

Senate File 270 - Introduced

SENATE FILE 270

BY EVANS

A BILL FOR

1 An Act relating to the criminal offense of accessory after the
2 fact if the public offense involves a murder, and providing
3 penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 703.3, Code 2023, is amended to read as
2 follows:

3 **703.3 Accessory after the fact.**

4 Any person having knowledge that a public offense has been
5 committed and that a certain person committed it, and who does
6 not stand in the relation of husband or wife to the person who
7 committed the offense, who harbors, aids or conceals the person
8 who committed the offense, with the intent to prevent the
9 apprehension of the person who committed the offense, commits
10 ~~an~~ the following:

11 1. A class "D" felony if the public offense was a violation
12 of section 707.2, 707.3, or 707.3A.

13 2. An aggravated misdemeanor if the public offense
14 committed was a felony, ~~or commits a~~ not included in subsection
15 1.

16 3. A simple misdemeanor if the public offense was a
17 misdemeanor.

18 EXPLANATION

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

21 This bill relates to the criminal offense of accessory after
22 the fact.

23 The bill increases the criminal penalty from an aggravated
24 misdemeanor to a class "D" felony for the offense of accessory
25 after the fact if the offense is related to the commission of
26 a murder in violation of Code section 707.2 (murder in the
27 first degree), 707.3 (murder in the second degree), or 707.3A
28 (solicitation to commit murder).

29 A class "D" felony is punishable by confinement for no more
30 than five years and a fine of at least \$1,025 but not more than
31 \$10,245.