

House File 2301 - Introduced

HOUSE FILE 2301
BY BODEN

A BILL FOR

- 1 An Act establishing a domestic abuse offender registry, and
- 2 providing penalties.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **692D.1 Domestic abuse offender**
2 **registry.**

3 1. As used in this section:

4 a. "Convicted" means found guilty of, pleaded guilty to, or
5 has been sentenced or adjudicated delinquent for an act that is
6 an indictable offense in this state or in another jurisdiction
7 including in a federal, military, tribal, or foreign court,
8 including but not limited to a juvenile who has been adjudicated
9 delinquent, but whose juvenile court records have been sealed
10 under section 232.150, and a person who has received a deferred
11 sentence or a deferred judgment or has been acquitted by reason
12 of insanity. "Convicted" includes the conviction of a juvenile
13 prosecuted as an adult. "Convicted" also includes a conviction
14 for an attempt or conspiracy to commit an offense. "Convicted"
15 does not mean a plea, sentence, adjudication, deferred sentence,
16 or deferred judgment that has been reversed or otherwise set
17 aside.

18 b. "Department" means the department of public safety.

19 c. "Domestic abuse assault" means an assault, as defined in
20 section 708.1, that is domestic abuse as defined in section
21 236.2, subsection 2.

22 d. "Persistent domestic abuse assault offender" means a
23 person who has been convicted of a violation of section 708.2A
24 who has at least one prior conviction under section 708.2A.

25 2. There is created within the department a registry of
26 persistent domestic abuse assault offenders.

27 3. The department shall maintain this registry based upon
28 information supplied to the department by the court clerks
29 pursuant to subsections 4 and 5 and information available to
30 the department from the department of corrections and local law
31 enforcement agencies. The department shall make the registry
32 available for public inquiry on the department's internet site.

33 4. The registry shall include all of the following
34 information about a persistent domestic abuse assault offender:

35 a. The persistent domestic abuse assault offender's name,

1 date of birth, conviction date, and county or counties of
2 convictions.

3 b. A photograph of the persistent domestic abuse assault
4 offender.

5 5. a. If available, the court clerk shall provide the
6 department with a copy of the persistent domestic abuse
7 assault offender's driver's license, or other state or federal
8 identification, and such other identifying data as the department
9 determines is necessary to properly identify the persistent
10 domestic abuse assault offender and exclude innocent persons.

11 b. The registry available for public inquiry must not include
12 the persistent domestic abuse assault offender's address, social
13 security number, driver's license number, or any other state or
14 federal identification number.

15 6. If a person is convicted under section 708.2A and the
16 person convicted has at least one prior conviction under section
17 708.2A, then the court shall, upon proof of any prior convictions
18 under section 708.2A, order the defendant to register as a
19 persistent domestic abuse assault offender under this section.

20 7. If a court orders a defendant to register under this
21 section, then the court clerk shall forward to the department
22 a certified copy of the qualifying conviction and the date of
23 birth of the defendant. The court clerk shall forward the
24 information to the department within seven days of the date of
25 the conviction.

26 8. A defendant required to register under this section shall
27 be assessed a registration fee in the amount of one hundred fifty
28 dollars, which must be paid to the clerk of the court imposing
29 the sentence, who shall do all of the following:

30 a. Retain fifty dollars of the fee as appropriated receipts,
31 as defined in section 8.2, to be used for the administration of
32 this section.

33 b. Remit one hundred dollars of the fee to the department to
34 be retained as appropriated receipts, as defined in section 8.2,
35 to be used for the administration of this section.

1 9. The department shall remove from the registry the name
2 and other identifying information of a persistent domestic abuse
3 assault offender required to register under this section as
4 follows:

5 a. Two years after the date of the most recent conviction
6 under section 708.2A if the defendant has one prior conviction
7 under section 708.2A.

8 b. Five years after the date of the most recent conviction
9 under section 708.2A if the defendant has two prior convictions
10 under section 708.2A.

11 c. Ten years after the date of the most recent conviction
12 under section 708.2A if the defendant has three or more prior
13 convictions under section 708.2A.

14 10. This section applies only to persons convicted under
15 section 708.2A for offenses that occurred on or after July 1,
16 2026, provided, however, that a prior conviction is not required
17 to have occurred on or after July 1, 2026, for purposes of
18 determining whether a person qualifies as a persistent domestic
19 abuse assault offender.

20 Sec. 2. Section 708.2A, subsection 1, Code 2026, is amended
21 to read as follows:

22 1. For the purposes of this chapter, "domestic abuse assault"
23 means an assault, as defined in section 708.1, which that
24 is domestic abuse as defined in section 236.2, subsection 2,
25 ~~paragraph "a", "b", "c", or "d".~~

26 EXPLANATION

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

29 This bill establishes a domestic abuse offender registry.

30 The bill provides that there is created within the department
31 of public safety (department) a registry of persistent domestic
32 abuse assault offenders. The bill requires the department
33 to maintain the registry based upon information supplied to
34 the department by the court and information available to the
35 department from the department of corrections and local law

1 enforcement agencies. The department shall make the registry
2 available for public inquiry on the department's internet site.

3 The registry shall include the name, date of birth, conviction
4 date, county or counties of convictions, and a photograph of the
5 persistent domestic abuse assault offender.

6 The bill provides that if available, the court clerk shall
7 provide the department with a copy of the persistent domestic
8 abuse assault offender's driver's license, or other state or
9 federal identification, and such other identifying data as the
10 department determines is necessary to properly identify the
11 persistent domestic abuse assault offender. The bill provides
12 that the registry available for public inquiry must not include
13 the persistent domestic abuse assault offender's address, social
14 security number, driver's license number, or any other state or
15 federal identification number.

16 The bill provides that if a person is convicted of domestic
17 abuse assault and the person convicted has at least one prior
18 conviction for domestic abuse assault, then the court shall, upon
19 proof of any prior convictions for domestic abuse assault, order
20 the defendant to register as a persistent domestic abuse assault
21 offender. The court clerk shall forward to the department,
22 within seven days of the date of conviction, a certified copy of
23 the qualifying conviction and the date of birth of the defendant.

24 A defendant required to register must pay to the clerk of the
25 court imposing the sentence a registration fee of \$150. The
26 clerk will retain \$50 of the fee for the administration of the
27 bill. The clerk will remit \$100 of the fee to the department for
28 the administration of the bill.

29 The bill provides that the department shall remove from
30 the registry the name and other identifying information of a
31 persistent domestic abuse assault offender required to register
32 as follows: 2 years after the date of the most recent conviction
33 for domestic abuse assault if the defendant has one prior
34 conviction for domestic abuse assault; 5 years after the date
35 of the most recent conviction for domestic abuse assault if the

1 defendant has two prior convictions for domestic abuse assault;
2 and 10 years after the date of the most recent conviction for
3 domestic abuse assault if the defendant has three or more prior
4 convictions for domestic abuse assault.

5 The bill applies only to persons convicted of domestic abuse
6 assault when the offense occurred on or after July 1, 2026,
7 but a prior conviction is not required to have occurred on or
8 after July 1, 2026, for purposes of determining whether a person
9 qualifies as a persistent domestic abuse assault offender.

10 The bill provides definitions of "convicted", "department",
11 "domestic abuse assault", and "persistent domestic abuse assault
12 offender".

13 The bill amends the definition of "domestic abuse assault"
14 in Code section 708.2A to include an assault between persons
15 who are in an intimate relationship or have been in an intimate
16 relationship and have had contact within the past year of the
17 assault.