

House File 2318 - Introduced

HOUSE FILE 2318
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 533)

A BILL FOR

- 1 An Act relating to bestiality and providing penalties.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 717C.1, subsection 1, paragraph b, Code
2 2024, is amended to read as follows:

3 b. ~~"Sex act" means any sexual contact between a person and~~
4 ~~an animal by penetration of the penis into the vagina or anus,~~
5 ~~contact between the mouth and genitalia, or by contact between~~
6 ~~the genitalia of one and the genitalia or anus of the other. of~~
7 the following conduct that is not the practice of veterinary
8 medicine under section 169.3, subsection 13, an accepted animal
9 husbandry livestock management practice under section 169.3,
10 subsection 1, an accepted practice related to the insemination
11 of animals for the purpose of procreation, or an accepted
12 practice related to conformation judging:

13 (1) An act between a person and an animal involving physical
14 contact between the sex organ, genitals, or anus of one and the
15 mouth, sex organ, genitals, or anus of the other.

16 (2) Any touching or fondling by a person, either directly
17 or through clothing, of the sex organ, genitals, or anus of
18 an animal or any insertion, however slight, of any part of a
19 person's body or any object into the vaginal or anal opening of
20 an animal except for veterinarian advised care of the animal.

21 (3) Any insertion, however slight, of any part of an
22 animal's body into the vaginal or anal opening of a person.

23 (4) Advertising, offering, selling, transferring,
24 purchasing, or otherwise obtaining an animal with the intent
25 that the animal be used for sexual contact in this state.

26 (5) Organizing, promoting, conducting, or participating
27 as an observer of an act involving conduct described in
28 subparagraph (1), (2), or (3).

29 (6) Knowingly permits conduct described in subparagraph
30 (1), (2), or (3) to occur in any premises under the person's
31 ownership or control.

32 (7) Photographing or filming obscene material, as defined
33 in section 728.1, depicting a person engaging in conduct
34 described in subparagraph (1), (2), or (3).

35 (8) Distributing, selling, publishing, or transmitting

1 obscene material, as defined in section 728.1, depicting a
2 person engaged in conduct described in subparagraph (1), (2),
3 or (3).

4 (9) Possessing with the intent to distribute, sell,
5 publish, or transmit obscene material, as defined in section
6 728.1, depicting a person engaged in conduct described in
7 subparagraph (1), (2), or (3).

8 (10) Forcing, coercing, enticing, or encouraging a minor to
9 engage in conduct described in subparagraph (1), (2), or (3).

10 Sec. 2. Section 717C.1, subsection 2, Code 2024, is amended
11 to read as follows:

12 2. a. A person who performs a sex act with an animal is
13 guilty of an aggravated misdemeanor.

14 b. A person who commits a second or subsequent violation of
15 this section is guilty of a class "D" felony.

16 c. A person previously convicted of a violation of section
17 717B.2, 717B.3, 717B.3A, or 717B.3B who commits a violation of
18 this section is guilty of a class "D" felony.

19 EXPLANATION

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

22 This bill relates to bestiality.

23 Under current law, a person who performs a sex act with an
24 animal is guilty of an aggravated misdemeanor. Current law
25 defines "sex act" as any sexual contact between a person and
26 an animal by penetration of the penis into the vagina or anus,
27 contact between the mouth and genitalia, or by contact between
28 the genitalia of one and the genitalia or anus of the other.

29 The bill provides that a "sex act" includes the following
30 conduct that is not the practice of veterinary medicine, an
31 accepted animal husbandry livestock management practice, an
32 accepted practice related to the insemination of animals for
33 the purpose of procreation, or an accepted practice related to
34 conformation judging: an act between a person and an animal
35 involving physical contact between the sex organ, genitals, or

1 anus of one and the mouth, sex organ, genitals, or anus of the
2 other; any touching or fondling by a person, either directly
3 or through clothing, of the sex organ, genitals, or anus of
4 an animal or any insertion, however slight, of any part of a
5 person's body or any object into the vaginal or anal opening of
6 an animal except for veterinarian advised care of the animal;
7 any insertion, however slight, of any part of an animal's body
8 into the vaginal or anal opening of a person; advertising,
9 offering, selling, transferring, purchasing, or otherwise
10 obtaining an animal with the intent that the animal be used
11 for sexual contact in this state; organizing, promoting,
12 conducting, or participating as an observer of an act involving
13 a sex act with an animal; knowingly permitting a sex act with
14 an animal to occur in any premises under the person's ownership
15 or control; photographing or filming obscene material depicting
16 a person engaging in a sex act with an animal; distributing,
17 selling, publishing, or transmitting obscene material depicting
18 a person engaged in a sex act with an animal; possessing with
19 the intent to distribute, sell, publish, or transmit obscene
20 material depicting a person engaged in a sex act with an
21 animal; or forcing, coercing, enticing, or encouraging a minor
22 to engage in a sex act with an animal.

23 The bill provides that a person who performs a sex act with
24 an animal is guilty of an aggravated misdemeanor. A second
25 or subsequent violation is a class "D" felony. A person
26 who was previously convicted of a violation of Code section
27 717B.2 (animal abuse), 717B.3 (animal neglect), or 717B.3A
28 (animal torture), or 717B.3B (animal mistreatment) who commits
29 bestiality is guilty of a class "D" felony. An aggravated
30 misdemeanor is punishable by confinement for no more than two
31 years and a fine of at least \$855 but not more than \$8,540. A
32 class "D" felony is punishable by confinement for no more than
33 five years and a fine of at least \$1,025 but not more than
34 \$10,245.

35 Current law also requires a person convicted of bestiality

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1 to submit to a psychological evaluation and treatment at the
2 person's expense, in addition to any sentence authorized by
3 law.