

**Senate File 2176 - Introduced**

SENATE FILE 2176  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3041)

**A BILL FOR**

1 An Act relating to the criminal offense of lascivious conduct  
2 with a minor, and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 709.14, Code 2018, is amended by striking  
2 the section and inserting in lieu thereof the following:

3 **709.14 Lascivious conduct with a minor.**

4 1. *a.* It is unlawful for a person eighteen years of age  
5 or older who is in a position of authority over a minor to  
6 force, persuade, or coerce a minor, with or without consent,  
7 to disrobe or partially disrobe for the purpose of arousing or  
8 satisfying the sexual desires of either of them.

9 *b.* A violation of this subsection is a serious misdemeanor.

10 2. *a.* It is unlawful for a person eighteen years of age or  
11 older who is in a position of authority over a person fourteen  
12 or fifteen years of age to perform any of the following acts  
13 with a person fourteen or fifteen years of age, with or without  
14 consent, for the purpose of arousing or satisfying the sexual  
15 desires of either of them:

16 (1) Fondle or touch the inner thigh, groin, buttock, anus,  
17 or breast of the person fourteen or fifteen years of age.

18 (2) Touch the clothing covering the immediate area of the  
19 inner thigh, groin, buttock, anus, or breast of the person  
20 fourteen or fifteen years of age.

21 (3) Solicit or permit the person fourteen or fifteen years  
22 of age to fondle or touch the inner thigh, groin, buttock,  
23 anus, or breast of the person.

24 (4) Solicit the person fourteen or fifteen years of age to  
25 engage in any act prohibited under subsection 3, paragraph "a",  
26 subparagraph (1), (2), or (3).

27 *b.* A violation of this subsection is a serious misdemeanor.

28 3. *a.* It is unlawful for a person eighteen years of age or  
29 older who is in a position of authority over a person fourteen  
30 or fifteen years of age to perform any of the following acts  
31 with a person fourteen or fifteen years of age, with or without  
32 consent, for the purpose of arousing or satisfying the sexual  
33 desires of either of them:

34 (1) Fondle or touch the pubes or genitals of the person  
35 fourteen or fifteen years of age.

1 (2) Permit or cause the person fourteen or fifteen years of  
2 age to fondle or touch the person's genitals or pubes.

3 (3) Cause the touching of the person's genitals to any part  
4 of the body of the person fourteen or fifteen years of age.

5 (4) Solicit the person fourteen or fifteen years of age to  
6 engage in a sex act or solicit a person to arrange a sex act  
7 with the person fourteen or fifteen years of age.

8 (5) Inflict pain or discomfort upon the person fourteen or  
9 fifteen years of age or permit the person fourteen or fifteen  
10 years of age to inflict pain or discomfort on the person.

11 b. A violation of this subsection is an aggravated  
12 misdemeanor.

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 criminal offense of lascivious  
17 conduct with a minor.

18 Under the bill, a person commits lascivious conduct with  
19 a minor (a person 14 or 15 years of age) when a person over  
20 18 years of age who is in a position of authority over the  
21 minor performs any of the following acts with the minor, with  
22 or without consent, for the purpose of arousing or satisfying  
23 the sexual desires of either of them: fondle or touch the  
24 inner thigh, groin, buttock, anus, or breast of the minor;  
25 touch the clothing covering the immediate area of the inner  
26 thigh, groin, buttock, anus, or breast of the minor; solicit  
27 or permit the minor to fondle or touch the inner thigh, groin,  
28 buttock, anus, or breast of the person; or solicit the minor to  
29 engage in certain acts prohibited by the bill in Code section  
30 709.14(3)(a)(1), (2), or (3). A person who violates this  
31 provision commits a serious misdemeanor.

32 A person commits lascivious conduct with a minor (a person  
33 14 or 15 years of age) when a person over 18 years of age who  
34 is in a position of authority over the minor performs any of  
35 the following acts with the minor, with or without consent,

1 for the purpose of arousing or satisfying the sexual desires  
2 of either of them: fondle or touch the pubes or genitals of  
3 the minor; permit or cause the minor to fondle or touch the  
4 person's genitals or pubes; cause the touching of the person's  
5 genitals to any part of the body of the minor; solicit the  
6 minor to engage in a sex act or solicit a person to arrange  
7 a sex act with the minor; or inflict pain or discomfort upon  
8 the minor or permit the minor to inflict pain or discomfort on  
9 the person. A person who violates this provision commits an  
10 aggravated misdemeanor.

11 The bill does not change the current offense of lascivious  
12 conduct with a minor (a person under 18 years of age) which  
13 makes it unlawful for a person over 18 years of age who is in  
14 a position of authority over the minor to force, persuade,  
15 or coerce a minor, with or without consent, to disrobe or  
16 partially disrobe for the purpose of arousing or satisfying  
17 the sexual desires of either of them. The current offense is  
18 punishable as a serious misdemeanor.

19 A person convicted of lascivious conduct with a minor,  
20 regardless of age, must register as a sex offender pursuant to  
21 Code chapter 692A.