

**Senate File 524 - Reprinted**

SENATE FILE 524  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 380)

(As Amended and Passed by the Senate March 28, 2019)

**A BILL FOR**

1 An Act relating to sexual exploitation by a youth athletics  
2 coach and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 272.2, subsection 14, paragraph b,  
2 subparagraph (1), subparagraph division (b), Code 2019, is  
3 amended by adding the following new subparagraph subdivision:  
4 NEW SUBPARAGRAPH SUBDIVISION. (viii) Sexual exploitation  
5 by a youth athletics coach.

6 Sec. 2. Section 614.1, subsection 12, Code 2019, is amended  
7 to read as follows:

8 12. *Sexual abuse or sexual exploitation by a counselor,*  
9 *therapist, ~~or school employee, or youth athletics coach.~~* An  
10 action for damages for injury suffered as a result of sexual  
11 abuse, as defined in [section 709.1](#), by a counselor, therapist,  
12 ~~or school employee, or youth athletics coach~~, as defined in  
13 section 709.15, or as a result of sexual exploitation by a  
14 counselor, therapist, ~~or school employee, or youth athletics~~  
15 coach shall be brought within ~~five~~ fifteen years ~~of the date~~  
16 ~~the victim was last treated by the counselor or therapist, or~~  
17 ~~within five years of the date the victim was last enrolled in~~  
18 ~~or attended the school~~ after the victim attains eighteen years  
19 of age.

20 Sec. 3. Section 692A.102, subsection 1, paragraph b,  
21 subparagraph (11), Code 2019, is amended to read as follows:

22 (11) Sexual exploitation by a counselor, therapist, ~~or~~  
23 school employee, or youth athletics coach in violation of  
24 section 709.15, if the victim is thirteen years of age or  
25 older.

26 Sec. 4. Section 692A.102, subsection 1, paragraph c,  
27 subparagraph (27), Code 2019, is amended to read as follows:

28 (27) Sexual exploitation by a counselor, therapist, ~~or~~  
29 school employee, or youth athletics coach in violation of  
30 section 709.15, if the child is under thirteen years of age.

31 Sec. 5. Section 702.11, subsection 2, paragraph d, Code  
32 2019, is amended to read as follows:

33 *d.* Sexual exploitation by a counselor, therapist, ~~or~~ school  
34 employee, or youth athletics coach in violation of section  
35 709.15.

1     Sec. 6. Section 709.15, subsection 1, Code 2019, is amended  
2 by adding the following new paragraph:

3     NEW PARAGRAPH. *h.* "Youth athletics coach" means a person  
4 who is not a school employee, whether paid or unpaid, who  
5 coaches, or is an assistant coach of, a youth athletics team  
6 comprised of students, or an individual student athlete,  
7 whether informal or formal.

8     Sec. 7. Section 709.15, Code 2019, is amended by adding the  
9 following new subsection:

10    NEW SUBSECTION. 3A. *a.* Sexual exploitation by a youth  
11 athletics coach occurs when any of the following are found:

12    (1) A pattern or practice or scheme of conduct to engage in  
13 any of the conduct described in subparagraph (2).

14    (2) Any sexual conduct with a student for the purpose  
15 of arousing or satisfying the sexual desires of the youth  
16 athletics coach or the student. Sexual conduct includes but is  
17 not limited to the following:

18    (a) Kissing.

19    (b) Touching of the clothed or unclothed inner thigh,  
20 breast, groin, buttock, anus, pubes, or genitals.

21    (c) A sex act as defined in section 702.17.

22    *b.* Sexual exploitation by a youth athletics coach does not  
23 include any of the following:

24    (1) Touching that is necessary in the performance of the  
25 youth athletics coach's duties including caring for an injured  
26 athlete.

27    (2) Engaging in conduct in violation of subsection 3A,  
28 paragraph "a", subparagraph (2), with a student who is not more  
29 than four years younger than the youth athletics coach and over  
30 whom the youth athletics coach does not have direct authority.

31     Sec. 8. Section 709.15, Code 2019, is amended by adding the  
32 following new subsection:

33    NEW SUBSECTION. 6. *a.* A youth athletics coach who commits  
34 sexual exploitation in violation of subsection 3A, paragraph  
35 "a", subparagraph (1), commits a class "D" felony.

1     *b.* A youth athletics coach who commits sexual exploitation  
2 in violation of subsection 3A, paragraph "a", subparagraph (2),  
3 commits an aggravated misdemeanor.

4     Sec. 9. Section 802.2A, Code 2019, is amended to read as  
5 follows:

6     **802.2A Incest — sexual exploitation by a counselor,  
7 therapist, ~~or~~ school employee, or youth athletics coach.**

8     1. An information or indictment for incest under section  
9 726.2 committed on or with a person who is under the age of  
10 eighteen shall be found within ~~ten~~ fifteen years after the  
11 person upon whom the offense is committed attains eighteen  
12 years of age. An information or indictment for any other  
13 incest shall be found within ten years after its commission.

14     2. An indictment or information for sexual exploitation by  
15 a counselor, therapist, ~~or~~ school employee, or youth athletics  
16 coach under [section 709.15](#) committed on or with a person who  
17 is under the age of eighteen shall be found within ~~ten~~ fifteen  
18 years after the person upon whom the offense is committed  
19 attains eighteen years of age. An information or indictment  
20 for any other sexual exploitation shall be found within ~~ten~~  
21 fifteen years of the date the victim was last treated by the  
22 counselor or therapist, or within ~~ten~~ fifteen years of the date  
23 the victim was enrolled in or attended the school.