

# Senate Study Bill 1112

## Bill Text

PAG LIN

1 1 Section 1. Section [711.1](#), subsection 1, Code 2001, is  
1 2 amended to read as follows:  
1 3 1. Commits an assault upon another other than an assault  
1 4 as defined in section 708.2, subsection 5.

1 5 EXPLANATION

1 6 This bill creates an exception to the definition of the  
1 7 criminal offense of robbery. The bill provides that a person  
1 8 who commits or intends to commit a theft, and who commits a  
1 9 simple misdemeanor assault to further the commission of the  
1 10 theft, does not commit robbery. Under current law, a person  
1 11 who commits or intends to commit any theft, and who commits  
1 12 any assault to further the commission of the theft, commits  
1 13 either robbery in the first degree or robbery in the second  
1 14 degree depending on the severity of the assault.

1 15 Robbery in the first degree is a class "B" felony  
1 16 punishable by confinement for no more than 25 years. Robbery  
1 17 in the second degree is a class "C" felony punishable by  
1 18 confinement for no more than 10 years and a fine of at least  
1 19 \$1,000 but not more than \$10,000.

1 20 LSB 1660XC 79

1 21 jm/cls/14