

House File 3 - Reprinted

HOUSE FILE 3

BY JONES

(As Amended and Passed by the House March 19, 2015)

A BILL FOR

1 An Act relating to invasion of privacy and trespassing, and
2 providing penalties.

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

1 Section 1. Section 709.21, subsection 1, paragraph a, Code
2 2015, is amended to read as follows:

3 a. The other person ~~does not have knowledge about and~~
4 does not consent or is unable to consent to being viewed,
5 photographed, or filmed.

6 Sec. 2. Section 709.21, subsection 3, Code 2015, is amended
7 to read as follows:

8 3. A person who violates this section commits ~~a serious~~ an
9 aggravated misdemeanor.

10 Sec. 3. Section 716.7, subsection 2, paragraph a, Code 2015,
11 is amended by adding the following new subparagraph:

12 NEW SUBPARAGRAPH. (7) Intentionally viewing,
13 photographing, or filming another person through the window or
14 any other aperture of a dwelling, without legitimate purpose,
15 while present on the real property upon which the dwelling is
16 located, if the person being viewed, photographed, or filmed
17 has a reasonable expectation of privacy, and if the person
18 being viewed, photographed, or filmed does not consent or
19 cannot consent to being viewed, photographed, or filmed.

20 Sec. 4. Section 716.8, subsection 1, Code 2015, is amended
21 to read as follows:

22 1. Any person who knowingly trespasses upon the property of
23 another commits a simple misdemeanor, except that any person
24 who intentionally trespasses as defined in section 716.7,
25 subsection 2, paragraph "a", subparagraph (7), commits a
26 serious misdemeanor.