

House Study Bill 11 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOLT)

A BILL FOR

1 An Act relating to the defense of justification for certain
2 violent crimes.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 704.6, Code 2021, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. One who is the subject of a nonviolent
4 sexual advance who commits a violent crime, as defined in
5 section 915.10, upon another person as the result of the
6 person's discovery of, knowledge about, or potential disclosure
7 of the victim's sex, sexual orientation, or gender identity.

8 EXPLANATION

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

11 This bill specifies that a defense of justification is not
12 available when a person who is the subject of a nonviolent
13 sexual advance commits a violent crime upon another person as
14 the result of that sexual advance or solely as a result of the
15 person's discovery of, knowledge about, or potential disclosure
16 of the victim's sex, sexual orientation, or gender identity.

17 Code section 915.10 defines "violent crime" as a forcible
18 felony, as defined in Code section 702.11, and includes any
19 other felony or aggravated misdemeanor which involved the
20 actual or threatened infliction of physical or emotional injury
21 on one or more persons.