

House File 398 - Introduced

HOUSE FILE _____
BY STRUYK and HUSER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act exempting a resident of a state medical institution from
2 prosecution for the criminal offense of willful injury.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1499YH 82
5 jm/gg/14

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1 1 Section 1. Section 708.4, Code 2007, is amended by adding
1 2 the following new unnumbered paragraph after subsection 2:
1 3 NEW UNNUMBERED PARAGRAPH. A person who is a resident of a
1 4 state medical institution as defined in section 219.1 shall
1 5 not be prosecuted under this section.
1 6 EXPLANATION
1 7 This bill relates to the criminal offense of willful
1 8 injury. The bill exempts from prosecution a resident of a
1 9 state medical institution as defined in Code section 219.1, if
1 10 the resident is alleged to have committed willful injury in
1 11 violation of Code section 708.4.
1 12 The Code defines willful injury to mean any person who does
1 13 an unjustified act which is intended to cause serious injury
1 14 and the person causes serious injury (class "C" felony) or
1 15 causes bodily injury (class "D" felony).
1 16 A class "C" felony is punishable by confinement for no more
1 17 than 10 years and a fine of at least \$1,000 but not more than
1 18 \$10,000. A class "D" felony is punishable by confinement for
1 19 no more than five years and a fine of at least \$750 but not
1 20 more than \$7,500.
1 21 LSB 1499YH 82
1 22 jm:nh/gg/14