

Senate File 2282 - Introduced

SENATE FILE 2282
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3051)

A BILL FOR

1 An Act relating to robbery in the first degree, robbery in the
2 second degree, and the applicable statutes of limitations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 802.2F Robbery — first degree.

2 An information or indictment for robbery in the first degree
3 in violation of section 711.2 shall be found within five years
4 after the commission of the offense.

5 Sec. 2. NEW SECTION. 802.2G Robbery — second degree.

6 An information or indictment for robbery in the second
7 degree in violation of section 711.3 shall be found within five
8 years after the commission of the offense.

9 Sec. 3. Section 802.3, Code 2024, is amended to read as
10 follows:

11 **802.3 Felony — aggravated or serious misdemeanor.**

12 In all cases, except those enumerated in [section 802.1](#),
13 [802.2](#), [802.2A](#), [802.2B](#), [802.2C](#), [802.2D](#), [802.2E](#), [802.2F](#), [802.2G](#),
14 or [802.10](#), an indictment or information for a felony or
15 aggravated or serious misdemeanor shall be found within three
16 years after its commission.

17 Sec. 4. Section 802.10, subsection 3, Code 2024, is amended
18 to read as follows:

19 3. However, notwithstanding [subsection 2](#), an indictment or
20 information shall be found against a person within three years
21 from the date the person is identified by the person's DNA
22 profile. If the action involves sexual abuse, another sexual
23 offense, kidnapping, human trafficking, or fraud in assisted
24 reproduction, the indictment or information shall be found as
25 provided in [section 802.2](#), [802.2B](#), [802.2C](#), [802.2D](#), or [802.2E](#),
26 if the person is identified by the person's DNA profile. If
27 the action involves robbery in the first degree or robbery in
28 the second degree but does not involve sexual abuse, another
29 sexual offense, kidnapping, human trafficking, or fraud in
30 assisted reproduction, the indictment or information shall be
31 found as provided in section 802.2F or section 802.2G, if the
32 person is identified by the person's DNA profile.

33

EXPLANATION

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

1 This bill relates to robbery in the first degree, robbery in
2 the second degree, and the applicable statute of limitations.

3 The bill provides that an information or indictment for
4 robbery in the first degree in violation of Code section 711.2,
5 or robbery in the second degree in violation of Code section
6 711.3, shall be found within five years after the commission
7 of the offense.

8 Under current law, an information or indictment for
9 robbery in the first degree or robbery in the second degree
10 must be found within three years after its commission. Code
11 section 711.2 provides that a person commits robbery in the
12 first degree when, while perpetrating a robbery, the person
13 purposely inflicts or attempts to inflict serious injury, or
14 is armed with a dangerous weapon. Robbery in the first degree
15 is a class "B" felony. A class "B" felony is punishable by
16 confinement for no more than 25 years. Code section 711.3
17 provides that all robbery that is not robbery in the first
18 degree is robbery in the second degree. Robbery in the second
19 degree is a class "C" felony. A class "C" felony is punishable
20 by confinement for no more than 10 years and a fine of at least
21 \$1,370 but not more than \$13,660.

22 The bill makes a conforming change to Code section
23 802.10(3), which relates to the identification of an accused
24 person by the person's DNA profile.