

Senate File 2150 - Introduced

SENATE FILE 2150
BY SMITH and SENG

A BILL FOR

1 An Act relating to the limitations of actions in certain sexual
2 offenses, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **802.2B Other sexual offenses.**

2 1. An information or indictment for the following offenses
3 committed on or with a person who is a child or is under the
4 age of eighteen years shall be found within ten years after
5 the person upon whom the offense is committed attains eighteen
6 years of age:

7 a. Lascivious acts with a child in violation of section
8 709.8.

9 b. Assault with intent to commit sexual abuse in violation
10 of section 709.11.

11 c. Indecent contact with a child in violation of section
12 709.12.

13 d. Lascivious conduct with a minor in violation of section
14 709.14.

15 e. Sexual misconduct with offenders and juveniles in
16 violation of section 709.16.

17 2. If the person against whom the information or indictment
18 is sought is identified through the use of a DNA profile for an
19 offense described in subsection 1, an information or indictment
20 shall be found within ten years after its commission, or within
21 three years from the date the person is identified by the
22 person's DNA profile, whichever is later.

23 Sec. 2. Section 802.3, Code 2014, is amended to read as
24 follows:

25 **802.3 Felony — aggravated or serious misdemeanor.**

26 In all cases, except those enumerated in section 802.1,
27 802.2, 802.2A, 802.2B, or 802.10, an indictment or information
28 for a felony or aggravated or serious misdemeanor shall be
29 found within three years after its commission.

30 Sec. 3. Section 802.10, subsection 3, Code 2014, is amended
31 to read as follows:

32 3. However, notwithstanding subsection 2, an indictment
33 or information shall be found against a person within three
34 years from the date the person is identified by the person's
35 DNA profile. If the action involves sexual abuse, or another

1 sexual offense the indictment or information shall be found
2 as provided in section 802.2 or 802.2B, if the person is
3 identified by the person's DNA profile.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 This bill relates to the limitations of criminal actions in
8 certain sexual offenses, and provides penalties.

9 Under the bill, an information or indictment for the
10 following offenses committed on or with a person who is a
11 child or is under the age of 18 years shall be found within
12 10 years after the person upon whom the offense is committed
13 attains 18 years of age: lascivious acts in violation of Code
14 section 709.8, assault with intent to commit sexual abuse in
15 violation of Code section 709.11, indecent contact with a
16 child in violation of Code section 709.12, lascivious conduct
17 with a minor in violation of Code section 709.14, and sexual
18 misconduct with offenders and juveniles in violation of Code
19 section 709.16.

20 Current law provides that an indictment or information for a
21 felony, or aggravated or serious misdemeanor, be found within
22 three years after its commission.

23 The bill also provides that if the person against whom the
24 information or indictment is sought is identified through the
25 use of a DNA profile for an offense described in the bill, an
26 information or indictment shall be found within 10 years after
27 its commission, or within three years from the date the person
28 is identified by the person's DNA profile, whichever is later.