

**Senate File 2307 - Introduced**

SENATE FILE 2307  
BY WESTRICH

**A BILL FOR**

1 An Act establishing the criminal offense of felony rental  
2 vandalism, addressing state supplementary assistance, and  
3 providing penalties.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **249.5A Ineligibility following**  
2 **felony rental vandalism.**

3 1. Notwithstanding any other provision of law, a person  
4 convicted of felony rental vandalism under section 716.10A  
5 shall not be eligible to receive state supplementary assistance  
6 pursuant to sections 249.3 through 249.5 until one of the  
7 following conditions is satisfied:

8 a. Full restitution is paid to the landlord as ordered by the  
9 sentencing court.

10 b. The person has served a term of incarceration imposed by  
11 the court for the offense.

12 2. This section shall not apply to:

13 a. Assistance provided solely for dependent children who were  
14 not involved in the violation of section 716.10A.

15 b. Emergency medical assistance required to preserve life or  
16 prevent serious harm.

17 Sec. 2. NEW SECTION. **716.10A Felony rental vandalism.**

18 1. A tenant or occupant of a dwelling unit, as defined  
19 in section 562A.6, who commits criminal mischief, as described  
20 in section 716.1, that results in damage to the dwelling unit  
21 exceeding one thousand dollars, or that involves the intentional  
22 creation, introduction, or failure to prevent a pest infestation  
23 that causes damage exceeding one thousand dollars, is guilty of  
24 felony rental vandalism.

25 2. Felony rental vandalism is a class "D" felony.

26 3. A clerk of the sentencing court shall notify the  
27 department of health and human services of any conviction under  
28 this section.

29 Sec. 3. **FEDERAL HOUSING ASSISTANCE — LIMITATION.** To the  
30 extent permitted by federal law, a person convicted of felony  
31 rental vandalism under section 716.10A, as enacted by this Act,  
32 shall be ineligible for housing assistance under section 8 of  
33 the United States Housing Act of 1937, Pub. L. No. 75-412, or  
34 any successor program until the requirements of section 249.5A,  
35 subsection 1, as enacted by this Act, are met. Nothing in this

1 section shall be construed to require action by the state that  
2 would result in the loss of federal funding.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

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This bill establishes the criminal offense of felony rental  
7 vandalism and addresses eligibility for state supplementary  
8 assistance.

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The bill provides that a tenant or occupant of a dwelling  
10 unit, as defined in Code section 562A.6, who commits criminal  
11 mischief, as described in Code section 716.1, that results in  
12 damage to the dwelling unit exceeding \$1,000, or that involves  
13 the intentional creation, introduction, or failure to prevent a  
14 pest infestation that causes damage exceeding \$1,000, is guilty  
15 of felony rental vandalism. Felony rental vandalism is a class  
16 "D" felony. A class "D" felony is punishable by confinement for  
17 no more than five years and a fine of at least \$1,025 but not  
18 more than \$10,245.

19

The bill provides that a clerk of the sentencing court  
20 shall notify the department of health and human services of any  
21 conviction of felony rental vandalism.

22

The bill provides that a person convicted of felony rental  
23 vandalism shall not be eligible to receive state supplementary  
24 assistance under Code sections 249.3 through 249.5 until full  
25 restitution is paid to the landlord as ordered by the sentencing  
26 court, or the person has served a term of incarceration imposed  
27 by the court for the offense. The bill does not apply to  
28 assistance provided solely for dependent children who were  
29 not involved in the violation, or emergency medical assistance  
30 required to preserve life or prevent serious harm.

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The bill provides that to the extent permitted by federal  
32 law, a person convicted of felony rental vandalism shall be  
33 ineligible for housing assistance under section 8 of the United  
34 States Housing Act of 1937 or any successor program until the  
35 requirements of the bill are met. Nothing in the bill shall be

1 construed to require action by the state that would result in the  
2 loss of federal funding.

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