

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 guardian 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,
11 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.

22 Sec. 3. Section 713.2, Code 2024, is amended to read as
23 follows:

24 **713.2 Attempted burglary defined.**

25 1. 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.

33 2. 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 1. 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.

29 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.

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.