

**House File 177 - Introduced**

HOUSE FILE 177  
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 24)

**A BILL FOR**

1 An Act relating to assaults, including assaults on persons  
2 engaged in certain occupations and inmate assaults on  
3 department of corrections employees, and providing penalties.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 708.3A, subsections 1, 2, 3, and 4, Code  
2 2025, are amended to read as follows:

3 1. A person who commits an assault, as defined in section  
4 708.1, against a peace officer, jailer, correctional or juvenile  
5 detention staff, member or employee of the board of parole,  
6 health care provider, employee of the department of health and  
7 human services, employee of the department of revenue, national  
8 guard member engaged in national guard duty or state active  
9 duty, civilian employee of a law enforcement agency, civilian  
10 employee of a fire department, or fire fighter, whether paid or  
11 volunteer, with the knowledge that the person against whom the  
12 assault is committed is a peace officer, jailer, correctional  
13 or juvenile detention staff, member or employee of the board  
14 of parole, health care provider, employee of the department of  
15 health and human services, employee of the department of revenue,  
16 national guard member engaged in national guard duty or state  
17 active duty, civilian employee of a law enforcement agency,  
18 civilian employee of a fire department, or fire fighter and with  
19 the intent to inflict a serious injury upon the peace officer,  
20 jailer, correctional or juvenile detention staff, member or  
21 employee of the board of parole, health care provider, employee  
22 of the department of health and human services, employee of the  
23 department of revenue, national guard member engaged in national  
24 guard duty or state active duty, civilian employee of a law  
25 enforcement agency, civilian employee of a fire department, or  
26 fire fighter, is guilty of a class "D" "C" felony.

27 2. A person who commits an assault, as defined in section  
28 708.1, against a peace officer, jailer, correctional or juvenile  
29 detention staff, member or employee of the board of parole,  
30 health care provider, employee of the department of health and  
31 human services, employee of the department of revenue, national  
32 guard member engaged in national guard duty or state active  
33 duty, civilian employee of a law enforcement agency, civilian  
34 employee of a fire department, or fire fighter, whether paid or  
35 volunteer, who knows that the person against whom the assault is

1 committed is a peace officer, jailer, correctional or juvenile  
2 detention staff, member or employee of the board of parole,  
3 health care provider, employee of the department of health and  
4 human services, employee of the department of revenue, national  
5 guard member engaged in national guard duty or state active duty,  
6 civilian employee of a law enforcement agency, civilian employee  
7 of a fire department, or fire fighter and who uses or displays a  
8 dangerous weapon in connection with the assault, is guilty of a  
9 class "D" "C" felony.

10 3. A person who commits an assault, as defined in section  
11 708.1, against a peace officer, jailer, correctional or juvenile  
12 detention staff, member or employee of the board of parole,  
13 health care provider, employee of the department of health and  
14 human services, employee of the department of revenue, national  
15 guard member engaged in national guard duty or state active  
16 duty, civilian employee of a law enforcement agency, civilian  
17 employee of a fire department, or fire fighter, whether paid or  
18 volunteer, who knows that the person against whom the assault is  
19 committed is a peace officer, jailer, correctional or juvenile  
20 detention staff, member or employee of the board of parole,  
21 health care provider, employee of the department of health and  
22 human services, employee of the department of revenue, national  
23 guard member engaged in national guard duty or state active duty,  
24 civilian employee of a law enforcement agency, civilian employee  
25 of a fire department, or fire fighter, and who causes bodily  
26 injury or mental illness, is guilty of ~~an aggravated misdemeanor~~  
27 a class "D" felony.

28 4. Any other assault, as defined in section 708.1, including  
29 an assault causing another to come into contact with saliva by  
30 throwing, tossing, spitting, or expelling the fluid, committed  
31 against a peace officer, jailer, correctional or juvenile  
32 detention staff, member or employee of the board of parole,  
33 health care provider, employee of the department of health and  
34 human services, employee of the department of revenue, national  
35 guard member engaged in national guard duty or state active duty,

1 civilian employee of a law enforcement agency, civilian employee  
2 of a fire department, or fire fighter, whether paid or volunteer,  
3 by a person who knows that the person against whom the assault is  
4 committed is a peace officer, jailer, correctional or juvenile  
5 detention staff, member or employee of the board of parole,  
6 health care provider, employee of the department of health and  
7 human services, employee of the department of revenue, national  
8 guard member engaged in national guard duty or state active duty,  
9 civilian employee of a law enforcement agency, civilian employee  
10 of a fire department, or fire fighter, is a ~~serious~~ an aggravated  
11 misdemeanor. A person convicted of violating this subsection  
12 shall serve a minimum term of seven days of the sentence imposed  
13 by law, and shall not be eligible for suspension of the minimum  
14 sentence.

15 Sec. 2. Section 708.3B, Code 2025, is amended to read as  
16 follows:

17 **708.3B Inmate assaults — bodily fluids or secretions.**

18 A person who, while confined in a jail or in an institution  
19 or facility under the control of the department of corrections,  
20 commits any of the following acts commits a class "D" felony:

21 1. An assault, as defined under section 708.1, upon an  
22 employee of the jail or institution or facility under the control  
23 of the department of corrections, ~~which~~ that results in the  
24 employee's contact with blood, seminal fluid, urine, saliva, or  
25 feces.

26 2. An act ~~which~~ that is intended to cause pain or injury  
27 or be insulting or offensive and ~~which~~ that results in blood,  
28 seminal fluid, urine, saliva, or feces being cast or expelled  
29 upon an employee of the jail or institution or facility under the  
30 control of the department of corrections.

31 EXPLANATION

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

34 This bill relates to assaults, including assaults on persons  
35 engaged in certain occupations and inmate assaults on department

1 of corrections employees.

2 Current law provides enhanced penalties for an assault, as  
3 defined in Code section 708.1, against persons engaged in certain  
4 occupations including a peace officer, jailer, correctional  
5 staff, member or employee of the board of parole, health  
6 care provider, employee of the department of health and human  
7 services, employee of the department of revenue, national guard  
8 member engaged in national guard duty or state active duty,  
9 civilian employee of a law enforcement agency, civilian employee  
10 of a fire department, or fire fighter, whether paid or volunteer.

11 The bill adds juvenile detention staff to the occupations  
12 listed.

13 The bill increases the currently applicable penalties by one  
14 degree. A person who assaults a person engaged in one of the  
15 listed occupations with knowledge of the person's occupation and  
16 the intent to inflict a serious injury upon such person is guilty  
17 of a class "C" felony. A person who, while assaulting a person  
18 engaged in one of the listed occupations, uses or displays a  
19 dangerous weapon in connection with the assault is guilty of  
20 a class "C" felony. A person who, while assaulting a person  
21 engaged in one of the listed occupations, causes bodily injury  
22 or mental illness is guilty of a class "D" felony.

23 The bill provides that any other assault, including an assault  
24 causing another to come into contact with saliva by throwing,  
25 tossing, spitting, or expelling the fluid, committed against a  
26 person engaged in one of the listed occupations is an aggravated  
27 misdemeanor. A person convicted of violating the provision is  
28 required to serve a minimum term of seven days of the sentence  
29 imposed by law, and is not eligible for suspension of the minimum  
30 sentence.

31 The bill provides that a person who, while confined in a jail,  
32 institution, or facility under the control of the department of  
33 corrections, commits an assault upon an employee of the jail,  
34 institution, or facility that results in the employee's contact  
35 with blood, seminal fluid, urine, saliva, or feces, or who

1 commits an act that is intended to cause pain or injury or be  
2 insulting or offensive and that results in blood, seminal fluid,  
3 urine, saliva, or feces being cast or expelled upon an employee,  
4 commits a class "D" felony. Current law does not include saliva  
5 in the list of bodily fluids or secretions.

6 A class "C" felony is punishable by confinement for no more  
7 than 10 years and a fine of at least \$1,370 but not more than  
8 \$13,660. A class "D" felony is punishable by confinement for  
9 no more than five years and a fine of at least \$1,025 but not  
10 more than \$10,245. An aggravated misdemeanor is punishable by  
11 confinement for no more than two years and a fine of at least  
12 \$855 but not more than \$8,540.

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