

**Senate File 64 - Introduced**

SENATE FILE 64

BY SORENSON

**A BILL FOR**

1 An Act requiring hormonal intervention therapy for persons  
2 convicted of a serious sex offense and providing a penalty.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 901.5, subsection 13, Code 2013, is  
2 amended to read as follows:

3 13. In addition to any other sentence or other penalty  
4 imposed against the defendant, the court shall impose a special  
5 sentence if required under section 903B.1 or 903B.2, and shall  
6 impose the treatment as provided in section 903B.10.

7 Sec. 2. Section 903B.10, subsection 1, Code 2013, is amended  
8 to read as follows:

9 1. A person who has been convicted of a serious sex  
10 offense ~~may shall, upon a first conviction and~~ in addition  
11 to any other punishment provided by law, be required to  
12 undergo medroxyprogesterone acetate treatment as part of any  
13 conditions of release imposed by the court or the board of  
14 parole. The treatment prescribed in this section may utilize  
15 an approved pharmaceutical agent other than medroxyprogesterone  
16 acetate. ~~Upon a second or subsequent conviction, the court~~  
17 ~~or the board of parole shall require the person to undergo~~  
18 ~~medroxyprogesterone acetate or other approved pharmaceutical~~  
19 ~~agent treatment as a condition of release, unless, after an~~  
20 ~~appropriate assessment, the court or board determines that the~~  
21 ~~treatment would not be effective. In determining whether a~~  
22 ~~conviction is a first or second conviction under this section,~~  
23 ~~a prior conviction for a criminal offense committed in another~~  
24 ~~jurisdiction which would constitute a violation of section~~  
25 ~~709.3, subsection 2, if committed in this state, shall be~~  
26 ~~considered a conviction under this section.~~ This section shall  
27 not apply if the person voluntarily undergoes a permanent  
28 surgical alternative approved by the court or the board of  
29 parole.

30 Sec. 3. Section 903B.10, Code 2013, is amended by adding the  
31 following new subsection:

32 NEW SUBSECTION. 7. Notwithstanding the provisions of  
33 section 907.3, the court shall not defer or suspend the  
34 treatment imposed by this section.

35

EXPLANATION

1 This bill relates to hormonal intervention therapy (chemical  
2 castration) for persons convicted of a serious sex offense.

3 Upon conviction for a serious sex offense, the bill requires  
4 the convicted person to undergo medroxyprogesterone acetate  
5 treatment or a similar pharmaceutical agent treatment as part  
6 of any conditions of release imposed by the court or the board  
7 of parole.

8 A "serious sex offense" is currently defined in Code section  
9 903B.10(3) as specified offenses committed against a victim who  
10 was 12 years old or younger. The specified offenses are sexual  
11 abuse in the first degree in violation of Code section 709.2,  
12 sexual abuse in the second degree in violation of Code section  
13 709.3, sexual abuse in the third degree in violation of Code  
14 section 709.4, lascivious acts with a child in violation of  
15 Code section 709.8, assault with intent to commit sexual abuse  
16 in violation of Code section 709.11, indecent contact with a  
17 minor in violation of Code section 709.12, lascivious conduct  
18 with a minor in violation of Code section 709.14, sexual  
19 exploitation in violation of section Code 709.15, and sexual  
20 exploitation of a minor in violation of Code section 728.12,  
21 subsections 1 and 2.

22 The bill does not apply if the person voluntarily undergoes  
23 a permanent surgical alternative approved by the court or the  
24 board of parole.

25 The court is prohibited from deferring or suspending the  
26 treatment imposed by the bill.