

House File 2542 - Reprinted

HOUSE FILE 2542
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 666)

(As Amended and Passed by the House March 4, 2026)

A BILL FOR

- 1 An Act relating to habitual offenders, and providing penalties.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 902.8, Code 2026, is amended by striking
2 the section and inserting in lieu thereof the following:

3 **902.8 Habitual offender.**

4 1. As used in this section:

5 a. "*Level one offense*" means all class "A", "B", "C", and
6 "D" felonies, and all aggravated misdemeanors that involve sexual
7 abuse under chapter 709, domestic abuse assault under section
8 708.2A, assault with the intent to inflict a serious injury or
9 while using or displaying a dangerous weapon under section 708.2,
10 subsections 1 and 3, and organized retail theft under section
11 714.2B, subsection 3, paragraph "c". For purposes of determining
12 habitual offender status, each conviction of a level one offense
13 is worth one point.

14 b. "*Level two offense*" means all aggravated misdemeanors that
15 are not classified as a level one offense under paragraph "a",
16 and serious misdemeanors that involve assault causing bodily
17 injury or mental illness under section 708.2, subsection 2,
18 domestic abuse assault causing bodily injury or mental illness
19 under section 708.2A, subsection 2, paragraph "b", and criminal
20 mischief in the third degree under section 716.4. For purposes of
21 determining habitual offender status, each conviction of a level
22 two offense is worth one-half point.

23 2. a. A habitual offender is a person who has been convicted
24 in a court of this state of an offense, or has been convicted
25 of an offense committed in another jurisdiction that would
26 constitute an equivalent offense, or any combination of level one
27 or level two offenses resulting in the accumulation of three or
28 more points.

29 b. In determining whether a prior conviction counts toward
30 the accumulation of three or more points, the court shall only
31 consider criminal convictions within twenty years of the current
32 conviction.

33 c. For purposes of paragraph "a", all pending charges against
34 a person shall be aggregated and only the most serious charge
35 against the person shall count toward the accumulation of points.

1 d. This section shall only apply to convictions occurring on
2 or after July 1, 2026.

3 3. Notwithstanding any other provision of law to the
4 contrary, a person sentenced as a habitual offender shall not
5 be eligible for parole or work release until the person has
6 served a minimum term of commitment of twenty years unless the
7 current level one offense the person is convicted of carries a
8 higher minimum sentence, which shall be considered the minimum
9 sentence under this section, and no such judgment, sentence, or
10 part thereof shall be deferred or suspended.

11 Sec. 2. Section 902.9, subsection 1, paragraph c, Code 2026,
12 is amended to read as follows:

13 c. An A habitual offender shall be ~~confined for no more than~~
14 ~~fifteen years~~ sentenced to confinement as provided in section
15 902.8.