## House File 2284 - Introduced

HOUSE FILE 2284
BY RINKER

# A BILL FOR

- 1 An Act relating to the scope of certain criminal actions,
- 2 including exclusion zones for registered sex offenders and
- 3 burglary, and making penalties applicable.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 1 Section 1. Section 692A.113, subsection 1, Code 2024, is
- 2 amended by adding the following new paragraph:
- 3 NEW PARAGRAPH. i. Engage in electronic or
- 4 internet-facilitated communication with a minor, or a
- 5 law enforcement officer or agent posing as a minor, unless the
- 6 offender is the parent or quardian of the minor.
- 7 Sec. 2. Section 713.1, Code 2024, is amended to read as
- 8 follows:
- 9 713.1 Burglary defined.
- 10 1. Any person, having the intent to commit a felony,
- ll assault, or theft therein, who, having no right, license, or
- 12 privilege to do so, enters an occupied structure, such occupied
- 13 structure not being open to the public, or who remains therein
- 14 after it is closed to the public or after the person's right,
- 15 license, or privilege to be there has expired, or any person
- 16 having such intent who breaks an occupied structure, commits
- 17 burglary.
- 18 2. Any person who, having no right, license, or privilege to
- 19 do so, enters the dwelling of another that is not open to the
- 20 public, or who remains in a dwelling after it is closed to the
- 21 public, commits burglary.
- Sec. 3. Section 713.2, Code 2024, is amended to read as
- 23 follows:
- 24 713.2 Attempted burglary defined.
- Any person, having the intent to commit a felony,
- 26 assault, or theft therein, who, having no right, license, or
- 27 privilege to do so, attempts to enter an occupied structure,
- 28 the occupied structure not being open to the public, or who
- 29 attempts to remain therein after it is closed to the public or
- 30 after the person's right, license, or privilege to be there has
- 31 expired, or any person having such intent who attempts to break
- 32 an occupied structure, commits attempted burglary.
- Any person who, having no right, license, or privilege
- 34 to do so, attempts to enter the dwelling of another that is not
- 35 open to the public, or who attempts to remain in a dwelling

- 1 after it is closed to the public, commits attempted burglary.
- 2 Sec. 4. Section 713.3, subsection 1, unnumbered paragraph
- 3 1, Code 2024, is amended to read as follows:
- 4 A person commits burglary in the first degree if, while
- 5 perpetrating a burglary in or upon an occupied structure or
- 6 dwelling in which one or more persons are present, any of the
- 7 following circumstances apply:
- 8 Sec. 5. Section 713.4, subsection 1, Code 2024, is amended
- 9 to read as follows:
- 10 l. A person commits attempted burglary in the first degree
- 11 if, while perpetrating an attempted burglary in or upon an
- 12 occupied structure or dwelling in which one or more persons
- 13 are present, the person has possession of an explosive or
- 14 incendiary device or material, or a dangerous weapon, or
- 15 intentionally or recklessly inflicts bodily injury on any
- 16 person.
- 17 Sec. 6. Section 713.5, subsection 1, paragraphs a and b,
- 18 Code 2024, are amended to read as follows:
- 19 a. While perpetrating a burglary in or upon an occupied
- 20 structure or dwelling in which no persons are present, the
- 21 person has possession of an explosive or incendiary device or
- 22 material, or a dangerous weapon, or a bodily injury results to
- 23 any person.
- 24 b. While perpetrating a burglary in or upon an occupied
- 25 structure or dwelling in which one or more persons are
- 26 present, the person does not have possession of an explosive or
- 27 incendiary device or material, nor a dangerous weapon, and no
- 28 bodily injury is caused to any person.
- Sec. 7. Section 713.6, subsection 1, paragraphs a and b,
- 30 Code 2024, are amended to read as follows:
- 31 a. While perpetrating an attempted burglary in or upon an
- 32 occupied structure or dwelling in which no persons are present,
- 33 the person has possession of an explosive or incendiary device
- 34 or material, or a dangerous weapon, or a bodily injury results
- 35 to any person.

- b. While perpetrating an attempted burglary in or upon an cocupied structure or dwelling in which one or more persons are present, the person does not have possession of an explosive or incendiary device or material, nor a dangerous weapon, and no bodily injury is caused to any person.
- 6 EXPLANATION
- 7 The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- 9 This bill relates to the scope of certain criminal actions, 10 including exclusion zones for registered sex offenders and 11 burglary.
- 12 The bill provides that a sex offender who has been 13 convicted of a sex offense against a minor in this state or
- 14 in another jurisdiction shall not engage in electronic or
- 15 internet-facilitated communication with a minor, or a law
- 16 enforcement officer or agent posing as a minor, unless the
- 17 offender is the parent or guardian of the minor.
- 18 Current law defines burglary as, with the intent to commit a
- 19 felony, assault, or theft therein, and with no right, license,
- 20 or privilege to do so, entering an occupied structure, such
- 21 occupied structure not being open to the public, or remaining
- 22 therein after it is closed to the public or after a person's
- 23 right, license, or privilege to be there has expired, or with
- 24 such intent breaking an occupied structure.
- 25 The bill amends the definition of burglary to include, with
- 26 no right, license, or privilege to do so, entering the dwelling
- 27 of another that is not open to the public, or remaining in a
- 28 dwelling after it is closed to the public.
- 29 Current law defines attempted burglary as, with the intent
- 30 to commit a felony, assault, or theft therein, and with, no
- 31 right, license, or privilege to do so, attempting to enter an
- 32 occupied structure, the occupied structure not being open to
- 33 the public, or attempting to remain therein after it is closed
- 34 to the public or after a person's right, license, or privilege
- 35 to be there has expired, or with such intent attempting to

- 1 break an occupied structure.
- 2 The bill amends the definition of attempted burglary
- 3 to include, with no right, license, or privilege to do so,
- 4 attempting to enter the dwelling of another that is not open
- 5 to the public, or attempting to remain in a dwelling after it
- 6 is closed to the public.
- 7 The bill makes changes to burglary in the first degree,
- 8 attempted burglary in the first degree, burglary in the
- 9 second degree, and attempted burglary in the second degree by
- 10 including an occupied structure or dwelling.