HOUSE FILE 2250
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 506)

(As Amended and Passed by the House February 27, 2024)

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

An Act relating to tampering with witnesses, jurors, or reporting parties, and providing penalties.

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

Section 1. Section 720.4, Code 2024, is amended by striking the section and inserting in lieu thereof the following:

720.4 Tampering with witnesses, jurors, or reporting parties.

1. As used in this section:

a. "Juror" means the same as defined in section 607A.3, subsection 5.

b. "Reporting party" means a person who does either of the following:

(1) Reports or attempts to report a public offense to any fire department, law enforcement agency, emergency communications center, or other public safety entity.

(2) Assists or attempts to assist a law enforcement agency or a prosecuting agency in any criminal investigation or judicial proceeding.

c. "Tampering" includes any of the following acts committed against a witness, juror, or reporting party:

(1) Bribery or an attempt to bribe.

(2) Threats.

(3) Forcible or fraudulent detaining or restraining.

(4) Harassment as described in section 708.7, subsection 1.

(5) Assault as described in section 708.1, subsection 2.

(6) Any other public offense.

d. "Witness" means a person who is summoned to testify in any judicial proceeding, arbitration, or legislative hearing, or who is listed in the minutes of evidence as provided in rule of criminal procedure 2.4 or 2.5.

2. A person shall not do any of the following:

a. With the intent to improperly influence the testimony of an individual that the person believes is or may be a witness, to prevent such individual from testifying, to encourage such individual to disobey or avoid a subpoena or other legal process, or to encourage such individual to withhold evidence, information, or documents, or in retaliation for anything lawfully done by such an individual, tamper with a witness.

b. With the intent to improperly influence the decision

of any individual that the person believes is or may be a juror, to prevent such individual from serving in a judicial proceeding, or in retaliation for anything lawfully done by such individual, tamper with a juror.

c. With the intent to improperly influence the statements of an individual that the person believes is or may be a reporting party, to prevent such individual from becoming a reporting party, to encourage such individual to disobey or avoid a subpoena or other legal process, or to encourage such individual to withhold evidence, information, or documents, or in retaliation for anything lawfully done by such an individual, tamper with a reporting party.

*[3. A person who tampers with a witness, juror, or reporting party, as described in subsection 2, commits a public offense that shall be classified and punished as an offense one degree higher than the underlying offense, not to exceed a class "C" felony, but in no case shall the public offense be classified and punished lower than an aggravated misdemeanor.]