shall,
1 4 upon conviction, be guilty of a class "D" felony. A person
1 5 who violates a provision of this section and who is sentenced
1 6 to a term of confinement shall also be sentenced to an
1 7 additional term of parole or work release not to exceed two
1 8 years. The board of parole shall determine whether the person
1 9 should be released on parole or placed in a work release
1 10 program. The sentence of an additional term of parole or work
1 11 release supervision shall commence immediately upon the
1 12 expiration of the succeeding sentence and shall be under the
1 13 terms and conditions as set out in chapter 906. Violations of
1 14 parole or work release shall be subject to the procedures set
1 15 out in chapter 905 or 908 or rules adopted under those
1 16 chapters. The sentence of an additional term of parole or
1 17 work release shall be consecutive to the original term of
1 18 confinement.

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EXPLANATION

1 20 This bill provides for the imposition of an additional
1 21 sentence of mandatory parole or work release for certain
1 22 persons convicted of the criminal offense of lascivious acts
1 23 with a child in violation of Code section 709.8.

1 24 The bill provides that if an offender is sentenced to a
1 25 period of confinement, the court shall also sentence the
1 26 person to an additional sentence of parole or work release not
1 27 to exceed two years. The bill provides that the additional
1 28 sentence of parole or work release shall run consecutive to
1 29 the first sentence of confinement. The bill also provides
1 30 that upon the expiration of the first sentence, the board of
1 31 parole shall determine whether the person shall be on parole
1 32 or work release during the additional sentence. Under the
1 33 bill, if a person violates a condition of the additional
1 34 sentence of parole or work release, the additional sentence of
1 35 parole or work release may be revoked and the person sentenced
2 1 to a period of confinement in the same manner as any other
2 2 person on parole or work release status.

2 3 Generally, a person who commits lascivious acts with a
2 4 child touches, solicits, or inflicts pain on a child for the
2 5 purpose of arousing the sexual desires of the person or the
2 6 child. A person who commits lascivious acts with a child is
2 7 guilty of a class "D" felony. A class "D" felony is
2 8 punishable by confinement for no more than five years and a
2 9 fine of at least \$750 but not more than \$7,500.

2 10 LSB 5777XC 78

2 11 jm/cf/24