

IOWA CRIMINAL STATUTES SUMMARY CHART—2016

Judge Michael R. Mullins & Drake University Law School
For offenses occurring on 7/1/2016 through 6/30/2017.

INTRODUCTION

This chart was developed primarily for use by district and district associate court judges as a checklist and guide while advising criminal defendants of maximum and minimum penalties at the guilty plea phase of criminal proceedings and while imposing judgment and sentence. This chart will also be useful to magistrates and judges at initial appearances when informing a defendant of the charge or complaint against the defendant. Lawyers, legislators, media representatives, and the general public may find it useful in identifying the consequences of criminal code violations. The flow of content of this updated chart contains substantially more detail, and attempts to present content more usefully than earlier versions of this chart.

The chart does not list every possible crime identified in the Iowa Code. *(A future version of this chart will include the following: The “Overview of Sentencing in Iowa” section of this chart provides a step-by-step approach to determining the sentencing consequences of crimes not listed in the chart and in resolving apparent conflicts in the panoply of multiple sentencing provisions.)*

This new version of the chart contains more footnote and case information than was possible in the earlier versions. The new format will more readily accommodate additional enhancements of resource information in the future.

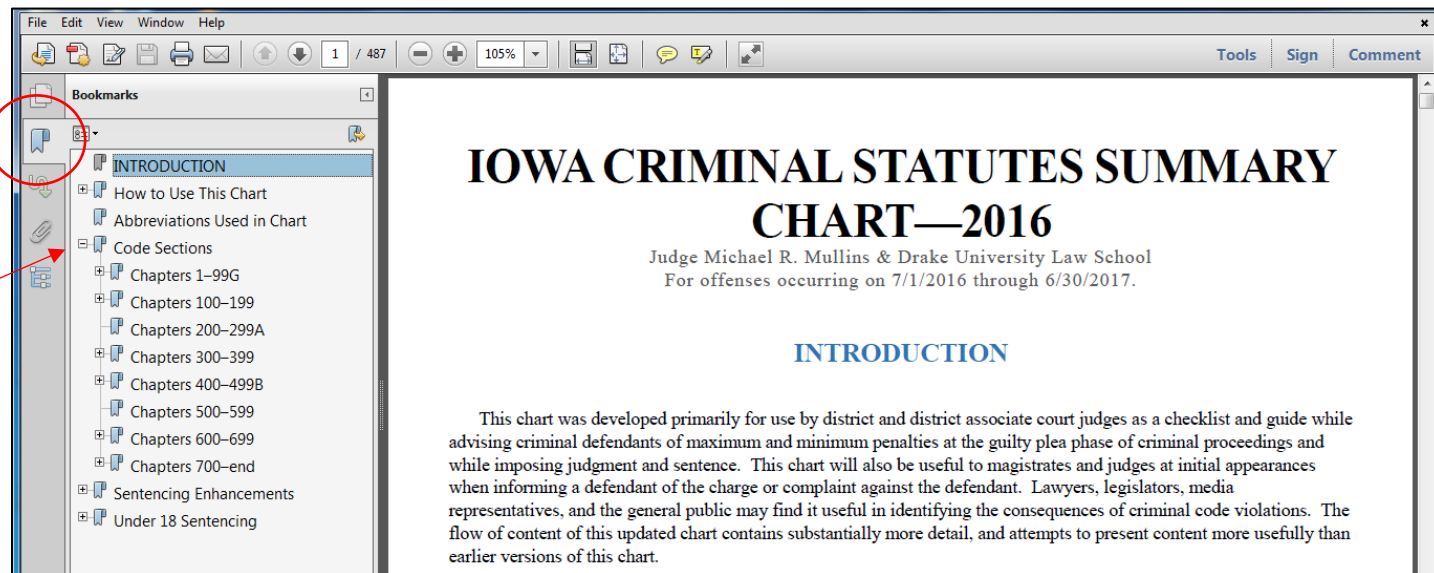
CAVEATS: (1) This chart is based solely on the authors’ understanding and interpretation of the applicable provisions. This chart is NOT an official document of the Judicial Branch of the State of Iowa, and is NOT intended as and may not be used as any authority in support of any interpretation of Iowa law. (2) Users of this chart must conduct their own research and analysis and reach their own conclusions concerning Iowa law.

Feedback, comments, corrections, suggestions, and requests for updates can be sent to Michael R. Mullins, 224 W. Main St., Washington, IA 52353.

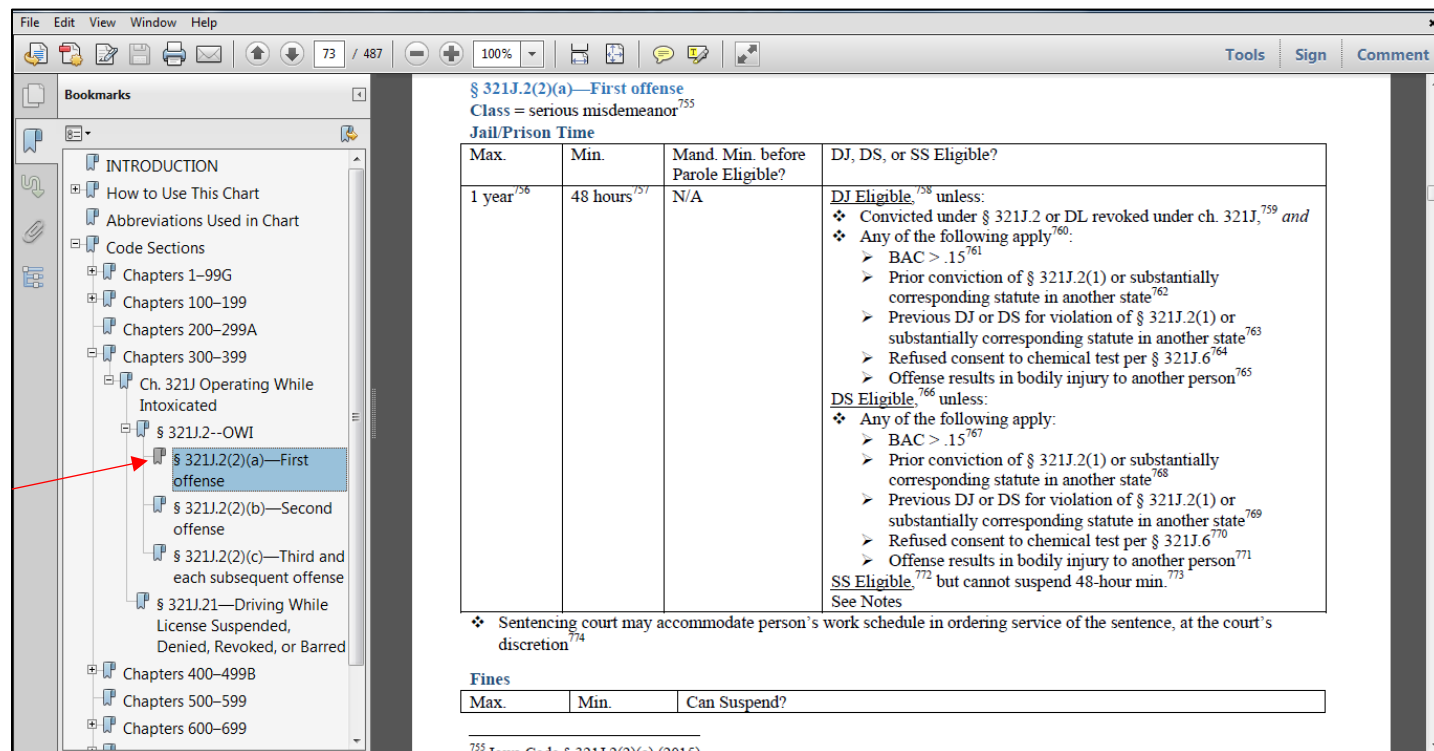
HOW TO USE THIS CHART

Step 1: Find Code Section

Find the code section under the “Code Sections” portion of this chart. Hint: Click on the “Bookmarks” icon along the left-hand side of the chart. Use the “Bookmarks” and the expand/collapse boxes to quickly locate and jump to the applicable code section, subsection, etc.



Example: To find Iowa Code section 321J.2(2)(a), in the Bookmarks, click the expansion box next to “Code Sections,” then click the expansion box next to “Chapters 300–399,” then click the expansion box next to “Ch. 321J Operating While Intoxicated,” then click the expansion box next to “§ 321J.2--OWI,” and, finally, select “§ 321J.2(2)(a)—First offense.”



Step 2: Sentence per Information in Particular Section

A. Introductory Notes or Comments

A few code sections include notes or comments immediately below the section, subsection, sub-subsection, etc. number and title. Do not skip over these as they may provide alternative sentencing options, limitations, or other relevant information.

§ 321J.2(2)(b)—Second offense

❖ In determining if violation is second offense:

➤ Previous offenses include:

- DJ for violations of § 321J.2 entered per § 907.3⁸²⁹
- Convictions or equivalent of DJ for violations of substantially corresponding statutes from other states⁸³⁰
 - Court shall take judicial notice of these statutes⁸³¹
 - Each conviction or DJ entered before date the instant offense was charged is a separate offense⁸³²

➤ Previous offenses do not include:

- Any conviction or license revocation deleted from motor vehicle operating records per § 321.12⁸³³

Class = aggravated misdemeanor⁸³⁴

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
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B. Class

This indicates whether the offense is a class “A,” “B,” “C,” or “D” felony, or simple, serious, or aggravated misdemeanor. The corresponding footnote provides the code provision where this classification can be found.

§ 81.6(2)—Alteration, attempted alteration, or falsification

Class = “D” felony¹¹

Jail/Prison Time

Max	Min	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
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- ¹¹ Iowa Code § 81.6(2) (2015).
- ¹² Iowa Code § 902.9(1)(e) (2015).
- ¹³ Iowa Code § 902.9(1)(e) (2015).
- ¹⁴ Iowa Code § 902.9(1)(e) (2015).

A few offenses have alternative classifications, depending on the underlying facts and circumstances of the offense. In this instance, the alternative classifications and their predicate underlying facts and circumstances have been included.

Violation of § 124.401(5) + 2 or more prior convictions under chapter 124, 124A, 124B, or 453B**Class:**

- ❖ if controlled substance is marijuana and the 2 or more prior convictions were under § 124.401(5) where the controlled substance was marijuana, aggravated misdemeanor³¹¹
- ❖ for all others, “D” felony³¹²

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS
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A few offenses do not fall into one of the above-mentioned classes. If this is the case, the lack of classification has been noted, either where the classification information would normally be (as in the example below) or in the corresponding footnote.

§ 124.401D(1)—Conspiracy to deliver to person under 18 years old**§ 124.401D(1)(b)—First offense**

Class = felony punishable under § 902.9(1)(a)³⁴²

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS
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C. Jail/Prison Time**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²	0 ¹³	No, but see Enhancements	Yes ¹⁴

1. Max.

This box contains the maximum jail or prison sentence that can be imposed for the offense. This box does not take into account any increased maximums due to any sentencing enhancements. If sentencing enhancements apply, look at the “Sentencing Enhancements” portion of this chart, find the applicable enhancement, and determine if that enhancement affects the maximum jail or prison sentence.

Unless otherwise specified, such as in an enhancement, a prison sentence for any felony is imposed as “an indeterminate term not to exceed ____ years.” The court does not determine the minimum term of incarceration before the person is eligible for parole or work release, unless the code indicates otherwise (in those situations, a note indicating as much has been added to the chart).

Simple and serious misdemeanors are sentenced as determinate terms, meaning the court must determine the exact number of days, or one year, to be served. For example, for a serious misdemeanor, which has a maximum term of incarceration of one year, the sentencing judge could sentence the person to one year or to 0, 45, 90, 365, etc. days in county jail, but the judge cannot sentence the person to “an indeterminate term not to exceed one year.”

Aggravated misdemeanors can be sentenced as either a determinate term of up to one year in the county jail, just like a serious misdemeanor, or an indeterminate term not to exceed two years in prison, similar to a sentence imposed for a felony. However, the sentencing judge could not order “an indeterminate term of up to one year” or a determinate term of 400 days in county jail.

2. Min.

This box contains the minimum amount of jail/prison time imposed for the specific crime, without consideration of any applicable enhancement.

§ 708.2A(2)(a)—DAA, First offense Class = simple misdemeanor¹⁴⁶⁹ Jail/Prison Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁴⁷⁰	2 days ¹⁴⁷¹	N/A	<ul style="list-style-type: none"> ❖ Can suspend, except for min. sentence ❖ DJ and DS eligible if: <ul style="list-style-type: none"> ➢ no previous DS or DJ for violation on DAA,¹⁴⁷³ or ➢ no similar relief granted anywhere statute substantially corresponds
❖ Mandatory minimum must be served on consecutive days ¹⁴⁷⁵			

3. Mand. Min. before Parole Eligible?

If there is a mandatory minimum amount of prison time that must be served before the person is eligible for parole or work release, the minimum—or the formula for calculating the minimum—will be stated.

Formula:

§ 710.3—2d Degree Kidnapping Class = “B” felony²⁴⁴⁰ Jail/Prison Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁴⁴¹	0 ²⁴⁴²	Not eligible until has served 70% of max. term of sentence ²⁴⁴³ See also Enhancements ❖ Note: kidnapping as defined in § 710.1 can be a SVO ²⁴⁴⁴	No, ²⁴⁴ but see Under 18 Sentencing

Specific Amount:

§ 124.401D(1)—Conspiracy to deliver to person under 18 years old § 124.401D(1)(b)—First offense Class = felony punishable under § 902.9(1)(a)³⁴² Prison/Jail Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
99 years, ³⁴³ see Notes	0 ³⁴⁴	Not eligible until has served minimum term of confinement of 10 years, ³⁴⁵ see also Drug Enhancements and General Enhancements	Yes ³⁴⁶

For many offenses, the box may say “No, but see Enhancements,” or something substantially similar. In this situation, there is not a mandatory minimum that is specific to that offense, but there might be one if a sentence enhancement applies. (See Initial Note in Step 3: Enhancements, *infra*, for information).

4. DJ, DS, or SS Eligible?

This box indicates whether the person being sentenced for a particular offense can receive a deferred judgment (DJ), a deferred sentence (DS), or suspended sentence (SS).

Jail/Prison Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²	0 ¹³	No, but see Enhancements	Yes ¹⁴

Prison/Jail Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ¹⁰⁰	0 ¹⁰¹	Not eligible until has served 1/3 of 50 years, ¹⁰² but see Under 18 Sentencing <ul style="list-style-type: none"> Exceptions: mandatory minimum does not apply if: <ul style="list-style-type: none"> ➤ offense is an accommodation per § 124.410,¹⁰³ or ➤ controlled substance is marijuana¹⁰⁴ See Notes	Yes, but no DJ, DS, or SS if controlled substance is meth ¹⁰⁵ (but see Under 18 Sentencing)

D. Fines

Fines		
Max.	Min.	Can Suspend?
\$7500 ¹⁵	\$750 ¹⁶	Yes

A. Max. & Min.

These provide the maximum and minimum fine that can be imposed. Unless otherwise indicated in the particular offense, a fine must be imposed if there is one stated.

B. Can Suspend?

This box indicates whether the fine can be suspended. Most often, the answer is “Yes,” but if the answer is “No,” a footnote is provided that references the particular code provision prohibiting suspension of the fine. If the code does not provide a fine for the particular offense, this box will say “N/A” and be grayed out.

E. Surcharges

All surcharges are imposed in addition to any other penalty imposed. The “county enforcement” surcharge found in Iowa Code section 911.4 is county-specific, so is not included in this chart. See Iowa Code § 911.4 (2015) for more information.

Surcharges					
35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷	No	No	No	No	No

1. 35% of fine or forfeiture

This surcharge applies anytime there is a fine or forfeiture imposed. The surcharge is 35% of the fine or forfeiture imposed. If the code does not provide a fine for a particular offense, this box will say “N/A” and be grayed out. However, the surcharge may still apply if there was a forfeiture.

2. DARE

This box indicates whether the “drug abuse resistance education” surcharge applies. If it does, the surcharge is \$10. If it does not, the box will say “No” and be grayed out.

3. HTV

This box indicates whether the “human trafficking victim” surcharge applies. If it does, the surcharge is \$1000. If it does not, the box will say “No” and be grayed out.

4. DAA, SA, stalking, HTV

This box indicates whether the “domestic abuse assault, sexual abuse, stalking, and human trafficking victim” surcharge applies. If it does, the surcharge is \$100. If it does not, the box will say “No” and be grayed out.

5. DA Prot. Order Contempt

This box indicates whether the “domestic abuse protective order contempt” surcharge applies. If it does, the surcharge is \$50. If it does not, the box will say “No” and be grayed out.

6. LEIS

This box indicates whether the “law enforcement initiative” surcharge applies. If it does, the surcharge is \$125. If it does not, the box will say “No” and be grayed out.

F. Miscellaneous

Miscellaneous			
License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸	No	No

1. License Revocation

This box indicates whether the person’s driver’s license is to be revoked at sentencing, and if so, for how long.

2. DNA Test

This box indicates whether the person must provide a DNA sample. Unless otherwise indicated, the answer is always “Yes” for any felony offense, always “No” for any simple or serious misdemeanor offense, and “Yes” if a judgment or conviction was entered for an aggravated misdemeanor (i.e., the answer is “No” if the person receives a DJ for an aggravated misdemeanor).

Additionally, even if the person is not required to provide a DNA sample, the sentencing judge may order the person to provide one per Iowa Code section 901.5(8A).

3. Sex Registry

This box indicates whether the person is required to register for the sex offender registry.

4. Deny Benefits

This box indicates whether the sentencing judge may order certain state or federal benefits be denied to the person per Iowa Code section 901.5(11) and (12).

G. Notes:

This portion of each offense’s sentencing page provides additional pertinent information, such as exceptions and explanations to the information provided in the above-discussed boxes.

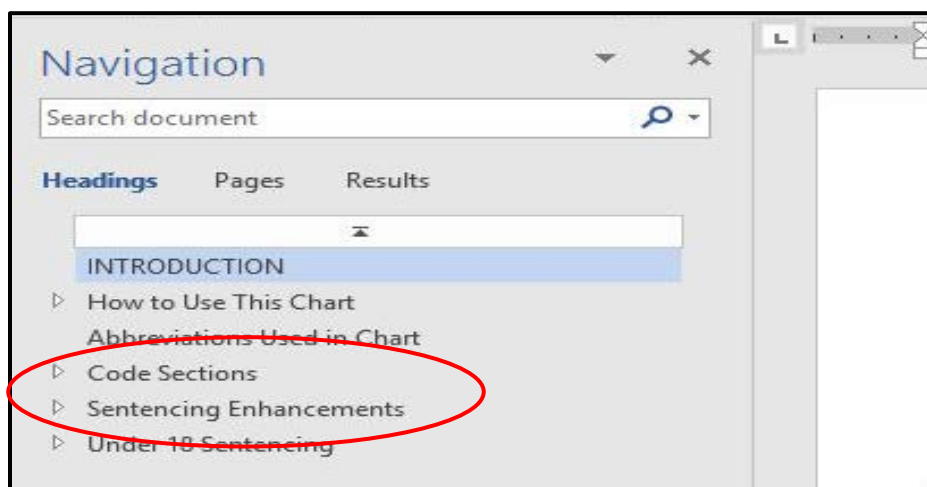
Sometimes, one of the above-discussed boxes will say “see Notes” or “but see Notes” as a “heads up” that there is additional information in this Notes section.

Be aware that the Notes section can continue onto a second (or third) page for some offenses.

Step 3: Enhancements.

A. Initial Note

General Enhancements are identified in this chart as “Sentencing Enhancements” or “Enhancements.” The Sentencing Enhancements portion of the chart is located after the Code Sections, as can be seen in the Navigation Pane.



Because the applicability of enhancements is case dependent, instead of including a list of each enhancement, its requirements, and consequences in the Notes for every felony, these “general” enhancements are grouped together in their own chart section, and reminders to “see Enhancements” or “but see Enhancements” were added to the relevant offenses.

Jail/Prison Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²	0 ¹³	No, but see Enhancements	Yes ¹⁴

Specific Enhancements are identified for offenses or types of offenses that have their own specific sentence enhancements in addition to the general enhancements (e.g., the drug offenses contained in chapter 124). If the offense-specific enhancements could cover several different offenses within one chapter, those chapters have their own Enhancements section, which can be found at the end of the chapter’s offenses and is titled “[Specific Type of Offense] Enhancements” (e.g., “Drug Enhancements”).

You should examine all the relevant enhancements sections—General Enhancements and Specific Enhancements—to determine if any might apply.

If multiple enhancements are in conflict, generally, the greater mandatories subsume any lesser mandatories, and percentage mandatories (such as the 70% mandatory minimum before parole eligible from Iowa Code section 902.12) apply to the final total. For example, the 70% mandatory minimum in section 902.12 prevails over the three-year minimum in section 902.8 (habitual offender). Likewise, the one-third mandatory minimum in section 124.413 also prevails over the three-year minimum in section 902.8.

Step 4: Under 18 Sentencing.

The chart includes “but see Under 18 Sentencing” notes to identify possible exceptions to the sentencing consequences in the chart for a person who was under age 18 at the time the offense was committed. A separate section of the chart outlines the Under 18 Sentencing provisions.

Step 5: Consecutive or Concurrent Sentences.

If the person is being sentenced for multiple offenses, the sentencing judge has discretion to impose consecutive or concurrent sentences. Iowa Code § 901.8 (2015). *But see id.* §§ 901.8, 908.10, unnum. para. 2, 908.10A, unnum. para. 2; *see also State v. Hill*, 878 N.W.2d 269, 273–74 (Iowa 2016).

ABBREVIATIONS USED IN CHART

*Note: Abbreviations are in alphabetical order

DA	Domestic Abuse
DAA	Domestic Abuse Assault
DJ	Deferred Judgment
DL	Driver's License
DS	Deferred Sentence
HTV	Human Trafficking Victim
LEIS	Law Enforcement Initiative Surcharge
Mand. Min.	Mandatory Minimum
Max.	Maximum
Min.	Minimum
Prot.	Protective
SA	Sexual Abuse
SPO	Sexually Predatory Offense
SS	Suspended Sentence
SVO	Sexually Violent Offense

CODE SECTIONS

Chapters 1–99G

CH. 81 DNA PROFILING

§ 81.6—Unlawful Disclosure or Alteration

§ 81.6(1)—Disclosure of DNA record

Class = aggravated misdemeanor¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²	0 ³	None	Yes ⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ⁶	\$625 ⁷	Yes ⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁰	No	No

Notes:

¹ Iowa Code § 81.6(1) (2015).

² Iowa Code § 903.1(2) (2015).

³ Iowa Code § 903.1(2) (2015).

⁴ See Iowa Code § 907.3 (2015).

⁵ Iowa Code § 903.1(2) (2015).

⁶ Iowa Code § 903.1(2) (2015).

⁷ Iowa Code § 903.1(2) (2015).

⁸ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁹ Iowa Code § 911.1(1) (2015).

¹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 81.6(2)—Alteration, attempted alteration, or falsificationClass = “D” felony¹¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²	0 ¹³	No, but see Enhancements	Yes ¹⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁵	\$750 ¹⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸	No	No

Notes:¹¹ Iowa Code § 81.6(2) (2015).¹² Iowa Code § 902.9(1)(e) (2015).¹³ Iowa Code § 902.9(1)(e) (2015).¹⁴ See Iowa Code § 907.3 (2015).¹⁵ Iowa Code § 902.9(1)(e) (2015).¹⁶ Iowa Code § 902.9(1)(e) (2015).¹⁷ Iowa Code § 911.1(1) (2015).¹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

Ch. 99B Social and Charitable Gambling

§ 99B.52—Electrical or Mechanical Amusement Devices

§ 99B.54(1)—Improper use in violation § 99B.52(1), (3), (4), or (5) or Failure to follow registration requirements in violation of § 99B.53(1), (2), (3), (5), (6), (7), (9), (14) or (15)

Class = serious misdemeanor¹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁰	0 ²¹	N/A	Yes ²²

Fines

Max.	Min.	Can Suspend?
\$1875 ²³	\$315 ²⁴	No ²⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

¹⁹ Iowa Code § 99B.54(1) (2015).

²⁰ Iowa Code § 903.1(1)(b) (2015).

²¹ Iowa Code § 903.1(1)(b) (2015).

²² See Iowa Code § 907.3 (2015).

²³ Iowa Code § 903.1(1)(b) (2015).

²⁴ Iowa Code § 903.1(1)(b) (2015).

²⁵ Iowa Code § 903.1(1) (2015).

²⁶ Iowa Code § 911.1(1) (2015).

§ 99B.54(2)(a) (first offense)—Improper use in violation of § 99B.52(2) or (6) or Failure to follow registration requirements in violation of § 99B.53(4), (8), (10), (11), (12) or (13)

Class = simple misdemeanor punishable as a scheduled violation per § 805.8C(4)(b)²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
0 ²⁸	0 ²⁹	N/A	N/A

Fines

Max.	Min.	Can Suspend?
\$250 ³⁰	\$250 ³¹	No ³²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

²⁷ Iowa Code § 99B.54(2)(a) (2015).

²⁸ Iowa Code § 805.8C(4)(b) (2015); *see id.* § 805.11 (“If the defendant is convicted of a scheduled violation, the penalty is the scheduled fine . . .”).

²⁹ Iowa Code § 805.8C(4)(b) (2015); *see id.* § 805.11.

³⁰ Iowa Code § 805.8C(4)(b) (2015).

³¹ Iowa Code § 805.8C(4)(b) (2015).

³² Iowa Code § 805.11 (2015).

³³ Iowa Code § 911.1(1) (2015); *see id.* § 805.8(1) (noting 35% fine or forfeiture surcharge is still applicable).

§ 99B.54(2)(b) (second or subsequent offense)—Improper use in violation of § 99B.52(2) or (6) or Failure to follow registration requirements in violation of § 99B.53(4), (8), (10), (11), (12) or (13)

Class = serious misdemeanor³⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁵	0 ³⁶	N/A	Yes ³⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸	\$315 ³⁹	No ⁴⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁴ Iowa Code § 99B.54(2)(b) (2015).

³⁵ Iowa Code § 903.1(1)(b) (2015).

³⁶ Iowa Code § 903.1(1)(b) (2015).

³⁷ See Iowa Code § 907.3 (2015).

³⁸ Iowa Code § 903.1(1)(b) (2015).

³⁹ Iowa Code § 903.1(1)(b) (2015).

⁴⁰ Iowa Code § 903.1(1) (2015).

⁴¹ Iowa Code § 911.1(1) (2015).

Ch. 99F Gambling Boat, Gambling Structure, and Racetrack Regulation

§ 99F.15(6)(b)—Unlawful betting

§ 99F.15(6)(b)(1)—Unlawful bet: potential winnings exceed \$1000

Class = “D” felony⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³	0 ⁴⁴	No, but see Enhancements	Yes ⁴⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁶	\$750 ⁴⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁹	No	No

Notes:

⁴² Iowa Code § 99F.15(6)(b)(1) (2015 & Supp. 2016).

⁴³ Iowa Code § 902.9(1)(e) (2015).

⁴⁴ Iowa Code § 902.9(1)(e) (2015).

⁴⁵ See Iowa Code § 907.3 (2015).

⁴⁶ Iowa Code § 902.9(1)(e) (2015).

⁴⁷ Iowa Code § 902.9(1)(e) (2015).

⁴⁸ Iowa Code § 911.1(1) (2015).

⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 99F.15(6)(b)(2)—Unlawful bet: potential winnings between \$500 and \$1000

Class = aggravated misdemeanor⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵¹	0 ⁵²	None	Yes ⁵³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ⁵⁵	\$625 ⁵⁶	Yes ⁵⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁹	No	No

Notes:

⁵⁰ Iowa Code § 99F.15(6)(b)(2) (2015 & Supp. 2016).

⁵¹ Iowa Code § 903.1(2) (2015).

⁵² Iowa Code § 903.1(2) (2015).

⁵³ See Iowa Code § 907.3 (2015).

⁵⁴ Iowa Code § 903.1(2) (2015).

⁵⁵ Iowa Code § 903.1(2) (2015).

⁵⁶ Iowa Code § 903.1(2) (2015).

⁵⁷ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁸ Iowa Code § 911.1(1) (2015).

⁵⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 99F.15(6)(b)(3)—Unlawful bet: potential winnings between \$200 and \$500Class = serious misdemeanor⁶⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁶¹	0 ⁶²	N/A	Yes ⁶³

Fines

Max.	Min.	Can Suspend?
\$1875 ⁶⁴	\$315 ⁶⁵	No ⁶⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:⁶⁰ Iowa Code § 99F.15(6)(b)(3) (2015 & Supp. 2016).⁶¹ Iowa Code § 903.1(1)(b) (2015).⁶² Iowa Code § 903.1(1)(b) (2015).⁶³ See Iowa Code § 907.3 (2015).⁶⁴ Iowa Code § 903.1(1)(b) (2015).⁶⁵ Iowa Code § 903.1(1)(b) (2015).⁶⁶ Iowa Code § 903.1(1) (2015).⁶⁷ Iowa Code § 911.1(1) (2015).

§ 99F.15(6)(b)(4)—Unlawful bet: potential winnings do not exceed \$200

Class = simple misdemeanor⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
30 days ⁶⁹	0 ⁷⁰	N/A	Yes ⁷¹

Fines

Max.	Min.	Suspended?
\$625 ⁷²	\$65 ⁷³	No ⁷⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁶⁸ Iowa Code § 99F.15(6)(b)(4) (2015 & Supp. 2016).

⁶⁹ Iowa Code § 903.1(1)(a) (2015).

⁷⁰ Iowa Code § 903.1(1)(a) (2015).

⁷¹ See Iowa Code § 907.3 (2015).

⁷² Iowa Code § 903.1(1)(a) (2015).

⁷³ Iowa Code § 903.1(1)(a) (2015).

⁷⁴ Iowa Code § 903.1(1) (2015).

⁷⁵ Iowa Code § 911.1(1) (2015).

CH. 124 CONTROLLED SUBSTANCES

Special Introduction

Chapter 124 has some additional provisions that are relevant to sentencing.

Chapter 124 Enhancements

Drug-specific enhancement sections of chapter 124 are:

- ❖ § 124.401A—Enhanced penalty for manufacture or distribution to persons on certain real property.
- ❖ § 124.401B—Possession of controlled substances on certain real property — additional penalty.
- ❖ § 124.401C—Manufacturing methamphetamine in presence of minors.
- ❖ § 124.401E—Certain penalties for manufacturing or delivery of amphetamine or methamphetamine.
- ❖ § 124.411—Second or subsequent offenses.

These sections are expanded upon in the “Enhancements for Drug Offenses” section, which can be found at the end of the chapter 124 offenses. If an offense in chapter 124 of the chart cross references “Drug Enhancements,” it is referring to the “Enhancements for Drug Offenses” section. The chart summaries of offenses in chapter 124 may refer to “Drug Enhancements,” “General Enhancements” (i.e., the enhancements that can be found in the “Sentencing Enhancements” section toward the end of the chart), or both, and those enhancements sections should be referenced accordingly.

Other Provisions

§ 124.408—Joint Criminal Trial.

If a person is found guilty of multiple counts of violating chapter 124, there will be a separate verdict for each count. This section allows the sentencing court to “consider such separate verdicts of guilty returned at the same time as one offense for the purpose of sentencing as provided in this chapter.” Effectively, this provision allows the sentencing court to aggregate the multiple guilty verdicts into one offense for the purpose of sentencing. (Note: This section also allows joinder of defendants.)

§ 124.409—Conditional Discharge, Commitment for Treatment, and Probation.

Only applies to violations of § 124.401 in which the court finds the person “is addicted to, dependent upon, or a chronic abuser of any controlled substance and that such person will be aided by proper medical treatment and rehabilitative services.” In that situation, the court may commit the person to (1) an in- or out-patient facility, licensed by the Iowa department of public health, for medical treatment and rehabilitative services, and (2) “the custody of a public or private agency or any other responsible person and impose other conditions upon the commitment as is necessary to insure compliance with the court’s order and to insure that the person will not, during the period of treatment and rehabilitation, again violate a provision of this chapter.”

Once the person “has received maximum benefit from the program or has recovered from addiction, dependency, or tendency to chronically abuse any controlled substance,” the public or private agency or responsible person will report as much to the court and the person will be returned to court for disposition of the case. If the person was charged or indicted, but not convicted, the case will proceed to trial or final disposition. If the person was convicted or is thereafter convicted, “the court shall sentence the person as provided by law but may remit all or any part of the sentence and place the person on probation upon terms and conditions as the court may prescribe.”

§ 124.410—Accommodation Offense.

Exception to sentencing for a violation of § 124.401(1)(d) involving marijuana. See § 124.401(1)(d)—50 kilos or less of marijuana or involving flunitrazepam, *infra*, for more information.

§ 124.401—Unlawful Manufacture & Possession of Counterfeit Substances and Simulated Controlled Substances

§ 124.401(1)—[Conspiracy to] Manufacture, deliver, or possess with intent to manufacture or deliver

§ 124.401(1)(a)—Largest quantities

Class = “B” felony⁷⁶

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ⁷⁷	0 ⁷⁸	Not eligible until has served one-third of 50 years, ⁷⁹ but see Under 18 Sentencing <ul style="list-style-type: none"> Exceptions: mandatory minimum does not apply if: <ul style="list-style-type: none"> ➤ offense is an accommodation per § 124.410,⁸⁰ or ➤ controlled substance is marijuana⁸¹ See Notes See also Drug Enhancements and General Enhancements	Yes, but no DJ, DS, or SS if controlled substance is meth ⁸² (but see Under 18 Sentencing)

Fines

Max	Min.	Can Suspend?
\$1M ⁸³	0 ⁸⁴	Yes, unless controlled substance is meth ⁸⁵ (but see Under 18 Sentencing)

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁸⁶	Yes, \$10 ⁸⁷ but n/a if received DJ, DS, or SS ⁸⁸	No	No	No	Yes, \$125 ⁸⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁹⁰ 180 days, ⁹¹ see Notes	Yes ⁹²	No	Yes, consider denying state ⁹³ and federal benefits. ⁹⁴

Notes:

❖ Mand. Min. before Parole Eligible:

➤ Sentence Reduction:

⁷⁶ Iowa Code § 124.401(1)(a) (2015).

⁷⁷ Iowa Code § 124.401(1)(a) (2015).

⁷⁸ Iowa Code § 902.9(1)(b) (2015).

⁷⁹ Iowa Code § 124.413(1) (2015 & Supp. 2016).

⁸⁰ Iowa Code § 124.413(2)(a) (2015 & Supp. 2016).

⁸¹ Iowa Code § 124.413(2)(b) (2015 & Supp. 2016).

⁸² Iowa Code § 907.3(1)(a)(5), (2)(a)(1), (3)(e) (2015).

⁸³ Iowa Code § 124.401(1)(a) (2015).

⁸⁴ See Iowa Code §§ 124.401(1)(a), 902.9(1)(b) (2015) (no explicit minimum fine provided).

⁸⁵ Iowa Code § 907.3(3)(e) (2015).

⁸⁶ Iowa Code § 911.1(1) (2015).

⁸⁷ Iowa Code § 911.2(1) (2015).

⁸⁸ Iowa Code § 911.2(2) (2015).

⁸⁹ Iowa Code § 911.3(1) (2015).

⁹⁰ Iowa Code § 901.5(10)(a)(1) (2015).

⁹¹ Iowa Code § 901.5(10)(a) (2015).

⁹² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁹³ Iowa Code § 901.5(12) (2015).

⁹⁴ Iowa Code § 901.5(11) (2015).

- sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁹⁵
 - violation is first conviction under § 124.413
 - ♦ Note: § 124.413 sets out mandatory minimum before parole eligible for violation of § 124.401(1)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- exception:
 - if violation of § 124.401(1)(a) involved amphetamine or methamphetamine, cannot reduce sentence unless offender pleads guilty⁹⁶
 - ♦ can reduce mandatory minimum sentence by up to one-third if pleads guilty⁹⁷
 - ♦ can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:⁹⁸
 - offender pleads guilty
 - cooperates in prosecution of others involved in the sale or use of controlled substances
 - prosecutor requests an additional reduction because of such cooperation
- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁹⁹
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business¹⁰⁰

⁹⁵ Iowa Code § 901.10(1) (2015).

⁹⁶ Iowa Code § 901.10(2) (2015).

⁹⁷ Iowa Code § 901.10(2) (2015).

⁹⁸ Iowa Code § 901.10(2) (2015).

⁹⁹ Iowa Code § 901.5(10)(b) (2015).

¹⁰⁰ Iowa Code § 124.412 (2015).

§ 124.401(1)(b)—Smaller quantities

Class = “B” felony¹⁰¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹⁰²	0 ¹⁰³	<p>Not eligible until has served between one-half of one-third of max. indeterminate term and max. indeterminate term¹⁰⁴ (i.e., 1/3 of 25 years = 8.333; 1/2 of 8.333 = 4.167; not eligible until served between 4.167 and 25 years), but see Under 18 Sentencing</p> <ul style="list-style-type: none"> Exceptions: mandatory minimum does not apply if: <ul style="list-style-type: none"> ➤ offense is an accommodation per § 124.410,¹⁰⁵ <i>or</i> ➤ controlled substance is marijuana¹⁰⁶ court must determine at time of sentencing when person is to become eligible for parole or work release¹⁰⁷ <ul style="list-style-type: none"> ➤ determination should be “based upon all pertinent information including the person’s criminal record, a validated risk assessment, and the negative impact the offense has had on the victim or other persons”¹⁰⁸ <p>See Notes See also Drug Enhancements and General Enhancements</p>	Yes, but no DJ, DS, or SS if controlled substance is meth ¹⁰⁹ (but see Under 18 Sentencing)

Fines

Max	Min.	Can Suspend?
\$100,000 ¹¹⁰	\$5000 ¹¹¹	Yes, unless controlled substance is meth ¹¹² (but see Under 18 Sentencing)

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹³	Yes, \$10 ¹¹⁴ but n/a if received DJ, DS, or SS ¹¹⁵	No	No	No	Yes, \$125 ¹¹⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ¹¹⁷ 180 days, ¹¹⁸ see Notes	Yes ¹¹⁹	No	Yes, consider denying state ¹²⁰ and federal benefits. ¹²¹

¹⁰¹ Iowa Code § 124.401(1)(b) (2015).

¹⁰² Iowa Code § 902.9(1)(b) (2015).

¹⁰³ Iowa Code § 902.9(1)(b) (2015).

¹⁰⁴ Iowa Code § 124.413(1), (3) (2015 & Supp. 2016).

¹⁰⁵ Iowa Code § 124.413(2)(a) (2015 & Supp. 2016).

¹⁰⁶ Iowa Code § 124.413(2)(b) (2015 & Supp. 2016).

¹⁰⁷ Iowa Code § 901.11(1) (Supp. 2016).

¹⁰⁸ Iowa Code § 901.11(1) (Supp. 2016).

¹⁰⁹ Iowa Code § 907.3(1)(a)(5), (2)(a)(1), (3)(e) (2015).

¹¹⁰ Iowa Code § 124.401(1)(b) (2015).

¹¹¹ Iowa Code § 124.401(1)(b) (2015).

¹¹² Iowa Code § 907.3(3)(e) (2015).

¹¹³ Iowa Code § 911.1(1) (2015).

¹¹⁴ Iowa Code § 911.2(1) (2015).

¹¹⁵ Iowa Code § 911.2(2) (2015).

¹¹⁶ Iowa Code § 911.3(1) (2015).

¹¹⁷ Iowa Code § 901.5(10)(a)(1) (2015).

Notes:

- ❖ Mand. Min. before Parole Eligible:
 - Sentence Reduction:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:¹²²
 - violation is first conviction under § 124.413
 - ◆ Note: § 124.413 sets out mandatory minimum before parole eligible for violation of § 124.401(1)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
 - exception:
 - if violation of § 124.401(1)(b) involved amphetamine or methamphetamine, cannot reduce sentence unless offender pleads guilty¹²³
 - ◆ can reduce mandatory minimum sentence by up to one-third if pleads guilty¹²⁴
 - ◆ can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:¹²⁵
 - offender pleads guilty
 - cooperates in prosecution of others involved in the sale or use of controlled substances
 - prosecutor requests an additional reduction because of such cooperation
- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed¹²⁶
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business¹²⁷

¹¹⁸ Iowa Code § 901.5(10)(a) (2015).

¹¹⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹²⁰ Iowa Code § 901.5(12) (2015).

¹²¹ Iowa Code § 901.5(11) (2015).

¹²² Iowa Code § 901.10(1) (2015).

¹²³ Iowa Code § 901.10(2) (2015).

¹²⁴ Iowa Code § 901.10(2) (2015).

¹²⁵ Iowa Code § 901.10(2) (2015).

¹²⁶ Iowa Code § 901.5(10)(b) (2015).

¹²⁷ Iowa Code § 124.412 (2015).

§ 124.401(1)(c)—Smaller quantities

Class = “C” felony¹²⁸

Prison/Jail Time

Max.	Min	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹²⁹	0 ¹³⁰	<p>Not eligible until has served between one-half of one-third of max. indeterminate term and max. indeterminate term¹³¹ (i.e., 1/3 of 10 years = 3.333; 1/2 of 3.333 = 1.667; not eligible until served between 1.667 and 10 years), but see Under 18 Sentencing</p> <ul style="list-style-type: none"> Exceptions: mandatory minimum does not apply if: <ul style="list-style-type: none"> ➤ offense is an accommodation per § 124.410,¹³² <i>or</i> ➤ controlled substance is marijuana¹³³ court must determine at time of sentencing when person is to become eligible for parole or work release¹³⁴ <ul style="list-style-type: none"> ➤ determination should be “based upon all pertinent information including the person’s criminal record, a validated risk assessment, and the negative impact the offense has had on the victim or other persons”¹³⁵ <p>See Notes See also Drug Enhancements and General Enhancements</p>	Yes, ¹³⁶ see also Notes

Fines

Max	Min.	Can Suspend?
\$50,000 ¹³⁷	\$1000 ¹³⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁹	Yes, \$10 ¹⁴⁰ but n/a if received DJ, DS, or SS ¹⁴¹	No	No	No	Yes, \$125 ¹⁴²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ¹⁴³ 180 days, ¹⁴⁴ see Notes	Yes ¹⁴⁵	No	Yes, consider denying state ¹⁴⁶ and federal benefits. ¹⁴⁷

¹²⁸ Iowa Code § 124.401(1)(c) (2015).

¹²⁹ Iowa Code § 902.9(1)(d) (2015).

¹³⁰ Iowa Code § 902.9(1)(d) (2015).

¹³¹ Iowa Code § 124.413(3) (2015 & Supp. 2016).

¹³² Iowa Code § 124.413(2)(a) (2015 & Supp. 2016).

¹³³ Iowa Code § 124.413(2)(b) (2015 & Supp. 2016).

¹³⁴ Iowa Code § 901.11(1) (Supp. 2016).

¹³⁵ Iowa Code § 901.11(1) (Supp. 2016).

¹³⁶ See Iowa Code 907.3 (2015).

¹³⁷ Iowa Code § 124.401(1)(c) (2015).

¹³⁸ Iowa Code § 124.401(1)(c) (2015).

¹³⁹ Iowa Code § 911.1(1) (2015).

¹⁴⁰ Iowa Code § 911.2(1) (2015).

¹⁴¹ Iowa Code § 911.2(2) (2015).

¹⁴² Iowa Code § 911.3(1) (2015).

¹⁴³ Iowa Code § 901.5(10)(a)(1) (2015).

Notes:

- ❖ Mand. Min. before Parole Eligible:
 - Sentence Reduction:
 - court has discretion to sentence offender to a term less than provided by statute if all of the following apply¹⁴⁸:
 - violation is first conviction under § 124.413
 - ◆ Note: § 124.413 sets out mandatory minimum before parole eligible for violation of § 124.401(1)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- ❖ DJ, DS, or SS Eligible:
 - when controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
 - if first violation of § 124.401(1)(c) for delivery or possession w/ intent to deliver, court may suspend sentence and either:¹⁴⁹
 - order person to complete drug court program if drug court has been established in county in which the person is being sentenced, *or*
 - order person be assigned to a community-based correctional facility for one year or until maximum benefits are achieved, whichever is earlier
 - if violation of § 124.401(1)(c) is for manufacturing, court may suspend sentence and either¹⁵⁰:
 - order person to complete drug court program if drug court has been established in county in which the person is being sentenced, *or*
 - order person be assigned to a community-based correctional facility for one year or until maximum benefits are achieved, whichever is earlier
 - if second or subsequent violation of § 124.401(1)(c) for delivery or possession with intent to deliver:
 - court shall sentence person to imprisonment in accordance with § 124.401(1),¹⁵¹ *and*
 - ◆ Note: this is in addition to imposing any other authorized penalties¹⁵²
 - person shall serve minimum term of confinement as required by § 124.413¹⁵³
- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed¹⁵⁴
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business¹⁵⁵

¹⁴⁴ Iowa Code § 901.5(10)(a) (2015).

¹⁴⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁴⁶ Iowa Code § 901.5(12) (2015).

¹⁴⁷ Iowa Code § 901.5(11) (2015).

¹⁴⁸ Iowa Code § 901.10(1) (2015).

¹⁴⁹ Iowa Code § 124.401E(1) (2015).

¹⁵⁰ Iowa Code § 124.401E(2) (2015).

¹⁵¹ Iowa Code § 124.401E(3) (2015).

¹⁵² Iowa Code § 124.401E(3) (2015).

¹⁵³ Iowa Code § 124.401E(3) (2015).

¹⁵⁴ Iowa Code § 901.5(10)(b) (2015).

¹⁵⁵ Iowa Code § 124.412 (2015).

§ 124.401(1)(d)—50 kilos or less of marijuana or involving flunitrazepam

Class = “D” felony¹⁵⁶

❖ Exception: Accommodation offense¹⁵⁷

- If all of the following are true, person is guilty of an accommodation offense and must be sentenced as if convicted of violating § 124.401(5):
 - Prosecution is for unlawful delivery or possession with intent to deliver marijuana, *and*
 - Prosecution proved defendant violated § 124.401(1) by proving defendant delivered or possessed with intent to deliver 0.5 ounce or less of marijuana which was not offered for sale
- Notes:
 - “accommodation offense may be proved as an included offense under a charge of delivering or possessing with intent to deliver marijuana in violation of [§ 124.401(1)]”
 - “does not apply to hashish, hashish oil, or other derivatives of marijuana as defined in [§ 124.101(19)]”

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁵⁸	0 ¹⁵⁹	No, but see Drug Enhancements and General Enhancements	Yes ¹⁶⁰

Fines

Max	Min.	Can Suspend?
\$7500 ¹⁶¹	\$750 ¹⁶²	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶³	Yes, \$10 ¹⁶⁴ but n/a if received DJ, DS, or SS ¹⁶⁵	No	No	No	Yes, \$125 ¹⁶⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ¹⁶⁷ 180 days, ¹⁶⁸ see Notes	Yes ¹⁶⁹	No	Yes, consider denying state ¹⁷⁰ and federal benefits. ¹⁷¹

Notes:

- ❖ License Revocation:

¹⁵⁶ Iowa Code § 124.401(1)(d) (2015).

¹⁵⁷ Iowa Code § 124.410 (2015).

¹⁵⁸ Iowa Code § 902.9(1)(e) (2015).

¹⁵⁹ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁰ See Iowa Code § 907.3 (2015).

¹⁶¹ Iowa Code § 902.9(1)(e) (2015).

¹⁶² Iowa Code § 902.9(1)(e) (2015).

¹⁶³ Iowa Code § 911.1(1) (2015).

¹⁶⁴ Iowa Code § 911.2(1) (2015).

¹⁶⁵ Iowa Code § 911.2(2) (2015).

¹⁶⁶ Iowa Code § 911.3(1) (2015).

¹⁶⁷ Iowa Code § 901.5(10)(a)(1) (2015).

¹⁶⁸ Iowa Code § 901.5(10)(a) (2015).

¹⁶⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁷⁰ Iowa Code § 901.5(12) (2015).

¹⁷¹ Iowa Code § 901.5(11) (2015).

- if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed¹⁷²
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business¹⁷³

¹⁷² Iowa Code § 901.5(10)(b) (2015).

¹⁷³ Iowa Code § 124.412 (2015).

§ 124.401(1)(d)—Substances in schedules IV and V, § 124.204(4)(ai), and § 124.204(6)(i)

Class = aggravated misdemeanor¹⁷⁴

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁷⁵	0 ¹⁷⁶	No, but see Drug Enhancements and General Enhancements	Yes ¹⁷⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁷⁸

Fines

Max	Min.	Can Suspend?
\$6250 ¹⁷⁹	\$625 ¹⁸⁰	Yes ¹⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸²	Yes, \$10 ¹⁸³ but n/a if received DJ, DS, or SS ¹⁸⁴	No	No	No	Yes, \$125 ¹⁸⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ¹⁸⁶ 180 days, ¹⁸⁷ see Notes	Yes ¹⁸⁸	No	Yes, consider denying state ¹⁸⁹ and federal benefits. ¹⁹⁰

Notes:

- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed¹⁹¹
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business¹⁹²

¹⁷⁴ Iowa Code § 124.401(1)(d) (2015).

¹⁷⁵ Iowa Code § 903.1(2) (2015).

¹⁷⁶ Iowa Code § 903.1(2) (2015).

¹⁷⁷ See Iowa Code § 907.3 (2015).

¹⁷⁸ Iowa Code § 903.1(2) (2015).

¹⁷⁹ Iowa Code § 903.1(2) (2015).

¹⁸⁰ Iowa Code § 903.1(2) (2015).

¹⁸¹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁸² Iowa Code § 911.1(1) (2015).

¹⁸³ Iowa Code § 911.2(1) (2015).

¹⁸⁴ Iowa Code § 911.2(2) (2015).

¹⁸⁵ Iowa Code § 911.3(1) (2015).

¹⁸⁶ Iowa Code § 901.5(10)(a)(1) (2015).

¹⁸⁷ Iowa Code § 901.5(10)(a) (2015).

¹⁸⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁸⁹ Iowa Code § 901.5(12) (2015).

¹⁹⁰ Iowa Code § 901.5(11) (2015).

¹⁹¹ Iowa Code § 901.5(10)(b) (2015).

¹⁹² Iowa Code § 124.412 (2015).

§ 124.401(3)—Ephedrine as precursor

Class = serious misdemeanor¹⁹³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁹⁴	0 ¹⁹⁵	N/A, but see Drug Enhancements	Yes ¹⁹⁶

Fines

Max	Min.	Can Suspend?
\$1875 ¹⁹⁷	\$315 ¹⁹⁸	No ¹⁹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁰	Yes, \$10 ²⁰¹ but n/a if received DJ, DS, or SS ²⁰²	No	No	No	Yes, \$125 ²⁰³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ²⁰⁴ 180 days, ²⁰⁵ see Notes	No	No	Yes, consider denying state ²⁰⁶ and federal benefits. ²⁰⁷

Notes:

❖ License Revocation:

- if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed²⁰⁸

❖ Additional Penalty:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business²⁰⁹

¹⁹³ Iowa Code § 124.401(3) (2015).

¹⁹⁴ Iowa Code § 903.1(1)(b) (2015).

¹⁹⁵ Iowa Code § 903.1(1)(b) (2015).

¹⁹⁶ See Iowa Code § 907.3 (2015).

¹⁹⁷ Iowa Code § 903.1(1)(b) (2015).

¹⁹⁸ Iowa Code § 903.1(1)(b) (2015).

¹⁹⁹ Iowa Code § 903.1(1)(b) (2015).

²⁰⁰ Iowa Code § 911.1(1) (2015).

²⁰¹ Iowa Code § 911.2(1) (2015).

²⁰² Iowa Code § 911.2(2) (2015).

²⁰³ Iowa Code § 911.3(1) (2015).

²⁰⁴ Iowa Code § 901.5(10)(a)(1) (2015).

²⁰⁵ Iowa Code § 901.5(10)(a) (2015).

²⁰⁶ Iowa Code § 901.5(12) (2015).

²⁰⁷ Iowa Code § 901.5(11) (2015).

²⁰⁸ Iowa Code § 901.5(10)(b) (2015).

²⁰⁹ Iowa Code § 124.412 (2015).

§ 124.401(4)—Possession with intent to manufacture

Class = “D” felony²¹⁰

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²¹¹	0 ²¹²	No, but see Drug Enhancements and General Enhancements	Yes ²¹³

Fines

Max	Min.	Can Suspend?
\$7500 ²¹⁴	\$750 ²¹⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁶	Yes, \$10 ²¹⁷ but n/a if received DJ, DS, or SS ²¹⁸	No	No	No	Yes, \$125 ²¹⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ²²⁰ 180 days, ²²¹ see Notes	Yes ²²²	No	Yes, consider denying state ²²³ and federal benefits. ²²⁴

Notes:

❖ License Revocation:

- if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed²²⁵

❖ Additional Penalty:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business²²⁶

²¹⁰ Iowa Code § 124.401(4) (2015).

²¹¹ Iowa Code § 902.9(1)(e) (2015).

²¹² Iowa Code § 902.9(1)(e) (2015).

²¹³ See Iowa Code § 907.3 (2015).

²¹⁴ Iowa Code § 902.9(1)(e) (2015).

²¹⁵ Iowa Code § 902.9(1)(e) (2015).

²¹⁶ Iowa Code § 911.1(1) (2015).

²¹⁷ Iowa Code § 911.2(1) (2015).

²¹⁸ Iowa Code § 911.2(2) (2015).

²¹⁹ Iowa Code § 911.3(1) (2015).

²²⁰ Iowa Code § 901.5(10)(a)(1) (2015).

²²¹ Iowa Code § 901.5(10)(a) (2015).

²²² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²²³ Iowa Code § 901.5(12) (2015).

²²⁴ Iowa Code § 901.5(11) (2015).

²²⁵ Iowa Code § 901.5(10)(b) (2015).

²²⁶ Iowa Code § 124.412 (2015).

§ 124.401(5)—Unlawful possession

First Offense

Class = serious misdemeanor²²⁷

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
<ul style="list-style-type: none"> If controlled substance is marijuana, 6 months²²⁸ For all other controlled substances, 1 year²²⁹ 	48 hours ²³⁰	N/A, but see Drug Enhancements	Yes, ²³¹ see Notes

Fines

Max	Min.	Can Suspend?
<ul style="list-style-type: none"> if controlled substance if marijuana, \$1000²³² for all other controlled substances, \$1875²³³ 	<ul style="list-style-type: none"> if controlled substance is marijuana, \$0²³⁴ for all other controlled substances, \$315²³⁵ 	Yes ²³⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁷	Yes, \$10 ²³⁸ but n/a if received DJ, DS, or SS ²³⁹	No	No	No	Yes, \$125 ²⁴⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ²⁴¹ 180 days, ²⁴² see Notes	No	No	Yes, consider denying state ²⁴³ and federal benefits. ²⁴⁴

Notes:

- ❖ DJ, DS, or SS Eligible:
 - all or any part of the sentence may be suspended,²⁴⁵ including the 48-hour minimum²⁴⁶
 - terms and conditions of probation shall include random drug testing and may include active participation in drug treatment, rehabilitation, or education program approved by the court²⁴⁷

²²⁷ Iowa Code § 124.401(5), unnum. para. 1 (2015).

²²⁸ Iowa Code § 124.401(5), unnum. para. 2 (2015).

²²⁹ Iowa Code § 903.1(1)(b) (2015).

²³⁰ Iowa Code § 124.401(5), unnum. paras. 5, 6 (2015).

²³¹ See Iowa Code § 907.3 (2015).

²³² Iowa Code § 124.401(5), unnum. para. 2 (2015).

²³³ Iowa Code § 903.1(1)(b) (2015).

²³⁴ Iowa Code § 124.401(5), unnum. para. 2 (2015).

²³⁵ Iowa Code § 903.1(1)(b) (2015).

²³⁶ Iowa Code § 124.401(5), unnum. para. 4 (2015).

²³⁷ Iowa Code § 911.1(1) (2015).

²³⁸ Iowa Code § 911.2(1) (2015).

²³⁹ Iowa Code § 911.2(2) (2015).

²⁴⁰ Iowa Code § 911.3(1) (2015).

²⁴¹ Iowa Code § 901.5(10)(a)(1) (2015).

²⁴² Iowa Code § 901.5(10)(a) (2015).

²⁴³ Iowa Code § 901.5(12) (2015).

²⁴⁴ Iowa Code § 901.5(11) (2015).

²⁴⁵ Iowa Code § 124.401(5), unnum. para. 4 (2015).

²⁴⁶ Iowa Code § 124.401(5), unnum. para. 5 (2015).

- if controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
 - may be placed on intensive probation²⁴⁸
 - terms and conditions of probation shall require submission to random drug testing²⁴⁹
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order²⁵⁰
- for all other controlled substances:
 - if not sentenced to confinement under custody of the director of the department of corrections, terms and conditions of probation shall require submission to random drug testing²⁵¹
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order²⁵²
- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed²⁵³
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business²⁵⁴

²⁴⁷ Iowa Code § 124.401(5), unnum. para. 4–5 (2015).

²⁴⁸ Iowa Code § 124.401(5), unnum. para. 6 (2015).

²⁴⁹ Iowa Code § 124.401(5), unnum. para. 6 (2015).

²⁵⁰ Iowa Code § 124.401(5), unnum. para. 6 (2015).

²⁵¹ Iowa Code § 124.401(5), unnum. para. 5 (2015).

²⁵² Iowa Code § 124.401(5), unnum. para. 5 (2015).

²⁵³ Iowa Code § 901.5(10)(b) (2015).

²⁵⁴ Iowa Code § 124.412 (2015).

Violation of § 124.401(5) + 1 prior conviction under chapter 124, 124A, 124B, or 453B**Class =**

- ❖ if controlled substance is marijuana, serious misdemeanor²⁵⁵
- ❖ for all other controlled substances, aggravated misdemeanor²⁵⁶

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
<ul style="list-style-type: none"> If controlled substance is marijuana and prior conviction was under § 124.401(5) where controlled substance was marijuana, 1 year²⁵⁷ For all others, 2 years²⁵⁸ <ul style="list-style-type: none"> ➤ If sentence of confinement is more than 1 year, sentence shall be for an indeterminate term²⁵⁹ 	48 hours ²⁶⁰	<ul style="list-style-type: none"> N/A if controlled substance is marijuana and prior conviction was under § 124.401(5) where controlled substance was marijuana²⁶¹ None for all others But see Drug Enhancements	Yes, ²⁶² see Notes

Fines

Max	Min.	Can Suspend?
<ul style="list-style-type: none"> if controlled substance is marijuana and prior conviction was under § 124.401(5) where controlled substance was marijuana, \$1875²⁶³ for all others, \$6250²⁶⁴ 	<ul style="list-style-type: none"> if controlled substance is marijuana and prior conviction was under § 124.401(5) where controlled substance was marijuana, \$315²⁶⁵ for all others, \$625²⁶⁶ 	Yes ²⁶⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁸	Yes, \$10 ²⁶⁹ but n/a if received DJ, DS, or SS ²⁷⁰	No	No	No	Yes, \$125 ²⁷¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ²⁷² 180 days, ²⁷³ see Notes	<ul style="list-style-type: none"> if controlled substance is marijuana and prior 	No	Yes, consider denying state ²⁷⁶ and federal

²⁵⁵ See Iowa Code § 124.401(5), unnum. para. 2 (2015).

²⁵⁶ Iowa Code § 124.401(5), unnum. para. 1 (2015).

²⁵⁷ Iowa Code § 124.401(5), unnum. para. 2 (2015) (citing § 903.1(1)(b)).

²⁵⁸ Iowa Code § 903.1(2) (2015).

²⁵⁹ Iowa Code § 903.1(2) (2015).

²⁶⁰ Iowa Code § 124.401(5), unnum. paras. 5, 6 (2015).

²⁶¹ See Iowa Code § 124.401(5), unnum. para. 2 (2015) (citing § 903.1(1)(b)) (mandatory minimums before parole eligibility do not apply to serious misdemeanors).

²⁶² See Iowa Code § 907.3 (2015).

²⁶³ Iowa Code § 124.401(5), unnum. para. 2 (2015) (citing § 903.1(1)(b)).

²⁶⁴ Iowa Code § 903.1(2) (2015).

²⁶⁵ Iowa Code § 124.401(5), unnum. para. 2 (2015) (citing § 903.1(1)(b)).

²⁶⁶ Iowa Code § 903.1(2) (2015).

²⁶⁷ Iowa Code § 124.401(5), unnum. para. 4 (2015).

²⁶⁸ Iowa Code § 911.1(1) (2015).

²⁶⁹ Iowa Code § 911.2(1) (2015).

²⁷⁰ Iowa Code § 911.2(2) (2015).

²⁷¹ Iowa Code § 911.3(1) (2015).

	conviction was under § 124.401(5) where controlled substance was marijuana, No ²⁷⁴ • for all others, Yes ²⁷⁵		benefits. ²⁷⁷
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Notes:

❖ DJ, DS, or SS Eligible:

- all or any part of the sentence may be suspended,²⁷⁸ including the 48-hour minimum²⁷⁹
- terms and conditions of probation shall include random drug testing and may include active participation in drug treatment, rehabilitation, or education program approved by the court²⁸⁰
- if controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
 - may be placed on intensive probation²⁸¹
 - terms and conditions of probation shall require submission to random drug testing²⁸²
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order²⁸³
- for all other controlled substances:
 - if not sentenced to confinement under custody of the director of the department of corrections, terms and conditions of probation shall require submission to random drug testing²⁸⁴
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order²⁸⁵

❖ License Revocation:

- if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed²⁸⁶

❖ Additional Penalty:

- Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business²⁸⁷

²⁷² Iowa Code § 901.5(10)(a)(1) (2015).

²⁷³ Iowa Code § 901.5(10)(a) (2015).

²⁷⁶ Iowa Code § 901.5(12) (2015).

²⁷⁴ See Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015) (requiring only persons convicted of felonies and aggravated misdemeanors to submit a DNA sample); see also *id.* § 124.401(5), unnum. para. 2 (citing § 903.1(1)(b)) (punishing a violation involving marijuana where the prior conviction was under § 124.401(5) and also involved marijuana as a serious misdemeanor).

²⁷⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁷⁷ Iowa Code § 901.5(11) (2015).

²⁷⁸ Iowa Code § 124.401(5), unnum. para. 4 (2015).

²⁷⁹ Iowa Code § 124.401(5), unnum. para. 5 (2015).

²⁸⁰ Iowa Code § 124.401(5), unnum. para. 4–5 (2015).

²⁸¹ Iowa Code § 124.401(5), unnum. para. 6 (2015).

²⁸² Iowa Code § 124.401(5), unnum. para. 6 (2015).

²⁸³ Iowa Code § 124.401(5), unnum. para. 6 (2015).

²⁸⁴ Iowa Code § 124.401(5), unnum. para. 5 (2015).

²⁸⁵ Iowa Code § 124.401(5), unnum. para. 5 (2015).

²⁸⁶ Iowa Code § 901.5(10)(b) (2015).

²⁸⁷ Iowa Code § 124.412 (2015).

Violation of § 124.401(5) + 2 or more prior convictions under chapter 124, 124A, 124B, or 453B

Class:

- ❖ if controlled substance is marijuana and the 2 or more prior convictions were under § 124.401(5) where the controlled substance was marijuana, aggravated misdemeanor²⁸⁸
- ❖ for all others, “D” felony²⁸⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
<ul style="list-style-type: none">If controlled substance is marijuana and prior conviction was under § 124.401(5) where controlled substance was marijuana, 2 years²⁹⁰<ul style="list-style-type: none">➤ If sentence of confinement is more than 1 year, sentence shall be for an indeterminate term²⁹¹For all others, 5 years²⁹²	48 hours ²⁹³	No, but see Drug Enhancements and General Enhancements	Yes, ²⁹⁴ see Notes

Fines

Max	Min.	Can Suspend?
<ul style="list-style-type: none">if controlled substance is marijuana and prior convictions were under § 124.401(5) when controlled substance was marijuana, \$6250²⁹⁵for all others, \$7500²⁹⁶	<ul style="list-style-type: none">if controlled substance is marijuana and prior convictions were under § 124.401(5) when controlled substance was marijuana, \$625²⁹⁷for all others, \$750²⁹⁸	Yes ²⁹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁰	Yes, \$10 ³⁰¹ but n/a if received DJ, DS, or SS ³⁰²	No	No	No	Yes, \$125 ³⁰³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ³⁰⁴ 180 days, ³⁰⁵ see Notes	Yes ³⁰⁶	No	Yes, consider denying state ³⁰⁷ and federal benefits. ³⁰⁸

²⁸⁸ Iowa Code § 124.401(5), unnum. para. 2 (2015).

²⁸⁹ Iowa Code § 124.401(5), unnum. para. 1 (2015).

²⁹⁰ Iowa Code § 903.1(2) (2015).

²⁹¹ Iowa Code § 903.1(2) (2015).

²⁹² Iowa Code § 902.9(1)(e) (2015).

²⁹³ Iowa Code § 124.401(5), unnum. paras. 5, 6 (2015).

²⁹⁴ See Iowa Code § 907.3 (2015).

²⁹⁵ Iowa Code § 903.1(2) (2015).

²⁹⁶ Iowa Code § 902.9(1)(e) (2015).

²⁹⁷ Iowa Code § 903.1(2) (2015).

²⁹⁸ Iowa Code § 902.9(1)(e) (2015).

²⁹⁹ Iowa Code § 124.401(5), unnum. para. 4 (2015).

³⁰⁰ Iowa Code § 911.1(1) (2015).

³⁰¹ Iowa Code § 911.2(1) (2015).

³⁰² Iowa Code § 911.2(2) (2015).

³⁰³ Iowa Code § 911.3(1) (2015).

³⁰⁴ Iowa Code § 901.5(10)(a)(1) (2015).

³⁰⁵ Iowa Code § 901.5(10)(a) (2015).

Notes:

- ❖ DJ, DS, or SS Eligible:
 - all or any part of the sentence may be suspended,³⁰⁹ including the 48-hour minimum³¹⁰
 - terms and conditions of probation shall include random drug testing and may include active participation in drug treatment, rehabilitation, or education program approved by the court³¹¹
 - if controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
 - may be placed on intensive probation³¹²
 - terms and conditions of probation shall require submission to random drug testing³¹³
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order³¹⁴
 - for all other controlled substances:
 - if not sentenced to confinement under custody of the director of the department of corrections, terms and conditions of probation shall require submission to random drug testing³¹⁵
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order³¹⁶
- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed³¹⁷
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business³¹⁸

³⁰⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

³⁰⁷ Iowa Code § 901.5(12) (2015).

³⁰⁸ Iowa Code § 901.5(11) (2015).

³⁰⁹ Iowa Code § 124.401(5), unnum. para. 4 (2015).

³¹⁰ Iowa Code § 124.401(5), unnum. para. 5 (2015).

³¹¹ Iowa Code § 124.401(5), unnum. para. 4–5 (2015).

³¹² Iowa Code § 124.401(5), unnum. para. 6 (2015).

³¹³ Iowa Code § 124.401(5), unnum. para. 6 (2015).

³¹⁴ Iowa Code § 124.401(5), unnum. para. 6 (2015).

³¹⁵ Iowa Code § 124.401(5), unnum. para. 5 (2015).

³¹⁶ Iowa Code § 124.401(5), unnum. para. 5 (2015).

³¹⁷ Iowa Code § 901.5(10)(b) (2015).

³¹⁸ Iowa Code § 124.412 (2015).

§ 124.401D—Conspiracy to Manufacture for Delivery or Delivery or Intent or Conspiracy to Deliver Amphetamine or Methamphetamine to a Minor

§ 124.401D(1)—Conspiracy to deliver to person under 18 years old

§ 124.401D(1)(b)—First offense

Class = felony punishable under § 902.9(1)(a)³¹⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
99 years, ³²⁰ see Notes	0 ³²¹	Not eligible until has served minimum term of confinement of 10 years, ³²² see also Drug Enhancements and General Enhancements	Yes ³²³

Fines

Max	Min.	Can Suspend?
0 ³²⁴	0 ³²⁵	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ³²⁶ but n/a if received DJ, DS, or SS ³²⁷	No	No	No	Yes, \$125 ³²⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²⁹	No	Yes, consider denying state ³³⁰ and federal benefits. ³³¹

Notes:

❖ Max. Prison/Jail Time:

- sentencing court has discretion to sentence person to a term less than the maximum 99 years³³²
 - can reduce term by up to one-third (i.e., 1/3 of 99 years → reduce by up to 33 years),³³³ if:
 - mitigating circumstances exist and those circumstances are specifically stated in the record,³³⁴ and
 - person pleads guilty³³⁵
 - may further reduce max. term if:

³¹⁹ Iowa Code § 124.401D(1)(b) (2015).

³²⁰ Iowa Code § 902.9(1)(a) (2015).

³²¹ Iowa Code § 902.9(1)(a) (2015).

³²² Iowa Code § 902.8A (2015).

³²³ See Iowa Code § 907.3 (2015).

³²⁴ See Iowa Code § 902.9(1)(a) (2015).

³²⁵ See Iowa Code § 902.9(1)(a) (2015).

³²⁶ Iowa Code § 911.2(1) (2015).

³²⁷ Iowa Code § 911.2(2) (2015).

³²⁸ Iowa Code § 911.3(1) (2015).

³²⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

³³⁰ Iowa Code § 901.5(12) (2015).

³³¹ Iowa Code § 901.5(11) (2015).

³³² Iowa Code § 901.10(3) (2015).

³³³ Iowa Code § 901.10(3) (2015).

³³⁴ Iowa Code § 901.10(3) (2015).

³³⁵ Iowa Code § 901.10(3) (2015).

- person cooperates in prosecution of other persons involved in the sale or use of controlled substances,³³⁶
and
 - prosecutor requests additional reduction in person's sentence because of such cooperation³³⁷
- ❖ Additional Penalty:
- Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business³³⁸

³³⁶ Iowa Code § 901.10(3) (2015).

³³⁷ Iowa Code § 901.10(3) (2015).

³³⁸ Iowa Code § 124.412 (2015).

§ 124.401D(1)(c)—Second or subsequent offenseClass = “A” felony³³⁹**Prison/Jail Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, ³⁴⁰ but see Under 18 Sentencing	Life, ³⁴¹ but see Under 18 Sentencing	Not eligible, ³⁴² but see Under 18 Sentencing	No, ³⁴³ but see Under 18 Sentencing

Fines

Max	Min.	Can Suspend?
0 ³⁴⁴	0 ³⁴⁵	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ³⁴⁶ but n/a if received DJ, DS, or SS ³⁴⁷	No	No	No	Yes, \$125 ³⁴⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁹	No	Yes, consider denying state ³⁵⁰ and federal benefits. ³⁵¹

Notes:

❖ Additional Penalty:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business³⁵²

³³⁹ Iowa Code § 124.401D(1)(c) (2015).³⁴⁰ Iowa Code § 902.1(1) (2015).³⁴¹ Iowa Code § 902.1(1) (2015).³⁴² Iowa Code § 902.1(1) (2015).³⁴³ Iowa Code § 902.1(1) (2015).³⁴⁴ See Iowa Code § 902.9(1)(a) (2015).³⁴⁵ See Iowa Code § 902.9(1)(a) (2015).³⁴⁶ Iowa Code § 911.2(1) (2015).³⁴⁷ Iowa Code § 911.2(2) (2015).³⁴⁸ Iowa Code § 911.3(1) (2015).³⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).³⁵⁰ Iowa Code § 901.5(12) (2015).³⁵¹ Iowa Code § 901.5(11) (2015).³⁵² Iowa Code § 124.412 (2015).

§ 124.401D(2)—Deliver or possession with intent to deliver to person under 18 years old

§ 124.401D(2)(b)—First offense

Class = felony punishable under § 902.9(1)(a)³⁵³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
99 years, ³⁵⁴ see Notes	0 ³⁵⁵	Not eligible until has served minimum term of confinement of 10 years, ³⁵⁶ see also Drug Enhancements and General Enhancements	Yes ³⁵⁷

Fines

Max	Min.	Can Suspend?
0 ³⁵⁸	0 ³⁵⁹	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ³⁶⁰ but n/a if received DJ, DS, or SS ³⁶¹	No	No	No	Yes, \$125 ³⁶²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶³	No	Yes, consider denying state ³⁶⁴ and federal benefits. ³⁶⁵

Notes:

❖ Max. Prison/Jail Time:

- sentencing court has discretion to sentence person to a term less than the maximum 99 years³⁶⁶
 - can reduce term by up to one-third (i.e., 1/3 of 99 years → reduce by up to 33 years),³⁶⁷ if:
 - mitigating circumstances exist and those circumstances are specifically stated in the record,³⁶⁸ *and*
 - person pleads guilty³⁶⁹
 - may further reduce max. term if:
 - person cooperates in prosecution of other persons involved in the sale or use of controlled substances,³⁷⁰ *and*

³⁵³ Iowa Code § 124.401D(2)(b) (2015).

³⁵⁴ Iowa Code § 902.9(1)(a) (2015).

³⁵⁵ Iowa Code § 902.9(1)(a) (2015).

³⁵⁶ Iowa Code § 902.8A (2015).

³⁵⁷ See Iowa Code § 907.3 (2015).

³⁵⁸ See Iowa Code § 902.9(1)(a) (2015).

³⁵⁹ See Iowa Code § 902.9(1)(a) (2015).

³⁶⁰ Iowa Code § 911.2(1) (2015).

³⁶¹ Iowa Code § 911.2(2) (2015).

³⁶² Iowa Code § 911.3(1) (2015).

³⁶³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

³⁶⁴ Iowa Code § 901.5(12) (2015).

³⁶⁵ Iowa Code § 901.5(11) (2015).

³⁶⁶ Iowa Code § 901.10(3) (2015).

³⁶⁷ Iowa Code § 901.10(3) (2015).

³⁶⁸ Iowa Code § 901.10(3) (2015).

³⁶⁹ Iowa Code § 901.10(3) (2015).

- prosecutor requests additional reduction in person's sentence because of such cooperation³⁷¹
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business³⁷²

³⁷⁰ Iowa Code § 901.10(3) (2015).

³⁷¹ Iowa Code § 901.10(3) (2015).

³⁷² Iowa Code § 124.412 (2015).

§ 124.401D(2)(c)—Second or subsequent offenseClass = “A” felony³⁷³**Prison/Jail Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, ³⁷⁴ but see Under 18 Sentencing	Life, ³⁷⁵ but see Under 18 Sentencing	Not eligible but see Under 18 Sentencing	No, ³⁷⁶ but see Under 18 Sentencing

Fines

Max	Min.	Can Suspend?
0 ³⁷⁷	0 ³⁷⁸	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ³⁷⁹ but n/a if received DJ, DS, or SS ³⁸⁰	No	No	No	Yes, \$125 ³⁸¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸²	No	Yes, consider denying state ³⁸³ and federal benefits. ³⁸⁴

Notes:

❖ Additional Penalty:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business³⁸⁵

³⁷³ Iowa Code § 124.401D(2)(c) (2015).³⁷⁴ Iowa Code § 902.1(1) (2015).³⁷⁵ Iowa Code § 902.1(1) (2015).³⁷⁶ Iowa Code § 902.1(1) (2015).³⁷⁷ See Iowa Code § 902.9(1)(a) (2015).³⁷⁸ See Iowa Code § 902.9(1)(a) (2015).³⁷⁹ Iowa Code § 911.2(1) (2015).³⁸⁰ Iowa Code § 911.2(2) (2015).³⁸¹ Iowa Code § 911.3(1) (2015).³⁸² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).³⁸³ Iowa Code § 901.5(12) (2015).³⁸⁴ Iowa Code § 901.5(11) (2015).³⁸⁵ Iowa Code § 124.412 (2015).

§ 124.401F—Possessing, Tampering with, or Transporting Anhydrous Ammonia or Equipment

Class = serious misdemeanor³⁸⁶

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸⁷	0 ³⁸⁸	N/A, but see Drug Enhancements	Yes ³⁸⁹

Fines

Max	Min.	Can Suspend?
\$1875 ³⁹⁰	\$315 ³⁹¹	No ³⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹³	Yes, \$10 ³⁹⁴ but n/a if received DJ, DS, or SS ³⁹⁵	No	No	No	Yes, \$125 ³⁹⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	Yes, consider denying state ³⁹⁷ and federal benefits. ³⁹⁸

Notes:

❖ Additional Penalties:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business³⁹⁹

➤ Additional Civil Penalty:

- May be subject to additional civil penalty of up to \$1500⁴⁰⁰ if person either:
 - "Intentionally tampers with anhydrous ammonia equipment,"⁴⁰¹ and/or
 - "Possesses or transports anhydrous ammonia in a container or receptacle which is not authorized to hold anhydrous ammonia according to rules adopted by the secretary of agriculture"⁴⁰²

³⁸⁶ Iowa Code § 124.401F(2) (2015).

³⁸⁷ Iowa Code § 903.1(1)(b) (2015).

³⁸⁸ Iowa Code § 903.1(1)(b) (2015).

³⁸⁹ See Iowa Code § 907.3 (2015).

³⁹⁰ Iowa Code § 903.1(1)(b) (2015).

³⁹¹ Iowa Code § 903.1(1)(b) (2015).

³⁹² Iowa Code § 903.1(1)(b) (2015).

³⁹³ Iowa Code § 911.1(1) (2015).

³⁹⁴ Iowa Code § 911.2(1) (2015).

³⁹⁵ Iowa Code § 911.2(2) (2015).

³⁹⁶ Iowa Code § 911.3(1) (2015).

³⁹⁷ Iowa Code § 901.5(12) (2015).

³⁹⁸ Iowa Code § 901.5(11) (2015).

³⁹⁹ Iowa Code § 124.412 (2015).

⁴⁰⁰ Iowa Code § 124.401F(2) (2015).

⁴⁰¹ Iowa Code § 124.401F(2)(a) (2015).

⁴⁰² Iowa Code § 124.401F(2)(b) (2015).

§ 124.402—Prohibited Acts by Distributors, Registrants, and Proprietors

§ 124.402(1)(a)—Violation of § 124.308

Class = aggravated misdemeanor⁴⁰³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁰⁴	0 ⁴⁰⁵	No, but see Drug Enhancements	Yes ⁴⁰⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁰⁷

Fines

Max	Min.	Can Suspend?
\$6250 ⁴⁰⁸	\$625 ⁴⁰⁹	Yes ⁴¹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹¹	Yes, \$10 ⁴¹² but n/a if received DJ, DS, or SS ⁴¹³	No	No	No	Yes, \$125 ⁴¹⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴¹⁵ 180 days, ⁴¹⁶ see Notes	Yes ⁴¹⁷	No	Yes, consider denying state ⁴¹⁸ and federal benefits. ⁴¹⁹

Notes:

❖ License Revocation:

- if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁴²⁰

❖ Additional Penalty:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁴²¹

⁴⁰³ Iowa Code § 124.402(2)(a) (2015).

⁴⁰⁴ Iowa Code § 903.1(2) (2015).

⁴⁰⁵ Iowa Code § 903.1(2) (2015).

⁴⁰⁶ See Iowa Code § 907.3 (2015).

⁴⁰⁷ Iowa Code § 903.1(2) (2015).

⁴⁰⁸ Iowa Code § 903.1(2) (2015).

⁴⁰⁹ Iowa Code § 903.1(2) (2015).

⁴¹⁰ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹¹ Iowa Code § 911.1(1) (2015).

⁴¹² Iowa Code § 911.2(1) (2015).

⁴¹³ Iowa Code § 911.2(2) (2015).

⁴¹⁴ Iowa Code § 911.3(1) (2015).

⁴¹⁵ Iowa Code § 901.5(10)(a)(1) (2015).

⁴¹⁶ Iowa Code § 901.5(10)(a) (2015).

⁴¹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴¹⁸ Iowa Code § 901.5(12) (2015).

⁴¹⁹ Iowa Code § 901.5(11) (2015).

⁴²⁰ Iowa Code § 901.5(10)(b) (2015).

⁴²¹ Iowa Code § 124.412 (2015).

§ 124.402(1)(b)—Manufacture, distribution, or disbursement unauthorized by registration

Class = aggravated misdemeanor⁴²²

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴²³	0 ⁴²⁴	No, but see Drug Enhancements	Yes ⁴²⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴²⁶

Fines

Max	Min.	Can Suspend?
\$6250 ⁴²⁷	\$625 ⁴²⁸	Yes ⁴²⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁰	Yes, \$10 ⁴³¹ but n/a if received DJ, DS, or SS ⁴³²	No	No	No	Yes, \$125 ⁴³³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴³⁴ 180 days, ⁴³⁵ see Notes	Yes ⁴³⁶	No	Yes, consider denying state ⁴³⁷ and federal benefits. ⁴³⁸

Notes:

❖ License Revocation:

- if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁴³⁹

❖ Additional Penalty:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁴⁴⁰

⁴²² Iowa Code § 124.402(2)(a) (2015).

⁴²³ Iowa Code § 903.1(2) (2015).

⁴²⁴ Iowa Code § 903.1(2) (2015).

⁴²⁵ See Iowa Code § 907.3 (2015).

⁴²⁶ Iowa Code § 903.1(2) (2015).

⁴²⁷ Iowa Code § 903.1(2) (2015).

⁴²⁸ Iowa Code § 903.1(2) (2015).

⁴²⁹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁰ Iowa Code § 911.1(1) (2015).

⁴³¹ Iowa Code § 911.2(1) (2015).

⁴³² Iowa Code § 911.2(2) (2015).

⁴³³ Iowa Code § 911.3(1) (2015).

⁴³⁴ Iowa Code § 901.5(10)(a)(1) (2015).

⁴³⁵ Iowa Code § 901.5(10)(a) (2015).

⁴³⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴³⁷ Iowa Code § 901.5(12) (2015).

⁴³⁸ Iowa Code § 901.5(11) (2015).

⁴³⁹ Iowa Code § 901.5(10)(b) (2015).

⁴⁴⁰ Iowa Code § 124.412 (2015).

§ 124.402(1)(c)—Records refusal or failure

Class = serious misdemeanor⁴⁴¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁴²	0 ⁴⁴³	N/A, but see Drug Enhancements	Yes ⁴⁴⁴

Fines

Max	Min.	Can Suspend?
\$1875 ⁴⁴⁵	\$315 ⁴⁴⁶	No ⁴⁴⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁸	Yes, \$10 ⁴⁴⁹ but n/a if received DJ, DS, or SS ⁴⁵⁰	No	No	No	Yes, \$125 ⁴⁵¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴⁵² 180 days, ⁴⁵³ see Notes	No	No	Yes, consider denying state ⁴⁵⁴ and federal benefits. ⁴⁵⁵

Notes:

❖ License Revocation:

- if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁴⁵⁶

❖ Additional Penalty:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁴⁵⁷

⁴⁴¹ Iowa Code § 124.402(2)(b) (2015).

⁴⁴² Iowa Code § 903.1(1)(b) (2015).

⁴⁴³ Iowa Code § 903.1(1)(b) (2015).

⁴⁴⁴ See Iowa Code § 907.3 (2015).

⁴⁴⁵ Iowa Code § 903.1(1)(b) (2015).

⁴⁴⁶ Iowa Code § 903.1(1)(b) (2015).

⁴⁴⁷ Iowa Code § 903.1(1)(b) (2015).

⁴⁴⁸ Iowa Code § 911.1(1) (2015).

⁴⁴⁹ Iowa Code § 911.2(1) (2015).

⁴⁵⁰ Iowa Code § 911.2(2) (2015).

⁴⁵¹ Iowa Code § 911.3(1) (2015).

⁴⁵² Iowa Code § 901.5(10)(a)(1) (2015).

⁴⁵³ Iowa Code § 901.5(10)(a) (2015).

⁴⁵⁴ Iowa Code § 901.5(12) (2015).

⁴⁵⁵ Iowa Code § 901.5(11) (2015).

⁴⁵⁶ Iowa Code § 901.5(10)(b) (2015).

⁴⁵⁷ Iowa Code § 124.412 (2015).

§ 124.402(1)(d)—Refuse inspection

Class = aggravated misdemeanor⁴⁵⁸

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁵⁹	0 ⁴⁶⁰	No, but see Drug Enhancements	Yes ⁴⁶¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁶²

Fines

Max	Min.	Can Suspend?
\$6250 ⁴⁶³	\$625 ⁴⁶⁴	Yes ⁴⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁶	Yes, \$10 ⁴⁶⁷ but n/a if received DJ, DS, or SS ⁴⁶⁸	No	No	No	Yes, \$125 ⁴⁶⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴⁷⁰ 180 days, ⁴⁷¹ see Notes	Yes ⁴⁷²	No	Yes, consider denying state ⁴⁷³ and federal benefits. ⁴⁷⁴

Notes:

❖ License Revocation:

- if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁴⁷⁵

❖ Additional Penalty:

- Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁴⁷⁶

⁴⁵⁸ Iowa Code § 124.402(2)(a) (2015).

⁴⁵⁹ Iowa Code § 903.1(2) (2015).

⁴⁶⁰ Iowa Code § 903.1(2) (2015).

⁴⁶¹ See Iowa Code § 907.3 (2015).

⁴⁶² Iowa Code § 903.1(2) (2015).

⁴⁶³ Iowa Code § 903.1(2) (2015).

⁴⁶⁴ Iowa Code § 903.1(2) (2015).

⁴⁶⁵ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁶ Iowa Code § 911.1(1) (2015).

⁴⁶⁷ Iowa Code § 911.2(1) (2015).

⁴⁶⁸ Iowa Code § 911.2(2) (2015).

⁴⁶⁹ Iowa Code § 911.3(1) (2015).

⁴⁷⁰ Iowa Code § 901.5(10)(a)(1) (2015).

⁴⁷¹ Iowa Code § 901.5(10)(a) (2015).

⁴⁷² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁷³ Iowa Code § 901.5(12) (2015).

⁴⁷⁴ Iowa Code § 901.5(11) (2015).

⁴⁷⁵ Iowa Code § 901.5(10)(b) (2015).

⁴⁷⁶ Iowa Code § 124.412 (2015).

§ 124.402(1)(e)—Wrongful storage

Class = aggravated misdemeanor⁴⁷⁷

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁷⁸	0 ⁴⁷⁹	No, but see Drug Enhancements	Yes ⁴⁸⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁸¹

Fines

Max	Min.	Can Suspend?
\$6250 ⁴⁸²	\$625 ⁴⁸³	Yes ⁴⁸⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁵	Yes, \$10 ⁴⁸⁶ but n/a if received DJ, DS, or SS ⁴⁸⁷	No	No	No	Yes, \$125 ⁴⁸⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴⁸⁹ 180 days, ⁴⁹⁰ see Notes	Yes ⁴⁹¹	No	Yes, consider denying state ⁴⁹² and federal benefits. ⁴⁹³

Notes:

- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁴⁹⁴
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁴⁹⁵

⁴⁷⁷ Iowa Code § 124.402(2)(a) (2015).

⁴⁷⁸ Iowa Code § 903.1(2) (2015).

⁴⁷⁹ Iowa Code § 903.1(2) (2015).

⁴⁸⁰ See Iowa Code § 907.3 (2015).

⁴⁸¹ Iowa Code § 903.1(2) (2015).

⁴⁸² Iowa Code § 903.1(2) (2015).

⁴⁸³ Iowa Code § 903.1(2) (2015).

⁴⁸⁴ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸⁵ Iowa Code § 911.1(1) (2015).

⁴⁸⁶ Iowa Code § 911.2(1) (2015).

⁴⁸⁷ Iowa Code § 911.2(2) (2015).

⁴⁸⁸ Iowa Code § 911.3(1) (2015).

⁴⁸⁹ Iowa Code § 901.5(10)(a)(1) (2015).

⁴⁹⁰ Iowa Code § 901.5(10)(a) (2015).

⁴⁹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁹² Iowa Code § 901.5(12) (2015).

⁴⁹³ Iowa Code § 901.5(11) (2015).

⁴⁹⁴ Iowa Code § 901.5(10)(b) (2015).

⁴⁹⁵ Iowa Code § 124.412 (2015).

§ 124.403—Miscellaneous Prohibited Acts

Class = serious misdemeanor⁴⁹⁶

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁹⁷	0 ⁴⁹⁸	N/A, but see Drug Enhancements	Yes ⁴⁹⁹

Fines

Max	Min.	Can Suspend?
\$1875 ⁵⁰⁰	\$315 ⁵⁰¹	No ⁵⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰³	Yes, \$10 ⁵⁰⁴ but n/a if received DJ, DS, or SS ⁵⁰⁵	No	No	No	Yes, \$125 ⁵⁰⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁵⁰⁷ 180 days, ⁵⁰⁸ see Notes	No	No	Yes, consider denying state ⁵⁰⁹ and federal benefits. ⁵¹⁰

Notes:

❖ License Revocation:

- if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁵¹¹

❖ Additional Penalty:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁵¹²

⁴⁹⁶ Iowa Code § 124.403(2) (2015).

⁴⁹⁷ Iowa Code § 903.1(1)(b) (2015).

⁴⁹⁸ Iowa Code § 903.1(1)(b) (2015).

⁴⁹⁹ See Iowa Code § 907.3 (2015).

⁵⁰⁰ Iowa Code § 903.1(1)(b) (2015).

⁵⁰¹ Iowa Code § 903.1(1)(b) (2015).

⁵⁰² Iowa Code § 903.1(1)(b) (2015).

⁵⁰³ Iowa Code § 911.1(1) (2015).

⁵⁰⁴ Iowa Code § 911.2(1) (2015).

⁵⁰⁵ Iowa Code § 911.2(2) (2015).

⁵⁰⁶ Iowa Code § 911.3(1) (2015).

⁵⁰⁷ Iowa Code § 901.5(10)(a)(1) (2015).

⁵⁰⁸ Iowa Code § 901.5(10)(a) (2015).

⁵⁰⁹ Iowa Code § 901.5(12) (2015).

⁵¹⁰ Iowa Code § 901.5(11) (2015).

⁵¹¹ Iowa Code § 901.5(10)(b) (2015).

⁵¹² Iowa Code § 124.412 (2015).

§ 124.406—Distribution to Person Under Age 18

§ 124.406(1)—Distribution or possession w/ intent to distribute schedule I, II, or III substance

§ 124.406(1)(a)—Distribution or possession w/ intent to distribute schedule I or II to person under age 18

Class = “B” felony⁵¹³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years, ⁵¹⁴ see Notes	<ul style="list-style-type: none"> If distributed in, on, or within 1000 feet of certain real property, 10 years⁵¹⁵ For all others, 5 years⁵¹⁶ 	<ul style="list-style-type: none"> If distributed in, on, or within 1000 feet of certain real property, not eligible until served 10 years⁵¹⁷ For all others, not eligible until served 5 years⁵¹⁸ But see Under 18 Sentencing See also Drug Enhancements and General Enhancements	Yes ⁵¹⁹

Fines

Max	Min.	Can Suspend?
0 ⁵²⁰	0 ⁵²¹	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ⁵²² but n/a if received DJ, DS, or SS ⁵²³	No	No	No	Yes, \$125 ⁵²⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵²⁵	No	Yes, consider denying state ⁵²⁶ and federal benefits. ⁵²⁷

Notes:

❖ Max. Jail/Prison Time:

- sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply⁵²⁸:
 - violation is first conviction under § 124.406

⁵¹³ Iowa Code § 124.406(1)(a) (2015).

⁵¹⁴ Iowa Code § 902.9(1)(b) (2015).

⁵¹⁵ Iowa Code § 124.406(1)(a) (2015).

⁵¹⁶ Iowa Code § 124.406(1)(a) (2015).

⁵¹⁷ See Iowa Code § 124.406(1)(a) (2015).

⁵¹⁸ See Iowa Code § 124.406(1)(a) (2015).

⁵¹⁹ See Iowa Code § 907.3 (2015).

⁵²⁰ See Iowa Code § 902.9(1)(b) (2015).

⁵²¹ See Iowa Code § 902.9(1)(b) (2015).

⁵²² Iowa Code § 911.2(1) (2015).

⁵²³ Iowa Code § 911.2(2) (2015).

⁵²⁴ Iowa Code § 911.3(1) (2015).

⁵²⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁵²⁶ Iowa Code § 901.5(12) (2015).

⁵²⁷ Iowa Code § 901.5(11) (2015).

⁵²⁸ Iowa Code § 901.10(1) (2015).

- mitigating circumstances exist
- those circumstances are stated specifically in the record
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁵²⁹

⁵²⁹ Iowa Code § 124.412 (2015).

§ 124.406(1)(b)—Distribution or possession with intent to distribute schedule III to person who is under age 18 and at least 3 years younger than violator

Class = “C” felony⁵³⁰

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁵³¹	0 ⁵³²	No, but see Drug Enhancements and General Enhancements	Yes ⁵³³

Fines

Max	Min.	Can Suspend?
\$10,000 ⁵³⁴	\$1000 ⁵³⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵³⁶	Yes, \$10 ⁵³⁷ but n/a if received DJ, DS, or SS ⁵³⁸	No	No	No	Yes, \$125 ⁵³⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁴⁰	No	Yes, consider denying state ⁵⁴¹ and federal benefits. ⁵⁴²

Notes:

❖ Max. Jail/Prison Time:

- sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply⁵⁴³:
 - violation is first conviction under § 124.406
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record

❖ Additional Penalty:

- Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business⁵⁴⁴

⁵³⁰ Iowa Code § 124.406(1)(b) (2015).

⁵³¹ Iowa Code § 902.9(1)(d) (2015).

⁵³² Iowa Code § 902.9(1)(d) (2015).

⁵³³ See Iowa Code § 907.3 (2015).

⁵³⁴ Iowa Code § 902.9(1)(d) (2015).

⁵³⁵ Iowa Code § 902.9(1)(d) (2015).

⁵³⁶ Iowa Code § 911.1(1) (2015).

⁵³⁷ Iowa Code § 911.2(1) (2015).

⁵³⁸ Iowa Code § 911.2(2) (2015).

⁵³⁹ Iowa Code § 911.3(1) (2015).

⁵⁴⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁵⁴¹ Iowa Code § 901.5(12) (2015).

⁵⁴² Iowa Code § 901.5(11) (2015).

⁵⁴³ Iowa Code § 901.10(1) (2015).

⁵⁴⁴ Iowa Code § 124.412 (2015).

§ 124.406(1)(c)—Distribution schedule IV or V to person who is under age 18 and at least 3 years younger than violator

Class = aggravated misdemeanor⁵⁴⁵

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵⁴⁶	0 ⁵⁴⁷	No, but see Drug Enhancements	Yes ⁵⁴⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁴⁹

Fines

Max	Min.	Can Suspend?
\$6250 ⁵⁵⁰	\$625 ⁵⁵¹	Yes ⁵⁵²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁵³	Yes, \$10 ⁵⁵⁴ but n/a if received DJ, DS, or SS ⁵⁵⁵	No	No	No	Yes, \$125 ⁵⁵⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁵⁷	No	Yes, consider denying state ⁵⁵⁸ and federal benefits. ⁵⁵⁹

Notes:

❖ Max. Jail/Prison Time:

- sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁵⁶⁰
 - violation is first conviction under § 124.406
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record

❖ Additional Penalty:

- Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁵⁶¹

⁵⁴⁵ Iowa Code § 124.406(1)(c) (2015).

⁵⁴⁶ Iowa Code § 903.1(2) (2015).

⁵⁴⁷ Iowa Code § 903.1(2) (2015).

⁵⁴⁸ See Iowa Code § 907.3 (2015).

⁵⁴⁹ Iowa Code § 903.1(2) (2015).

⁵⁵⁰ Iowa Code § 903.1(2) (2015).

⁵⁵¹ Iowa Code § 903.1(2) (2015).

⁵⁵² See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁵³ Iowa Code § 911.1(1) (2015).

⁵⁵⁴ Iowa Code § 911.2(1) (2015).

⁵⁵⁵ Iowa Code § 911.2(2) (2015).

⁵⁵⁶ Iowa Code § 911.3(1) (2015).

⁵⁵⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁵⁵⁸ Iowa Code § 901.5(12) (2015).

⁵⁵⁹ Iowa Code § 901.5(11) (2015).

⁵⁶⁰ Iowa Code § 901.10(1) (2015).

⁵⁶¹ Iowa Code § 124.412 (2015).

§ 124.406(2)—Distribution or possession w/ intent to distribute counterfeit or simulated schedule I, II, or III substance

§ 124.406(2)(a)—Distribution or possession w/ intent to distribute counterfeit or simulated schedule I or II substance to person under age 18

Class = “B” felony⁵⁶²

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ⁵⁶³	<ul style="list-style-type: none"> If distributed in, on, or within 1000 feet of certain real property, 10 years⁵⁶⁴ For all others, 0⁵⁶⁵ 	<ul style="list-style-type: none"> If distributed in, on, or within 1000 feet of certain real property, not eligible until served 10 years⁵⁶⁶ <ul style="list-style-type: none"> ➤ But see Under 18 Sentencing For all others, No <p>See also Drug Enhancements and General Enhancements</p>	Yes ⁵⁶⁷

Fines

Max	Min.	Can Suspend?
0 ⁵⁶⁸	0 ⁵⁶⁹	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ⁵⁷⁰ but n/a if received DJ, DS, or SS ⁵⁷¹	No	No	No	Yes, \$125 ⁵⁷²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁷³	No	Yes, consider denying state ⁵⁷⁴ and federal benefits. ⁵⁷⁵

Notes:

❖ Max. Jail/Prison Time:

- sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁵⁷⁶
 - violation is first conviction under § 124.406

⁵⁶² Iowa Code § 124.406(2)(a) (2015).

⁵⁶³ Iowa Code § 902.9(1)(b) (2015).

⁵⁶⁴ Iowa Code § 124.406(2)(a) (2015).

⁵⁶⁵ Iowa Code § 902.9(1)(b) (2015).

⁵⁶⁶ See Iowa Code § 124.406(2)(a) (2015).

⁵⁶⁷ See Iowa Code § 907.3 (2015).

⁵⁶⁸ See Iowa Code § 902.9(1)(b) (2015).

⁵⁶⁹ See Iowa Code § 902.9(1)(b) (2015).

⁵⁷⁰ Iowa Code § 911.2(1) (2015).

⁵⁷¹ Iowa Code § 911.2(2) (2015).

⁵⁷² Iowa Code § 911.3(1) (2015).

⁵⁷³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁵⁷⁴ Iowa Code § 901.5(12) (2015).

⁵⁷⁵ Iowa Code § 901.5(11) (2015).

⁵⁷⁶ Iowa Code § 901.10(1) (2015).

- mitigating circumstances exist
- those circumstances are stated specifically in the record
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁵⁷⁷

⁵⁷⁷ Iowa Code § 124.412 (2015).

§ 124.406(2)(b)—Distribution or possession w/ intent to distribute counterfeit or simulated schedule III substance to person who is under age 18 and at least 3 years younger than violator

Class = “C” felony⁵⁷⁸

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁵⁷⁹	0 ⁵⁸⁰	No, but see Drug Enhancements and General Enhancements	Yes ⁵⁸¹

Fines

Max	Min.	Can Suspend?
\$10,000 ⁵⁸²	\$1000 ⁵⁸³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁸⁴	Yes, \$10 ⁵⁸⁵ but n/a if received DJ, DS, or SS ⁵⁸⁶	No	No	No	Yes, \$125 ⁵⁸⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁸⁸	No	Yes, consider denying state ⁵⁸⁹ and federal benefits. ⁵⁹⁰

Notes:

❖ Max. Jail/Prison Time:

- sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁵⁹¹
 - violation is first conviction under § 124.406
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record

❖ Additional Penalty:

- Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business⁵⁹²

⁵⁷⁸ Iowa Code § 124.406(2)(b) (2015).

⁵⁷⁹ Iowa Code § 902.9(1)(d) (2015).

⁵⁸⁰ Iowa Code § 902.9(1)(d) (2015).

⁵⁸¹ See Iowa Code § 907.3 (2015).

⁵⁸² Iowa Code § 902.9(1)(d) (2015).

⁵⁸³ Iowa Code § 902.9(1)(d) (2015).

⁵⁸⁴ Iowa Code § 911.1(1) (2015).

⁵⁸⁵ Iowa Code § 911.2(1) (2015).

⁵⁸⁶ Iowa Code § 911.2(2) (2015).

⁵⁸⁷ Iowa Code § 911.3(1) (2015).

⁵⁸⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁵⁸⁹ Iowa Code § 901.5(12) (2015).

⁵⁹⁰ Iowa Code § 901.5(11) (2015).

⁵⁹¹ Iowa Code § 901.10(1) (2015).

⁵⁹² Iowa Code § 124.412 (2015).

§ 124.406(2)(c)—Distribution counterfeit or simulated schedule IV or V substance to person who is under age 18 and at least 3 years younger than violator

Class = aggravated misdemeanor⁵⁹³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵⁹⁴	0 ⁵⁹⁵	No, but see Drug Enhancements	Yes ⁵⁹⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁹⁷

Fines

Max	Min.	Can Suspend?
\$6250 ⁵⁹⁸	\$625 ⁵⁹⁹	Yes ⁶⁰⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁰¹	Yes, \$10 ⁶⁰² but n/a if received DJ, DS, or SS ⁶⁰³	No	No	No	Yes, \$125 ⁶⁰⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶⁰⁵	No	Yes, consider denying state ⁶⁰⁶ and federal benefits. ⁶⁰⁷

Notes:

❖ Max. Jail/Prison Time:

- sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁶⁰⁸
 - violation is first conviction under § 124.406
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record

❖ Additional Penalty:

- Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁶⁰⁹

⁵⁹³ Iowa Code § 124.406(2)(c) (2015).

⁵⁹⁴ Iowa Code § 903.1(2) (2015).

⁵⁹⁵ Iowa Code § 903.1(2) (2015).

⁵⁹⁶ See Iowa Code § 907.3 (2015).

⁵⁹⁷ Iowa Code § 903.1(2) (2015).

⁵⁹⁸ Iowa Code § 903.1(2) (2015).

⁵⁹⁹ Iowa Code § 903.1(2) (2015).

⁶⁰⁰ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁶⁰¹ Iowa Code § 911.1(1) (2015).

⁶⁰² Iowa Code § 911.2(1) (2015).

⁶⁰³ Iowa Code § 911.2(2) (2015).

⁶⁰⁴ Iowa Code § 911.3(1) (2015).

⁶⁰⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁶⁰⁶ Iowa Code § 901.5(12) (2015).

⁶⁰⁷ Iowa Code § 901.5(11) (2015).

⁶⁰⁸ Iowa Code § 901.10(1) (2015).

⁶⁰⁹ Iowa Code § 124.412 (2015).

§ 124.406(3)—Conspiracy to deliver schedule I, II, III, IV, or V to person under age 18

Class = “D” felony⁶¹⁰

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁶¹¹	0 ⁶¹²	No, but see Drug Enhancements and General Enhancements	Yes ⁶¹³

Fines

Max	Min.	Can Suspend?
\$7500 ⁶¹⁴	\$750 ⁶¹⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶¹⁶	Yes, \$10 ⁶¹⁷ but n/a if received DJ, DS, or SS ⁶¹⁸	No	No	No	Yes, \$125 ⁶¹⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶²⁰	No	Yes, consider denying state ⁶²¹ and federal benefits. ⁶²²

Notes:

- ❖ Max. Jail/Prison Time:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁶²³
 - violation is first conviction under § 124.406
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business⁶²⁴

⁶¹⁰ Iowa Code § 124.406(3) (2015).

⁶¹¹ Iowa Code § 902.9(1)(e) (2015).

⁶¹² Iowa Code § 902.9(1)(e) (2015).

⁶¹³ See Iowa Code § 907.3 (2015).

⁶¹⁴ Iowa Code § 902.9(1)(e) (2015).

⁶¹⁵ Iowa Code § 902.9(1)(e) (2015).

⁶¹⁶ Iowa Code § 911.1(1) (2015).

⁶¹⁷ Iowa Code § 911.2(1) (2015).

⁶¹⁸ Iowa Code § 911.2(2) (2015).

⁶¹⁹ Iowa Code § 911.3(1) (2015).

⁶²⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁶²¹ Iowa Code § 901.5(12) (2015).

⁶²² Iowa Code § 901.5(11) (2015).

⁶²³ Iowa Code § 901.10(1) (2015).

⁶²⁴ Iowa Code § 124.412 (2015).

§ 124.406A—Use of Persons Under Age 18 in Drug Trade

Class = “C” felony⁶²⁵

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁶²⁶	0 ⁶²⁷	No, but see Drug Enhancements and General Enhancements	Yes ⁶²⁸

Fines

Max	Min.	Can Suspend?
\$10,000 ⁶²⁹	\$1000 ⁶³⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶³¹	Yes, \$10 ⁶³² but n/a if received DJ, DS, or SS ⁶³³	No	No	No	Yes, \$125 ⁶³⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶³⁵	No	Yes, consider denying state ⁶³⁶ and federal benefits. ⁶³⁷

Notes:

❖ Additional Penalty:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business⁶³⁸

⁶²⁵ Iowa Code § 124.406A (2015).

⁶²⁶ Iowa Code § 902.9(1)(d) (2015).

⁶²⁷ Iowa Code § 902.9(1)(d) (2015).

⁶²⁸ See Iowa Code § 907.3 (2015).

⁶²⁹ Iowa Code § 902.9(1)(d) (2015).

⁶³⁰ Iowa Code § 902.9(1)(d) (2015).

⁶³¹ Iowa Code § 911.1(1) (2015).

⁶³² Iowa Code § 911.2(1) (2015).

⁶³³ Iowa Code § 911.2(2) (2015).

⁶³⁴ Iowa Code § 911.3(1) (2015).

⁶³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁶³⁶ Iowa Code § 901.5(12) (2015).

⁶³⁷ Iowa Code § 901.5(11) (2015).

⁶³⁸ Iowa Code § 124.412 (2015).

§ 124.407—Gatherings w/ Unlawful Use of substances

§ 124.407, unnum. para. 2—Gatherings w/ substance(s) other than marijuana

Class = “D” felony⁶³⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁶⁴⁰	0 ⁶⁴¹	No, but see Drug Enhancements and General Enhancements	Yes ⁶⁴²

Fines

Max	Min.	Can Suspend?
\$7500 ⁶⁴³	\$750 ⁶⁴⁴	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁴⁵	Yes, \$10 ⁶⁴⁶ but n/a if received DJ, DS, or SS ⁶⁴⁷	No	No	No	Yes, \$125 ⁶⁴⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶⁴⁹	No	Yes, consider denying state ⁶⁵⁰ and federal benefits. ⁶⁵¹

Notes:

❖ Additional Penalties:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business⁶⁵²

➤ Expense Taxed as Costs in Criminal Action:

- “The reasonable expense to the state and governmental subdivisions thereof to provide the necessary law enforcement resulting from a meeting, gathering or assemblage held in violation of this section may be taxed as costs in the criminal action.”⁶⁵³

⁶³⁹ Iowa Code § 124.407, unnum. para. 2 (2015).

⁶⁴⁰ Iowa Code § 902.9(1)(e) (2015).

⁶⁴¹ Iowa Code § 902.9(1)(e) (2015).

⁶⁴² See Iowa Code § 907.3 (2015).

⁶⁴³ Iowa Code § 902.9(1)(e) (2015).

⁶⁴⁴ Iowa Code § 902.9(1)(e) (2015).

⁶⁴⁵ Iowa Code § 911.1(1) (2015).

⁶⁴⁶ Iowa Code § 911.2(1) (2015).

⁶⁴⁷ Iowa Code § 911.2(2) (2015).

⁶⁴⁸ Iowa Code § 911.3(1) (2015).

⁶⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁶⁵⁰ Iowa Code § 901.5(12) (2015).

⁶⁵¹ Iowa Code § 901.5(11) (2015).

⁶⁵² Iowa Code § 124.412 (2015).

⁶⁵³ Iowa Code § 124.407, unnum. para. 5 (2015).

§ 124.407, unnum. para. 3—Gatherings w/ only marijuana

Class = serious misdemeanor⁶⁵⁴

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁶⁵⁵	0 ⁶⁵⁶	N/A, but see Drug Enhancements	Yes ⁶⁵⁷

Fines

Max	Min.	Can Suspend?
\$1875 ⁶⁵⁸	\$315 ⁶⁵⁹	No ⁶⁶⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁶¹	Yes, \$10 ⁶⁶² but n/a if received DJ, DS, or SS ⁶⁶³	No	No	No	Yes, \$125 ⁶⁶⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	Yes, consider denying state ⁶⁶⁵ and federal benefits. ⁶⁶⁶

Notes:

❖ Additional Penalties:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁶⁶⁷

➤ Expense Taxed as Costs in Criminal Action:

- "The reasonable expense to the state and governmental subdivisions thereof to provide the necessary law enforcement resulting from a meeting, gathering or assemblage held in violation of this section may be taxed as costs in the criminal action."⁶⁶⁸

⁶⁵⁴ Iowa Code § 124.407, unnum. para. 3 (2015).

⁶⁵⁵ Iowa Code § 903.1(1)(b) (2015).

⁶⁵⁶ Iowa Code § 903.1(1)(b) (2015).

⁶⁵⁷ See Iowa Code § 907.3 (2015).

⁶⁵⁸ Iowa Code § 903.1(1)(b) (2015).

⁶⁵⁹ Iowa Code § 903.1(1)(b) (2015).

⁶⁶⁰ Iowa Code § 903.1(1)(b) (2015).

⁶⁶¹ Iowa Code § 911.1(1) (2015).

⁶⁶² Iowa Code § 911.2(1) (2015).

⁶⁶³ Iowa Code § 911.2(2) (2015).

⁶⁶⁴ Iowa Code § 911.3(1) (2015).

⁶⁶⁵ Iowa Code § 901.5(12) (2015).

⁶⁶⁶ Iowa Code § 901.5(11) (2015).

⁶⁶⁷ Iowa Code § 124.412 (2015).

⁶⁶⁸ Iowa Code § 124.407, unnum. para. 5 (2015).

§ 124.414—Drug Paraphernalia

Class = simple misdemeanor⁶⁶⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁶⁷⁰	0 ⁶⁷¹	N/A, but see Drug Enhancements	Yes ⁶⁷²

Fines

Max	Min.	Can Suspend?
\$625 ⁶⁷³	\$65 ⁶⁷⁴	No ⁶⁷⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁷⁶	Yes, \$10 ⁶⁷⁷ but n/a if received DJ, DS, or SS ⁶⁷⁸	No	No	No	Yes, \$125 ⁶⁷⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	Yes, consider denying state ⁶⁸⁰ and federal benefits. ⁶⁸¹

Notes:

❖ Additional Penalty:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁶⁸²

⁶⁶⁹ Iowa Code § 124.414(3) (2015).

⁶⁷⁰ Iowa Code § 903.1(1)(a) (2015).

⁶⁷¹ Iowa Code § 903.1(1)(a) (2015).

⁶⁷² See Iowa Code § 907.3 (2015).

⁶⁷³ Iowa Code § 903.1(1)(a) (2015).

⁶⁷⁴ Iowa Code § 903.1(1)(a) (2015).

⁶⁷⁵ Iowa Code § 903.1(1) (2015).

⁶⁷⁶ Iowa Code § 911.1(1) (2015).

⁶⁷⁷ Iowa Code § 911.2(1) (2015).

⁶⁷⁸ Iowa Code § 911.2(2) (2015).

⁶⁷⁹ Iowa Code § 911.3(1) (2015).

⁶⁸⁰ Iowa Code § 901.5(12) (2015).

⁶⁸¹ Iowa Code § 901.5(11) (2015).

⁶⁸² Iowa Code § 124.412 (2015).

Enhancements for Drug Offenses

1. Violation of § 124.401(1) + Possession of Firearm

- ❖ Max. Jail/Prison Time:
 - “shall be sentenced to two times the term otherwise imposed by law”⁶⁸³
- ❖ Mand. Min. before Parole Eligible:
 - One-third of max. indeterminate sentence⁶⁸⁴
 - exception: does not apply if:
 - violation of § 124.401(1) is an accommodation offense,⁶⁸⁵ *or*
 - controlled substances was marijuana⁶⁸⁶
 - Possible Mandatory Minimum Sentence Reduction:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁶⁸⁷
 - violation is first conviction under § 124.413
 - ◆ Note: § 124.413 sets out mandatory minimum before parole eligible for violation of § 124.401(1)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
 - exception:
 - if violation of § 124.401(1)(a) or (b) involved amphetamine or methamphetamine, cannot reduce sentence unless offender pleads guilty⁶⁸⁸
 - ◆ can reduce mandatory minimum sentence by up to one-third if pleads guilty⁶⁸⁹
 - ◆ can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:⁶⁹⁰
 - offender pleads guilty
 - cooperates in prosecution of others involved in the sale or use of controlled substances
 - prosecutor requests an additional reduction because of such cooperation
- ❖ Not eligible for DJ, DS, or SS,⁶⁹¹ but see Under 18 Sentencing

2. Violation of § 124.401(1) + Possession of Offensive Weapon

- ❖ Max. Jail/Prison Time:
 - “shall be sentenced to three times the term otherwise imposed by law”⁶⁹²
- ❖ Mand. Min. before Parole Eligible:
 - One-third of max. indeterminate sentence⁶⁹³
 - exception: does not apply if:
 - violation of § 124.401(1) is an accommodation offense,⁶⁹⁴ *or*
 - controlled substances was marijuana⁶⁹⁵
 - Possible Mandatory Minimum Sentence Reduction:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁶⁹⁶

⁶⁸³ Iowa Code § 124.401(1)(e) (2015).

⁶⁸⁴ Iowa Code § 124.413(1) (2015).

⁶⁸⁵ Iowa Code § 124.413(2)(a) (2015).

⁶⁸⁶ Iowa Code § 124.413(2)(b) (2015).

⁶⁸⁷ Iowa Code § 901.10(1) (2015).

⁶⁸⁸ Iowa Code § 901.10(2) (2015).

⁶⁸⁹ Iowa Code § 901.10(2) (2015).

⁶⁹⁰ Iowa Code § 901.10(2) (2015).

⁶⁹¹ Iowa Code § 124.401(1)(e) (2015).

⁶⁹² Iowa Code § 124.401(1)(f) (2015).

⁶⁹³ Iowa Code § 124.413(1) (2015).

⁶⁹⁴ Iowa Code § 124.413(2)(a) (2015).

⁶⁹⁵ Iowa Code § 124.413(2)(b) (2015).

- violation is first conviction under § 124.413
 - ♦ Note: § 124.413 sets out mandatory minimum before parole eligible for violation of § 124.401(1)
- mitigating circumstances exist
- those circumstances are stated specifically in the record
- Exception:
 - if violation of § 124.401(1)(a) or (b) involved amphetamine or methamphetamine, cannot reduce sentence unless offender pleads guilty⁶⁹⁷
 - ♦ can reduce mandatory minimum sentence by up to one-third if pleads guilty⁶⁹⁸
 - ♦ can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:⁶⁹⁹
 - offender pleads guilty
 - cooperates in prosecution of others involved in the sale or use of controlled substances
 - prosecutor requests an additional reduction because of such cooperation
- ❖ Not eligible for DJ, DS, or SS,⁷⁰⁰ but see Under 18 Sentencing

3. Manufacture/Possession with Intent to Distribute or Distribution in, on, or within 1000 Feet of Certain Real Property, or on Marked School Bus

- ❖ Max. Jail/Prison Time:
 - “may be sentenced up to an additional term of confinement of five years”⁷⁰¹
 - Note: this penalty may be imposed in addition to any other penalties provided in chapter 124 or any other chapter⁷⁰²

4. Possession in, on, or within 1000 Feet of Certain Real Property, or on Marked School Bus

- ❖ Additional Penalty:
 - “may be sentenced to one hundred hours of community service work for a public agency or a nonprofit charitable organization”⁷⁰³
 - “court shall provide the offender with a written statement of the terms and monitoring provisions of the community service”⁷⁰⁴
 - Note: this penalty may be imposed in addition to any other penalties provided in chapter 124 or any other chapter⁷⁰⁵

5. Manufacturing Methamphetamine in Presence of Minors

- ❖ Max. Jail/Prison Time:
 - “shall be sentenced up to an additional term of confinement of five years”⁷⁰⁶
 - Exception:
 - “additional term of confinement shall not be imposed on a person who has been convicted and sentenced for a child endangerment offense under [§ 726.6(1)(g)] arising from the same facts”⁷⁰⁷

6. Second or Subsequent Offenses

- ❖ If person is convicted of second or subsequent offense under chapter 124,⁷⁰⁸ person may be:

⁶⁹⁶ Iowa Code § 901.10(1) (2015).

⁶⁹⁷ Iowa Code § 901.10(2) (2015).

⁶⁹⁸ Iowa Code § 901.10(2) (2015).

⁶⁹⁹ Iowa Code § 901.10(2) (2015).

⁷⁰⁰ Iowa Code § 124.401(1)(f) (2015).

⁷⁰¹ Iowa Code § 124.401A (2015).

⁷⁰² Iowa Code § 124.401A (2015).

⁷⁰³ Iowa Code § 124.401B (2015).

⁷⁰⁴ Iowa Code § 124.401B (2015).

⁷⁰⁵ Iowa Code § 124.401B (2015).

⁷⁰⁶ Iowa Code § 124.401C(1) (2015).

⁷⁰⁷ Iowa Code § 124.401C(1) (2015).

⁷⁰⁸ See Iowa Code § 124.411(2) (2015) for what qualifies as a second or subsequent offense.

- “punished by imprisonment for a period not to exceed three times the term otherwise authorized,”⁷⁰⁹ *or*
- “fined not more than three times the amount otherwise authorized,”⁷¹⁰ *or*
- “punished by both such imprisonment and fine”⁷¹¹
- ❖ Exception:
 - This enhancement is not applicable to violations of § 124.401(5)⁷¹²

⁷⁰⁹ Iowa Code § 124.411(1) (2015).

⁷¹⁰ Iowa Code § 124.411(1) (2015).

⁷¹¹ Iowa Code § 124.411(1) (2015).

⁷¹² Iowa Code § 124.411(3) (2015).

CH. 124A IMITATION CONTROLLED SUBSTANCES

§ 124A.4—Unlawful Manufacture, Delivery, Possession w/ Intent to Deliver, Advertisement, and Solicitation of Imitation Controlled Substances

§ 124A.4(1)—Manufacture, delivery, or possession w/ intent to deliver

Class = aggravated misdemeanor⁷¹³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁷¹⁴	0 ⁷¹⁵	None	Yes ⁷¹⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁷¹⁷

Fines

Max	Min.	Can Suspend?
\$6250 ⁷¹⁸	\$625 ⁷¹⁹	Yes ⁷²⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷²¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁷²²	No	No

Notes:

⁷¹³ Iowa Code § 124A.4(1) (2015).

⁷¹⁴ Iowa Code § 903.1(2) (2015).

⁷¹⁵ Iowa Code § 903.1(2) (2015).

⁷¹⁶ See Iowa Code § 907.3 (2015).

⁷¹⁷ Iowa Code § 903.1(2) (2015).

⁷¹⁸ Iowa Code § 903.1(2) (2015).

⁷¹⁹ Iowa Code § 903.1(2) (2015).

⁷²⁰ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁷²¹ Iowa Code § 911.1(1) (2015).

⁷²² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 124A.4(2)—Advertising or soliciting

Class = serious misdemeanor⁷²³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁷²⁴	0 ⁷²⁵	N/A	Yes ⁷²⁶

Fines

Max	Min.	Can Suspend?
\$1875 ⁷²⁷	\$315 ⁷²⁸	No ⁷²⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷³⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁷²³ Iowa Code § 124A.4(2) (2015).

⁷²⁴ Iowa Code § 903.1(1)(b) (2015).

⁷²⁵ Iowa Code § 903.1(1)(b) (2015).

⁷²⁶ See Iowa Code § 907.3 (2015).

⁷²⁷ Iowa Code § 903.1(1)(b) (2015).

⁷²⁸ Iowa Code § 903.1(1)(b) (2015).

⁷²⁹ Iowa Code § 903.1(1) (2015).

⁷³⁰ Iowa Code § 911.1(1) (2015).

§ 124A.4(3)—Delivery to person who is under age 18 and at least 3 years younger than violatorClass = “D” felony⁷³¹**Prison/Jail Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁷³²	0 ⁷³³	No, but see Enhancements	Yes ⁷³⁴

Fines

Max	Min.	Can Suspend?
\$7500 ⁷³⁵	\$750 ⁷³⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷³⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁷³⁸	No	No

Notes:⁷³¹ Iowa Code § 124A.4(3) (2015).⁷³² Iowa Code § 902.9(1)(e) (2015).⁷³³ Iowa Code § 902.9(1)(e) (2015).⁷³⁴ See Iowa Code § 907.3 (2015).⁷³⁵ Iowa Code § 902.9(1)(e) (2015).⁷³⁶ Iowa Code § 902.9(1)(e) (2015).⁷³⁷ Iowa Code § 911.1(1) (2015).⁷³⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

Ch. 124B Precursor Substances

§ 124B.9—Sale, Transfer, Furnishing, or Receipt for Unlawful Purposes

§ 124B.9(1)—Sale, transfer, or furnishing

Class = “C” felony⁷³⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁷⁴⁰	0 ⁷⁴¹	No, but see Enhancements	Yes ⁷⁴²

Fines

Max	Min.	Can Suspend?
\$10,000 ⁷⁴³	\$1000 ⁷⁴⁴	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷⁴⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁷⁴⁶	No	No

Notes:

⁷³⁹ Iowa Code § 124B.9(1) (2015).

⁷⁴⁰ Iowa Code § 902.9(1)(d) (2015).

⁷⁴¹ Iowa Code § 902.9(1)(d) (2015).

⁷⁴² See Iowa Code § 907.3 (2015).

⁷⁴³ Iowa Code § 902.9(1)(d) (2015).

⁷⁴⁴ Iowa Code § 902.9(1)(d) (2015).

⁷⁴⁵ Iowa Code § 911.1(1) (2015).

⁷⁴⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 124B.9(2)—ReceiptClass = “C” felony⁷⁴⁷**Prison/Jail Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁷⁴⁸	0 ⁷⁴⁹	No, but see Enhancements	Yes ⁷⁵⁰

Fines

Max	Min.	Can Suspend?
\$10,000 ⁷⁵¹	\$1000 ⁷⁵²	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷⁵³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁷⁵⁴	No	No

Notes:⁷⁴⁷ Iowa Code § 124B.9(2) (2015).⁷⁴⁸ Iowa Code § 902.9(1)(d) (2015).⁷⁴⁹ Iowa Code § 902.9(1)(d) (2015).⁷⁵⁰ See Iowa Code § 907.3 (2015).⁷⁵¹ Iowa Code § 902.9(1)(d) (2015).⁷⁵² Iowa Code § 902.9(1)(d) (2015).⁷⁵³ Iowa Code § 911.1(1) (2015).⁷⁵⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

omitted from this draft

Chapters 300–399

Ch. 321J Operating While Intoxicated

§ 321J.2--OWI

§ 321J.2(2)(a)—First offense

Class = serious misdemeanor⁷⁵⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁷⁵⁶	48 hours ⁷⁵⁷	N/A	<p><u>DJ Eligible</u>,⁷⁵⁸ unless:</p> <ul style="list-style-type: none"> ❖ Convicted under § 321J.2 or DL revoked under ch. 321J,⁷⁵⁹ and ❖ Any of the following apply:⁷⁶⁰ <ul style="list-style-type: none"> ➤ BAC > .15⁷⁶¹ ➤ Prior conviction of § 321J.2(1) or substantially corresponding statute in another state⁷⁶² ➤ Previous DJ or DS for violation of § 321J.2(1) or substantially corresponding statute in another state⁷⁶³ ➤ Refused consent to chemical test per § 321J.6⁷⁶⁴ ➤ Offense results in bodily injury to another person⁷⁶⁵ <p><u>DS Eligible</u>,⁷⁶⁶ unless:</p> <ul style="list-style-type: none"> ❖ Any of the following apply: <ul style="list-style-type: none"> ➤ BAC > .15⁷⁶⁷ ➤ Prior conviction of § 321J.2(1) or substantially corresponding statute in another state⁷⁶⁸ ➤ Previous DJ or DS for violation of § 321J.2(1) or substantially corresponding statute in another state⁷⁶⁹ ➤ Refused consent to chemical test per § 321J.6⁷⁷⁰ ➤ Offense results in bodily injury to another person⁷⁷¹ <p><u>SS Eligible</u>,⁷⁷² but cannot suspend 48-hour min.⁷⁷³</p> <p>See Notes</p>

- ❖ Sentencing court may accommodate person's work schedule in ordering service of the sentence, at the court's discretion⁷⁷⁴

Fines

Max.	Min.	Can Suspend?
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⁷⁵⁵ Iowa Code § 321J.2(2)(a) (2015).

⁷⁵⁶ Iowa Code § 321J.2(3)(a) (2015).

⁷⁵⁷ Iowa Code § 321J.2(3)(a) (2015).

⁷⁵⁸ Iowa Code § 321J.2(3)(b)(1) (2015).

⁷⁵⁹ Iowa Code §§ 321J.2(3)(b)(2), 907.3(1)(a)(6) (2015).

⁷⁶⁰ Iowa Code §§ 321J.2(3)(b)(2), 907.3(1)(a)(6) (2015).

⁷⁶¹ Iowa Code §§ 321J.2(3)(b)(2)(a), 907.3(1)(a)(6)(a) (2015).

⁷⁶² Iowa Code §§ 321J.2(3)(b)(2)(b), 907.3(1)(a)(6)(b) (2015).

⁷⁶³ Iowa Code §§ 321J.2(3)(b)(2)(c), 907.3(1)(a)(6)(c) (2015).

⁷⁶⁴ Iowa Code §§ 321J.2(3)(b)(2)(d), 907.3(1)(a)(6)(d) (2015).

⁷⁶⁵ Iowa Code §§ 321J.2(3)(b)(2)(e), 907.3(1)(a)(6)(e) (2015).

⁷⁶⁶ See Iowa Code § 907.3(2)(a)(2) (2015).

⁷⁶⁷ Iowa Code § 907.3(2)(a)(2)(a) (2015).

⁷⁶⁸ Iowa Code § 907.3(2)(a)(2)(b) (2015).

⁷⁶⁹ Iowa Code § 907.3(2)(a)(2)(c) (2015).

⁷⁷⁰ Iowa Code § 907.3(2)(a)(2)(d) (2015).

⁷⁷¹ Iowa Code § 907.3(2)(a)(2)(e) (2015).

⁷⁷² See Iowa Code § 907.3(3)(c) (2015).

⁷⁷³ Iowa Code § 907.3(3)(c) (2015).

⁷⁷⁴ Iowa Code § 321J.2(3)(a) (2015).

\$1250 ⁷⁷⁵	\$1250 ⁷⁷⁶	No ⁷⁷⁷ Court may waive up to \$625 of the fine if: ❖ No personal or property injury resulted, ⁷⁷⁸ <i>and</i> ❖ At end of min. period of ineligibility, person presents to the court a temporary restricted license issued per § 321J.20 ⁷⁷⁹ Alternative to some or all of the fine: ❖ Court may order person to perform unpaid community service ⁷⁸⁰ ❖ But alternative unpaid community service cannot be performed in lieu of civil penalty or victim restitution ⁷⁸¹
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Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷⁸²	Yes, \$10, ⁷⁸³ but n/a if receives DJ, DS, or SS ⁷⁸⁴	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, min. of 180 days ⁷⁸⁵ up to max. of 1 year ⁷⁸⁶ See Notes	No	No	No

Notes:

- ❖ DJ, DS, or SS Eligible:
 - If DJ is entered, civil penalty of at least \$1250 shall be assessed⁷⁸⁷
 - up to \$625 of the civil penalty may be waived if:
 - no personal or property injury resulted,⁷⁸⁸ *and*
 - at end of min. period of ineligibility, offender presents to the court a temporary restricted license issued per § 321J.20⁷⁸⁹
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁷⁹⁰
 - report to probation officer with proof of attendance at treatment or posttreatment program⁷⁹¹
 - Additional terms and conditions, to the extent § 907.3 allows⁷⁹²

⁷⁷⁵ Iowa Code § 321J.2(3)(c) (2015).

⁷⁷⁶ Iowa Code § 321J.2(3)(c) (2015).

⁷⁷⁷ See Iowa Code § 907.3(3)(c) (2015). Even though any amount over the minimum can be suspended, *see id.* § 907.3(3), because the maximum and minimum are the same for this offense, the practical effect is the fine cannot be suspended.

⁷⁷⁸ Iowa Code § 321J.2(3)(c) (2015).

⁷⁷⁹ Iowa Code § 321J.2(3)(c) (2015).

⁷⁸⁰ Iowa Code § 321J.2(3)(c)(2) (2015).

⁷⁸¹ Iowa Code § 321J.2(3)(c)(2) (2015).

⁷⁸² Iowa Code § 911.1(1) (2015).

⁷⁸³ Iowa Code § 911.2(1) (2015).

⁷⁸⁴ Iowa Code § 911.2(2) (2015).

⁷⁸⁵ Iowa Code § 321J.2(3)(d) (2015).

⁷⁸⁶ Iowa Code § 321J.2(3)(d) (2015).

⁷⁸⁷ Iowa Code § 321J.2(3)(c)(1) (2015).

⁷⁸⁸ See Iowa Code § 321J.2(3)(c), (c)(1) (2015).

⁷⁸⁹ See Iowa Code § 321J.2(3)(c), (c)(1) (2015).

⁷⁹⁰ Iowa Code § 321J.3(1)(g) (2015).

⁷⁹¹ Iowa Code § 321J.3(1)(g) (2015).

⁷⁹² Iowa Code § 321J.2(6) (2015).

❖ License Revocation:

- 180 days to 1 year pursuant to § 321J.4(1), § 321J.9, or § 321J.12(2)⁷⁹³
- If violation of § 321J.2 involved a serious injury of a person other than the defendant:⁷⁹⁴
 - In open court, the court shall consider information in the file and other evidence submitted, and determine
 - whether the defendant's conduct in violation of § 321J.2 caused the serious injury
 - If court determines serious injury was caused by defendant's conduct:
 - Driver's license revoked for 1 year in addition to any other period of suspension or revocation
 - Ineligible for temporary restricted license until minimum period of ineligibility has expired under §§ 321J.4, 321J.9, 321J.12, or 321J.20
 - Defendant shall surrender any Iowa license or permit
 - court shall forward surrendered license or permit to DOT with a copy of the revocation order
- If violation of § 321J.2 involved death:⁷⁹⁵
 - In open court, the court shall consider information in the file and other evidence submitted, and determine
 - whether the defendant's conduct in violation of § 321J.2 caused the death
 - If court determines death was caused by defendant's conduct:
 - Driver's license revoked for six years
 - Ineligible for any temporary restricted license for at least two years after the revocation
 - Defendant shall surrender any Iowa license or permit
 - Court shall forward surrendered license or permit to DOT with a copy of the revocation order
- Temporary Restricted License:
 - DOT to determine⁷⁹⁶

❖ Additional Penalties:

- Prior to sentencing, order substance abuse evaluation⁷⁹⁷
 - at person's expense⁷⁹⁸
 - order person to follow recommendations from evaluation⁷⁹⁹
- Assignment to substance abuse evaluation and treatment, course for drinking drivers, and reality education substance abuse prevent program per § 321J.24 if available and appropriate⁸⁰⁰
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁸⁰¹
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁸⁰²
 - If person fails to comply:
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work,⁸⁰³ *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court⁸⁰⁴
- Upon DJ or conviction, may order person to install ignition interlock devices on all motor vehicles owned or operated by person⁸⁰⁵

⁷⁹³ Iowa Code § 321J.2(3)(d) (2015).

⁷⁹⁴ Iowa Code § 321J.4(5) (2015).

⁷⁹⁵ Iowa Code § 321J.4(6) (2015).

⁷⁹⁶ See Iowa Code § 321J.2(3)(d)(2) (2015).

⁷⁹⁷ Iowa Code § 321J.2(7)(a) (2015).

⁷⁹⁸ Iowa Code § 321J.2(7)(a) (2015).

⁷⁹⁹ Iowa Code §§ 321J.2(7)(a), 321J.3(1)(a) (2015).

⁸⁰⁰ Iowa Code § 321J.2(3)(e), (7)(b) (2015).

⁸⁰¹ Iowa Code § 321J.3(1)(c) (2015).

⁸⁰² Iowa Code § 321J.3(1)(d) (2015).

⁸⁰³ Iowa Code § 321J.3(1)(f) (2015).

⁸⁰⁴ Iowa Code § 321J.3(1)(f) (2015).

§ 321J.2(2)(b)—Second offense

❖ In determining if violation is second offense:

➤ Previous offenses include:

- DJ for violations of § 321J.2 entered per § 907.3⁸⁰⁶
- Convictions or equivalent of DJ for violations of substantially corresponding statutes from other states⁸⁰⁷
 - Court shall take judicial notice of these statutes⁸⁰⁸
 - Each conviction or DJ entered before date the instant offense was charged is a separate offense⁸⁰⁹

➤ Previous offenses do not include:

- Any conviction or license revocation deleted from motor vehicle operating records per § 321.12⁸¹⁰

Class = aggravated misdemeanor⁸¹¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁸¹²	7 days, ⁸¹³ see Notes	N/A if jail 7 days if prison	Not DJ Eligible ⁸¹⁴ or DS Eligible ⁸¹⁵ ❖ but see Under 18 Sentencing SS Eligible, ⁸¹⁶ but cannot suspend 7-day min. ⁸¹⁷ See Notes

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁸¹⁸

Fines

Max	Min.	Can Suspend?
\$6250 ⁸¹⁹	\$1875 ⁸²⁰	Yes, ⁸²¹ but not the min. ⁸²² and cannot suspend any portion of the fine over the min. if any of the following apply: ❖ BAC > .15 ⁸²³ ❖ Prior conviction of § 321J.2(1) or substantially corresponding statute in another state ⁸²⁴ ❖ Previously received DJ or DS for violation of § 321J.2(1) or substantially corresponding statute in another state ⁸²⁵ ❖ Refused to consent to chemical test per § 321J.6 ⁸²⁶ ❖ Offense results in bodily injury to another person ⁸²⁷

⁸⁰⁵ Iowa Code § 321J.4(8)(a) (2015).

⁸⁰⁶ Iowa Code § 321J.2(8)(b) (2015).

⁸⁰⁷ Iowa Code § 321J.2(8)(c) (2015).

⁸⁰⁸ Iowa Code § 321J.2(8)(c) (2015).

⁸⁰⁹ Iowa Code § 321J.2(8)(c) (2015).

⁸¹⁰ Iowa Code § 321J.2(8)(a) (2015).

⁸¹¹ Iowa Code § 321J.2(2)(b) (2015).

⁸¹² Iowa Code § 321J.2(4)(a) (2015).

⁸¹³ Iowa Code § 321J.2(4)(a) (2015).

⁸¹⁴ See Iowa Code § 907.3(1)(a)(6)(b), (c) (2015).

⁸¹⁵ See Iowa Code § 907.3(2)(a)(2)(b), (c) (2015).

⁸¹⁶ See Iowa Code § 907.3(3)(c) (2015).

⁸¹⁷ Iowa Code § 907.3(3)(c) (2015).

⁸¹⁸ Iowa Code § 903.1(2) (2015).

⁸¹⁹ Iowa Code § 321J.2(4)(b) (2015).

⁸²⁰ Iowa Code § 321J.2(4)(b) (2015).

⁸²¹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁸²² Iowa Code § 907.3(3)(c) (2015).

⁸²³ Iowa Code § 907.3(3)(c)(1) (2015).

⁸²⁴ Iowa Code § 907.3(3)(c)(2) (2015).

⁸²⁵ Iowa Code § 907.3(3)(c)(3) (2015).

⁸²⁶ Iowa Code § 907.3(3)(c)(4) (2015).

⁸²⁷ Iowa Code § 907.3(3)(c)(5) (2015).

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁸²⁸	Yes, \$10 ⁸²⁹ but n/a if receive DJ, DS, or SS ⁸³⁰	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes ❖ Revoked for 1 year if revocation occurs for failing chemical test under § 321J.12(1) ⁸³¹ ❖ Revoked for 2 years if revocation occurs: ➤ for refusing chemical test under § 321J.9, ⁸³² <i>or</i> ➤ for refusing chemical test and having a previous conviction under ch. 321J, per § 321J.4(2) ⁸³³ See Notes	No, ⁸³⁴ unless person has more than 1 previous revocation as determined by § 321J.2(8) within the 12-year period immediately preceding the instant offense ⁸³⁵	No	No

Notes:

- ❖ Min. Jail/Prison Time:
 - Must be served on consecutive days⁸³⁶
 - Exception:
 - May order person to serve the minimum term in segments of at least 48 hours and to perform a specified number of unpaid community service hours⁸³⁷ if sentencing court finds:
 - ◆ service of full minimum term on consecutive days would be an undue hardship on person,⁸³⁸ *or*
 - ◆ sufficient jail space is not available and is not reasonably expected to become available within 4 months after sentencing⁸³⁹
- ❖ DJ, DS, or SS Eligible:
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁸⁴⁰
 - report to probation officer with proof of attendance at treatment or posttreatment program⁸⁴¹
 - Additional terms and conditions, to the extent § 907.3 allows⁸⁴²
- ❖ License Revocation:
 - If violation of § 321J.2 involved a serious injury of a person other than the defendant:⁸⁴³
 - In open court, the court shall consider information in the file and other evidence submitted, and determine:
 - whether the defendant's conduct in violation of § 321J.2 caused the serious injury
 - If court determines serious injury was caused by defendant's conduct:

⁸²⁸ Iowa Code § 911.1(1) (2015).

⁸²⁹ Iowa Code § 911.2(1) (2015).

⁸³⁰ Iowa Code § 911.2(2) (2015).

⁸³¹ Iowa Code § 321J.2(4)(c) (2015).

⁸³² Iowa Code § 321J.2(4)(c) (2015).

⁸³³ Iowa Code § 321J.2(4)(c) (2015).

⁸³⁴ Iowa Code § 81.1(1)(a) (2015).

⁸³⁵ Iowa Code § 81.1(1)(b) (2015).

⁸³⁶ Iowa Code § 321J.2(7)(c) (2015).

⁸³⁷ Iowa Code § 321J.2(7)(c) (2015).

⁸³⁸ Iowa Code § 321J.2(7)(c) (2015).

⁸³⁹ Iowa Code § 321J.2(7)(c) (2015).

⁸⁴⁰ Iowa Code § 321J.3(1)(g) (2015).

⁸⁴¹ Iowa Code § 321J.3(1)(g) (2015).

⁸⁴² Iowa Code § 321J.2(6) (2015).

⁸⁴³ Iowa Code § 321J.4(5) (2015).

- Driver's license revoked for 1 year in addition to any other period of suspension or revocation
- Ineligible for temporary restricted license until minimum period of ineligibility has expired under §§ 321J.4, 321J.9, 321J.12, or 321J.20
- Defendant shall surrender any Iowa license or permit
- court shall forward surrendered license or permit to DOT with a copy of the revocation order
- If violation of § 321J.2 involved death.⁸⁴⁴
 - In open court, the court shall consider information in the file and other evidence submitted, and determine:
 - whether the defendant's conduct in violation of § 321J.2 caused the death
 - If court determines death was caused by defendant's conduct:
 - Driver's license revoked for six years
 - Ineligible for any temporary restricted license for at least two years after the revocation
 - Defendant shall surrender any Iowa license or permit
 - Court shall forward surrendered license or permit to DOT with a copy of the revocation order
- ❖ Additional Penalties:
 - Prior to sentencing, order substance abuse evaluation⁸⁴⁵
 - at person's expense⁸⁴⁶
 - order person to follow recommendations from evaluation⁸⁴⁷
 - Court may commit person for inpatient treatment of alcoholism or drug addiction or dependency⁸⁴⁸
 - Time for treatment is credited against person's sentence⁸⁴⁹
 - Court may prescribe length of time for evaluation and treatment *or* may request hospital where person is committed report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁸⁵⁰
 - Assignment to substance abuse evaluation and treatment, course for drinking drivers, and reality education substance abuse prevent program per § 321J.24 if available and appropriate⁸⁵¹
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁸⁵²
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁸⁵³
 - If person fails to comply:
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work,⁸⁵⁴ *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court⁸⁵⁵
 - Upon DJ or conviction, may order person to install ignition interlock devices on all motor vehicles owned or operated by person⁸⁵⁶
 - Motor vehicle subject to impoundment for second or subsequent OWI offense, or operated while suspended, denied, revoked, or barred to violation of § 321J.2⁸⁵⁷

⁸⁴⁴ Iowa Code § 321J.4(6) (2015).

⁸⁴⁵ Iowa Code § 321J.2(7)(a) (2015).

⁸⁴⁶ Iowa Code § 321J.2(7)(a) (2015).

⁸⁴⁷ Iowa Code § 321J.2(7)(a) (2015).

⁸⁴⁸ Iowa Code § 321J.3(2)(a) (2015).

⁸⁴⁹ Iowa Code § 321J.3(2)(a) (2015).

⁸⁵⁰ Iowa Code § 321J.3(2)(b) (2015).

⁸⁵¹ Iowa Code §§ 321J.2(4)(d), (7)(b), 321J.3(1)(a) (2015).

⁸⁵² Iowa Code § 321J.3(1)(c) (2015).

⁸⁵³ Iowa Code § 321J.3(1)(d) (2015).

⁸⁵⁴ Iowa Code § 321J.3(1)(f) (2015).

⁸⁵⁵ Iowa Code § 321J.3(1)(f) (2015).

⁸⁵⁶ Iowa Code § 321J.4(8)(a) (2015).

§ 321J.2(2)(c)—Third and each subsequent offense

- ❖ In determining if violation is third or subsequent offense:
 - Previous offenses include:
 - DJ for violations of § 321J.2 entered per § 907.3⁸⁵⁸
 - Convictions or equivalent of DJ for violations of substantially corresponding statutes from other states⁸⁵⁹
 - Court shall take judicial notice of these statutes⁸⁶⁰
 - Each conviction or DJ entered before date the instant offense was charged is a separate offense⁸⁶¹
 - Previous offenses do not include:
 - Any conviction or revocation deleted from motor vehicle operating records per § 321.12⁸⁶²

Class = “D” felony⁸⁶³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁸⁶⁴	30 days, ⁸⁶⁵ see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ ⁸⁶⁶ or DS ⁸⁶⁷ ❖ but see Under 18 Sentencing SS Eligible, ⁸⁶⁸ but cannot suspend 30-day min. ⁸⁶⁹ See Notes

Fines

Max.	Min.	Can Suspend?
\$9375 ⁸⁷⁰	\$3125 ⁸⁷¹	Yes, but not the min. ⁸⁷²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁸⁷³	Yes, \$10 ⁸⁷⁴ but n/a if receive DJ, DS, or SS ⁸⁷⁵	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, 6 years per § 321J.4(4) ⁸⁷⁶ See Notes	Yes ⁸⁷⁷	No	No

⁸⁵⁷ Iowa Code § 321J.4B(2)(a) (2015).

⁸⁵⁸ Iowa Code § 321J.2(8)(b) (2015).

⁸⁵⁹ Iowa Code § 321J.2(8)(c) (2015).

⁸⁶⁰ Iowa Code § 321J.2(8)(c) (2015).

⁸⁶¹ Iowa Code § 321J.2(8)(c) (2015).

⁸⁶² Iowa Code § 321J.2(8)(a) (2015).

⁸⁶³ Iowa Code § 321J.2(2)(c) (2015).

⁸⁶⁴ Iowa Code § 321J.2(5)(a) (2015).

⁸⁶⁵ Iowa Code § 321J.2(5)(a) (2015).

⁸⁶⁶ See Iowa Code § 907.3(1)(a)(6)(b), (c) (2015).

⁸⁶⁷ See Iowa Code § 907.3(2)(a)(2)(b), (c) (2015).

⁸⁶⁸ See Iowa Code § 321J.2(5)(a)(1)–(2) (2015).

⁸⁶⁹ Iowa Code § 907.3(3)(c) (2015).

⁸⁷⁰ Iowa Code § 321J.2(5)(b) (2015).

⁸⁷¹ Iowa Code § 321J.2(5)(b) (2015).

⁸⁷² Iowa Code § 907.3(3)(c)

⁸⁷³ Iowa Code § 911.1(1) (2015).

⁸⁷⁴ Iowa Code § 911.2(1) (2015).

⁸⁷⁵ Iowa Code § 911.2(2) (2015).

⁸⁷⁶ Iowa Code § 321J.2(5)(c) (2015).

⁸⁷⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

Notes:

- ❖ Min. Jail/Prison Time:
 - Must be served on consecutive days⁸⁷⁸
 - Exception:
 - May order person to serve the minimum term in segments of at least 48 hours and to perform a specified number of unpaid community service hours⁸⁷⁹ if sentencing court finds:
 - ♦ service of full minimum term on consecutive days would be an undue hardship on person,⁸⁸⁰ *or*
 - ♦ sufficient jail space is not available and is not reasonably expected to become available within 4 months after sentencing⁸⁸¹
- ❖ DJ, DS, or SS Eligible:
 - If don't suspend sentence under § 321J.2(5)(a), person shall be assigned to a facility per § 904.513⁸⁸²
 - If do suspend sentence under § 321J.2(5)(a):
 - must order person to serve at least 30 days but no more than one year in county jail,⁸⁸³ *and*
 - may commit person to treatment in the community per § 907.6⁸⁸⁴
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁸⁸⁵
 - report to probation officer with proof of attendance at treatment or posttreatment program⁸⁸⁶
 - Additional terms and conditions, to the extent § 907.3 allows⁸⁸⁷
- ❖ License Revocation:
 - If violation of § 321J.2 involved a serious injury of a person other than the defendant⁸⁸⁸:
 - In open court, the court shall consider information in the file and other evidence submitted, and determine:
 - whether the defendant's conduct in violation of § 321J.2 caused the serious injury
 - If court determines serious injury was caused by defendant's conduct:
 - Driver's license revoked for one year in addition to any other period of suspension or revocation
 - Ineligible for temporary restricted license until minimum period of ineligibility has expired under §§ 321J.4, 321J.9, 321J.12, or 321J.20
 - Defendant shall surrender any Iowa license or permit
 - court shall forward surrendered license or permit to DOT with a copy of the revocation order
 - If violation of § 321J.2 involved death:⁸⁸⁹
 - In open court, the court shall consider information in the file and other evidence submitted, and determine:
 - whether the defendant's conduct in violation of § 321J.2 caused the death
 - If court determines death was caused by defendant's conduct:
 - Driver's license revoked for six years
 - Ineligible for any temporary restricted license for at least two years after the revocation
 - Defendant shall surrender any Iowa license or permit
 - Court shall forward surrendered license or permit to DOT with a copy of the revocation order
- ❖ Additional Penalties:
 - Prior to sentencing, order substance abuse evaluation⁸⁹⁰

⁸⁷⁸ Iowa Code § 321J.2(7)(c) (2015).

⁸⁷⁹ Iowa Code § 321J.2(7)(c) (2015).

⁸⁸⁰ Iowa Code § 321J.2(7)(c) (2015).

⁸⁸¹ Iowa Code § 321J.2(7)(c) (2015).

⁸⁸² Iowa Code § 321J.2(5)(a)(1) (2015).

⁸⁸³ Iowa Code § 321J.2(5)(a)(2) (2015).

⁸⁸⁴ Iowa Code § 321J.2(5)(a)(2) (2015).

⁸⁸⁵ Iowa Code § 321J.3(1)(g) (2015).

⁸⁸⁶ Iowa Code § 321J.3(1)(g) (2015).

⁸⁸⁷ Iowa Code § 321J.2(6) (2015).

⁸⁸⁸ Iowa Code § 321J.4(5) (2015).

⁸⁸⁹ Iowa Code § 321J.4(6) (2015).

⁸⁹⁰ Iowa Code § 321J.2(7)(a) (2015).

- at person's expense⁸⁹¹
- order person to follow recommendations from evaluation⁸⁹²
- Court may commit person for inpatient treatment of alcoholism or drug addiction or dependency⁸⁹³
 - Time for treatment is credited against person's sentence⁸⁹⁴
 - Court may prescribe length of time for evaluation and treatment *or* may request hospital where person is committed report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁸⁹⁵
- Assignment to substance abuse evaluation and treatment, course for drinking drivers, and reality education substance abuse prevent program per § 321J.24 if available and appropriate⁸⁹⁶
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁸⁹⁷
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁸⁹⁸
 - If person fails to comply:
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work,⁸⁹⁹ *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court⁹⁰⁰
- Upon DJ or conviction, may order person to install ignition interlock devices on all motor vehicles owned or operated by person⁹⁰¹
- Motor vehicle subject to impoundment for second or subsequent OWI offense, or operated while suspended, denied, revoked, or barred to violation of § 321J.2⁹⁰²

⁸⁹¹ Iowa Code § 321J.2(7)(a) (2015).

⁸⁹² Iowa Code § 321J.2(7)(a) (2015).

⁸⁹³ Iowa Code § 321J.3(2)(a) (2015).

⁸⁹⁴ Iowa Code § 321J.3(2)(a) (2015).

⁸⁹⁵ Iowa Code § 321J.3(2)(b) (2015).

⁸⁹⁶ Iowa Code § 321J.2(5)(d), (7)(b) (2015).

⁸⁹⁷ Iowa Code § 321J.3(1)(c) (2015).

⁸⁹⁸ Iowa Code § 321J.3(1)(d) (2015).

⁸⁹⁹ Iowa Code § 321J.3(1)(f) (2015).

⁹⁰⁰ Iowa Code § 321J.3(1)(f) (2015).

⁹⁰¹ Iowa Code § 321J.4(8)(a) (2015).

⁹⁰² Iowa Code § 321J.4B(2)(a) (2015).

§ 321J.21—Driving While License Suspended, Denied, Revoked, or Barred

Class = serious misdemeanor⁹⁰³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁹⁰⁴	0 ⁹⁰⁵	N/A	Yes ⁹⁰⁶

Fines

Max.	Min.	Can Suspend?
\$1000 ⁹⁰⁷	\$1000 ⁹⁰⁸	No ⁹⁰⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹¹⁰	Yes, \$10 ⁹¹¹ but n/a if receive DJ, DS, or SS ⁹¹²	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, see Notes	No	No	No

Notes:

❖ License Revocation:

- Period of revocation shall be extended for an additional period of time which is of the same length of time as the initial period of revocation⁹¹³
 - No new license shall be issued during this additional period⁹¹⁴

❖ Additional Penalty:

- Motor vehicle subject to impoundment for second or subsequent OWI offense, or operated while suspended, denied, revoked, or barred to violation of § 321J.2⁹¹⁵

⁹⁰³ Iowa Code § 321J.21(1) (2015).

⁹⁰⁴ Iowa Code § 903.1(1)(b) (2015).

⁹⁰⁵ Iowa Code § 903.1(1)(b) (2015).

⁹⁰⁶ See Iowa Code § 907.3 (2015).

⁹⁰⁷ Iowa Code § 321J.21(1) (2015).

⁹⁰⁸ Iowa Code § 321J.21(1)(2015).

⁹⁰⁹ Iowa Code § 903.1(1) (2015).

⁹¹⁰ Iowa Code § 911.1(1) (2015).

⁹¹¹ Iowa Code § 911.2(1) (2015).

⁹¹² Iowa Code § 911.2(2) (2015).

⁹¹³ Iowa Code § 321J.21(2) (2015).

⁹¹⁴ Iowa Code § 321J.21(2) (2015).

⁹¹⁵ Iowa Code § 321J.4B(2)(a) (2015).

Chapters 400–499B

CH. 453B EXCISE TAX ON UNLAWFUL DEALING IN CERTAIN SUBSTANCES

§ 453B.12(2)–(4)—*Unlawful Use or Failure to Use Appropriate Stamp, Label, or Other Indicia*

Class = “D” felony⁹¹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁹¹⁷	0 ⁹¹⁸	No, but see Enhancements	Yes ⁹¹⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁹²⁰	\$750 ⁹²¹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹²²	No	No	No	No	Yes, \$125 ⁹²³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, 180 days ⁹²⁴ See Notes	Yes ⁹²⁵	No	No

Notes:

❖ License Revocation:

- if person’s license is suspended or revoked at time of sentencing, 180-day period does not begin until all other suspensions and revocations have been terminated⁹²⁶

⁹¹⁶ Iowa Code § 453B.12(2)–(4) (2015).

⁹¹⁷ Iowa Code § 902.9(1)(e) (2015).

⁹¹⁸ Iowa Code § 902.9(1)(e) (2015).

⁹¹⁹ See Iowa Code § 907.3 (2015).

⁹²⁰ Iowa Code § 902.9(1)(e) (2015).

⁹²¹ Iowa Code § 902.9(1)(e) (2015).

⁹²² Iowa Code § 911.1(1) (2015).

⁹²³ Iowa Code § 911.3(1) (2015).

⁹²⁴ Iowa Code § 901.5(10)(a)(3) (2015).

⁹²⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁹²⁶ Iowa Code § 901.5(10)(b) (2015).

CH. 462A OPERATING BOAT WHILE INTOXICATED

§ 462A.14—Operating a Motorboat or Sailboat While Intoxicated

§ 462A.14(2)(a)—First offense

Class = serious misdemeanor⁹²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁹²⁸	48 hours ⁹²⁹	N/A	Yes, ⁹³⁰ except: <ul style="list-style-type: none">❖ not eligible if any of the following apply:<ul style="list-style-type: none">➤ BAC > .15⁹³¹➤ prior conviction of § 462A.14(1) or substantially corresponding statute in another state⁹³²➤ previous DJ or DS for violation of § 462A.14(1) or substantially corresponding statute in another state⁹³³➤ refused to consent to testing in accordance with § 462A.14A⁹³⁴➤ offense results in bodily injury to person other than offender⁹³⁵❖ cannot suspend mandatory minimum sentence⁹³⁶ See Notes

❖ Court may accommodate person's work schedule in ordering service of the sentence, at the court's discretion⁹³⁷

Fines

Max.	Min.	Can Suspend?
\$1000 ⁹³⁸	\$1000 ⁹³⁹	Yes, ⁹⁴⁰ except: <ul style="list-style-type: none">❖ not eligible if any of the following apply:<ul style="list-style-type: none">➤ BAC > .15⁹⁴¹➤ prior conviction of § 462A.14(1) or substantially corresponding statute in another state⁹⁴²➤ previous DJ or DS for violation of § 462A.14(1) or substantially corresponding statute in another state⁹⁴³➤ refused to consent to testing in accordance with § 462A.14A⁹⁴⁴➤ offense results in bodily injury to person other than offender⁹⁴⁵ Court may waive up to \$500 of the fine if no personal or property injury resulted ⁹⁴⁶ Alternative to some or all of the fine: <ul style="list-style-type: none">❖ Court may order person to perform unpaid community service⁹⁴⁷

⁹²⁷ Iowa Code § 462A.14(2)(a) (2015).

⁹²⁸ Iowa Code § 903.1(1)(b) (2015).

⁹²⁹ Iowa Code § 462A.14(2)(a)(1) (2015).

⁹³⁰ See Iowa Code § 462A.14(3)(a) (2015).

⁹³¹ Iowa Code § 462A.14(3)(a)(1) (2015).

⁹³² Iowa Code § 462A.14(3)(a)(2) (2015).

⁹³³ Iowa Code § 462A.14(3)(a)(3) (2015).

⁹³⁴ Iowa Code § 462A.14(3)(a)(4) (2015).

⁹³⁵ Iowa Code § 462A.14(3)(a)(5) (2015).

⁹³⁶ Iowa Code § 907.3(3)(f) (2015).

⁹³⁷ Iowa Code § 462A.14(2)(a)(1) (2015).

⁹³⁸ Iowa Code § 462A.14(2)(a)(2) (2015).

⁹³⁹ Iowa Code § 462A.14(2)(a)(2) (2015).

⁹⁴⁰ See Iowa Code § 462A.14(3)(a) (2015).

⁹⁴¹ Iowa Code § 462A.14(3)(a)(1) (2015).

⁹⁴² Iowa Code § 462A.14(3)(a)(2) (2015).

⁹⁴³ Iowa Code § 462A.14(3)(a)(3) (2015).

⁹⁴⁴ Iowa Code § 462A.14(3)(a)(4) (2015).

⁹⁴⁵ Iowa Code § 462A.14(3)(a)(5) (2015).

⁹⁴⁶ Iowa Code § 462A.14(2)(a)(2) (2015).

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹⁴⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	No	No	No

Notes:

- ❖ DJ, DS, or SS Eligible:
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁹⁴⁹
 - report to probation officer with proof of attendance at treatment or posttreatment program⁹⁵⁰
- ❖ License Revocation:
 - Prohibited from operating a motorboat or sailboat for one year, pursuant to court order⁹⁵¹
- ❖ Additional Penalties:
 - Substance abuse evaluation and treatment, and a course for drinking drivers⁹⁵²
 - At person's expense⁹⁵³
 - Person to follow recommendations proposed in substance abuse evaluation⁹⁵⁴
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁹⁵⁵
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁹⁵⁶
 - If person fails to comply:⁹⁵⁷
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work, *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court

⁹⁴⁷ Iowa Code § 462A.14(2)(a)(2) (2015).

⁹⁴⁸ Iowa Code § 911.1(1) (2015).

⁹⁴⁹ Iowa Code § 462A.14(12)(h) (2015).

⁹⁵⁰ Iowa Code § 462A.14(12)(h) (2015).

⁹⁵¹ Iowa Code § 462A.14(2)(a)(3) (2015).

⁹⁵² Iowa Code § 462A.14(2)(a)(4) (2015).

⁹⁵³ Iowa Code § 462A.14(12)(a) (2015).

⁹⁵⁴ Iowa Code § 462A.14(12)(b) (2015).

⁹⁵⁵ Iowa Code § 462A.14(12)(d) (2015).

⁹⁵⁶ Iowa Code § 462A.14(12)(e) (2015).

⁹⁵⁷ Iowa Code § 462A.14(12)(g) (2015).

§ 462A.14(2)(b)—Second offense

❖ In determining if violation is second offense:

➤ Previous offenses include:

- any conviction under § 462A.14 within previous 12 years⁹⁵⁸
- DJ for violations of § 462A.14 entered per § 907.3⁹⁵⁹
- Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state⁹⁶⁰
 - Court shall take judicial notice of these statutes⁹⁶¹
 - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense⁹⁶²

Class = aggravated misdemeanor⁹⁶³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁹⁶⁴	7 days, ⁹⁶⁵ see Notes	N/A if jail 7 days if prison	Not eligible for DJ ⁹⁶⁶ or DS ⁹⁶⁷ SS eligible, except cannot suspend mandatory minimum sentence ⁹⁶⁸ See Notes

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁹⁶⁹

Fines

Max	Min.	Can Suspend?
\$5000 ⁹⁷⁰	\$1500 ⁹⁷¹	No ⁹⁷²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹⁷³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes ⁹⁷⁴	No	No

Notes:

❖ Min. Jail/Prison Time:

⁹⁵⁸ Iowa Code § 462A.14(4)(a) (2015).

⁹⁵⁹ Iowa Code § 462A.14(4)(b) (2015).

⁹⁶⁰ Iowa Code § 462A.14(4)(c) (2015).

⁹⁶¹ Iowa Code § 462A.14(4)(c) (2015).

⁹⁶² Iowa Code § 462A.14(4)(c) (2015).

⁹⁶³ Iowa Code § 462A.14(2)(b) (2015).

⁹⁶⁴ Iowa Code § 903.1(2) (2015).

⁹⁶⁵ Iowa Code § 462A.14(2)(b)(1) (2015).

⁹⁶⁶ Iowa Code § 462A.14(3)(a)(2), (3) (2015).

⁹⁶⁷ Iowa Code § 462A.14(3)(a)(2), (3) (2015).

⁹⁶⁸ Iowa Code § 462A.14(3)(a)(2), (3) (2015); *accord id.* § 907.3(3)(f).

⁹⁶⁹ Iowa Code § 903.1(2) (2015).

⁹⁷⁰ Iowa Code § 462A.14(2)(b)(2) (2015).

⁹⁷¹ Iowa Code § 462A.14(2)(b)(2) (2015).

⁹⁷² See Iowa Code § 462A.14(3)(a) (2015).

⁹⁷³ Iowa Code § 911.1(1) (2015).

⁹⁷⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

- minimum term of imprisonment must be served on consecutive days⁹⁷⁵
 - Exception:⁹⁷⁶
 - May order person to serve the minimum term in segments of at least 48 hours and to perform a specified number of unpaid community service hours if sentencing court finds:
 - ♦ service of full minimum term on consecutive days would be an undue hardship on person, *or*
 - ♦ sufficient jail space is not available and is not reasonably expected to become available within 4 months after sentencing
- ❖ SS Eligible:
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁹⁷⁷
 - report to probation officer with proof of attendance at treatment or posttreatment program⁹⁷⁸
- ❖ License Revocation:
 - Prohibited from operating motorboat or sailboat for two years⁹⁷⁹
- ❖ Additional Penalties:
 - Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency⁹⁸⁰
 - Time for treatment is credited against person's sentence⁹⁸¹
 - Court may prescribe length of time for evaluation and treatment *or* may request hospital where person is committed report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁹⁸²
 - Substance abuse evaluation and treatment, and course for drinking drivers⁹⁸³
 - At person's expense⁹⁸⁴
 - Person to follow recommendations proposed in substance abuse evaluation⁹⁸⁵
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁹⁸⁶
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁹⁸⁷
 - If person fails to comply:⁹⁸⁸
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work, *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court

⁹⁷⁵ Iowa Code § 462A.14(3)(b) (2015).

⁹⁷⁶ Iowa Code § 462A.14(3)(b) (2015).

⁹⁷⁷ Iowa Code § 462A.14(12)(h) (2015).

⁹⁷⁸ Iowa Code § 462A.14(12)(h) (2015).

⁹⁷⁹ Iowa Code § 462A.14(2)(b)(3) (2015).

⁹⁸⁰ Iowa Code § 462A.14(13)(a) (2015).

⁹⁸¹ Iowa Code § 462A.14(13)(a) (2015).

⁹⁸² Iowa Code § 462A.14(13)(b) (2015).

⁹⁸³ Iowa Code § 462A.14(2)(b)(4) (2015).

⁹⁸⁴ Iowa Code § 462A.14(12)(a) (2015).

⁹⁸⁵ Iowa Code § 462A.14(12)(b) (2015).

⁹⁸⁶ Iowa Code § 462A.14(12)(d) (2015).

⁹⁸⁷ Iowa Code § 462A.14(12)(e) (2015).

⁹⁸⁸ Iowa Code § 462A.14(12)(g) (2015).

§ 462A.14(2)(c)—Third and each subsequent offense

❖ In determining if violation is second offense:

➤ Previous offenses include:

- any conviction under § 462A.14 within previous 12 years⁹⁸⁹
- DJ for violations of § 462A.14 entered per § 907.3⁹⁹⁰
- Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state⁹⁹¹
 - Court shall take judicial notice of these statutes⁹⁹²
 - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense⁹⁹³

Class = “D” felony⁹⁹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year, ⁹⁹⁵ see Notes	30 days, ⁹⁹⁶ see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ ⁹⁹⁷ or DS ⁹⁹⁸ SS eligible, except cannot suspend mandatory minimum sentence ⁹⁹⁹ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁰⁰⁰	\$2500 ¹⁰⁰¹	No ¹⁰⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁰⁰³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes ¹⁰⁰⁴	No	No

⁹⁸⁹ Iowa Code § 462A.14(4)(a) (2015).

⁹⁹⁰ Iowa Code § 462A.14(4)(b) (2015).

⁹⁹¹ Iowa Code § 462A.14(4)(c) (2015).

⁹⁹² Iowa Code § 462A.14(4)(c) (2015).

⁹⁹³ Iowa Code § 462A.14(4)(c) (2015).

⁹⁹⁴ Iowa Code § 462A.14(2)(c) (2015).

⁹⁹⁵ Iowa Code § 462A.14(2)(c)(1) (2015).

⁹⁹⁶ Iowa Code § 462A.14(2)(c)(1) (2015).

⁹⁹⁷ Iowa Code § 462A.14(3)(a)(2), (3) (2015).

⁹⁹⁸ Iowa Code § 462A.14(3)(a)(2), (3) (2015).

⁹⁹⁹ Iowa Code § 462A.14(3)(a)(2), (3) (2015); *accord id.* § 907.3(3)(f).

¹⁰⁰⁰ Iowa Code § 462A.14(2)(c)(2) (2015).

¹⁰⁰¹ Iowa Code § 462A.14(2)(c)(2) (2015).

¹⁰⁰² See Iowa Code § 462A.14(3)(a) (2015).

¹⁰⁰³ Iowa Code § 911.1(1) (2015).

¹⁰⁰⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

Notes:

- ❖ Max. & Min. Jail/Prison Time:
 - sentence is a determinate sentence¹⁰⁰⁵
 - person may be committed to:
 - the custody of the director of the department of corrections, who shall assign person to a facility per § 904.513,¹⁰⁰⁶ *or*
 - treatment in the community under § 907.13¹⁰⁰⁷
 - minimum term of imprisonment must be served on consecutive days¹⁰⁰⁸
 - Exception:¹⁰⁰⁹
 - May order person to serve the minimum term in segments of at least 48 hours and to perform a specified number of unpaid community service hours if sentencing court finds:
 - ◆ service of full minimum term on consecutive days would be an undue hardship on person, *or*
 - ◆ sufficient jail space is not available and is not reasonably expected to become available within 4 months after sentencing
- ❖ SS Eligible:
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services¹⁰¹⁰
 - report to probation officer with proof of attendance at treatment or posttreatment program¹⁰¹¹
- ❖ License Revocation:
 - Prohibited from operating motorboat or sailboat for six years¹⁰¹²
- ❖ Additional Penalties:
 - Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency¹⁰¹³
 - Time for treatment is credited against person's sentence¹⁰¹⁴
 - Court may prescribe length of time for evaluation and treatment *or* may request hospital where person is committed report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs¹⁰¹⁵
 - Substance abuse evaluation and treatment, and course for drinking drivers¹⁰¹⁶
 - At person's expense¹⁰¹⁷
 - Person to follow recommendations proposed in substance abuse evaluation¹⁰¹⁸
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs¹⁰¹⁹
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation¹⁰²⁰
 - If person fails to comply:¹⁰²¹

¹⁰⁰⁵ Iowa Code § 462A.14(2)(c)(1) (2015).

¹⁰⁰⁶ Iowa Code § 462A.14(2)(c)(1) (2015).

¹⁰⁰⁷ Iowa Code § 462A.14(2)(c)(1) (2015).

¹⁰⁰⁸ Iowa Code § 462A.14(3)(b) (2015).

¹⁰⁰⁹ Iowa Code § 462A.14(3)(b) (2015).

¹⁰¹⁰ Iowa Code § 462A.14(12)(h) (2015).

¹⁰¹¹ Iowa Code § 462A.14(12)(h) (2015).

¹⁰¹² Iowa Code § 462A.14(2)(c)(3) (2015).

¹⁰¹³ Iowa Code § 462A.14(13)(a) (2015).

¹⁰¹⁴ Iowa Code § 462A.14(13)(a) (2015).

¹⁰¹⁵ Iowa Code § 462A.14(13)(b) (2015).

¹⁰¹⁶ Iowa Code § 462A.14(2)(c)(4) (2015).

¹⁰¹⁷ Iowa Code § 462A.14(12)(a) (2015).

¹⁰¹⁸ Iowa Code § 462A.14(12)(b) (2015).

¹⁰¹⁹ Iowa Code § 462A.14(12)(d) (2015).

¹⁰²⁰ Iowa Code § 462A.14(12)(e) (2015).

¹⁰²¹ Iowa Code § 462A.14(12)(g) (2015).

- Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work, *and*
- Shall be placed on probation for one year where violation of this probation is punishable as contempt of court

§ 462A.14(2)(d)—Resulting in serious injury to persons other than offender

- ❖ court must determine that the person who committed the offense caused the serious injury¹⁰²²

Class = “D” felony¹⁰²³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years, ¹⁰²⁴ see Notes	30 days, ¹⁰²⁵ see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ ¹⁰²⁶ or DS ¹⁰²⁷ SS eligible, except cannot suspend mandatory minimum sentence ¹⁰²⁸ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁰²⁹	\$2500 ¹⁰³⁰	No ¹⁰³¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁰³²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes ¹⁰³³	No	No

Notes:

- ❖ Max. & Min. Jail/Prison Time:
 - sentence is a determinate sentence¹⁰³⁴
 - alternatively, person may be committed to the custody of the director of the department of corrections¹⁰³⁵
 - if so assigned, director shall assign person to facility per § 904.513¹⁰³⁶
- ❖ License Revocation:
 - Prohibited from operating motorboat or sailboat for one year in addition to any other period of prohibition imposed¹⁰³⁷
- ❖ Additional Penalties:
 - If second or subsequent offense:

¹⁰²² Iowa Code § 462A.14(2)(d) (2015).

¹⁰²³ Iowa Code § 462A.14(2)(d) (2015).

¹⁰²⁴ Iowa Code § 462A.14(2)(d) (2015).

¹⁰²⁵ Iowa Code § 462A.14(2)(d) (2015).

¹⁰²⁶ See Iowa Code § 462A.14(3)(a)(5) (2015).

¹⁰²⁷ See Iowa Code § 462A.14(3)(a)(5) (2015).

¹⁰²⁸ See Iowa Code § 462A.14(3)(a) (2015); see also *id.* § 907.3(3)(f).

¹⁰²⁹ Iowa Code § 462A.14(2)(d) (2015).

¹⁰³⁰ Iowa Code § 462A.14(2)(d) (2015).

¹⁰³¹ See Iowa Code § 462A.14(3)(a)(5) (2015).

¹⁰³² Iowa Code § 911.1(1) (2015).

¹⁰³³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁰³⁴ Iowa Code § 462A.14(2)(d) (2015).

¹⁰³⁵ Iowa Code § 462A.14(2)(d) (2015).

¹⁰³⁶ Iowa Code § 462A.14(2)(d) (2015).

¹⁰³⁷ Iowa Code § 462A.14(2)(d) (2015).

- Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency¹⁰³⁸
 - Time for treatment is credited against person's sentence¹⁰³⁹
 - Court may prescribe length of time for evaluation and treatment *or* may request hospital where person is committed report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs¹⁰⁴⁰
- In determining if violation is second or subsequent offense:
 - Previous offenses include:
 - ♦ any conviction under § 462A.14 within previous 12 years¹⁰⁴¹
 - ♦ DJ for violations of § 462A.14 entered per § 907.3¹⁰⁴²
 - ♦ Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state¹⁰⁴³
 - Court shall take judicial notice of these statutes¹⁰⁴⁴
 - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense¹⁰⁴⁵
- Substance abuse evaluation and treatment, and course for drinking drivers¹⁰⁴⁶
 - At person's expense¹⁰⁴⁷
 - Person to follow recommendations proposed in substance abuse evaluation¹⁰⁴⁸
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs¹⁰⁴⁹
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation¹⁰⁵⁰
 - If person fails to comply:¹⁰⁵¹
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work, *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court

¹⁰³⁸ Iowa Code § 462A.14(13)(a) (2015).

¹⁰³⁹ Iowa Code § 462A.14(13)(a) (2015).

¹⁰⁴⁰ Iowa Code § 462A.14(13)(b) (2015).

¹⁰⁴¹ Iowa Code § 462A.14(4)(a) (2015).

¹⁰⁴² Iowa Code § 462A.14(4)(b) (2015).

¹⁰⁴³ Iowa Code § 462A.14(4)(c) (2015).

¹⁰⁴⁴ Iowa Code § 462A.14(4)(c) (2015).

¹⁰⁴⁵ Iowa Code § 462A.14(4)(c) (2015).

¹⁰⁴⁶ Iowa Code § 462A.14(2)(d) (2015).

¹⁰⁴⁷ Iowa Code § 462A.14(12)(a) (2015).

¹⁰⁴⁸ Iowa Code § 462A.14(12)(b) (2015).

¹⁰⁴⁹ Iowa Code § 462A.14(12)(d) (2015).

¹⁰⁵⁰ Iowa Code § 462A.14(12)(e) (2015).

¹⁰⁵¹ Iowa Code § 462A.14(12)(g) (2015).

§ 462A.14(2)(e)—Resulting in death to persons other than offender

❖ Court must determine that the person who committed the offense caused the death¹⁰⁵²

Class = “B” felony¹⁰⁵³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years, ¹⁰⁵⁴ see Notes	0, ¹⁰⁵⁵ see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ ¹⁰⁵⁶ or DS ¹⁰⁵⁷ SS eligible, except cannot suspend mandatory minimum sentence ¹⁰⁵⁸ See Notes

Fines

Max.	Min.	Can Suspend?
0 ¹⁰⁵⁹	0 ¹⁰⁶⁰	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes ¹⁰⁶¹	No	No

Notes:

- ❖ Max. & Min. Jail/Prison Time:
 - sentence is a determinate sentence¹⁰⁶²
 - alternatively, person may be committed to the custody of the director of the department of corrections¹⁰⁶³
 - if so assigned, director shall assign person to facility per § 904.513¹⁰⁶⁴
- ❖ License Revocation:
 - Prohibited from operating motorboat or sailboat for six years¹⁰⁶⁵
- ❖ Additional Penalties:
 - If second or subsequent offense:
 - Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency¹⁰⁶⁶

¹⁰⁵² Iowa Code § 462A.14(2)(e) (2015).

¹⁰⁵³ Iowa Code § 462A.14(2)(e) (2015).

¹⁰⁵⁴ Iowa Code § 462A.14(2)(d) (2015).

¹⁰⁵⁵ Iowa Code § 462A.14(2)(d) (2015).

¹⁰⁵⁶ See Iowa Code § 462A.14(3)(a)(5) (2015).

¹⁰⁵⁷ See Iowa Code § 462A.14(3)(a)(5) (2015).

¹⁰⁵⁸ See Iowa Code § 462A.14(3)(a) (2015); see also *id.* § 907.3(3)(f).

¹⁰⁵⁹ See Iowa Code § 462A.14(2)(e), 902.9(1)(b) (2015).

¹⁰⁶⁰ See Iowa Code § 462A.14(2)(e), 902.9(1)(b) (2015).

¹⁰⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁰⁶² Iowa Code § 462A.14(2)(e) (2015).

¹⁰⁶³ Iowa Code § 462A.14(2)(e) (2015).

¹⁰⁶⁴ Iowa Code § 462A.14(2)(e) (2015).

¹⁰⁶⁵ Iowa Code § 462A.14(2)(e) (2015).

¹⁰⁶⁶ Iowa Code § 462A.14(13)(a) (2015).

- Time for treatment is credited against person's sentence¹⁰⁶⁷
- Court may prescribe length of time for evaluation and treatment *or* may request hospital where person is committed report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs¹⁰⁶⁸
- In determining if violation is second or subsequent offense:
 - Previous offenses include:
 - ♦ any conviction under § 462A.14 within previous 12 years¹⁰⁶⁹
 - ♦ DJ for violations of § 462A.14 entered per § 907.3¹⁰⁷⁰
 - ♦ Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state¹⁰⁷¹
 - Court shall take judicial notice of these statutes¹⁰⁷²
 - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense¹⁰⁷³
- Substance abuse evaluation and treatment, and course for drinking drivers¹⁰⁷⁴
 - At person's expense¹⁰⁷⁵
 - Person to follow recommendations proposed in substance abuse evaluation¹⁰⁷⁶
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs¹⁰⁷⁷
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation¹⁰⁷⁸
 - If person fails to comply:¹⁰⁷⁹
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work, *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court

¹⁰⁶⁷ Iowa Code § 462A.14(13)(a) (2015).

¹⁰⁶⁸ Iowa Code § 462A.14(13)(b) (2015).

¹⁰⁶⁹ Iowa Code § 462A.14(4)(a) (2015).

¹⁰⁷⁰ Iowa Code § 462A.14(4)(b) (2015).

¹⁰⁷¹ Iowa Code § 462A.14(4)(c) (2015).

¹⁰⁷² Iowa Code § 462A.14(4)(c) (2015).

¹⁰⁷³ Iowa Code § 462A.14(4)(c) (2015).

¹⁰⁷⁴ Iowa Code § 462A.14(2)(e) (2015).

¹⁰⁷⁵ Iowa Code § 462A.14(12)(a) (2015).

¹⁰⁷⁶ Iowa Code § 462A.14(12)(b) (2015).

¹⁰⁷⁷ Iowa Code § 462A.14(12)(d) (2015).

¹⁰⁷⁸ Iowa Code § 462A.14(12)(e) (2015).

¹⁰⁷⁹ Iowa Code § 462A.14(12)(g) (2015).

omitted from this draft

Chapters 600–699

Ch. 664A No-Contact Orders & Protective Orders

§ 664A.7—Violation of No-Contact or Protective Order

§ 664A.7(3)—Convicted of or Held in contempt of no-contact order from § 664A.2(1) or issued during contempt proceeding brought per § 236.11 (See Authors’ Note below)

Class = n/a¹⁰⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
6 months ¹⁰⁸¹	7 days ¹⁰⁸²	N/A	No ¹⁰⁸³ and cannot suspend 7-day min. ¹⁰⁸⁴

❖ 7-day minimum shall be served on consecutive days¹⁰⁸⁵

Fines

Max.	Min.	Can Suspend?
\$500 ¹⁰⁸⁶	0 ¹⁰⁸⁷	No ¹⁰⁸⁸

❖ Fine may be imposed in addition to minimum sentence but shall not be imposed in lieu of minimum sentence¹⁰⁸⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁰⁹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

AUTHORS’ NOTE: The alternatives and cross references make section 664A.7 confusing. This section, 664A.7(3), provides alternative remedies for a violation of a no-contact order or a modified no-contact order for a public offense referred to in section 664A.2(1): conviction or contempt. Section 664A.2(1) applies to no-contact orders in section 708.2A, 708.7, 708.11, 709.2–4, and to any other public offense victim. Section 664A.7(5) identifies a public offense punishable as a simple misdemeanor for specified violations of a no-contact order for an offense or alleged offense of domestic abuse in violation of section 708.2A or a protective order issued pursuant to chapter 232, 232F, 236, 598 or 915. We have not found authority for classification of a public offense for the sections listed in section 664A.2(1) that are not listed in section 664A.7(5). Contempt may be the only remedy for those violations, but the authors remain uncertain. Further, there appears to conflict or overlap that remains unresolved between section 664A.7, subparagraphs (3)–(5). Only one set of punishment is applicable to an offense: simple misdemeanor consequences as enhanced or limited by section 664A.7 or contempt as enhanced or limited by section 664A.7.

¹⁰⁸⁰ See Iowa Code § 664A.7(3) (2015).

¹⁰⁸¹ Iowa Code §§ 664A.7(5), 665.4(2) (2015).

¹⁰⁸² Iowa Code § 664A.7(3) (2015).

¹⁰⁸³ Iowa Code § 664A.7(3) (2015); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).

¹⁰⁸⁴ Iowa Code § 664A.7(3) (2015).

¹⁰⁸⁵ Iowa Code § 664A.7(3) (2015).

¹⁰⁸⁶ Iowa Code § 665.4(2) (2015).

¹⁰⁸⁷ See Iowa Code §§ 664A.7(3), 665.4 (2015).

¹⁰⁸⁸ Iowa Code § 664A.7(3) (2015); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).

¹⁰⁸⁹ Iowa Code § 664A.7(3) (2015).

¹⁰⁹⁰ Iowa Code § 911.1(1) (2015).

§ 664A.7(4)—Convicted of or held in contempt for violation of civil protective order from § 664A.2(1) (See Authors' Note to section 664A.7(3))

Class = n/a¹⁰⁹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days simple ¹⁰⁹² 6 mo. contempt ¹⁰⁹³	None ¹⁰⁹⁴	N/A	No ¹⁰⁹⁵

❖ Any jail sentence imposed per § 664A.7(4) shall be served on consecutive days¹⁰⁹⁶

Fines

Max.	Min.	Can Suspend?
\$625 simple ¹⁰⁹⁷ \$500 contempt ¹⁰⁹⁸	\$65 simple 0 contempt ¹⁰⁹⁹	No ¹¹⁰⁰

❖ Fine may be imposed in addition to minimum sentence but shall not be imposed in lieu of minimum sentence¹¹⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁰²	No	No	No	Maybe, see Notes	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

- ❖ DA Prot. Order Contempt Surcharge:
 - applies to person “held in contempt of court for violating a domestic abuse protective order issued pursuant to chapter 236”¹¹⁰³
 - if applicable, surcharge is \$50¹¹⁰⁴

¹⁰⁹¹ See Iowa Code § 664A.7(4) (2015).

¹⁰⁹² Iowa Code §§ 664A.7(5)(for specified violations), 903.1(a) (2015).

¹⁰⁹³ Iowa Code §§ 664A.7(5), 665.4(2) (2015).

¹⁰⁹⁴ Iowa Code § 664A.7(4) (2015).

¹⁰⁹⁵ Iowa Code § 664A.7(3) (2015); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).

¹⁰⁹⁶ Iowa Code § 664A.7(4) (2015).

¹⁰⁹⁷ Iowa Code § 907.3(1)(a) (2015).

¹⁰⁹⁸ Iowa Code § 665.4(2) (2015).

¹⁰⁹⁹ See Iowa Code §§ 907.3(1)(a), 664A.7(4), 665.4 (2015).

¹¹⁰⁰ Iowa Code § 664A.7(3) (2015); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).

¹¹⁰¹ Iowa Code § 664A.7(3) (2015).

¹¹⁰² Iowa Code § 911.1(1) (2015).

¹¹⁰³ Iowa Code § 911.2C(1) (2015).

¹¹⁰⁴ Iowa Code § 911.2C(1) (2015).

§ 664A.7(5)—Violation of no-contact entered for DAA in § 708.2A or protective order issued per chapters 232, 235F, 236, 598, or 915 (See Authors' Note to section 664A.7(3))

Class = simple misdemeanor¹¹⁰⁵

❖ Alternative: may hold person in contempt and punish per § 664A.7(3), *see supra*

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹¹⁰⁶	7 days ¹¹⁰⁷	N/A	No ¹¹⁰⁸

❖ 7-day minimum shall be served on consecutive days¹¹⁰⁹

Fines

Max.	Min.	Can Suspend?
\$625 ¹¹¹⁰	\$65 ¹¹¹¹	No ¹¹¹²

❖ Fine may be imposed in addition to minimum sentence but shall not be imposed in lieu of minimum sentence¹¹¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

¹¹⁰⁵ Iowa Code § 664A.7(5) (2015).

¹¹⁰⁶ Iowa Code § 903.1(1)(a) (2015).

¹¹⁰⁷ Iowa Code § 664A.7(3) (2015).

¹¹⁰⁸ Iowa Code § 664A.7(3) (2015).

¹¹⁰⁹ Iowa Code § 664A.7(3) (2015).

¹¹¹⁰ Iowa Code § 903.1(1)(a) (2015).

¹¹¹¹ Iowa Code § 903.1(1)(a) (2015).

¹¹¹² Iowa Code § 903.1(1) (2015).

¹¹¹³ Iowa Code § 664A.7(3) (2015).

¹¹¹⁴ Iowa Code § 911.1(1) (2015).

Ch. 692A Sex Offender Registry

§ 692A.111(1)—Failure to register

First Offense

Class = aggravated misdemeanor¹¹¹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹¹¹⁶	0 ¹¹¹⁷	None	SS eligible, ¹¹¹⁸ but see Under 18 Sentencing

❖ if sentence of confinement is more than one year, term shall be an indeterminate term¹¹¹⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ¹¹²⁰	\$625 ¹¹²¹	Yes ¹¹²²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹²³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹²⁴	No	No

Notes:

¹¹¹⁵ Iowa Code § 692A.111(1) (2015).

¹¹¹⁶ Iowa Code § 903.1(2) (2015).

¹¹¹⁷ Iowa Code § 903.1(2) (2015).

¹¹¹⁸ Iowa Code § 692A.111(1) (2015); *see id.* § 907.3(1)(a)(9), (2)(a)(5).

¹¹¹⁹ Iowa Code § 903.1(2) (2015).

¹¹²⁰ Iowa Code § 903.1(2) (2015).

¹¹²¹ Iowa Code § 903.1(2) (2015).

¹¹²² *See* Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹²³ Iowa Code § 911.1(1) (2015).

¹¹²⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

Second or Subsequent Offense

❖ In determining if violation is second offense:

➤ Previous offenses include:

- Violations of sex offender registry provisions, from any other jurisdiction, that are substantially similar to those in § 692A.111¹¹²⁵
 - the court shall take judicial notice of these statutes¹¹²⁶
- any violation of chapter 692A prior to July 1, 2009¹¹²⁷

Class = “D” felony¹¹²⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹¹²⁹	0 ¹¹³⁰	No, but see Enhancements	SS eligible, ¹¹³¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹¹³²	\$750 ¹¹³³	No ¹¹³⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹³⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹³⁶	No	No

Notes:

¹¹²⁵ Iowa Code § 692A.111(2) (2015).

¹¹²⁶ Iowa Code § 692A.111(2) (2015).

¹¹²⁷ Iowa Code § 692A.111(3) (2015).

¹¹²⁸ Iowa Code § 692A.111(1) (2015).

¹¹²⁹ Iowa Code § 902.9(1)(e) (2015).

¹¹³⁰ Iowa Code § 902.9(1)(e) (2015).

¹¹³¹ Iowa Code § 692A.111(1) (2015); *see id.* § 907.3(1)(a)(9), (2)(a)(5).

¹¹³² Iowa Code § 902.9(1)(e) (2015).

¹¹³³ Iowa Code § 902.9(1)(e) (2015).

¹¹³⁴ Iowa Code § 692A.111(1) (2015).

¹¹³⁵ Iowa Code § 911.1(1) (2015).

¹¹³⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

Sex offender convicted of specified offenses committed while violating registration requirements

Class = “C” felony¹¹³⁷

Jail/Prison Time

Max. 10 years ¹¹³⁸	Min. 0 ¹¹³⁹	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
		No, but see Enhancements	SS eligible, ¹¹⁴⁰ but see Under 18 Sentencing

Fines

Max. \$10,000 ¹¹⁴¹	Min. \$1000 ¹¹⁴²	Can Suspend?
		Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁴⁴	No	No

Notes:

¹¹³⁷ Iowa Code § 692A.111(1) (2015).

¹¹³⁸ Iowa Code § 902.9(1)(d) (2015).

¹¹³⁹ Iowa Code § 902.9(1)(d) (2015).

¹¹⁴⁰ Iowa Code § 692A.111(1) (2015); *see id.* § 907.3(1)(a)(9), (2)(a)(5).

¹¹⁴¹ Iowa Code § 902.9(1)(d) (2015).

¹¹⁴² Iowa Code § 902.9(1)(d) (2015).

¹¹⁴³ Iowa Code § 911.1(1) (2015).

¹¹⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

Chapters 700–end

CH. 705 SOLICITATION

§ 705.1(2)—Solicitation of a felony

Class = “D” felony¹¹⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹¹⁴⁶	0 ¹¹⁴⁷	No, but see Enhancements	Yes ¹¹⁴⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ¹¹⁴⁹	\$750 ¹¹⁵⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁵¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁵²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if solicitation offense involved any of the following:
 - solicitation of minor to engage in an illegal sex act under § 705.1¹¹⁵³
 - solicitation of minor to engage in an illegal act under § 709.8(1)(d)¹¹⁵⁴
 - solicitation of minor to engage in an illegal act under § 709.12¹¹⁵⁵
 - solicitation of minor to engage in an illegal act under § 725.3(2)¹¹⁵⁶

¹¹⁴⁵ Iowa Code § 705.1(2) (2015).

¹¹⁴⁶ Iowa Code § 902.9(1)(e) (2015).

¹¹⁴⁷ Iowa Code § 902.9(1)(e) (2015).

¹¹⁴⁸ See Iowa Code § 907.3 (2015).

¹¹⁴⁹ Iowa Code § 902.9(1)(e) (2015).

¹¹⁵⁰ Iowa Code § 902.9(1)(e) (2015).

¹¹⁵¹ Iowa Code § 911.1(1) (2015).

¹¹⁵² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹¹⁵³ Iowa Code § 692A.102(1)(b)(2) (2015).

¹¹⁵⁴ Iowa Code § 692A.102(1)(b)(3) (2015).

¹¹⁵⁵ Iowa Code § 692A.102(1)(b)(4) (2015).

¹¹⁵⁶ Iowa Code § 692A.102(1)(b)(16) (2015).

§ 705.1(3)—Solicitation of an aggravated misdemeanor

Class = aggravated misdemeanor¹¹⁵⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹¹⁵⁸	0 ¹¹⁵⁹	None	Yes ¹¹⁶⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹¹⁶¹

Fines

Max.	Min.	Can Suspend?
\$6250 ¹¹⁶²	\$625 ¹¹⁶³	Yes ¹¹⁶⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁶⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁶⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if solicitation offense involved any of the following:
 - solicitation of minor to engage in an illegal sex act under § 705.1¹¹⁶⁷
 - solicitation of minor to engage in an illegal act under § 709.8(1)(d)¹¹⁶⁸
 - solicitation of minor to engage in an illegal act under § 709.12¹¹⁶⁹
 - solicitation of minor to engage in an illegal act under § 725.3(2)¹¹⁷⁰

¹¹⁵⁷ Iowa Code § 705.1(2) (2015).

¹¹⁵⁸ Iowa Code § 903.1(2) (2015).

¹¹⁵⁹ Iowa Code § 903.1(2) (2015).

¹¹⁶⁰ See Iowa Code § 907.3 (2015).

¹¹⁶¹ Iowa Code § 903.1(2) (2015).

¹¹⁶² Iowa Code § 903.1(2) (2015).

¹¹⁶³ Iowa Code § 903.1(2) (2015).

¹¹⁶⁴ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹⁶⁵ Iowa Code § 911.1(1) (2015).

¹¹⁶⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹¹⁶⁷ Iowa Code § 692A.102(1)(b)(2) (2015).

¹¹⁶⁸ Iowa Code § 692A.102(1)(b)(3) (2015).

¹¹⁶⁹ Iowa Code § 692A.102(1)(b)(4) (2015).

¹¹⁷⁰ Iowa Code § 692A.102(1)(b)(16) (2015).

CH. 706 CONSPIRACY

§ 706.3(1)—To commit forcible felony

Class = “C” felony¹¹⁷¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹¹⁷²	0 ¹¹⁷³	No, but see Enhancements	Yes ¹¹⁷⁴

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹¹⁷⁵	\$1000 ¹¹⁷⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁷⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁷⁸	No	No

Notes:

¹¹⁷¹ Iowa Code § 706.3(1) (2015).

¹¹⁷² Iowa Code § 902.9(1)(d) (2015).

¹¹⁷³ Iowa Code § 902.9(1)(d) (2015).

¹¹⁷⁴ See Iowa Code § 907.3 (2015).

¹¹⁷⁵ Iowa Code § 902.9(1)(d) (2015).

¹¹⁷⁶ Iowa Code § 902.9(1)(d) (2015).

¹¹⁷⁷ Iowa Code § 911.1(1) (2015).

¹¹⁷⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 706.3(2)—To commit felony

Class = “D” felony¹¹⁷⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹¹⁸⁰	0 ¹¹⁸¹	No, but see Enhancements	Yes ¹¹⁸²

Fines

Max.	Min.	Can Suspend?
\$7500 ¹¹⁸³	\$750 ¹¹⁸⁴	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁸⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁸⁶	No	No

Notes:

¹¹⁷⁹ Iowa Code § 706.3(2) (2015).

¹¹⁸⁰ Iowa Code § 902.9(1)(e) (2015).

¹¹⁸¹ Iowa Code § 902.9(1)(e) (2015).

¹¹⁸² See Iowa Code § 907.3 (2015).

¹¹⁸³ Iowa Code § 902.9(1)(e) (2015).

¹¹⁸⁴ Iowa Code § 902.9(1)(e) (2015).

¹¹⁸⁵ Iowa Code § 911.1(1) (2015).

¹¹⁸⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 706.3(3)—To commit misdemeanor

Class = misdemeanor of the same class¹¹⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Simple = 30 days ¹¹⁸⁸ Serious = 1 year ¹¹⁸⁹ Aggravated = 2 years ¹¹⁹⁰	All = 0 ¹¹⁹¹	If simple or serious, N/A If aggravated, none	Yes ¹¹⁹²

❖ If sentence of confinement is more than one year, sentence shall be an indeterminate term¹¹⁹³

Fines

Max.	Min.	Suspended?
Simple = \$625 ¹¹⁹⁴ Serious = \$1875 ¹¹⁹⁵ Aggravated = \$6250 ¹¹⁹⁶	Simple = \$65 ¹¹⁹⁷ Serious = \$315 ¹¹⁹⁸ Aggravated = \$625 ¹¹⁹⁹	If simple or serious, No ¹²⁰⁰ If aggravated, Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁰¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	If simple or serious, No If aggravated, Yes ¹²⁰²	No	No

Notes:

¹¹⁸⁷ Iowa Code § 706.3(3) (2015).

¹¹⁸⁸ Iowa Code § 903.1(1)(a) (2015).

¹¹⁸⁹ Iowa Code § 903.1(1)(b) (2015).

¹¹⁹⁰ Iowa Code § 903.1(2) (2015).

¹¹⁹¹ Iowa Code § 903.1(1)(a), (b), (2) (2015).

¹¹⁹² See Iowa Code § 907.3 (2015).

¹¹⁹³ Iowa Code § 903.1(2) (2015).

¹¹⁹⁴ Iowa Code § 903.1(1)(a) (2015).

¹¹⁹⁵ Iowa Code § 903.1(1)(b) (2015).

¹¹⁹⁶ Iowa Code § 903.1(2) (2015).

¹¹⁹⁷ Iowa Code § 903.1(1)(a) (2015).

¹¹⁹⁸ Iowa Code § 903.1(1)(b) (2015).

¹¹⁹⁹ Iowa Code § 903.1(2) (2015).

¹²⁰⁰ Iowa Code § 903.1(1)(a), (b) (2015).

¹²⁰¹ Iowa Code § 911.1(1) (2015).

¹²⁰² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 706A ONGOING CRIMINAL CONDUCT

§ 706A.2(1)—*Unlawful activity influenced enterprises*

Class = “B” felony¹²⁰³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹²⁰⁴	0 ¹²⁰⁵	No, but see Enhancements	Yes ¹²⁰⁶

Fines

Max.	Min.	Can Suspend?
0 ¹²⁰⁷	0 ¹²⁰⁸	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁰⁹	No	No

Notes:

¹²⁰³ Iowa Code § 706A.4 (2015).

¹²⁰⁴ Iowa Code § 902.9(1)(b) (2015).

¹²⁰⁵ Iowa Code § 902.9(1)(b) (2015).

¹²⁰⁶ See Iowa Code § 907.3 (2015).

¹²⁰⁷ See Iowa Code § 902.9(1)(b) (2015).

¹²⁰⁸ See Iowa Code § 902.9(1)(b) (2015).

¹²⁰⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 706A.2(2)—Facilitation of criminal network

Class = “B” felony¹²¹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹²¹¹	0 ¹²¹²	No, but see Enhancements	Yes ¹²¹³

Fines

Max.	Min.	Can Suspend?
0 ¹²¹⁴	0 ¹²¹⁵	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²¹⁶	No	No

Notes:

¹²¹⁰ Iowa Code § 706A.4 (2015).

¹²¹¹ Iowa Code § 902.9(1)(b) (2015).

¹²¹² Iowa Code § 902.9(1)(b) (2015).

¹²¹³ See Iowa Code § 907.3 (2015).

¹²¹⁴ See Iowa Code § 902.9(1)(b) (2015).

¹²¹⁵ See Iowa Code § 902.9(1)(b) (2015).

¹²¹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 706A.2(4)—Specified unlawful activity

Class = “B” felony¹²¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹²¹⁸	0 ¹²¹⁹	No, but see Enhancements	Yes ¹²²⁰

Fines

Max.	Min.	Can Suspend?
0 ¹²²¹	0 ¹²²²	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²²³	No	No

Notes:

¹²¹⁷ Iowa Code § 706A.4 (2015).

¹²¹⁸ Iowa Code § 902.9(1)(b) (2015).

¹²¹⁹ Iowa Code § 902.9(1)(b) (2015).

¹²²⁰ See Iowa Code § 907.3 (2015).

¹²²¹ See Iowa Code § 902.9(1)(b) (2015).

¹²²² See Iowa Code § 902.9(1)(b) (2015).

¹²²³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 706B MONEY LAUNDERING

§ 706B.2(1)(a), (b), or (c)—Money laundering (greater offense)

Class = “C” felony¹²²⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years, ¹²²⁵ but see Notes	0 ¹²²⁶	No, but see Enhancements	Yes ¹²²⁷

Fines

Max.	Min.	Can Suspend?
\$10,000 or twice the value of the property involved, whichever is greater ¹²²⁸ But see Notes	\$1000 ¹²²⁹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²³⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²³¹	No	No

Notes:

❖ Max. Jail/Prison Time & Max. Fine:

- The violator “may be fined . . . or be imprisoned . . . or both.”¹²³² The specific provisions of this section supersede the standard sentencing provision of Iowa Code § 902.9(1)(d).

¹²²⁴ Iowa Code § 706B.2(2)(a) (2015).

¹²²⁵ Iowa Code § 706B.2(2)(a) (2015).

¹²²⁶ Iowa Code § 902.9(1)(d) (2015).

¹²²⁷ See Iowa Code § 907.3 (2015).

¹²²⁸ Iowa Code § 706B.2(2)(a) (2015).

¹²²⁹ Iowa Code § 902.9(1)(d) (2015).

¹²³⁰ Iowa Code § 706B.2(4) (2015).

¹²³¹ Iowa Code § 81.2(1), 901.5(8A)(a) (2015).

¹²³² Iowa Code § 706B.2(2)(a) (2015).

§ 706B.2(1)(d)—Money laundering (lesser offense)

Class = “D” felony¹²³³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²³⁴	0 ¹²³⁵	No, but see Enhancements	Yes ¹²³⁶

Fines

Max.	Min.	Can Suspend?
\$7500 or twice the value of the property involved, whichever is greater ¹²³⁷	\$750 ¹²³⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²³⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁴⁰	No	No

Notes:

❖ Max. Jail/Prison Time & Max. Fine:

- The violator “may be fined . . . or be imprisoned . . . or both.”¹²⁴¹ The specific provisions of this section supersede the standard sentencing provision of Iowa Code § 902.9(1)(d).

¹²³³ Iowa Code § 706B.2(2)(b) (2015).

¹²³⁴ Iowa Code § 706B.2(2)(b) (2015).

¹²³⁵ Iowa Code § 902.9(1)(e) (2015).

¹²³⁶ See Iowa Code § 907.3 (2015).

¹²³⁷ Iowa Code § 706B.2(2)(b) (2015).

¹²³⁸ Iowa Code § 902.9(1)(e) (2015).

¹²³⁹ Iowa Code § 706B.2(4) (2015).

¹²⁴⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹²⁴¹ Iowa Code § 706B.2(2)(a) (2015).

CH. 707 HOMICIDE AND RELATED OFFENSES

§ 707.2—First-Degree Murder

Class = “A” felony¹²⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life ¹²⁴³	Life ¹²⁴⁴	Not eligible for parole, but see Under 18 Sentencing ¹²⁴⁵	No, ¹²⁴⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0	0	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁴⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Defendant must register if:

- Sexual abuse (as defined in § 709.1) was committed during the violation of § 707.2,¹²⁴⁸ *or*
- Fact-finder determined beyond a reasonable doubt that the violation of § 707.2 was sexually motivated per § 692A.126¹²⁴⁹

¹²⁴² Iowa Code § 707.2(2) (2015).

¹²⁴³ Iowa Code § 902.1(1) (2015).

¹²⁴⁴ Iowa Code § 902.1(1) (2015).

¹²⁴⁵ Iowa Code § 902.1(1) (2015).

¹²⁴⁶ Iowa Code § 902.1(1) (2015).

¹²⁴⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹²⁴⁸ Iowa Code § 692A.102(1)(c)(1) (2015).

¹²⁴⁹ Iowa Code §§ 692A.102(1)(c)(2), 707.2(3) (2015).

§ 707.3—Second-Degree Murder

Class = “B” felony¹²⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ¹²⁵¹	0 ¹²⁵²	Not eligible until has served 70% of max. term of sentence, ¹²⁵³ but see Under 18 Sentencing See also Enhancements	No, ¹²⁵⁴ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ¹²⁵⁵	0 ¹²⁵⁶	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁵⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Defendant must register if:

- Sexual abuse (as defined in § 709.1) was committed during the violation of § 707.2,¹²⁵⁸ *or*
- Fact-finder determined beyond a reasonable doubt that the violation of § 707.2 was sexually motivated per § 692A.126¹²⁵⁹

¹²⁵⁰ Iowa Code § 707.3(2) (2015).

¹²⁵¹ Iowa Code § 707.3(2) (2015).

¹²⁵² Iowa Code § 902.9(1)(b) (2015).

¹²⁵³ Iowa Code § 902.12(1)(e) (2015 & Supp. 2016).

¹²⁵⁴ Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (listing “murder” as a forcible felony).

¹²⁵⁵ Iowa Code § 902.9(1)(b) (2015).

¹²⁵⁶ Iowa Code § 902.9(1)(b) (2015).

¹²⁵⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹²⁵⁸ Iowa Code § 692A.102(1)(c)(1) (2015).

¹²⁵⁹ Iowa Code §§ 692A.102(1)(c)(2), 707.3(3) (2015).

§ 707.3A—Solicitation to Commit Murder

Class = “C” felony¹²⁶⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹²⁶¹	0 ¹²⁶²	No, but see Enhancements	Yes ¹²⁶³

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹²⁶⁴	\$1000 ¹²⁶⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁶⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁶⁷	No	No

Notes:

¹²⁶⁰ Iowa Code § 707.3A(3) (2015).

¹²⁶¹ Iowa Code § 902.9(1)(d) (2015).

¹²⁶² Iowa Code § 902.9(1)(d) (2015).

¹²⁶³ See Iowa Code § 907.3 (2015).

¹²⁶⁴ Iowa Code § 902.9(1)(d) (2015).

¹²⁶⁵ Iowa Code § 902.9(1)(d) (2015).

¹²⁶⁶ Iowa Code § 911.1(1) (2015).

¹²⁶⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 707.4—Voluntary manslaughter

Class = “C” felony¹²⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹²⁶⁹	0 ¹²⁷⁰	No, but see Enhancements	No, ¹²⁷¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹²⁷²	\$1000 ¹²⁷³	No, ¹²⁷⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁷⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁷⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Defendant must register if:

- Fact-finder determined beyond a reasonable doubt that the violation of § 707.4 was sexually motivated per § 692A.126¹²⁷⁷

¹²⁶⁸ Iowa Code § 707.4(2) (2015).

¹²⁶⁹ Iowa Code § 902.9(1)(d) (2015).

¹²⁷⁰ Iowa Code § 902.9(1)(d) (2015).

¹²⁷¹ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1); *State v. Hellwege*, 294 N.W.2d 689, 691 (Iowa 1980) (voluntary manslaughter is a forcible felony because it qualifies as a felonious assault).

¹²⁷² Iowa Code § 902.9(1)(d) (2015).

¹²⁷³ Iowa Code § 902.9(1)(d) (2015).

¹²⁷⁴ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1); *State v. Hellwege*, 294 N.W.2d 689, 691 (Iowa 1980) (voluntary manslaughter is a forcible felony because it qualifies as a felonious assault).

¹²⁷⁵ Iowa Code § 911.1(1) (2015).

¹²⁷⁶ Iowa Code §§ 81.2(1); 901.5(8A)(a) (2015).

¹²⁷⁷ Iowa Code §§ 692A.102(1)(c)(3), 707.4(4) (2015).

§ 707.5(1)—Involuntary Manslaughter

§ 707.5(1)(a)—By public offense

Class = “D” felony¹²⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²⁷⁹	0 ¹²⁸⁰	No, but see Enhancements	Yes ¹²⁸¹

Fines

Max.	Min.	Can Suspend?
\$7500 ¹²⁸²	\$750 ¹²⁸³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁸⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁸⁵	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Defendant must register if:
 - Fact-finder determined beyond a reasonable doubt that the violation of § 707.5 was sexually motivated per § 692A.126¹²⁸⁶

¹²⁷⁸ Iowa Code § 707.5(1)(a) (2015).

¹²⁷⁹ Iowa Code § 902.9(1)(e) (2015).

¹²⁸⁰ Iowa Code § 902.9(1)(e) (2015).

¹²⁸¹ See Iowa Code § 907.3 (2015).

¹²⁸² Iowa Code § 902.9(1)(e) (2015).

¹²⁸³ Iowa Code § 902.9(1)(e) (2015).

¹²⁸⁴ Iowa Code § 911.1(1) (2015).

¹²⁸⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹²⁸⁶ Iowa Code §§ 692A.102(1)(c)(4), 707.5(3) (2015).

§ 707.5(1)(b)—Via act likely to cause death or serious injury

Class = aggravated misdemeanor¹²⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹²⁸⁸	0 ¹²⁸⁹	None	Yes ¹²⁹⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹²⁹¹

Fines

Max.	Min.	Can Suspend?
\$6250 ¹²⁹²	\$625 ¹²⁹³	Yes ¹²⁹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁹⁶	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Defendant must register if:
 - Fact-finder determined beyond a reasonable doubt that the violation of § 707.5 was sexually motivated per § 692A.126¹²⁹⁷

¹²⁸⁷ Iowa Code § 707.5(1)(b) (2015).

¹²⁸⁸ Iowa Code § 903.1(2) (2015).

¹²⁸⁹ Iowa Code § 903.1(2) (2015).

¹²⁹⁰ See Iowa Code § 907.3 (2015).

¹²⁹¹ Iowa Code § 903.1(2) (2015).

¹²⁹² Iowa Code § 903.1(2) (2015).

¹²⁹³ Iowa Code § 903.1(2) (2015).

¹²⁹⁴ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹²⁹⁵ Iowa Code § 911.1(1) (2015).

¹²⁹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹²⁹⁷ Iowa Code §§ 692A.102(1)(c)(4), 707.5(3) (2015).

§ 707.6A—Vehicular Homicide

§ 707.6A(1)—While intoxicated

Class = “B” felony¹²⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹²⁹⁹	0 ¹³⁰⁰	<ul style="list-style-type: none">❖ If also convicted under § 321.261(4) based on same facts/event underlying conviction under § 707.6A(1), not eligible until served 70% of max. term of sentence¹³⁰¹<ul style="list-style-type: none">➤ but see Under 18 Sentencing❖ Otherwise, No mand. min., but see Enhancements	No, ¹³⁰² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0	0	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, 6 years ¹³⁰³ See Notes	Yes ¹³⁰⁴	No	No

Notes:

- ❖ License Revocation:
 - ineligible for temporary restricted license for at least 2 years after revocation¹³⁰⁵
- ❖ Additional things sentencing court must order at defendant’s expense:
 - Enroll, attend and satisfactorily complete drinking drivers’ course, per § 321J.22¹³⁰⁶
 - Submission to evaluation and treatment or rehab services¹³⁰⁷
 - Participation in reality education substance abuse prevention program, per § 321J.24¹³⁰⁸
 - If program is available and appropriate for defendant

¹²⁹⁸ Iowa Code § 707.6A(1) (2015).

¹²⁹⁹ Iowa Code § 902.9(1)(b) (2015).

¹³⁰⁰ Iowa Code § 902.9(1)(b) (2015).

¹³⁰¹ Iowa Code § 902.12(1)(f) (2015 & Supp. 2016).

¹³⁰² Iowa Code § 707.6A(7) (2015).

¹³⁰³ Iowa Code § 707.6A(1A) (2015).

¹³⁰⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹³⁰⁵ Iowa Code § 707.6A(1A) (2015).

¹³⁰⁶ Iowa Code § 707.6A(1B)(a) (2015).

¹³⁰⁷ Iowa Code § 707.6A(1B)(b) (2015).

¹³⁰⁸ Iowa Code § 707.6A(1D) (2015).

§ 707.6A(2)—Vehicular homicide: reckless driving or eluding

Class = “C” felony

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹³⁰⁹	0 ¹³¹⁰	❖ If also convicted under § 321.261(4) based on same facts/event underlying conviction under § 707.6A(2), not eligible until served 70% of max. term of sentence ¹³¹¹ ➤ but see Under 18 Sentencing ❖ Otherwise, No mand. min., but see Enhancements	Yes ¹³¹²

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹³¹³	\$1000 ¹³¹⁴	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³¹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³¹⁶	No	No

Notes:¹³⁰⁹ Iowa Code § 902.9(1)(d) (2015).¹³¹⁰ Iowa Code § 902.9(1)(d) (2015).¹³¹¹ Iowa Code § 902.12(1)(f) (2015 & Supp. 2016).¹³¹² See Iowa Code § 907.3 (2015).¹³¹³ Iowa Code § 902.9(1)(d) (2015).¹³¹⁴ Iowa Code § 902.9(1)(d) (2015).¹³¹⁵ Iowa Code § 911.1(1) (2015).¹³¹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 707.6A(3)—Vehicular homicide: drag racingClass = “D” felony¹³¹⁷**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹³¹⁸	0 ¹³¹⁹	No, but see Enhancements	Yes ¹³²⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ¹³²¹	\$750 ¹³²²	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³²³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³²⁴	No	No

Notes:¹³¹⁷ Iowa Code § 707.6A(3) (2015).¹³¹⁸ Iowa Code § 902.9(1)(e) (2015).¹³¹⁹ Iowa Code § 902.9(1)(e) (2015).¹³²⁰ See Iowa Code § 907.3 (2015).¹³²¹ Iowa Code § 902.9(1)(e) (2015).¹³²² Iowa Code § 902.9(1)(e) (2015).¹³²³ Iowa Code § 911.1(1) (2015).¹³²⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 707.6A(4)—Serious injury by vehicle

Class = “D” felony¹³²⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹³²⁶	0 ¹³²⁷	No, but see Enhancements	No if violation involved OWI, ¹³²⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹³²⁹	\$750 ¹³³⁰	No if violation involved OWI, ¹³³¹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³³²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³³³	No	No

Notes:

¹³²⁵ Iowa Code § 707.6A(4) (2015).

¹³²⁶ Iowa code § 902.9(1)(e) (2015).

¹³²⁷ Iowa Code § 902.9(1)(e) (2015).

¹³²⁸ Iowa Code §§ 707.6A(7), 907.3(1)(a)(10), (2)(a)(6), (3)(d) (2015).

¹³²⁹ Iowa Code § 902.9(1)(e) (2015).

¹³³⁰ Iowa Code § 902.9(1)(e) (2015).

¹³³¹ Iowa Code § 707.6A(7) (2015).

¹³³² Iowa Code § 911.1(1) (2015).

¹³³³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 707.7—Feticide and Related Offenses

§ 707.7(1) or (3)—Feticide

Class = “C” felony¹³³⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹³³⁵	0 ¹³³⁶	No, but see Enhancements	Yes ¹³³⁷

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹³³⁸	\$1000 ¹³³⁹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁴⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁴¹	No	No

Notes:

¹³³⁴ Iowa Code § 707.7(1), (3) (2015).

¹³³⁵ Iowa Code § 902.9(1)(e) (2015).

¹³³⁶ Iowa Code § 902.9(1)(e) (2015).

¹³³⁷ See Iowa Code § 907.3 (2015).

¹³³⁸ Iowa Code § 902.9(1)(e) (2015).

¹³³⁹ Iowa Code § 902.9(1)(e) (2015).

¹³⁴⁰ Iowa Code § 911.1(1) (2015).

¹³⁴¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 707.7(2)—Attempted feticide

Class = “D” felony¹³⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹³⁴³	0 ¹³⁴⁴	No, but see Enhancements	Yes ¹³⁴⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ¹³⁴⁶	\$750 ¹³⁴⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁴⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁴⁹	No	No

Notes:

¹³⁴² Iowa Code § 707.7(2) (2015).

¹³⁴³ Iowa Code § 902.9(1)(e) (2015).

¹³⁴⁴ Iowa Code § 902.9(1)(e) (2015).

¹³⁴⁵ See Iowa Code § 907.3 (2015).

¹³⁴⁶ Iowa Code § 902.9(1)(e) (2015).

¹³⁴⁷ Iowa Code § 902.9(1)(e) (2015).

¹³⁴⁸ Iowa Code § 911.1(1) (2015).

¹³⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 707.8—Nonconsensual Termination—Serious Injury to Human Pregnancy

§ 707.8(1)—Nonconsensual termination of pregnancy during forcible felony

Class = “B” felony¹³⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹³⁵¹	0 ¹³⁵²	No, but see Enhancements	Yes ¹³⁵³

Fines

Max.	Min.	Can Suspend?
0	0	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁵⁴	No	No

Notes:

¹³⁵⁰ Iowa Code § 707.8(1) (2015).

¹³⁵¹ Iowa Code § 902.9(1)(b) (2015).

¹³⁵² Iowa Code § 902.9(1)(b) (2015).

¹³⁵³ See Iowa Code § 907.3 (2015).

¹³⁵⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 707.8(2)–(5)—Termination of pregnancyClass = “C” felony¹³⁵⁵**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹³⁵⁶	0 ¹³⁵⁷	No, but see Enhancements	Yes ¹³⁵⁸

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹³⁵⁹	\$1000 ¹³⁶⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁶¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁶²	No	No

Notes:¹³⁵⁵ Iowa Code § 707.8(2)–(5) (2015).¹³⁵⁶ Iowa Code § 902.9(1)(d) (2015).¹³⁵⁷ Iowa Code § 902.9(1)(d) (2015).¹³⁵⁸ See Iowa Code § 907.3 (2015).¹³⁵⁹ Iowa Code § 902.9(1)(d) (2015).¹³⁶⁰ Iowa Code § 902.9(1)(d) (2015).¹³⁶¹ Iowa Code § 911.1(1) (2015).¹³⁶² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 707.8(6)—Termination of Pregnancy while drag racing

Class = “D” felony¹³⁶³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹³⁶⁴	0 ¹³⁶⁵	No, but see Enhancements	Yes ¹³⁶⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ¹³⁶⁷	\$750 ¹³⁶⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁶⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁷⁰	No	No

Notes:

¹³⁶³ Iowa Code § 707.8(6) (2015).

¹³⁶⁴ Iowa Code § 902.9(1)(e) (2015).

¹³⁶⁵ Iowa Code § 902.9(1)(e) (2015).

¹³⁶⁶ See Iowa Code § 907.3 (2015).

¹³⁶⁷ Iowa Code § 902.9(1)(e) (2015).

¹³⁶⁸ Iowa Code § 902.9(1)(e) (2015).

¹³⁶⁹ Iowa Code § 911.1(1) (2015).

¹³⁷⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 707.8(7)–(9)—Termination of or serious injury to pregnancy

Class = aggravated misdemeanor¹³⁷¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹³⁷²	0 ¹³⁷³	None	Yes ¹³⁷⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹³⁷⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ¹³⁷⁶	\$625 ¹³⁷⁷	Yes ¹³⁷⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁷⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁸⁰	No	No

Notes:

¹³⁷¹ Iowa Code § 707.8(7)–(9) (2015).

¹³⁷² Iowa Code § 903.1(2) (2015).

¹³⁷³ Iowa Code § 903.1(2) (2015).

¹³⁷⁴ See Iowa Code § 907.3 (2015).

¹³⁷⁵ Iowa Code § 903.1(2) (2015).

¹³⁷⁶ Iowa Code § 903.1(2) (2015).

¹³⁷⁷ Iowa Code § 903.1(2) (2015).

¹³⁷⁸ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹³⁷⁹ Iowa Code § 911.1(1) (2015).

¹³⁸⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 707.8(10)—Unintentional serious injury to pregnancy**Class** = serious misdemeanor¹³⁸¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹³⁸²	0 ¹³⁸³	N/A	Yes ¹³⁸⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ¹³⁸⁵	\$315 ¹³⁸⁶	No ¹³⁸⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁸⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:¹³⁸¹ Iowa Code § 707.8(10) (2015).¹³⁸² Iowa Code § 903.1(1)(b) (2015).¹³⁸³ Iowa Code § 903.1(1)(b) (2015).¹³⁸⁴ See Iowa Code § 907.3 (2015).¹³⁸⁵ Iowa Code § 903.1(1)(b) (2015).¹³⁸⁶ Iowa Code § 903.1(1)(b) (2015).¹³⁸⁷ Iowa Code § 903.1(1)(b) (2015).¹³⁸⁸ Iowa Code § 911.1(1) (2015).

§ 707.9—Murder of fetus born alive

Class = “B” felony¹³⁸⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹³⁹⁰	0 ¹³⁹¹	No, but see Enhancements	Yes ¹³⁹²

Fines

Max.	Min.	Can Suspend?
0	0	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁹³	No	No

Notes:

¹³⁸⁹ Iowa Code § 707.9 (2015).

¹³⁹⁰ Iowa Code § 902.9(1)(b) (2015).

¹³⁹¹ Iowa Code § 902.9(1)(b) (2015).

¹³⁹² See Iowa Code § 907.3 (2015).

¹³⁹³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 707.10—Failure to preserve life/health of fetus

Class = serious misdemeanor¹³⁹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹³⁹⁵	0 ¹³⁹⁶	N/A	Yes ¹³⁹⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ¹³⁹⁸	\$315 ¹³⁹⁹	No ¹⁴⁰⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁰¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

¹³⁹⁴ Iowa Code § 707.10 (2015).

¹³⁹⁵ Iowa Code § 903.1(1)(b) (2015).

¹³⁹⁶ Iowa Code § 903.1(1)(b) (2015).

¹³⁹⁷ See Iowa Code § 907.3 (2015).

¹³⁹⁸ Iowa Code § 903.1(1)(b) (2015).

¹³⁹⁹ Iowa Code § 903.1(1)(b) (2015).

¹⁴⁰⁰ Iowa Code § 903.1(1)(b) (2015).

¹⁴⁰¹ Iowa Code § 911.1(1) (2015).

§ 707.11—Attempted Murder

Class = “B” felony¹⁴⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹⁴⁰³	0 ¹⁴⁰⁴	Not eligible until served 70% of max. term of incarceration ¹⁴⁰⁵	No, ¹⁴⁰⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0	0	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴⁰⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Defendant must register if:

- Fact-finder determined beyond a reasonable doubt that the violation of § 707.11 was sexually motivated per § 692A.126¹⁴⁰⁸

¹⁴⁰² Iowa Code § 707.11(2) (2015).

¹⁴⁰³ Iowa Code § 902.9(1)(b) (2015).

¹⁴⁰⁴ Iowa Code § 902.9(1)(b) (2015).

¹⁴⁰⁵ Iowa Code § 902.12(1)(b) (2015 & Supp. 2016).

¹⁴⁰⁶ Iowa Code § 907.3 (2015); *see id.* § 702.11(1); *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979) (attempted murder is a forcible felony because it requires a felonious assault).

¹⁴⁰⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁴⁰⁸ Iowa Code §§ 692A.102(1)(c)(5), 707.11(4) (2015).

CH. 707A ASSISTED SUICIDE

§ 707A.2—Assisted Suicide

Class = “C” felony¹⁴⁰⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁴¹⁰	0 ¹⁴¹¹	No, but see Enhancements	Yes ¹⁴¹²

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁴¹³	\$1000 ¹⁴¹⁴	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴¹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴¹⁶	No	No

Notes:

¹⁴⁰⁹ Iowa Code § 707A.2 (2015).

¹⁴¹⁰ Iowa Code § 902.9(1)(d) (2015).

¹⁴¹¹ Iowa Code § 902.9(1)(d) (2015).

¹⁴¹² See Iowa Code § 907.3 (2015).

¹⁴¹³ Iowa Code § 902.9(1)(d) (2015).

¹⁴¹⁴ Iowa Code § 902.9(1)(d) (2015).

¹⁴¹⁵ Iowa Code § 911.1(1) (2015).

¹⁴¹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 708 ASSAULT

§ 708.2—Basic Assault

§ 708.2(1)—Assault with intent to inflict serious injury

Class = aggravated misdemeanor¹⁴¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
2 years ¹⁴¹⁸	0 ¹⁴¹⁹	None	Yes, except no DJ if assault was against peace officer while performing peace officer's duties. ¹⁴²⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁴²¹

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁴²²	\$625 ¹⁴²³	Yes ¹⁴²⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴²⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴²⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁴²⁷

¹⁴¹⁷ Iowa Code § 708.2(1) (2015).

¹⁴¹⁸ Iowa Code § 903.1(2) (2015).

¹⁴¹⁹ Iowa Code § 903.1(2) (2015).

¹⁴²⁰ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁴²¹ Iowa Code § 903.1(2) (2015).

¹⁴²² Iowa Code § 903.1(2) (2015).

¹⁴²³ Iowa Code § 903.1(2) (2015).

¹⁴²⁴ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁴²⁵ Iowa Code § 911.1(1) (2015).

¹⁴²⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁴²⁷ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.2(2)—Assault causing bodily injury or mental illness

Class = serious misdemeanor¹⁴²⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁴²⁹	0 ¹⁴³⁰	N/A	Yes, except no DJ if assault was against peace officer while performing peace officer's duties. ¹⁴³¹

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁴³²	\$315 ¹⁴³³	No ¹⁴³⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴³⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if must register for Sex Registry ¹⁴³⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁴³⁷

¹⁴²⁸ Iowa Code § 708.2(2) (2015).

¹⁴²⁹ Iowa Code § 903.1(1)(b) (2015).

¹⁴³⁰ Iowa Code § 903.1(1)(b) (2015).

¹⁴³¹ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁴³² Iowa Code § 903.1(1)(b) (2015).

¹⁴³³ Iowa Code § 903.1(1)(b) (2015).

¹⁴³⁴ Iowa Code § 903.1(1)(b) (2015).

¹⁴³⁵ Iowa Code § 911.1(1) (2015).

¹⁴³⁶ Iowa Code § 81.2(6) (2015).

¹⁴³⁷ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.2(3)—Assault w/ dangerous weapon

Class = aggravated misdemeanor¹⁴³⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁴³⁹	0 ¹⁴⁴⁰	None	Yes, except No DJ if assault was against peace officer while performing peace officer's duties. ¹⁴⁴¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁴⁴²

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁴⁴³	\$625 ¹⁴⁴⁴	Yes ¹⁴⁴⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁴⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴⁴⁷	Maybe, see Notes	No

Notes:

- ❖ This subsection does not apply if either § 708.6 (intimidation with a dangerous weapon) or § 708.8 (going armed with intent) apply¹⁴⁴⁸
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁴⁴⁹

¹⁴³⁸ Iowa Code § 708.2(3) (2015).

¹⁴³⁹ Iowa Code § 903.1(2) (2015).

¹⁴⁴⁰ Iowa Code § 903.1(2) (2015).

¹⁴⁴¹ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁴⁴² Iowa Code § 903.1(2) (2015).

¹⁴⁴³ Iowa Code § 903.1(2) (2015).

¹⁴⁴⁴ Iowa Code § 903.1(2) (2015).

¹⁴⁴⁵ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁴⁴⁶ Iowa Code § 911.1(1) (2015).

¹⁴⁴⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁴⁴⁸ Iowa Code § 708.2(3) (2015).

¹⁴⁴⁹ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.2(4)—Assault causing serious injury

Class = “D” felony¹⁴⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁴⁵¹	0 ¹⁴⁵²	None in §§ 708.2 or 902.9, but see enhancements	Yes, except no DJ if assault was against peace officer while performing peace officer’s duties. ¹⁴⁵³ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁴⁵⁴	\$750 ¹⁴⁵⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁵⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴⁵⁷	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - Assault in violation of § 708.2(4) is not a forcible felony,¹⁴⁵⁸ therefore not automatically prohibited from receiving DJ, DS, or SS¹⁴⁵⁹
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁴⁶⁰

¹⁴⁵⁰ Iowa Code § 708.2(4) (2015).

¹⁴⁵¹ Iowa Code § 902.9(1)(e) (2015).

¹⁴⁵² Iowa Code § 902.9(1)(e) (2015).

¹⁴⁵³ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁴⁵⁴ Iowa Code § 902.9(1)(e) (2015).

¹⁴⁵⁵ Iowa Code § 902.9(1)(e) (2015).

¹⁴⁵⁶ Iowa Code § 911.1(1) (2015).

¹⁴⁵⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁴⁵⁸ Iowa Code § 702.11(2)(f) (2015).

¹⁴⁵⁹ Iowa Code § 907.3, unnum. para. 1 (2015).

¹⁴⁶⁰ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.2(5)—Assault w/ object to penetrateClass = “C” felony¹⁴⁶¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁴⁶²	0 ¹⁴⁶³	No, but see Enhancements	No, ¹⁴⁶⁴ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁴⁶⁵	\$1000 ¹⁴⁶⁶	No, ¹⁴⁶⁷ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁶⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴⁶⁹	Yes ¹⁴⁷⁰	No

Notes:¹⁴⁶¹ Iowa Code § 708.2(5) (2015).¹⁴⁶² Iowa Code § 902.9(1)(d) (2015).¹⁴⁶³ Iowa Code § 902.9(1)(d) (2015).¹⁴⁶⁴ Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony).¹⁴⁶⁵ Iowa Code § 902.9(1)(d) (2015).¹⁴⁶⁶ Iowa Code § 902.9(1)(d) (2015).¹⁴⁶⁷ Iowa code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony).¹⁴⁶⁸ Iowa Code § 911.1(1) (2015).¹⁴⁶⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).¹⁴⁷⁰ Iowa Code § 692A.102(1)(c)(6) (2015).

§ 708.2(6)—Any other assault

Class = simple misdemeanor¹⁴⁷¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
30 days ¹⁴⁷²	0 ¹⁴⁷³	N/A	Yes, except no DJ if assault was against peace officer while performing peace officer's duties ¹⁴⁷⁴

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁴⁷⁵	\$65 ¹⁴⁷⁶	No ¹⁴⁷⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁷⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if must register for Sex Registry ¹⁴⁷⁹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁴⁸⁰

¹⁴⁷¹ Iowa Code § 708.2(6) (2015).

¹⁴⁷² Iowa Code § 903.1(1)(a) (2015).

¹⁴⁷³ Iowa Code § 903.1(1)(a) (2015).

¹⁴⁷⁴ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁴⁷⁵ Iowa Code § 903.1(1)(a) (2015).

¹⁴⁷⁶ Iowa Code § 903.1(1)(a) (2015).

¹⁴⁷⁷ Iowa Code § 903.1(1)(a) (2015).

¹⁴⁷⁸ Iowa Code § 911.1(1) (2015).

¹⁴⁷⁹ Iowa Code § 81.1(6) (2015).

¹⁴⁸⁰ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.2A—Domestic Abuse Assault

§ 708.2A(2)—First offense

§ 708.2A(2)(a)—DAA, First offense

Class = simple misdemeanor¹⁴⁸¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁴⁸²	2 days ¹⁴⁸³	N/A	<ul style="list-style-type: none"> ❖ Can suspend, except for min. sentence¹⁴⁸⁴ ❖ DJ and DS eligible if: <ul style="list-style-type: none"> ➤ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA,¹⁴⁸⁵ <i>or</i> ➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁴⁸⁶

❖ Mandatory minimum must be served on consecutive days¹⁴⁸⁷

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁴⁸⁸	\$65 ¹⁴⁸⁹	No ¹⁴⁹⁰

❖ Fine cannot be imposed in lieu of minimum jail sentence¹⁴⁹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁹²	No	No	Yes, \$100 ¹⁴⁹³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁴⁹⁴	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

- Participation in batterers' treatment program as required under § 708.2B¹⁴⁹⁵
- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁴⁹⁶

❖ Sex Registry:

¹⁴⁸¹ Iowa Code § 708.2A(2)(a) (2015).

¹⁴⁸² Iowa Code § 903.1(1)(a) (2015).

¹⁴⁸³ Iowa Code § 708.2A(7)(a) (2015).

¹⁴⁸⁴ Iowa Code § 708.2A(7)(a) (2015); *accord id.* § 907.3(3)(a).

¹⁴⁸⁵ Iowa Code § 708.2A(7)(a) (2015).

¹⁴⁸⁶ Iowa Code § 907.3(1)(a)(12) (2015) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁴⁸⁷ Iowa Code § 708.2A(7)(a) (2015).

¹⁴⁸⁸ Iowa Code § 903.1(1)(a) (2015).

¹⁴⁸⁹ Iowa Code § 903.1(1)(a) (2015).

¹⁴⁹⁰ Iowa Code § 903.1(1)(a) (2015).

¹⁴⁹¹ Iowa Code § 708.2A(7)(a) (2015).

¹⁴⁹² Iowa Code § 911.1(1) (2015).

¹⁴⁹³ Iowa Code § 911.2B(1) (2015).

¹⁴⁹⁴ Iowa Code § 81.2(6) (2015).

¹⁴⁹⁵ Iowa Code § 708.2A(10) (2015).

¹⁴⁹⁶ Iowa Code § 708.2A(8) (2015).

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁴⁹⁷

¹⁴⁹⁷ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.2A(2)(b)—Causing bodily injury or mental illness, first offense

Class = serious misdemeanor¹⁴⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁴⁹⁹	2 days ¹⁵⁰⁰	N/A	<ul style="list-style-type: none">❖ Can suspend, except for min. sentence¹⁵⁰¹❖ DJ and DS eligible if:<ul style="list-style-type: none">➤ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA,¹⁵⁰² <i>or</i>➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵⁰³

❖ Mandatory minimum must be served on consecutive days¹⁵⁰⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁵⁰⁵	\$315 ¹⁵⁰⁶	No ¹⁵⁰⁷

❖ Fine cannot be imposed in lieu of minimum sentence¹⁵⁰⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵⁰⁹	No	No	Yes, \$100 ¹⁵¹⁰	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁵¹¹	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

- Participation in batterers' treatment program as required under § 708.2B¹⁵¹²
- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵¹³

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁵¹⁴

¹⁴⁹⁸ Iowa Code § 708.2A(2)(b) (2015).

¹⁴⁹⁹ Iowa Code § 903.1(1)(b) (2015).

¹⁵⁰⁰ Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁰¹ Iowa Code § 708.2A(7)(a) (2015); *accord id.* § 907.3(3)(a).

¹⁵⁰² Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁰³ Iowa Code § 907.3(1)(a)(12) (2015) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵⁰⁴ Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁰⁵ Iowa Code § 903.1(1)(b) (2015).

¹⁵⁰⁶ Iowa Code § 903.1(1)(b) (2015).

¹⁵⁰⁷ Iowa Code § 903.1(1)(b) (2015).

¹⁵⁰⁸ Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁰⁹ Iowa Code § 911.1(1) (2015).

¹⁵¹⁰ Iowa Code § 911.2B(1) (2015).

¹⁵¹¹ Iowa Code § 81.2(6) (2015).

¹⁵¹² Iowa Code § 708.2A(10) (2015).

¹⁵¹³ Iowa Code § 708.2A(8) (2015).

§ 708.2A(2)(c)—With intent to inflict serious injury or with dangerous weapon, first offense

Class = aggravated misdemeanor¹⁵¹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁵¹⁶	2 days ¹⁵¹⁷	2 days ¹⁵¹⁸	<ul style="list-style-type: none">❖ Can suspend, except for min. sentence¹⁵¹⁹❖ DJ and DS eligible if:<ul style="list-style-type: none">➤ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA,¹⁵²⁰ <i>or</i>➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵²¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁵²²

❖ Mandatory minimum must be served on consecutive days¹⁵²³

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁵²⁴	\$625 ¹⁵²⁵	Yes ¹⁵²⁶

❖ Fine cannot be imposed in lieu of minimum sentence¹⁵²⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵²⁸	No	No	Yes, \$100 ¹⁵²⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁵³⁰	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

- Participation in batterers' treatment program as required under § 708.2B¹⁵³¹
- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵³²

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁵³³

¹⁵¹⁴ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

¹⁵¹⁵ Iowa Code § 708.2A(2)(c) (2015).

¹⁵¹⁶ Iowa Code § 903.1(2) (2015).

¹⁵¹⁷ Iowa Code § 708.2A(7)(a) (2015).

¹⁵¹⁸ See Iowa Code § 708.2A(7)(a) (2015) (imposing 2 day mandatory minimum that cannot be suspended).

¹⁵¹⁹ Iowa Code § 708.2A(7)(a) (2015); *accord id.* § 907.3(3)(a).

¹⁵²⁰ Iowa Code § 708.2A(7)(a) (2015).

¹⁵²¹ Iowa Code § 907.3(1)(a)(12) (2015) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵²² Iowa Code § 903.1(2) (2015).

¹⁵²³ Iowa Code § 708.2A(7)(a) (2015).

¹⁵²⁴ Iowa Code § 903.1(2) (2015).

¹⁵²⁵ Iowa Code § 903.1(2) (2015).

¹⁵²⁶ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁵²⁷ Iowa Code § 708.2A(7)(a) (2015).

¹⁵²⁸ Iowa Code § 911.1(1) (2015).

¹⁵²⁹ Iowa Code § 911.2B(1) (2015).

¹⁵³⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁵³¹ Iowa Code § 708.2A(10) (2015).

¹⁵³² Iowa Code § 708.2A(8) (2015).

¹⁵³³ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.2A(2)(d)—By choking, first offense

Class = aggravated misdemeanor¹⁵³⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁵³⁵	2 days ¹⁵³⁶	2 days ¹⁵³⁷	<ul style="list-style-type: none">❖ Can suspend, except for min. sentence¹⁵³⁸❖ DJ and DS eligible if:<ul style="list-style-type: none">➤ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA,¹⁵³⁹ <i>or</i>➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵⁴⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁵⁴¹

❖ Mandatory minimum must be served on consecutive days¹⁵⁴²

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁵⁴³	\$625 ¹⁵⁴⁴	Yes ¹⁵⁴⁵

❖ Fine cannot be imposed in lieu of minimum sentence¹⁵⁴⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵⁴⁷	No	No	Yes, \$100 ¹⁵⁴⁸	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁵⁴⁹	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

- Participation in batterers' treatment program as required under § 708.2B¹⁵⁵⁰
- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵⁵¹

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁵⁵²

¹⁵³⁴ Iowa Code § 708.2A(2)(d) (2015).

¹⁵³⁵ Iowa Code § 903.1(2) (2015).

¹⁵³⁶ Iowa Code § 708.2A(7)(a) (2015).

¹⁵³⁷ See Iowa Code § 708.2A(7)(a) (2015) (imposing 2 day mandatory minimum that cannot be suspended).

¹⁵³⁸ Iowa Code § 708.2A(7)(a) (2015); *accord id.* § 907.3(3)(a).

¹⁵³⁹ Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁴⁰ Iowa Code § 907.3(1)(a)(12) (2015) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵⁴¹ Iowa Code § 903.1(2) (2015).

¹⁵⁴² Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁴³ Iowa Code § 903.1(2) (2015).

¹⁵⁴⁴ Iowa Code § 903.1(2) (2015).

¹⁵⁴⁵ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁵⁴⁶ Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁴⁷ Iowa Code § 911.1(1) (2015).

¹⁵⁴⁸ Iowa Code § 911.2B(1) (2015).

¹⁵⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁵⁵⁰ Iowa Code § 708.2A(10) (2015).

¹⁵⁵¹ Iowa Code § 708.2A(8) (2015).

§ 708.2A(3)—Second offense

§ 708.2A(3)(a)—If first offense was a simple misdemeanor and second offense would otherwise be a simple misdemeanor

Class = serious misdemeanor¹⁵⁵³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁵⁵⁴	2 days ¹⁵⁵⁵	N/A	<ul style="list-style-type: none">❖ Can suspend, except for min. sentence¹⁵⁵⁶❖ DJ and DS eligible if:<ul style="list-style-type: none">➤ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA,¹⁵⁵⁷ or➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵⁵⁸

❖ Mandatory minimum must be served on consecutive days¹⁵⁵⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁵⁶⁰	\$315 ¹⁵⁶¹	No ¹⁵⁶²

❖ Fine cannot be imposed in lieu of minimum sentence¹⁵⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵⁶⁴	No	No	Yes, \$100 ¹⁵⁶⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁵⁶⁶	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

- Participation in batterers' treatment program as required under § 708.2B¹⁵⁶⁷
- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵⁶⁸

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁵⁶⁹

¹⁵⁵² Iowa Code § 692A.102(1)(a)(6)(c) (2015).

¹⁵⁵³ Iowa Code § 708.2A(3)(a) (2015).

¹⁵⁵⁴ Iowa Code § 903.1(1)(b) (2015).

¹⁵⁵⁵ Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁵⁶ Iowa Code § 708.2A(7)(a) (2015); *accord id.* § 907.3(3)(a).

¹⁵⁵⁷ Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁵⁸ Iowa Code § 907.3(1)(a)(12) (2015) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵⁵⁹ Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁶⁰ Iowa Code § 903.1(1)(b) (2015).

¹⁵⁶¹ Iowa Code § 903.1(1)(b) (2015).

¹⁵⁶² Iowa Code § 903.1(1)(b) (2015).

¹⁵⁶³ Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁶⁴ Iowa Code § 911.1(1) (2015).

¹⁵⁶⁵ Iowa Code § 911.2B(1) (2015).

¹⁵⁶⁶ Iowa Code § 81.2(6) (2015).

¹⁵⁶⁷ Iowa Code § 708.2A(10) (2015).

¹⁵⁶⁸ Iowa Code § 708.2A(8) (2015).

§ 708.2A(3)(b)—If first offense was a simple or aggravated misdemeanor and second offense would otherwise be a serious misdemeanor, or first offense was a serious or aggravated misdemeanor and second offense would otherwise be a simple or serious misdemeanor

Class = aggravated misdemeanor¹⁵⁷⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁵⁷¹	2 days ¹⁵⁷²	N/A	<ul style="list-style-type: none"> ❖ Can suspend, except for min. sentence¹⁵⁷³ ❖ DJ and DS eligible if: <ul style="list-style-type: none"> ➤ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA,¹⁵⁷⁴ <i>or</i> ➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵⁷⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁵⁷⁶

❖ Mandatory minimum must be served on consecutive days¹⁵⁷⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁵⁷⁸	\$625 ¹⁵⁷⁹	Yes ¹⁵⁸⁰

❖ Fine cannot be imposed in lieu of minimum sentence¹⁵⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵⁸²	No	No	Yes, \$100 ¹⁵⁸³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁵⁸⁴	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

- Participation in batterers' treatment program as required under § 708.2B¹⁵⁸⁵
- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵⁸⁶

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁵⁸⁷

¹⁵⁶⁹ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

¹⁵⁷⁰ Iowa Code § 708.2A(3)(b) (2015).

¹⁵⁷¹ Iowa Code § 903.1(2) (2015).

¹⁵⁷² Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁷³ Iowa Code § 708.2A(7)(a) (2015); *accord id.* § 907.3(3)(a).

¹⁵⁷⁴ Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁷⁵ Iowa Code § 907.3(1)(a)(12) (2015) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵⁷⁶ Iowa Code § 903.1(2) (2015).

¹⁵⁷⁷ Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁷⁸ Iowa Code § 903.1(2) (2015).

¹⁵⁷⁹ Iowa Code § 903.1(2) (2015).

¹⁵⁸⁰ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁵⁸¹ Iowa Code § 708.2A(7)(a) (2015).

¹⁵⁸² Iowa Code § 911.1(1) (2015).

¹⁵⁸³ Iowa Code § 911.2B(1) (2015).

¹⁵⁸⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁵⁸⁵ Iowa Code § 708.2A(10) (2015).

¹⁵⁸⁶ Iowa Code § 708.2A(8) (2015).

§ 708.2A(4)—Third or subsequent offense

Class = “D” felony¹⁵⁸⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁵⁸⁹	1 year ¹⁵⁹⁰	1 year, ¹⁵⁹¹ but see also Enhancements	No, ¹⁵⁹² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁵⁹³	\$750 ¹⁵⁹⁴	No ¹⁵⁹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵⁹⁶	No	No	Yes, \$100 ¹⁵⁹⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁵⁹⁸	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

- Participation in batterers’ treatment program as required under § 708.2B¹⁵⁹⁹
- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁶⁰⁰

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁶⁰¹

¹⁵⁸⁷ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

¹⁵⁸⁸ Iowa Code § 708.2A(4) (2015).

¹⁵⁸⁹ Iowa Code § 902.9(1)(e) (2015).

¹⁵⁹⁰ See Iowa Code § 708.2A(7)(b) (2015) (prohibiting a suspended or deferred sentence or deferred judgment and mandating service of at least 1 year of sentence before eligible for parole or work release, thereby creating a statutory minimum of 1 year).

¹⁵⁹¹ Iowa Code § 708.2A(7)(b) (2015).

¹⁵⁹² Iowa Code § 708.2A(7)(b) (2015); *accord id.* § 907.3(3)(a) (can’t suspend sentence imposed under § 708.2A(7)(b), which applies to violations of § 708.2A(4)); *see* § 907.3; *see also id.* § 702.11(1) (including felonious “assault” as a forcible felony).

¹⁵⁹³ Iowa Code § 902.9(1)(e) (2015).

¹⁵⁹⁴ Iowa Code § 902.9(1)(e) (2015).

¹⁵⁹⁵ Iowa Code § 708.2A(7)(b) (2015).

¹⁵⁹⁶ Iowa Code § 911.1(1) (2015).

¹⁵⁹⁷ Iowa Code § 911.2B(1) (2015).

¹⁵⁹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁵⁹⁹ Iowa Code § 708.2A(10) (2015).

¹⁶⁰⁰ Iowa Code § 708.2A(8) (2015).

¹⁶⁰¹ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.2A(5)—By choking causing bodily injury

Class = “D” felony¹⁶⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶⁰³	0 ¹⁶⁰⁴	No, but see Enhancements	<ul style="list-style-type: none">❖ DJ and DS eligible if¹⁶⁰⁵:<ul style="list-style-type: none">➤ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA, <i>or</i>➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A❖ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶⁰⁶	\$750 ¹⁶⁰⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁰⁸	No	No	Yes, \$100 ¹⁶⁰⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶¹⁰	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - Violation of § 708.2A(5) is not a forcible felony,¹⁶¹¹ so not automatically prohibited from receiving DJ, DS, or SS¹⁶¹²
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁶¹³
- ❖ Additional Penalties:
 - Participation in batterers’ treatment program as required under § 708.2B¹⁶¹⁴
 - Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁶¹⁵

¹⁶⁰² Iowa Code § 708.2A(5) (2015).

¹⁶⁰³ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁰⁴ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁰⁵ Iowa Code § 907.3(1)(a)(12) (2015) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁶⁰⁶ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁰⁷ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁰⁸ Iowa Code § 911.1(1) (2015).

¹⁶⁰⁹ Iowa Code § 911.2B(1) (2015).

¹⁶¹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁶¹¹ Iowa Code § 702.11(2)(g) (2015).

¹⁶¹² Iowa Code § 907.3, unnum. para. 1 (2015).

¹⁶¹³ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

¹⁶¹⁴ Iowa Code § 708.2A(10) (2015).

¹⁶¹⁵ Iowa Code § 708.2A(8) (2015).

§ 708.2C—Assault in Violation of Individual Rights

§ 708.2C(2)—With intent to inflict serious injury

Class = “D” felony¹⁶¹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶¹⁷	0 ¹⁶¹⁸	No, but see Enhancements	No, ¹⁶¹⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶²⁰	\$750 ¹⁶²¹	No, ¹⁶²² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶²³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶²⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁶²⁵

¹⁶¹⁶ Iowa Code § 708.2C(2) (2015).

¹⁶¹⁷ Iowa Code § 902.9(1)(e) (2015).

¹⁶¹⁸ Iowa Code § 902.9(1)(e) (2015).

¹⁶¹⁹ Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶²⁰ Iowa Code § 902.9(1)(e) (2015).

¹⁶²¹ Iowa Code § 902.9(1)(e) (2015).

¹⁶²² Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶²³ Iowa Code § 911.1(1) (2015).

¹⁶²⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁶²⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.2C(3)—Causing bodily injury or mental illness

Class = aggravated misdemeanor¹⁶²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁶²⁷	0 ¹⁶²⁸	None	No DJ if assault was against peace officer while performing peace officer's duties ¹⁶²⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁶³⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁶³¹	\$625 ¹⁶³²	Yes ¹⁶³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶³⁵	Maybe, see Notes	No

Notes:

¹⁶²⁶ Iowa Code § 708.2C(3) (2015).

¹⁶²⁷ Iowa Code § 903.1(2) (2015).

¹⁶²⁸ Iowa Code § 903.1(2) (2015).

¹⁶²⁹ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁶³⁰ Iowa Code § 903.1(2) (2015).

¹⁶³¹ Iowa Code § 903.1(2) (2015).

¹⁶³² Iowa Code § 903.1(2) (2015).

¹⁶³³ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁶³⁴ Iowa Code § 911.1(1) (2015).

¹⁶³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 708.2C(4)—With dangerous weapon

Class = “D” felony¹⁶³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶³⁷	0 ¹⁶³⁸	No, but see Enhancements	No, ¹⁶³⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶⁴⁰	\$750 ¹⁶⁴¹	No, ¹⁶⁴² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁴⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁶⁴⁵

¹⁶³⁶ Iowa Code § 708.2C(4) (2015).

¹⁶³⁷ Iowa Code § 902.9(1)(e) (2015).

¹⁶³⁸ Iowa Code § 902.9(1)(e) (2015).

¹⁶³⁹ Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁴⁰ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁴¹ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁴² Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁴³ Iowa Code § 911.1(1) (2015).

¹⁶⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁶⁴⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.2C(5)—Assault in violation of individual rights

Class = serious misdemeanor¹⁶⁴⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁶⁴⁷	0 ¹⁶⁴⁸	N/A	No DJ if assault was against peace officer while performing peace officer's duties ¹⁶⁴⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁶⁵⁰	\$315 ¹⁶⁵¹	No ¹⁶⁵²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁵³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁶⁵⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁶⁵⁵

¹⁶⁴⁶ Iowa Code § 708.2C(5) (2015).

¹⁶⁴⁷ Iowa Code § 903.1(1)(b) (2015).

¹⁶⁴⁸ Iowa Code § 903.1(1)(b) (2015).

¹⁶⁴⁹ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁶⁵⁰ Iowa Code § 903.1(1)(b) (2015).

¹⁶⁵¹ Iowa Code § 903.1(1)(b) (2015).

¹⁶⁵² Iowa Code § 903.1(1)(b) (2015).

¹⁶⁵³ Iowa Code § 911.1(1) (2015).

¹⁶⁵⁴ Iowa Code § 81.2(6) (2015).

¹⁶⁵⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.3—Assault While Participating in Felony

§ 708.3(1)—Causing serious injury to any person

Class = “C” felony¹⁶⁵⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁶⁵⁷	0 ¹⁶⁵⁸	No, but see Enhancements	No, ¹⁶⁵⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁶⁶⁰	\$1000 ¹⁶⁶¹	No, ¹⁶⁶² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁶³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁶⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁶⁶⁵

¹⁶⁵⁶ Iowa Code § 708.3(1) (2015).

¹⁶⁵⁷ Iowa Code § 902.9(1)(d) (2015).

¹⁶⁵⁸ Iowa Code § 902.9(1)(d) (2015).

¹⁶⁵⁹ Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁶⁰ Iowa Code § 902.9(1)(d) (2015).

¹⁶⁶¹ Iowa Code § 902.9(1)(d) (2015).

¹⁶⁶² Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁶³ Iowa Code § 911.1(1) (2015).

¹⁶⁶⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁶⁶⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.3(2)—No serious injury results

Class = “D” felony¹⁶⁶⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶⁶⁷	0 ¹⁶⁶⁸	No, but see Enhancements	No, ¹⁶⁶⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶⁷⁰	\$750 ¹⁶⁷¹	No, ¹⁶⁷² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁷³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁷⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁶⁷⁵

¹⁶⁶⁶ Iowa Code § 708.3(2) (2015).

¹⁶⁶⁷ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁶⁸ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁶⁹ Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁷⁰ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁷¹ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁷² Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁷³ Iowa Code § 911.1(1) (2015).

¹⁶⁷⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁶⁷⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.3A—Assaults on Certain Professionals

§ 708.3A(1)—Assault against peace officer, etc. w/ intent to inflict serious injury

Class = “D” felony¹⁶⁷⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶⁷⁷	0 ¹⁶⁷⁸	No, but see Enhancements	No, ¹⁶⁷⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶⁸⁰	\$750 ¹⁶⁸¹	No, ¹⁶⁸² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁸³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁸⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁶⁸⁵

¹⁶⁷⁶ Iowa Code § 708.3A(1) (2015).

¹⁶⁷⁷ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁷⁸ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁷⁹ Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁸⁰ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁸¹ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁸² Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁸³ Iowa Code § 911.1(1) (2015).

¹⁶⁸⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁶⁸⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.3A(2)—Assault against peace officer, etc. w/ dangerous weapon

Class = “D” felony¹⁶⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶⁸⁷	0 ¹⁶⁸⁸	No, but see Enhancements	No, ¹⁶⁸⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶⁹⁰	\$750 ¹⁶⁹¹	No, ¹⁶⁹² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁹⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁶⁹⁵

¹⁶⁸⁶ Iowa Code § 708.3A(2) (2015).

¹⁶⁸⁷ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁸⁸ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁸⁹ Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁹⁰ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁹¹ Iowa Code § 902.9(1)(e) (2015).

¹⁶⁹² Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁹³ Iowa Code § 911.1(1) (2015).

¹⁶⁹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁶⁹⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.3A(3)—Assault against peace officer, etc. causing bodily injury or mental illness

Class = aggravated misdemeanor¹⁶⁹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁶⁹⁷	0 ¹⁶⁹⁸	None	No DJ if assault was against peace officer while performing peace officer's duties ¹⁶⁹⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁷⁰⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁷⁰¹	\$625 ¹⁷⁰²	Yes ¹⁷⁰³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁰⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁰⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁷⁰⁶

¹⁶⁹⁶ Iowa Code § 708.3A(3) (2015).

¹⁶⁹⁷ Iowa Code § 903.1(2) (2015).

¹⁶⁹⁸ Iowa Code § 903.1(2) (2015).

¹⁶⁹⁹ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁷⁰⁰ Iowa Code § 903.1(2) (2015).

¹⁷⁰¹ Iowa Code § 903.1(2) (2015).

¹⁷⁰² Iowa Code § 903.1(2) (2015).

¹⁷⁰³ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁷⁰⁴ Iowa Code § 911.1(1) (2015).

¹⁷⁰⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁷⁰⁶ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.3A(4)—Any other assault against a peace officer, etc.**Class** = serious misdemeanor¹⁷⁰⁷**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁷⁰⁸	0 ¹⁷⁰⁹	N/A	No DJ if assault was against peace officer while performing peace officer's duties ¹⁷¹⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁷¹¹	\$315 ¹⁷¹²	No ¹⁷¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁷¹⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁷¹⁶

¹⁷⁰⁷ Iowa Code § 708.3A(4) (2015).¹⁷⁰⁸ Iowa Code § 903.1(1)(b) (2015).¹⁷⁰⁹ Iowa Code § 903.1(1)(b) (2015).¹⁷¹⁰ Iowa Code § 907.3(1)(a)(11) (2015).¹⁷¹¹ Iowa Code § 903.1(1)(b) (2015).¹⁷¹² Iowa Code § 903.1(1)(b) (2015).¹⁷¹³ Iowa Code § 903.1(1)(b) (2015).¹⁷¹⁴ Iowa Code § 911.1(1) (2015).¹⁷¹⁵ Iowa Code § 81.2(6) (2015).¹⁷¹⁶ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.3B—Inmate Assaults

Class = “D” felony¹⁷¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷¹⁸	0 ¹⁷¹⁹	No, but see Enhancements	No, ¹⁷²⁰ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷²¹	\$750 ¹⁷²²	No, ¹⁷²³ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷²⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷²⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁷²⁶

¹⁷¹⁷ Iowa Code § 708.3B (2015).

¹⁷¹⁸ Iowa Code § 902.9(1)(e) (2015).

¹⁷¹⁹ Iowa Code § 902.9(1)(e) (2015).

¹⁷²⁰ Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷²¹ Iowa Code § 902.9(1)(e) (2015).

¹⁷²² Iowa Code § 902.9(1)(e) (2015).

¹⁷²³ Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷²⁴ Iowa Code § 911.1(1) (2015).

¹⁷²⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁷²⁶ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.4—Willful Injury

§ 708.4(1)—Causing serious injury

Class = “C” felony¹⁷²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁷²⁸	0 ¹⁷²⁹	No, but see Enhancements	No, ¹⁷³⁰ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁷³¹	\$1000 ¹⁷³²	No, ¹⁷³³ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷³⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁷³⁶

¹⁷²⁷ Iowa Code § 708.4(1) (2015).

¹⁷²⁸ Iowa Code § 902.9(1)(d) (2015).

¹⁷²⁹ Iowa Code § 902.9(1)(d) (2015).

¹⁷³⁰ Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Love*, 858 N.W.2d 721, 725 (Iowa 2015) (noting “[t]here is no question that as a general proposition, the crime of willful injury cannot be completed without also completing the crime of assault with intent,” thereby implying willful injury is a type of assault (citations omitted)); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷³¹ Iowa Code § 902.9(1)(d) (2015).

¹⁷³² Iowa Code § 902.9(1)(d) (2015).

¹⁷³³ Iowa Code § 907.3 (2015); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Love*, 858 N.W.2d 721, 725 (Iowa 2015) (noting “[t]here is no question that as a general proposition, the crime of willful injury cannot be completed without also completing the crime of assault with intent,” thereby implying willful injury is a type of assault (citations omitted)); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷³⁴ Iowa Code § 911.1(1) (2015).

¹⁷³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁷³⁶ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.4(2)—Causing bodily injury to another

Class = “D” felony¹⁷³⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷³⁸	0 ¹⁷³⁹	No, but see Enhancements	No DJ if assault was against peace officer while performing peace officer’s duties ¹⁷⁴⁰ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷⁴¹	\$750 ¹⁷⁴²	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁴⁴	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible:
 - Willful injury causing bodily injury is not a forcible felony,¹⁷⁴⁵ so not automatically prohibited from receiving DJ, DS, or SS
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁷⁴⁶

¹⁷³⁷ Iowa Code § 708.4(2) (2015).

¹⁷³⁸ Iowa Code § 902.9(1)(e) (2015).

¹⁷³⁹ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁴⁰ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁷⁴¹ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁴² Iowa Code § 902.9(1)(e) (2015).

¹⁷⁴³ Iowa Code § 911.1(1) (2015).

¹⁷⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁷⁴⁵ Iowa Code § 702.11(2)(a) (2015).

¹⁷⁴⁶ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.5—Administering Harmful Substances

Class = “D” felony¹⁷⁴⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷⁴⁸	0 ¹⁷⁴⁹	No, but see Enhancements	Yes ¹⁷⁵⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷⁵¹	\$750 ¹⁷⁵²	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁵³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁵⁴	Maybe, see notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Offense was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § 629A.126¹⁷⁵⁵

¹⁷⁴⁷ Iowa Code § 708.5 (2015).

¹⁷⁴⁸ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁴⁹ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁵⁰ See Iowa Code § 907.3 (2015).

¹⁷⁵¹ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁵² Iowa Code § 902.9(1)(e) (2015).

¹⁷⁵³ Iowa Code § 911.1(1) (2015).

¹⁷⁵⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁷⁵⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.6—Intimidation with Dangerous Weapon

§ 708.6, unnum. para. 1—Intimidation w/ intent to injure or provoke

Class = “C” felony¹⁷⁵⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁷⁵⁷	0 ¹⁷⁵⁸	No, but see Enhancements	No, ¹⁷⁵⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁷⁶⁰	\$1000 ¹⁷⁶¹	No, ¹⁷⁶² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁶³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁶⁴	Maybe, see notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁷⁶⁵

¹⁷⁵⁶ Iowa Code § 708.6, unnum. para. 1 (2015).

¹⁷⁵⁷ Iowa Code § 902.9(1)(d) (2015).

¹⁷⁵⁸ Iowa Code § 902.9(1)(d) (2015).

¹⁷⁵⁹ Iowa Code § 907.3, unnum. para. 1 (2015); *id.* § 702.11(1) (including felonious “assault” as a forcible felony); *see State v. Young*, 293 N.W.2d 5, 7–8 (Iowa 1980) (holding that “terrorism” in violation of § 708.6 by “doing”—i.e., by “shoot[ing], throw[ing], launch[ing], or discharge[ing] a dangerous weapon”—involves commission of an assault and, therefore is a forcible felony); *see also Phuoc Thanh Nguyen v. State*, 829 N.W.2d 183, 185 & n.1 (Iowa 2013) (noting defendant was charged with “participating in the forcible felony of terrorism” and that “[t]he offense of ‘Terrorism’ was renamed ‘Intimidation with a dangerous weapon’ in 2002 (citation omitted)).

¹⁷⁶⁰ Iowa Code § 902.9(1)(d) (2015).

¹⁷⁶¹ Iowa Code § 902.9(1)(d) (2015).

¹⁷⁶² Iowa Code § 907.3, unnum. para. 1 (2015); *id.* § 702.11(1) (including felonious “assault” as a forcible felony); *see State v. Young*, 293 N.W.2d 5, 7–8 (Iowa 1980) (holding that “terrorism” in violation of § 708.6 by “doing”—i.e., by “shoot[ing], throw[ing], launch[ing], or discharge[ing] a dangerous weapon”—involves commission of an assault and, therefore is a forcible felony); *see also Phuoc Thanh Nguyen v. State*, 829 N.W.2d 183, 185 & n.1 (Iowa 2013) (noting defendant was charged with “participating in the forcible felony of terrorism” and that “[t]he offense of ‘Terrorism’ was renamed ‘Intimidation with a dangerous weapon’ in 2002 (citation omitted)).

¹⁷⁶³ Iowa Code § 911.1(1) (2015).

¹⁷⁶⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁷⁶⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.6, unnum. para. 1—Threatened intimidation w/ intent to injure or provoke

Class = “C” felony¹⁷⁶⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁷⁶⁷	0 ¹⁷⁶⁸	No, but see Enhancements	Yes, except no DJ if assault was against peace officer while performing peace officer’s duties ¹⁷⁶⁹ See Notes

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁷⁷⁰	\$1000 ¹⁷⁷¹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁷²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁷³	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - The “threatening” version of “intimidation with a dangerous weapon” is not a forcible felony,¹⁷⁷⁴ so not automatically prohibited from receiving a DJ, DS, or SS
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁷⁷⁵

¹⁷⁶⁶ Iowa Code § 708.6, unnum. para. 1 (2015).

¹⁷⁶⁷ Iowa Code § 902.9(1)(d) (2015).

¹⁷⁶⁸ Iowa Code § 902.9(1)(d) (2015).

¹⁷⁶⁹ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁷⁷⁰ Iowa Code § 902.9(1)(d) (2015).

¹⁷⁷¹ Iowa Code § 902.9(1)(d) (2015).

¹⁷⁷² Iowa Code § 911.1(1) (2015).

¹⁷⁷³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁷⁷⁴ See *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[T]he ‘threatening’ form of terrorism [now known as ‘intimidation with a dangerous weapon’] does not constitute a felonious assault” because “assault [is] not a lesser included offense of the ‘threatens to shoot’ alternative of terrorism.” (citing *State v. Smith*, 309 N.W.2d 454, 456–57 (Iowa 1981))).

¹⁷⁷⁵ Iowa Code § 629A.102(1)(a)(6)(c) (2015).

§ 708.6, unnum. para. 2—Intimidation w/ dangerous weapon

Class = “D” felony¹⁷⁷⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷⁷⁷	0 ¹⁷⁷⁸	No, but see Enhancements	No, ¹⁷⁷⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷⁸⁰	\$750 ¹⁷⁸¹	No, ¹⁷⁸² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁸³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁸⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁷⁸⁵

¹⁷⁷⁶ Iowa Code § 708.6, unnum. para. 2 (2015).

¹⁷⁷⁷ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁷⁸ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁷⁹ Iowa Code § 907.3, unnum. para. 1 (2015); *id.* § 702.11(1) (including felonious “assault” as a forcible felony); *see State v. Young*, 293 N.W.2d 5, 7–8 (Iowa 1980) (holding that “terrorism” in violation of § 708.6 by “doing”—i.e., by “shoot[ing], throw[ing], launch[ing], or discharge[ing] a dangerous weapon”—involves commission of an assault and, therefore is a forcible felony); *see also Phuoc Thanh Nguyen v. State*, 829 N.W.2d 183, 185 & n.1 (Iowa 2013) (noting defendant was charged with “participating in the forcible felony of terrorism” and that “[t]he offense of ‘Terrorism’ was renamed ‘Intimidation with a dangerous weapon’ in 2002 (citation omitted)).

¹⁷⁸⁰ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁸¹ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁸² Iowa Code § 907.3, unnum. para. 1 (2015); *id.* § 702.11(1) (including felonious “assault” as a forcible felony); *see State v. Young*, 293 N.W.2d 5, 7–8 (Iowa 1980) (holding that “terrorism” in violation of § 708.6 by “doing”—i.e., by “shoot[ing], throw[ing], launch[ing], or discharge[ing] a dangerous weapon”—involves commission of an assault and, therefore is a forcible felony); *see also Phuoc Thanh Nguyen v. State*, 829 N.W.2d 183, 185 & n.1 (Iowa 2013) (noting defendant was charged with “participating in the forcible felony of terrorism” and that “[t]he offense of ‘Terrorism’ was renamed ‘Intimidation with a dangerous weapon’ in 2002 (citation omitted)).

¹⁷⁸³ Iowa Code § 911.1(1) (2015).

¹⁷⁸⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁷⁸⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.6, unnum. para. 2—Threatened intimidation w/ dangerous weapon

Class = “D” felony¹⁷⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷⁸⁷	0 ¹⁷⁸⁸	No, but see Enhancements	Yes, except no DJ if assault was against peace officer while performing peace officer’s duties ¹⁷⁸⁹ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷⁹⁰	\$750 ¹⁷⁹¹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁹²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁹³	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - The “threatening” version of “intimidation with a dangerous weapon” is not a forcible felony,¹⁷⁹⁴ so not automatically prohibited from receiving a DJ, DS, or SS
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁷⁹⁵

¹⁷⁸⁶ Iowa Code § 708.6, unnum. para. 2 (2015).

¹⁷⁸⁷ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁸⁸ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁸⁹ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁷⁹⁰ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁹¹ Iowa Code § 902.9(1)(e) (2015).

¹⁷⁹² Iowa Code § 911.1(1) (2015).

¹⁷⁹³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁷⁹⁴ See *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[T]he ‘threatening’ form of terrorism [now known as ‘intimidation with a dangerous weapon’] does not constitute a felonious assault” because “assault [is] not a lesser included offense of the ‘threatens to shoot’ alternative of terrorism.” (citing *State v. Smith*, 309 N.W.2d 454, 456–57 (Iowa 1981))).

¹⁷⁹⁵ Iowa Code § 629A.102(1)(a)(6)(c) (2015).

§ 708.7—Harassment

§ 708.7(2)—First-degree harassment

Class = aggravated misdemeanor¹⁷⁹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁷⁹⁷	0 ¹⁷⁹⁸	None	Yes ¹⁷⁹⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁸⁰⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁸⁰¹	\$625 ¹⁸⁰²	Yes ¹⁸⁰³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁰⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁰⁵	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Harassment was sexually motivated pursuant to § 692A.126¹⁸⁰⁶

¹⁷⁹⁶ Iowa Code § 708.7(2)(b) (2015).

¹⁷⁹⁷ Iowa Code § 903.1(2) (2015).

¹⁷⁹⁸ Iowa Code § 903.1(2) (2015).

¹⁷⁹⁹ See Iowa Code § 907.3 (2015).

¹⁸⁰⁰ Iowa Code § 903.1(2) (2015).

¹⁸⁰¹ Iowa Code § 903.1(2) (2015).

¹⁸⁰² Iowa Code § 903.1(2) (2015).

¹⁸⁰³ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁸⁰⁴ Iowa Code § 911.1(1) (2015).

¹⁸⁰⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁸⁰⁶ Iowa Code § 692A.102(1)(a)(6)(a) (2015).

§ 708.7(3)—Second-degree harassment

Class = serious misdemeanor¹⁸⁰⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁸⁰⁸	0 ¹⁸⁰⁹	N/A	Yes ¹⁸¹⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁸¹¹	\$315 ¹⁸¹²	No ¹⁸¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁸¹⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Harassment was sexually motivated pursuant to § 692A.126¹⁸¹⁶

¹⁸⁰⁷ Iowa Code § 708.7(3)(b) (2015).

¹⁸⁰⁸ Iowa Code § 903.1(1)(b) (2015).

¹⁸⁰⁹ Iowa Code § 903.1(1)(b) (2015).

¹⁸¹⁰ See Iowa Code § 907.3 (2015).

¹⁸¹¹ Iowa Code § 903.1(1)(b) (2015).

¹⁸¹² Iowa code § 903.1(1)(b) (2015).

¹⁸¹³ Iowa Code § 903.1(1)(b) (2015).

¹⁸¹⁴ Iowa Code § 911.1(1) (2015).

¹⁸¹⁵ Iowa Code § 81.2(6) (2015).

¹⁸¹⁶ Iowa Code § 692A.102(1)(a)(6)(a) (2015).

§ 708.7(4)—Third-degree harassment

Class = simple misdemeanor¹⁸¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁸¹⁸	0 ¹⁸¹⁹	N/A	Yes ¹⁸²⁰

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁸²¹	\$65 ¹⁸²²	No ¹⁸²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸²⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁸²⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Harassment was sexually motivated pursuant to § 692A.126¹⁸²⁶

¹⁸¹⁷ Iowa Code § 708.7(4)(b) (2015).

¹⁸¹⁸ Iowa Code § 903.1(1)(a) (2015).

¹⁸¹⁹ Iowa Code § 903.1(1)(a) (2015).

¹⁸²⁰ See Iowa Code § 907.3 (2015).

¹⁸²¹ Iowa Code § 903.1(1)(a) (2015).

¹⁸²² Iowa Code § 903.1(1)(a) (2015).

¹⁸²³ Iowa Code § 903.1(1) (2015).

¹⁸²⁴ Iowa Code § 911.1(1) (2015).

¹⁸²⁵ Iowa Code § 81.2(6) (2015).

¹⁸²⁶ Iowa Code § 692A.102(1)(a)(6)(a) (2015).

§ 708.8—Going Armed with Intent

Class = “D” felony¹⁸²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁸²⁸	0 ¹⁸²⁹	No, but see Enhancements	No, ¹⁸³⁰ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁸³¹	\$750 ¹⁸³²	No, ¹⁸³³ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸³⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § 629A.126¹⁸³⁶

¹⁸²⁷ Iowa Code § 708.8 (2015).

¹⁸²⁸ Iowa Code § 902.9(1)(e) (2015).

¹⁸²⁹ Iowa Code § 902.9(1)(e) (2015).

¹⁸³⁰ Iowa Code § 907.3, unnum. para. 1 (2015); *id.* § 702.11(1) (including felonious “assault” as a forcible felony); *see In re C.T.*, 521 N.W.2d 754, 756 (Iowa 1994) (noting “[f]orcible felonies include assault” and “[o]ne form of assault is going armed with intent” (citing Iowa Code §§ 702.11, 708.8)).

¹⁸³¹ Iowa Code § 902.9(1)(e) (2015).

¹⁸³² Iowa Code § 902.9(1)(e) (2015).

¹⁸³³ Iowa Code § 907.3, unnum. para. 1 (2015); *id.* § 702.11(1) (including felonious “assault” as a forcible felony); *see In re C.T.*, 521 N.W.2d 754, 756 (Iowa 1994) (noting “[f]orcible felonies include assault” and “[o]ne form of assault is going armed with intent” (citing Iowa Code §§ 702.11, 708.8)).

¹⁸³⁴ Iowa Code § 911.1(1) (2015).

¹⁸³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁸³⁶ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.9—Setting spring guns or traps

Class = aggravated misdemeanor¹⁸³⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁸³⁸	0 ¹⁸³⁹	None	Yes ¹⁸⁴⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁸⁴¹

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁸⁴²	\$625 ¹⁸⁴³	Yes ¹⁸⁴⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁴⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁴⁶	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Offense was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § 629A.126¹⁸⁴⁷

¹⁸³⁷ Iowa Code § 708.9 (2015).

¹⁸³⁸ Iowa Code § 903.1(2) (2015).

¹⁸³⁹ Iowa Code § 903.1(2) (2015).

¹⁸⁴⁰ See Iowa Code § 907.3 (2015).

¹⁸⁴¹ Iowa Code § 903.1(2) (2015).

¹⁸⁴² Iowa Code § 903.1(2) (2015).

¹⁸⁴³ Iowa Code § 903.1(2) (2015).

¹⁸⁴⁴ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁸⁴⁵ Iowa Code § 911.1(1) (2015).

¹⁸⁴⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁸⁴⁷ Iowa Code § 692A.102(1)(a)(6)(c) (2015).

§ 708.10—Hazing

§ 708.10(2)—Basic hazing

Class = simple misdemeanor¹⁸⁴⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁸⁴⁹	0 ¹⁸⁵⁰	N/A	Yes ¹⁸⁵¹

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁸⁵²	\$65 ¹⁸⁵³	No ¹⁸⁵⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁵⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁸⁵⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Offense was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § 629A.126¹⁸⁵⁷

¹⁸⁴⁸ Iowa Code § 708.10(2) (2015).

¹⁸⁴⁹ Iowa Code § 903.1(1)(a) (2015).

¹⁸⁵⁰ Iowa Code § 903.1(1)(a) (2015).

¹⁸⁵¹ See Iowa Code § 907.3 (2015).

¹⁸⁵² Iowa Code § 903.1(1)(a) (2015).

¹⁸⁵³ Iowa Code § 903.1(1)(a) (2015).

¹⁸⁵⁴ Iowa Code § 903.1(1) (2015).

¹⁸⁵⁵ Iowa Code § 911.1(1) (2015).

¹⁸⁵⁶ Iowa Code § 81.2(6) (2015).

¹⁸⁵⁷ Iowa Code §§ 692A.102(1)(a)(6)(c), 708.15 (2015).

§ 708.10(3)—Hazing causing serious bodily injury

Class = serious misdemeanor¹⁸⁵⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁸⁵⁹	0 ¹⁸⁶⁰	N/A	Yes ¹⁸⁶¹

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁸⁶²	\$315 ¹⁸⁶³	No ¹⁸⁶⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁶⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁸⁶⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Offense was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § 629A.126¹⁸⁶⁷

¹⁸⁵⁸ Iowa Code § 708.10(3) (2015).

¹⁸⁵⁹ Iowa Code § 903.1(1)(b) (2015).

¹⁸⁶⁰ Iowa Code § 903.1(1)(b) (2015).

¹⁸⁶¹ See Iowa Code § 907.3 (2015).

¹⁸⁶² Iowa Code § 903.1(1)(b) (2015).

¹⁸⁶³ Iowa Code § 903.1(1)(b) (2015).

¹⁸⁶⁴ Iowa Code § 903.1(1) (2015).

¹⁸⁶⁵ Iowa Code § 911.1(1) (2015).

¹⁸⁶⁶ Iowa Code § 81.2(6) (2015).

¹⁸⁶⁷ Iowa Code §§ 692A.102(1)(a)(6)(c), 708.15 (2015).

§ 708.11—Stalking

§ 708.11(3)(a)—Third or subsequent offense

Class = “C” felony¹⁸⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁸⁶⁹	0 ¹⁸⁷⁰	No, but see Enhancements	Yes ¹⁸⁷¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁸⁷²	\$1000 ¹⁸⁷³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁷⁴	No	No	Yes, \$100 ¹⁸⁷⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁷⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Determination is made that offense was sexually motivated pursuant to § 692A.126¹⁸⁷⁷

¹⁸⁶⁸ Iowa Code § 708.11(3)(a) (2015).

¹⁸⁶⁹ Iowa Code § 902.9(1)(d) (2015).

¹⁸⁷⁰ Iowa Code § 902.9(1)(d) (2015).

¹⁸⁷¹ See Iowa Code § 907.3 (2015).

¹⁸⁷² Iowa Code § 902.9(1)(d) (2015).

¹⁸⁷³ Iowa Code § 902.9(1)(d) (2015).

¹⁸⁷⁴ Iowa Code § 911.1(1) (2015).

¹⁸⁷⁵ Iowa Code § 911.2B(1) (2015).

¹⁸⁷⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁸⁷⁷ Iowa Code § 692A.102(1)(a)(6)(b) (2015); *accord id.* § 708.11(6) (“For purposes of determining whether or not the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section 692A.126.”).

§ 708.11(3)(b)—Specific conduct or 2d offense

Class = “D” felony¹⁸⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS. Eligible?
5 years ¹⁸⁷⁹	0 ¹⁸⁸⁰	No, but see Enhancements	Yes ¹⁸⁸¹

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁸⁸²	\$750 ¹⁸⁸³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁸⁴	No	No	Yes, \$100 ¹⁸⁸⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁸⁶	Maybe, see notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Determination is made that offense was sexually motivated pursuant to § 692A.126¹⁸⁸⁷

¹⁸⁷⁸ Iowa Code § 708.11(3)(b) (2015).

¹⁸⁷⁹ Iowa Code § 902.9(1)(e) (2015).

¹⁸⁸⁰ Iowa Code § 902.9(1)(e) (2015).

¹⁸⁸¹ See Iowa Code § 907.3 (2015).

¹⁸⁸² Iowa Code § 902.9(1)(e) (2015).

¹⁸⁸³ Iowa Code § 902.9(1)(e) (2015).

¹⁸⁸⁴ Iowa Code § 911.1(1) (2015).

¹⁸⁸⁵ Iowa Code § 911.2B(1) (2015).

¹⁸⁸⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁸⁸⁷ Iowa Code § 692A.102(1)(a)(6)(b) (2015) (for violations of § 708.11, other than § 708.11(3)(b)(3)); *id.* § 692A.102(1)(b)(8) (for violations of § 708.11(3)(b)(3)); *accord id.* § 708.11(6) (“For purposes of determining whether or not the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section 692A.126.”).

§ 708.11(3)(c)—First offense

Class = aggravated misdemeanor¹⁸⁸⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁸⁸⁹	0 ¹⁸⁹⁰	None	Yes ¹⁸⁹¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁸⁹²

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁸⁹³	\$625 ¹⁸⁹⁴	Yes ¹⁸⁹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁹⁶	No	No	Yes, \$100 ¹⁸⁹⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁹⁸	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Determination is made that offense was sexually motivated pursuant to § 692A.126¹⁸⁹⁹

¹⁸⁸⁸ Iowa Code § 708.11(3)(c) (2015).

¹⁸⁸⁹ Iowa Code § 903.1(2) (2015).

¹⁸⁹⁰ Iowa Code § 903.1(2) (2015).

¹⁸⁹¹ See Iowa Code § 907.3 (2015).

¹⁸⁹² Iowa Code § 903.1(2) (2015).

¹⁸⁹³ Iowa Code § 903.1(2) (2015).

¹⁸⁹⁴ Iowa Code § 903.1(2) (2015).

¹⁸⁹⁵ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁸⁹⁶ Iowa Code § 911.1(1) (2015).

¹⁸⁹⁷ Iowa Code § 911.2B(1) (2015).

¹⁸⁹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁸⁹⁹ Iowa Code § 692A.102(1)(a)(6)(b) (2015); *accord id.* § 708.11(6) (“For purposes of determining whether or not the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section 692A.126.”).

§ 708.12—Removal of Officer’s Communication or Control Device

§ 708.12(3)(a)—Basic removal of communication or control device

Class = simple misdemeanor¹⁹⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁹⁰¹	0 ¹⁹⁰²	N/A	Yes ¹⁹⁰³

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁹⁰⁴	\$65 ¹⁹⁰⁵	No ¹⁹⁰⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁰⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

¹⁹⁰⁰ Iowa Code § 708.12(3)(a) (2015).

¹⁹⁰¹ Iowa Code § 903.1(1)(a) (2015).

¹⁹⁰² Iowa Code § 903.1(1)(a) (2015).

¹⁹⁰³ See Iowa Code § 907.3 (2015).

¹⁹⁰⁴ Iowa Code § 903.1(1)(a) (2015).

¹⁹⁰⁵ Iowa Code § 903.1(1)(a) (2015).

¹⁹⁰⁶ Iowa Code § 903.1(1) (2015).

¹⁹⁰⁷ Iowa Code § 911.1(1) (2015).

§ 708.12(3)(b)—With intent to interfere

Class = serious misdemeanor¹⁹⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁹⁰⁹	0 ¹⁹¹⁰	N/A	Yes ¹⁹¹¹

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁹¹²	\$315 ¹⁹¹³	No ¹⁹¹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹¹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

¹⁹⁰⁸ Iowa Code § 708.12(3)(b) (2015).

¹⁹⁰⁹ Iowa Code § 903.1(1)(b) (2015).

¹⁹¹⁰ Iowa Code § 903.1(1)(b) (2015).

¹⁹¹¹ See Iowa Code § 907.3 (2015).

¹⁹¹² Iowa Code § 903.1(1)(b) (2015).

¹⁹¹³ Iowa Code § 903.1(1)(b) (2015).

¹⁹¹⁴ Iowa Code § 903.1(1) (2015).

¹⁹¹⁵ Iowa Code § 911.1(1) (2015).

§ 708.12(3)(c)—Resulting in bodily injury to officer**Class** = serious misdemeanor¹⁹¹⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁹¹⁷	0 ¹⁹¹⁸	N/A	Yes ¹⁹¹⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁹²⁰	\$315 ¹⁹²¹	No ¹⁹²²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹²³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:¹⁹¹⁶ Iowa Code § 708.12(3)(c) (2015).¹⁹¹⁷ Iowa Code § 903.1(1)(b) (2015).¹⁹¹⁸ Iowa Code § 903.1(1)(b) (2015).¹⁹¹⁹ See Iowa Code § 907.3 (2015).¹⁹²⁰ Iowa Code § 903.1(1)(b) (2015).¹⁹²¹ Iowa Code § 903.1(1)(b) (2015).¹⁹²² Iowa Code § 903.1(1) (2015).¹⁹²³ Iowa Code § 911.1(1) (2015).

§ 708.12(3)(d)—Resulting in serious injury to the officer

Class = aggravated misdemeanor¹⁹²⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁹²⁵	0 ¹⁹²⁶	None	Yes ¹⁹²⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁹²⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁹²⁹	\$625 ¹⁹³⁰	Yes ¹⁹³¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹³²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹³³	No	No

Notes:

¹⁹²⁴ Iowa Code § 708.12(3)(d) (2015).

¹⁹²⁵ Iowa Code § 903.1(2) (2015).

¹⁹²⁶ Iowa Code § 903.1(2) (2015).

¹⁹²⁷ See Iowa Code § 907.3 (2015).

¹⁹²⁸ Iowa Code § 903.1(2) (2015).

¹⁹²⁹ Iowa Code § 903.1(2) (2015).

¹⁹³⁰ Iowa Code § 903.1(2) (2015).

¹⁹³¹ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁹³² Iowa Code § 911.1(1) (2015).

¹⁹³³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 708.12(3)(e)—While knowingly or intentionally causing bodily injury to officer

Class = aggravated misdemeanor¹⁹³⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, Ds, or SS Eligible?
2 years ¹⁹³⁵	0 ¹⁹³⁶	None	Yes except no DJ if offense was against peace officer while performing peace officer's duties ¹⁹³⁷ (if offense qualifies as an "assault" per § 907.3(1)(a)(11), ¹⁹³⁸ see Notes)

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁹³⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁹⁴⁰	\$625 ¹⁹⁴¹	Yes ¹⁹⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹⁴⁴	No	No

Notes:

❖ DJ, DS, or SS Eligible:

- if the alternative elements of assault in § 708.1(2) are compared with the elements of this offense, and in light of *State v. Young*, 293 N.W.2d 5, 7–8 (Iowa 1980), this offense could qualify as an "assault"
 - however, the Iowa Criminal Law Handbook does not list assault as a lesser included offense of this offense and the Iowa Supreme Court has not explicitly held one way or the other

¹⁹³⁴ Iowa Code § 708.12(3)(e) (2015).

¹⁹³⁵ Iowa Code § 903.1(2) (2015).

¹⁹³⁶ Iowa Code § 903.1(2) (2015).

¹⁹³⁷ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁹³⁸ For Iowa Code § 907.3(1)(a)(11) (2015) to apply, the offense must be an "assault" as defined in § 708.1 (i.e., basic assault).

However, the language of § 708.12 ("removal of an officer's communication or control device") does not explicitly require there to be an assault as defined in § 708.1 in order for there to be a violation of § 708.12. As of April 5, 2017, there is no case law indicting whether removal of an officer's communication or control device involves conduct that would constitute an assault as defined in § 708.1.

¹⁹³⁹ Iowa Code § 903.1(2) (2015).

¹⁹⁴⁰ Iowa Code § 903.1(2) (2015).

¹⁹⁴¹ Iowa Code § 903.1(2) (2015).

¹⁹⁴² Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁹⁴³ Iowa Code § 911.1(1) (2015).

¹⁹⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 708.12(3)(f)—Removal and knowingly or intentionally causes serious injury to officer

Class = “D” felony¹⁹⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁹⁴⁶	0 ¹⁹⁴⁷	None	Yes except no DJ if offense was against peace officer while performing peace officer’s duties ¹⁹⁴⁸ (if offense qualifies as an “assault” per § 907.3(1)(a)(11), ¹⁹⁴⁹ see Notes)

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁹⁵⁰	\$750 ¹⁹⁵¹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁵²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹⁵³	No	No

Notes:

❖ DJ, DS, or SS Eligible?

- This crime is not a forcible felony,¹⁹⁵⁴ so not automatically precluded from receiving a DJ, DS, or SS
- if the alternative elements of assault in § 708.1(2) are compared with the elements of this offense, and in light of *State v. Young*, 293 N.W.2d 5, 7–8 (Iowa 1980), this offense could qualify as an “assault”
 - however, the Iowa Criminal Law Handbook does not list assault as a lesser included offense of this offense and the Iowa Supreme Court has not explicitly held one way or the other

¹⁹⁴⁵ Iowa Code § 708.12(3)(f) (2015).

¹⁹⁴⁶ Iowa Code § 902.9(1)(e) (2015).

¹⁹⁴⁷ Iowa Code § 902.9(1)(e) (2015).

¹⁹⁴⁸ Iowa Code § 907.3(1)(a)(11) (2015).

¹⁹⁴⁹ For Iowa Code § 907.3(1)(a)(11) (2015) to apply, the offense must be an “assault” as defined in § 708.1 (i.e., basic assault).

However, the language of § 708.12 (“removal of an officer’s communication or control device”) does not explicitly require there to be an assault as defined in § 708.1 in order for there to be a violation of § 708.12. As of April 5, 2017, there is no case law indicting whether removal of an officer’s communication or control device involves conduct that would constitute an assault as defined in § 708.1.

¹⁹⁵⁰ Iowa Code § 902.9(1)(e) (2015).

¹⁹⁵¹ Iowa Code § 902.9(1)(e) (2015).

¹⁹⁵² Iowa Code § 911.1(1) (2015).

¹⁹⁵³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁹⁵⁴ Iowa Code § 702.11(2)(h) (2015).

§ 708.13—Disarming a Peace Officer of a Dangerous Weapon

§ 708.13(2)—Basic disarming

Class = “D” felony¹⁹⁵⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁹⁵⁶	0 ¹⁹⁵⁷	No, but see Enhancements	Yes ¹⁹⁵⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁹⁵⁹	\$750 ¹⁹⁶⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁶¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹⁶²	No	No

Notes:

¹⁹⁵⁵ Iowa Code § 708.13(2) (2015).

¹⁹⁵⁶ Iowa Code § 902.9(1)(e) (2015).

¹⁹⁵⁷ Iowa Code § 902.9(1)(e) (2015).

¹⁹⁵⁸ See Iowa Code § 907.3 (2015).

¹⁹⁵⁹ Iowa Code § 902.9(1)(e) (2015).

¹⁹⁶⁰ Iowa Code § 902.9(1)(e) (2015).

¹⁹⁶¹ Iowa Code § 911.1(1) (2015).

¹⁹⁶² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 708.13(3)—Discharge of dangerous weapon while disarming peace officerClass = “C” felony¹⁹⁶³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁹⁶⁴	0 ¹⁹⁶⁵	No, but see Enhancements	Yes ¹⁹⁶⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁹⁶⁷	\$1000 ¹⁹⁶⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁶⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹⁷⁰	No	No

Notes:¹⁹⁶³ Iowa Code § 708.13(3) (2015).¹⁹⁶⁴ Iowa Code § 902.9(1)(d) (2015).¹⁹⁶⁵ Iowa Code § 902.9(1)(d) (2015).¹⁹⁶⁶ See Iowa Code § 907.3 (2015).¹⁹⁶⁷ Iowa Code § 902.9(1)(d) (2015).¹⁹⁶⁸ Iowa Code § 902.9(1)(d) (2015).¹⁹⁶⁹ Iowa Code § 911.1(!) (2015).¹⁹⁷⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 708.14—Abuse of a Corpse

Class = “D” felony¹⁹⁷¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁹⁷²	0 ¹⁹⁷³	No, but see Enhancements	Yes ¹⁹⁷⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁹⁷⁵	\$750 ¹⁹⁷⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁷⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹⁷⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Offense was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § 629A.126¹⁹⁷⁹

¹⁹⁷¹ Iowa Code § 708.14(2) (2015).

¹⁹⁷² Iowa Code § 902.9(1)(e) (2015).

¹⁹⁷³ Iowa Code § 902.9(1)(e) (2015).

¹⁹⁷⁴ See Iowa Code § 907.3 (2015).

¹⁹⁷⁵ Iowa Code § 902.9(1)(e) (2015).

¹⁹⁷⁶ Iowa Code § 902.9(1)(e) (2015).

¹⁹⁷⁷ Iowa Code § 911.1(1) (2015).

¹⁹⁷⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

¹⁹⁷⁹ Iowa Code §§ 692A.102(1)(a)(6)(c), 708.15 (2015).

CH. 708A TERRORISM

§ 708A.2—*Terrorism*

Class = “B” felony¹⁹⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ¹⁹⁸¹	0 ¹⁹⁸²	No, but see Enhancements	Yes ¹⁹⁸³

Fines

Max.	Min.	Can Suspend?
0 ¹⁹⁸⁴	0 ¹⁹⁸⁵	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹⁸⁶	No	No

Notes:

¹⁹⁸⁰ Iowa Code § 708A.2 (2015).

¹⁹⁸¹ Iowa Code § 708A.2 (2015).

¹⁹⁸² Iowa Code § 902.9(1)(b) (2015).

¹⁹⁸³ See Iowa Code § 907.3 (2015).

¹⁹⁸⁴ See Iowa Code § 902.9(1)(b) (2015).

¹⁹⁸⁵ See Iowa Code § 902.9(1)(b) (2015).

¹⁹⁸⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 708A.4—Soliciting or Providing Support or Resources for Terrorism

§ 708A.4(1)—Providing material support in excess of \$1000

Class = “B” felony¹⁹⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹⁹⁸⁸	0 ¹⁹⁸⁹	No, but see Enhancements	Yes ¹⁹⁹⁰

Fines

Max.	Min.	Can Suspend?
0 ¹⁹⁹¹	0 ¹⁹⁹²	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹⁹³	No	No

Notes:

¹⁹⁸⁷ Iowa Code § 708A.4(1) (2015).

¹⁹⁸⁸ Iowa Code § 902.9(1)(b) (2015).

¹⁹⁸⁹ Iowa Code § 902.9(1)(b) (2015).

¹⁹⁹⁰ See Iowa Code § 907.3 (2015).

¹⁹⁹¹ See Iowa Code § 902.9(1)(b) (2015).

¹⁹⁹² See Iowa Code § 902.9(1)(b) (2015).

¹⁹⁹³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 708A.4(2)—Providing material support under \$1000

Class = “C” felony¹⁹⁹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁹⁹⁵	0 ¹⁹⁹⁶	No, but see Enhancements	Yes ¹⁹⁹⁷

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁹⁹⁸	\$1000 ¹⁹⁹⁹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁰⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁰¹	No	No

Notes:

¹⁹⁹⁴ Iowa Code § 708A.4(2) (2015).

¹⁹⁹⁵ Iowa Code § 902.9(1)(d) (2015).

¹⁹⁹⁶ Iowa Code § 902.9(1)(d) (2015).

¹⁹⁹⁷ See Iowa Code § 907.3 (2015).

¹⁹⁹⁸ Iowa Code § 902.9(1)(d) (2015).

¹⁹⁹⁹ Iowa Code § 902.9(1)(d) (2015).

²⁰⁰⁰ Iowa Code § 911.1(1) (2015).

²⁰⁰¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 708A.5—Threat of Terrorism

Class = “D” felony²⁰⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁰⁰³	0 ²⁰⁰⁴	No, but see Enhancements	Yes ²⁰⁰⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁰⁰⁶	\$750 ²⁰⁰⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁰⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁰⁹	No	No

Notes:

²⁰⁰² Iowa Code § 708A.5 (2015).

²⁰⁰³ Iowa Code § 902.9(1)(e) (2015).

²⁰⁰⁴ Iowa Code § 902.9(1)(e) (2015).

²⁰⁰⁵ See Iowa Code § 907.3 (2015).

²⁰⁰⁶ Iowa Code § 902.9(1)(e) (2015).

²⁰⁰⁷ Iowa Code § 902.9(1)(e) (2015).

²⁰⁰⁸ Iowa Code § 911.1(1) (2015).

²⁰⁰⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 708A.6—Obstruction of Terrorism Prosecution

§ 708A.6(1)—Criminal assistance that results in murder of a third person

Class = “B” felony²⁰¹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁰¹¹	0 ²⁰¹²	No, but see Enhancements	Yes ²⁰¹³

Fines

Max.	Min.	Can Suspend?
0 ²⁰¹⁴	0 ²⁰¹⁵	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰¹⁶	No	No

Notes:

²⁰¹⁰ Iowa Code § 708A.6 (2015).

²⁰¹¹ Iowa Code § 902.9(1)(b) (2015).

²⁰¹² Iowa Code § 902.9(1)(b) (2015).

²⁰¹³ See Iowa Code § 907.3 (2015).

²⁰¹⁴ See Iowa Code § 902.9(1)(b) (2015).

²⁰¹⁵ See Iowa Code § 902.9(1)(b) (2015).

²⁰¹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 708A.6(2)—Criminal assistance

Class = “C” felony²⁰¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁰¹⁸	0 ²⁰¹⁹	No, but see Enhancements	Yes ²⁰²⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁰²¹	\$1000 ²⁰²²	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰²³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰²⁴	No	No

Notes:

²⁰¹⁷ Iowa Code § 708A.6(2) (2015).

²⁰¹⁸ Iowa Code § 902.9(1)(d) (2015).

²⁰¹⁹ Iowa Code § 902.9(1)(d) (2015).

²⁰²⁰ See Iowa Code § 907.3 (2015).

²⁰²¹ Iowa Code § 902.9(1)(d) (2015).

²⁰²² Iowa Code § 902.9(1)(d) (2015).

²⁰²³ Iowa Code § 911.1(1) (2015).

²⁰²⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 709 SEXUAL ABUSE

§ 709.2—First-Degree Sexual Abuse

Class = “A” felony²⁰²⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, ²⁰²⁶ but see Under 18 Sentencing	Life, ²⁰²⁷ but see Under 18 Sentencing	Not eligible, ²⁰²⁸ but see Under 18 Sentencing	No, ²⁰²⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁰³⁰	0 ²⁰³¹	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	Yes, \$100 ²⁰³²	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰³³	Yes ²⁰³⁴	No

Notes:

- ❖ Special Sentence for Life²⁰³⁵:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for the rest of the person’s life, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²⁰²⁵ Iowa Code § 709.2, unnum. para. 2 (2015).

²⁰²⁶ Iowa Code § 902.1(1) (2015).

²⁰²⁷ Iowa Code § 902.1(1) (2015).

²⁰²⁸ Iowa Code § 902.1(1) (2015).

²⁰²⁹ Iowa Code § 902.1(1) (2015).

²⁰³⁰ See Iowa Code § 902.1(1) (2015).

²⁰³¹ See Iowa Code § 902.1(1) (2015).

²⁰³² Iowa Code § 911.2B(1) (2015).

²⁰³³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁰³⁴ Iowa Code § 692A.102(1)(c)(7) (2015).

²⁰³⁵ Iowa Code § 903B.1 (2015).

§ 709.3—Second-Degree Sexual Abuse

Class = “B” felony²⁰³⁶

- ❖ If violation of § 709.3 is a second or subsequent offense involving any combination of violations of §§ 709.3, 709.4, or 709.8(1)(a) or (b), class = “A” felony, see Enhancements

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years, ²⁰³⁷ but see Enhancements	0 ²⁰³⁸	Not eligible until has served 70% of 25 years, ²⁰³⁹ but see Under 18 Sentencing See also Enhancements ❖ Note: violation of § 709.3 is a SPO ²⁰⁴⁰ and a SVO ²⁰⁴¹	No, ²⁰⁴² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁰⁴³	0 ²⁰⁴⁴	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	Yes, \$100 ²⁰⁴⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁴⁶	Yes ²⁰⁴⁷	No

Notes:

- ❖ Special Sentence for Life²⁰⁴⁸:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for the rest of the person’s life, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²⁰³⁶ Iowa Code § 709.3(2) (2015).

²⁰³⁷ Iowa Code § 902.9(1)(b) (2015).

²⁰³⁸ Iowa Code § 902.9(1)(b) (2015).

²⁰³⁹ Iowa Code § 902.12(1)(c) (2015 & Supp. 2016)

²⁰⁴⁰ Iowa Code § 901A.1(1) (2015).

²⁰⁴¹ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁰⁴² Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²⁰⁴³ *See* Iowa Code § 902.9(1)(b) (2015).

²⁰⁴⁴ *See* Iowa Code § 902.9(1)(b) (2015).

²⁰⁴⁵ Iowa Code § 911.2B(1) (2015).

²⁰⁴⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁰⁴⁷ Iowa Code § 692A.102(1)(a)(1), (c)(8), (c)(9) (2015).

²⁰⁴⁸ Iowa Code § 903B.1 (2015).

§ 709.4—Third-Degree Sexual Abuse

Class = “C” felony²⁰⁴⁹

- ❖ If violation of § 709.4 is a second or subsequent offense involving any combination of violations of §§ 709.3, 709.4, or 709.8(1)(a) or (b), class = “A” felony, see Enhancements

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁰⁵⁰	0 ²⁰⁵¹	No, but see Enhancements ❖ Note: violation of § 709.4 is a SPO ²⁰⁵² and a SVO ²⁰⁵³	No, ²⁰⁵⁴ but see Under 18 Sentencing ❖ exceptions: ➤ if violation is of § 709.4(1)(b)(3)(d), ²⁰⁵⁵ <i>or</i> ➤ if offense is between spouses ²⁰⁵⁶ ❖ but not eligible if offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²⁰⁵⁷

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁰⁵⁸	\$1000 ²⁰⁵⁹	No, ²⁰⁶⁰ but see Under 18 Sentencing ❖ exceptions: ➤ if violation is of § 709.4(1)(b)(3)(d), ²⁰⁶¹ <i>or</i> ➤ if offense is between spouses ²⁰⁶² ❖ but not eligible if offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²⁰⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁶⁴	No	No	Yes, \$100 ²⁰⁶⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁶⁶	Yes ²⁰⁶⁷	No

²⁰⁴⁹ Iowa Code § 709.4(2) (2015).

²⁰⁵⁰ Iowa Code § 902.9(1)(d) (2015).

²⁰⁵¹ Iowa Code § 902.9(1)(d) (2015).

²⁰⁵² Iowa Code § 901A.1(1) (2015).

²⁰⁵³ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁰⁵⁴ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²⁰⁵⁵ Iowa Code § 702.11(2)(c) (2015) (indicating third-degree sexual abuse in violation of § 709.4(1)(b)(3)(d) is not a forcible felony).

²⁰⁵⁶ Iowa Code § 702.11(2)(b) (2015) (indicating third-degree sexual abuse between spouses is not a forcible felony).

²⁰⁵⁷ Iowa Code § 907.3, unnum. para. (2015).

²⁰⁵⁸ Iowa Code § 902.9(1)(b) (2015).

²⁰⁵⁹ Iowa Code § 902.9(1)(b) (2015).

²⁰⁶⁰ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²⁰⁶¹ Iowa Code § 702.11(2)(c) (2015) (indicating third-degree sexual abuse in violation of § 709.4(1)(b)(3)(d) is not a forcible felony).

²⁰⁶² Iowa Code § 702.11(2)(b) (2015) (indicating third-degree sexual abuse between spouses is not a forcible felony).

²⁰⁶³ Iowa Code § 907.3, unnum. para. (2015).

²⁰⁶⁴ Iowa Code § 911.1(1) (2015).

²⁰⁶⁵ Iowa Code § 911.2B(1) (2015).

²⁰⁶⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁰⁶⁷ Iowa Code § 692A.102(1)(a)(2)–(4), (c)(10)–(11) (2015).

Notes:

- ❖ Special Sentence for Life²⁰⁶⁸:
 - person committed to custody of the director of the Iowa Dep't of Corrections for the rest of the person's life, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences "upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense"
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²⁰⁶⁸ Iowa Code § 903B.1 (2015).

§ 709.8—Lascivious Acts with a Child

§ 709.8(1)(a)—Fondling or touching child

Class = “C” felony²⁰⁶⁹

If violation of § 709.8(1)(a) is a second or subsequent offense involving any combination of violations of §§ 709.3, 709.4, or 709.8(1)(a) or (b), class = “A” felony, see Enhancements

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁰⁷⁰	0 ²⁰⁷¹	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²⁰⁷² and a SVO ²⁰⁷³	Yes, ²⁰⁷⁴ except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²⁰⁷⁵ ❖ for DJ if child was age 12 or younger ²⁰⁷⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁰⁷⁷	\$1000 ²⁰⁷⁸	Yes, unless offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²⁰⁷⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁸⁰	No	No	Yes, \$100 ²⁰⁸¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁸²	Yes ²⁰⁸³	No

Notes:

- ❖ Special Sentence for Life²⁰⁸⁴:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for the rest of the person’s life, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed

²⁰⁶⁹ Iowa Code § 709.8(2)(a) (2015).

²⁰⁷⁰ Iowa Code § 902.9(1)(d) (2015).

²⁰⁷¹ Iowa Code § 902.9(1)(d) (2015).

²⁰⁷² Iowa Code § 901A.1(1) (2015).

²⁰⁷³ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁰⁷⁴ *See* Iowa Code § 907.3 (2015); *State v. Graves*, 491 N.W.2d 780, 782 (Iowa 1992) (holding felonious lascivious acts with a child in violation of § 709.8 is not a forcible felony).

²⁰⁷⁵ Iowa Code § 907.3, unnum. para. (2015).

²⁰⁷⁶ Iowa Code § 907.3(1)(a)(13) (2015).

²⁰⁷⁷ Iowa Code § 902.9(1)(d) (2015).

²⁰⁷⁸ Iowa Code § 902.9(1)(d) (2015).

²⁰⁷⁹ *See* Iowa Code § 907.3, unnum. para. (2015).

²⁰⁸⁰ Iowa Code § 911.1(1) (2015).

²⁰⁸¹ Iowa Code § 911.2B(1) (2015).

²⁰⁸² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁰⁸³ Iowa Code § 692A.102(1)(c)(12) (2015).

²⁰⁸⁴ Iowa Code § 903B.1 (2015).

- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

§ 709.8(1)(b)—Permitting or causing child to fondle or touch

Class = “C” felony²⁰⁸⁵

If violation of § 709.8(1)(b) is a second or subsequent offense involving any combination of violations of §§ 709.3, 709.4, or 709.8(1)(a) or (b), class = “A” felony, see Enhancements

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁰⁸⁶	0 ²⁰⁸⁷	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²⁰⁸⁸ and a SVO ²⁰⁸⁹	Yes, ²⁰⁹⁰ except: ❖ not eligible if offender is a mandatory reporter of child abused under § 232.69 <i>and</i> victim was under age 18 ²⁰⁹¹ ❖ not eligible for DJ if child was age 12 or younger ²⁰⁹²

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁰⁹³	\$1000 ²⁰⁹⁴	Yes, unless offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²⁰⁹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁹⁶	No	No	Yes, \$100 ²⁰⁹⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁹⁸	Yes ²⁰⁹⁹	No

Notes:

- ❖ Special Sentence for Life²¹⁰⁰:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for the rest of the person’s life, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed

²⁰⁸⁵ Iowa Code § 709.8(2)(a) (2015).

²⁰⁸⁶ Iowa Code § 902.9(1)(d) (2015).

²⁰⁸⁷ Iowa Code § 902.9(1)(d) (2015).

²⁰⁸⁸ Iowa Code § 901A.1(1) (2015).

²⁰⁸⁹ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁰⁹⁰ *See* Iowa Code § 907.3 (2015); *State v. Graves*, 491 N.W.2d 780, 782 (Iowa 1992) (holding felonious lascivious acts with a child in violation of § 709.8 is not a forcible felony).

²⁰⁹¹ Iowa Code § 907.3, unnum. para. (2015).

²⁰⁹² Iowa Code § 907.3(1)(a)(13) (2015).

²⁰⁹³ Iowa Code § 902.9(1)(d) (2015).

²⁰⁹⁴ Iowa Code § 902.9(1)(d) (2015).

²⁰⁹⁵ *See* Iowa Code § 907.3, unnum. para. (2015).

²⁰⁹⁶ Iowa Code § 911.1(1) (2015).

²⁰⁹⁷ Iowa Code § 911.2B(1) (2015).

²⁰⁹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁰⁹⁹ Iowa Code § 692A.102(1)(c)(12) (2015).

²¹⁰⁰ Iowa Code § 903B.1 (2015).

- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

§ 709.8(1)(c)—Causing touching of person’s genitals to body of child

Class = “C” felony²¹⁰¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²¹⁰²	0 ²¹⁰³	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²¹⁰⁴ and a SVO ²¹⁰⁵	Yes, ²¹⁰⁶ except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²¹⁰⁷ ❖ for DJ if child was age 12 or younger ²¹⁰⁸

Fines

Max.	Min.	Can Suspend?
\$10,000 ²¹⁰⁹	\$1000 ²¹¹⁰	Yes, unless offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²¹¹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹¹²	No	No	Yes, \$100 ²¹¹³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹¹⁴	Yes ²¹¹⁵	No

Notes:

- ❖ Special Sentence for Life²¹¹⁶:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for the rest of the person’s life, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²¹⁰¹ Iowa Code § 709.8(2)(a) (2015).

²¹⁰² Iowa Code § 902.9(1)(d) (2015).

²¹⁰³ Iowa Code § 902.9(1)(d) (2015).

²¹⁰⁴ Iowa Code § 901A.1(1) (2015).

²¹⁰⁵ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹⁰⁶ *See* Iowa Code § 907.3 (2015); *State v. Graves*, 491 N.W.2d 780, 782 (Iowa 1992) (holding felonious lascivious acts with a child in violation of § 709.8 is not a forcible felony).

²¹⁰⁷ Iowa Code § 907.3, unnum. para. (2015).

²¹⁰⁸ Iowa Code § 907.3(1)(a)(13) (2015).

²¹⁰⁹ Iowa Code § 902.9(1)(d) (2015).

²¹¹⁰ Iowa Code § 902.9(1)(d) (2015).

²¹¹¹ *See* Iowa Code § 907.3, unnum. para. (2015).

²¹¹² Iowa Code § 911.1(1) (2015).

²¹¹³ Iowa Code § 911.2B(1) (2015).

²¹¹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²¹¹⁵ Iowa Code § 692A.102(4) (2015); *see id.* § 901A.1(1)(a).

²¹¹⁶ Iowa Code § 903B.1 (2015).

§ 709.8(1)(d)—Soliciting child to engage in sex act or person to arrange sex act with childClass = “D” felony²¹¹⁷**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²¹¹⁸	0 ²¹¹⁹	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²¹²⁰ and a SVO ²¹²¹	Yes, ²¹²² except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²¹²³ ❖ for DJ if child was age 12 or younger ²¹²⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ²¹²⁵	\$750 ²¹²⁶	Yes, unless offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²¹²⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹²⁸	No	No	Yes, \$100 ²¹²⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹³⁰	Yes ²¹³¹	No

Notes:

- ❖ Special Sentence for 10 years²¹³²:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²¹¹⁷ Iowa Code § 709.8(2)(b) (2015).²¹¹⁸ Iowa Code § 902.9(1)(e) (2015).²¹¹⁹ Iowa Code § 902.9(1)(e) (2015).²¹²⁰ Iowa Code § 901A.1(1) (2015).²¹²¹ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).²¹²² *See* Iowa Code § 907.3 (2015); *State v. Graves*, 491 N.W.2d 780, 782 (Iowa 1992) (holding felonious lascivious acts with a child in violation of § 709.8 is not a forcible felony).²¹²³ Iowa Code § 907.3, unnum. para. (2015).²¹²⁴ Iowa Code § 907.3(1)(a)(13) (2015).²¹²⁵ Iowa Code § 902.9(1)(e) (2015).²¹²⁶ Iowa Code § 902.9(1)(e) (2015).²¹²⁷ *See* Iowa Code § 907.3, unnum. para. (2015).²¹²⁸ Iowa Code § 911.1(1) (2015).²¹²⁹ Iowa Code § 911.2B(1) (2015).²¹³⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).²¹³¹ Iowa Code § 692A.102(1)(b)(1) (2015).²¹³² Iowa Code § 903B.2 (2015).

§ 709.8(1)(e)—Inflicting pain or discomfort upon child or permitting child to inflict pain or discomfort on personClass = “D” felony²¹³³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²¹³⁴	0 ²¹³⁵	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²¹³⁶ and a SVO ²¹³⁷	Yes, ²¹³⁸ except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²¹³⁹ ❖ for DJ if child was age 12 or younger ²¹⁴⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ²¹⁴¹	\$750 ²¹⁴²	Yes, unless offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²¹⁴³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁴⁴	No	No	Yes, \$100 ²¹⁴⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁴⁶	Yes ²¹⁴⁷	No

Notes:

- ❖ Special Sentence for 10 years²¹⁴⁸:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²¹³³ Iowa Code § 709.8(2)(b) (2015).²¹³⁴ Iowa Code § 902.9(1)(e) (2015).²¹³⁵ Iowa Code § 902.9(1)(e) (2015).²¹³⁶ Iowa Code § 901A.1(1) (2015).²¹³⁷ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).²¹³⁸ *See* Iowa Code § 907.3 (2015); *State v. Graves*, 491 N.W.2d 780, 782 (Iowa 1992) (holding felonious lascivious acts with a child in violation of § 709.8 is not a forcible felony).²¹³⁹ Iowa Code § 907.3, unnum. para. (2015).²¹⁴⁰ Iowa Code § 907.3(1)(a)(13) (2015).²¹⁴¹ Iowa Code § 902.9(1)(e) (2015).²¹⁴² Iowa Code § 902.9(1)(e) (2015).²¹⁴³ *See* Iowa Code § 907.3, unnum. para. (2015).²¹⁴⁴ Iowa Code § 911.1(1) (2015).²¹⁴⁵ Iowa Code § 911.2B(1) (2015).²¹⁴⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).²¹⁴⁷ Iowa Code § 692A.102(1)(b)(1) (2015).²¹⁴⁸ Iowa Code § 903B.2 (2015).

§ 709.9—Indecent Exposure

Class = serious misdemeanor²¹⁴⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²¹⁵⁰	0 ²¹⁵¹	N/A, but violation of § 709.9 is a SPO ²¹⁵² and a SVO, ²¹⁵³ so see Enhancements	Yes, ²¹⁵⁴ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²¹⁵⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ²¹⁵⁶	\$315 ²¹⁵⁷	No ²¹⁵⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁵⁹	No	No	Yes, \$100 ²¹⁶⁰	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁶¹	Yes ²¹⁶²	No

Notes:

²¹⁴⁹ Iowa Code § 709.9 (2015).

²¹⁵⁰ Iowa Code § 903.1(1)(b) (2015).

²¹⁵¹ Iowa Code § 903.1(1)(b) (2015).

²¹⁵² Iowa Code § 901A.1(1) (2015).

²¹⁵³ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹⁵⁴ *See* Iowa Code § 907.3 (2015).

²¹⁵⁵ Iowa Code § 907.3, unnum. para. (2015).

²¹⁵⁶ Iowa Code § 903.1(1)(b) (2015).

²¹⁵⁷ Iowa Code § 903.1(1)(b) (2015).

²¹⁵⁸ Iowa Code § 903.1(1) (2015).

²¹⁵⁹ Iowa Code § 911.1(1) (2015).

²¹⁶⁰ Iowa Code § 911.2B(1) (2015).

²¹⁶¹ Iowa Code § 81.2(6) (2015).

²¹⁶² Iowa Code § 692A.102(1)(a)(5) (2015).

§ 709.11—Assault with Intent to Commit Sexual Abuse

§ 709.11(1)—Causing serious injury

Class = “C” felony²¹⁶³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²¹⁶⁴	0 ²¹⁶⁵	No, but see Enhancements ❖ Note: violation of § 709.11 is a SPO ²¹⁶⁶ and a SVO ²¹⁶⁷	No, ²¹⁶⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²¹⁶⁹	\$1000 ²¹⁷⁰	No, ²¹⁷¹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁷²	No	No	Yes, \$100 ²¹⁷³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁷⁴	Yes ²¹⁷⁵	No

Notes:

- ❖ Special Sentence for Life²¹⁷⁶:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for the rest of the person’s life, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²¹⁶³ Iowa Code § 709.11(1) (2015).

²¹⁶⁴ Iowa Code § 902.9(1)(d) (2015).

²¹⁶⁵ Iowa Code § 902.9(1)(d) (2015).

²¹⁶⁶ Iowa Code § 901A.1(1) (2015).

²¹⁶⁷ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹⁶⁸ *See* Iowa Code § 907.3, unnum. para. (2015); *see also id.* § 702.11(1) (indicating felonious “assault” is a forcible felony).

²¹⁶⁹ Iowa Code § 902.9(1)(d) (2015).

²¹⁷⁰ Iowa Code § 902.9(1)(d) (2015).

²¹⁷¹ *See* Iowa Code § 907.3, unnum. para. (2015); *see also id.* § 702.11(1) (indicating felonious “assault” is a forcible felony).

²¹⁷² Iowa Code § 911.1(1) (2015).

²¹⁷³ Iowa Code § 911.2B(1) (2015).

²¹⁷⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²¹⁷⁵ Iowa Code § 692A.102(1)(c)(15) (2015).

²¹⁷⁶ Iowa Code § 903B.1 (2015).

§ 709.11(2)—Causing bodily injury

Class = “D” felony²¹⁷⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²¹⁷⁸	0 ²¹⁷⁹	No, but see Enhancements ❖ Note: violation of § 709.11 is a SPO ²¹⁸⁰ and a SVO ²¹⁸¹	No, ²¹⁸² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²¹⁸³	\$750 ²¹⁸⁴	No, ²¹⁸⁵ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁸⁶	No	No	Yes, \$100 ²¹⁸⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁸⁸	Yes ²¹⁸⁹	No

Notes:

- ❖ Special Sentence for 10 years²¹⁹⁰:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²¹⁷⁷ Iowa Code § 709.11(2) (2015).

²¹⁷⁸ Iowa Code § 902.9(1)(e) (2015).

²¹⁷⁹ Iowa Code § 902.9(1)(e) (2015).

²¹⁸⁰ Iowa Code § 901A.1(1) (2015).

²¹⁸¹ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹⁸² *See* Iowa Code § 907.3, unnum. para. (2015); *see also id.* § 702.11(1) (indicating felonious “assault” is a forcible felony).

²¹⁸³ Iowa Code § 902.9(1)(e) (2015).

²¹⁸⁴ Iowa Code § 902.9(1)(e) (2015).

²¹⁸⁵ *See* Iowa Code § 907.3, unnum. para. (2015); *see also id.* § 702.11(1) (indicating felonious “assault” is a forcible felony).

²¹⁸⁶ Iowa Code § 911.1(1) (2015).

²¹⁸⁷ Iowa Code § 911.2B(1) (2015).

²¹⁸⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²¹⁸⁹ Iowa Code § 692A.102(1)(c)(15) (2015).

²¹⁹⁰ Iowa Code § 903B.2 (2015).

§ 709.11(3)—No injury results

Class = aggravated misdemeanor²¹⁹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²¹⁹²	0 ²¹⁹³	None, but violation of § 709.11 is a SPO ²¹⁹⁴ and a SVO, ²¹⁹⁵ so see Enhancements	Yes, ²¹⁹⁶ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²¹⁹⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²¹⁹⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ²¹⁹⁹	\$625 ²²⁰⁰	Yes, ²²⁰¹ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁰³	No	No	Yes, \$100 ²²⁰⁴	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁰⁵	Yes ²²⁰⁶	No

Notes:

- ❖ Special Sentence for 10 years²²⁰⁷:
 - person committed to custody of the director of the Iowa Dep't of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²¹⁹¹ Iowa Code § 709.11(3) (2015).

²¹⁹² Iowa Code § 903.1(2) (2015).

²¹⁹³ Iowa Code § 903.1(2) (2015).

²¹⁹⁴ Iowa Code § 901A.1(1) (2015).

²¹⁹⁵ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹⁹⁶ *See* Iowa Code § 907.3 (2015).

²¹⁹⁷ Iowa Code § 907.3, unnum. para. (2015).

²¹⁹⁸ Iowa Code § 903.1(2) (2015).

²¹⁹⁹ Iowa Code § 903.1(2) (2015).

²²⁰⁰ Iowa Code § 903.1(2) (2015).

²²⁰¹ *See* Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²²⁰² Iowa Code § 907.3, unnum. para. (2015).

²²⁰³ Iowa Code § 911.1(1) (2015).

²²⁰⁴ Iowa Code § 911.2B(1) (2015).

²²⁰⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²²⁰⁶ Iowa Code § 692A.102(1)(b)(6) (2015).

²²⁰⁷ Iowa Code § 903B.2 (2015).

§ 709.12—Indecent Contact with a Child

Class = aggravated misdemeanor²²⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²²⁰⁹	0 ²²¹⁰	None, but violation of § 709.12 is a SPO ²²¹¹ and a SVO, ²²¹² so see Enhancements	Yes, ²²¹³ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²¹⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²²¹⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ²²¹⁶	\$625 ²²¹⁷	Yes, ²²¹⁸ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²²¹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²²⁰	No	No	Yes, \$100 ²²²¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²²²	Yes ²²²³	No

Notes:

- ❖ Special Sentence for 10 years²²²⁴:
 - person committed to custody of the director of the Iowa Dep't of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²²⁰⁸ Iowa Code § 709.12(1) (2015).

²²⁰⁹ Iowa Code § 903.1(2) (2015).

²²¹⁰ Iowa Code § 903.1(2) (2015).

²²¹¹ Iowa Code § 901A.1(1) (2015).

²²¹² Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²²¹³ *See* Iowa Code § 907.3 (2015).

²²¹⁴ Iowa Code § 907.3, unnum. para. (2015).

²²¹⁵ Iowa Code § 903.1(2) (2015).

²²¹⁶ Iowa Code § 903.1(2) (2015).

²²¹⁷ Iowa Code § 903.1(2) (2015).

²²¹⁸ *See* Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²²¹⁹ Iowa Code § 907.3, unnum. para. (2015).

²²²⁰ Iowa Code § 911.1(1) (2015).

²²²¹ Iowa Code § 911.2B(1) (2015).

²²²² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²²²³ Iowa Code § 692A.102(1)(b)(9), (c)(26) (2015).

²²²⁴ Iowa Code § 903B.2 (2015).

§ 709.14—Lascivious Conduct with a Minor

Class = serious misdemeanor²²²⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²²²⁶	0 ²²²⁷	N/A, but violation of § 709.14 is a SPO ²²²⁸ and a SVO, ²²²⁹ so see Enhancements	Yes, ²²³⁰ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²³¹

Fines

Max.	Min.	Can Suspend?
\$1875 ²²³²	\$315 ²²³³	No ²²³⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²³⁵	No	No	Yes, \$100 ²²³⁶	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²³⁷	Yes ²²³⁸	No

Notes:

²²²⁵ Iowa Code § 709.14, unnum. para. 2 (2015).

²²²⁶ Iowa Code § 903.1(1)(b) (2015).

²²²⁷ Iowa Code § 903.1(1)(b) (2015).

²²²⁸ Iowa Code § 901A.1(1) (2015).

²²²⁹ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²²³⁰ *See* Iowa Code § 907.3 (2015).

²²³¹ Iowa Code § 907.3, unnum. para. (2015).

²²³² Iowa Code § 903.1(1)(b) (2015).

²²³³ Iowa Code § 903.1(1)(b) (2015).

²²³⁴ Iowa Code § 903.1(1) (2015).

²²³⁵ Iowa Code § 911.1(1) (2015).

²²³⁶ Iowa Code § 911.2B(1) (2015).

²²³⁷ Iowa Code §§ 81.2(6) (2015).

²²³⁸ Iowa Code § 692A.102(1)(b)(10) (2015).

§ 709.15—Sexual Exploitation by a Counselor, Therapist, or School Employee

§ 709.15(2)(a)(1)—Counselor or Therapist: pattern, practice, or scheme of conduct to engage in sexual conduct

Class = “D” felony²²³⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²²⁴⁰	0 ²²⁴¹	No, but see Enhancements ❖ Note: violation of § 709.15 is a SPO ²²⁴² and a SVO ²²⁴³	Yes, ²²⁴⁴ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²²⁴⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ²²⁴⁶	\$750 ²²⁴⁷	Yes, unless offender is a mandatory reporter of child abused under § 232.69 <i>and</i> victim was under age 18 ²²⁴⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁴⁹	No	No	Yes, \$100 ²²⁵⁰	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁵¹	Yes ²²⁵²	No

Notes:

- ❖ Special Sentence for 10 years²²⁵³:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²²³⁹ Iowa Code § 709.15(4)(a) (2015 & Supp. 2016).

²²⁴⁰ Iowa Code § 902.9(1)(e) (2015).

²²⁴¹ Iowa Code § 902.9(1)(e) (2015).

²²⁴² Iowa Code § 901A.1(1) (2015).

²²⁴³ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²²⁴⁴ *See* Iowa Code § 907.3 (2015); *see also id.* § 702.11(2)(d) (indicating sexual exploitation by counselor, therapist, or school employee is not a forcible felony).

²²⁴⁵ Iowa Code § 907.3, unnum. para. (2015).

²²⁴⁶ Iowa Code § 902.9(1)(e) (2015).

²²⁴⁷ Iowa Code § 902.9(1)(e) (2015).

²²⁴⁸ Iowa Code § 907.3, unnum. para. (2015).

²²⁴⁹ Iowa Code § 911.1(1) (2015).

²²⁵⁰ Iowa Code § 911.2B(1) (2015).

²²⁵¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²²⁵² Iowa Code § 692A.102(1)(b)(11), (c)(27) (2015).

²²⁵³ Iowa Code § 903B.2 (2015).

§ 709.15(2)(a)(2)—Counselor or Therapist: sexual conduct with emotionally dependent current or former patient or client

Class = aggravated misdemeanor²²⁵⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²²⁵⁵	0 ²²⁵⁶	None, but violation of § 709.15 is a SPO ²²⁵⁷ and a SVO, ²²⁵⁸ so see Enhancements	Yes, ²²⁵⁹ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²⁶⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²²⁶¹

Fines

Max.	Min.	Can Suspend?
\$6250 ²²⁶²	\$625 ²²⁶³	Yes, ²²⁶⁴ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²²⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁶⁶	No	No	Yes, \$100 ²²⁶⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁶⁸	Yes ²²⁶⁹	No

Notes:

- ❖ Special Sentence for 10 years²²⁷⁰:
 - person committed to custody of the director of the Iowa Dep't of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²²⁵⁴ Iowa Code § 709.15(4)(b) (2015 & Supp. 2016).

²²⁵⁵ Iowa Code § 903.1(2) (2015).

²²⁵⁶ Iowa Code § 903.1(2) (2015).

²²⁵⁷ Iowa Code § 901A.1(1) (2015).

²²⁵⁸ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²²⁵⁹ *See* Iowa Code § 907.3 (2015).

²²⁶⁰ Iowa Code § 907.3, unnum. para. (2015).

²²⁶¹ Iowa Code § 903.1(2) (2015).

²²⁶² Iowa Code § 903.1(2) (2015).

²²⁶³ Iowa Code § 903.1(2) (2015).

²²⁶⁴ *See* Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²²⁶⁵ Iowa Code § 907.3, unnum. para. (2015).

²²⁶⁶ Iowa Code § 911.1(1) (2015).

²²⁶⁷ Iowa Code § 911.2B(1) (2015).

²²⁶⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²²⁶⁹ Iowa Code § 692A.102(1)(b)(11), (c)(27) (2015).

²²⁷⁰ Iowa Code § 903B.2 (2015).

§ 709.15(2)(a)(3)—Counselor or Therapist: sexual conduct with current patient or client, or former patient or client within 1 year of termination of mental health services

Class = serious misdemeanor²²⁷¹

❖ **Alternative sentencing:**

- May require offender to attend sexual abuser treatment program in lieu of the sentence provided in § 903.1(1)(b)²²⁷²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²²⁷³	0 ²²⁷⁴	N/A, but violation of § 709.15 is a SPO ²²⁷⁵ and a SVO, ²²⁷⁶ so see Enhancements	Yes, ²²⁷⁷ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²²⁷⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ²²⁷⁹	\$315 ²²⁸⁰	No ²²⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁸²	No	No	Yes, \$100 ²²⁸³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁸⁴	Yes ²²⁸⁵	No

Notes:

²²⁷¹ Iowa Code § 709.15(4)(c) (2015 & Supp. 2016).

²²⁷² Iowa Code § 709.15(4)(c) (2015 & Supp. 2016).

²²⁷³ Iowa Code § 903.1(1)(b) (2015).

²²⁷⁴ Iowa Code § 903.1(1)(b) (2015).

²²⁷⁵ Iowa Code § 901A.1(1) (2015).

²²⁷⁶ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²²⁷⁷ *See* Iowa Code § 907.3 (2015).

²²⁷⁸ Iowa Code § 907.3, unnum. para. (2015).

²²⁷⁹ Iowa Code § 903.1(1)(b) (2015).

²²⁸⁰ Iowa Code § 903.1(1)(b) (2015).

²²⁸¹ Iowa Code § 903.1(1) (2015).

²²⁸² Iowa Code § 911.1(1) (2015).

²²⁸³ Iowa Code § 911.2B(1) (2015).

²²⁸⁴ Iowa Code § 81.2(6) (2015).

²²⁸⁵ Iowa Code § 692A.102(1)(b)(11), (c)(27) (2015).

§ 709.15(3)(a)(1)—School Employee: pattern, practice, or scheme of conduct to engage in sexual conduct with student

Class = “D” felony²²⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²²⁸⁷	0 ²²⁸⁸	No, but see Enhancements ❖ Note: violation of § 709.15 is a SPO ²²⁸⁹ and a SVO ²²⁹⁰	Yes, ²²⁹¹ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 <i>and</i> victim was under age 18 ²²⁹²

Fines

Max.	Min.	Can Suspend?
\$7500 ²²⁹³	\$750 ²²⁹⁴	Yes, unless offender is a mandatory reporter of child abused under § 232.69 <i>and</i> victim was under age 18 ²²⁹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁹⁶	No	No	Yes, \$100 ²²⁹⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁹⁸	Yes ²²⁹⁹	No

Notes:

- ❖ Special Sentence for 10 years²³⁰⁰:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²²⁸⁶ Iowa Code § 709.15(5)(a) (2015 & Supp. 2016).

²²⁸⁷ Iowa Code § 902.9(1)(e) (2015).

²²⁸⁸ Iowa Code § 902.9(1)(e) (2015).

²²⁸⁹ Iowa Code § 901A.1(1) (2015).

²²⁹⁰ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²²⁹¹ *See* Iowa Code § 907.3 (2015); *see also id.* § 702.11(2)(d) (indicating sexual exploitation by counselor, therapist, or school employee is not a forcible felony).

²²⁹² Iowa Code § 907.3, unnum. para. (2015).

²²⁹³ Iowa Code § 902.9(1)(e) (2015).

²²⁹⁴ Iowa Code § 902.9(1)(e) (2015).

²²⁹⁵ Iowa Code § 907.3, unnum. para. (2015).

²²⁹⁶ Iowa Code § 911.1(1) (2015).

²²⁹⁷ Iowa Code § 911.2B(1) (2015).

²²⁹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²²⁹⁹ Iowa Code § 692A.102(1)(b)(11), (c)(27) (2015).

²³⁰⁰ Iowa Code § 903B.2 (2015).

§ 709.15(3)(a)(2)—School Employee: sexual conduct with student

Class = aggravated misdemeanor²³⁰¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²³⁰²	0 ²³⁰³	None, but violation of § 709.15 is a SPO ²³⁰⁴ and a SVO, ²³⁰⁵ so see Enhancements	Yes, ²³⁰⁶ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³⁰⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²³⁰⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ²³⁰⁹	\$625 ²³¹⁰	Yes, ²³¹¹ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²³¹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³¹³	No	No	Yes, \$100 ²³¹⁴	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³¹⁵	Yes ²³¹⁶	No

Notes:

- ❖ Special Sentence for 10 years²³¹⁷:
 - person committed to custody of the director of the Iowa Dep't of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²³⁰¹ Iowa Code § 709.15(5)(b) (2015 & Supp. 2016).

²³⁰² Iowa Code § 903.1(2) (2015).

²³⁰³ Iowa Code § 903.1(2) (2015).

²³⁰⁴ Iowa Code § 901A.1(1) (2015).

²³⁰⁵ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³⁰⁶ *See* Iowa Code § 907.3 (2015).

²³⁰⁷ Iowa Code § 907.3, unnum. para. (2015).

²³⁰⁸ Iowa Code § 903.1(2) (2015).

²³⁰⁹ Iowa Code § 903.1(2) (2015).

²³¹⁰ Iowa Code § 903.1(2) (2015).

²³¹¹ *See* Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²³¹² Iowa Code § 907.3, unnum. para. (2015).

²³¹³ Iowa Code § 911.1(1) (2015).

²³¹⁴ Iowa Code § 911.2B(1) (2015).

²³¹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²³¹⁶ Iowa Code § 692A.102(1)(b)(11), (c)(27) (2015).

²³¹⁷ Iowa Code § 903B.2 (2015).

§ 709.16—Sexual Misconduct with Offenders and Juveniles

§ 709.16(1)—Engaging in sex act with person committed to custody of the department of corrections or judicial district department of corrections services

Class = aggravated misdemeanor²³¹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²³¹⁹	0 ²³²⁰	None, but violation of § 709.16 is a SPO ²³²¹ and a SVO, ²³²² so see Enhancements	Yes, ²³²³ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³²⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²³²⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ²³²⁶	\$625 ²³²⁷	Yes, ²³²⁸ offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²³²⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³³⁰	No	No	Yes, \$100 ²³³¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³³²	Yes ²³³³	No

Notes:

- ❖ Special Sentence for 10 years²³³⁴:
 - person committed to custody of the director of the Iowa Dep't of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²³¹⁸ Iowa Code § 709.16(1) (2015).

²³¹⁹ Iowa Code § 903.1(2) (2015).

²³²⁰ Iowa Code § 903.1(2) (2015).

²³²¹ Iowa Code § 901A.1(1) (2015).

²³²² Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³²³ *See* Iowa Code § 907.3 (2015).

²³²⁴ Iowa Code § 907.3, unnum. para. (2015).

²³²⁵ Iowa Code § 903.1(2) (2015).

²³²⁶ Iowa Code § 903.1(2) (2015).

²³²⁷ Iowa Code § 903.1(2) (2015).

²³²⁸ *See* Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²³²⁹ Iowa Code § 907.3, unnum. para. (2015).

²³³⁰ Iowa Code § 911.1(1) (2015).

²³³¹ Iowa Code § 911.2B(1) (2015).

²³³² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²³³³ Iowa Code § 692A.102(1)(b)(12), (c)(28) (2015).

²³³⁴ Iowa Code § 903B.2 (2015).

§ 709.16(2)—Engaging in sex act with juvenile placed at juvenile placement facility

Class = aggravated misdemeanor²³³⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²³³⁶	0 ²³³⁷	None, but violation of § 709.16 is a SPO ²³³⁸ and a SVO, ²³³⁹ so see Enhancements	Yes, ²³⁴⁰ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³⁴¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²³⁴²

Fines

Max.	Min.	Can Suspend?
\$6250 ²³⁴³	\$625 ²³⁴⁴	Yes, ²³⁴⁵ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²³⁴⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁴⁷	No	No	Yes, \$100 ²³⁴⁸	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³⁴⁹	Yes ²³⁵⁰	No

Notes:

- ❖ Special Sentence for 10 years²³⁵¹:
 - person committed to custody of the director of the Iowa Dep't of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²³³⁵ Iowa Code § 709.16(2)(a) (2015).

²³³⁶ Iowa Code § 903.1(2) (2015).

²³³⁷ Iowa Code § 903.1(2) (2015).

²³³⁸ Iowa Code § 901A.1(1) (2015).

²³³⁹ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³⁴⁰ *See* Iowa Code § 907.3 (2015).

²³⁴¹ Iowa Code § 907.3, unnum. para. (2015).

²³⁴² Iowa Code § 903.1(2) (2015).

²³⁴³ Iowa Code § 903.1(2) (2015).

²³⁴⁴ Iowa Code § 903.1(2) (2015).

²³⁴⁵ *See* Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²³⁴⁶ Iowa Code § 907.3, unnum. para. (2015).

²³⁴⁷ Iowa Code § 911.1(1) (2015).

²³⁴⁸ Iowa Code § 911.2B(1) (2015).

²³⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²³⁵⁰ Iowa Code § 692A.102(1)(b)(12), (c)(28) (2015).

²³⁵¹ Iowa Code § 903B.2 (2015).

§ 709.16(3)—Engaging in sex act with prisoner incarcerated in county jail

Class = aggravated misdemeanor²³⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²³⁵³	0 ²³⁵⁴	None, but violation of § 709.16 is a SPO ²³⁵⁵ and a SVO, ²³⁵⁶ so see Enhancements	Yes, ²³⁵⁷ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³⁵⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²³⁵⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ²³⁶⁰	\$625 ²³⁶¹	Yes, ²³⁶² unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²³⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁶⁴	No	No	Yes, \$100 ²³⁶⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³⁶⁶	Yes ²³⁶⁷	No

Notes:

- ❖ Special Sentence for 10 years²³⁶⁸:
 - person committed to custody of the director of the Iowa Dep't of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²³⁵² Iowa Code § 709.16(3) (2015).

²³⁵³ Iowa Code § 903.1(2) (2015).

²³⁵⁴ Iowa Code § 903.1(2) (2015).

²³⁵⁵ Iowa Code § 901A.1(1) (2015).

²³⁵⁶ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³⁵⁷ *See* Iowa Code § 907.3 (2015).

²³⁵⁸ Iowa Code § 907.3, unnum. para. (2015).

²³⁵⁹ Iowa Code § 903.1(2) (2015).

²³⁶⁰ Iowa Code § 903.1(2) (2015).

²³⁶¹ Iowa Code § 903.1(2) (2015).

²³⁶² *See* Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²³⁶³ Iowa Code § 907.3, unnum. para. (2015).

²³⁶⁴ Iowa Code § 911.1(1) (2015).

²³⁶⁵ Iowa Code § 911.2B(1) (2015).

²³⁶⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²³⁶⁷ Iowa Code § 692A.102(1)(b)(12), (c)(28) (2015).

²³⁶⁸ Iowa Code § 903B.2 (2015).

§ 709.18—Sexual Abuse of a Corpse

Class = “D” felony²³⁶⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²³⁷⁰	0 ²³⁷¹	No, but see Enhancements ❖ Note: violation of § 709.18 is a SPO ²³⁷² and a SVO ²³⁷³	No, ²³⁷⁴ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²³⁷⁵	\$750 ²³⁷⁶	No, ²³⁷⁷ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁷⁸	No	No	Yes, \$100 ²³⁷⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³⁸⁰	Yes ²³⁸¹	No

Notes:

- ❖ Special Sentence for 10 years²³⁸²:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²³⁶⁹ Iowa Code § 709.18(2) (2015).

²³⁷⁰ Iowa Code § 902.9(1)(e) (2015).

²³⁷¹ Iowa Code § 902.9(1)(e) (2015).

²³⁷² Iowa Code § 901A.1(1) (2015).

²³⁷³ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³⁷⁴ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²³⁷⁵ Iowa Code § 902.9(1)(e) (2015).

²³⁷⁶ Iowa Code § 902.9(1)(e) (2015).

²³⁷⁷ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²³⁷⁸ Iowa Code § 911.1(1) (2015).

²³⁷⁹ Iowa Code § 911.2B(1) (2015).

²³⁸⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²³⁸¹ Iowa Code § 692A.102(1)(b)(13) (2015).

²³⁸² Iowa Code § 903B.2 (2015).

§ 709.21—Invasion of Privacy

Class = aggravated misdemeanor²³⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²³⁸⁴	0 ²³⁸⁵	None, but violation of § 709.21 is a SPO ²³⁸⁶ and a SVO, ²³⁸⁷ so see Enhancements	Yes, ²³⁸⁸ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²³⁸⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²³⁹⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ²³⁹¹	\$625 ²³⁹²	Yes, ²³⁹³ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²³⁹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁹⁵	No	No	Yes, \$100 ²³⁹⁶	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³⁹⁷	Yes ²³⁹⁸	No

Notes:

- ❖ Special Sentence for 10 years²³⁹⁹:
 - person committed to custody of the director of the Iowa Dep't of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

²³⁸³ Iowa Code § 709.21(3) (2015 & Supp. 2016).

²³⁸⁴ Iowa Code § 903.1(2) (2015).

²³⁸⁵ Iowa Code § 903.1(2) (2015).

²³⁸⁶ Iowa Code § 901A.1(1) (2015).

²³⁸⁷ Iowa Code § 229A.2(11)(a) (2015); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³⁸⁸ *See* Iowa Code § 907.3 (2015).

²³⁸⁹ Iowa Code § 907.3, unnum. para. (2015).

²³⁹⁰ Iowa Code § 903.1(2) (2015).

²³⁹¹ Iowa Code § 903.1(2) (2015).

²³⁹² Iowa Code § 903.1(2) (2015).

²³⁹³ *See* Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²³⁹⁴ Iowa Code § 907.3, unnum. para. (2015).

²³⁹⁵ Iowa Code § 911.1(1) (2015).

²³⁹⁶ Iowa Code § 911.2B(1) (2015).

²³⁹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²³⁹⁸ Iowa Code § 692A.102(1)(b)(7) (2015).

²³⁹⁹ Iowa Code § 903B.2 (2015).

CH. 709A CONTRIBUTING TO JUVENILE DELINQUENCY

§ 709A.6(2)—Using a Juvenile to Commit Certain Offenses

Class = “C” felony²⁴⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁴⁰¹	0 ²⁴⁰²	No, but see Enhancements	Yes, ²⁴⁰³ see also Notes

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁴⁰⁴	\$1000 ²⁴⁰⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴⁰⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁰⁷	No	No

Notes:

❖ DJ, DS, or SS Eligible?

- Iowa Code § 709A.3 says the sentence may be suspended for “a period not exceeding two years,” however, it is unclear if § 709A.3 refers to a violation of § 709A.6 as § 709A.3 begins “Upon said conviction being had,” which arguably refers to violation of § 709A.1 (punished via § 709A.2), not a violation of § 709A.6.

²⁴⁰⁰ Iowa Code § 709A.6 (2) (2015).

²⁴⁰¹ Iowa Code § 902.9(1)(d) (2015).

²⁴⁰² Iowa Code § 902.9(1)(d) (2015).

²⁴⁰³ See Iowa Code § 907.3 (2015).

²⁴⁰⁴ Iowa Code § 902.9(1)(d) (2015).

²⁴⁰⁵ Iowa Code § 902.9(1)(d) (2015).

²⁴⁰⁶ Iowa Code § 911.1(1) (2015).

²⁴⁰⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 709D TRANSMISSION OF CONTAGIOUS DISEASE

§ 709D.3(1)—Successful Intentional Transmission

Class = “B” felony²⁴⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁴⁰⁹	0 ²⁴¹⁰	No, but see Enhancements	Yes ²⁴¹¹

Fines

Max.	Min.	Can Suspend?
0 ²⁴¹²	0 ²⁴¹³	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴¹⁴	No	No

Notes:

²⁴⁰⁸ Iowa Code § 709D.3(1) (2015).

²⁴⁰⁹ Iowa Code § 902.9(1)(b) (2015).

²⁴¹⁰ Iowa Code § 902.9(1)(b) (2015).

²⁴¹¹ See Iowa Code § 907.3 (2015).

²⁴¹² See Iowa Code § 902.9(1)(b) (2015).

²⁴¹³ See Iowa Code § 902.9(1)(b) (2015).

²⁴¹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 709D.3(2)—Unsuccessful Attempted Intentional Transmission

Class = “D” felony²⁴¹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁴¹⁶	0 ²⁴¹⁷	No, but see Enhancements	Yes ²⁴¹⁸

Fines

Max.	Min.	Can Suspend?
\$7,500 ²⁴¹⁹	\$750 ²⁴²⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴²¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴²²	No	No

Notes:

²⁴¹⁵ Iowa Code § 709D.3(2) (2015).

²⁴¹⁶ Iowa Code § 902.9(1)(e) (2015).

²⁴¹⁷ Iowa Code § 902.9(1)(e) (2015).

²⁴¹⁸ See Iowa Code § 907.3 (2015).

²⁴¹⁹ Iowa Code § 902.9(1)(e) (2015).

²⁴²⁰ Iowa Code § 902.9(1)(e) (2015).

²⁴²¹ Iowa Code § 911.1(1) (2015).

²⁴²² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 709D.3(3)—Reckless Exposure Resulting in Transmission

Class = “D” felony²⁴²³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁴²⁴	0 ²⁴²⁵	No, but see Enhancements	Yes ²⁴²⁶

Fines

Max.	Min.	Can Suspend?
\$7,500 ²⁴²⁷	\$750 ²⁴²⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴²⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴³⁰	No	No

Notes:

²⁴²³ Iowa Code § 709D.3(3) (2015).

²⁴²⁴ Iowa Code § 902.9(1)(e) (2015).

²⁴²⁵ Iowa Code § 902.9(1)(e) (2015).

²⁴²⁶ See Iowa Code § 907.3 (2015).

²⁴²⁷ Iowa Code § 902.9(1)(e) (2015).

²⁴²⁸ Iowa Code § 902.9(1)(e) (2015).

²⁴²⁹ Iowa Code § 911.1(1) (2015).

²⁴³⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 709D.3(4)—Reckless Exposure Not Resulting in Transmission

Class = serious misdemeanor²⁴³¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁴³²	0 ²⁴³³	N/A	Yes ²⁴³⁴

Fines

Max.	Min.	Can Suspend?
\$675 ²⁴³⁵	\$65 ²⁴³⁶	No ²⁴³⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴³⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

²⁴³¹ Iowa Code § 709D.3(3) (2015).

²⁴³² Iowa Code § 903.1(1)(b) (2015).

²⁴³³ Iowa Code § 903.1(1)(b) (2015).

²⁴³⁴ See Iowa Code § 907.3 (2015).

²⁴³⁵ Iowa Code § 903.1(1)(b) (2015).

²⁴³⁶ Iowa Code § 903.1(1)(b) (2015).

²⁴³⁷ Iowa Code § 903.1(1) (2015).

²⁴³⁸ Iowa Code § 911.1(1) (2015).

CH. 710 KIDNAPPING AND RELATED OFFENSES

§ 710.2—First-Degree Kidnapping

Class = “A” felony²⁴³⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, but see Under 18 Sentencing ²⁴⁴⁰	Life, ²⁴⁴¹ but see Under 18 Sentencing	Not eligible ²⁴⁴² But see Under 18 Sentencing ❖ Note: kidnapping as defined in § 710.1 can be a SVO, ²⁴⁴³ so see Enhancements	No, ²⁴⁴⁴ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁴⁴⁵	0 ²⁴⁴⁶	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁴⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- “For purposes of determining whether the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section 692A.126.”²⁴⁴⁸
- must register if:
 - kidnapping was of a person who was not a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁴⁴⁹
 - if kidnapping involved sexual abuse as defined in § 709.1 was committed during offense²⁴⁵⁰
 - kidnapping was of a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁴⁵¹

²⁴³⁹ Iowa Code § 710.2, unnum. para. 2 (2015).

²⁴⁴⁰ Iowa Code § 902.1(1) (2015).

²⁴⁴¹ Iowa Code § 902.1(1) (2015).

²⁴⁴² Iowa Code § 902.1(1) (2015).

²⁴⁴³ Iowa Code § 229A.2(11)(b)(2) (2015); *see id.* § 901A.1(3) (noting the definition of sexually violent offense is the same as in § 229A.2).

²⁴⁴⁴ *See* Iowa Code § 902.1(1) (2015).

²⁴⁴⁵ Iowa Code § 902.1(1) (2015).

²⁴⁴⁶ Iowa Code § 902.1(1) (2015).

²⁴⁴⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁴⁴⁸ Iowa Code § 710.2 (2015).

²⁴⁴⁹ Iowa Code § 692A.102(1)(b)(14) (2015).

²⁴⁵⁰ Iowa Code § 692A.102(1)(c)(13) (2015).

²⁴⁵¹ Iowa Code § 692A.102(1)(c)(14) (2015).

§ 710.3—Second-Degree Kidnapping

Class = “B” felony²⁴⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁴⁵³	0 ²⁴⁵⁴	Not eligible until has served 70% of max. term of sentence ²⁴⁵⁵ See also Enhancements ❖ Note: kidnapping as defined in § 710.1 can be a SVO ²⁴⁵⁶	No, ²⁴⁵⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁴⁵⁸	0 ²⁴⁵⁹	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁶⁰	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - “For purposes of determining whether the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section 692A.126.”²⁴⁶¹
 - must register if:
 - kidnapping was of a person who was not a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁴⁶²
 - kidnapping was of a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁴⁶³

²⁴⁵² Iowa Code § 710.3, unnum. para. 1 (2015).

²⁴⁵³ Iowa Code § 902.9(1)(b) (2015).

²⁴⁵⁴ Iowa Code § 902.9(1)(b) (2015).

²⁴⁵⁵ Iowa Code § 902.12(1)(d) (2015 & Supp. 2016).

²⁴⁵⁶ Iowa Code § 229A.2(11)(b)(2) (2015); *see id.* § 901A.1(3) (noting the definition of sexually violent offense is the same as in § 229A.2).

²⁴⁵⁷ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “kidnapping” as a forcible felony).

²⁴⁵⁸ *See* Iowa Code § 902.9(1)(b) (2015).

²⁴⁵⁹ *See* Iowa Code § 902.9(1)(b) (2015).

²⁴⁶⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁴⁶¹ Iowa Code § 710.3, unnum. para. 2 (2015).

²⁴⁶² Iowa Code § 692A.102(1)(b)(14) (2015).

²⁴⁶³ Iowa Code § 692A.102(1)(c)(14) (2015).

§ 710.4—Third-Degree Kidnapping

Class = “C” felony²⁴⁶⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁴⁶⁵	0 ²⁴⁶⁶	No, but see Enhancements ❖ Note: kidnapping as defined in § 710.1 can be a SVO ²⁴⁶⁷	No, ²⁴⁶⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁴⁶⁹	\$1000 ²⁴⁷⁰	No, ²⁴⁷¹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴⁷²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁷³	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- “For purposes of determining whether the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section 692A.126.”²⁴⁷⁴
- must register if:
 - kidnapping was of a person who was not a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁴⁷⁵
 - kidnapping was of a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁴⁷⁶

²⁴⁶⁴ Iowa Code § 710.4, unnum. para. 1 (2015).

²⁴⁶⁵ Iowa Code § 902.9(1)(d) (2015).

²⁴⁶⁶ Iowa Code § 902.9(1)(d) (2015).

²⁴⁶⁷ Iowa Code § 229A.2(11)(b)(2) (2015); *see id.* § 901A.1(3) (noting the definition of sexually violent offense is the same as in § 229A.2).

²⁴⁶⁸ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “kidnapping” as a forcible felony).

²⁴⁶⁹ Iowa Code § 902.9(1)(d) (2015).

²⁴⁷⁰ Iowa Code § 902.9(1)(d) (2015).

²⁴⁷¹ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “kidnapping” as a forcible felony).

²⁴⁷² Iowa Code § 911.1(1) (2015).

²⁴⁷³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁴⁷⁴ Iowa Code § 710.4, unnum. para. 2 (2015).

²⁴⁷⁵ Iowa Code § 692A.102(1)(b)(14) (2015).

²⁴⁷⁶ Iowa Code § 692A.102(1)(c)(14) (2015).

§ 710.5—Child Stealing

Class = “C” felony²⁴⁷⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁴⁷⁸	0 ²⁴⁷⁹	No, but see Enhancements	Yes ²⁴⁸⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁴⁸¹	\$1000 ²⁴⁸²	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴⁸³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁸⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- “For purposes of determining whether the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section 692A.126.”²⁴⁸⁵
- must register if:
 - fact finder determines offense was sexually motivated pursuant to § 692A.126²⁴⁸⁶

²⁴⁷⁷ Iowa Code § 710.5(2) (2015).

²⁴⁷⁸ Iowa Code § 902.9(1)(d) (2015).

²⁴⁷⁹ Iowa Code § 902.9(1)(d) (2015).

²⁴⁸⁰ See Iowa Code § 907.3 (2015).

²⁴⁸¹ Iowa Code § 902.9(1)(d) (2015).

²⁴⁸² Iowa Code § 902.9(1)(d) (2015).

²⁴⁸³ Iowa Code § 911.1(1) (2015).

²⁴⁸⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁴⁸⁵ Iowa Code § 710.5(3) (2015).

²⁴⁸⁶ Iowa Code § 692A.102(1)(c)(29) (2015).

§ 710.6—Violating Custodial Order

§ 710.6, unnum. para. 1—Violation as a relative of the child

Class = “D” felony²⁴⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁴⁸⁸	0 ²⁴⁸⁹	No, but see Enhancements	Yes ²⁴⁹⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁴⁹¹	\$750 ²⁴⁹²	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴⁹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁹⁴	No	No

Notes:

²⁴⁸⁷ Iowa Code § 710.6, unnum. para. 1 (2015).

²⁴⁸⁸ Iowa Code § 902.9(1)(e) (2015).

²⁴⁸⁹ Iowa Code § 902.9(1)(e) (2015).

²⁴⁹⁰ See Iowa Code § 907.3 (2015).

²⁴⁹¹ Iowa Code § 902.9(1)(e) (2015).

²⁴⁹² Iowa Code § 902.9(1)(e) (2015).

²⁴⁹³ Iowa Code § 911.1(1) (2015).

²⁴⁹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 710.6, unnum. para. 2—Violation as a parent of the child**Class** = serious misdemeanor²⁴⁹⁵**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁴⁹⁶	0 ²⁴⁹⁷	N/A	Yes ²⁴⁹⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁴⁹⁹	\$315 ²⁵⁰⁰	No ²⁵⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁰²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:²⁴⁹⁵ Iowa Code § 710.6, unnum. para. 2 (2015).²⁴⁹⁶ Iowa Code § 903.1(1)(b) (2015).²⁴⁹⁷ Iowa Code § 903.1(1)(b) (2015).²⁴⁹⁸ See Iowa Code § 907.3 (2015).²⁴⁹⁹ Iowa Code § 903.1(1)(b) (2015).²⁵⁰⁰ Iowa Code § 903.1(1)(b) (2015).²⁵⁰¹ Iowa Code § 903.1(1) (2015).²⁵⁰² Iowa Code § 911.1(1) (2015).

§ 710.7—False Imprisonment

Class = serious misdemeanor²⁵⁰³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁵⁰⁴	0 ²⁵⁰⁵	N/A	Yes ²⁵⁰⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁵⁰⁷	\$315 ²⁵⁰⁸	No ²⁵⁰⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵¹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes, if required to register for Sex Registry ²⁵¹¹	Yes, ²⁵¹² except if committed by a parent ²⁵¹³	No

Notes:

²⁵⁰³ Iowa Code § 710.7 (2015).

²⁵⁰⁴ Iowa Code § 903.1(1)(b) (2015).

²⁵⁰⁵ Iowa Code § 903.1(1)(b) (2015).

²⁵⁰⁶ See Iowa Code § 907.3 (2015).

²⁵⁰⁷ Iowa Code § 903.1(1)(b) (2015).

²⁵⁰⁸ Iowa Code § 903.1(1)(b) (2015).

²⁵⁰⁹ Iowa Code § 903.1(1) (2015).

²⁵¹⁰ Iowa Code § 911.1(1) (2015).

²⁵¹¹ Iowa Code § 81.2(6) (2015).

²⁵¹² Iowa Code § 692A.102(1)(b)(5) (2015).

²⁵¹³ Iowa Code § 692A.102(1)(b)(5) (2015).

§ 710.8—Harboring a Runaway Child

Class = aggravated misdemeanor²⁵¹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
2 years ²⁵¹⁵	0 ²⁵¹⁶	None	Yes ²⁵¹⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁵¹⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁵¹⁹	\$625 ²⁵²⁰	Yes ²⁵²¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵²²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵²³	No	No

Notes:

²⁵¹⁴ Iowa Code § 710.8(4) (2015).

²⁵¹⁵ Iowa Code § 903.1(2) (2015).

²⁵¹⁶ Iowa Code § 903.1(2) (2015).

²⁵¹⁷ See Iowa Code § 907.3 (2015).

²⁵¹⁸ Iowa Code § 903.1(2) (2015).

²⁵¹⁹ Iowa Code § 903.1(2) (2015).

²⁵²⁰ Iowa Code § 903.1(2) (2015).

²⁵²¹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁵²² Iowa Code § 911.1(1) (2015).

²⁵²³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 710.10—Enticing a Minor

§ 710.10(1)—With intent to commit sexual abuse or exploitation; minor under age 13

Class = “C” felony²⁵²⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
10 years ²⁵²⁵	0 ²⁵²⁶	No, but see Enhancements ❖ Note: Violation of § 710.10(1) is a SPO ²⁵²⁷	Yes ²⁵²⁸

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁵²⁹	\$1000 ²⁵³⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵³¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵³²	Maybe, ²⁵³³ see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- “violation includes an intent to commit sexual abuse, sexual exploitation, sexual contact, or sexual conduct towards a minor”²⁵³⁴

²⁵²⁴ Iowa Code § 710.10(1) (2015).

²⁵²⁵ Iowa Code § 902.9(1)(d) (2015).

²⁵²⁶ Iowa Code § 902.9(1)(d) (2015).

²⁵²⁷ Iowa Code § 901A.1(1)(c) (2015).

²⁵²⁸ See Iowa Code § 907.3 (2015).

²⁵²⁹ Iowa Code § 902.9(1)(d) (2015).

²⁵³⁰ Iowa Code § 902.9(1)(d) (2015).

²⁵³¹ Iowa Code § 911.1(1) (2015).

²⁵³² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁵³³ Iowa Code § 692A.102(1)(c)(30) (2015).

²⁵³⁴ Iowa Code § 692A.102(1)(c)(30) (2015).

§ 710.10(2)—With intent to commit illegal sex act or sexual exploitation; minor under age 16

Class = “D” felony²⁵³⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁵³⁶	0 ²⁵³⁷	No, but see Enhancements	Yes ²⁵³⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁵³⁹	\$750 ²⁵⁴⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁴¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁴²	Maybe, ²⁵⁴³ see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- “violation includes an intent to commit sexual abuse, sexual exploitation, sexual contact, or sexual conduct towards a minor”²⁵⁴⁴

²⁵³⁵ Iowa Code § 710.10(2) (2015).

²⁵³⁶ Iowa Code § 902.9(1)(e) (2015).

²⁵³⁷ Iowa Code § 902.9(1)(e) (2015).

²⁵³⁸ See Iowa Code § 907.3 (2015).

²⁵³⁹ Iowa Code § 902.9(1)(e) (2015).

²⁵⁴⁰ Iowa Code § 902.9(1)(e) (2015).

²⁵⁴¹ Iowa Code § 911.1(1) (2015).

²⁵⁴² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁵⁴³ Iowa Code § 692A.102(1)(c)(30) (2015).

²⁵⁴⁴ Iowa Code § 692A.102(1)(c)(30) (2015).

§ 710.10(3)—With intent to commit illegal act; minor under age 16

Class = “D” felony²⁵⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁵⁴⁶	0 ²⁵⁴⁷	No, but see Enhancements	Yes ²⁵⁴⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁵⁴⁹	\$750 ²⁵⁵⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁵¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁵²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- “violation includes an intent to commit sexual abuse, sexual exploitation, sexual contact, or sexual conduct towards a minor”²⁵⁵³

²⁵⁴⁵ Iowa Code § 710.10(3) (2015).

²⁵⁴⁶ Iowa Code § 902.9(1)(e) (2015).

²⁵⁴⁷ Iowa Code § 902.9(1)(e) (2015).

²⁵⁴⁸ See Iowa Code § 907.3 (2015).

²⁵⁴⁹ Iowa Code § 902.9(1)(e) (2015).

²⁵⁵⁰ Iowa Code § 902.9(1)(e) (2015).

²⁵⁵¹ Iowa Code § 911.1(1) (2015).

²⁵⁵² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁵⁵³ Iowa Code § 692A.102(1)(c)(30) (2015).

§ 710.10(4)—With intent to commit illegal act upon minor under age 16

Class = aggravated misdemeanor²⁵⁵⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
2 years ²⁵⁵⁵	0 ²⁵⁵⁶	None	Yes ²⁵⁵⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁵⁵⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁵⁵⁹	\$625 ²⁵⁶⁰	Yes ²⁵⁶¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁶²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁶³	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Fact finder “determines the illegal act was sexually motivated”²⁵⁶⁴

²⁵⁵⁴ Iowa Code § 710.10(4) (2015).

²⁵⁵⁵ Iowa Code § 903.1(2) (2015).

²⁵⁵⁶ Iowa Code § 903.1(2) (2015).

²⁵⁵⁷ See Iowa Code § 907.3 (2015).

²⁵⁵⁸ Iowa Code § 903.1(2) (2015).

²⁵⁵⁹ Iowa Code § 903.1(2) (2015).

²⁵⁶⁰ Iowa Code § 903.1(2) (2015).

²⁵⁶¹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁵⁶² Iowa Code § 911.1(1) (2015).

²⁵⁶³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁵⁶⁴ Iowa Code § 710.10(4) (2015).

§ 710.11—Purchase or Sale of Individual

Class = “C” felony²⁵⁶⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁵⁶⁶	0 ²⁵⁶⁷	No, but see Enhancements	Yes ²⁵⁶⁸

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁵⁶⁹	\$1000 ²⁵⁷⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁷¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁷²	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - “determination is made that the offense was sexually motivated pursuant to section 692A.126”²⁵⁷³

²⁵⁶⁵ Iowa Code § 710.11 (2015).

²⁵⁶⁶ Iowa Code § 902.9(1)(d) (2015).

²⁵⁶⁷ Iowa Code § 902.9(1)(d) (2015).

²⁵⁶⁸ See Iowa Code § 907.3 (2015).

²⁵⁶⁹ Iowa Code § 902.9(1)(d) (2015).

²⁵⁷⁰ Iowa Code § 902.9(1)(d) (2015).

²⁵⁷¹ Iowa Code § 911.1(1) (2015).

²⁵⁷² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁵⁷³ Iowa Code § 692A.102(1)(c)(24) (2015).

CH. 710A HUMAN TRAFFICKING

§ 710A.2—Human Trafficking

§ 710A.2(1)—Basic human trafficking

Victim is 18 years old or older

Class = “D” felony²⁵⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁵⁷⁵	0 ²⁵⁷⁶	No, but see Enhancements	No, ²⁵⁷⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁵⁷⁸	\$750 ²⁵⁷⁹	No, ²⁵⁸⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁸¹	No	Yes, \$1000 ²⁵⁸²	Yes, \$100 ²⁵⁸³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁸⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁵⁸⁵ *or*
- sexual conduct or sexual contact is an element of the offense²⁵⁸⁶

²⁵⁷⁴ Iowa Code § 710A.2(1) (2015).

²⁵⁷⁵ Iowa Code § 902.9(1)(e) (2015).

²⁵⁷⁶ Iowa Code § 902.9(1)(e) (2015).

²⁵⁷⁷ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁵⁷⁸ Iowa Code § 902.9(1)(e) (2015).

²⁵⁷⁹ Iowa Code § 902.9(1)(e) (2015).

²⁵⁸⁰ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁵⁸¹ Iowa Code § 911.1(1) (2015).

²⁵⁸² Iowa Code § 911.2A(1) (2015).

²⁵⁸³ Iowa Code § 911.2B(1) (2015).

²⁵⁸⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁵⁸⁵ Iowa Code § 692A.102(1)(c)(23) (2015).

²⁵⁸⁶ Iowa Code § 692A.102(1)(c)(23) (2015).

Victim is under 18 years old

Class = “C” felony²⁵⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁵⁸⁸	0 ²⁵⁸⁹	No, but see Enhancements	No, ²⁵⁹⁰ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁵⁹¹	\$1000 ²⁵⁹²	No, ²⁵⁹³ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁹⁴	No	Yes, \$1000 ²⁵⁹⁵	Yes, \$100 ²⁵⁹⁶	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁹⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁵⁹⁸ *or*
- sexual conduct or sexual contact is an element of the offense²⁵⁹⁹

²⁵⁸⁷ Iowa Code § 710A.2(1) (2015).

²⁵⁸⁸ Iowa Code § 902.9(1)(d) (2015).

²⁵⁸⁹ Iowa Code § 902.9(1)(d) (2015).

²⁵⁹⁰ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁵⁹¹ Iowa Code § 902.9(1)(d) (2015).

²⁵⁹² Iowa Code § 902.9(1)(d) (2015).

²⁵⁹³ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁵⁹⁴ Iowa Code § 911.1(1) (2015).

²⁵⁹⁵ Iowa Code § 911.2A(1) (2015).

²⁵⁹⁶ Iowa Code § 911.2B(1) (2015).

²⁵⁹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁵⁹⁸ Iowa Code § 692A.102(1)(c)(23) (2015).

²⁵⁹⁹ Iowa Code § 692A.102(1)(c)(23) (2015).

§ 710A.2(2)—By causing or threatening to cause serious physical injury

Victim is 18 years old or older

Class = “C” felony²⁶⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁶⁰¹	0 ²⁶⁰²	No, but see Enhancements	No, ²⁶⁰³ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁶⁰⁴	\$1000 ²⁶⁰⁵	No, ²⁶⁰⁶ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁰⁷	No	Yes, \$1000 ²⁶⁰⁸	Yes, \$100 ²⁶⁰⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶¹⁰	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁶¹¹ *or*
- sexual conduct or sexual contact is an element of the offense²⁶¹²

²⁶⁰⁰ Iowa Code § 710A.2(2) (2015).

²⁶⁰¹ Iowa Code § 902.9(1)(d) (2015).

²⁶⁰² Iowa Code § 902.9(1)(d) (2015).

²⁶⁰³ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶⁰⁴ Iowa Code § 902.9(1)(d) (2015).

²⁶⁰⁵ Iowa Code § 902.9(1)(d) (2015).

²⁶⁰⁶ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶⁰⁷ Iowa Code § 911.1(1) (2015).

²⁶⁰⁸ Iowa Code § 911.2A(1) (2015).

²⁶⁰⁹ Iowa Code § 911.2B(1) (2015).

²⁶¹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁶¹¹ Iowa Code § 692A.102(1)(c)(23) (2015).

²⁶¹² Iowa Code § 692A.102(1)(c)(23) (2015).

Victim is under 18 years oldClass = “B” felony²⁶¹³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁶¹⁴	0 ²⁶¹⁵	No, but see Enhancements	No, ²⁶¹⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁶¹⁷	0 ²⁶¹⁸	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	Yes, \$1000 ²⁶¹⁹	Yes, \$100 ²⁶²⁰	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶²¹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁶²² *or*
- sexual conduct or sexual contact is an element of the offense²⁶²³

²⁶¹³ Iowa Code § 710A.2(2) (2015).²⁶¹⁴ Iowa Code § 902.9(1)(d) (2015).²⁶¹⁵ Iowa Code § 902.9(1)(d) (2015).²⁶¹⁶ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).²⁶¹⁷ Iowa Code § 902.9(1)(d) (2015).²⁶¹⁸ Iowa Code § 902.9(1)(d) (2015).²⁶¹⁹ Iowa Code § 911.2A(1) (2015).²⁶²⁰ Iowa Code § 911.2B(1) (2015).²⁶²¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).²⁶²² Iowa Code § 692A.102(1)(c)(23) (2015).²⁶²³ Iowa Code § 692A.102(1)(c)(23) (2015).

§ 710A.2(3)—By physically restraining or threatening to physically restrain

Victim is 18 years old or older

Class = “D” felony²⁶²⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁶²⁵	0 ²⁶²⁶	No, but see Enhancements	No, ²⁶²⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁶²⁸	\$750 ²⁶²⁹	No, ²⁶³⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶³¹	No	Yes, \$1000 ²⁶³²	Yes, \$100 ²⁶³³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶³⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁶³⁵ *or*
- sexual conduct or sexual contact is an element of the offense²⁶³⁶

²⁶²⁴ Iowa Code § 710A.2(3) (2015).

²⁶²⁵ Iowa Code § 902.9(1)(e) (2015).

²⁶²⁶ Iowa Code § 902.9(1)(e) (2015).

²⁶²⁷ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶²⁸ Iowa Code § 902.9(1)(e) (2015).

²⁶²⁹ Iowa Code § 902.9(1)(e) (2015).

²⁶³⁰ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶³¹ Iowa Code § 911.1(1) (2015).

²⁶³² Iowa Code § 911.2A(1) (2015).

²⁶³³ Iowa Code § 911.2B(1) (2015).

²⁶³⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁶³⁵ Iowa Code § 692A.102(1)(c)(23) (2015).

²⁶³⁶ Iowa Code § 692A.102(1)(c)(23) (2015).

Victim under 18 years old

Class = “C” felony²⁶³⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁶³⁸	0 ²⁶³⁹	No, but see Enhancements	No, ²⁶⁴⁰ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁶⁴¹	\$1000 ²⁶⁴²	No, ²⁶⁴³ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁴⁴	No	Yes, \$1000 ²⁶⁴⁵	Yes, \$100 ²⁶⁴⁶	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁴⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁶⁴⁸ *or*
- sexual conduct or sexual contact is an element of the offense²⁶⁴⁹

²⁶³⁷ Iowa Code § 710A.2(3) (2015).

²⁶³⁸ Iowa Code § 902.9(1)(d) (2015).

²⁶³⁹ Iowa Code § 902.9(1)(d) (2015).

²⁶⁴⁰ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶⁴¹ Iowa Code § 902.9(1)(d) (2015).

²⁶⁴² Iowa Code § 902.9(1)(d) (2015).

²⁶⁴³ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶⁴⁴ Iowa Code § 911.1(1) (2015).

²⁶⁴⁵ Iowa Code § 911.2A(1) (2015).

²⁶⁴⁶ Iowa Code § 911.2B(1) (2015).

²⁶⁴⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁶⁴⁸ Iowa Code § 692A.102(1)(c)(23) (2015).

²⁶⁴⁹ Iowa Code § 692A.102(1)(c)(23) (2015).

§ 710A.2(4)—By soliciting services or benefitting from services

Victim is 18 years old or older

Class = “D” felony²⁶⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁶⁵¹	0 ²⁶⁵²	No, but see Enhancements	No, ²⁶⁵³ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁶⁵⁴	\$750 ²⁶⁵⁵	No, ²⁶⁵⁶ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁵⁷	No	Yes, \$1000 ²⁶⁵⁸	Yes, \$100 ²⁶⁵⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁶⁰	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁶⁶¹ *or*
- sexual conduct or sexual contact is an element of the offense²⁶⁶²

²⁶⁵⁰ Iowa Code § 710A.2(4) (2015).

²⁶⁵¹ Iowa Code § 902.9(1)(e) (2015).

²⁶⁵² Iowa Code § 902.9(1)(e) (2015).

²⁶⁵³ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶⁵⁴ Iowa Code § 902.9(1)(e) (2015).

²⁶⁵⁵ Iowa Code § 902.9(1)(e) (2015).

²⁶⁵⁶ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶⁵⁷ Iowa Code § 911.1(1) (2015).

²⁶⁵⁸ Iowa Code § 911.2A(1) (2015).

²⁶⁵⁹ Iowa Code § 911.2B(1) (2015).

²⁶⁶⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁶⁶¹ Iowa Code § 692A.102(1)(c)(23) (2015).

²⁶⁶² Iowa Code § 692A.102(1)(c)(23) (2015).

Victim is under 18 years old

Class = “C” felony²⁶⁶³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁶⁶⁴	0 ²⁶⁶⁵	No, but see Enhancements	No, ²⁶⁶⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁶⁶⁷	\$1000 ²⁶⁶⁸	No, ²⁶⁶⁹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁷⁰	No	Yes, \$1000 ²⁶⁷¹	Yes, \$100 ²⁶⁷²	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁷³	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁶⁷⁴ *or*
- sexual conduct or sexual contact is an element of the offense²⁶⁷⁵

²⁶⁶³ Iowa Code § 710A.2(4) (2015).

²⁶⁶⁴ Iowa Code § 902.9(1)(d) (2015).

²⁶⁶⁵ Iowa Code § 902.9(1)(d) (2015).

²⁶⁶⁶ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶⁶⁷ Iowa Code § 902.9(1)(d) (2015).

²⁶⁶⁸ Iowa Code § 902.9(1)(d) (2015).

²⁶⁶⁹ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶⁷⁰ Iowa Code § 911.1(1) (2015).

²⁶⁷¹ Iowa Code § 911.2A(1) (2015).

²⁶⁷² Iowa Code § 911.2B(1) (2015).

²⁶⁷³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁶⁷⁴ Iowa Code § 692A.102(1)(c)(23) (2015).

²⁶⁷⁵ Iowa Code § 692A.102(1)(c)(23) (2015).

§ 710A.2(5)—By abusing or threatening to abuse the law or legal process

Victim is 18 years old or older

Class = “D” felony²⁶⁷⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁶⁷⁷	0 ²⁶⁷⁸	No, but see Enhancements	No, ²⁶⁷⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁶⁸⁰	\$750 ²⁶⁸¹	No, ²⁶⁸² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁸³	No	Yes, \$1000 ²⁶⁸⁴	Yes, \$100 ²⁶⁸⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁸⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁶⁸⁷ *or*
- sexual conduct or sexual contact is an element of the offense²⁶⁸⁸

²⁶⁷⁶ Iowa Code § 710A.2(5) (2015).

²⁶⁷⁷ Iowa Code § 902.9(1)(e) (2015).

²⁶⁷⁸ Iowa Code § 902.9(1)(e) (2015).

²⁶⁷⁹ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶⁸⁰ Iowa Code § 902.9(1)(e) (2015).

²⁶⁸¹ Iowa Code § 902.9(1)(e) (2015).

²⁶⁸² Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶⁸³ Iowa Code § 911.1(1) (2015).

²⁶⁸⁴ Iowa Code § 911.2A(1) (2015).

²⁶⁸⁵ Iowa Code § 911.2B(1) (2015).

²⁶⁸⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁶⁸⁷ Iowa Code § 692A.102(1)(c)(23) (2015).

²⁶⁸⁸ Iowa Code § 692A.102(1)(c)(23) (2015).

Victim is under 18 years old

Class = “C” felony²⁶⁸⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁶⁹⁰	0 ²⁶⁹¹	No, but see Enhancements	No, ²⁶⁹² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁶⁹³	\$1000 ²⁶⁹⁴	No, ²⁶⁹⁵ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁹⁶	No	Yes, \$1000 ²⁶⁹⁷	Yes, \$100 ²⁶⁹⁸	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁹⁹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷⁰⁰ *or*
- sexual conduct or sexual contact is an element of the offense²⁷⁰¹

²⁶⁸⁹ Iowa Code § 710A.2(5) (2015).

²⁶⁹⁰ Iowa Code § 902.9(1)(d) (2015).

²⁶⁹¹ Iowa Code § 902.9(1)(d) (2015).

²⁶⁹² Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶⁹³ Iowa Code § 902.9(1)(d) (2015).

²⁶⁹⁴ Iowa Code § 902.9(1)(d) (2015).

²⁶⁹⁵ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁶⁹⁶ Iowa Code § 911.1(1) (2015).

²⁶⁹⁷ Iowa Code § 911.2A(1) (2015).

²⁶⁹⁸ Iowa Code § 911.2B(1) (2015).

²⁶⁹⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁷⁰⁰ Iowa Code § 692A.102(1)(c)(23) (2015).

²⁷⁰¹ Iowa Code § 692A.102(1)(c)(23) (2015).

§ 710A.2(6)—By interfering with any passport, immigration document, or government identification document

Victim is 18 years old or older

Class = “D” felony²⁷⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁷⁰³	0 ²⁷⁰⁴	No, but see Enhancements	No, ²⁷⁰⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁷⁰⁶	\$750 ²⁷⁰⁷	No, ²⁷⁰⁸ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁰⁹	No	Yes, \$1000 ²⁷¹⁰	Yes, \$100 ²⁷¹¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷¹²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷¹³ *or*
- sexual conduct or sexual contact is an element of the offense²⁷¹⁴

²⁷⁰² Iowa Code § 710A.2(6) (2015).

²⁷⁰³ Iowa Code § 902.9(1)(e) (2015).

²⁷⁰⁴ Iowa Code § 902.9(1)(e) (2015).

²⁷⁰⁵ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁰⁶ Iowa Code § 902.9(1)(e) (2015).

²⁷⁰⁷ Iowa Code § 902.9(1)(e) (2015).

²⁷⁰⁸ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁰⁹ Iowa Code § 911.1(1) (2015).

²⁷¹⁰ Iowa Code § 911.2A(1) (2015).

²⁷¹¹ Iowa Code § 911.2B(1) (2015).

²⁷¹² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁷¹³ Iowa Code § 692A.102(1)(c)(23) (2015).

²⁷¹⁴ Iowa Code § 692A.102(1)(c)(23) (2015).

Victim is under 18 years old

Class = “C” felony²⁷¹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁷¹⁶	0 ²⁷¹⁷	No, but see Enhancements	No, ²⁷¹⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁷¹⁹	\$1000 ²⁷²⁰	No, ²⁷²¹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷²²	No	Yes, \$1000 ²⁷²³	Yes, \$100 ²⁷²⁴	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷²⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷²⁶ *or*
 - sexual conduct or sexual contact is an element of the offense²⁷²⁷

²⁷¹⁵ Iowa Code § 710A.2(6) (2015).

²⁷¹⁶ Iowa Code § 902.9(1)(d) (2015).

²⁷¹⁷ Iowa Code § 902.9(1)(d) (2015).

²⁷¹⁸ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷¹⁹ Iowa Code § 902.9(1)(d) (2015).

²⁷²⁰ Iowa Code § 902.9(1)(d) (2015).

²⁷²¹ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷²² Iowa Code § 911.1(1) (2015).

²⁷²³ Iowa Code § 911.2A(1) (2015).

²⁷²⁴ Iowa Code § 911.2B(1) (2015).

²⁷²⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁷²⁶ Iowa Code § 692A.102(1)(c)(23) (2015).

²⁷²⁷ Iowa Code § 692A.102(1)(c)(23) (2015).

§ 710A.2(7)—Financial or other benefit from participating in human trafficking

Victim is 18 years old or older

Class = “D” felony²⁷²⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁷²⁹	0 ²⁷³⁰	No, but see Enhancements	No, ²⁷³¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁷³²	\$750 ²⁷³³	No, ²⁷³⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷³⁵	No	Yes, \$1000 ²⁷³⁶	Yes, \$100 ²⁷³⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷³⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷³⁹ *or*
- sexual conduct or sexual contact is an element of the offense²⁷⁴⁰

²⁷²⁸ Iowa Code § 710A.2(7) (2015).

²⁷²⁹ Iowa Code § 902.9(1)(e) (2015).

²⁷³⁰ Iowa Code § 902.9(1)(e) (2015).

²⁷³¹ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷³² Iowa Code § 902.9(1)(e) (2015).

²⁷³³ Iowa Code § 902.9(1)(e) (2015).

²⁷³⁴ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷³⁵ Iowa Code § 911.1(1) (2015).

²⁷³⁶ Iowa Code § 911.2A(1) (2015).

²⁷³⁷ Iowa Code § 911.2B(1) (2015).

²⁷³⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁷³⁹ Iowa Code § 692A.102(1)(c)(23) (2015).

²⁷⁴⁰ Iowa Code § 692A.102(1)(c)(23) (2015).

Victim is under 18 years old

Class = “C” felony²⁷⁴¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁷⁴²	0 ²⁷⁴³	No, but see Enhancements	No, ²⁷⁴⁴ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁷⁴⁵	\$1000 ²⁷⁴⁶	No, ²⁷⁴⁷ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁴⁸	No	Yes, \$1000 ²⁷⁴⁹	Yes, \$100 ²⁷⁵⁰	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁵¹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷⁵² *or*
- sexual conduct or sexual contact is an element of the offense²⁷⁵³

²⁷⁴¹ Iowa Code § 710A.2(7) (2015).

²⁷⁴² Iowa Code § 902.9(1)(d) (2015).

²⁷⁴³ Iowa Code § 902.9(1)(d) (2015).

²⁷⁴⁴ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁴⁵ Iowa Code § 902.9(1)(d) (2015).

²⁷⁴⁶ Iowa Code § 902.9(1)(d) (2015).

²⁷⁴⁷ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁴⁸ Iowa Code § 911.1(1) (2015).

²⁷⁴⁹ Iowa Code § 911.2A(1) (2015).

²⁷⁵⁰ Iowa Code § 911.2B(1) (2015).

²⁷⁵¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁷⁵² Iowa Code § 692A.102(1)(c)(23) (2015).

²⁷⁵³ Iowa Code § 692A.102(1)(c)(23) (2015).

§ 710A.2A—Solicitation of Commercial Sexual Activity

Class = “D” felony²⁷⁵⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁷⁵⁵	0 ²⁷⁵⁶	No, but see Enhancements	No, ²⁷⁵⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁷⁵⁸	\$750 ²⁷⁵⁹	No, ²⁷⁶⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁶¹	No	Yes, \$1000 ²⁷⁶²	Yes, \$100 ²⁷⁶³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁶⁴	Yes ²⁷⁶⁵	No

Notes:

²⁷⁵⁴ Iowa Code § 710A.2A (2015).

²⁷⁵⁵ Iowa Code § 902.9(1)(e) (2015).

²⁷⁵⁶ Iowa Code § 902.9(1)(e) (2015).

²⁷⁵⁷ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁵⁸ Iowa Code § 902.9(1)(e) (2015).

²⁷⁵⁹ Iowa Code § 902.9(1)(e) (2015).

²⁷⁶⁰ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁶¹ Iowa Code § 911.1(1) (2015).

²⁷⁶² Iowa Code § 911.2A(1) (2015).

²⁷⁶³ Iowa Code § 911.2B(1) (2015).

²⁷⁶⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁷⁶⁵ Iowa Code § 692A.102(1)(c)(31) (2015).

CH. 711 ROBBERY AND EXTORTION

§ 711.2—First-Degree Robbery

Class = “B” felony²⁷⁶⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁷⁶⁷	0 ²⁷⁶⁸	Not eligible until has served 70% of max. term of sentence, ²⁷⁶⁹ but see Under 18 Sentencing See also Enhancements	No, ²⁷⁷⁰ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁷⁷¹	0 ²⁷⁷²	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁷³	No	No

Notes:

²⁷⁶⁶ Iowa Code § 711.2 (2015).

²⁷⁶⁷ Iowa Code § 902.9(1)(b) (2015).

²⁷⁶⁸ Iowa Code § 902.9(1)(b) (2015).

²⁷⁶⁹ Iowa Code § 902.12(1)(e) (2015 & Supp. 2016).

²⁷⁷⁰ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “robbery” as a forcible felony).

²⁷⁷¹ *See* Iowa Code § 902.9(1)(b) (2015).

²⁷⁷² *See* Iowa Code § 902.9(1)(b) (2015).

²⁷⁷³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 711.3—Second-Degree Robbery

Class = “C” felony²⁷⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁷⁷⁵	0 ²⁷⁷⁶	<ul style="list-style-type: none"> ❖ If convicted on or before 6/30/2016, not eligible until has served 70% of max. term of sentence,²⁷⁷⁷ but see Under 18 Sentencing ❖ If convicted on or after 7/1/2016, not eligible until has served between 50% and 70% of max. term of sentence,²⁷⁷⁸ but see Under 18 Sentencing <ul style="list-style-type: none"> ➤ court must determine at time of sentencing when person is to become eligible for parole or work release²⁷⁷⁹ <ul style="list-style-type: none"> ▪ determination should be “based upon all pertinent information including the person's criminal record, a validated risk assessment, and the negative impact the offense has had on the victim or other persons”²⁷⁸⁰ <p>See also Enhancements</p>	No, ²⁷⁸¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁷⁸²	\$1000 ²⁷⁸³	No, ²⁷⁸⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁸⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁸⁶	No	No

Notes:

²⁷⁷⁴ Iowa Code § 711.3 (2015 & Supp. 2016).

²⁷⁷⁵ Iowa Code § 902.9(1)(d) (2015).

²⁷⁷⁶ Iowa Code § 902.9(1)(d) (2015).

²⁷⁷⁷ Iowa Code § 902.12(1)(e) (2015 & Supp. 2016).

²⁷⁷⁸ Iowa Code § 902.12(3) (2015 & Supp. 2016).

²⁷⁷⁹ Iowa Code § 902.11(3) (Supp. 2016).

²⁷⁸⁰ Iowa Code § 902.11(3) (Supp. 2016).

²⁷⁸¹ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “robbery” as a forcible felony).

²⁷⁸² Iowa Code § 902.9(1)(d) (2015).

²⁷⁸³ Iowa Code § 902.9(1)(d) (2015).

²⁷⁸⁴ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁸⁵ Iowa Code § 911.1(1) (2015).

²⁷⁸⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 711.3A—Third-Degree Robbery

Class = aggravated misdemeanor²⁷⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁷⁸⁸	0 ²⁷⁸⁹	None	Yes ²⁷⁹⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁷⁹¹

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁷⁹²	\$625 ²⁷⁹³	Yes ²⁷⁹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁹⁶	No	No

Notes:

²⁷⁸⁷ Iowa Code § 711.3A(2) (Supp. 2016).

²⁷⁸⁸ Iowa Code § 903.1(2) (2015).

²⁷⁸⁹ Iowa Code § 903.1(2) (2015).

²⁷⁹⁰ See Iowa Code § 907.3, unnum. para. (2015).

²⁷⁹¹ Iowa Code § 903.1(2) (2015).

²⁷⁹² Iowa Code § 903.1(2) (2015).

²⁷⁹³ Iowa Code § 903.1(2) (2015).

²⁷⁹⁴ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁷⁹⁵ Iowa Code § 911.1(1) (2015).

²⁷⁹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 711.4—Extortion

Class = “D” felony²⁷⁹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁷⁹⁸	0 ²⁷⁹⁹	No, but see Enhancements	Yes ²⁸⁰⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁸⁰¹	\$750 ²⁸⁰²	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁰³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁰⁴	No	No

Notes:

²⁷⁹⁷ Iowa Code § 711.4(2) (2015).

²⁷⁹⁸ Iowa Code § 902.9(1)(e) (2015).

²⁷⁹⁹ Iowa Code § 902.9(1)(e) (2015).

²⁸⁰⁰ See Iowa Code § 907.3 (2015).

²⁸⁰¹ Iowa Code § 902.9(1)(e) (2015).

²⁸⁰² Iowa Code § 902.9(1)(e) (2015).

²⁸⁰³ Iowa Code § 911.1(1) (2015).

²⁸⁰⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 712 ARSON

§ 712.2—First-Degree Arson

Class = “B” felony²⁸⁰⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁸⁰⁶	0 ²⁸⁰⁷	No, but see Enhancements	No, ²⁸⁰⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁸⁰⁹	0 ²⁸¹⁰	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸¹¹	No	No

Notes:

²⁸⁰⁵ Iowa Code § 712.2, unnum. para. 2 (2015).

²⁸⁰⁶ Iowa Code § 902.9(1)(b) (2015).

²⁸⁰⁷ Iowa Code § 902.9(1)(b) (2015).

²⁸⁰⁸ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including “arson in the first degree” as a forcible felony).

²⁸⁰⁹ *See* Iowa Code § 902.9(1)(b) (2015).

²⁸¹⁰ *See* Iowa Code § 902.9(1)(b) (2015).

²⁸¹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 712.3—Second-Degree Arson

Class = “C” felony²⁸¹²

- ❖ if violation is “also a hate crime as defined in section 729A.2, [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”²⁸¹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁸¹⁴	0 ²⁸¹⁵	No, but see Enhancements	Yes ²⁸¹⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁸¹⁷	\$1000 ²⁸¹⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸¹⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸²⁰	No	No

Notes:

²⁸¹² Iowa Code § 712.3 (2015).

²⁸¹³ Iowa Code § 712.9 (2015).

²⁸¹⁴ Iowa Code § 902.9(1)(d) (2015).

²⁸¹⁵ Iowa Code § 902.9(1)(d) (2015).

²⁸¹⁶ See Iowa Code 907.3 (2015).

²⁸¹⁷ Iowa Code § 902.9(1)(d) (2015).

²⁸¹⁸ Iowa Code § 902.9(1)(d) (2015).

²⁸¹⁹ Iowa Code § 911.1(1) (2015).

²⁸²⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 712.4—Third-Degree Arson

Class = aggravated misdemeanor²⁸²¹

- ❖ if violation is “also a hate crime as defined in section 729A.2, [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”²⁸²²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁸²³	0 ²⁸²⁴	None	Yes ²⁸²⁵

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁸²⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁸²⁷	\$625 ²⁸²⁸	Yes ²⁸²⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸³⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸³¹	No	No

Notes:

²⁸²¹ Iowa Code § 712.4 (2015).

²⁸²² Iowa Code § 712.9 (2015).

²⁸²³ Iowa Code § 903.1(2) (2015).

²⁸²⁴ Iowa Code § 903.1(2) (2015).

²⁸²⁵ See Iowa Code § 907.3, unnum. para. (2015).

²⁸²⁶ Iowa Code § 903.1(2) (2015).

²⁸²⁷ Iowa Code § 903.1(2) (2015).

²⁸²⁸ Iowa Code § 903.1(2) (2015).

²⁸²⁹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁸³⁰ Iowa Code § 911.1(1) (2015).

²⁸³¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 712.5—Reckless Use of Fire or Explosives

Class = serious misdemeanor²⁸³²

- ❖ if violation is “also a hate crime as defined in section 729A.2, [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”²⁸³³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁸³⁴	0 ²⁸³⁵	N/A	Yes ²⁸³⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁸³⁷	\$315 ²⁸³⁸	No ²⁸³⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁴⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

²⁸³² Iowa Code § 712.5 (2015).

²⁸³³ Iowa Code § 712.9 (2015).

²⁸³⁴ Iowa Code § 903.1(1)(b) (2015).

²⁸³⁵ Iowa Code § 903.1(1)(b) (2015).

²⁸³⁶ See Iowa Code § 907.3 (2015).

²⁸³⁷ Iowa Code § 903.1(1)(b) (2015).

²⁸³⁸ Iowa Code § 903.1(1)(b) (2015).

²⁸³⁹ Iowa Code § 903.1(1) (2015).

²⁸⁴⁰ Iowa Code § 911.1(1) (2015).

§ 712.6—Explosive or Incendiary Materials or Devices

§ 712.6(1)—Possession with intent to use to commit a public offense

Class = “C” felony²⁸⁴¹

- ❖ if violation is “also a hate crime as defined in section 729A.2, [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”²⁸⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁸⁴³	0 ²⁸⁴⁴	No, but see Enhancements	Yes ²⁸⁴⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁸⁴⁶	\$1000 ²⁸⁴⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁴⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁴⁹	No	No

Notes:

²⁸⁴¹ Iowa Code § 712.6(1) (2015).

²⁸⁴² Iowa Code § 712.9 (2015).

²⁸⁴³ Iowa Code § 902.9(1)(d) (2015).

²⁸⁴⁴ Iowa Code § 902.9(1)(d) (2015).

²⁸⁴⁵ See Iowa Code 907.3 (2015).

²⁸⁴⁶ Iowa Code § 902.9(1)(d) (2015).

²⁸⁴⁷ Iowa Code § 902.9(1)(d) (2015).

²⁸⁴⁸ Iowa Code § 911.1(1) (2015).

²⁸⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 712.6(2)(a)—Possession

Class = aggravated misdemeanor²⁸⁵⁰

- ❖ if violation is “also a hate crime as defined in section 729A.2, [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”²⁸⁵¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁸⁵²	0 ²⁸⁵³	None	Yes ²⁸⁵⁴

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁸⁵⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁸⁵⁶	\$625 ²⁸⁵⁷	Yes ²⁸⁵⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁵⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁶⁰	No	No

Notes:

²⁸⁵⁰ Iowa Code § 712.6(2)(a) (2015).

²⁸⁵¹ Iowa Code § 712.9 (2015).

²⁸⁵² Iowa Code § 903.1(2) (2015).

²⁸⁵³ Iowa Code § 903.1(2) (2015).

²⁸⁵⁴ See Iowa Code § 907.3, unnum. para. (2015).

²⁸⁵⁵ Iowa Code § 903.1(2) (2015).

²⁸⁵⁶ Iowa Code § 903.1(2) (2015).

²⁸⁵⁷ Iowa Code § 903.1(2) (2015).

²⁸⁵⁸ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁸⁵⁹ Iowa Code § 911.1(1) (2015).

²⁸⁶⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 712.6(3)—Placement of simulated device with intent to intimidate, annoy, or alarm

Class = serious misdemeanor²⁸⁶¹

- ❖ if violation is “also a hate crime as defined in section 729A.2, [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”²⁸⁶²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁸⁶³	0 ²⁸⁶⁴	N/A	Yes ²⁸⁶⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁸⁶⁶	\$315 ²⁸⁶⁷	No ²⁸⁶⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁶⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

²⁸⁶¹ Iowa Code § 712.6(3) (2015).

²⁸⁶² Iowa Code § 712.9 (2015).

²⁸⁶³ Iowa Code § 903.1(1)(b) (2015).

²⁸⁶⁴ Iowa Code § 903.1(1)(b) (2015).

²⁸⁶⁵ See Iowa Code § 907.3 (2015).

²⁸⁶⁶ Iowa Code § 903.1(1)(b) (2015).

²⁸⁶⁷ Iowa Code § 903.1(1)(b) (2015).

²⁸⁶⁸ Iowa Code § 903.1(1) (2015).

²⁸⁶⁹ Iowa Code § 911.1(1) (2015).

§ 712.7—False Reports

Class = “D” felony²⁸⁷⁰

- ❖ if violation is “also a hate crime as defined in section 729A.2, [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”²⁸⁷¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁸⁷²	0 ²⁸⁷³	No, but see Enhancements	Yes ²⁸⁷⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁸⁷⁵	\$750 ²⁸⁷⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁷⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁷⁸	No	No

Notes:

²⁸⁷⁰ Iowa Code § 712.7 (2015).

²⁸⁷¹ Iowa Code § 712.9 (2015).

²⁸⁷² Iowa Code § 902.9(1)(e) (2015).

²⁸⁷³ Iowa Code § 902.9(1)(e) (2015).

²⁸⁷⁴ See Iowa Code § 907.3 (2015).

²⁸⁷⁵ Iowa Code § 902.9(1)(e) (2015).

²⁸⁷⁶ Iowa Code § 902.9(1)(e) (2015).

²⁸⁷⁷ Iowa Code § 911.1(1) (2015).

²⁸⁷⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 712.8—Threat or Attempt to Place Incendiary, Explosive, or Destructive Device

Class = “D” felony²⁸⁷⁹

- ❖ if violation is “also a hate crime as defined in section 729A.2, [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”²⁸⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁸⁸¹	0 ²⁸⁸²	No, but see Enhancements	Yes ²⁸⁸³

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁸⁸⁴	\$750 ²⁸⁸⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁸⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁸⁷	No	No

Notes:

²⁸⁷⁹ Iowa Code § 712.8 (2015).

²⁸⁸⁰ Iowa Code § 712.9 (2015).

²⁸⁸¹ Iowa Code § 902.9(1)(e) (2015).

²⁸⁸² Iowa Code § 902.9(1)(e) (2015).

²⁸⁸³ See Iowa Code § 907.3 (2015).

²⁸⁸⁴ Iowa Code § 902.9(1)(e) (2015).

²⁸⁸⁵ Iowa Code § 902.9(1)(e) (2015).

²⁸⁸⁶ Iowa Code § 911.1(1) (2015).

²⁸⁸⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 713 BURGLARY

§ 713.3—First-Degree Burglary

Class = “B” felony²⁸⁸⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁸⁸⁹	0 ²⁸⁹⁰	No, but burglary as defined in § 713.1 can be a SVO, ²⁸⁹¹ so see Enhancements	No, ²⁸⁹² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁸⁹³	0 ²⁸⁹⁴	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	Yes, \$125 ²⁸⁹⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁹⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if:
 - if person violated § 713.3(1)(a), (b), or (c) *and* fact finder determined beyond a reasonable doubt the burglary was sexually motivated²⁸⁹⁷
 - if person violated § 713.3(1)(d)²⁸⁹⁸

²⁸⁸⁸ Iowa Code § 713.3(2) (2015).

²⁸⁸⁹ Iowa Code § 902.9(1)(b) (2015).

²⁸⁹⁰ Iowa Code § 902.9(1)(b) (2015).

²⁸⁹¹ Iowa Code § 229A.2(11)(3) (2015); *see id.* § 901A.1(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).

²⁸⁹² Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including “burglary in the first degree” as a forcible felony).

²⁸⁹³ *See* Iowa Code § 902.9(1)(b) (2015).

²⁸⁹⁴ *See* Iowa Code § 902.9(1)(b) (2015).

²⁸⁹⁵ Iowa Code § 911.3(1)(a) (2015).

²⁸⁹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁸⁹⁷ Iowa Code §§ 692A.102(1)(c)(17), 692A.126(1)(n), 713.3(3) (2015).

²⁸⁹⁸ Iowa Code § 692A.102(1)(c)(16) (2015).

§ 713.4—Attempted First-Degree Burglary

Class = “C” felony²⁸⁹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁹⁰⁰	0 ²⁹⁰¹	No, but see Enhancements	Yes ²⁹⁰²

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁹⁰³	\$1000 ²⁹⁰⁴	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁰⁵	No	No	No	No	Yes, \$125 ²⁹⁰⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁰⁷	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section 692A.126”²⁹⁰⁸

²⁸⁹⁹ Iowa Code § 713.4(2) (2015).

²⁹⁰⁰ Iowa Code § 902.9(1)(d) (2015).

²⁹⁰¹ Iowa Code § 902.9(1)(d) (2015).

²⁹⁰² See Iowa Code 907.3 (2015).

²⁹⁰³ Iowa Code § 902.9(1)(d) (2015).

²⁹⁰⁴ Iowa Code § 902.9(1)(d) (2015).

²⁹⁰⁵ Iowa Code § 911.1(1) (2015).

²⁹⁰⁶ Iowa Code § 911.3(1) (2015).

²⁹⁰⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁹⁰⁸ Iowa Code §§ 692A.102(1)(c)(18), 713.4(3) (2015).

§ 713.5—Second-Degree Burglary

Class = “C” felony²⁹⁰⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁹¹⁰	0 ²⁹¹¹	No, but burglary as defined in § 713.1 can be a SVO, ²⁹¹² so see Enhancements	Yes ²⁹¹³

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁹¹⁴	\$1000 ²⁹¹⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹¹⁶	No	No	No	No	Yes, \$125 ²⁹¹⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹¹⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- the fact finder makes a determination “that the offense was sexually motivated pursuant to section 692A.126”²⁹¹⁹

²⁹⁰⁹ Iowa Code § 713.5(2) (2015).

²⁹¹⁰ Iowa Code § 902.9(1)(d) (2015).

²⁹¹¹ Iowa Code § 902.9(1)(d) (2015).

²⁹¹² Iowa Code § 229A.2(11)(3) (2015); *see id.* § 901A.1(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).

²⁹¹³ *See* Iowa Code 907.3 (2015).

²⁹¹⁴ Iowa Code § 902.9(1)(d) (2015).

²⁹¹⁵ Iowa Code § 902.9(1)(d) (2015).

²⁹¹⁶ Iowa Code § 911.1(1) (2015).

²⁹¹⁷ Iowa Code § 911.3(1) (2015).

²⁹¹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁹¹⁹ Iowa Code §§ 692A.102(1)(c)(19), 713.5(3) (2015).

§ 713.6—Attempted Second-Degree Burglary

Class = “D” felony²⁹²⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁹²¹	0 ²⁹²²	No, but see Enhancements	Yes ²⁹²³

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁹²⁴	\$750 ²⁹²⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹²⁶	No	No	No	No	Yes ²⁹²⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹²⁸	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section 692A.126”²⁹²⁹

²⁹²⁰ Iowa Code § 713.6(2) (2015).

²⁹²¹ Iowa Code § 902.9(1)(e) (2015).

²⁹²² Iowa Code § 902.9(1)(e) (2015).

²⁹²³ See Iowa Code § 907.3 (2015).

²⁹²⁴ Iowa Code § 902.9(1)(e) (2015).

²⁹²⁵ Iowa Code § 902.9(1)(e) (2015).

²⁹²⁶ Iowa Code § 911.1(1) (2015).

²⁹²⁷ Iowa Code § 911.3(1) (2015).

²⁹²⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁹²⁹ Iowa Code §§ 692A.102(1)(c)(20), 713.6(3) (2015).

§ 713.6A—Third-Degree Burglary

§ 713.6A(1)—Third-degree burglary

Class = “D” felony²⁹³⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁹³¹	0 ²⁹³²	No, but burglary as defined in § 713.1 can be a SVO, ²⁹³³ so see Enhancements	Yes ²⁹³⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁹³⁵	\$750 ²⁹³⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹³⁷	No	No	No	No	Yes ²⁹³⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹³⁹	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section 692A.126”²⁹⁴⁰

²⁹³⁰ Iowa Code § 713.6A(1) (2015).

²⁹³¹ Iowa Code § 902.9(1)(e) (2015).

²⁹³² Iowa Code § 902.9(1)(e) (2015).

²⁹³³ Iowa Code § 229A.2(11)(3) (2015); *see id.* § 901A.1(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).

²⁹³⁴ *See* Iowa Code § 907.3 (2015).

²⁹³⁵ Iowa Code § 902.9(1)(e) (2015).

²⁹³⁶ Iowa Code § 902.9(1)(e) (2015).

²⁹³⁷ Iowa Code § 911.1(1) (2015).

²⁹³⁸ Iowa Code § 911.3(1) (2015).

²⁹³⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁹⁴⁰ Iowa Code §§ 692A.102(1)(c)(21), 713.6A(3) (2015).

§ 713.6A(2)—Involving unoccupied motor vehicle or truck, or vessel

First Offense

Class = aggravated misdemeanor²⁹⁴¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁹⁴²	0 ²⁹⁴³	None	Yes ²⁹⁴⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁹⁴⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁹⁴⁶	\$625 ²⁹⁴⁷	Yes ²⁹⁴⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁴⁹	No	No	No	No	Yes ²⁹⁵⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁵¹	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section 692A.126”²⁹⁵²

²⁹⁴¹ Iowa Code § 713.6A(2) (2015).

²⁹⁴² Iowa Code § 903.1(2) (2015).

²⁹⁴³ Iowa Code § 903.1(2) (2015).

²⁹⁴⁴ See Iowa Code § 907.3, unnum. para. (2015).

²⁹⁴⁵ Iowa Code § 903.1(2) (2015).

²⁹⁴⁶ Iowa Code § 903.1(2) (2015).

²⁹⁴⁷ Iowa Code § 903.1(2) (2015).

²⁹⁴⁸ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁹⁴⁹ Iowa Code § 911.1(1) (2015).

²⁹⁵⁰ Iowa Code § 911.3(1) (2015).

²⁹⁵¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁹⁵² Iowa Code §§ 692A.102(1)(c)(21), 713.6A(3) (2015).

Second or Subsequent Offense

Class = “D” felony²⁹⁵³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁹⁵⁴	0 ²⁹⁵⁵	No, but see Enhancements	Yes ²⁹⁵⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁹⁵⁷	\$750 ²⁹⁵⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁵⁹	No	No	No	No	Yes ²⁹⁶⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁶¹	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section 692A.126”²⁹⁶²

²⁹⁵³ Iowa Code § 713.6A(2) (2015).

²⁹⁵⁴ Iowa Code § 902.9(1)(e) (2015).

²⁹⁵⁵ Iowa Code § 902.9(1)(e) (2015).

²⁹⁵⁶ See Iowa Code § 907.3 (2015).

²⁹⁵⁷ Iowa Code § 902.9(1)(e) (2015).

²⁹⁵⁸ Iowa Code § 902.9(1)(e) (2015).

²⁹⁵⁹ Iowa Code § 911.1(1) (2015).

²⁹⁶⁰ Iowa Code § 911.3(1) (2015).

²⁹⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁹⁶² Iowa Code §§ 692A.102(1)(c)(21), 713.6A(3) (2015).

§ 713.6B—Attempted Third-Degree Burglary

§ 713.6B(1)—Attempted third-degree burglary

Class = aggravated misdemeanor²⁹⁶³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁹⁶⁴	0 ²⁹⁶⁵	None	Yes ²⁹⁶⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁹⁶⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁹⁶⁸	\$625 ²⁹⁶⁹	Yes ²⁹⁷⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁷¹	No	No	No	No	Yes ²⁹⁷²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁷³	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section 692A.126”²⁹⁷⁴

²⁹⁶³ Iowa Code § 713.6B(1) (2015).

²⁹⁶⁴ Iowa Code § 903.1(2) (2015).

²⁹⁶⁵ Iowa Code § 903.1(2) (2015).

²⁹⁶⁶ See Iowa Code § 907.3, unnum. para. (2015).

²⁹⁶⁷ Iowa Code § 903.1(2) (2015).

²⁹⁶⁸ Iowa Code § 903.1(2) (2015).

²⁹⁶⁹ Iowa Code § 903.1(2) (2015).

²⁹⁷⁰ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁹⁷¹ Iowa Code § 911.1(1) (2015).

²⁹⁷² Iowa Code § 911.3(1) (2015).

²⁹⁷³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁹⁷⁴ Iowa Code §§ 692A.102(1)(c)(22), 713.6B(3) (2015).

§ 713.6B(2)—Involving unoccupied motor vehicle or truck, or vessel

First Offense

Class = serious misdemeanor²⁹⁷⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁹⁷⁶	0 ²⁹⁷⁷	N/A	Yes ²⁹⁷⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁹⁷⁹	\$315 ²⁹⁸⁰	No ²⁹⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁸²	No	No	No	No	Yes ²⁹⁸³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if must register for Sex Registry ²⁹⁸⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- the fact finder makes a determination “that the offense was sexually motivated pursuant to section 692A.126”²⁹⁸⁵

²⁹⁷⁵ Iowa Code § 713.6B(2) (2015).

²⁹⁷⁶ Iowa Code § 903.1(1)(b) (2015).

²⁹⁷⁷ Iowa Code § 903.1(1)(b) (2015).

²⁹⁷⁸ See Iowa Code § 907.3 (2015).

²⁹⁷⁹ Iowa Code § 903.1(1)(b) (2015).

²⁹⁸⁰ Iowa Code § 903.1(1)(b) (2015).

²⁹⁸¹ Iowa Code § 903.1(1) (2015).

²⁹⁸² Iowa Code § 911.1(1) (2015).

²⁹⁸³ Iowa Code § 911.3(1) (2015).

²⁹⁸⁴ Iowa Code § 81.2(6) (2015).

²⁹⁸⁵ Iowa Code §§ 692A.102(1)(c)(22), 713.6B(3) (2015).

Second or Subsequent Offense

Class = aggravated misdemeanor²⁹⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁹⁸⁷	0 ²⁹⁸⁸	None	Yes ²⁹⁸⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁹⁹⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁹⁹¹	\$625 ²⁹⁹²	Yes ²⁹⁹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁹⁴	No	No	No	No	Yes ²⁹⁹⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁹⁶	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section 692A.126”²⁹⁹⁷

²⁹⁸⁶ Iowa Code § 713.6B(2) (2015).

²⁹⁸⁷ Iowa Code § 903.1(2) (2015).

²⁹⁸⁸ Iowa Code § 903.1(2) (2015).

²⁹⁸⁹ See Iowa Code § 907.3, unnum. para. (2015).

²⁹⁹⁰ Iowa Code § 903.1(2) (2015).

²⁹⁹¹ Iowa Code § 903.1(2) (2015).

²⁹⁹² Iowa Code § 903.1(2) (2015).

²⁹⁹³ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁹⁹⁴ Iowa Code § 911.1(1) (2015).

²⁹⁹⁵ Iowa Code § 911.3(1) (2015).

²⁹⁹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

²⁹⁹⁷ Iowa Code §§ 692A.102(1)(c)(22), 713.6B(3) (2015).

§ 713.7—Possession of Burglar's Tools

Class = aggravated misdemeanor²⁹⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁹⁹⁹	0 ³⁰⁰⁰	None	Yes ³⁰⁰¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁰⁰²

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁰⁰³	\$625 ³⁰⁰⁴	Yes ³⁰⁰⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁰⁶	No	No	No	No	Yes ³⁰⁰⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁰⁸	No	No

Notes:

²⁹⁹⁸ Iowa Code § 713.7 (2015).

²⁹⁹⁹ Iowa Code § 903.1(2) (2015).

³⁰⁰⁰ Iowa Code § 903.1(2) (2015).

³⁰⁰¹ See Iowa Code § 907.3, unnum. para. (2015).

³⁰⁰² Iowa Code § 903.1(2) (2015).

³⁰⁰³ Iowa Code § 903.1(2) (2015).

³⁰⁰⁴ Iowa Code § 903.1(2) (2015).

³⁰⁰⁵ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁰⁶ Iowa Code § 911.1(1) (2015).

³⁰⁰⁷ Iowa Code § 911.3(1) (2015).

³⁰⁰⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 714 THEFT AND FRAUD

§ 714.2—Theft

§ 714.2(1)—First-degree theft

Class = “C” felony³⁰⁰⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁰¹⁰	0 ³⁰¹¹	No, but see Enhancements	Yes ³⁰¹²

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁰¹³	\$1000 ³⁰¹⁴	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰¹⁵	No	No	No	No	Yes ³⁰¹⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰¹⁷	No	No

Notes:

³⁰⁰⁹ Iowa Code § 714.2(1) (2015).

³⁰¹⁰ Iowa Code § 902.9(1)(d) (2015).

³⁰¹¹ Iowa Code § 902.9(1)(d) (2015).

³⁰¹² See Iowa Code 907.3 (2015).

³⁰¹³ Iowa Code § 902.9(1)(d) (2015).

³⁰¹⁴ Iowa Code § 902.9(1)(d) (2015).

³⁰¹⁵ Iowa Code § 911.1(1) (2015).

³⁰¹⁶ Iowa Code § 911.3(1) (2015).

³⁰¹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 714.2(2)—Second-degree theft**Class** = “D” felony³⁰¹⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁰¹⁹	0 ³⁰²⁰	No, but see Enhancements	Yes ³⁰²¹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁰²²	\$750 ³⁰²³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰²⁴	No	No	No	No	Yes ³⁰²⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰²⁶	No	No

Notes:³⁰¹⁸ Iowa Code § 714.2(2) (2015).³⁰¹⁹ Iowa Code § 902.9(1)(e) (2015).³⁰²⁰ Iowa Code § 902.9(1)(e) (2015).³⁰²¹ See Iowa Code § 907.3 (2015).³⁰²² Iowa Code § 902.9(1)(e) (2015).³⁰²³ Iowa Code § 902.9(1)(e) (2015).³⁰²⁴ Iowa Code § 911.1(1) (2015).³⁰²⁵ Iowa Code § 911.3(1) (2015).³⁰²⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 714.2(3)—Third-degree theft

Class = aggravated misdemeanor³⁰²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁰²⁸	0 ³⁰²⁹	None	Yes ³⁰³⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁰³¹

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁰³²	\$625 ³⁰³³	Yes ³⁰³⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰³⁵	No	No	No	No	Yes ³⁰³⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰³⁷	No	No

Notes:

³⁰²⁷ Iowa Code § 714.2(3) (2015).

³⁰²⁸ Iowa Code § 903.1(2) (2015).

³⁰²⁹ Iowa Code § 903.1(2) (2015).

³⁰³⁰ See Iowa Code § 907.3, unnum. para. (2015).

³⁰³¹ Iowa Code § 903.1(2) (2015).

³⁰³² Iowa Code § 903.1(2) (2015).

³⁰³³ Iowa Code § 903.1(2) (2015).

³⁰³⁴ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰³⁵ Iowa Code § 911.1(1) (2015).

³⁰³⁶ Iowa Code § 911.3(1) (2015).

³⁰³⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 714.2(4)—Fourth-degree theft**Class** = serious misdemeanor³⁰³⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁰³⁹	0 ³⁰⁴⁰	N/A	Yes ³⁰⁴¹

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁰⁴²	\$315 ³⁰⁴³	No ³⁰⁴⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁴⁵	No	No	No	No	Yes ³⁰⁴⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:³⁰³⁸ Iowa Code § 714.2(4) (2015).³⁰³⁹ Iowa Code § 903.1(1)(b) (2015).³⁰⁴⁰ Iowa Code § 903.1(1)(b) (2015).³⁰⁴¹ See Iowa Code § 907.3 (2015).³⁰⁴² Iowa Code § 903.1(1)(b) (2015).³⁰⁴³ Iowa Code § 903.1(1)(b) (2015).³⁰⁴⁴ Iowa Code § 903.1(1) (2015).³⁰⁴⁵ Iowa Code § 911.1(1) (2015).³⁰⁴⁶ Iowa Code § 911.3(1) (2015).

§ 714.2(5)—Fifth-degree theft

Class = simple misdemeanor³⁰⁴⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁰⁴⁸	0 ³⁰⁴⁹	N/A	Yes ³⁰⁵⁰

Fines

Max.	Min.	Can Suspend?
\$625 ³⁰⁵¹	\$65 ³⁰⁵²	No ³⁰⁵³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁵⁴	No	No	No	No	Yes ³⁰⁵⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Maybe, see Notes	No	No	No

Notes:

❖ License Revocation:

- if second or subsequent violation of 714.2(5) for theft of motor fuel from a retail dealer, may suspend for up to 30 days in lieu or in addition to fine or imprisonment³⁰⁵⁶

³⁰⁴⁷ Iowa Code § 714.2(5) (2015).

³⁰⁴⁸ Iowa Code § 903.1(1)(a) (2015).

³⁰⁴⁹ Iowa Code § 903.1(1)(a) (2015).

³⁰⁵⁰ See Iowa Code § 907.3 (2015).

³⁰⁵¹ Iowa Code § 903.1(1)(a) (2015).

³⁰⁵² Iowa Code § 903.1(1)(a) (2015).

³⁰⁵³ Iowa Code § 903.1(1) (2015).

³⁰⁵⁴ Iowa Code § 911.1(1) (2015).

³⁰⁵⁵ Iowa Code § 911.3(1) (2015).

³⁰⁵⁶ Iowa Code § 714.7D (2015).

§ 714.3A—Aggravated Theft

§ 714.3A(1)—Aggravated theft

Class = aggravated misdemeanor³⁰⁵⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁰⁵⁸	0 ³⁰⁵⁹	None	Yes ³⁰⁶⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁰⁶¹

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁰⁶²	\$625 ³⁰⁶³	Yes ³⁰⁶⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁶⁵	No	No	No	No	Yes ³⁰⁶⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁶⁷	No	No

Notes:

³⁰⁵⁷ Iowa Code § 714.3A(2)(a) (2015).

³⁰⁵⁸ Iowa Code § 903.1(2) (2015).

³⁰⁵⁹ Iowa Code § 903.1(2) (2015).

³⁰⁶⁰ See Iowa Code § 907.3, unnum. para. (2015).

³⁰⁶¹ Iowa Code § 903.1(2) (2015).

³⁰⁶² Iowa Code § 903.1(2) (2015).

³⁰⁶³ Iowa Code § 903.1(2) (2015).

³⁰⁶⁴ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁶⁵ Iowa Code § 911.1(1) (2015).

³⁰⁶⁶ Iowa Code § 911.3(1) (2015).

³⁰⁶⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 714.3A(2)(b)—Aggravated theft plus prior conviction of aggravated theft, first- or second-degree robbery, or extortion

Class = “D” felony³⁰⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁰⁶⁹	0 ³⁰⁷⁰	No, but see Enhancements	Yes ³⁰⁷¹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁰⁷²	\$750 ³⁰⁷³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁷⁴	No	No	No	No	Yes ³⁰⁷⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁷⁶	No	No

Notes:

- ❖ In determining whether a prior conviction for aggravated theft, first- or second-degree robbery, or extortion qualifies as a predicate offense:
 - prior convictions include:
 - DJ entered per § 907.3 for a violation of aggravated theft, first- or second-degree robbery, or extortion³⁰⁷⁷
 - conviction or equivalent of a DJ for a violation of aggravated theft, first- or second-degree robbery, or extortion under substantially corresponding statute of another jurisdiction³⁰⁷⁸
 - court shall judicially notice these statutes³⁰⁷⁹

³⁰⁶⁸ Iowa Code § 714.3A(2)(b) (2015).

³⁰⁶⁹ Iowa Code § 902.9(1)(e) (2015).

³⁰⁷⁰ Iowa Code § 902.9(1)(e) (2015).

³⁰⁷¹ See Iowa Code § 907.3 (2015).

³⁰⁷² Iowa Code § 902.9(1)(e) (2015).

³⁰⁷³ Iowa Code § 902.9(1)(e) (2015).

³⁰⁷⁴ Iowa Code § 911.1(1) (2015).

³⁰⁷⁵ Iowa Code § 911.3(1) (2015).

³⁰⁷⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

³⁰⁷⁷ Iowa Code § 714.7D(3)(a) (2015).

³⁰⁷⁸ Iowa Code § 714.7D(3)(b) (2015).

³⁰⁷⁹ Iowa Code § 714.7D(3)(b) (2015).

§ 714.7—Operating Vehicle Without Owner's Consent

Class = aggravated misdemeanor³⁰⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁰⁸¹	0 ³⁰⁸²	None	Yes ³⁰⁸³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁰⁸⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁰⁸⁵	\$625 ³⁰⁸⁶	Yes ³⁰⁸⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁸⁸	No	No	No	No	Yes ³⁰⁸⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁹⁰	No	No

Notes:

³⁰⁸⁰ Iowa Code § 714.7 (2015).

³⁰⁸¹ Iowa Code § 903.1(2) (2015).

³⁰⁸² Iowa Code § 903.1(2) (2015).

³⁰⁸³ See Iowa Code § 907.3, unnum. para. (2015).

³⁰⁸⁴ Iowa Code § 903.1(2) (2015).

³⁰⁸⁵ Iowa Code § 903.1(2) (2015).

³⁰⁸⁶ Iowa Code § 903.1(2) (2015).

³⁰⁸⁷ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁸⁸ Iowa Code § 911.1(1) (2015).

³⁰⁸⁹ Iowa Code § 911.3(1) (2015).

³⁰⁹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 714.7B—Theft Detection Devices

§ 714.7B(1)—Manufacture, sale, possession, or distribution of theft detection shielding devices

Class = serious misdemeanor³⁰⁹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁰⁹²	0 ³⁰⁹³	N/A	Yes ³⁰⁹⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁰⁹⁵	\$315 ³⁰⁹⁶	No ³⁰⁹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁹⁸	No	No	No	No	Yes ³⁰⁹⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁰⁹¹ Iowa Code § 714.7B(5) (2015).

³⁰⁹² Iowa Code § 903.1(1)(b) (2015).

³⁰⁹³ Iowa Code § 903.1(1)(b) (2015).

³⁰⁹⁴ See Iowa Code § 907.3 (2015).

³⁰⁹⁵ Iowa Code § 903.1(1)(b) (2015).

³⁰⁹⁶ Iowa Code § 903.1(1)(b) (2015).

³⁰⁹⁷ Iowa Code § 903.1(1) (2015).

³⁰⁹⁸ Iowa Code § 911.1(1) (2015).

³⁰⁹⁹ Iowa Code § 911.3(1) (2015).

§ 714.7B(2)—Unlawful removal or attempted removal of theft detection device

Less Than \$200

Class = simple misdemeanor³¹⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³¹⁰¹	0 ³¹⁰²	N/A	Yes ³¹⁰³

Fines

Max.	Min.	Can Suspend?
\$625 ³¹⁰⁴	\$65 ³¹⁰⁵	No ³¹⁰⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁰⁷	No	No	No	No	Yes ³¹⁰⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³¹⁰⁰ Iowa Code § 714.7B(6)(a) (2015).

³¹⁰¹ Iowa Code § 903.1(1)(a) (2015).

³¹⁰² Iowa Code § 903.1(1)(a) (2015).

³¹⁰³ See Iowa Code § 907.3 (2015).

³¹⁰⁴ Iowa Code § 903.1(1)(a) (2015).

³¹⁰⁵ Iowa Code § 903.1(1)(a) (2015).

³¹⁰⁶ Iowa Code § 903.1(1) (2015).

³¹⁰⁷ Iowa Code § 911.1(1) (2015).

³¹⁰⁸ Iowa Code § 911.3(1) (2015).

In Excess of \$200**Class** = serious misdemeanor³¹⁰⁹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³¹¹⁰	0 ³¹¹¹	N/A	Yes ³¹¹²

Fines

Max.	Min.	Can Suspend?
\$1875 ³¹¹³	\$315 ³¹¹⁴	No ³¹¹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹¹⁶	No	No	No	No	Yes ³¹¹⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:³¹⁰⁹ Iowa Code § 714.7B(6)(b) (2015).³¹¹⁰ Iowa Code § 903.1(1)(b) (2015).³¹¹¹ Iowa Code § 903.1(1)(b) (2015).³¹¹² See Iowa Code § 907.3 (2015).³¹¹³ Iowa Code § 903.1(1)(b) (2015).³¹¹⁴ Iowa Code § 903.1(1)(b) (2015).³¹¹⁵ Iowa Code § 903.1(1) (2015).³¹¹⁶ Iowa Code § 911.1(1) (2015).³¹¹⁷ Iowa Code § 911.3(1) (2015).

§ 714.7B(3)—Possession of tool, instrument, or device with intent to use to remove theft detection device**Class** = serious misdemeanor³¹¹⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³¹¹⁹	0 ³¹²⁰	N/A	Yes ³¹²¹

Fines

Max.	Min.	Can Suspend?
\$1875 ³¹²²	\$315 ³¹²³	No ³¹²⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹²⁵	No	No	No	No	Yes ³¹²⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:³¹¹⁸ Iowa Code § 714.7B(5) (2015).³¹¹⁹ Iowa Code § 903.1(1)(b) (2015).³¹²⁰ Iowa Code § 903.1(1)(b) (2015).³¹²¹ See Iowa Code § 907.3 (2015).³¹²² Iowa Code § 903.1(1)(b) (2015).³¹²³ Iowa Code § 903.1(1)(b) (2015).³¹²⁴ Iowa Code § 903.1(1) (2015).³¹²⁵ Iowa Code § 911.1(1) (2015).³¹²⁶ Iowa Code § 911.3(1) (2015).

§ 714.7C—Theft of Product Containing Pseudoephedrine

Class = serious misdemeanor³¹²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³¹²⁸	0 ³¹²⁹	N/A	Yes ³¹³⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ³¹³¹	\$315 ³¹³²	No ³¹³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹³⁴	No	No	No	No	Yes ³¹³⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³¹²⁷ Iowa Code § 714.7C (2015).

³¹²⁸ Iowa Code § 903.1(1)(b) (2015).

³¹²⁹ Iowa Code § 903.1(1)(b) (2015).

³¹³⁰ See Iowa Code § 907.3 (2015).

³¹³¹ Iowa Code § 903.1(1)(b) (2015).

³¹³² Iowa Code § 903.1(1)(b) (2015).

³¹³³ Iowa Code § 903.1(1) (2015).

³¹³⁴ Iowa Code § 911.1(1) (2015).

³¹³⁵ Iowa Code § 911.3(1) (2015).

§ 714.9—First-Degree Fraudulent Practice

Class = “C” felony³¹³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³¹³⁷	0 ³¹³⁸	No, but see Enhancements	Yes ³¹³⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ³¹⁴⁰	\$1000 ³¹⁴¹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁴²	No	No	No	No	Yes ³¹⁴³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁴⁴	No	No

Notes:

³¹³⁶ Iowa Code § 714.9(2) (2015).

³¹³⁷ Iowa Code § 902.9(1)(d) (2015).

³¹³⁸ Iowa Code § 902.9(1)(d) (2015).

³¹³⁹ See Iowa Code 907.3 (2015).

³¹⁴⁰ Iowa Code § 902.9(1)(d) (2015).

³¹⁴¹ Iowa Code § 902.9(1)(d) (2015).

³¹⁴² Iowa Code § 911.1(1) (2015).

³¹⁴³ Iowa Code § 911.3(1) (2015).

³¹⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 714.10—Second-Degree Fraudulent Practice

Class = “D” felony³¹⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³¹⁴⁶	0 ³¹⁴⁷	No, but see Enhancements	Yes ³¹⁴⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ³¹⁴⁹	\$750 ³¹⁵⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁵¹	No	No	No	No	Yes ³¹⁵²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁵³	No	No

Notes:

³¹⁴⁵ Iowa Code § 714.10(2) (2015).

³¹⁴⁶ Iowa Code § 902.9(1)(e) (2015).

³¹⁴⁷ Iowa Code § 902.9(1)(e) (2015).

³¹⁴⁸ See Iowa Code § 907.3 (2015).

³¹⁴⁹ Iowa Code § 902.9(1)(e) (2015).

³¹⁵⁰ Iowa Code § 902.9(1)(e) (2015).

³¹⁵¹ Iowa Code § 911.1(1) (2015).

³¹⁵² Iowa Code § 911.3(1) (2015).

³¹⁵³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 714.11—Third-Degree Fraudulent Practice

Class = aggravated misdemeanor³¹⁵⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³¹⁵⁵	0 ³¹⁵⁶	None	Yes ³¹⁵⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³¹⁵⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ³¹⁵⁹	\$625 ³¹⁶⁰	Yes ³¹⁶¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁶²	No	No	No	No	Yes ³¹⁶³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁶⁴	No	No

Notes:

³¹⁵⁴ Iowa Code § 714.11(2) (2015).

³¹⁵⁵ Iowa Code § 903.1(2) (2015).

³¹⁵⁶ Iowa Code § 903.1(2) (2015).

³¹⁵⁷ See Iowa Code § 907.3 (2015).

³¹⁵⁸ Iowa Code § 903.1(2) (2015).

³¹⁵⁹ Iowa Code § 903.1(2) (2015).

³¹⁶⁰ Iowa Code § 903.1(2) (2015).

³¹⁶¹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹⁶² Iowa Code § 911.1(1) (2015).

³¹⁶³ Iowa Code § 911.3(1) (2015).

³¹⁶⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 714.12—Fourth-Degree Fraudulent Practices

Class = serious misdemeanor³¹⁶⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³¹⁶⁶	0 ³¹⁶⁷	N/A	Yes ³¹⁶⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ³¹⁶⁹	\$315 ³¹⁷⁰	No ³¹⁷¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁷²	No	No	No	No	Yes ³¹⁷³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³¹⁶⁵ Iowa Code § 714.12, unnum. para. 2 (2015).

³¹⁶⁶ Iowa Code § 903.1(1)(b) (2015).

³¹⁶⁷ Iowa Code § 903.1(1)(b) (2015).

³¹⁶⁸ See Iowa Code § 907.3 (2015).

³¹⁶⁹ Iowa Code § 903.1(1)(b) (2015).

³¹⁷⁰ Iowa Code § 903.1(1)(b) (2015).

³¹⁷¹ Iowa Code § 903.1(1) (2015).

³¹⁷² Iowa Code § 911.1(1) (2015).

³¹⁷³ Iowa Code § 911.3(1) (2015).

§ 714.13—Fifth-Degree Fraudulent Practices

Class = simple misdemeanor³¹⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³¹⁷⁵	0 ³¹⁷⁶	N/A	Yes ³¹⁷⁷

Fines

Max.	Min.	Can Suspend?
\$625 ³¹⁷⁸	\$65 ³¹⁷⁹	No ³¹⁸⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁸¹	No	No	No	No	Yes ³¹⁸²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³¹⁷⁴ Iowa Code § 714.13, unnum. para. 2 (2015).

³¹⁷⁵ Iowa Code § 903.1(1)(a) (2015).

³¹⁷⁶ Iowa Code § 903.1(1)(a) (2015).

³¹⁷⁷ See Iowa Code § 907.3 (2015).

³¹⁷⁸ Iowa Code § 903.1(1)(a) (2015).

³¹⁷⁹ Iowa Code § 903.1(1)(a) (2015).

³¹⁸⁰ Iowa Code § 903.1(1) (2015).

³¹⁸¹ Iowa Code § 911.1(1) (2015).

³¹⁸² Iowa Code § 911.3(1) (2015).

§ 714.26—Intellectual Property Counterfeiting

§ 714.26(2)(a)—First-degree intellectual property counterfeiting

Class = “C” felony³¹⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³¹⁸⁴	0 ³¹⁸⁵	No, but see Enhancements	Yes ³¹⁸⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ³¹⁸⁷	\$1000 ³¹⁸⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁸⁹	No	No	No	No	Yes ³¹⁹⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁹¹	No	No

Notes:

³¹⁸³ Iowa Code § 714.26(2)(a)(2) (2015).

³¹⁸⁴ Iowa Code § 902.9(1)(d) (2015).

³¹⁸⁵ Iowa Code § 902.9(1)(d) (2015).

³¹⁸⁶ See Iowa Code § 907.3 (2015).

³¹⁸⁷ Iowa Code § 902.9(1)(d) (2015).

³¹⁸⁸ Iowa Code § 902.9(1)(d) (2015).

³¹⁸⁹ Iowa Code § 911.1(1) (2015).

³¹⁹⁰ Iowa Code § 911.3(1) (2015).

³¹⁹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 714.26(2)(b)—Second-degree intellectual property counterfeiting

Class = “D” felony³¹⁹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³¹⁹³	0 ³¹⁹⁴	No, but see Enhancements	Yes ³¹⁹⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³¹⁹⁶	\$750 ³¹⁹⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁹⁸	No	No	No	No	Yes ³¹⁹⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²⁰⁰	No	No

Notes:

³¹⁹² Iowa Code § 714.26(2)(b)(2) (2015).

³¹⁹³ Iowa Code § 902.9(1)(e) (2015).

³¹⁹⁴ Iowa Code § 902.9(1)(e) (2015).

³¹⁹⁵ See Iowa Code § 907.3 (2015); see also *id.* § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).

³¹⁹⁶ Iowa Code § 902.9(1)(e) (2015).

³¹⁹⁷ Iowa Code § 902.9(1)(e) (2015).

³¹⁹⁸ Iowa Code § 911.1(1) (2015).

³¹⁹⁹ Iowa Code § 911.3(1) (2015).

³²⁰⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 714.26(2)(c)—Third-degree intellectual property counterfeiting

Class = aggravated misdemeanor³²⁰¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³²⁰²	0 ³²⁰³	None	Yes ³²⁰⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³²⁰⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ³²⁰⁶	\$625 ³²⁰⁷	Yes ³²⁰⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁰⁹	No	No	No	No	Yes ³²¹⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²¹¹	No	No

Notes:

³²⁰¹ Iowa Code § 714.26(2)(c) (2015).

³²⁰² Iowa Code § 903.1(2) (2015).

³²⁰³ Iowa Code § 903.1(2) (2015).

³²⁰⁴ See Iowa Code § 907.3 (2015).

³²⁰⁵ Iowa Code § 903.1(2) (2015).

³²⁰⁶ Iowa Code § 903.1(2) (2015).

³²⁰⁷ Iowa Code § 903.1(2) (2015).

³²⁰⁸ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³²⁰⁹ Iowa Code § 911.1(1) (2015).

³²¹⁰ Iowa Code § 911.3(1) (2015).

³²¹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 715A FORGERY AND RELATED OFFENSES

§ 715A.2—Forgery

§ 715A.2(2)(a)—Forgery involving money

Class = “D” felony³²¹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³²¹³	0 ³²¹⁴	No, but see Enhancements	Yes ³²¹⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³²¹⁶	\$750 ³²¹⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²¹⁸	No	No	No	No	Yes, \$125 ³²¹⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²²⁰	No	No

Notes:

³²¹² Iowa Code § 715A.2(2)(a) (2015).

³²¹³ Iowa Code § 902.9(1)(e) (2015).

³²¹⁴ Iowa Code § 902.9(1)(e) (2015).

³²¹⁵ See Iowa Code § 907.3 (2015).

³²¹⁶ Iowa Code § 902.9(1)(e) (2015).

³²¹⁷ Iowa Code § 902.9(1)(e) (2015).

³²¹⁸ Iowa Code § 911.1(1) (2015).

³²¹⁹ Iowa Code § 911.3(1) (2015).

³²²⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 715A.2(2)(b)—Forgery involving legal relationship

Class = aggravated misdemeanor³²²¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³²²²	0 ³²²³	None	Yes ³²²⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³²²⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ³²²⁶	\$625 ³²²⁷	Yes ³²²⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²²⁹	No	No	No	No	Yes, \$125 ³²³⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²³¹	No	No

Notes:

³²²¹ Iowa Code § 715A.2(2)(b) (2015).

³²²² Iowa Code § 903.1(2) (2015).

³²²³ Iowa Code § 902.9(1)(e) (2015).

³²²⁴ See Iowa Code § 907.3 (2015).

³²²⁵ Iowa Code § 903.1(2) (2015).

³²²⁶ Iowa Code § 903.1(2) (2015).

³²²⁷ Iowa Code § 903.1(2) (2015).

³²²⁸ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³²²⁹ Iowa Code § 911.1(1) (2015).

³²³⁰ Iowa Code § 911.3(1) (2015).

³²³¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 715A.6—Credit Cards

§ 715A.6(2)(a)—Credit card fraud exceeding \$10,000

Class = “C” felony³²³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³²³³	0 ³²³⁴	No, but see Enhancements	Yes ³²³⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ³²³⁶	\$1000 ³²³⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²³⁸	No	No	No	No	Yes, \$125 ³²³⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²⁴⁰	No	No

Notes:

³²³² Iowa Code § 715A.6(2)(a) (2015).

³²³³ Iowa Code § 902.9(1)(d) (2015).

³²³⁴ Iowa Code § 902.9(1)(d) (2015).

³²³⁵ See Iowa Code § 907.3 (2015).

³²³⁶ Iowa Code § 902.9(1)(d) (2015).

³²³⁷ Iowa Code § 902.9(1)(d) (2015).

³²³⁸ Iowa Code § 911.1(1) (2015).

³²³⁹ Iowa Code § 911.3(1) (2015).

³²⁴⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 715A.6(2)(b)—Credit card fraud exceeding \$1000 but less than \$10,000Class = “D” felony³²⁴¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³²⁴²	0 ³²⁴³	No, but see enhancements	Yes ³²⁴⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ³²⁴⁵	\$750 ³²⁴⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁴⁷	No	No	No	No	Yes, \$125 ³²⁴⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²⁴⁹	No	No

Notes:³²⁴¹ Iowa Code § 715A.6(2)(b) (2015).³²⁴² Iowa Code § 902.9(1)(e) (2015).³²⁴³ Iowa Code § 902.9(1)(e) (2015).³²⁴⁴ See Iowa Code § 907.3 (2015).³²⁴⁵ Iowa Code § 902.9(1)(e) (2015).³²⁴⁶ Iowa Code § 902.9(1)(e) (2015).³²⁴⁷ Iowa Code § 911.1(1) (2015).³²⁴⁸ Iowa Code § 911.3(1) (2015).³²⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 715A.6(2)(c)—Credit card fraud less than \$1000

Class = aggravated misdemeanor³²⁵⁰³²⁵¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³²⁵²	0 ³²⁵³	None	Yes ³²⁵⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³²⁵⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ³²⁵⁶	\$625 ³²⁵⁷	Yes ³²⁵⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁵⁹	No	No	No	No	Yes, \$125 ³²⁶⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²⁶¹	No	No

Notes:

³²⁵⁰ Iowa Code § 715A.2(2)(b) (2015).

³²⁵¹ Iowa Code § 715A.6(2) (2015).

³²⁵² Iowa Code § 903.1(2) (2015).

³²⁵³ Iowa Code § 902.9(1)(e) (2015).

³²⁵⁴ See Iowa Code § 907.3 (2015).

³²⁵⁵ Iowa Code § 903.1(2) (2015).

³²⁵⁶ Iowa Code § 903.1(2) (2015).

³²⁵⁷ Iowa Code § 903.1(2) (2015).

³²⁵⁸ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³²⁵⁹ Iowa Code § 911.1(1) (2015).

³²⁶⁰ Iowa Code § 911.3(1) (2015).

³²⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 715A.8—Identity Theft

§ 715A.8(3)(a)—In excess of \$10,000

Class = “C” felony³²⁶²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³²⁶³	0 ³²⁶⁴	No, but see Enhancements	Yes ³²⁶⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ³²⁶⁶	\$1000 ³²⁶⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁶⁸	No	No	No	No	Yes, \$125 ³²⁶⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²⁷⁰	No	No

Notes:

- ❖ Property obtained in violation of § 715A.8 may be subject to forfeiture³²⁷¹

³²⁶² Iowa Code § 715A.8(3)(a) (2015 & Supp. 2016).

³²⁶³ Iowa Code § 902.9(1)(d) (2015).

³²⁶⁴ Iowa Code § 902.9(1)(d) (2015).

³²⁶⁵ See Iowa Code § 907.3 (2015).

³²⁶⁶ Iowa Code § 902.9(1)(d) (2015).

³²⁶⁷ Iowa Code § 902.9(1)(d) (2015).

³²⁶⁸ Iowa Code § 911.1(1) (2015).

³²⁶⁹ Iowa Code § 911.3(1) (2015).

³²⁷⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

³²⁷¹ Iowa Code § 715A.8(6) (2015 & Supp. 2016).

§ 715A.8(3)(b)—In excess of \$1000 but not more than \$10,000

Class = “D” felony³²⁷²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³²⁷³	0 ³²⁷⁴	No, but see Enhancements	Yes ³²⁷⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³²⁷⁶	\$750 ³²⁷⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁷⁸	No	No	No	No	Yes, \$125 ³²⁷⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²⁸⁰	No	No

Notes:

❖ Property obtained in violation of § 715A.8 may be subject to forfeiture³²⁸¹

³²⁷² Iowa Code § 715A.8(3)(b) (2015 & Supp. 2016).

³²⁷³ Iowa Code § 902.9(1)(e) (2015).

³²⁷⁴ Iowa Code § 902.9(1)(e) (2015).

³²⁷⁵ See Iowa Code § 907.3 (2015).

³²⁷⁶ Iowa Code § 902.9(1)(e) (2015).

³²⁷⁷ Iowa Code § 902.9(1)(e) (2015).

³²⁷⁸ Iowa Code § 911.1(1) (2015).

³²⁷⁹ Iowa Code § 911.3(1) (2015).

³²⁸⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

³²⁸¹ Iowa Code § 715A.8(6) (2015 & Supp. 2016).

§ 715A.8(3)(c)—Not in excess of \$1000**Class** = aggravated misdemeanor³²⁸²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³²⁸³	0 ³²⁸⁴	None	Yes ³²⁸⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³²⁸⁶**Fines**

Max.	Min.	Can Suspend?
\$6250 ³²⁸⁷	\$625 ³²⁸⁸	Yes ³²⁸⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁹⁰	No	No	No	No	Yes, \$125 ³²⁹¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²⁹²	No	No

Notes:❖ Property obtained in violation of § 715A.8 may be subject to forfeiture³²⁹³³²⁸² Iowa Code § 715A.8(3)(c) (2015 & Supp. 2016).³²⁸³ Iowa Code § 903.1(2) (2015).³²⁸⁴ Iowa Code § 903.1(2) (2015).³²⁸⁵ See Iowa Code § 907.3 (2015).³²⁸⁶ Iowa Code § 903.1(2) (2015).³²⁸⁷ Iowa Code § 903.1(2) (2015).³²⁸⁸ Iowa Code § 903.1(2) (2015).³²⁸⁹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³²⁹⁰ Iowa Code § 911.1(1) (2015).³²⁹¹ Iowa Code § 911.3(1) (2015).³²⁹² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).³²⁹³ Iowa Code § 715A.8(6) (2015 & Supp. 2016).

§ 715A.10—Illegal Use of Scanning Device or Reencoder

§ 715A.10(1)—Illegal use

Class = “D” felony³²⁹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³²⁹⁵	0 ³²⁹⁶	No, but see Enhancements	Yes ³²⁹⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ³²⁹⁸	\$750 ³²⁹⁹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁰⁰	No	No	No	No	Yes, \$125 ³³⁰¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³⁰²	No	No

Notes:

³²⁹⁴ Iowa Code § 715A.10(1) (2015).

³²⁹⁵ Iowa Code § 902.9(1)(e) (2015).

³²⁹⁶ Iowa Code § 902.9(1)(e) (2015).

³²⁹⁷ See Iowa Code § 907.3 (2015).

³²⁹⁸ Iowa Code § 902.9(1)(e) (2015).

³²⁹⁹ Iowa Code § 902.9(1)(e) (2015).

³³⁰⁰ Iowa Code § 911.1(1) (2015).

³³⁰¹ Iowa Code § 911.3(1) (2015).

³³⁰² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 715A.10(2)—Second or subsequent offenseClass = “C” felony³³⁰³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³³⁰⁴	0 ³³⁰⁵	No, but see Enhancements	Yes ³³⁰⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ³³⁰⁷	\$1000 ³³⁰⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁰⁹	No	No	No	No	Yes, \$125 ³³¹⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³¹¹	No	No

Notes:³³⁰³ Iowa Code § 715A.10(2) (2015).³³⁰⁴ Iowa Code § 902.9(1)(d) (2015).³³⁰⁵ Iowa Code § 902.9(1)(d) (2015).³³⁰⁶ See Iowa Code § 907.3 (2015).³³⁰⁷ Iowa Code § 902.9(1)(d) (2015).³³⁰⁸ Iowa Code § 902.9(1)(d) (2015).³³⁰⁹ Iowa Code § 911.1(1) (2015).³³¹⁰ Iowa Code § 911.3(1) (2015).³³¹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 715B PROTECTION OF BUYERS OF FINE ART AND VISUAL ART MULTIPLES

§ 715B.3—Falsifying Certificates of Authenticity or False Representation

Class = aggravated misdemeanor³³¹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³³¹³	0 ³³¹⁴	None	Yes ³³¹⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³³¹⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ³³¹⁷	\$625 ³³¹⁸	Yes ³³¹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³²⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³²¹	No	No

Notes:

³³¹² Iowa Code § 715B.3 (2015).

³³¹³ Iowa Code § 903.1(2) (2015).

³³¹⁴ Iowa Code § 903.1(2) (2015).

³³¹⁵ See Iowa Code § 907.3 (2015).

³³¹⁶ Iowa Code § 903.1(2) (2015).

³³¹⁷ Iowa Code § 903.1(2) (2015).

³³¹⁸ Iowa Code § 903.1(2) (2015).

³³¹⁹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³²⁰ Iowa Code § 911.1(1) (2015).

³³²¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 716 DAMAGE AND TRESPASS TO REAL PROPERTY

§ 716.3—First-Degree Criminal Mischief

Class = “C” felony³³²²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³³²³	0 ³³²⁴	No, but see Enhancements	Yes ³³²⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ³³²⁶	\$1000 ³³²⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³²⁸	No	No	No	No	Yes ³³²⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³³⁰	No	No

Notes:

³³²² Iowa Code § 716.3(2) (2015).

³³²³ Iowa Code § 902.9(1)(d) (2015).

³³²⁴ Iowa Code § 902.9(1)(d) (2015).

³³²⁵ See Iowa Code 907.3 (2015).

³³²⁶ Iowa Code § 902.9(1)(d) (2015).

³³²⁷ Iowa Code § 902.9(1)(d) (2015).

³³²⁸ Iowa Code § 911.1(1) (2015).

³³²⁹ Iowa Code § 911.3(1) (2015).

³³³⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 716.4—Second-Degree Criminal Mischief

Class = “D” felony³³³¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³³³²	0 ³³³³	No, but see Enhancements	Yes ³³³⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ³³³⁵	\$750 ³³³⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³³⁷	No	No	No	No	Yes ³³³⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³³⁹	No	No

Notes:

³³³¹ Iowa Code § 716.4(2) (2015).

³³³² Iowa Code § 902.9(1)(e) (2015).

³³³³ Iowa Code § 902.9(1)(e) (2015).

³³³⁴ See Iowa Code § 907.3 (2015).

³³³⁵ Iowa Code § 902.9(1)(e) (2015).

³³³⁶ Iowa Code § 902.9(1)(e) (2015).

³³³⁷ Iowa Code § 911.1(1) (2015).

³³³⁸ Iowa Code § 911.3(1) (2015).

³³³⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 716.5—Third-Degree Criminal Mischief

Class = aggravated misdemeanor³³⁴⁰

❖ If violation of § 716.5 is also a hate crime, offense is classified and punished as a “D” felony³³⁴¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³³⁴²	0 ³³⁴³	None	Yes ³³⁴⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³³⁴⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ³³⁴⁶	\$625 ³³⁴⁷	Yes ³³⁴⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁴⁹	No	No	No	No	Yes ³³⁵⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³⁵¹	No	No

Notes:

³³⁴⁰ Iowa Code § 716.5(2) (2015).

³³⁴¹ See Iowa Code § 716.6A (2015).

³³⁴² Iowa Code § 903.1(2) (2015).

³³⁴³ Iowa Code § 903.1(2) (2015).

³³⁴⁴ See Iowa Code § 907.3, unnum. para. (2015).

³³⁴⁵ Iowa Code § 903.1(2) (2015).

³³⁴⁶ Iowa Code § 903.1(2) (2015).

³³⁴⁷ Iowa Code § 903.1(2) (2015).

³³⁴⁸ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³⁴⁹ Iowa Code § 911.1(1) (2015).

³³⁵⁰ Iowa Code § 911.3(1) (2015).

³³⁵¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 716.6—Fourth- and Fifth-Degree Criminal Mischief

§ 716.6(1)—Fourth-degree criminal mischief

Class = serious misdemeanor³³⁵²

❖ If violation of § 716.6(1) is also a hate crime, offense is classified and punished as an aggravated misdemeanor³³⁵³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³³⁵⁴	0 ³³⁵⁵	N/A	Yes ³³⁵⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ³³⁵⁷	\$315 ³³⁵⁸	No ³³⁵⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁶⁰	No	No	No	No	Yes ³³⁶¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³³⁵² Iowa Code § 716.6(1)(b) (2015).

³³⁵³ See Iowa Code § 716.6A (2015).

³³⁵⁴ Iowa Code § 903.1(1)(b) (2015).

³³⁵⁵ Iowa Code § 903.1(1)(b) (2015).

³³⁵⁶ See Iowa Code § 907.3 (2015).

³³⁵⁷ Iowa Code § 903.1(1)(b) (2015).

³³⁵⁸ Iowa Code § 903.1(1)(b) (2015).

³³⁵⁹ Iowa Code § 903.1(1) (2015).

³³⁶⁰ Iowa Code § 911.1(1) (2015).

³³⁶¹ Iowa Code § 911.3(1) (2015).

§ 716.6(2)—Fifth-degree criminal mischief

Class = simple misdemeanor³³⁶²

❖ If violation of § 716.6(2) is also a hate crime, offense is classified and punished as a serious misdemeanor³³⁶³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³³⁶⁴	0 ³³⁶⁵	N/A	Yes ³³⁶⁶

Fines

Max.	Min.	Can Suspend?
\$625 ³³⁶⁷	\$65 ³³⁶⁸	No ³³⁶⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁷⁰	No	No	No	No	Yes ³³⁷¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³³⁶² Iowa Code § 716.6(2) (2015).

³³⁶³ See Iowa Code § 716.6A (2015).

³³⁶⁴ Iowa Code § 903.1(1)(a) (2015).

³³⁶⁵ Iowa Code § 903.1(1)(a) (2015).

³³⁶⁶ See Iowa Code § 907.3 (2015).

³³⁶⁷ Iowa Code § 903.1(1)(a) (2015).

³³⁶⁸ Iowa Code § 903.1(1)(a) (2015).

³³⁶⁹ Iowa Code § 903.1(1) (2015).

³³⁷⁰ Iowa Code § 911.1(1) (2015).

³³⁷¹ Iowa Code § 911.3(1) (2015).

§ 716.6B—Unauthorized Computer Access

§ 716.6B(1)(a)—Unauthorized access of certain confidential information

Class = aggravated misdemeanor³³⁷²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³³⁷³	0 ³³⁷⁴	None	Yes ³³⁷⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³³⁷⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ³³⁷⁷	\$625 ³³⁷⁸	Yes ³³⁷⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁸⁰	No	No	No	No	Yes ³³⁸¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³⁸²	No	No

Notes:

³³⁷² Iowa Code § 716.6B(1)(a) (2015).

³³⁷³ Iowa Code § 903.1(2) (2015).

³³⁷⁴ Iowa Code § 903.1(2) (2015).

³³⁷⁵ See Iowa Code § 907.3, unnum. para. (2015).

³³⁷⁶ Iowa Code § 903.1(2) (2015).

³³⁷⁷ Iowa Code § 903.1(2) (2015).

³³⁷⁸ Iowa Code § 903.1(2) (2015).

³³⁷⁹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³⁸⁰ Iowa Code § 911.1(1) (2015).

³³⁸¹ Iowa Code § 911.3(1) (2015).

³³⁸² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 716.6B(1)(b)—Copying, altering, or deleting computer data**Class** = serious misdemeanor³³⁸³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³³⁸⁴	0 ³³⁸⁵	N/A	Yes ³³⁸⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ³³⁸⁷	\$315 ³³⁸⁸	No ³³⁸⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁹⁰	No	No	No	No	Yes ³³⁹¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:³³⁸³ Iowa Code § 716.6A(1)(b) (2015).³³⁸⁴ Iowa Code § 903.1(1)(b) (2015).³³⁸⁵ Iowa Code § 903.1(1)(b) (2015).³³⁸⁶ See Iowa Code § 907.3 (2015).³³⁸⁷ Iowa Code § 903.1(1)(b) (2015).³³⁸⁸ Iowa Code § 903.1(1)(b) (2015).³³⁸⁹ Iowa Code § 903.1(1) (2015).³³⁹⁰ Iowa Code § 911.1(1) (2015).³³⁹¹ Iowa Code § 911.3(1) (2015).

§ 716.6B(1)(c)—Any other unauthorized access**Class** = simple misdemeanor³³⁹²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³³⁹³	0 ³³⁹⁴	N/A	Yes ³³⁹⁵

Fines

Max.	Min.	Can Suspend?
\$625 ³³⁹⁶	\$65 ³³⁹⁷	No ³³⁹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁹⁹	No	No	No	No	Yes ³⁴⁰⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:³³⁹² Iowa Code § 716.6A(1)(a) (2015).³³⁹³ Iowa Code § 903.1(1)(a) (2015).³³⁹⁴ Iowa Code § 903.1(1)(a) (2015).³³⁹⁵ See Iowa Code § 907.3 (2015).³³⁹⁶ Iowa Code § 903.1(1)(a) (2015).³³⁹⁷ Iowa Code § 903.1(1)(a) (2015).³³⁹⁸ Iowa Code § 903.1(1) (2015).³³⁹⁹ Iowa Code § 911.1(1) (2015).³⁴⁰⁰ Iowa Code § 911.3(1) (2015).

§ 716.8—Trespass

§ 716.8(1)—Trespass on property of another

Class = simple misdemeanor³⁴⁰¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁴⁰²	0 ³⁴⁰³	N/A	Yes ³⁴⁰⁴

Fines

Max.	Min.	Can Suspend?
\$625 ³⁴⁰⁵	\$65 ³⁴⁰⁶	No ³⁴⁰⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁰⁸	No	No	No	No	Yes ³⁴⁰⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁴⁰¹ Iowa Code § 716.8(1) (2015 & Supp. 2016).

³⁴⁰² Iowa Code § 903.1(1)(a) (2015).

³⁴⁰³ Iowa Code § 903.1(1)(a) (2015).

³⁴⁰⁴ See Iowa Code § 907.3 (2015).

³⁴⁰⁵ Iowa Code § 903.1(1)(a) (2015).

³⁴⁰⁶ Iowa Code § 903.1(1)(a) (2015).

³⁴⁰⁷ Iowa Code § 903.1(1) (2015).

³⁴⁰⁸ Iowa Code § 911.1(1) (2015).

³⁴⁰⁹ Iowa Code § 911.3(1) (2015).

§ 716.8(2)—Trespass resulting in injury to any person or damage of more than \$200

Class = serious misdemeanor³⁴¹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁴¹¹	0 ³⁴¹²	N/A	Yes ³⁴¹³

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁴¹⁴	\$315 ³⁴¹⁵	No ³⁴¹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴¹⁷	No	No	No	No	Yes ³⁴¹⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁴¹⁰ Iowa Code § 716.8(2) (2015 & Supp. 2016).

³⁴¹¹ Iowa Code § 903.1(1)(b) (2015).

³⁴¹² Iowa Code § 903.1(1)(b) (2015).

³⁴¹³ See Iowa Code § 907.3 (2015).

³⁴¹⁴ Iowa Code § 903.1(1)(b) (2015).

³⁴¹⁵ Iowa Code § 903.1(1)(b) (2015).

³⁴¹⁶ Iowa Code § 903.1(1) (2015).

³⁴¹⁷ Iowa Code § 911.1(1) (2015).

³⁴¹⁸ Iowa Code § 911.3(1) (2015).

§ 716.8(3)—Trespass with intent to commit a hate crime

Class = serious misdemeanor³⁴¹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁴²⁰	0 ³⁴²¹	N/A	Yes ³⁴²²

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁴²³	\$315 ³⁴²⁴	No ³⁴²⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴²⁶	No	No	No	No	Yes ³⁴²⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁴¹⁹ Iowa Code § 716.8(3) (2015 & Supp. 2016).

³⁴²⁰ Iowa Code § 903.1(1)(b) (2015).

³⁴²¹ Iowa Code § 903.1(1)(b) (2015).

³⁴²² See Iowa Code § 907.3 (2015).

³⁴²³ Iowa Code § 903.1(1)(b) (2015).

³⁴²⁴ Iowa Code § 903.1(1)(b) (2015).

³⁴²⁵ Iowa Code § 903.1(1) (2015).

³⁴²⁶ Iowa Code § 911.1(1) (2015).

³⁴²⁷ Iowa Code § 911.3(1) (2015).

§ 716.8(4)—Trespass with intent to commit a hate crime that results in injury to any person or damage or more than \$200

Class = aggravated misdemeanor³⁴²⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁴²⁹	0 ³⁴³⁰	None	Yes ³⁴³¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁴³²

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁴³³	\$625 ³⁴³⁴	Yes ³⁴³⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴³⁶	No	No	No	No	Yes ³⁴³⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴³⁸	No	No

Notes:

³⁴²⁸ Iowa Code § 716.8(4) (2015 & Supp. 2016).

³⁴²⁹ Iowa Code § 903.1(2) (2015).

³⁴³⁰ Iowa Code § 903.1(2) (2015).

³⁴³¹ See Iowa Code § 907.3, unnum. para. (2015).

³⁴³² Iowa Code § 903.1(2) (2015).

³⁴³³ Iowa Code § 903.1(2) (2015).

³⁴³⁴ Iowa Code § 903.1(2) (2015).

³⁴³⁵ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴³⁶ Iowa Code § 911.1(1) (2015).

³⁴³⁷ Iowa Code § 911.3(1) (2015).

³⁴³⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 716.8(5)—Trespass while hunting deer

Class = simple misdemeanor³⁴³⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁴⁴⁰	0 ³⁴⁴¹	N/A	Yes ³⁴⁴²

Fines

Max.	Min.	Can Suspend?
\$625 ³⁴⁴³	\$65 ³⁴⁴⁴	No ³⁴⁴⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁴⁶	No	No	No	No	Yes ³⁴⁴⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

- ❖ person is also subject to civil penalties under §§ 481A.130 and 481A.131³⁴⁴⁸

³⁴³⁹ Iowa Code § 716.8(5) (2015 & Supp. 2016).

³⁴⁴⁰ Iowa Code § 903.1(1)(a) (2015).

³⁴⁴¹ Iowa Code § 903.1(1)(a) (2015).

³⁴⁴² See Iowa Code § 907.3 (2015).

³⁴⁴³ Iowa Code § 903.1(1)(a) (2015).

³⁴⁴⁴ Iowa Code § 903.1(1)(a) (2015).

³⁴⁴⁵ Iowa Code § 903.1(1) (2015).

³⁴⁴⁶ Iowa Code § 911.1(1) (2015).

³⁴⁴⁷ Iowa Code § 911.3(1) (2015).

³⁴⁴⁸ Iowa Code § 716.8(5) (2015 & Supp. 2016).

§ 716.8(6)—Trespass as defined in § 716.7(2)(a)(6)Class = “D” felony³⁴⁴⁹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁴⁵⁰	0 ³⁴⁵¹	No, but see Enhancements	Yes ³⁴⁵²

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁴⁵³	\$750 ³⁴⁵⁴	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁵⁵	No	No	No	No	Yes ³⁴⁵⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁵⁷	No	No

Notes:³⁴⁴⁹ Iowa Code § 716.8(6) (2015 & Supp. 2016).³⁴⁵⁰ Iowa Code § 902.9(1)(e) (2015).³⁴⁵¹ Iowa Code § 902.9(1)(e) (2015).³⁴⁵² See Iowa Code § 907.3 (2015).³⁴⁵³ Iowa Code § 902.9(1)(e) (2015).³⁴⁵⁴ Iowa Code § 902.9(1)(e) (2015).³⁴⁵⁵ Iowa Code § 911.1(1) (2015).³⁴⁵⁶ Iowa Code § 911.3(1) (2015).³⁴⁵⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 716.9—Stowing Away

Class = simple misdemeanor³⁴⁵⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁴⁵⁹	0 ³⁴⁶⁰	N/A	Yes ³⁴⁶¹

Fines

Max.	Min.	Can Suspend?
\$625 ³⁴⁶²	\$65 ³⁴⁶³	No ³⁴⁶⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁶⁵	No	No	No	No	Yes ³⁴⁶⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁴⁵⁸ Iowa Code § 716.9 (2015).

³⁴⁵⁹ Iowa Code § 903.1(1)(a) (2015).

³⁴⁶⁰ Iowa Code § 903.1(1)(a) (2015).

³⁴⁶¹ See Iowa Code § 907.3 (2015).

³⁴⁶² Iowa Code § 903.1(1)(a) (2015).

³⁴⁶³ Iowa Code § 903.1(1)(a) (2015).

³⁴⁶⁴ Iowa Code § 903.1(1) (2015).

³⁴⁶⁵ Iowa Code § 911.1(1) (2015).

³⁴⁶⁶ Iowa Code § 911.3(1) (2015).

§ 716.10—Railroad Vandalism

§ 716.10(2)(a)—First-degree railroad vandalism

Class = “B” felony³⁴⁶⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ³⁴⁶⁸	0 ³⁴⁶⁹	No, but see Enhancements	Yes ³⁴⁷⁰

Fines

Max.	Min.	Can Suspend?
0 ³⁴⁷¹	0 ³⁴⁷²	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	Yes, \$125 ³⁴⁷³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁷⁴	No	No

Notes:

³⁴⁶⁷ Iowa Code § 716.10(2)(a) (2015).

³⁴⁶⁸ Iowa Code § 716.10(2)(a) (2015).

³⁴⁶⁹ Iowa Code § 902.9(1)(b) (2015).

³⁴⁷⁰ See Iowa Code § 907.3 (2015).

³⁴⁷¹ See Iowa Code § 902.9(1)(b) (2015).

³⁴⁷² See Iowa Code § 902.9(1)(b) (2015).

³⁴⁷³ Iowa Code § 911.3(1)(a) (2015).

³⁴⁷⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 716.10(2)(b)—Second-degree railroad vandalismClass = “B” felony³⁴⁷⁵**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ³⁴⁷⁶	0 ³⁴⁷⁷	No, but see Enhancements	Yes ³⁴⁷⁸

Fines

Max.	Min.	Can Suspend?
0 ³⁴⁷⁹	0 ³⁴⁸⁰	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	Yes, \$125 ³⁴⁸¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁸²	No	No

Notes:³⁴⁷⁵ Iowa Code § 716.10(2)(b) (2015).³⁴⁷⁶ Iowa Code § 902.9(1)(b) (2015).³⁴⁷⁷ Iowa Code § 902.9(1)(b) (2015).³⁴⁷⁸ See Iowa Code § 907.3 (2015).³⁴⁷⁹ See Iowa Code § 902.9(1)(b) (2015).³⁴⁸⁰ See Iowa Code § 902.9(1)(b) (2015).³⁴⁸¹ Iowa Code § 911.3(1)(a) (2015).³⁴⁸² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 716.10(2)(c)—Third-degree railroad vandalism

Class = “C” felony³⁴⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁴⁸⁴	0 ³⁴⁸⁵	No, but see Enhancements	Yes ³⁴⁸⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁴⁸⁷	\$1000 ³⁴⁸⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁸⁹	No	No	No	No	Yes ³⁴⁹⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁹¹	No	No

Notes:

³⁴⁸³ Iowa Code § 716.10(2)(c) (2015).

³⁴⁸⁴ Iowa Code § 902.9(1)(d) (2015).

³⁴⁸⁵ Iowa Code § 902.9(1)(d) (2015).

³⁴⁸⁶ See Iowa Code 907.3 (2015).

³⁴⁸⁷ Iowa Code § 902.9(1)(d) (2015).

³⁴⁸⁸ Iowa Code § 902.9(1)(d) (2015).

³⁴⁸⁹ Iowa Code § 911.1(1) (2015).

³⁴⁹⁰ Iowa Code § 911.3(1) (2015).

³⁴⁹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 716.10(2)(d)—Fourth-degree railroad vandalismClass = “D” felony³⁴⁹²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁴⁹³	0 ³⁴⁹⁴	No, but see Enhancements	Yes ³⁴⁹⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁴⁹⁶	\$750 ³⁴⁹⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁹⁸	No	No	No	No	Yes ³⁴⁹⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁰⁰	No	No

Notes:³⁴⁹² Iowa Code § 716.10(2)(d) (2015).³⁴⁹³ Iowa Code § 902.9(1)(e) (2015).³⁴⁹⁴ Iowa Code § 902.9(1)(e) (2015).³⁴⁹⁵ See Iowa Code § 907.3 (2015).³⁴⁹⁶ Iowa Code § 902.9(1)(e) (2015).³⁴⁹⁷ Iowa Code § 902.9(1)(e) (2015).³⁴⁹⁸ Iowa Code § 911.1(1) (2015).³⁴⁹⁹ Iowa Code § 911.3(1) (2015).³⁵⁰⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 716.10(2)(e)—Fifth-degree railroad vandalism

Class = aggravated misdemeanor³⁵⁰¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁵⁰²	0 ³⁵⁰³	None	Yes ³⁵⁰⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁵⁰⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁵⁰⁶	\$625 ³⁵⁰⁷	Yes ³⁵⁰⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁰⁹	No	No	No	No	Yes ³⁵¹⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵¹¹	No	No

Notes:

³⁵⁰¹ Iowa Code § 716.5(2) (2015).

³⁵⁰² Iowa Code § 903.1(2) (2015).

³⁵⁰³ Iowa Code § 903.1(2) (2015).

³⁵⁰⁴ See Iowa Code § 907.3, unnum. para. (2015).

³⁵⁰⁵ Iowa Code § 903.1(2) (2015).

³⁵⁰⁶ Iowa Code § 903.1(2) (2015).

³⁵⁰⁷ Iowa Code § 903.1(2) (2015).

³⁵⁰⁸ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵⁰⁹ Iowa Code § 911.1(1) (2015).

³⁵¹⁰ Iowa Code § 911.3(1) (2015).

³⁵¹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 716.10(2)(f)—Sixth-degree railroad vandalism

Class = serious misdemeanor³⁵¹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁵¹³	0 ³⁵¹⁴	N/A	Yes ³⁵¹⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁵¹⁶	\$315 ³⁵¹⁷	No ³⁵¹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵¹⁹	No	No	No	No	Yes ³⁵²⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁵¹² Iowa Code § 716.10(2)(f) (2015).

³⁵¹³ Iowa Code § 903.1(1)(b) (2015).

³⁵¹⁴ Iowa Code § 903.1(1)(b) (2015).

³⁵¹⁵ See Iowa Code § 907.3 (2015).

³⁵¹⁶ Iowa Code § 903.1(1)(b) (2015).

³⁵¹⁷ Iowa Code § 903.1(1)(b) (2015).

³⁵¹⁸ Iowa Code § 903.1(1) (2015).

³⁵¹⁹ Iowa Code § 911.1(1) (2015).

³⁵²⁰ Iowa Code § 911.3(1) (2015).

§ 716.10(2)(g)—Seventh-degree railroad vandalismClass = simple misdemeanor³⁵²¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁵²²	0 ³⁵²³	N/A	Yes ³⁵²⁴

Fines

Max.	Min.	Can Suspend?
\$625 ³⁵²⁵	\$65 ³⁵²⁶	No ³⁵²⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵²⁸	No	No	No	No	Yes ³⁵²⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:³⁵²¹ Iowa Code § 716.10(2)(g) (2015).³⁵²² Iowa Code § 903.1(1)(a) (2015).³⁵²³ Iowa Code § 903.1(1)(a) (2015).³⁵²⁴ See Iowa Code § 907.3 (2015).³⁵²⁵ Iowa Code § 903.1(1)(a) (2015).³⁵²⁶ Iowa Code § 903.1(1)(a) (2015).³⁵²⁷ Iowa Code § 903.1(1) (2015).³⁵²⁸ Iowa Code § 911.1(1) (2015).³⁵²⁹ Iowa Code § 911.3(1) (2015).

CH. 719 OBSTRUCTING JUSTICE

§ 719.1—Interference with Official Acts

§ 719.1(1)—Interference with official acts

§ 719.1(1)(b)—Interference with official acts

Class = simple misdemeanor³⁵³⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁵³¹	0 ³⁵³²	N/A	Yes ³⁵³³

Fines

Max.	Min.	Can Suspend?
\$625 ³⁵³⁴	\$250 ³⁵³⁵	No ³⁵³⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵³⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁵³⁰ Iowa Code § 719.1(1)(b) (2015 & Supp. 2016).

³⁵³¹ Iowa Code § 903.1(1)(a) (2015).

³⁵³² Iowa Code § 903.1(1)(a) (2015).

³⁵³³ See Iowa Code § 907.3 (2015).

³⁵³⁴ Iowa Code § 903.1(1)(a) (2015).

³⁵³⁵ Iowa Code § 719.1(1)(b) (2015 & Supp. 2016).

³⁵³⁶ Iowa Code § 903.1(1) (2015).

³⁵³⁷ Iowa Code § 911.1(1) (2015).

§ 719.1(1)(c)—Resulting in bodily injury**Class** = serious misdemeanor³⁵³⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁵³⁹	0 ³⁵⁴⁰	N/A	Yes ³⁵⁴¹

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁵⁴²	\$315 ³⁵⁴³	No ³⁵⁴⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁴⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:³⁵³⁸ Iowa Code § 719.1(1)(c) (2015 & Supp. 2016).³⁵³⁹ Iowa Code § 903.1(1)(b) (2015).³⁵⁴⁰ Iowa Code § 903.1(1)(b) (2015).³⁵⁴¹ See Iowa Code § 907.3 (2015).³⁵⁴² Iowa Code § 903.1(1)(b) (2015).³⁵⁴³ Iowa Code § 903.1(1)(b) (2015).³⁵⁴⁴ Iowa Code § 903.1(1) (2015).³⁵⁴⁵ Iowa Code § 911.1(1) (2015).

§ 719.1(1)(d)—Resulting in serious injury

Class = aggravated misdemeanor³⁵⁴⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁵⁴⁷	0 ³⁵⁴⁸	None	Yes ³⁵⁴⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁵⁵⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁵⁵¹	\$625 ³⁵⁵²	Yes ³⁵⁵³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁵⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁵⁵	No	No

Notes:

³⁵⁴⁶ Iowa Code § 719.1(1)(d) (2015 & Supp. 2016).

³⁵⁴⁷ Iowa Code § 903.1(2) (2015).

³⁵⁴⁸ Iowa Code § 903.1(2) (2015).

³⁵⁴⁹ See Iowa Code § 907.3 (2015).

³⁵⁵⁰ Iowa Code § 903.1(2) (2015).

³⁵⁵¹ Iowa Code § 902.9(1)(e) (2015).

³⁵⁵² Iowa Code § 902.9(1)(e) (2015).

³⁵⁵³ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵⁵⁴ Iowa Code § 911.1(1) (2015).

³⁵⁵⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.1(1)(e)—Inflicting non-serious bodily injury

Class = aggravated misdemeanor³⁵⁵⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁵⁵⁷	0 ³⁵⁵⁸	None	Yes ³⁵⁵⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁵⁶⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁵⁶¹	\$625 ³⁵⁶²	Yes ³⁵⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁶⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁶⁵	No	No

Notes:

³⁵⁵⁶ Iowa Code § 719.1(1)(e) (2015 & Supp. 2016).

³⁵⁵⁷ Iowa Code § 903.1(2) (2015).

³⁵⁵⁸ Iowa Code § 903.1(2) (2015).

³⁵⁵⁹ See Iowa Code § 907.3 (2015).

³⁵⁶⁰ Iowa Code § 903.1(2) (2015).

³⁵⁶¹ Iowa Code § 902.9(1)(e) (2015).

³⁵⁶² Iowa Code § 902.9(1)(e) (2015).

³⁵⁶³ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵⁶⁴ Iowa Code § 911.1(1) (2015).

³⁵⁶⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.1(1)(f)—Inflicting or attempting to inflict serious injury, while displaying a dangerous weapon, or while armed with a firearm

Class = “D” felony³⁵⁶⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁵⁶⁷	0 ³⁵⁶⁸	No, but see Enhancements	Yes ³⁵⁶⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁵⁷⁰	\$750 ³⁵⁷¹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁷²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁷³	No	No

Notes:

³⁵⁶⁶ Iowa Code § 719.1(1)(f) (2015 & Supp. 2016).

³⁵⁶⁷ Iowa Code § 902.9(1)(e) (2015).

³⁵⁶⁸ Iowa Code § 902.9(1)(e) (2015).

³⁵⁶⁹ See Iowa Code § 907.3 (2015).

³⁵⁷⁰ Iowa Code § 902.9(1)(e) (2015).

³⁵⁷¹ Iowa Code § 902.9(1)(e) (2015).

³⁵⁷² Iowa Code § 911.1(1) (2015).

³⁵⁷³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.1(2)—Interference with official acts while under custody, control, or supervision of the department of corrections

§ 719.1(2)(b)—Interference with official acts while under custody, control, or supervision of the department of corrections

Class = serious misdemeanor³⁵⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁵⁷⁵	0 ³⁵⁷⁶	N/A	Yes ³⁵⁷⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁵⁷⁸	\$315 ³⁵⁷⁹	No ³⁵⁸⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁸¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁵⁷⁴ Iowa Code § 719.1(2)(b) (2015 & Supp. 2016).

³⁵⁷⁵ Iowa Code § 903.1(1)(b) (2015).

³⁵⁷⁶ Iowa Code § 903.1(1)(b) (2015).

³⁵⁷⁷ See Iowa Code § 907.3 (2015).

³⁵⁷⁸ Iowa Code § 903.1(1)(b) (2015).

³⁵⁷⁹ Iowa Code § 903.1(1)(b) (2015).

³⁵⁸⁰ Iowa Code § 903.1(1) (2015).

³⁵⁸¹ Iowa Code § 911.1(1) (2015).

§ 719.1(2)(c)—While committing an assault**Class** = aggravated misdemeanor³⁵⁸²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁵⁸³	0 ³⁵⁸⁴	None	Yes ³⁵⁸⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁵⁸⁶**Fines**

Max.	Min.	Can Suspend?
\$6250 ³⁵⁸⁷	\$625 ³⁵⁸⁸	Yes ³⁵⁸⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁹¹	No	No

Notes:³⁵⁸² Iowa Code § 719.1(2)(c) (2015 & Supp. 2016).³⁵⁸³ Iowa Code § 903.1(2) (2015).³⁵⁸⁴ Iowa Code § 903.1(2) (2015).³⁵⁸⁵ See Iowa Code § 907.3 (2015).³⁵⁸⁶ Iowa Code § 903.1(2) (2015).³⁵⁸⁷ Iowa Code § 902.9(1)(e) (2015).³⁵⁸⁸ Iowa Code § 902.9(1)(e) (2015).³⁵⁸⁹ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁵⁹⁰ Iowa Code § 911.1(1) (2015).³⁵⁹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.1(2)(d)—Resulting in bodily injury**Class** = aggravated misdemeanor³⁵⁹²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁵⁹³	0 ³⁵⁹⁴	None	Yes ³⁵⁹⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁵⁹⁶**Fines**

Max.	Min.	Can Suspend?
\$6250 ³⁵⁹⁷	\$625 ³⁵⁹⁸	Yes ³⁵⁹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁰⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁰¹	No	No

Notes:³⁵⁹² Iowa Code § 719.1(2)(d) (2015 & Supp. 2016).³⁵⁹³ Iowa Code § 903.1(2) (2015).³⁵⁹⁴ Iowa Code § 903.1(2) (2015).³⁵⁹⁵ See Iowa Code § 907.3 (2015).³⁵⁹⁶ Iowa Code § 903.1(2) (2015).³⁵⁹⁷ Iowa Code § 902.9(1)(e) (2015).³⁵⁹⁸ Iowa Code § 902.9(1)(e) (2015).³⁵⁹⁹ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁶⁰⁰ Iowa Code § 911.1(1) (2015).³⁶⁰¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.1(2)(e)—Resulting in serious injury**Class** = “D” felony³⁶⁰²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁶⁰³	0 ³⁶⁰⁴	No, but see Enhancements	Yes ³⁶⁰⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁶⁰⁶	\$750 ³⁶⁰⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁰⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁰⁹	No	No

Notes:³⁶⁰² Iowa Code § 719.1(2)(e) (2015 & Supp. 2016).³⁶⁰³ Iowa Code § 902.9(1)(e) (2015).³⁶⁰⁴ Iowa Code § 902.9(1)(e) (2015).³⁶⁰⁵ See Iowa Code § 907.3 (2015).³⁶⁰⁶ Iowa Code § 902.9(1)(e) (2015).³⁶⁰⁷ Iowa Code § 902.9(1)(e) (2015).³⁶⁰⁸ Iowa Code § 911.1(1) (2015).³⁶⁰⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.1(2)(f)—Inflicting or attempting to inflict serious injury, while displaying a dangerous weapon, or while armed with a firearm

Class = “D” felony³⁶¹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁶¹¹	0 ³⁶¹²	No, but see Enhancements	Yes ³⁶¹³

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁶¹⁴	\$750 ³⁶¹⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶¹⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶¹⁷	No	No

Notes:

³⁶¹⁰ Iowa Code § 719.1(2)(f) (2015 & Supp. 2016).

³⁶¹¹ Iowa Code § 902.9(1)(e) (2015).

³⁶¹² Iowa Code § 902.9(1)(e) (2015).

³⁶¹³ See Iowa Code § 907.3 (2015).

³⁶¹⁴ Iowa Code § 902.9(1)(e) (2015).

³⁶¹⁵ Iowa Code § 902.9(1)(e) (2015).

³⁶¹⁶ Iowa Code § 911.1(1) (2015).

³⁶¹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.1(2)(g)—While using or attempting to use a dangerous weapon, or inflicting serious injury**Class = “C” felony**³⁶¹⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁶¹⁹	0 ³⁶²⁰	No, but see Enhancements	Yes ³⁶²¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁶²²	\$1000 ³⁶²³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶²⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶²⁵	No	No

Notes:³⁶¹⁸ Iowa Code § 719.1(2)(g) (2015 & Supp. 2016).³⁶¹⁹ Iowa Code § 902.9(1)(d) (2015).³⁶²⁰ Iowa Code § 902.9(1)(d) (2015).³⁶²¹ See Iowa Code § 907.3 (2015).³⁶²² Iowa Code § 902.9(1)(d) (2015).³⁶²³ Iowa Code § 902.9(1)(d) (2015).³⁶²⁴ Iowa Code § 911.1(1) (2015).³⁶²⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.1A—Providing False Identification Information

Class = simple misdemeanor³⁶²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁶²⁷	0 ³⁶²⁸	N/A	Yes ³⁶²⁹

Fines

Max.	Min.	Can Suspend?
\$625 ³⁶³⁰	\$65 ³⁶³¹	No ³⁶³²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶³³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁶²⁶ Iowa Code § 719.1A (2015).

³⁶²⁷ Iowa Code § 903.1(1)(a) (2015).

³⁶²⁸ Iowa Code § 903.1(1)(a) (2015).

³⁶²⁹ See Iowa Code § 907.3 (2015).

³⁶³⁰ Iowa Code § 903.1(1)(a) (2015).

³⁶³¹ Iowa Code § 903.1(1)(a) (2015).

³⁶³² Iowa Code § 903.1(1) (2015).

³⁶³³ Iowa Code § 911.1(1) (2015).

§ 719.2—Refusing to Assist Officer

Class = simple misdemeanor³⁶³⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁶³⁵	0 ³⁶³⁶	N/A	Yes ³⁶³⁷

Fines

Max.	Min.	Can Suspend?
\$625 ³⁶³⁸	\$65 ³⁶³⁹	No ³⁶⁴⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁴¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁶³⁴ Iowa Code § 719.2 (2015).

³⁶³⁵ Iowa Code § 903.1(1)(a) (2015).

³⁶³⁶ Iowa Code § 903.1(1)(a) (2015).

³⁶³⁷ See Iowa Code § 907.3 (2015).

³⁶³⁸ Iowa Code § 903.1(1)(a) (2015).

³⁶³⁹ Iowa Code § 903.1(1)(a) (2015).

³⁶⁴⁰ Iowa Code § 903.1(1) (2015).

³⁶⁴¹ Iowa Code § 911.1(1) (2015).

§ 719.3—Preventing Apprehension, Obstructing Prosecution, or Obstructing Defense

Class = aggravated misdemeanor³⁶⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁶⁴³	0 ³⁶⁴⁴	None	Yes ³⁶⁴⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁶⁴⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁶⁴⁷	\$625 ³⁶⁴⁸	Yes ³⁶⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁵⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁵¹	No	No

Notes:

³⁶⁴² Iowa Code § 719.3 (2015).

³⁶⁴³ Iowa Code § 903.1(2) (2015).

³⁶⁴⁴ Iowa Code § 903.1(2) (2015).

³⁶⁴⁵ See Iowa Code § 907.3 (2015).

³⁶⁴⁶ Iowa Code § 903.1(2) (2015).

³⁶⁴⁷ Iowa Code § 902.9(1)(e) (2015).

³⁶⁴⁸ Iowa Code § 902.9(1)(e) (2015).

³⁶⁴⁹ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁶⁵⁰ Iowa Code § 911.1(1) (2015).

³⁶⁵¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.4—Escape or Absence from Custody

§ 719.4(1)—Felon escape or attempting to escape

Class = “D” felony³⁶⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁶⁵³	0 ³⁶⁵⁴	No, but see Enhancements	Yes ³⁶⁵⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁶⁵⁶	\$750 ³⁶⁵⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁵⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁵⁹	No	No

Notes:

³⁶⁵² Iowa Code § 719.4(1) (2015).

³⁶⁵³ Iowa Code § 902.9(1)(e) (2015).

³⁶⁵⁴ Iowa Code § 902.9(1)(e) (2015).

³⁶⁵⁵ See Iowa Code § 907.3 (2015).

³⁶⁵⁶ Iowa Code § 902.9(1)(e) (2015).

³⁶⁵⁷ Iowa Code § 902.9(1)(e) (2015).

³⁶⁵⁸ Iowa Code § 911.1(1) (2015).

³⁶⁵⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.4(2)—Misdemeanant escape or attempting to escapes

Class = serious misdemeanor³⁶⁶⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁶⁶¹	0 ³⁶⁶²	N/A	Yes ³⁶⁶³

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁶⁶⁴	\$315 ³⁶⁶⁵	No ³⁶⁶⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁶⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁶⁶⁰ Iowa Code § 719.4(2) (2015).

³⁶⁶¹ Iowa Code § 903.1(1)(b) (2015).

³⁶⁶² Iowa Code § 903.1(1)(b) (2015).

³⁶⁶³ See Iowa Code § 907.3 (2015).

³⁶⁶⁴ Iowa Code § 903.1(1)(b) (2015).

³⁶⁶⁵ Iowa Code § 903.1(1)(b) (2015).

³⁶⁶⁶ Iowa Code § 903.1(1) (2015).

³⁶⁶⁷ Iowa Code § 911.1(1) (2015).

§ 719.4(3)—Absence from department of corrections institution or community-based correctional facility**Class** = serious misdemeanor³⁶⁶⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁶⁶⁹	0 ³⁶⁷⁰	N/A	Yes ³⁶⁷¹

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁶⁷²	\$315 ³⁶⁷³	No ³⁶⁷⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁷⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:³⁶⁶⁸ Iowa Code § 719.4(3) (2015).³⁶⁶⁹ Iowa Code § 903.1(1)(b) (2015).³⁶⁷⁰ Iowa Code § 903.1(1)(b) (2015).³⁶⁷¹ See Iowa Code § 907.3 (2015).³⁶⁷² Iowa Code § 903.1(1)(b) (2015).³⁶⁷³ Iowa Code § 903.1(1)(b) (2015).³⁶⁷⁴ Iowa Code § 903.1(1) (2015).³⁶⁷⁵ Iowa Code § 911.1(1) (2015).

§ 719.4(4)—Flees from the state to avoid prosecution for felony or aggravated misdemeanor

Class = “D” felony³⁶⁷⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁶⁷⁷	0 ³⁶⁷⁸	No, but see Enhancements	Yes ³⁶⁷⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁶⁸⁰	\$750 ³⁶⁸¹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁸²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁸³	No	No

Notes:

³⁶⁷⁶ Iowa Code § 719.4(4) (2015).

³⁶⁷⁷ Iowa Code § 902.9(1)(e) (2015).

³⁶⁷⁸ Iowa Code § 902.9(1)(e) (2015).

³⁶⁷⁹ See Iowa Code § 907.3 (2015).

³⁶⁸⁰ Iowa Code § 902.9(1)(e) (2015).

³⁶⁸¹ Iowa Code § 902.9(1)(e) (2015).

³⁶⁸² Iowa Code § 911.1(1) (2015).

³⁶⁸³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.5—Permitting Prisoner to Escape

§ 719.5(1)—Permitting prisoner convicted or charged with “A” felony to escape

Class = “C” felony³⁶⁸⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁶⁸⁵	0 ³⁶⁸⁶	No, but see Enhancements	Yes ³⁶⁸⁷

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁶⁸⁸	\$1000 ³⁶⁸⁹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁹¹	No	No

Notes:

³⁶⁸⁴ Iowa Code § 719.5(1) (2015).

³⁶⁸⁵ Iowa Code § 902.9(1)(d) (2015).

³⁶⁸⁶ Iowa Code § 902.9(1)(d) (2015).

³⁶⁸⁷ See Iowa Code § 907.3 (2015).

³⁶⁸⁸ Iowa Code § 902.9(1)(d) (2015).

³⁶⁸⁹ Iowa Code § 902.9(1)(d) (2015).

³⁶⁹⁰ Iowa Code § 911.1(1) (2015).

³⁶⁹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.5(2)—Permitting prisoner convicted or charged with any public offense other than an “A” felony to escape
Class = “D” felony³⁶⁹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁶⁹³	0 ³⁶⁹⁴	No, but see Enhancements	Yes ³⁶⁹⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁶⁹⁶	\$750 ³⁶⁹⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁹⁹	No	No

Notes:

³⁶⁹² Iowa Code § 719.5(2) (2015).

³⁶⁹³ Iowa Code § 902.9(1)(e) (2015).

³⁶⁹⁴ Iowa Code § 902.9(1)(e) (2015).

³⁶⁹⁵ See Iowa Code § 907.3 (2015).

³⁶⁹⁶ Iowa Code § 902.9(1)(e) (2015).

³⁶⁹⁷ Iowa Code § 902.9(1)(e) (2015).

³⁶⁹⁸ Iowa Code § 911.1(1) (2015).

³⁶⁹⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.6—Assisting Prisoner to Escape

§ 719.6(1)—Assisting prisoner convicted of “A” felony to escape

Class = “C” felony³⁷⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁷⁰¹	0 ³⁷⁰²	No, but see Enhancements	Yes ³⁷⁰³

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁷⁰⁴	\$1000 ³⁷⁰⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁰⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁰⁷	No	No

Notes:

³⁷⁰⁰ Iowa Code § 719.6(1) (2015).

³⁷⁰¹ Iowa Code § 902.9(1)(d) (2015).

³⁷⁰² Iowa Code § 902.9(1)(d) (2015).

³⁷⁰³ See Iowa Code § 907.3 (2015).

³⁷⁰⁴ Iowa Code § 902.9(1)(d) (2015).

³⁷⁰⁵ Iowa Code § 902.9(1)(d) (2015).

³⁷⁰⁶ Iowa Code § 911.1(1) (2015).

³⁷⁰⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.6(2)—Assisting prisoner convicted of any public offense other than an “A” felony to escape

Class = “D” felony³⁷⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁷⁰⁹	0 ³⁷¹⁰	No, but see Enhancements	Yes ³⁷¹¹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁷¹²	\$750 ³⁷¹³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷¹⁵	No	No

Notes:

³⁷⁰⁸ Iowa Code § 719.6(2) (2015).

³⁷⁰⁹ Iowa Code § 902.9(1)(e) (2015).

³⁷¹⁰ Iowa Code § 902.9(1)(e) (2015).

³⁷¹¹ See Iowa Code § 907.3 (2015).

³⁷¹² Iowa Code § 902.9(1)(e) (2015).

³⁷¹³ Iowa Code § 902.9(1)(e) (2015).

³⁷¹⁴ Iowa Code § 911.1(1) (2015).

³⁷¹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.7—Possessing Contraband

§ 719.7(4)(a)—Contraband including dangerous or offensive weapon, ammunition, knife, incendiary material, etc.

Class = “C” felony³⁷¹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁷¹⁷	0 ³⁷¹⁸	No, but see Enhancements	Yes ³⁷¹⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁷²⁰	\$1000 ³⁷²¹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷²²	No	No	No	No	Yes, \$125 ³⁷²³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷²⁴	No	No

Notes:

³⁷¹⁶ Iowa Code § 719.7(4)(a) (2015).

³⁷¹⁷ Iowa Code § 902.9(1)(d) (2015).

³⁷¹⁸ Iowa Code § 902.9(1)(d) (2015).

³⁷¹⁹ See Iowa Code § 907.3 (2015).

³⁷²⁰ Iowa Code § 902.9(1)(d) (2015).

³⁷²¹ Iowa Code § 902.9(1)(d) (2015).

³⁷²² Iowa Code § 911.1(1) (2015).

³⁷²³ Iowa Code § 911.3(1) (2015).

³⁷²⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.7(4)(b)—Any other contrabandClass = “D” felony³⁷²⁵**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁷²⁶	0 ³⁷²⁷	No, but see Enhancements	Yes ³⁷²⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁷²⁹	\$750 ³⁷³⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷³¹	No	No	No	No	Yes, \$125 ³⁷³²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷³³	No	No

Notes:³⁷²⁵ Iowa Code § 719.7(4)(b) (2015).³⁷²⁶ Iowa Code § 902.9(1)(e) (2015).³⁷²⁷ Iowa Code § 902.9(1)(e) (2015).³⁷²⁸ See Iowa Code § 907.3 (2015).³⁷²⁹ Iowa Code § 902.9(1)(e) (2015).³⁷³⁰ Iowa Code § 902.9(1)(e) (2015).³⁷³¹ Iowa Code § 911.1(1) (2015).³⁷³² Iowa Code § 911.3(1) (2015).³⁷³³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.7(4)(c)—Failure to report known possession or attempted possession of contraband

Class = aggravated misdemeanor³⁷³⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁷³⁵	0 ³⁷³⁶	None	Yes ³⁷³⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁷³⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁷³⁹	\$625 ³⁷⁴⁰	Yes ³⁷⁴¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁴²	No	No	No	No	Yes, \$125 ³⁷⁴³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁴⁴	No	No

Notes:

³⁷³⁴ Iowa Code § 719.7(4)(c) (2015).

³⁷³⁵ Iowa Code § 903.1(2) (2015).

³⁷³⁶ Iowa Code § 903.1(2) (2015).

³⁷³⁷ See Iowa Code § 907.3 (2015).

³⁷³⁸ Iowa Code § 903.1(2) (2015).

³⁷³⁹ Iowa Code § 902.9(1)(e) (2015).

³⁷⁴⁰ Iowa Code § 902.9(1)(e) (2015).

³⁷⁴¹ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁷⁴² Iowa Code § 911.1(1) (2015).

³⁷⁴³ Iowa Code § 911.3(1) (2015).

³⁷⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.7A—Electronic Contraband

§ 719.7A(3)—Possession of electronic contraband

Class = “D” felony³⁷⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁷⁴⁶	0 ³⁷⁴⁷	No, but see Enhancements	Yes ³⁷⁴⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁷⁴⁹	\$750 ³⁷⁵⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁵¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁵²	No	No

Notes:

³⁷⁴⁵ Iowa Code § 719.7A(3) (2015).

³⁷⁴⁶ Iowa Code § 902.9(1)(e) (2015).

³⁷⁴⁷ Iowa Code § 902.9(1)(e) (2015).

³⁷⁴⁸ See Iowa Code § 907.3 (2015).

³⁷⁴⁹ Iowa Code § 902.9(1)(e) (2015).

³⁷⁵⁰ Iowa Code § 902.9(1)(e) (2015).

³⁷⁵¹ Iowa Code § 911.1(1) (2015).

³⁷⁵² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.7A(4)—Failure to report known possession or attempted possession of electronic contraband**Class** = aggravated misdemeanor³⁷⁵³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁷⁵⁴	0 ³⁷⁵⁵	None	Yes ³⁷⁵⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁷⁵⁷**Fines**

Max.	Min.	Can Suspend?
\$6250 ³⁷⁵⁸	\$625 ³⁷⁵⁹	Yes ³⁷⁶⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁶¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁶²	No	No

Notes:³⁷⁵³ Iowa Code § 719.7A(4) (2015).³⁷⁵⁴ Iowa Code § 903.1(2) (2015).³⁷⁵⁵ Iowa Code § 903.1(2) (2015).³⁷⁵⁶ See Iowa Code § 907.3 (2015).³⁷⁵⁷ Iowa Code § 903.1(2) (2015).³⁷⁵⁸ Iowa Code § 902.9(1)(e) (2015).³⁷⁵⁹ Iowa Code § 902.9(1)(e) (2015).³⁷⁶⁰ Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁷⁶¹ Iowa Code § 911.1(1) (2015).³⁷⁶² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 719.8—Furnishing Controlled Substance or Intoxicating Beverage to Inmates at Detention Facility

Class = “D” felony³⁷⁶³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁷⁶⁴	0 ³⁷⁶⁵	No, but see Enhancements	Yes ³⁷⁶⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁷⁶⁷	\$750 ³⁷⁶⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁶⁹	No	No	No	No	Yes, \$125 ³⁷⁷⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁷¹	No	No

Notes:

³⁷⁶³ Iowa Code § 719.8 (2015).

³⁷⁶⁴ Iowa Code § 902.9(1)(e) (2015).

³⁷⁶⁵ Iowa Code § 902.9(1)(e) (2015).

³⁷⁶⁶ See Iowa Code § 907.3 (2015).

³⁷⁶⁷ Iowa Code § 902.9(1)(e) (2015).

³⁷⁶⁸ Iowa Code § 902.9(1)(e) (2015).

³⁷⁶⁹ Iowa Code § 911.1(1) (2015).

³⁷⁷⁰ Iowa Code § 911.3(1) (2015).

³⁷⁷¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 720 INTERFERENCE WITH JUDICIAL PROCESS

§ 720.1—Compounding a Felony

Class = aggravated misdemeanor³⁷⁷²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁷⁷³	0 ³⁷⁷⁴	None	Yes ³⁷⁷⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁷⁷⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁷⁷⁷	\$625 ³⁷⁷⁸	Yes ³⁷⁷⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁸⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁸¹	No	No

Notes:

³⁷⁷² Iowa Code § 720.1 (2015).

³⁷⁷³ Iowa Code § 903.1(2) (2015).

³⁷⁷⁴ Iowa Code § 903.1(2) (2015).

³⁷⁷⁵ See Iowa Code § 907.3 (2015).

³⁷⁷⁶ Iowa Code § 903.1(2) (2015).

³⁷⁷⁷ Iowa Code § 903.1(2) (2015).

³⁷⁷⁸ Iowa Code § 903.1(2) (2015).

³⁷⁷⁹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁷⁸⁰ Iowa Code § 911.1(1) (2015).

³⁷⁸¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 720.2—Perjury, Contradictory Statements, and Retraction

Class = “D” felony³⁷⁸²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁷⁸³	0 ³⁷⁸⁴	No, but see Enhancements	Yes ³⁷⁸⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁷⁸⁶	\$750 ³⁷⁸⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁸⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁸⁹	No	No

Notes:

³⁷⁸² Iowa Code § 720.2 (2015).

³⁷⁸³ Iowa Code § 902.9(1)(e) (2015).

³⁷⁸⁴ Iowa Code § 902.9(1)(e) (2015).

³⁷⁸⁵ See Iowa Code § 907.3 (2015).

³⁷⁸⁶ Iowa Code § 902.9(1)(e) (2015).

³⁷⁸⁷ Iowa Code § 902.9(1)(e) (2015).

³⁷⁸⁸ Iowa Code § 911.1(1) (2015).

³⁷⁸⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 720.3—Suborning Perjury

Class = “D” felony³⁷⁹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁷⁹¹	0 ³⁷⁹²	No, but see Enhancements	Yes ³⁷⁹³

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁷⁹⁴	\$750 ³⁷⁹⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁹⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁹⁷	No	No

Notes:

³⁷⁹⁰ Iowa Code § 720.3 (2015).

³⁷⁹¹ Iowa Code § 902.9(1)(e) (2015).

³⁷⁹² Iowa Code § 902.9(1)(e) (2015).

³⁷⁹³ See Iowa Code § 907.3 (2015).

³⁷⁹⁴ Iowa Code § 902.9(1)(e) (2015).

³⁷⁹⁵ Iowa Code § 902.9(1)(e) (2015).

³⁷⁹⁶ Iowa Code § 911.1(1) (2015).

³⁷⁹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 720.4—Tampering with Witnesses or Jurors

Class = aggravated misdemeanor³⁷⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁷⁹⁹	0 ³⁸⁰⁰	None	Yes ³⁸⁰¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁸⁰²

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁸⁰³	\$625 ³⁸⁰⁴	Yes ³⁸⁰⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁰⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁰⁷	No	No

Notes:

³⁷⁹⁸ Iowa Code § 720.4 (2015).

³⁷⁹⁹ Iowa Code § 903.1(2) (2015).

³⁸⁰⁰ Iowa Code § 903.1(2) (2015).

³⁸⁰¹ See Iowa Code § 907.3 (2015).

³⁸⁰² Iowa Code § 903.1(2) (2015).

³⁸⁰³ Iowa Code § 903.1(2) (2015).

³⁸⁰⁴ Iowa Code § 903.1(2) (2015).

³⁸⁰⁵ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸⁰⁶ Iowa Code § 911.1(1) (2015).

³⁸⁰⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 720.5—False Representation of Records or Process

Class = simple misdemeanor³⁸⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ³⁸⁰⁹	0 ³⁸¹⁰	N/A	Yes ³⁸¹¹

Fines

Max.	Min.	Can Suspend?
\$625 ³⁸¹²	\$65 ³⁸¹³	No ³⁸¹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸¹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸⁰⁸ Iowa Code § 720.5 (2015).

³⁸⁰⁹ Iowa Code § 903.1(1)(a) (2015).

³⁸¹⁰ Iowa Code § 903.1(1)(a) (2015).

³⁸¹¹ See Iowa Code § 907.3 (2015).

³⁸¹² Iowa Code § 903.1(1)(a) (2015).

³⁸¹³ Iowa Code § 903.1(1)(a) (2015).

³⁸¹⁴ Iowa Code § 903.1(1) (2015).

³⁸¹⁵ Iowa Code § 911.1(1) (2015).

§ 720.6—Malicious Prosecution

Class = serious misdemeanor³⁸¹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸¹⁷	0 ³⁸¹⁸	N/A	Yes ³⁸¹⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸²⁰	\$315 ³⁸²¹	No ³⁸²²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸²³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸¹⁶ Iowa Code § 720.6 (2015).

³⁸¹⁷ Iowa Code § 903.1(1)(b) (2015).

³⁸¹⁸ Iowa Code § 903.1(1)(b) (2015).

³⁸¹⁹ See Iowa Code § 907.3 (2015).

³⁸²⁰ Iowa Code § 903.1(1)(b) (2015).

³⁸²¹ Iowa Code § 903.1(1)(b) (2015).

³⁸²² Iowa Code § 903.1(1) (2015).

³⁸²³ Iowa Code § 911.1(1) (2015).

§ 720.7—Interference with Judicial Acts

Class = aggravated misdemeanor³⁸²⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁸²⁵	0 ³⁸²⁶	None	Yes ³⁸²⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁸²⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁸²⁹	\$625 ³⁸³⁰	Yes ³⁸³¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸³²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸³³	No	No

Notes:

³⁸²⁴ Iowa Code § 720.7 (2015).

³⁸²⁵ Iowa Code § 903.1(2) (2015).

³⁸²⁶ Iowa Code § 903.1(2) (2015).

³⁸²⁷ See Iowa Code § 907.3 (2015).

³⁸²⁸ Iowa Code § 903.1(2) (2015).

³⁸²⁹ Iowa Code § 903.1(2) (2015).

³⁸³⁰ Iowa Code § 903.1(2) (2015).

³⁸³¹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸³² Iowa Code § 911.1(1) (2015).

³⁸³³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 721 OFFICIAL MISCONDUCT

§ 721.1—Felonious Misconduct in Office

Class = “D” felony³⁸³⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁸³⁵	0 ³⁸³⁶	No, but see Enhancements	Yes ³⁸³⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁸³⁸	\$750 ³⁸³⁹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁴⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁴¹	No	No

Notes:

³⁸³⁴ Iowa Code § 721.1 (2015).

³⁸³⁵ Iowa Code § 902.9(1)(e) (2015).

³⁸³⁶ Iowa Code § 902.9(1)(e) (2015).

³⁸³⁷ See Iowa Code § 907.3((2015).

³⁸³⁸ Iowa Code § 902.9(1)(e) (2015).

³⁸³⁹ Iowa Code § 902.9(1)(e) (2015).

³⁸⁴⁰ Iowa Code § 911.1(1) (2015).

³⁸⁴¹ Iowa Code §§ 81.2, 901.5(8A)(a) 2015).

§ 721.2—Nonfelonious Misconduct in Office

Class = serious misdemeanor³⁸⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸⁴³	0 ³⁸⁴⁴	N/A	Yes ³⁸⁴⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸⁴⁶	\$315 ³⁸⁴⁷	No ³⁸⁴⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁴⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸⁴² Iowa Code § 721.2 (2015).

³⁸⁴³ Iowa Code § 903.1(1)(b) (2015).

³⁸⁴⁴ Iowa Code § 903.1(1)(b) (2015).

³⁸⁴⁵ See Iowa Code § 907.3 (2015).

³⁸⁴⁶ Iowa Code § 903.1(1)(b) (2015).

³⁸⁴⁷ Iowa Code § 903.1(1)(b) (2015).

³⁸⁴⁸ Iowa Code § 903.1(1) (2015).

³⁸⁴⁹ Iowa Code § 911.1(1) (2015).

§ 721.3—Solicitation for Political Purposes

Class = serious misdemeanor³⁸⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸⁵¹	0 ³⁸⁵²	N/A	Yes ³⁸⁵³

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸⁵⁴	\$315 ³⁸⁵⁵	No ³⁸⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁵⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸⁵⁰ Iowa Code § 721.7 (2015).

³⁸⁵¹ Iowa Code § 903.1(1)(b) (2015).

³⁸⁵² Iowa Code § 903.1(1)(b) (2015).

³⁸⁵³ See Iowa Code § 907.3 (2015).

³⁸⁵⁴ Iowa Code § 903.1(1)(b) (2015).

³⁸⁵⁵ Iowa Code § 903.1(1)(b) (2015).

³⁸⁵⁶ Iowa Code § 903.1(1) (2015).

³⁸⁵⁷ Iowa Code § 911.1(1) (2015).

§ 721.4—Using Public Motor Vehicles for Political Purposes

Class = serious misdemeanor³⁸⁵⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸⁵⁹	0 ³⁸⁶⁰	N/A	Yes ³⁸⁶¹

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸⁶²	\$315 ³⁸⁶³	No ³⁸⁶⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁶⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸⁵⁸ Iowa Code § 721.7 (2015).

³⁸⁵⁹ Iowa Code § 903.1(1)(b) (2015).

³⁸⁶⁰ Iowa Code § 903.1(1)(b) (2015).

³⁸⁶¹ See Iowa Code § 907.3 (2015).

³⁸⁶² Iowa Code § 903.1(1)(b) (2015).

³⁸⁶³ Iowa Code § 903.1(1)(b) (2015).

³⁸⁶⁴ Iowa Code § 903.1(1) (2015).

³⁸⁶⁵ Iowa Code § 911.1(1) (2015).

§ 721.5—State Employee Leaving Employment or Duties to Solicit Votes or Campaign During Hours of Employment

Class = serious misdemeanor³⁸⁶⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸⁶⁷	0 ³⁸⁶⁸	N/A	Yes ³⁸⁶⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸⁷⁰	\$315 ³⁸⁷¹	No ³⁸⁷²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁷³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸⁶⁶ Iowa Code § 721.7 (2015).

³⁸⁶⁷ Iowa Code § 903.1(1)(b) (2015).

³⁸⁶⁸ Iowa Code § 903.1(1)(b) (2015).

³⁸⁶⁹ See Iowa Code § 907.3 (2015).

³⁸⁷⁰ Iowa Code § 903.1(1)(b) (2015).

³⁸⁷¹ Iowa Code § 903.1(1)(b) (2015).

³⁸⁷² Iowa Code § 903.1(1) (2015).

³⁸⁷³ Iowa Code § 911.1(1) (2015).

§ 721.8—Failure to Label Publicly Owned Motor Vehicles

Class = serious misdemeanor³⁸⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸⁷⁵	0 ³⁸⁷⁶	N/A	Yes ³⁸⁷⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸⁷⁸	\$315 ³⁸⁷⁹	No ³⁸⁸⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁸¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸⁷⁴ Iowa Code § 721.9 (2015).

³⁸⁷⁵ Iowa Code § 903.1(1)(b) (2015).

³⁸⁷⁶ Iowa Code § 903.1(1)(b) (2015).

³⁸⁷⁷ See Iowa Code § 907.3 (2015).

³⁸⁷⁸ Iowa Code § 903.1(1)(b) (2015).

³⁸⁷⁹ Iowa Code § 903.1(1)(b) (2015).

³⁸⁸⁰ Iowa Code § 903.1(1) (2015).

³⁸⁸¹ Iowa Code § 911.1(1) (2015).

§ 721.10—Misuse of Public Records and Files

Class = serious misdemeanor³⁸⁸²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸⁸³	0 ³⁸⁸⁴	N/A	Yes ³⁸⁸⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸⁸⁶	\$315 ³⁸⁸⁷	No ³⁸⁸⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁸⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸⁸² Iowa Code § 721.10 (2015).

³⁸⁸³ Iowa Code § 903.1(1)(b) (2015).

³⁸⁸⁴ Iowa Code § 903.1(1)(b) (2015).

³⁸⁸⁵ See Iowa Code § 907.3 (2015).

³⁸⁸⁶ Iowa Code § 903.1(1)(b) (2015).

³⁸⁸⁷ Iowa Code § 903.1(1)(b) (2015).

³⁸⁸⁸ Iowa Code § 903.1(1) (2015).

³⁸⁸⁹ Iowa Code § 911.1(1) (2015).

§ 721.11—Interest in Public Contracts

Class = serious misdemeanor³⁸⁹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸⁹¹	0 ³⁸⁹²	N/A	Yes ³⁸⁹³

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸⁹⁴	\$315 ³⁸⁹⁵	No ³⁸⁹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸⁹⁰ Iowa Code § 721.11 (2015).

³⁸⁹¹ Iowa Code § 903.1(1)(b) (2015).

³⁸⁹² Iowa Code § 903.1(1)(b) (2015).

³⁸⁹³ See Iowa Code § 907.3 (2015).

³⁸⁹⁴ Iowa Code § 903.1(1)(b) (2015).

³⁸⁹⁵ Iowa Code § 903.1(1)(b) (2015).

³⁸⁹⁶ Iowa Code § 903.1(1) (2015).

³⁸⁹⁷ Iowa Code § 911.1(1) (2015).

§ 721.12—Profiting From Inmates

Class = simple misdemeanor³⁸⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁸⁹⁹	0 ³⁹⁰⁰	N/A	Yes ³⁹⁰¹

Fines

Max.	Min.	Can Suspend?
\$625 ³⁹⁰²	\$65 ³⁹⁰³	No ³⁹⁰⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁰⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸⁹⁸ Iowa Code § 721.12 (2015).

³⁸⁹⁹ Iowa Code § 903.1(1)(a) (2015).

³⁹⁰⁰ Iowa Code § 903.1(1)(a) (2015).

³⁹⁰¹ See Iowa Code § 907.3 (2015).

³⁹⁰² Iowa Code § 903.1(1)(a) (2015).

³⁹⁰³ Iowa Code § 903.1(1)(a) (2015).

³⁹⁰⁴ Iowa Code § 903.1(1) (2015).

³⁹⁰⁵ Iowa Code § 911.1(1) (2015).

CH. 722 BRIBERY AND CORRUPTION

§ 722.1—Bribery

Class = “D” felony³⁹⁰⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁹⁰⁷	0 ³⁹⁰⁸	No, but see Enhancements	Yes ³⁹⁰⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁹¹⁰	\$750 ³⁹¹¹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹¹²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹¹³	No	No

Notes:

- ❖ Additional Penalty:
 - person is disqualified from holding public office³⁹¹⁴

³⁹⁰⁶ Iowa Code § 722.1 (2015).

³⁹⁰⁷ Iowa Code § 902.9(1)(e) (2015).

³⁹⁰⁸ Iowa Code § 902.9(1)(e) (2015).

³⁹⁰⁹ See Iowa Code § 907.3 (2015).

³⁹¹⁰ Iowa Code § 902.9(1)(e) (2015).

³⁹¹¹ Iowa Code § 902.9(1)(e) (2015).

³⁹¹² Iowa Code § 911.1(1) (2015).

³⁹¹³ Iowa Code §§ 81.2, 901.5(8A)(a) (2015).

³⁹¹⁴ Iowa Code § 722.1 (2015).

§ 722.2—Accepting Bribe

Class = “C” felony³⁹¹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁹¹⁶	0 ³⁹¹⁷	No, but see Enhancements	Yes ³⁹¹⁸

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁹¹⁹	\$1000 ³⁹²⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹²¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹²²	No	No

Notes:

- ❖ Additional Penalty:
 - person is disqualified from holding public office³⁹²³

³⁹¹⁵ Iowa Code § 722.2 (2015).

³⁹¹⁶ Iowa Code § 902.9(1)(d) (2015).

³⁹¹⁷ Iowa Code § 902.9(1)(d) (2015).

³⁹¹⁸ See Iowa Code § 907.3 (2015).

³⁹¹⁹ Iowa Code § 902.9(1)(d) (2015).

³⁹²⁰ Iowa Code § 902.9(1)(d) (2015).

³⁹²¹ Iowa Code § 911.1(1) (2015).

³⁹²² Iowa Code §§ 81.2, 901.5(8A)(a) (2015).

³⁹²³ Iowa Code § 722.2 (2015).

§ 722.3–Bribery in Sports

Class = aggravated misdemeanor³⁹²⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁹²⁵	0 ³⁹²⁶	None	Yes ³⁹²⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁹²⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁹²⁹	\$625 ³⁹³⁰	Yes ³⁹³¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹³²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹³³	No	No

Notes:

³⁹²⁴ Iowa Code § 722.3 (2015).

³⁹²⁵ Iowa Code § 903.1(2) (2015).

³⁹²⁶ Iowa Code § 903.1(2) (2015).

³⁹²⁷ See Iowa Code § 907.3 (2015).

³⁹²⁸ Iowa Code § 903.1(2) (2015).

³⁹²⁹ Iowa Code § 903.1(2) (2015).

³⁹³⁰ Iowa Code § 903.1(2) (2015).

³⁹³¹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹³² Iowa Code § 911.1(1) (2015).

³⁹³³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 722.10—Commercial Bribery

Class = “D” felony³⁹³⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁹³⁵	0 ³⁹³⁶	No, but see Enhancements	Yes ³⁹³⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁹³⁸	\$750 ³⁹³⁹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁴⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁴¹	No	No

Notes:

³⁹³⁴ Iowa Code § 722.10(3) (2015).

³⁹³⁵ Iowa Code § 902.9(1)(e) (2015).

³⁹³⁶ Iowa Code § 902.9(1)(e) (2015).

³⁹³⁷ See Iowa Code § 907.3 (2015).

³⁹³⁸ Iowa Code § 902.9(1)(e) (2015).

³⁹³⁹ Iowa Code § 902.9(1)(e) (2015).

³⁹⁴⁰ Iowa Code § 911.1(1) (2015).

³⁹⁴¹ Iowa Code §§ 81.2, 901.5(8A)(a) (2015).

§ 722.11—Student-Athlete Prohibitions

§ 722.11(2)—Unlawful giving, offering, promising, or attempting to give money to student-athlete

Class = aggravated misdemeanor³⁹⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁹⁴³	0 ³⁹⁴⁴	None	Yes ³⁹⁴⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁹⁴⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁹⁴⁷	\$625 ³⁹⁴⁸	Yes ³⁹⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁵⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁵¹	No	No

Notes:

³⁹⁴² Iowa Code § 722.11(2)(e) (2015).

³⁹⁴³ Iowa Code § 903.1(2) (2015).

³⁹⁴⁴ Iowa Code § 903.1(2) (2015).

³⁹⁴⁵ See Iowa Code § 907.3 (2015).

³⁹⁴⁶ Iowa Code § 903.1(2) (2015).

³⁹⁴⁷ Iowa Code § 903.1(2) (2015).

³⁹⁴⁸ Iowa Code § 903.1(2) (2015).

³⁹⁴⁹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹⁵⁰ Iowa Code § 911.1(1) (2015).

³⁹⁵¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 722.11(3)—Unlawful solicitation or accepting of money or anything of value by student-athlete**Class** = serious misdemeanor³⁹⁵²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁹⁵³	0 ³⁹⁵⁴	N/A	Yes ³⁹⁵⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁹⁵⁶	\$315 ³⁹⁵⁷	No ³⁹⁵⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁵⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:³⁹⁵² Iowa Code § 722.11(3)(c) (2015).³⁹⁵³ Iowa Code § 903.1(1)(b) (2015).³⁹⁵⁴ Iowa Code § 903.1(1)(b) (2015).³⁹⁵⁵ See Iowa Code § 907.3 (2015).³⁹⁵⁶ Iowa Code § 903.1(1)(b) (2015).³⁹⁵⁷ Iowa Code § 903.1(1)(b) (2015).³⁹⁵⁸ Iowa Code § 903.1(1) (2015).³⁹⁵⁹ Iowa Code § 911.1(1) (2015).

CH. 723 PUBLIC DISORDER

§ 723.1—Riot

Class = aggravated misdemeanor³⁹⁶⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁹⁶¹	0 ³⁹⁶²	None	Yes ³⁹⁶³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁹⁶⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁹⁶⁵	\$625 ³⁹⁶⁶	Yes ³⁹⁶⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁶⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁶⁹	No	No

Notes:

³⁹⁶⁰ Iowa Code § 723.1 (2015).

³⁹⁶¹ Iowa Code § 903.1(2) (2015).

³⁹⁶² Iowa Code § 903.1(2) (2015).

³⁹⁶³ See Iowa Code § 907.3 (2015).

³⁹⁶⁴ Iowa Code § 903.1(2) (2015).

³⁹⁶⁵ Iowa Code § 903.1(2) (2015).

³⁹⁶⁶ Iowa Code § 903.1(2) (2015).

³⁹⁶⁷ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹⁶⁸ Iowa Code § 911.1(1) (2015).

³⁹⁶⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 723.2—Unlawful Assembly

Class = simple misdemeanor³⁹⁷⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ³⁹⁷¹	0 ³⁹⁷²	N/A	Yes ³⁹⁷³

Fines

Max.	Min.	Can Suspend?
\$625 ³⁹⁷⁴	\$65 ³⁹⁷⁵	No ³⁹⁷⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁷⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁹⁷⁰ Iowa Code § 723.2 (2015).

³⁹⁷¹ Iowa Code § 903.1(1)(a) (2015).

³⁹⁷² Iowa Code § 903.1(1)(a) (2015).

³⁹⁷³ See Iowa Code § 907.3 (2015).

³⁹⁷⁴ Iowa Code § 903.1(1)(a) (2015).

³⁹⁷⁵ Iowa Code § 903.1(1)(a) (2015).

³⁹⁷⁶ Iowa Code § 903.1(1) (2015).

³⁹⁷⁷ Iowa Code § 911.1(1) (2015).

§ 723.3—Failure to Disburse

Class = simple misdemeanor³⁹⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ³⁹⁷⁹	0 ³⁹⁸⁰	N/A	Yes ³⁹⁸¹

Fines

Max.	Min.	Can Suspend?
\$625 ³⁹⁸²	\$65 ³⁹⁸³	No ³⁹⁸⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁸⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁹⁷⁸ Iowa Code § 723.3 (2015).

³⁹⁷⁹ Iowa Code § 903.1(1)(a) (2015).

³⁹⁸⁰ Iowa Code § 903.1(1)(a) (2015).

³⁹⁸¹ See Iowa Code § 907.3 (2015).

³⁹⁸² Iowa Code § 903.1(1)(a) (2015).

³⁹⁸³ Iowa Code § 903.1(1)(a) (2015).

³⁹⁸⁴ Iowa Code § 903.1(1) (2015).

³⁹⁸⁵ Iowa Code § 911.1(1) (2015).

§ 723.4—Disorderly Conduct

Class = simple misdemeanor³⁹⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ³⁹⁸⁷	0 ³⁹⁸⁸	N/A	Yes ³⁹⁸⁹

Fines

Max.	Min.	Can Suspend?
\$625 ³⁹⁹⁰	\$65 ³⁹⁹¹	No ³⁹⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁹⁸⁶ Iowa Code § 723.4 (2015).

³⁹⁸⁷ Iowa Code § 903.1(1)(a) (2015).

³⁹⁸⁸ Iowa Code § 903.1(1)(a) (2015).

³⁹⁸⁹ See Iowa Code § 907.3 (2015).

³⁹⁹⁰ Iowa Code § 903.1(1)(a) (2015).

³⁹⁹¹ Iowa Code § 903.1(1)(a) (2015).

³⁹⁹² Iowa Code § 903.1(1) (2015).

³⁹⁹³ Iowa Code § 911.1(1) (2015).

§ 723.5—Disorderly Conduct at a Funeral or Memorial Service

§ 723.5(3)(a)—First offense

Class = simple misdemeanor³⁹⁹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ³⁹⁹⁵	0 ³⁹⁹⁶	N/A	Yes ³⁹⁹⁷

Fines

Max.	Min.	Can Suspend?
\$625 ³⁹⁹⁸	\$65 ³⁹⁹⁹	No ⁴⁰⁰⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁰¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁹⁹⁴ Iowa Code § 723.5(3)(a) (2015).

³⁹⁹⁵ Iowa Code § 903.1(1)(a) (2015).

³⁹⁹⁶ Iowa Code § 903.1(1)(a) (2015).

³⁹⁹⁷ See Iowa Code § 907.3 (2015).

³⁹⁹⁸ Iowa Code § 903.1(1)(a) (2015).

³⁹⁹⁹ Iowa Code § 903.1(1)(a) (2015).

⁴⁰⁰⁰ Iowa Code § 903.1(1) (2015).

⁴⁰⁰¹ Iowa Code § 911.1(1) (2015).

§ 723.5(3)(b)—Second offense

Class = serious misdemeanor⁴⁰⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 Year ⁴⁰⁰³	0 ⁴⁰⁰⁴	N/A	Yes ⁴⁰⁰⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁰⁰⁶	\$315 ⁴⁰⁰⁷	No ⁴⁰⁰⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁰⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁰⁰² Iowa Code § 723.5(3)(b) (2015).

⁴⁰⁰³ Iowa Code § 903.1(1)(b) (2015).

⁴⁰⁰⁴ Iowa Code § 903.1(1)(b) (2015).

⁴⁰⁰⁵ See Iowa Code § 907.3 (2015).

⁴⁰⁰⁶ Iowa Code § 903.1(1)(b) (2015).

⁴⁰⁰⁷ Iowa Code § 903.1(1)(b) (2015).

⁴⁰⁰⁸ Iowa Code § 903.1(1) (2015).

⁴⁰⁰⁹ Iowa Code § 911.1(1) (2015).

§ 723.5(3)(c)—Third or subsequent offense**Class** = “D” felony⁴⁰¹⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰¹¹	0 ⁴⁰¹²	No, but see Enhancements	Yes ⁴⁰¹³

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰¹⁴	\$750 ⁴⁰¹⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰¹⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰¹⁷	No	No

Notes:⁴⁰¹⁰ Iowa Code § 723.5(3)(c) (2015).⁴⁰¹¹ Iowa Code § 902.9(1)(e) (2015).⁴⁰¹² Iowa Code § 902.9(1)(e) (2015).⁴⁰¹³ See Iowa Code § 907.3 (2015).⁴⁰¹⁴ Iowa Code § 902.9(1)(e) (2015).⁴⁰¹⁵ Iowa Code § 902.9(1)(e) (2015).⁴⁰¹⁶ Iowa Code § 911.1(1) (2015).⁴⁰¹⁷ Iowa Code §§ 81.2, 901.5(8A)(a) (2015).

CH. 723A CRIMINAL STREET GANGS

§ 723A.2—Criminal Gang Participation

Class = “D” felony⁴⁰¹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰¹⁹	0 ⁴⁰²⁰	No, but see Enhancements	Yes ⁴⁰²¹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰²²	\$750 ⁴⁰²³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰²⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰²⁵	No	No

Notes:

⁴⁰¹⁸ Iowa Code § 723A.2 (2015).

⁴⁰¹⁹ Iowa Code § 902.9(1)(e) (2015).

⁴⁰²⁰ Iowa Code § 902.9(1)(e) (2015).

⁴⁰²¹ See Iowa Code § 907.3 (2015).

⁴⁰²² Iowa Code § 902.9(1)(e) (2015).

⁴⁰²³ Iowa Code § 902.9(1)(e) (2015).

⁴⁰²⁴ Iowa Code § 911.1(1) (2015).

⁴⁰²⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 723A.3—Gang Recruitment

§ 723A.3(1)—Recruitment of a minor

Class = “C” felony⁴⁰²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁰²⁷	0 ⁴⁰²⁸	No, but see Enhancements	Yes ⁴⁰²⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁰³⁰	\$1000 ⁴⁰³¹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰³²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰³³	No	No

Notes:

⁴⁰²⁶ Iowa Code § 723A.3(1) (2015).

⁴⁰²⁷ Iowa Code § 902.9(1)(d) (2015).

⁴⁰²⁸ Iowa Code § 902.9(1)(d) (2015).

⁴⁰²⁹ See Iowa Code § 907.3 (2015).

⁴⁰³⁰ Iowa Code § 902.9(1)(d) (2015).

⁴⁰³¹ Iowa Code § 902.9(1)(d) (2015).

⁴⁰³² Iowa Code § 911.1(1) (2015).

⁴⁰³³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 723A.3(2)—Conspiracy to recruit a minorClass = “D” felony⁴⁰³⁴**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰³⁵	0 ⁴⁰³⁶	No, but see Enhancements	Yes ⁴⁰³⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰³⁸	\$750 ⁴⁰³⁹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁴⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁴¹	No	No

Notes:⁴⁰³⁴ Iowa Code § 723A.3(2) (2015).⁴⁰³⁵ Iowa Code § 902.9(1)(e) (2015).⁴⁰³⁶ Iowa Code § 902.9(1)(e) (2015).⁴⁰³⁷ See Iowa Code § 907.3 (2015).⁴⁰³⁸ Iowa Code § 902.9(1)(e) (2015).⁴⁰³⁹ Iowa Code § 902.9(1)(e) (2015).⁴⁰⁴⁰ Iowa Code § 911.1(1) (2015).⁴⁰⁴¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 724 WEAPONS

§ 724.1B—Possession of Firearm Suppressor

Class = “D” felony⁴⁰⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰⁴³	0 ⁴⁰⁴⁴	No, but see Enhancements	Yes ⁴⁰⁴⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰⁴⁶	\$750 ⁴⁰⁴⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁴⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁴⁹	No	No

Notes:

⁴⁰⁴² Iowa Code § 724.1B(2) (Supp. 2016).

⁴⁰⁴³ Iowa Code § 902.9(1)(e) (2015).

⁴⁰⁴⁴ Iowa Code § 902.9(1)(e) (2015).

⁴⁰⁴⁵ See Iowa Code § 907.3 (2015).

⁴⁰⁴⁶ Iowa Code § 902.9(1)(e) (2015).

⁴⁰⁴⁷ Iowa Code § 902.9(1)(e) (2015).

⁴⁰⁴⁸ Iowa Code § 911.1(1) (2015).

⁴⁰⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.3—Unauthorized Possession of Offensive Weapon

Class = “D” felony⁴⁰⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰⁵¹	0 ⁴⁰⁵²	No, but see Enhancements	Yes ⁴⁰⁵³

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰⁵⁴	\$750 ⁴⁰⁵⁵	Yes

❖ Fine is doubled if possession was in weapons free zone⁴⁰⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁵⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁵⁸	No	No

Notes:

⁴⁰⁵⁰ Iowa Code § 724.3 (2015).

⁴⁰⁵¹ Iowa Code § 902.9(1)(e) (2015).

⁴⁰⁵² Iowa Code § 902.9(1)(e) (2015).

⁴⁰⁵³ See Iowa Code § 907.3 (2015).

⁴⁰⁵⁴ Iowa Code § 902.9(1)(e) (2015).

⁴⁰⁵⁵ Iowa Code § 902.9(1)(e) (2015).

⁴⁰⁵⁶ Iowa Code § 724.4A(2) (2015).

⁴⁰⁵⁷ Iowa Code § 911.1(1) (2015).

⁴⁰⁵⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.4—Carrying Weapons

§ 724.4(1)—Concealed dangerous weapon; armed with pistol, revolver, or loaded firearm; or carries or transports pistol or revolver

Class = aggravated misdemeanor⁴⁰⁵⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁰⁶⁰	0 ⁴⁰⁶¹	None	Yes ⁴⁰⁶²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁰⁶³

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁰⁶⁴	\$625 ⁴⁰⁶⁵	Yes ⁴⁰⁶⁶

❖ Fine is doubled if possession was in weapons free zone⁴⁰⁶⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁶⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁶⁹	No	No

Notes:

⁴⁰⁵⁹ Iowa Code § 724.4(1) (2015).

⁴⁰⁶⁰ Iowa Code § 903.1(2) (2015).

⁴⁰⁶¹ Iowa Code § 903.1(2) (2015).

⁴⁰⁶² See Iowa Code § 907.3, unnum. para. (2015).

⁴⁰⁶³ Iowa Code § 903.1(2) (2015).

⁴⁰⁶⁴ Iowa Code § 903.1(2) (2015).

⁴⁰⁶⁵ Iowa Code § 903.1(2) (2015).

⁴⁰⁶⁶ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰⁶⁷ Iowa Code § 724.4A(2) (2015).

⁴⁰⁶⁸ Iowa Code § 911.1(1) (2015).

⁴⁰⁶⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.4(2)—Concealed knife used in commission of a crime

Class = aggravated misdemeanor⁴⁰⁷⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁰⁷¹	0 ⁴⁰⁷²	None	Yes ⁴⁰⁷³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁰⁷⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁰⁷⁵	\$625 ⁴⁰⁷⁶	Yes ⁴⁰⁷⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁷⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁷⁹	No	No

Notes:

⁴⁰⁷⁰ Iowa Code § 724.4(2) (2015).

⁴⁰⁷¹ Iowa Code § 903.1(2) (2015).

⁴⁰⁷² Iowa Code § 903.1(2) (2015).

⁴⁰⁷³ See Iowa Code § 907.3, unnum. para. (2015).

⁴⁰⁷⁴ Iowa Code § 903.1(2) (2015).

⁴⁰⁷⁵ Iowa Code § 903.1(2) (2015).

⁴⁰⁷⁶ Iowa Code § 903.1(2) (2015).

⁴⁰⁷⁷ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰⁷⁸ Iowa Code § 911.1(1) (2015).

⁴⁰⁷⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.4(3)—Concealed knife not used in commission of a crime

§ 724.4(3)(a)—Blade exceeds 8 inches in length

Class = aggravated misdemeanor⁴⁰⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁰⁸¹	0 ⁴⁰⁸²	None	Yes ⁴⁰⁸³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁰⁸⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁰⁸⁵	\$625 ⁴⁰⁸⁶	Yes ⁴⁰⁸⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁸⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁸⁹	No	No

Notes:

⁴⁰⁸⁰ Iowa Code § 724.4(3)(a) (2015).

⁴⁰⁸¹ Iowa Code § 903.1(2) (2015).

⁴⁰⁸² Iowa Code § 903.1(2) (2015).

⁴⁰⁸³ See Iowa Code § 907.3, unnum. para. (2015).

⁴⁰⁸⁴ Iowa Code § 903.1(2) (2015).

⁴⁰⁸⁵ Iowa Code § 903.1(2) (2015).

⁴⁰⁸⁶ Iowa Code § 903.1(2) (2015).

⁴⁰⁸⁷ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰⁸⁸ Iowa Code § 911.1(1) (2015).

⁴⁰⁸⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.4(3)(b)—Blade exceeds 5 inches but less than 8 inches in length**Class** = serious misdemeanor⁴⁰⁹⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁰⁹¹	0 ⁴⁰⁹²	N/A	Yes ⁴⁰⁹³

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁰⁹⁴	\$315 ⁴⁰⁹⁵	No ⁴⁰⁹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:⁴⁰⁹⁰ Iowa Code § 724.4(3)(b) (2015).⁴⁰⁹¹ Iowa Code § 903.1(1)(b) (2015).⁴⁰⁹² Iowa Code § 903.1(1)(b) (2015).⁴⁰⁹³ See Iowa Code § 907.3 (2015).⁴⁰⁹⁴ Iowa Code § 903.1(1)(b) (2015).⁴⁰⁹⁵ Iowa Code § 903.1(1)(b) (2015).⁴⁰⁹⁶ Iowa Code § 903.1(1) (2015).⁴⁰⁹⁷ Iowa Code § 911.1(1) (2015).

§ 724.4B—Carrying Firearm on School Grounds

Class = “D” felony⁴⁰⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰⁹⁹	0 ⁴¹⁰⁰	No, but see Enhancements	Yes ⁴¹⁰¹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴¹⁰²	\$750 ⁴¹⁰³	Yes

❖ Fine is doubled if possession was in weapons free zone⁴¹⁰⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁰⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹⁰⁶	No	No

Notes:

⁴⁰⁹⁸ Iowa Code § 724.4B(1) (2015).

⁴⁰⁹⁹ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁰⁰ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁰¹ See Iowa Code § 907.3 (2015).

⁴¹⁰² Iowa Code § 902.9(1)(e) (2015).

⁴¹⁰³ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁰⁴ Iowa Code § 724.4A(2) (2015).

⁴¹⁰⁵ Iowa Code § 911.1(1) (2015).

⁴¹⁰⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.5—Failure to Produce Permit

Class = simple misdemeanor⁴¹⁰⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴¹⁰⁸	0 ⁴¹⁰⁹	N/A	Yes ⁴¹¹⁰

Fines

Max.	Min.	Can Suspend?
\$625 ⁴¹¹¹	\$65 ⁴¹¹²	No ⁴¹¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴¹⁰⁷ Iowa Code § 724.5 (2015).

⁴¹⁰⁸ Iowa Code § 903.1(1)(a) (2015).

⁴¹⁰⁹ Iowa Code § 903.1(1)(a) (2015).

⁴¹¹⁰ See Iowa Code 907.3 (2015).

⁴¹¹¹ Iowa Code § 903.1(1)(a) (2015).

⁴¹¹² Iowa Code § 903.1(1)(a) (2015).

⁴¹¹³ Iowa Code § 903.1(1) (2015).

⁴¹¹⁴ Iowa Code § 911.1(1) (2015).

§ 724.10—False Information Provided in Application for Weapons Permit

Class = “D” felony⁴¹¹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴¹¹⁶	0 ⁴¹¹⁷	No, but see Enhancements	Yes ⁴¹¹⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴¹¹⁹	\$750 ⁴¹²⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹²¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹²²	No	No

Notes:

⁴¹¹⁵ Iowa Code § 724.10(3) (2015 & Supp. 2016).

⁴¹¹⁶ Iowa Code § 902.9(1)(e) (2015).

⁴¹¹⁷ Iowa Code § 902.9(1)(e) (2015).

⁴¹¹⁸ See Iowa Code § 907.3 (2015).

⁴¹¹⁹ Iowa Code § 902.9(1)(e) (2015).

⁴¹²⁰ Iowa Code § 902.9(1)(e) (2015).

⁴¹²¹ Iowa Code § 911.1(1) (2015).

⁴¹²² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.16—Improper Ownership or Transfer of Pistol or Revolver

§ 724.16(1)—Ownership without valid permit

Class = aggravated misdemeanor⁴¹²³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴¹²⁴	0 ⁴¹²⁵	None	Yes ⁴¹²⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴¹²⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴¹²⁸	\$625 ⁴¹²⁹	Yes ⁴¹³⁰

❖ Fine is doubled if offense occurred in weapons free zone⁴¹³¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹³²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹³³	No	No

Notes:

⁴¹²³ Iowa Code § 724.16(1) (2015).

⁴¹²⁴ Iowa Code § 903.1(2) (2015).

⁴¹²⁵ Iowa Code § 903.1(2) (2015).

⁴¹²⁶ See Iowa Code § 907.3, unnum. para. (2015).

⁴¹²⁷ Iowa Code § 903.1(2) (2015).

⁴¹²⁸ Iowa Code § 903.1(2) (2015).

⁴¹²⁹ Iowa Code § 903.1(2) (2015).

⁴¹³⁰ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹³¹ Iowa Code § 724.4A(2) (2015).

⁴¹³² Iowa Code § 911.1(1) (2015).

⁴¹³³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.16(2)—Transfer of ownershipClass = “D” felony⁴¹³⁴**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴¹³⁵	0 ⁴¹³⁶	No, but see Enhancements	Yes ⁴¹³⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴¹³⁸	\$750 ⁴¹³⁹	Yes

❖ Fine is doubled if offense occurred in weapons free zone⁴¹⁴⁰**Surcharges**

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁴¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹⁴²	No	No

Notes:⁴¹³⁴ Iowa Code § 724.16(1) (2015).⁴¹³⁵ Iowa Code § 902.9(1)(e) (2015).⁴¹³⁶ Iowa Code § 902.9(1)(e) (2015).⁴¹³⁷ See Iowa Code § 907.3 (2015).⁴¹³⁸ Iowa Code § 902.9(1)(e) (2015).⁴¹³⁹ Iowa Code § 902.9(1)(e) (2015).⁴¹⁴⁰ Iowa Code § 724.4A(2) (2015).⁴¹⁴¹ Iowa Code § 911.1(1) (2015).⁴¹⁴² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.16A—Trafficking in Stolen Weapons

§ 724.16A(1)(a)—First offense

Class = “D” felony⁴¹⁴³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴¹⁴⁴	0 ⁴¹⁴⁵	No, but see Enhancements	Yes ⁴¹⁴⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴¹⁴⁷	\$750 ⁴¹⁴⁸	Yes

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴¹⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁵⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹⁵¹	No	No

Notes:

⁴¹⁴³ Iowa Code § 724.16A(1)(a) (2015).

⁴¹⁴⁴ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁴⁵ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁴⁶ See Iowa Code § 907.3 (2015).

⁴¹⁴⁷ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁴⁸ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁴⁹ Iowa Code § 724.4A(2) (2015).

⁴¹⁵⁰ Iowa Code § 911.1(1) (2015).

⁴¹⁵¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.16A(1)(b)—Second or subsequent offense, or weapon used in commission of public offense

Class = “C” felony⁴¹⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴¹⁵³	0 ⁴¹⁵⁴	No, but see Enhancements	Yes ⁴¹⁵⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴¹⁵⁶	\$1000 ⁴¹⁵⁷	Yes

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴¹⁵⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁵⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹⁶⁰	No	No

Notes:

⁴¹⁵² Iowa Code § 724.16A(1)(b) (2015).

⁴¹⁵³ Iowa Code § 902.9(1)(d) (2015).

⁴¹⁵⁴ Iowa Code § 902.9(1)(d) (2015).

⁴¹⁵⁵ See Iowa Code 907.3 (2015).

⁴¹⁵⁶ Iowa Code § 902.9(1)(d) (2015).

⁴¹⁵⁷ Iowa Code § 902.9(1)(d) (2015).

⁴¹⁵⁸ Iowa Code § 724.4A(2) (2015).

⁴¹⁵⁹ Iowa Code § 911.1(1) (2015).

⁴¹⁶⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.17—False Statement or Documentation in Application for Annual Permit

Class = “D” felony⁴¹⁶¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴¹⁶²	0 ⁴¹⁶³	No, but see Enhancements	Yes ⁴¹⁶⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴¹⁶⁵	\$750 ⁴¹⁶⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁶⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹⁶⁸	No	No

Notes:

⁴¹⁶¹ Iowa Code § 724.17 (2015 & Supp. 2016).

⁴¹⁶² Iowa Code § 902.9(1)(e) (2015).

⁴¹⁶³ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁶⁴ See Iowa Code § 907.3 (2015).

⁴¹⁶⁵ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁶⁶ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁶⁷ Iowa Code § 911.1(1) (2015).

⁴¹⁶⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.21—Giving False Information when Acquiring Weapon

Class = “D” felony⁴¹⁶⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴¹⁷⁰	0 ⁴¹⁷¹	No, but see Enhancements	Yes ⁴¹⁷²

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴¹⁷³	\$750 ⁴¹⁷⁴	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁷⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹⁷⁶	No	No

Notes:

⁴¹⁶⁹ Iowa Code § 724.21 (2015).

⁴¹⁷⁰ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁷¹ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁷² See Iowa Code § 907.3 (2015).

⁴¹⁷³ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁷⁴ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁷⁵ Iowa Code § 911.1(1) (2015).

⁴¹⁷⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.22—Sale, Loan, Gift, or Making Available to Person Under Age 21

§ 724.22(1)—Rifle, shotgun, or ammunition for rifle or shotgun

First Offense

Class = serious misdemeanor⁴¹⁷⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴¹⁷⁸	0 ⁴¹⁷⁹	None	Yes ⁴¹⁸⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴¹⁸¹	\$315 ⁴¹⁸²	No ⁴¹⁸³

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴¹⁸⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁸⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴¹⁷⁷ Iowa Code § 724.22(1) (2015 & Supp. 2016).

⁴¹⁷⁸ Iowa Code § 903.1(1)(b) (2015).

⁴¹⁷⁹ Iowa Code § 903.1(1)(b) (2015).

⁴¹⁸⁰ See Iowa Code § 907.3, unnum. para. (2015).

⁴¹⁸¹ Iowa Code § 903.1(1)(b) (2015).

⁴¹⁸² Iowa Code § 903.1(1)(b) (2015).

⁴¹⁸³ See Iowa Code § 903.1(1) (2015).

⁴¹⁸⁴ Iowa Code § 724.4A(2) (2015).

⁴¹⁸⁵ Iowa Code § 911.1(1) (2015).

Second or Subsequent Offense

Class = “D” felony⁴¹⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴¹⁸⁷	0 ⁴¹⁸⁸	No, but see Enhancements	Yes ⁴¹⁸⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴¹⁹⁰	\$750 ⁴¹⁹¹	Yes

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴¹⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹⁹⁴	No	No

Notes:

⁴¹⁸⁶ Iowa Code § 724.22(1) (2015 & Supp. 2016).

⁴¹⁸⁷ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁸⁸ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁸⁹ See Iowa Code § 907.3 (2015).

⁴¹⁹⁰ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁹¹ Iowa Code § 902.9(1)(e) (2015).

⁴¹⁹² Iowa Code § 724.4A(2) (2015).

⁴¹⁹³ Iowa Code § 911.1(1) (2015).

⁴¹⁹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.22(2)—Pistol, revolver, or ammunition for pistol or revolver

First Offense

Class = serious misdemeanor⁴¹⁹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴¹⁹⁶	0 ⁴¹⁹⁷	None	Yes ⁴¹⁹⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴¹⁹⁹	\$315 ⁴²⁰⁰	No ⁴²⁰¹

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴²⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁰³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴¹⁹⁵ Iowa Code § 724.22(2) (2015 & Supp. 2016).

⁴¹⁹⁶ Iowa Code § 903.1(1)(b) (2015).

⁴¹⁹⁷ Iowa Code § 903.1(1)(b) (2015).

⁴¹⁹⁸ See Iowa Code § 907.3, unnum. para. (2015).

⁴¹⁹⁹ Iowa Code § 903.1(1)(b) (2015).

⁴²⁰⁰ Iowa Code § 903.1(1)(b) (2015).

⁴²⁰¹ See Iowa Code § 903.1(1) (2015).

⁴²⁰² Iowa Code § 724.4A(2) (2015).

⁴²⁰³ Iowa Code § 911.1(1) (2015).

Second or Subsequent Offense

Class = “D” felony⁴²⁰⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴²⁰⁵	0 ⁴²⁰⁶	No, but see Enhancements	Yes ⁴²⁰⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴²⁰⁸	\$750 ⁴²⁰⁹	Yes

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴²¹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²¹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²¹²	No	No

Notes:

⁴²⁰⁴ Iowa Code § 724.22(2) (2015 & Supp. 2016).

⁴²⁰⁵ Iowa Code § 902.9(1)(e) (2015).

⁴²⁰⁶ Iowa Code § 902.9(1)(e) (2015).

⁴²⁰⁷ See Iowa Code § 907.3 (2015).

⁴²⁰⁸ Iowa Code § 902.9(1)(e) (2015).

⁴²⁰⁹ Iowa Code § 902.9(1)(e) (2015).

⁴²¹⁰ Iowa Code § 724.4A(2) (2015).

⁴²¹¹ Iowa Code § 911.1(1) (2015).

⁴²¹² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.22(7)—Unlawful storage or leaving of loaded firearm

Class = serious misdemeanor⁴²¹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴²¹⁴	0 ⁴²¹⁵	N/A	Yes ⁴²¹⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴²¹⁷	\$315 ⁴²¹⁸	No ⁴²¹⁹

❖ Fine is doubled if offense occurred in weapons free zone⁴²²⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²²¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴²¹³ Iowa Code § 724.22(7) (2015 & Supp. 2016).

⁴²¹⁴ Iowa Code § 903.1(1)(b) (2015).

⁴²¹⁵ Iowa Code § 903.1(1)(b) (2015).

⁴²¹⁶ See Iowa Code § 907.3, unnum. para. (2015).

⁴²¹⁷ Iowa Code § 903.1(1)(b) (2015).

⁴²¹⁸ Iowa Code § 903.1(1)(b) (2015).

⁴²¹⁹ See Iowa Code § 903.1(1) (2015).

⁴²²⁰ Iowa Code § 724.4A(2) (2015).

⁴²²¹ Iowa Code § 911.1(1) (2015).

§ 724.22(9)—Intoxicated or under the influence while providing direct supervision

- ❖ violation of § 724.22(9) is child endangerment in violation of § 726.6(1)(i)
 - a violation of § 726.6(1)(i) is:
 - a “B” felony if results in death to child or minor⁴²²²
 - the max. jail/prison time is 50 years⁴²²³
 - a “C” felony if serious injury to child or minor results⁴²²⁴
 - a “D” felony if bodily injury to child or minor results⁴²²⁵
 - an aggravated misdemeanor in all other situations⁴²²⁶
- ❖ § 724.22(9) became effective on April 13, 2017,⁴²²⁷ however, § 726.6(1)(i) is not effective until July 1, 2017⁴²²⁸

NOTE: This section will be enlarged in the 2017 version of the chart.

⁴²²² Iowa Code § 726.6(4) (2017).

⁴²²³ Iowa Code § 726.6(4) (2017).

⁴²²⁴ Iowa Code § 726.6(5) (2017).

⁴²²⁵ Iowa Code § 726.6(6) (2017).

⁴²²⁶ Iowa Code § 726.6(7) (2017).

⁴²²⁷ H.F. 517, §§ 50–51, 87th Gen. Assemb., 1st Sess. (Iowa 2017) (enrolled bill) (indicating amendment to section 724.22, including addition of subsection 9, is effective April 13, 2017); *see* H. Journal, 87th Gen. Assemb., 1st Sess. 1009 (Iowa 2017) (indicating the governor signed H.F. 517 into law on April 13, 2017).

⁴²²⁸ *See* H.F. 517, §§ 50–51, 87th Gen. Assemb., 1st Sess. (Iowa 2017) (enrolled bill) (not providing any special effective date for the amendment to section 726.6); *see also* H. Journal, 87th Gen. Assemb., 1st Sess. 1009 (Iowa 2017) (indicating the governor signed H.F. 517 into law on April 13, 2017).

§ 724.26—Possession, Receipt, Transportation, or Dominion and Control by Felons and Others

§ 724.26(1)—Felon in possession or who receives, transports, or exercises dominion or control

Class = “D” felony⁴²²⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴²³⁰	0 ⁴²³¹	No, but see Enhancements	Yes ⁴²³²

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴²³³	\$750 ⁴²³⁴	Yes

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴²³⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²³⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²³⁷	No	No

Notes:

❖ for purposes of § 724.26, the term *felony* “means any offense punishable in the jurisdiction where it occurred by imprisonment for a term exceeding one year, but does not include any offense, other than an offense involving a firearm or explosive, classified as a misdemeanor under the laws of the state and punishable by a term of imprisonment of two years or less.”⁴²³⁸

⁴²²⁹ Iowa Code § 724.26(1) (2015).

⁴²³⁰ Iowa Code § 902.9(1)(e) (2015).

⁴²³¹ Iowa Code § 902.9(1)(e) (2015).

⁴²³² See Iowa Code § 907.3 (2015).

⁴²³³ Iowa Code § 902.9(1)(e) (2015).

⁴²³⁴ Iowa Code § 902.9(1)(e) (2015).

⁴²³⁵ Iowa Code § 724.4A(2) (2015).

⁴²³⁶ Iowa Code § 911.1(1) (2015).

⁴²³⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴²³⁸ Iowa Code § 724.25(1) (2015 & Supp. 2016).

§ 724.26(2)—Possession, shipment, transportation, or receipt by person subject to protective order under 18 U.S.C. § 922(g)(8) or who has been convicted of a misdemeanor crime of domestic violence under 18 U.S.C. § 922(g)(9)

Class = “D” felony⁴²³⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴²⁴⁰	0 ⁴²⁴¹	No, but see Enhancements	Yes ⁴²⁴²

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴²⁴³	\$750 ⁴²⁴⁴	Yes

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴²⁴⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁴⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁴⁷	No	No

Notes:

❖ for purposes of § 724.26, the term *misdemeanor crime of domestic violence* “means an assault under section 708.1, subsection 2, paragraph “a” or “c”, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.”⁴²⁴⁸

⁴²³⁹ Iowa Code § 724.26(2)(a) (2015).

⁴²⁴⁰ Iowa Code § 902.9(1)(e) (2015).

⁴²⁴¹ Iowa Code § 902.9(1)(e) (2015).

⁴²⁴² See Iowa Code § 907.3 (2015).

⁴²⁴³ Iowa Code § 902.9(1)(e) (2015).

⁴²⁴⁴ Iowa Code § 902.9(1)(e) (2015).

⁴²⁴⁵ Iowa Code § 724.4A(2) (2015).

⁴²⁴⁶ Iowa Code § 911.1(1) (2015).

⁴²⁴⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴²⁴⁸ Iowa Code § 724.26(2)(c) (2015).

§ 724.29—Selling or Offering for Sale Firearm Devices

Class = aggravated misdemeanor⁴²⁴⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴²⁵⁰	0 ⁴²⁵¹	None	Yes ⁴²⁵²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴²⁵³

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴²⁵⁴	\$625 ⁴²⁵⁵	Yes ⁴²⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁵⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁵⁸	No	No

Notes:

⁴²⁴⁹ Iowa Code § 724.16(1) (2015).

⁴²⁵⁰ Iowa Code § 903.1(2) (2015).

⁴²⁵¹ Iowa Code § 903.1(2) (2015).

⁴²⁵² See Iowa Code § 907.3, unnum. para. (2015).

⁴²⁵³ Iowa Code § 903.1(2) (2015).

⁴²⁵⁴ Iowa Code § 903.1(2) (2015).

⁴²⁵⁵ Iowa Code § 903.1(2) (2015).

⁴²⁵⁶ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²⁵⁷ Iowa Code § 911.1(1) (2015).

⁴²⁵⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§724.30—Reckless Use of a Firearm

§ 724.30(1)—Serious injury occurs

Class = “C” felony⁴²⁵⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴²⁶⁰	0 ⁴²⁶¹	No, but see Enhancements	Yes ⁴²⁶²

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴²⁶³	\$1000 ⁴²⁶⁴	Yes

❖ Fine is doubled if offense occurred in weapons free zone⁴²⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁶⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁶⁷	No	No

Notes:

⁴²⁵⁹ Iowa Code § 724.30(1) (2015).

⁴²⁶⁰ Iowa Code § 902.9(1)(d) (2015).

⁴²⁶¹ Iowa Code § 902.9(1)(d) (2015).

⁴²⁶² See Iowa Code 907.3 (2015).

⁴²⁶³ Iowa Code § 902.9(1)(d) (2015).

⁴²⁶⁴ Iowa Code § 902.9(1)(d) (2015).

⁴²⁶⁵ Iowa Code § 724.4A(2) (2015).

⁴²⁶⁶ Iowa Code § 911.1(1) (2015).

⁴²⁶⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.30(2)—Bodily injury that is not serious injury occursClass = “D” felony⁴²⁶⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴²⁶⁹	0 ⁴²⁷⁰	No, but see Enhancements	Yes ⁴²⁷¹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴²⁷²	\$750 ⁴²⁷³	Yes

❖ Fine is doubled if offense occurred in weapons free zone⁴²⁷⁴**Surcharges**

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁷⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁷⁶	No	No

Notes:⁴²⁶⁸ Iowa Code § 724.30(2) (2015).⁴²⁶⁹ Iowa Code § 902.9(1)(e) (2015).⁴²⁷⁰ Iowa Code § 902.9(1)(e) (2015).⁴²⁷¹ See Iowa Code § 907.3 (2015).⁴²⁷² Iowa Code § 902.9(1)(e) (2015).⁴²⁷³ Iowa Code § 902.9(1)(e) (2015).⁴²⁷⁴ Iowa Code § 724.4A(2) (2015).⁴²⁷⁵ Iowa Code § 911.1(1) (2015).⁴²⁷⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.30(3)—Property damage occurs without a serious injury or bodily injury occurring

Class = aggravated misdemeanor⁴²⁷⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴²⁷⁸	0 ⁴²⁷⁹	None	Yes ⁴²⁸⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴²⁸¹

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴²⁸²	\$625 ⁴²⁸³	Yes ⁴²⁸⁴

❖ Fine is doubled if offense occurred in weapons free zone⁴²⁸⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁸⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁸⁷	No	No

Notes:

⁴²⁷⁷ Iowa Code § 724.30(3) (2015).

⁴²⁷⁸ Iowa Code § 903.1(2) (2015).

⁴²⁷⁹ Iowa Code § 903.1(2) (2015).

⁴²⁸⁰ See Iowa Code § 907.3, unnum. para. (2015).

⁴²⁸¹ Iowa Code § 903.1(2) (2015).

⁴²⁸² Iowa Code § 903.1(2) (2015).

⁴²⁸³ Iowa Code § 903.1(2) (2015).

⁴²⁸⁴ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²⁸⁵ Iowa Code § 724.4A(2) (2015).

⁴²⁸⁶ Iowa Code § 911.1(1) (2015).

⁴²⁸⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 724.30(4)—No injury to person or property damage occursClass = simple misdemeanor⁴²⁸⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴²⁸⁹	0 ⁴²⁹⁰	N/A	Yes ⁴²⁹¹

Fines

Max.	Min.	Can Suspend?
\$625 ⁴²⁹²	\$65 ⁴²⁹³	No ⁴²⁹⁴

❖ Fine is doubled if offense occurred in weapons free zone⁴²⁹⁵**Surcharges**

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁹⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:⁴²⁸⁸ Iowa Code § 724.30(4) (2015).⁴²⁸⁹ Iowa Code § 903.1(1)(a) (2015).⁴²⁹⁰ Iowa Code § 903.1(1)(a) (2015).⁴²⁹¹ See Iowa Code 907.3 (2015).⁴²⁹² Iowa Code § 903.1(1)(a) (2015).⁴²⁹³ Iowa Code § 903.1(1)(a) (2015).⁴²⁹⁴ Iowa Code § 903.1(1) (2015).⁴²⁹⁵ Iowa Code § 724.4A(2) (2015).⁴²⁹⁶ Iowa Code § 911.1(1) (2015).

CH. 725 VICE

§ 725.1—Prostitution

§ 725.1(1)—Selling or offering for sale person's services as a partner in a sex act

Class = aggravated misdemeanor⁴²⁹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴²⁹⁸	0 ⁴²⁹⁹	None	Yes ⁴³⁰⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴³⁰¹

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴³⁰²	\$625 ⁴³⁰³	Yes ⁴³⁰⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁰⁵	No	No	No	No	Yes ⁴³⁰⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁰⁷	No	No

Notes:

- ❖ If offender is under 18:
 - county attorney may elect to refer person to DHS for possible filing of petition alleging person is CINA, in lieu of filing petition alleging person has committed delinquent act⁴³⁰⁸
 - may expunge after 2 years, per § 725.1(1)(c)⁴³⁰⁹

⁴²⁹⁷ Iowa Code § 725.1(1) (2015).

⁴²⁹⁸ Iowa Code § 903.1(2) (2015).

⁴²⁹⁹ Iowa Code § 903.1(2) (2015).

⁴³⁰⁰ See Iowa Code § 907.3, unnum. para. (2015).

⁴³⁰¹ Iowa Code § 903.1(2) (2015).

⁴³⁰² Iowa Code § 903.1(2) (2015).

⁴³⁰³ Iowa Code § 903.1(2) (2015).

⁴³⁰⁴ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁰⁵ Iowa Code § 911.1(1) (2015).

⁴³⁰⁶ Iowa Code § 911.3(1) (2015).

⁴³⁰⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴³⁰⁸ Iowa Code § 725.1(1)(b) (2015).

⁴³⁰⁹ Iowa Code § 725.1(1)(c) (2015).

§ 725.1(2)—Purchasing or offering to purchase another person’s services as a partner in a sex act

§ 725.1(2)(a)—Seller is 18 years old or older

Class = aggravated misdemeanor⁴³¹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴³¹¹	0 ⁴³¹²	None	Yes ⁴³¹³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴³¹⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴³¹⁵	\$625 ⁴³¹⁶	Yes ⁴³¹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³¹⁸	No	Yes, \$1000 ⁴³¹⁹	No	No	Yes ⁴³²⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³²¹	No	No

Notes:

⁴³¹⁰ Iowa Code § 725.1(2)(a) (2015).

⁴³¹¹ Iowa Code § 903.1(2) (2015).

⁴³¹² Iowa Code § 903.1(2) (2015).

⁴³¹³ See Iowa Code § 907.3, unnum. para. (2015).

⁴³¹⁴ Iowa Code § 903.1(2) (2015).

⁴³¹⁵ Iowa Code § 903.1(2) (2015).

⁴³¹⁶ Iowa Code § 903.1(2) (2015).

⁴³¹⁷ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³¹⁸ Iowa Code § 911.1(1) (2015).

⁴³¹⁹ Iowa Code § 911.2A(1) (2015).

⁴³²⁰ Iowa Code § 911.3(1) (2015).

⁴³²¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 725.1(2)(b)—Seller is under 18 years oldClass = “D” felony⁴³²²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³²³	0 ⁴³²⁴	No, but see Enhancements	Yes ⁴³²⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³²⁶	\$750 ⁴³²⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³²⁸	No	Yes, \$1000 ⁴³²⁹	No	No	Yes, \$125 ⁴³³⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³³¹	No	No

Notes:⁴³²² Iowa Code § 725.1(2)(b) (2015).⁴³²³ Iowa Code § 902.9(1)(e) (2015).⁴³²⁴ Iowa Code § 902.9(1)(e) (2015).⁴³²⁵ See Iowa Code § 907.3 (2015).⁴³²⁶ Iowa Code § 902.9(1)(e) (2015).⁴³²⁷ Iowa Code § 902.9(1)(e) (2015).⁴³²⁸ Iowa Code § 911.1(1) (2015).⁴³²⁹ Iowa Code § 911.2A(1) (2015).⁴³³⁰ Iowa Code § 911.3(1) (2015).⁴³³¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 725.2—Pimping

§ 725.2(1)—Pimping

Class = “D” felony⁴³³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³³³	0 ⁴³³⁴	No, but see Enhancements	Yes ⁴³³⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³³⁶	\$750 ⁴³³⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³³⁸	No	Yes, \$1000 ⁴³³⁹	No	No	Yes, \$125 ⁴³⁴⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁴¹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if⁴³⁴²:

- offense was committed against a minor or otherwise involved a minor, *and*
- determination is made that offense was sexually motivated per § 692A.126

⁴³³² Iowa Code § 725.2(1) (2015).

⁴³³³ Iowa Code § 902.9(1)(e) (2015).

⁴³³⁴ Iowa Code § 902.9(1)(e) (2015).

⁴³³⁵ See Iowa Code § 907.3 (2015).

⁴³³⁶ Iowa Code § 902.9(1)(e) (2015).

⁴³³⁷ Iowa Code § 902.9(1)(e) (2015).

⁴³³⁸ Iowa Code § 911.1(1) (2015).

⁴³³⁹ Iowa Code § 911.2A(1) (2015).

⁴³⁴⁰ Iowa Code § 911.3(1) (2015).

⁴³⁴¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴³⁴² Iowa Code § 692A.102(1)(a)(7) (2015).

§ 725.2(2)—Prostitute is under 18 years old

Class = “C” felony⁴³⁴³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴³⁴⁴	0 ⁴³⁴⁵	No, but see Enhancements	Yes ⁴³⁴⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴³⁴⁷	\$1000 ⁴³⁴⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁴⁹	No	Yes, \$1000 ⁴³⁵⁰	No	No	Yes, \$125 ⁴³⁵¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁵²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if⁴³⁵³:

- offense was committed against a minor or otherwise involved a minor, *and*
- determination is made that offense was sexually motivated per § 692A.126

⁴³⁴³ Iowa Code § 725.2(2) (2015).

⁴³⁴⁴ Iowa Code § 902.9(1)(d) (2015).

⁴³⁴⁵ Iowa Code § 902.9(1)(d) (2015).

⁴³⁴⁶ See Iowa Code 907.3 (2015).

⁴³⁴⁷ Iowa Code § 902.9(1)(d) (2015).

⁴³⁴⁸ Iowa Code § 902.9(1)(d) (2015).

⁴³⁴⁹ Iowa Code § 911.1(1) (2015).

⁴³⁵⁰ Iowa Code § 911.2A(1) (2015).

⁴³⁵¹ Iowa Code § 911.3(1) (2015).

⁴³⁵² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴³⁵³ Iowa Code § 692A.102(1)(a)(7) (2015).

§ 725.3—Pandering

§ 725.3(1)—Not involving a minor

Class = “D” felony⁴³⁵⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³⁵⁵	0 ⁴³⁵⁶	No, but see Enhancements	Yes ⁴³⁵⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³⁵⁸	\$750 ⁴³⁵⁹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁶⁰	No	Yes, \$1000 ⁴³⁶¹	No	No	Yes, \$125 ⁴³⁶²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁶³	Yes ⁴³⁶⁴	No

Notes:

⁴³⁵⁴ Iowa Code § 725.3(1) (2015).

⁴³⁵⁵ Iowa Code § 902.9(1)(e) (2015).

⁴³⁵⁶ Iowa Code § 902.9(1)(e) (2015).

⁴³⁵⁷ See Iowa Code § 907.3 (2015).

⁴³⁵⁸ Iowa Code § 902.9(1)(e) (2015).

⁴³⁵⁹ Iowa Code § 902.9(1)(e) (2015).

⁴³⁶⁰ Iowa Code § 911.1(1) (2015).

⁴³⁶¹ Iowa Code § 911.2A(1) (2015).

⁴³⁶² Iowa Code § 911.3(1) (2015).

⁴³⁶³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴³⁶⁴ Iowa Code § 692A.102(1)(b)(15) (2015).

§ 725.3(2)—Involving a minor

Class = “C” felony⁴³⁶⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴³⁶⁶	0 ⁴³⁶⁷	No, but violation of § 725.3(2) is a SPO ⁴³⁶⁸ and a SVO, ⁴³⁶⁹ so see Enhancements	Yes ⁴³⁷⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴³⁷¹	\$1000 ⁴³⁷²	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁷³	No	Yes, \$1000 ⁴³⁷⁴	No	No	Yes, \$125 ⁴³⁷⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁷⁶	Yes ⁴³⁷⁷	No

Notes:

⁴³⁶⁵ Iowa Code § 725.3(2) (2015).

⁴³⁶⁶ Iowa Code § 902.9(1)(d) (2015).

⁴³⁶⁷ Iowa Code § 902.9(1)(d) (2015).

⁴³⁶⁸ Iowa Code § 901A.1(1)(d) (2015).

⁴³⁶⁹ Iowa Code § 229A.2(11)(d) (2015); *see id.* § 901A.1(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).

⁴³⁷⁰ *See* Iowa Code 907.3 (2015).

⁴³⁷¹ Iowa Code § 902.9(1)(d) (2015).

⁴³⁷² Iowa Code § 902.9(1)(d) (2015).

⁴³⁷³ Iowa Code § 911.1(1) (2015).

⁴³⁷⁴ Iowa Code § 911.2A(1) (2015).

⁴³⁷⁵ Iowa Code § 911.3(1) (2015).

⁴³⁷⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴³⁷⁷ Iowa Code 692A.102(1)(b)(15) (2015); *see id.* § 692A.102(1)(a)(8) (also requiring registration if determination is made offense was sexually motivated per § 692A.126).

§ 725.4—Leasing Premises for Prostitution

Class = serious misdemeanor⁴³⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴³⁷⁹	0 ⁴³⁸⁰	N/A	Yes ⁴³⁸¹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴³⁸²	\$315 ⁴³⁸³	No ⁴³⁸⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁸⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴³⁷⁸ Iowa Code § 725.4 (2015).

⁴³⁷⁹ Iowa Code § 903.1(1)(b) (2015).

⁴³⁸⁰ Iowa Code § 903.1(1)(b) (2015).

⁴³⁸¹ See Iowa Code § 907.3 (2015).

⁴³⁸² Iowa Code § 903.1(1)(b) (2015).

⁴³⁸³ Iowa Code § 903.1(1)(b) (2015).

⁴³⁸⁴ Iowa Code § 903.1(1) (2015).

⁴³⁸⁵ Iowa Code § 911.1(1) (2015).

§ 725.5—Keeping Gambling House

Class = serious misdemeanor⁴³⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴³⁸⁷	0 ⁴³⁸⁸	N/A	Yes ⁴³⁸⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴³⁹⁰	\$315 ⁴³⁹¹	No ⁴³⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴³⁸⁶ Iowa Code § 725.5 (2015).

⁴³⁸⁷ Iowa Code § 903.1(1)(b) (2015).

⁴³⁸⁸ Iowa Code § 903.1(1)(b) (2015).

⁴³⁸⁹ See Iowa Code § 907.3 (2015).

⁴³⁹⁰ Iowa Code § 903.1(1)(b) (2015).

⁴³⁹¹ Iowa Code § 903.1(1)(b) (2015).

⁴³⁹² Iowa Code § 903.1(1) (2015).

⁴³⁹³ Iowa Code § 911.1(1) (2015).

§ 725.7—Illegal Gambling

§ 725.7(2)(a)—Fourth-degree illegal gambling

§ 725.7(2)(a)(1)—First offense

Class = serious misdemeanor⁴³⁹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴³⁹⁵	0 ⁴³⁹⁶	N/A	Yes ⁴³⁹⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴³⁹⁸	\$315 ⁴³⁹⁹	No ⁴⁴⁰⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁰¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁴⁰²

⁴³⁹⁴ Iowa Code § 725.7(2)(a)(1) (2015).

⁴³⁹⁵ Iowa Code § 903.1(1)(b) (2015).

⁴³⁹⁶ Iowa Code § 903.1(1)(b) (2015).

⁴³⁹⁷ See Iowa Code § 907.3 (2015).

⁴³⁹⁸ Iowa Code § 903.1(1)(b) (2015).

⁴³⁹⁹ Iowa Code § 903.1(1)(b) (2015).

⁴⁴⁰⁰ Iowa Code § 903.1(1) (2015).

⁴⁴⁰¹ Iowa Code § 911.1(1) (2015).

⁴⁴⁰² Iowa Code § 725.8 (2015).

§ 725.7(2)(a)(2)—Second offense**Class** = aggravated misdemeanor⁴⁴⁰³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁴⁰⁴	0 ⁴⁴⁰⁵	None	Yes ⁴⁴⁰⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁴⁰⁷**Fines**

Max.	Min.	Can Suspend?
\$6250 ⁴⁴⁰⁸	\$625 ⁴⁴⁰⁹	Yes ⁴⁴¹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴¹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No ⁴⁴¹²	No	No

Notes:❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁴¹³⁴⁴⁰³ Iowa Code § 725.7(2)(a)(2) (2015).⁴⁴⁰⁴ Iowa Code § 903.1(2) (2015).⁴⁴⁰⁵ Iowa Code § 903.1(2) (2015).⁴⁴⁰⁶ See Iowa Code § 907.3, unnum. para. (2015).⁴⁴⁰⁷ Iowa Code § 903.1(2) (2015).⁴⁴⁰⁸ Iowa Code § 903.1(2) (2015).⁴⁴⁰⁹ Iowa Code § 903.1(2) (2015).⁴⁴¹⁰ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴⁴¹¹ Iowa Code § 911.1(1) (2015).⁴⁴¹² Iowa Code § 81.1(1)(e) (2015).⁴⁴¹³ Iowa Code § 725.8 (2015).

§ 725.7(2)(a)(3)—Third offense**Class** = “D” felony⁴⁴¹⁴**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴¹⁵	0 ⁴⁴¹⁶	No, but see Enhancements	Yes ⁴⁴¹⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴¹⁸	\$750 ⁴⁴¹⁹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴²⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴²¹	No	No

Notes:❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁴²²⁴⁴¹⁴ Iowa Code § 725.7(2)(a)(3) (2015).⁴⁴¹⁵ Iowa Code § 902.9(1)(e) (2015).⁴⁴¹⁶ Iowa Code § 902.9(1)(e) (2015).⁴⁴¹⁷ See Iowa Code § 907.3 (2015).⁴⁴¹⁸ Iowa Code § 902.9(1)(e) (2015).⁴⁴¹⁹ Iowa Code § 902.9(1)(e) (2015).⁴⁴²⁰ Iowa Code § 911.1(1) (2015).⁴⁴²¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).⁴⁴²² Iowa Code § 725.8 (2015).

§ 725.7(2)(a)(4)—Fourth or subsequent offenseClass = “C” felony⁴⁴²³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁴²⁴	0 ⁴⁴²⁵	No, but see Enhancements	Yes ⁴⁴²⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁴²⁷	\$1000 ⁴⁴²⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴²⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴³⁰	No	No

Notes:❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁴³¹⁴⁴²³ Iowa Code § 725.7(2)(a)(4) (2015).⁴⁴²⁴ Iowa Code § 902.9(1)(d) (2015).⁴⁴²⁵ Iowa Code § 902.9(1)(d) (2015).⁴⁴²⁶ See Iowa Code 907.3 (2015).⁴⁴²⁷ Iowa Code § 902.9(1)(d) (2015).⁴⁴²⁸ Iowa Code § 902.9(1)(d) (2015).⁴⁴²⁹ Iowa Code § 911.1(1) (2015).⁴⁴³⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).⁴⁴³¹ Iowa Code § 725.8 (2015).

§ 725.7(2)(b)—Third-degree illegal gambling

§ 725.7(2)(b)(1)—First offense

Class = aggravated misdemeanor⁴⁴³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁴³³	0 ⁴⁴³⁴	None	Yes ⁴⁴³⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁴³⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁴³⁷	\$625 ⁴⁴³⁸	Yes ⁴⁴³⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁴⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No ⁴⁴⁴¹	No	No

Notes:

❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁴⁴²

⁴⁴³² Iowa Code § 725.7(2)(b)(1) (2015).

⁴⁴³³ Iowa Code § 903.1(2) (2015).

⁴⁴³⁴ Iowa Code § 903.1(2) (2015).

⁴⁴³⁵ See Iowa Code § 907.3, unnum. para. (2015).

⁴⁴³⁶ Iowa Code § 903.1(2) (2015).

⁴⁴³⁷ Iowa Code § 903.1(2) (2015).

⁴⁴³⁸ Iowa Code § 903.1(2) (2015).

⁴⁴³⁹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴⁴⁰ Iowa Code § 911.1(1) (2015).

⁴⁴⁴¹ Iowa Code § 81.1(1)(e) (2015).

⁴⁴⁴² Iowa Code § 725.8 (2015).

§ 725.7(2)(b)(2)—Second offense**Class** = “D” felony⁴⁴⁴³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴⁴⁴	0 ⁴⁴⁴⁵	No, but see Enhancements	Yes ⁴⁴⁴⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴⁴⁷	\$750 ⁴⁴⁴⁸	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁴⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁵⁰	No	No

Notes:❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁴⁵¹⁴⁴⁴³ Iowa Code § 725.7(2)(b)(2) (2015).⁴⁴⁴⁴ Iowa Code § 902.9(1)(e) (2015).⁴⁴⁴⁵ Iowa Code § 902.9(1)(e) (2015).⁴⁴⁴⁶ See Iowa Code § 907.3 (2015).⁴⁴⁴⁷ Iowa Code § 902.9(1)(e) (2015).⁴⁴⁴⁸ Iowa Code § 902.9(1)(e) (2015).⁴⁴⁴⁹ Iowa Code § 911.1(1) (2015).⁴⁴⁵⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).⁴⁴⁵¹ Iowa Code § 725.8 (2015).

§ 725.7(2)(b)(3)—Third or subsequent offense**Class** = “C” felony⁴⁴⁵²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁴⁵³	0 ⁴⁴⁵⁴	No, but see Enhancements	Yes ⁴⁴⁵⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁴⁵⁶	\$1000 ⁴⁴⁵⁷	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁵⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁵⁹	No	No

Notes:❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁴⁶⁰⁴⁴⁵² Iowa Code § 725.7(2)(b)(3) (2015).⁴⁴⁵³ Iowa Code § 902.9(1)(d) (2015).⁴⁴⁵⁴ Iowa Code § 902.9(1)(d) (2015).⁴⁴⁵⁵ See Iowa Code 907.3 (2015).⁴⁴⁵⁶ Iowa Code § 902.9(1)(d) (2015).⁴⁴⁵⁷ Iowa Code § 902.9(1)(d) (2015).⁴⁴⁵⁸ Iowa Code § 911.1(1) (2015).⁴⁴⁵⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).⁴⁴⁶⁰ Iowa Code § 725.8 (2015).

§ 725.7(2)(c)—Second-degree illegal gambling

§ 726.7(2)(c)(1)—First offense

Class = “D” felony⁴⁴⁶¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴⁶²	0 ⁴⁴⁶³	No, but see Enhancements	Yes ⁴⁴⁶⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴⁶⁵	\$750 ⁴⁴⁶⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁶⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁶⁸	No	No

Notes:

- ❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁴⁶⁹

⁴⁴⁶¹ Iowa Code § 725.7(2)(c)(1) (2015).

⁴⁴⁶² Iowa Code § 902.9(1)(e) (2015).

⁴⁴⁶³ Iowa Code § 902.9(1)(e) (2015).

⁴⁴⁶⁴ See Iowa Code § 907.3 (2015).

⁴⁴⁶⁵ Iowa Code § 902.9(1)(e) (2015).

⁴⁴⁶⁶ Iowa Code § 902.9(1)(e) (2015).

⁴⁴⁶⁷ Iowa Code § 911.1(1) (2015).

⁴⁴⁶⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁴⁶⁹ Iowa Code § 725.8 (2015).

§ 725.7(2)(c)(2)—Second or subsequent offenseClass = “C” felony⁴⁴⁷⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁴⁷¹	0 ⁴⁴⁷²	No, but see Enhancements	Yes ⁴⁴⁷³

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁴⁷⁴	\$1000 ⁴⁴⁷⁵	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁷⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁷⁷	No	No

Notes:❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁴⁷⁸⁴⁴⁷⁰ Iowa Code § 725.7(2)(c)(2) (2015).⁴⁴⁷¹ Iowa Code § 902.9(1)(d) (2015).⁴⁴⁷² Iowa Code § 902.9(1)(d) (2015).⁴⁴⁷³ See Iowa Code 907.3 (2015).⁴⁴⁷⁴ Iowa Code § 902.9(1)(d) (2015).⁴⁴⁷⁵ Iowa Code § 902.9(1)(d) (2015).⁴⁴⁷⁶ Iowa Code § 911.1(1) (2015).⁴⁴⁷⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).⁴⁴⁷⁸ Iowa Code § 725.8 (2015).

§ 725.7(2)(d)—First-degree illegal gamblingClass = “C” felony⁴⁴⁷⁹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁴⁸⁰	0 ⁴⁴⁸¹	No, but see Enhancements	Yes ⁴⁴⁸²

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁴⁸³	\$1000 ⁴⁴⁸⁴	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁸⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁸⁶	No	No

Notes:❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁴⁸⁷⁴⁴⁷⁹ Iowa Code § 725.7(2)(d) (2015).⁴⁴⁸⁰ Iowa Code § 902.9(1)(d) (2015).⁴⁴⁸¹ Iowa Code § 902.9(1)(d) (2015).⁴⁴⁸² See Iowa Code 907.3 (2015).⁴⁴⁸³ Iowa Code § 902.9(1)(d) (2015).⁴⁴⁸⁴ Iowa Code § 902.9(1)(d) (2015).⁴⁴⁸⁵ Iowa Code § 911.1(1) (2015).⁴⁴⁸⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).⁴⁴⁸⁷ Iowa Code § 725.8 (2015).

§ 725.9—Possession of Gambling Devices

Class = serious misdemeanor⁴⁴⁸⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁴⁸⁹	0 ⁴⁴⁹⁰	N/A	Yes ⁴⁴⁹¹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁴⁹²	\$315 ⁴⁴⁹³	No ⁴⁴⁹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁴⁸⁸ Iowa Code § 725.9(3) (2015).

⁴⁴⁸⁹ Iowa Code § 903.1(1)(b) (2015).

⁴⁴⁹⁰ Iowa Code § 903.1(1)(b) (2015).

⁴⁴⁹¹ See Iowa Code § 907.3 (2015).

⁴⁴⁹² Iowa Code § 903.1(1)(b) (2015).

⁴⁴⁹³ Iowa Code § 903.1(1)(b) (2015).

⁴⁴⁹⁴ Iowa Code § 903.1(1) (2015).

⁴⁴⁹⁵ Iowa Code § 911.1(1) (2015).

§ 725.10—Pool Selling

Class = serious misdemeanor⁴⁴⁹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁴⁹⁷	0 ⁴⁴⁹⁸	N/A	Yes ⁴⁴⁹⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁵⁰⁰	\$315 ⁴⁵⁰¹	No ⁴⁵⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁰³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁴⁹⁶ Iowa Code § 725.10 (2015).

⁴⁴⁹⁷ Iowa Code § 903.1(1)(b) (2015).

⁴⁴⁹⁸ Iowa Code § 903.1(1)(b) (2015).

⁴⁴⁹⁹ See Iowa Code § 907.3 (2015).

⁴⁵⁰⁰ Iowa Code § 903.1(1)(b) (2015).

⁴⁵⁰¹ Iowa Code § 903.1(1)(b) (2015).

⁴⁵⁰² Iowa Code § 903.1(1) (2015).

⁴⁵⁰³ Iowa Code § 911.1(1) (2015).

§ 725.12—Unlawful Lotteries and Possession of Lottery Tickets

Class = serious misdemeanor⁴⁵⁰⁴

Jail/Prison Time

Max. 1 year ⁴⁵⁰⁵	Min. 0 ⁴⁵⁰⁶	Mand. Min. before Parole Eligible? N/A	DJ, DS, or SS Eligible? Yes ⁴⁵⁰⁷
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Fines

Max. \$1875 ⁴⁵⁰⁸	Min. \$315 ⁴⁵⁰⁹	Can Suspend? No ⁴⁵¹⁰
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Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵¹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁵⁰⁴ Iowa Code § 725.12(1) (2015).

⁴⁵⁰⁵ Iowa Code § 903.1(1)(b) (2015).

⁴⁵⁰⁶ Iowa Code § 903.1(1)(b) (2015).

⁴⁵⁰⁷ See Iowa Code § 907.3 (2015).

⁴⁵⁰⁸ Iowa Code § 903.1(1)(b) (2015).

⁴⁵⁰⁹ Iowa Code § 903.1(1)(b) (2015).

⁴⁵¹⁰ Iowa Code § 903.1(1) (2015).

⁴⁵¹¹ Iowa Code § 911.1(1) (2015).

§ 725.16—Gambling in Violation of Chapter 99B

Class = serious misdemeanor⁴⁵¹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁵¹³	0 ⁴⁵¹⁴	N/A	Yes ⁴⁵¹⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁵¹⁶	\$315 ⁴⁵¹⁷	No ⁴⁵¹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵¹⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁵¹² Iowa Code § 725.16 (2015).

⁴⁵¹³ Iowa Code § 903.1(1)(b) (2015).

⁴⁵¹⁴ Iowa Code § 903.1(1)(b) (2015).

⁴⁵¹⁵ See Iowa Code § 907.3 (2015).

⁴⁵¹⁶ Iowa Code § 903.1(1)(b) (2015).

⁴⁵¹⁷ Iowa Code § 903.1(1)(b) (2015).

⁴⁵¹⁸ Iowa Code § 903.1(1) (2015).

⁴⁵¹⁹ Iowa Code § 911.1(1) (2015).

§ 725.17—Protection Money

Class = aggravated misdemeanor⁴⁵²⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁵²¹	0 ⁴⁵²²	None	Yes ⁴⁵²³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁵²⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁵²⁵	\$625 ⁴⁵²⁶	Yes ⁴⁵²⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵²⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵²⁹	No	No

Notes:

⁴⁵²⁰ Iowa Code § 725.17 (2015).

⁴⁵²¹ Iowa Code § 903.1(2) (2015).

⁴⁵²² Iowa Code § 903.1(2) (2015).

⁴⁵²³ See Iowa Code § 907.3, unnum. para. (2015).

⁴⁵²⁴ Iowa Code § 903.1(2) (2015).

⁴⁵²⁵ Iowa Code § 903.1(2) (2015).

⁴⁵²⁶ Iowa Code § 903.1(2) (2015).

⁴⁵²⁷ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵²⁸ Iowa Code § 911.1(1) (2015).

⁴⁵²⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 725.18—Unlawful Collection Service

Class = aggravated misdemeanor⁴⁵³⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁵³¹	0 ⁴⁵³²	None	Yes ⁴⁵³³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁵³⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁵³⁵	\$625 ⁴⁵³⁶	Yes ⁴⁵³⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵³⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵³⁹	No	No

Notes:

⁴⁵³⁰ Iowa Code § 725.18 (2015).

⁴⁵³¹ Iowa Code § 903.1(2) (2015).

⁴⁵³² Iowa Code § 903.1(2) (2015).

⁴⁵³³ See Iowa Code § 907.3, unnum. para. (2015).

⁴⁵³⁴ Iowa Code § 903.1(2) (2015).

⁴⁵³⁵ Iowa Code § 903.1(2) (2015).

⁴⁵³⁶ Iowa Code § 903.1(2) (2015).

⁴⁵³⁷ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵³⁸ Iowa Code § 911.1(1) (2015).

⁴⁵³⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 725.19—Gambling by Underage Persons

§ 725.19(1)—Gambling by person under 21 years old

Class = scheduled violation under § 805.8C(5)(a)⁴⁵⁴⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
0 ⁴⁵⁴¹	0 ⁴⁵⁴²	N/A	N/A ⁴⁵⁴³

Fines

Max.	Min.	Can Suspend?
\$500 ⁴⁵⁴⁴	\$500 ⁴⁵⁴⁵	No ⁴⁵⁴⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁴⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

- ❖ “Failure to pay the fine by a person under the age of eighteen shall not result in the person being detained in a secure facility.”⁴⁵⁴⁸

⁴⁵⁴⁰ Iowa Code § 725.19(1) (2015).

⁴⁵⁴¹ Iowa Code § 805.8C(5)(a) (2015).

⁴⁵⁴² Iowa Code § 805.8C(5)(a) (2015).

⁴⁵⁴³ See Iowa Code § 805.8C(5)(a) (2015).

⁴⁵⁴⁴ Iowa Code § 805.8C(5)(a) (2015).

⁴⁵⁴⁵ Iowa Code § 805.8C(5)(a) (2015).

⁴⁵⁴⁶ See Iowa Code § 805.8C(5)(a) (2015).

⁴⁵⁴⁷ Iowa Code §§ 805.8(1), 911.1(1) (2015).

⁴⁵⁴⁸ Iowa Code § 805.8C(5)(a) (2015).

§ 725.19(2)—Permitting gambling by person under 21 years oldClass = simple misdemeanor⁴⁵⁴⁹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴⁵⁵⁰	0 ⁴⁵⁵¹	N/A	Yes ⁴⁵⁵²

Fines

Max.	Min.	Can Suspend?
\$625 ⁴⁵⁵³	\$65 ⁴⁵⁵⁴	No ⁴⁵⁵⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁵⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:⁴⁵⁴⁹ Iowa Code § 725.19(2) (2015).⁴⁵⁵⁰ Iowa Code § 903.1(1)(a) (2015).⁴⁵⁵¹ Iowa Code § 903.1(1)(a) (2015).⁴⁵⁵² See Iowa Code 907.3 (2015).⁴⁵⁵³ Iowa Code § 903.1(1)(a) (2015).⁴⁵⁵⁴ Iowa Code § 903.1(1)(a) (2015).⁴⁵⁵⁵ Iowa Code § 903.1(1) (2015).⁴⁵⁵⁶ Iowa Code § 911.1(1) (2015).

CH. 726 PROTECTION OF THE FAMILY AND DEPENDENT PERSONS

§ 726.1—Bigamy

Class = serious misdemeanor⁴⁵⁵⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁵⁵⁸	0 ⁴⁵⁵⁹	N/A	Yes ⁴⁵⁶⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁵⁶¹	\$315 ⁴⁵⁶²	No ⁴⁵⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁶⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ⁴⁵⁶⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section 692A.126,”⁴⁵⁶⁶ *or*
- “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126”⁴⁵⁶⁷

⁴⁵⁵⁷ Iowa Code § 726.1(2) (2015).

⁴⁵⁵⁸ Iowa Code § 903.1(1)(b) (2015).

⁴⁵⁵⁹ Iowa Code § 903.1(1)(b) (2015).

⁴⁵⁶⁰ See Iowa Code § 907.3 (2015).

⁴⁵⁶¹ Iowa Code § 903.1(1)(b) (2015).

⁴⁵⁶² Iowa Code § 903.1(1)(b) (2015).

⁴⁵⁶³ Iowa Code § 903.1(1) (2015).

⁴⁵⁶⁴ Iowa Code § 911.1(1) (2015).

⁴⁵⁶⁵ Iowa Code § 81.2(6) (2015).

⁴⁵⁶⁶ Iowa Code § 726.10 (2015).

⁴⁵⁶⁷ Iowa Code § 692A.102(1)(a)(9) (2015).

§ 726.2—Incest

Class = “D” felony⁴⁵⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁵⁶⁹	0 ⁴⁵⁷⁰	No, but see Enhancements	Yes ⁴⁵⁷¹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁵⁷²	\$750 ⁴⁵⁷³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁷⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁷⁵	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - must register if any of the following apply:
 - committed against dependent adult⁴⁵⁷⁶
 - committed against a minor⁴⁵⁷⁷
 - committed against a minor and fact finder determines offense was sexually motivated per § 692A.126⁴⁵⁷⁸
 - “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126”⁴⁵⁷⁹
- ❖ Special Sentence for 10 years⁴⁵⁸⁰:
 - person committed to custody of the director of the Iowa dep’t of corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

⁴⁵⁶⁸ Iowa Code § 725.1(2)(b) (2015).

⁴⁵⁶⁹ Iowa Code § 902.9(1)(e) (2015).

⁴⁵⁷⁰ Iowa Code § 902.9(1)(e) (2015).

⁴⁵⁷¹ See Iowa Code § 907.3 (2015).

⁴⁵⁷² Iowa Code § 902.9(1)(e) (2015).

⁴⁵⁷³ Iowa Code § 902.9(1)(e) (2015).

⁴⁵⁷⁴ Iowa Code § 911.1(1) (2015).

⁴⁵⁷⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁵⁷⁶ Iowa Code § 692A.102(1)(b)(17) (2015).

⁴⁵⁷⁷ Iowa Code § 692A.102(1)(b)(18) (2015).

⁴⁵⁷⁸ Iowa Code § 726.10 (2015).

⁴⁵⁷⁹ Iowa Code § 692A.102(1)(a)(9) (2015).

⁴⁵⁸⁰ Iowa Code § 903B.2 (2015).

§ 726.3—Neglect or Abandonment of Dependent Person

Class = “C” felony⁴⁵⁸¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁵⁸²	0 ⁴⁵⁸³	No, but see Enhancements	Yes ⁴⁵⁸⁴

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁵⁸⁵	\$1000 ⁴⁵⁸⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁸⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁸⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section 692A.126,”⁴⁵⁸⁹ *or*
- “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126”⁴⁵⁹⁰

⁴⁵⁸¹ Iowa Code § 726.3 (2015).

⁴⁵⁸² Iowa Code § 902.9(1)(d) (2015).

⁴⁵⁸³ Iowa Code § 902.9(1)(d) (2015).

⁴⁵⁸⁴ See Iowa Code 907.3 (2015).

⁴⁵⁸⁵ Iowa Code § 902.9(1)(d) (2015).

⁴⁵⁸⁶ Iowa Code § 902.9(1)(d) (2015).

⁴⁵⁸⁷ Iowa Code § 911.1(1) (2015).

⁴⁵⁸⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁵⁸⁹ Iowa Code § 726.10 (2015).

⁴⁵⁹⁰ Iowa Code § 692A.102(1)(a)(9) (2015).

§ 726.5—Nonsupport

Class = “D” felony⁴⁵⁹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁵⁹²	0 ⁴⁵⁹³	No, but see Enhancements	Yes ⁴⁵⁹⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁵⁹⁵	\$750 ⁴⁵⁹⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁹⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section 692A.126,”⁴⁵⁹⁹ *or*
- “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126”⁴⁶⁰⁰

⁴⁵⁹¹ Iowa Code § 725.5 (2015).

⁴⁵⁹² Iowa Code § 902.9(1)(e) (2015).

⁴⁵⁹³ Iowa Code § 902.9(1)(e) (2015).

⁴⁵⁹⁴ See Iowa Code § 907.3 (2015).

⁴⁵⁹⁵ Iowa Code § 902.9(1)(e) (2015).

⁴⁵⁹⁶ Iowa Code § 902.9(1)(e) (2015).

⁴⁵⁹⁷ Iowa Code § 911.1(1) (2015).

⁴⁵⁹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁵⁹⁹ Iowa Code § 726.10 (2015).

⁴⁶⁰⁰ Iowa Code § 692A.102(1)(a)(9) (2015).

§ 726.6—Child Endangerment

§ 726.6(4)—Resulting in death to child or minor

Class = “B” felony⁴⁶⁰¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ⁴⁶⁰²	0 ⁴⁶⁰³	<ul style="list-style-type: none">❖ If child endangerment was in violation of § 726.6(1)(b), not eligible until served between 30% and 70% of max. term of sentence⁴⁶⁰⁴<ul style="list-style-type: none">➤ court shall determine at time of sentencing when person is to become eligible for parole or work release⁴⁶⁰⁵<ul style="list-style-type: none">▪ “based upon all pertinent information including the person’s criminal record, a validated risk assessment, and whether the offense involved multiple intentional acts or a series of intentional acts, or whether the offense involved torture or cruelty”⁴⁶⁰⁶➤ but see Under 18 Sentencing	No, ⁴⁶⁰⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ⁴⁶⁰⁸	0 ⁴⁶⁰⁹	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶¹⁰	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section 692A.126,”⁴⁶¹¹ *or*
- “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126”⁴⁶¹²

⁴⁶⁰¹ Iowa Code § 726.6(4) (2015).

⁴⁶⁰² Iowa Code § 726.6(4) (2015).

⁴⁶⁰³ Iowa Code § 902.9(1)(b) (2015).

⁴⁶⁰⁴ Iowa Code § 902.12(2) (2015 & Supp. 2016).

⁴⁶⁰⁵ Iowa Code § 901.11(2) (Supp. 2016).

⁴⁶⁰⁶ Iowa Code § 901.11(2) (Supp. 2016).

⁴⁶⁰⁷ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “child endangerment” as a forcible felony).

⁴⁶⁰⁸ Iowa Code § 902.9(1)(b) (2015).

⁴⁶⁰⁹ Iowa Code § 902.9(1)(b) (2015).

⁴⁶¹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁶¹¹ Iowa Code § 726.10 (2015).

⁴⁶¹² Iowa Code § 692A.102(1)(a)(9) (2015).

§ 726.6(5)—Resulting in serious injury to child or minor

Class = “C” felony⁴⁶¹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁶¹⁴	0 ⁴⁶¹⁵	No, but see Enhancements Note: child endangerment in violation of § 726.6(1)(e) can be a SVO ⁴⁶¹⁶	No, ⁴⁶¹⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁶¹⁸	\$1000 ⁴⁶¹⁹	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶²⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶²¹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section 692A.126,”⁴⁶²² *or*
- “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126”⁴⁶²³

⁴⁶¹³ Iowa Code § 726.6(5) (2015).

⁴⁶¹⁴ Iowa Code § 902.9(1)(d) (2015).

⁴⁶¹⁵ Iowa Code § 902.9(1)(d) (2015).

⁴⁶¹⁶ Iowa Code § 229A.2(11)(b)(4) (2015); *see id.* § 901A.1(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁴⁶¹⁷ Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “child endangerment” as a forcible felony).

⁴⁶¹⁸ Iowa Code § 902.9(1)(d) (2015).

⁴⁶¹⁹ Iowa Code § 902.9(1)(d) (2015).

⁴⁶²⁰ Iowa Code § 911.1(1) (2015).

⁴⁶²¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁶²² Iowa Code § 726.10 (2015).

⁴⁶²³ Iowa Code § 692A.102(1)(a)(9) (2015).

§ 726.6(6)—Resulting in bodily injury to child or minor, or violation of § 726.6(1)(g) that does not result in serious injury

Class = “D” felony⁴⁶²⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁶²⁵	0 ⁴⁶²⁶	No, but see Enhancements Note: child endangerment in violation of § 726.6(1)(e) can be a SVO ⁴⁶²⁷	Yes ⁴⁶²⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁶²⁹	\$750 ⁴⁶³⁰	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶³¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶³²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section 692A.126,”⁴⁶³³ *or*
- “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126,”⁴⁶³⁴

⁴⁶²⁴ Iowa Code § 726.6(6) (2015).

⁴⁶²⁵ Iowa Code § 902.9(1)(e) (2015).

⁴⁶²⁶ Iowa Code § 902.9(1)(e) (2015).

⁴⁶²⁷ Iowa Code § 229A.2(11)(b)(4) (2015); *see id.* § 901A.1(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁴⁶²⁸ *See* Iowa Code § 907.3 (2015); *see also id.* § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).

⁴⁶²⁹ Iowa Code § 902.9(1)(e) (2015).

⁴⁶³⁰ Iowa Code § 902.9(1)(e) (2015).

⁴⁶³¹ Iowa Code § 911.1(1) (2015).

⁴⁶³² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁶³³ Iowa Code § 726.10 (2015).

⁴⁶³⁴ Iowa Code § 692A.102(1)(a)(9) (2015).

§ 726.6(7)—Any other child endangerment

Class = aggravated misdemeanor⁴⁶³⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁶³⁶	0 ⁴⁶³⁷	None, but child endangerment in violation of § 726.6(1)(e) can be a SVO, ⁴⁶³⁸ so see Enhancements	Yes ⁴⁶³⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁶⁴⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁶⁴¹	\$625 ⁴⁶⁴²	Yes ⁴⁶⁴³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁴⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁴⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section 692A.126,”⁴⁶⁴⁶ or
- “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126”⁴⁶⁴⁷

⁴⁶³⁵ Iowa Code § 726.6(7) (2015).

⁴⁶³⁶ Iowa Code § 903.1(2) (2015).

⁴⁶³⁷ Iowa Code § 903.1(2) (2015).

⁴⁶³⁸ Iowa Code § 229A.2(11)(b)(4) (2015); *see id.* § 901A.1(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁴⁶³⁹ *See* Iowa Code § 907.3, unnum. para. (2015).

⁴⁶⁴⁰ Iowa Code § 903.1(2) (2015).

⁴⁶⁴¹ Iowa Code § 903.1(2) (2015).

⁴⁶⁴² Iowa Code § 903.1(2) (2015).

⁴⁶⁴³ *See* Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁴⁴ Iowa Code § 911.1(1) (2015).

⁴⁶⁴⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁶⁴⁶ Iowa Code § 726.10 (2015).

⁴⁶⁴⁷ Iowa Code § 692A.102(1)(a)(9) (2015).

§ 726.6A—Multiple Acts of Child Endangerment

Class = “B” felony⁴⁶⁴⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ⁴⁶⁴⁹	0 ⁴⁶⁵⁰	No, but see Enhancements ❖ Note: child endangerment in violation of § 726.6(1)(e) can be a SVO ⁴⁶⁵¹	No, ⁴⁶⁵² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ⁴⁶⁵³	0 ⁴⁶⁵⁴	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁵⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section 692A.126,”⁴⁶⁵⁶ *or*
- “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126”⁴⁶⁵⁷

⁴⁶⁴⁸ Iowa Code § 726.6A (2015).

⁴⁶⁴⁹ Iowa Code § 726.6A (2015).

⁴⁶⁵⁰ Iowa Code § 902.9(1)(b) (2015).

⁴⁶⁵¹ Iowa Code § 229A.2(11)(b)(4) (2015); *see id.* § 901A.1(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁴⁶⁵² Iowa Code § 907.3, unnum. para. (2015); *see id.* § 702.11(1) (including felonious “child endangerment” as a forcible felony).

⁴⁶⁵³ Iowa Code § 902.9(1)(b) (2015).

⁴⁶⁵⁴ Iowa Code § 902.9(1)(b) (2015).

⁴⁶⁵⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁶⁵⁶ Iowa Code § 726.10 (2015).

⁴⁶⁵⁷ Iowa Code § 692A.102(1)(a)(9) (2015).

§ 726.7—Wanton Neglect of a Resident of a Health Care Facility

§ 726.7(2)—Resulting in serious injury to resident

Class = “C” felony⁴⁶⁵⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁶⁵⁹	0 ⁴⁶⁶⁰	No, but see Enhancements	Yes ⁴⁶⁶¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁶⁶²	\$1000 ⁴⁶⁶³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁶⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁶⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section 692A.126,”⁴⁶⁶⁶ *or*
- “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126,”⁴⁶⁶⁷

⁴⁶⁵⁸ Iowa Code § 726.7(2) (2015).

⁴⁶⁵⁹ Iowa Code § 902.9(1)(d) (2015).

⁴⁶⁶⁰ Iowa Code § 902.9(1)(d) (2015).

⁴⁶⁶¹ See Iowa Code 907.3 (2015).

⁴⁶⁶² Iowa Code § 902.9(1)(d) (2015).

⁴⁶⁶³ Iowa Code § 902.9(1)(d) (2015).

⁴⁶⁶⁴ Iowa Code § 911.1(1) (2015).

⁴⁶⁶⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁶⁶⁶ Iowa Code § 726.10 (2015).

⁴⁶⁶⁷ Iowa Code § 692A.102(1)(a)(9) (2015).

§ 726.7(3)—Not resulting in serious injury

Class = aggravated misdemeanor⁴⁶⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁶⁶⁹	0 ⁴⁶⁷⁰	None	Yes ⁴⁶⁷¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁶⁷²

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁶⁷³	\$625 ⁴⁶⁷⁴	Yes ⁴⁶⁷⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁷⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁷⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section 692A.126,”⁴⁶⁷⁸ *or*
- “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126”⁴⁶⁷⁹

⁴⁶⁶⁸ Iowa Code § 726.7(3) (2015).

⁴⁶⁶⁹ Iowa Code § 903.1(2) (2015).

⁴⁶⁷⁰ Iowa Code § 903.1(2) (2015).

⁴⁶⁷¹ See Iowa Code § 907.3, unnum. para. (2015).

⁴⁶⁷² Iowa Code § 903.1(2) (2015).

⁴⁶⁷³ Iowa Code § 903.1(2) (2015).

⁴⁶⁷⁴ Iowa Code § 903.1(2) (2015).

⁴⁶⁷⁵ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁷⁶ Iowa Code § 911.1(1) (2015).

⁴⁶⁷⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁶⁷⁸ Iowa Code § 726.10 (2015).

⁴⁶⁷⁹ Iowa Code § 692A.102(1)(a)(9) (2015).

§ 726.8—Wanton Neglect or Nonsupport of a Dependent Adult

§ 726.8(1)—By a caretaker

Class = serious misdemeanor⁴⁶⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁶⁸¹	0 ⁴⁶⁸²	N/A	Yes ⁴⁶⁸³

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁶⁸⁴	\$315 ⁴⁶⁸⁵	No ⁴⁶⁸⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁸⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁶⁸⁰ Iowa Code § 726.8(1) (2015).

⁴⁶⁸¹ Iowa Code § 903.1(1)(b) (2015).

⁴⁶⁸² Iowa Code § 903.1(1)(b) (2015).

⁴⁶⁸³ See Iowa Code § 907.3 (2015).

⁴⁶⁸⁴ Iowa Code § 903.1(1)(b) (2015).

⁴⁶⁸⁵ Iowa Code § 903.1(1)(b) (2015).

⁴⁶⁸⁶ Iowa Code § 903.1(1) (2015).

⁴⁶⁸⁷ Iowa Code § 911.1(1) (2015).

§ 726.8(2)—By a person with legal responsibilityClass = “D” felony⁴⁶⁸⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁶⁸⁹	0 ⁴⁶⁹⁰	No, but see Enhancements	Yes ⁴⁶⁹¹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁶⁹²	\$750 ⁴⁶⁹³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁹⁵	No	No

Notes:⁴⁶⁸⁸ Iowa Code § 726.8(2) (2015).⁴⁶⁸⁹ Iowa Code § 902.9(1)(e) (2015).⁴⁶⁹⁰ Iowa Code § 902.9(1)(e) (2015).⁴⁶⁹¹ See Iowa Code § 907.3 (2015); see also *id.* § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).⁴⁶⁹² Iowa Code § 902.9(1)(e) (2015).⁴⁶⁹³ Iowa Code § 902.9(1)(e) (2015).⁴⁶⁹⁴ Iowa Code § 911.1(1) (2015).⁴⁶⁹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

CH. 728 OBSCENITY

§ 728.2—Dissemination and Exhibition of Obscene Materials to Minors

Class = serious misdemeanor⁴⁶⁹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁶⁹⁷	0 ⁴⁶⁹⁸	N/A	Yes ⁴⁶⁹⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁷⁰⁰	\$315 ⁴⁷⁰¹	No ⁴⁷⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁰³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷⁰⁴	Yes ⁴⁷⁰⁵	No

Notes:

❖ Additional Penalty:

- All permits and licenses issued to offender under state or local law in order to do business that allowed for dissemination or exhibition are revoked for 6 months⁴⁷⁰⁶

⁴⁶⁹⁶ Iowa Code § 728.2 (2015).

⁴⁶⁹⁷ Iowa Code § 903.1(1)(b) (2015).

⁴⁶⁹⁸ Iowa Code § 903.1(1)(b) (2015).

⁴⁶⁹⁹ See Iowa Code § 907.3 (2015).

⁴⁷⁰⁰ Iowa Code § 903.1(1)(b) (2015).

⁴⁷⁰¹ Iowa Code § 903.1(1)(b) (2015).

⁴⁷⁰² Iowa Code § 903.1(1) (2015).

⁴⁷⁰³ Iowa Code § 911.1(1) (2015).

⁴⁷⁰⁴ Iowa Code § 81.2(6) (2015) (requiring submission of an DNA Sample for anyone required to register for sex offender registry).

⁴⁷⁰⁵ Iowa Code § 692A.102(1)(a)(10)(a) (2015).

⁴⁷⁰⁶ Iowa Code § 728.8 (2015).

§ 728.3—Admitting Minors to Premises Where Obscene Material Is Exhibited

§ 728.3(1)—Minor is not a child

Class = serious misdemeanor⁴⁷⁰⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁷⁰⁸	0 ⁴⁷⁰⁹	N/A	Yes ⁴⁷¹⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁷¹¹	\$315 ⁴⁷¹²	No ⁴⁷¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷¹⁵	Yes ⁴⁷¹⁶	No

Notes:

❖ Additional Penalty:

- All permits and licenses issued to offender under state or local law in order to do business on premises at issue are revoked for 6 months⁴⁷¹⁷

⁴⁷⁰⁷ Iowa Code § 728.2 (2015).

⁴⁷⁰⁸ Iowa Code § 903.1(1)(b) (2015).

⁴⁷⁰⁹ Iowa Code § 903.1(1)(b) (2015).

⁴⁷¹⁰ See Iowa Code § 907.3 (2015).

⁴⁷¹¹ Iowa Code § 903.1(1)(b) (2015).

⁴⁷¹² Iowa Code § 903.1(1)(b) (2015).

⁴⁷¹³ Iowa Code § 903.1(1) (2015).

⁴⁷¹⁴ Iowa Code § 911.1(1) (2015).

⁴⁷¹⁵ Iowa Code § 81.2(6) (2015) (requiring submission of an DNA Sample for anyone required to register for sex offender registry).

⁴⁷¹⁶ Iowa Code § 692A.102(1)(a)(11) (2015).

⁴⁷¹⁷ Iowa Code § 728.8 (2015).

§ 728.3(2)—Minor is a child

Class = aggravated misdemeanor⁴⁷¹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁷¹⁹	0 ⁴⁷²⁰	None	Yes ⁴⁷²¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁷²²

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁷²³	\$625 ⁴⁷²⁴	Yes ⁴⁷²⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷²⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷²⁷	Yes ⁴⁷²⁸	No

Notes:

❖ Additional Penalty:

- All permits and licenses issued to offender under state or local law in order to do business on premises at issue are revoked for 6 months⁴⁷²⁹

⁴⁷¹⁸ Iowa Code § 728.3(2) (2015).

⁴⁷¹⁹ Iowa Code § 903.1(2) (2015).

⁴⁷²⁰ Iowa Code § 903.1(2) (2015).

⁴⁷²¹ See Iowa Code § 907.3, unnum. para. (2015).

⁴⁷²² Iowa Code § 903.1(2) (2015).

⁴⁷²³ Iowa Code § 903.1(2) (2015).

⁴⁷²⁴ Iowa Code § 903.1(2) (2015).

⁴⁷²⁵ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷²⁶ Iowa Code § 911.1(1) (2015).

⁴⁷²⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁷²⁸ Iowa Code § 692A.102(1)(a)(11) (2015).

⁴⁷²⁹ Iowa Code § 728.8 (2015).

§ 728.4—Rental or Sale of Hard-Core Pornography

First Offense

Class = aggravated misdemeanor⁴⁷³⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁷³¹	0 ⁴⁷³²	None	Yes ⁴⁷³³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁷³⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁷³⁵	\$625 ⁴⁷³⁶	Yes ⁴⁷³⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷³⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷³⁹	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - must register if:
 - delivery is to a minor⁴⁷⁴⁰

⁴⁷³⁰ Iowa Code § 728.4 (2015).

⁴⁷³¹ Iowa Code § 903.1(2) (2015).

⁴⁷³² Iowa Code § 903.1(2) (2015).

⁴⁷³³ See Iowa Code § 907.3, unnum. para. (2015).

⁴⁷³⁴ Iowa Code § 903.1(2) (2015).

⁴⁷³⁵ Iowa Code § 903.1(2) (2015).

⁴⁷³⁶ Iowa Code § 903.1(2) (2015).

⁴⁷³⁷ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷³⁸ Iowa Code § 911.1(1) (2015).

⁴⁷³⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁷⁴⁰ Iowa Code § 692A.102(1)(a)(10)(b) (2015).

Second or Subsequent Offense

Class = “D” felony⁴⁷⁴¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁷⁴²	0 ⁴⁷⁴³	No, but see Enhancements	Yes ⁴⁷⁴⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁷⁴⁵	\$750 ⁴⁷⁴⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁴⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷⁴⁸	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - must register if:
 - delivery is to a minor⁴⁷⁴⁹

⁴⁷⁴¹ Iowa Code § 728.4 (2015).

⁴⁷⁴² Iowa Code § 902.9(1)(e) (2015).

⁴⁷⁴³ Iowa Code § 902.9(1)(e) (2015).

⁴⁷⁴⁴ See Iowa Code § 907.3 (2015).

⁴⁷⁴⁵ Iowa Code § 902.9(1)(e) (2015).

⁴⁷⁴⁶ Iowa Code § 902.9(1)(e) (2015).

⁴⁷⁴⁷ Iowa Code § 911.1(1) (2015).

⁴⁷⁴⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁷⁴⁹ Iowa Code § 692A.102(1)(a)(10)(b) (2015).

§ 728.5—Public Indecent Exposure in Certain Establishments

§ 728.5(1)—Public indecent exposure

Class = serious misdemeanor⁴⁷⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁷⁵¹	0 ⁴⁷⁵²	N/A	Yes ⁴⁷⁵³

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁷⁵⁴	\$315 ⁴⁷⁵⁵	No ⁴⁷⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁵⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

❖ Additional Penalty:

- if violation of § 728.5(1)(f), all permits and licenses issued to offender under state or local law in order to do business on premises at issue are revoked for 6 months⁴⁷⁵⁸

⁴⁷⁵⁰ Iowa Code § 728.5(1) (2015).

⁴⁷⁵¹ Iowa Code § 903.1(1)(b) (2015).

⁴⁷⁵² Iowa Code § 903.1(1)(b) (2015).

⁴⁷⁵³ See Iowa Code § 907.3 (2015).

⁴⁷⁵⁴ Iowa Code § 903.1(1)(b) (2015).

⁴⁷⁵⁵ Iowa Code § 903.1(1)(b) (2015).

⁴⁷⁵⁶ Iowa Code § 903.1(1) (2015).

⁴⁷⁵⁷ Iowa Code § 911.1(1) (2015).

⁴⁷⁵⁸ Iowa Code § 728.8 (2015).

§ 728.5(2)—Involving a minor

Class = aggravated misdemeanor⁴⁷⁵⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁷⁶⁰	0 ⁴⁷⁶¹	None	Yes ⁴⁷⁶²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁷⁶³

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁷⁶⁴	\$625 ⁴⁷⁶⁵	Yes ⁴⁷⁶⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁶⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷⁶⁸	No	No

Notes:

⁴⁷⁵⁹ Iowa Code § 728.5(2) (2015).

⁴⁷⁶⁰ Iowa Code § 903.1(2) (2015).

⁴⁷⁶¹ Iowa Code § 903.1(2) (2015).

⁴⁷⁶² See Iowa Code § 907.3, unnum. para. (2015).

⁴⁷⁶³ Iowa Code § 903.1(2) (2015).

⁴⁷⁶⁴ Iowa Code § 903.1(2) (2015).

⁴⁷⁶⁵ Iowa Code § 903.1(2) (2015).

⁴⁷⁶⁶ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷⁶⁷ Iowa Code § 911.1(1) (2015).

⁴⁷⁶⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

§ 728.12—Sexual Exploitation of a Minor

§ 728.12(1)—Cause or attempt to cause minor to engage in prohibited sexual act or simulation of prohibited sexual act

Class = “C” felony⁴⁷⁶⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁷⁷⁰	0 ⁴⁷⁷¹	No, but see Enhancements Note: violation of § 728.12(1) is a SPO ⁴⁷⁷² and a SVO ⁴⁷⁷³	Yes ⁴⁷⁷⁴

Fines

Max.	Min.	Can Suspend?
\$50,000 ⁴⁷⁷⁵	\$1000 ⁴⁷⁷⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁷⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷⁷⁸	Yes ⁴⁷⁷⁹	No

Notes:

❖ Special Sentence for Life⁴⁷⁸⁰:

- person committed to custody of the director of the Iowa dep’t of corrections for the rest of the person’s life, with eligibility for parole per ch. 906
- is in addition to any other punishment imposed
- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

⁴⁷⁶⁹ Iowa Code § 728.12(1) (2015).

⁴⁷⁷⁰ Iowa Code § 902.9(1)(d) (2015).

⁴⁷⁷¹ Iowa Code § 902.9(1)(d) (2015).

⁴⁷⁷² Iowa Code § 901A.1(1)(b) (2015).

⁴⁷⁷³ Iowa Code § 229A.2(11)(c) (2015); *see id.* § 901A.1(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁴⁷⁷⁴ *See* Iowa Code § 907.3 (2015).

⁴⁷⁷⁵ Iowa Code § 728.12(1) (2015).

⁴⁷⁷⁶ Iowa Code § 902.9(1)(d) (2015).

⁴⁷⁷⁷ Iowa Code § 911.1(1) (2015).

⁴⁷⁷⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁷⁷⁹ Iowa Code § 692A.102(1)(c)(25) (2015).

⁴⁷⁸⁰ Iowa Code § 903B.1 (2015).

§ 728.12(2)—Promotion of unlawful material

Class = “D” felony⁴⁷⁸¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁷⁸²	0 ⁴⁷⁸³	No, but see Enhancements	Yes ⁴⁷⁸⁴

Fines

Max.	Min.	Can Suspend?
\$25,000 ⁴⁷⁸⁵	\$750 ⁴⁷⁸⁶	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁸⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷⁸⁸	Yes ⁴⁷⁸⁹	No

Notes:

- ❖ Special Sentence for 10 years⁴⁷⁹⁰:
 - Person committed to custody of the director of the Iowa dep’t of corrections for a period of 10 years, with eligibility for parole per ch. 906
 - Is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

⁴⁷⁸¹ Iowa Code § 728.12(2) (2015).

⁴⁷⁸² Iowa Code § 902.9(1)(e) (2015).

⁴⁷⁸³ Iowa Code § 902.9(1)(e) (2015).

⁴⁷⁸⁴ See Iowa Code § 907.3 (2015); see also *id.* § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).

⁴⁷⁸⁵ Iowa Code § 728.12(2) (2015).

⁴⁷⁸⁶ Iowa Code § 902.9(1)(e) (2015).

⁴⁷⁸⁷ Iowa Code § 911.1(1) (2015).

⁴⁷⁸⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁷⁸⁹ Iowa Code § 692A.102(1)(b)(19) (2015).

⁴⁷⁹⁰ Iowa Code § 903B.2 (2015).

§ 728.12(3)—Purchase or possess visual depiction

First Offense

- ❖ multiple violations of § 728.12 involving the same minor are prosecuted and punished as one offense⁴⁷⁹¹

Class = aggravated misdemeanor⁴⁷⁹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁷⁹³	0 ⁴⁷⁹⁴	None	Yes ⁴⁷⁹⁵

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁷⁹⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁷⁹⁷	\$625 ⁴⁷⁹⁸	Yes ⁴⁷⁹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁰⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸⁰¹	Yes ⁴⁸⁰²	No

Notes:

- ❖ Special Sentence for 10 years⁴⁸⁰³:
 - person committed to custody of the director of the Iowa dep't of corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

⁴⁷⁹¹ Iowa Code § 728.12(3) (2015).

⁴⁷⁹² Iowa Code § 728.12(3) (2015).

⁴⁷⁹³ Iowa Code § 903.1(2) (2015).

⁴⁷⁹⁴ Iowa Code § 903.1(2) (2015).

⁴⁷⁹⁵ See Iowa Code § 907.3, unnum. para. (2015).

⁴⁷⁹⁶ Iowa Code § 903.1(2) (2015).

⁴⁷⁹⁷ Iowa Code § 903.1(2) (2015).

⁴⁷⁹⁸ Iowa Code § 903.1(2) (2015).

⁴⁷⁹⁹ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸⁰⁰ Iowa Code § 911.1(1) (2015).

⁴⁸⁰¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁸⁰² Iowa Code § 692A.102(1)(b)(19) (2015).

⁴⁸⁰³ Iowa Code § 903B.2 (2015).

Second or Subsequent Offense

- ❖ multiple violations of § 728.12 involving the same minor are prosecuted and punished as one offense⁴⁸⁰⁴
- ❖ offense is a second or subsequent offense if any of the following apply:
 - person has a prior conviction or deferred judgment under § 728.12(3)⁴⁸⁰⁵
 - person has a prior conviction, deferred judgment, or the equivalent of a deferred judgment in another jurisdiction for an offense substantially similar to the offense in § 728.12(3)⁴⁸⁰⁶
 - The court shall take judicial notice of other states' statutes that define offenses substantially similar to the offense in § 728.12(3)⁴⁸⁰⁷

Class = "D" felony⁴⁸⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁸⁰⁹	0 ⁴⁸¹⁰	No, but see Enhancements	Yes ⁴⁸¹¹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁸¹²	\$750 ⁴⁸¹³	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸¹⁵	Yes ⁴⁸¹⁶	No

Notes:

- ❖ Special Sentence for 10 years⁴⁸¹⁷:
 - person committed to custody of the director of the Iowa dep't of corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences "upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense"
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters 901B, 905, 906, and 908

⁴⁸⁰⁴ Iowa Code § 728.12(3) (2015).

⁴⁸⁰⁵ Iowa Code § 728.12(3)(a) (2015).

⁴⁸⁰⁶ Iowa Code § 728.12(3)(b) (2015).

⁴⁸⁰⁷ Iowa Code § 728.12(3)(b) (2015).

⁴⁸⁰⁸ Iowa Code § 728.12(3) (2015).

⁴⁸⁰⁹ Iowa Code § 902.9(1)(e) (2015).

⁴⁸¹⁰ Iowa Code § 902.9(1)(e) (2015).

⁴⁸¹¹ See Iowa Code § 907.3 (2015).

⁴⁸¹² Iowa Code § 902.9(1)(e) (2015).

⁴⁸¹³ Iowa Code § 902.9(1)(e) (2015).

⁴⁸¹⁴ Iowa Code § 911.1(1) (2015).

⁴⁸¹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁸¹⁶ Iowa Code § 692A.102(1)(b)(19) (2015).

⁴⁸¹⁷ Iowa Code § 903B.2 (2015).

§ 728.14—Failure of Commercial Film and Photographic Film Processor to Report Depictions of Minors Engaged in Prohibited Sexual Acts

Class = simple misdemeanor⁴⁸¹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴⁸¹⁹	0 ⁴⁸²⁰	N/A	Yes ⁴⁸²¹

Fines

Max.	Min.	Can Suspend?
\$625 ⁴⁸²²	\$65 ⁴⁸²³	No ⁴⁸²⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸²⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁸¹⁸ Iowa Code § 728.14(3) (2015).

⁴⁸¹⁹ Iowa Code § 903.1(1)(a) (2015).

⁴⁸²⁰ Iowa Code § 903.1(1)(a) (2015).

⁴⁸²¹ See Iowa Code § 907.3 (2015).

⁴⁸²² Iowa Code § 903.1(1)(a) (2015).

⁴⁸²³ Iowa Code § 903.1(1)(a) (2015).

⁴⁸²⁴ Iowa Code § 903.1(1) (2015).

⁴⁸²⁵ Iowa Code § 911.1(1) (2015).

§ 728.15—Telephone Dissemination of Obscene Materials to Minors

§ 728.15(1)(b)—Using telephones or telephone facilities to disseminate obscene material to minor

First Offense

Class = aggravated misdemeanor⁴⁸²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁸²⁷	0 ⁴⁸²⁸	None	Yes ⁴⁸²⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁸³⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁸³¹	\$625 ⁴⁸³²	Yes ⁴⁸³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸³⁵	Yes ⁴⁸³⁶	No

Notes:

⁴⁸²⁶ Iowa Code § 728.15(4)(a) (2015).

⁴⁸²⁷ Iowa Code § 903.1(2) (2015).

⁴⁸²⁸ Iowa Code § 903.1(2) (2015).

⁴⁸²⁹ See Iowa Code § 907.3, unnum. para. (2015).

⁴⁸³⁰ Iowa Code § 903.1(2) (2015).

⁴⁸³¹ Iowa Code § 903.1(2) (2015).

⁴⁸³² Iowa Code § 903.1(2) (2015).

⁴⁸³³ See Iowa Code § 903.1(2) (2015); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸³⁴ Iowa Code § 911.1(1) (2015).

⁴⁸³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁸³⁶ Iowa Code § 692A.102(1)(a)(10)(a) (2015).

Second or Subsequent Offense

Class = “D” felony⁴⁸³⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁸³⁸	0 ⁴⁸³⁹	No, but see Enhancements	Yes ⁴⁸⁴⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁸⁴¹	\$750 ⁴⁸⁴²	Yes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸⁴⁴	Yes ⁴⁸⁴⁵	No

Notes:

⁴⁸³⁷ Iowa Code § 728.15(4)(b) (2015).

⁴⁸³⁸ Iowa Code § 902.9(1)(e) (2015).

⁴⁸³⁹ Iowa Code § 902.9(1)(e) (2015).

⁴⁸⁴⁰ See Iowa Code § 907.3 (2015).

⁴⁸⁴¹ Iowa Code § 902.9(1)(e) (2015).

⁴⁸⁴² Iowa Code § 902.9(1)(e) (2015).

⁴⁸⁴³ Iowa Code § 911.1(1) (2015).

⁴⁸⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2015).

⁴⁸⁴⁵ Iowa Code § 692A.102(1)(a)(10)(a) (2015).

SENTENCING ENHANCEMENTS

1. Sexually Predatory Offenses (SPO)

A. Definition of SPO

- ❖ Any serious or aggravated misdemeanor, or felony violation of:
 - Ch. 709 (“Sexual Abuse”)⁴⁸⁴⁶
 - § 710.10(1) (“Enticing a minor”)⁴⁸⁴⁷
 - § 725.3(2) (“Pandering involving a minor”)⁴⁸⁴⁸
 - § 728.12(1) (“Sexual exploitation of a minor”)⁴⁸⁴⁹
- ❖ Any attempt to commit any of the offenses listed directly above⁴⁸⁵⁰
- ❖ Any offense under the prior law of Iowa or committed in another jurisdiction that is the equivalent of any of the offenses listed above (including attempt)⁴⁸⁵¹

B. Other Helpful Definitions

- ❖ “Prior Conviction” (for purposes of ch. 901A)⁴⁸⁵²
 - Can include any of the following:
 - Guilty plea
 - Deferred judgment
 - Deferred or suspended sentence
 - Adjudication of delinquency
 - Note: does not matter if prior conviction occurred before, on, or after March 31, 2000
- ❖ “Sexually Violent Offense” (SVO) (for purposes of ch. 901A)⁴⁸⁵³
 - Same as defined in § 229A.2, which means violation of:
 - § 707.1 (murder involving [attempted/intent to commit] sexual abuse)⁴⁸⁵⁴
 - Ch. 709 (“Sexual Abuse”)⁴⁸⁵⁵
 - § 710.1 (kidnapping involving [attempted/intent to commit] sexual abuse)⁴⁸⁵⁶
 - § 713.1 (burglary involving [attempted/intent to commit] sexual abuse)⁴⁸⁵⁷
 - § 725.3(2) (pandering involving a minor)⁴⁸⁵⁸
 - § 726.6(1)(e) (child endangerment involving [attempted/intent to commit] sexual abuse)⁴⁸⁵⁹
 - § 728.12(1) (sexual exploitation of a minor involving [attempted/intent to commit] sexual abuse)⁴⁸⁶⁰
 - Any offense:
 - involving attempt or conspiracy to commit any of the above offenses,⁴⁸⁶¹ *or*
 - under prior Iowa law or committed in another jurisdiction that would be the equivalent of any of the above offenses (including attempt/conspiracy)⁴⁸⁶²
 - Any act that has been determined to be sexually motivated⁴⁸⁶³

⁴⁸⁴⁶ Iowa Code § 901A.1(1)(a) (2015).

⁴⁸⁴⁷ Iowa Code § 901A.1(1)(c) (2015).

⁴⁸⁴⁸ Iowa Code § 901A.1(1)(d) (2015).

⁴⁸⁴⁹ Iowa Code § 901A.1(1)(b) (2015).

⁴⁸⁵⁰ Iowa Code § 901A.1(1)(e) (2015).

⁴⁸⁵¹ Iowa Code § 901A.1(1)(f) (2015).

⁴⁸⁵² Iowa Code § 901A.1(2) (2015).

⁴⁸⁵³ Iowa Code § 901A.1(3) (2015).

⁴⁸⁵⁴ Iowa Code § 229A.2(11)(b)(1) (2015).

⁴⁸⁵⁵ Iowa Code § 229A.2(11)(a) (2015).

⁴⁸⁵⁶ Iowa Code § 229A.2(11)(b)(2) (2015).

⁴⁸⁵⁷ Iowa Code § 229A.2(11)(b)(3) (2015).

⁴⁸⁵⁸ Iowa Code § 229A.2(11)(d) (2015).

⁴⁸⁵⁹ Iowa Code § 229A.2(11)(b)(4) (2015).

⁴⁸⁶⁰ Iowa Code § 229A.2(11)(c) (2015).

⁴⁸⁶¹ Iowa Code § 229A.2(11)(e) (2015).

⁴⁸⁶² Iowa Code § 229A.2(11)(f) (2015).

- Determination must be:⁴⁸⁶⁴
 - ◆ Beyond a reasonable doubt, *and*
 - ◆ Done either at time of sentencing or during civil commitment proceedings pursuant to ch. 229A

C. Possible Effects on Sentencing

i. *If SPO is a ser/agg mis + 1 prior SPO conviction*⁴⁸⁶⁵

- ❖ Mand. Min. before Parole Eligible:
 - Twice the maximum period of incarceration for the offense
- ❖ Parole or Work Release:
 - “In addition to any other sentence imposed . . . the person shall be sentenced to an additional term of parole or work release not to exceed two years.”⁴⁸⁶⁶
 - But “[t]he board of parole shall determine whether the person shall be released on parole or placed in a work release program.”⁴⁸⁶⁷
- ❖ Not eligible for DJ, DS, or SS⁴⁸⁶⁸
- ❖ Sentence Reduction:
 - Not eligible for sentence reduction under ch. 903A (“Reduction of Sentences”) or otherwise by more than 15%

ii. *If SPO is a ser/agg mis + 2 or more prior SPO convictions*⁴⁸⁶⁹

- ❖ Term of Incarceration = 10 years
- ❖ Parole or Work Release:
 - “In addition to any other sentence imposed . . . the person shall be sentenced to an additional term of parole or work release not to exceed two years.”⁴⁸⁷⁰
 - But “[t]he board of parole shall determine whether the person shall be released on parole or placed in a work release program.”⁴⁸⁷¹
- ❖ Not eligible for DJ, DS, or SS⁴⁸⁷²
- ❖ Sentence Reduction:
 - Not eligible for sentence reduction under ch. 903A (“Reduction of Sentences”) or otherwise by more than 15%

iii. *Second Conviction for Violation of § 709.3(1)(b)*⁴⁸⁷³

- ❖ Sentence = life commitment to custody of the director of the Iowa Department of Corrections
- ❖ Not eligible for DJ, DS, or SS⁴⁸⁷⁴
- ❖ Terms and conditions that apply to sentences for “A” felonies under chapters 901–909 apply

iv. *If SPO is a felony + 1 prior SPO*⁴⁸⁷⁵

- ❖ Term of incarceration = the greater of:
 - Twice the maximum period of incarceration, *or*

⁴⁸⁶³ Iowa Code § 229A.2(11)(g) (2015). “‘Sexually motivated’ means that one of the purposes for commission of a crime is the purpose of sexual gratification of the perpetrator of the crime.” *Id.* § 229A.2(10).

⁴⁸⁶⁴ Iowa Code § 229A.2(11)(g) (2015).

⁴⁸⁶⁵ Iowa Code § 901A.2(1) (2015).

⁴⁸⁶⁶ Iowa Code § 901A.2(8) (2015).

⁴⁸⁶⁷ Iowa Code § 901A.2(8) (2015).

⁴⁸⁶⁸ Iowa Code § 901A.2(7) (2015).

⁴⁸⁶⁹ Iowa Code § 901A.2(2) (2015).

⁴⁸⁷⁰ Iowa Code § 901A.2(8) (2015).

⁴⁸⁷¹ Iowa Code § 901A.2(8) (2015).

⁴⁸⁷² Iowa Code § 901A.2(7) (2015).

⁴⁸⁷³ Iowa Code § 901A.2(5) (2015).

⁴⁸⁷⁴ Iowa Code § 901A.2(7) (2015).

⁴⁸⁷⁵ Iowa Code § 901A.2(3) (2015).

- 25 years
 - ❖ Parole or Work Release:
 - “In addition to any other sentence imposed . . . the person shall be sentenced to an additional term of parole or work release not to exceed two years.”⁴⁸⁷⁶
 - But “[t]he board of parole shall determine whether the person shall be released on parole or placed in a work release program.”⁴⁸⁷⁷
 - ❖ Not eligible for DJ, DS, or SS⁴⁸⁷⁸
 - ❖ Sentence Reduction:
 - Not eligible for sentence reduction under ch. 903A (“Reduction of Sentences”) or otherwise by more than 15%
- v. *If SPO is a felony + prior sentencing under § 901A.2(3)*⁴⁸⁷⁹
- ❖ Sentence = life in prison
 - Same terms as a class “A” felony under § 902.1
 - ❖ Not eligible for DJ, DS, or SS⁴⁸⁸⁰
 - ❖ Note: prosecuting attorney must allege and prove that person:⁴⁸⁸¹
 - Committed felony SPO
 - Was previously convicted of felony SPO, *and*
 - When previously convicted of felony SPO, also had 1 prior SPO conviction
- vi. *Transitional release program placement + subsequent misdemeanor SPO or SVO under ch. 709*⁴⁸⁸²
- ❖ Note: for this enhancement to apply, the person must have been:
 - Placed in a transitional release program, released with or without supervision, or discharged pursuant to ch. 229A, *and*
 - Subsequently convicted of a misdemeanor SPO or SVO
 - ❖ Sentence = life in prison
 - ❖ Parole eligible = “as provided in chapter 906”
 - ❖ Not eligible for DJ, DS, or SS⁴⁸⁸³
- vii. *Transitional release program placement + subsequent SPO or SVO*
- ❖ Note: for this enhancement to apply, the person must have been:
 - Placed in transitional release program, released with or without supervision, or discharged per to ch. 229A, *and*
 - Subsequently convicted of SPO or SVO
 - ❖ Sentence = life in prison
 - Same terms as a class “A” felony under § 902.1
 - ❖ Terms and conditions applicable to class “A” felonies under chapters 901–909 apply
 - ❖ Not eligible for DJ, DS, or SS⁴⁸⁸⁴

2. Use of a Dangerous Weapon⁴⁸⁸⁵

- ❖ Requirements:
 - At trial of person charged with participating in forcible felony
 - Trier of fact finds beyond a reasonable doubt:

⁴⁸⁷⁶ Iowa Code § 901A.2(8) (2015).

⁴⁸⁷⁷ Iowa Code § 901A.2(8) (2015).

⁴⁸⁷⁸ Iowa Code § 901A.2(7) (2015).

⁴⁸⁷⁹ Iowa Code § 901A.2(4) (2015).

⁴⁸⁸⁰ Iowa Code § 901A.2(7) (2015).

⁴⁸⁸¹ Iowa Code § 901A.2(4) (2015).

⁴⁸⁸² Iowa Code § 901A.2(6) (2015).

⁴⁸⁸³ Iowa Code § 901A.2(7) (2015).

⁴⁸⁸⁴ Iowa Code § 901A.2(7) (2015).

⁴⁸⁸⁵ Iowa Code § 902.7 (2015).

- 1. Person is guilty of a forcible felony, *and*
- 2. While participating in forcible felony, person:
 - Represented was in immediate possession or control of a dangerous weapon, *or*
 - Displayed a dangerous weapon in a threatening manner, *or*
 - Was armed with a dangerous weapon
- Enhancement was alleged in indictment, allegation was supported by the evidence, the court submitted to the jury a special interrogatory re: this allegation, and the jury answered in the affirmative that the underlying elements of the enhancement were satisfied⁴⁸⁸⁶
- ❖ Results:
 - Sentence Minimum = 5 years
 - Mand. Min. before Parole Eligible = 5 years
 - Possible Sentence Reduction:
 - sentencing court has discretion to sentence offender to term less than provided by statute if all of the following apply⁴⁸⁸⁷:
 - offender pleads guilty
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- ❖ Helpful Definitions:
 - “Dangerous Weapon”⁴⁸⁸⁸
 - Option #1:
 - Any instrument or device
 - ♦ designed primarily for use in inflicting death or injury on a human or animal, *and*
 - ♦ that is capable of inflicting death on a human when used in the manner for which it was designed
 - Exception:
 - ♦ Bow and arrow when possessed and used for hunting or any other lawful purpose
 - Option #2:
 - Any instrument or device of any sort whatsoever
 - ♦ That is actually used to indicate that the defendant intends to inflict death or serious injury on another, *and*
 - ♦ When so used, is capable of inflicting death on a human
 - Option #3:
 - Includes but not limited to:
 - ♦ Any offensive weapon
 - ♦ Pistols
 - ♦ Revolvers
 - ♦ Other firearms
 - ♦ Daggers
 - ♦ Razors
 - ♦ Stilettoes
 - ♦ Switchblade knives
 - ♦ Knives having a blade exceeding five inches in length
 - ♦ Any portable device or weapon directing an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person
 - “Forcible Felony”⁴⁸⁸⁹

⁴⁸⁸⁶ Iowa R. Crim. P. 2.6(6).

⁴⁸⁸⁷ Iowa Code § 901.10(1) (2015).

⁴⁸⁸⁸ Iowa Code § 702.7 (2015).

⁴⁸⁸⁹ Iowa Code § 702.11 (2015).

- Any felonious child endangerment, assault, murder, sexual abuse, kidnapping, robbery, human trafficking, arson in the first degree, or burglary in the first degree⁴⁸⁹⁰
- Exceptions—following are not forcible felonies:
 - Violations of:
 - ♦ § 708.2(4) (assault)⁴⁸⁹¹
 - ♦ § 708.2A(5) (domestic abuse assault)⁴⁸⁹²
 - ♦ § 708.4(2) (willful injury)⁴⁸⁹³
 - ♦ § 708.12(3)(f) (removal of officer’s communication or control device)⁴⁸⁹⁴
 - ♦ § 709.4(1)(b)(3)(d) (sexual abuse)⁴⁸⁹⁵
 - ♦ § 709.15 (sexual exploitation by counselor, therapist, or school employee)⁴⁸⁹⁶
 - ♦ § 726.6(6) (child endangerment)⁴⁸⁹⁷
 - Third-degree sexual abuse committed between spouses⁴⁸⁹⁸

3. Firearm or Offensive Weapon in Weapons Free Zone⁴⁸⁹⁹

- ❖ Requirements:
 - Commit public offense involving a firearm or offensive weapon in violation of any Code chapter
 - Offense committed within a weapons free zone
- ❖ Result:
 - Fine = twice the max. amount which may otherwise be imposed for the public offense
- ❖ Helpful Definitions:
 - “Offensive Weapon”—see Iowa Code § 724.1 (2015 & Supp. 2016).
 - “Weapons Free Zone”⁴⁹⁰⁰
 - “the area in or on, or within one thousand feet of, the real property comprising a public or private elementary or secondary school, or in or on the real property comprising a public park”
 - Does not include the “portion of a public park designated as a hunting area under section 461A.42”

4. Habitual Offender⁴⁹⁰¹

- ❖ Requirements:
 - Conviction of class “C” or “D” felony
 - 2 previous felony convictions “in a court of this or any other state, or of the United States”
- ❖ Results:
 - Sentence Max. = 15 years⁴⁹⁰²
 - Mand. Min. before Parole Eligible = 3 years of confinement
 - Not eligible for DJ⁴⁹⁰³
- ❖ Helpful Definition:
 - “Felony”
 - “An offense is a felony if, by the law under which the person is convicted, it is so classified at the time of the person’s conviction.”

⁴⁸⁹⁰ Iowa Code § 702.11(1) (2015).

⁴⁸⁹¹ Iowa Code § 702.11(2)(f) (2015).

⁴⁸⁹² Iowa Code § 702.11(2)(g) (2015).

⁴⁸⁹³ Iowa Code § 702.11(2)(a) (2015).

⁴⁸⁹⁴ Iowa Code § 702.11(2)(h) (2015).

⁴⁸⁹⁵ Iowa Code § 702.11(2)(c) (2015).

⁴⁸⁹⁶ Iowa Code § 702.11(2)(d) (2015).

⁴⁸⁹⁷ Iowa Code § 702.11(2)(e) (2015).

⁴⁸⁹⁸ Iowa Code § 702.11(2)(b) (2015).

⁴⁸⁹⁹ Iowa Code § 724.4A(2) (2015).

⁴⁹⁰⁰ Iowa Code § 724.4A(1) (2015).

⁴⁹⁰¹ Iowa Code § 902.8 (2015).

⁴⁹⁰² Iowa Code § 902.9(1)(c) (2015).

⁴⁹⁰³ Iowa Code § 907.3(1)(a)(1) (2015).

5. Felony Conviction + Prior Felony Convictions⁴⁹⁰⁴

- ❖ Requirements:
 - Person must be:
 - Serving a sentence for conviction of a felony, *or*
 - Have 1 or more prior convictions for a forcible felony, *or*
 - Have 1 or more prior convictions for a crime of similar gravity to a forcible felony
- ❖ Results:
 - Mand. Min. before Parole Eligible = ½ of the maximum term of the defendant's sentence
- ❖ Exceptions—this does not apply if:
 - The prior forcible felonies' sentences expired at least 5 years before the date of conviction for present felony,⁴⁹⁰⁵ *or*
 - Sentence being served is for operating a motor vehicle while under the influence of alcohol or a drug under chapter 321J⁴⁹⁰⁶

6. Sexual Abuse or Lascivious Acts with a Child⁴⁹⁰⁷

- ❖ Requirements:
 - Person commits second or subsequent offense involving any combination of the following:
 - Violation of § 709.3 (second-degree sexual abuse)
 - Violation of § 709.4 (third-degree sexual abuse)
 - Violation of § 709.8(1)(a) or (b) (lascivious acts with a child)
- ❖ Results:
 - Class = “A” felony
 - See § 902.1 for “A” felony consequences

7. Conviction of a Serious Sex Offense

- ❖ Definition of Serious Sex Offense (SSO)⁴⁹⁰⁸
 - Victim of offense was 12 or younger at time of offense, *and*
 - Offense was a violation of any of the following:
 - § 709.2 (first-degree sexual abuse)
 - § 709.3 (second-degree sexual abuse)
 - § 709.4 (third-degree sexual abuse)
 - § 709.8 (lascivious acts with a child)
 - § 709.11 (assault with intent)
 - § 709.12 (indecent contact with a minor)
 - § 709.14 (lascivious conduct with a minor)
 - § 709.15 (sexual exploitation)
 - § 728.12(1) or (2) (sexual exploitation of a minor)
- ❖ Results:
 - First conviction of SSO:⁴⁹⁰⁹
 - Person *may* be required to undergo hormone intervention therapy as part of any conditions of release imposed by the court or board of parole
 - If required, person shall pay reasonable fee for costs of providing the treatment⁴⁹¹⁰
 - Note: “A requirement that a person pay a fee shall include provision for reduction, deferral, or waiver of payment if the person is financially unable to pay the fee.”⁴⁹¹¹

⁴⁹⁰⁴ Iowa Code § 902.11, unnum. para. 1 (2015).

⁴⁹⁰⁵ Iowa Code § 902.11(1) (2015).

⁴⁹⁰⁶ Iowa Code § 902.11(2) (2015).

⁴⁹⁰⁷ Iowa Code § 902.14 (2015).

⁴⁹⁰⁸ Iowa Code § 903B.10(3) (2015).

⁴⁹⁰⁹ Iowa Code § 903B.10(1) (2015).

⁴⁹¹⁰ Iowa Code § 903B.10(5) (2015).

- Second or subsequent conviction of SSO:⁴⁹¹²
 - Person *shall* be required to undergo hormone intervention therapy as a condition of release
 - Person shall pay reasonable fee for costs of providing the treatment⁴⁹¹³
 - Note: “A requirement that a person pay a fee shall include provision for reduction, deferral, or waiver of payment if the person is financially unable to pay the fee.”⁴⁹¹⁴
- Exceptions:
 - Not required for second or subsequent conviction of SSO if after appropriate assessment, court or board determines treatment would not be effective⁴⁹¹⁵
 - Not required if person voluntarily undergoes permanent surgical alternative approved by court or board⁴⁹¹⁶

⁴⁹¹¹ Iowa Code § 903B.10(5) (2015).

⁴⁹¹² Iowa Code § 903B.10(1) (2015).

⁴⁹¹³ Iowa Code § 903B.10(5) (2015).

⁴⁹¹⁴ Iowa Code § 903B.10(5) (2015).

⁴⁹¹⁵ Iowa Code § 903B.10(1) (2015).

⁴⁹¹⁶ Iowa Code § 903B.10(1) (2015).

UNDER 18 SENTENCING

Max. Jail/Prison Time:

- ❖ categorical rule—cannot sentence to life without parole⁴⁹¹⁷
- ❖ for violations of § 707.2, murder in the first degree, sentenced per § 902.1(2)
- ❖ for commission of any other “A” felony, sentenced per § 902.1(3)
- ❖ for violations of the following chapters, see § 903.1(3):
 - 321
 - 321G
 - 321I
 - 453A
 - 461A
 - 461B
 - 462A
 - 481A
 - 481B
 - 483A
 - 484A
 - 484B

Mand. Min. before Parole Eligible:

- ❖ before can impose mandatory minimum, must consider youth and its attendant circumstances as a mitigating factor⁴⁹¹⁸
 - However, “*Miller [v. Alabama]* requires ‘more than a generalized notion of taking age into consideration as a factor in sentencing.’”⁴⁹¹⁹
 - “[Sentencing] court must expressly recognize certain concepts and ‘should make findings why the general rule [that children are constitutionally different from adults] does not apply.’”⁴⁹²⁰
 - Sentencing court must consider the following factors:
 - “(1) the ‘chronological age’ of the youth and the features of youth, including ‘immaturity, impetuosity, and failure to appreciate risks and consequences’; (2) the ‘family and home environment’ that surrounded the youth; (3) ‘the circumstances of the . . . offense, including the extent of [the youth’s] participation in the conduct and the way familial and peer pressures may have affected [the youth]’; (4) the ‘incompetencies associated with youth—for example, [the youth’s] inability to deal with police officers or prosecutors (including on a plea agreement) or [the youth’s] incapacity to assist [the youth’s] own attorneys’; and (5) ‘the possibility of rehabilitation.’”⁴⁹²¹
 - CAUTION: The above summary is only a cursory introduction to the complex analysis necessary in this area. Case law is still evolving on these issues. Research and satisfy yourself as to the requirements to any particular set of facts.

DJ, DS, or SS Eligible:

- ❖ For commission of any offense other than an “A” felony, may defer judgment or sentence or suspend sentence, per § 901.5(14)

DNA Test:

- ❖ may be required per § 232.52 (11)

⁴⁹¹⁷ *State v. Sweet*, 879 N.W.2d 811, 832 (Iowa 2016).

⁴⁹¹⁸ *State v. Lyle*, 854 N.W.2d 378, 403 (Iowa 2014).

⁴⁹¹⁹ *State v. Lyle*, 854 N.W.2d 378, 402 n.8 (Iowa 2014) (quoting *State v. Null*, 836 N.W.2d 41, 74 (Iowa 2013)).

⁴⁹²⁰ *State v. Lyle*, 854 N.W.2d 378, 402 n.8 (Iowa 2014) (second alteration in original) (quoting *State v. Null*, 836 N.W.2d 41, 74 (Iowa 2013)).

⁴⁹²¹ *State v. Ragland*, 836 N.W.2d 107, 115 n.6 (Iowa 2013) (quoting *Miller v. Alabama*, 567 U.S. 460, 132 S. Ct. 2455, 2468 (2012)).

Cases that May Be Informative:

- ❖ *State v. Sweet*, 879 N.W.2d 811 (Iowa 2016).
- ❖ *State v. Louisell*, 865 N.W.2d 590 (Iowa 2015).
- ❖ *State v. Lyle*, 854 N.W.2d 378 (Iowa 2014).
- ❖ *State v. Ragland*, 836 N.W.2d 107 (Iowa 2013).
- ❖ *State v. Pearson*, 836 N.W.2d 88 (Iowa 2013).
- ❖ *State v. Null*, 836 N.W.2d 41 (Iowa 2013).