

House File 332 - Introduced

HOUSE FILE 332

BY HEARTSILL

A BILL FOR

1 An Act relating to the time period within which a prosecution
2 for kidnapping in the first degree must be commenced.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 802.1A Kidnapping in the first
2 degree.

3 A prosecution for kidnapping in the first degree in
4 violation of section 710.2 may be commenced at any time after
5 the commission of the offense.

6 Sec. 2. Section 802.3, Code 2015, is amended to read as
7 follows:

8 **802.3 Felony — aggravated or serious misdemeanor.**

9 In all cases, except those enumerated in section 802.1,
10 802.1A, 802.2, 802.2A, 802.2B, or 802.10, an indictment or
11 information for a felony or aggravated or serious misdemeanor
12 shall be found within three years after its commission.

13 EXPLANATION

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

16 This bill relates to the time period within which a
17 prosecution for kidnapping in the first degree must be
18 commenced.

19 Under the bill, a prosecution for kidnapping in the first
20 degree in violation of Code section 710.2 may be commenced at
21 any time after the commission of the offense. Current law
22 requires that kidnapping in the first degree be prosecuted
23 within three years of the commission of the offense.

24 A person who commits kidnapping in the first degree commits
25 a class "A" felony. A class "A" felony is punishable by
26 confinement for life without possibility of parole. If a
27 person is released prior to the expiration of the kidnapping in
28 the first degree sentence, and the offense was determined to be
29 sexually motivated, the person shall register as a sex offender
30 pursuant to Code chapter 692A.