

Senate Study Bill 3163 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED CRIMINAL CODE
REORGANIZATION STUDY
COMMITTEE BILL)

A BILL FOR

1 An Act relating to the criminal offense of intimidation with a
2 dangerous weapon.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 708.6, Code 2009, is amended to read as
2 follows:

3 **708.6 Intimidation with a dangerous weapon.**

4 1. A person commits a class "C" felony when the person,
5 with the intent to injure or provoke fear or anger in another,
6 shoots, throws, launches, or discharges a dangerous weapon at,
7 into, or in a building, vehicle, airplane, railroad engine,
8 railroad car, or boat, occupied by another person, or within an
9 assembly of people, and thereby places the occupants or people
10 in reasonable apprehension of serious injury or threatens to
11 commit such an act under circumstances raising a reasonable
12 expectation that the threat will be carried out.

13 2. A person commits a class "D" felony when the person
14 recklessly shoots, throws, launches, or discharges a dangerous
15 weapon at, into, or in a building, vehicle, airplane, railroad
16 engine, railroad car, or boat, occupied by another person, or
17 within an assembly of people, and thereby places the occupants
18 or people in reasonable apprehension of serious injury or
19 threatens to commit such an act under circumstances raising a
20 reasonable expectation that the threat will be carried out.

21 EXPLANATION

22 This bill relates to the criminal offense of intimidation
23 with a dangerous weapon.

24 The bill modifies the elements to prove a class "D" felony
25 offense of intimidation with a dangerous weapon by adding a
26 mens rea component to the offense. Under the bill, a person
27 commits a class "D" felony intimidation with a dangerous weapon
28 offense if a person "recklessly" performs the actions required
29 to be convicted of such an offense.

30 A class "D" felony is punishable by confinement for no more
31 than five years and a fine of at least \$750 but not more than
32 \$7,500.