

House Study Bill 702 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOLT)

A BILL FOR

1 An Act establishing a minimum sentence for a persistent felony
2 offender, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 902.8B Minimum sentence —
2 persistent felony offender.

3 A persistent felony offender is any person convicted of a
4 forcible felony under section 702.11 who has twice before been
5 convicted of a forcible felony in a court of this or any other
6 state, or of the United States, if the most recent forcible
7 felony conviction has occurred within twenty years of at least
8 two prior forcible felony convictions. Notwithstanding any
9 other provision of law to the contrary, a person sentenced as a
10 persistent felony offender shall be committed to the custody
11 of the director of the Iowa department of corrections for the
12 rest of the person's life with the possibility of parole after
13 serving a minimum term of confinement as determined by the
14 court.

15 EXPLANATION

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

18 This bill establishes a minimum sentence for a persistent
19 felony offender.

20 The bill provides that a persistent felony offender is
21 any person convicted of a forcible felony under Code section
22 702.11 who has twice before been convicted of a forcible
23 felony in a court of this or any other state, or of the United
24 States, if the most recent forcible felony conviction has
25 occurred within 20 years of at least two prior forcible felony
26 convictions. Notwithstanding any other provision of law to the
27 contrary, a person sentenced as a persistent felony offender
28 shall be committed to the custody of the director of the Iowa
29 department of corrections for the rest of the person's life
30 with the possibility of parole after serving a minimum term of
31 confinement as determined by the court. A "forcible felony"
32 is any felonious child endangerment, assault, murder, sexual
33 abuse, kidnapping, robbery, human trafficking, arson in the
34 first degree, or burglary in the first degree.