

Senate File 2400 - Introduced

SENATE FILE 2400
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3156)

A BILL FOR

1 An Act relating to assaults on persons engaged in certain
2 occupations and harassment against public utility employees or
3 contractors, and making penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 708.3A, subsections 1, 2, 3, and 4, Code
2 2026, are amended to read as follows:

3 1. A person who commits an assault, as defined in section
4 708.1, against a peace officer, jailer, correctional or
5 juvenile detention staff, member or employee of the board
6 of parole, health care provider, employee of the department
7 of health and human services, employee of the department of
8 inspections, appeals, and licensing who conducts investigations
9 or inspections, employee of the department of revenue, national
10 guard member engaged in national guard duty or state active
11 duty, civilian employee of a law enforcement agency, civilian
12 employee of a fire department, ~~or~~ fire fighter, whether paid
13 or volunteer, or employee or contractor of a public utility
14 engaged in the performance of a public utility responsibility,
15 with the knowledge that the person against whom the assault
16 is committed is a peace officer, jailer, correctional or
17 juvenile detention staff, member or employee of the board
18 of parole, health care provider, employee of the department
19 of health and human services, employee of the department of
20 inspections, appeals, and licensing who conducts investigations
21 or inspections, employee of the department of revenue, national
22 guard member engaged in national guard duty or state active
23 duty, civilian employee of a law enforcement agency, civilian
24 employee of a fire department, ~~or~~ fire fighter, or employee or
25 contractor of a public utility and with the intent to inflict
26 a serious injury upon the peace officer, jailer, correctional
27 or juvenile detention staff, member or employee of the board
28 of parole, health care provider, employee of the department
29 of health and human services, employee of the department of
30 inspections, appeals, and licensing who conducts investigations
31 or inspections, employee of the department of revenue, national
32 guard member engaged in national guard duty or state active duty,
33 civilian employee of a law enforcement agency, civilian employee
34 of a fire department, ~~or~~ fire fighter, or employee or contractor
35 of a public utility, is guilty of a class "C" felony.

1 2. A person who commits an assault, as defined in section
2 708.1, against a peace officer, jailer, correctional or
3 juvenile detention staff, member or employee of the board
4 of parole, health care provider, employee of the department
5 of health and human services, employee of the department of
6 inspections, appeals, and licensing who conducts investigations
7 or inspections, employee of the department of revenue, national
8 guard member engaged in national guard duty or state active
9 duty, civilian employee of a law enforcement agency, civilian
10 employee of a fire department, ~~or~~ fire fighter, whether paid
11 or volunteer, or employee or contractor of a public utility
12 engaged in the performance of a public utility responsibility,
13 who knows that the person against whom the assault is committed
14 is a peace officer, jailer, correctional or juvenile detention
15 staff, member or employee of the board of parole, health
16 care provider, employee of the department of health and human
17 services, employee of the department of inspections, appeals, and
18 licensing who conducts investigations or inspections, employee
19 of the department of revenue, national guard member engaged in
20 national guard duty or state active duty, civilian employee of a
21 law enforcement agency, civilian employee of a fire department,
22 ~~or~~ fire fighter, or employee or contractor of a public utility
23 and who uses or displays a dangerous weapon in connection with
24 the assault, is guilty of a class "C" felony.

25 3. A person who commits an assault, as defined in section
26 708.1, against a peace officer, jailer, correctional or
27 juvenile detention staff, member or employee of the board
28 of parole, health care provider, employee of the department
29 of health and human services, employee of the department of
30 inspections, appeals, and licensing who conducts investigations
31 or inspections, employee of the department of revenue, national
32 guard member engaged in national guard duty or state active
33 duty, civilian employee of a law enforcement agency, civilian
34 employee of a fire department, ~~or~~ fire fighter, whether paid
35 or volunteer, or employee or contractor of a public utility

1 engaged in the performance of a public utility responsibility,
2 who knows that the person against whom the assault is committed
3 is a peace officer, jailer, correctional or juvenile detention
4 staff, member or employee of the board of parole, health
5 care provider, employee of the department of health and human
6 services, employee of the department of inspections, appeals, and
7 licensing who conducts investigations or inspections, employee
8 of the department of revenue, national guard member engaged in
9 national guard duty or state active duty, civilian employee of a
10 law enforcement agency, civilian employee of a fire department,
11 ~~or~~ fire fighter, or employee or contractor of a public utility,
12 and who causes bodily injury or mental illness, is guilty of a
13 class "D" felony.

14 4. Any other assault, as defined in section 708.1, including
15 an assault causing another to come into contact with saliva
16 by throwing, tossing, spitting, or expelling the fluid,
17 committed against a peace officer, jailer, correctional or
18 juvenile detention staff, member or employee of the board
19 of parole, health care provider, employee of the department
20 of health and human services, employee of the department of
21 inspections, appeals, and licensing who conducts investigations
22 or inspections, employee of the department of revenue, national
23 guard member engaged in national guard duty or state active duty,
24 civilian employee of a law enforcement agency, civilian employee
25 of a fire department, ~~or~~ fire fighter, whether paid or volunteer,
26 or employee or contractor of a public utility engaged in the
27 performance of a public utility responsibility, by a person who
28 knows that the person against whom the assault is committed
29 is a peace officer, jailer, correctional or juvenile detention
30 staff, member or employee of the board of parole, health
31 care provider, employee of the department of health and human
32 services, employee of the department of inspections, appeals, and
33 licensing who conducts investigations or inspections, employee
34 of the department of revenue, national guard member engaged in
35 national guard duty or state active duty, civilian employee of a

1 law enforcement agency, civilian employee of a fire department,
2 ~~or fire fighter, or employee or contractor of a public utility,~~
3 is an aggravated misdemeanor. A person convicted of violating
4 this subsection shall serve a minimum term of seven days of the
5 sentence imposed by law, and shall not be eligible for suspension
6 of the minimum sentence.

7 Sec. 2. Section 708.7, subsection 2, paragraph a, Code 2026,
8 is amended by adding the following new subparagraph:

9 NEW SUBPARAGRAPH. (5) Harassment that occurs against an
10 employee or contractor of a public utility while engaged in the
11 performance of a public utility responsibility.

12 EXPLANATION

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

15 This bill relates to assaults on persons engaged in certain
16 occupations and harassment against public utility employees or
17 contractors.

18 The bill adds an employee or contractor of a public utility
19 engaged in the performance of a public utility responsibility
20 to the list of occupations that are protected by enhanced
21 assault penalties. The penalty for assault against an employee
22 or contractor of a public utility ranges from an aggravated
23 misdemeanor to a class "C" felony depending on the nature of the
24 assault. A class "C" felony is punishable by confinement for no
25 more than 10 years and a fine of at least \$1,370 but not more
26 than \$13,660. A class "D" felony is punishable by confinement
27 for no more than five years and a fine of at least \$1,025 but
28 not more than \$10,245. An aggravated misdemeanor is punishable
29 by confinement for no more than two years and a fine of at least
30 \$855 but not more than \$8,540.

31 The bill provides that harassment that occurs against an
32 employee or contractor of a public utility while engaged in
33 the performance of a public utility responsibility is harassment
34 in the first degree. Harassment in the first degree is an
35 aggravated misdemeanor.