

House File 528 - Introduced

HOUSE FILE 528

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 128)

A BILL FOR

1 An Act modifying the criminal offense of interference with
2 official acts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 719.1, subsections 1 and 2, Code 2013,
2 are amended to read as follows:

3 1. A person who knowingly resists or obstructs anyone known
4 by the person to be a peace officer, emergency medical care
5 provider under chapter 147A, or fire fighter, whether paid
6 or volunteer, in the performance of any act which is within
7 the scope of the lawful duty or authority of that officer,
8 emergency medical care provider under chapter 147A, or fire
9 fighter, whether paid or volunteer, or who knowingly resists or
10 obstructs the service or execution by any authorized person of
11 any civil or criminal process or order of any court, commits a
12 simple misdemeanor. In addition to any other penalties, the
13 punishment imposed for a violation of this subsection shall
14 include assessment of a fine of not less than two hundred fifty
15 dollars. However, if a person commits an interference with
16 official acts, as defined in this subsection, ~~and in so doing~~
17 ~~inflicts~~ which results in bodily injury ~~other than serious~~
18 ~~injury~~, that person commits an aggravated misdemeanor. If a
19 person commits an interference with official acts, as defined
20 in this subsection, ~~and in so doing inflicts or attempts~~
21 ~~to inflict~~ which results in serious injury, or displays a
22 dangerous weapon, as defined in section 702.7, or is armed with
23 a firearm, that person commits a class "D" felony.

24 2. A person under the custody, control, or supervision of
25 the department of corrections who knowingly resists, obstructs,
26 or interferes with a correctional officer, agent, employee, or
27 contractor, whether paid or volunteer, in the performance of
28 the person's official duties, commits a serious misdemeanor.
29 If a person violates this subsection and in so doing commits
30 an assault, as defined in section 708.1, the person commits an
31 aggravated misdemeanor. If a person violates this subsection
32 ~~and in so doing inflicts or attempts to inflict~~ the violation
33 results in bodily injury ~~other than serious injury~~ to another,
34 displays a dangerous weapon, as defined in section 702.7, or is
35 armed with a firearm, the person commits a class "D" felony.

1 If a person violates this subsection and uses or attempts
2 to use a dangerous weapon, as defined in section 702.7, or
3 ~~inflicts~~ the violation results in serious injury to another,
4 the person commits a class "C" felony.

5 EXPLANATION

6 This bill relates to the criminal offense of interference
7 with official acts.

8 The bill provides that a person commits the offense of
9 interference with official acts if the violation results in
10 bodily or serious injury to a peace officer, emergency medical
11 care provider, correctional officer, or other member of a
12 protected class under Code section 719.1.

13 Current law provides that a person commits the offense
14 of interference with official acts if the person inflicts or
15 attempts to inflict bodily or serious injury.

16 Under the bill, if a person commits interference with
17 official acts that results in bodily injury to a member
18 of a protected class, the person commits an aggravated
19 misdemeanor if the injury is to a peace officer or emergency
20 medical officer, or a class "D" felony if the injury is to a
21 correctional officer.

22 If a person commits interference with official acts that
23 results in serious injury, the person commits a class "D"
24 felony if the injury is to a peace officer or emergency
25 medical officer, or a class "C" felony if the injury is to a
26 correctional officer.