

Senate File 55 - Introduced

SENATE FILE 55
BY CHELGREN

A BILL FOR

1 An Act relating to a lifetime ban from state parks or preserves
2 for certain repeat criminal offenders, including criminal
3 penalties, and including an applicability date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 461A.51A Repeat criminal offenders
2 — state park or preserve ban — penalties.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "Conviction" means found guilty of, pleads guilty to,
6 or receives a deferred sentence or deferred judgment for a
7 criminal act.

8 b. "Criminal act" means any of the following:

9 (1) An offense constituting a violation of section 123.46
10 involving public intoxication.

11 (2) An offense constituting a violation of chapter 321J
12 involving operating while intoxicated.

13 (3) An offense constituting a violation of chapter 708
14 involving assault.

15 (4) An offense constituting a violation of chapter 709
16 involving sexual abuse.

17 (5) An offense constituting a violation of chapter 711
18 involving a robbery or extortion.

19 (6) Any other offense constituting a forcible felony as
20 defined in section 702.11.

21 2. Upon a person's third conviction for a criminal act, the
22 court shall notify the person that the person is banned for
23 life from entering the real property comprising a state park
24 or preserve.

25 3. A person who violates a lifetime ban imposed under
26 subsection 2 by entering real property comprising a state
27 park or preserve shall be guilty of a simple misdemeanor. A
28 person convicted of a second or subsequent violation of such a
29 lifetime ban shall be guilty of a serious misdemeanor.

30 4. The commission shall adopt rules pursuant to chapter 17A,
31 in cooperation with the judicial branch, to administer this
32 section.

33 Sec. 2. APPLICABILITY. This Act applies to criminal
34 convictions accumulated by a person on or after July 1, 2017.

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EXPLANATION

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

3 This bill provides that a person who accumulates three
4 or more convictions for any combination of certain specified
5 criminal offenses involving intoxication, operating while
6 intoxicated, assault, sexual abuse, robbery or extortion, or
7 a forcible felony, is subject to a lifetime ban from entering
8 the real property comprising a state park or preserve. Upon a
9 person's third conviction for such an offense, the court is to
10 notify the person of the ban.

11 A person who violates this ban by entering the real property
12 comprising a state park or preserve is guilty of a simple
13 misdemeanor. A simple misdemeanor is punishable by confinement
14 for no more than 30 days or a fine of at least \$65 but not
15 more than \$625 or by both. A person convicted of a second or
16 subsequent violation of such a lifetime ban is guilty of a
17 serious misdemeanor. A serious misdemeanor is punishable by
18 confinement for no more than one year and a fine of at least
19 \$315 but not more than \$1,875.

20 The natural resource commission, in cooperation with the
21 judicial branch, is required to adopt rules pursuant to Code
22 chapter 17A to administer the provisions of the bill.

23 The bill is applicable to criminal convictions accumulated
24 by a person on or after July 1, 2017.