

**Senate File 32 - Introduced**

SENATE FILE 32  
BY McCLINTOCK

**A BILL FOR**

- 1 An Act relating to sexual exploitation of a minor, and making
- 2 penalties applicable.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 728.12, subsection 3, paragraph b, Code  
2 2025, is amended to read as follows:

3 b. (1) A visual depiction containing pictorial  
4 representations of different minors shall be prosecuted and  
5 punished as separate offenses for each pictorial representation  
6 of a different minor in the visual depiction. ~~However,~~  
7 ~~violations~~

8 (2) Violations of this subsection involving multiple visual  
9 depictions of the same minor shall be prosecuted and punished as  
10 one offense separate offenses for each pictorial representation  
11 of the same minor.

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 sexual exploitation of a minor.

16 Code section 728.12(3) prohibits knowingly purchasing or  
17 possessing a visual depiction of a minor engaging in a prohibited  
18 sexual act or the simulation of a prohibited sexual act.  
19 Currently, visual depictions containing pictorial representations  
20 of different minors are prosecuted and punished as separate  
21 offenses for each pictorial representation of a different  
22 minor. However, violations involving multiple visual depictions  
23 containing pictorial representations of the same minor are  
24 prosecuted and punished as one offense.

25 The bill provides that knowingly purchasing or possessing  
26 multiple visual depictions containing pictorial representations  
27 of the same minor engaging in prohibited sexual acts or the  
28 simulation of prohibited sexual acts shall be prosecuted and  
29 punished as separate offenses.

30 A person who commits a violation of Code section 728.12(3)  
31 commits a class "D" felony for a first offense and a class "C"  
32 felony for a second or subsequent offense. A class "D" felony is  
33 punishable by confinement for no more than five years and a fine  
34 of at least \$1,025 but not more than \$10,245. A class "C" felony  
35 is punishable by confinement for no more than 10 years and a fine

1 of at least \$1,370 but not more than \$13,660.

2 A violation of Code section 728.12(3) is a tier II sex offense  
3 and a person convicted of the offense is required to register  
4 as a sex offender. A person convicted of the offense is also  
5 subject to a 10-year special sentence imposed in addition to any  
6 other sentence.

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