

FILED JAN 12 2006

SENATE FILE 2028 JUDICIARY  
BY McCOY

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

**A BILL FOR**

1 An Act relating to the two thousand-foot residency restriction  
2 for sex offenders, and providing a penalty.

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

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JUDICIARY  
SF 2028

1 Section 1. Section 692A.2A, Code 2005, is amended to read  
2 as follows:

3 692A.2A RESIDENCY RESTRICTIONS -- CHILD CARE FACILITIES,  
4 AND SCHOOLS, AND ZOOS.

5 1. For purposes of this section, "person" means a person  
6 who has committed a criminal offense against a minor, or an  
7 offense involving a minor that is an aggravated offense,  
8 sexually violent offense, or other relevant offense that  
9 involved-a-minor.

10 2. A person shall not reside within two thousand feet of  
11 the real property comprising a public or nonpublic elementary  
12 or secondary school, or a child care facility, or an American  
13 zoo and aquarium association-accredited zoo.

14 3. A person who resides within two thousand feet of the  
15 real property comprising a public or nonpublic elementary or  
16 secondary school, or a child care facility, or an American zoo  
17 and aquarium association-accredited zoo commits an aggravated  
18 misdemeanor.

19 4. A person residing within two thousand feet of the real  
20 property comprising a public or nonpublic elementary or  
21 secondary school, or a child care facility, or an American zoo  
22 and aquarium association-accredited zoo does not commit a  
23 violation of this section if any of the following apply:

24 a. The person is required to serve a sentence at a jail,  
25 prison, juvenile facility, or other correctional institution  
26 or facility.

27 b. The person is subject to an order of commitment under  
28 chapter 229A.

29 c. The person has established a residence prior to July 1,  
30 2002, ~~or a school or child care facility is newly located on~~  
31 ~~or after July 1, 2002~~ near a public or nonpublic elementary or  
32 secondary school or child care facility.

33 d. The person has established a residence prior to July 1,  
34 2006, near an American zoo and aquarium association-accredited  
35 zoo.

1 e. The person has an established residence prior to a  
2 public or nonpublic elementary or secondary school, child care  
3 facility, or an American zoo and aquarium  
4 association-accredited zoo being newly located within two  
5 thousand feet of the offender's residence.

6 d- f. The person is a minor or a ward under a  
7 guardianship.

8 EXPLANATION

9 This bill relates to the 2,000-foot residency restriction  
10 for sex offenders.

11 The bill prohibits a sex offender who has committed an  
12 offense against a minor from residing within 2,000 feet of an  
13 American zoo and aquarium association-accredited zoo. The  
14 restriction does not apply to a sex offender who has an  
15 established residence within 2,000 feet of the zoo prior to  
16 the effective date of the bill, or of a newly located zoo.

17 A person who violates the bill commits an aggravated  
18 misdemeanor. An aggravated misdemeanor is punishable by  
19 confinement for no more than two years and a fine of at least  
20 \$500 but not more than \$5,000.

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