

**House Study Bill 666 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY CHAIRPERSON  
HOLT)

**A BILL FOR**

- 1 An Act relating to habitual offenders, and providing penalties.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 902.8, Code 2026, is amended by striking  
2 the section and inserting in lieu thereof the following:

3 **902.8 Habitual offender.**

4 1. As used in this section:

5 a. "*Level one offense*" means all class "A", "B", "C", and  
6 "D" felonies, and all aggravated misdemeanors that involve sexual  
7 abuse under chapter 709, domestic abuse assault under section  
8 708.2A, assault with the intent to inflict a serious injury  
9 or while using or displaying a dangerous weapon under section  
10 708.2, subsections 1 and 3, organized retail theft under section  
11 714.2B, subsection 3, paragraph "c", theft, and possession of  
12 a controlled substance. For purposes of determining habitual  
13 offender status, each conviction of a level one offense is worth  
14 one point.

15 b. "*Level two offense*" means all aggravated misdemeanors that  
16 are not classified as a level one offense under paragraph "a",  
17 and serious misdemeanors that involve assault causing bodily  
18 injury or mental illness under section 708.2, subsection 2,  
19 domestic abuse assault causing bodily injury or mental illness  
20 under section 708.2A, subsection 2, paragraph "b", harassment  
21 under section 708.7, subsection 3, unlawful possession of a  
22 controlled substance under section 124.401, subsections 3 and  
23 5, theft in the fourth degree under section 714.2, and criminal  
24 mischief in the third degree under section 716.4. For purposes  
25 of determining habitual offender status, each conviction of a  
26 level two offense is worth one-half point.

27 2. A habitual offender is a person who has been convicted,  
28 in a court of this state or any other state, or of the United  
29 States, of any combination of level one or level two offenses  
30 resulting in the accumulation of three or more points.

31 3. Notwithstanding any other provision of law to the  
32 contrary, a person sentenced as a habitual offender shall not be  
33 eligible for parole or work release until the person has served  
34 a minimum term of commitment of twenty years unless the current  
35 level one offense the person is convicted of carries a higher

1 minimum sentence, which shall be considered the minimum sentence  
2 under this section.

3 Sec. 2. Section 902.9, subsection 1, paragraph c, Code 2026,  
4 is amended to read as follows:

5 c. An A habitual offender shall be ~~confined for no more than~~  
6 ~~fifteen years~~ sentenced to confinement as provided in section  
7 902.8.

8 EXPLANATION

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

11 This bill relates to habitual offenders.

12 The bill strikes the current law regarding habitual offenders  
13 and provides that a habitual offender is a person who has been  
14 convicted, in a court of this state or any other state, or of  
15 the United States, of any combination of level one or level two  
16 offenses resulting in the accumulation of three or more points.

17 The bill defines "level one offense" as all class "A", "B",  
18 "C", and "D" felonies, and all aggravated misdemeanors that  
19 involve sexual abuse under Code chapter 709, domestic abuse  
20 assault under Code section 708.2A, assault with the intent to  
21 inflict a serious injury or while using or displaying a dangerous  
22 weapon under Code section 708.2(1) and (3), organized retail  
23 theft under Code section 714.2B(3)(c), theft, and possession of  
24 a controlled substance. Each conviction of a level one offense  
25 is worth one point.

26 The bill defines "level two offense" as all aggravated  
27 misdemeanors that are not classified as a level one offense,  
28 and serious misdemeanors that involve assault causing bodily  
29 injury or mental illness under Code section 708.2(2), domestic  
30 abuse assault causing bodily injury or mental illness under Code  
31 section 708.2A(2)(b), harassment under Code section 708.7(3),  
32 unlawful possession of a controlled substance under Code section  
33 124.401(3) and (5), theft in the fourth degree under Code section  
34 714.2, and criminal mischief in the third degree under Code  
35 section 716.4. Each conviction of a level two offense is worth

1 one-half point.

2     The bill provides that notwithstanding any other provision of  
3 law to the contrary, a person sentenced as a habitual offender  
4 shall not be eligible for parole or work release until the person  
5 has served a minimum term of commitment of 20 years unless the  
6 current level one offense the person is convicted of carries a  
7 higher minimum sentence, which shall be considered the minimum  
8 sentence under the bill.

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