

Senate Study Bill 3077 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
REBUILD IOWA BILL BY
CHAIRPERSON HOGG)

A BILL FOR

1 An Act providing for the doubling of criminal fines in disaster
2 areas, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 902.15 Criminal offense committed
2 in a federal disaster area.

3 When the president of the United States declares a major
4 disaster exists in this state, or the governor proclaims a
5 state of disaster emergency exists pursuant to section 29C.6,
6 the minimum fine pursuant to section 902.9 or the minimum
7 civil penalty pursuant to section 907.14 shall double for the
8 following felony criminal offenses committed in a disaster area
9 if the offender knew the criminal offense was committed in such
10 an area:

11 1. Burglary-related offenses in violation of section 713.4,
12 713.5, 713.6, or 713.6A, subsection 1.

13 2. Theft offenses in violation of section 714.2, subsection
14 1 or 2.

15 3. Criminal mischief offenses in violation of section 716.3
16 or 716.4.

17 Sec. 2. NEW SECTION. 903.7 Criminal offense committed in
18 a federal disaster area.

19 When the president of the United States declares a major
20 disaster exists in this state, or the governor proclaims a
21 state of disaster emergency exists pursuant to section 29C.6,
22 the minimum fine under section 903.1 or the minimum civil
23 penalty pursuant under section 907.14 shall double for the
24 following misdemeanor criminal offenses committed in a disaster
25 area if the offender knew the criminal offense was committed in
26 such an area:

27 1. Burglary-related offenses in violation of section
28 713.6A, subsection 2, or section 713.6B or 713.7.

29 2. Theft offenses in violation of section 714.2, subsection
30 3, 4, or 5.

31 3. Criminal mischief offenses in violation of section 716.5
32 or 716.6.

33

EXPLANATION

34 This bill provides for the doubling of criminal fines in
35 disaster areas.

1 Under the bill, if the president of the United States
2 declares a major disaster exists in this state, or the governor
3 proclaims a state of disaster emergency exists, the minimum
4 fine or civil penalty shall double for certain criminal
5 offenses committed in the disaster area, if the offender knew
6 the criminal offense was committed in such an area.

7 The bill doubles the minimum fine under Code section 902.9 or
8 the civil penalty under Code section 907.14 for the following
9 felony offenses: Code sections 714.4 (attempted burglary in
10 the first degree), 713.5 (burglary in the second degree), 713.6
11 (attempted burglary in the second degree), 713.6A(1) (burglary
12 in the third degree), 714.2(1) (theft in the first degree),
13 714.2(2) (theft in the second degree), 716.3 (criminal mischief
14 in the first degree), and 716.4 (criminal mischief in the
15 second degree).

16 The bill also doubles the minimum fine pursuant to
17 Code section 903.1 or the civil penalty for the following
18 misdemeanor offenses: Code sections 713.6A(2) (burglary in the
19 third degree), 713.6B (attempted burglary in the third degree),
20 713.7 (possession of burglar's tools), 714.2(3) (theft in the
21 third degree), 714.2(4) (theft in the fourth degree), 714.2(5)
22 (theft in the fifth degree), 716.5 (criminal mischief in the
23 third degree), and 714.6 (criminal mischief in the fourth and
24 fifth degrees).