

House File 2535 - Introduced

HOUSE FILE 2535
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 651)

A BILL FOR

1 An Act establishing a criminal offense for written or electronic
2 threats to kill, cause bodily injury, or conduct a mass
3 shooting or an act of terrorism, and providing penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **708.7A Written or electronic**
2 **threats to kill, cause bodily injury, or conduct a mass**
3 **shooting or an act of terrorism — punishment — exemption from**
4 **liability.**

5 1. As used in this section, "*electronic record*" means any
6 record created, modified, archived, received, or distributed
7 electronically that contains any combination of text, graphics,
8 video, audio, or pictorial representation in digital form, but
9 does not include a telephone call.

10 2. A person shall not send, post, or transmit, or procure the
11 sending, posting, or transmission of, a writing or other record,
12 including an electronic record, in any manner in which it may
13 be viewed by another person, when in such writing or record the
14 person makes a threat to do any of the following:

15 a. Kill or cause bodily harm to another person.

16 b. Conduct a mass shooting or an act of terrorism.

17 3. A person who commits a violation of this section commits a
18 class "C" felony.

19 4. The transmission, storage, or caching of electronic
20 communications or messages or use of related telecommunications
21 service, commercial mobile radio service, or information service
22 by a person who violates this section does not impose
23 liability on the provider of an interactive computer service,
24 a communications service, a commercial mobile service, or an
25 information service, including but not limited to an internet
26 service provider or a hosting service provider, that was used by
27 the person.

28 **EXPLANATION**

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

31 This bill establishes a criminal offense for written or
32 electronic threats to kill, cause bodily injury, or conduct a
33 mass shooting or an act of terrorism.

34 The bill provides that it is unlawful for a person to
35 send, post, or transmit, or procure the sending, posting,

1 or transmission of, a writing or other record, including an
2 electronic record, in any manner in which it may be viewed by
3 another person, when in such writing or record the person makes a
4 threat to kill or cause bodily harm to another person, or conduct
5 a mass shooting or an act of terrorism.

6 A person who commits a violation of the bill commits a class
7 "C" felony. A class "C" felony is punishable by confinement for
8 no more than 10 years and a fine of at least \$1,370 but not more
9 than \$13,660.

unofficial