

House File 2248 - Introduced

HOUSE FILE 2248
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 503)

A BILL FOR

1 An Act relating to robbery in the first degree and the
2 applicable statute of limitations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **802.2F Robbery — first degree.**

2 An information or indictment for robbery in the first degree
3 in violation of section 711.2 shall be found within five years
4 after the commission of the offense.

5 Sec. 2. Section 802.3, Code 2024, is amended to read as
6 follows:

7 **802.3 Felony — aggravated or serious misdemeanor.**

8 In all cases, except those enumerated in [section 802.1](#),
9 [802.2](#), [802.2A](#), [802.2B](#), [802.2C](#), [802.2D](#), [802.2E](#), [802.2F](#), or
10 [802.10](#), an indictment or information for a felony or aggravated
11 or serious misdemeanor shall be found within three years after
12 its commission.

13 Sec. 3. Section 802.10, subsection 3, Code 2024, is amended
14 to read as follows:

15 3. However, notwithstanding [subsection 2](#), an indictment or
16 information shall be found against a person within three years
17 from the date the person is identified by the person's DNA
18 profile. If the action involves sexual abuse, another sexual
19 offense, kidnapping, human trafficking, or fraud in assisted
20 reproduction, the indictment or information shall be found as
21 provided in [section 802.2](#), [802.2B](#), [802.2C](#), [802.2D](#), or [802.2E](#),
22 if the person is identified by the person's DNA profile. If
23 the action involves robbery in the first degree but does not
24 involve sexual abuse, another sexual offense, kidnapping, human
25 trafficking, or fraud in assisted reproduction, the indictment
26 or information shall be found as provided in section 802.2F, if
27 the person is identified by the person's DNA profile.

28 EXPLANATION

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

31 This bill relates to robbery in the first degree and the
32 applicable statute of limitations.

33 The bill provides that an information or indictment for
34 robbery in the first degree in violation of Code section 711.2
35 shall be found within five years after the commission of the

1 offense.

2 Under current law, an information or indictment for robbery
3 in the first degree must be found within three years after its
4 commission. Code section 711.2 provides that a person commits
5 robbery in the first degree when, while perpetrating a robbery,
6 the person purposely inflicts or attempts to inflict serious
7 injury, or is armed with a dangerous weapon. Robbery in the
8 first degree is a class "B" felony. A class "B" felony is
9 punishable by confinement for no more than 25 years.

10 The bill makes a conforming change to Code section
11 802.10(3), which relates to the identification of an accused
12 person by the person's DNA profile.