

**Senate Study Bill 3026 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON ZAUN)

**A BILL FOR**

1 An Act relating to kidnapping in the second degree, and  
2 providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 710.3, Code 2018, is amended to read as  
2 follows:

3 **710.3 Kidnapping in the second degree.**

4 1. Kidnapping where the purpose is to hold the victim  
5 for ransom, ~~or~~ where the kidnapper is armed with a dangerous  
6 weapon, or where the victim is under eighteen years of age is  
7 kidnapping in the second degree. Kidnapping in the second  
8 degree is a class "B" felony.

9 2. For purposes of determining whether the person should  
10 register as a sex offender pursuant to the provisions of  
11 chapter 692A, the fact finder shall make a determination as  
12 provided in [section 692A.126](#).

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 kidnapping in the second degree. The  
17 criminal offense of kidnapping is defined in Code section  
18 710.1.

19 Under the bill, a person commits kidnapping in the second  
20 degree when the victim is under 18 years of age. Currently, a  
21 person commits kidnapping in the second degree when a person  
22 kidnaps another person and holds that person for ransom or when  
23 the kidnapper is armed with a dangerous weapon.

24 A person who commits kidnapping in the second degree commits  
25 a class "B" forcible felony. A person who commits a forcible  
26 felony is ineligible to receive a deferred judgment or sentence  
27 or suspended sentence under Code section 907.3.

28 A class "B" felony is punishable by confinement for no more  
29 than 25 years. A person who commits kidnapping in the second  
30 degree accumulates reduced earned time under Code section  
31 903A.2 and must serve a minimum sentence of at least 70 percent  
32 of the sentence prior to being eligible for parole.

33 A person who commits kidnapping in the second degree under  
34 the bill must also register as a tier III sex offender under  
35 Code chapter 692A if a determination is made that the offense

S.F. \_\_\_\_\_

1 was sexually motivated.