

MAR 9 2005  
PUBLIC SAFETY

HOUSE FILE 679  
BY JACOBY

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the criminal offense of interference with  
2 official acts.

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

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HF 679

1 Section 1. Section 719.1, subsections 1 and 2, Code 2005,  
2 are amended to read as follows:

3 1. A person who knowingly resists or obstructs anyone  
4 known by the person to be a peace officer, emergency medical  
5 care provider under chapter 147A, or fire fighter, whether  
6 paid or volunteer, in the performance of any act which is  
7 within the scope of the lawful duty or authority of that  
8 officer, emergency medical care provider under chapter 147A,  
9 or fire fighter, whether paid or volunteer, or who knowingly  
10 resists or obstructs the service or execution by any  
11 authorized person of any civil or criminal process or order of  
12 any court, commits a simple misdemeanor. In addition to any  
13 other penalties, the punishment imposed for a violation of  
14 this subsection shall include assessment of a fine of not less  
15 than two hundred fifty dollars. However, if a person commits  
16 an interference with official acts, as defined in this  
17 subsection, ~~and-in-so-doing-inflicts~~ which results in bodily  
18 injury other than serious injury, that person commits an  
19 aggravated misdemeanor. If a person commits an interference  
20 with official acts, as defined in this subsection, and ~~in-so~~  
21 ~~doing-inflicts~~ the interference results in serious injury or  
22 the person attempts to inflict serious injury, or displays a  
23 dangerous weapon, as defined in section 702.7, or is armed  
24 with a firearm, that person commits a class "D" felony.

25 2. A person under the custody, control, or supervision of  
26 the department of corrections who knowingly resists,  
27 obstructs, or interferes with a correctional officer, agent,  
28 employee, or contractor, whether paid or volunteer, in the  
29 performance of the person's official duties, commits a serious  
30 misdemeanor. If a person violates this subsection and in so  
31 doing commits an assault, as defined in section 708.1, the  
32 person commits an aggravated misdemeanor. If a person  
33 violates this subsection and ~~in-so-doing-inflicts~~ the  
34 violation results in bodily injury or the person attempts to  
35 inflict bodily injury other than serious injury to another,

1 displays a dangerous weapon, as defined in section 702.7, or  
2 is armed with a firearm, the person commits a class "D"  
3 felony. If a person violates this subsection and uses or  
4 attempts to use a dangerous weapon, as defined in section  
5 702.7, or ~~inflicts~~ if the violation results in serious injury  
6 to another, the person commits a class "C" felony.

7 EXPLANATION

8 This bill relates to the criminal offense of interference  
9 with official acts.

10 The bill provides that a person commits the offense of  
11 interference with official acts if the violation results in  
12 bodily or serious injury to a peace officer, emergency medical  
13 officer, correctional officer, or other member of a protected  
14 class under Code section 719.1.

15 Current law provides that a person commits the offense of  
16 interference with official acts if the person inflicts or  
17 attempts to inflict bodily or serious injury.

18 Under the bill, if a person commits interference with  
19 official acts that results in bodily injury to a member of a  
20 protected class, the person commits an aggravated misdemeanor  
21 if the injury is to a peace officer or emergency medical  
22 officer, or a class "D" felony if the injury is to a  
23 correctional officer.

24 If a person commits interference with official acts that  
25 results in serious injury, the person commits a class "D"  
26 felony if the injury is to a peace officer or emergency  
27 medical officer, or a class "C" felony if the injury is to a  
28 correctional officer.

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