

House File 2046 - Introduced

HOUSE FILE 2046

BY SHIPLEY

A BILL FOR

1 An Act relating to the dissemination and exhibition of obscene
2 material to minors, and providing penalties.

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

1 Section 1. Section 728.2, Code 2024, is amended to read as
2 follows:

3 **728.2 Dissemination and exhibition of obscene material to**
4 **minors.**

5 Any person, other than the parent or guardian of the minor,
6 who knowingly disseminates or exhibits obscene material to a
7 minor, including the exhibition of obscene material so that
8 it can be observed by a minor on or off the premises where it
9 is displayed, is guilty of a public offense and shall upon
10 conviction be guilty of ~~a serious~~ an aggravated misdemeanor.

11 EXPLANATION

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

14 This bill relates to the dissemination and exhibition of
15 obscene material to minors.

16 Current law provides that any person, other than the parent
17 or guardian of the minor, who knowingly disseminates or
18 exhibits obscene material, including the exhibition of obscene
19 material so that it can be observed by a minor on or off the
20 premises where it is displayed, commits a serious misdemeanor.
21 The bill increases the penalty to an aggravated misdemeanor.

22 A serious misdemeanor is punishable by confinement for no
23 more than one year and a fine of at least \$430 but not more than
24 \$2,560. An aggravated misdemeanor is punishable by confinement
25 for no more than two years and a fine of at least \$855 but not
26 more than \$8,540.

27 A violation of Code section 728.2 is a tier I sex offense and
28 a person convicted of the offense is required to register as a
29 sex offender for a period of 10 years.