SENATE FILE 243
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1054)

(As Amended and Passed by the Senate March 17, 2021)

_____ = New Language by the Senate

A BILL FOR

An Act relating to public safety including the crimes of failure to assist, abuse of a corpse, and interference with official acts, and providing penalties.

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

Section 1. Section 708.14, subsection 1, Code 2021, is amended by adding the following new paragraph:

NEW PARAGRAPH. *c.* Fails to disclose the known location of a corpse with the intent to conceal a crime.

Sec. 2. Section 719.1, subsection 1, paragraph a, Code 2021, is amended to read as follows:

a. A person commits interference with official acts when the person knowingly resists or obstructs anyone known by the person to be a peace officer, jailer, emergency medical care provider under chapter 147A, medical examiner, or fire fighter, whether paid or volunteer, or a person performing bailiff duties pursuant to section 602.1303, subsection 3, in the performance of any act which is within the scope of the lawful duty or authority of that officer, jailer, emergency medical care provider under chapter 147A, medical examiner, or fire fighter, whether paid or volunteer, or a person performing bailiff duties pursuant to section 602.1303, subsection 3, or who knowingly resists or obstructs the service or execution by any authorized person of any civil or criminal process or order of any court.

Sec. 3. NEW SECTION. **727.12 Failure to assist.**

1. A person who witnesses another person suffering from imminent danger of death or risk of serious bodily injury, who, unreasonably and without lawful cause, fails to immediately contact local emergency response authorities or local law enforcement, or both, as required by the circumstances, commits an aggravated misdemeanor.

2. For the purposes of fulfilling the requirement imposed by subsection 1, a promptly placed 911 call shall discharge the requirement to assist.

3. *a.* It shall be a defense to a prosecution brought under subsection 1 that the person actually believed that the other person was not suffering from imminent danger of death or risk of serious bodily injury.

b. It shall be a defense to a prosecution brought under

subsection 1 that the person attempted to contact the local emergency response authorities or local law enforcement, or both, and was unable to contact either or both due to circumstances beyond the person's control.

c. It shall be a defense to a prosecution brought under subsection 1 that the person had a reasonable belief that providing assistance or making contact as required by subsection 1 would place the person at risk of serious bodily injury or death.

4. For purposes of this section, "*serious bodily injury*" means the same as defined in section 455B.146A.