

**House File 566 - Introduced**

HOUSE FILE 566

BY GOBBLE

**A BILL FOR**

1 An Act relating to statute of limitations time periods for  
2 certain criminal offenses committed on or with minors.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 802.2, subsection 1, Code 2021, is  
2 amended to read as follows:

3 1. An information or indictment for sexual abuse in the  
4 first, second, or third degree committed on or with a person  
5 who is under the age of eighteen years ~~shall~~ may be found  
6 ~~within fifteen years after the person upon whom the offense~~  
7 ~~is committed attains eighteen years of age, or if the person~~  
8 ~~against whom the information or indictment is sought is~~  
9 ~~identified through the use of a DNA profile, an information or~~  
10 ~~indictment shall be found within three years from the date the~~  
11 ~~person is identified by the person's DNA profile, whichever is~~  
12 later at any time after the commission of the offense.

13 Sec. 2. Section 802.2A, Code 2021, is amended to read as  
14 follows:

15 **802.2A Incest — sexual exploitation by a counselor,**  
16 **therapist, or school employee.**

17 1. An information or indictment for incest under section  
18 726.2 committed on or with a person who is under the age of  
19 eighteen ~~shall~~ may be found ~~within fifteen years after the~~  
20 ~~person upon whom the offense is committed attains eighteen~~  
21 ~~years of age. An information or indictment for any other~~  
22 ~~incest shall be found within ten years after its~~ at any time  
23 after the commission of the offense.

24 2. An indictment or information for sexual exploitation by  
25 a counselor, therapist, or school employee under [section 709.15](#)  
26 committed on or with a person who is under the age of eighteen  
27 ~~shall~~ may be found ~~within fifteen years after the person upon~~  
28 ~~whom the offense is committed attains eighteen years of age~~ at  
29 any time after the commission of the offense. ~~An information~~  
30 ~~or indictment for any other sexual exploitation shall be found~~  
31 ~~within ten years of the date the victim was last treated by the~~  
32 ~~counselor or therapist, or within ten years of the date the~~  
33 ~~victim was enrolled in or attended the school.~~

34 Sec. 3. Section 802.2B, unnumbered paragraph 1, Code 2021,  
35 is amended to read as follows:

1 An information or indictment for the following offenses  
2 committed on or with a person who is under the age of eighteen  
3 years shall may be found ~~within ten years after the person upon~~  
4 ~~whom the offense is committed attains eighteen years of age,~~  
5 ~~or if the person against whom the information or indictment~~  
6 ~~is sought is identified through the use of a DNA profile, an~~  
7 ~~information or indictment shall be found within three years~~  
8 ~~from the date the person is identified by the person's DNA~~  
9 ~~profile, whichever is later at any time after the commission~~  
10 of the offense:

11 Sec. 4. Section 802.2C, Code 2021, is amended to read as  
12 follows:

13 **802.2C Kidnapping.**

14 An information or indictment for kidnapping in the first,  
15 second, or third degree committed on or with a person who is  
16 under the age of eighteen years shall may be found ~~within ten~~  
17 ~~years after the person upon whom the offense is committed~~  
18 ~~attains eighteen years of age, or if the person against whom~~  
19 ~~the information or indictment is sought is identified through~~  
20 ~~the use of a DNA profile, an information or indictment shall be~~  
21 ~~found within three years from the date the person is identified~~  
22 ~~by the person's DNA profile, whichever is later commenced at~~  
23 any time after the commission of the offense.

24 Sec. 5. Section 802.2D, Code 2021, is amended to read as  
25 follows:

26 **802.2D Human trafficking.**

27 An information or indictment for human trafficking in  
28 violation of [section 710A.2](#), committed on or with a person who  
29 is under the age of eighteen years shall may be found within  
30 ~~ten years after the person upon whom the offense is committed~~  
31 ~~attains eighteen years of age, or if the person against whom~~  
32 ~~the information or indictment is sought is identified through~~  
33 ~~the use of a DNA profile, an information or indictment shall be~~  
34 ~~found within three years from the date the person is identified~~  
35 ~~by the person's DNA profile, whichever is later at any time~~

1 after the commission of the offense.

2 EXPLANATION

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

5 This bill relates to statute of limitations time periods for  
6 certain criminal offenses committed on or with minors.

7 The amendment to Code section 802.2 provides that an  
8 information or indictment for sexual abuse in the first,  
9 second, or third degree committed on or with a person who  
10 is under the age of 18 years may be found at any time after  
11 commission of the offense. Under current law, an information  
12 or indictment for a sexual abuse offense committed on or with  
13 a person who is under 18 years of age shall be found within  
14 15 years after the person upon whom the offense is committed  
15 attains 18 years of age, or if the person against whom the  
16 information or indictment is sought is identified through the  
17 use of a DNA profile, an information or indictment shall be  
18 found within three years from the date the person is identified  
19 by the person's DNA profile, whichever is later.

20 The amendment to Code section 802.2A provides that an  
21 information or indictment for incest under Code section 726.2  
22 committed on or with a person who is under the age of 18 may  
23 be found at any time after commission of the offense. Under  
24 current law, an information or indictment for incest shall be  
25 found within 15 years after the person upon whom the offense  
26 is committed attains 18 years of age. For other incest  
27 offenses committed upon a person 18 years of age or older, the  
28 information or indictment shall be found within 10 years after  
29 the commission of the offense.

30 The amendment to Code section 802.2A also provides that  
31 an information or indictment for sexual exploitation by a  
32 counselor, therapist, or school employee under Code section  
33 709.15 committed on or with a person who is under the age of  
34 18 may be found at any time after commission of the offense.  
35 Under current law, an information or indictment for sexual

1 exploitation by a counselor, therapist, or school employee  
2 shall be found within 15 years after the person upon whom the  
3 offense is committed attains 18 years of age. For other sexual  
4 exploitation by a counselor, therapist, or school employee  
5 offenses committed upon a person 18 years of age or older, the  
6 information or indictment shall be found within 10 years of the  
7 date the person was last treated by the counselor or therapist,  
8 or within 10 years of the date the person was enrolled in or  
9 attended the school.

10 The amendment to Code section 802.2B provides that an  
11 information or indictment may be commenced at any time after  
12 the commission of any of the following offenses if the offense  
13 is committed on or with a person under the age of 18: sexual  
14 abuse in the first degree in violation of Code section 709.2;  
15 sexual abuse in the second degree in violation of Code section  
16 709.3; sexual abuse in the third degree in violation of Code  
17 section 709.4; lascivious acts with a child in violation of  
18 Code section 709.8; assault with intent to commit sexual abuse  
19 in violation of Code section 709.11; indecent contact with a  
20 child in violation of Code section 709.12; lascivious conduct  
21 with a minor in violation of Code section 709.14; sexual  
22 exploitation by a counselor, therapist, or school employee in  
23 violation of Code section 709.15; sexual misconduct with a  
24 juvenile in violation of Code section 709.16, subsection 2;  
25 kidnapping in the first degree in violation of Code section  
26 710.2; kidnapping in the second degree in violation of Code  
27 section 710.3; kidnapping in the third degree in violation of  
28 Code section 710.4; human trafficking in violation of Code  
29 section 710A.2; incest in violation of Code section 726.2; and  
30 sexual exploitation of a minor in violation of Code section  
31 728.12. Under current law for the preceding offenses, an  
32 information or indictment committed on or with a person who  
33 is under 18 years of age shall be found within 10 years after  
34 the person upon whom the offense is committed attains 18 years  
35 of age, or if the person against whom the information or

1 indictment is sought is identified through the use of a DNA  
2 profile, an information or indictment shall be found within  
3 three years from the date the person is identified by the  
4 person's DNA profile, whichever is later.

5     The amendment to Code section 802.2C provides that an  
6 information or indictment for kidnapping in the first, second,  
7 or third degree committed on or with a person who is under the  
8 age of 18 years may be found at any time after commission of  
9 the offense. Under current law for kidnapping offenses, the  
10 information or indictment for an offense committed on or with  
11 a person who is under the age of 18 years of age, shall be  
12 found within 10 years after the person upon whom the offense  
13 is committed attains 18 years of age, or if the person against  
14 whom the information or indictment is sought is identified  
15 through the use of a DNA profile, an information or indictment  
16 shall be found within three years from the date the person is  
17 identified by the person's DNA profile, whichever is later.

18     The amendment to Code section 802.2D provides that an  
19 information or indictment for human trafficking in violation of  
20 Code section 710A.2, committed on or with a person who is under  
21 the age of 18 years may be found at any time after commission of  
22 the offense. Under current law for human trafficking offenses,  
23 the information or indictment for an offense committed on or  
24 with a person who is under the age of 18 years of age, shall be  
25 found within 10 years after the person upon whom the offense  
26 is committed attains 18 years of age, or if the person against  
27 whom the information or indictment is sought is identified  
28 through the use of a DNA profile, an information or indictment  
29 shall be found within three years from the date the person is  
30 identified by the person's DNA profile, whichever is later.