

Senate File 415 - Introduced

SENATE FILE 415

BY CAMPBELL, GREEN, and WESTRICH

A BILL FOR

1 An Act relating to false accusations of a criminal act, and
2 providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 718.6, subsection 2, Code 2025, is amended
2 to read as follows:

3 2. a. A person who reports or causes to be reported false
4 information to a fire department, a law enforcement authority,
5 or other public safety entity, knowing that the information is
6 false, or who reports the alleged occurrence of a criminal act,
7 knowing the act did not occur, commits a class "D" felony ~~if the~~
8 ~~alleged criminal act reported is any of the following:~~

9 ~~a. A forcible felony under section 702.11.~~

10 ~~b. Intimidation with a dangerous weapon under section 708.6.~~

11 ~~c. An act of terrorism under chapter 708A.~~

12 ~~d. Unlawful possession of biological agents or diseases under~~
13 ~~chapter 708B.~~

14 ~~e. Any offense under chapter 712.~~

15 b. Any person who continues to make allegations of an alleged
16 occurrence of a criminal act after the allegations are proven to
17 be false may be charged with malicious prosecution under section
18 720.6.

19 Sec. 2. Section 720.6, Code 2025, is amended to read as
20 follows:

21 **720.6 Malicious prosecution.**

22 A person who causes or attempts to cause another to be
23 indicted or prosecuted for any public offense, having no
24 reasonable grounds for believing that the person committed the
25 offense commits a ~~serious~~ an aggravated misdemeanor.

26 EXPLANATION

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

29 This bill relates to false accusations of a criminal act.

30 Current law provides that a person who reports the alleged
31 occurrence of a criminal act, knowing the act did not occur,
32 commits a class "D" felony if the alleged criminal act reported
33 is a forcible felony, intimidation with a dangerous weapon, an
34 act of terrorism, unlawful possession of biological agents or
35 diseases, or any arson offense.

1 The bill provides that a person who reports the alleged
2 occurrence of a criminal act, knowing the act did not occur,
3 commits a class "D" felony. A class "D" felony is punishable
4 by confinement for no more than five years and a fine of at least
5 \$1,025 but not more than \$10,245.

6 The bill provides that any person who continues to make
7 allegations of an alleged occurrence of a criminal act after the
8 allegations are proven to be false may be charged with malicious
9 prosecution under Code section 720.6, which the bill changes
10 from a serious misdemeanor to an aggravated misdemeanor. An
11 aggravated misdemeanor is punishable by confinement for no more
12 than two years and a fine of at least \$855 but not more than
13 \$8,540.

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