

House File 306 - Introduced

HOUSE FILE 306
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 64)

A BILL FOR

1 An Act relating to the dissemination and exhibition of obscene
2 material to minors and providing penalties.

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

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1 Section 1. Section 728.2, Code 2025, is amended to read as
2 follows:

3 **728.2 Dissemination and exhibition of obscene material to**
4 **minors.**

5 Any person, other than the parent or guardian of the minor,
6 who knowingly disseminates or exhibits obscene material to a
7 minor, including the exhibition of obscene material so that it
8 can be observed by a minor on or off the premises where it
9 is displayed, is guilty of a public offense and shall upon
10 conviction be guilty of ~~a serious misdemeanor~~, as follows:

11 1. For a first offense, a serious misdemeanor.

12 2. For a second offense, an aggravated misdemeanor with a
13 mandatory minimum term of confinement of one year. No portion
14 of the mandatory minimum term of confinement imposed by this
15 subsection shall be deferred or suspended.

16 3. For a third or subsequent offense, a class "D" felony
17 with a mandatory minimum term of confinement of three years. No
18 portion of the mandatory minimum term of confinement imposed by
19 this subsection shall be deferred or suspended.

20 EXPLANATION

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

23 This bill relates to the dissemination and exhibition of
24 obscene material to minors.

25 Current law provides that any person, other than the parent
26 or guardian of the minor, who knowingly disseminates or exhibits
27 obscene material, including the exhibition of obscene material
28 so that it can be observed by a minor on or off the premises
29 where it is displayed, commits a serious misdemeanor. The
30 bill maintains a serious misdemeanor for a first offense. A
31 second offense is an aggravated misdemeanor with a mandatory
32 minimum term of confinement of one year. A third or subsequent
33 offense is a class "D" felony with a mandatory minimum term of
34 confinement of three years. No portion of the mandatory minimum
35 sentence may be deferred or suspended.

1 A serious misdemeanor is punishable by confinement for no more
2 than one year and a fine of at least \$430 but not more than
3 \$2,560. An aggravated misdemeanor is punishable by confinement
4 for no more than two years and a fine of at least \$855 but
5 not more than \$8,540. A class "D" felony is punishable by
6 confinement for no more than five years and a fine of at least
7 \$1,025 but not more than \$10,245.

8 A violation of Code section 728.2 is a tier I sex offense and
9 a person convicted of the offense is required to register as a
10 sex offender for a period of 10 years.

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