

Senate File 2180 - Introduced

SENATE FILE 2180
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 2018)

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~~
4 ~~and an animal by penetration of the penis into the vagina or~~
5 ~~anus, contact between the mouth and genitalia, or by contact~~
6 ~~between the genitalia of one and the genitalia or anus of the~~
7 ~~other.~~ of the following conduct that is not the practice of
8 veterinary medicine as defined in section 169.3, subsection
9 13, an accepted livestock management practice as defined in
10 section 169.3, subsection 1, an accepted practice related to
11 the insemination of animals for the purpose of procreation, or
12 an accepted 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 as
27 an observer of an act involving a sex act with an animal.
- 28 (6) Knowingly permit a sex act with an animal to be
29 conducted on any premises under the person's ownership or
30 control.
- 31 (7) Photographing or filming obscene material depicting a
32 person engaged in sexual contact with an animal.
- 33 (8) Distributing, selling, publishing, or transmitting
34 obscene material depicting a person engaged in sexual contact
35 with an animal.

1 (9) Possessing with the intent to distribute, sell,
2 publish, or transmit obscene material depicting a person
3 engaged in a sex act with an animal.

4 (10) Forcing, coercing, enticing, or encouraging a minor to
5 engage in a sex act with an animal.

6 (11) Engaging in a sex act with an animal in the presence
7 of a minor.

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

10 2. A person who performs a sex act with an animal is guilty
11 of an aggravated misdemeanor. A person who commits a violation
12 of this section is guilty of a class "D" felony if the person
13 has previously been convicted of a violation of this section,
14 or if the person has previously been convicted of committing
15 animal neglect, animal abuse, or animal torture as defined in
16 chapter 717B.

17

EXPLANATION

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

20 This bill relates to bestiality.

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

27 The bill provides that a "sex act" includes the following
28 conduct that is not the practice of veterinary practice, an
29 accepted livestock management practice that provides care for
30 animals, an accepted practice related to the insemination of
31 animals for the purpose of procreation, or an accepted practice
32 related to conformation judging: an act between a person and
33 an animal involving physical contact between the sex organ,
34 genitals, or anus of one and the mouth, sex organ, genitals, or
35 anus of the other; any touching or fondling by a person, either

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

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

32 Current law also requires a person convicted of bestiality
33 to submit to a psychological evaluation and treatment at the
34 person's expense, in addition to any sentence authorized by
35 law.