

Senate File 2161 - Introduced

SENATE FILE 2161
BY WEBSTER

A BILL FOR

1 An Act defining coercive control and including it in the
2 definition of domestic abuse.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 236.2, Code 2026, is amended by adding the
2 following new subsections:

3 NEW SUBSECTION. 01. "Assault" means the same as defined in
4 section 708.1.

5 NEW SUBSECTION. 001. a. "Coercive control" means a pattern
6 of behavior that is used to cause an individual to suffer
7 physical, emotional, or psychological harm, and, in purpose or
8 effect, unreasonably interferes with the individual's free will
9 and personal liberty. In determining whether interference is
10 unreasonable, a court shall consider the context and impact of
11 the pattern of behavior from the perspective of an individual in
12 a similar situation as the individual the interference affects.

13 b. "Coercive control" includes but is not limited to engaging
14 in any of the following:

15 (1) Intimidating, controlling, or compelling conduct through
16 any of the following:

17 (a) Damaging, destroying, threatening to damage or destroy,
18 or forcing an individual to relinquish goods, property, a
19 domestic animal, or an item of sentimental value.

20 (b) Using technology to threaten, humiliate, harass, stalk,
21 intimidate, exert undue influence over, or abuse an individual,
22 including but not limited to cyberstalking, monitoring,
23 surveilling, impersonating, manipulating electronic media, or
24 distributing or threatening to distribute an actual or fabricated
25 image of an intimate nature.

26 (c) Carrying, exhibiting, displaying, drawing, or threatening
27 to use a firearm or other weapon perceived to be capable of
28 bodily harm in a manner, under circumstances, at a time, and in a
29 place that either manifests an intent to intimidate an individual
30 or that warrants alarm by the individual for the individual's
31 safety, the safety of another individual, or the safety of a
32 domestic animal.

33 (d) Intentionally driving recklessly with an individual or
34 the individual's children in the vehicle.

35 (e) Communicating, directly or indirectly, the intent to do

1 any of the following:

2 (i) Harm an individual's child, family member, friend, or
3 domestic animal.

4 (ii) Attempt suicide or other act of self-harm.

5 (iii) Harm an individual's career or education.

6 (iv) Contact local or federal agencies based on an
7 individual's actual or suspected immigration status.

8 (f) Exerting control over an individual's identification
9 documents, including but not limited to the individual's driver's
10 license, social security card, or passport.

11 (g) Making, or threatening to make, an individual's private
12 information public, including but not limited to the individual's
13 sexual orientation, gender identity, medical information, or
14 behavioral health information.

15 (h) Unwanted sexual or reproductive acts, or threats relating
16 to unwanted sexual acts or reproductive acts.

17 (2) Causing dependence, confining an individual, or
18 physically restraining an individual; isolating an individual
19 from the individual's friends, relatives, or domestic animal; or
20 preventing an individual from engaging in education, employment,
21 or other sources of support.

22 (3) Depriving an individual of basic necessities or
23 committing other forms of financial exploitation.

24 (4) Controlling, exerting undue influence over, interfering
25 with, regulating, or monitoring an individual's movements,
26 communications, daily behavior, finances, economic resources,
27 access to services, or employment.

28 (5) Engaging in excessive or meritless litigation to harass,
29 coerce, or control an individual, exhaust an individual's
30 financial resources, or compromise an individual's employment or
31 housing.

32 (6) Engaging in psychological aggression, including but not
33 limited to inflicting fear, humiliation, or degradation on an
34 individual.

35 c. "Coercive control" does not include protective actions

1 taken by an individual in good faith for the purpose of
2 protecting the individual's self or the individual's children
3 from the reasonably perceived risk of harm posed by another
4 individual.

5 Sec. 2. Section 236.2, subsection 2, Code 2026, is amended to
6 read as follows:

7 2. "*Domestic abuse*" means committing assault ~~as defined~~
8 ~~in section 708.1 under any of the following circumstances or~~
9 engaging in coercive control when the assault or coercive control
10 is between any of the following:

11 a. ~~The assault is between family~~ Family or household members
12 who resided together at the time of the assault or coercive
13 control.

14 b. ~~The assault is between separated~~ Separated spouses or
15 persons divorced from each other and not residing together at the
16 time of the assault or coercive control.

17 c. ~~The assault is between persons~~ Persons who are parents
18 of the same minor child, regardless of whether they have been
19 married or have lived together at any time.

20 d. ~~The assault is between persons~~ Persons who have been
21 family or household members residing together within the past
22 year and are not residing together at the time of the assault or
23 coercive control.

24 e. (1) ~~The assault is between persons~~ Persons who are in an
25 intimate relationship or have been in an intimate relationship
26 and have had contact within the past year of the assault or
27 coercive control. In determining whether persons are or have
28 been in an intimate relationship, the court may consider the
29 following nonexclusive list of factors:

30 (a) The duration of the relationship.

31 (b) The frequency of interaction.

32 (c) Whether the relationship has been terminated.

33 (d) The nature of the relationship, characterized by either
34 party's expectation of sexual or romantic involvement.

35 (2) A person may be involved in an intimate relationship with

1 more than one person at a time.

2 EXPLANATION

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

5 This bill defines coercive control and includes it within the
6 meaning of domestic abuse. By operation of law, a temporary
7 protective order or a protective order requiring a defendant to
8 cease domestic abuse of a plaintiff will require the defendant to
9 cease engaging in coercive control of the plaintiff.

10 The bill defines "coercive control" as a pattern of behavior
11 that is used to cause an individual to suffer physical,
12 emotional, or psychological harm, and, in purpose or effect,
13 unreasonably interferes with the individual's free will and
14 personal liberty. In determining whether interference is
15 unreasonable, a court shall consider the context and impact of
16 the pattern of behavior from the perspective of an individual in
17 a similar situation as the individual the interference affects.
18 The bill lists several acts that are included in the meaning
19 of "coercive control". "Coercive control" does not include
20 protective actions taken by an individual in good faith for the
21 purpose of protecting the individual's self or the individual's
22 children from the reasonably perceived risk of harm posed by
23 another individual.