

House File 2276 - Introduced

HOUSE FILE 2276

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 2059)

A BILL FOR

1 An Act relating to the presence of a sex offender upon the real
2 property of a public or nonpublic elementary or secondary
3 school.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 692A.109, subsection 1, paragraph g,
2 Code 2018, is amended to read as follows:

3 *g.* Inform the sex offender ~~who was convicted of a sex~~
4 ~~offense against a minor~~ of the prohibitions established under
5 section 692A.113 by providing the offender with a written
6 copy of [section 692A.113](#) and relevant definitions of section
7 692A.101.

8 Sec. 2. Section 692A.113, subsection 1, paragraph a, Code
9 2018, is amended by striking the paragraph.

10 Sec. 3. Section 692A.113, Code 2018, is amended by adding
11 the following new subsection:

12 NEW SUBSECTION. 4. A sex offender who has been convicted
13 of a sex offense or a person required to register as a sex
14 offender in another jurisdiction shall not be present upon the
15 real property of a public or nonpublic elementary or secondary
16 school unless any of the following apply:

17 *a.* The sex offender has written permission of the school
18 administrator or school administrator's designee to be present
19 upon the real property of a public or nonpublic elementary or
20 secondary school.

21 *b.* The sex offender is enrolled as a student at the school.

22 *c.* The sex offender is the parent or legal guardian of a
23 minor and is present on the real property solely during the
24 period of time reasonably necessary to transport the offender's
25 own minor child or ward to or from the school.

26 *d.* The sex offender is entitled to vote and is present on
27 the real property solely for the period of time reasonably
28 necessary to exercise the right to vote in a public election if
29 the polling location of the offender is located in the school.

30 EXPLANATION

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

33 This bill relates to the presence of a sex offender upon the
34 real property of a public or nonpublic elementary or secondary
35 school.

1 The bill prohibits a person required to register as a sex
2 offender from being present upon the real property of a public
3 or nonpublic elementary or secondary school unless the offender
4 has received written permission from the school administrator
5 or school administrator's designee prior to being present
6 at the school. Current law prohibits a sex offender from
7 being present on the real property of a public or nonpublic
8 elementary or secondary school only if the sex offender has
9 committed a sex offense against a minor and the offender has
10 not received permission from the school administrator or school
11 administrator's designee prior to being present at the school.

12 Current law and the bill also allow a sex offender who has
13 committed a sex offense against a minor to be present upon
14 the real property of the school if the offender is a student
15 enrolled at the school, is the parent or legal guardian of a
16 minor and is present at the school solely during the period of
17 time reasonably necessary to transport the offender's own minor
18 child or ward to or from school, or is legally entitled to vote
19 and is present at the school for the period of time reasonably
20 necessary to exercise the right to vote at a polling location
21 at the school. The bill extends these same exemptions to all
22 persons who are required to register as a sex offender and who
23 are now prohibited by the bill from being present upon the real
24 property of a school.

25 A person who violates the bill commits an aggravated
26 misdemeanor for a first offense, a class "D" felony for a
27 second or subsequent offense, and a class "C" felony under
28 certain circumstances pursuant to Code section 692A.111.