

**House File 2535 - Introduced**

HOUSE FILE 2535

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 651)

**A BILL FOR**

1 An Act establishing a criminal offense for written or  
2 electronic threats to kill, cause bodily injury, or conduct  
3 a mass shooting or an act of terrorism, and providing  
4 penalties.

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

1 Section 1. NEW SECTION. 708.7A Written or electronic  
2 threats to kill, cause bodily injury, or conduct a mass shooting  
3 or an act of terrorism — punishment — exemption from liability.

4 1. As used in this section, “*electronic record*” means any  
5 record created, modified, archived, received, or distributed  
6 electronically that contains any combination of text, graphics,  
7 video, audio, or pictorial representation in digital form, but  
8 does not include a telephone call.

9 2. A person shall not send, post, or transmit, or procure  
10 the sending, posting, or transmission of, a writing or other  
11 record, including an electronic record, in any manner in which  
12 it may be viewed by another person, when in such writing or  
13 record the person makes a threat to do any of the following:

14 a. Kill or cause bodily harm to another person.

15 b. Conduct a mass shooting or an act of terrorism.

16 3. A person who commits a violation of this section commits  
17 a class “C” felony.

18 4. The transmission, storage, or caching of electronic  
19 communications or messages or use of related telecommunications  
20 service, commercial mobile radio service, or information  
21 service by a person who violates this section does not impose  
22 liability on the provider of an interactive computer service,  
23 a communications service, a commercial mobile service, or an  
24 information service, including but not limited to an internet  
25 service provider or a hosting service provider, that was used  
26 by the person.

27

#### EXPLANATION

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

30 This bill establishes a criminal offense for written or  
31 electronic threats to kill, cause bodily injury, or conduct a  
32 mass shooting or an act of terrorism.

33 The bill provides that it is unlawful for a person to  
34 send, post, or transmit, or procure the sending, posting,  
35 or transmission of, a writing or other record, including an

1 electronic record, in any manner in which it may be viewed by  
2 another person, when in such writing or record the person makes  
3 a threat to kill or cause bodily harm to another person, or  
4 conduct a mass shooting or an act of terrorism.

5 A person who commits a violation of the bill commits a class  
6 "C" felony. A class "C" felony is punishable by confinement  
7 for no more than 10 years and a fine of at least \$1,370 but not  
8 more than \$13,660.