

# Senate Study Bill 1085

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON KREIMAN)

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

## A BILL FOR

1 An Act restricting the presence of a registered sex offender on  
2 the real property comprising a school or child care facility  
3 and providing a penalty.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1858XC 82  
6 jm/je/5

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1 1 Section 1. NEW SECTION. 692.3A PRESENCE ON THE REAL  
1 2 PROPERTY COMPRISING A SCHOOL OR CHILD CARE FACILITY ==  
1 3 RESTRICTION.  
1 4 1. A person required to register under this chapter who  
1 5 has been convicted of a criminal offense against a minor, or  
1 6 an offense involving a minor that is an aggravated offense,  
1 7 sexually violent offense, or other relevant offense, shall not  
1 8 be knowingly present on the real property comprising a public  
1 9 or nonpublic elementary or secondary school or child care  
1 10 facility, unless subsection 2 applies or any of the following  
1 11 apply:  
1 12 a. The person is transporting a minor who is a child of  
1 13 the person to or from the school or child care facility.  
1 14 b. The person is attending a parent=teacher conference  
1 15 regarding a minor who is a child of the person.  
1 16 c. The person has been summoned to discuss the academic or  
1 17 social progress of a minor who is a child of the person.  
1 18 d. The person is voting at the school or child care  
1 19 facility during the hours designated to vote.  
1 20 2. If the person intends to be present for any other  
1 21 reason not enumerated in subsection 1, the person shall first  
1 22 notify the administrative offices of the public or nonpublic  
1 23 elementary or secondary school or child care facility that the  
1 24 person intends to be present on the real property comprising  
1 25 the school or child care facility, and the person shall  
1 26 receive written permission from the school or child care  
1 27 facility prior to entering onto the real property comprising  
1 28 the school or child care facility.  
1 29 3. A person who commits a violation of this section  
1 30 commits an aggravated misdemeanor.  
1 31 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
1 32 3, shall not apply to this Act.

### EXPLANATION

1 34 This bill restricts the presence of a registered sex  
1 35 offender on or near the real property comprising a school or  
2 1 child care facility.  
2 2 The bill provides that a registered sex offender who has  
2 3 been convicted of a criminal offense against a minor, or an  
2 4 offense involving a minor that is an aggravated offense,  
2 5 sexually violent offense, or other relevant offense, shall not  
2 6 be present on the real property comprising a public or  
2 7 nonpublic elementary or secondary school or child care  
2 8 facility. However, the bill provides exceptions: (1) a sex  
2 9 offender may be present on school or child care facility  
2 10 property if the sex offender is transporting the offender's  
2 11 child to or from school or a child care facility, the offender  
2 12 is attending a parent=teacher conference, the sex offender is  
2 13 summoned to discuss the academic or social progress of the  
2 14 offender's child, or the sex offender is voting in an election  
2 15 during the designated hours to vote; (2) if a sex offender is  
2 16 to be present on the real property of a school or child care  
2 17 facility for any other reason, the sex offender must first

2 18 receive written permission from the administration of the  
2 19 school or child care facility prior to entering onto the  
2 20 property.  
2 21 A person who violates the bill commits an aggravated  
2 22 misdemeanor.  
2 23 An aggravated misdemeanor is punishable by confinement for  
2 24 no more than two years and a fine of at least \$625 but not  
2 25 more than \$6,250.  
2 26 The bill may include a state mandate as defined in Code  
2 27 section 25B.3. The bill makes inapplicable Code section  
2 28 25B.2, subsection 3, which would relieve a political  
2 29 subdivision from complying with a state mandate if funding for  
2 30 the cost of the state mandate is not provided or specified.  
2 31 Therefore, political subdivisions are required to comply with  
2 32 any state mandate included in the bill.  
2 33 LSB 1858XC 82  
2 34 jm:rj/je/5