

House File 608 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 108)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act defining the term "possession" for purposes of the
2 criminal law.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2124HV 81
5 jm/sh/8

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1 1 Section 1. Section 124.101, Code 2005, is amended by
1 2 adding the following new subsection:
1 3 NEW SUBSECTION. 24A. "Possess" or "possession" means as
1 4 defined in section 702.13A.
1 5 Sec. 2. Section 124A.2, Code 2005, is amended by adding
1 6 the following new subsection:
1 7 NEW SUBSECTION. 5. "Possess" means the same as defined in
1 8 section 702.13A.
1 9 Sec. 3. NEW SECTION. 702.13A POSSESSION.
1 10 "Possess" or "possession" means having knowledge of the
1 11 presence and nature of an object or substance and having
1 12 either actual or constructive possession of the object or
1 13 substance. Possession may be sole or joint. A person may be
1 14 in possession of an object or substance without having a
1 15 proprietary interest in the object or substance or a right to
1 16 possess the object or substance.
1 17 HF 608
1 18 jm:rj/es/25