

JAN 1 2 2005  
PUBLIC SAFETY

HOUSE FILE 52  
BY TJEPKES and McCARTHY

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act prohibiting false compartments in vehicles for the purpose  
2 of intentionally concealing or transporting contraband and  
3 providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 52

1 Section 1. NEW SECTION. 733.1 FALSE COMPARTMENTS IN  
2 VEHICLES -- PROHIBITED.

3 1. A person shall not possess, use, or control a false  
4 compartment with the intent to store, conceal, smuggle, or  
5 transport contraband within the false compartment. A  
6 violation of this subsection is a serious misdemeanor.

7 2. A person shall not design, construct, build, alter, or  
8 fabricate a false compartment for, or install or attach a  
9 false compartment to, a vehicle with the intent to store,  
10 conceal, smuggle, or transport contraband within the false  
11 compartment. A violation of this subsection is a serious  
12 misdemeanor.

13 3. A duly authorized peace officer, while investigating a  
14 violation of this section in the performance of the officer's  
15 official duties, or any person working under a peace officer's  
16 immediate direction, supervision, or instruction pursuant to  
17 that investigation, is not subject to prosecution under this  
18 section.

19 4. For purposes of this section, the following definitions  
20 apply:

21 a. "Contraband" means property which is illegally procured  
22 or property the possession of which is unlawful. "Contraband"  
23 includes but is not limited to stolen property, illegal  
24 controlled substances, and illegal weapons.

25 b. "False compartment" means any box, container, space, or  
26 enclosure that is intended or designed for use to conceal,  
27 hide, or otherwise prevent discovery of contraband and that is  
28 located within or attached to a vehicle, including but not  
29 limited to any of the following:

30 (1) A false, altered, or modified fuel tank.

31 (2) Original factory equipment of a vehicle that is  
32 modified, altered, or changed.

33 (3) A compartment, space, or box that is added to,  
34 fabricated, made, or created from existing compartments,  
35 spaces, or boxes within a vehicle.

1 c. "Vehicle" means a motor vehicle as defined in section  
2 321.1, aircraft, recreational vehicle, or watercraft including  
3 but not limited to a car, truck, bus, boat, ship, yacht,  
4 vessel, or other means of conveyance, owned or operated by, or  
5 rented, leased, or loaned to, a person.

6 EXPLANATION

7 This bill makes it a crime for any person to possess, use,  
8 or control a false compartment in a vehicle with the intent to  
9 store, conceal, smuggle, or transport contraband. The bill  
10 also makes it a crime to design, construct, build, alter, or  
11 fabricate a false compartment or to install or attach such a  
12 compartment to a vehicle with the intent to store, conceal,  
13 smuggle, or transport contraband. A violation of either  
14 provision is a serious misdemeanor punishable by confinement  
15 for no more than one year and a fine of at least \$250 but not  
16 more than \$1,500.

17 For purposes of the bill, "contraband" is defined as  
18 property which is illegally procured or the possession of  
19 which is unlawful, including but not limited to stolen  
20 property, illegal controlled substances, and illegal weapons.  
21 A "false compartment" is defined to mean any box, container,  
22 space, or enclosure within or attached to a vehicle for use to  
23 conceal, hide, or otherwise prevent discovery of contraband.  
24 A "vehicle" is defined as a motor vehicle, aircraft,  
25 recreational vehicle, watercraft, or other conveyance.

26 Peace officers who are investigating violations of the bill  
27 in the performance of their official duties and persons  
28 working under such peace officers' immediate direction,  
29 supervision, or instruction pursuant to that investigation are  
30 not subject to prosecution under the bill.

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