

IOWA CRIMINAL STATUTES SUMMARY CHART—2017

Judge Michael R. Mullins & Drake University Law School
For offenses occurring on 7/1/2017 through 6/30/2018.

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.

NEW FEATURE: All Iowa Code sections in this chart, including footnotes, are hyperlinked to the Code. Please hover over the section number, then press the "ctrl" key on your keyboard while you click on the section number to link to the text of the Code section.

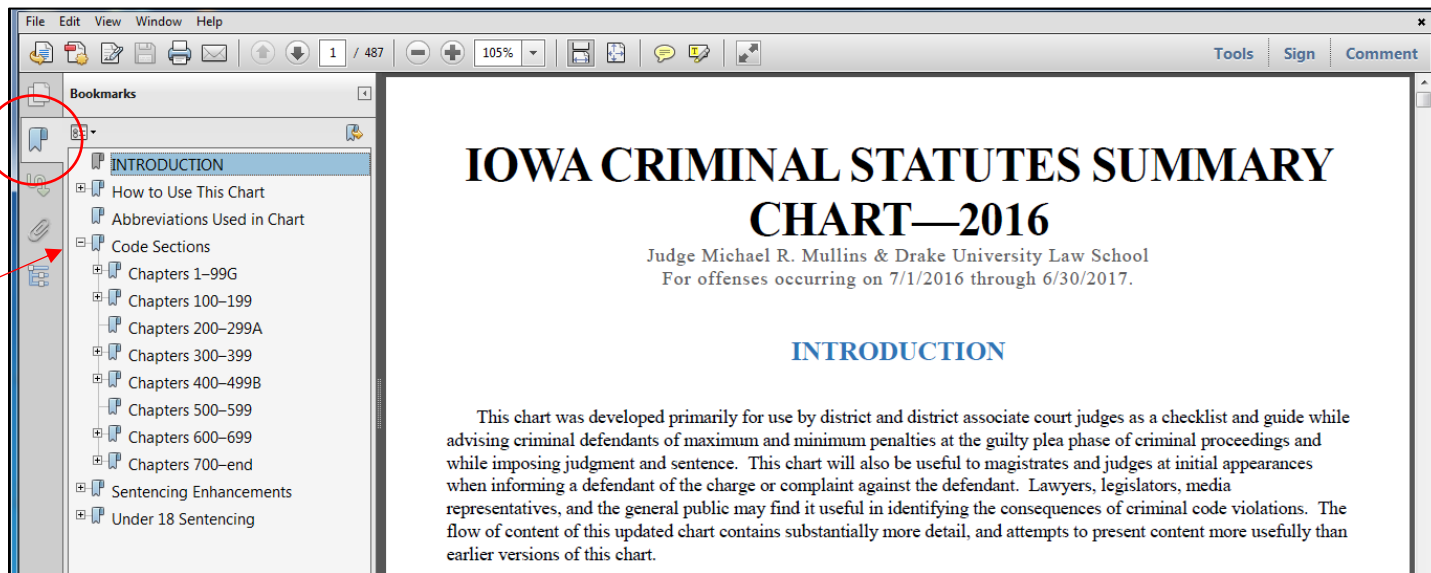
CAVEATS: (1) This chart is based solely on the authors’ understanding and interpretation of the applicable provisions. This chart is NOT an official document of the Judicial Branch of the State of Iowa, and is NOT intended as and may not be used as any authority in support of any interpretation of Iowa 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.

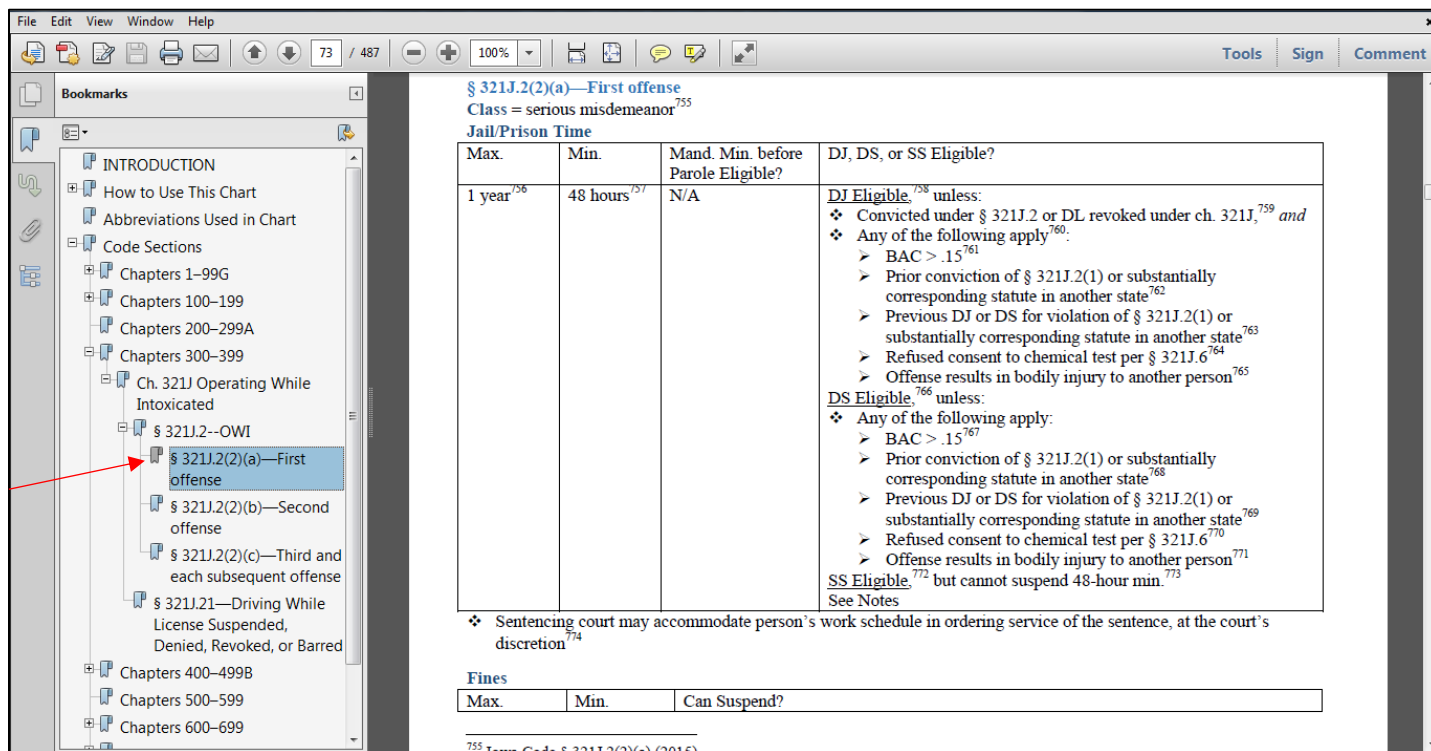
HOW TO USE THIS CHART

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?

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?

★ 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).

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 Eligible?

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) ¹⁴²			
Prison/Jail Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?

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 corresponding
❖ 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, ²⁴⁴⁵ 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 (2017) 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.

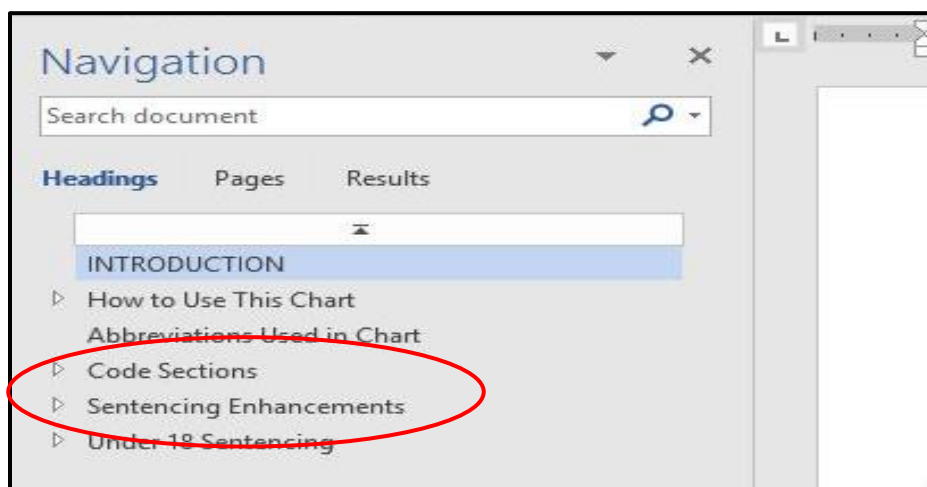
Sometimes, one of the above-discussed boxes will say “see Notes” or “but see Notes” as a “heads up” that there is additional information in this Notes section.

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 (2017). *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) (2017).

² Iowa Code § 903.1(2) (2017).

³ Iowa Code § 903.1(2) (2017).

⁴ See Iowa Code § 907.3 (2017).

⁵ Iowa Code § 903.1(2) (2017).

⁶ Iowa Code § 903.1(2) (2017).

⁷ Iowa Code § 903.1(2) (2017).

⁸ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁹ Iowa Code § 911.1(1) (2017).

¹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 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 ¹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹	No	No

Notes:¹¹ Iowa Code § 81.6(2) (2017).¹² Iowa Code § 902.9(1)(e) (2017).¹³ Iowa Code § 902.9(1)(e) (2017).¹⁴ See Iowa Code § 907.3 (2017).¹⁵ Iowa Code § 902.9(1)(e) (2017).¹⁶ Iowa Code § 902.9(1)(e) (2017).¹⁷ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).¹⁸ Iowa Code § 911.1(1) (2017).¹⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

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 misdemeanor²⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²¹	0 ²²	N/A	Yes ²³

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁴	\$315 ²⁵	No ²⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷	No	No	No	No	No

Miscellaneous

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

Notes:

²⁰ Iowa Code § 99B.54(1) (2017).

²¹ Iowa Code § 903.1(1)(b) (2017).

²² Iowa Code § 903.1(1)(b) (2017).

²³ See Iowa Code § 907.3 (2017).

²⁴ Iowa Code § 903.1(1)(b) (2017).

²⁵ Iowa Code § 903.1(1)(b) (2017).

²⁶ Iowa Code § 903.1(1) (2017).

²⁷ Iowa Code § 911.1(1) (2017).

§ 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)²⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
0 ²⁹	0 ³⁰	N/A	N/A

Fines

Max.	Min.	Can Suspend?
\$250 ³¹	\$250 ³²	No ³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴	No	No	No	No	No

Miscellaneous

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

Notes:

²⁸ Iowa Code § 99B.54(2)(a) (2017).

²⁹ Iowa Code § 805.8C(4)(b); *see id.* § 805.11 (2017) (“If the defendant is convicted of a scheduled violation, the penalty is the scheduled fine . . .”).

³⁰ Iowa Code § 805.8C(4)(b) (2017); *see id.* § 805.11.

³¹ Iowa Code § 805.8C(4)(b) (2017).

³² Iowa Code § 805.8C(4)(b) (2017).

³³ Iowa Code § 805.11 (2017).

³⁴ Iowa Code § 911.1(1) (2017); *see id.* § 805.8(1) (2017) (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 misdemeanor³⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁶	0 ³⁷	N/A	Yes ³⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁹	\$315 ⁴⁰	No ⁴¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²	No	No	No	No	No

Miscellaneous

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

Notes:

³⁵ Iowa Code § 99B.54(2)(b) (2017).

³⁶ Iowa Code § 903.1(1)(b) (2017).

³⁷ Iowa Code § 903.1(1)(b) (2017).

³⁸ See Iowa Code § 907.3 (2017).

³⁹ Iowa Code § 903.1(1)(b) (2017).

⁴⁰ Iowa Code § 903.1(1)(b) (2017).

⁴¹ Iowa Code § 903.1(1) (2017).

⁴² Iowa Code § 911.1(1) (2017).

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” felony⁴³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴	0 ⁴⁵	No, but see Enhancements	Yes ⁴⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁷	\$750 ⁴⁸	Yes ⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵¹	No	No

Notes:

⁴³ Iowa Code § 99F.15(6)(b)(1) (2017).

⁴⁴ Iowa Code § 902.9(1)(e) (2017).

⁴⁵ Iowa Code § 902.9(1)(e) (2017).

⁴⁶ See Iowa Code § 907.3 (2017).

⁴⁷ Iowa Code § 902.9(1)(e) (2017).

⁴⁸ Iowa Code § 902.9(1)(e) (2017).

⁴⁹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰ Iowa Code § 911.1(1) (2017).

⁵¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 99F.15(6)(b)(2)—Unlawful bet: potential winnings between \$500 and \$1000Class = aggravated misdemeanor⁵²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵³	0 ⁵⁴	None	Yes ⁵⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁶**Fines**

Max.	Min.	Can Suspend?
\$6250 ⁵⁷	\$625 ⁵⁸	Yes ⁵⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶¹	No	No

Notes:⁵² Iowa Code § 99F.15(6)(b)(2) (2017).⁵³ Iowa Code § 903.1(2) (2017).⁵⁴ Iowa Code § 903.1(2) (2017).⁵⁵ See Iowa Code § 907.3 (2017).⁵⁶ Iowa Code § 903.1(2) (2017).⁵⁷ Iowa Code § 903.1(2) (2017).⁵⁸ Iowa Code § 903.1(2) (2017).⁵⁹ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁶⁰ Iowa Code § 911.1(1) (2017).⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 99F.15(6)(b)(3)—Unlawful bet: potential winnings between \$200 and \$500Class = serious misdemeanor⁶²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁶³	0 ⁶⁴	N/A	Yes ⁶⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ⁶⁶	\$315 ⁶⁷	No ⁶⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁹	No	No	No	No	No

Miscellaneous

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

Notes:⁶² Iowa Code § 99F.15(6)(b)(3) (2017).⁶³ Iowa Code § 903.1(1)(b) (2017).⁶⁴ Iowa Code § 903.1(1)(b) (2017).⁶⁵ See Iowa Code § 907.3 (2017).⁶⁶ Iowa Code § 903.1(1)(b) (2017).⁶⁷ Iowa Code § 903.1(1)(b) (2017).⁶⁸ Iowa Code § 903.1(1) (2017).⁶⁹ Iowa Code § 911.1(1) (2017).

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

Class = simple misdemeanor⁷⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
30 days ⁷¹	0 ⁷²	N/A	Yes ⁷³

Fines

Max.	Min.	Suspended?
\$625 ⁷⁴	\$65 ⁷⁵	No ⁷⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷⁷	No	No	No	No	No

Miscellaneous

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

Notes:

⁷⁰ Iowa Code § 99F.15(6)(b)(4) (2017).

⁷¹ Iowa Code § 903.1(1)(a) (2017).

⁷² Iowa Code § 903.1(1)(a) (2017).

⁷³ See Iowa Code § 907.3 (2017).

⁷⁴ Iowa Code § 903.1(1)(a) (2017).

⁷⁵ Iowa Code § 903.1(1)(a) (2017).

⁷⁶ Iowa Code § 903.1(1) (2017).

⁷⁷ Iowa Code § 911.1(1) (2017).

Chapters 100–199

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 Substances⁷⁸

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

§ 124.401(1)(a)—Largest quantities

Class = “B” felony⁷⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ⁸⁰	0 ⁸¹	Not eligible until has served one-third of 50 years, ⁸² 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 § 124.410,⁸³ or ➤ controlled substance is marijuana⁸⁴ See Notes See also Drug Enhancements and General Enhancements	Yes, but no DJ, DS, or SS if controlled substance is meth ⁸⁵ (but see Under 18 Sentencing)

Fines

Max	Min.	Can Suspend?
\$1M ⁸⁶	0 ⁸⁷	Yes, unless controlled substance is meth ⁸⁸ (but see Under 18 Sentencing)

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁸⁹	Yes, \$10 ⁹⁰ but n/a if received DJ, DS, or SS ⁹¹	No	No	No	Yes, \$125 ⁹²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁹³ 180 days, ⁹⁴ see Notes	Yes ⁹⁵	No	Yes, consider denying state ⁹⁶ and federal benefits. ⁹⁷

Notes:

⁷⁸ Iowa Code § 124.401(1) (2017) (amended by 2017 Iowa Acts ch. 145, § 4 to include imitation controlled substances as defined in new subsection 124.101(15A), effective 7/1/2017).

⁷⁹ Iowa Code § 124.401(1)(a) (2017) (amended by 2017 Iowa Acts ch. 145, § 5, effective 7/1/2017).

⁸⁰ Iowa Code § 124.401(1)(a) (2017).

⁸¹ Iowa Code § 902.9(1)(b) (2017).

⁸² Iowa Code § 124.413(1) (2017).

⁸³ Iowa Code § 124.413(2)(a) (2017).

⁸⁴ Iowa Code § 124.413(2)(b) (2017).

⁸⁵ Iowa Code § 907.3 (1)(a)(5), (2)(a)(1), (3)(e) (2017).

⁸⁶ Iowa Code § 124.401(1)(a) (2017).

⁸⁷ See Iowa Code §§ 124.401(1)(a) (2017), 902.9(1)(b) (2017) (no explicit minimum fine provided).

⁸⁸ Iowa Code § 907.3 (3)(e) (2017).

⁸⁹ Iowa Code § 911.1(1) (2017).

⁹⁰ Iowa Code § 911.2(1) (2017).

⁹¹ Iowa Code § 911.2(2) (2017).

⁹² Iowa Code § 911.3(1) (2017).

⁹³ Iowa Code § 901.5(10)(a)(1) (2017).

⁹⁴ Iowa Code § 901.5(10)(a) (2017).

⁹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁹⁶ Iowa Code § 901.5(12) (2017).

⁹⁷ Iowa Code § 901.5(11) (2017).

❖ 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:⁹⁸
 - 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 guilty⁹⁹
 - ♦ can reduce mandatory minimum sentence by up to one-third if pleads guilty¹⁰⁰
 - ♦ can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:¹⁰¹
 - 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 completed¹⁰²

❖ 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 business¹⁰³

⁹⁸ Iowa Code § 901.10(1) (2017).

⁹⁹ Iowa Code § 901.10(2) (2017).

¹⁰⁰ Iowa Code § 901.10(2) (2017).

¹⁰¹ Iowa Code § 901.10(2) (2017).

¹⁰² Iowa Code § 901.5(10)(b) (2017).

¹⁰³ Iowa Code § 124.412 (2017).

§ 124.401(1)(b)—Smaller quantities

Class = “B” felony¹⁰⁴

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹⁰⁵	0 ¹⁰⁶	<p>Not eligible until has served between one-half of one-third of max. indeterminate term and max. indeterminate term¹⁰⁷ (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 § 124.410,¹⁰⁸ or ➤ controlled substance is marijuana¹⁰⁹ court must determine at time of sentencing when person is to become eligible for parole or work release¹¹⁰ <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”¹¹¹ <p>See Notes See also Drug Enhancements and General Enhancements</p>	Yes, but no DJ, DS, or SS if controlled substance is meth ¹¹² (but see Under 18 Sentencing)

Fines

Max	Min.	Can Suspend?
\$100,000 ¹¹³	\$5000 ¹¹⁴	Yes, unless controlled substance is meth ¹¹⁵ (but see Under 18 Sentencing)

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁶	Yes, \$10 ¹¹⁷ but n/a if received DJ, DS, or SS ¹¹⁸	No	No	No	Yes, \$125 ¹¹⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
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¹⁰⁴ Iowa Code § 124.401(1)(b) (2017) (amended by 2017 Iowa Acts ch. 145, § 6, effective 7/1/2017).

¹⁰⁵ Iowa Code § 902.9(1)(b) (2017).

¹⁰⁶ Iowa Code § 902.9(1)(b) (2017).

¹⁰⁷ Iowa Code § 124.413(1), (3) (2017).

¹⁰⁸ Iowa Code § 124.413(2)(a) (2017).

¹⁰⁹ Iowa Code § 124.413(2)(b) (2017).

¹¹⁰ Iowa Code § 901.11(1) (2017).

¹¹¹ Iowa Code § 901.11(1) (2017).

¹¹² Iowa Code § 907.3 (1)(a)(5), (2)(a)(1), (3)(e) (2017).

¹¹³ Iowa Code § 124.401(1)(b) (2017).

¹¹⁴ Iowa Code § 124.401(1)(b) (2017).

¹¹⁵ Iowa Code § 907.3 (3)(e) (2017).

¹¹⁶ Iowa Code § 911.1(1) (2017).

¹¹⁷ Iowa Code § 911.2(1) (2017).

¹¹⁸ Iowa Code § 911.2(2) (2017).

¹¹⁹ Iowa Code § 911.3(1) (2017).

Yes, ¹²⁰ 180 days, ¹²¹ see Notes	Yes ¹²²	No	Yes, consider denying state ¹²³ and federal benefits. ¹²⁴
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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:¹²⁵
 - 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 guilty¹²⁶
 - ◆ can reduce mandatory minimum sentence by up to one-third if pleads guilty¹²⁷
 - ◆ can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:¹²⁸
 - 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 completed¹²⁹

❖ 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 business¹³⁰

¹²⁰ Iowa Code § 901.5(10)(a)(1) (2017).

¹²¹ Iowa Code § 901.5(10)(a) (2017).

¹²² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹²³ Iowa Code § 901.5(12) (2017).

¹²⁴ Iowa Code § 901.5(11) (2017).

¹²⁵ Iowa Code § 901.10(1) (2017).

¹²⁶ Iowa Code § 901.10(2) (2017).

¹²⁷ Iowa Code § 901.10(2) (2017).

¹²⁸ Iowa Code § 901.10(2) (2017).

¹²⁹ Iowa Code § 901.5(10)(b) (2017).

¹³⁰ Iowa Code § 124.412 (2017).

§ 124.401(1)(c)—Smaller quantities

Class = “C” felony¹³¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹³²	0 ¹³³	No, ¹³⁴ but see Drug Enhancements and General Enhancements	Yes, ¹³⁵ see also Notes

Fines

Max	Min.	Can Suspend?
\$50,000 ¹³⁶	\$1000 ¹³⁷	Yes ¹³⁸

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

Notes:

❖ 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:¹⁴⁸
 - order person to complete drug court program if drug court has been established in county in which the person is being sentenced, *or*

¹³¹ Iowa Code § 124.401(1)(c) (2017) (amended by 2017 Iowa Acts ch. 145, §§ 7-8, effective 7/1/2017).

¹³² Iowa Code § 902.9(1)(d) (2017).

¹³³ Iowa Code § 902.9(1)(d) (2017).

¹³⁴ 2017 Iowa Acts, ch. 122, §§ 10-11 removed the previous mandatory minimum provisions of Iowa Code §§ 124.413, 901.11(1), effective July 1, 2017.

¹³⁵ See Iowa Code § 907.3 (2017).

¹³⁶ Iowa Code § 124.401(1)(c) (2017).

¹³⁷ Iowa Code § 124.401(1)(c) (2017).

¹³⁸ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹³⁹ Iowa Code § 911.1(1) (2017).

¹⁴⁰ Iowa Code § 911.2(1) (2017).

¹⁴¹ Iowa Code § 911.2(2) (2017).

¹⁴² Iowa Code § 911.3(1) (2017).

¹⁴³ Iowa Code § 901.5(10)(a)(1) (2017).

¹⁴⁴ Iowa Code § 901.5(10)(a) (2017).

¹⁴⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁴⁶ Iowa Code § 901.5(12) (2017).

¹⁴⁷ Iowa Code § 901.5(11) (2017).

¹⁴⁸ Iowa Code § 124.401E(1) (2017).

- 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 either¹⁴⁹:
 - 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),¹⁵⁰ *and*
 - ♦ Note: this is in addition to imposing any other authorized penalties¹⁵¹
 - person shall serve minimum term of confinement as required by § 124.413¹⁵²
- ❖ 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 completed¹⁵³
- ❖ 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 business¹⁵⁴

¹⁴⁹ Iowa Code § 124.401E(2) (2017).

¹⁵⁰ Iowa Code § 124.401E(3) (2017).

¹⁵¹ Iowa Code § 124.401E(3) (2017).

¹⁵² Iowa Code § 124.401E(3) (2017).

¹⁵³ Iowa Code § 901.5(10)(b) (2017).

¹⁵⁴ Iowa Code § 124.412 (2017).

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

Class = “D” felony¹⁵⁵

❖ Exception: Accommodation offense¹⁵⁶

- 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 ¹⁵⁷	0 ¹⁵⁸	No, but see Drug Enhancements and General Enhancements	Yes ¹⁵⁹

Fines

Max	Min.	Can Suspend?
\$7500 ¹⁶⁰	\$750 ¹⁶¹	Yes ¹⁶²

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:

¹⁵⁵ Iowa Code § 124.401(1)(d) (2017).

¹⁵⁶ Iowa Code § 124.410 (2017).

¹⁵⁷ Iowa Code § 902.9(1)(e) (2017).

¹⁵⁸ Iowa Code § 902.9(1)(e) (2017).

¹⁵⁹ See Iowa Code § 907.3 (2017).

¹⁶⁰ Iowa Code § 902.9(1)(e) (2017).

¹⁶¹ Iowa Code § 902.9(1)(e) (2017).

¹⁶² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁶³ Iowa Code § 911.1(1) (2017).

¹⁶⁴ Iowa Code § 911.2(1) (2017).

¹⁶⁵ Iowa Code § 911.2(2) (2017).

¹⁶⁶ Iowa Code § 911.3(1) (2017).

¹⁶⁷ Iowa Code § 901.5(10)(a)(1) (2017).

¹⁶⁸ Iowa Code § 901.5(10)(a) (2017).

¹⁶⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁷⁰ Iowa Code § 901.5(12) (2017).

¹⁷¹ Iowa Code § 901.5(11) (2017).

- 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) (2017).

¹⁷³ Iowa Code § 124.412 (2017).

§ 124.401(1)(d)—Substances in schedules IV and V

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) (2017).

¹⁷⁵ Iowa Code § 903.1(2) (2017).

¹⁷⁶ Iowa Code § 903.1(2) (2017).

¹⁷⁷ See Iowa Code § 907.3 (2017).

¹⁷⁸ Iowa Code § 903.1(2) (2017).

¹⁷⁹ Iowa Code § 903.1(2) (2017).

¹⁸⁰ Iowa Code § 903.1(2) (2017).

¹⁸¹ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁸² Iowa Code § 911.1(1) (2017).

¹⁸³ Iowa Code § 911.2(1) (2017).

¹⁸⁴ Iowa Code § 911.2(2) (2017).

¹⁸⁵ Iowa Code § 911.3(1) (2017).

¹⁸⁶ Iowa Code § 901.5(10)(a)(1) (2017).

¹⁸⁷ Iowa Code § 901.5(10)(a) (2017).

¹⁸⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁸⁹ Iowa Code § 901.5(12) (2017).

¹⁹⁰ Iowa Code § 901.5(11) (2017).

¹⁹¹ Iowa Code § 901.5(10)(b) (2017).

¹⁹² Iowa Code § 124.412 (2017).

§ 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) (2017).

¹⁹⁴ Iowa Code § 903.1(1)(b) (2017).

¹⁹⁵ Iowa Code § 903.1(1)(b) (2017).

¹⁹⁶ See Iowa Code § 907.3 (2017).

¹⁹⁷ Iowa Code § 903.1(1)(b) (2017).

¹⁹⁸ Iowa Code § 903.1(1)(b) (2017).

¹⁹⁹ Iowa Code § 903.1(1)(b) (2017).

²⁰⁰ Iowa Code § 911.1(1) (2017).

²⁰¹ Iowa Code § 911.2(1) (2017).

²⁰² Iowa Code § 911.2(2) (2017).

²⁰³ Iowa Code § 911.3(1) (2017).

²⁰⁴ Iowa Code § 901.5(10)(a)(1) (2017).

²⁰⁵ Iowa Code § 901.5(10)(a) (2017).

²⁰⁶ Iowa Code § 901.5(12) (2017).

²⁰⁷ Iowa Code § 901.5(11) (2017).

²⁰⁸ Iowa Code § 901.5(10)(b) (2017).

²⁰⁹ Iowa Code § 124.412 (2017).

§ 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 ²¹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁷	Yes, \$10 ²¹⁸ but n/a if received DJ, DS, or SS ²¹⁹	No	No	No	Yes, \$125 ²²⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ²²¹ 180 days, ²²² see Notes	Yes ²²³	No	Yes, consider denying state ²²⁴ and federal benefits. ²²⁵

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 completed²²⁶

❖ 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 business²²⁷

²¹⁰ Iowa Code § 124.401(4) (2017).

²¹¹ Iowa Code § 902.9(1)(e) (2017).

²¹² Iowa Code § 902.9(1)(e) (2017).

²¹³ See Iowa Code § 907.3 (2017).

²¹⁴ Iowa Code § 902.9(1)(e) (2017).

²¹⁵ Iowa Code § 902.9(1)(e) (2017).

²¹⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²¹⁷ Iowa Code § 911.1(1) (2017).

²¹⁸ Iowa Code § 911.2(1) (2017).

²¹⁹ Iowa Code § 911.2(2) (2017).

²²⁰ Iowa Code § 911.3(1) (2017).

²²¹ Iowa Code § 901.5(10)(a)(1) (2017).

²²² Iowa Code § 901.5(10)(a) (2017).

²²³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²²⁴ Iowa Code § 901.5(12) (2017).

²²⁵ Iowa Code § 901.5(11) (2017).

²²⁶ Iowa Code § 901.5(10)(b) (2017).

²²⁷ Iowa Code § 124.412 (2017).

§ 124.401(5)—Unlawful possession

First Offense

Class = serious misdemeanor²²⁸

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 months²²⁹For all other controlled substances, 1 year²³⁰	48 hours ²³¹	N/A, but see Drug Enhancements	Yes, ²³² see Notes

Fines

Max	Min.	Can Suspend?
<ul style="list-style-type: none">if controlled substance if marijuana, \$1000²³³for all other controlled substances, \$1875²³⁴	<ul style="list-style-type: none">if controlled substance is marijuana, \$0²³⁵for all other controlled substances, \$315²³⁶	Yes ²³⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁸	Yes, \$10 ²³⁹ but n/a if received DJ, DS, or SS ²⁴⁰	No	No	No	Yes, \$125 ²⁴¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ²⁴² 180 days, ²⁴³ see Notes	No	No	Yes, consider denying state ²⁴⁴ and federal benefits. ²⁴⁵

Notes:

❖ DJ, DS, or SS Eligible:

- all or any part of the sentence may be suspended,²⁴⁶ including the 48-hour minimum²⁴⁷

²²⁸ Iowa Code § 124.401(5), unnum. para. 1 (2017).

²²⁹ Iowa Code § 124.401(5), unnum. para. 2 (2017).

²³⁰ Iowa Code § 903.1(1)(b) (2017).

²³¹ Iowa Code § 124.401(5), unnum. paras. 4, 5 (2017).

²³² See Iowa Code § 907.3 (2017).

²³³ Iowa Code § 124.401(5), unnum. para. 2 (2017).

²³⁴ Iowa Code § 903.1(1)(b) (2017).

²³⁵ Iowa Code § 124.401(5), unnum. para. 2 (2017).

²³⁶ Iowa Code § 903.1(1)(b) (2017).

²³⁷ Iowa Code § 124.401(5), unnum. para. 3 (2017).

²³⁸ Iowa Code § 911.1(1) (2017).

²³⁹ Iowa Code § 911.2(1) (2017).

²⁴⁰ Iowa Code § 911.2(2) (2017).

²⁴¹ Iowa Code § 911.3(1) (2017).

²⁴² Iowa Code § 901.5(10)(a)(1) (2017).

²⁴³ Iowa Code § 901.5(10)(a) (2017).

²⁴⁴ Iowa Code § 901.5(12) (2017).

²⁴⁵ Iowa Code § 901.5(11) (2017).

²⁴⁶ Iowa Code § 124.401(5), unnum. para. 4 (2017).

²⁴⁷ Iowa Code § 124.401(5), unnum. para. 5 (2017).

- 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 court²⁴⁸
- if controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
 - may be placed on intensive probation²⁴⁹
 - terms and conditions of probation shall require submission to random drug testing²⁵⁰
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order²⁵¹
- 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 testing²⁵²
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order²⁵³
- ❖ 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 completed²⁵⁴
- ❖ 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 business²⁵⁵

²⁴⁸ Iowa Code § 124.401(5), unnum. para. 4–5 (2017).

²⁴⁹ Iowa Code § 124.401(5), unnum. para. 5 (2017).

²⁵⁰ Iowa Code § 124.401(5), unnum. para. 5 (2017).

²⁵¹ Iowa Code § 124.401(5), unnum. para. 5 (2017).

²⁵² Iowa Code § 124.401(5), unnum. para. 5 (2017).

²⁵³ Iowa Code § 124.401(5), unnum. para. 4 (2017).

²⁵⁴ Iowa Code § 901.5(10)(b) (2017).

²⁵⁵ Iowa Code § 124.412 (2017).

Violation of § 124.401(5) + 1 prior conviction under chapter 124, 124B, 453B, or chapter 124A as it existed prior to July 1, 2017.²⁵⁶

Class =

- ❖ if controlled substance is marijuana, serious misdemeanor²⁵⁷
- ❖ for all other controlled substances, aggravated misdemeanor²⁵⁸

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 year²⁵⁹ For all others, 2 years²⁶⁰ <ul style="list-style-type: none"> ➤ If sentence of confinement is more than 1 year, sentence shall be for an indeterminate term²⁶¹ 	48 hours ²⁶²	<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 marijuana²⁶³ None for all others <p>But see Drug Enhancements</p>	Yes, ²⁶⁴ 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, \$1875²⁶⁵ for all others, \$6250²⁶⁶ 	<ul style="list-style-type: none"> if controlled substance is marijuana and prior conviction was under § 124.401(5) where controlled substance was marijuana, \$315²⁶⁷ for all others, \$625²⁶⁸ 	Yes ²⁶⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁰	Yes, \$10 ²⁷¹ but n/a if received DJ, DS, or SS ²⁷²	No	No	No	Yes, \$125 ²⁷³

Miscellaneous

²⁵⁶ Iowa Code § 124.401(5), unnum. para. 1 (2017) (2017 Iowa Acts ch.145 § 10 added “as it existed prior” language effective 7/1/2017).

²⁵⁷ See Iowa Code § 124.401(5), unnum. para. 1 (2017).

²⁵⁸ Iowa Code § 124.401(5), unnum. para. 1 (2017).

²⁵⁹ Iowa Code § 124.401(5), unnum. para. 2 (2017) (citing § 903.1(1)(b)).

²⁶⁰ Iowa Code § 903.1(2) (2017).

²⁶¹ Iowa Code § 903.1(2) (2017).

²⁶² Iowa Code § 124.401(5), unnum. paras. 4, 5 (2017).

²⁶³ See Iowa Code § 124.401(5), unnum. para. 2 (2017) (citing § 903.1(1)(b)) (mandatory minimums before parole eligibility do not apply to serious misdemeanors).

²⁶⁴ See Iowa Code § 907.3 (2017).

²⁶⁵ Iowa Code § 124.401(5), unnum. para. 2 (2017) (citing § 903.1(1)(b)).

²⁶⁶ Iowa Code § 903.1(2) (2017).

²⁶⁷ Iowa Code § 124.401(5), unnum. para. 2 (2017) (citing § 903.1(1)(b)).

²⁶⁸ Iowa Code § 903.1(2) (2017).

²⁶⁹ Iowa Code § 124.401(5), unnum. para. 3 (2017).

²⁷⁰ Iowa Code § 911.1(1) (2017).

²⁷¹ Iowa Code § 911.2(1) (2017).

²⁷² Iowa Code § 911.2(2) (2017).

²⁷³ Iowa Code § 911.3(1) (2017).

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ²⁷⁴ 180 days, ²⁷⁵ see Notes	<ul style="list-style-type: none"> if controlled substance is marijuana and prior conviction was under § 124.401(5) where controlled substance was marijuana, No²⁷⁶ for all others, Yes²⁷⁷ 	No	Yes, consider denying state ²⁷⁸ and federal benefits. ²⁷⁹

Notes:

❖ DJ, DS, or SS Eligible:

- all or any part of the sentence may be suspended,²⁸⁰ including the 48-hour minimum²⁸¹
- 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 court²⁸²
- if controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
 - may be placed on intensive probation²⁸³
 - 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
- 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 testing²⁸⁶
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order²⁸⁷

❖ 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 completed²⁸⁸

❖ 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 business²⁸⁹

²⁷⁴ Iowa Code § 901.5(10)(a)(1) (2017).

²⁷⁵ Iowa Code § 901.5(10)(a) (2017).

²⁷⁶ See Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017) (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).

²⁷⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁷⁸ Iowa Code § 901.5(12) (2017).

²⁷⁹ Iowa Code § 901.5(11) (2017).

²⁸⁰ Iowa Code § 124.401(5), unnum. para. 4 (2017).

²⁸¹ Iowa Code § 124.401(5), unnum. para. 5 (2017).

²⁸² Iowa Code § 124.401(5), unnum. para. 4–5 (2017).

²⁸³ Iowa Code § 124.401(5), unnum. para. 5 (2017).

²⁸⁴ Iowa Code § 124.401(5), unnum. para. 5 (2017).

²⁸⁵ Iowa Code § 124.401(5), unnum. para. 5 (2017).

²⁸⁶ Iowa Code § 124.401(5), unnum. para. 4 (2017).

²⁸⁷ Iowa Code § 124.401(5), unnum. para. 4 (2017).

²⁸⁸ Iowa Code § 901.5(10)(b) (2017).

²⁸⁹ Iowa Code § 124.412 (2017).

Violation of § 124.401(5) + 2 or more prior convictions under chapter 124, 124B, 453B, or chapter 124A as it existed prior to July 1, 2017.²⁹⁰

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 misdemeanor²⁹¹
- ❖ for all others, “D” felony²⁹²

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 years²⁹³ <ul style="list-style-type: none"> ➤ If sentence of confinement is more than 1 year, sentence shall be for an indeterminate term²⁹⁴ For all others, 5 years²⁹⁵ 	48 hours ²⁹⁶	No, but see Drug Enhancements and General Enhancements	Yes, ²⁹⁷ 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, \$6250²⁹⁸ for all others, \$7500²⁹⁹ 	<ul style="list-style-type: none"> if controlled substance is marijuana and prior convictions were under § 124.401(5) when controlled substance was marijuana, \$625³⁰⁰ for all others, \$750³⁰¹ 	Yes ³⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰³	Yes, \$10 ³⁰⁴ but n/a if received DJ, DS, or SS ³⁰⁵	No	No	No	Yes, \$125 ³⁰⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
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²⁹⁰ Iowa Code § 124.401(5), unnum. para. 1 (2017) (2017 Iowa Acts ch.145 § 10 added “as it existed prior” language effective 7/1/2017).

²⁹¹ Iowa Code § 124.401(5), unnum. para. 2 (2017).

²⁹² Iowa Code § 124.401(5), unnum. para. 1 (2017).

²⁹³ Iowa Code § 903.1(2) (2017).

²⁹⁴ Iowa Code § 903.1(2) (2017).

²⁹⁵ Iowa Code § 902.9(1)(e) (2017).

²⁹⁶ Iowa Code § 124.401(5), unnum. paras. 4, 5 (2017).

²⁹⁷ See Iowa Code § 907.3 (2017).

²⁹⁸ Iowa Code § 903.1(2) (2017).

²⁹⁹ Iowa Code § 902.9(1)(e) (2017).

³⁰⁰ Iowa Code § 903.1(2) (2017).

³⁰¹ Iowa Code § 902.9(1)(e) (2017).

³⁰² Iowa Code § 124.401(5), unnum. para. 4 (2017).

³⁰³ Iowa Code § 911.1(1) (2017).

³⁰⁴ Iowa Code § 911.2(1) (2017).

³⁰⁵ Iowa Code § 911.2(2) (2017).

³⁰⁶ Iowa Code § 911.3(1) (2017).

Yes, ³⁰⁷ 180 days, ³⁰⁸ see Notes	Yes ³⁰⁹	No	Yes, consider denying state ³¹⁰ and federal benefits. ³¹¹
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Notes:

❖ DJ, DS, or SS Eligible:

- all or any part of the sentence may be suspended,³¹² including the 48-hour minimum³¹³
- 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 court³¹⁴
- if controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
 - may be placed on intensive probation³¹⁵
 - terms and conditions of probation shall require submission to random drug testing³¹⁶
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order³¹⁷
- 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 testing³¹⁸
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order³¹⁹

❖ 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 completed³²⁰

❖ 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 business³²¹

³⁰⁷ Iowa Code § 901.5(10)(a)(1) (2017).

³⁰⁸ Iowa Code § 901.5(10)(a) (2017).

³⁰⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³¹⁰ Iowa Code § 901.5(12) (2017).

³¹¹ Iowa Code § 901.5(11) (2017).

³¹² Iowa Code § 124.401(5), unnum. para. 4 (2017).

³¹³ Iowa Code § 124.401(5), unnum. para. 5 (2017).

³¹⁴ Iowa Code § 124.401(5), unnum. para. 4–5 (2017).

³¹⁵ Iowa Code § 124.401(5), unnum. para. 5 (2017).

³¹⁶ Iowa Code § 124.401(5), unnum. para. 5 (2017).

³¹⁷ Iowa Code § 124.401(5), unnum. para. 5 (2017).

³¹⁸ Iowa Code § 124.401(5), unnum. para. 4 (2017).

³¹⁹ Iowa Code § 124.401(5), unnum. para. 4 (2017).

³²⁰ Iowa Code § 901.5(10)(b) (2017).

³²¹ Iowa Code § 124.412 (2017).

§ 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)³²²

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
99 years, ³²³ see Notes	0 ³²⁴	Not eligible until has served minimum term of confinement of 10 years, ³²⁵ see also Drug Enhancements and General Enhancements	Yes ³²⁶

Fines

Max	Min.	Can Suspend?
0 ³²⁷	0 ³²⁸	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ³²⁹ but n/a if received DJ, DS, or SS ³³⁰	No	No	No	Yes, \$125 ³³¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³²	No	Yes, consider denying state ³³³ and federal benefits. ³³⁴

Notes:

❖ **Max. Prison/Jail Time:**

- sentencing court has discretion to sentence person to a term less than the maximum 99 years³³⁵
 - can reduce term by up to one-third (i.e., 1/3 of 99 years → reduce by up to 33 years),³³⁶ if:
 - mitigating circumstances exist and those circumstances are specifically stated in the record,³³⁷ and
 - person pleads guilty³³⁸
 - may further reduce max. term if:

³²² Iowa Code § 124.401D(1)(b) (2017).

³²³ Iowa Code § 902.9(1)(a) (2017).

³²⁴ Iowa Code § 902.9(1)(a) (2017).

³²⁵ Iowa Code § 902.8A (2017).

³²⁶ See Iowa Code § 907.3 (2017).

³²⁷ See Iowa Code § 902.9(1)(a) (2017).

³²⁸ See Iowa Code § 902.9(1)(a) (2017).

³²⁹ Iowa Code § 911.2(1) (2017).

³³⁰ Iowa Code § 911.2(2) (2017).

³³¹ Iowa Code § 911.3(1) (2017).

³³² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³³³ Iowa Code § 901.5(12) (2017).

³³⁴ Iowa Code § 901.5(11) (2017).

³³⁵ Iowa Code § 901.10(3) (2017).

³³⁶ Iowa Code § 901.10(3) (2017).

³³⁷ Iowa Code § 901.10(3) (2017).

³³⁸ Iowa Code § 901.10(3) (2017).

- person cooperates in prosecution of other persons involved in the sale or use of controlled substances,³³⁹
and
 - prosecutor requests additional reduction in person's sentence because of such cooperation³⁴⁰
- ❖ 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 business³⁴¹

³³⁹ Iowa Code § 901.10(3) (2017).

³⁴⁰ Iowa Code § 901.10(3) (2017).

³⁴¹ Iowa Code § 124.412 (2017).

§ 124.401D(1)(c)—Second or subsequent offenseClass = “A” felony³⁴²**Prison/Jail Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, ³⁴³ but see Under 18 Sentencing	Life, ³⁴⁴ but see Under 18 Sentencing	Not eligible, ³⁴⁵ but see Under 18 Sentencing	No, ³⁴⁶ but see Under 18 Sentencing

Fines

Max	Min.	Can Suspend?
0 ³⁴⁷	0 ³⁴⁸	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ³⁴⁹ but n/a if received DJ, DS, or SS ³⁵⁰	No	No	No	Yes, \$125 ³⁵¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵²	No	Yes, consider denying state ³⁵³ and federal benefits. ³⁵⁴

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 business³⁵⁵

³⁴² Iowa Code § 124.401D(1)(c) (2017).³⁴³ Iowa Code § 902.1(1) (2017).³⁴⁴ Iowa Code § 902.1(1) (2017).³⁴⁵ Iowa Code § 902.1(1) (2017).³⁴⁶ Iowa Code § 902.1(1) (2017).³⁴⁷ See Iowa Code § 902.9(1)(a) (2017).³⁴⁸ See Iowa Code § 902.9(1)(a) (2017).³⁴⁹ Iowa Code § 911.2(1) (2017).³⁵⁰ Iowa Code § 911.2(2) (2017).³⁵¹ Iowa Code § 911.3(1) (2017).³⁵² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).³⁵³ Iowa Code § 901.5(12) (2017).³⁵⁴ Iowa Code § 901.5(11) (2017).³⁵⁵ Iowa Code § 124.412 (2017).

§ 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)³⁵⁶

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
99 years, ³⁵⁷ see Notes	0 ³⁵⁸	Not eligible until has served minimum term of confinement of 10 years, ³⁵⁹ see also Drug Enhancements and General Enhancements	Yes ³⁶⁰

Fines

Max	Min.	Can Suspend?
0 ³⁶¹	0 ³⁶²	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ³⁶³ but n/a if received DJ, DS, or SS ³⁶⁴	No	No	No	Yes, \$125 ³⁶⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁶	No	Yes, consider denying state ³⁶⁷ and federal benefits. ³⁶⁸

Notes:

❖ Max. Prison/Jail Time:

- sentencing court has discretion to sentence person to a term less than the maximum 99 years³⁶⁹
 - can reduce term by up to one-third (i.e., 1/3 of 99 years → reduce by up to 33 years),³⁷⁰ if:
 - mitigating circumstances exist and those circumstances are specifically stated in the record,³⁷¹ *and*
 - person pleads guilty³⁷²
 - may further reduce max. term if:

³⁵⁶ Iowa Code § 124.401D(2)(b) (2017).

³⁵⁷ Iowa Code § 902.9(1)(a) (2017).

³⁵⁸ Iowa Code § 902.9(1)(a) (2017).

³⁵⁹ Iowa Code § 902.8A (2017).

³⁶⁰ See Iowa Code § 907.3 (2017).

³⁶¹ See Iowa Code § 902.9(1)(a) (2017).

³⁶² See Iowa Code § 902.9(1)(a) (2017).

³⁶³ Iowa Code § 911.2(1) (2017).

³⁶⁴ Iowa Code § 911.2(2) (2017).

³⁶⁵ Iowa Code § 911.3(1) (2017).

³⁶⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³⁶⁷ Iowa Code § 901.5(12) (2017).

³⁶⁸ Iowa Code § 901.5(11) (2017).

³⁶⁹ Iowa Code § 901.10(3) (2017).

³⁷⁰ Iowa Code § 901.10(3) (2017).

³⁷¹ Iowa Code § 901.10(3) (2017).

³⁷² Iowa Code § 901.10(3) (2017).

- person cooperates in prosecution of other persons involved in the sale or use of controlled substances,³⁷³
and
 - prosecutor requests additional reduction in person's sentence because of such cooperation³⁷⁴
- ❖ 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 business³⁷⁵

³⁷³ Iowa Code § 901.10(3) (2017).

³⁷⁴ Iowa Code § 901.10(3) (2017).

³⁷⁵ Iowa Code § 124.412 (2017).

§ 124.401D(2)(c)—Second or subsequent offense

Class = “A” felony³⁷⁶

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, ³⁷⁷ but see Under 18 Sentencing	Life, ³⁷⁸ but see Under 18 Sentencing	Not eligible but see Under 18 Sentencing	No, ³⁷⁹ but see Under 18 Sentencing

Fines

Max	Min.	Can Suspend?
0 ³⁸⁰	0 ³⁸¹	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ³⁸² but n/a if received DJ, DS, or SS ³⁸³	No	No	No	Yes, \$125 ³⁸⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁵	No	Yes, consider denying state ³⁸⁶ and federal benefits. ³⁸⁷

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 business³⁸⁸

³⁷⁶ Iowa Code § 124.401D(2)(c) (2017).

³⁷⁷ Iowa Code § 902.1(1) (2017).

³⁷⁸ Iowa Code § 902.1(1) (2017).

³⁷⁹ Iowa Code § 902.1(1) (2017).

³⁸⁰ See Iowa Code § 902.9(1)(a) (2017).

³⁸¹ See Iowa Code § 902.9(1)(a) (2017).

³⁸² Iowa Code § 911.2(1) (2017).

³⁸³ Iowa Code § 911.2(2) (2017).

³⁸⁴ Iowa Code § 911.3(1) (2017).

³⁸⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³⁸⁶ Iowa Code § 901.5(12) (2017).

³⁸⁷ Iowa Code § 901.5(11) (2017).

³⁸⁸ Iowa Code § 124.412 (2017).

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

Class = serious misdemeanor³⁸⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁹⁰	0 ³⁹¹	N/A, but see Drug Enhancements	Yes ³⁹²

Fines

Max	Min.	Can Suspend?
\$1875 ³⁹³	\$315 ³⁹⁴	No ³⁹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁶	Yes, \$10 ³⁹⁷ but n/a if received DJ, DS, or SS ³⁹⁸	No	No	No	Yes, \$125 ³⁹⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	Yes, consider denying state ⁴⁰⁰ and federal benefits. ⁴⁰¹

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 business⁴⁰²

➤ Additional Civil Penalty:

- May be subject to additional civil penalty of up to \$1500⁴⁰³ if person either:
 - "Intentionally tampers with anhydrous ammonia equipment,"⁴⁰⁴ 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"⁴⁰⁵

³⁸⁹ Iowa Code § 124.401F(2) (2017).

³⁹⁰ Iowa Code § 903.1(1)(b) (2017).

³⁹¹ Iowa Code § 903.1(1)(b) (2017).

³⁹² See Iowa Code § 907.3 (2017).

³⁹³ Iowa Code § 903.1(1)(b) (2017).

³⁹⁴ Iowa Code § 903.1(1)(b) (2017).

³⁹⁵ Iowa Code § 903.1(1)(b) (2017).

³⁹⁶ Iowa Code § 911.1(1) (2017).

³⁹⁷ Iowa Code § 911.2(1) (2017).

³⁹⁸ Iowa Code § 911.2(2) (2017).

³⁹⁹ Iowa Code § 911.3(1) (2017).

⁴⁰⁰ Iowa Code § 901.5(12) (2017).

⁴⁰¹ Iowa Code § 901.5(11) (2017).

⁴⁰² Iowa Code § 124.412 (2017).

⁴⁰³ Iowa Code § 124.401F(2) (2017).

⁴⁰⁴ Iowa Code § 124.401F(2)(a) (2017).

⁴⁰⁵ Iowa Code § 124.401F(2)(b) (2017).

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

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

Class = aggravated misdemeanor⁴⁰⁶

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁰⁷	0 ⁴⁰⁸	No, but see Drug Enhancements	Yes ⁴⁰⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴¹⁰

Fines

Max	Min.	Can Suspend?
\$6250 ⁴¹¹	\$625 ⁴¹²	Yes ⁴¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁴	Yes, \$10 ⁴¹⁵ but n/a if received DJ, DS, or SS ⁴¹⁶	No	No	No	Yes, \$125 ⁴¹⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴¹⁸ 180 days, ⁴¹⁹ see Notes	Yes ⁴²⁰	No	Yes, consider denying state ⁴²¹ and federal benefits. ⁴²²

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 completed⁴²³
- ❖ 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 business⁴²⁴

⁴⁰⁶ Iowa Code § 124.402(2)(a) (2017).

⁴⁰⁷ Iowa Code § 903.1(2) (2017).

⁴⁰⁸ Iowa Code § 903.1(2) (2017).

⁴⁰⁹ See Iowa Code § 907.3 (2017).

⁴¹⁰ Iowa Code § 903.1(2) (2017).

⁴¹¹ Iowa Code § 903.1(2) (2017).

⁴¹² Iowa Code § 903.1(2) (2017).

⁴¹³ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹⁴ Iowa Code § 911.1(1) (2017).

⁴¹⁵ Iowa Code § 911.2(1) (2017).

⁴¹⁶ Iowa Code § 911.2(2) (2017).

⁴¹⁷ Iowa Code § 911.3(1) (2017).

⁴¹⁸ Iowa Code § 901.5(10)(a)(1) (2017).

⁴¹⁹ Iowa Code § 901.5(10)(a) (2017).

⁴²⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴²¹ Iowa Code § 901.5(12) (2017).

⁴²² Iowa Code § 901.5(11) (2017).

⁴²³ Iowa Code § 901.5(10)(b) (2017).

⁴²⁴ Iowa Code § 124.412 (2017).

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

Class = aggravated misdemeanor⁴²⁵

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴²⁶	0 ⁴²⁷	No, but see Drug Enhancements	Yes ⁴²⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴²⁹

Fines

Max	Min.	Can Suspend?
\$6250 ⁴³⁰	\$625 ⁴³¹	Yes ⁴³²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³³	Yes, \$10 ⁴³⁴ but n/a if received DJ, DS, or SS ⁴³⁵	No	No	No	Yes, \$125 ⁴³⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴³⁷ 180 days, ⁴³⁸ see Notes	Yes ⁴³⁹	No	Yes, consider denying state ⁴⁴⁰ and federal benefits. ⁴⁴¹

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 completed⁴⁴²
- ❖ 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 business⁴⁴³

⁴²⁵ Iowa Code § 124.402(2)(a) (2017).

⁴²⁶ Iowa Code § 903.1(2) (2017).

⁴²⁷ Iowa Code § 903.1(2) (2017).

⁴²⁸ See Iowa Code § 907.3 (2017).

⁴²⁹ Iowa Code § 903.1(2) (2017).

⁴³⁰ Iowa Code § 903.1(2) (2017).

⁴³¹ Iowa Code § 903.1(2) (2017).

⁴³² See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³³ Iowa Code § 911.1(1) (2017).

⁴³⁴ Iowa Code § 911.2(1) (2017).

⁴³⁵ Iowa Code § 911.2(2) (2017).

⁴³⁶ Iowa Code § 911.3(1) (2017).

⁴³⁷ Iowa Code § 901.5(10)(a)(1) (2017).

⁴³⁸ Iowa Code § 901.5(10)(a) (2017).

⁴³⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁴⁰ Iowa Code § 901.5(12) (2017).

⁴⁴¹ Iowa Code § 901.5(11) (2017).

⁴⁴² Iowa Code § 901.5(10)(b) (2017).

⁴⁴³ Iowa Code § 124.412 (2017).

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

Class = serious misdemeanor⁴⁴⁴

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁴⁵	0 ⁴⁴⁶	N/A, but see Drug Enhancements	Yes ⁴⁴⁷

Fines

Max	Min.	Can Suspend?
\$1875 ⁴⁴⁸	\$315 ⁴⁴⁹	No ⁴⁵⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵¹	Yes, \$10 ⁴⁵² but n/a if received DJ, DS, or SS ⁴⁵³	No	No	No	Yes, \$125 ⁴⁵⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴⁵⁵ 180 days, ⁴⁵⁶ see Notes	No	No	Yes, consider denying state ⁴⁵⁷ and federal benefits. ⁴⁵⁸

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 completed⁴⁵⁹
- ❖ 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 business⁴⁶⁰

⁴⁴⁴ Iowa Code § 124.402(2)(b) (2017).

⁴⁴⁵ Iowa Code § 903.1(1)(b) (2017).

⁴⁴⁶ Iowa Code § 903.1(1)(b) (2017).

⁴⁴⁷ See Iowa Code § 907.3 (2017).

⁴⁴⁸ Iowa Code § 903.1(1)(b) (2017).

⁴⁴⁹ Iowa Code § 903.1(1)(b) (2017).

⁴⁵⁰ Iowa Code § 903.1(1)(b) (2017).

⁴⁵¹ Iowa Code § 911.1(1) (2017).

⁴⁵² Iowa Code § 911.2(1) (2017).

⁴⁵³ Iowa Code § 911.2(2) (2017).

⁴⁵⁴ Iowa Code § 911.3(1) (2017).

⁴⁵⁵ Iowa Code § 901.5(10)(a)(1) (2017).

⁴⁵⁶ Iowa Code § 901.5(10)(a) (2017).

⁴⁵⁷ Iowa Code § 901.5(12) (2017).

⁴⁵⁸ Iowa Code § 901.5(11) (2017).

⁴⁵⁹ Iowa Code § 901.5(10)(b) (2017).

⁴⁶⁰ Iowa Code § 124.412 (2017).

§ 124.402(1)(d)—Refuse inspection

Class = aggravated misdemeanor⁴⁶¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁶²	0 ⁴⁶³	No, but see Drug Enhancements	Yes ⁴⁶⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁶⁵

Fines

Max	Min.	Can Suspend?
\$6250 ⁴⁶⁶	\$625 ⁴⁶⁷	Yes ⁴⁶⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁹	Yes, \$10 ⁴⁷⁰ but n/a if received DJ, DS, or SS ⁴⁷¹	No	No	No	Yes, \$125 ⁴⁷²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴⁷³ 180 days, ⁴⁷⁴ see Notes	Yes ⁴⁷⁵	No	Yes, consider denying state ⁴⁷⁶ and federal benefits. ⁴⁷⁷

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 completed⁴⁷⁸
- ❖ 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 business⁴⁷⁹

⁴⁶¹ Iowa Code § 124.402(2)(a) (2017).

⁴⁶² Iowa Code § 903.1(2) (2017).

⁴⁶³ Iowa Code § 903.1(2) (2017).

⁴⁶⁴ See Iowa Code § 907.3 (2017).

⁴⁶⁵ Iowa Code § 903.1(2) (2017).

⁴⁶⁶ Iowa Code § 903.1(2) (2017).

⁴⁶⁷ Iowa Code § 903.1(2) (2017).

⁴⁶⁸ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁹ Iowa Code § 911.1(1) (2017).

⁴⁷⁰ Iowa Code § 911.2(1) (2017).

⁴⁷¹ Iowa Code § 911.2(2) (2017).

⁴⁷² Iowa Code § 911.3(1) (2017).

⁴⁷³ Iowa Code § 901.5(10)(a)(1) (2017).

⁴⁷⁴ Iowa Code § 901.5(10)(a) (2017).

⁴⁷⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁷⁶ Iowa Code § 901.5(12) (2017).

⁴⁷⁷ Iowa Code § 901.5(11) (2017).

⁴⁷⁸ Iowa Code § 901.5(10)(b) (2017).

⁴⁷⁹ Iowa Code § 124.412 (2017).

§ 124.402(1)(e)—Wrongful storage

Class = aggravated misdemeanor⁴⁸⁰

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁸¹	0 ⁴⁸²	No, but see Drug Enhancements	Yes ⁴⁸³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁸⁴

Fines

Max	Min.	Can Suspend?
\$6250 ⁴⁸⁵	\$625 ⁴⁸⁶	Yes ⁴⁸⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁸	Yes, \$10 ⁴⁸⁹ but n/a if received DJ, DS, or SS ⁴⁹⁰	No	No	No	Yes, \$125 ⁴⁹¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴⁹² 180 days, ⁴⁹³ see Notes	Yes ⁴⁹⁴	No	Yes, consider denying state ⁴⁹⁵ and federal benefits. ⁴⁹⁶

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 completed⁴⁹⁷
- ❖ 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 business⁴⁹⁸

⁴⁸⁰ Iowa Code § 124.402(2)(a) (2017).

⁴⁸¹ Iowa Code § 903.1(2) (2017).

⁴⁸² Iowa Code § 903.1(2) (2017).

⁴⁸³ See Iowa Code § 907.3 (2017).

⁴⁸⁴ Iowa Code § 903.1(2) (2017).

⁴⁸⁵ Iowa Code § 903.1(2) (2017).

⁴⁸⁶ Iowa Code § 903.1(2) (2017).

⁴⁸⁷ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸⁸ Iowa Code § 911.1(1) (2017).

⁴⁸⁹ Iowa Code § 911.2(1) (2017).

⁴⁹⁰ Iowa Code § 911.2(2) (2017).

⁴⁹¹ Iowa Code § 911.3(1) (2017).

⁴⁹² Iowa Code § 901.5(10)(a)(1) (2017).

⁴⁹³ Iowa Code § 901.5(10)(a) (2017).

⁴⁹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁹⁵ Iowa Code § 901.5(12) (2017).

⁴⁹⁶ Iowa Code § 901.5(11) (2017).

⁴⁹⁷ Iowa Code § 901.5(10)(b) (2017).

⁴⁹⁸ Iowa Code § 124.412 (2017).

§ 124.403—Miscellaneous Prohibited Acts

Class = serious misdemeanor⁴⁹⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁵⁰⁰	0 ⁵⁰¹	N/A, but see Drug Enhancements	Yes ⁵⁰²

Fines

Max	Min.	Can Suspend?
\$1875 ⁵⁰³	\$315 ⁵⁰⁴	No ⁵⁰⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁶	Yes, \$10 ⁵⁰⁷ but n/a if received DJ, DS, or SS ⁵⁰⁸	No	No	No	Yes, \$125 ⁵⁰⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁵¹⁰ 180 days, ⁵¹¹ see Notes	No	No	Yes, consider denying state ⁵¹² and federal benefits. ⁵¹³

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 completed⁵¹⁴

❖ 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 business⁵¹⁵

⁴⁹⁹ Iowa Code § 124.403(2) (2017).

⁵⁰⁰ Iowa Code § 903.1(1)(b) (2017).

⁵⁰¹ Iowa Code § 903.1(1)(b) (2017).

⁵⁰² See Iowa Code § 907.3 (2017).

⁵⁰³ Iowa Code § 903.1(1)(b) (2017).

⁵⁰⁴ Iowa Code § 903.1(1)(b) (2017).

⁵⁰⁵ Iowa Code § 903.1(1)(b) (2017).

⁵⁰⁶ Iowa Code § 911.1(1) (2017).

⁵⁰⁷ Iowa Code § 911.2(1) (2017).

⁵⁰⁸ Iowa Code § 911.2(2) (2017).

⁵⁰⁹ Iowa Code § 911.3(1) (2017).

⁵¹⁰ Iowa Code § 901.5(10)(a)(1) (2017).

⁵¹¹ Iowa Code § 901.5(10)(a) (2017).

⁵¹² Iowa Code § 901.5(12) (2017).

⁵¹³ Iowa Code § 901.5(11) (2017).

⁵¹⁴ Iowa Code § 901.5(10)(b) (2017).

⁵¹⁵ Iowa Code § 124.412 (2017).

§ 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” felony⁵¹⁶

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years, ⁵¹⁷ see Notes	<ul style="list-style-type: none"> If distributed in, on, or within 1000 feet of certain real property, 10 years⁵¹⁸ For all others, 5 years⁵¹⁹ 	<ul style="list-style-type: none"> If distributed in, on, or within 1000 feet of certain real property, not eligible until served 10 years⁵²⁰ For all others, not eligible until served 5 years⁵²¹ But see Under 18 Sentencing See also Drug Enhancements and General Enhancements	Yes ⁵²²

Fines

Max	Min.	Can Suspend?
0 ⁵²³	0 ⁵²⁴	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ⁵²⁵ but n/a if received DJ, DS, or SS ⁵²⁶	No	No	No	Yes, \$125 ⁵²⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵²⁸	No	Yes, consider denying state ⁵²⁹ and federal benefits. ⁵³⁰

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 apply⁵³¹:
 - violation is first conviction under § 124.406

⁵¹⁶ Iowa Code § 124.406(1)(a) (2017).

⁵¹⁷ Iowa Code § 902.9(1)(b) (2017).

⁵¹⁸ Iowa Code § 124.406(1)(a) (2017).

⁵¹⁹ Iowa Code § 124.406(1)(a) (2017).

⁵²⁰ See Iowa Code § 124.406(1)(a) (2017).

⁵²¹ See Iowa Code § 124.406(1)(a) (2017).

⁵²² See Iowa Code § 907.3 (2017).

⁵²³ See Iowa Code § 902.9(1)(b) (2017).

⁵²⁴ See Iowa Code § 902.9(1)(b) (2017).

⁵²⁵ Iowa Code § 911.2(1) (2017).

⁵²⁶ Iowa Code § 911.2(2) (2017).

⁵²⁷ Iowa Code § 911.3(1) (2017).

⁵²⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵²⁹ Iowa Code § 901.5(12) (2017).

⁵³⁰ Iowa Code § 901.5(11) (2017).

⁵³¹ Iowa Code § 901.10(1) (2017).

- 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 business⁵³²

⁵³² Iowa Code § 124.412 (2017).

§ 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” felony⁵³³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁵³⁴	0 ⁵³⁵	No, but see Drug Enhancements and General Enhancements	Yes ⁵³⁶

Fines

Max	Min.	Can Suspend?
\$10,000 ⁵³⁷	\$1000 ⁵³⁸	Yes ⁵³⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁴⁰	Yes, \$10 ⁵⁴¹ but n/a if received DJ, DS, or SS ⁵⁴²	No	No	No	Yes, \$125 ⁵⁴³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁴⁴	No	Yes, consider denying state ⁵⁴⁵ and federal benefits. ⁵⁴⁶

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 apply⁵⁴⁷:
 - 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 business⁵⁴⁸

⁵³³ Iowa Code § 124.406(1)(b) (2017).

⁵³⁴ Iowa Code § 902.9(1)(d) (2017).

⁵³⁵ Iowa Code § 902.9(1)(d) (2017).

⁵³⁶ See Iowa Code § 907.3 (2017).

⁵³⁷ Iowa Code § 902.9(1)(d) (2017).

⁵³⁸ Iowa Code § 902.9(1)(d) (2017).

⁵³⁹ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁴⁰ Iowa Code § 911.1(1) (2017).

⁵⁴¹ Iowa Code § 911.2(1) (2017).

⁵⁴² Iowa Code § 911.2(2) (2017).

⁵⁴³ Iowa Code § 911.3(1) (2017).

⁵⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵⁴⁵ Iowa Code § 901.5(12) (2017).

⁵⁴⁶ Iowa Code § 901.5(11) (2017).

⁵⁴⁷ Iowa Code § 901.10(1) (2017).

⁵⁴⁸ Iowa Code § 124.412 (2017).

§ 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 misdemeanor⁵⁴⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵⁵⁰	0 ⁵⁵¹	No, but see Drug Enhancements	Yes ⁵⁵²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁵³

Fines

Max	Min.	Can Suspend?
\$6250 ⁵⁵⁴	\$625 ⁵⁵⁵	Yes ⁵⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁵⁷	Yes, \$10 ⁵⁵⁸ but n/a if received DJ, DS, or SS ⁵⁵⁹	No	No	No	Yes, \$125 ⁵⁶⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁶¹	No	Yes, consider denying state ⁵⁶² and federal benefits. ⁵⁶³

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:⁵⁶⁴
 - 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 business⁵⁶⁵

⁵⁴⁹ Iowa Code § 124.406(1)(c) (2017).

⁵⁵⁰ Iowa Code § 903.1(2) (2017).

⁵⁵¹ Iowa Code § 903.1(2) (2017).

⁵⁵² See Iowa Code § 907.3 (2017).

⁵⁵³ Iowa Code § 903.1(2) (2017).

⁵⁵⁴ Iowa Code § 903.1(2) (2017).

⁵⁵⁵ Iowa Code § 903.1(2) (2017).

⁵⁵⁶ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁵⁷ Iowa Code § 911.1(1) (2017).

⁵⁵⁸ Iowa Code § 911.2(1) (2017).

⁵⁵⁹ Iowa Code § 911.2(2) (2017).

⁵⁶⁰ Iowa Code § 911.3(1) (2017).

⁵⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵⁶² Iowa Code § 901.5(12) (2017).

⁵⁶³ Iowa Code § 901.5(11) (2017).

⁵⁶⁴ Iowa Code § 901.10(1) (2017).

⁵⁶⁵ Iowa Code § 124.412 (2017).

§ 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” felony⁵⁶⁶

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ⁵⁶⁷	0 ⁵⁶⁸	No, ⁵⁶⁹ But see Under 18 Sentencing See also Drug Enhancements and General Enhancements	Yes ⁵⁷⁰

Fines

Max	Min.	Can Suspend?
0 ⁵⁷¹	0 ⁵⁷²	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ⁵⁷³ but n/a if received DJ, DS, or SS ⁵⁷⁴	No	No	No	Yes, \$125 ⁵⁷⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁷⁶	No	Yes, consider denying state ⁵⁷⁷ and federal benefits. ⁵⁷⁸

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:⁵⁷⁹
 - violation is first conviction under § 124.406
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record

⁵⁶⁶ Iowa Code § 124.406(2)(a) (2017) (2017 Iowa Acts ch. 145 § 13 removed a previous exception if substance was distributed in, on, or within 1000 feet of certain real property and includes imitation controlled substance represented to be a substance classified in schedule I or II, effective 7/1/2017).

⁵⁶⁷ Iowa Code § 902.9(1)(b) (2017).

⁵⁶⁸ Iowa Code § 902.9(1)(b) (2017).

⁵⁶⁹ 2017 Iowa Acts ch. 145 § 13 removed a previous mandatory minimum effective July 1, 2017.

⁵⁷⁰ See Iowa Code § 907.3 (2017).

⁵⁷¹ See Iowa Code § 902.9(1)(b) (2017).

⁵⁷² See Iowa Code § 902.9(1)(b) (2017).

⁵⁷³ Iowa Code § 911.2(1) (2017).

⁵⁷⁴ Iowa Code § 911.2(2) (2017).

⁵⁷⁵ Iowa Code § 911.3(1) (2017).

⁵⁷⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵⁷⁷ Iowa Code § 901.5(12) (2017).

⁵⁷⁸ Iowa Code § 901.5(11) (2017).

⁵⁷⁹ Iowa Code § 901.10(1) (2017).

- ❖ 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 business⁵⁸⁰

⁵⁸⁰ Iowa Code § 124.412 (2017).

§ 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” felony⁵⁸¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁵⁸²	0 ⁵⁸³	No, but see Drug Enhancements and General Enhancements	Yes ⁵⁸⁴

Fines

Max	Min.	Can Suspend?
\$10,000 ⁵⁸⁵	\$1000 ⁵⁸⁶	Yes ⁵⁸⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁸⁸	Yes, \$10 ⁵⁸⁹ but n/a if received DJ, DS, or SS ⁵⁹⁰	No	No	No	Yes, \$125 ⁵⁹¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁹²	No	Yes, consider denying state ⁵⁹³ and federal benefits. ⁵⁹⁴

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:⁵⁹⁵
 - 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 business⁵⁹⁶

⁵⁸¹ Iowa Code § 124.406(2)(b) (2017).

⁵⁸² Iowa Code § 902.9(1)(d) (2017).

⁵⁸³ Iowa Code § 902.9(1)(d) (2017).

⁵⁸⁴ See Iowa Code § 907.3 (2017).

⁵⁸⁵ Iowa Code § 902.9(1)(d) (2017).

⁵⁸⁶ Iowa Code § 902.9(1)(d) (2017).

⁵⁸⁷ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁸⁸ Iowa Code § 911.1(1) (2017).

⁵⁸⁹ Iowa Code § 911.2(1) (2017).

⁵⁹⁰ Iowa Code § 911.2(2) (2017).

⁵⁹¹ Iowa Code § 911.3(1) (2017).

⁵⁹² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵⁹³ Iowa Code § 901.5(12) (2017).

⁵⁹⁴ Iowa Code § 901.5(11) (2017).

⁵⁹⁵ Iowa Code § 901.10(1) (2017).

⁵⁹⁶ Iowa Code § 124.412 (2017).

§ 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 misdemeanor⁵⁹⁷

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵⁹⁸	0 ⁵⁹⁹	No, but see Drug Enhancements	Yes ⁶⁰⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁶⁰¹

Fines

Max	Min.	Can Suspend?
\$6250 ⁶⁰²	\$625 ⁶⁰³	Yes ⁶⁰⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁰⁵	Yes, \$10 ⁶⁰⁶ but n/a if received DJ, DS, or SS ⁶⁰⁷	No	No	No	Yes, \$125 ⁶⁰⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶⁰⁹	No	Yes, consider denying state ⁶¹⁰ and federal benefits. ⁶¹¹

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:⁶¹²
 - 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 business⁶¹³

⁵⁹⁷ Iowa Code § 124.406(2)(c) (2017).

⁵⁹⁸ Iowa Code § 903.1(2) (2017).

⁵⁹⁹ Iowa Code § 903.1(2) (2017).

⁶⁰⁰ See Iowa Code § 907.3 (2017).

⁶⁰¹ Iowa Code § 903.1(2) (2017).

⁶⁰² Iowa Code § 903.1(2) (2017).

⁶⁰³ Iowa Code § 903.1(2) (2017).

⁶⁰⁴ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁶⁰⁵ Iowa Code § 911.1(1) (2017).

⁶⁰⁶ Iowa Code § 911.2(1) (2017).

⁶⁰⁷ Iowa Code § 911.2(2) (2017).

⁶⁰⁸ Iowa Code § 911.3(1) (2017).

⁶⁰⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁶¹⁰ Iowa Code § 901.5(12) (2017).

⁶¹¹ Iowa Code § 901.5(11) (2017).

⁶¹² Iowa Code § 901.10(1) (2017).

⁶¹³ Iowa Code § 124.412 (2017).

§ 124.406(3)—Conspiracy to deliver schedule I, II, III, IV, or V to person under age 18Class = “D” felony⁶¹⁴**Prison/Jail Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁶¹⁵	0 ⁶¹⁶	No, but see Drug Enhancements and General Enhancements	Yes ⁶¹⁷

Fines

Max	Min.	Can Suspend?
\$7500 ⁶¹⁸	\$750 ⁶¹⁹	Yes ⁶²⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶²¹	Yes, \$10 ⁶²² but n/a if received DJ, DS, or SS ⁶²³	No	No	No	Yes, \$125 ⁶²⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶²⁵	No	Yes, consider denying state ⁶²⁶ and federal benefits. ⁶²⁷

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:⁶²⁸
 - 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 business⁶²⁹

⁶¹⁴ Iowa Code § 124.406(3) (2017).⁶¹⁵ Iowa Code § 902.9(1)(e) (2017).⁶¹⁶ Iowa Code § 902.9(1)(e) (2017).⁶¹⁷ See Iowa Code § 907.3 (2017).⁶¹⁸ Iowa Code § 902.9(1)(e) (2017).⁶¹⁹ Iowa Code § 902.9(1)(e) (2017).⁶²⁰ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁶²¹ Iowa Code § 911.1(1) (2017).⁶²² Iowa Code § 911.2(1) (2017).⁶²³ Iowa Code § 911.2(2) (2017).⁶²⁴ Iowa Code § 911.3(1) (2017).⁶²⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).⁶²⁶ Iowa Code § 901.5(12) (2017).⁶²⁷ Iowa Code § 901.5(11) (2017).⁶²⁸ Iowa Code § 901.10(1) (2017).⁶²⁹ Iowa Code § 124.412 (2017).

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

Class = “C” felony⁶³⁰

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁶³¹	0 ⁶³²	No, but see Drug Enhancements and General Enhancements	Yes ⁶³³

Fines

Max	Min.	Can Suspend?
\$10,000 ⁶³⁴	\$1000 ⁶³⁵	Yes ⁶³⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶³⁷	Yes, \$10 ⁶³⁸ but n/a if received DJ, DS, or SS ⁶³⁹	No	No	No	Yes, \$125 ⁶⁴⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶⁴¹	No	Yes, consider denying state ⁶⁴² and federal benefits. ⁶⁴³

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 business⁶⁴⁴

⁶³⁰ Iowa Code § 124.406A (2017).

⁶³¹ Iowa Code § 902.9(1)(d) (2017).

⁶³² Iowa Code § 902.9(1)(d) (2017).

⁶³³ See Iowa Code § 907.3 (2017).

⁶³⁴ Iowa Code § 902.9(1)(d) (2017).

⁶³⁵ Iowa Code § 902.9(1)(d) (2017).

⁶³⁶ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁶³⁷ Iowa Code § 911.1(1) (2017).

⁶³⁸ Iowa Code § 911.2(1) (2017).

⁶³⁹ Iowa Code § 911.2(2) (2017).

⁶⁴⁰ Iowa Code § 911.3(1) (2017).

⁶⁴¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁶⁴² Iowa Code § 901.5(12) (2017).

⁶⁴³ Iowa Code § 901.5(11) (2017).

⁶⁴⁴ Iowa Code § 124.412 (2017).

§ 124.407—Gatherings w/ Unlawful Use of substances

§ 124.407(2)(a)—Gatherings w/ substance(s) other than marijuana

Class = “D” felony⁶⁴⁵

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁶⁴⁶	0 ⁶⁴⁷	No, but see Drug Enhancements and General Enhancements	Yes ⁶⁴⁸

Fines

Max	Min.	Can Suspend?
\$7500 ⁶⁴⁹	\$750 ⁶⁵⁰	Yes ⁶⁵¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁵²	Yes, \$10 ⁶⁵³ but n/a if received DJ, DS, or SS ⁶⁵⁴	No	No	No	Yes, \$125 ⁶⁵⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶⁵⁶	No	Yes, consider denying state ⁶⁵⁷ and federal benefits. ⁶⁵⁸

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 business⁶⁵⁹

➤ 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.”⁶⁶⁰

⁶⁴⁵ Iowa Code § 124.407(2)(a) (2017) (renumbering per 2017 Iowa Acts ch. 54, § 29, effective 7/1/2017).

⁶⁴⁶ Iowa Code § 902.9(1)(e) (2017).

⁶⁴⁷ Iowa Code § 902.9(1)(e) (2017).

⁶⁴⁸ See Iowa Code § 907.3 (2017).

⁶⁴⁹ Iowa Code § 902.9(1)(e) (2017).

⁶⁵⁰ Iowa Code § 902.9(1)(e) (2017).

⁶⁵¹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁶⁵² Iowa Code § 911.1(1) (2017).

⁶⁵³ Iowa Code § 911.2(1) (2017).

⁶⁵⁴ Iowa Code § 911.2(2) (2017).

⁶⁵⁵ Iowa Code § 911.3(1) (2017).

⁶⁵⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁶⁵⁷ Iowa Code § 901.5(12) (2017).

⁶⁵⁸ Iowa Code § 901.5(11) (2017).

⁶⁵⁹ Iowa Code § 124.412 (2017).

⁶⁶⁰ Iowa Code § 124.407(4)(2017).

§ 124.407(2)(b)—Gatherings w/ only marijuana

Class = serious misdemeanor⁶⁶¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁶⁶²	0 ⁶⁶³	N/A, but see Drug Enhancements	Yes ⁶⁶⁴

Fines

Max	Min.	Can Suspend?
\$1875 ⁶⁶⁵	\$315 ⁶⁶⁶	No ⁶⁶⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁶⁸	Yes, \$10 ⁶⁶⁹ but n/a if received DJ, DS, or SS ⁶⁷⁰	No	No	No	Yes, \$125 ⁶⁷¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	Yes, consider denying state ⁶⁷² and federal benefits. ⁶⁷³

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 business⁶⁷⁴

➤ 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."⁶⁷⁵

⁶⁶¹ Iowa Code § 124.407(2)(b) (2017) (renumbering per 2017 Iowa Acts ch. 54, § 29, effective 7/1/2017).

⁶⁶² Iowa Code § 903.1(1)(b) (2017).

⁶⁶³ Iowa Code § 903.1(1)(b) (2017).

⁶⁶⁴ See Iowa Code § 907.3 (2017).

⁶⁶⁵ Iowa Code § 903.1(1)(b) (2017).

⁶⁶⁶ Iowa Code § 903.1(1)(b) (2017).

⁶⁶⁷ Iowa Code § 903.1(1)(b) (2017).

⁶⁶⁸ Iowa Code § 911.1(1) (2017).

⁶⁶⁹ Iowa Code § 911.2(1) (2017).

⁶⁷⁰ Iowa Code § 911.2(2) (2017).

⁶⁷¹ Iowa Code § 911.3(1) (2017).

⁶⁷² Iowa Code § 901.5(12) (2017).

⁶⁷³ Iowa Code § 901.5(11) (2017).

⁶⁷⁴ Iowa Code § 124.412 (2017).

⁶⁷⁵ Iowa Code § 124.407(4)(2017).

§ 124.414—Drug Paraphernalia

Class = simple misdemeanor⁶⁷⁶

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁶⁷⁷	0 ⁶⁷⁸	N/A, but see Drug Enhancements	Yes ⁶⁷⁹

Fines

Max	Min.	Can Suspend?
\$625 ⁶⁸⁰	\$65 ⁶⁸¹	No ⁶⁸²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁸³	Yes, \$10 ⁶⁸⁴ but n/a if received DJ, DS, or SS ⁶⁸⁵	No	No	No	Yes, \$125 ⁶⁸⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	Yes, consider denying state ⁶⁸⁷ and federal benefits. ⁶⁸⁸

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 business⁶⁸⁹

⁶⁷⁶ Iowa Code § 124.414(3) (2017).

⁶⁷⁷ Iowa Code § 903.1(1)(a) (2017).

⁶⁷⁸ Iowa Code § 903.1(1)(a) (2017).

⁶⁷⁹ See Iowa Code § 907.3 (2017).

⁶⁸⁰ Iowa Code § 903.1(1)(a) (2017).

⁶⁸¹ Iowa Code § 903.1(1)(a) (2017).

⁶⁸² Iowa Code § 903.1(1) (2017).

⁶⁸³ Iowa Code § 911.1(1) (2017).

⁶⁸⁴ Iowa Code § 911.2(1) (2017).

⁶⁸⁵ Iowa Code § 911.2(2) (2017).

⁶⁸⁶ Iowa Code § 911.3(1) (2017).

⁶⁸⁷ Iowa Code § 901.5(12) (2017).

⁶⁸⁸ Iowa Code § 901.5(11) (2017).

⁶⁸⁹ Iowa Code § 124.412 (2017).

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”⁶⁹⁰
- ❖ Mand. Min. before Parole Eligible:
 - One-third of max. indeterminate sentence⁶⁹¹
 - exception: does not apply if:
 - violation of § 124.401(1) is an accommodation offense,⁶⁹² *or*
 - controlled substances was marijuana⁶⁹³
 - 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:⁶⁹⁴
 - 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 guilty⁶⁹⁵
 - ◆ can reduce mandatory minimum sentence by up to one-third if pleads guilty⁶⁹⁶
 - ◆ can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:⁶⁹⁷
 - 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,⁶⁹⁸ 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”⁶⁹⁹
- ❖ Mand. Min. before Parole Eligible:
 - One-third of max. indeterminate sentence⁷⁰⁰
 - exception: does not apply if:
 - violation of § 124.401(1) is an accommodation offense,⁷⁰¹ *or*
 - controlled substances was marijuana⁷⁰²
 - Possible Mandatory Minimum Sentence Reduction:

⁶⁹⁰ Iowa Code § 124.401(1)(e) (2017).

⁶⁹¹ Iowa Code § 124.413(1) (2017).

⁶⁹² Iowa Code § 124.413(2)(a) (2017).

⁶⁹³ Iowa Code § 124.413(2)(b) (2017).

⁶⁹⁴ Iowa Code § 901.10(1) (2017).

⁶⁹⁵ Iowa Code § 901.10(2) (2017).

⁶⁹⁶ Iowa Code § 901.10(2) (2017).

⁶⁹⁷ Iowa Code § 901.10(2) (2017).

⁶⁹⁸ Iowa Code § 124.401(1)(e) (2017).

⁶⁹⁹ Iowa Code § 124.401(1)(f) (2017).

⁷⁰⁰ Iowa Code § 124.413(1) (2017).

⁷⁰¹ Iowa Code § 124.413(2)(a) (2017).

⁷⁰² Iowa Code § 124.413(2)(b) (2017).

- sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁷⁰³
 - 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 guilty⁷⁰⁴
 - ♦ can reduce mandatory minimum sentence by up to one-third if pleads guilty⁷⁰⁵
 - ♦ can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:⁷⁰⁶
 - 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,⁷⁰⁷ 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”⁷⁰⁸
 - Note: this penalty may be imposed in addition to any other penalties provided in chapter 124 or any other chapter⁷⁰⁹

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”⁷¹⁰
 - “court shall provide the offender with a written statement of the terms and monitoring provisions of the community service”⁷¹¹
 - Note: this penalty may be imposed in addition to any other penalties provided in chapter 124 or any other chapter⁷¹²

5. **Manufacturing Methamphetamine in Presence of Minors**

- ❖ Max. Jail/Prison Time:
 - “shall be sentenced up to an additional term of confinement of five years”⁷¹³
 - Exception:

⁷⁰³ Iowa Code § 901.10(1) (2017).

⁷⁰⁴ Iowa Code § 901.10(2) (2017).

⁷⁰⁵ Iowa Code § 901.10(2) (2017).

⁷⁰⁶ Iowa Code § 901.10(2) (2017).

⁷⁰⁷ Iowa Code § 124.401(1)(f) (2017).

⁷⁰⁸ Iowa Code § 124.401A (2017) (amended per 2017 Iowa Acts ch. 145, § 11 to include imitation controlled substance represented to be a controlled substance, effective 7/1/2017).

⁷⁰⁹ Iowa Code § 124.401A (2017) (amended per 2017 Iowa Acts ch. 145, § 11 to include imitation controlled substance represented to be a controlled substance, effective 7/1/2017).

⁷¹⁰ Iowa Code § 124.401B (2017) (amended per 2017 Iowa Acts ch. 145, § 12 to include imitation controlled substance represented to be a controlled substance, effective 7/1/2017).

⁷¹¹ Iowa Code § 124.401B (2017) (amended per 2017 Iowa Acts ch. 145, § 12 to include imitation controlled substance represented to be a controlled substance, effective 7/1/2017).

⁷¹² Iowa Code § 124.401B (2017) (amended per 2017 Iowa Acts ch. 145, § 12 to include imitation controlled substance represented to be a controlled substance, effective 7/1/2017).

⁷¹³ Iowa Code § 124.401C(1) (2017).

- “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”⁷¹⁴

6. Second or Subsequent Offenses

- ❖ If person is convicted of second or subsequent offense under chapter 124,⁷¹⁵ person may be:
 - “punished by imprisonment for a period not to exceed three times the term otherwise authorized,”⁷¹⁶ *or*
 - “fined not more than three times the amount otherwise authorized,”⁷¹⁷ *or*
 - “punished by both such imprisonment and fine”⁷¹⁸
- ❖ Exception:
 - This enhancement is not applicable to violations of § 124.401(5)⁷¹⁹

⁷¹⁴ Iowa Code § 124.401C(1) (2017).

⁷¹⁵ See Iowa Code § 124.411(2) (2017) for what qualifies as a second or subsequent offense.

⁷¹⁶ Iowa Code § 124.411(1) (2017).

⁷¹⁷ Iowa Code § 124.411(1) (2017).

⁷¹⁸ Iowa Code § 124.411(1) (2017).

⁷¹⁹ Iowa Code § 124.411(3) (2017).

CH. 124A IMITATION CONTROLLED SUBSTANCES

Chapter 124A repealed, regulation of imitation controlled substances now within section 124 per 2017 Iowa Acts. ch. 145, § 23, effective 7/1/2017.⁷²⁰

⁷²⁰ 2017 Iowa Acts ch. 145, § 23, effective 7/1/2017.

Ch. 124B Precursor Substances

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

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

Class = “C” felony⁷²¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁷²²	0 ⁷²³	No, but see Enhancements	Yes ⁷²⁴

Fines

Max	Min.	Can Suspend?
\$10,000 ⁷²⁵	\$1000 ⁷²⁶	Yes ⁷²⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷²⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁷²⁹	No	No

Notes:

⁷²¹ Iowa Code § 124B.9(1) (2017).

⁷²² Iowa Code § 902.9(1)(d) (2017).

⁷²³ Iowa Code § 902.9(1)(d) (2017).

⁷²⁴ See Iowa Code § 907.3 (2017).

⁷²⁵ Iowa Code § 902.9(1)(d) (2017).

⁷²⁶ Iowa Code § 902.9(1)(d) (2017).

⁷²⁷ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁷²⁸ Iowa Code § 911.1(1) (2017).

⁷²⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 124B.9(2)—Receipt

Class = “C” felony⁷³⁰

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁷³¹	0 ⁷³²	No, but see Enhancements	Yes ⁷³³

Fines

Max	Min.	Can Suspend?
\$10,000 ⁷³⁴	\$1000 ⁷³⁵	Yes ⁷³⁶

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:

⁷³⁰ Iowa Code § 124B.9(2) (2017).

⁷³¹ Iowa Code § 902.9(1)(d) (2017).

⁷³² Iowa Code § 902.9(1)(d) (2017).

⁷³³ See Iowa Code § 907.3 (2017).

⁷³⁴ Iowa Code § 902.9(1)(d) (2017).

⁷³⁵ Iowa Code § 902.9(1)(d) (2017).

⁷³⁶ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁷³⁷ Iowa Code § 911.1(1) (2017).

⁷³⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

omitted from this draft

Chapters 300–399

Ch. 321J Operating While Intoxicated

§ 321J.2--OWI

§ 321J.2(2)(a)—First offense

Class = serious misdemeanor⁷³⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁷⁴⁰	48 hours ⁷⁴¹	N/A	<p>DJ Eligible,⁷⁴² unless:</p> <ul style="list-style-type: none"> ❖ Convicted under § 321J.2 or DL revoked under ch. 321J,⁷⁴³ <i>and</i> ❖ Any of the following apply:⁷⁴⁴ <ul style="list-style-type: none"> ➤ BAC > .15⁷⁴⁵ ➤ Prior conviction of § 321J.2(1) or substantially corresponding statute in another state⁷⁴⁶ ➤ Previous DJ or DS for violation of § 321J.2(1) or substantially corresponding statute in another state⁷⁴⁷ ➤ Refused consent to chemical test per § 321J.6⁷⁴⁸ ➤ Offense results in bodily injury to another person⁷⁴⁹ <p>DS Eligible,⁷⁵⁰ unless:</p> <ul style="list-style-type: none"> ❖ Any of the following apply: <ul style="list-style-type: none"> ➤ BAC > .15⁷⁵¹ ➤ Prior conviction of § 321J.2(1) or substantially corresponding statute in another state⁷⁵² ➤ Previous DJ or DS for violation of § 321J.2(1) or substantially corresponding statute in another state⁷⁵³ ➤ Refused consent to chemical test per § 321J.6⁷⁵⁴ ➤ Offense results in bodily injury to another person⁷⁵⁵ <p>SS Eligible,⁷⁵⁶ but cannot suspend 48-hour min.⁷⁵⁷</p> <p>See Notes</p>

- ❖ Sentencing court may accommodate person's work schedule in ordering service of the sentence, at the court's discretion⁷⁵⁸

Fines

Max.	Min.	Can Suspend?
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⁷³⁹ Iowa Code § 321J.2(2)(a) (2017).

⁷⁴⁰ Iowa Code § 321J.2(3)(a) (2017).

⁷⁴¹ Iowa Code § 321J.2(3)(a) (2017).

⁷⁴² Iowa Code § 321J.2(3)(b)(1) (2017).

⁷⁴³ Iowa Code §§ 321J.2(3)(b)(2), 907.3(1)(a)(6) (2017).

⁷⁴⁴ Iowa Code §§ 321J.2(3)(b)(2), 907.3(1)(a)(6) (2017).

⁷⁴⁵ Iowa Code §§ 321J.2(3)(b)(2)(a), 907.3(1)(a)(6)(a) (2017).

⁷⁴⁶ Iowa Code §§ 321J.2(3)(b)(2)(b), 907.3(1)(a)(6)(b) (2017).

⁷⁴⁷ Iowa Code §§ 321J.2(3)(b)(2)(c), 907.3(1)(a)(6)(c) (2017).

⁷⁴⁸ Iowa Code §§ 321J.2(3)(b)(2)(d), 907.3(1)(a)(6)(d) (2017).

⁷⁴⁹ Iowa Code §§ 321J.2(3)(b)(2)(e), 907.3(1)(a)(6)(e) (2017).

⁷⁵⁰ See Iowa Code § 907.3 (2)(a)(2) (2017).

⁷⁵¹ Iowa Code § 907.3 (2)(a)(2)(a) (2017).

⁷⁵² Iowa Code § 907.3 (2)(a)(2)(b) (2017).

⁷⁵³ Iowa Code § 907.3 (2)(a)(2)(c) (2017).

⁷⁵⁴ Iowa Code § 907.3 (2)(a)(2)(d) (2017).

⁷⁵⁵ Iowa Code § 907.3 (2)(a)(2)(e) (2017).

⁷⁵⁶ See Iowa Code § 907.3 (3)(c) (2017).

⁷⁵⁷ Iowa Code § 907.3 (3)(c) (2017).

⁷⁵⁸ Iowa Code § 321J.2(3)(a) (2017).

\$1250 ⁷⁵⁹	\$1250 ⁷⁶⁰	No ⁷⁶¹ Court may waive up to \$625 of the fine if: ❖ No personal or property injury resulted, ⁷⁶² <i>and</i> ❖ At end of min. period of ineligibility, person presents to the court a temporary restricted license issued per § 321J.20 ⁷⁶³ Alternative to some or all of the fine: ❖ Court may order person to perform unpaid community service ⁷⁶⁴ ❖ But alternative unpaid community service cannot be performed in lieu of civil penalty or victim restitution ⁷⁶⁵
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Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷⁶⁶	Yes, \$10, ⁷⁶⁷ but n/a if receives DJ, DS, or SS ⁷⁶⁸	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, min. of 180 days ⁷⁶⁹ up to max. of 1 year ⁷⁷⁰ See Notes	No	No	No

Notes:

- ❖ DJ, DS, or SS Eligible:
 - If DJ is entered, civil penalty of at least \$1250 shall be assessed⁷⁷¹
 - up to \$625 of the civil penalty may be waived if:
 - no personal or property injury resulted,⁷⁷² *and*
 - at end of min. period of ineligibility, offender presents to the court a temporary restricted license issued per § 321J.20⁷⁷³
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁷⁷⁴
 - report to probation officer with proof of attendance at treatment or posttreatment program⁷⁷⁵
 - Additional terms and conditions, to the extent § 907.3 allows⁷⁷⁶

⁷⁵⁹ Iowa Code § 321J.2(3)(c) (2017).

⁷⁶⁰ Iowa Code § 321J.2(3)(c) (2017).

⁷⁶¹ See Iowa Code § 907.3 (3)(c) (2017). 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.

⁷⁶² Iowa Code § 321J.2(3)(c) (2017).

⁷⁶³ Iowa Code § 321J.2(3)(c) (2017).

⁷⁶⁴ Iowa Code § 321J.2(3)(c)(2) (2017).

⁷⁶⁵ Iowa Code § 321J.2(3)(c)(2) (2017).

⁷⁶⁶ Iowa Code § 911.1(1) (2017).

⁷⁶⁷ Iowa Code § 911.2(1) (2017).

⁷⁶⁸ Iowa Code § 911.2(2) (2017).

⁷⁶⁹ Iowa Code § 321J.2(3)(d) (2017).

⁷⁷⁰ Iowa Code § 321J.2(3)(d) (2017).

⁷⁷¹ Iowa Code § 321J.2(3)(c)(1) (2017).

⁷⁷² See Iowa Code § 321J.2(3)(c), (c)(1) (2017).

⁷⁷³ See Iowa Code § 321J.2(3)(c), (c)(1) (2017).

⁷⁷⁴ Iowa Code § 321J.3(1)(g) (2017).

⁷⁷⁵ Iowa Code § 321J.3(1)(g) (2017).

⁷⁷⁶ Iowa Code § 321J.2(6) (2017).

❖ License Revocation:

- 180 days to 1 year pursuant to § 321J.4(1), § 321J.9, or § 321J.12(2)⁷⁷⁷
- If violation of § 321J.2 involved a serious injury of a person other than the defendant:⁷⁷⁸
 - 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:⁷⁷⁹
 - 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 determine⁷⁸⁰

❖ Additional Penalties:

- Prior to sentencing, order substance abuse evaluation⁷⁸¹
 - at person's expense⁷⁸²
 - order person to follow recommendations from evaluation⁷⁸³
- Assignment to substance abuse evaluation and treatment, course for drinking drivers, and reality education substance abuse prevent program per § 321J.24 if available and appropriate⁷⁸⁴
 - 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 drugs⁷⁸⁵
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁷⁸⁶
 - 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,⁷⁸⁷ *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court⁷⁸⁸

⁷⁷⁷ Iowa Code § 321J.2(3)(d) (2017).

⁷⁷⁸ Iowa Code § 321J.4(5) (2017).

⁷⁷⁹ Iowa Code § 321J.4(6) (2017).

⁷⁸⁰ See Iowa Code § 321J.2(3)(d)(2) (2017).

⁷⁸¹ Iowa Code § 321J.2(7)(a) (2017).

⁷⁸² Iowa Code § 321J.2(7)(a) (2017).

⁷⁸³ Iowa Code §§ 321J.2(7)(a), 321J.3(1)(a) (2017).

⁷⁸⁴ Iowa Code § 321J.2(3)(e), (7)(b) (2017).

⁷⁸⁵ Iowa Code § 321J.3(1)(c) (2017).

⁷⁸⁶ Iowa Code § 321J.3(1)(d) (2017).

⁷⁸⁷ Iowa Code § 321J.3(1)(f) (2017).

⁷⁸⁸ Iowa Code § 321J.3(1)(f) (2017).

- Upon DJ or conviction, may order person to install ignition interlock devices on all motor vehicles owned or operated by person⁷⁸⁹

⁷⁸⁹ Iowa Code § 321J.4(8)(a) (2017).

§ 321J.2(2)(b)—Second offense

❖ In determining if violation is second offense:

➤ Previous offenses include:

- DJ for violations of § 321J.2 entered per § 907.3⁷⁹⁰
- Convictions or equivalent of DJ for violations of substantially corresponding statutes from other states⁷⁹¹
 - Court shall take judicial notice of these statutes⁷⁹²
 - Each conviction or DJ entered before date the instant offense was charged is a separate offense⁷⁹³

➤ Previous offenses do not include:

- Any conviction or license revocation deleted from motor vehicle operating records per § 321.12⁷⁹⁴

Class = aggravated misdemeanor⁷⁹⁵

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁷⁹⁶	7 days, ⁷⁹⁷ see Notes	N/A if jail 7 days if prison	Not DJ Eligible ⁷⁹⁸ or DS Eligible ⁷⁹⁹ ❖ but see Under 18 Sentencing SS Eligible, ⁸⁰⁰ but cannot suspend 7-day min. ⁸⁰¹ See Notes

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁸⁰²

Fines

Max	Min.	Can Suspend?
\$6250 ⁸⁰³	\$1875 ⁸⁰⁴	Yes, ⁸⁰⁵ but not the min. ⁸⁰⁶ and cannot suspend any portion of the fine over the min. if any of the following apply: ❖ BAC > .15 ⁸⁰⁷ ❖ Prior conviction of § 321J.2(1) or substantially corresponding statute in another state ⁸⁰⁸

⁷⁹⁰ Iowa Code § 321J.2(8)(b) (2017).

⁷⁹¹ Iowa Code § 321J.2(8)(c) (2017).

⁷⁹² Iowa Code § 321J.2(8)(c) (2017).

⁷⁹³ Iowa Code § 321J.2(8)(c) (2017).

⁷⁹⁴ Iowa Code § 321J.2(8)(a) (2017).

⁷⁹⁵ Iowa Code § 321J.2(2)(b) (2017).

⁷⁹⁶ Iowa Code § 321J.2(4)(a) (2017).

⁷⁹⁷ Iowa Code § 321J.2(4)(a) (2017).

⁷⁹⁸ See Iowa Code § 907.3 (1)(a)(6)(b), (c) (2017).

⁷⁹⁹ See Iowa Code § 907.3 (2)(a)(2)(b), (c) (2017).

⁸⁰⁰ See Iowa Code § 907.3 (3)(c) (2017).

⁸⁰¹ Iowa Code § 907.3 (3)(c) (2017).

⁸⁰² Iowa Code § 903.1(2) (2017).

⁸⁰³ Iowa Code § 321J.2(4)(b) (2017).

⁸⁰⁴ Iowa Code § 321J.2(4)(b) (2017).

⁸⁰⁵ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁸⁰⁶ Iowa Code § 907.3 (3)(c) (2017) includes this clause: “the court shall not suspend any part of a sentence not involving incarceration imposed pursuant to section 321J.2, subsection 3, 4, or 5, beyond the mandatory minimum if” a prior conviction or deferred judgment. **Author’s Note:** We find that clause confusing, and at first glance it appears to allow the mandatory minimum fine to be suspended; but based on a chronological review of case law and legislation, we conclude that no part of the minimum fine can be suspended. *Cf. State v. Klein*, 574 N.W.2d 347, 348-49 (Iowa 1998) (allowing fines to be suspended); 1998 Iowa Acts, ch. 1138, §§ 2, 8 (amended 321J.2(3)(a)(1) (“court . . . shall not suspend execution of any other part of a sentence not involving incarceration . . .”) and 903.3(3)(c)(1) after the *Klein* ruling); 2010 Iowa Act., ch. 1124, § 1 (reorganized section 321J.2, altered the wording of 321J.2, left substance of 903.3(3)(c)(1) the same).

⁸⁰⁷ Iowa Code § 907.3 (3)(c)(1) (2017).

⁸⁰⁸ Iowa Code § 907.3 (3)(c)(2) (2017).

		<ul style="list-style-type: none"> ❖ Previously received DJ or DS for violation of § 321J.2(1) or substantially corresponding statute in another state⁸⁰⁹ ❖ Refused to consent to chemical test per § 321J.6⁸¹⁰ ❖ Offense results in bodily injury to another person⁸¹¹
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Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁸¹²	Yes, \$10 ⁸¹³ but n/a if receive DJ, DS, or SS ⁸¹⁴	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes <ul style="list-style-type: none"> ❖ Revoked for 1 year if revocation occurs for failing chemical test under § 321J.12(1)⁸¹⁵ ❖ Revoked for 2 years if revocation occurs: <ul style="list-style-type: none"> ➤ for refusing chemical test under § 321J.9,⁸¹⁶ or ➤ for refusing chemical test and having a previous conviction under ch. 321J, per § 321J.4(2)⁸¹⁷ See Notes	No, ⁸¹⁸ unless person has more than 1 previous revocation as determined by § 321J.2(8) within the 12-year period immediately preceding the instant offense ⁸¹⁹	No	No

Notes:

- ❖ Min. Jail/Prison Time:
 - Must be served on consecutive days⁸²⁰
 - 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 hours⁸²¹ if sentencing court finds:
 - ◆ service of full minimum term on consecutive days would be an undue hardship on person,⁸²² or
 - ◆ sufficient jail space is not available and is not reasonably expected to become available within 4 months after sentencing⁸²³
- ❖ DJ, DS, or SS Eligible:
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁸²⁴
 - report to probation officer with proof of attendance at treatment or posttreatment program⁸²⁵

⁸⁰⁹ Iowa Code § 907.3 (3)(c)(3) (2017).

⁸¹⁰ Iowa Code § 907.3 (3)(c)(4) (2017).

⁸¹¹ Iowa Code § 907.3 (3)(c)(5) (2017).

⁸¹² Iowa Code § 911.1(1) (2017).

⁸¹³ Iowa Code § 911.2(1) (2017).

⁸¹⁴ Iowa Code § 911.2(2) (2017).

⁸¹⁵ Iowa Code § 321J.2(4)(c) (2017).

⁸¹⁶ Iowa Code § 321J.2(4)(c) (2017).

⁸¹⁷ Iowa Code § 321J.2(4)(c) (2017).

⁸¹⁸ Iowa Code § 81.1(1)(a) (2017).

⁸¹⁹ Iowa Code § 81.1(1)(b) (2017).

⁸²⁰ Iowa Code § 321J.2(7)(c) (2017).

⁸²¹ Iowa Code § 321J.2(7)(c) (2017).

⁸²² Iowa Code § 321J.2(7)(c) (2017).

⁸²³ Iowa Code § 321J.2(7)(c) (2017).

⁸²⁴ Iowa Code § 321J.3(1)(g) (2017).

⁸²⁵ Iowa Code § 321J.3(1)(g) (2017).

- Additional terms and conditions, to the extent § 907.3 allows⁸²⁶
- ❖ License Revocation:
 - If violation of § 321J.2 involved a serious injury of a person other than the defendant:⁸²⁷
 - 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:⁸²⁸
 - 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 evaluation⁸²⁹
 - at person's expense⁸³⁰
 - order person to follow recommendations from evaluation⁸³¹
 - Court may commit person for inpatient treatment of alcoholism or drug addiction or dependency⁸³²
 - Time for treatment is credited against person's sentence⁸³³
 - 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 drugs⁸³⁴
 - Assignment to substance abuse evaluation and treatment, course for drinking drivers, and reality education substance abuse prevent program per § 321J.24 if available and appropriate⁸³⁵
 - 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 drugs⁸³⁶
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁸³⁷
 - 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,⁸³⁸ *and*

⁸²⁶ Iowa Code § 321J.2(6) (2017).

⁸²⁷ Iowa Code § 321J.4(5) (2017).

⁸²⁸ Iowa Code § 321J.4(6) (2017).

⁸²⁹ Iowa Code § 321J.2(7)(a) (2017).

⁸³⁰ Iowa Code § 321J.2(7)(a) (2017).

⁸³¹ Iowa Code § 321J.2(7)(a) (2017).

⁸³² Iowa Code § 321J.3(2)(a) (2017).

⁸³³ Iowa Code § 321J.3(2)(a) (2017).

⁸³⁴ Iowa Code § 321J.3(2)(b) (2017).

⁸³⁵ Iowa Code §§ 321J.2(4)(d), (7)(b), 321J.3(1)(a) (2017).

⁸³⁶ Iowa Code § 321J.3(1)(c) (2017).

⁸³⁷ Iowa Code § 321J.3(1)(d) (2017).

⁸³⁸ Iowa Code § 321J.3(1)(f) (2017).

- Shall be placed on probation for one year where violation of this probation is punishable as contempt of court⁸³⁹
- Upon DJ or conviction, may order person to install ignition interlock devices on all motor vehicles owned or operated by person⁸⁴⁰
- Motor vehicle subject to impoundment for second or subsequent OWI offense, or operated while suspended, denied, revoked, or barred to violation of § 321J.2⁸⁴¹

⁸³⁹ Iowa Code § 321J.3(1)(f) (2017).

⁸⁴⁰ Iowa Code § 321J.4(8)(a) (2017).

⁸⁴¹ Iowa Code § 321J.4B(2)(a) (2017).

§ 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 § 907.3⁸⁴²
 - Convictions or equivalent of DJ for violations of substantially corresponding statutes from other states⁸⁴³
 - Court shall take judicial notice of these statutes⁸⁴⁴
 - Each conviction or DJ entered before date the instant offense was charged is a separate offense⁸⁴⁵
 - Previous offenses do not include:
 - Any conviction or revocation deleted from motor vehicle operating records per § 321.12⁸⁴⁶

Class = “D” felony⁸⁴⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁸⁴⁸	30 days, ⁸⁴⁹ see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ ⁸⁵⁰ or DS ⁸⁵¹ ❖ but see Under 18 Sentencing SS Eligible, ⁸⁵² but cannot suspend 30-day min. ⁸⁵³ See Notes

Fines

Max.	Min.	Can Suspend?
\$9375 ⁸⁵⁴	\$3125 ⁸⁵⁵	Yes, but not the min. ⁸⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁸⁵⁷	Yes, \$10 ⁸⁵⁸ but n/a if receive DJ, DS, or SS ⁸⁵⁹	No	No	No	No

⁸⁴² Iowa Code § 321J.2(8)(b) (2017).

⁸⁴³ Iowa Code § 321J.2(8)(c) (2017).

⁸⁴⁴ Iowa Code § 321J.2(8)(c) (2017).

⁸⁴⁵ Iowa Code § 321J.2(8)(c) (2017).

⁸⁴⁶ Iowa Code § 321J.2(8)(a) (2017).

⁸⁴⁷ Iowa Code § 321J.2(2)(c) (2017).

⁸⁴⁸ Iowa Code § 321J.2(5)(a) (2017).

⁸⁴⁹ Iowa Code § 321J.2(5)(a) (2017).

⁸⁵⁰ See Iowa Code § 907.3 (1)(a)(6)(b), (c) (2017).

⁸⁵¹ See Iowa Code § 907.3 (2)(a)(2)(b), (c) (2017).

⁸⁵² See Iowa Code § 321J.2(5)(a)(1)–(2) (2017).

⁸⁵³ Iowa Code § 907.3 (3)(c) (2017).

⁸⁵⁴ Iowa Code § 321J.2(5)(b) (2017).

⁸⁵⁵ Iowa Code § 321J.2(5)(b) (2017).

⁸⁵⁶ Iowa Code § 907.3 (3)(c) includes this clause: “the court shall not suspend any part of a sentence not involving incarceration imposed pursuant to section 321J.2, subsection 3, 4, or 5, beyond the mandatory minimum if” a prior conviction or deferred judgment. **Author’s Note:** We find that clause confusing, and at first glance it appears to allow the mandatory minimum fine to be suspended; but based on a chronological review of case law and legislation, we conclude that no part of the minimum fine can be suspended. *Cf. State v. Klein*, 574 N.W.2d 347, 348-49 (Iowa 1998) (allowing fines to be suspended); 1998 Iowa Acts, ch. 1138, §§ 2, 8 (amended 321J.2(3)(a)(1) (“court . . . shall not suspend execution of any other part of a sentence not involving incarceration . . .”) and 903.3(3)(c)(1) after the *Klein* ruling); 2010 Iowa Act., ch. 1124, § 1 (reorganized section 321J.2, altered the wording of 321J.2, left substance of 903.3(3)(c)(1) the same).

⁸⁵⁷ Iowa Code § 911.1(1) (2017).

⁸⁵⁸ Iowa Code § 911.2(1) (2017).

⁸⁵⁹ Iowa Code § 911.2(2) (2017).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, 6 years per § 321J.4(4) ⁸⁶⁰ See Notes	Yes ⁸⁶¹	No	No

Notes:

- ❖ Min. Jail/Prison Time:
 - Must be served on consecutive days⁸⁶²
 - 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 hours⁸⁶³ if sentencing court finds:
 - ◆ service of full minimum term on consecutive days would be an undue hardship on person,⁸⁶⁴ *or*
 - ◆ sufficient jail space is not available and is not reasonably expected to become available within 4 months after sentencing⁸⁶⁵
- ❖ DJ, DS, or SS Eligible:
 - If don't suspend sentence under § 321J.2(5)(a), person shall be assigned to a facility per § 904.513⁸⁶⁶
 - 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,⁸⁶⁷ *and*
 - may commit person to treatment in the community per § 907.6⁸⁶⁸
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁸⁶⁹
 - report to probation officer with proof of attendance at treatment or posttreatment program⁸⁷⁰
 - Additional terms and conditions, to the extent § 907.3 allows⁸⁷¹
- ❖ License Revocation:
 - If violation of § 321J.2 involved a serious injury of a person other than the defendant⁸⁷²:
 - 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:⁸⁷³
 - 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

⁸⁶⁰ Iowa Code § 321J.2(5)(c) (2017).

⁸⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁸⁶² Iowa Code § 321J.2(7)(c) (2017).

⁸⁶³ Iowa Code § 321J.2(7)(c) (2017).

⁸⁶⁴ Iowa Code § 321J.2(7)(c) (2017).

⁸⁶⁵ Iowa Code § 321J.2(7)(c) (2017).

⁸⁶⁶ Iowa Code § 321J.2(5)(a)(1) (2017).

⁸⁶⁷ Iowa Code § 321J.2(5)(a)(2) (2017).

⁸⁶⁸ Iowa Code § 321J.2(5)(a)(2) (2017).

⁸⁶⁹ Iowa Code § 321J.3(1)(g) (2017).

⁸⁷⁰ Iowa Code § 321J.3(1)(g) (2017).

⁸⁷¹ Iowa Code § 321J.2(6) (2017).

⁸⁷² Iowa Code § 321J.4(5) (2017).

⁸⁷³ Iowa Code § 321J.4(6) (2017).

- 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 evaluation⁸⁷⁴
 - at person's expense⁸⁷⁵
 - order person to follow recommendations from evaluation⁸⁷⁶
- Court may commit person for inpatient treatment of alcoholism or drug addiction or dependency⁸⁷⁷
 - Time for treatment is credited against person's sentence⁸⁷⁸
 - 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 drugs⁸⁷⁹
- Assignment to substance abuse evaluation and treatment, course for drinking drivers, and reality education substance abuse prevent program per § 321J.24 if available and appropriate⁸⁸⁰
 - 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 drugs⁸⁸¹
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁸⁸²
 - 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,⁸⁸³ *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court⁸⁸⁴
- Upon DJ or conviction, may order person to install ignition interlock devices on all motor vehicles owned or operated by person⁸⁸⁵
- Motor vehicle subject to impoundment for second or subsequent OWI offense, or operated while suspended, denied, revoked, or barred to violation of § 321J.2⁸⁸⁶

⁸⁷⁴ Iowa Code § 321J.2(7)(a) (2017).

⁸⁷⁵ Iowa Code § 321J.2(7)(a) (2017).

⁸⁷⁶ Iowa Code § 321J.2(7)(a) (2017).

⁸⁷⁷ Iowa Code § 321J.3(2)(a) (2017).

⁸⁷⁸ Iowa Code § 321J.3(2)(a) (2017).

⁸⁷⁹ Iowa Code § 321J.3(2)(b) (2017).

⁸⁸⁰ Iowa Code § 321J.2(5)(d), (7)(b) (2017).

⁸⁸¹ Iowa Code § 321J.3(1)(c) (2017).

⁸⁸² Iowa Code § 321J.3(1)(d) (2017).

⁸⁸³ Iowa Code § 321J.3(1)(f) (2017).

⁸⁸⁴ Iowa Code § 321J.3(1)(f) (2017).

⁸⁸⁵ Iowa Code § 321J.4(8)(a) (2017).

⁸⁸⁶ Iowa Code § 321J.4B(2)(a) (2017).

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

Class = serious misdemeanor⁸⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁸⁸⁸	0 ⁸⁸⁹	N/A	Yes ⁸⁹⁰

Fines

Max.	Min.	Can Suspend?
\$1000 ⁸⁹¹	\$1000 ⁸⁹²	No ⁸⁹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁸⁹⁴	Yes, \$10 ⁸⁹⁵ but n/a if receive DJ, DS, or SS ⁸⁹⁶	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 revocation⁸⁹⁷
 - No new license shall be issued during this additional period⁸⁹⁸
- ❖ 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.2⁸⁹⁹

⁸⁸⁷ Iowa Code § 321J.21(1) (2017).

⁸⁸⁸ Iowa Code § 903.1(1)(b) (2017).

⁸⁸⁹ Iowa Code § 903.1(1)(b) (2017).

⁸⁹⁰ See Iowa Code § 907.3 (2017).

⁸⁹¹ Iowa Code § 321J.21(1) (2017).

⁸⁹² Iowa Code § 321J.21(1) (2017).

⁸⁹³ Iowa Code § 903.1(1) (2017).

⁸⁹⁴ Iowa Code § 911.1(1) (2017).

⁸⁹⁵ Iowa Code § 911.2(1) (2017).

⁸⁹⁶ Iowa Code § 911.2(2) (2017).

⁸⁹⁷ Iowa Code § 321J.21(2) (2017).

⁸⁹⁸ Iowa Code § 321J.21(2) (2017).

⁸⁹⁹ Iowa Code § 321J.4B(2)(a) (2017).

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” felony⁹⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁹⁰¹	0 ⁹⁰²	No, but see Enhancements	Yes ⁹⁰³

Fines

Max.	Min.	Can Suspend?
\$7500 ⁹⁰⁴	\$750 ⁹⁰⁵	Yes ⁹⁰⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹⁰⁷	No	No	No	No	Yes, \$125 ⁹⁰⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, 180 days ⁹⁰⁹ See Notes	Yes ⁹¹⁰	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 terminated⁹¹¹

⁹⁰⁰ Iowa Code § 453B.12(2)–(4) (2017).

⁹⁰¹ Iowa Code § 902.9(1)(e) (2017).

⁹⁰² Iowa Code § 902.9(1)(e) (2017).

⁹⁰³ See Iowa Code § 907.3 (2017).

⁹⁰⁴ Iowa Code § 902.9(1)(e) (2017).

⁹⁰⁵ Iowa Code § 902.9(1)(e) (2017).

⁹⁰⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁹⁰⁷ Iowa Code § 911.1(1) (2017).

⁹⁰⁸ Iowa Code § 911.3(1) (2017).

⁹⁰⁹ Iowa Code § 901.5(10)(a)(3) (2017).

⁹¹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁹¹¹ Iowa Code § 901.5(10)(b) (2017).

CH. 462A OPERATING BOAT WHILE INTOXICATED

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

§ 462A.14(2)(a)—First offense

Class = serious misdemeanor⁹¹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁹¹³	48 hours ⁹¹⁴	N/A	Yes, ⁹¹⁵ except: <ul style="list-style-type: none">❖ not eligible if any of the following apply:<ul style="list-style-type: none">➤ BAC > .15⁹¹⁶➤ prior conviction of § 462A.14(1) or substantially corresponding statute in another state⁹¹⁷➤ previous DJ or DS for violation of § 462A.14(1) or substantially corresponding statute in another state⁹¹⁸➤ refused to consent to testing in accordance with § 462A.14A⁹¹⁹➤ offense results in bodily injury to person other than offender⁹²⁰❖ cannot suspend mandatory minimum sentence⁹²¹ See Notes

❖ Court may accommodate person's work schedule in ordering service of the sentence, at the court's discretion⁹²²

Fines

Max.	Min.	Can Suspend?
\$1000 ⁹²³	\$1000 ⁹²⁴	No ⁹²⁵ Court may waive up to \$500 of the fine if no personal or property injury resulted ⁹²⁶ Alternative to some or all of the fine: <ul style="list-style-type: none">❖ Court may order person to perform unpaid community service⁹²⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹²⁸	No	No	No	No	No

Miscellaneous

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

⁹¹² Iowa Code § 462A.14(2)(a) (2017).

⁹¹³ Iowa Code § 903.1(1)(b) (2017).

⁹¹⁴ Iowa Code § 462A.14(2)(a)(1) (2017).

⁹¹⁵ See Iowa Code § 462A.14(3)(a) (2017).

⁹¹⁶ Iowa Code § 462A.14(3)(a)(1) (2017).

⁹¹⁷ Iowa Code § 462A.14(3)(a)(2) (2017).

⁹¹⁸ Iowa Code § 462A.14(3)(a)(3) (2017).

⁹¹⁹ Iowa Code § 462A.14(3)(a)(4) (2017).

⁹²⁰ Iowa Code § 462A.14(3)(a)(5) (2017).

⁹²¹ Iowa Code § 907.3 (3)(f) (2017).

⁹²² Iowa Code § 462A.14(2)(a)(1) (2017).

⁹²³ Iowa Code § 462A.14(2)(a)(2) (2017).

⁹²⁴ Iowa Code § 462A.14(2)(a)(2) (2017).

⁹²⁵ Iowa Code § 907.3 (3)(f) (2017).

⁹²⁶ Iowa Code § 462A.14(2)(a)(2) (2017).

⁹²⁷ Iowa Code § 462A.14(2)(a)(2) (2017).

⁹²⁸ Iowa Code § 911.1(1) (2017).

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 services⁹²⁹
 - report to probation officer with proof of attendance at treatment or posttreatment program⁹³⁰
- ❖ License Revocation:
 - Prohibited from operating a motorboat or sailboat for one year, pursuant to court order⁹³¹
- ❖ Additional Penalties:
 - Substance abuse evaluation and treatment, and a course for drinking drivers⁹³²
 - At person's expense⁹³³
 - Person to follow recommendations proposed in substance abuse evaluation⁹³⁴
 - 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 drugs⁹³⁵
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁹³⁶
 - If person fails to comply:⁹³⁷
 - 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

⁹²⁹ Iowa Code § 462A.14(12)(h) (2017).

⁹³⁰ Iowa Code § 462A.14(12)(h) (2017).

⁹³¹ Iowa Code § 462A.14(2)(a)(3) (2017).

⁹³² Iowa Code § 462A.14(2)(a)(4) (2017).

⁹³³ Iowa Code § 462A.14(12)(a) (2017).

⁹³⁴ Iowa Code § 462A.14(12)(b) (2017).

⁹³⁵ Iowa Code § 462A.14(12)(d) (2017).

⁹³⁶ Iowa Code § 462A.14(12)(e) (2017).

⁹³⁷ Iowa Code § 462A.14(12)(g) (2017).

§ 462A.14(2)(b)—Second offense

❖ In determining if violation is second offense:

➤ Previous offenses include:

- any conviction under § 462A.14 within previous 12 years⁹³⁸
- DJ for violations of § 462A.14 entered per § 907.3⁹³⁹
- Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state⁹⁴⁰
 - Court shall take judicial notice of these statutes⁹⁴¹
 - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense⁹⁴²

Class = aggravated misdemeanor⁹⁴³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁹⁴⁴	7 days, ⁹⁴⁵ see Notes	N/A	Not eligible for DJ ⁹⁴⁶ or DS ⁹⁴⁷ SS eligible, except cannot suspend mandatory minimum sentence ⁹⁴⁸ See Notes

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁹⁴⁹

Fines

Max	Min.	Can Suspend?
\$5000 ⁹⁵⁰	\$1500 ⁹⁵¹	No ⁹⁵²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹⁵³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes ⁹⁵⁴	No	No

Notes:

⁹³⁸ Iowa Code § 462A.14(4)(a) (2017).

⁹³⁹ Iowa Code § 462A.14(4)(b) (2017).

⁹⁴⁰ Iowa Code § 462A.14(4)(c) (2017).

⁹⁴¹ Iowa Code § 462A.14(4)(c) (2017).

⁹⁴² Iowa Code § 462A.14(4)(c) (2017).

⁹⁴³ Iowa Code § 462A.14(2)(b) (2017).

⁹⁴⁴ Iowa Code § 903.1(2) (2017); *see also id.* § 903.1(2). **Author's Note:** Although classified a aggravated misdemeanor, this section does not specify the time for commitment to the director of DOC.

⁹⁴⁵ Iowa Code § 462A.14(2)(b)(1) (2017).

⁹⁴⁶ Iowa Code § 462A.14(3)(a)(2), (3) (2017).

⁹⁴⁷ Iowa Code § 462A.14(3)(a)(2), (3) (2017).

⁹⁴⁸ Iowa Code § 462A.14(3)(a)(2), (3) (2017); *accord id.* § 907.3(3)(f).

⁹⁴⁹ Iowa Code § 903.1(2) (2017).

⁹⁵⁰ Iowa Code § 462A.14(2)(b)(2) (2017).

⁹⁵¹ Iowa Code § 462A.14(2)(b)(2) (2017).

⁹⁵² *See* Iowa Code § 462A.14(3)(a) (2017).

⁹⁵³ Iowa Code § 911.1(1) (2017).

⁹⁵⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

- ❖ Min. Jail/Prison Time:
 - minimum term of imprisonment must be served on consecutive days⁹⁵⁵
 - Exception:⁹⁵⁶
 - 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 services⁹⁵⁷
 - report to probation officer with proof of attendance at treatment or posttreatment program⁹⁵⁸
- ❖ License Revocation:
 - Prohibited from operating motorboat or sailboat for two years⁹⁵⁹
- ❖ Additional Penalties:
 - Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency⁹⁶⁰
 - Time for treatment is credited against person's sentence⁹⁶¹
 - 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 drugs⁹⁶²
 - Substance abuse evaluation and treatment, and course for drinking drivers⁹⁶³
 - At person's expense⁹⁶⁴
 - Person to follow recommendations proposed in substance abuse evaluation⁹⁶⁵
 - 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 drugs⁹⁶⁶
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁹⁶⁷
 - If person fails to comply:⁹⁶⁸
 - 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

⁹⁵⁵ Iowa Code § 462A.14(3)(b) (2017).

⁹⁵⁶ Iowa Code § 462A.14(3)(b) (2017).

⁹⁵⁷ Iowa Code § 462A.14(12)(h) (2017).

⁹⁵⁸ Iowa Code § 462A.14(12)(h) (2017).

⁹⁵⁹ Iowa Code § 462A.14(2)(b)(3) (2017).

⁹⁶⁰ Iowa Code § 462A.14(13)(a) (2017).

⁹⁶¹ Iowa Code § 462A.14(13)(a) (2017).

⁹⁶² Iowa Code § 462A.14(13)(b) (2017).

⁹⁶³ Iowa Code § 462A.14(2)(b)(4) (2017).

⁹⁶⁴ Iowa Code § 462A.14(12)(a) (2017).

⁹⁶⁵ Iowa Code § 462A.14(12)(b) (2017).

⁹⁶⁶ Iowa Code § 462A.14(12)(d) (2017).

⁹⁶⁷ Iowa Code § 462A.14(12)(e) (2017).

⁹⁶⁸ Iowa Code § 462A.14(12)(g) (201).

§ 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 years⁹⁶⁹
- DJ for violations of § 462A.14 entered per § 907.3⁹⁷⁰
- Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state⁹⁷¹
 - Court shall take judicial notice of these statutes⁹⁷²
 - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense⁹⁷³

Class = “D” felony⁹⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year if jail, 5 years if committed to DOC, ⁹⁷⁵ see Notes	30 days, ⁹⁷⁶ see Notes	N/A, but see Enhancements	Not eligible for DJ ⁹⁷⁷ or DS ⁹⁷⁸ SS eligible, except cannot suspend mandatory minimum sentence ⁹⁷⁹ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ⁹⁸⁰	\$2500 ⁹⁸¹	No ⁹⁸²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹⁸³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
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⁹⁶⁹ Iowa Code § 462A.14(4)(a) (2017).

⁹⁷⁰ Iowa Code § 462A.14(4)(b) (2017).

⁹⁷¹ Iowa Code § 462A.14(4)(c) (2017).

⁹⁷² Iowa Code § 462A.14(4)(c) (2017).

⁹⁷³ Iowa Code § 462A.14(4)(c) (2017).

⁹⁷⁴ Iowa Code § 462A.14(2)(c) (2017).

⁹⁷⁵ Iowa Code § 462A.14(2)(c)(1) (2017); *see also id.* § 902.9(e). **Author’s Note:** Although classified a “D” felony, this section does not specify the time for commitment to the director of DOC.

⁹⁷⁶ Iowa Code § 462A.14(2)(c)(1) (2017).

⁹⁷⁷ Iowa Code § 462A.14(3)(a)(2), (3) (2017).

⁹⁷⁸ Iowa Code § 462A.14(3)(a)(2), (3) (2017).

⁹⁷⁹ Iowa Code § 462A.14(3)(a)(2), (3) (2017); *accord id.* § 907.3(3)(f).

⁹⁸⁰ Iowa Code § 462A.14(2)(c)(2) (2017).

⁹⁸¹ Iowa Code § 462A.14(2)(c)(2) (2017).

⁹⁸² *See* Iowa Code § 462A.14(3)(a) (2017).

⁹⁸³ Iowa Code § 911.1(1) (2017).

N/A, but see Notes	Yes ⁹⁸⁴	No	No
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Notes:

- ❖ Max. & Min. Jail/Prison Time:
 - sentence is a determinate sentence⁹⁸⁵
 - 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](#),⁹⁸⁶ *or*
 - treatment in the community under [§ 907.13](#)⁹⁸⁷
 - minimum term of imprisonment must be served on consecutive days⁹⁸⁸
 - Exception:⁹⁸⁹
 - 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 services⁹⁹⁰
 - report to probation officer with proof of attendance at treatment or posttreatment program⁹⁹¹
- ❖ License Revocation:
 - Prohibited from operating motorboat or sailboat for six years⁹⁹²
- ❖ Additional Penalties:
 - Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency⁹⁹³
 - Time for treatment is credited against person's sentence⁹⁹⁴
 - 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 drugs⁹⁹⁵
 - Substance abuse evaluation and treatment, and course for drinking drivers⁹⁹⁶
 - At person's expense⁹⁹⁷
 - Person to follow recommendations proposed in substance abuse evaluation⁹⁹⁸
 - 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 drugs⁹⁹⁹

⁹⁸⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁹⁸⁵ Iowa Code § 462A.14(2)(c)(1) (2017).

⁹⁸⁶ Iowa Code § 462A.14(2)(c)(1) (2017).

⁹⁸⁷ Iowa Code § 462A.14(2)(c)(1) (2017).

⁹⁸⁸ Iowa Code § 462A.14(3)(b) (2017).

⁹⁸⁹ Iowa Code § 462A.14(3)(b) (2017).

⁹⁹⁰ Iowa Code § 462A.14(12)(h) (2017).

⁹⁹¹ Iowa Code § 462A.14(12)(h) (2017).

⁹⁹² Iowa Code § 462A.14(2)(c)(3) (2017).

⁹⁹³ Iowa Code § 462A.14(13)(a) (2017).

⁹⁹⁴ Iowa Code § 462A.14(13)(a) (2017).

⁹⁹⁵ Iowa Code § 462A.14(13)(b) (2017).

⁹⁹⁶ Iowa Code § 462A.14(2)(c)(4) (2017).

⁹⁹⁷ Iowa Code § 462A.14(12)(a) (2017).

⁹⁹⁸ Iowa Code § 462A.14(12)(b) (2017).

⁹⁹⁹ Iowa Code § 462A.14(12)(d) (2017).

- Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation¹⁰⁰⁰
- If person fails to comply:¹⁰⁰¹
 - 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

¹⁰⁰⁰ Iowa Code § 462A.14(12)(e) (2017).

¹⁰⁰¹ Iowa Code § 462A.14(12)(g) (2017).

§ 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 injury¹⁰⁰²

Class = “D” felony¹⁰⁰³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years, ¹⁰⁰⁴ see Notes	30 days, ¹⁰⁰⁵ see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ ¹⁰⁰⁶ or DS ¹⁰⁰⁷ SS eligible, except cannot suspend mandatory minimum sentence ¹⁰⁰⁸ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁰⁰⁹	\$2500 ¹⁰¹⁰	No ¹⁰¹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁰¹²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes ¹⁰¹³	No	No

Notes:

- ❖ Max. & Min. Jail/Prison Time:
 - sentence is a determinate sentence¹⁰¹⁴
 - alternatively, person may be committed to the custody of the director of the department of corrections¹⁰¹⁵
 - if so assigned, director shall assign person to facility per § 904.513¹⁰¹⁶
- ❖ License Revocation:
 - Prohibited from operating motorboat or sailboat for one year in addition to any other period of prohibition imposed¹⁰¹⁷
- ❖ Additional Penalties:
 - If second or subsequent offense:

¹⁰⁰² Iowa Code § 462A.14(2)(d) (2017).

¹⁰⁰³ Iowa Code § 462A.14(2)(d) (2017).

¹⁰⁰⁴ Iowa Code § 462A.14(2)(d) (2017).

¹⁰⁰⁵ Iowa Code § 462A.14(2)(d) (2017).

¹⁰⁰⁶ See Iowa Code § 462A.14(3)(a)(5) (2017).

¹⁰⁰⁷ See Iowa Code § 462A.14(3)(a)(5) (2017).

¹⁰⁰⁸ See Iowa Code § 462A.14(3)(a) (2017); see also *id.* § 907.3(3)(f).

¹⁰⁰⁹ Iowa Code § 462A.14(2)(d) (2017).

¹⁰¹⁰ Iowa Code § 462A.14(2)(d) (2017).

¹⁰¹¹ See Iowa Code § 462A.14(3)(a)(5) (2017).

¹⁰¹² Iowa Code § 911.1(1) (2017).

¹⁰¹³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁰¹⁴ Iowa Code § 462A.14(2)(d) (2017).

¹⁰¹⁵ Iowa Code § 462A.14(2)(d) (2017).

¹⁰¹⁶ Iowa Code § 462A.14(2)(d) (2017).

¹⁰¹⁷ Iowa Code § 462A.14(2)(d) (2017).

- Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency¹⁰¹⁸
 - Time for treatment is credited against person's sentence¹⁰¹⁹
 - 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 drugs¹⁰²⁰
- In determining if violation is second or subsequent offense:
 - Previous offenses include:
 - ♦ any conviction under § 462A.14 within previous 12 years¹⁰²¹
 - ♦ DJ for violations of § 462A.14 entered per § 907.3¹⁰²²
 - ♦ Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state¹⁰²³
 - Court shall take judicial notice of these statutes¹⁰²⁴
 - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense¹⁰²⁵
- Substance abuse evaluation and treatment, and course for drinking drivers¹⁰²⁶
 - At person's expense¹⁰²⁷
 - Person to follow recommendations proposed in substance abuse evaluation¹⁰²⁸
 - 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 drugs¹⁰²⁹
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation¹⁰³⁰
 - If person fails to comply:¹⁰³¹
 - 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

¹⁰¹⁸ Iowa Code § 462A.14(13)(a) (2017).

¹⁰¹⁹ Iowa Code § 462A.14(13)(a) (2017).

¹⁰²⁰ Iowa Code § 462A.14(13)(b) (2017).

¹⁰²¹ Iowa Code § 462A.14(4)(a) (2017).

¹⁰²² Iowa Code § 462A.14(4)(b) (2017).

¹⁰²³ Iowa Code § 462A.14(4)(c) (2017).

¹⁰²⁴ Iowa Code § 462A.14(4)(c) (2017).

¹⁰²⁵ Iowa Code § 462A.14(4)(c) (2017).

¹⁰²⁶ Iowa Code § 462A.14(2)(d) (2017).

¹⁰²⁷ Iowa Code § 462A.14(12)(a) (2017).

¹⁰²⁸ Iowa Code § 462A.14(12)(b) (2017).

¹⁰²⁹ Iowa Code § 462A.14(12)(d) (2017).

¹⁰³⁰ Iowa Code § 462A.14(12)(e) (2017).

¹⁰³¹ Iowa Code § 462A.14(12)(g) (2017).

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

❖ Court must determine that the person who committed the offense caused the death¹⁰³²

Class = “B” felony¹⁰³³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years, ¹⁰³⁴ see Notes	0, ¹⁰³⁵ see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ ¹⁰³⁶ or DS ¹⁰³⁷ SS eligible, except cannot suspend mandatory minimum sentence ¹⁰³⁸ See Notes

Fines

Max.	Min.	Can Suspend?
0 ¹⁰³⁹	0 ¹⁰⁴⁰	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 ¹⁰⁴¹	No	No

Notes:

- ❖ Max. & Min. Jail/Prison Time:
 - sentence is a determinate sentence¹⁰⁴²
 - alternatively, person may be committed to the custody of the director of the department of corrections¹⁰⁴³
 - if so assigned, director shall assign person to facility per § 904.513¹⁰⁴⁴
- ❖ License Revocation:
 - Prohibited from operating motorboat or sailboat for six years¹⁰⁴⁵
- ❖ Additional Penalties:
 - If second or subsequent offense:
 - Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency¹⁰⁴⁶

¹⁰³² Iowa Code § 462A.14(2)(e) (2017).

¹⁰³³ Iowa Code § 462A.14(2)(e) (2017).

¹⁰³⁴ Iowa Code § 462A.14(2)(d) (2017).

¹⁰³⁵ See Iowa Code § 462A.14(2)(d) (2017).

¹⁰³⁶ See Iowa Code § 462A.14(3)(a)(5) (2017).

¹⁰³⁷ See Iowa Code § 462A.14(3)(a)(5) (2017).

¹⁰³⁸ See Iowa Code § 462A.14(3)(a) (2017); see also *id.* § 907.3(3)(f).

¹⁰⁴¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁰⁴² Iowa Code § 462A.14(2)(e) (2017).

¹⁰⁴³ Iowa Code § 462A.14(2)(e) (2017).

¹⁰⁴⁴ Iowa Code § 462A.14(2)(e) (2017).

¹⁰⁴⁵ Iowa Code § 462A.14(2)(e) (2017).

¹⁰⁴⁶ Iowa Code § 462A.14(13)(a) (2017).

- Time for treatment is credited against person's sentence¹⁰⁴⁷
- 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 drugs¹⁰⁴⁸
- In determining if violation is second or subsequent offense:
 - Previous offenses include:
 - ♦ any conviction under § 462A.14 within previous 12 years¹⁰⁴⁹
 - ♦ DJ for violations of § 462A.14 entered per § 907.3¹⁰⁵⁰
 - ♦ Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state¹⁰⁵¹
 - Court shall take judicial notice of these statutes¹⁰⁵²
 - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense¹⁰⁵³
- Substance abuse evaluation and treatment, and course for drinking drivers¹⁰⁵⁴
 - At person's expense¹⁰⁵⁵
 - Person to follow recommendations proposed in substance abuse evaluation¹⁰⁵⁶
 - 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 drugs¹⁰⁵⁷
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation¹⁰⁵⁸
 - If person fails to comply:¹⁰⁵⁹
 - 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

¹⁰⁴⁷ Iowa Code § 462A.14(13)(a) (2017).

¹⁰⁴⁸ Iowa Code § 462A.14(13)(b) (2017).

¹⁰⁴⁹ Iowa Code § 462A.14(4)(a) (2017).

¹⁰⁵⁰ Iowa Code § 462A.14(4)(b) (2017).

¹⁰⁵¹ Iowa Code § 462A.14(4)(c) (2017).

¹⁰⁵² Iowa Code § 462A.14(4)(c) (2017).

¹⁰⁵³ Iowa Code § 462A.14(4)(c) (2017).

¹⁰⁵⁴ Iowa Code § 462A.14(2)(e) (2017).

¹⁰⁵⁵ Iowa Code § 462A.14(12)(a) (2017).

¹⁰⁵⁶ Iowa Code § 462A.14(12)(b) (2017).

¹⁰⁵⁷ Iowa Code § 462A.14(12)(d) (2017).

¹⁰⁵⁸ Iowa Code § 462A.14(12)(e) (2017).

¹⁰⁵⁹ Iowa Code § 462A.14(12)(g) (2017).

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/a¹⁰⁶⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
6 months ¹⁰⁶¹	7 days ¹⁰⁶²	N/A	No ¹⁰⁶³ and cannot suspend 7-day min. ¹⁰⁶⁴

❖ 7-day minimum shall be served on consecutive days¹⁰⁶⁵

Fines

Max.	Min.	Can Suspend?
\$500 ¹⁰⁶⁶	0 ¹⁰⁶⁷	No ¹⁰⁶⁸

❖ Fine may be imposed in addition to minimum sentence but shall not be imposed in lieu of minimum sentence¹⁰⁶⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁰⁷⁰	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, 236A, 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.

¹⁰⁶⁰ See Iowa Code § 664A.7(3) (2017); see also 2017 Iowa Acts ch. 121, § 32

¹⁰⁶¹ Iowa Code §§ 664A.7(5), 665.4(2) (2017).

¹⁰⁶² Iowa Code § 664A.7(3) (2017).

¹⁰⁶³ Iowa Code § 664A.7(3) (2017); accord id. § 907.3(1)(a)(8), (2)(a)(4), (3)(b).

¹⁰⁶⁴ Iowa Code § 664A.7(3) (2017).

¹⁰⁶⁵ Iowa Code § 664A.7(3) (2017).

¹⁰⁶⁶ Iowa Code § 665.4(2) (2017).

¹⁰⁶⁷ See Iowa Code §§ 664A.7(3), 665.4 (2017).

¹⁰⁶⁸ Iowa Code § 664A.7(3) (2017); accord id. § 907.3(1)(a)(8), (2)(a)(4), (3)(b).

¹⁰⁶⁹ Iowa Code § 664A.7(3) (2017).

¹⁰⁷⁰ Iowa Code § 911.1(1) (2017).

§ 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/a¹⁰⁷¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days simple ¹⁰⁷² 6 mo. contempt ¹⁰⁷³	None ¹⁰⁷⁴	N/A	No ¹⁰⁷⁵

❖ Any jail sentence imposed per § 664A.7(4) shall be served on consecutive days¹⁰⁷⁶

Fines

Max.	Min.	Can Suspend?
\$625 simple ¹⁰⁷⁷ \$500 contempt ¹⁰⁷⁸	\$65 simple 0 contempt ¹⁰⁷⁹	No ¹⁰⁸⁰

❖ Fine may be imposed in addition to minimum sentence but shall not be imposed in lieu of minimum sentence¹⁰⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁰⁸²	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”¹⁰⁸³
 - if applicable, surcharge is \$50¹⁰⁸⁴

¹⁰⁷¹ See Iowa Code § 664A.7(4) (2017).

¹⁰⁷² Iowa Code §§ 664A.7(5)(for specified violations), 903.1(a) (2017).

¹⁰⁷³ Iowa Code §§ 664A.7(5), 665.4(2) (2017).

¹⁰⁷⁴ Iowa Code § 664A.7(4) (2017).

¹⁰⁷⁵ Iowa Code § 664A.7(3) (2017); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).

¹⁰⁷⁶ Iowa Code § 664A.7(4) (2017).

¹⁰⁷⁷ Iowa Code § 907.3 (1)(a) (2017).

¹⁰⁷⁸ Iowa Code § 665.4(2) (2017).

¹⁰⁷⁹ See Iowa Code §§ 907.3(1)(a), 664A.7(4), 665.4 (2017).

¹⁰⁸⁰ Iowa Code § 664A.7(3) (2017); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).

¹⁰⁸¹ Iowa Code § 664A.7(3) (2017).

¹⁰⁸² Iowa Code § 911.1(1) (2017).

¹⁰⁸³ Iowa Code § 911.2C(1) (2017).

¹⁰⁸⁴ Iowa Code § 911.2C(1) (2017).

§ 664A.7(5)—Violation of no-contact entered for DAA in § 708.2A or protective order issued per chapters 232, 235F, 236, 236A, 598, or 915 (See Authors' Note to section 664A.7(3))¹⁰⁸⁵

Class = simple misdemeanor¹⁰⁸⁶

❖ 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 ¹⁰⁸⁷	7 days ¹⁰⁸⁸	N/A	No ¹⁰⁸⁹

❖ 7-day minimum shall be served on consecutive days¹⁰⁹⁰

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁰⁹¹	\$65 ¹⁰⁹²	No ¹⁰⁹³

❖ Fine may be imposed in addition to minimum sentence but shall not be imposed in lieu of minimum sentence¹⁰⁹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁰⁹⁵	No	No	No	No	No

Miscellaneous

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

Notes:

¹⁰⁸⁵ Iowa Code § 664A.7(5) (2017).

¹⁰⁸⁶ Iowa Code § 664A.7(5) (2017).

¹⁰⁸⁷ Iowa Code § 903.1(1)(a) (2017).

¹⁰⁸⁸ Iowa Code § 664A.7(3) (2017).

¹⁰⁸⁹ Iowa Code § 664A.7(3) (2017).

¹⁰⁹⁰ Iowa Code § 664A.7(3) (2017).

¹⁰⁹¹ Iowa Code § 903.1(1)(a) (2017).

¹⁰⁹² Iowa Code § 903.1(1)(a) (2017).

¹⁰⁹³ Iowa Code § 903.1(1) (2017).

¹⁰⁹⁴ Iowa Code § 664A.7(3) (2017).

¹⁰⁹⁵ Iowa Code § 911.1(1) (2017).

Ch. 692A Sex Offender Registry

§ 692A.111(1)—Failure to register

First Offense

Class = aggravated misdemeanor¹⁰⁹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁰⁹⁷	0 ¹⁰⁹⁸	None	SS eligible, ¹⁰⁹⁹ but see Under 18 Sentencing

❖ if sentence of confinement is more than one year, term shall be an indeterminate term¹¹⁰⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ¹¹⁰¹	\$625 ¹¹⁰²	Yes ¹¹⁰³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁰⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁰⁵	No	No

Notes:

¹⁰⁹⁶ Iowa Code § 692A.111(1) (2017).

¹⁰⁹⁷ Iowa Code § 903.1(2) (2017).

¹⁰⁹⁸ Iowa Code § 903.1(2) (2017).

¹⁰⁹⁹ Iowa Code § 692A.111(1) (2017); *see id.* § 907.3(1)(a)(9), (2)(a)(5).

¹¹⁰⁰ Iowa Code § 903.1(2) (2017).

¹¹⁰¹ Iowa Code § 903.1(2) (2017).

¹¹⁰² Iowa Code § 903.1(2) (2017).

¹¹⁰³ *See* Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹⁰⁴ Iowa Code § 911.1(1) (2017).

¹¹⁰⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

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.111¹¹⁰⁶
 - the court shall take judicial notice of these statutes¹¹⁰⁷
- any violation of chapter 692A prior to July 1, 2009¹¹⁰⁸

Class = “D” felony¹¹⁰⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹¹¹⁰	0 ¹¹¹¹	No, but see Enhancements	SS eligible, ¹¹¹² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹¹¹³	\$750 ¹¹¹⁴	No ¹¹¹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹¹⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹¹⁷	No	No

Notes:

¹¹⁰⁶ Iowa Code § 692A.111(2) (2017).

¹¹⁰⁷ Iowa Code § 692A.111(2) (2017).

¹¹⁰⁸ Iowa Code § 692A.111(3) (2017).

¹¹⁰⁹ Iowa Code § 692A.111(1) (2017).

¹¹¹⁰ Iowa Code § 902.9(1)(e) (2017).

¹¹¹¹ Iowa Code § 902.9(1)(e) (2017).

¹¹¹² Iowa Code § 692A.111(1) (2017); *see id.* § 907.3(1)(a)(9), (2)(a)(5).

¹¹¹³ Iowa Code § 902.9(1)(e) (2017).

¹¹¹⁴ Iowa Code § 902.9(1)(e) (2017).

¹¹¹⁵ Iowa Code § 692A.111(1) (2017).

¹¹¹⁶ Iowa Code § 911.1(1) (2017).

¹¹¹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

Sex offender convicted of specified offenses committed while violating registration requirementsClass = “C” felony¹¹¹⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹¹¹⁹	0 ¹¹²⁰	No, but see Enhancements	SS eligible, ¹¹²¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹¹²²	\$1000 ¹¹²³	Yes ¹¹²⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹²⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹²⁶	No	No

Notes:¹¹¹⁸ Iowa Code § 692A.111(1) (2017).¹¹¹⁹ Iowa Code § 902.9(1)(d) (2017).¹¹²⁰ Iowa Code § 902.9(1)(d) (2017).¹¹²¹ Iowa Code § 692A.111(1) (2017); *see id.* § 907.3(1)(a)(9), (2)(a)(5).¹¹²² Iowa Code § 902.9(1)(d) (2017).¹¹²³ Iowa Code § 902.9(1)(d) (2017).¹¹²⁴ Iowa Code § 692A.111(1) (2017).¹¹²⁵ Iowa Code § 911.1(1) (2017).¹¹²⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

Chapters 700–end

CH. 705 SOLICITATION

§ 705.1(2)—Solicitation of a felony

Class = “D” felony¹¹²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹¹²⁸	0 ¹¹²⁹	No, but see Enhancements	Yes ¹¹³⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ¹¹³¹	\$750 ¹¹³²	Yes ¹¹³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹³⁵	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 [§ 705.1](#)¹¹³⁶
 - solicitation of minor to engage in an illegal act under [§ 709.8\(1\)\(d\)](#)¹¹³⁷
 - solicitation of minor to engage in an illegal act under [§ 709.12](#)¹¹³⁸
 - solicitation of minor to engage in an illegal act under [§ 725.3\(2\)](#)¹¹³⁹
 - If yes, the offender shall be assessed a civil penalty of \$250¹¹⁴⁰

¹¹²⁷ Iowa Code § 705.1(2) (2017).

¹¹²⁸ Iowa Code § 902.9(1)(e) (2017).

¹¹²⁹ Iowa Code § 902.9(1)(e) (2017).

¹¹³⁰ See Iowa Code § 907.3 (2017).

¹¹³¹ Iowa Code § 902.9(1)(e) (2017).

¹¹³² Iowa Code § 902.9(1)(e) (2017).

¹¹³³ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹³⁴ Iowa Code § 911.1(1) (2017).

¹¹³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹¹³⁶ Iowa Code § 692A.102(1)(b)(2) (2017).

¹¹³⁷ Iowa Code § 692A.102(1)(b)(3) (2017).

¹¹³⁸ Iowa Code § 692A.102(1)(b)(4) (2017).

¹¹³⁹ Iowa Code § 692A.102(1)(b)(16) (2017).

¹¹⁴⁰ Iowa Code § 692A.110 (2017).

§ 705.1(3)—Solicitation of an aggravated misdemeanor

Class = aggravated misdemeanor¹¹⁴¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹¹⁴²	0 ¹¹⁴³	None	Yes ¹¹⁴⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹¹⁴⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ¹¹⁴⁶	\$625 ¹¹⁴⁷	Yes ¹¹⁴⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁴⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁵⁰	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 § 705.1¹¹⁵¹
 - solicitation of minor to engage in an illegal act under § 709.8(1)(d)¹¹⁵²
 - solicitation of minor to engage in an illegal act under § 709.12¹¹⁵³
 - solicitation of minor to engage in an illegal act under § 725.3(2)¹¹⁵⁴
 - If yes, the offender shall be assessed a civil penalty of \$250¹¹⁵⁵

¹¹⁴¹ Iowa Code § 705.1(2) (2017).

¹¹⁴² Iowa Code § 903.1(2) (2017).

¹¹⁴³ Iowa Code § 903.1(2) (2017).

¹¹⁴⁴ See Iowa Code § 907.3 (2017).

¹¹⁴⁵ Iowa Code § 903.1(2) (2017).

¹¹⁴⁶ Iowa Code § 903.1(2) (2017).

¹¹⁴⁷ Iowa Code § 903.1(2) (2017).

¹¹⁴⁸ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹⁴⁹ Iowa Code § 911.1(1) (2017).

¹¹⁵⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹¹⁵¹ Iowa Code § 692A.102(1)(b)(2) (2017).

¹¹⁵² Iowa Code § 692A.102(1)(b)(3) (2017).

¹¹⁵³ Iowa Code § 692A.102(1)(b)(4) (2017).

¹¹⁵⁴ Iowa Code § 692A.102(1)(b)(16) (2017).

¹¹⁵⁵ Iowa Code § 692A.110 (2017).

CH. 706 CONSPIRACY

§ 706.3(1)—To commit forcible felony

Class = “C” felony¹¹⁵⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹¹⁵⁷	0 ¹¹⁵⁸	No, but see Enhancements	Yes ¹¹⁵⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹¹⁶⁰	\$1000 ¹¹⁶¹	Yes ¹¹⁶²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁶³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁶⁴	No	No

Notes:

¹¹⁵⁶ Iowa Code § 706.3(1) (2017).

¹¹⁵⁷ Iowa Code § 902.9(1)(d) (2017).

¹¹⁵⁸ Iowa Code § 902.9(1)(d) (2017).

¹¹⁵⁹ See Iowa Code § 907.3 (2017).

¹¹⁶⁰ Iowa Code § 902.9(1)(d) (2017).

¹¹⁶¹ Iowa Code § 902.9(1)(d) (2017).

¹¹⁶² See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹⁶³ Iowa Code § 911.1(1) (2017).

¹¹⁶⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 706.3(2)—To commit felony

Class = “D” felony¹¹⁶⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹¹⁶⁶	0 ¹¹⁶⁷	No, but see Enhancements	Yes ¹¹⁶⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ¹¹⁶⁹	\$750 ¹¹⁷⁰	Yes ¹¹⁷¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁷²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁷³	No	No

Notes:

¹¹⁶⁵ Iowa Code § 706.3(2) (2017).

¹¹⁶⁶ Iowa Code § 902.9(1)(e) (2017).

¹¹⁶⁷ Iowa Code § 902.9(1)(e) (2017).

¹¹⁶⁸ See Iowa Code § 907.3 (2017).

¹¹⁶⁹ Iowa Code § 902.9(1)(e) (2017).

¹¹⁷⁰ Iowa Code § 902.9(1)(e) (2017).

¹¹⁷¹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹⁷² Iowa Code § 911.1(1) (2017).

¹¹⁷³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 706.3(3)—To commit misdemeanor

Class = misdemeanor of the same class¹¹⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Simple = 30 days ¹¹⁷⁵ Serious = 1 year ¹¹⁷⁶ Aggravated = 2 years ¹¹⁷⁷	All = 0 ¹¹⁷⁸	If simple or serious, N/A If aggravated, none	Yes ¹¹⁷⁹

❖ If sentence of confinement is more than one year, sentence shall be an indeterminate term¹¹⁸⁰

Fines

Max.	Min.	Suspended?
Simple = \$625 ¹¹⁸¹ Serious = \$1875 ¹¹⁸² Aggravated = \$6250 ¹¹⁸³	Simple = \$65 ¹¹⁸⁴ Serious = \$315 ¹¹⁸⁵ Aggravated = \$625 ¹¹⁸⁶	If simple or serious, No ¹¹⁸⁷ If aggravated, Yes ¹¹⁸⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁸⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	If simple or serious, No If aggravated, Yes ¹¹⁹⁰	No	No

Notes:

¹¹⁷⁴ Iowa Code § 706.3(3) (2017).

¹¹⁷⁵ Iowa Code § 903.1(1)(a) (2017).

¹¹⁷⁶ Iowa Code § 903.1(1)(b) (2017).

¹¹⁷⁷ Iowa Code § 903.1(2) (2017).

¹¹⁷⁸ Iowa Code § 903.1(1)(a), (b), (2) (2017).

¹¹⁷⁹ See Iowa Code § 907.3 (2017).

¹¹⁸⁰ Iowa Code § 903.1(2) (2017).

¹¹⁸¹ Iowa Code § 903.1(1)(a) (2017).

¹¹⁸² Iowa Code § 903.1(1)(b) (2017).

¹¹⁸³ Iowa Code § 903.1(2) (2017).

¹¹⁸⁴ Iowa Code § 903.1(1)(a) (2017).

¹¹⁸⁵ Iowa Code § 903.1(1)(b) (2017).

¹¹⁸⁶ Iowa Code § 903.1(2) (2017).

¹¹⁸⁷ Iowa Code § 903.1(1)(a), (b) (2017).

¹¹⁸⁸ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹⁸⁹ Iowa Code § 911.1(1) (2017).

¹¹⁹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 706A ONGOING CRIMINAL CONDUCT

§ 706A.2(1)—Unlawful activity influenced enterprises

Class = “B” felony¹¹⁹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹¹⁹²	0 ¹¹⁹³	No, but see Enhancements	Yes ¹¹⁹⁴

Fines

Max.	Min.	Can Suspend?
0 ¹¹⁹⁵	0 ¹¹⁹⁶	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 ¹¹⁹⁷	No	No

Notes:

¹¹⁹¹ Iowa Code § 706A.4 (2017).

¹¹⁹² Iowa Code § 902.9(1)(b) (2017).

¹¹⁹³ Iowa Code § 902.9(1)(b) (2017).

¹¹⁹⁴ See Iowa Code § 907.3 (2017).

¹¹⁹⁵ See Iowa Code § 902.9(1)(b) (2017).

¹¹⁹⁶ See Iowa Code § 902.9(1)(b) (2017).

¹¹⁹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 706A.2(2)—Facilitation of criminal network

Class = “B” felony¹¹⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹¹⁹⁹	0 ¹²⁰⁰	No, but see Enhancements	Yes ¹²⁰¹

Fines

Max.	Min.	Can Suspend?
0 ¹²⁰²	0 ¹²⁰³	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 ¹²⁰⁴	No	No

Notes:

¹¹⁹⁸ Iowa Code § 706A.4 (2017).

¹¹⁹⁹ Iowa Code § 902.9(1)(b) (2017).

¹²⁰⁰ Iowa Code § 902.9(1)(b) (2017).

¹²⁰¹ See Iowa Code § 907.3 (2017).

¹²⁰² See Iowa Code § 902.9(1)(b) (2017).

¹²⁰³ See Iowa Code § 902.9(1)(b) (2017).

¹²⁰⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 706A.2(4)—Specified unlawful activity

Class = “B” felony¹²⁰⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹²⁰⁶	0 ¹²⁰⁷	No, but see Enhancements	Yes ¹²⁰⁸

Fines

Max.	Min.	Can Suspend?
0 ¹²⁰⁹	0 ¹²¹⁰	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 ¹²¹¹	No	No

Notes:

¹²⁰⁵ Iowa Code § 706A.4 (2017).

¹²⁰⁶ Iowa Code § 902.9(1)(b) (2017).

¹²⁰⁷ Iowa Code § 902.9(1)(b) (2017).

¹²⁰⁸ See Iowa Code § 907.3 (2017).

¹²⁰⁹ See Iowa Code § 902.9(1)(b) (2017).

¹²¹⁰ See Iowa Code § 902.9(1)(b) (2017).

¹²¹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 706B MONEY LAUNDERING

§ 706B.2(1)(a), (b), or (c)—Money laundering (greater offense)

Class = “C” felony¹²¹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years, ¹²¹³ but see Notes	0 ¹²¹⁴	No, but see Enhancements	Yes ¹²¹⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 or twice the value of the property involved, whichever is greater ¹²¹⁶ But see Notes	\$1000 ¹²¹⁷	Yes ¹²¹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²¹⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²²⁰	No	No

Notes:

❖ Max. Jail/Prison Time & Max. Fine:

- The violator “may be fined . . . or be imprisoned . . . or both.”¹²²¹ The specific provisions of this section supersede the standard sentencing provision of Iowa Code § 902.9(1)(d).

¹²¹² Iowa Code § 706B.2(2)(a) (2017).

¹²¹³ Iowa Code § 706B.2(2)(a) (2017).

¹²¹⁴ Iowa Code § 902.9(1)(d) (2017).

¹²¹⁵ See Iowa Code § 907.3 (2017).

¹²¹⁶ Iowa Code § 706B.2(2)(a) (2017).

¹²¹⁷ Iowa Code § 902.9(1)(d) (2017).

¹²¹⁸ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹²¹⁹ Iowa Code § 706B.2(4) (2017).

¹²²⁰ Iowa Code § 81.2(1), 901.5(8A)(a) (2017).

¹²²¹ Iowa Code § 706B.2(2)(a) (2017).

§ 706B.2(1)(d)—Money laundering (lesser offense)

Class = “D” felony¹²²²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²²³	0 ¹²²⁴	No, but see Enhancements	Yes ¹²²⁵

Fines

Max.	Min.	Can Suspend?
\$7500 or twice the value of the property involved, whichever is greater ¹²²⁶	\$750 ¹²²⁷	Yes ¹²²⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²²⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²³⁰	No	No

Notes:

❖ Max. Jail/Prison Time & Max. Fine:

- The violator “may be fined . . . or be imprisoned . . . or both.”¹²³¹ The specific provisions of this section supersede the standard sentencing provision of Iowa Code § 902.9(1)(d).

¹²²² Iowa Code § 706B.2(2)(b) (2017).

¹²²³ Iowa Code § 706B.2(2)(b) (2017).

¹²²⁴ Iowa Code § 902.9(1)(e) (2017).

¹²²⁵ See Iowa Code § 907.3 (2017).

¹²²⁶ Iowa Code § 706B.2(2)(b) (2017).

¹²²⁷ Iowa Code § 902.9(1)(e) (2017).

¹²²⁸ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹²²⁹ Iowa Code § 706B.2(4) (2017).

¹²³⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹²³¹ Iowa Code § 706B.2(2)(a) (2017).

CH. 707 HOMICIDE AND RELATED OFFENSES

§ 707.2—First-Degree Murder

Class = “A” felony¹²³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life ¹²³³	Life ¹²³⁴	Not eligible for parole, but see Under 18 Sentencing ¹²³⁵	No, ¹²³⁶ 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 ¹²³⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Defendant must register if:

- Sexual abuse (as defined in § 709.1) was committed during the violation of § 707.2,¹²³⁸ or
- Fact-finder determined beyond a reasonable doubt that the violation of § 707.2 was sexually motivated per § 692A.126¹²³⁹
- If yes, the offender shall be assessed a civil penalty of \$250¹²⁴⁰

¹²³² Iowa Code § 707.2(2) (2017).

¹²³³ Iowa Code § 902.1(1) (2017).

¹²³⁴ Iowa Code § 902.1(1) (2017).

¹²³⁵ Iowa Code § 902.1(1) (2017).

¹²³⁶ Iowa Code § 902.1(1) (2017).

¹²³⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹²³⁸ Iowa Code § 692A.102(1)(c)(1) (2017).

¹²³⁹ Iowa Code §§ 692A.102(1)(c)(2), 707.2(3) (2017).

¹²⁴⁰ Iowa Code § 692A.110 (2017).

§ 707.3—Second-Degree Murder

Class = “B” felony¹²⁴¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ¹²⁴²	0 ¹²⁴³	Not eligible until has served 70% of max. term of sentence, ¹²⁴⁴ but see Under 18 Sentencing See also Enhancements	No, ¹²⁴⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ¹²⁴⁶	0 ¹²⁴⁷	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 ¹²⁴⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Defendant must register if:
 - Sexual abuse (as defined in § 709.1) was committed during the violation of § 707.2,¹²⁴⁹ *or*
 - Fact-finder determined beyond a reasonable doubt that the violation of § 707.2 was sexually motivated per § 692A.126¹²⁵⁰
 - If yes, the offender shall be assessed a civil penalty of \$250¹²⁵¹

¹²⁴¹ Iowa Code § 707.3(2) (2017).

¹²⁴² Iowa Code § 707.3(2) (2017).

¹²⁴³ Iowa Code § 902.9(1)(b) (2017).

¹²⁴⁴ Iowa Code § 902.12(1)(e) (2017).

¹²⁴⁵ Iowa Code § 907.3 (2017); *see id.* § 702.11(1) (listing “murder” as a forcible felony).

¹²⁴⁶ Iowa Code § 902.9(1)(b) (2017).

¹²⁴⁷ Iowa Code § 902.9(1)(b) (2017).

¹²⁴⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹²⁴⁹ Iowa Code § 692A.102(1)(c)(1) (2017).

¹²⁵⁰ Iowa Code §§ 692A.102(1)(c)(2), 707.3(3) (2017).

¹²⁵¹ Iowa Code § 692A.110 (2017).

§ 707.3A—Solicitation to Commit Murder

Class = “C” felony¹²⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹²⁵³	0 ¹²⁵⁴	No, but see Enhancements	Yes ¹²⁵⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹²⁵⁶	\$1000 ¹²⁵⁷	Yes ¹²⁵⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁵⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁶⁰	No	No

Notes:

¹²⁵² Iowa Code § 707.3A(3) (2017).

¹²⁵³ Iowa Code § 902.9(1)(d) (2017).

¹²⁵⁴ Iowa Code § 902.9(1)(d) (2017).

¹²⁵⁵ See Iowa Code § 907.3 (2017).

¹²⁵⁶ Iowa Code § 902.9(1)(d) (2017).

¹²⁵⁷ Iowa Code § 902.9(1)(d) (2017).

¹²⁵⁸ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹²⁵⁹ Iowa Code § 911.1(1) (2017).

¹²⁶⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 707.4—Voluntary manslaughter

Class = “C” felony¹²⁶¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹²⁶²	0 ¹²⁶³	No, but see Enhancements	No, ¹²⁶⁴ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹²⁶⁵	\$1000 ¹²⁶⁶	No, ¹²⁶⁷ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁶⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁶⁹	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.126¹²⁷⁰
- If yes, the offender shall be assessed a civil penalty of \$250¹²⁷¹

¹²⁶¹ Iowa Code § 707.4(2) (2017).

¹²⁶² Iowa Code § 902.9(1)(d) (2017).

¹²⁶³ Iowa Code § 902.9(1)(d) (2017).

¹²⁶⁴ Iowa Code § 907.3, unnum. para. (2017); *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).

¹²⁶⁵ Iowa Code § 902.9(1)(d) (2017).

¹²⁶⁶ Iowa Code § 902.9(1)(d) (2017).

¹²⁶⁷ Iowa Code § 907.3, unnum. para. (2017); *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).

¹²⁶⁸ Iowa Code § 911.1(1) (2017).

¹²⁶⁹ Iowa Code §§ 81.2(1) (2017); 901.5(8A)(a) (2017).

¹²⁷⁰ Iowa Code §§ 692A.102(1)(c)(3), 707.4(4) (2017).

¹²⁷¹ Iowa Code § 692A.110 (2017).

§ 707.5(1)—Involuntary Manslaughter

§ 707.5(1)(a)—By public offense

Class = “D” felony¹²⁷²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²⁷³	0 ¹²⁷⁴	No, but see Enhancements	Yes ¹²⁷⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ¹²⁷⁶	\$750 ¹²⁷⁷	Yes ¹²⁷⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁷⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁸⁰	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.126¹²⁸¹
 - If yes, the offender shall be assessed a civil penalty of \$250¹²⁸²

¹²⁷² Iowa Code § 707.5(1)(a) (2017).

¹²⁷³ Iowa Code § 902.9(1)(e) (2017).

¹²⁷⁴ Iowa Code § 902.9(1)(e) (2017).

¹²⁷⁵ See Iowa Code § 907.3 (2017).

¹²⁷⁶ Iowa Code § 902.9(1)(e) (2017).

¹²⁷⁷ Iowa Code § 902.9(1)(e) (2017).

¹²⁷⁸ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹²⁷⁹ Iowa Code § 911.1(1) (2017).

¹²⁸⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹²⁸¹ Iowa Code §§ 692A.102(1)(c)(4), 707.5(3) (2017).

¹²⁸² Iowa Code § 692A.110 (2017).

§ 707.5(1)(b)—Via act likely to cause death or serious injury

Class = aggravated misdemeanor¹²⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹²⁸⁴	0 ¹²⁸⁵	None	Yes ¹²⁸⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹²⁸⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ¹²⁸⁸	\$625 ¹²⁸⁹	Yes ¹²⁹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁹²	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.126¹²⁹³
 - If yes, the offender shall be assessed a civil penalty of \$250¹²⁹⁴

¹²⁸³ Iowa Code § 707.5(1)(b) (2017).

¹²⁸⁴ Iowa Code § 903.1(2) (2017).

¹²⁸⁵ Iowa Code § 903.1(2) (2017).

¹²⁸⁶ See Iowa Code § 907.3 (2017).

¹²⁸⁷ Iowa Code § 903.1(2) (2017).

¹²⁸⁸ Iowa Code § 903.1(2) (2017).

¹²⁸⁹ Iowa Code § 903.1(2) (2017).

¹²⁹⁰ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹²⁹¹ Iowa Code § 911.1(1) (2017).

¹²⁹² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹²⁹³ Iowa Code §§ 692A.102(1)(c)(4), 707.5(3) (2017).

¹²⁹⁴ Iowa Code § 692A.110 (2017).

§ 707.6A—Vehicular Homicide

§ 707.6A(1)—While intoxicated

Class = “B” felony¹²⁹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹²⁹⁶	0 ¹²⁹⁷	<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 sentence¹²⁹⁸<ul style="list-style-type: none">➤ but see Under 18 Sentencing❖ Otherwise, No mand. min., but see Enhancements	No, ¹²⁹⁹ 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 ¹³⁰⁰ See Notes	Yes ¹³⁰¹	No	No

Notes:

- ❖ License Revocation:
 - ineligible for temporary restricted license for at least 2 years after revocation¹³⁰²
- ❖ Additional things sentencing court must order at defendant’s expense:
 - Enroll, attend and satisfactorily complete drinking drivers’ course, per § 321J.22¹³⁰³
 - Submission to evaluation and treatment or rehab services¹³⁰⁴
 - Participation in reality education substance abuse prevention program, per § 321J.24¹³⁰⁵
 - If program is available and appropriate for defendant

¹²⁹⁵ Iowa Code § 707.6A(1) (2017).

¹²⁹⁶ Iowa Code § 902.9(1)(b) (2017).

¹²⁹⁷ Iowa Code § 902.9(1)(b) (2017).

¹²⁹⁸ Iowa Code § 902.12(1)(f) (2017).

¹²⁹⁹ Iowa Code § 707.6A(7) (2017).

¹³⁰⁰ Iowa Code § 707.6A(1A) (2017).

¹³⁰¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹³⁰² Iowa Code § 707.6A(1A) (2017).

¹³⁰³ Iowa Code § 707.6A(1B)(a) (2017).

¹³⁰⁴ Iowa Code § 707.6A(1B)(b) (2017).

¹³⁰⁵ Iowa Code § 707.6A(1D) (2017).

§ 707.6A(2)—Vehicular homicide: reckless driving or eludingClass = “C” felony¹³⁰⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹³⁰⁷	0 ¹³⁰⁸	❖ 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 ¹³⁰⁹ ➤ but see Under 18 Sentencing ❖ Otherwise, No mand. min., but see Enhancements	Yes ¹³¹⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹³¹¹	\$1000 ¹³¹²	Yes ¹³¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³¹⁵	No	No

Notes:

¹³⁰⁶ See Iowa Code § 707.6A(2)(a)(1) (2017) amended per 2017 Iowa Acts ch. 76, § 1, effective 7/1/2017 to include the, “use of a hand-held electronic communication device to write, send, or view an electronic message while driving a motor vehicle shall be considered prima facie evidence that the person was driving the motor vehicle in a reckless manner with willful or wanton disregard for the safety of persons or property,”

¹³⁰⁷ Iowa Code § 902.9(1)(d) (2017).

¹³⁰⁸ Iowa Code § 902.9(1)(d) (2017).

¹³⁰⁹ Iowa Code § 902.12(1)(f) (2017).

¹³¹⁰ See Iowa Code § 907.3 (2017).

¹³¹¹ Iowa Code § 902.9(1)(d) (2017).

¹³¹² Iowa Code § 902.9(1)(d) (2017).

¹³¹³ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹³¹⁴ Iowa Code § 911.1(1) (2017).

¹³¹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 707.6A(3)—Vehicular homicide: drag racingClass = “D” felony¹³¹⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹³¹⁷	0 ¹³¹⁸	No, but see Enhancements	Yes ¹³¹⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ¹³²⁰	\$750 ¹³²¹	Yes ¹³²²

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:¹³¹⁶ Iowa Code § 707.6A(3) (2017).¹³¹⁷ Iowa Code § 902.9(1)(e) (2017).¹³¹⁸ Iowa Code § 902.9(1)(e) (2017).¹³¹⁹ See Iowa Code § 907.3 (2017).¹³²⁰ Iowa Code § 902.9(1)(e) (2017).¹³²¹ Iowa Code § 902.9(1)(e) (2017).¹³²² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).¹³²³ Iowa Code § 911.1(1) (2017).¹³²⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 707.6A(4)—Serious injury by vehicleClass = “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) (2017).¹³²⁶ Iowa Code § 902.9(1)(e) (2017).¹³²⁷ Iowa Code § 902.9(1)(e) (2017).¹³²⁸ Iowa Code §§ 707.6A(7), 907.3(1)(a)(10), (2)(a)(6), (3)(d) (2017).¹³²⁹ Iowa Code § 902.9(1)(e) (2017).¹³³⁰ Iowa Code § 902.9(1)(e) (2017).¹³³¹ Iowa Code § 707.6A(7) (2017).¹³³² Iowa Code § 911.1(1) (2017).¹³³³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 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 ¹³⁴⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁴¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁴²	No	No

Notes:

¹³³⁴ Iowa Code § 707.7(1), (3) (2017).

¹³³⁵ Iowa Code § 902.9(1)(e) (2017).

¹³³⁶ Iowa Code § 902.9(1)(e) (2017).

¹³³⁷ See Iowa Code § 907.3 (2017).

¹³³⁸ Iowa Code § 902.9(1)(e) (2017).

¹³³⁹ Iowa Code § 902.9(1)(e) (2017).

¹³⁴⁰ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹³⁴¹ Iowa Code § 911.1(1) (2017).

¹³⁴² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 707.7(2)—Attempted feticideClass = “D” felony¹³⁴³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹³⁴⁴	0 ¹³⁴⁵	No, but see Enhancements	Yes ¹³⁴⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ¹³⁴⁷	\$750 ¹³⁴⁸	Yes ¹³⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁵⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁵¹	No	No

Notes:¹³⁴³ Iowa Code § 707.7(2) (2017).¹³⁴⁴ Iowa Code § 902.9(1)(e) (2017).¹³⁴⁵ Iowa Code § 902.9(1)(e) (2017).¹³⁴⁶ See Iowa Code § 907.3 (2017).¹³⁴⁷ Iowa Code § 902.9(1)(e) (2017).¹³⁴⁸ Iowa Code § 902.9(1)(e) (2017).¹³⁴⁹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).¹³⁵⁰ Iowa Code § 911.1(1) (2017).¹³⁵¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 707.8—Nonconsensual Termination—Serious Injury to Human Pregnancy

§ 707.8(1)—Nonconsensual termination of pregnancy during forcible felony

Class = “B” felony¹³⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹³⁵³	0 ¹³⁵⁴	No, but see Enhancements	Yes ¹³⁵⁵

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 ¹³⁵⁶	No	No

Notes:

¹³⁵² Iowa Code § 707.8(1) (2017).

¹³⁵³ Iowa Code § 902.9(1)(b) (2017).

¹³⁵⁴ Iowa Code § 902.9(1)(b) (2017).

¹³⁵⁵ See Iowa Code § 907.3 (2017).

¹³⁵⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 707.8(2)–(5)—Termination of pregnancyClass = “C” felony¹³⁵⁷**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹³⁵⁸	0 ¹³⁵⁹	No, but see Enhancements	Yes ¹³⁶⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹³⁶¹	\$1000 ¹³⁶²	Yes ¹³⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁶⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁶⁵	No	No

Notes:¹³⁵⁷ Iowa Code § 707.8(2)–(5) (2017).¹³⁵⁸ Iowa Code § 902.9(1)(d) (2017).¹³⁵⁹ Iowa Code § 902.9(1)(d) (2017).¹³⁶⁰ See Iowa Code § 907.3 (2017).¹³⁶¹ Iowa Code § 902.9(1)(d) (2017).¹³⁶² Iowa Code § 902.9(1)(d) (2017).¹³⁶³ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).¹³⁶⁴ Iowa Code § 911.1(1) (2017).¹³⁶⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 707.8(6)—Termination of Pregnancy while drag racingClass = “D” felony¹³⁶⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹³⁶⁷	0 ¹³⁶⁸	No, but see Enhancements	Yes ¹³⁶⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ¹³⁷⁰	\$750 ¹³⁷¹	Yes ¹³⁷²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁷³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁷⁴	No	No

Notes:¹³⁶⁶ Iowa Code § 707.8(6) (2017).¹³⁶⁷ Iowa Code § 902.9(1)(e) (2017).¹³⁶⁸ Iowa Code § 902.9(1)(e) (2017).¹³⁶⁹ See Iowa Code § 907.3 (2017).¹³⁷⁰ Iowa Code § 902.9(1)(e) (2017).¹³⁷¹ Iowa Code § 902.9(1)(e) (2017).¹³⁷² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).¹³⁷³ Iowa Code § 911.1(1) (2017).¹³⁷⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 707.8(7)–(9)—Termination of or serious injury to pregnancyClass = aggravated misdemeanor¹³⁷⁵**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹³⁷⁶	0 ¹³⁷⁷	None	Yes ¹³⁷⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹³⁷⁹**Fines**

Max.	Min.	Can Suspend?
\$6250 ¹³⁸⁰	\$625 ¹³⁸¹	Yes ¹³⁸²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁸³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁸⁴	No	No

Notes:¹³⁷⁵ Iowa Code § 707.8(7)–(9) (2017).¹³⁷⁶ Iowa Code § 903.1(2) (2017).¹³⁷⁷ Iowa Code § 903.1(2) (2017).¹³⁷⁸ See Iowa Code § 907.3 (2017).¹³⁷⁹ Iowa Code § 903.1(2) (2017).¹³⁸⁰ Iowa Code § 903.1(2) (2017).¹³⁸¹ Iowa Code § 903.1(2) (2017).¹³⁸² See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).¹³⁸³ Iowa Code § 911.1(1) (2017).¹³⁸⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 707.8(10)—Unintentional serious injury to pregnancyClass = serious misdemeanor¹³⁸⁵**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹³⁸⁶	0 ¹³⁸⁷	N/A	Yes ¹³⁸⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ¹³⁸⁹	\$315 ¹³⁹⁰	No ¹³⁹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁹²	No	No	No	No	No

Miscellaneous

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

Notes:¹³⁸⁵ Iowa Code § 707.8(10) (2017).¹³⁸⁶ Iowa Code § 903.1(1)(b) (2017).¹³⁸⁷ Iowa Code § 903.1(1)(b) (2017).¹³⁸⁸ See Iowa Code § 907.3 (2017).¹³⁸⁹ Iowa Code § 903.1(1)(b) (2017).¹³⁹⁰ Iowa Code § 903.1(1)(b) (2017).¹³⁹¹ Iowa Code § 903.1(1)(b) (2017).¹³⁹² Iowa Code § 911.1(1) (2017).

§ 707.9—Murder of fetus born alive

Class = “B” felony¹³⁹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹³⁹⁴	0 ¹³⁹⁵	No, but see Enhancements	Yes ¹³⁹⁶

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 ¹³⁹⁷	No	No

Notes:

¹³⁹³ Iowa Code § 707.9 (2017).

¹³⁹⁴ Iowa Code § 902.9(1)(b) (2017).

¹³⁹⁵ Iowa Code § 902.9(1)(b) (2017).

¹³⁹⁶ See Iowa Code § 907.3 (2017).

¹³⁹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 707.10—Failure to preserve life/health of fetus

Class = serious misdemeanor¹³⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹³⁹⁹	0 ¹⁴⁰⁰	N/A	Yes ¹⁴⁰¹

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁴⁰²	\$315 ¹⁴⁰³	No ¹⁴⁰⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁰⁵	No	No	No	No	No

Miscellaneous

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

Notes:

¹³⁹⁸ Iowa Code § 707.10 (2017).

¹³⁹⁹ Iowa Code § 903.1(1)(b) (2017).

¹⁴⁰⁰ Iowa Code § 903.1(1)(b) (2017).

¹⁴⁰¹ See Iowa Code § 907.3 (2017).

¹⁴⁰² Iowa Code § 903.1(1)(b) (2017).

¹⁴⁰³ Iowa Code § 903.1(1)(b) (2017).

¹⁴⁰⁴ Iowa Code § 903.1(1)(b) (2017).

¹⁴⁰⁵ Iowa Code § 911.1(1) (2017).

§ 707.11—Attempted Murder

Class = “B” felony¹⁴⁰⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹⁴⁰⁷	0 ¹⁴⁰⁸	Not eligible until served 70% of max. term of incarceration ¹⁴⁰⁹ Specific to “peace officer,” not eligible, shall serve 100% of term of incarceration ¹⁴¹⁰	No, ¹⁴¹¹ 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 ¹⁴¹²	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.126¹⁴¹³
- If yes, the offender shall be assessed a civil penalty of \$250¹⁴¹⁴

¹⁴⁰⁶ Iowa Code § 707.11(2) (2017).

¹⁴⁰⁷ Iowa Code § 902.9(1)(b) (2017).

¹⁴⁰⁸ Iowa Code § 902.9(1)(b) (2017).

¹⁴⁰⁹ Iowa Code § 902.12(1)(b) (2017).

¹⁴¹⁰ Iowa Code § 707.11(5) (2017) (amended by 2017 Iowa Acts ch. 122, § 12 to include the fact finder determines whether the attempt to commit murder was against a “peace officer,” as defined in § 801(4), effective 7/1/2017).

¹⁴¹¹ Iowa Code § 907.3 (2017); *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).

¹⁴¹² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁴¹³ Iowa Code §§ 692A.102(1)(c)(5), 707.11(4) (2017).

¹⁴¹⁴ Iowa Code § 692A.110 (2017).

CH. 707A ASSISTED SUICIDE

§ 707A.2—Assisted Suicide

Class = “C” felony¹⁴¹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁴¹⁶	0 ¹⁴¹⁷	No, but see Enhancements	Yes ¹⁴¹⁸

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁴¹⁹	\$1000 ¹⁴²⁰	Yes ¹⁴²¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴²²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴²³	No	No

Notes:

¹⁴¹⁵ Iowa Code § 707A.2 (2017).

¹⁴¹⁶ Iowa Code § 902.9(1)(d) (2017).

¹⁴¹⁷ Iowa Code § 902.9(1)(d) (2017).

¹⁴¹⁸ See Iowa Code § 907.3 (2017).

¹⁴¹⁹ Iowa Code § 902.9(1)(d) (2017).

¹⁴²⁰ Iowa Code § 902.9(1)(d) (2017).

¹⁴²¹ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁴²² Iowa Code § 911.1(1) (2017).

¹⁴²³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 708 ASSAULT

§ 708.2—Basic Assault

§ 708.2(1)—Assault with intent to inflict serious injury

Class = aggravated misdemeanor¹⁴²⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
2 years ¹⁴²⁵	0 ¹⁴²⁶	None	Yes, except no DJ if assault was against peace officer while performing peace officer's duties. ¹⁴²⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁴²⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁴²⁹	\$625 ¹⁴³⁰	Yes ¹⁴³¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴³²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴³³	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.126¹⁴³⁴
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁴³⁵

¹⁴²⁴ Iowa Code § 708.2(1) (2017).

¹⁴²⁵ Iowa Code § 903.1(2) (2017).

¹⁴²⁶ Iowa Code § 903.1(2) (2017).

¹⁴²⁷ Iowa Code § 907.3 (1)(a)(11) (2017).

¹⁴²⁸ Iowa Code § 903.1(2) (2017).

¹⁴²⁹ Iowa Code § 903.1(2) (2017).

¹⁴³⁰ Iowa Code § 903.1(2) (2017).

¹⁴³¹ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁴³² Iowa Code § 911.1(1) (2017).

¹⁴³³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁴³⁴ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁴³⁵ Iowa Code § 692A.110 (2017).

§ 708.2(2)—Assault causing bodily injury or mental illness

Class = serious misdemeanor¹⁴³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁴³⁷	0 ¹⁴³⁸	N/A	Yes, except no DJ if assault was against peace officer while performing peace officer's duties. ¹⁴³⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁴⁴⁰	\$315 ¹⁴⁴¹	No ¹⁴⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if must register for Sex Registry ¹⁴⁴⁴	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.126¹⁴⁴⁵
- If yes, the offender shall be assessed a civil penalty of \$250¹⁴⁴⁶

¹⁴³⁶ Iowa Code § 708.2(2) (2017).

¹⁴³⁷ Iowa Code § 903.1(1)(b) (2017).

¹⁴³⁸ Iowa Code § 903.1(1)(b) (2017).

¹⁴³⁹ Iowa Code § 907.3 (1)(a)(11) (2017).

¹⁴⁴⁰ Iowa Code § 903.1(1)(b) (2017).

¹⁴⁴¹ Iowa Code § 903.1(1)(b) (2017).

¹⁴⁴² Iowa Code § 903.1(1)(b) (2017).

¹⁴⁴³ Iowa Code § 911.1(1) (2017).

¹⁴⁴⁴ Iowa Code § 81.2(6) (2017).

¹⁴⁴⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁴⁴⁶ Iowa Code § 692A.110 (2017).

§ 708.2(3)—Assault w/ dangerous weapon

Class = aggravated misdemeanor¹⁴⁴⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁴⁴⁸	0 ¹⁴⁴⁹	None	Yes, except No DJ if assault was against peace officer while performing peace officer's duties. ¹⁴⁵⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁴⁵¹

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁴⁵²	\$625 ¹⁴⁵³	Yes ¹⁴⁵⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁵⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴⁵⁶	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) apply¹⁴⁵⁷
- ❖ 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.126¹⁴⁵⁸
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁴⁵⁹

¹⁴⁴⁷ Iowa Code § 708.2(3) (2017).

¹⁴⁴⁸ Iowa Code § 903.1(2) (2017).

¹⁴⁴⁹ Iowa Code § 903.1(2) (2017).

¹⁴⁵⁰ Iowa Code § 907.3 (1)(a)(11) (2017).

¹⁴⁵¹ Iowa Code § 903.1(2) (2017).

¹⁴⁵² Iowa Code § 903.1(2) (2017).

¹⁴⁵³ Iowa Code § 903.1(2) (2017).

¹⁴⁵⁴ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁴⁵⁵ Iowa Code § 911.1(1) (2017).

¹⁴⁵⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁴⁵⁷ Iowa Code § 708.2(3) (2017).

¹⁴⁵⁸ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁴⁵⁹ Iowa Code § 692A.110 (2017).

§ 708.2(4)—Assault causing serious injury

Class = “D” felony¹⁴⁶⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁴⁶¹	0 ¹⁴⁶²	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. ¹⁴⁶³ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁴⁶⁴	\$750 ¹⁴⁶⁵	Yes ¹⁴⁶⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁶⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴⁶⁸	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - Assault in violation of § 708.2(4) is not a forcible felony,¹⁴⁶⁹ therefore not automatically prohibited from receiving DJ, DS, or SS¹⁴⁷⁰
- ❖ 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.126¹⁴⁷¹
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁴⁷²

¹⁴⁶⁰ Iowa Code § 708.2(4) (2017).

¹⁴⁶¹ Iowa Code § 902.9(1)(e) (2017).

¹⁴⁶² Iowa Code § 902.9(1)(e) (2017).

¹⁴⁶³ Iowa Code § 907.3 (1)(a)(11) (2017).

¹⁴⁶⁴ Iowa Code § 902.9(1)(e) (2017).

¹⁴⁶⁵ Iowa Code § 902.9(1)(e) (2017).

¹⁴⁶⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁴⁶⁷ Iowa Code § 911.1(1) (2017).

¹⁴⁶⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁴⁶⁹ Iowa Code § 702.11 (2)(f) (2017).

¹⁴⁷⁰ Iowa Code § 907.3, unnum. para. 1 (2017).

¹⁴⁷¹ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁴⁷² Iowa Code § 692A.110 (2017).

§ 708.2(5)—Assault w/ object to penetrateClass = “C” felony¹⁴⁷³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁴⁷⁴	0 ¹⁴⁷⁵	No, but see Enhancements	No, ¹⁴⁷⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁴⁷⁷	\$1000 ¹⁴⁷⁸	No, ¹⁴⁷⁹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁸⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴⁸¹	Yes ¹⁴⁸² The offender shall be assessed a civil penalty of \$250 ¹⁴⁸³	No

Notes:¹⁴⁷³ Iowa Code § 708.2(5) (2017).¹⁴⁷⁴ Iowa Code § 902.9(1)(d) (2017).¹⁴⁷⁵ Iowa Code § 902.9(1)(d) (2017).¹⁴⁷⁶ Iowa Code § 907.3 (2017); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony).¹⁴⁷⁷ Iowa Code § 902.9(1)(d) (2017).¹⁴⁷⁸ Iowa Code § 902.9(1)(d) (2017).¹⁴⁷⁹ Iowa Code § 907.3 (2017); *see id.* § 702.11(1) (including felonious “assault” as a forcible felony).¹⁴⁸⁰ Iowa Code § 911.1(1) (2017).¹⁴⁸¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).¹⁴⁸² Iowa Code § 692A.102(1)(c)(6) (2017).¹⁴⁸³ Iowa Code § 692A.110 (2017).

§ 708.2(6)—Any other assault

Class = simple misdemeanor¹⁴⁸⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
30 days ¹⁴⁸⁵	0 ¹⁴⁸⁶	N/A	Yes, except no DJ if assault was against peace officer while performing peace officer's duties ¹⁴⁸⁷

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁴⁸⁸	\$65 ¹⁴⁸⁹	No ¹⁴⁹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if must register for Sex Registry ¹⁴⁹²	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.126¹⁴⁹³
- If yes, the offender shall be assessed a civil penalty of \$250¹⁴⁹⁴

¹⁴⁸⁴ Iowa Code § 708.2(6) (2017).

¹⁴⁸⁵ Iowa Code § 903.1(1)(a) (2017).

¹⁴⁸⁶ Iowa Code § 903.1(1)(a) (2017).

¹⁴⁸⁷ Iowa Code § 907.3 (1)(a)(11) (2017).

¹⁴⁸⁸ Iowa Code § 903.1(1)(a) (2017).

¹⁴⁸⁹ Iowa Code § 903.1(1)(a) (2017).

¹⁴⁹⁰ Iowa Code § 903.1(1)(a) (2017).

¹⁴⁹¹ Iowa Code § 911.1(1) (2017).

¹⁴⁹² Iowa Code § 81.1(6) (2017).

¹⁴⁹³ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁴⁹⁴ Iowa Code § 692A.110 (2017).

§ 708.2A—Domestic Abuse Assault

§ 708.2A(2)—First offense

§ 708.2A(2)(a)—DAA, First offense

Class = simple misdemeanor¹⁴⁹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁴⁹⁶	2 days ¹⁴⁹⁷	N/A	<ul style="list-style-type: none">❖ Can suspend, except for min. sentence¹⁴⁹⁸❖ 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,¹⁴⁹⁹ or➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵⁰⁰

❖ Mandatory minimum must be served on consecutive days¹⁵⁰¹

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁵⁰²	\$65 ¹⁵⁰³	No ¹⁵⁰⁴

❖ Fine cannot be imposed in lieu of minimum jail sentence¹⁵⁰⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵⁰⁶	No	No	Yes, \$100 ¹⁵⁰⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁵⁰⁸	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

- Participation in batterers' treatment program as required under § 708.2B¹⁵⁰⁹
- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵¹⁰

❖ Sex Registry:

¹⁴⁹⁵ Iowa Code § 708.2A(2)(a) (2017).

¹⁴⁹⁶ Iowa Code § 903.1(1)(a) (2017).

¹⁴⁹⁷ Iowa Code § 708.2A(7)(a) (2017).

¹⁴⁹⁸ Iowa Code § 708.2A(7)(a) (2017); *accord id.* § 907.3(3)(a).

¹⁴⁹⁹ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁰⁰ Iowa Code § 907.3 (1)(a)(12) (2017) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵⁰¹ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁰² Iowa Code § 903.1(1)(a) (2017).

¹⁵⁰³ Iowa Code § 903.1(1)(a) (2017).

¹⁵⁰⁴ Iowa Code § 903.1(1)(a) (2017).

¹⁵⁰⁵ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁰⁶ Iowa Code § 911.1(1) (2017).

¹⁵⁰⁷ Iowa Code § 911.2B(1) (2017).

¹⁵⁰⁸ Iowa Code § 907.3 (2017);

¹⁵⁰⁹ Iowa Code § 708.2A(10) (2017).

¹⁵¹⁰ Iowa Code § 708.2A(8) (2017).

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁵¹¹
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁵¹²

¹⁵¹¹ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁵¹² Iowa Code § 692A.110 (2017).

§ 708.2A(2)(b)—Causing bodily injury or mental illness, first offense

Class = serious misdemeanor¹⁵¹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁵¹⁴	2 days ¹⁵¹⁵	N/A	<ul style="list-style-type: none">❖ Can suspend, except for min. sentence¹⁵¹⁶❖ 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,¹⁵¹⁷ or➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵¹⁸

❖ Mandatory minimum must be served on consecutive days¹⁵¹⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁵²⁰	\$315 ¹⁵²¹	No ¹⁵²²

❖ Fine cannot be imposed in lieu of minimum sentence¹⁵²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵²⁴	No	No	Yes, \$100 ¹⁵²⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁵²⁶	Maybe, see Notes	No

Notes:

- ❖ Additional Penalties:
 - Participation in batterers' treatment program as required under § 708.2B¹⁵²⁷
 - Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵²⁸
- ❖ 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.126¹⁵²⁹

¹⁵¹³ Iowa Code § 708.2A(2)(b) (2017).

¹⁵¹⁴ Iowa Code § 903.1(1)(b) (2017).

¹⁵¹⁵ Iowa Code § 708.2A(7)(a) (2017).

¹⁵¹⁶ Iowa Code § 708.2A(7)(a) (2017); *accord id.* § 907.3(3)(a).

¹⁵¹⁷ Iowa Code § 708.2A(7)(a) (2017).

¹⁵¹⁸ Iowa Code § 907.3 (1)(a)(12) (2017) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵¹⁹ Iowa Code § 708.2A(7)(a) (2017).

¹⁵²⁰ Iowa Code § 903.1(1)(b) (2017).

¹⁵²¹ Iowa Code § 903.1(1)(b) (2017).

¹⁵²² Iowa Code § 903.1(1)(b) (2017).

¹⁵²³ Iowa Code § 708.2A(7)(a) (2017).

¹⁵²⁴ Iowa Code § 911.1(1) (2017).

¹⁵²⁵ Iowa Code § 911.2B(1) (2017).

¹⁵²⁶ Iowa Code § 81.2(6) (2017).

¹⁵²⁷ Iowa Code § 708.2A(10) (2017).

¹⁵²⁸ Iowa Code § 708.2A(8) (2017).

¹⁵²⁹ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

- If yes, the offender shall be assessed a civil penalty of \$250¹⁵³⁰

¹⁵³⁰ Iowa Code § 692A.110 (2017).

§ 708.2A(2)(c)—With intent to inflict serious injury or with dangerous weapon, first offenseClass = aggravated misdemeanor¹⁵³¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁵³²	2 days ¹⁵³³	2 days ¹⁵³⁴	<ul style="list-style-type: none"> ❖ Can suspend, except for min. sentence¹⁵³⁵ ❖ 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,¹⁵³⁶ or ➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵³⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁵³⁸❖ Mandatory minimum must be served on consecutive days¹⁵³⁹**Fines**

Max.	Min.	Can Suspend?
\$6250 ¹⁵⁴⁰	\$625 ¹⁵⁴¹	Yes ¹⁵⁴²

❖ Fine cannot be imposed in lieu of minimum sentence¹⁵⁴³**Surcharges**

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵⁴⁴	No	No	Yes, \$100 ¹⁵⁴⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁵⁴⁶	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

- Participation in batterers' treatment program as required under § 708.2B¹⁵⁴⁷
- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵⁴⁸

❖ 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.126¹⁵⁴⁹

¹⁵³¹ Iowa Code § 708.2A(2)(c) (2017).¹⁵³² Iowa Code § 903.1(2) (2017).¹⁵³³ Iowa Code § 708.2A(7)(a) (2017).¹⁵³⁴ See Iowa Code § 708.2A(7)(a) (2017) (imposing 2 day mandatory minimum that cannot be suspended).¹⁵³⁵ Iowa Code § 708.2A(7)(a) (2017); *accord id.* § 907.3(3)(a).¹⁵³⁶ Iowa Code § 708.2A(7)(a) (2017).¹⁵³⁷ Iowa Code § 907.3 (1)(a)(12) (2017) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).¹⁵³⁸ Iowa Code § 903.1(2) (2017).¹⁵³⁹ Iowa Code § 708.2A(7)(a) (2017).¹⁵⁴⁰ Iowa Code § 903.1(2) (2017).¹⁵⁴¹ Iowa Code § 903.1(2) (2017).¹⁵⁴² Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).¹⁵⁴³ Iowa Code § 708.2A(7)(a) (2017).¹⁵⁴⁴ Iowa Code § 911.1(1) (2017).¹⁵⁴⁵ Iowa Code § 911.2B(1) (2017).¹⁵⁴⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).¹⁵⁴⁷ Iowa Code § 708.2A(10) (2017).¹⁵⁴⁸ Iowa Code § 708.2A(8) (2017).¹⁵⁴⁹ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

- If yes, the offender shall be assessed a civil penalty of \$250¹⁵⁵⁰

¹⁵⁵⁰ Iowa Code § 692A.110 (2017).

§ 708.2A(2)(d)—By choking, first offense

Class = aggravated misdemeanor¹⁵⁵¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁵⁵²	2 days ¹⁵⁵³	2 days ¹⁵⁵⁴	<ul style="list-style-type: none">❖ Can suspend, except for min. sentence¹⁵⁵⁵❖ 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,¹⁵⁵⁶ or➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵⁵⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁵⁵⁸

❖ Mandatory minimum must be served on consecutive days¹⁵⁵⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁵⁶⁰	\$625 ¹⁵⁶¹	Yes 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 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:

¹⁵⁵¹ Iowa Code § 708.2A(2)(d) (2017).

¹⁵⁵² Iowa Code § 903.1(2) (2017).

¹⁵⁵³ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁵⁴ See Iowa Code § 708.2A(7)(a) (2017) (imposing 2 day mandatory minimum that cannot be suspended).

¹⁵⁵⁵ Iowa Code § 708.2A(7)(a) (2017); *accord id.* § 907.3(3)(a).

¹⁵⁵⁶ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁵⁷ Iowa Code § 907.3 (1)(a)(12) (2017) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵⁵⁸ Iowa Code § 903.1(2) (2017).

¹⁵⁵⁹ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁶⁰ Iowa Code § 903.1(2) (2017).

¹⁵⁶¹ Iowa Code § 903.1(2) (2017).

¹⁵⁶² Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁵⁶³ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁶⁴ Iowa Code § 911.1(1) (2017).

¹⁵⁶⁵ Iowa Code § 911.2B(1) (2017).

¹⁵⁶⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁵⁶⁷ Iowa Code § 708.2A(10) (2017).

¹⁵⁶⁸ Iowa Code § 708.2A(8) (2017).

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 629A.126¹⁵⁶⁹
- If yes, the offender shall be assessed a civil penalty of \$250¹⁵⁷⁰

¹⁵⁶⁹ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁵⁷⁰ Iowa Code § 692A.110 (2017).

§ 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 misdemeanor¹⁵⁷¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁵⁷²	2 days ¹⁵⁷³	N/A	<ul style="list-style-type: none">❖ Can suspend, except for min. sentence¹⁵⁷⁴❖ 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,¹⁵⁷⁵ or➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵⁷⁶

❖ Mandatory minimum must be served on consecutive days¹⁵⁷⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁵⁷⁸	\$315 ¹⁵⁷⁹	No 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 if required to register for Sex Registry 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

¹⁵⁷¹ Iowa Code § 708.2A(3)(a) (2017).

¹⁵⁷² Iowa Code § 903.1(1)(b) (2017).

¹⁵⁷³ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁷⁴ Iowa Code § 708.2A(7)(a) (2017); *accord id.* § 907.3(3)(a).

¹⁵⁷⁵ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁷⁶ Iowa Code § 907.3 (1)(a)(12) (2017) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵⁷⁷ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁷⁸ Iowa Code § 903.1(1)(b) (2017).

¹⁵⁷⁹ Iowa Code § 903.1(1)(b) (2017).

¹⁵⁸⁰ Iowa Code § 903.1(1)(b) (2017).

¹⁵⁸¹ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁸² Iowa Code § 911.1(1) (2017).

¹⁵⁸³ Iowa Code § 911.2B(1) (2017).

¹⁵⁸⁴ Iowa Code § 81.2(6) (2017).

¹⁵⁸⁵ Iowa Code § 708.2A(10) (2017).

¹⁵⁸⁶ Iowa Code § 708.2A(8) (2017).

¹⁵⁸⁷ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

- If yes, the offender shall be assessed a civil penalty of \$250¹⁵⁸⁸

¹⁵⁸⁸ Iowa Code § 692A.110 (2017).

§ 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 misdemeanor¹⁵⁸⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁵⁹⁰	2 days ¹⁵⁹¹	N/A	<ul style="list-style-type: none"> ❖ Can suspend, except for min. sentence¹⁵⁹² ❖ 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,¹⁵⁹³ <i>or</i> ➤ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵⁹⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁵⁹⁵

❖ Mandatory minimum must be served on consecutive days¹⁵⁹⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁵⁹⁷	\$625 ¹⁵⁹⁸	Yes ¹⁵⁹⁹

❖ Fine cannot be imposed in lieu of minimum sentence¹⁶⁰⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁰¹	No	No	Yes, \$100 ¹⁶⁰²	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁰³	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

- Participation in batterers' treatment program as required under § 708.2B¹⁶⁰⁴
- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁶⁰⁵

❖ 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.126¹⁶⁰⁶

¹⁵⁸⁹ Iowa Code § 708.2A(3)(b) (2017).

¹⁵⁹⁰ Iowa Code § 903.1(2) (2017).

¹⁵⁹¹ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁹² Iowa Code § 708.2A(7)(a) (2017); *accord id.* § 907.3(3)(a).

¹⁵⁹³ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁹⁴ Iowa Code § 907.3 (1)(a)(12) (2017) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵⁹⁵ Iowa Code § 903.1(2) (2017).

¹⁵⁹⁶ Iowa Code § 708.2A(7)(a) (2017).

¹⁵⁹⁷ Iowa Code § 903.1(2) (2017).

¹⁵⁹⁸ Iowa Code § 903.1(2) (2017).

¹⁵⁹⁹ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁶⁰⁰ Iowa Code § 708.2A(7)(a) (2017).

¹⁶⁰¹ Iowa Code § 911.1(1) (2017).

¹⁶⁰² Iowa Code § 911.2B(1) (2017).

¹⁶⁰³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁶⁰⁴ Iowa Code § 708.2A(10) (2017).

¹⁶⁰⁵ Iowa Code § 708.2A(8) (2017).

¹⁶⁰⁶ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

- If yes, the offender shall be assessed a civil penalty of \$250¹⁶⁰⁷

¹⁶⁰⁷ Iowa Code § 692A.110 (2017).

§ 708.2A(4)—Third or subsequent offense

Class = “D” felony¹⁶⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶⁰⁹	1 year or more ¹⁶¹⁰	1 year or more, ¹⁶¹¹ but see also Enhancements	No, ¹⁶¹² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶¹³	\$750 ¹⁶¹⁴	No ¹⁶¹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶¹⁶	No	No	Yes, \$100 ¹⁶¹⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶¹⁸	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

- Participation in batterers’ treatment program as required under § 708.2B¹⁶¹⁹
- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁶²⁰
- “A person placed on probation, parole, work release, or any other type of conditional release for [DAA] in violation of [§ 708.2A(4)], may be supervised by an electronic tracking and monitoring system”¹⁶²¹

¹⁶⁰⁸ Iowa Code § 708.2A(4) (2017).

¹⁶⁰⁹ Iowa Code § 902.9(1)(e) (2017).

¹⁶¹⁰ See Iowa Code § 708.2A(7)(b) (2017), as amended by 2017 Iowa Acts ch. 83, §§ 1, 5, adding new Code section 902.13 (minimum confinement between one-fifth of the maximum term and the maximum term of the person’s sentence, as determined by the sentencing court), effective 7/1/2017.

¹⁶¹¹ See Iowa Code § 708.2A(7)(b), as amended by 2017 Iowa Acts ch. 83, §§ 1, 5, adding new Code section 902.13 (note eligible for parole until serving between one-fifth of the maximum term and the maximum term of the person’s sentence, as determined by the sentencing court), effective 7/1/2017.

¹⁶¹² Iowa Code § 708.2A(7)(b) (2017); see also 2017 Iowa Acts ch. 83, § 5 added new Code section 902.13, and §§ 10-12 amending Code section 907.3(1)-(3), effective 7/1/2017; see also § 901.5; see also *id.* § 702.11(1) (including felonious “assault” as a forcible felony).

¹⁶¹³ Iowa Code § 902.9(1)(e) (2017).

¹⁶¹⁴ Iowa Code § 902.9(1)(e) (2017).

¹⁶¹⁵ See Iowa Code § 708.2A(7)(b) (2017).

¹⁶¹⁶ Iowa Code § 911.1(1) (2017).

¹⁶¹⁷ Iowa Code § 911.2B(1) (2017).

¹⁶¹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁶¹⁹ Iowa Code § 708.2A(10) (2017).

¹⁶²⁰ Iowa Code § 708.2A(8) (2017).

¹⁶²¹ 2017 Iowa Acts ch. 83, § 9 added new section 905.16, effective 7/1/2017; but see 2017 Iowa Acts ch. 83, §§ 10-12 denying deferred judgment, deferred sentence or suspended sentence for a violation of Code section 708.2A(4) (thus negating authority to grant probation).

- Safety of victim and other legitimate factors may be considered by the court in determining necessity of electronic tracking¹⁶²²
- ❖ 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.126¹⁶²³
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁶²⁴

¹⁶²² 2017 Iowa Acts ch. 83, § 9 added new section 905.16, effective 7/1/2017.

¹⁶²³ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁶²⁴ Iowa Code § 692A.110 (2017).

§ 708.2A(5)—By choking causing bodily injury

Class = “D” felony¹⁶²⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶²⁶	0 ¹⁶²⁷	No, but see Enhancements	<ul style="list-style-type: none">❖ DJ and DS eligible if¹⁶²⁸:<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 ¹⁶²⁹	\$750 ¹⁶³⁰	Yes ¹⁶³¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶³²	No	No	Yes, \$100 ¹⁶³³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶³⁴	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - Violation of § 708.2A(5) is not a forcible felony,¹⁶³⁵ so not automatically prohibited from receiving DJ, DS, or SS¹⁶³⁶
- ❖ 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.126¹⁶³⁷
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁶³⁸
- ❖ Additional Penalties:
 - Participation in batterers’ treatment program as required under § 708.2B¹⁶³⁹

¹⁶²⁵ Iowa Code § 708.2A(5) (2017).

¹⁶²⁶ Iowa Code § 902.9(1)(e) (2017).

¹⁶²⁷ Iowa Code § 902.9(1)(e) (2017).

¹⁶²⁸ Iowa Code § 907.3 (1)(a)(12) (2017) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁶²⁹ Iowa Code § 902.9(1)(e) (2017).

¹⁶³⁰ Iowa Code § 902.9(1)(e) (2017).

¹⁶³¹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁶³² Iowa Code § 911.1(1) (2017).

¹⁶³³ Iowa Code § 911.2B(1) (2017).

¹⁶³⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁶³⁵ Iowa Code § 702.11 (2)(g) (2017).

¹⁶³⁶ Iowa Code § 907.3, unnum. para. 1 (2017).

¹⁶³⁷ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁶³⁸ Iowa Code § 692A.110 (2017).

¹⁶³⁹ Iowa Code § 708.2A(10) (2017).

- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁶⁴⁰

¹⁶⁴⁰ Iowa Code § 708.2A(8) (2017).

§ 708.2C—Assault in Violation of Individual Rights

§ 708.2C(2)—With intent to inflict serious injury

Class = “D” felony¹⁶⁴¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶⁴²	0 ¹⁶⁴³	No, but see Enhancements	No, ¹⁶⁴⁴ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶⁴⁵	\$750 ¹⁶⁴⁶	No, ¹⁶⁴⁷ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁴⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁴⁹	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.126¹⁶⁵⁰
- If yes, the offender shall be assessed a civil penalty of \$250¹⁶⁵¹

¹⁶⁴¹ Iowa Code § 708.2C(2) (2017).

¹⁶⁴² Iowa Code § 902.9(1)(e) (2017).

¹⁶⁴³ Iowa Code § 902.9(1)(e) (2017).

¹⁶⁴⁴ Iowa Code § 907.3 (2017); *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))).

¹⁶⁴⁵ Iowa Code § 902.9(1)(e) (2017).

¹⁶⁴⁶ Iowa Code § 902.9(1)(e) (2017).

¹⁶⁴⁷ Iowa Code § 907.3, unnum. para. (2017); *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))).

¹⁶⁴⁸ Iowa Code § 911.1(1) (2017).

¹⁶⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁶⁵⁰ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁶⁵¹ Iowa Code § 692A.110 (2017).

§ 708.2C(3)—Causing bodily injury or mental illness

Class = aggravated misdemeanor¹⁶⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁶⁵³	0 ¹⁶⁵⁴	None	No DJ if assault was against peace officer while performing peace officer's duties ¹⁶⁵⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁶⁵⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁶⁵⁷	\$625 ¹⁶⁵⁸	Yes ¹⁶⁵⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁶⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁶¹	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.126¹⁶⁶²
- If yes, the offender shall be assessed a civil penalty of \$250¹⁶⁶³

¹⁶⁵² Iowa Code § 708.2C(3) (2017).

¹⁶⁵³ Iowa Code § 903.1(2) (2017).

¹⁶⁵⁴ Iowa Code § 903.1(2) (2017).

¹⁶⁵⁵ Iowa Code § 907.3 (1)(a)(11) (2017).

¹⁶⁵⁶ Iowa Code § 903.1(2) (2017).

¹⁶⁵⁷ Iowa Code § 903.1(2) (2017).

¹⁶⁵⁸ Iowa Code § 903.1(2) (2017).

¹⁶⁵⁹ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁶⁶⁰ Iowa Code § 911.1(1) (2017).

¹⁶⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁶⁶² Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁶⁶³ Iowa Code § 692A.110 (2017).

§ 708.2C(4)—With dangerous weapon

Class = “D” felony¹⁶⁶⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶⁶⁵	0 ¹⁶⁶⁶	No, but see Enhancements	No, ¹⁶⁶⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶⁶⁸	\$750 ¹⁶⁶⁹	No, ¹⁶⁷⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁷¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁷²	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.126¹⁶⁷³
- If yes, the offender shall be assessed a civil penalty of \$250¹⁶⁷⁴

¹⁶⁶⁴ Iowa Code § 708.2C(4) (2017).

¹⁶⁶⁵ Iowa Code § 902.9(1)(e) (2017).

¹⁶⁶⁶ Iowa Code § 902.9(1)(e) (2017).

¹⁶⁶⁷ Iowa Code § 907.3 (2017); *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))).

¹⁶⁶⁸ Iowa Code § 902.9(1)(e) (2017).

¹⁶⁶⁹ Iowa Code § 902.9(1)(e) (2017).

¹⁶⁷⁰ Iowa Code § 907.3 (2017); *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))).

¹⁶⁷¹ Iowa Code § 911.1(1) (2017).

¹⁶⁷² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁶⁷³ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁶⁷⁴ Iowa Code § 692A.110 (2017).

§ 708.2C(5)—Assault in violation of individual rights

Class = serious misdemeanor¹⁶⁷⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁶⁷⁶	0 ¹⁶⁷⁷	N/A	No DJ if assault was against peace officer while performing peace officer's duties ¹⁶⁷⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁶⁷⁹	\$315 ¹⁶⁸⁰	No ¹⁶⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁸²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁶⁸³	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.126¹⁶⁸⁴
- If yes, the offender shall be assessed a civil penalty of \$250¹⁶⁸⁵

¹⁶⁷⁵ Iowa Code § 708.2C(5) (2017).

¹⁶⁷⁶ Iowa Code § 903.1(1)(b) (2017).

¹⁶⁷⁷ Iowa Code § 903.1(1)(b) (2017).

¹⁶⁷⁸ Iowa Code § 907.3 (1)(a)(11) (2017).

¹⁶⁷⁹ Iowa Code § 903.1(1)(b) (2017).

¹⁶⁸⁰ Iowa Code § 903.1(1)(b) (2017).

¹⁶⁸¹ Iowa Code § 903.1(1)(b) (2017).

¹⁶⁸² Iowa Code § 911.1(1) (2017).

¹⁶⁸³ Iowa Code § 81.2(6) (2017).

¹⁶⁸⁴ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁶⁸⁵ Iowa Code § 692A.110 (2017).

§ 708.3—Assault While Participating in Felony

§ 708.3(1)—Causing serious injury to any person

Class = “C” felony¹⁶⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁶⁸⁷	0 ¹⁶⁸⁸	No, but see Enhancements	No, ¹⁶⁸⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁶⁹⁰	\$1000 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
- If yes, the offender shall be assessed a civil penalty of \$250¹⁶⁹⁶

¹⁶⁸⁶ Iowa Code § 708.3(1) (2017).

¹⁶⁸⁷ Iowa Code § 902.9(1)(d) (2017).

¹⁶⁸⁸ Iowa Code § 902.9(1)(d) (2017).

¹⁶⁸⁹ Iowa Code § 907.3 (2017); *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)(d) (2017).

¹⁶⁹¹ Iowa Code § 902.9(1)(d) (2017).

¹⁶⁹² Iowa Code § 907.3 (2017); *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) (2017).

¹⁶⁹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁶⁹⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁶⁹⁶ Iowa Code § 692A.110 (2017).

§ 708.3(2)—No serious injury results

Class = “D” felony¹⁶⁹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶⁹⁸	0 ¹⁶⁹⁹	No, but see Enhancements	No, ¹⁷⁰⁰ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷⁰¹	\$750 ¹⁷⁰²	No, ¹⁷⁰³ but see Under 18 Sentencing

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
- If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁰⁷

¹⁶⁹⁷ Iowa Code § 708.3(2) (2017).

¹⁶⁹⁸ Iowa Code § 902.9(1)(e) (2017).

¹⁶⁹⁹ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁰⁰ Iowa Code § 907.3 (2017); *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))).

¹⁷⁰¹ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁰² Iowa Code § 902.9(1)(e) (2017).

¹⁷⁰³ Iowa Code § 907.3 (2017); *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))).

¹⁷⁰⁴ Iowa Code § 911.1(1) (2017).

¹⁷⁰⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁷⁰⁶ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁷⁰⁷ Iowa Code § 692A.110 (2017).

§ 708.3A—Assaults on Certain Professionals

§ 708.3A(1)—Assault against peace officer, etc. w/ intent to inflict serious injury

Class = “D” felony¹⁷⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷⁰⁹	0 ¹⁷¹⁰	No, but see Enhancements	No, ¹⁷¹¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷¹²	\$750 ¹⁷¹³	No, ¹⁷¹⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷¹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷¹⁶	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.126¹⁷¹⁷
- If yes, the offender shall be assessed a civil penalty of \$250¹⁷¹⁸

¹⁷⁰⁸ Iowa Code § 708.3A(1) (2017).

¹⁷⁰⁹ Iowa Code § 902.9(1)(e) (2017).

¹⁷¹⁰ Iowa Code § 902.9(1)(e) (2017).

¹⁷¹¹ Iowa Code § 907.3 (2017); *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))).

¹⁷¹² Iowa Code § 902.9(1)(e) (2017).

¹⁷¹³ Iowa Code § 902.9(1)(e) (2017).

¹⁷¹⁴ Iowa Code § 907.3 (2017); *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))).

¹⁷¹⁵ Iowa Code § 911.1(1) (2017).

¹⁷¹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁷¹⁷ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁷¹⁸ Iowa Code § 692A.110 (2017).

§ 708.3A(2)—Assault against peace officer, etc. w/ dangerous weapon

Class = “D” felony¹⁷¹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷²⁰	0 ¹⁷²¹	No, but see Enhancements	No, ¹⁷²² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷²³	\$750 ¹⁷²⁴	No, ¹⁷²⁵ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷²⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷²⁷	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.126¹⁷²⁸
- If yes, the offender shall be assessed a civil penalty of \$250¹⁷²⁹

¹⁷¹⁹ Iowa Code § 708.3A(2) (2017).

¹⁷²⁰ Iowa Code § 902.9(1)(e) (2017).

¹⁷²¹ Iowa Code § 902.9(1)(e) (2017).

¹⁷²² Iowa Code § 907.3 (2017); *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))).

¹⁷²³ Iowa Code § 902.9(1)(e) (2017).

¹⁷²⁴ Iowa Code § 902.9(1)(e) (2017).

¹⁷²⁵ Iowa Code § 907.3 (2017); *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))).

¹⁷²⁶ Iowa Code § 911.1(1) (2017).

¹⁷²⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁷²⁸ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁷²⁹ Iowa Code § 692A.110 (2017).

§ 708.3A(3)—Assault against peace officer, etc. causing bodily injury or mental illness

Class = aggravated misdemeanor¹⁷³⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁷³¹	0 ¹⁷³²	None	No DJ if assault was against peace officer while performing peace officer's duties ¹⁷³³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁷³⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁷³⁵	\$625 ¹⁷³⁶	Yes ¹⁷³⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷³⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷³⁹	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.126¹⁷⁴⁰
- If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁴¹

¹⁷³⁰ Iowa Code § 708.3A(3) (2017).

¹⁷³¹ Iowa Code § 903.1(2) (2017).

¹⁷³² Iowa Code § 903.1(2) (2017).

¹⁷³³ Iowa Code § 907.3 (1)(a)(11) (2017).

¹⁷³⁴ Iowa Code § 903.1(2) (2017).

¹⁷³⁵ Iowa Code § 903.1(2) (2017).

¹⁷³⁶ Iowa Code § 903.1(2) (2017).

¹⁷³⁷ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁷³⁸ Iowa Code § 911.1(1) (2017).

¹⁷³⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁷⁴⁰ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁷⁴¹ Iowa Code § 692A.110 (2017).

§ 708.3A(4)—Any other assault against a peace officer, etc.Class = serious misdemeanor¹⁷⁴²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁷⁴³	0 ¹⁷⁴⁴	N/A	No DJ if assault was against peace officer while performing peace officer's duties ¹⁷⁴⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁷⁴⁶	\$315 ¹⁷⁴⁷	No ¹⁷⁴⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁴⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁷⁵⁰	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.126¹⁷⁵¹
- If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁵²

¹⁷⁴² Iowa Code § 708.3A(4) (2017).¹⁷⁴³ Iowa Code § 903.1(1)(b) (2017).¹⁷⁴⁴ Iowa Code § 903.1(1)(b) (2017).¹⁷⁴⁵ Iowa Code § 907.3 (1)(a)(11) (2017).¹⁷⁴⁶ Iowa Code § 903.1(1)(b) (2017).¹⁷⁴⁷ Iowa Code § 903.1(1)(b) (2017).¹⁷⁴⁸ Iowa Code § 903.1(1)(b) (2017).¹⁷⁴⁹ Iowa Code § 911.1(1) (2017).¹⁷⁵⁰ Iowa Code § 81.2(6) (2017).¹⁷⁵¹ Iowa Code § 692A.102(1)(a)(6)(c) (2017).¹⁷⁵² Iowa Code § 692A.110 (2017).

§ 708.3B—Inmate Assaults

Class = “D” felony¹⁷⁵³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷⁵⁴	0 ¹⁷⁵⁵	No, but see Enhancements	No, ¹⁷⁵⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷⁵⁷	\$750 ¹⁷⁵⁸	No, ¹⁷⁵⁹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁶⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁶¹	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.126¹⁷⁶²
- If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁶³

¹⁷⁵³ Iowa Code § 708.3B (2017).

¹⁷⁵⁴ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁵⁵ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁵⁶ Iowa Code § 907.3 (2017); *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))).

¹⁷⁵⁷ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁵⁸ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁵⁹ Iowa Code § 907.3 (2017); *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))).

¹⁷⁶⁰ Iowa Code § 911.1(1) (2017).

¹⁷⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁷⁶² Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁷⁶³ Iowa Code § 692A.110 (2017).

§ 708.4—Willful Injury

§ 708.4(1)—Causing serious injury

Class = “C” felony¹⁷⁶⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁷⁶⁵	0 ¹⁷⁶⁶	No, but see Enhancements	No, ¹⁷⁶⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁷⁶⁸	\$1000 ¹⁷⁶⁹	No, ¹⁷⁷⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁷¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁷²	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.126¹⁷⁷³
- If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁷⁴

¹⁷⁶⁴ Iowa Code § 708.4(1) (2017).

¹⁷⁶⁵ Iowa Code § 902.9(1)(d) (2017).

¹⁷⁶⁶ Iowa Code § 902.9(1)(d) (2017).

¹⁷⁶⁷ Iowa Code § 907.3 (2017); *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))).

¹⁷⁶⁸ Iowa Code § 902.9(1)(d) (2017).

¹⁷⁶⁹ Iowa Code § 902.9(1)(d) (2017).

¹⁷⁷⁰ Iowa Code § 907.3 (2017); *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))).

¹⁷⁷¹ Iowa Code § 911.1(1) (2017).

¹⁷⁷² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁷⁷³ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁷⁷⁴ Iowa Code § 692A.110 (2017).

§ 708.4(2)—Causing bodily injury to another

Class = “D” felony¹⁷⁷⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷⁷⁶	0 ¹⁷⁷⁷	No, but see Enhancements	No DJ if assault was against peace officer while performing peace officer’s duties ¹⁷⁷⁸ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷⁷⁹	\$750 ¹⁷⁸⁰	Yes ¹⁷⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁸²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁸³	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible:
 - Willful injury causing bodily injury is not a forcible felony,¹⁷⁸⁴ 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.126¹⁷⁸⁵
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁸⁶

¹⁷⁷⁵ Iowa Code § 708.4(2) (2017).

¹⁷⁷⁶ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁷⁷ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁷⁸ Iowa Code § 907.3 (1)(a)(11) (2017).

¹⁷⁷⁹ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁸⁰ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁸¹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁷⁸² Iowa Code § 911.1(1) (2017).

¹⁷⁸³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁷⁸⁴ Iowa Code § 702.11 (2)(a) (2017).

¹⁷⁸⁵ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁷⁸⁶ Iowa Code § 692A.110 (2017).

§ 708.5—Administering Harmful Substances

Class = “D” felony¹⁷⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷⁸⁸	0 ¹⁷⁸⁹	No, but see Enhancements	Yes ¹⁷⁹⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷⁹¹	\$750 ¹⁷⁹²	Yes ¹⁷⁹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁹⁵	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.126¹⁷⁹⁶
- If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁹⁷

¹⁷⁸⁷ Iowa Code § 708.5 (2017).

¹⁷⁸⁸ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁸⁹ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁹⁰ See Iowa Code § 907.3 (2017).

¹⁷⁹¹ Iowa Code § 902.9(1)(e) (2017).

¹⁷⁹² Iowa Code § 902.9(1)(e) (2017).

¹⁷⁹³ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁷⁹⁴ Iowa Code § 911.1(1) (2017).

¹⁷⁹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁷⁹⁶ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁷⁹⁷ Iowa Code § 692A.110 (2017).

§ 708.6—Intimidation with Dangerous Weapon

§ 708.6, unnum. para. 1—Intimidation w/ intent to injure or provoke

Class = “C” felony¹⁷⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁷⁹⁹	0 ¹⁸⁰⁰	No, but see Enhancements	No, ¹⁸⁰¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁸⁰²	\$1000 ¹⁸⁰³	No, ¹⁸⁰⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁰⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁰⁶	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.126¹⁸⁰⁷
- If yes, the offender shall be assessed a civil penalty of \$250¹⁸⁰⁸

¹⁷⁹⁸ Iowa Code § 708.6, unnum. para. 1 (2017).

¹⁷⁹⁹ Iowa Code § 902.9(1)(d) (2017).

¹⁸⁰⁰ Iowa Code § 902.9(1)(d) (2017).

¹⁸⁰¹ Iowa Code § 907.3, unnum. para. 1 (2017); *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)).

¹⁸⁰² Iowa Code § 902.9(1)(d) (2017).

¹⁸⁰³ Iowa Code § 902.9(1)(d) (2017).

¹⁸⁰⁴ Iowa Code § 907.3, unnum. para. 1 (2017); *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)).

¹⁸⁰⁵ Iowa Code § 911.1(1) (2017).

¹⁸⁰⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁸⁰⁷ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁸⁰⁸ Iowa Code § 692A.110 (2017).

§ 708.6, unnum. para. 1—Threatened intimidation w/ intent to injure or provoke

Class = “C” felony¹⁸⁰⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁸¹⁰	0 ¹⁸¹¹	No, but see Enhancements	Yes, except no DJ if assault was against peace officer while performing peace officer’s duties ¹⁸¹² See Notes

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁸¹³	\$1000 ¹⁸¹⁴	Yes ¹⁸¹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸¹⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸¹⁷	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - The “threatening” version of “intimidation with a dangerous weapon” is not a forcible felony,¹⁸¹⁸ 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.126¹⁸¹⁹
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁸²⁰

¹⁸⁰⁹ Iowa Code § 708.6, unnum. para. 1 (2017).

¹⁸¹⁰ Iowa Code § 902.9(1)(d) (2017).

¹⁸¹¹ Iowa Code § 902.9(1)(d) (2017).

¹⁸¹² Iowa Code § 907.3 (1)(a)(11) (2017).

¹⁸¹³ Iowa Code § 902.9(1)(d) (2017).

¹⁸¹⁴ Iowa Code § 902.9(1)(d) (2017).

¹⁸¹⁵ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁸¹⁶ Iowa Code § 911.1(1) (2017).

¹⁸¹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁸¹⁸ 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))).

¹⁸¹⁹ Iowa Code § 629A.102(1)(a)(6)(c) (2017).

¹⁸²⁰ Iowa Code § 629A.110 (2017).

§ 708.6, unnum. para. 2—Intimidation w/ dangerous weapon

Class = “D” felony¹⁸²¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁸²²	0 ¹⁸²³	No, but see Enhancements	No, ¹⁸²⁴ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁸²⁵	\$750 ¹⁸²⁶	No, ¹⁸²⁷ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸²⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸²⁹	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.126¹⁸³⁰
- If yes, the offender shall be assessed a civil penalty of \$250¹⁸³¹

¹⁸²¹ Iowa Code § 708.6, unnum. para. 2 (2017).

¹⁸²² Iowa Code § 902.9(1)(e) (2017).

¹⁸²³ Iowa Code § 902.9(1)(e) (2017).

¹⁸²⁴ Iowa Code § 907.3, unnum. para. 1 (2017); *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)).

¹⁸²⁵ Iowa Code § 902.9(1)(e) (2017).

¹⁸²⁶ Iowa Code § 902.9(1)(e) (2017).

¹⁸²⁷ Iowa Code § 907.3, unnum. para. 1 (2017); *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)).

¹⁸²⁸ Iowa Code § 911.1(1) (2017).

¹⁸²⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁸³⁰ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁸³¹ Iowa Code § 692A.110 (2017).

§ 708.6, unnum. para. 2—Threatened intimidation w/ dangerous weapon

Class = “D” felony¹⁸³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁸³³	0 ¹⁸³⁴	No, but see Enhancements	Yes, except no DJ if assault was against peace officer while performing peace officer’s duties ¹⁸³⁵ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁸³⁶	\$750 ¹⁸³⁷	Yes ¹⁸³⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸³⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁴⁰	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - The “threatening” version of “intimidation with a dangerous weapon” is not a forcible felony,¹⁸⁴¹ 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.126¹⁸⁴²
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁸⁴³

¹⁸³² Iowa Code § 708.6, unnum. para. 2 (2017).

¹⁸³³ Iowa Code § 902.9(1)(e) (2017).

¹⁸³⁴ Iowa Code § 902.9(1)(e) (2017).

¹⁸³⁵ Iowa Code § 907.3 (1)(a)(11) (2017).

¹⁸³⁶ Iowa Code § 902.9(1)(e) (2017).

¹⁸³⁷ Iowa Code § 902.9(1)(e) (2017).

¹⁸³⁸ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁸³⁹ Iowa Code § 911.1(1) (2017).

¹⁸⁴⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁸⁴¹ 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))).

¹⁸⁴² Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁸⁴³ Iowa Code § 692A.110 (2017).

§ 708.7—Harassment

§ 708.7(2)—First-degree harassment

Class = aggravated misdemeanor¹⁸⁴⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁸⁴⁵	0 ¹⁸⁴⁶	None	Yes ¹⁸⁴⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁸⁴⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁸⁴⁹	\$625 ¹⁸⁵⁰	Yes ¹⁸⁵¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁵²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁵³	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Harassment was sexually motivated pursuant to § 692A.126¹⁸⁵⁴
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁸⁵⁵

¹⁸⁴⁴ Iowa Code § 708.7(2)(b) (2017).

¹⁸⁴⁵ Iowa Code § 903.1(2) (2017).

¹⁸⁴⁶ Iowa Code § 903.1(2) (2017).

¹⁸⁴⁷ See Iowa Code § 907.3 (2017).

¹⁸⁴⁸ Iowa Code § 903.1(2) (2017).

¹⁸⁴⁹ Iowa Code § 903.1(2) (2017).

¹⁸⁵⁰ Iowa Code § 903.1(2) (2017).

¹⁸⁵¹ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁸⁵² Iowa Code § 911.1(1) (2017).

¹⁸⁵³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁸⁵⁴ Iowa Code § 692A.102(1)(a)(6)(a) (2017).

¹⁸⁵⁵ Iowa Code § 692A.110 (2017).

§ 708.7(3)—Second-degree harassment

Class = serious misdemeanor¹⁸⁵⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁸⁵⁷	0 ¹⁸⁵⁸	N/A	Yes ¹⁸⁵⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁸⁶⁰	\$315 ¹⁸⁶¹	No ¹⁸⁶²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁶³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁸⁶⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Harassment was sexually motivated pursuant to § 692A.126¹⁸⁶⁵
- If yes, the offender shall be assessed a civil penalty of \$250¹⁸⁶⁶

¹⁸⁵⁶ Iowa Code § 708.7(3)(b) (2017).

¹⁸⁵⁷ Iowa Code § 903.1(1)(b) (2017).

¹⁸⁵⁸ Iowa Code § 903.1(1)(b) (2017).

¹⁸⁵⁹ See Iowa Code § 907.3 (2017).

¹⁸⁶⁰ Iowa Code § 903.1(1)(b) (2017).

¹⁸⁶¹ Iowa Code § 903.1(1)(b) (2017).

¹⁸⁶² Iowa Code § 903.1(1)(b) (2017).

¹⁸⁶³ Iowa Code § 911.1(1) (2017).

¹⁸⁶⁴ Iowa Code § 81.2(6) (2017).

¹⁸⁶⁵ Iowa Code § 692A.102(1)(a)(6)(a) (2017).

¹⁸⁶⁶ Iowa Code § 692A.110 (2017).

§ 708.7(4)—Third-degree harassment

Class = simple misdemeanor¹⁸⁶⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁸⁶⁸	0 ¹⁸⁶⁹	N/A	Yes ¹⁸⁷⁰

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁸⁷¹	\$65 ¹⁸⁷²	No ¹⁸⁷³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁷⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁸⁷⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Harassment was sexually motivated pursuant to § 692A.126¹⁸⁷⁶
- If yes, the offender shall be assessed a civil penalty of \$250¹⁸⁷⁷

¹⁸⁶⁷ Iowa Code § 708.7(4)(b) (2017).

¹⁸⁶⁸ Iowa Code § 903.1(1)(a) (2017).

¹⁸⁶⁹ Iowa Code § 903.1(1)(a) (2017).

¹⁸⁷⁰ See Iowa Code § 907.3 (2017).

¹⁸⁷¹ Iowa Code § 903.1(1)(a) (2017).

¹⁸⁷² Iowa Code § 903.1(1)(a) (2017).

¹⁸⁷³ Iowa Code § 903.1(1) (2017).

¹⁸⁷⁴ Iowa Code § 911.1(1) (2017).

¹⁸⁷⁵ Iowa Code § 81.2(6) (2017).

¹⁸⁷⁶ Iowa Code § 692A.102(1)(a)(6)(a) (2017).

¹⁸⁷⁷ Iowa Code § 692A.110 (2017).

§ 708.8—Going Armed with Intent

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	No, ¹⁸⁸¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁸⁸²	\$750 ¹⁸⁸³	No, ¹⁸⁸⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁸⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁸⁶	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.126¹⁸⁸⁷
- If yes, the offender shall be assessed a civil penalty of \$250¹⁸⁸⁸

¹⁸⁷⁸ Iowa Code § 708.8 (2017).

¹⁸⁷⁹ Iowa Code § 902.9(1)(e) (2017).

¹⁸⁸⁰ Iowa Code § 902.9(1)(e) (2017).

¹⁸⁸¹ Iowa Code § 907.3, unnum. para. 1 (2017); *id.* § 702.11(1) (including felonious “assault” as a forcible felony); *id.* § 708.8 amended per 2017 Iowa Acts ch. 69, § 4, effective 7/1/2017 (“The intent required for a violation of this section shall not be inferred from the mere carrying or concealment of any dangerous weapon itself, including the carrying of a loaded firearm, whether in a vehicle or on or about a person’s body.”).

¹⁸⁸² Iowa Code § 902.9(1)(e) (2017).

¹⁸⁸³ Iowa Code § 902.9(1)(e) (2017).

¹⁸⁸⁴ Iowa Code § 907.3, unnum. para. 1 (2017); *id.* § 702.11(1) (including felonious “assault” as a forcible felony); *id.* § 708.8 amended per 2017 Iowa Acts ch. 69, § 4, effective 7/1/2017 (“The intent required for a violation of this section shall not be inferred from the mere carrying or concealment of any dangerous weapon itself, including the carrying of a loaded firearm, whether in a vehicle or on or about a person’s body.”).

¹⁸⁸⁵ Iowa Code § 911.1(1) (2017).

¹⁸⁸⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁸⁸⁷ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁸⁸⁸ Iowa Code § 692A.110 (2017).

§ 708.9—Setting spring guns or traps

Class = aggravated misdemeanor¹⁸⁸⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁸⁹⁰	0 ¹⁸⁹¹	None	Yes ¹⁸⁹²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁸⁹³

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁸⁹⁴	\$625 ¹⁸⁹⁵	Yes ¹⁸⁹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁹⁸	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.126¹⁸⁹⁹
- If yes, the offender shall be assessed a civil penalty of \$250¹⁹⁰⁰

¹⁸⁸⁹ Iowa Code § 708.9 (2017).

¹⁸⁹⁰ Iowa Code § 903.1(2) (2017).

¹⁸⁹¹ Iowa Code § 903.1(2) (2017).

¹⁸⁹² See Iowa Code § 907.3 (2017).

¹⁸⁹³ Iowa Code § 903.1(2) (2017).

¹⁸⁹⁴ Iowa Code § 903.1(2) (2017).

¹⁸⁹⁵ Iowa Code § 903.1(2) (2017).

¹⁸⁹⁶ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁸⁹⁷ Iowa Code § 911.1(1) (2017).

¹⁸⁹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁸⁹⁹ Iowa Code § 692A.102(1)(a)(6)(c) (2017).

¹⁹⁰⁰ Iowa Code § 692A.110 (2017).

§ 708.10—Hazing

§ 708.10(2)—Basic hazing

Class = simple misdemeanor¹⁹⁰¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁹⁰²	0 ¹⁹⁰³	N/A	Yes ¹⁹⁰⁴

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁹⁰⁵	\$65 ¹⁹⁰⁶	No ¹⁹⁰⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁰⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁹⁰⁹	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.126¹⁹¹⁰
- If yes, the offender shall be assessed a civil penalty of \$250¹⁹¹¹

¹⁹⁰¹ Iowa Code § 708.10(2) (2017).

¹⁹⁰² Iowa Code § 903.1(1)(a) (2017).

¹⁹⁰³ Iowa Code § 903.1(1)(a) (2017).

¹⁹⁰⁴ See Iowa Code § 907.3 (2017).

¹⁹⁰⁵ Iowa Code § 903.1(1)(a) (2017).

¹⁹⁰⁶ Iowa Code § 903.1(1)(a) (2017).

¹⁹⁰⁷ Iowa Code § 903.1(1) (2017).

¹⁹⁰⁸ Iowa Code § 911.1(1) (2017).

¹⁹⁰⁹ Iowa Code § 81.2(6) (2017).

¹⁹¹⁰ Iowa Code §§ 692A.102(1)(a)(6)(c), 708.15 (2017).

¹⁹¹¹ Iowa Code § 692A.110 (2017).

§ 708.10(3)—Hazing causing serious bodily injury

Class = serious misdemeanor¹⁹¹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁹¹³	0 ¹⁹¹⁴	N/A	Yes ¹⁹¹⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁹¹⁶	\$315 ¹⁹¹⁷	No ¹⁹¹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹¹⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁹²⁰	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.126¹⁹²¹
- If yes, the offender shall be assessed a civil penalty of \$250¹⁹²²

¹⁹¹² Iowa Code § 708.10(3) (2017).

¹⁹¹³ Iowa Code § 903.1(1)(b) (2017).

¹⁹¹⁴ Iowa Code § 903.1(1)(b) (2017).

¹⁹¹⁵ See Iowa Code § 907.3 (2017).

¹⁹¹⁶ Iowa Code § 903.1(1)(b) (2017).

¹⁹¹⁷ Iowa Code § 903.1(1)(b) (2017).

¹⁹¹⁸ Iowa Code § 903.1(1) (2017).

¹⁹¹⁹ Iowa Code § 911.1(1) (2017).

¹⁹²⁰ Iowa Code § 81.2(6) (2017).

¹⁹²¹ Iowa Code §§ 692A.102(1)(a)(6)(c), 708.15 (2017).

¹⁹²² Iowa Code § 692A.110 (2017).

§ 708.11—Stalking

§ 708.11(3)(a)—Third or subsequent offense

Class = “C” felony¹⁹²³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁹²⁴	0 ¹⁹²⁵	No, but see Enhancements	Yes ¹⁹²⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁹²⁷	\$1000 ¹⁹²⁸	Yes ¹⁹²⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹³⁰	No	No	Yes, \$100 ¹⁹³¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹³²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Determination is made that offense was sexually motivated pursuant to § 692A.126¹⁹³³
- If yes, the offender shall be assessed a civil penalty of \$250¹⁹³⁴

¹⁹²³ Iowa Code § 708.11(3)(a) (2017).

¹⁹²⁴ Iowa Code § 902.9(1)(d) (2017).

¹⁹²⁵ Iowa Code § 902.9(1)(d) (2017).

¹⁹²⁶ See Iowa Code § 907.3 (2017).

¹⁹²⁷ Iowa Code § 902.9(1)(d) (2017).

¹⁹²⁸ Iowa Code § 902.9(1)(d) (2017).

¹⁹²⁹ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁹³⁰ Iowa Code § 911.1(1) (2017).

¹⁹³¹ Iowa Code § 911.2B(1) (2017).

¹⁹³² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁹³³ Iowa Code § 692A.102(1)(a)(6)(b) (2017); *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.”).

¹⁹³⁴ Iowa Code § 692A.110 (2017).

§ 708.11(3)(b)—Specific conduct or 2d offense

Class = “D” felony¹⁹³⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS. Eligible?
5 years ¹⁹³⁶	0 ¹⁹³⁷	No, but see Enhancements	Yes ¹⁹³⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁹³⁹	\$750 ¹⁹⁴⁰	Yes ¹⁹⁴¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁴²	No	No	Yes, \$100 ¹⁹⁴³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹⁴⁴	Maybe, see notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Determination is made that offense was sexually motivated pursuant to § 692A.126¹⁹⁴⁵
- If yes, the offender shall be assessed a civil penalty of \$250¹⁹⁴⁶

¹⁹³⁵ Iowa Code § 708.11(3)(b) (2017).

¹⁹³⁶ Iowa Code § 902.9(1)(e) (2017).

¹⁹³⁷ Iowa Code § 902.9(1)(e) (2017).

¹⁹³⁸ See Iowa Code § 907.3 (2017).

¹⁹³⁹ Iowa Code § 902.9(1)(e) (2017).

¹⁹⁴⁰ Iowa Code § 902.9(1)(e) (2017).

¹⁹⁴¹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁹⁴² Iowa Code § 911.1(1) (2017).

¹⁹⁴³ Iowa Code § 911.2B(1) (2017).

¹⁹⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁹⁴⁵ Iowa Code § 692A.102(1)(a)(6)(b) (2017) (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.”).

¹⁹⁴⁶ Iowa Code § 692A.110 (2017).

§ 708.11(3)(c)—First offense

Class = aggravated misdemeanor¹⁹⁴⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁹⁴⁸	0 ¹⁹⁴⁹	None	Yes ¹⁹⁵⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁹⁵¹

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁹⁵²	\$625 ¹⁹⁵³	Yes ¹⁹⁵⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁵⁵	No	No	Yes, \$100 ¹⁹⁵⁶	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹⁵⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Determination is made that offense was sexually motivated pursuant to § 692A.126¹⁹⁵⁸
- If yes, the offender shall be assessed a civil penalty of \$250¹⁹⁵⁹

¹⁹⁴⁷ Iowa Code § 708.11(3)(c) (2017).

¹⁹⁴⁸ Iowa Code § 903.1(2) (2017).

¹⁹⁴⁹ Iowa Code § 903.1(2) (2017).

¹⁹⁵⁰ See Iowa Code § 907.3 (2017).

¹⁹⁵¹ Iowa Code § 903.1(2) (2017).

¹⁹⁵² Iowa Code § 903.1(2) (2017).

¹⁹⁵³ Iowa Code § 903.1(2) (2017).

¹⁹⁵⁴ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁹⁵⁵ Iowa Code § 911.1(1) (2017).

¹⁹⁵⁶ Iowa Code § 911.2B(1) (2017).

¹⁹⁵⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

¹⁹⁵⁸ Iowa Code § 692A.102(1)(a)(6)(b) (2017); *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.”).

¹⁹⁵⁹ Iowa Code § 692A.110 (2017).

§ 708.11A—Unauthorized Placement of Global Positioning Device

Class = serious misdemeanor¹⁹⁶⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁹⁶¹	0 ¹⁹⁶²	N/A	Yes ¹⁹⁶³

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁹⁶⁴	\$315 ¹⁹⁶⁵	No ¹⁹⁶⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁶⁷					

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits

Notes:

¹⁹⁶⁰ 2017 Iowa Acts ch. 83, § 4 added new section 708.11A(2), effective 7/1/2017.

¹⁹⁶¹ Iowa Code § 903.1(1)(b) (2017).

¹⁹⁶² Iowa Code § 903.1(1)(b) (2017).

¹⁹⁶³ Iowa Code § 907.3 (2017).

¹⁹⁶⁴ Iowa Code § 903.1(1)(b) (2017).

¹⁹⁶⁵ Iowa Code § 903.1(1)(b) (2017).

¹⁹⁶⁶ Iowa Code § 903.1(1) (2017).

¹⁹⁶⁷ Iowa Code § 911.1(1) (2017).

§ 708.12—Removal of Officer’s Communication or Control Device

§ 708.12(3)(a)—Basic removal of communication or control device

Class = simple misdemeanor¹⁹⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁹⁶⁹	0 ¹⁹⁷⁰	N/A	Yes ¹⁹⁷¹

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁹⁷²	\$65 ¹⁹⁷³	No ¹⁹⁷⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁷⁵	No	No	No	No	No

Miscellaneous

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

Notes:

¹⁹⁶⁸ Iowa Code § 708.12(3)(a) (2017).

¹⁹⁶⁹ Iowa Code § 903.1(1)(a) (2017).

¹⁹⁷⁰ Iowa Code § 903.1(1)(a) (2017).

¹⁹⁷¹ See Iowa Code § 907.3 (2017).

¹⁹⁷² Iowa Code § 903.1(1)(a) (2017).

¹⁹⁷³ Iowa Code § 903.1(1)(a) (2017).

¹⁹⁷⁴ Iowa Code § 903.1(1) (2017).

¹⁹⁷⁵ Iowa Code § 911.1(1) (2017).

§ 708.12(3)(b)—With intent to interfere**Class** = serious misdemeanor¹⁹⁷⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁹⁷⁷	0 ¹⁹⁷⁸	N/A	Yes ¹⁹⁷⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁹⁸⁰	\$315 ¹⁹⁸¹	No ¹⁹⁸²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁸³	No	No	No	No	No

Miscellaneous

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

Notes:¹⁹⁷⁶ Iowa Code § 708.12(3)(b) (2017).¹⁹⁷⁷ Iowa Code § 903.1(1)(b) (2017).¹⁹⁷⁸ Iowa Code § 903.1(1)(b) (2017).¹⁹⁷⁹ See Iowa Code § 907.3 (2017).¹⁹⁸⁰ Iowa Code § 903.1(1)(b) (2017).¹⁹⁸¹ Iowa Code § 903.1(1)(b) (2017).¹⁹⁸² Iowa Code § 903.1(1) (2017).¹⁹⁸³ Iowa Code § 911.1(1) (2017).

§ 708.12(3)(c)—Resulting in bodily injury to officerClass = serious misdemeanor¹⁹⁸⁴**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁹⁸⁵	0 ¹⁹⁸⁶	N/A	Yes ¹⁹⁸⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁹⁸⁸	\$315 ¹⁹⁸⁹	No ¹⁹⁹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁹¹	No	No	No	No	No

Miscellaneous

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

Notes:¹⁹⁸⁴ Iowa Code § 708.12(3)(c) (2017).¹⁹⁸⁵ Iowa Code § 903.1(1)(b) (2017).¹⁹⁸⁶ Iowa Code § 903.1(1)(b) (2017).¹⁹⁸⁷ See Iowa Code § 907.3 (2017).¹⁹⁸⁸ Iowa Code § 903.1(1)(b) (2017).¹⁹⁸⁹ Iowa Code § 903.1(1)(b) (2017).¹⁹⁹⁰ Iowa Code § 903.1(1) (2017).¹⁹⁹¹ Iowa Code § 911.1(1) (2017).

§ 708.12(3)(d)—Resulting in serious injury to the officer

Class = aggravated misdemeanor¹⁹⁹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁹⁹³	0 ¹⁹⁹⁴	None	Yes ¹⁹⁹⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁹⁹⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁹⁹⁷	\$625 ¹⁹⁹⁸	Yes ¹⁹⁹⁹

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:

¹⁹⁹² Iowa Code § 708.12(3)(d) (2017).

¹⁹⁹³ Iowa Code § 903.1(2) (2017).

¹⁹⁹⁴ Iowa Code § 903.1(2) (2017).

¹⁹⁹⁵ See Iowa Code § 907.3 (2017).

¹⁹⁹⁶ Iowa Code § 903.1(2) (2017).

¹⁹⁹⁷ Iowa Code § 903.1(2) (2017).

¹⁹⁹⁸ Iowa Code § 903.1(2) (2017).

¹⁹⁹⁹ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

²⁰⁰⁰ Iowa Code § 911.1(1) (2017).

²⁰⁰¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 708.12(3)(e)—While knowingly or intentionally causing bodily injury to officer

Class = aggravated misdemeanor²⁰⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, Ds, or SS Eligible?
2 years ²⁰⁰³	0 ²⁰⁰⁴	None	Yes except no DJ if offense was against peace officer while performing peace officer's duties ²⁰⁰⁵ (if offense qualifies as an "assault" per § 907.3(1)(a)(11), ²⁰⁰⁶ see Notes)

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁰⁰⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁰⁰⁸	\$625 ²⁰⁰⁹	Yes ²⁰¹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰¹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰¹²	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

²⁰⁰² Iowa Code § 708.12(3)(e) (2017).

²⁰⁰³ Iowa Code § 903.1(2) (2017).

²⁰⁰⁴ Iowa Code § 903.1(2) (2017).

²⁰⁰⁵ Iowa Code § 907.3 (1)(a)(11) (2017).

²⁰⁰⁶ For Iowa Code § 907.3 (1)(a)(11) (2017) 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.

²⁰⁰⁷ Iowa Code § 903.1(2) (2017).

²⁰⁰⁸ Iowa Code § 903.1(2) (2017).

²⁰⁰⁹ Iowa Code § 903.1(2) (2017).

²⁰¹⁰ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

²⁰¹¹ Iowa Code § 911.1(1) (2017).

²⁰¹² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 708.12(3)(f)—Removal and knowingly or intentionally causes serious injury to officerClass = “D” felony²⁰¹³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁰¹⁴	0 ²⁰¹⁵	None	Yes except no DJ if offense was against peace officer while performing peace officer’s duties ²⁰¹⁶ (if offense qualifies as an “assault” per § 907.3(1)(a)(11), ²⁰¹⁷ see Notes)

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁰¹⁸	\$750 ²⁰¹⁹	Yes ²⁰²⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰²¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰²²	No	No

Notes:

❖ DJ, DS, or SS Eligible?

- This crime is not a forcible felony,²⁰²³ 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

²⁰¹³ Iowa Code § 708.12(3)(f) (2017).²⁰¹⁴ Iowa Code § 902.9(1)(e) (2017).²⁰¹⁵ Iowa Code § 902.9(1)(e) (2017).²⁰¹⁶ Iowa Code § 907.3 (1)(a)(11) (2017).²⁰¹⁷ For Iowa Code § 907.3 (1)(a)(11) (2017) 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.

²⁰¹⁸ Iowa Code § 902.9(1)(e) (2017).²⁰¹⁹ Iowa Code § 902.9(1)(e) (2017).²⁰²⁰ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).²⁰²¹ Iowa Code § 911.1(1) (2017).²⁰²² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).²⁰²³ Iowa Code § 702.11 (2)(h) (2017).

§ 708.13—Disarming a Peace Officer of a Dangerous Weapon

§ 708.13(2)—Basic disarming

Class = “D” felony²⁰²⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁰²⁵	0 ²⁰²⁶	No, but see Enhancements	Yes ²⁰²⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁰²⁸	\$750 ²⁰²⁹	Yes ²⁰³⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰³¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰³²	No	No

Notes:

²⁰²⁴ Iowa Code § 708.13(2) (2017).

²⁰²⁵ Iowa Code § 902.9(1)(e) (2017).

²⁰²⁶ Iowa Code § 902.9(1)(e) (2017).

²⁰²⁷ See Iowa Code § 907.3 (2017).

²⁰²⁸ Iowa Code § 902.9(1)(e) (2017).

²⁰²⁹ Iowa Code § 902.9(1)(e) (2017).

²⁰³⁰ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁰³¹ Iowa Code § 911.1(1) (2017).

²⁰³² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 708.13(3)—Discharge of dangerous weapon while disarming peace officerClass = “C” felony²⁰³³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁰³⁴	0 ²⁰³⁵	No, but see Enhancements	Yes ²⁰³⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁰³⁷	\$1000 ²⁰³⁸	Yes ²⁰³⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁴⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁴¹	No	No

Notes:²⁰³³ Iowa Code § 708.13(3) (2017).²⁰³⁴ Iowa Code § 902.9(1)(d) (2017).²⁰³⁵ Iowa Code § 902.9(1)(d) (2017).²⁰³⁶ See Iowa Code § 907.3 (2017).²⁰³⁷ Iowa Code § 902.9(1)(d) (2017).²⁰³⁸ Iowa Code § 902.9(1)(d) (2017).²⁰³⁹ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).²⁰⁴⁰ Iowa Code § 911.1(1) (2017).²⁰⁴¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 708.14—Abuse of a Corpse

Class = “D” felony²⁰⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁰⁴³	0 ²⁰⁴⁴	No, but see Enhancements	Yes ²⁰⁴⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁰⁴⁶	\$750 ²⁰⁴⁷	Yes ²⁰⁴⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁴⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁵⁰	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.126²⁰⁵¹
- If yes, the offender shall be assessed a civil penalty of \$250²⁰⁵²

²⁰⁴² Iowa Code § 708.14(2) (2017).

²⁰⁴³ Iowa Code § 902.9(1)(e) (2017).

²⁰⁴⁴ Iowa Code § 902.9(1)(e) (2017).

²⁰⁴⁵ See Iowa Code § 907.3 (2017).

²⁰⁴⁶ Iowa Code § 902.9(1)(e) (2017).

²⁰⁴⁷ Iowa Code § 902.9(1)(e) (2017).

²⁰⁴⁸ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁰⁴⁹ Iowa Code § 911.1(1) (2017).

²⁰⁵⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁰⁵¹ Iowa Code §§ 692A.102(1)(a)(6)(c), 708.15 (2017).

²⁰⁵² Iowa Code § 692A.110 (2017).

CH. 708A TERRORISM

§ 708A.2—Terrorism

Class = “B” felony²⁰⁵³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ²⁰⁵⁴	0 ²⁰⁵⁵	No, but see Enhancements	Yes ²⁰⁵⁶

Fines

Max.	Min.	Can Suspend?
0 ²⁰⁵⁷	0 ²⁰⁵⁸	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 ²⁰⁵⁹	No	No

Notes:

²⁰⁵³ Iowa Code § 708A.2 (2017).

²⁰⁵⁴ Iowa Code § 708A.2 (2017).

²⁰⁵⁵ Iowa Code § 902.9(1)(b) (2017).

²⁰⁵⁶ See Iowa Code § 907.3 (2017).

²⁰⁵⁷ See Iowa Code § 902.9(1)(b) (2017).

²⁰⁵⁸ See Iowa Code § 902.9(1)(b) (2017).

²⁰⁵⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 708A.4—Soliciting or Providing Support or Resources for Terrorism

§ 708A.4(1)—Providing material support in excess of \$1000

Class = “B” felony²⁰⁶⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁰⁶¹	0 ²⁰⁶²	No, but see Enhancements	Yes ²⁰⁶³

Fines

Max.	Min.	Can Suspend?
0 ²⁰⁶⁴	0 ²⁰⁶⁵	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 ²⁰⁶⁶	No	No

Notes:

²⁰⁶⁰ Iowa Code § 708A.4(1) (2017).

²⁰⁶¹ Iowa Code § 902.9(1)(b) (2017).

²⁰⁶² Iowa Code § 902.9(1)(b) (2017).

²⁰⁶³ See Iowa Code § 907.3 (2017).

²⁰⁶⁴ See Iowa Code § 902.9(1)(b) (2017).

²⁰⁶⁵ See Iowa Code § 902.9(1)(b) (2017).

²⁰⁶⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 708A.4(2)—Providing material support under \$1000

Class = “C” felony²⁰⁶⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁰⁶⁸	0 ²⁰⁶⁹	No, but see Enhancements	Yes ²⁰⁷⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁰⁷¹	\$1000 ²⁰⁷²	Yes ²⁰⁷³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁷⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁷⁵	No	No

Notes:

²⁰⁶⁷ Iowa Code § 708A.4(2) (2017).

²⁰⁶⁸ Iowa Code § 902.9(1)(d) (2017).

²⁰⁶⁹ Iowa Code § 902.9(1)(d) (2017).

²⁰⁷⁰ See Iowa Code § 907.3 (2017).

²⁰⁷¹ Iowa Code § 902.9(1)(d) (2017).

²⁰⁷² Iowa Code § 902.9(1)(d) (2017).

²⁰⁷³ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁰⁷⁴ Iowa Code § 911.1(1) (2017).

²⁰⁷⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 708A.5—Threat of Terrorism

Class = “D” felony²⁰⁷⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁰⁷⁷	0 ²⁰⁷⁸	No, but see Enhancements	Yes ²⁰⁷⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁰⁸⁰	\$750 ²⁰⁸¹	Yes ²⁰⁸²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁸³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁸⁴	No	No

Notes:

²⁰⁷⁶ Iowa Code § 708A.5 (2017).

²⁰⁷⁷ Iowa Code § 902.9(1)(e) (2017).

²⁰⁷⁸ Iowa Code § 902.9(1)(e) (2017).

²⁰⁷⁹ See Iowa Code § 907.3 (2017).

²⁰⁸⁰ Iowa Code § 902.9(1)(e) (2017).

²⁰⁸¹ Iowa Code § 902.9(1)(e) (2017).

²⁰⁸² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁰⁸³ Iowa Code § 911.1(1) (2017).

²⁰⁸⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 708A.6—Obstruction of Terrorism Prosecution

§ 708A.6(1)—Criminal assistance that results in murder of a third person

Class = “B” felony²⁰⁸⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁰⁸⁶	0 ²⁰⁸⁷	No, but see Enhancements	Yes ²⁰⁸⁸

Fines

Max.	Min.	Can Suspend?
0 ²⁰⁸⁹	0 ²⁰⁹⁰	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 ²⁰⁹¹	No	No

Notes:

²⁰⁸⁵ Iowa Code § 708A.6 (2017).

²⁰⁸⁶ Iowa Code § 902.9(1)(b) (2017).

²⁰⁸⁷ Iowa Code § 902.9(1)(b) (2017).

²⁰⁸⁸ See Iowa Code § 907.3 (2017).

²⁰⁸⁹ See Iowa Code § 902.9(1)(b) (2017).

²⁰⁹⁰ See Iowa Code § 902.9(1)(b) (2017).

²⁰⁹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 708A.6(2)—Criminal assistanceClass = “C” felony²⁰⁹²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁰⁹³	0 ²⁰⁹⁴	No, but see Enhancements	Yes ²⁰⁹⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁰⁹⁶	\$1000 ²⁰⁹⁷	Yes ²⁰⁹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁹⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁰⁰	No	No

Notes:²⁰⁹² Iowa Code § 708A.6(2) (2017).²⁰⁹³ Iowa Code § 902.9(1)(d) (2017).²⁰⁹⁴ Iowa Code § 902.9(1)(d) (2017).²⁰⁹⁵ See Iowa Code § 907.3 (2017).²⁰⁹⁶ Iowa Code § 902.9(1)(d) (2017).²⁰⁹⁷ Iowa Code § 902.9(1)(d) (2017).²⁰⁹⁸ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).²⁰⁹⁹ Iowa Code § 911.1(1) (2017).²¹⁰⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 709 SEXUAL ABUSE

§ 709.2—First-Degree Sexual Abuse

Class = “A” felony²¹⁰¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, ²¹⁰² but see Under 18 Sentencing	Life, ²¹⁰³ but see Under 18 Sentencing	Not eligible, ²¹⁰⁴ but see Under 18 Sentencing	No, ²¹⁰⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²¹⁰⁶	0 ²¹⁰⁷	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 ²¹⁰⁸	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁰⁹	Yes ²¹¹⁰ The offender shall be assessed a civil penalty of \$250 ²¹¹¹	No

Notes:

- ❖ Special Sentence for Life²¹¹²:
 - 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 § 709.2, unnum. para. 2 (2017).

²¹⁰² Iowa Code § 902.1(1) (2017).

²¹⁰³ Iowa Code § 902.1(1) (2017).

²¹⁰⁴ Iowa Code § 902.1(1) (2017).

²¹⁰⁵ Iowa Code § 902.1(1) (2017).

²¹⁰⁶ See Iowa Code § 902.1(1) (2017).

²¹⁰⁷ See Iowa Code § 902.1(1) (2017).

²¹⁰⁸ Iowa Code § 911.2B(1) (2017).

²¹⁰⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²¹¹⁰ Iowa Code § 692A.102(1)(c)(7) (2017).

²¹¹¹ Iowa Code § 692A.110 (2017).

²¹¹² Iowa Code § 903B.1 (2017).

§ 709.3—Second-Degree Sexual Abuse

Class = “B” felony²¹¹³

- ❖ 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, ²¹¹⁴ but see Enhancements	0 ²¹¹⁵	Not eligible until has served 70% of 25 years, ²¹¹⁶ but see Under 18 Sentencing See also Enhancements ❖ Note: violation of § 709.3 is a SPO ²¹¹⁷ and a SVO ²¹¹⁸	No, ²¹¹⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²¹²⁰	0 ²¹²¹	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 ²¹²²	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹²³	Yes ²¹²⁴ The offender shall be assessed a civil penalty of \$250 ²¹²⁵	No

Notes:

- ❖ Special Sentence for Life²¹²⁶:
 - 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”

²¹¹³ Iowa Code § 709.3(2) (2017).

²¹¹⁴ Iowa Code § 902.9(1)(b) (2017).

²¹¹⁵ Iowa Code § 902.9(1)(b) (2017).

²¹¹⁶ Iowa Code § 902.12(1)(c) (2017).

²¹¹⁷ Iowa Code § 901A.1 (1) (2017).

²¹¹⁸ Iowa Code § 229A.2(11) (a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹¹⁹ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²¹²⁰ *See* Iowa Code § 902.9(1)(b) (2017).

²¹²¹ *See* Iowa Code § 902.9(1)(b) (2017).

²¹²² Iowa Code § 911.2B(1) (2017).

²¹²³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²¹²⁴ Iowa Code § 692A.102(1)(a)(1), (c)(8), (c)(9) (2017).

²¹²⁵ Iowa Code § 692A.110 (2017).

²¹²⁶ Iowa Code § 903B.1 (2017).

- 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](#)

§ 709.4—Third-Degree Sexual Abuse

Class = “C” felony²¹²⁷

- ❖ 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?
10 years ²¹²⁸	0 ²¹²⁹	No, but see Enhancements ❖ Note: violation of § 709.4 is a SPO ²¹³⁰ and a SVO ²¹³¹	No, ²¹³² but see Under 18 Sentencing ❖ exceptions: ➤ if violation is of § 709.4(1)(b)(3)(d), ²¹³³ or ➤ if offense is between spouses ²¹³⁴ ❖ but not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²¹³⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ²¹³⁶	\$1000 ²¹³⁷	No, ²¹³⁸ but see Under 18 Sentencing ❖ exceptions: ➤ if violation is of § 709.4(1)(b)(3)(d), ²¹³⁹ or ➤ if offense is between spouses ²¹⁴⁰ ❖ but not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²¹⁴¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁴²	No	No	Yes, \$100 ²¹⁴³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁴⁴	Yes ²¹⁴⁵	No

²¹²⁷ Iowa Code § 709.4(2) (2017).

²¹²⁸ Iowa Code § 902.9(1)(d) (2017).

²¹²⁹ Iowa Code § 902.9(1)(d) (2017).

²¹³⁰ Iowa Code § 901A.1 (1) (2017).

²¹³¹ Iowa Code § 229A.2(11) (a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹³² Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²¹³³ Iowa Code § 702.11 (2)(c) (2017) (indicating third-degree sexual abuse in violation of § 709.4(1)(b)(3)(d) is not a forcible felony).

²¹³⁴ Iowa Code § 702.11 (2)(b) (2017) (indicating third-degree sexual abuse between spouses is not a forcible felony).

²¹³⁵ Iowa Code § 907.3, unnum. para. (2017).

²¹³⁶ Iowa Code § 902.9(1)(b) (2017).

²¹³⁷ Iowa Code § 902.9(1)(b) (2017).

²¹³⁸ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²¹³⁹ Iowa Code § 702.11 (2)(c) (2017) (indicating third-degree sexual abuse in violation of § 709.4(1)(b)(3)(d) is not a forcible felony).

²¹⁴⁰ Iowa Code § 702.11 (2)(b) (2017) (indicating third-degree sexual abuse between spouses is not a forcible felony).

²¹⁴¹ Iowa Code § 907.3, unnum. para. (2017).

²¹⁴² Iowa Code § 911.1(1) (2017).

²¹⁴³ Iowa Code § 911.2B(1) (2017).

²¹⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²¹⁴⁵ Iowa Code § 692A.102(1)(a)(2)–(4), (c)(10)–(11) (2017).

		The offender shall be assessed a civil penalty of \$250 ²¹⁴⁶	
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Notes:

- ❖ Special Sentence for Life²¹⁴⁷:
 - 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](#)

²¹⁴⁶ Iowa Code § 692A.110 (2017).

²¹⁴⁷ Iowa Code § 903B.1 (2017).

§ 709.8—Lascivious Acts with a Child

§ 709.8(1)(a)—Fondling or touching child

Class = “C” felony²¹⁴⁸

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?
10 years ²¹⁴⁹	0 ²¹⁵⁰	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²¹⁵¹ and a SVO ²¹⁵²	Yes, ²¹⁵³ except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²¹⁵⁴ ❖ for DJ if child was age 12 or younger ²¹⁵⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ²¹⁵⁶	\$1000 ²¹⁵⁷	Yes, unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 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 The offender shall be assessed a civil penalty of \$250 ²¹⁶³	No

Notes:

❖ Special Sentence for Life²¹⁶⁴:

²¹⁴⁸ Iowa Code § 709.8(2)(a) (2017).

²¹⁴⁹ Iowa Code § 902.9(1)(d) (2017).

²¹⁵⁰ Iowa Code § 902.9(1)(d) (2017).

²¹⁵¹ Iowa Code § 901A.1 (1) (2017).

²¹⁵² Iowa Code § 229A.2(11) (a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹⁵³ *See* Iowa Code § 907.3 (2017); *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).

²¹⁵⁴ Iowa Code § 907.3, unnum. para. (2017).

²¹⁵⁵ Iowa Code § 907.3 (1)(a)(13) (2017).

²¹⁵⁶ Iowa Code § 902.9(1)(d) (2017).

²¹⁵⁷ Iowa Code § 902.9(1)(d) (2017).

²¹⁵⁸ *See* Iowa Code § 907.3, unnum. para. (2017).

²¹⁵⁹ Iowa Code § 911.1(1) (2017).

²¹⁶⁰ Iowa Code § 911.2B(1) (2017).

²¹⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²¹⁶² Iowa Code § 692A.102(1)(c)(12) (2017).

²¹⁶³ Iowa Code § 692A.110 (2017).

²¹⁶⁴ Iowa Code § 903B.1 (2017).

- 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](#)

§ 709.8(1)(b)—Permitting or causing child to fondle or touch

Class = “C” felony²¹⁶⁵

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?
10 years ²¹⁶⁶	0 ²¹⁶⁷	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²¹⁶⁸ and a SVO ²¹⁶⁹	Yes, ²¹⁷⁰ except: ❖ not eligible if offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²¹⁷¹ ❖ not eligible for DJ if child was age 12 or younger ²¹⁷²

Fines

Max.	Min.	Can Suspend?
\$10,000 ²¹⁷³	\$1000 ²¹⁷⁴	Yes, unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²¹⁷⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁷⁶	No	No	Yes, \$100 ²¹⁷⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁷⁸	Yes ²¹⁷⁹ The offender shall be assessed a civil penalty of \$250 ²¹⁸⁰	No

Notes:

²¹⁶⁵ Iowa Code § 709.8(2)(a) (2017).

²¹⁶⁶ Iowa Code § 902.9(1)(d) (2017).

²¹⁶⁷ Iowa Code § 902.9(1)(d) (2017).

²¹⁶⁸ Iowa Code § 901A.1 (1) (2017).

²¹⁶⁹ Iowa Code § 229A.2(11) (a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹⁷⁰ *See* Iowa Code § 907.3 (2017); *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).

²¹⁷¹ Iowa Code § 907.3, unnum. para. (2017).

²¹⁷² Iowa Code § 907.3 (1)(a)(13) (2017).

²¹⁷³ Iowa Code § 902.9(1)(d) (2017).

²¹⁷⁴ Iowa Code § 902.9(1)(d) (2017).

²¹⁷⁵ *See* Iowa Code § 907.3, unnum. para. (2017).

²¹⁷⁶ Iowa Code § 911.1(1) (2017).

²¹⁷⁷ Iowa Code § 911.2B(1) (2017).

²¹⁷⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²¹⁷⁹ Iowa Code § 692A.102(1)(c)(12) (2017).

²¹⁸⁰ Iowa Code § 692A.110 (2017).

❖ Special Sentence for Life²¹⁸¹:

- 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](#)

²¹⁸¹ Iowa Code § 903B.1 (2017).

§ 709.8(1)(c)—Causing touching of person’s genitals to body of child

Class = “C” felony²¹⁸²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²¹⁸³	0 ²¹⁸⁴	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²¹⁸⁵ and a SVO ²¹⁸⁶	Yes, ²¹⁸⁷ except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²¹⁸⁸ ❖ for DJ if child was age 12 or younger ²¹⁸⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ²¹⁹⁰	\$1000 ²¹⁹¹	Yes, ²¹⁹² unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²¹⁹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁹⁴	No	No	Yes, \$100 ²¹⁹⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁹⁶	Yes ²¹⁹⁷ The offender shall be assessed a civil penalty of \$250 ²¹⁹⁸	No

Notes:

- ❖ Special Sentence for Life²¹⁹⁹:
 - 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

²¹⁸² Iowa Code § 709.8(2)(a) (2017).

²¹⁸³ Iowa Code § 902.9(1)(d) (2017).

²¹⁸⁴ Iowa Code § 902.9(1)(d) (2017).

²¹⁸⁵ Iowa Code § 901A.1 (1) (2017).

²¹⁸⁶ Iowa Code § 229A.2(11) (a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹⁸⁷ *See* Iowa Code § 907.3 (2017); *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).

²¹⁸⁸ Iowa Code § 907.3, unnum. para. (2017).

²¹⁸⁹ Iowa Code § 907.3 (1)(a)(13) (2017).

²¹⁹⁰ Iowa Code § 902.9(1)(d) (2017).

²¹⁹¹ Iowa Code § 902.9(1)(d) (2017).

²¹⁹² *See* Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²¹⁹³ *See* Iowa Code § 907.3, unnum. para. (2017).

²¹⁹⁴ Iowa Code § 911.1(1) (2017).

²¹⁹⁵ Iowa Code § 911.2B(1) (2017).

²¹⁹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²¹⁹⁷ Iowa Code § 692A.102(4) (2017); *see id.* § 901A.1(1)(a).

²¹⁹⁸ Iowa Code § 692A.110 (2017).

²¹⁹⁹ Iowa Code § 903B.1 (2017).

- 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)(d)—Soliciting child to engage in sex act or person to arrange sex act with child

Class = “D” felony²²⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²²⁰¹	0 ²²⁰²	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²²⁰³ and a SVO ²²⁰⁴	Yes, ²²⁰⁵ except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²⁰⁶ ❖ for DJ if child was age 12 or younger ²²⁰⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ²²⁰⁸	\$750 ²²⁰⁹	Yes, ²²¹⁰ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²¹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²¹²	No	No	Yes, \$100 ²²¹³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²¹⁴	Yes ²²¹⁵ The offender shall be assessed a civil penalty of \$250 ²²¹⁶	No

Notes:

- ❖ Special Sentence for 10 years²²¹⁷:
 - 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

²²⁰⁰ Iowa Code § 709.8(2)(b) (2017).

²²⁰¹ Iowa Code § 902.9(1)(e) (2017).

²²⁰² Iowa Code § 902.9(1)(e) (2017).

²²⁰³ Iowa Code § 901A.1 (1) (2017).

²²⁰⁴ Iowa Code § 229A.2(11) (a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²²⁰⁵ *See* Iowa Code § 907.3 (2017); *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).

²²⁰⁶ Iowa Code § 907.3, unnum. para. (2017).

²²⁰⁷ Iowa Code § 907.3 (1)(a)(13) (2017).

²²⁰⁸ Iowa Code § 902.9(1)(e) (2017).

²²⁰⁹ Iowa Code § 902.9(1)(e) (2017).

²²¹⁰ *See* Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²²¹¹ *See* Iowa Code § 907.3, unnum. para. (2017).

²²¹² Iowa Code § 911.1(1) (2017).

²²¹³ Iowa Code § 911.2B(1) (2017).

²²¹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²²¹⁵ Iowa Code § 692A.102(1)(b)(1) (2017).

²²¹⁶ Iowa Code § 692A.110 (2017).

²²¹⁷ Iowa Code § 903B.2 (2017).

- 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)(e)—Inflicting pain or discomfort upon child or permitting child to inflict pain or discomfort on personClass = “D” felony²²¹⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²²¹⁹	0 ²²²⁰	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²²²¹ and a SVO ²²²²	Yes, ²²²³ except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²²⁴ ❖ for DJ if child was age 12 or younger ²²²⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ²²²⁶	\$750 ²²²⁷	Yes, ²²²⁸ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²²⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²³⁰	No	No	Yes, \$100 ²²³¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²³²	Yes ²²³³ The offender shall be assessed a civil penalty of \$250 ²²³⁴	No

Notes:

- ❖ Special Sentence for 10 years²²³⁵:
 - 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

²²¹⁸ Iowa Code § 709.8(2)(b) (2017).²²¹⁹ Iowa Code § 902.9(1)(e) (2017).²²²⁰ Iowa Code § 902.9(1)(e) (2017).²²²¹ Iowa Code § 901A.1 (1) (2017).²²²² Iowa Code § 229A.2(11) (a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).²²²³ *See* Iowa Code § 907.3 (2017); *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).²²²⁴ Iowa Code § 907.3, unnum. para. (2017).²²²⁵ Iowa Code § 907.3 (1)(a)(13) (2017).²²²⁶ Iowa Code § 902.9(1)(e) (2017).²²²⁷ Iowa Code § 902.9(1)(e) (2017).²²²⁸ *See* Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).²²²⁹ *See* Iowa Code § 907.3, unnum. para. (2017).²²³⁰ Iowa Code § 911.1(1) (2017).²²³¹ Iowa Code § 911.2B(1) (2017).²²³² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).²²³³ Iowa Code § 692A.102(1)(b)(1) (2017).²²³⁴ Iowa Code § 692A.110 (2017).²²³⁵ Iowa Code § 903B.2 (2017).

- 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 in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.9—Indecent Exposure

Class = serious misdemeanor²²³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²²³⁷	0 ²²³⁸	N/A, but violation of § 709.9 is a SPO ²²³⁹ and a SVO, ²²⁴⁰ so see Enhancements	Yes, ²²⁴¹ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²⁴²

Fines

Max.	Min.	Can Suspend?
\$1875 ²²⁴³	\$315 ²²⁴⁴	No ²²⁴⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁴⁶	No	No	Yes, \$100 ²²⁴⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁴⁸	Yes ²²⁴⁹ The offender shall be assessed a civil penalty of \$250 ²²⁵⁰	No

Notes:

²²³⁶ Iowa Code § 709.9 (2017).

²²³⁷ Iowa Code § 903.1(1)(b) (2017).

²²³⁸ Iowa Code § 903.1(1)(b) (2017).

²²³⁹ Iowa Code § 901A.1 (1) (2017).

²²⁴⁰ Iowa Code § 229A.2(11) (a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²²⁴¹ *See* Iowa Code § 907.3 (2017).

²²⁴² Iowa Code § 907.3, unnum. para. (2017).

²²⁴³ Iowa Code § 903.1(1)(b) (2017).

²²⁴⁴ Iowa Code § 903.1(1)(b) (2017).

²²⁴⁵ Iowa Code § 903.1(1) (2017).

²²⁴⁶ Iowa Code § 911.1(1) (2017).

²²⁴⁷ Iowa Code § 911.2B(1) (2017).

²²⁴⁸ Iowa Code § 81.2(6) (2017).

²²⁴⁹ Iowa Code § 692A.102(1)(a)(5) (2017).

²²⁵⁰ Iowa Code § 692A.110 (2017).

§ 709.11—Assault with Intent to Commit Sexual Abuse

§ 709.11(1)—Causing serious injury

Class = “C” felony²²⁵¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²²⁵²	0 ²²⁵³	No, but see Enhancements ❖ Note: violation of § 709.11 is a SPO ²²⁵⁴ and a SVO ²²⁵⁵	No, ²²⁵⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²²⁵⁷	\$1000 ²²⁵⁸	No, ²²⁵⁹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁶⁰	No	No	Yes, \$100 ²²⁶¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁶²	Yes ²²⁶³ The offender shall be assessed a civil penalty of \$250 ²²⁶⁴	No

Notes:

- ❖ Special Sentence for Life²²⁶⁵:
 - 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

²²⁵¹ Iowa Code § 709.11(1) (2017).

²²⁵² Iowa Code § 902.9(1)(d) (2017).

²²⁵³ Iowa Code § 902.9(1)(d) (2017).

²²⁵⁴ Iowa Code § 901A.1 (1) (2017).

²²⁵⁵ Iowa Code § 229A.2(11) (a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²²⁵⁶ *See* Iowa Code § 907.3, unnum. para. (2017); *see also id.* § 702.11(1) (indicating felonious “assault” is a forcible felony).

²²⁵⁷ Iowa Code § 902.9(1)(d) (2017).

²²⁵⁸ Iowa Code § 902.9(1)(d) (2017).

²²⁵⁹ *See* Iowa Code § 907.3, unnum. para. (2017); *see also id.* § 702.11(1) (indicating felonious “assault” is a forcible felony).

²²⁶⁰ Iowa Code § 911.1(1) (2017).

²²⁶¹ Iowa Code § 911.2B(1) (2017).

²²⁶² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²²⁶³ Iowa Code § 692A.102(1)(c) (15) (2017).

²²⁶⁴ Iowa Code § 692A.110 (2017).

²²⁶⁵ Iowa Code § 903B.1 (2017).

- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.11(2)—Causing bodily injury

Class = “D” felony²²⁶⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²²⁶⁷	0 ²²⁶⁸	No, but see Enhancements ❖ Note: violation of § 709.11 is a SPO ²²⁶⁹ and a SVO ²²⁷⁰	No, ²²⁷¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²²⁷²	\$750 ²²⁷³	No, ²²⁷⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁷⁵	No	No	Yes, \$100 ²²⁷⁶	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁷⁷	Yes ²²⁷⁸ The offender shall be assessed a civil penalty of \$250 ²²⁷⁹	No

Notes:

- ❖ Special Sentence for 10 years²²⁸⁰:
 - 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

²²⁶⁶ Iowa Code § 709.11(2) (2017).

²²⁶⁷ Iowa Code § 902.9(1)(e) (2017).

²²⁶⁸ Iowa Code § 902.9(1)(e) (2017).

²²⁶⁹ Iowa Code § 901A.1 (1) (2017).

²²⁷⁰ Iowa Code § 229A.2(11) (a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²²⁷¹ *See* Iowa Code § 907.3, unnum. para. (2017); *see also id.* § 702.11(1) (indicating felonious “assault” is a forcible felony).

²²⁷² Iowa Code § 902.9(1)(e) (2017).

²²⁷³ Iowa Code § 902.9(1)(e) (2017).

²²⁷⁴ *See* Iowa Code § 907.3, unnum. para. (2017); *see also id.* § 702.11(1) (indicating felonious “assault” is a forcible felony).

²²⁷⁵ Iowa Code § 911.1(1) (2017).

²²⁷⁶ Iowa Code § 911.2B(1) (2017).

²²⁷⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²²⁷⁸ Iowa Code § 692A.102(1)(c) (15) (2017).

²²⁷⁹ Iowa Code § 692A.110 (2017).

²²⁸⁰ Iowa Code § 903B.2 (2017).

§ 709.11(3)—No injury results

Class = aggravated misdemeanor²²⁸¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²²⁸²	0 ²²⁸³	None, but violation of § 709.11 is a SPO ²²⁸⁴ and a SVO, ²²⁸⁵ so see Enhancements	Yes, ²²⁸⁶ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²⁸⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²²⁸⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ²²⁸⁹	\$625 ²²⁹⁰	Yes, ²²⁹¹ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁹³	No	No	Yes, \$100 ²²⁹⁴	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁹⁵	Yes ²²⁹⁶ The offender shall be assessed a civil penalty of \$250 ²²⁹⁷	No

Notes:

- ❖ Special Sentence for 10 years²²⁹⁸:
 - 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”

²²⁸¹ Iowa Code § 709.11(3) (2017).

²²⁸² Iowa Code § 903.1(2) (2017).

²²⁸³ Iowa Code § 903.1(2) (2017).

²²⁸⁴ Iowa Code § 901A.1 (1) (2017).

²²⁸⁵ Iowa Code § 229A.2(11) (a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²²⁸⁶ *See* Iowa Code § 907.3 (2017).

²²⁸⁷ Iowa Code § 907.3, unnum. para. (2017).

²²⁸⁸ Iowa Code § 903.1(2) (2017).

²²⁸⁹ Iowa Code § 903.1(2) (2017).

²²⁹⁰ Iowa Code § 903.1(2) (2017).

²²⁹¹ *See* Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²²⁹² Iowa Code § 907.3, unnum. para. (2017).

²²⁹³ Iowa Code § 911.1(1) (2017).

²²⁹⁴ Iowa Code § 911.2B(1) (2017).

²²⁹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²²⁹⁶ Iowa Code § 692A.102(1)(b)(6) (2017).

²²⁹⁷ Iowa Code § 692A.110 (2017).

²²⁹⁸ Iowa Code § 903B.2 (2017).

- 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](#)

§ 709.12—Indecent Contact with a Child

Class = aggravated misdemeanor²²⁹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²³⁰⁰	0 ²³⁰¹	None, but violation of § 709.12 is a SPO ²³⁰² and a SVO, ²³⁰³ so see Enhancements	Yes, ²³⁰⁴ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³⁰⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²³⁰⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ²³⁰⁷	\$625 ²³⁰⁸	Yes, ²³⁰⁹ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²³¹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³¹¹	No	No	Yes, \$100 ²³¹²	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³¹³	Yes ²³¹⁴ The offender shall be assessed a civil penalty of \$250 ²³¹⁵	No

Notes:

- ❖ Special Sentence for 10 years²³¹⁶:
 - 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”

²²⁹⁹ Iowa Code § 709.12(1) (2017).

²³⁰⁰ Iowa Code § 903.1(2) (2017).

²³⁰¹ Iowa Code § 903.1(2) (2017).

²³⁰² Iowa Code § 901A.1(1) (2017).

²³⁰³ Iowa Code § 229A.2(11)(a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³⁰⁴ *See* Iowa Code § 907.3 (2017).

²³⁰⁵ Iowa Code § 907.3, unnum. para. (2017).

²³⁰⁶ Iowa Code § 903.1(2) (2017).

²³⁰⁷ Iowa Code § 903.1(2) (2017).

²³⁰⁸ Iowa Code § 903.1(2) (2017).

²³⁰⁹ *See* Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²³¹⁰ Iowa Code § 907.3, unnum. para. (2017).

²³¹¹ Iowa Code § 911.1(1) (2017).

²³¹² Iowa Code § 911.2B(1) (2017).

²³¹³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²³¹⁴ Iowa Code § 692A.102(1)(b)(9), (c)(26) (2017).

²³¹⁵ Iowa Code § 692A.110 (2017).

²³¹⁶ Iowa Code § 903B.2 (2017).

- 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](#)

§ 709.14—Lascivious Conduct with a Minor

Class = serious misdemeanor²³¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²³¹⁸	0 ²³¹⁹	N/A, but violation of § 709.14 is a SPO ²³²⁰ and a SVO, ²³²¹ so see Enhancements	Yes, ²³²² except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³²³

Fines

Max.	Min.	Can Suspend?
\$1875 ²³²⁴	\$315 ²³²⁵	No ²³²⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³²⁷	No	No	Yes, \$100 ²³²⁸	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³²⁹	Yes ²³³⁰ The offender shall be assessed a civil penalty of \$250 ²³³¹	No

Notes:

²³¹⁷ Iowa Code § 709.14, unnum. para. 2 (2017).

²³¹⁸ Iowa Code § 903.1(1)(b) (2017).

²³¹⁹ Iowa Code § 903.1(1)(b) (2017).

²³²⁰ Iowa Code § 901A.1(1) (2017).

²³²¹ Iowa Code § 229A.2(11)(a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³²² *See* Iowa Code § 907.3 (2017).

²³²³ Iowa Code § 907.3, unnum. para. (2017).

²³²⁴ Iowa Code § 903.1(1)(b) (2017).

²³²⁵ Iowa Code § 903.1(1)(b) (2017).

²³²⁶ Iowa Code § 903.1(1) (2017).

²³²⁷ Iowa Code § 911.1(1) (2017).

²³²⁸ Iowa Code § 911.2B(1) (2017).

²³²⁹ Iowa Code §§ 81.2(6) (2017).

²³³⁰ Iowa Code § 692A.102(1)(b)(10) (2017).

²³³¹ Iowa Code § 692A.110 (2017).

§ 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” felony²³³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²³³³	0 ²³³⁴	No, but see Enhancements ❖ Note: violation of § 709.15 is a SPO ²³³⁵ and a SVO ²³³⁶	Yes, ²³³⁷ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³³⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ²³³⁹	\$750 ²³⁴⁰	Yes, ²³⁴¹ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²³⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁴³	No	No	Yes, \$100 ²³⁴⁴	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³⁴⁵	Yes ²³⁴⁶ The offender shall be assessed a civil penalty of \$250 ²³⁴⁷	No

Notes:

- ❖ Special Sentence for 10 years²³⁴⁸:
 - 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

²³³² Iowa Code § 709.15(4)(a) (2017).

²³³³ Iowa Code § 902.9(1)(e) (2017).

²³³⁴ Iowa Code § 902.9(1)(e) (2017).

²³³⁵ Iowa Code § 901A.1(1) (2017).

²³³⁶ Iowa Code § 229A.2(11)(a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³³⁷ *See* Iowa Code § 907.3 (2017); *see also id.* § 702.11(2)(d) (indicating sexual exploitation by counselor, therapist, or school employee is not a forcible felony).

²³³⁸ Iowa Code § 907.3, unnum. para. (2017).

²³³⁹ Iowa Code § 902.9(1)(e) (2017).

²³⁴⁰ Iowa Code § 902.9(1)(e) (2017).

²³⁴¹ *See* Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²³⁴² Iowa Code § 907.3, unnum. para. (2017).

²³⁴³ Iowa Code § 911.1(1) (2017).

²³⁴⁴ Iowa Code § 911.2B(1) (2017).

²³⁴⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²³⁴⁶ Iowa Code § 692A.102(1)(b)(11), (c)(27) (2017).

²³⁴⁷ Iowa Code § 692A.110 (2017).

²³⁴⁸ Iowa Code § 903B.2 (2017).

- 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](#)

§ 709.15(2)(a)(2)—Counselor or Therapist: sexual conduct with emotionally dependent current or former patient or client

Class = aggravated misdemeanor²³⁴⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²³⁵⁰	0 ²³⁵¹	None, but violation of § 709.15 is a SPO ²³⁵² and a SVO, ²³⁵³ so see Enhancements	Yes, ²³⁵⁴ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³⁵⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²³⁵⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ²³⁵⁷	\$625 ²³⁵⁸	Yes, ²³⁵⁹ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²³⁶⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁶¹	No	No	Yes, \$100 ²³⁶²	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³⁶³	Yes ²³⁶⁴ The offender shall be assessed a civil penalty of \$250 ²³⁶⁵	No

Notes:

- ❖ Special Sentence for 10 years²³⁶⁶:
 - 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

²³⁴⁹ Iowa Code § 709.15(4)(b) (2017).

²³⁵⁰ Iowa Code § 903.1(2) (2017).

²³⁵¹ Iowa Code § 903.1(2) (2017).

²³⁵² Iowa Code § 901A.1(1) (2017).

²³⁵³ Iowa Code § 229A.2(11)(a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³⁵⁴ *See* Iowa Code § 907.3 (2017).

²³⁵⁵ Iowa Code § 907.3, unnum. para. (2017).

²³⁵⁶ Iowa Code § 903.1(2) (2017).

²³⁵⁷ Iowa Code § 903.1(2) (2017).

²³⁵⁸ Iowa Code § 903.1(2) (2017).

²³⁵⁹ *See* Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²³⁶⁰ Iowa Code § 907.3, unnum. para. (2017).

²³⁶¹ Iowa Code § 911.1(1) (2017).

²³⁶² Iowa Code § 911.2B(1) (2017).

²³⁶³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²³⁶⁴ Iowa Code § 692A.102(1)(b)(11), (c)(27) (2017).

²³⁶⁵ Iowa Code § 692A.110 (2017).

²³⁶⁶ Iowa Code § 903B.2 (2017).

- 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](#)

§ 709.15(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 misdemeanor²³⁶⁷

❖ Alternative sentencing:

- May require offender to attend sexual abuser treatment program in lieu of the sentence provided in § 903.1(1)(b)²³⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²³⁶⁹	0 ²³⁷⁰	N/A, but violation of § 709.15 is a SPO ²³⁷¹ and a SVO, ²³⁷² so see Enhancements	Yes, ²³⁷³ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³⁷⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ²³⁷⁵	\$315 ²³⁷⁶	No ²³⁷⁷

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 The offender shall be assessed a civil penalty of \$250 ²³⁸²	No

Notes:

²³⁶⁷ Iowa Code § 709.15(4)(c) (2017).

²³⁶⁸ Iowa Code § 709.15(4)(c) (2017).

²³⁶⁹ Iowa Code § 903.1(1)(b) (2017).

²³⁷⁰ Iowa Code § 903.1(1)(b) (2017).

²³⁷¹ Iowa Code § 901A.1(1) (2017).

²³⁷² Iowa Code § 229A.2(11)(a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³⁷³ *See* Iowa Code § 907.3 (2017).

²³⁷⁴ Iowa Code § 907.3, unnum. para. (2017).

²³⁷⁵ Iowa Code § 903.1(1)(b) (2017).

²³⁷⁶ Iowa Code § 903.1(1)(b) (2017).

²³⁷⁷ Iowa Code § 903.1(1) (2017).

²³⁷⁸ Iowa Code § 911.1(1) (2017).

²³⁷⁹ Iowa Code § 911.2B(1) (2017).

²³⁸⁰ Iowa Code § 81.2(6) (2017).

²³⁸¹ Iowa Code § 692A.102(1)(b)(11), (c)(27) (2017).

²³⁸² Iowa Code § 692A.110 (2017).

§ 709.15(3)(a)(1)—School Employee: pattern, practice, or scheme of conduct to engage in sexual conduct with student

Class = “D” felony²³⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²³⁸⁴	0 ²³⁸⁵	No, but see Enhancements ❖ Note: violation of § 709.15 is a SPO ²³⁸⁶ and a SVO ²³⁸⁷	Yes, ²³⁸⁸ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³⁸⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ²³⁹⁰	\$750 ²³⁹¹	Yes, ²³⁹² unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²³⁹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁹⁴	No	No	Yes, \$100 ²³⁹⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³⁹⁶	Yes ²³⁹⁷ The offender shall be assessed a civil penalty of \$250 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

²³⁸³ Iowa Code § 709.15(5)(a) (2017) (amended by 2017 Iowa Acts ch. 127, §1 to redefine “school employee,” effective 7/1/2017).

²³⁸⁴ Iowa Code § 902.9(1)(e) (2017).

²³⁸⁵ Iowa Code § 902.9(1)(e) (2017).

²³⁸⁶ Iowa Code § 901A.1(1) (2017).

²³⁸⁷ Iowa Code § 229A.2(11)(a) (2017); *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 (2017); *see also id.* § 702.11(2)(d) (indicating sexual exploitation by counselor, therapist, or school employee is not a forcible felony).

²³⁸⁹ Iowa Code § 907.3, unnum. para. (2017).

²³⁹⁰ Iowa Code § 902.9(1)(e) (2017).

²³⁹¹ Iowa Code § 902.9(1)(e) (2017).

²³⁹² *See* Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²³⁹³ Iowa Code § 907.3, unnum. para. (2017).

²³⁹⁴ Iowa Code § 911.1(1) (2017).

²³⁹⁵ Iowa Code § 911.2B(1) (2017).

²³⁹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²³⁹⁷ Iowa Code § 692A.102(1)(b)(11), (c)(27) (2017).

²³⁹⁸ Iowa Code § 692A.110 (2017).

²³⁹⁹ Iowa Code § 903B.2 (2017).

- 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](#)

§ 709.15(3)(a)(2)—School Employee: sexual conduct with student

Class = aggravated misdemeanor²⁴⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁴⁰¹	0 ²⁴⁰²	None, but violation of § 709.15 is a SPO ²⁴⁰³ and a SVO, ²⁴⁰⁴ so see Enhancements	Yes, ²⁴⁰⁵ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²⁴⁰⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁴⁰⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁴⁰⁸	\$625 ²⁴⁰⁹	Yes, ²⁴¹⁰ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁴¹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴¹²	No	No	Yes, \$100 ²⁴¹³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴¹⁴	Yes ²⁴¹⁵ The offender shall be assessed a civil penalty of \$250 ²⁴¹⁶	No

Notes:

- ❖ Special Sentence for 10 years²⁴¹⁷:
 - 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”

²⁴⁰⁰ Iowa Code § 709.15(5)(b) (2017) (amended by 2017 Iowa Acts ch. 127, §1 to redefine “school employee,” effective 7/1/2017).

²⁴⁰¹ Iowa Code § 903.1(2) (2017).

²⁴⁰² Iowa Code § 903.1(2) (2017).

²⁴⁰³ Iowa Code § 901A.1(1) (2017).

²⁴⁰⁴ Iowa Code § 229A.2(11)(a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁴⁰⁵ *See* Iowa Code § 907.3 (2017).

²⁴⁰⁶ Iowa Code § 907.3, unnum. para. (2017).

²⁴⁰⁷ Iowa Code § 903.1(2) (2017).

²⁴⁰⁸ Iowa Code § 903.1(2) (2017).

²⁴⁰⁹ Iowa Code § 903.1(2) (2017).

²⁴¹⁰ *See* Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁴¹¹ Iowa Code § 907.3, unnum. para. (2017).

²⁴¹² Iowa Code § 911.1(1) (2017).

²⁴¹³ Iowa Code § 911.2B(1) (2017).

²⁴¹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁴¹⁵ Iowa Code § 692A.102(1)(b)(11), (c)(27) (2017).

²⁴¹⁶ Iowa Code § 692A.110 (2017).

²⁴¹⁷ Iowa Code § 903B.2 (2017).

- 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](#)

§ 709.16—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 misdemeanor²⁴¹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁴¹⁹	0 ²⁴²⁰	None, but violation of § 709.16 is a SPO ²⁴²¹ and a SVO, ²⁴²² so see Enhancements	Yes, ²⁴²³ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²⁴²⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁴²⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁴²⁶	\$625 ²⁴²⁷	Yes, ²⁴²⁸ offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁴²⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴³⁰	No	No	Yes, \$100 ²⁴³¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴³²	Yes ²⁴³³ The offender shall be assessed a civil penalty of \$250 ²⁴³⁴	No

Notes:

- ❖ Special Sentence for 10 years²⁴³⁵:
 - 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

²⁴¹⁸ Iowa Code § 709.16(1) (2017).

²⁴¹⁹ Iowa Code § 903.1(2) (2017).

²⁴²⁰ Iowa Code § 903.1(2) (2017).

²⁴²¹ Iowa Code § 901A.1(1) (2017).

²⁴²² Iowa Code § 229A.2(11)(a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁴²³ *See* Iowa Code § 907.3 (2017).

²⁴²⁴ Iowa Code § 907.3, unnum. para. (2017).

²⁴²⁵ Iowa Code § 903.1(2) (2017).

²⁴²⁶ Iowa Code § 903.1(2) (2017).

²⁴²⁷ Iowa Code § 903.1(2) (2017).

²⁴²⁸ *See* Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁴²⁹ Iowa Code § 907.3, unnum. para. (2017).

²⁴³⁰ Iowa Code § 911.1(1) (2017).

²⁴³¹ Iowa Code § 911.2B(1) (2017).

²⁴³² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁴³³ Iowa Code § 692A.102(1)(b)(12), (c)(28) (2017).

²⁴³⁴ Iowa Code § 692A.110 (2017).

²⁴³⁵ Iowa Code § 903B.2 (2017).

- 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](#)

§ 709.16(2)—Engaging in sex act with juvenile placed at juvenile placement facility

Class = aggravated misdemeanor²⁴³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁴³⁷	0 ²⁴³⁸	None, but violation of § 709.16 is a SPO ²⁴³⁹ and a SVO, ²⁴⁴⁰ so see Enhancements	Yes, ²⁴⁴¹ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²⁴⁴²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁴⁴³

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁴⁴⁴	\$625 ²⁴⁴⁵	Yes, ²⁴⁴⁶ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁴⁴⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴⁴⁸	No	No	Yes, \$100 ²⁴⁴⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁵⁰	Yes ²⁴⁵¹ The offender shall be assessed a civil penalty of \$250 ²⁴⁵²	No

Notes:

- ❖ Special Sentence for 10 years²⁴⁵³:
 - 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”

²⁴³⁶ Iowa Code § 709.16(2)(a) (2017).

²⁴³⁷ Iowa Code § 903.1(2) (2017).

²⁴³⁸ Iowa Code § 903.1(2) (2017).

²⁴³⁹ Iowa Code § 901A.1(1) (2017).

²⁴⁴⁰ Iowa Code § 229A.2(11)(a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁴⁴¹ *See* Iowa Code § 907.3 (2017).

²⁴⁴² Iowa Code § 907.3, unnum. para. (2017).

²⁴⁴³ Iowa Code § 903.1(2) (2017).

²⁴⁴⁴ Iowa Code § 903.1(2) (2017).

²⁴⁴⁵ Iowa Code § 903.1(2) (2017).

²⁴⁴⁶ *See* Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁴⁴⁷ Iowa Code § 907.3, unnum. para. (2017).

²⁴⁴⁸ Iowa Code § 911.1(1) (2017).

²⁴⁴⁹ Iowa Code § 911.2B(1) (2017).

²⁴⁵⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁴⁵¹ Iowa Code § 692A.102(1)(b)(12), (c)(28) (2017).

²⁴⁵² Iowa Code § 692A.110 (2017).

²⁴⁵³ Iowa Code § 903B.2 (2017).

- 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](#)

§ 709.16(3)—Engaging in sex act with prisoner incarcerated in county jail

Class = aggravated misdemeanor²⁴⁵⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁴⁵⁵	0 ²⁴⁵⁶	None, but violation of § 709.16 is a SPO ²⁴⁵⁷ and a SVO, ²⁴⁵⁸ so see Enhancements	Yes, ²⁴⁵⁹ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²⁴⁶⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁴⁶¹

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁴⁶²	\$625 ²⁴⁶³	Yes, ²⁴⁶⁴ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁴⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴⁶⁶	No	No	Yes, \$100 ²⁴⁶⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁶⁸	Yes ²⁴⁶⁹ The offender shall be assessed a civil penalty of \$250 ²⁴⁷⁰	No

Notes:

- ❖ Special Sentence for 10 years²⁴⁷¹:
 - 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”

²⁴⁵⁴ Iowa Code § 709.16(3) (2017).

²⁴⁵⁵ Iowa Code § 903.1(2) (2017).

²⁴⁵⁶ Iowa Code § 903.1(2) (2017).

²⁴⁵⁷ Iowa Code § 901A.1(1) (2017).

²⁴⁵⁸ Iowa Code § 229A.2(11)(a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁴⁵⁹ *See* Iowa Code § 907.3 (2017).

²⁴⁶⁰ Iowa Code § 907.3, unnum. para. (2017).

²⁴⁶¹ Iowa Code § 903.1(2) (2017).

²⁴⁶² Iowa Code § 903.1(2) (2017).

²⁴⁶³ Iowa Code § 903.1(2) (2017).

²⁴⁶⁴ *See* Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁴⁶⁵ Iowa Code § 907.3, unnum. para. (2017).

²⁴⁶⁶ Iowa Code § 911.1(1) (2017).

²⁴⁶⁷ Iowa Code § 911.2B(1) (2017).

²⁴⁶⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁴⁶⁹ Iowa Code § 692A.102(1)(b)(12), (c)(28) (2017).

²⁴⁷⁰ Iowa Code § 692A.110 (2017).

²⁴⁷¹ Iowa Code § 903B.2 (2017).

- 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](#)

§ 709.18—Sexual Abuse of a Corpse

Class = “D” felony²⁴⁷²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁴⁷³	0 ²⁴⁷⁴	No, but see Enhancements ❖ Note: violation of § 709.18 is a SPO ²⁴⁷⁵ and a SVO ²⁴⁷⁶	No, ²⁴⁷⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁴⁷⁸	\$750 ²⁴⁷⁹	No, ²⁴⁸⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴⁸¹	No	No	Yes, \$100 ²⁴⁸²	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁸³	Yes ²⁴⁸⁴ The offender shall be assessed a civil penalty of \$250 ²⁴⁸⁵	No

Notes:

- ❖ Special Sentence for 10 years²⁴⁸⁶:
 - 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

²⁴⁷² Iowa Code § 709.18(2) (2017).

²⁴⁷³ Iowa Code § 902.9(1)(e) (2017).

²⁴⁷⁴ Iowa Code § 902.9(1)(e) (2017).

²⁴⁷⁵ Iowa Code § 901A.1(1) (2017).

²⁴⁷⁶ Iowa Code § 229A.2(11)(a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁴⁷⁷ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²⁴⁷⁸ Iowa Code § 902.9(1)(e) (2017).

²⁴⁷⁹ Iowa Code § 902.9(1)(e) (2017).

²⁴⁸⁰ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²⁴⁸¹ Iowa Code § 911.1(1) (2017).

²⁴⁸² Iowa Code § 911.2B(1) (2017).

²⁴⁸³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁴⁸⁴ Iowa Code § 692A.102(1)(b)(13) (2017).

²⁴⁸⁵ Iowa Code § 692A.110 (2017).

²⁴⁸⁶ Iowa Code § 903B.2 (2017).

§ 709.21—Invasion of Privacy

Class = aggravated misdemeanor²⁴⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁴⁸⁸	0 ²⁴⁸⁹	None, but violation of § 709.21 is a SPO ²⁴⁹⁰ and a SVO, ²⁴⁹¹ so see Enhancements	Yes, ²⁴⁹² unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁴⁹³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁴⁹⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁴⁹⁵	\$625 ²⁴⁹⁶	Yes, ²⁴⁹⁷ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁴⁹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴⁹⁹	No	No	Yes, \$100 ²⁵⁰⁰	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁰¹	Yes ²⁵⁰² The offender shall be assessed a civil penalty of \$250 ²⁵⁰³	No

Notes:

- ❖ Special Sentence for 10 years²⁵⁰⁴:
 - 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”

²⁴⁸⁷ Iowa Code § 709.21(3) (2017).

²⁴⁸⁸ Iowa Code § 903.1(2) (2017).

²⁴⁸⁹ Iowa Code § 903.1(2) (2017).

²⁴⁹⁰ Iowa Code § 901A.1(1) (2017).

²⁴⁹¹ Iowa Code § 229A.2(11)(a) (2017); *see id.* § 901A.1(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁴⁹² *See* Iowa Code § 907.3 (2017).

²⁴⁹³ Iowa Code § 907.3, unnum. para. (2017).

²⁴⁹⁴ Iowa Code § 903.1(2) (2017).

²⁴⁹⁵ Iowa Code § 903.1(2) (2017).

²⁴⁹⁶ Iowa Code § 903.1(2) (2017).

²⁴⁹⁷ *See* Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁴⁹⁸ Iowa Code § 907.3, unnum. para. (2017).

²⁴⁹⁹ Iowa Code § 911.1(1) (2017).

²⁵⁰⁰ Iowa Code § 911.2B(1) (2017).

²⁵⁰¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁵⁰² Iowa Code § 692A.102(1)(b)(7) (2017).

²⁵⁰³ Iowa Code § 692A.110 (2017).

²⁵⁰⁴ Iowa Code § 903B.2 (2017).

- 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](#)

CH. 709A CONTRIBUTING TO JUVENILE DELINQUENCY

§ 709A.6(2)—Using a Juvenile to Commit Certain Offenses

Class = “C” felony²⁵⁰⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁵⁰⁶	0 ²⁵⁰⁷	No, but see Enhancements	Yes, ²⁵⁰⁸ see also Notes

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁵⁰⁹	\$1000 ²⁵¹⁰	Yes ²⁵¹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵¹²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵¹³	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.

²⁵⁰⁵ Iowa Code § 709A.6 (2) (2017).

²⁵⁰⁶ Iowa Code § 902.9(1)(d) (2017).

²⁵⁰⁷ Iowa Code § 902.9(1)(d) (2017).

²⁵⁰⁸ See Iowa Code § 907.3 (2017).

²⁵⁰⁹ Iowa Code § 902.9(1)(d) (2017).

²⁵¹⁰ Iowa Code § 902.9(1)(d) (2017).

²⁵¹¹ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁵¹² Iowa Code § 911.1(1) (2017).

²⁵¹³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 709D TRANSMISSION OF CONTAGIOUS DISEASE

§ 709D.3(1)—Successful Intentional Transmission

Class = “B” felony²⁵¹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁵¹⁵	0 ²⁵¹⁶	No, but see Enhancements	Yes ²⁵¹⁷

Fines

Max.	Min.	Can Suspend?
0 ²⁵¹⁸	0 ²⁵¹⁹	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 ²⁵²⁰	No	No

Notes:

²⁵¹⁴ Iowa Code § 709D.3(1) (2017).

²⁵¹⁵ Iowa Code § 902.9(1)(b) (2017).

²⁵¹⁶ Iowa Code § 902.9(1)(b) (2017).

²⁵¹⁷ See Iowa Code § 907.3 (2017).

²⁵¹⁸ See Iowa Code § 902.9(1)(b) (2017).

²⁵¹⁹ See Iowa Code § 902.9(1)(b) (2017).

²⁵²⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 709D.3(2)—Unsuccessful Attempted Intentional Transmission

Class = “D” felony²⁵²¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁵²²	0 ²⁵²³	No, but see Enhancements	Yes ²⁵²⁴

Fines

Max.	Min.	Can Suspend?
\$7,500 ²⁵²⁵	\$750 ²⁵²⁶	Yes ²⁵²⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵²⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵²⁹	No	No

Notes:

²⁵²¹ Iowa Code § 709D.3(2) (2017).

²⁵²² Iowa Code § 902.9(1)(e) (2017).

²⁵²³ Iowa Code § 902.9(1)(e) (2017).

²⁵²⁴ See Iowa Code § 907.3 (2017).

²⁵²⁵ Iowa Code § 902.9(1)(e) (2017).

²⁵²⁶ Iowa Code § 902.9(1)(e) (2017).

²⁵²⁷ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁵²⁸ Iowa Code § 911.1(1) (2017).

²⁵²⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 709D.3(3)—Reckless Exposure Resulting in Transmission

Class = “D” felony²⁵³⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁵³¹	0 ²⁵³²	No, but see Enhancements	Yes ²⁵³³

Fines

Max.	Min.	Can Suspend?
\$7,500 ²⁵³⁴	\$750 ²⁵³⁵	Yes ²⁵³⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵³⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵³⁸	No	No

Notes:

²⁵³⁰ Iowa Code § 709D.3(3) (2017).

²⁵³¹ Iowa Code § 902.9(1)(e) (2017).

²⁵³² Iowa Code § 902.9(1)(e) (2017).

²⁵³³ See Iowa Code § 907.3 (2017).

²⁵³⁴ Iowa Code § 902.9(1)(e) (2017).

²⁵³⁵ Iowa Code § 902.9(1)(e) (2017).

²⁵³⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁵³⁷ Iowa Code § 911.1(1) (2017).

²⁵³⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 709D.3(4)—Reckless Exposure Not Resulting in Transmission

Class = serious misdemeanor²⁵³⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁵⁴⁰	0 ²⁵⁴¹	N/A	Yes ²⁵⁴²

Fines

Max.	Min.	Can Suspend?
\$675 ²⁵⁴³	\$65 ²⁵⁴⁴	No ²⁵⁴⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁴⁶	No	No	No	No	No

Miscellaneous

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

Notes:

²⁵³⁹ Iowa Code § 709D.3(4) (2017).

²⁵⁴⁰ Iowa Code § 903.1(1)(b) (2017).

²⁵⁴¹ Iowa Code § 903.1(1)(b) (2017).

²⁵⁴² See Iowa Code § 907.3 (2017).

²⁵⁴³ Iowa Code § 903.1(1)(b) (2017).

²⁵⁴⁴ Iowa Code § 903.1(1)(b) (2017).

²⁵⁴⁵ Iowa Code § 903.1(1) (2017).

²⁵⁴⁶ Iowa Code § 911.1(1) (2017).

CH. 710 KIDNAPPING AND RELATED OFFENSES

§ 710.2—First-Degree Kidnapping

Class = “A” felony²⁵⁴⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, but see Under 18 Sentencing ²⁵⁴⁸	Life, ²⁵⁴⁹ but see Under 18 Sentencing	Not eligible ²⁵⁵⁰ But see Under 18 Sentencing ❖ Note: kidnapping as defined in § 710.1 can be a SVO, ²⁵⁵¹ so see Enhancements	No, ²⁵⁵² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁵⁵³	0 ²⁵⁵⁴	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 ²⁵⁵⁵	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.”²⁵⁵⁶
- 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 motivated²⁵⁵⁷
 - if kidnapping involved sexual abuse as defined in § 709.1 was committed during offense²⁵⁵⁸
 - kidnapping was of a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁵⁵⁹
 - If yes, the offender shall be assessed a civil penalty of \$250²⁵⁶⁰

²⁵⁴⁷ Iowa Code § 710.2, unnum. para. 2 (2017).

²⁵⁴⁸ Iowa Code § 902.1(1) (2017).

²⁵⁴⁹ Iowa Code § 902.1(1) (2017).

²⁵⁵⁰ Iowa Code § 902.1(1) (2017).

²⁵⁵¹ Iowa Code § 229A.2(11)(b)(2) (2017); *see id.* § 901A.1(3) (noting the definition of sexually violent offense is the same as in § 229A.2).

²⁵⁵² *See* Iowa Code § 902.1(1) (2017).

²⁵⁵³ Iowa Code § 902.1(1) (2017).

²⁵⁵⁴ Iowa Code § 902.1(1) (2017).

²⁵⁵⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁵⁵⁶ Iowa Code § 710.2 (2017).

²⁵⁵⁷ Iowa Code § 692A.102(1)(b)(14) (2017).

²⁵⁵⁸ Iowa Code § 692A.102(1)(c)(13) (2017).

²⁵⁵⁹ Iowa Code § 692A.102(1)(c)(14) (2017).

²⁵⁶⁰ Iowa Code § 692A.110 (2017).

§ 710.3—Second-Degree Kidnapping

Class = “B” felony²⁵⁶¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁵⁶²	0 ²⁵⁶³	Not eligible until has served 70% of max. term of sentence ²⁵⁶⁴ See also Enhancements ❖ Note: kidnapping as defined in § 710.1 can be a SVO ²⁵⁶⁵	No, ²⁵⁶⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁵⁶⁷	0 ²⁵⁶⁸	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 ²⁵⁶⁹	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.”²⁵⁷⁰
 - 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 motivated²⁵⁷¹
 - kidnapping was of a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁵⁷²
 - If yes, the offender shall be assessed a civil penalty of \$250²⁵⁷³

²⁵⁶¹ Iowa Code § 710.3, unnum. para. 1 (2017).

²⁵⁶² Iowa Code § 902.9(1)(b) (2017).

²⁵⁶³ Iowa Code § 902.9(1)(b) (2017).

²⁵⁶⁴ Iowa Code § 902.12(1)(d) (2017).

²⁵⁶⁵ Iowa Code § 229A.2(11)(b)(2) (2017); *see id.* § 901A.1(3) (noting the definition of sexually violent offense is the same as in § 229A.2).

²⁵⁶⁶ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “kidnapping” as a forcible felony).

²⁵⁶⁷ *See* Iowa Code § 902.9(1)(b) (2017).

²⁵⁶⁸ *See* Iowa Code § 902.9(1)(b) (2017).

²⁵⁶⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁵⁷⁰ Iowa Code § 710.3, unnum. para. 2 (2017).

²⁵⁷¹ Iowa Code § 692A.102(1)(b)(14) (2017).

²⁵⁷² Iowa Code § 692A.102(1)(c)(14) (2017).

²⁵⁷³ Iowa Code § 692A.110 (2017).

§ 710.4—Third-Degree Kidnapping

Class = “C” felony²⁵⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁵⁷⁵	0 ²⁵⁷⁶	No, but see Enhancements ❖ Note: kidnapping as defined in § 710.1 can be a SVO ²⁵⁷⁷	No, ²⁵⁷⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁵⁷⁹	\$1000 ²⁵⁸⁰	No, ²⁵⁸¹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁸²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁸³	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.”²⁵⁸⁴
- 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 motivated²⁵⁸⁵
 - kidnapping was of a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁵⁸⁶
 - If yes, the offender shall be assessed a civil penalty of \$250²⁵⁸⁷

²⁵⁷⁴ Iowa Code § 710.4, unnum. para. 1 (2017).

²⁵⁷⁵ Iowa Code § 902.9(1)(d) (2017).

²⁵⁷⁶ Iowa Code § 902.9(1)(d) (2017).

²⁵⁷⁷ Iowa Code § 229A.2(11)(b)(2) (2017); *see id.* § 901A.1(3) (noting the definition of sexually violent offense is the same as in § 229A.2).

²⁵⁷⁸ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “kidnapping” as a forcible felony).

²⁵⁷⁹ Iowa Code § 902.9(1)(d) (2017).

²⁵⁸⁰ Iowa Code § 902.9(1)(d) (2017).

²⁵⁸¹ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “kidnapping” as a forcible felony).

²⁵⁸² Iowa Code § 911.1(1) (2017).

²⁵⁸³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁵⁸⁴ Iowa Code § 710.4, unnum. para. 2 (2017).

²⁵⁸⁵ Iowa Code § 692A.102(1)(b)(14) (2017).

²⁵⁸⁶ Iowa Code § 692A.102(1)(c)(14) (2017).

²⁵⁸⁷ Iowa Code § 692A.110 (2017).

§ 710.5—Child Stealing

Class = “C” felony²⁵⁸⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁵⁸⁹	0 ²⁵⁹⁰	No, but see Enhancements	Yes ²⁵⁹¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁵⁹²	\$1000 ²⁵⁹³	Yes ²⁵⁹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁹⁶	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.”²⁵⁹⁷
- must register if:
 - fact finder determines offense was sexually motivated pursuant to § 692A.126²⁵⁹⁸
 - If yes, the offender shall be assessed a civil penalty of \$250²⁵⁹⁹

²⁵⁸⁸ Iowa Code § 710.5(2) (2017).

²⁵⁸⁹ Iowa Code § 902.9(1)(d) (2017).

²⁵⁹⁰ Iowa Code § 902.9(1)(d) (2017).

²⁵⁹¹ See Iowa Code § 907.3 (2017).

²⁵⁹² Iowa Code § 902.9(1)(d) (2017).

²⁵⁹³ Iowa Code § 902.9(1)(d) (2017).

²⁵⁹⁴ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁵⁹⁵ Iowa Code § 911.1(1) (2017).

²⁵⁹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁵⁹⁷ Iowa Code § 710.5(3) (2017).

²⁵⁹⁸ Iowa Code § 692A.102(1)(c)(29) (2017).

²⁵⁹⁹ Iowa Code § 692A.110 (2017).

§ 710.6—Violating Custodial Order

§ 710.6, unnum. para. 1—Violation as a relative of the child

Class = “D” felony²⁶⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁶⁰¹	0 ²⁶⁰²	No, but see Enhancements	Yes ²⁶⁰³

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁶⁰⁴	\$750 ²⁶⁰⁵	Yes ²⁶⁰⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁰⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁰⁸	No	No

Notes:

²⁶⁰⁰ Iowa Code § 710.6, unnum. para. 1 (2017).

²⁶⁰¹ Iowa Code § 902.9(1)(e) (2017).

²⁶⁰² Iowa Code § 902.9(1)(e) (2017).

²⁶⁰³ See Iowa Code § 907.3 (2017).

²⁶⁰⁴ Iowa Code § 902.9(1)(e) (2017).

²⁶⁰⁵ Iowa Code § 902.9(1)(e) (2017).

²⁶⁰⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁶⁰⁷ Iowa Code § 911.1(1) (2017).

²⁶⁰⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 710.6, unnum. para. 2—Violation as a parent of the childClass = serious misdemeanor²⁶⁰⁹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁶¹⁰	0 ²⁶¹¹	N/A	Yes ²⁶¹²

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁶¹³	\$315 ²⁶¹⁴	No ²⁶¹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶¹⁶	No	No	No	No	No

Miscellaneous

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

Notes:²⁶⁰⁹ Iowa Code § 710.6, unnum. para. 2 (2017).²⁶¹⁰ Iowa Code § 903.1(1)(b) (2017).²⁶¹¹ Iowa Code § 903.1(1)(b) (2017).²⁶¹² See Iowa Code § 907.3 (2017).²⁶¹³ Iowa Code § 903.1(1)(b) (2017).²⁶¹⁴ Iowa Code § 903.1(1)(b) (2017).²⁶¹⁵ Iowa Code § 903.1(1) (2017).²⁶¹⁶ Iowa Code § 911.1(1) (2017).

§ 710.7—False Imprisonment

Class = serious misdemeanor²⁶¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁶¹⁸	0 ²⁶¹⁹	N/A	Yes ²⁶²⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁶²¹	\$315 ²⁶²²	No ²⁶²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶²⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes, if required to register for Sex Registry ²⁶²⁵	Yes, ²⁶²⁶ except if committed by a parent ²⁶²⁷ If yes, the offender shall be assessed a civil penalty of \$250 ²⁶²⁸	No

Notes:

²⁶¹⁷ Iowa Code § 710.7 (2017).

²⁶¹⁸ Iowa Code § 903.1(1)(b) (2017).

²⁶¹⁹ Iowa Code § 903.1(1)(b) (2017).

²⁶²⁰ See Iowa Code § 907.3 (2017).

²⁶²¹ Iowa Code § 903.1(1)(b) (2017).

²⁶²² Iowa Code § 903.1(1)(b) (2017).

²⁶²³ Iowa Code § 903.1(1) (2017).

²⁶²⁴ Iowa Code § 911.1(1) (2017).

²⁶²⁵ Iowa Code § 81.2(6) (2017).

²⁶²⁶ Iowa Code § 692A.102(1)(b)(5) (2017).

²⁶²⁷ Iowa Code § 692A.102(1)(b)(5) (2017).

²⁶²⁸ Iowa Code § 692A.110 (2017).

§ 710.8—Harboring a Runaway Child

Class = aggravated misdemeanor²⁶²⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
2 years ²⁶³⁰	0 ²⁶³¹	None	Yes ²⁶³²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁶³³

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁶³⁴	\$625 ²⁶³⁵	Yes ²⁶³⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶³⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶³⁸	No	No

Notes:

²⁶²⁹ Iowa Code § 710.8(4) (2017).

²⁶³⁰ Iowa Code § 903.1(2) (2017).

²⁶³¹ Iowa Code § 903.1(2) (2017).

²⁶³² See Iowa Code § 907.3 (2017).

²⁶³³ Iowa Code § 903.1(2) (2017).

²⁶³⁴ Iowa Code § 903.1(2) (2017).

²⁶³⁵ Iowa Code § 903.1(2) (2017).

²⁶³⁶ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁶³⁷ Iowa Code § 911.1(1) (2017).

²⁶³⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 710.10—Enticing a Minor

§ 710.10(1)—With intent to commit sexual abuse or exploitation; minor under age 13

Class = “C” felony²⁶³⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
10 years ²⁶⁴⁰	0 ²⁶⁴¹	No, but see Enhancements ❖ Note: Violation of § 710.10(1) is a SPO ²⁶⁴²	Yes ²⁶⁴³

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁶⁴⁴	\$1000 ²⁶⁴⁵	Yes ²⁶⁴⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁴⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁴⁸	Maybe, ²⁶⁴⁹ 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”²⁶⁵⁰
 - If yes, the offender shall be assessed a civil penalty of \$250²⁶⁵¹

²⁶³⁹ Iowa Code § 710.10(1) (2017).

²⁶⁴⁰ Iowa Code § 902.9(1)(d) (2017).

²⁶⁴¹ Iowa Code § 902.9(1)(d) (2017).

²⁶⁴² Iowa Code § 901A.1(1)(c) (2017).

²⁶⁴³ See Iowa Code § 907.3 (2017).

²⁶⁴⁴ Iowa Code § 902.9(1)(d) (2017).

²⁶⁴⁵ Iowa Code § 902.9(1)(d) (2017).

²⁶⁴⁶ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁶⁴⁷ Iowa Code § 911.1(1) (2017).

²⁶⁴⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁶⁴⁹ Iowa Code § 692A.102(1)(c)(30) (2017).

²⁶⁵⁰ Iowa Code § 692A.102(1)(c)(30) (2017).

²⁶⁵¹ Iowa Code § 692A.110 (2017).

§ 710.10(2)—With intent to commit illegal sex act or sexual exploitation; minor under age 16Class = “D” felony²⁶⁵²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁶⁵³	0 ²⁶⁵⁴	No, but see Enhancements	Yes ²⁶⁵⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁶⁵⁶	\$750 ²⁶⁵⁷	Yes ²⁶⁵⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁵⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁶⁰	Maybe, ²⁶⁶¹ 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”²⁶⁶²
- If yes, the offender shall be assessed a civil penalty of \$250²⁶⁶³

²⁶⁵² Iowa Code § 710.10(2) (2017).²⁶⁵³ Iowa Code § 902.9(1)(e) (2017).²⁶⁵⁴ Iowa Code § 902.9(1)(e) (2017).²⁶⁵⁵ See Iowa Code § 907.3 (2017).²⁶⁵⁶ Iowa Code § 902.9(1)(e) (2017).²⁶⁵⁷ Iowa Code § 902.9(1)(e) (2017).²⁶⁵⁸ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).²⁶⁵⁹ Iowa Code § 911.1(1) (2017).²⁶⁶⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).²⁶⁶¹ Iowa Code § 692A.102(1)(c)(30) (2017).²⁶⁶² Iowa Code § 692A.102(1)(c)(30) (2017).²⁶⁶³ Iowa Code § 692A.110 (2017).

§ 710.10(3)—With intent to commit illegal act; minor under age 16Class = “D” felony²⁶⁶⁴**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁶⁶⁵	0 ²⁶⁶⁶	No, but see Enhancements	Yes ²⁶⁶⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁶⁶⁸	\$750 ²⁶⁶⁹	Yes ²⁶⁷⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁷¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁷²	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”²⁶⁷³
- If yes, the offender shall be assessed a civil penalty of \$250²⁶⁷⁴

²⁶⁶⁴ Iowa Code § 710.10(3) (2017).²⁶⁶⁵ Iowa Code § 902.9(1)(e) (2017).²⁶⁶⁶ Iowa Code § 902.9(1)(e) (2017).²⁶⁶⁷ See Iowa Code § 907.3 (2017).²⁶⁶⁸ Iowa Code § 902.9(1)(e) (2017).²⁶⁶⁹ Iowa Code § 902.9(1)(e) (2017).²⁶⁷⁰ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).²⁶⁷¹ Iowa Code § 911.1(1) (2017).²⁶⁷² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).²⁶⁷³ Iowa Code § 692A.102(1)(c)(30) (2017).²⁶⁷⁴ Iowa Code § 692A.110 (2017).

§ 710.10(4)—With intent to commit illegal act upon minor under age 16

Class = aggravated misdemeanor²⁶⁷⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
2 years ²⁶⁷⁶	0 ²⁶⁷⁷	None	Yes ²⁶⁷⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁶⁷⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁶⁸⁰	\$625 ²⁶⁸¹	Yes ²⁶⁸²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁸³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁸⁴	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Fact finder “determines the illegal act was sexually motivated”²⁶⁸⁵
 - If yes, the offender shall be assessed a civil penalty of \$250²⁶⁸⁶

²⁶⁷⁵ Iowa Code § 710.10(4) (2017).

²⁶⁷⁶ Iowa Code § 903.1(2) (2017).

²⁶⁷⁷ Iowa Code § 903.1(2) (2017).

²⁶⁷⁸ See Iowa Code § 907.3 (2017).

²⁶⁷⁹ Iowa Code § 903.1(2) (2017).

²⁶⁸⁰ Iowa Code § 903.1(2) (2017).

²⁶⁸¹ Iowa Code § 903.1(2) (2017).

²⁶⁸² See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁶⁸³ Iowa Code § 911.1(1) (2017).

²⁶⁸⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁶⁸⁵ Iowa Code § 710.10(4) (2017).

²⁶⁸⁶ Iowa Code § 692A.110 (2017).

§ 710.11—Purchase or Sale of Individual

Class = “C” felony²⁶⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁶⁸⁸	0 ²⁶⁸⁹	No, but see Enhancements	Yes ²⁶⁹⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁶⁹¹	\$1000 ²⁶⁹²	Yes ²⁶⁹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁹⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- “determination is made that the offense was sexually motivated pursuant to section 692A.126”²⁶⁹⁶
- If yes, the offender shall be assessed a civil penalty of \$250²⁶⁹⁷

²⁶⁸⁷ Iowa Code § 710.11 (2017).

²⁶⁸⁸ Iowa Code § 902.9(1)(d) (2017).

²⁶⁸⁹ Iowa Code § 902.9(1)(d) (2017).

²⁶⁹⁰ See Iowa Code § 907.3 (2017).

²⁶⁹¹ Iowa Code § 902.9(1)(d) (2017).

²⁶⁹² Iowa Code § 902.9(1)(d) (2017).

²⁶⁹³ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁶⁹⁴ Iowa Code § 911.1(1) (2017).

²⁶⁹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁶⁹⁶ Iowa Code § 692A.102(1)(c)(24) (2017).

²⁶⁹⁷ Iowa Code § 692A.110 (2017).

CH. 710A HUMAN TRAFFICKING

§ 710A.2—Human Trafficking

§ 710A.2(1)—Basic human trafficking

Victim is 18 years old or older

Class = “D” felony²⁶⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁶⁹⁹	0 ²⁷⁰⁰	No, but see Enhancements	No, ²⁷⁰¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁷⁰²	\$750 ²⁷⁰³	No, ²⁷⁰⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁰⁵	No	Yes, \$1000 ²⁷⁰⁶	Yes, \$100 ²⁷⁰⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁰⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷⁰⁹ *or*
- sexual conduct or sexual contact is an element of the offense²⁷¹⁰
- If yes, the offender shall be assessed a civil penalty of \$250²⁷¹¹

²⁶⁹⁸ Iowa Code § 710A.2(1) (2017).

²⁶⁹⁹ Iowa Code § 902.9(1)(e) (2017).

²⁷⁰⁰ Iowa Code § 902.9(1)(e) (2017).

²⁷⁰¹ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁰² Iowa Code § 902.9(1)(e) (2017).

²⁷⁰³ Iowa Code § 902.9(1)(e) (2017).

²⁷⁰⁴ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁰⁵ Iowa Code § 911.1(1) (2017).

²⁷⁰⁶ Iowa Code § 911.2A(1) (2017).

²⁷⁰⁷ Iowa Code § 911.2B(1) (2017).

²⁷⁰⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁷⁰⁹ Iowa Code § 692A.102(1)(c)(23) (2017).

²⁷¹⁰ Iowa Code § 692A.102(1)(c)(23) (2017).

²⁷¹¹ Iowa Code § 692A.110 (2017).

Victim is under 18 years old

Class = “C” felony²⁷¹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁷¹³	0 ²⁷¹⁴	No, but see Enhancements	No, ²⁷¹⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁷¹⁶	\$1000 ²⁷¹⁷	No, ²⁷¹⁸ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷¹⁹	No	Yes, \$1000 ²⁷²⁰	Yes, \$100 ²⁷²¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷²²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷²³ *or*
 - sexual conduct or sexual contact is an element of the offense²⁷²⁴
 - If yes, the offender shall be assessed a civil penalty of \$250²⁷²⁵

²⁷¹² Iowa Code § 710A.2(1) (2017).

²⁷¹³ Iowa Code § 902.9(1)(d) (2017).

²⁷¹⁴ Iowa Code § 902.9(1)(d) (2017).

²⁷¹⁵ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷¹⁶ Iowa Code § 902.9(1)(d) (2017).

²⁷¹⁷ Iowa Code § 902.9(1)(d) (2017).

²⁷¹⁸ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷¹⁹ Iowa Code § 911.1(1) (2017).

²⁷²⁰ Iowa Code § 911.2A(1) (2017).

²⁷²¹ Iowa Code § 911.2B(1) (2017).

²⁷²² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁷²³ Iowa Code § 692A.102(1)(c)(23) (2017).

²⁷²⁴ Iowa Code § 692A.102(1)(c)(23) (2017).

²⁷²⁵ Iowa Code § 692A.110 (2017).

§ 710A.2(2)—By causing or threatening to cause serious physical injury

Victim is 18 years old or older

Class = “C” felony²⁷²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁷²⁷	0 ²⁷²⁸	No, but see Enhancements	No, ²⁷²⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁷³⁰	\$1000 ²⁷³¹	No, ²⁷³² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷³³	No	Yes, \$1000 ²⁷³⁴	Yes, \$100 ²⁷³⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷³⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷³⁷ *or*
- sexual conduct or sexual contact is an element of the offense²⁷³⁸
- If yes, the offender shall be assessed a civil penalty of \$250²⁷³⁹

²⁷²⁶ Iowa Code § 710A.2(2) (2017).

²⁷²⁷ Iowa Code § 902.9(1)(d) (2017).

²⁷²⁸ Iowa Code § 902.9(1)(d) (2017).

²⁷²⁹ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷³⁰ Iowa Code § 902.9(1)(d) (2017).

²⁷³¹ Iowa Code § 902.9(1)(d) (2017).

²⁷³² Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷³³ Iowa Code § 911.1(1) (2017).

²⁷³⁴ Iowa Code § 911.2A(1) (2017).

²⁷³⁵ Iowa Code § 911.2B(1) (2017).

²⁷³⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁷³⁷ Iowa Code § 692A.102(1)(c)(23) (2017).

²⁷³⁸ Iowa Code § 692A.102(1)(c)(23) (2017).

²⁷³⁹ Iowa Code § 692A.110 (2017).

Victim is under 18 years oldClass = “B” felony²⁷⁴⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁷⁴¹	0 ²⁷⁴²	No, but see Enhancements	No, ²⁷⁴³ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁷⁴⁴	0 ²⁷⁴⁵	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	Yes, \$1000 ²⁷⁴⁶	Yes, \$100 ²⁷⁴⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁴⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷⁴⁹ *or*
 - sexual conduct or sexual contact is an element of the offense²⁷⁵⁰
 - If yes, the offender shall be assessed a civil penalty of \$250²⁷⁵¹

²⁷⁴⁰ Iowa Code § 710A.2(2) (2017).²⁷⁴¹ Iowa Code § 902.9(1)(d) (2017).²⁷⁴² Iowa Code § 902.9(1)(d) (2017).²⁷⁴³ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).²⁷⁴⁴ Iowa Code § 902.9(1)(d) (2017).²⁷⁴⁵ Iowa Code § 902.9(1)(d) (2017).²⁷⁴⁶ Iowa Code § 911.2A(1) (2017).²⁷⁴⁷ Iowa Code § 911.2B(1) (2017).²⁷⁴⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).²⁷⁴⁹ Iowa Code § 692A.102(1)(c)(23) (2017).²⁷⁵⁰ Iowa Code § 692A.102(1)(c)(23) (2017).²⁷⁵¹ Iowa Code § 692A.110 (2017).

§ 710A.2(3)—By physically restraining or threatening to physically restrain

Victim is 18 years old or older

Class = “D” felony²⁷⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁷⁵³	0 ²⁷⁵⁴	No, but see Enhancements	No, ²⁷⁵⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁷⁵⁶	\$750 ²⁷⁵⁷	No, ²⁷⁵⁸ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁵⁹	No	Yes, \$1000 ²⁷⁶⁰	Yes, \$100 ²⁷⁶¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁶²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷⁶³ *or*
- sexual conduct or sexual contact is an element of the offense²⁷⁶⁴
- If yes, the offender shall be assessed a civil penalty of \$250²⁷⁶⁵

²⁷⁵² Iowa Code § 710A.2(3) (2017).

²⁷⁵³ Iowa Code § 902.9(1)(e) (2017).

²⁷⁵⁴ Iowa Code § 902.9(1)(e) (2017).

²⁷⁵⁵ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁵⁶ Iowa Code § 902.9(1)(e) (2017).

²⁷⁵⁷ Iowa Code § 902.9(1)(e) (2017).

²⁷⁵⁸ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁵⁹ Iowa Code § 911.1(1) (2017).

²⁷⁶⁰ Iowa Code § 911.2A(1) (2017).

²⁷⁶¹ Iowa Code § 911.2B(1) (2017).

²⁷⁶² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁷⁶³ Iowa Code § 692A.102(1)(c)(23) (2017).

²⁷⁶⁴ Iowa Code § 692A.102(1)(c)(23) (2017).

²⁷⁶⁵ Iowa Code § 692A.110 (2017).

Victim under 18 years old

Class = “C” felony²⁷⁶⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁷⁶⁷	0 ²⁷⁶⁸	No, but see Enhancements	No, ²⁷⁶⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁷⁷⁰	\$1000 ²⁷⁷¹	No, ²⁷⁷² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁷³	No	Yes, \$1000 ²⁷⁷⁴	Yes, \$100 ²⁷⁷⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁷⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷⁷⁷ *or*
 - sexual conduct or sexual contact is an element of the offense²⁷⁷⁸
 - If yes, the offender shall be assessed a civil penalty of \$250²⁷⁷⁹

²⁷⁶⁶ Iowa Code § 710A.2(3) (2017).

²⁷⁶⁷ Iowa Code § 902.9(1)(d) (2017).

²⁷⁶⁸ Iowa Code § 902.9(1)(d) (2017).

²⁷⁶⁹ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁷⁰ Iowa Code § 902.9(1)(d) (2017).

²⁷⁷¹ Iowa Code § 902.9(1)(d) (2017).

²⁷⁷² Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁷³ Iowa Code § 911.1(1) (2017).

²⁷⁷⁴ Iowa Code § 911.2A(1) (2017).

²⁷⁷⁵ Iowa Code § 911.2B(1) (2017).

²⁷⁷⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁷⁷⁷ Iowa Code § 692A.102(1)(c)(23) (2017).

²⁷⁷⁸ Iowa Code § 692A.102(1)(c)(23) (2017).

²⁷⁷⁹ Iowa Code § 692A.110 (2017).

§ 710A.2(4)—By soliciting services or benefitting from services

Victim is 18 years old or older

Class = “D” felony²⁷⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁷⁸¹	0 ²⁷⁸²	No, but see Enhancements	No, ²⁷⁸³ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁷⁸⁴	\$750 ²⁷⁸⁵	No, ²⁷⁸⁶ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁸⁷	No	Yes, \$1000 ²⁷⁸⁸	Yes, \$100 ²⁷⁸⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁹⁰	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷⁹¹ *or*
- sexual conduct or sexual contact is an element of the offense²⁷⁹²
- If yes, the offender shall be assessed a civil penalty of \$250²⁷⁹³

²⁷⁸⁰ Iowa Code § 710A.2(4) (2017).

²⁷⁸¹ Iowa Code § 902.9(1)(e) (2017).

²⁷⁸² Iowa Code § 902.9(1)(e) (2017).

²⁷⁸³ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁸⁴ Iowa Code § 902.9(1)(e) (2017).

²⁷⁸⁵ Iowa Code § 902.9(1)(e) (2017).

²⁷⁸⁶ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁸⁷ Iowa Code § 911.1(1) (2017).

²⁷⁸⁸ Iowa Code § 911.2A(1) (2017).

²⁷⁸⁹ Iowa Code § 911.2B(1) (2017).

²⁷⁹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁷⁹¹ Iowa Code § 692A.102(1)(c)(23) (2017).

²⁷⁹² Iowa Code § 692A.102(1)(c)(23) (2017).

²⁷⁹³ Iowa Code § 692A.110 (2017).

Victim is under 18 years old

Class = “C” felony²⁷⁹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁷⁹⁵	0 ²⁷⁹⁶	No, but see Enhancements	No, ²⁷⁹⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁷⁹⁸	\$1000 ²⁷⁹⁹	No, ²⁸⁰⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁰¹	No	Yes, \$1000 ²⁸⁰²	Yes, \$100 ²⁸⁰³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁰⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸⁰⁵ *or*
 - sexual conduct or sexual contact is an element of the offense²⁸⁰⁶
 - If yes, the offender shall be assessed a civil penalty of \$250²⁸⁰⁷

²⁷⁹⁴ Iowa Code § 710A.2(4) (2017).

²⁷⁹⁵ Iowa Code § 902.9(1)(d) (2017).

²⁷⁹⁶ Iowa Code § 902.9(1)(d) (2017).

²⁷⁹⁷ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁹⁸ Iowa Code § 902.9(1)(d) (2017).

²⁷⁹⁹ Iowa Code § 902.9(1)(d) (2017).

²⁸⁰⁰ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁰¹ Iowa Code § 911.1(1) (2017).

²⁸⁰² Iowa Code § 911.2A(1) (2017).

²⁸⁰³ Iowa Code § 911.2B(1) (2017).

²⁸⁰⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁸⁰⁵ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸⁰⁶ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸⁰⁷ Iowa Code § 692A.110 (2017).

§ 710A.2(5)—By abusing or threatening to abuse the law or legal process

Victim is 18 years old or older

Class = “D” felony²⁸⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁸⁰⁹	0 ²⁸¹⁰	No, but see Enhancements	No, ²⁸¹¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁸¹²	\$750 ²⁸¹³	No, ²⁸¹⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸¹⁵	No	Yes, \$1000 ²⁸¹⁶	Yes, \$100 ²⁸¹⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸¹⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸¹⁹ *or*
- sexual conduct or sexual contact is an element of the offense²⁸²⁰
- If yes, the offender shall be assessed a civil penalty of \$250²⁸²¹

²⁸⁰⁸ Iowa Code § 710A.2(5) (2017).

²⁸⁰⁹ Iowa Code § 902.9(1)(e) (2017).

²⁸¹⁰ Iowa Code § 902.9(1)(e) (2017).

²⁸¹¹ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸¹² Iowa Code § 902.9(1)(e) (2017).

²⁸¹³ Iowa Code § 902.9(1)(e) (2017).

²⁸¹⁴ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸¹⁵ Iowa Code § 911.1(1) (2017).

²⁸¹⁶ Iowa Code § 911.2A(1) (2017).

²⁸¹⁷ Iowa Code § 911.2B(1) (2017).

²⁸¹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁸¹⁹ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸²⁰ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸²¹ Iowa Code § 692A.110 (2017).

Victim is under 18 years old

Class = “C” felony²⁸²²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁸²³	0 ²⁸²⁴	No, but see Enhancements	No, ²⁸²⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁸²⁶	\$1000 ²⁸²⁷	No, ²⁸²⁸ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸²⁹	No	Yes, \$1000 ²⁸³⁰	Yes, \$100 ²⁸³¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸³²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸³³ *or*
 - sexual conduct or sexual contact is an element of the offense²⁸³⁴
 - If yes, the offender shall be assessed a civil penalty of \$250²⁸³⁵

²⁸²² Iowa Code § 710A.2(5) (2017).

²⁸²³ Iowa Code § 902.9(1)(d) (2017).

²⁸²⁴ Iowa Code § 902.9(1)(d) (2017).

²⁸²⁵ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸²⁶ Iowa Code § 902.9(1)(d) (2017).

²⁸²⁷ Iowa Code § 902.9(1)(d) (2017).

²⁸²⁸ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸²⁹ Iowa Code § 911.1(1) (2017).

²⁸³⁰ Iowa Code § 911.2A(1) (2017).

²⁸³¹ Iowa Code § 911.2B(1) (2017).

²⁸³² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁸³³ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸³⁴ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸³⁵ Iowa Code § 692A.110 (2017).

§ 710A.2(6)—By interfering with any passport, immigration document, or government identification document

Victim is 18 years old or older

Class = “D” felony²⁸³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁸³⁷	0 ²⁸³⁸	No, but see Enhancements	No, ²⁸³⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁸⁴⁰	\$750 ²⁸⁴¹	No, ²⁸⁴² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁴³	No	Yes, \$1000 ²⁸⁴⁴	Yes, \$100 ²⁸⁴⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁴⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸⁴⁷ *or*
- sexual conduct or sexual contact is an element of the offense²⁸⁴⁸
- If yes, the offender shall be assessed a civil penalty of \$250²⁸⁴⁹

²⁸³⁶ Iowa Code § 710A.2(6) (2017).

²⁸³⁷ Iowa Code § 902.9(1)(e) (2017).

²⁸³⁸ Iowa Code § 902.9(1)(e) (2017).

²⁸³⁹ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁴⁰ Iowa Code § 902.9(1)(e) (2017).

²⁸⁴¹ Iowa Code § 902.9(1)(e) (2017).

²⁸⁴² Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁴³ Iowa Code § 911.1(1) (2017).

²⁸⁴⁴ Iowa Code § 911.2A(1) (2017).

²⁸⁴⁵ Iowa Code § 911.2B(1) (2017).

²⁸⁴⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁸⁴⁷ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸⁴⁸ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸⁴⁹ Iowa Code § 692A.110 (2017).

Victim is under 18 years old

Class = “C” felony²⁸⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁸⁵¹	0 ²⁸⁵²	No, but see Enhancements	No, ²⁸⁵³ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁸⁵⁴	\$1000 ²⁸⁵⁵	No, ²⁸⁵⁶ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁵⁷	No	Yes, \$1000 ²⁸⁵⁸	Yes, \$100 ²⁸⁵⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁶⁰	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸⁶¹ *or*
 - sexual conduct or sexual contact is an element of the offense²⁸⁶²
 - If yes, the offender shall be assessed a civil penalty of \$250²⁸⁶³

²⁸⁵⁰ Iowa Code § 710A.2(6) (2017).

²⁸⁵¹ Iowa Code § 902.9(1)(d) (2017).

²⁸⁵² Iowa Code § 902.9(1)(d) (2017).

²⁸⁵³ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁵⁴ Iowa Code § 902.9(1)(d) (2017).

²⁸⁵⁵ Iowa Code § 902.9(1)(d) (2017).

²⁸⁵⁶ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁵⁷ Iowa Code § 911.1(1) (2017).

²⁸⁵⁸ Iowa Code § 911.2A(1) (2017).

²⁸⁵⁹ Iowa Code § 911.2B(1) (2017).

²⁸⁶⁰ Iowa Code §§ 81.2(1) (2016), 901.5(8A)(a) (2017).

²⁸⁶¹ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸⁶² Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸⁶³ Iowa Code § 692A.110 (2017).

§ 710A.2(7)—Financial or other benefit from participating in human trafficking

Victim is 18 years old or older

Class = “D” felony²⁸⁶⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁸⁶⁵	0 ²⁸⁶⁶	No, but see Enhancements	No, ²⁸⁶⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁸⁶⁸	\$750 ²⁸⁶⁹	No, ²⁸⁷⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁷¹	No	Yes, \$1000 ²⁸⁷²	Yes, \$100 ²⁸⁷³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁷⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸⁷⁵ *or*
- sexual conduct or sexual contact is an element of the offense²⁸⁷⁶
- If yes, the offender shall be assessed a civil penalty of \$250²⁸⁷⁷

²⁸⁶⁴ Iowa Code § 710A.2(7) (2017).

²⁸⁶⁵ Iowa Code § 902.9(1)(e) (2017).

²⁸⁶⁶ Iowa Code § 902.9(1)(e) (2017).

²⁸⁶⁷ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁶⁸ Iowa Code § 902.9(1)(e) (2017).

²⁸⁶⁹ Iowa Code § 902.9(1)(e) (2017).

²⁸⁷⁰ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁷¹ Iowa Code § 911.1(1) (2017).

²⁸⁷² Iowa Code § 911.2A(1) (2017).

²⁸⁷³ Iowa Code § 911.2B(1) (2017).

²⁸⁷⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁸⁷⁵ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸⁷⁶ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸⁷⁷ Iowa Code § 692A.110 (2017).

Victim is under 18 years old

Class = “C” felony²⁸⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁸⁷⁹	0 ²⁸⁸⁰	No, but see Enhancements	No, ²⁸⁸¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁸⁸²	\$1000 ²⁸⁸³	No, ²⁸⁸⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁸⁵	No	Yes, \$1000 ²⁸⁸⁶	Yes, \$100 ²⁸⁸⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁸⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸⁸⁹ *or*
 - sexual conduct or sexual contact is an element of the offense²⁸⁹⁰
 - If yes, the offender shall be assessed a civil penalty of \$250²⁸⁹¹

²⁸⁷⁸ Iowa Code § 710A.2(7) (2017).

²⁸⁷⁹ Iowa Code § 902.9(1)(d) (2017).

²⁸⁸⁰ Iowa Code § 902.9(1)(d) (2017).

²⁸⁸¹ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁸² Iowa Code § 902.9(1)(d) (2017).

²⁸⁸³ Iowa Code § 902.9(1)(d) (2017).

²⁸⁸⁴ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁸⁵ Iowa Code § 911.1(1) (2017).

²⁸⁸⁶ Iowa Code § 911.2A(1) (2017).

²⁸⁸⁷ Iowa Code § 911.2B(1) (2017).

²⁸⁸⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁸⁸⁹ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸⁹⁰ Iowa Code § 692A.102(1)(c) (23) (2017).

²⁸⁹¹ Iowa Code § 692A.110 (2017).

§ 710A.2A—Solicitation of Commercial Sexual Activity

Class = “D” felony²⁸⁹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁸⁹³	0 ²⁸⁹⁴	No, but see Enhancements	No, ²⁸⁹⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁸⁹⁶	\$750 ²⁸⁹⁷	No, ²⁸⁹⁸ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁹⁹	No	Yes, \$1000 ²⁹⁰⁰	Yes, \$100 ²⁹⁰¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁰²	Yes ²⁹⁰³ The offender shall be assessed a civil penalty of \$250 ²⁹⁰⁴	No

Notes:

²⁸⁹² Iowa Code § 710A.2A (2017).

²⁸⁹³ Iowa Code § 902.9(1)(e) (2017).

²⁸⁹⁴ Iowa Code § 902.9(1)(e) (2017).

²⁸⁹⁵ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁹⁶ Iowa Code § 902.9(1)(e) (2017).

²⁸⁹⁷ Iowa Code § 902.9(1)(e) (2017).

²⁸⁹⁸ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁹⁹ Iowa Code § 911.1(1) (2017).

²⁹⁰⁰ Iowa Code § 911.2A(1) (2017).

²⁹⁰¹ Iowa Code § 911.2B(1) (2017).

²⁹⁰² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

²⁹⁰³ Iowa Code § 692A.102(1)(c) (31) (2017).

²⁹⁰⁴ Iowa Code § 692A.110 (2017).

CH. 711 ROBBERY AND EXTORTION

§ 711.2—First-Degree Robbery

Class = “B” felony²⁹⁰⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁹⁰⁶	0 ²⁹⁰⁷	Not eligible until has served 70% of max. term of sentence, ²⁹⁰⁸ but see Under 18 Sentencing See also Enhancements	No, ²⁹⁰⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁹¹⁰	0 ²⁹¹¹	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 ²⁹¹²	No	No

Notes:

²⁹⁰⁵ Iowa Code § 711.2 (2017).

²⁹⁰⁶ Iowa Code § 902.9(1)(b) (2017).

²⁹⁰⁷ Iowa Code § 902.9(1)(b) (2017).

²⁹⁰⁸ Iowa Code § 902.12(1)(e) (2017).

²⁹⁰⁹ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “robbery” as a forcible felony).

²⁹¹⁰ *See* Iowa Code § 902.9(1)(b) (2017).

²⁹¹¹ *See* Iowa Code § 902.9(1)(b) (2017).

²⁹¹² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 711.3—Second-Degree Robbery

Class = “C” felony²⁹¹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁹¹⁴	0 ²⁹¹⁵	<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,²⁹¹⁶ 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,²⁹¹⁷ 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 release²⁹¹⁸<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”²⁹¹⁹ <p>See also Enhancements</p>	No, ²⁹²⁰ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁹²¹	\$1000 ²⁹²²	No, ²⁹²³ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹²⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹²⁵	No	No

Notes:

²⁹¹³ Iowa Code § 711.3 (2017).

²⁹¹⁴ Iowa Code § 902.9(1)(d) (2017).

²⁹¹⁵ Iowa Code § 902.9(1)(d) (2017).

²⁹¹⁶ Iowa Code § 902.12(1)(e) (2017).

²⁹¹⁷ Iowa Code § 902.12(3) (2017).

²⁹¹⁸ Iowa Code § 901.11(3) (2017).

²⁹¹⁹ Iowa Code § 901.11(3) (2017).

²⁹²⁰ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “robbery” as a forcible felony).

²⁹²¹ Iowa Code § 902.9(1)(d) (2017).

²⁹²² Iowa Code § 902.9(1)(d) (2017).

²⁹²³ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁹²⁴ Iowa Code § 911.1(1) (2017).

²⁹²⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 711.3A—Third-Degree Robbery

Class = aggravated misdemeanor²⁹²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁹²⁷	0 ²⁹²⁸	None	Yes ²⁹²⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁹³⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁹³¹	\$625 ²⁹³²	Yes ²⁹³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹³⁵	No	No

Notes:

²⁹²⁶ Iowa Code § 711.3A(2) (2017).

²⁹²⁷ Iowa Code § 903.1(2) (2017).

²⁹²⁸ Iowa Code § 903.1(2) (2017).

²⁹²⁹ See Iowa Code § 907.3, unnum. para. (2017).

²⁹³⁰ Iowa Code § 903.1(2) (2017).

²⁹³¹ Iowa Code § 903.1(2) (2017).

²⁹³² Iowa Code § 903.1(2) (2017).

²⁹³³ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁹³⁴ Iowa Code § 911.1(1) (2017).

²⁹³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 711.4—Extortion

Class = “D” felony²⁹³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁹³⁷	0 ²⁹³⁸	No, but see Enhancements	Yes ²⁹³⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁹⁴⁰	\$750 ²⁹⁴¹	Yes ²⁹⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁴⁴	No	No

Notes:

²⁹³⁶ Iowa Code § 711.4(2) (2017).

²⁹³⁷ Iowa Code § 902.9(1)(e) (2017).

²⁹³⁸ Iowa Code § 902.9(1)(e) (2017).

²⁹³⁹ See Iowa Code § 907.3 (2017).

²⁹⁴⁰ Iowa Code § 902.9(1)(e) (2017).

²⁹⁴¹ Iowa Code § 902.9(1)(e) (2017).

²⁹⁴² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁹⁴³ Iowa Code § 911.1(1) (2017).

²⁹⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 712 ARSON

§ 712.2—First-Degree Arson

Class = “B” felony²⁹⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁹⁴⁶	0 ²⁹⁴⁷	No, but see Enhancements	No, ²⁹⁴⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁹⁴⁹	0 ²⁹⁵⁰	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 ²⁹⁵¹	No	No

Notes:

²⁹⁴⁵ Iowa Code § 712.2, unnum. para. 2 (2017).

²⁹⁴⁶ Iowa Code § 902.9(1)(b) (2017).

²⁹⁴⁷ Iowa Code § 902.9(1)(b) (2017).

²⁹⁴⁸ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including “arson in the first degree” as a forcible felony).

²⁹⁴⁹ *See* Iowa Code § 902.9(1)(b) (2017).

²⁹⁵⁰ *See* Iowa Code § 902.9(1)(b) (2017).

²⁹⁵¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 712.3—Second-Degree Arson

Class = “C” felony²⁹⁵²

- ❖ 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”²⁹⁵³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁹⁵⁴	0 ²⁹⁵⁵	No, but see Enhancements	Yes ²⁹⁵⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁹⁵⁷	\$1000 ²⁹⁵⁸	Yes ²⁹⁵⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁶⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁶¹	No	No

Notes:

²⁹⁵² Iowa Code § 712.3 (2017).

²⁹⁵³ Iowa Code § 712.9 (2017).

²⁹⁵⁴ Iowa Code § 902.9(1)(d) (2017).

²⁹⁵⁵ Iowa Code § 902.9(1)(d) (2017).

²⁹⁵⁶ See Iowa Code § 907.3 (2017).

²⁹⁵⁷ Iowa Code § 902.9(1)(d) (2017).

²⁹⁵⁸ Iowa Code § 902.9(1)(d) (2017).

²⁹⁵⁹ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁹⁶⁰ Iowa Code § 911.1(1) (2017).

²⁹⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 712.4—Third-Degree Arson

Class = aggravated misdemeanor²⁹⁶²

- ❖ 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”²⁹⁶³

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	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁷²	No	No

Notes:

²⁹⁶² Iowa Code § 712.4 (2017).

²⁹⁶³ Iowa Code § 712.9 (2017).

²⁹⁶⁴ Iowa Code § 903.1(2) (2017).

²⁹⁶⁵ Iowa Code § 903.1(2) (2017).

²⁹⁶⁶ See Iowa Code § 907.3, unnum. para. (2017).

²⁹⁶⁷ Iowa Code § 903.1(2) (2017).

²⁹⁶⁸ Iowa Code § 903.1(2) (2017).

²⁹⁶⁹ Iowa Code § 903.1(2) (2017).

²⁹⁷⁰ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁹⁷¹ Iowa Code § 911.1(1) (2017).

²⁹⁷² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 712.5—Reckless Use of Fire or Explosives

Class = serious misdemeanor²⁹⁷³

- ❖ 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”²⁹⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁹⁷⁵	0 ²⁹⁷⁶	N/A	Yes ²⁹⁷⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁹⁷⁸	\$315 ²⁹⁷⁹	No ²⁹⁸⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁸¹	No	No	No	No	No

Miscellaneous

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

Notes:

²⁹⁷³ Iowa Code § 712.5 (2017).

²⁹⁷⁴ Iowa Code § 712.9 (2017).

²⁹⁷⁵ Iowa Code § 903.1(1)(b) (2017).

²⁹⁷⁶ Iowa Code § 903.1(1)(b) (2017).

²⁹⁷⁷ See Iowa Code § 907.3 (2017).

²⁹⁷⁸ Iowa Code § 903.1(1)(b) (2017).

²⁹⁷⁹ Iowa Code § 903.1(1)(b) (2017).

²⁹⁸⁰ Iowa Code § 903.1(1) (2017).

²⁹⁸¹ Iowa Code § 911.1(1) (2017).

§ 712.6—Explosive or Incendiary Materials or Devices

§ 712.6(1)—Possession with intent to use to commit a public offense

Class = “C” felony²⁹⁸²

- ❖ 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”²⁹⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁹⁸⁴	0 ²⁹⁸⁵	No, but see Enhancements	Yes ²⁹⁸⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁹⁸⁷	\$1000 ²⁹⁸⁸	Yes ²⁹⁸⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁹¹	No	No

Notes:

²⁹⁸² Iowa Code § 712.6(1) (2017).

²⁹⁸³ Iowa Code § 712.9 (2017).

²⁹⁸⁴ Iowa Code § 902.9(1)(d) (2017).

²⁹⁸⁵ Iowa Code § 902.9(1)(d) (2017).

²⁹⁸⁶ See Iowa Code § 907.3 (2017).

²⁹⁸⁷ Iowa Code § 902.9(1)(d) (2017).

²⁹⁸⁸ Iowa Code § 902.9(1)(d) (2017).

²⁹⁸⁹ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁹⁹⁰ Iowa Code § 911.1(1) (2017).

²⁹⁹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 712.6(2)(a)—Possession

Class = aggravated misdemeanor²⁹⁹²

- ❖ 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”²⁹⁹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁹⁹⁴	0 ²⁹⁹⁵	None	Yes ²⁹⁹⁶

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁹⁹⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁹⁹⁸	\$625 ²⁹⁹⁹	Yes ³⁰⁰⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁰¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁰²	No	No

Notes:

²⁹⁹² Iowa Code § 712.6(2)(a) (2017).

²⁹⁹³ Iowa Code § 712.9 (2017).

²⁹⁹⁴ Iowa Code § 903.1(2) (2017).

²⁹⁹⁵ Iowa Code § 903.1(2) (2017).

²⁹⁹⁶ See Iowa Code § 907.3, unnum. para. (2017).

²⁹⁹⁷ Iowa Code § 903.1(2) (2017).

²⁹⁹⁸ Iowa Code § 903.1(2) (2017).

²⁹⁹⁹ Iowa Code § 903.1(2) (2017).

³⁰⁰⁰ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁰¹ Iowa Code § 911.1(1) (2017).

³⁰⁰² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 712.6(3)—Placement of simulated device with intent to intimidate, annoy, or alarm

Class = serious misdemeanor³⁰⁰³

- ❖ 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”³⁰⁰⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁰⁰⁵	0 ³⁰⁰⁶	N/A	Yes ³⁰⁰⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁰⁰⁸	\$315 ³⁰⁰⁹	No ³⁰¹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰¹¹	No	No	No	No	No

Miscellaneous

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

Notes:

³⁰⁰³ Iowa Code § 712.6(3) (2017).

³⁰⁰⁴ Iowa Code § 712.9 (2017).

³⁰⁰⁵ Iowa Code § 903.1(1)(b) (2017).

³⁰⁰⁶ Iowa Code § 903.1(1)(b) (2017).

³⁰⁰⁷ See Iowa Code § 907.3 (2017).

³⁰⁰⁸ Iowa Code § 903.1(1)(b) (2017).

³⁰⁰⁹ Iowa Code § 903.1(1)(b) (2017).

³⁰¹⁰ Iowa Code § 903.1(1) (2017).

³⁰¹¹ Iowa Code § 911.1(1) (2017).

§ 712.7—False Reports

Class = “D” felony³⁰¹²

- ❖ 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”³⁰¹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁰¹⁴	0 ³⁰¹⁵	No, but see Enhancements	Yes ³⁰¹⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁰¹⁷	\$750 ³⁰¹⁸	Yes ³⁰¹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰²⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰²¹	No	No

Notes:

³⁰¹² Iowa Code § 712.7 (2017).

³⁰¹³ Iowa Code § 712.9 (2017).

³⁰¹⁴ Iowa Code § 902.9(1)(e) (2017).

³⁰¹⁵ Iowa Code § 902.9(1)(e) (2017).

³⁰¹⁶ See Iowa Code § 907.3 (2017).

³⁰¹⁷ Iowa Code § 902.9(1)(e) (2017).

³⁰¹⁸ Iowa Code § 902.9(1)(e) (2017).

³⁰¹⁹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰²⁰ Iowa Code § 911.1(1) (2017).

³⁰²¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 712.8—Threat or Attempt to Place Incendiary, Explosive, or Destructive Device

Class = “D” felony³⁰²²

- ❖ 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”³⁰²³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁰²⁴	0 ³⁰²⁵	No, but see Enhancements	Yes ³⁰²⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁰²⁷	\$750 ³⁰²⁸	Yes ³⁰²⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰³⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰³¹	No	No

Notes:

³⁰²² Iowa Code § 712.8 (2017).

³⁰²³ Iowa Code § 712.9 (2017).

³⁰²⁴ Iowa Code § 902.9(1)(e) (2017).

³⁰²⁵ Iowa Code § 902.9(1)(e) (2017).

³⁰²⁶ See Iowa Code § 907.3 (2017).

³⁰²⁷ Iowa Code § 902.9(1)(e) (2017).

³⁰²⁸ Iowa Code § 902.9(1)(e) (2017).

³⁰²⁹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰³⁰ Iowa Code § 911.1(1) (2017).

³⁰³¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 713 BURGLARY

§ 713.3—First-Degree Burglary

Class = “B” felony³⁰³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ³⁰³³	0 ³⁰³⁴	No, but burglary as defined in § 713.1 can be a SVO, ³⁰³⁵ so see Enhancements	No, ³⁰³⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ³⁰³⁷	0 ³⁰³⁸	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 ³⁰³⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁴⁰	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 motivated³⁰⁴¹
 - if person violated § 713.3(1)(d)³⁰⁴²
 - If yes, the offender shall be assessed a civil penalty of \$250³⁰⁴³

³⁰³² Iowa Code § 713.3(2) (2017).

³⁰³³ Iowa Code § 902.9(1)(b) (2017).

³⁰³⁴ Iowa Code § 902.9(1)(b) (2017).

³⁰³⁵ Iowa Code § 229A.2(11) (3) (2017); *see id.* § 901A.1(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).

³⁰³⁶ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including “burglary in the first degree” as a forcible felony).

³⁰³⁷ *See* Iowa Code § 902.9(1)(b) (2017).

³⁰³⁸ *See* Iowa Code § 902.9(1)(b) (2017).

³⁰³⁹ Iowa Code § 911.3(1)(a) (2017).

³⁰⁴⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³⁰⁴¹ Iowa Code §§ 692A.102(1)(c) (17), 692A.126(1)(n), 713.3(3) (2017).

³⁰⁴² Iowa Code § 692A.102(1)(c) (16) (2017).

³⁰⁴³ Iowa Code § 692A.110 (2017).

§ 713.4—Attempted First-Degree Burglary

Class = “C” felony³⁰⁴⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁰⁴⁵	0 ³⁰⁴⁶	No, but see Enhancements	Yes ³⁰⁴⁷

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁰⁴⁸	\$1000 ³⁰⁴⁹	Yes ³⁰⁵⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁵¹	No	No	No	No	Yes, \$125 ³⁰⁵²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁵³	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”³⁰⁵⁴
 - If yes, the offender shall be assessed a civil penalty of \$250³⁰⁵⁵

³⁰⁴⁴ Iowa Code § 713.4(2) (2017).

³⁰⁴⁵ Iowa Code § 902.9(1)(d) (2017).

³⁰⁴⁶ Iowa Code § 902.9(1)(d) (2017).

³⁰⁴⁷ See Iowa Code § 907.3 (2017).

³⁰⁴⁸ Iowa Code § 902.9(1)(d) (2017).

³⁰⁴⁹ Iowa Code § 902.9(1)(d) (2017).

³⁰⁵⁰ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁵¹ Iowa Code § 911.1(1) (2017).

³⁰⁵² Iowa Code § 911.3(1) (2017).

³⁰⁵³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³⁰⁵⁴ Iowa Code §§ 692A.102(1)(c) (18), 713.4(3) (2017).

³⁰⁵⁵ Iowa Code § 692A.110 (2017).

§ 713.5—Second-Degree Burglary

Class = “C” felony³⁰⁵⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁰⁵⁷	0 ³⁰⁵⁸	No, but burglary as defined in § 713.1 can be a SVO, ³⁰⁵⁹ so see Enhancements	Yes ³⁰⁶⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁰⁶¹	\$1000 ³⁰⁶²	Yes ³⁰⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁶⁴	No	No	No	No	Yes, \$125 ³⁰⁶⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁶⁶	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”³⁰⁶⁷
- If yes, the offender shall be assessed a civil penalty of \$250³⁰⁶⁸

³⁰⁵⁶ Iowa Code § 713.5(2) (2017).

³⁰⁵⁷ Iowa Code § 902.9(1)(d) (2017).

³⁰⁵⁸ Iowa Code § 902.9(1)(d) (2017).

³⁰⁵⁹ Iowa Code § 229A.2(11) (3) (2017); *see id.* § 901A.1(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).

³⁰⁶⁰ *See* Iowa Code § 907.3 (2017).

³⁰⁶¹ Iowa Code § 902.9(1)(d) (2017).

³⁰⁶² Iowa Code § 902.9(1)(d) (2017).

³⁰⁶³ *See* Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁶⁴ Iowa Code § 911.1(1) (2017).

³⁰⁶⁵ Iowa Code § 911.3(1) (2017).

³⁰⁶⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³⁰⁶⁷ Iowa Code §§ 692A.102(1)(c) (19), 713.5(3) (2017).

³⁰⁶⁸ Iowa Code § 692A.110 (2017).

§ 713.6—Attempted Second-Degree Burglary

Class = “D” felony³⁰⁶⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁰⁷⁰	0 ³⁰⁷¹	No, but see Enhancements	Yes ³⁰⁷²

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁰⁷³	\$750 ³⁰⁷⁴	Yes ³⁰⁷⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁷⁶	No	No	No	No	Yes ³⁰⁷⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁷⁸	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”³⁰⁷⁹
 - If yes, the offender shall be assessed a civil penalty of \$250³⁰⁸⁰

³⁰⁶⁹ Iowa Code § 713.6(2) (2017).

³⁰⁷⁰ Iowa Code § 902.9(1)(e) (2017).

³⁰⁷¹ Iowa Code § 902.9(1)(e) (2017).

³⁰⁷² See Iowa Code § 907.3 (2017).

³⁰⁷³ Iowa Code § 902.9(1)(e) (2017).

³⁰⁷⁴ Iowa Code § 902.9(1)(e) (2017).

³⁰⁷⁵ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁷⁶ Iowa Code § 911.1(1) (2017).

³⁰⁷⁷ Iowa Code § 911.3(1) (2017).

³⁰⁷⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³⁰⁷⁹ Iowa Code §§ 692A.102(1)(c) (20), 713.6(3) (2017).

³⁰⁸⁰ Iowa Code § 692A.110 (2017).

§ 713.6A—Third-Degree Burglary

§ 713.6A(1)—Third-degree burglary

Class = “D” felony³⁰⁸¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁰⁸²	0 ³⁰⁸³	No, but burglary as defined in § 713.1 can be a SVO, ³⁰⁸⁴ so see Enhancements	Yes ³⁰⁸⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁰⁸⁶	\$750 ³⁰⁸⁷	Yes ³⁰⁸⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁸⁹	No	No	No	No	Yes ³⁰⁹⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁹¹	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”³⁰⁹²
 - If yes, the offender shall be assessed a civil penalty of \$250³⁰⁹³

³⁰⁸¹ Iowa Code § 713.6A(1) (2017).

³⁰⁸² Iowa Code § 902.9(1)(e) (2017).

³⁰⁸³ Iowa Code § 902.9(1)(e) (2017).

³⁰⁸⁴ Iowa Code § 229A.2(11) (3) (2017); *see id.* § 901A.1(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).

³⁰⁸⁵ *See* Iowa Code § 907.3 (2017).

³⁰⁸⁶ Iowa Code § 902.9(1)(e) (2017).

³⁰⁸⁷ Iowa Code § 902.9(1)(e) (2017).

³⁰⁸⁸ *See* Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁸⁹ Iowa Code § 911.1(1) (2017).

³⁰⁹⁰ Iowa Code § 911.3(1) (2017).

³⁰⁹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³⁰⁹² Iowa Code §§ 692A.102(1)(c) (21), 713.6A(3) (2017).

³⁰⁹³ Iowa Code § 692A.110 (2017).

§ 713.6A(2)—Involving unoccupied motor vehicle or truck, or vessel

First Offense

Class = aggravated misdemeanor³⁰⁹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁰⁹⁵	0 ³⁰⁹⁶	None	Yes ³⁰⁹⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁰⁹⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁰⁹⁹	\$625 ³¹⁰⁰	Yes ³¹⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁰²	No	No	No	No	Yes ³¹⁰³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁰⁴	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”³¹⁰⁵
 - If yes, the offender shall be assessed a civil penalty of \$250³¹⁰⁶

³⁰⁹⁴ Iowa Code § 713.6A(2) (2017).

³⁰⁹⁵ Iowa Code § 903.1(2) (2017).

³⁰⁹⁶ Iowa Code § 903.1(2) (2017).

³⁰⁹⁷ See Iowa Code § 907.3, unnum. para. (2017).

³⁰⁹⁸ Iowa Code § 903.1(2) (2017).

³⁰⁹⁹ Iowa Code § 903.1(2) (2017).

³¹⁰⁰ Iowa Code § 903.1(2) (2017).

³¹⁰¹ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹⁰² Iowa Code § 911.1(1) (2017).

³¹⁰³ Iowa Code § 911.3(1) (2017).

³¹⁰⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³¹⁰⁵ Iowa Code §§ 692A.102(1)(c) (21), 713.6A(3) (2017).

³¹⁰⁶ Iowa Code § 692A.110 (2017).

Second or Subsequent Offense

Class = “D” felony³¹⁰⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³¹⁰⁸	0 ³¹⁰⁹	No, but see Enhancements	Yes ³¹¹⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ³¹¹¹	\$750 ³¹¹²	Yes ³¹¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹¹⁴	No	No	No	No	Yes ³¹¹⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹¹⁶	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”³¹¹⁷
- If yes, the offender shall be assessed a civil penalty of \$250³¹¹⁸

³¹⁰⁷ Iowa Code § 713.6A(2) (2017).

³¹⁰⁸ Iowa Code § 902.9(1)(e) (2017).

³¹⁰⁹ Iowa Code § 902.9(1)(e) (2017).

³¹¹⁰ See Iowa Code § 907.3 (2017).

³¹¹¹ Iowa Code § 902.9(1)(e) (2017).

³¹¹² Iowa Code § 902.9(1)(e) (2017).

³¹¹³ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹¹⁴ Iowa Code § 911.1(1) (2017).

³¹¹⁵ Iowa Code § 911.3(1) (2017).

³¹¹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³¹¹⁷ Iowa Code §§ 692A.102(1)(c) (21), 713.6A(3) (2017).

³¹¹⁸ Iowa Code § 692A.110 (2017).

§ 713.6B—Attempted Third-Degree Burglary

§ 713.6B(1)—Attempted third-degree burglary

Class = aggravated misdemeanor³¹¹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³¹²⁰	0 ³¹²¹	None	Yes ³¹²²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³¹²³

Fines

Max.	Min.	Can Suspend?
\$6250 ³¹²⁴	\$625 ³¹²⁵	Yes ³¹²⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹²⁷	No	No	No	No	Yes ³¹²⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹²⁹	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”³¹³⁰
 - If yes, the offender shall be assessed a civil penalty of \$250³¹³¹

³¹¹⁹ Iowa Code § 713.6B(1) (2017).

³¹²⁰ Iowa Code § 903.1(2) (2017).

³¹²¹ Iowa Code § 903.1(2) (2017).

³¹²² See Iowa Code § 907.3, unnum. para. (2017).

³¹²³ Iowa Code § 903.1(2) (2017).

³¹²⁴ Iowa Code § 903.1(2) (2017).

³¹²⁵ Iowa Code § 903.1(2) (2017).

³¹²⁶ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹²⁷ Iowa Code § 911.1(1) (2017).

³¹²⁸ Iowa Code § 911.3(1) (2017).

³¹²⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³¹³⁰ Iowa Code §§ 692A.102(1)(c) (22), 713.6B(3) (2017).

³¹³¹ Iowa Code § 692A.110 (2017).

§ 713.6B(2)—Involving unoccupied motor vehicle or truck, or vessel

First Offense

Class = serious misdemeanor³¹³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³¹³³	0 ³¹³⁴	N/A	Yes ³¹³⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ³¹³⁶	\$315 ³¹³⁷	No ³¹³⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹³⁹	No	No	No	No	Yes ³¹⁴⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if must register for Sex Registry ³¹⁴¹	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”³¹⁴²
- If yes, the offender shall be assessed a civil penalty of \$250³¹⁴³

³¹³² Iowa Code § 713.6B(2) (2017).

³¹³³ Iowa Code § 903.1(1)(b) (2017).

³¹³⁴ Iowa Code § 903.1(1)(b) (2017).

³¹³⁵ See Iowa Code § 907.3 (2017).

³¹³⁶ Iowa Code § 903.1(1)(b) (2017).

³¹³⁷ Iowa Code § 903.1(1)(b) (2017).

³¹³⁸ Iowa Code § 903.1(1) (2017).

³¹³⁹ Iowa Code § 911.1(1) (2017).

³¹⁴⁰ Iowa Code § 911.3(1) (2017).

³¹⁴¹ Iowa Code § 81.2(6) (2017).

³¹⁴² Iowa Code §§ 692A.102(1)(c) (22), 713.6B(3) (2017).

³¹⁴³ Iowa Code § 692A.110 (2017).

Second or Subsequent Offense

Class = aggravated misdemeanor³¹⁴⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³¹⁴⁵	0 ³¹⁴⁶	None	Yes ³¹⁴⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³¹⁴⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ³¹⁴⁹	\$625 ³¹⁵⁰	Yes ³¹⁵¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁵²	No	No	No	No	Yes ³¹⁵³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁵⁴	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”³¹⁵⁵
 - If yes, the offender shall be assessed a civil penalty of \$250³¹⁵⁶

³¹⁴⁴ Iowa Code § 713.6B(2) (2017).

³¹⁴⁵ Iowa Code § 903.1(2) (2017).

³¹⁴⁶ Iowa Code § 903.1(2) (2017).

³¹⁴⁷ See Iowa Code § 907.3, unnum. para. (2017).

³¹⁴⁸ Iowa Code § 903.1(2) (2017).

³¹⁴⁹ Iowa Code § 903.1(2) (2017).

³¹⁵⁰ Iowa Code § 903.1(2) (2017).

³¹⁵¹ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹⁵² Iowa Code § 911.1(1) (2017).

³¹⁵³ Iowa Code § 911.3(1) (2017).

³¹⁵⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³¹⁵⁵ Iowa Code §§ 692A.102(1)(c) (22), 713.6B(3) (2017).

³¹⁵⁶ Iowa Code § 692A.110 (2017).

§ 713.7—Possession of Burglar's Tools

Class = aggravated misdemeanor³¹⁵⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³¹⁵⁸	0 ³¹⁵⁹	None	Yes ³¹⁶⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³¹⁶¹

Fines

Max.	Min.	Can Suspend?
\$6250 ³¹⁶²	\$625 ³¹⁶³	Yes ³¹⁶⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁶⁵	No	No	No	No	Yes ³¹⁶⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁶⁷	No	No

Notes:

³¹⁵⁷ Iowa Code § 713.7 (2017).

³¹⁵⁸ Iowa Code § 903.1(2) (2017).

³¹⁵⁹ Iowa Code § 903.1(2) (2017).

³¹⁶⁰ See Iowa Code § 907.3, unnum. para. (2017).

³¹⁶¹ Iowa Code § 903.1(2) (2017).

³¹⁶² Iowa Code § 903.1(2) (2017).

³¹⁶³ Iowa Code § 903.1(2) (2017).

³¹⁶⁴ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹⁶⁵ Iowa Code § 911.1(1) (2017).

³¹⁶⁶ Iowa Code § 911.3(1) (2017).

³¹⁶⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 714 THEFT AND FRAUD

§ 714.2—Theft

§ 714.2(1)—First-degree theft

Class = “C” felony³¹⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³¹⁶⁹	0 ³¹⁷⁰	No, but see Enhancements	Yes ³¹⁷¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ³¹⁷²	\$1000 ³¹⁷³	Yes ³¹⁷⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁷⁵	No	No	No	No	Yes ³¹⁷⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁷⁷	No	No

Notes:

³¹⁶⁸ Iowa Code § 714.2(1) (2017).

³¹⁶⁹ Iowa Code § 902.9(1)(d) (2017).

³¹⁷⁰ Iowa Code § 902.9(1)(d) (2017).

³¹⁷¹ See Iowa Code § 907.3 (2017).

³¹⁷² Iowa Code § 902.9(1)(d) (2017).

³¹⁷³ Iowa Code § 902.9(1)(d) (2017).

³¹⁷⁴ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹⁷⁵ Iowa Code § 911.1(1) (2017).

³¹⁷⁶ Iowa Code § 911.3(1) (2017).

³¹⁷⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 714.2(2)—Second-degree theftClass = “D” felony³¹⁷⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³¹⁷⁹	0 ³¹⁸⁰	No, but see Enhancements	Yes ³¹⁸¹

Fines

Max.	Min.	Can Suspend?
\$7500 ³¹⁸²	\$750 ³¹⁸³	Yes ³¹⁸⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁸⁵	No	No	No	No	Yes ³¹⁸⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁸⁷	No	No

Notes:³¹⁷⁸ Iowa Code § 714.2(2) (2017).³¹⁷⁹ Iowa Code § 902.9(1)(e) (2017).³¹⁸⁰ Iowa Code § 902.9(1)(e) (2017).³¹⁸¹ See Iowa Code § 907.3 (2017).³¹⁸² Iowa Code § 902.9(1)(e) (2017).³¹⁸³ Iowa Code § 902.9(1)(e) (2017).³¹⁸⁴ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³¹⁸⁵ Iowa Code § 911.1(1) (2017).³¹⁸⁶ Iowa Code § 911.3(1) (2017).³¹⁸⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 714.2(3)—Third-degree theft

Class = aggravated misdemeanor³¹⁸⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³¹⁸⁹	0 ³¹⁹⁰	None	Yes ³¹⁹¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³¹⁹²

Fines

Max.	Min.	Can Suspend?
\$6250 ³¹⁹³	\$625 ³¹⁹⁴	Yes ³¹⁹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁹⁶	No	No	No	No	Yes ³¹⁹⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁹⁸	No	No

Notes:

³¹⁸⁸ Iowa Code § 714.2(3) (2017).

³¹⁸⁹ Iowa Code § 903.1(2) (2017).

³¹⁹⁰ Iowa Code § 903.1(2) (2017).

³¹⁹¹ See Iowa Code § 907.3, unnum. para. (2017).

³¹⁹² Iowa Code § 903.1(2) (2017).

³¹⁹³ Iowa Code § 903.1(2) (2017).

³¹⁹⁴ Iowa Code § 903.1(2) (2017).

³¹⁹⁵ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹⁹⁶ Iowa Code § 911.1(1) (2017).

³¹⁹⁷ Iowa Code § 911.3(1) (2017).

³¹⁹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 714.2(4)—Fourth-degree theftClass = serious misdemeanor³¹⁹⁹**Jail/Prison Time**

Max. 1 year ³²⁰⁰	Min. 0 ³²⁰¹	Mand. Min. before Parole Eligible? N/A	DJ, DS, or SS Eligible? Yes ³²⁰²
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Fines

Max. \$1875 ³²⁰³	Min. \$315 ³²⁰⁴	Can Suspend? No ³²⁰⁵
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Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁰⁶	No	No	No	No	Yes ³²⁰⁷

Miscellaneous

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

Notes:³¹⁹⁹ Iowa Code § 714.2(4) (2017).³²⁰⁰ Iowa Code § 903.1(1)(b) (2017).³²⁰¹ Iowa Code § 903.1(1)(b) (2017).³²⁰² See Iowa Code § 907.3 (2017).³²⁰³ Iowa Code § 903.1(1)(b) (2017).³²⁰⁴ Iowa Code § 903.1(1)(b) (2017).³²⁰⁵ Iowa Code § 903.1(1) (2017).³²⁰⁶ Iowa Code § 911.1(1) (2017).³²⁰⁷ Iowa Code § 911.3(1) (2017).

§ 714.2(5)—Fifth-degree theft

Class = simple misdemeanor³²⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³²⁰⁹	0 ³²¹⁰	N/A	Yes ³²¹¹

Fines

Max.	Min.	Can Suspend?
\$625 ³²¹²	\$65 ³²¹³	No ³²¹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²¹⁵	No	No	No	No	Yes ³²¹⁶

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 imprisonment³²¹⁷

³²⁰⁸ Iowa Code § 714.2(5) (2017).

³²⁰⁹ Iowa Code § 903.1(1)(a) (2017).

³²¹⁰ Iowa Code § 903.1(1)(a) (2017).

³²¹¹ See Iowa Code § 907.3 (2017).

³²¹² Iowa Code § 903.1(1)(a) (2017).

³²¹³ Iowa Code § 903.1(1)(a) (2017).

³²¹⁴ Iowa Code § 903.1(1) (2017).

³²¹⁵ Iowa Code § 911.1(1) (2017).

³²¹⁶ Iowa Code § 911.3(1) (2017).

³²¹⁷ Iowa Code § 714.7D (2017).

§ 714.3A—Aggravated Theft

§ 714.3A(1)—Aggravated theft

Class = aggravated misdemeanor³²¹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³²¹⁹	0 ³²²⁰	None	Yes ³²²¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³²²²

Fines

Max.	Min.	Can Suspend?
\$6250 ³²²³	\$625 ³²²⁴	Yes ³²²⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²²⁶	No	No	No	No	Yes ³²²⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²²⁸	No	No

Notes:

³²¹⁸ Iowa Code § 714.3A(2)(a) (2017).

³²¹⁹ Iowa Code § 903.1(2) (2017).

³²²⁰ Iowa Code § 903.1(2) (2017).

³²²¹ See Iowa Code § 907.3, unnum. para. (2017).

³²²² Iowa Code § 903.1(2) (2017).

³²²³ Iowa Code § 903.1(2) (2017).

³²²⁴ Iowa Code § 903.1(2) (2017).

³²²⁵ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³²²⁶ Iowa Code § 911.1(1) (2017).

³²²⁷ Iowa Code § 911.3(1) (2017).

³²²⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 714.3A(2)(b)—Aggravated theft plus prior conviction of aggravated theft, first- or second-degree robbery, or extortion

Class = “D” felony³²²⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³²³⁰	0 ³²³¹	No, but see Enhancements	Yes ³²³²

Fines

Max.	Min.	Can Suspend?
\$7500 ³²³³	\$750 ³²³⁴	Yes ³²³⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²³⁶	No	No	No	No	Yes ³²³⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²³⁸	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 extortion³²³⁹
 - 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 jurisdiction³²⁴⁰
 - court shall judicially notice these statutes³²⁴¹

³²²⁹ Iowa Code § 714.3A(2)(b) (2017).

³²³⁰ Iowa Code § 902.9(1)(e) (2017).

³²³¹ Iowa Code § 902.9(1)(e) (2017).

³²³² See Iowa Code § 907.3 (2017).

³²³³ Iowa Code § 902.9(1)(e) (2017).

³²³⁴ Iowa Code § 902.9(1)(e) (2017).

³²³⁵ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³²³⁶ Iowa Code § 911.1(1) (2017).

³²³⁷ Iowa Code § 911.3(1) (2017).

³²³⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³²³⁹ Iowa Code § 714.7D(3)(a) (2017).

³²⁴⁰ Iowa Code § 714.7D(3)(b) (2017).

³²⁴¹ Iowa Code § 714.7D(3)(b) (2017).

§ 714.7—Operating Vehicle Without Owner's Consent

Class = aggravated misdemeanor³²⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³²⁴³	0 ³²⁴⁴	None	Yes ³²⁴⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³²⁴⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ³²⁴⁷	\$625 ³²⁴⁸	Yes ³²⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁵⁰	No	No	No	No	Yes ³²⁵¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²⁵²	No	No

Notes:

³²⁴² Iowa Code § 714.7 (2017).

³²⁴³ Iowa Code § 903.1(2) (2017).

³²⁴⁴ Iowa Code § 903.1(2) (2017).

³²⁴⁵ See Iowa Code § 907.3, unnum. para. (2017).

³²⁴⁶ Iowa Code § 903.1(2) (2017).

³²⁴⁷ Iowa Code § 903.1(2) (2017).

³²⁴⁸ Iowa Code § 903.1(2) (2017).

³²⁴⁹ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³²⁵⁰ Iowa Code § 911.1(1) (2017).

³²⁵¹ Iowa Code § 911.3(1) (2017).

³²⁵² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 714.7B—Theft Detection Devices

§ 714.7B(1)—Manufacture, sale, possession, or distribution of theft detection shielding devices

Class = serious misdemeanor³²⁵³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³²⁵⁴	0 ³²⁵⁵	N/A	Yes ³²⁵⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ³²⁵⁷	\$315 ³²⁵⁸	No ³²⁵⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁶⁰	No	No	No	No	Yes ³²⁶¹

Miscellaneous

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

Notes:

³²⁵³ Iowa Code § 714.7B(5) (2017).

³²⁵⁴ Iowa Code § 903.1(1)(b) (2017).

³²⁵⁵ Iowa Code § 903.1(1)(b) (2017).

³²⁵⁶ See Iowa Code § 907.3 (2017).

³²⁵⁷ Iowa Code § 903.1(1)(b) (2017).

³²⁵⁸ Iowa Code § 903.1(1)(b) (2017).

³²⁵⁹ Iowa Code § 903.1(1) (2017).

³²⁶⁰ Iowa Code § 911.1(1) (2017).

³²⁶¹ Iowa Code § 911.3(1) (2017).

§ 714.7B(2)—Unlawful removal or attempted removal of theft detection device

Less Than \$200

Class = simple misdemeanor³²⁶²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³²⁶³	0 ³²⁶⁴	N/A	Yes ³²⁶⁵

Fines

Max.	Min.	Can Suspend?
\$625 ³²⁶⁶	\$65 ³²⁶⁷	No ³²⁶⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁶⁹	No	No	No	No	Yes ³²⁷⁰

Miscellaneous

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

Notes:

³²⁶² Iowa Code § 714.7B(6)(a) (2017).

³²⁶³ Iowa Code § 903.1(1)(a) (2017).

³²⁶⁴ Iowa Code § 903.1(1)(a) (2017).

³²⁶⁵ See Iowa Code § 907.3 (2017).

³²⁶⁶ Iowa Code § 903.1(1)(a) (2017).

³²⁶⁷ Iowa Code § 903.1(1)(a) (2017).

³²⁶⁸ Iowa Code § 903.1(1) (2017).

³²⁶⁹ Iowa Code § 911.1(1) (2017).

³²⁷⁰ Iowa Code § 911.3(1) (2017).

In Excess of \$200**Class** = serious misdemeanor³²⁷¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³²⁷²	0 ³²⁷³	N/A	Yes ³²⁷⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ³²⁷⁵	\$315 ³²⁷⁶	No ³²⁷⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁷⁸	No	No	No	No	Yes ³²⁷⁹

Miscellaneous

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

Notes:³²⁷¹ Iowa Code § 714.7B(6)(b) (2017).³²⁷² Iowa Code § 903.1(1)(b) (2017).³²⁷³ Iowa Code § 903.1(1)(b) (2017).³²⁷⁴ See Iowa Code § 907.3 (2017).³²⁷⁵ Iowa Code § 903.1(1)(b) (2017).³²⁷⁶ Iowa Code § 903.1(1)(b) (2017).³²⁷⁷ Iowa Code § 903.1(1) (2017).³²⁷⁸ Iowa Code § 911.1(1) (2017).³²⁷⁹ Iowa Code § 911.3(1) (2017).

§ 714.7B(3)—Possession of tool, instrument, or device with intent to use to remove theft detection deviceClass = serious misdemeanor³²⁸⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³²⁸¹	0 ³²⁸²	N/A	Yes ³²⁸³

Fines

Max.	Min.	Can Suspend?
\$1875 ³²⁸⁴	\$315 ³²⁸⁵	No ³²⁸⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁸⁷	No	No	No	No	Yes ³²⁸⁸

Miscellaneous

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

Notes:³²⁸⁰ Iowa Code § 714.7B(5) (2017).³²⁸¹ Iowa Code § 903.1(1)(b) (2017).³²⁸² Iowa Code § 903.1(1)(b) (2017).³²⁸³ See Iowa Code § 907.3 (2017).³²⁸⁴ Iowa Code § 903.1(1)(b) (2017).³²⁸⁵ Iowa Code § 903.1(1)(b) (2017).³²⁸⁶ Iowa Code § 903.1(1) (2017).³²⁸⁷ Iowa Code § 911.1(1) (2017).³²⁸⁸ Iowa Code § 911.3(1) (2017).

§ 714.7C—Theft of Product Containing Pseudoephedrine

Class = serious misdemeanor³²⁸⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³²⁹⁰	0 ³²⁹¹	N/A	Yes ³²⁹²

Fines

Max.	Min.	Can Suspend?
\$1875 ³²⁹³	\$315 ³²⁹⁴	No ³²⁹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁹⁶	No	No	No	No	Yes ³²⁹⁷

Miscellaneous

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

Notes:

³²⁸⁹ Iowa Code § 714.7C (2017).

³²⁹⁰ Iowa Code § 903.1(1)(b) (2017).

³²⁹¹ Iowa Code § 903.1(1)(b) (2017).

³²⁹² See Iowa Code § 907.3 (2017).

³²⁹³ Iowa Code § 903.1(1)(b) (2017).

³²⁹⁴ Iowa Code § 903.1(1)(b) (2017).

³²⁹⁵ Iowa Code § 903.1(1) (2017).

³²⁹⁶ Iowa Code § 911.1(1) (2017).

³²⁹⁷ Iowa Code § 911.3(1) (2017).

§ 714.9—First-Degree Fraudulent Practice

Class = “C” felony³²⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³²⁹⁹	0 ³³⁰⁰	No, but see Enhancements	Yes ³³⁰¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ³³⁰²	\$1000 ³³⁰³	Yes ³³⁰⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁰⁵	No	No	No	No	Yes ³³⁰⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³⁰⁷	No	No

Notes:

³²⁹⁸ Iowa Code § 714.9(2) (2017).

³²⁹⁹ Iowa Code § 902.9(1)(d) (2017).

³³⁰⁰ Iowa Code § 902.9(1)(d) (2017).

³³⁰¹ See Iowa Code § 907.3 (2017).

³³⁰² Iowa Code § 902.9(1)(d) (2017).

³³⁰³ Iowa Code § 902.9(1)(d) (2017).

³³⁰⁴ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³⁰⁵ Iowa Code § 911.1(1) (2017).

³³⁰⁶ Iowa Code § 911.3(1) (2017).

³³⁰⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 714.10—Second-Degree Fraudulent Practice

Class = “D” felony³³⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³³⁰⁹	0 ³³¹⁰	No, but see Enhancements	Yes ³³¹¹

Fines

Max.	Min.	Can Suspend?
\$7500 ³³¹²	\$750 ³³¹³	Yes ³³¹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³¹⁵	No	No	No	No	Yes ³³¹⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³¹⁷	No	No

Notes:

³³⁰⁸ Iowa Code § 714.10(2) (2017).

³³⁰⁹ Iowa Code § 902.9(1)(e) (2017).

³³¹⁰ Iowa Code § 902.9(1)(e) (2017).

³³¹¹ See Iowa Code § 907.3 (2017).

³³¹² Iowa Code § 902.9(1)(e) (2017).

³³¹³ Iowa Code § 902.9(1)(e) (2017).

³³¹⁴ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³¹⁵ Iowa Code § 911.1(1) (2017).

³³¹⁶ Iowa Code § 911.3(1) (2017).

³³¹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 714.11—Third-Degree Fraudulent Practice

Class = aggravated misdemeanor³³¹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³³¹⁹	0 ³³²⁰	None	Yes ³³²¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³³²²

Fines

Max.	Min.	Can Suspend?
\$6250 ³³²³	\$625 ³³²⁴	Yes ³³²⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³²⁶	No	No	No	No	Yes ³³²⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³²⁸	No	No

Notes:

³³¹⁸ Iowa Code § 714.11(2) (2017).

³³¹⁹ Iowa Code § 903.1(2) (2017).

³³²⁰ Iowa Code § 903.1(2) (2017).

³³²¹ See Iowa Code § 907.3 (2017).

³³²² Iowa Code § 903.1(2) (2017).

³³²³ Iowa Code § 903.1(2) (2017).

³³²⁴ Iowa Code § 903.1(2) (2017).

³³²⁵ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³²⁶ Iowa Code § 911.1(1) (2017).

³³²⁷ Iowa Code § 911.3(1) (2017).

³³²⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 714.12—Fourth-Degree Fraudulent Practices

Class = serious misdemeanor³³²⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³³³⁰	0 ³³³¹	N/A	Yes ³³³²

Fines

Max.	Min.	Can Suspend?
\$1875 ³³³³	\$315 ³³³⁴	No ³³³⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³³⁶	No	No	No	No	Yes ³³³⁷

Miscellaneous

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

Notes:

³³²⁹ Iowa Code § 714.12, unnum. para. 2 (2017).

³³³⁰ Iowa Code § 903.1(1)(b) (2017).

³³³¹ Iowa Code § 903.1(1)(b) (2017).

³³³² See Iowa Code § 907.3 (2017).

³³³³ Iowa Code § 903.1(1)(b) (2017).

³³³⁴ Iowa Code § 903.1(1)(b) (2017).

³³³⁵ Iowa Code § 903.1(1) (2017).

³³³⁶ Iowa Code § 911.1(1) (2017).

³³³⁷ Iowa Code § 911.3(1) (2017).

§ 714.13—Fifth-Degree Fraudulent Practices

Class = simple misdemeanor³³³⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³³³⁹	0 ³³⁴⁰	N/A	Yes ³³⁴¹

Fines

Max.	Min.	Can Suspend?
\$625 ³³⁴²	\$65 ³³⁴³	No ³³⁴⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁴⁵	No	No	No	No	Yes ³³⁴⁶

Miscellaneous

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

Notes:

³³³⁸ Iowa Code § 714.13, unnum. para. 2 (2017).

³³³⁹ Iowa Code § 903.1(1)(a) (2017).

³³⁴⁰ Iowa Code § 903.1(1)(a) (2017).

³³⁴¹ See Iowa Code § 907.3 (2017).

³³⁴² Iowa Code § 903.1(1)(a) (2017).

³³⁴³ Iowa Code § 903.1(1)(a) (2017).

³³⁴⁴ Iowa Code § 903.1(1) (2017).

³³⁴⁵ Iowa Code § 911.1(1) (2017).

³³⁴⁶ Iowa Code § 911.3(1) (2017).

§ 714.26—Intellectual Property Counterfeiting

§ 714.26(2)(a)—First-degree intellectual property counterfeiting

Class = “C” felony³³⁴⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³³⁴⁸	0 ³³⁴⁹	No, but see Enhancements	Yes ³³⁵⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ³³⁵¹	\$1000 ³³⁵²	Yes ³³⁵³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁵⁴	No	No	No	No	Yes ³³⁵⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³⁵⁶	No	No

Notes:

³³⁴⁷ Iowa Code § 714.26(2)(a)(2) (2017).

³³⁴⁸ Iowa Code § 902.9(1)(d) (2017).

³³⁴⁹ Iowa Code § 902.9(1)(d) (2017).

³³⁵⁰ See Iowa Code § 907.3 (2017).

³³⁵¹ Iowa Code § 902.9(1)(d) (2017).

³³⁵² Iowa Code § 902.9(1)(d) (2017).

³³⁵³ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³⁵⁴ Iowa Code § 911.1(1) (2017).

³³⁵⁵ Iowa Code § 911.3(1) (2017).

³³⁵⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 714.26(2)(b)—Second-degree intellectual property counterfeitingClass = “D” felony³³⁵⁷**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³³⁵⁸	0 ³³⁵⁹	No, but see Enhancements	Yes ³³⁶⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ³³⁶¹	\$750 ³³⁶²	Yes ³³⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁶⁴	No	No	No	No	Yes ³³⁶⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³⁶⁶	No	No

Notes:³³⁵⁷ Iowa Code § 714.26(2)(b)(2) (2017).³³⁵⁸ Iowa Code § 902.9(1)(e) (2017).³³⁵⁹ Iowa Code § 902.9(1)(e) (2017).³³⁶⁰ See Iowa Code § 907.3 (2017); see also *id.* § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).³³⁶¹ Iowa Code § 902.9(1)(e) (2017).³³⁶² Iowa Code § 902.9(1)(e) (2017).³³⁶³ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³³⁶⁴ Iowa Code § 911.1(1) (2017).³³⁶⁵ Iowa Code § 911.3(1) (2017).³³⁶⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 714.26(2)(c)—Third-degree intellectual property counterfeiting**Class** = aggravated misdemeanor³³⁶⁷**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³³⁶⁸	0 ³³⁶⁹	None	Yes ³³⁷⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³³⁷¹**Fines**

Max.	Min.	Can Suspend?
\$6250 ³³⁷²	\$625 ³³⁷³	Yes ³³⁷⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁷⁵	No	No	No	No	Yes ³³⁷⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³⁷⁷	No	No

Notes:³³⁶⁷ Iowa Code § 714.26(2)(c) (2017).³³⁶⁸ Iowa Code § 903.1(2) (2017).³³⁶⁹ Iowa Code § 903.1(2) (2017).³³⁷⁰ See Iowa Code § 907.3 (2017).³³⁷¹ Iowa Code § 903.1(2) (2017).³³⁷² Iowa Code § 903.1(2) (2017).³³⁷³ Iowa Code § 903.1(2) (2017).³³⁷⁴ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³³⁷⁵ Iowa Code § 911.1(1) (2017).³³⁷⁶ Iowa Code § 911.3(1) (2017).³³⁷⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 715A FORGERY AND RELATED OFFENSES

§ 715A.2—Forgery

§ 715A.2(2)(a)—Forgery involving money

Class = “D” felony³³⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³³⁷⁹	0 ³³⁸⁰	No, but see Enhancements	Yes ³³⁸¹

Fines

Max.	Min.	Can Suspend?
\$7500 ³³⁸²	\$750 ³³⁸³	Yes ³³⁸⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁸⁵	No	No	No	No	Yes, \$125 ³³⁸⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³⁸⁷	No	No

Notes:

³³⁷⁸ Iowa Code § 715A.2 (2)(a) (2017).

³³⁷⁹ Iowa Code § 902.9(1)(e) (2017).

³³⁸⁰ Iowa Code § 902.9(1)(e) (2017).

³³⁸¹ See Iowa Code § 907.3 (2017).

³³⁸² Iowa Code § 902.9(1)(e) (2017).

³³⁸³ Iowa Code § 902.9(1)(e) (2017).

³³⁸⁴ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³⁸⁵ Iowa Code § 911.1(1) (2017).

³³⁸⁶ Iowa Code § 911.3(1) (2017).

³³⁸⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 715A.2(2)(b)—Forgery involving legal relationship

Class = aggravated misdemeanor³³⁸⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³³⁸⁹	0 ³³⁹⁰	None	Yes ³³⁹¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³³⁹²

Fines

Max.	Min.	Can Suspend?
\$6250 ³³⁹³	\$625 ³³⁹⁴	Yes ³³⁹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁹⁶	No	No	No	No	Yes, \$125 ³³⁹⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³⁹⁸	No	No

Notes:

³³⁸⁸ Iowa Code § 715A.2 (2)(b) (2017).

³³⁸⁹ Iowa Code § 903.1(2) (2017).

³³⁹⁰ Iowa Code § 902.9(1)(e) (2017).

³³⁹¹ See Iowa Code § 907.3 (2017).

³³⁹² Iowa Code § 903.1(2) (2017).

³³⁹³ Iowa Code § 903.1(2) (2017).

³³⁹⁴ Iowa Code § 903.1(2) (2017).

³³⁹⁵ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³⁹⁶ Iowa Code § 911.1(1) (2017).

³³⁹⁷ Iowa Code § 911.3(1) (2017).

³³⁹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 715A.6—Credit Cards

§ 715A.6(2)(a)—Credit card fraud exceeding \$10,000

Class = “C” felony³³⁹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁴⁰⁰	0 ³⁴⁰¹	No, but see Enhancements	Yes ³⁴⁰²

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁴⁰³	\$1000 ³⁴⁰⁴	Yes ³⁴⁰⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁰⁶	No	No	No	No	Yes, \$125 ³⁴⁰⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁰⁸	No	No

Notes:

³³⁹⁹ Iowa Code § 715A.6(2)(a) (2017).

³⁴⁰⁰ Iowa Code § 902.9(1)(d) (2017).

³⁴⁰¹ Iowa Code § 902.9(1)(d) (2017).

³⁴⁰² See Iowa Code § 907.3 (2017).

³⁴⁰³ Iowa Code § 902.9(1)(d) (2017).

³⁴⁰⁴ Iowa Code § 902.9(1)(d) (2017).

³⁴⁰⁵ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴⁰⁶ Iowa Code § 911.1(1) (2017).

³⁴⁰⁷ Iowa Code § 911.3(1) (2017).

³⁴⁰⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 715A.6(2)(b)—Credit card fraud exceeding \$1000 but less than \$10,000Class = “D” felony³⁴⁰⁹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁴¹⁰	0 ³⁴¹¹	No, but see enhancements	Yes ³⁴¹²

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁴¹³	\$750 ³⁴¹⁴	Yes ³⁴¹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴¹⁶	No	No	No	No	Yes, \$125 ³⁴¹⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴¹⁸	No	No

Notes:³⁴⁰⁹ Iowa Code § 715A.6(2)(b) (2017).³⁴¹⁰ Iowa Code § 902.9(1)(e) (2017).³⁴¹¹ Iowa Code § 902.9(1)(e) (2017).³⁴¹² See Iowa Code § 907.3 (2017).³⁴¹³ Iowa Code § 902.9(1)(e) (2017).³⁴¹⁴ Iowa Code § 902.9(1)(e) (2017).³⁴¹⁵ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁴¹⁶ Iowa Code § 911.1(1) (2017).³⁴¹⁷ Iowa Code § 911.3(1) (2017).³⁴¹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 715A.6(2)(c)—Credit card fraud less than \$1000

Class = aggravated misdemeanor³⁴¹⁹³⁴²⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁴²¹	0 ³⁴²²	None	Yes ³⁴²³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁴²⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁴²⁵	\$625 ³⁴²⁶	Yes ³⁴²⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴²⁸	No	No	No	No	Yes, \$125 ³⁴²⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴³⁰	No	No

Notes:

³⁴¹⁹ Iowa Code § 715A.2 (2)(b) (2017).

³⁴²⁰ Iowa Code § 715A.6(2) (2017).

³⁴²¹ Iowa Code § 903.1(2) (2017).

³⁴²² Iowa Code § 902.9(1)(e) (2017).

³⁴²³ See Iowa Code § 907.3 (2017).

³⁴²⁴ Iowa Code § 903.1(2) (2017).

³⁴²⁵ Iowa Code § 903.1(2) (2017).

³⁴²⁶ Iowa Code § 903.1(2) (2017).

³⁴²⁷ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴²⁸ Iowa Code § 911.1(1) (2017).

³⁴²⁹ Iowa Code § 911.3(1) (2017).

³⁴³⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 715A.8—Identity Theft

§ 715A.8(3)(a)—In excess of \$10,000

Class = “C” felony³⁴³¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁴³²	0 ³⁴³³	No, but see Enhancements	Yes ³⁴³⁴

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁴³⁵	\$1000 ³⁴³⁶	Yes ³⁴³⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴³⁸	No	No	No	No	Yes, \$125 ³⁴³⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁴⁰	No	No

Notes:

- ❖ Property obtained in violation of § 715A.8 may be subject to forfeiture³⁴⁴¹

³⁴³¹ Iowa Code § 715A.8(3)(a) (2017).

³⁴³² Iowa Code § 902.9(1)(d) (2017).

³⁴³³ Iowa Code § 902.9(1)(d) (2017).

³⁴³⁴ See Iowa Code § 907.3 (2017).

³⁴³⁵ Iowa Code § 902.9(1)(d) (2017).

³⁴³⁶ Iowa Code § 902.9(1)(d) (2017).

³⁴³⁷ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴³⁸ Iowa Code § 911.1(1) (2017).

³⁴³⁹ Iowa Code § 911.3(1) (2017).

³⁴⁴⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³⁴⁴¹ Iowa Code § 715A.8(6) (2017).

§ 715A.8(3)(b)—In excess of \$1000 but not more than \$10,000

Class = “D” felony³⁴⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁴⁴³	0 ³⁴⁴⁴	No, but see Enhancements	Yes ³⁴⁴⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁴⁴⁶	\$750 ³⁴⁴⁷	Yes ³⁴⁴⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁴⁹	No	No	No	No	Yes, \$125 ³⁴⁵⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁵¹	No	No

Notes:

❖ Property obtained in violation of § 715A.8 may be subject to forfeiture³⁴⁵²

³⁴⁴² Iowa Code § 715A.8(3)(b) (2017).

³⁴⁴³ Iowa Code § 902.9(1)(e) (2017).

³⁴⁴⁴ Iowa Code § 902.9(1)(e) (2017).

³⁴⁴⁵ See Iowa Code § 907.3 (2017).

³⁴⁴⁶ Iowa Code § 902.9(1)(e) (2017).

³⁴⁴⁷ Iowa Code § 902.9(1)(e) (2017).

³⁴⁴⁸ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴⁴⁹ Iowa Code § 911.1(1) (2017).

³⁴⁵⁰ Iowa Code § 911.3(1) (2017).

³⁴⁵¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

³⁴⁵² Iowa Code § 715A.8(6) (2017).

§ 715A.8(3)(c)—Not in excess of \$1000Class = aggravated misdemeanor³⁴⁵³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁴⁵⁴	0 ³⁴⁵⁵	None	Yes ³⁴⁵⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁴⁵⁷**Fines**

Max.	Min.	Can Suspend?
\$6250 ³⁴⁵⁸	\$625 ³⁴⁵⁹	Yes ³⁴⁶⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁶¹	No	No	No	No	Yes, \$125 ³⁴⁶²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁶³	No	No

Notes:❖ Property obtained in violation of § 715A.8 may be subject to forfeiture³⁴⁶⁴³⁴⁵³ Iowa Code § 715A.8(3)(c) (2017).³⁴⁵⁴ Iowa Code § 903.1(2) (2017).³⁴⁵⁵ Iowa Code § 903.1(2) (2017).³⁴⁵⁶ See Iowa Code § 907.3 (2017).³⁴⁵⁷ Iowa Code § 903.1(2) (2017).³⁴⁵⁸ Iowa Code § 903.1(2) (2017).³⁴⁵⁹ Iowa Code § 903.1(2) (2017).³⁴⁶⁰ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁴⁶¹ Iowa Code § 911.1(1) (2017).³⁴⁶² Iowa Code § 911.3(1) (2017).³⁴⁶³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).³⁴⁶⁴ Iowa Code § 715A.8(6) (2017).

§ 715A.10—Illegal Use of Scanning Device or Reencoder

§ 715A.10(1)—Illegal use

Class = “D” felony³⁴⁶⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁴⁶⁶	0 ³⁴⁶⁷	No, but see Enhancements	Yes ³⁴⁶⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁴⁶⁹	\$750 ³⁴⁷⁰	Yes ³⁴⁷¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁷²	No	No	No	No	Yes, \$125 ³⁴⁷³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁷⁴	No	No

Notes:

³⁴⁶⁵ Iowa Code § 715A.10(1) (2017).

³⁴⁶⁶ Iowa Code § 902.9(1)(e) (2017).

³⁴⁶⁷ Iowa Code § 902.9(1)(e) (2017).

³⁴⁶⁸ See Iowa Code § 907.3 (2017).

³⁴⁶⁹ Iowa Code § 902.9(1)(e) (2017).

³⁴⁷⁰ Iowa Code § 902.9(1)(e) (2017).

³⁴⁷¹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴⁷² Iowa Code § 911.1(1) (2017).

³⁴⁷³ Iowa Code § 911.3(1) (2017).

³⁴⁷⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 715A.10(2)—Second or subsequent offenseClass = “C” felony³⁴⁷⁵**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁴⁷⁶	0 ³⁴⁷⁷	No, but see Enhancements	Yes ³⁴⁷⁸

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁴⁷⁹	\$1000 ³⁴⁸⁰	Yes ³⁴⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁸²	No	No	No	No	Yes, \$125 ³⁴⁸³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁸⁴	No	No

Notes:³⁴⁷⁵ Iowa Code § 715A.10(2) (2017).³⁴⁷⁶ Iowa Code § 902.9(1)(d) (2017).³⁴⁷⁷ Iowa Code § 902.9(1)(d) (2017).³⁴⁷⁸ See Iowa Code § 907.3 (2017).³⁴⁷⁹ Iowa Code § 902.9(1)(d) (2017).³⁴⁸⁰ Iowa Code § 902.9(1)(d) (2017).³⁴⁸¹ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁴⁸² Iowa Code § 911.1(1) (2017).³⁴⁸³ Iowa Code § 911.3(1) (2017).³⁴⁸⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 715B PROTECTION OF BUYERS OF FINE ART AND VISUAL ART MULTIPLES

§ 715B.3—Falsifying Certificates of Authenticity or False Representation

Class = aggravated misdemeanor³⁴⁸⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁴⁸⁶	0 ³⁴⁸⁷	None	Yes ³⁴⁸⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁴⁸⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁴⁹⁰	\$625 ³⁴⁹¹	Yes ³⁴⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁹⁴	No	No

Notes:

³⁴⁸⁵ Iowa Code § 715B.3 (2017).

³⁴⁸⁶ Iowa Code § 903.1(2) (2017).

³⁴⁸⁷ Iowa Code § 903.1(2) (2017).

³⁴⁸⁸ See Iowa Code § 907.3 (2017).

³⁴⁸⁹ Iowa Code § 903.1(2) (2017).

³⁴⁹⁰ Iowa Code § 903.1(2) (2017).

³⁴⁹¹ Iowa Code § 903.1(2) (2017).

³⁴⁹² See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴⁹³ Iowa Code § 911.1(1) (2017).

³⁴⁹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 716 DAMAGE AND TRESPASS TO REAL PROPERTY

§ 716.3—First-Degree Criminal Mischief

Class = “C” felony³⁴⁹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁴⁹⁶	0 ³⁴⁹⁷	No, but see Enhancements	Yes ³⁴⁹⁸

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁴⁹⁹	\$1000 ³⁵⁰⁰	Yes ³⁵⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁰²	No	No	No	No	Yes ³⁵⁰³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁰⁴	No	No

Notes:

³⁴⁹⁵ Iowa Code § 716.3(2) (2017).

³⁴⁹⁶ Iowa Code § 902.9(1)(d) (2017).

³⁴⁹⁷ Iowa Code § 902.9(1)(d) (2017).

³⁴⁹⁸ See Iowa Code § 907.3 (2017).

³⁴⁹⁹ Iowa Code § 902.9(1)(d) (2017).

³⁵⁰⁰ Iowa Code § 902.9(1)(d) (2017).

³⁵⁰¹ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵⁰² Iowa Code § 911.1(1) (2017).

³⁵⁰³ Iowa Code § 911.3(1) (2017).

³⁵⁰⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 716.4—Second-Degree Criminal Mischief

Class = “D” felony³⁵⁰⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁵⁰⁶	0 ³⁵⁰⁷	No, but see Enhancements	Yes ³⁵⁰⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁵⁰⁹	\$750 ³⁵¹⁰	Yes ³⁵¹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵¹²	No	No	No	No	Yes ³⁵¹³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵¹⁴	No	No

Notes:

³⁵⁰⁵ Iowa Code § 716.4(2) (2017).

³⁵⁰⁶ Iowa Code § 902.9(1)(e) (2017).

³⁵⁰⁷ Iowa Code § 902.9(1)(e) (2017).

³⁵⁰⁸ See Iowa Code § 907.3 (2017).

³⁵⁰⁹ Iowa Code § 902.9(1)(e) (2017).

³⁵¹⁰ Iowa Code § 902.9(1)(e) (2017).

³⁵¹¹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵¹² Iowa Code § 911.1(1) (2017).

³⁵¹³ Iowa Code § 911.3(1) (2017).

³⁵¹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 716.5—Third-Degree Criminal Mischief

Class = aggravated misdemeanor³⁵¹⁵

❖ If violation of § 716.5 is also a hate crime, offense is classified and punished as a “D” felony³⁵¹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁵¹⁷	0 ³⁵¹⁸	None	Yes ³⁵¹⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁵²⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁵²¹	\$625 ³⁵²²	Yes ³⁵²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵²⁴	No	No	No	No	Yes ³⁵²⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵²⁶	No	No

Notes:

³⁵¹⁵ Iowa Code § 716.5(2) (2017).

³⁵¹⁶ See Iowa Code § 716.6A (2017).

³⁵¹⁷ Iowa Code § 903.1(2) (2017).

³⁵¹⁸ Iowa Code § 903.1(2) (2017).

³⁵¹⁹ See Iowa Code § 907.3, unnum. para. (2017).

³⁵²⁰ Iowa Code § 903.1(2) (2017).

³⁵²¹ Iowa Code § 903.1(2) (2017).

³⁵²² Iowa Code § 903.1(2) (2017).

³⁵²³ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵²⁴ Iowa Code § 911.1(1) (2017).

³⁵²⁵ Iowa Code § 911.3(1) (2017).

³⁵²⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 716.6—Fourth- and Fifth-Degree Criminal Mischief

§ 716.6(1)—Fourth-degree criminal mischief

Class = serious misdemeanor³⁵²⁷

❖ If violation of § 716.6(1) is also a hate crime, offense is classified and punished as an aggravated misdemeanor³⁵²⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁵²⁹	0 ³⁵³⁰	N/A	Yes ³⁵³¹

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁵³²	\$315 ³⁵³³	No ³⁵³⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵³⁵	No	No	No	No	Yes ³⁵³⁶

Miscellaneous

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

Notes:

³⁵²⁷ Iowa Code § 716.6(1)(b) (2017).

³⁵²⁸ See Iowa Code § 716.6A (2017).

³⁵²⁹ Iowa Code § 903.1(1)(b) (2017).

³⁵³⁰ Iowa Code § 903.1(1)(b) (2017).

³⁵³¹ See Iowa Code § 907.3 (2017).

³⁵³² Iowa Code § 903.1(1)(b) (2017).

³⁵³³ Iowa Code § 903.1(1)(b) (2017).

³⁵³⁴ Iowa Code § 903.1(1) (2017).

³⁵³⁵ Iowa Code § 911.1(1) (2017).

³⁵³⁶ Iowa Code § 911.3(1) (2017).

§ 716.6(2)—Fifth-degree criminal mischief

Class = simple misdemeanor³⁵³⁷

❖ If violation of § 716.6(2) is also a hate crime, offense is classified and punished as a serious misdemeanor³⁵³⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁵³⁹	0 ³⁵⁴⁰	N/A	Yes ³⁵⁴¹

Fines

Max.	Min.	Can Suspend?
\$625 ³⁵⁴²	\$65 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	Yes ³⁵⁴⁶

Miscellaneous

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

Notes:

³⁵³⁷ Iowa Code § 716.6(2) (2017).

³⁵³⁸ See Iowa Code § 716.6A (2017).

³⁵³⁹ Iowa Code § 903.1(1)(a) (2017).

³⁵⁴⁰ Iowa Code § 903.1(1)(a) (2017).

³⁵⁴¹ See Iowa Code § 907.3 (2017).

³⁵⁴² Iowa Code § 903.1(1)(a) (2017).

³⁵⁴³ Iowa Code § 903.1(1)(a) (2017).

³⁵⁴⁴ Iowa Code § 903.1(1) (2017).

³⁵⁴⁵ Iowa Code § 911.1(1) (2017).

³⁵⁴⁶ Iowa Code § 911.3(1) (2017).

§ 716.6B—Unauthorized Computer Access

§ 716.6B(1)(a)—Unauthorized access of certain confidential information

Class = aggravated misdemeanor³⁵⁴⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁵⁴⁸	0 ³⁵⁴⁹	None	Yes ³⁵⁵⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁵⁵¹

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁵⁵²	\$625 ³⁵⁵³	Yes ³⁵⁵⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁵⁵	No	No	No	No	Yes ³⁵⁵⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁵⁷	No	No

Notes:

³⁵⁴⁷ Iowa Code § 716.6B(1)(a) (2017).

³⁵⁴⁸ Iowa Code § 903.1(2) (2017).

³⁵⁴⁹ Iowa Code § 903.1(2) (2017).

³⁵⁵⁰ See Iowa Code § 907.3, unnum. para. (2017).

³⁵⁵¹ Iowa Code § 903.1(2) (2017).

³⁵⁵² Iowa Code § 903.1(2) (2017).

³⁵⁵³ Iowa Code § 903.1(2) (2017).

³⁵⁵⁴ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵⁵⁵ Iowa Code § 911.1(1) (2017).

³⁵⁵⁶ Iowa Code § 911.3(1) (2017).

³⁵⁵⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 716.6B(1)(b)—Copying, altering, or deleting computer dataClass = serious misdemeanor³⁵⁵⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁵⁵⁹	0 ³⁵⁶⁰	N/A	Yes ³⁵⁶¹

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁵⁶²	\$315 ³⁵⁶³	No ³⁵⁶⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁶⁵	No	No	No	No	Yes ³⁵⁶⁶

Miscellaneous

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

Notes:³⁵⁵⁸ Iowa Code § 716.6A(1)(b) (2017).³⁵⁵⁹ Iowa Code § 903.1(1)(b) (2017).³⁵⁶⁰ Iowa Code § 903.1(1)(b) (2017).³⁵⁶¹ See Iowa Code § 907.3 (2017).³⁵⁶² Iowa Code § 903.1(1)(b) (2017).³⁵⁶³ Iowa Code § 903.1(1)(b) (2017).³⁵⁶⁴ Iowa Code § 903.1(1) (2017).³⁵⁶⁵ Iowa Code § 911.1(1) (2017).³⁵⁶⁶ Iowa Code § 911.3(1) (2017).

§ 716.6B(1)(c)—Any other unauthorized accessClass = simple misdemeanor³⁵⁶⁷**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁵⁶⁸	0 ³⁵⁶⁹	N/A	Yes ³⁵⁷⁰

Fines

Max.	Min.	Can Suspend?
\$625 ³⁵⁷¹	\$65 ³⁵⁷²	No ³⁵⁷³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁷⁴	No	No	No	No	Yes ³⁵⁷⁵

Miscellaneous

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

Notes:³⁵⁶⁷ Iowa Code § 716.6A(1)(a) (2017).³⁵⁶⁸ Iowa Code § 903.1(1)(a) (2017).³⁵⁶⁹ Iowa Code § 903.1(1)(a) (2017).³⁵⁷⁰ See Iowa Code § 907.3 (2017).³⁵⁷¹ Iowa Code § 903.1(1)(a) (2017).³⁵⁷² Iowa Code § 903.1(1)(a) (2017).³⁵⁷³ Iowa Code § 903.1(1) (2017).³⁵⁷⁴ Iowa Code § 911.1(1) (2017).³⁵⁷⁵ Iowa Code § 911.3(1) (2017).

§ 716.8—Trespass

§ 716.8(1)—Trespass on property of another

Class = simple misdemeanor³⁵⁷⁶ punishable as a scheduled violation per Iowa Code section 805.8C(11) as amended by 2017 Iowa Acts ch. 140, § 4, effective 7/1/2017

³⁵⁷⁶ Iowa Code § 716.8(1) (2017) (amended per 2017 Iowa Acts ch. 140, § 2, effective 7/1/2017).

§ 716.8(2)—Trespass resulting in injury to any person or damage of more than \$200Class = serious misdemeanor³⁵⁷⁷**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁵⁷⁸	0 ³⁵⁷⁹	N/A	Yes ³⁵⁸⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁵⁸¹	\$315 ³⁵⁸²	No ³⁵⁸³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁸⁴	No	No	No	No	Yes ³⁵⁸⁵

Miscellaneous

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

Notes:³⁵⁷⁷ Iowa Code § 716.8(2) (2017) (amended per 2017 Iowa Acts ch. 140, § 1, effective 7/1/2017).³⁵⁷⁸ Iowa Code § 903.1(1)(b) (2017).³⁵⁷⁹ Iowa Code § 903.1(1)(b) (2017).³⁵⁸⁰ See Iowa Code § 907.3 (2017).³⁵⁸¹ Iowa Code § 903.1(1)(b) (2017).³⁵⁸² Iowa Code § 903.1(1)(b) (2017).³⁵⁸³ Iowa Code § 903.1(1) (2017).³⁵⁸⁴ Iowa Code § 911.1(1) (2017).³⁵⁸⁵ Iowa Code § 911.3(1) (2017).

§ 716.8(3)—Trespass with intent to commit a hate crimeClass = serious misdemeanor³⁵⁸⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁵⁸⁷	0 ³⁵⁸⁸	N/A	Yes ³⁵⁸⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁵⁹⁰	\$315 ³⁵⁹¹	No ³⁵⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁹³	No	No	No	No	Yes ³⁵⁹⁴

Miscellaneous

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

Notes:³⁵⁸⁶ Iowa Code § 716.8(3) (2017).³⁵⁸⁷ Iowa Code § 903.1(1)(b) (2017).³⁵⁸⁸ Iowa Code § 903.1(1)(b) (2017).³⁵⁸⁹ See Iowa Code § 907.3 (2017).³⁵⁹⁰ Iowa Code § 903.1(1)(b) (2017).³⁵⁹¹ Iowa Code § 903.1(1)(b) (2017).³⁵⁹² Iowa Code § 903.1(1) (2017).³⁵⁹³ Iowa Code § 911.1(1) (2017).³⁵⁹⁴ Iowa Code § 911.3(1) (2017).

§ 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 misdemeanor³⁵⁹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁵⁹⁶	0 ³⁵⁹⁷	None	Yes ³⁵⁹⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁵⁹⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁶⁰⁰	\$625 ³⁶⁰¹	Yes ³⁶⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁰³	No	No	No	No	Yes ³⁶⁰⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁰⁵	No	No

Notes:

³⁵⁹⁵ Iowa Code § 716.8(4) (2017).

³⁵⁹⁶ Iowa Code § 903.1(2) (2017).

³⁵⁹⁷ Iowa Code § 903.1(2) (2017).

³⁵⁹⁸ See Iowa Code § 907.3, unnum. para. (2017).

³⁵⁹⁹ Iowa Code § 903.1(2) (2017).

³⁶⁰⁰ Iowa Code § 903.1(2) (2017).

³⁶⁰¹ Iowa Code § 903.1(2) (2017).

³⁶⁰² See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁶⁰³ Iowa Code § 911.1(1) (2017).

³⁶⁰⁴ Iowa Code § 911.3(1) (2017).

³⁶⁰⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 716.8(5)—Trespass while hunting deer

Class = simple misdemeanor³⁶⁰⁶ punishable as a scheduled violation per Iowa Code section 805.8C(11) as amended by 2017 Iowa Acts ch. 140, § 4, effective 7/1/2017

³⁶⁰⁶ Iowa Code § 716.8(5) (2017) (amended per 2017 Iowa Acts ch. 140, § 2, effective 7/1/2017).

§ 716.8(6)—Trespass as defined in § 716.7(2)(a)(6)Class = “D” felony³⁶⁰⁷**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁶⁰⁸	0 ³⁶⁰⁹	No, but see Enhancements	Yes ³⁶¹⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁶¹¹	\$750 ³⁶¹²	Yes ³⁶¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶¹⁴	No	No	No	No	Yes ³⁶¹⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶¹⁶	No	No

Notes:³⁶⁰⁷ Iowa Code § 716.8(6) (2017).³⁶⁰⁸ Iowa Code § 902.9(1)(e) (2017).³⁶⁰⁹ Iowa Code § 902.9(1)(e) (2017).³⁶¹⁰ See Iowa Code § 907.3 (2017).³⁶¹¹ Iowa Code § 902.9(1)(e) (2017).³⁶¹² Iowa Code § 902.9(1)(e) (2017).³⁶¹³ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁶¹⁴ Iowa Code § 911.1(1) (2017).³⁶¹⁵ Iowa Code § 911.3(1) (2017).³⁶¹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 716.8(7)—Trespass as defined in § 716.7(2)(a)(7)Class = serious misdemeanor³⁶¹⁷**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁶¹⁸	0 ³⁶¹⁹	N/A	Yes ³⁶²⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁶²¹	\$315 ³⁶²²	No ³⁶²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶²⁴	No	No	No	No	Yes ³⁶²⁵

Miscellaneous

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

Notes:³⁶¹⁷ Iowa Code § 716.8(7) (2017) (subsection added per 2017 Iowa Acts ch. 140, § 3, effective 7/1/2017).³⁶¹⁸ Iowa Code § 903.1(1)(b) (2017).³⁶¹⁹ Iowa Code § 903.1(1)(b) (2017).³⁶²⁰ See Iowa Code § 907.3 (2017).³⁶²¹ Iowa Code § 903.1(1)(b) (2017).³⁶²² Iowa Code § 903.1(1)(b) (2017).³⁶²³ Iowa Code § 903.1(1) (2017).³⁶²⁴ Iowa Code § 911.1(1) (2017).³⁶²⁵ Iowa Code § 911.3(1) (2017).

§ 716.9—Stowing Away

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	Yes ³⁶³⁴

Miscellaneous

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

Notes:

³⁶²⁶ Iowa Code § 716.9 (2017).

³⁶²⁷ Iowa Code § 903.1(1)(a) (2017).

³⁶²⁸ Iowa Code § 903.1(1)(a) (2017).

³⁶²⁹ See Iowa Code § 907.3 (2017).

³⁶³⁰ Iowa Code § 903.1(1)(a) (2017).

³⁶³¹ Iowa Code § 903.1(1)(a) (2017).

³⁶³² Iowa Code § 903.1(1) (2017).

³⁶³³ Iowa Code § 911.1(1) (2017).

³⁶³⁴ Iowa Code § 911.3(1) (2017).

§ 716.10—Railroad Vandalism

§ 716.10(2)(a)—First-degree railroad vandalism

Class = “B” felony³⁶³⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ³⁶³⁶	0 ³⁶³⁷	No, but see Enhancements	Yes ³⁶³⁸

Fines

Max.	Min.	Can Suspend?
0 ³⁶³⁹	0 ³⁶⁴⁰	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 ³⁶⁴¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁴²	No	No

Notes:

³⁶³⁵ Iowa Code § 716.10(2)(a) (2017).

³⁶³⁶ Iowa Code § 716.10(2)(a) (2017).

³⁶³⁷ Iowa Code § 902.9(1)(b) (2017).

³⁶³⁸ See Iowa Code § 907.3 (2017).

³⁶³⁹ See Iowa Code § 902.9(1)(b) (2017).

³⁶⁴⁰ See Iowa Code § 902.9(1)(b) (2017).

³⁶⁴¹ Iowa Code § 911.3(1)(a) (2017).

³⁶⁴² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 716.10(2)(b)—Second-degree railroad vandalismClass = “B” felony³⁶⁴³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ³⁶⁴⁴	0 ³⁶⁴⁵	No, but see Enhancements	Yes ³⁶⁴⁶

Fines

Max.	Min.	Can Suspend?
0 ³⁶⁴⁷	0 ³⁶⁴⁸	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 ³⁶⁴⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁵⁰	No	No

Notes:³⁶⁴³ Iowa Code § 716.10(2)(b) (2017).³⁶⁴⁴ Iowa Code § 902.9(1)(b) (2017).³⁶⁴⁵ Iowa Code § 902.9(1)(b) (2017).³⁶⁴⁶ See Iowa Code § 907.3 (2017).³⁶⁴⁷ See Iowa Code § 902.9(1)(b) (2017).³⁶⁴⁸ See Iowa Code § 902.9(1)(b) (2017).³⁶⁴⁹ Iowa Code § 911.3(1)(a).³⁶⁵⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 716.10(2)(c)—Third-degree railroad vandalismClass = “C” felony³⁶⁵¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁶⁵²	0 ³⁶⁵³	No, but see Enhancements	Yes ³⁶⁵⁴

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁶⁵⁵	\$1000 ³⁶⁵⁶	Yes ³⁶⁵⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁵⁸	No	No	No	No	Yes ³⁶⁵⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁶⁰	No	No

Notes:³⁶⁵¹ Iowa Code § 716.10(2)(c) (2017).³⁶⁵² Iowa Code § 902.9(1)(d) (2017).³⁶⁵³ Iowa Code § 902.9(1)(d) (2017).³⁶⁵⁴ See Iowa Code § 907.3 (2017).³⁶⁵⁵ Iowa Code § 902.9(1)(d) (2017).³⁶⁵⁶ Iowa Code § 902.9(1)(d) (2017).³⁶⁵⁷ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁶⁵⁸ Iowa Code § 911.1(1) (2017).³⁶⁵⁹ Iowa Code § 911.3(1) (2017).³⁶⁶⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 716.10(2)(d)—Fourth-degree railroad vandalismClass = “D” felony³⁶⁶¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁶⁶²	0 ³⁶⁶³	No, but see Enhancements	Yes ³⁶⁶⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁶⁶⁵	\$750 ³⁶⁶⁶	Yes ³⁶⁶⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁶⁸	No	No	No	No	Yes ³⁶⁶⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁷⁰	No	No

Notes:³⁶⁶¹ Iowa Code § 716.10(2)(d) (2017).³⁶⁶² Iowa Code § 902.9(1)(e) (2017).³⁶⁶³ Iowa Code § 902.9(1)(e) (2017).³⁶⁶⁴ See Iowa Code § 907.3 (2017).³⁶⁶⁵ Iowa Code § 902.9(1)(e) (2017).³⁶⁶⁶ Iowa Code § 902.9(1)(e) (2017).³⁶⁶⁷ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁶⁶⁸ Iowa Code § 911.1(1) (2017).³⁶⁶⁹ Iowa Code § 911.3(1) (2017).³⁶⁷⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 716.10(2)(e)—Fifth-degree railroad vandalism

Class = aggravated misdemeanor³⁶⁷¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁶⁷²	0 ³⁶⁷³	None	Yes ³⁶⁷⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁶⁷⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁶⁷⁶	\$625 ³⁶⁷⁷	Yes ³⁶⁷⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁷⁹	No	No	No	No	Yes ³⁶⁸⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁸¹	No	No

Notes:

³⁶⁷¹ Iowa Code § 716.5(2) (2017).

³⁶⁷² Iowa Code § 903.1(2) (2017).

³⁶⁷³ Iowa Code § 903.1(2) (2017).

³⁶⁷⁴ See Iowa Code § 907.3, unnum. para. (2017).

³⁶⁷⁵ Iowa Code § 903.1(2) (2017).

³⁶⁷⁶ Iowa Code § 903.1(2) (2017).

³⁶⁷⁷ Iowa Code § 903.1(2) (2017).

³⁶⁷⁸ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁶⁷⁹ Iowa Code § 911.1(1) (2017).

³⁶⁸⁰ Iowa Code § 911.3(1) (2017).

³⁶⁸¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 716.10(2)(f)—Sixth-degree railroad vandalism**Class** = serious misdemeanor³⁶⁸²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁶⁸³	0 ³⁶⁸⁴	N/A	Yes ³⁶⁸⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁶⁸⁶	\$315 ³⁶⁸⁷	No ³⁶⁸⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁸⁹	No	No	No	No	Yes ³⁶⁹⁰

Miscellaneous

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

Notes:³⁶⁸² Iowa Code § 716.10(2)(f) (2017).³⁶⁸³ Iowa Code § 903.1(1)(b) (2017).³⁶⁸⁴ Iowa Code § 903.1(1)(b) (2017).³⁶⁸⁵ See Iowa Code § 907.3 (2017).³⁶⁸⁶ Iowa Code § 903.1(1)(b) (2017).³⁶⁸⁷ Iowa Code § 903.1(1)(b) (2017).³⁶⁸⁸ Iowa Code § 903.1(1) (2017).³⁶⁸⁹ Iowa Code § 911.1(1) (2017).³⁶⁹⁰ Iowa Code § 911.3(1) (2017).

§ 716.10(2)(g)—Seventh-degree railroad vandalismClass = simple misdemeanor³⁶⁹¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁶⁹²	0 ³⁶⁹³	N/A	Yes ³⁶⁹⁴

Fines

Max.	Min.	Can Suspend?
\$625 ³⁶⁹⁵	\$65 ³⁶⁹⁶	No ³⁶⁹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁹⁸	No	No	No	No	Yes ³⁶⁹⁹

Miscellaneous

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

Notes:³⁶⁹¹ Iowa Code § 716.10(2)(g) (2017).³⁶⁹² Iowa Code § 903.1(1)(a) (2017).³⁶⁹³ Iowa Code § 903.1(1)(a) (2017).³⁶⁹⁴ See Iowa Code § 907.3 (2017).³⁶⁹⁵ Iowa Code § 903.1(1)(a) (2017).³⁶⁹⁶ Iowa Code § 903.1(1)(a) (2017).³⁶⁹⁷ Iowa Code § 903.1(1) (2017).³⁶⁹⁸ Iowa Code § 911.1(1) (2017).³⁶⁹⁹ Iowa Code § 911.3(1) (2017).

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 misdemeanor³⁷⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁷⁰¹	0 ³⁷⁰²	N/A	Yes ³⁷⁰³

Fines

Max.	Min.	Can Suspend?
\$625 ³⁷⁰⁴	\$250 ³⁷⁰⁵	No ³⁷⁰⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁰⁷	No	No	No	No	No

Miscellaneous

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

Notes:

³⁷⁰⁰ Iowa Code § 719.1(1)(b) (2017) (amended by 2017 Iowa Acts ch. 42, § 1, expands section 719.1 to include those providing bailiff services, effective 7/1/2017).

³⁷⁰¹ Iowa Code § 903.1(1)(a) (2017).

³⁷⁰² Iowa Code § 903.1(1)(a) (2017).

³⁷⁰³ See Iowa Code § 907.3 (2017).

³⁷⁰⁴ Iowa Code § 903.1(1)(a) (2017).

³⁷⁰⁵ Iowa Code § 719.1(1)(b) (2017).

³⁷⁰⁶ Iowa Code § 903.1(1) (2017).

³⁷⁰⁷ Iowa Code § 911.1(1) (2017).

§ 719.1(1)(c)—Resulting in bodily injury**Class** = serious misdemeanor³⁷⁰⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁷⁰⁹	0 ³⁷¹⁰	N/A	Yes ³⁷¹¹

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁷¹²	\$315 ³⁷¹³	No ³⁷¹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷¹⁵	No	No	No	No	No

Miscellaneous

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

Notes:³⁷⁰⁸ Iowa Code § 719.1(1)(c) (2017).³⁷⁰⁹ Iowa Code § 903.1(1)(b) (2017).³⁷¹⁰ Iowa Code § 903.1(1)(b) (2017).³⁷¹¹ See Iowa Code § 907.3 (2017).³⁷¹² Iowa Code § 903.1(1)(b) (2017).³⁷¹³ Iowa Code § 903.1(1)(b) (2017).³⁷¹⁴ Iowa Code § 903.1(1) (2017).³⁷¹⁵ Iowa Code § 911.1(1) (2017).

§ 719.1(1)(d)—Resulting in serious injuryClass = aggravated misdemeanor³⁷¹⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁷¹⁷	0 ³⁷¹⁸	None	Yes ³⁷¹⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁷²⁰**Fines**

Max.	Min.	Can Suspend?
\$6250 ³⁷²¹	\$625 ³⁷²²	Yes ³⁷²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷²⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷²⁵	No	No

Notes:³⁷¹⁶ Iowa Code § 719.1(1)(d) (2017).³⁷¹⁷ Iowa Code § 903.1(2) (2017).³⁷¹⁸ Iowa Code § 903.1(2) (2017).³⁷¹⁹ See Iowa Code § 907.3 (2017).³⁷²⁰ Iowa Code § 903.1(2) (2017).³⁷²¹ Iowa Code § 902.9(1)(e) (2017).³⁷²² Iowa Code § 902.9(1)(e) (2017).³⁷²³ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁷²⁴ Iowa Code § 911.1(1) (2017).³⁷²⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.1(1)(e)—Inflicting non-serious bodily injury

Class = aggravated misdemeanor³⁷²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁷²⁷	0 ³⁷²⁸	None	Yes ³⁷²⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁷³⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁷³¹	\$625 ³⁷³²	Yes ³⁷³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷³⁵	No	No

Notes:

³⁷²⁶ Iowa Code § 719.1(1)(e) (2017).

³⁷²⁷ Iowa Code § 903.1(2) (2017).

³⁷²⁸ Iowa Code § 903.1(2) (2017).

³⁷²⁹ See Iowa Code § 907.3 (2017).

³⁷³⁰ Iowa Code § 903.1(2) (2017).

³⁷³¹ Iowa Code § 902.9(1)(e) (2017).

³⁷³² Iowa Code § 902.9(1)(e) (2017).

³⁷³³ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁷³⁴ Iowa Code § 911.1(1) (2017).

³⁷³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.1(1)(f)—Inflicting or attempting to inflict serious injury, while displaying a dangerous weapon, or while armed with a firearm

Class = “D” felony³⁷³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁷³⁷	0 ³⁷³⁸	No, but see Enhancements	Yes ³⁷³⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁷⁴⁰	\$750 ³⁷⁴¹	Yes ³⁷⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁴⁴	No	No

Notes:

³⁷³⁶ Iowa Code § 719.1(1)(f) (2017).

³⁷³⁷ Iowa Code § 902.9(1)(e) (2017).

³⁷³⁸ Iowa Code § 902.9(1)(e) (2017).

³⁷³⁹ See Iowa Code § 907.3 (2017).

³⁷⁴⁰ Iowa Code § 902.9(1)(e) (2017).

³⁷⁴¹ Iowa Code § 902.9(1)(e) (2017).

³⁷⁴² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁷⁴³ Iowa Code § 911.1(1) (2017).

³⁷⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 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 misdemeanor³⁷⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁷⁴⁶	0 ³⁷⁴⁷	N/A	Yes ³⁷⁴⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁷⁴⁹	\$315 ³⁷⁵⁰	No ³⁷⁵¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁵²	No	No	No	No	No

Miscellaneous

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

Notes:

³⁷⁴⁵ Iowa Code § 719.1(2)(b) (2017).

³⁷⁴⁶ Iowa Code § 903.1(1)(b) (2017).

³⁷⁴⁷ Iowa Code § 903.1(1)(b) (2017).

³⁷⁴⁸ See Iowa Code § 907.3 (2017).

³⁷⁴⁹ Iowa Code § 903.1(1)(b) (2017).

³⁷⁵⁰ Iowa Code § 903.1(1)(b) (2017).

³⁷⁵¹ Iowa Code § 903.1(1) (2017).

³⁷⁵² Iowa Code § 911.1(1) (2017).

§ 719.1(2)(c)—While committing an assault**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 § 719.1(2)(c) (2017).³⁷⁵⁴ Iowa Code § 903.1(2) (2017).³⁷⁵⁵ Iowa Code § 903.1(2) (2017).³⁷⁵⁶ See Iowa Code § 907.3 (2017).³⁷⁵⁷ Iowa Code § 903.1(2) (2017).³⁷⁵⁸ Iowa Code § 902.9(1)(e) (2017).³⁷⁵⁹ Iowa Code § 902.9(1)(e) (2017).³⁷⁶⁰ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁷⁶¹ Iowa Code § 911.1(1) (2017).³⁷⁶² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.1(2)(d)—Resulting in bodily injuryClass = aggravated misdemeanor³⁷⁶³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁷⁶⁴	0 ³⁷⁶⁵	None	Yes ³⁷⁶⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁷⁶⁷**Fines**

Max.	Min.	Can Suspend?
\$6250 ³⁷⁶⁸	\$625 ³⁷⁶⁹	Yes ³⁷⁷⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁷¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁷²	No	No

Notes:³⁷⁶³ Iowa Code § 719.1(2)(d) (2017).³⁷⁶⁴ Iowa Code § 903.1(2) (2017).³⁷⁶⁵ Iowa Code § 903.1(2) (2017).³⁷⁶⁶ See Iowa Code § 907.3 (2017).³⁷⁶⁷ Iowa Code § 903.1(2) (2017).³⁷⁶⁸ Iowa Code § 902.9(1)(e) (2017).³⁷⁶⁹ Iowa Code § 902.9(1)(e) (2017).³⁷⁷⁰ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁷⁷¹ Iowa Code § 911.1(1) (2017).³⁷⁷² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.1(2)(e)—Resulting in serious injuryClass = “D” felony³⁷⁷³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁷⁷⁴	0 ³⁷⁷⁵	No, but see Enhancements	Yes ³⁷⁷⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁷⁷⁷	\$750 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:³⁷⁷³ Iowa Code § 719.1(2)(e) (2017).³⁷⁷⁴ Iowa Code § 902.9(1)(e) (2017).³⁷⁷⁵ Iowa Code § 902.9(1)(e) (2017).³⁷⁷⁶ See Iowa Code § 907.3 (2017).³⁷⁷⁷ Iowa Code § 902.9(1)(e) (2017).³⁷⁷⁸ Iowa Code § 902.9(1)(e) (2017).³⁷⁷⁹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁷⁸⁰ Iowa Code § 911.1(1) (2017).³⁷⁸¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.1(2)(f)—Inflicting or attempting to inflict serious injury, while displaying a dangerous weapon, or while armed with a firearm

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 ³⁷⁸⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁸⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁹⁰	No	No

Notes:

³⁷⁸² Iowa Code § 719.1(2)(f) (2017).

³⁷⁸³ Iowa Code § 902.9(1)(e) (2017).

³⁷⁸⁴ Iowa Code § 902.9(1)(e) (2017).

³⁷⁸⁵ See Iowa Code § 907.3 (2017).

³⁷⁸⁶ Iowa Code § 902.9(1)(e) (2017).

³⁷⁸⁷ Iowa Code § 902.9(1)(e) (2017).

³⁷⁸⁸ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁷⁸⁹ Iowa Code § 911.1(1) (2017).

³⁷⁹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.1(2)(g)—While using or attempting to use a dangerous weapon, or inflicting serious injury

Class = “C” felony³⁷⁹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁷⁹²	0 ³⁷⁹³	No, but see Enhancements	Yes ³⁷⁹⁴

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁷⁹⁵	\$1000 ³⁷⁹⁶	Yes ³⁷⁹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁹⁹	No	No

Notes:

³⁷⁹¹ Iowa Code § 719.1(2)(g) (201).

³⁷⁹² Iowa Code § 902.9(1)(d) (2017).

³⁷⁹³ Iowa Code § 902.9(1)(d) (2017).

³⁷⁹⁴ See Iowa Code § 907.3 (2017).

³⁷⁹⁵ Iowa Code § 902.9(1)(d) (2017).

³⁷⁹⁶ Iowa Code § 902.9(1)(d) (2017).

³⁷⁹⁷ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁷⁹⁸ Iowa Code § 911.1(1) (2017).

³⁷⁹⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.1A—Providing False Identification Information

Class = simple misdemeanor³⁸⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁸⁰¹	0 ³⁸⁰²	N/A	Yes ³⁸⁰³

Fines

Max.	Min.	Can Suspend?
\$625 ³⁸⁰⁴	\$65 ³⁸⁰⁵	No ³⁸⁰⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁰⁷	No	No	No	No	No

Miscellaneous

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

Notes:

³⁸⁰⁰ Iowa Code § 719.1A (2017).

³⁸⁰¹ Iowa Code § 903.1(1)(a) (2017).

³⁸⁰² Iowa Code § 903.1(1)(a) (2017).

³⁸⁰³ See Iowa Code § 907.3 (2017).

³⁸⁰⁴ Iowa Code § 903.1(1)(a) (2017).

³⁸⁰⁵ Iowa Code § 903.1(1)(a) (2017).

³⁸⁰⁶ Iowa Code § 903.1(1) (2017).

³⁸⁰⁷ Iowa Code § 911.1(1) (2017).

§ 719.2—Refusing to Assist Officer

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 § 719.2 (2017).

³⁸⁰⁹ Iowa Code § 903.1(1)(a) (2017).

³⁸¹⁰ Iowa Code § 903.1(1)(a) (2017).

³⁸¹¹ See Iowa Code § 907.3 (2017).

³⁸¹² Iowa Code § 903.1(1)(a) (2017).

³⁸¹³ Iowa Code § 903.1(1)(a) (2017).

³⁸¹⁴ Iowa Code § 903.1(1) (2017).

³⁸¹⁵ Iowa Code § 911.1(1) (2017).

§ 719.3—Preventing Apprehension, Obstructing Prosecution, or Obstructing Defense

Class = aggravated misdemeanor³⁸¹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁸¹⁷	0 ³⁸¹⁸	None	Yes ³⁸¹⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁸²⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁸²¹	\$625 ³⁸²²	Yes ³⁸²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸²⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸²⁵	No	No

Notes:

³⁸¹⁶ Iowa Code § 719.3 (2017).

³⁸¹⁷ Iowa Code § 903.1(2) (2017).

³⁸¹⁸ Iowa Code § 903.1(2) (2017).

³⁸¹⁹ See Iowa Code § 907.3 (2017).

³⁸²⁰ Iowa Code § 903.1(2) (2017).

³⁸²¹ Iowa Code § 902.9(1)(e) (2017).

³⁸²² Iowa Code § 902.9(1)(e) (2017).

³⁸²³ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸²⁴ Iowa Code § 911.1(1) (2017).

³⁸²⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.4—Escape or Absence from Custody

§ 719.4(1)—Felon escape or attempting to escape

Class = “D” felony³⁸²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁸²⁷	0 ³⁸²⁸	No, but see Enhancements	Yes ³⁸²⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁸³⁰	\$750 ³⁸³¹	Yes ³⁸³²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸³³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸³⁴	No	No

Notes:

³⁸²⁶ Iowa Code § 719.4(1) (2017).

³⁸²⁷ Iowa Code § 902.9(1)(e) (2017).

³⁸²⁸ Iowa Code § 902.9(1)(e) (2017).

³⁸²⁹ See Iowa Code § 907.3 (2017).

³⁸³⁰ Iowa Code § 902.9(1)(e) (2017).

³⁸³¹ Iowa Code § 902.9(1)(e) (2017).

³⁸³² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸³³ Iowa Code § 911.1(1) (2017).

³⁸³⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.4(2)—Misdemeanant escape or attempting to escapes**Class** = serious misdemeanor³⁸³⁵**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸³⁶	0 ³⁸³⁷	N/A	Yes ³⁸³⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸³⁹	\$315 ³⁸⁴⁰	No ³⁸⁴¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁴²	No	No	No	No	No

Miscellaneous

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

Notes:³⁸³⁵ Iowa Code § 719.4(2) (2017).³⁸³⁶ Iowa Code § 903.1(1)(b) (2017).³⁸³⁷ Iowa Code § 903.1(1)(b) (2017).³⁸³⁸ See Iowa Code § 907.3 (2017).³⁸³⁹ Iowa Code § 903.1(1)(b) (2017).³⁸⁴⁰ Iowa Code § 903.1(1)(b) (2017).³⁸⁴¹ Iowa Code § 903.1(1) (2017).³⁸⁴² Iowa Code § 911.1(1) (2017).

§ 719.4(3)—Absence from department of corrections institution or community-based correctional facilityClass = serious misdemeanor³⁸⁴³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸⁴⁴	0 ³⁸⁴⁵	N/A	Yes ³⁸⁴⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸⁴⁷	\$315 ³⁸⁴⁸	No ³⁸⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁵⁰	No	No	No	No	No

Miscellaneous

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

Notes:³⁸⁴³ Iowa Code § 719.4(3) (2017).³⁸⁴⁴ Iowa Code § 903.1(1)(b) (2017).³⁸⁴⁵ Iowa Code § 903.1(1)(b) (2017).³⁸⁴⁶ See Iowa Code § 907.3 (2017).³⁸⁴⁷ Iowa Code § 903.1(1)(b) (2017).³⁸⁴⁸ Iowa Code § 903.1(1)(b) (2017).³⁸⁴⁹ Iowa Code § 903.1(1) (2017).³⁸⁵⁰ Iowa Code § 911.1(1) (2017).

§ 719.4(4)—Flees from the state to avoid prosecution for felony or aggravated misdemeanorClass = “D” felony³⁸⁵¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁸⁵²	0 ³⁸⁵³	No, but see Enhancements	Yes ³⁸⁵⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁸⁵⁵	\$750 ³⁸⁵⁶	Yes ³⁸⁵⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁵⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁵⁹	No	No

Notes:³⁸⁵¹ Iowa Code § 719.4(4) (2017).³⁸⁵² Iowa Code § 902.9(1)(e) (2017).³⁸⁵³ Iowa Code § 902.9(1)(e) (2017).³⁸⁵⁴ See Iowa Code § 907.3 (2017).³⁸⁵⁵ Iowa Code § 902.9(1)(e) (2017).³⁸⁵⁶ Iowa Code § 902.9(1)(e) (2017).³⁸⁵⁷ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁸⁵⁸ Iowa Code § 911.1(1) (2017).³⁸⁵⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.5—Permitting Prisoner to Escape

§ 719.5(1)—Permitting prisoner convicted or charged with “A” felony to escape

Class = “C” felony³⁸⁶⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁸⁶¹	0 ³⁸⁶²	No, but see Enhancements	Yes ³⁸⁶³

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁸⁶⁴	\$1000 ³⁸⁶⁵	Yes ³⁸⁶⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁶⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁶⁸	No	No

Notes:

³⁸⁶⁰ Iowa Code § 719.5(1) (2017).

³⁸⁶¹ Iowa Code § 902.9(1)(d) (2017).

³⁸⁶² Iowa Code § 902.9(1)(d) (2017).

³⁸⁶³ See Iowa Code § 907.3 (2017).

³⁸⁶⁴ Iowa Code § 902.9(1)(d) (2017).

³⁸⁶⁵ Iowa Code § 902.9(1)(d) (2017).

³⁸⁶⁶ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸⁶⁷ Iowa Code § 911.1(1) (2017).

³⁸⁶⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.5(2)—Permitting prisoner convicted or charged with any public offense other than an “A” felony to escape

Class = “D” felony³⁸⁶⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁸⁷⁰	0 ³⁸⁷¹	No, but see Enhancements	Yes ³⁸⁷²

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁸⁷³	\$750 ³⁸⁷⁴	Yes ³⁸⁷⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁷⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁷⁷	No	No

Notes:

³⁸⁶⁹ Iowa Code § 719.5(2) (2017).

³⁸⁷⁰ Iowa Code § 902.9(1)(e) (2017).

³⁸⁷¹ Iowa Code § 902.9(1)(e) (2017).

³⁸⁷² See Iowa Code § 907.3 (2017).

³⁸⁷³ Iowa Code § 902.9(1)(e) (2017).

³⁸⁷⁴ Iowa Code § 902.9(1)(e) (2017).

³⁸⁷⁵ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸⁷⁶ Iowa Code § 911.1(1) (2017).

³⁸⁷⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.6—Assisting Prisoner to Escape

§ 719.6(1)—Assisting prisoner convicted of “A” felony to escape

Class = “C” felony³⁸⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁸⁷⁹	0 ³⁸⁸⁰	No, but see Enhancements	Yes ³⁸⁸¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁸⁸²	\$1000 ³⁸⁸³	Yes ³⁸⁸⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁸⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁸⁶	No	No

Notes:

³⁸⁷⁸ Iowa Code § 719.6(1) (2017).

³⁸⁷⁹ Iowa Code § 902.9(1)(d) (2017).

³⁸⁸⁰ Iowa Code § 902.9(1)(d) (2017).

³⁸⁸¹ See Iowa Code § 907.3 (2017).

³⁸⁸² Iowa Code § 902.9(1)(d) (2017).

³⁸⁸³ Iowa Code § 902.9(1)(d) (2017).

³⁸⁸⁴ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸⁸⁵ Iowa Code § 911.1(1) (2017).

³⁸⁸⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.6(2)—Assisting prisoner convicted of any public offense other than an “A” felony to escape

Class = “D” felony³⁸⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁸⁸⁸	0 ³⁸⁸⁹	No, but see Enhancements	Yes ³⁸⁹⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁸⁹¹	\$750 ³⁸⁹²	Yes ³⁸⁹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁹⁵	No	No

Notes:

³⁸⁸⁷ Iowa Code § 719.6(2) (2017).

³⁸⁸⁸ Iowa Code § 902.9(1)(e) (2017).

³⁸⁸⁹ Iowa Code § 902.9(1)(e) (2017).

³⁸⁹⁰ See Iowa Code § 907.3 (2017).

³⁸⁹¹ Iowa Code § 902.9(1)(e) (2017).

³⁸⁹² Iowa Code § 902.9(1)(e) (2017).

³⁸⁹³ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸⁹⁴ Iowa Code § 911.1(1) (2017).

³⁸⁹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.7—Possessing Contraband

§ 719.7(4)(a)—Contraband including dangerous or offensive weapon, ammunition, knife, incendiary material, etc.

Class = “C” felony³⁸⁹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁸⁹⁷	0 ³⁸⁹⁸	No, but see Enhancements	Yes ³⁸⁹⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁹⁰⁰	\$1000 ³⁹⁰¹	Yes ³⁹⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁰³	No	No	No	No	Yes, \$125 ³⁹⁰⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁰⁵	No	No

Notes:

³⁸⁹⁶ Iowa Code § 719.7(4)(a) (2017).

³⁸⁹⁷ Iowa Code § 902.9(1)(d) (2017).

³⁸⁹⁸ Iowa Code § 902.9(1)(d) (2017).

³⁸⁹⁹ See Iowa Code § 907.3 (2017).

³⁹⁰⁰ Iowa Code § 902.9(1)(d) (2017).

³⁹⁰¹ Iowa Code § 902.9(1)(d) (2017).

³⁹⁰² See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹⁰³ Iowa Code § 911.1(1) (2017).

³⁹⁰⁴ Iowa Code § 911.3(1) (2017).

³⁹⁰⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.7(4)(b)—Any other contrabandClass = “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 ³⁹¹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹¹³	No	No	No	No	Yes, \$125 ³⁹¹⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹¹⁵	No	No

Notes:³⁹⁰⁶ Iowa Code § 719.7(4)(b) (2017).³⁹⁰⁷ Iowa Code § 902.9(1)(e) (2017).³⁹⁰⁸ Iowa Code § 902.9(1)(e) (2017).³⁹⁰⁹ See Iowa Code § 907.3 (2017).³⁹¹⁰ Iowa Code § 902.9(1)(e) (2017).³⁹¹¹ Iowa Code § 902.9(1)(e) (2017).³⁹¹² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁹¹³ Iowa Code § 911.1(1) (2017).³⁹¹⁴ Iowa Code § 911.3(1) (2017).³⁹¹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.7(4)(c)—Failure to report known possession or attempted possession of contrabandClass = aggravated misdemeanor³⁹¹⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁹¹⁷	0 ³⁹¹⁸	None	Yes ³⁹¹⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁹²⁰**Fines**

Max.	Min.	Can Suspend?
\$6250 ³⁹²¹	\$625 ³⁹²²	Yes ³⁹²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹²⁴	No	No	No	No	Yes, \$125 ³⁹²⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹²⁶	No	No

Notes:³⁹¹⁶ Iowa Code § 719.7(4)(c) (2017).³⁹¹⁷ Iowa Code § 903.1(2) (2017).³⁹¹⁸ Iowa Code § 903.1(2) (2017).³⁹¹⁹ See Iowa Code § 907.3 (2017).³⁹²⁰ Iowa Code § 903.1(2) (2017).³⁹²¹ Iowa Code § 902.9(1)(e) (2017).³⁹²² Iowa Code § 902.9(1)(e) (2017).³⁹²³ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁹²⁴ Iowa Code § 911.1(1) (2017).³⁹²⁵ Iowa Code § 911.3(1) (2017).³⁹²⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.7A—Electronic Contraband

§ 719.7A(3)—Possession of electronic contraband

Class = “D” felony³⁹²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁹²⁸	0 ³⁹²⁹	No, but see Enhancements	Yes ³⁹³⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁹³¹	\$750 ³⁹³²	Yes ³⁹³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹³⁵	No	No

Notes:

³⁹²⁷ Iowa Code § 719.7A(3) (2017).

³⁹²⁸ Iowa Code § 902.9(1)(e) (2017).

³⁹²⁹ Iowa Code § 902.9(1)(e) (2017).

³⁹³⁰ See Iowa Code § 907.3 (2017).

³⁹³¹ Iowa Code § 902.9(1)(e) (2017).

³⁹³² Iowa Code § 902.9(1)(e) (2017).

³⁹³³ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹³⁴ Iowa Code § 911.1(1) (2017).

³⁹³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.7A(4)—Failure to report known possession or attempted possession of electronic contrabandClass = aggravated misdemeanor³⁹³⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁹³⁷	0 ³⁹³⁸	None	Yes ³⁹³⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁹⁴⁰**Fines**

Max.	Min.	Can Suspend?
\$6250 ³⁹⁴¹	\$625 ³⁹⁴²	Yes ³⁹⁴³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁴⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁴⁵	No	No

Notes:³⁹³⁶ Iowa Code § 719.7A(4) (2017).³⁹³⁷ Iowa Code § 903.1(2) (2017).³⁹³⁸ Iowa Code § 903.1(2) (2017).³⁹³⁹ See Iowa Code § 907.3 (2017).³⁹⁴⁰ Iowa Code § 903.1(2) (2017).³⁹⁴¹ Iowa Code § 902.9(1)(e) (2017).³⁹⁴² Iowa Code § 902.9(1)(e) (2017).³⁹⁴³ Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁹⁴⁴ Iowa Code § 911.1(1) (2017).³⁹⁴⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 719.8—Furnishing Controlled Substance or Intoxicating Beverage to Inmates at Detention Facility

Class = “D” felony³⁹⁴⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁹⁴⁷	0 ³⁹⁴⁸	No, but see Enhancements	Yes ³⁹⁴⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁹⁵⁰	\$750 ³⁹⁵¹	Yes ³⁹⁵²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁵³	No	No	No	No	Yes, \$125 ³⁹⁵⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁵⁵	No	No

Notes:

³⁹⁴⁶ Iowa Code § 719.8 (2017).

³⁹⁴⁷ Iowa Code § 902.9(1)(e) (2017).

³⁹⁴⁸ Iowa Code § 902.9(1)(e) (2017).

³⁹⁴⁹ See Iowa Code § 907.3 (2017).

³⁹⁵⁰ Iowa Code § 902.9(1)(e) (2017).

³⁹⁵¹ Iowa Code § 902.9(1)(e) (2017).

³⁹⁵² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹⁵³ Iowa Code § 911.1(1) (2017).

³⁹⁵⁴ Iowa Code § 911.3(1) (2017).

³⁹⁵⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 720 INTERFERENCE WITH JUDICIAL PROCESS

§ 720.1—Compounding a Felony

Class = aggravated misdemeanor³⁹⁵⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁹⁵⁷	0 ³⁹⁵⁸	None	Yes ³⁹⁵⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁹⁶⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁹⁶¹	\$625 ³⁹⁶²	Yes ³⁹⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁶⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁶⁵	No	No

Notes:

³⁹⁵⁶ Iowa Code § 720.1 (2017).

³⁹⁵⁷ Iowa Code § 903.1(2) (2017).

³⁹⁵⁸ Iowa Code § 903.1(2) (2017).

³⁹⁵⁹ See Iowa Code § 907.3 (2017).

³⁹⁶⁰ Iowa Code § 903.1(2) (2017).

³⁹⁶¹ Iowa Code § 903.1(2) (2017).

³⁹⁶² Iowa Code § 903.1(2) (2017).

³⁹⁶³ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹⁶⁴ Iowa Code § 911.1(1) (2017).

³⁹⁶⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 720.2—Perjury, Contradictory Statements, and Retraction

Class = “D” felony³⁹⁶⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁹⁶⁷	0 ³⁹⁶⁸	No, but see Enhancements	Yes ³⁹⁶⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁹⁷⁰	\$750 ³⁹⁷¹	Yes ³⁹⁷²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁷³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁷⁴	No	No

Notes:

³⁹⁶⁶ Iowa Code § 720.2 (2017).

³⁹⁶⁷ Iowa Code § 902.9(1)(e) (2017).

³⁹⁶⁸ Iowa Code § 902.9(1)(e) (2017).

³⁹⁶⁹ See Iowa Code § 907.3 (2017).

³⁹⁷⁰ Iowa Code § 902.9(1)(e) (2017).

³⁹⁷¹ Iowa Code § 902.9(1)(e) (2017).

³⁹⁷² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹⁷³ Iowa Code § 911.1(1) (2017).

³⁹⁷⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 720.3—Suborning Perjury

Class = “D” felony³⁹⁷⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁹⁷⁶	0 ³⁹⁷⁷	No, but see Enhancements	Yes ³⁹⁷⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁹⁷⁹	\$750 ³⁹⁸⁰	Yes ³⁹⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁸²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁸³	No	No

Notes:

³⁹⁷⁵ Iowa Code § 720.3 (2017).

³⁹⁷⁶ Iowa Code § 902.9(1)(e) (2017).

³⁹⁷⁷ Iowa Code § 902.9(1)(e) (2017).

³⁹⁷⁸ See Iowa Code § 907.3 (2017).

³⁹⁷⁹ Iowa Code § 902.9(1)(e) (2017).

³⁹⁸⁰ Iowa Code § 902.9(1)(e) (2017).

³⁹⁸¹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹⁸² Iowa Code § 911.1(1) (2017).

³⁹⁸³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 720.4—Tampering with Witnesses or Jurors

Class = aggravated misdemeanor³⁹⁸⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁹⁸⁵	0 ³⁹⁸⁶	None	Yes ³⁹⁸⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁹⁸⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁹⁸⁹	\$625 ³⁹⁹⁰	Yes ³⁹⁹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁹²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁹³	No	No

Notes:

³⁹⁸⁴ Iowa Code § 720.4 (2017).

³⁹⁸⁵ Iowa Code § 903.1(2) (2017).

³⁹⁸⁶ Iowa Code § 903.1(2) (2017).

³⁹⁸⁷ See Iowa Code § 907.3 (2017).

³⁹⁸⁸ Iowa Code § 903.1(2) (2017).

³⁹⁸⁹ Iowa Code § 903.1(2) (2017).

³⁹⁹⁰ Iowa Code § 903.1(2) (2017).

³⁹⁹¹ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹⁹² Iowa Code § 911.1(1) (2017).

³⁹⁹³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 720.5—False Representation of Records or Process

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 § 720.5 (2017).

³⁹⁹⁵ Iowa Code § 903.1(1)(a) (2017).

³⁹⁹⁶ Iowa Code § 903.1(1)(a) (2017).

³⁹⁹⁷ See Iowa Code § 907.3 (2017).

³⁹⁹⁸ Iowa Code § 903.1(1)(a) (2017).

³⁹⁹⁹ Iowa Code § 903.1(1)(a) (2017).

⁴⁰⁰⁰ Iowa Code § 903.1(1) (2017).

⁴⁰⁰¹ Iowa Code § 911.1(1) (2017).

§ 720.6—Malicious Prosecution

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 § 720.6 (2017).

⁴⁰⁰³ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁰⁴ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁰⁵ See Iowa Code § 907.3 (2017).

⁴⁰⁰⁶ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁰⁷ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁰⁸ Iowa Code § 903.1(1) (2017).

⁴⁰⁰⁹ Iowa Code § 911.1(1) (2017).

§ 720.7—Interference with Judicial Acts

Class = aggravated misdemeanor⁴⁰¹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁰¹¹	0 ⁴⁰¹²	None	Yes ⁴⁰¹³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁰¹⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁰¹⁵	\$625 ⁴⁰¹⁶	Yes ⁴⁰¹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰¹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰¹⁹	No	No

Notes:

⁴⁰¹⁰ Iowa Code § 720.7 (2017).

⁴⁰¹¹ Iowa Code § 903.1(2) (2017).

⁴⁰¹² Iowa Code § 903.1(2) (2017).

⁴⁰¹³ See Iowa Code § 907.3 (2017).

⁴⁰¹⁴ Iowa Code § 903.1(2) (2017).

⁴⁰¹⁵ Iowa Code § 903.1(2) (2017).

⁴⁰¹⁶ Iowa Code § 903.1(2) (2017).

⁴⁰¹⁷ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰¹⁸ Iowa Code § 911.1(1) (2017).

⁴⁰¹⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 721 OFFICIAL MISCONDUCT

§ 721.1—Felonious Misconduct in Office

Class = “D” felony⁴⁰²⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰²¹	0 ⁴⁰²²	No, but see Enhancements	Yes ⁴⁰²³

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰²⁴	\$750 ⁴⁰²⁵	Yes ⁴⁰²⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰²⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰²⁸	No	No

Notes:

⁴⁰²⁰ Iowa Code § 721.1 (2017).

⁴⁰²¹ Iowa Code § 902.9(1)(e) (2017).

⁴⁰²² Iowa Code § 902.9(1)(e) (2017).

⁴⁰²³ See Iowa Code § 907.3 (2017).

⁴⁰²⁴ Iowa Code § 902.9(1)(e) (2017).

⁴⁰²⁵ Iowa Code § 902.9(1)(e) (2017).

⁴⁰²⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰²⁷ Iowa Code § 911.1(1) (2017).

⁴⁰²⁸ Iowa Code §§ 81.2, 901.5(8A)(a) (2017).

§ 721.2—Nonfelonious Misconduct in Office

Class = serious misdemeanor⁴⁰²⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁰³⁰	0 ⁴⁰³¹	N/A	Yes ⁴⁰³²

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁰³³	\$315 ⁴⁰³⁴	No ⁴⁰³⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰³⁶	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁰²⁹ Iowa Code § 721.2 (2017).

⁴⁰³⁰ Iowa Code § 903.1(1)(b) (2017).

⁴⁰³¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁰³² See Iowa Code § 907.3 (2017).

⁴⁰³³ Iowa Code § 903.1(1)(b) (2017).

⁴⁰³⁴ Iowa Code § 903.1(1)(b) (2017).

⁴⁰³⁵ Iowa Code § 903.1(1) (2017).

⁴⁰³⁶ Iowa Code § 911.1(1) (2017).

§ 721.3—Solicitation for Political Purposes

Class = serious misdemeanor⁴⁰³⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁰³⁸	0 ⁴⁰³⁹	N/A	Yes ⁴⁰⁴⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁰⁴¹	\$315 ⁴⁰⁴²	No ⁴⁰⁴³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁴⁴	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁰³⁷ Iowa Code § 721.7 (2017).

⁴⁰³⁸ Iowa Code § 903.1(1)(b) (2017).

⁴⁰³⁹ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁴⁰ See Iowa Code § 907.3 (2017).

⁴⁰⁴¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁴² Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁴³ Iowa Code § 903.1(1) (2017).

⁴⁰⁴⁴ Iowa Code § 911.1(1) (2017).

§ 721.4—Using Public Motor Vehicles for Political Purposes

Class = serious misdemeanor⁴⁰⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁰⁴⁶	0 ⁴⁰⁴⁷	N/A	Yes ⁴⁰⁴⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁰⁴⁹	\$315 ⁴⁰⁵⁰	No ⁴⁰⁵¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁵²	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁰⁴⁵ Iowa Code § 721.7 (2017).

⁴⁰⁴⁶ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁴⁷ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁴⁸ See Iowa Code § 907.3 (2017).

⁴⁰⁴⁹ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁵⁰ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁵¹ Iowa Code § 903.1(1) (2017).

⁴⁰⁵² Iowa Code § 911.1(1) (2017).

§ 721.5—State Employee Leaving Employment or Duties to Solicit Votes or Campaign During Hours of Employment

Class = serious misdemeanor⁴⁰⁵³

Jail/Prison Time

Max. 1 year ⁴⁰⁵⁴	Min. 0 ⁴⁰⁵⁵	Mand. Min. before Parole Eligible? N/A	DJ, DS, or SS Eligible? Yes ⁴⁰⁵⁶
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Fines

Max. \$1875 ⁴⁰⁵⁷	Min. \$315 ⁴⁰⁵⁸	Can Suspend? No ⁴⁰⁵⁹
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Surcharges

35% of fine or forfeiture Yes ⁴⁰⁶⁰	DARE No	HTV No	DAA, SA, stalking, HTV No	DA Prot. Order Contempt No	LEIS No
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Miscellaneous

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

⁴⁰⁵³ Iowa Code § 721.7 (2017).

⁴⁰⁵⁴ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁵⁵ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁵⁶ See Iowa Code § 907.3 (2017).

⁴⁰⁵⁷ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁵⁸ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁵⁹ Iowa Code § 903.1(1) (2017).

⁴⁰⁶⁰ Iowa Code § 911.1(1) (2017).

§ 721.8—Failure to Label Publicly Owned Motor Vehicles

Class = serious misdemeanor⁴⁰⁶¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁰⁶²	0 ⁴⁰⁶³	N/A	Yes ⁴⁰⁶⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁰⁶⁵	\$315 ⁴⁰⁶⁶	No ⁴⁰⁶⁷

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	No	No	No

Notes:

⁴⁰⁶¹ Iowa Code § 721.9 (2017).

⁴⁰⁶² Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁶³ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁶⁴ See Iowa Code § 907.3 (2017).

⁴⁰⁶⁵ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁶⁶ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁶⁷ Iowa Code § 903.1(1) (2017).

⁴⁰⁶⁸ Iowa Code § 911.1(1) (2017).

§ 721.10—Misuse of Public Records and Files

Class = serious misdemeanor⁴⁰⁶⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁰⁷⁰	0 ⁴⁰⁷¹	N/A	Yes ⁴⁰⁷²

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁰⁷³	\$315 ⁴⁰⁷⁴	No ⁴⁰⁷⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁷⁶	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁰⁶⁹ Iowa Code § 721.10 (2017).

⁴⁰⁷⁰ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁷¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁷² See Iowa Code § 907.3 (2017).

⁴⁰⁷³ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁷⁴ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁷⁵ Iowa Code § 903.1(1) (2017).

⁴⁰⁷⁶ Iowa Code § 911.1(1) (2017).

§ 721.11—Interest in Public Contracts

Class = serious misdemeanor⁴⁰⁷⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁰⁷⁸	0 ⁴⁰⁷⁹	N/A	Yes ⁴⁰⁸⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁰⁸¹	\$315 ⁴⁰⁸²	No ⁴⁰⁸³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁸⁴	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁰⁷⁷ Iowa Code § 721.11 (2017).

⁴⁰⁷⁸ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁷⁹ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁸⁰ See Iowa Code § 907.3 (2017).

⁴⁰⁸¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁸² Iowa Code § 903.1(1)(b) (2017).

⁴⁰⁸³ Iowa Code § 903.1(1) (2017).

⁴⁰⁸⁴ Iowa Code § 911.1(1) (2017).

§ 721.12—Profiting From Inmates

Class = simple misdemeanor⁴⁰⁸⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴⁰⁸⁶	0 ⁴⁰⁸⁷	N/A	Yes ⁴⁰⁸⁸

Fines

Max.	Min.	Can Suspend?
\$625 ⁴⁰⁸⁹	\$65 ⁴⁰⁹⁰	No ⁴⁰⁹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁹²	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁰⁸⁵ Iowa Code § 721.12 (2017).

⁴⁰⁸⁶ Iowa Code § 903.1(1)(a) (2017).

⁴⁰⁸⁷ Iowa Code § 903.1(1)(a) (2017).

⁴⁰⁸⁸ See Iowa Code § 907.3 (2017).

⁴⁰⁸⁹ Iowa Code § 903.1(1)(a) (2017).

⁴⁰⁹⁰ Iowa Code § 903.1(1)(a) (2017).

⁴⁰⁹¹ Iowa Code § 903.1(1) (2017).

⁴⁰⁹² Iowa Code § 911.1(1) (2017).

CH. 722 BRIBERY AND CORRUPTION

§ 722.1—Bribery

Class = “D” felony⁴⁰⁹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰⁹⁴	0 ⁴⁰⁹⁵	No, but see Enhancements	Yes ⁴⁰⁹⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰⁹⁷	\$750 ⁴⁰⁹⁸	Yes ⁴⁰⁹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁰⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹⁰¹	No	No

Notes:

- ❖ Additional Penalty:
 - person is disqualified from holding public office⁴¹⁰²

⁴⁰⁹³ Iowa Code § 722.1 (2017).

⁴⁰⁹⁴ Iowa Code § 902.9(1)(e) (2017).

⁴⁰⁹⁵ Iowa Code § 902.9(1)(e) (2017).

⁴⁰⁹⁶ See Iowa Code § 907.3 (2017).

⁴⁰⁹⁷ Iowa Code § 902.9(1)(e) (2017).

⁴⁰⁹⁸ Iowa Code § 902.9(1)(e) (2017).

⁴⁰⁹⁹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹⁰⁰ Iowa Code § 911.1(1) (2017).

⁴¹⁰¹ Iowa Code §§ 81.2 (2017), 901.5(8A)(a) (2017).

⁴¹⁰² Iowa Code § 722.1 (2017).

§ 722.2—Accepting Bribe

Class = “C” felony⁴¹⁰³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴¹⁰⁴	0 ⁴¹⁰⁵	No, but see Enhancements	Yes ⁴¹⁰⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴¹⁰⁷	\$1000 ⁴¹⁰⁸	Yes ⁴¹⁰⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹¹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹¹¹	No	No

Notes:

- ❖ Additional Penalty:
 - person is disqualified from holding public office⁴¹¹²

⁴¹⁰³ Iowa Code § 722.2 (2017).

⁴¹⁰⁴ Iowa Code § 902.9(1)(d) (2017).

⁴¹⁰⁵ Iowa Code § 902.9(1)(d) (2017).

⁴¹⁰⁶ See Iowa Code § 907.3 (2017).

⁴¹⁰⁷ Iowa Code § 902.9(1)(d) (2017).

⁴¹⁰⁸ Iowa Code § 902.9(1)(d) (2017).

⁴¹⁰⁹ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹¹⁰ Iowa Code § 911.1(1) (2017).

⁴¹¹¹ Iowa Code §§ 81.2 (2017), 901.5(8A)(a) (2017).

⁴¹¹² Iowa Code § 722.2 (2017).

§ 722.3—Bribery in Sports

Class = aggravated misdemeanor⁴¹¹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴¹¹⁴	0 ⁴¹¹⁵	None	Yes ⁴¹¹⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴¹¹⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴¹¹⁸	\$625 ⁴¹¹⁹	Yes ⁴¹²⁰

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:

⁴¹¹³ Iowa Code § 722.3 (2017).

⁴¹¹⁴ Iowa Code § 903.1(2) (2017).

⁴¹¹⁵ Iowa Code § 903.1(2) (2017).

⁴¹¹⁶ See Iowa Code § 907.3 (2017).

⁴¹¹⁷ Iowa Code § 903.1(2) (2017).

⁴¹¹⁸ Iowa Code § 903.1(2) (2017).

⁴¹¹⁹ Iowa Code § 903.1(2) (2017).

⁴¹²⁰ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹²¹ Iowa Code § 911.1(1) (2017).

⁴¹²² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 722.10—Commercial Bribery

Class = “D” felony⁴¹²³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴¹²⁴	0 ⁴¹²⁵	No, but see Enhancements	Yes ⁴¹²⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴¹²⁷	\$750 ⁴¹²⁸	Yes ⁴¹²⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹³⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹³¹	No	No

Notes:

⁴¹²³ Iowa Code § 722.10(3) (2017).

⁴¹²⁴ Iowa Code § 902.9(1)(e) (2017).

⁴¹²⁵ Iowa Code § 902.9(1)(e) (2017).

⁴¹²⁶ See Iowa Code § 907.3 (2017).

⁴¹²⁷ Iowa Code § 902.9(1)(e) (2017).

⁴¹²⁸ Iowa Code § 902.9(1)(e) (2017).

⁴¹²⁹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹³⁰ Iowa Code § 911.1(1) (2017).

⁴¹³¹ Iowa Code §§ 81.2 (2017), 901.5(8A)(a) (2017).

§ 722.11—Student-Athlete Prohibitions

§ 722.11(2)—Unlawful giving, offering, promising, or attempting to give money to student-athlete

Class = aggravated misdemeanor⁴¹³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴¹³³	0 ⁴¹³⁴	None	Yes ⁴¹³⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴¹³⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴¹³⁷	\$625 ⁴¹³⁸	Yes ⁴¹³⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁴⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹⁴¹	No	No

Notes:

⁴¹³² Iowa Code § 722.11(2)(e) (2017).

⁴¹³³ Iowa Code § 903.1(2) (2017).

⁴¹³⁴ Iowa Code § 903.1(2) (2017).

⁴¹³⁵ See Iowa Code § 907.3 (2017).

⁴¹³⁶ Iowa Code § 903.1(2) (2017).

⁴¹³⁷ Iowa Code § 903.1(2) (2017).

⁴¹³⁸ Iowa Code § 903.1(2) (2017).

⁴¹³⁹ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹⁴⁰ Iowa Code § 911.1(1) (2017).

⁴¹⁴¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 722.11(3)—Unlawful solicitation or accepting of money or anything of value by student-athleteClass = serious misdemeanor⁴¹⁴²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴¹⁴³	0 ⁴¹⁴⁴	N/A	Yes ⁴¹⁴⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴¹⁴⁶	\$315 ⁴¹⁴⁷	No ⁴¹⁴⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁴⁹	No	No	No	No	No

Miscellaneous

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

Notes:⁴¹⁴² Iowa Code § 722.11(3)(c) (2017).⁴¹⁴³ Iowa Code § 903.1(1)(b) (2017).⁴¹⁴⁴ Iowa Code § 903.1(1)(b) (2017).⁴¹⁴⁵ See Iowa Code § 907.3 (2017).⁴¹⁴⁶ Iowa Code § 903.1(1)(b) (2017).⁴¹⁴⁷ Iowa Code § 903.1(1)(b) (2017).⁴¹⁴⁸ Iowa Code § 903.1(1) (2017).⁴¹⁴⁹ Iowa Code § 911.1(1) (2017).

CH. 723 PUBLIC DISORDER

§ 723.1—Riot

Class = aggravated misdemeanor⁴¹⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴¹⁵¹	0 ⁴¹⁵²	None	Yes ⁴¹⁵³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴¹⁵⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴¹⁵⁵	\$625 ⁴¹⁵⁶	Yes ⁴¹⁵⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁵⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹⁵⁹	No	No

Notes:

⁴¹⁵⁰ Iowa Code § 723.1 (2017).

⁴¹⁵¹ Iowa Code § 903.1(2) (2017).

⁴¹⁵² Iowa Code § 903.1(2) (2017).

⁴¹⁵³ See Iowa Code § 907.3 (2017).

⁴¹⁵⁴ Iowa Code § 903.1(2) (2017).

⁴¹⁵⁵ Iowa Code § 903.1(2) (2017).

⁴¹⁵⁶ Iowa Code § 903.1(2) (2017).

⁴¹⁵⁷ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹⁵⁸ Iowa Code § 911.1(1) (2017).

⁴¹⁵⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 723.2—Unlawful Assembly

Class = simple misdemeanor⁴¹⁶⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ⁴¹⁶¹	0 ⁴¹⁶²	N/A	Yes ⁴¹⁶³

Fines

Max.	Min.	Can Suspend?
\$625 ⁴¹⁶⁴	\$65 ⁴¹⁶⁵	No ⁴¹⁶⁶

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	No	No	No

Notes:

⁴¹⁶⁰ Iowa Code § 723.2 (2017).

⁴¹⁶¹ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁶² Iowa Code § 903.1(1)(a) (2017).

⁴¹⁶³ See Iowa Code § 907.3 (2017).

⁴¹⁶⁴ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁶⁵ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁶⁶ Iowa Code § 903.1(1) (2017).

⁴¹⁶⁷ Iowa Code § 911.1(1) (2017).

§ 723.3—Failure to Disburse

Class = simple misdemeanor⁴¹⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ⁴¹⁶⁹	0 ⁴¹⁷⁰	N/A	Yes ⁴¹⁷¹

Fines

Max.	Min.	Can Suspend?
\$625 ⁴¹⁷²	\$65 ⁴¹⁷³	No ⁴¹⁷⁴

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	No	No	No

Notes:

⁴¹⁶⁸ Iowa Code § 723.3 (2017).

⁴¹⁶⁹ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁷⁰ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁷¹ See Iowa Code § 907.3 (2017).

⁴¹⁷² Iowa Code § 903.1(1)(a) (2017).

⁴¹⁷³ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁷⁴ Iowa Code § 903.1(1) (2017).

⁴¹⁷⁵ Iowa Code § 911.1(1) (2017).

§ 723.4—Disorderly Conduct

Class = simple misdemeanor⁴¹⁷⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ⁴¹⁷⁷	0 ⁴¹⁷⁸	N/A	Yes ⁴¹⁷⁹

Fines

Max.	Min.	Can Suspend?
\$625 ⁴¹⁸⁰	\$65 ⁴¹⁸¹	No ⁴¹⁸²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁸³	No	No	No	No	No

Miscellaneous

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

Notes:

⁴¹⁷⁶ Iowa Code § 723.4 (2017).

⁴¹⁷⁷ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁷⁸ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁷⁹ See Iowa Code § 907.3 (2017).

⁴¹⁸⁰ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁸¹ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁸² Iowa Code § 903.1(1) (2017).

⁴¹⁸³ Iowa Code § 911.1(1) (2017).

§ 723.5—Disorderly Conduct at a Funeral or Memorial Service

§ 723.5(3)(a)—First offense

Class = simple misdemeanor⁴¹⁸⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ⁴¹⁸⁵	0 ⁴¹⁸⁶	N/A	Yes ⁴¹⁸⁷

Fines

Max.	Min.	Can Suspend?
\$625 ⁴¹⁸⁸	\$65 ⁴¹⁸⁹	No ⁴¹⁹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁹¹	No	No	No	No	No

Miscellaneous

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

Notes:

⁴¹⁸⁴ Iowa Code § 723.5(3)(a) (2017).

⁴¹⁸⁵ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁸⁶ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁸⁷ See Iowa Code § 907.3 (2017).

⁴¹⁸⁸ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁸⁹ Iowa Code § 903.1(1)(a) (2017).

⁴¹⁹⁰ Iowa Code § 903.1(1) (2017).

⁴¹⁹¹ Iowa Code § 911.1(1) (2017).

§ 723.5(3)(b)—Second offense**Class** = serious misdemeanor⁴¹⁹²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 Year ⁴¹⁹³	0 ⁴¹⁹⁴	N/A	Yes ⁴¹⁹⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴¹⁹⁶	\$315 ⁴¹⁹⁷	No ⁴¹⁹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁹⁹	No	No	No	No	No

Miscellaneous

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

Notes:⁴¹⁹² Iowa Code § 723.5(3)(b) (2017).⁴¹⁹³ Iowa Code § 903.1(1)(b) (2017).⁴¹⁹⁴ Iowa Code § 903.1(1)(b) (2017).⁴¹⁹⁵ See Iowa Code § 907.3 (2017).⁴¹⁹⁶ Iowa Code § 903.1(1)(b) (2017).⁴¹⁹⁷ Iowa Code § 903.1(1)(b) (2017).⁴¹⁹⁸ Iowa Code § 903.1(1) (2017).⁴¹⁹⁹ Iowa Code § 911.1(1) (2017).

§ 723.5(3)(c)—Third or subsequent offenseClass = “D” felony⁴²⁰⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴²⁰¹	0 ⁴²⁰²	No, but see Enhancements	Yes ⁴²⁰³

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴²⁰⁴	\$750 ⁴²⁰⁵	Yes ⁴²⁰⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁰⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁰⁸	No	No

Notes:⁴²⁰⁰ Iowa Code § 723.5(3)(c) (2017).⁴²⁰¹ Iowa Code § 902.9(1)(e) (2017).⁴²⁰² Iowa Code § 902.9(1)(e) (2017).⁴²⁰³ See Iowa Code § 907.3 (2017).⁴²⁰⁴ Iowa Code § 902.9(1)(e) (2017).⁴²⁰⁵ Iowa Code § 902.9(1)(e) (2017).⁴²⁰⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴²⁰⁷ Iowa Code § 911.1(1) (2017).⁴²⁰⁸ Iowa Code §§ 81.2, 901.5(8A)(a) (2017).

CH. 723A CRIMINAL STREET GANGS

§ 723A.2—Criminal Gang Participation

Class = “D” felony⁴²⁰⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴²¹⁰	0 ⁴²¹¹	No, but see Enhancements	Yes ⁴²¹²

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴²¹³	\$750 ⁴²¹⁴	Yes ⁴²¹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²¹⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²¹⁷	No	No

Notes:

⁴²⁰⁹ Iowa Code § 723A.2 (2017).

⁴²¹⁰ Iowa Code § 902.9(1)(e) (2017).

⁴²¹¹ Iowa Code § 902.9(1)(e) (2017).

⁴²¹² See Iowa Code § 907.3 (2017).

⁴²¹³ Iowa Code § 902.9(1)(e) (2017).

⁴²¹⁴ Iowa Code § 902.9(1)(e) (2017).

⁴²¹⁵ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²¹⁶ Iowa Code § 911.1(1) (2017).

⁴²¹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 723A.3—Gang Recruitment

§ 723A.3(1)—Recruitment of a minor

Class = “C” felony⁴²¹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴²¹⁹	0 ⁴²²⁰	No, but see Enhancements	Yes ⁴²²¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴²²²	\$1000 ⁴²²³	Yes ⁴²²⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²²⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²²⁶	No	No

Notes:

⁴²¹⁸ Iowa Code § 723A.3(1) (2017).

⁴²¹⁹ Iowa Code § 902.9(1)(d) (2017).

⁴²²⁰ Iowa Code § 902.9(1)(d) (2017).

⁴²²¹ See Iowa Code § 907.3 (2017).

⁴²²² Iowa Code § 902.9(1)(d) (2017).

⁴²²³ Iowa Code § 902.9(1)(d) (2017).

⁴²²⁴ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²²⁵ Iowa Code § 911.1(1) (2017).

⁴²²⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 723A.3(2)—Conspiracy to recruit a minor

Class = “D” felony⁴²²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴²²⁸	0 ⁴²²⁹	No, but see Enhancements	Yes ⁴²³⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴²³¹	\$750 ⁴²³²	Yes ⁴²³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²³⁵	No	No

Notes:

⁴²²⁷ Iowa Code § 723A.3(2) (2017).

⁴²²⁸ Iowa Code § 902.9(1)(e) (2017).

⁴²²⁹ Iowa Code § 902.9(1)(e) (2017).

⁴²³⁰ See Iowa Code § 907.3 (2017).

⁴²³¹ Iowa Code § 902.9(1)(e) (2017).

⁴²³² Iowa Code § 902.9(1)(e) (2017).

⁴²³³ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²³⁴ Iowa Code § 911.1(1) (2017).

⁴²³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 724 WEAPONS

§ 724.1B—Possession of Firearm Suppressor

Class = “D” felony⁴²³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴²³⁷	0 ⁴²³⁸	No, but see Enhancements	Yes ⁴²³⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴²⁴⁰	\$750 ⁴²⁴¹	Yes ⁴²⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁴⁴	No	No

Notes:

⁴²³⁶ Iowa Code § 724.1B(2) (Supp. 2016).

⁴²³⁷ Iowa Code § 902.9(1)(e) (2017).

⁴²³⁸ Iowa Code § 902.9(1)(e) (2017).

⁴²³⁹ See Iowa Code § 907.3 (2017).

⁴²⁴⁰ Iowa Code § 902.9(1)(e) (2017).

⁴²⁴¹ Iowa Code § 902.9(1)(e) (2017).

⁴²⁴² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²⁴³ Iowa Code § 911.1(1) (2017).

⁴²⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.1C—Possession of Short-Barreled Rifle or Short-Barreled Shotgun

Class = “D” felony⁴²⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴²⁴⁶	0 ⁴²⁴⁷	No, but see Enhancements	Yes ⁴²⁴⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴²⁴⁹	\$750 ⁴²⁵⁰	Yes ⁴²⁵¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁵²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁵³	No	No

Notes:

⁴²⁴⁵ 2017 Iowa Acts ch. 69, § 2 to include new section 724.1C, effective 7/1/2017.

⁴²⁴⁶ Iowa Code § 902.9(1)(e) (2017).

⁴²⁴⁷ Iowa Code § 902.9(1)(e) (2017).

⁴²⁴⁸ See Iowa Code § 907.3 (2017).

⁴²⁴⁹ Iowa Code § 902.9(1)(e) (2017).

⁴²⁵⁰ Iowa Code § 902.9(1)(e) (2017).

⁴²⁵¹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²⁵² Iowa Code § 911.1(1) (2017).

⁴²⁵³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.3—Unauthorized Possession of Offensive Weapon

Class = “D” felony⁴²⁵⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴²⁵⁵	0 ⁴²⁵⁶	No, but see Enhancements	Yes ⁴²⁵⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴²⁵⁸	\$750 ⁴²⁵⁹	Yes ⁴²⁶⁰

❖ Fine is doubled if possession was in weapons free zone⁴²⁶¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁶²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁶³	No	No

Notes:

⁴²⁵⁴ Iowa Code § 724.3 (2017).

⁴²⁵⁵ Iowa Code § 902.9(1)(e) (2017).

⁴²⁵⁶ Iowa Code § 902.9(1)(e) (2017).

⁴²⁵⁷ See Iowa Code § 907.3 (2017).

⁴²⁵⁸ Iowa Code § 902.9(1)(e) (2017).

⁴²⁵⁹ Iowa Code § 902.9(1)(e) (2017).

⁴²⁶⁰ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²⁶¹ Iowa Code § 724.4A(2) (2017).

⁴²⁶² Iowa Code § 911.1(1) (2017).

⁴²⁶³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 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 misdemeanor⁴²⁶⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴²⁶⁵	0 ⁴²⁶⁶	None	Yes ⁴²⁶⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴²⁶⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴²⁶⁹	\$625 ⁴²⁷⁰	Yes ⁴²⁷¹

❖ Fine is doubled if possession was in weapons free zone⁴²⁷²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁷³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁷⁴	No	No

Notes:

⁴²⁶⁴ Iowa Code § 724.4(1) (2017).

⁴²⁶⁵ Iowa Code § 903.1(2) (2017).

⁴²⁶⁶ Iowa Code § 903.1(2) (2017).

⁴²⁶⁷ See Iowa Code § 907.3, unnum. para. (2017).

⁴²⁶⁸ Iowa Code § 903.1(2) (2017).

⁴²⁶⁹ Iowa Code § 903.1(2) (2017).

⁴²⁷⁰ Iowa Code § 903.1(2) (2017).

⁴²⁷¹ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²⁷² Iowa Code § 724.4A(2) (2017).

⁴²⁷³ Iowa Code § 911.1(1) (2017).

⁴²⁷⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.4(2)—Concealed knife used in commission of a crime

Class = aggravated misdemeanor⁴²⁷⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴²⁷⁶	0 ⁴²⁷⁷	None	Yes ⁴²⁷⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴²⁷⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴²⁸⁰	\$625 ⁴²⁸¹	Yes ⁴²⁸²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁸³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁸⁴	No	No

Notes:

⁴²⁷⁵ Iowa Code § 724.4(2) (2017).

⁴²⁷⁶ Iowa Code § 903.1(2) (2017).

⁴²⁷⁷ Iowa Code § 903.1(2) (2017).

⁴²⁷⁸ See Iowa Code § 907.3, unnum. para. (2017).

⁴²⁷⁹ Iowa Code § 903.1(2) (2017).

⁴²⁸⁰ Iowa Code § 903.1(2) (2017).

⁴²⁸¹ Iowa Code § 903.1(2) (2017).

⁴²⁸² See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²⁸³ Iowa Code § 911.1(1) (2017).

⁴²⁸⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.4(3)—Concealed knife not used in commission of a crime

§ 724.4(3)(a)—Blade exceeds 8 inches in length

Class = aggravated misdemeanor⁴²⁸⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴²⁸⁶	0 ⁴²⁸⁷	None	Yes ⁴²⁸⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴²⁸⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴²⁹⁰	\$625 ⁴²⁹¹	Yes ⁴²⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁹⁴	No	No

Notes:

⁴²⁸⁵ Iowa Code § 724.4(3)(a) (2017).

⁴²⁸⁶ Iowa Code § 903.1(2) (2017).

⁴²⁸⁷ Iowa Code § 903.1(2) (2017).

⁴²⁸⁸ See Iowa Code § 907.3, unnum. para. (2017).

⁴²⁸⁹ Iowa Code § 903.1(2) (2017).

⁴²⁹⁰ Iowa Code § 903.1(2) (2017).

⁴²⁹¹ Iowa Code § 903.1(2) (2017).

⁴²⁹² See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²⁹³ Iowa Code § 911.1(1) (2017).

⁴²⁹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.4(3)(b)—Blade exceeds 5 inches but less than 8 inches in lengthClass = serious misdemeanor⁴²⁹⁵**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴²⁹⁶	0 ⁴²⁹⁷	N/A	Yes ⁴²⁹⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴²⁹⁹	\$315 ⁴³⁰⁰	No ⁴³⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁰²	No	No	No	No	No

Miscellaneous

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

Notes:⁴²⁹⁵ Iowa Code § 724.4(3)(b) (2017).⁴²⁹⁶ Iowa Code § 903.1(1)(b) (2017).⁴²⁹⁷ Iowa Code § 903.1(1)(b) (2017).⁴²⁹⁸ See Iowa Code § 907.3 (2017).⁴²⁹⁹ Iowa Code § 903.1(1)(b) (2017).⁴³⁰⁰ Iowa Code § 903.1(1)(b) (2017).⁴³⁰¹ Iowa Code § 903.1(1) (2017).⁴³⁰² Iowa Code § 911.1(1) (2017).

§ 724.4B—Carrying Firearm on School Grounds

Class = “D” felony⁴³⁰³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³⁰⁴	0 ⁴³⁰⁵	No, but see Enhancements	Yes ⁴³⁰⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³⁰⁷	\$750 ⁴³⁰⁸	Yes ⁴³⁰⁹

❖ Fine is doubled if possession was in weapons free zone⁴³¹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³¹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³¹²	No	No

Notes:

⁴³⁰³ Iowa Code § 724.4B(1) (2017).

⁴³⁰⁴ Iowa Code § 902.9(1)(e) (2017).

⁴³⁰⁵ Iowa Code § 902.9(1)(e) (2017).

⁴³⁰⁶ See Iowa Code § 907.3 (2017).

⁴³⁰⁷ Iowa Code § 902.9(1)(e) (2017).

⁴³⁰⁸ Iowa Code § 902.9(1)(e) (2017).

⁴³⁰⁹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³¹⁰ Iowa Code § 724.4A(2) (2017).

⁴³¹¹ Iowa Code § 911.1(1) (2017).

⁴³¹² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.4C—Possessing or Carrying Dangerous Weapons While Under the Influence

Class = serious misdemeanor⁴³¹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴³¹⁴	0 ⁴³¹⁵	N/A	Yes ⁴³¹⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴³¹⁷	\$315 ⁴³¹⁸	No ⁴³¹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³²⁰	No	No	No	No	No

Miscellaneous

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

Notes:

⁴³¹³ Iowa Code § 724.4C (amended by 2017 Iowa Acts ch. 69, § 8 to criminalize the act of carrying a dangerous weapon while intoxicated as a serious misdemeanor, effective 7/1/2017).

⁴³¹⁴ Iowa Code § 903.1(1)(b) (2017).

⁴³¹⁵ Iowa Code § 903.1(1)(b) (2017).

⁴³¹⁶ See Iowa Code § 907.3 (2017).

⁴³¹⁷ Iowa Code § 903.1(1)(b) (2017).

⁴³¹⁸ Iowa Code § 903.1(1)(b) (2017).

⁴³¹⁹ Iowa Code § 903.1(1) (2017).

⁴³²⁰ Iowa Code § 911.1(1) (2017).

§ 724.5—Failure to Produce Permit

Class = simple misdemeanor⁴³²¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴³²²	0 ⁴³²³	N/A	Yes ⁴³²⁴

Fines

Max.	Min.	Can Suspend?
\$625 ⁴³²⁵	\$65 ⁴³²⁶	No ⁴³²⁷ But see Notes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³²⁸	No	No	No	No	No

Miscellaneous

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

Notes:

- Exception: “A person charged with a violation of subsection 1 who produces to the clerk of the district court prior to the date of the person’s court appearance that the person possesses a valid permit to carry weapons which was valid at the time of the alleged offense, shall not be convicted of a violation of subsection 1 and the charge shall be dismissed by the court.”⁴³²⁹

⁴³²¹ Iowa Code § 724.5 (2017).

⁴³²² Iowa Code § 903.1(1)(a) (2017).

⁴³²³ Iowa Code § 903.1(1)(a) (2017).

⁴³²⁴ See Iowa Code 907.3 (2017).

⁴³²⁵ Iowa Code § 903.1(1)(a) (2017).

⁴³²⁶ Iowa Code § 903.1(1)(a) (2017).

⁴³²⁷ Iowa Code § 903.1(1) (2017).

⁴³²⁸ Iowa Code § 911.1(1) (2017).

⁴³²⁹ Iowa Code § 724.5(2) (2017) (amended by 2017 Iowa Acts ch. 69, § 9, effective 7/1/2017).

§ 724.10—False Information Provided in Application for Weapons Permit

Class = “D” felony⁴³³⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³³¹	0 ⁴³³²	No, but see Enhancements	Yes ⁴³³³

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³³⁴	\$750 ⁴³³⁵	Yes ⁴³³⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³³⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³³⁸	No	No

Notes:

⁴³³⁰ Iowa Code § 724.10(3) (2017).

⁴³³¹ Iowa Code § 902.9(1)(e) (2017).

⁴³³² Iowa Code § 902.9(1)(e) (2017).

⁴³³³ See Iowa Code § 907.3 (2017).

⁴³³⁴ Iowa Code § 902.9(1)(e) (2017).

⁴³³⁵ Iowa Code § 902.9(1)(e) (2017).

⁴³³⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³³⁷ Iowa Code § 911.1(1) (2017).

⁴³³⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.16—Improper Ownership or Transfer of Pistol or Revolver

§ 724.16(1)—Ownership without valid permit

Class = aggravated misdemeanor⁴³³⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴³⁴⁰	0 ⁴³⁴¹	None	Yes ⁴³⁴²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴³⁴³

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴³⁴⁴	\$625 ⁴³⁴⁵	Yes ⁴³⁴⁶

❖ Fine is doubled if offense occurred in weapons free zone⁴³⁴⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁴⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁴⁹	No	No

Notes:

⁴³³⁹ Iowa Code § 724.16(1) (2017).

⁴³⁴⁰ Iowa Code § 903.1(2) (2017).

⁴³⁴¹ Iowa Code § 903.1(2) (2017).

⁴³⁴² See Iowa Code § 907.3, unnum. para. (2017).

⁴³⁴³ Iowa Code § 903.1(2) (2017).

⁴³⁴⁴ Iowa Code § 903.1(2) (2017).

⁴³⁴⁵ Iowa Code § 903.1(2) (2017).

⁴³⁴⁶ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁴⁷ Iowa Code § 724.4A(2) (2017).

⁴³⁴⁸ Iowa Code § 911.1(1) (2017).

⁴³⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.16(2)—Transfer of ownership

Class = “D” felony⁴³⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³⁵¹	0 ⁴³⁵²	No, but see Enhancements	Yes ⁴³⁵³

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³⁵⁴	\$750 ⁴³⁵⁵	Yes ⁴³⁵⁶

❖ Fine is doubled if offense occurred in weapons free zone⁴³⁵⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁵⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁵⁹	No	No

Notes:

⁴³⁵⁰ Iowa Code § 724.16(1) (2017).

⁴³⁵¹ Iowa Code § 902.9(1)(e) (2017).

⁴³⁵² Iowa Code § 902.9(1)(e) (2017).

⁴³⁵³ See Iowa Code § 907.3 (2017).

⁴³⁵⁴ Iowa Code § 902.9(1)(e) (2017).

⁴³⁵⁵ Iowa Code § 902.9(1)(e) (2017).

⁴³⁵⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁵⁷ Iowa Code § 724.4A(2) (2017).

⁴³⁵⁸ Iowa Code § 911.1(1) (2017).

⁴³⁵⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.16A—Trafficking in Stolen Weapons

§ 724.16A(1)(a)—First offense

Class = “D” felony⁴³⁶⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³⁶¹	0 ⁴³⁶²	No, but see Enhancements	Yes ⁴³⁶³

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³⁶⁴	\$750 ⁴³⁶⁵	Yes ⁴³⁶⁶

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴³⁶⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁶⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁶⁹	No	No

Notes:

⁴³⁶⁰ Iowa Code § 724.16A(1)(a) (2017).

⁴³⁶¹ Iowa Code § 902.9(1)(e) (2017).

⁴³⁶² Iowa Code § 902.9(1)(e) (2017).

⁴³⁶³ See Iowa Code § 907.3 (2017).

⁴³⁶⁴ Iowa Code § 902.9(1)(e) (2017).

⁴³⁶⁵ Iowa Code § 902.9(1)(e) (2017).

⁴³⁶⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁶⁷ Iowa Code § 724.4A(2) (2017).

⁴³⁶⁸ Iowa Code § 911.1(1) (2017).

⁴³⁶⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.16A(1)(b)—Second or subsequent offense, or weapon used in commission of public offenseClass = “C” felony⁴³⁷⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴³⁷¹	0 ⁴³⁷²	No, but see Enhancements	Yes ⁴³⁷³

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴³⁷⁴	\$1000 ⁴³⁷⁵	Yes ⁴³⁷⁶

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴³⁷⁷**Surcharges**

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁷⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁷⁹	No	No

Notes:⁴³⁷⁰ Iowa Code § 724.16A(1)(b) (2017).⁴³⁷¹ Iowa Code § 902.9(1)(d) (2017).⁴³⁷² Iowa Code § 902.9(1)(d) (2017).⁴³⁷³ See Iowa Code 907.3 (2017).⁴³⁷⁴ Iowa Code § 902.9(1)(d) (2017).⁴³⁷⁵ Iowa Code § 902.9(1)(d) (2017).⁴³⁷⁶ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴³⁷⁷ Iowa Code § 724.4A(2) (2017).⁴³⁷⁸ Iowa Code § 911.1(1) (2017).⁴³⁷⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.17—False Statement or Documentation in Application for Permit

Class = “D” felony⁴³⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³⁸¹	0 ⁴³⁸²	No, but see Enhancements	Yes ⁴³⁸³

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³⁸⁴	\$750 ⁴³⁸⁵	Yes ⁴³⁸⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁸⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁸⁸	No	No

Notes:

⁴³⁸⁰ Iowa Code § 724.17 (2017).

⁴³⁸¹ Iowa Code § 902.9(1)(e) (2017).

⁴³⁸² Iowa Code § 902.9(1)(e) (2017).

⁴³⁸³ See Iowa Code § 907.3 (2017).

⁴³⁸⁴ Iowa Code § 902.9(1)(e) (2017).

⁴³⁸⁵ Iowa Code § 902.9(1)(e) (2017).

⁴³⁸⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁸⁷ Iowa Code § 911.1(1) (2017).

⁴³⁸⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.21—Giving False Information when Acquiring Weapon

Class = “D” felony⁴³⁸⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³⁹⁰	0 ⁴³⁹¹	No, but see Enhancements	Yes ⁴³⁹²

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³⁹³	\$750 ⁴³⁹⁴	Yes ⁴³⁹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁹⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁹⁷	No	No

Notes:

⁴³⁸⁹ Iowa Code § 724.21 (2017).

⁴³⁹⁰ Iowa Code § 902.9(1)(e) (2017).

⁴³⁹¹ Iowa Code § 902.9(1)(e) (2017).

⁴³⁹² See Iowa Code § 907.3 (2017).

⁴³⁹³ Iowa Code § 902.9(1)(e) (2017).

⁴³⁹⁴ Iowa Code § 902.9(1)(e) (2017).

⁴³⁹⁵ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁹⁶ Iowa Code § 911.1(1) (2017).

⁴³⁹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 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 misdemeanor⁴³⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴³⁹⁹	0 ⁴⁴⁰⁰	None	Yes ⁴⁴⁰¹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁴⁰²	\$315 ⁴⁴⁰³	No ⁴⁴⁰⁴

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁴⁰⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁰⁶	No	No	No	No	No

Miscellaneous

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

Notes:

⁴³⁹⁸ Iowa Code § 724.22(1) (2017).

⁴³⁹⁹ Iowa Code § 903.1(1)(b) (2017).

⁴⁴⁰⁰ Iowa Code § 903.1(1)(b) (2017).

⁴⁴⁰¹ See Iowa Code § 907.3, unnum. para. (2017).

⁴⁴⁰² Iowa Code § 903.1(1)(b) (2017).

⁴⁴⁰³ Iowa Code § 903.1(1)(b) (2017).

⁴⁴⁰⁴ See Iowa Code § 903.1(1) (2017).

⁴⁴⁰⁵ Iowa Code § 724.4A(2) (2017).

⁴⁴⁰⁶ Iowa Code § 911.1(1) (2017).

Second or Subsequent Offense

Class = “D” felony⁴⁴⁰⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴⁰⁸	0 ⁴⁴⁰⁹	No, but see Enhancements	Yes ⁴⁴¹⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴¹¹	\$750 ⁴⁴¹²	Yes ⁴⁴¹³

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁴¹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴¹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴¹⁶	No	No

Notes:

⁴⁴⁰⁷ Iowa Code § 724.22(1) (2017).

⁴⁴⁰⁸ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁰⁹ Iowa Code § 902.9(1)(e) (2017).

⁴⁴¹⁰ See Iowa Code § 907.3 (2017).

⁴⁴¹¹ Iowa Code § 902.9(1)(e) (2017).

⁴⁴¹² Iowa Code § 902.9(1)(e) (2017).

⁴⁴¹³ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴¹⁴ Iowa Code § 724.4A(2) (2017).

⁴⁴¹⁵ Iowa Code § 911.1(1) (2017).

⁴⁴¹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.22(2)—Pistol, revolver, or ammunition for pistol or revolver

First Offense

Class = serious misdemeanor⁴⁴¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁴¹⁸	0 ⁴⁴¹⁹	None	Yes ⁴⁴²⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁴²¹	\$315 ⁴⁴²²	No ⁴⁴²³

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁴²⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴²⁵	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁴¹⁷ Iowa Code § 724.22(2) (2017).

⁴⁴¹⁸ Iowa Code § 903.1(1)(b) (2017).

⁴⁴¹⁹ Iowa Code § 903.1(1)(b) (2017).

⁴⁴²⁰ See Iowa Code § 907.3, unnum. para. (2017).

⁴⁴²¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁴²² Iowa Code § 903.1(1)(b) (2017).

⁴⁴²³ See Iowa Code § 903.1(1) (2017).

⁴⁴²⁴ Iowa Code § 724.4A(2) (2017).

⁴⁴²⁵ Iowa Code § 911.1(1) (2017).

Second or Subsequent Offense

Class = “D” felony⁴⁴²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴²⁷	0 ⁴⁴²⁸	No, but see Enhancements	Yes ⁴⁴²⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴³⁰	\$750 ⁴⁴³¹	Yes ⁴⁴³²

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁴³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴³⁵	No	No

Notes:

⁴⁴²⁶ Iowa Code § 724.22(2) (2017).

⁴⁴²⁷ Iowa Code § 902.9(1)(e) (2017).

⁴⁴²⁸ Iowa Code § 902.9(1)(e) (2017).

⁴⁴²⁹ See Iowa Code § 907.3 (2017).

⁴⁴³⁰ Iowa Code § 902.9(1)(e) (2017).

⁴⁴³¹ Iowa Code § 902.9(1)(e) (2017).

⁴⁴³² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴³³ Iowa Code § 724.4A(2) (2017).

⁴⁴³⁴ Iowa Code § 911.1(1) (2017).

⁴⁴³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.22(7)—Unlawful storage or leaving of loaded firearm

Class = serious misdemeanor⁴⁴³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁴³⁷	0 ⁴⁴³⁸	N/A	Yes ⁴⁴³⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁴⁴⁰	\$315 ⁴⁴⁴¹	No ⁴⁴⁴²

❖ Fine is doubled if offense occurred in weapons free zone⁴⁴⁴³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁴⁴	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁴³⁶ Iowa Code § 724.22(7) (2017).

⁴⁴³⁷ Iowa Code § 903.1(1)(b) (2017).

⁴⁴³⁸ Iowa Code § 903.1(1)(b) (2017).

⁴⁴³⁹ See Iowa Code § 907.3, unnum. para. (2017).

⁴⁴⁴⁰ Iowa Code § 903.1(1)(b) (2017).

⁴⁴⁴¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁴⁴² See Iowa Code § 903.1(1) (2017).

⁴⁴⁴³ Iowa Code § 724.4A(2) (2017).

⁴⁴⁴⁴ Iowa Code § 911.1(1) (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” felony⁴⁴⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴⁴⁶	0 ⁴⁴⁴⁷	No, but see Enhancements	Yes ⁴⁴⁴⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴⁴⁹	\$750 ⁴⁴⁵⁰	Yes ⁴⁴⁵¹

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁴⁵²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁵³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁵⁴	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.”⁴⁴⁵⁵

⁴⁴⁴⁵ Iowa Code § 724.26(1) (2017).

⁴⁴⁴⁶ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁴⁷ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁴⁸ See Iowa Code § 907.3 (2017).

⁴⁴⁴⁹ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁵⁰ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁵¹ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴⁵² Iowa Code § 724.4A(2) (2017).

⁴⁴⁵³ Iowa Code § 911.1(1) (2017).

⁴⁴⁵⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁴⁵⁵ Iowa Code § 724.25(1) (2017).

§ 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” felony⁴⁴⁵⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴⁵⁷	0 ⁴⁴⁵⁸	No, but see Enhancements	Yes ⁴⁴⁵⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴⁶⁰	\$750 ⁴⁴⁶¹	Yes ⁴⁴⁶²

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁴⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁶⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁶⁵	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.”⁴⁴⁶⁶

⁴⁴⁵⁶ Iowa Code § 724.26(2)(a) (2017).

⁴⁴⁵⁷ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁵⁸ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁵⁹ See Iowa Code § 907.3 (2017).

⁴⁴⁶⁰ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁶¹ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁶² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴⁶³ Iowa Code § 724.4A(2) (2017).

⁴⁴⁶⁴ Iowa Code § 911.1(1) (2017).

⁴⁴⁶⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁴⁶⁶ Iowa Code § 724.26(2)(c) (2017).

§ 724.29—Selling or Offering for Sale Firearm Devices

Class = aggravated misdemeanor⁴⁴⁶⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁴⁶⁸	0 ⁴⁴⁶⁹	None	Yes ⁴⁴⁷⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁴⁷¹

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁴⁷²	\$625 ⁴⁴⁷³	Yes ⁴⁴⁷⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁷⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁷⁶	No	No

Notes:

⁴⁴⁶⁷ Iowa Code § 724.16(1) (2017).

⁴⁴⁶⁸ Iowa Code § 903.1(2) (2017).

⁴⁴⁶⁹ Iowa Code § 903.1(2) (2017).

⁴⁴⁷⁰ See Iowa Code § 907.3, unnum. para. (2017).

⁴⁴⁷¹ Iowa Code § 903.1(2) (2017).

⁴⁴⁷² Iowa Code § 903.1(2) (2017).

⁴⁴⁷³ Iowa Code § 903.1(2) (2017).

⁴⁴⁷⁴ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴⁷⁵ Iowa Code § 911.1(1) (2017).

⁴⁴⁷⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.29A—Fraudulent purchase of firearms or ammunition

§ 724.29A(2)—Knowing solicits, persuades, encourages, or entices

Class = “D” felony⁴⁴⁷⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴⁷⁸	0 ⁴⁴⁷⁹	None	Yes ⁴⁴⁸⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴⁸¹	\$750 ⁴⁴⁸²	Yes ⁴⁴⁸³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁸⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁸⁵	No	No

Notes:

⁴⁴⁷⁷ 2017 Iowa Acts ch. 69, § 45 to include new section 724.29A(2)–(3), effective 7/1/2017.

⁴⁴⁷⁸ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁷⁹ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁸⁰ See Iowa Code § 907.3 (2017).

⁴⁴⁸¹ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁸² Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁸³ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴⁸⁴ Iowa Code § 911.1(1) (2017).

⁴⁴⁸⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.29A(3)—Knowing provides materially false information

Class = “D” felony⁴⁴⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁴⁸⁷	0 ⁴⁴⁸⁸	None	Yes ⁴⁴⁸⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁴⁹⁰	\$315 ⁴⁴⁹¹	No ⁴⁴⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁹³	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁴⁸⁶ Iowa Code § 724.29A(3) (2017).

⁴⁴⁸⁷ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁸⁸ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁸⁹ See Iowa Code § 907.3 (2017).

⁴⁴⁹⁰ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁹¹ Iowa Code § 902.9(1)(e) (2017).

⁴⁴⁹² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, [31 \(Iowa 1999\)](#).

⁴⁴⁹³ Iowa Code § 911.1(1) (2017).

§724.30—Reckless Use of a Firearm

§ 724.30(1)—Serious injury occurs

Class = “C” felony⁴⁴⁹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁴⁹⁵	0 ⁴⁴⁹⁶	No, but see Enhancements	Yes ⁴⁴⁹⁷

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁴⁹⁸	\$1000 ⁴⁴⁹⁹	Yes ⁴⁵⁰⁰

❖ Fine is doubled if offense occurred in weapons free zone⁴⁵⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁰²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁰³	No	No

Notes:

⁴⁴⁹⁴ Iowa Code § 724.30(1) (2017).

⁴⁴⁹⁵ Iowa Code § 902.9(1)(d) (2017).

⁴⁴⁹⁶ Iowa Code § 902.9(1)(d) (2017).

⁴⁴⁹⁷ See Iowa Code 907.3 (2017).

⁴⁴⁹⁸ Iowa Code § 902.9(1)(d) (2017).

⁴⁴⁹⁹ Iowa Code § 902.9(1)(d) (2017).

⁴⁵⁰⁰ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵⁰¹ Iowa Code § 724.4A(2) (2017).

⁴⁵⁰² Iowa Code § 911.1(1) (2017).

⁴⁵⁰³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.30(2)—Bodily injury that is not serious injury occursClass = “D” felony⁴⁵⁰⁴**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁵⁰⁵	0 ⁴⁵⁰⁶	No, but see Enhancements	Yes ⁴⁵⁰⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁵⁰⁸	\$750 ⁴⁵⁰⁹	Yes ⁴⁵¹⁰

❖ Fine is doubled if offense occurred in weapons free zone⁴⁵¹¹**Surcharges**

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵¹²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵¹³	No	No

Notes:⁴⁵⁰⁴ Iowa Code § 724.30(2) (2017).⁴⁵⁰⁵ Iowa Code § 902.9(1)(e) (2017).⁴⁵⁰⁶ Iowa Code § 902.9(1)(e) (2017).⁴⁵⁰⁷ See Iowa Code § 907.3 (2017).⁴⁵⁰⁸ Iowa Code § 902.9(1)(e) (2017).⁴⁵⁰⁹ Iowa Code § 902.9(1)(e) (2017).⁴⁵¹⁰ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴⁵¹¹ Iowa Code § 724.4A(2) (2017).⁴⁵¹² Iowa Code § 911.1(1) (2017).⁴⁵¹³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.30(3)—Property damage occurs without a serious injury or bodily injury occurringClass = aggravated misdemeanor⁴⁵¹⁴**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁵¹⁵	0 ⁴⁵¹⁶	None	Yes ⁴⁵¹⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁵¹⁸**Fines**

Max.	Min.	Can Suspend?
\$6250 ⁴⁵¹⁹	\$625 ⁴⁵²⁰	Yes ⁴⁵²¹

❖ Fine is doubled if offense occurred in weapons free zone⁴⁵²²**Surcharges**

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵²³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵²⁴	No	No

Notes:⁴⁵¹⁴ Iowa Code § 724.30(3) (2017).⁴⁵¹⁵ Iowa Code § 903.1(2) (2017).⁴⁵¹⁶ Iowa Code § 903.1(2) (2017).⁴⁵¹⁷ See Iowa Code § 907.3, unnum. para. (2017).⁴⁵¹⁸ Iowa Code § 903.1(2) (2017).⁴⁵¹⁹ Iowa Code § 903.1(2) (2017).⁴⁵²⁰ Iowa Code § 903.1(2) (2017).⁴⁵²¹ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴⁵²² Iowa Code § 724.4A(2) (2017).⁴⁵²³ Iowa Code § 911.1(1) (2017).⁴⁵²⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 724.30(4)—No injury to person or property damage occursClass = simple misdemeanor⁴⁵²⁵**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴⁵²⁶	0 ⁴⁵²⁷	N/A	Yes ⁴⁵²⁸

Fines

Max.	Min.	Can Suspend?
\$625 ⁴⁵²⁹	\$65 ⁴⁵³⁰	No ⁴⁵³¹

❖ Fine is doubled if offense occurred in weapons free zone⁴⁵³²**Surcharges**

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵³³	No	No	No	No	No

Miscellaneous

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

Notes:⁴⁵²⁵ Iowa Code § 724.30(4) (2017).⁴⁵²⁶ Iowa Code § 903.1(1)(a) (2017).⁴⁵²⁷ Iowa Code § 903.1(1)(a) (2017).⁴⁵²⁸ See Iowa Code 907.3 (2017).⁴⁵²⁹ Iowa Code § 903.1(1)(a) (2017).⁴⁵³⁰ Iowa Code § 903.1(1)(a) (2017).⁴⁵³¹ Iowa Code § 903.1(1) (2017).⁴⁵³² Iowa Code § 724.4A(2) (2017).⁴⁵³³ Iowa Code § 911.1(1) (2017).

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 misdemeanor⁴⁵³⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁵³⁵	0 ⁴⁵³⁶	None	Yes ⁴⁵³⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁵³⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁵³⁹	\$625 ⁴⁵⁴⁰	Yes ⁴⁵⁴¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁴²	No	No	No	No	Yes ⁴⁵⁴³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁴⁴	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 act⁴⁵⁴⁵
 - may expunge after 2 years, per § 725.1(1)(c)⁴⁵⁴⁶

⁴⁵³⁴ Iowa Code § 725.1(1) (2017).

⁴⁵³⁵ Iowa Code § 903.1(2) (2017).

⁴⁵³⁶ Iowa Code § 903.1(2) (2017).

⁴⁵³⁷ See Iowa Code § 907.3, unnum. para. (2017).

⁴⁵³⁸ Iowa Code § 903.1(2) (2017).

⁴⁵³⁹ Iowa Code § 903.1(2) (2017).

⁴⁵⁴⁰ Iowa Code § 903.1(2) (2017).

⁴⁵⁴¹ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵⁴² Iowa Code § 911.1(1) (2017).

⁴⁵⁴³ Iowa Code § 911.3(1) (2017).

⁴⁵⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁵⁴⁵ Iowa Code § 725.1(1)(b) (2017).

⁴⁵⁴⁶ Iowa Code § 725.1(1)(c) (2017).

§ 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 misdemeanor⁴⁵⁴⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁵⁴⁸	0 ⁴⁵⁴⁹	None	Yes ⁴⁵⁵⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁵⁵¹

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁵⁵²	\$625 ⁴⁵⁵³	Yes ⁴⁵⁵⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁵⁵	No	Yes, \$1000 ⁴⁵⁵⁶	No	No	Yes ⁴⁵⁵⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁵⁸	No	No

Notes:

⁴⁵⁴⁷ Iowa Code § 725.1(2)(a) (2017).

⁴⁵⁴⁸ Iowa Code § 903.1(2) (2017).

⁴⁵⁴⁹ Iowa Code § 903.1(2) (2017).

⁴⁵⁵⁰ See Iowa Code § 907.3, unnum. para. (2017).

⁴⁵⁵¹ Iowa Code § 903.1(2) (2017).

⁴⁵⁵² Iowa Code § 903.1(2) (2017).

⁴⁵⁵³ Iowa Code § 903.1(2) (2017).

⁴⁵⁵⁴ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵⁵⁵ Iowa Code § 911.1(1) (2017).

⁴⁵⁵⁶ Iowa Code § 911.2A(1) (2017).

⁴⁵⁵⁷ Iowa Code § 911.3(1) (2017).

⁴⁵⁵⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 725.1(2)(b)—Seller is under 18 years oldClass = “D” felony⁴⁵⁵⁹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁵⁶⁰	0 ⁴⁵⁶¹	No, but see Enhancements	Yes ⁴⁵⁶²

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁵⁶³	\$750 ⁴⁵⁶⁴	Yes ⁴⁵⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁶⁶	No	Yes, \$1000 ⁴⁵⁶⁷	No	No	Yes, \$125 ⁴⁵⁶⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁶⁹	No	No

Notes:⁴⁵⁵⁹ Iowa Code § 725.1(2)(b) (2017).⁴⁵⁶⁰ Iowa Code § 902.9(1)(e) (2017).⁴⁵⁶¹ Iowa Code § 902.9(1)(e) (2017).⁴⁵⁶² See Iowa Code § 907.3 (2017).⁴⁵⁶³ Iowa Code § 902.9(1)(e) (2017).⁴⁵⁶⁴ Iowa Code § 902.9(1)(e) (2017).⁴⁵⁶⁵ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴⁵⁶⁶ Iowa Code § 911.1(1) (2017).⁴⁵⁶⁷ Iowa Code § 911.2A(1) (2017).⁴⁵⁶⁸ Iowa Code § 911.3(1) (2017).⁴⁵⁶⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 725.2—Pimping

§ 725.2(1)—Pimping

Class = “D” felony⁴⁵⁷⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁵⁷¹	0 ⁴⁵⁷²	No, but see Enhancements	Yes ⁴⁵⁷³

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁵⁷⁴	\$750 ⁴⁵⁷⁵	Yes ⁴⁵⁷⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁷⁷	No	Yes, \$1000 ⁴⁵⁷⁸	No	No	Yes, \$125 ⁴⁵⁷⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁸⁰	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if⁴⁵⁸¹:

- offense was committed against a minor or otherwise involved a minor, *and*
- determination is made that offense was sexually motivated per § 692A.126
- If yes, the offender shall be assessed a civil penalty of \$250⁴⁵⁸²

⁴⁵⁷⁰ Iowa Code § 725.2(1) (2017).

⁴⁵⁷¹ Iowa Code § 902.9(1)(e) (2017).

⁴⁵⁷² Iowa Code § 902.9(1)(e) (2017).

⁴⁵⁷³ See Iowa Code § 907.3 (2017).

⁴⁵⁷⁴ Iowa Code § 902.9(1)(e) (2017).

⁴⁵⁷⁵ Iowa Code § 902.9(1)(e) (2017).

⁴⁵⁷⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵⁷⁷ Iowa Code § 911.1(1) (2017).

⁴⁵⁷⁸ Iowa Code § 911.2A(1) (2017).

⁴⁵⁷⁹ Iowa Code § 911.3(1) (2017).

⁴⁵⁸⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁵⁸¹ Iowa Code § 692A.102(1)(a)(7) (2017).

⁴⁵⁸² Iowa Code § 692A.110 (2017).

§ 725.2(2)—Prostitute is under 18 years old

Class = “C” felony⁴⁵⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁵⁸⁴	0 ⁴⁵⁸⁵	No, but see Enhancements	Yes ⁴⁵⁸⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁵⁸⁷	\$1000 ⁴⁵⁸⁸	Yes ⁴⁵⁸⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁹⁰	No	Yes, \$1000 ⁴⁵⁹¹	No	No	Yes, \$125 ⁴⁵⁹²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁹³	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if⁴⁵⁹⁴:
 - offense was committed against a minor or otherwise involved a minor, *and*
 - determination is made that offense was sexually motivated per § 692A.126
 - If yes, the offender shall be assessed a civil penalty of \$250⁴⁵⁹⁵

⁴⁵⁸³ Iowa Code § 725.2(2) (2017).

⁴⁵⁸⁴ Iowa Code § 902.9(1)(d) (2017).

⁴⁵⁸⁵ Iowa Code § 902.9(1)(d) (2017).

⁴⁵⁸⁶ See Iowa Code 907.3 (2017).

⁴⁵⁸⁷ Iowa Code § 902.9(1)(d) (2017).

⁴⁵⁸⁸ Iowa Code § 902.9(1)(d) (2017).

⁴⁵⁸⁹ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵⁹⁰ Iowa Code § 911.1(1) (2017).

⁴⁵⁹¹ Iowa Code § 911.2A(1) (2017).

⁴⁵⁹² Iowa Code § 911.3(1) (2017).

⁴⁵⁹³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁵⁹⁴ Iowa Code § 692A.102(1)(a)(7) (2017).

⁴⁵⁹⁵ Iowa Code § 692A.110 (2017).

§ 725.3—Pandering

§ 725.3(1)—Not involving a minor

Class = “D” felony⁴⁵⁹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁵⁹⁷	0 ⁴⁵⁹⁸	No, but see Enhancements	Yes ⁴⁵⁹⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁶⁰⁰	\$750 ⁴⁶⁰¹	Yes ⁴⁶⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁰³	No	Yes, \$1000 ⁴⁶⁰⁴	No	No	Yes, \$125 ⁴⁶⁰⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁰⁶	Yes ⁴⁶⁰⁷ The offender shall be assessed a civil penalty of \$250 ⁴⁶⁰⁸	No

Notes:

⁴⁵⁹⁶ Iowa Code § 725.3(1) (2017).

⁴⁵⁹⁷ Iowa Code § 902.9(1)(e) (2017).

⁴⁵⁹⁸ Iowa Code § 902.9(1)(e) (2017).

⁴⁵⁹⁹ See Iowa Code § 907.3 (2017).

⁴⁶⁰⁰ Iowa Code § 902.9(1)(e) (2017).

⁴⁶⁰¹ Iowa Code § 902.9(1)(e) (2017).

⁴⁶⁰² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁰³ Iowa Code § 911.1(1) (2017).

⁴⁶⁰⁴ Iowa Code § 911.2A(1) (2017).

⁴⁶⁰⁵ Iowa Code § 911.3(1) (2017).

⁴⁶⁰⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁶⁰⁷ Iowa Code § 692A.102(1)(b)(15) (2017).

⁴⁶⁰⁸ Iowa Code § 692A.110 (2017).

§ 725.3(2)—Involving a minor

Class = “C” felony⁴⁶⁰⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁶¹⁰	0 ⁴⁶¹¹	No, but violation of § 725.3(2) is a SPO ⁴⁶¹² and a SVO, ⁴⁶¹³ so see Enhancements	Yes ⁴⁶¹⁴

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁶¹⁵	\$1000 ⁴⁶¹⁶	Yes ⁴⁶¹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶¹⁸	No	Yes, \$1000 ⁴⁶¹⁹	No	No	Yes, \$125 ⁴⁶²⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶²¹	Yes ⁴⁶²² The offender shall be assessed a civil penalty of \$250 ⁴⁶²³	No

Notes:

⁴⁶⁰⁹ Iowa Code § 725.3(2) (2017).

⁴⁶¹⁰ Iowa Code § 902.9(1)(d) (2017).

⁴⁶¹¹ Iowa Code § 902.9(1)(d) (2017).

⁴⁶¹² Iowa Code § 901A.1 (1)(d) (2017).

⁴⁶¹³ Iowa Code § 229A.2(11)(d) (2017); *see id.* § 901A.1(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).

⁴⁶¹⁴ *See* Iowa Code 907.3 (2017).

⁴⁶¹⁵ Iowa Code § 902.9(1)(d) (2017).

⁴⁶¹⁶ Iowa Code § 902.9(1)(d) (2017).

⁴⁶¹⁷ *See* Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶¹⁸ Iowa Code § 911.1(1) (2017).

⁴⁶¹⁹ Iowa Code § 911.2A(1) (2017).

⁴⁶²⁰ Iowa Code § 911.3(1) (2017).

⁴⁶²¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁶²² Iowa Code 692A.102(1)(b)(15) (2017); *see id.* § 692A.102(1)(a)(8) (also requiring registration if determination is made offense was sexually motivated per § 692A.126).

⁴⁶²³ Iowa Code § 692A.110 (2017).

§ 725.4—Leasing Premises for Prostitution

Class = serious misdemeanor⁴⁶²⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁶²⁵	0 ⁴⁶²⁶	N/A	Yes ⁴⁶²⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁶²⁸	\$315 ⁴⁶²⁹	No ⁴⁶³⁰

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	No	No	No

Notes:

⁴⁶²⁴ Iowa Code § 725.4 (2017).

⁴⁶²⁵ Iowa Code § 903.1(1)(b) (2017).

⁴⁶²⁶ Iowa Code § 903.1(1)(b) (2017).

⁴⁶²⁷ See Iowa Code § 907.3 (2017).

⁴⁶²⁸ Iowa Code § 903.1(1)(b) (2017).

⁴⁶²⁹ Iowa Code § 903.1(1)(b) (2017).

⁴⁶³⁰ Iowa Code § 903.1(1) (2017).

⁴⁶³¹ Iowa Code § 911.1(1) (2017).

§ 725.5—Keeping Gambling House

Class = serious misdemeanor⁴⁶³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁶³³	0 ⁴⁶³⁴	N/A	Yes ⁴⁶³⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁶³⁶	\$315 ⁴⁶³⁷	No ⁴⁶³⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶³⁹	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁶³² Iowa Code § 725.5 (2017).

⁴⁶³³ Iowa Code § 903.1(1)(b) (2017).

⁴⁶³⁴ Iowa Code § 903.1(1)(b) (2017).

⁴⁶³⁵ See Iowa Code § 907.3 (2017).

⁴⁶³⁶ Iowa Code § 903.1(1)(b) (2017).

⁴⁶³⁷ Iowa Code § 903.1(1)(b) (2017).

⁴⁶³⁸ Iowa Code § 903.1(1) (2017).

⁴⁶³⁹ Iowa Code § 911.1(1) (2017).

§ 725.7—Illegal Gambling

§ 725.7(2)(a)—Fourth-degree illegal gambling

§ 725.7(2)(a)(1)—First offense

Class = serious misdemeanor⁴⁶⁴⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁶⁴¹	0 ⁴⁶⁴²	N/A	Yes ⁴⁶⁴³

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁶⁴⁴	\$315 ⁴⁶⁴⁵	No ⁴⁶⁴⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁴⁷	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 809⁴⁶⁴⁸

⁴⁶⁴⁰ Iowa Code § 725.7(2)(a)(1) (2017).

⁴⁶⁴¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁶⁴² Iowa Code § 903.1(1)(b) (2017).

⁴⁶⁴³ See Iowa Code § 907.3 (2017).

⁴⁶⁴⁴ Iowa Code § 903.1(1)(b) (2017).

⁴⁶⁴⁵ Iowa Code § 903.1(1)(b) (2017).

⁴⁶⁴⁶ Iowa Code § 903.1(1) (2017).

⁴⁶⁴⁷ Iowa Code § 911.1(1) (2017).

⁴⁶⁴⁸ Iowa Code § 725.8 (2017).

§ 725.7(2)(a)(2)—Second offense

Class = aggravated misdemeanor⁴⁶⁴⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁶⁵⁰	0 ⁴⁶⁵¹	None	Yes ⁴⁶⁵²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁶⁵³

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁶⁵⁴	\$625 ⁴⁶⁵⁵	Yes ⁴⁶⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁵⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No ⁴⁶⁵⁸	No	No

Notes:

❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁶⁵⁹

⁴⁶⁴⁹ Iowa Code § 725.7(2)(a)(2) (2017).

⁴⁶⁵⁰ Iowa Code § 903.1(2) (2017).

⁴⁶⁵¹ Iowa Code § 903.1(2) (2017).

⁴⁶⁵² See Iowa Code § 907.3, unnum. para. (2017).

⁴⁶⁵³ Iowa Code § 903.1(2) (2017).

⁴⁶⁵⁴ Iowa Code § 903.1(2) (2017).

⁴⁶⁵⁵ Iowa Code § 903.1(2) (2017).

⁴⁶⁵⁶ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁵⁷ Iowa Code § 911.1(1) (2017).

⁴⁶⁵⁸ Iowa Code § 81.1(1)(e) (2017).

⁴⁶⁵⁹ Iowa Code § 725.8 (2017).

§ 725.7(2)(a)(3)—Third offenseClass = “D” felony⁴⁶⁶⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁶⁶¹	0 ⁴⁶⁶²	No, but see Enhancements	Yes ⁴⁶⁶³

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁶⁶⁴	\$750 ⁴⁶⁶⁵	Yes ⁴⁶⁶⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁶⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁶⁸	No	No

Notes:❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁶⁶⁹⁴⁶⁶⁰ Iowa Code § 725.7(2)(a)(3) (2017).⁴⁶⁶¹ Iowa Code § 902.9(1)(e) (2017).⁴⁶⁶² Iowa Code § 902.9(1)(e) (2017).⁴⁶⁶³ See Iowa Code § 907.3 (2017).⁴⁶⁶⁴ Iowa Code § 902.9(1)(e) (2017).⁴⁶⁶⁵ Iowa Code § 902.9(1)(e) (2017).⁴⁶⁶⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴⁶⁶⁷ Iowa Code § 911.1(1) (2017).⁴⁶⁶⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).⁴⁶⁶⁹ Iowa Code § 725.8 (2017).

§ 725.7(2)(a)(4)—Fourth or subsequent offenseClass = “C” felony⁴⁶⁷⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁶⁷¹	0 ⁴⁶⁷²	No, but see Enhancements	Yes ⁴⁶⁷³

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁶⁷⁴	\$1000 ⁴⁶⁷⁵	Yes ⁴⁶⁷⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁷⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁷⁸	No	No

Notes:❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁶⁷⁹⁴⁶⁷⁰ Iowa Code § 725.7(2)(a)(4) (2017).⁴⁶⁷¹ Iowa Code § 902.9(1)(d) (2017).⁴⁶⁷² Iowa Code § 902.9(1)(d) (2017).⁴⁶⁷³ See Iowa Code 907.3 (2017).⁴⁶⁷⁴ Iowa Code § 902.9(1)(d) (2017).⁴⁶⁷⁵ Iowa Code § 902.9(1)(d) (2017).⁴⁶⁷⁶ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴⁶⁷⁷ Iowa Code § 911.1(1) (2017).⁴⁶⁷⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).⁴⁶⁷⁹ Iowa Code § 725.8 (2017).

§ 725.7(2)(b)—Third-degree illegal gambling

§ 725.7(2)(b)(1)—First offense

Class = aggravated misdemeanor⁴⁶⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁶⁸¹	0 ⁴⁶⁸²	None	Yes ⁴⁶⁸³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁶⁸⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁶⁸⁵	\$625 ⁴⁶⁸⁶	Yes ⁴⁶⁸⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁸⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No ⁴⁶⁸⁹	No	No

Notes:

❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁶⁹⁰

⁴⁶⁸⁰ Iowa Code § 725.7(2)(b)(1) (2017).

⁴⁶⁸¹ Iowa Code § 903.1(2) (2017).

⁴⁶⁸² Iowa Code § 903.1(2) (2017).

⁴⁶⁸³ See Iowa Code § 907.3, unnum. para. (2017).

⁴⁶⁸⁴ Iowa Code § 903.1(2) (2017).

⁴⁶⁸⁵ Iowa Code § 903.1(2) (2017).

⁴⁶⁸⁶ Iowa Code § 903.1(2) (2017).

⁴⁶⁸⁷ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁸⁸ Iowa Code § 911.1(1) (2017).

⁴⁶⁸⁹ Iowa Code § 81.1(1)(e) (2017).

⁴⁶⁹⁰ Iowa Code § 725.8 (2017).

§ 725.7(2)(b)(2)—Second offenseClass = “D” felony⁴⁶⁹¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁶⁹²	0 ⁴⁶⁹³	No, but see Enhancements	Yes ⁴⁶⁹⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁶⁹⁵	\$750 ⁴⁶⁹⁶	Yes ⁴⁶⁹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁹⁹	No	No

Notes:❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁷⁰⁰⁴⁶⁹¹ Iowa Code § 725.7(2)(b)(2) (2017).⁴⁶⁹² Iowa Code § 902.9(1)(e) (2017).⁴⁶⁹³ Iowa Code § 902.9(1)(e) (2017).⁴⁶⁹⁴ See Iowa Code § 907.3 (2017).⁴⁶⁹⁵ Iowa Code § 902.9(1)(e) (2017).⁴⁶⁹⁶ Iowa Code § 902.9(1)(e) (2017).⁴⁶⁹⁷ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴⁶⁹⁸ Iowa Code § 911.1(1) (2017).⁴⁶⁹⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).⁴⁷⁰⁰ Iowa Code § 725.8 (2017).

§ 725.7(2)(b)(3)—Third or subsequent offenseClass = “C” felony⁴⁷⁰¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁷⁰²	0 ⁴⁷⁰³	No, but see Enhancements	Yes ⁴⁷⁰⁴

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁷⁰⁵	\$1000 ⁴⁷⁰⁶	Yes ⁴⁷⁰⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁰⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷⁰⁹	No	No

Notes:❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁷¹⁰⁴⁷⁰¹ Iowa Code § 725.7(2)(b)(3) (2017).⁴⁷⁰² Iowa Code § 902.9(1)(d) (2017).⁴⁷⁰³ Iowa Code § 902.9(1)(d) (2017).⁴⁷⁰⁴ See Iowa Code 907.3 (2017).⁴⁷⁰⁵ Iowa Code § 902.9(1)(d) (2017).⁴⁷⁰⁶ Iowa Code § 902.9(1)(d) (2017).⁴⁷⁰⁷ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴⁷⁰⁸ Iowa Code § 911.1(1) (2017).⁴⁷⁰⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).⁴⁷¹⁰ Iowa Code § 725.8 (2017).

§ 725.7(2)(c)—Second-degree illegal gambling

§ 726.7(2)(c)(1)—First offense

Class = “D” felony⁴⁷¹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁷¹²	0 ⁴⁷¹³	No, but see Enhancements	Yes ⁴⁷¹⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁷¹⁵	\$750 ⁴⁷¹⁶	Yes ⁴⁷¹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷¹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷¹⁹	No	No

Notes:

❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁷²⁰

⁴⁷¹¹ Iowa Code § 725.7(2)(c)(1) (2017).

⁴⁷¹² Iowa Code § 902.9(1)(e) (2017).

⁴⁷¹³ Iowa Code § 902.9(1)(e) (2017).

⁴⁷¹⁴ See Iowa Code § 907.3 (2017).

⁴⁷¹⁵ Iowa Code § 902.9(1)(e) (2017).

⁴⁷¹⁶ Iowa Code § 902.9(1)(e) (2017).

⁴⁷¹⁷ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷¹⁸ Iowa Code § 911.1(1) (2017).

⁴⁷¹⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁷²⁰ Iowa Code § 725.8 (2017).

§ 725.7(2)(c)(2)—Second or subsequent offenseClass = “C” felony⁴⁷²¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁷²²	0 ⁴⁷²³	No, but see Enhancements	Yes ⁴⁷²⁴

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁷²⁵	\$1000 ⁴⁷²⁶	Yes ⁴⁷²⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷²⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷²⁹	No	No

Notes:❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁷³⁰⁴⁷²¹ Iowa Code § 725.7(2)(c)(2) (2017).⁴⁷²² Iowa Code § 902.9(1)(d) (2017).⁴⁷²³ Iowa Code § 902.9(1)(d) (2017).⁴⁷²⁴ See Iowa Code 907.3 (2017).⁴⁷²⁵ Iowa Code § 902.9(1)(d) (2017).⁴⁷²⁶ Iowa Code § 902.9(1)(d) (2017).⁴⁷²⁷ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴⁷²⁸ Iowa Code § 911.1(1) (2017).⁴⁷²⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).⁴⁷³⁰ Iowa Code § 725.8 (2017).

§ 725.7(2)(d)—First-degree illegal gambling

Class = “C” felony⁴⁷³¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁷³²	0 ⁴⁷³³	No, but see Enhancements	Yes ⁴⁷³⁴

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁷³⁵	\$1000 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	No	No

Notes:

❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁷⁴⁰

⁴⁷³¹ Iowa Code § 725.7(2)(d) (2017).

⁴⁷³² Iowa Code § 902.9(1)(d) (2017).

⁴⁷³³ Iowa Code § 902.9(1)(d) (2017).

⁴⁷³⁴ See Iowa Code 907.3 (2017).

⁴⁷³⁵ Iowa Code § 902.9(1)(d) (2017).

⁴⁷³⁶ Iowa Code § 902.9(1)(d) (2017).

⁴⁷³⁷ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷³⁸ Iowa Code § 911.1(1) (2017).

⁴⁷³⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁷⁴⁰ Iowa Code § 725.8 (2017).

§ 725.9—Possession of Gambling Devices

Class = serious misdemeanor⁴⁷⁴¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁷⁴²	0 ⁴⁷⁴³	N/A	Yes ⁴⁷⁴⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁷⁴⁵	\$315 ⁴⁷⁴⁶	No ⁴⁷⁴⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁴⁸	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁷⁴¹ Iowa Code § 725.9(3) (2017).

⁴⁷⁴² Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁴³ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁴⁴ See Iowa Code § 907.3 (2017).

⁴⁷⁴⁵ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁴⁶ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁴⁷ Iowa Code § 903.1(1) (2017).

⁴⁷⁴⁸ Iowa Code § 911.1(1) (2017).

§ 725.10—Pool Selling

Class = serious misdemeanor⁴⁷⁴⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁷⁵⁰	0 ⁴⁷⁵¹	N/A	Yes ⁴⁷⁵²

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁷⁵³	\$315 ⁴⁷⁵⁴	No ⁴⁷⁵⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁵⁶	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁷⁴⁹ Iowa Code § 725.10 (2017).

⁴⁷⁵⁰ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁵¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁵² See Iowa Code § 907.3 (2017).

⁴⁷⁵³ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁵⁴ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁵⁵ Iowa Code § 903.1(1) (2017).

⁴⁷⁵⁶ Iowa Code § 911.1(1) (2017).

§ 725.12—Unlawful Lotteries and Possession of Lottery Tickets

Class = serious misdemeanor⁴⁷⁵⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁷⁵⁸	0 ⁴⁷⁵⁹	N/A	Yes ⁴⁷⁶⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁷⁶¹	\$315 ⁴⁷⁶²	No ⁴⁷⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁶⁴	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁷⁵⁷ Iowa Code § 725.12(1) (2017).

⁴⁷⁵⁸ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁵⁹ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁶⁰ See Iowa Code § 907.3 (2017).

⁴⁷⁶¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁶² Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁶³ Iowa Code § 903.1(1) (2017).

⁴⁷⁶⁴ Iowa Code § 911.1(1) (2017).

§ 725.16—Gambling in Violation of Chapter 99B

Class = serious misdemeanor⁴⁷⁶⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁷⁶⁶	0 ⁴⁷⁶⁷	N/A	Yes ⁴⁷⁶⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁷⁶⁹	\$315 ⁴⁷⁷⁰	No ⁴⁷⁷¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁷²	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁷⁶⁵ Iowa Code § 725.16 (2017).

⁴⁷⁶⁶ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁶⁷ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁶⁸ See Iowa Code § 907.3 (2017).

⁴⁷⁶⁹ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁷⁰ Iowa Code § 903.1(1)(b) (2017).

⁴⁷⁷¹ Iowa Code § 903.1(1) (2017).

⁴⁷⁷² Iowa Code § 911.1(1) (2017).

§ 725.17—Protection Money

Class = aggravated misdemeanor⁴⁷⁷³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁷⁷⁴	0 ⁴⁷⁷⁵	None	Yes ⁴⁷⁷⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁷⁷⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁷⁷⁸	\$625 ⁴⁷⁷⁹	Yes ⁴⁷⁸⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁸¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷⁸²	No	No

Notes:

⁴⁷⁷³ Iowa Code § 725.17 (2017).

⁴⁷⁷⁴ Iowa Code § 903.1(2) (2017).

⁴⁷⁷⁵ Iowa Code § 903.1(2) (2017).

⁴⁷⁷⁶ See Iowa Code § 907.3, unnum. para. (2017).

⁴⁷⁷⁷ Iowa Code § 903.1(2) (2017).

⁴⁷⁷⁸ Iowa Code § 903.1(2) (2017).

⁴⁷⁷⁹ Iowa Code § 903.1(2) (2017).

⁴⁷⁸⁰ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷⁸¹ Iowa Code § 911.1(1) (2017).

⁴⁷⁸² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 725.18—Unlawful Collection Service

Class = aggravated misdemeanor⁴⁷⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁷⁸⁴	0 ⁴⁷⁸⁵	None	Yes ⁴⁷⁸⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁷⁸⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁷⁸⁸	\$625 ⁴⁷⁸⁹	Yes ⁴⁷⁹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷⁹²	No	No

Notes:

⁴⁷⁸³ Iowa Code § 725.18 (2017).

⁴⁷⁸⁴ Iowa Code § 903.1(2) (2017).

⁴⁷⁸⁵ Iowa Code § 903.1(2) (2017).

⁴⁷⁸⁶ See Iowa Code § 907.3, unnum. para. (2017).

⁴⁷⁸⁷ Iowa Code § 903.1(2) (2017).

⁴⁷⁸⁸ Iowa Code § 903.1(2) (2017).

⁴⁷⁸⁹ Iowa Code § 903.1(2) (2017).

⁴⁷⁹⁰ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷⁹¹ Iowa Code § 911.1(1) (2017).

⁴⁷⁹² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 725.19—Gambling by Underage Persons

§ 725.19(1)—Gambling by person under 21 years old

Class = scheduled violation under § 805.8C(5)(a)⁴⁷⁹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
0 ⁴⁷⁹⁴	0 ⁴⁷⁹⁵	N/A	N/A ⁴⁷⁹⁶

Fines

Max.	Min.	Can Suspend?
\$500 ⁴⁷⁹⁷	\$500 ⁴⁷⁹⁸	No 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	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.”⁴⁸⁰¹

⁴⁷⁹³ Iowa Code § 725.19(1) (2017).

⁴⁷⁹⁴ Iowa Code § 805.8C(5)(a) (2017).

⁴⁷⁹⁵ Iowa Code § 805.8C(5)(a) (2017).

⁴⁷⁹⁶ See Iowa Code § 805.8C(5)(a) (2017).

⁴⁷⁹⁷ Iowa Code § 805.8C(5)(a) (2017).

⁴⁷⁹⁸ Iowa Code § 805.8C(5)(a) (2017).

⁴⁷⁹⁹ See Iowa Code § 805.8C(5)(a) (2017).

⁴⁸⁰⁰ Iowa Code §§ 805.8(1), 911.1(1) (2017).

⁴⁸⁰¹ Iowa Code § 805.8C(5)(a) (2017).

§ 725.19(2)—Permitting gambling by person under 21 years oldClass = simple misdemeanor⁴⁸⁰²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴⁸⁰³	0 ⁴⁸⁰⁴	N/A	Yes ⁴⁸⁰⁵

Fines

Max.	Min.	Can Suspend?
\$625 ⁴⁸⁰⁶	\$65 ⁴⁸⁰⁷	No ⁴⁸⁰⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁰⁹	No	No	No	No	No

Miscellaneous

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

Notes:⁴⁸⁰² Iowa Code § 725.19(2) (2017).⁴⁸⁰³ Iowa Code § 903.1(1)(a) (2017).⁴⁸⁰⁴ Iowa Code § 903.1(1)(a) (2017).⁴⁸⁰⁵ See Iowa Code 907.3 (2017).⁴⁸⁰⁶ Iowa Code § 903.1(1)(a) (2017).⁴⁸⁰⁷ Iowa Code § 903.1(1)(a) (2017).⁴⁸⁰⁸ Iowa Code § 903.1(1) (2017).⁴⁸⁰⁹ Iowa Code § 911.1(1) (2017).

CH. 726 PROTECTION OF THE FAMILY AND DEPENDENT PERSONS

§ 726.1—Bigamy

Class = serious misdemeanor⁴⁸¹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁸¹¹	0 ⁴⁸¹²	N/A	Yes ⁴⁸¹³

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁸¹⁴	\$315 ⁴⁸¹⁵	No ⁴⁸¹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸¹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ⁴⁸¹⁸	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,”⁴⁸¹⁹ *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”⁴⁸²⁰
- If yes, the offender shall be assessed a civil penalty of \$250⁴⁸²¹

⁴⁸¹⁰ Iowa Code § 726.1(2) (2017).

⁴⁸¹¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁸¹² Iowa Code § 903.1(1)(b) (2017).

⁴⁸¹³ See Iowa Code § 907.3 (2017).

⁴⁸¹⁴ Iowa Code § 903.1(1)(b) (2017).

⁴⁸¹⁵ Iowa Code § 903.1(1)(b) (2017).

⁴⁸¹⁶ Iowa Code § 903.1(1) (2017).

⁴⁸¹⁷ Iowa Code § 911.1(1) (2017).

⁴⁸¹⁸ Iowa Code § 81.2(6) (2017).

⁴⁸¹⁹ Iowa Code § 726.10 (2017).

⁴⁸²⁰ Iowa Code § 692A.102(1)(a)(9) (2017).

⁴⁸²¹ Iowa Code § 692A.110 (2017).

§ 726.2—Incest

Class = “D” felony⁴⁸²²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁸²³	0 ⁴⁸²⁴	No, but see Enhancements	Yes ⁴⁸²⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁸²⁶	\$750 ⁴⁸²⁷	Yes ⁴⁸²⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸²⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸³⁰	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- must register if any of the following apply:
 - committed against dependent adult⁴⁸³¹
 - committed against a minor⁴⁸³²
 - committed against a minor and fact finder determines offense was sexually motivated per § 692A.126⁴⁸³³
 - “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”⁴⁸³⁴
 - If yes, the offender shall be assessed a civil penalty of \$250⁴⁸³⁵

❖ Special Sentence for 10 years⁴⁸³⁶:

- 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

⁴⁸²² Iowa Code § 725.1(2)(b) (2017).

⁴⁸²³ Iowa Code § 902.9(1)(e) (2017).

⁴⁸²⁴ Iowa Code § 902.9(1)(e) (2017).

⁴⁸²⁵ See Iowa Code § 907.3 (2017).

⁴⁸²⁶ Iowa Code § 902.9(1)(e) (2017).

⁴⁸²⁷ Iowa Code § 902.9(1)(e) (2017).

⁴⁸²⁸ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸²⁹ Iowa Code § 911.1(1) (2017).

⁴⁸³⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁸³¹ Iowa Code § 692A.102(1)(b)(17) (2017).

⁴⁸³² Iowa Code § 692A.102(1)(b)(18) (2017).

⁴⁸³³ Iowa Code § 726.10 (2017).

⁴⁸³⁴ Iowa Code § 692A.102(1)(a)(9) (2017).

⁴⁸³⁵ Iowa Code § 692A.110 (2017).

⁴⁸³⁶ Iowa Code § 903B.2 (2017).

- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 726.3—Neglect or Abandonment of Dependent Person

Class = “C” felony⁴⁸³⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁸³⁸	0 ⁴⁸³⁹	No, but see Enhancements	Yes ⁴⁸⁴⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁸⁴¹	\$1000 ⁴⁸⁴²	Yes ⁴⁸⁴³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁴⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸⁴⁵	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,”⁴⁸⁴⁶ *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”⁴⁸⁴⁷
- If yes, the offender shall be assessed a civil penalty of \$250⁴⁸⁴⁸

⁴⁸³⁷ Iowa Code § 726.3 (2017).

⁴⁸³⁸ Iowa Code § 902.9(1)(d) (2017).

⁴⁸³⁹ Iowa Code § 902.9(1)(d) (2017).

⁴⁸⁴⁰ See Iowa Code 907.3 (2017).

⁴⁸⁴¹ Iowa Code § 902.9(1)(d) (2017).

⁴⁸⁴² Iowa Code § 902.9(1)(d) (2017).

⁴⁸⁴³ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸⁴⁴ Iowa Code § 911.1(1) (2017).

⁴⁸⁴⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁸⁴⁶ Iowa Code § 726.10 (2017).

⁴⁸⁴⁷ Iowa Code § 692A.102(1)(a)(9) (2017).

⁴⁸⁴⁸ Iowa Code § 692A.110 (2017).

§ 726.5—Nonsupport

Class = “D” felony⁴⁸⁴⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁸⁵⁰	0 ⁴⁸⁵¹	No, but see Enhancements	Yes ⁴⁸⁵²

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁸⁵³	\$750 ⁴⁸⁵⁴	Yes ⁴⁸⁵⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁵⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸⁵⁷	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,”⁴⁸⁵⁸ *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”⁴⁸⁵⁹
- If yes, the offender shall be assessed a civil penalty of \$250⁴⁸⁶⁰

⁴⁸⁴⁹ Iowa Code § 726.5 (2017).

⁴⁸⁵⁰ Iowa Code § 902.9(1)(e) (2017).

⁴⁸⁵¹ Iowa Code § 902.9(1)(e) (2017).

⁴⁸⁵² See Iowa Code § 907.3 (2017).

⁴⁸⁵³ Iowa Code § 902.9(1)(e) (2017).

⁴⁸⁵⁴ Iowa Code § 902.9(1)(e) (2017).

⁴⁸⁵⁵ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸⁵⁶ Iowa Code § 911.1(1) (2017).

⁴⁸⁵⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁸⁵⁸ Iowa Code § 726.10 (2017).

⁴⁸⁵⁹ Iowa Code § 692A.102(1)(a)(9) (2017).

⁴⁸⁶⁰ Iowa Code § 692A.110 (2017).

§ 726.6—Child Endangerment

§ 726.6(4)—Resulting in death to child or minor

Class = “B” felony⁴⁸⁶¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ⁴⁸⁶²	0 ⁴⁸⁶³	<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 sentence⁴⁸⁶⁴ <ul style="list-style-type: none"> ➤ court shall determine at time of sentencing when person is to become eligible for parole or work release⁴⁸⁶⁵ <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”⁴⁸⁶⁶ ➤ but see Under 18 Sentencing 	No, ⁴⁸⁶⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ⁴⁸⁶⁸	0 ⁴⁸⁶⁹	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 ⁴⁸⁷⁰	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,”⁴⁸⁷¹ *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”⁴⁸⁷²

⁴⁸⁶¹ Iowa Code § 726.6(4) (2017).

⁴⁸⁶² Iowa Code § 726.6(4) (2017).

⁴⁸⁶³ Iowa Code § 902.9(1)(b) (2017).

⁴⁸⁶⁴ Iowa Code § 902.12(2) (2017).

⁴⁸⁶⁵ Iowa Code § 901.11(2) (2017).

⁴⁸⁶⁶ Iowa Code § 901.11(2) (2017).

⁴⁸⁶⁷ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “child endangerment” as a forcible felony).

⁴⁸⁶⁸ Iowa Code § 902.9(1)(b) (2017).

⁴⁸⁶⁹ Iowa Code § 902.9(1)(b) (2017).

⁴⁸⁷⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁸⁷¹ Iowa Code § 726.10 (2017).

⁴⁸⁷² Iowa Code § 692A.102(1)(a)(9) (2017).

- If yes, the offender shall be assessed a civil penalty of \$250⁴⁸⁷³

⁴⁸⁷³ Iowa Code § 692A.110 (2017).

§ 726.6(5)—Resulting in serious injury to child or minor

Class = “C” felony⁴⁸⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁸⁷⁵	0 ⁴⁸⁷⁶	No, but see Enhancements Note: child endangerment in violation of § 726.6(1)(e) can be a SVO ⁴⁸⁷⁷	No, ⁴⁸⁷⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁸⁷⁹	\$1000 ⁴⁸⁸⁰	Yes ⁴⁸⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁸²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸⁸³	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,”⁴⁸⁸⁴ 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”⁴⁸⁸⁵
- If yes, the offender shall be assessed a civil penalty of \$250⁴⁸⁸⁶

⁴⁸⁷⁴ Iowa Code § 726.6(5) (2017).

⁴⁸⁷⁵ Iowa Code § 902.9(1)(d) (2017).

⁴⁸⁷⁶ Iowa Code § 902.9(1)(d) (2017).

⁴⁸⁷⁷ Iowa Code § 229A.2(11) (b)(4) (2017); *see id.* § 901A.1(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁴⁸⁷⁸ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “child endangerment” as a forcible felony).

⁴⁸⁷⁹ Iowa Code § 902.9(1)(d) (2017).

⁴⁸⁸⁰ Iowa Code § 902.9(1)(d) (2017).

⁴⁸⁸¹ *See* Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸⁸² Iowa Code § 911.1(1) (2017).

⁴⁸⁸³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁸⁸⁴ Iowa Code § 726.10 (2017).

⁴⁸⁸⁵ Iowa Code § 692A.102(1)(a)(9) (2017).

⁴⁸⁸⁶ Iowa Code § 692A.110 (2017).

§ 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” felony⁴⁸⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁸⁸⁸	0 ⁴⁸⁸⁹	No, but see Enhancements Note: child endangerment in violation of § 726.6(1)(e) can be a SVO ⁴⁸⁹⁰	Yes ⁴⁸⁹¹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁸⁹²	\$750 ⁴⁸⁹³	Yes ⁴⁸⁹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸⁹⁶	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,”⁴⁸⁹⁷ 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,”⁴⁸⁹⁸
- If yes, the offender shall be assessed a civil penalty of \$250⁴⁸⁹⁹

⁴⁸⁸⁷ Iowa Code § 726.6(6) (2017); *see also* 2017 Iowa Acts ch. 69, §§ 29–30 effective 7/1/2017.

⁴⁸⁸⁸ Iowa Code § 902.9(1)(e) (2017).

⁴⁸⁸⁹ Iowa Code § 902.9(1)(e) (2017).

⁴⁸⁹⁰ Iowa Code § 229A.2(11) (b)(4) (2017); *see id.* § 901A.1(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁴⁸⁹¹ *See* Iowa Code § 907.3 (2017); *see also id.* § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).

⁴⁸⁹² Iowa Code § 902.9(1)(e) (2017).

⁴⁸⁹³ Iowa Code § 902.9(1)(e) (2017).

⁴⁸⁹⁴ *See* Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸⁹⁵ Iowa Code § 911.1(1) (2017).

⁴⁸⁹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁸⁹⁷ Iowa Code § 726.10 (2017).

⁴⁸⁹⁸ Iowa Code § 692A.102(1)(a)(9) (2017).

⁴⁸⁹⁹ Iowa Code § 692A.110 (2017).

§ 726.6(7)—Any other child endangerment

Class = aggravated misdemeanor⁴⁹⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁹⁰¹	0 ⁴⁹⁰²	None, but child endangerment in violation of § 726.6(1)(e) can be a SVO, ⁴⁹⁰³ so see Enhancements	Yes ⁴⁹⁰⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁹⁰⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁹⁰⁶	\$625 ⁴⁹⁰⁷	Yes ⁴⁹⁰⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹⁰⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁹¹⁰	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,”⁴⁹¹¹ 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,”⁴⁹¹²
- If yes, the offender shall be assessed a civil penalty of \$250⁴⁹¹³

⁴⁹⁰⁰ Iowa Code § 726.6(7) (2017).

⁴⁹⁰¹ Iowa Code § 903.1(2) (2017).

⁴⁹⁰² Iowa Code § 903.1(2) (2017).

⁴⁹⁰³ Iowa Code § 229A.2(11) (b)(4) (2017); *see id.* § 901A.1(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁴⁹⁰⁴ *See* Iowa Code § 907.3, unnum. para. (2017).

⁴⁹⁰⁵ Iowa Code § 903.1(2) (2017).

⁴⁹⁰⁶ Iowa Code § 903.1(2) (2017).

⁴⁹⁰⁷ Iowa Code § 903.1(2) (2017).

⁴⁹⁰⁸ *See* Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁹⁰⁹ Iowa Code § 911.1(1) (2017).

⁴⁹¹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁹¹¹ Iowa Code § 726.10 (2017).

⁴⁹¹² Iowa Code § 692A.102(1)(a)(9) (2017).

⁴⁹¹³ Iowa Code § 692A.110 (2017).

§ 726.6A—Multiple Acts of Child Endangerment

Class = “B” felony⁴⁹¹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ⁴⁹¹⁵	0 ⁴⁹¹⁶	No, but see Enhancements ❖ Note: child endangerment in violation of § 726.6(1)(e) can be a SVO ⁴⁹¹⁷	No, ⁴⁹¹⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ⁴⁹¹⁹	0 ⁴⁹²⁰	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 ⁴⁹²¹	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,”⁴⁹²² *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,”⁴⁹²³
- If yes, the offender shall be assessed a civil penalty of \$250⁴⁹²⁴

⁴⁹¹⁴ Iowa Code § 726.6A (2017).

⁴⁹¹⁵ Iowa Code § 726.6A (2017).

⁴⁹¹⁶ Iowa Code § 902.9(1)(b) (2017).

⁴⁹¹⁷ Iowa Code § 229A.2(11) (b)(4) (2017); *see id.* § 901A.1(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁴⁹¹⁸ Iowa Code § 907.3, unnum. para. (2017); *see id.* § 702.11(1) (including felonious “child endangerment” as a forcible felony).

⁴⁹¹⁹ Iowa Code § 902.9(1)(b) (2017).

⁴⁹²⁰ Iowa Code § 902.9(1)(b) (2017).

⁴⁹²¹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁹²² Iowa Code § 726.10 (2017).

⁴⁹²³ Iowa Code § 692A.102(1)(a)(9) (2017).

⁴⁹²⁴ Iowa Code § 692A.110 (2017).

§ 726.7—Wanton Neglect of a Resident of a Health Care Facility

§ 726.7(2)—Resulting in serious injury to resident

Class = “C” felony⁴⁹²⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁹²⁶	0 ⁴⁹²⁷	No, but see Enhancements	Yes ⁴⁹²⁸

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁹²⁹	\$1000 ⁴⁹³⁰	Yes ⁴⁹³¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹³²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁹³³	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](#),”⁴⁹³⁴ 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](#),”⁴⁹³⁵
- If yes, the offender shall be assessed a civil penalty of \$250⁴⁹³⁶

⁴⁹²⁵ Iowa Code § 726.7(2) (2017).

⁴⁹²⁶ Iowa Code § 902.9(1)(d) (2017).

⁴⁹²⁷ Iowa Code § 902.9(1)(d) (2017).

⁴⁹²⁸ See Iowa Code 907.3 (2017).

⁴⁹²⁹ Iowa Code § 902.9(1)(d) (2017).

⁴⁹³⁰ Iowa Code § 902.9(1)(d) (2017).

⁴⁹³¹ See Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁹³² Iowa Code § 911.1(1) (2017).

⁴⁹³³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁹³⁴ Iowa Code § 726.10 (2017).

⁴⁹³⁵ Iowa Code § 692A.102(1)(a)(9) (2017).

⁴⁹³⁶ Iowa Code § 692A.110 (2017).

§ 726.7(3)—Not resulting in serious injury

Class = aggravated misdemeanor⁴⁹³⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁹³⁸	0 ⁴⁹³⁹	None	Yes ⁴⁹⁴⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁹⁴¹

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁹⁴²	\$625 ⁴⁹⁴³	Yes ⁴⁹⁴⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹⁴⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁹⁴⁶	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.126,⁴⁹⁴⁷ 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.126⁴⁹⁴⁸
- If yes, the offender shall be assessed a civil penalty of \$250⁴⁹⁴⁹

⁴⁹³⁷ Iowa Code § 726.7(3) (2017).

⁴⁹³⁸ Iowa Code § 903.1(2) (2017).

⁴⁹³⁹ Iowa Code § 903.1(2) (2017).

⁴⁹⁴⁰ See Iowa Code § 907.3, unnum. para. (2017).

⁴⁹⁴¹ Iowa Code § 903.1(2) (2017).

⁴⁹⁴² Iowa Code § 903.1(2) (2017).

⁴⁹⁴³ Iowa Code § 903.1(2) (2017).

⁴⁹⁴⁴ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁹⁴⁵ Iowa Code § 911.1(1) (2017).

⁴⁹⁴⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁴⁹⁴⁷ Iowa Code § 726.10 (2017).

⁴⁹⁴⁸ Iowa Code § 692A.102(1)(a)(9) (2017).

⁴⁹⁴⁹ Iowa Code § 692A.110 (2017).

§ 726.8—Wanton Neglect or Nonsupport of a Dependent Adult

§ 726.8(1)—By a caretaker

Class = serious misdemeanor⁴⁹⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁹⁵¹	0 ⁴⁹⁵²	N/A	Yes ⁴⁹⁵³

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁹⁵⁴	\$315 ⁴⁹⁵⁵	No ⁴⁹⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹⁵⁷	No	No	No	No	No

Miscellaneous

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

Notes:

⁴⁹⁵⁰ Iowa Code § 726.8(1) (2017).

⁴⁹⁵¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁹⁵² Iowa Code § 903.1(1)(b) (2017).

⁴⁹⁵³ See Iowa Code § 907.3 (2017).

⁴⁹⁵⁴ Iowa Code § 903.1(1)(b) (2017).

⁴⁹⁵⁵ Iowa Code § 903.1(1)(b) (2017).

⁴⁹⁵⁶ Iowa Code § 903.1(1) (2017).

⁴⁹⁵⁷ Iowa Code § 911.1(1) (2017).

§ 726.8(2)—By a person with legal responsibilityClass = “D” felony⁴⁹⁵⁸**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁹⁵⁹	0 ⁴⁹⁶⁰	No, but see Enhancements	Yes ⁴⁹⁶¹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁹⁶²	\$750 ⁴⁹⁶³	Yes ⁴⁹⁶⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹⁶⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁹⁶⁶	No	No

Notes:⁴⁹⁵⁸ Iowa Code § 726.8(2) (2017).⁴⁹⁵⁹ Iowa Code § 902.9(1)(e) (2017).⁴⁹⁶⁰ Iowa Code § 902.9(1)(e) (2017).⁴⁹⁶¹ See Iowa Code § 907.3 (2017); see also *id.* § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).⁴⁹⁶² Iowa Code § 902.9(1)(e) (2017).⁴⁹⁶³ Iowa Code § 902.9(1)(e) (2017).⁴⁹⁶⁴ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴⁹⁶⁵ Iowa Code § 911.1(1) (2017).⁴⁹⁶⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

CH. 728 OBSCENITY

§ 728.2—Dissemination and Exhibition of Obscene Materials to Minors

Class = serious misdemeanor⁴⁹⁶⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁹⁶⁸	0 ⁴⁹⁶⁹	N/A	Yes ⁴⁹⁷⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁹⁷¹	\$315 ⁴⁹⁷²	No ⁴⁹⁷³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹⁷⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁹⁷⁵	Yes ⁴⁹⁷⁶ The offender shall be assessed a civil penalty of \$250 ⁴⁹⁷⁷	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 months⁴⁹⁷⁸

⁴⁹⁶⁷ Iowa Code § 728.2 (2017).

⁴⁹⁶⁸ Iowa Code § 903.1(1)(b) (2017).

⁴⁹⁶⁹ Iowa Code § 903.1(1)(b) (2017).

⁴⁹⁷⁰ See Iowa Code § 907.3 (2017).

⁴⁹⁷¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁹⁷² Iowa Code § 903.1(1)(b) (2017).

⁴⁹⁷³ Iowa Code § 903.1(1) (2017).

⁴⁹⁷⁴ Iowa Code § 911.1(1) (2017).

⁴⁹⁷⁵ Iowa Code § 81.2(6) (2017) (requiring submission of an DNA Sample for anyone required to register for sex offender registry).

⁴⁹⁷⁶ Iowa Code § 692A.102(1)(a)(10)(a) (2017).

⁴⁹⁷⁷ Iowa Code § 692A.110 (2017).

⁴⁹⁷⁸ Iowa Code § 728.8 (2017).

§ 728.3—Admitting Minors to Premises Where Obscene Material Is Exhibited

§ 728.3(1)—Minor is not a child

Class = serious misdemeanor⁴⁹⁷⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁹⁸⁰	0 ⁴⁹⁸¹	N/A	Yes ⁴⁹⁸²

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁹⁸³	\$315 ⁴⁹⁸⁴	No ⁴⁹⁸⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹⁸⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁹⁸⁷	Yes ⁴⁹⁸⁸ The offender shall be assessed a civil penalty of \$250 ⁴⁹⁸⁹	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 months⁴⁹⁹⁰

⁴⁹⁷⁹ Iowa Code § 728.2 (2017).

⁴⁹⁸⁰ Iowa Code § 903.1(1)(b) (2017).

⁴⁹⁸¹ Iowa Code § 903.1(1)(b) (2017).

⁴⁹⁸² See Iowa Code § 907.3 (2017).

⁴⁹⁸³ Iowa Code § 903.1(1)(b) (2017).

⁴⁹⁸⁴ Iowa Code § 903.1(1)(b) (2017).

⁴⁹⁸⁵ Iowa Code § 903.1(1) (2017).

⁴⁹⁸⁶ Iowa Code § 911.1(1) (2017).

⁴⁹⁸⁷ Iowa Code § 81.2(6) (2017) (requiring submission of an DNA Sample for anyone required to register for sex offender registry).

⁴⁹⁸⁸ Iowa Code § 692A.102(1)(a)(11) (2017).

⁴⁹⁸⁹ Iowa Code § 692A.110 (2017).

⁴⁹⁹⁰ Iowa Code § 728.8 (2017).

§ 728.3(2)—Minor is a child

Class = aggravated misdemeanor⁴⁹⁹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁹⁹²	0 ⁴⁹⁹³	None	Yes ⁴⁹⁹⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁹⁹⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁹⁹⁶	\$625 ⁴⁹⁹⁷	Yes ⁴⁹⁹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹⁹⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰⁰⁰	Yes ⁵⁰⁰¹ The offender shall be assessed a civil penalty of \$250 ⁵⁰⁰²	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 months⁵⁰⁰³

⁴⁹⁹¹ Iowa Code § 728.3(2) (2017).

⁴⁹⁹² Iowa Code § 903.1(2) (2017).

⁴⁹⁹³ Iowa Code § 903.1(2) (2017).

⁴⁹⁹⁴ See Iowa Code § 907.3, unnum. para. (2017).

⁴⁹⁹⁵ Iowa Code § 903.1(2) (2017).

⁴⁹⁹⁶ Iowa Code § 903.1(2) (2017).

⁴⁹⁹⁷ Iowa Code § 903.1(2) (2017).

⁴⁹⁹⁸ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁹⁹⁹ Iowa Code § 911.1(1) (2017).

⁵⁰⁰⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵⁰⁰¹ Iowa Code § 692A.102(1)(a)(11) (2017).

⁵⁰⁰² Iowa Code § 692A.110 (2017).

⁵⁰⁰³ Iowa Code § 728.8 (2017).

§ 728.4—Rental or Sale of Hard-Core Pornography

First Offense

Class = aggravated misdemeanor⁵⁰⁰⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵⁰⁰⁵	0 ⁵⁰⁰⁶	None	Yes ⁵⁰⁰⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁰⁰⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ⁵⁰⁰⁹	\$625 ⁵⁰¹⁰	Yes ⁵⁰¹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰¹²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰¹³	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ must register if:

- delivery is to a minor⁵⁰¹⁴
- If yes, the offender shall be assessed a civil penalty of \$250⁵⁰¹⁵

⁵⁰⁰⁴ Iowa Code § 728.4 (2017).

⁵⁰⁰⁵ Iowa Code § 903.1(2) (2017).

⁵⁰⁰⁶ Iowa Code § 903.1(2) (2017).

⁵⁰⁰⁷ See Iowa Code § 907.3, unnum. para. (2017).

⁵⁰⁰⁸ Iowa Code § 903.1(2) (2017).

⁵⁰⁰⁹ Iowa Code § 903.1(2) (2017).

⁵⁰¹⁰ Iowa Code § 903.1(2) (2017).

⁵⁰¹¹ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰¹² Iowa Code § 911.1(1) (2017).

⁵⁰¹³ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵⁰¹⁴ Iowa Code § 692A.102(1)(a)(10)(b) (2017).

⁵⁰¹⁵ Iowa Code § 692A.110 (2017).

Second or Subsequent Offense

Class = “D” felony⁵⁰¹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁵⁰¹⁷	0 ⁵⁰¹⁸	No, but see Enhancements	Yes ⁵⁰¹⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁵⁰²⁰	\$750 ⁵⁰²¹	Yes ⁵⁰²²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰²³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰²⁴	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - must register if:
 - delivery is to a minor⁵⁰²⁵
 - If yes, offender shall be assessed a civil penalty of \$250⁵⁰²⁶

⁵⁰¹⁶ Iowa Code § 728.4 (2017).

⁵⁰¹⁷ Iowa Code § 902.9(1)(e) (2017).

⁵⁰¹⁸ Iowa Code § 902.9(1)(e) (2017).

⁵⁰¹⁹ See Iowa Code § 907.3 (2017).

⁵⁰²⁰ Iowa Code § 902.9(1)(e) (2017).

⁵⁰²¹ Iowa Code § 902.9(1)(e) (2017).

⁵⁰²² See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰²³ Iowa Code § 911.1(1) (2017).

⁵⁰²⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵⁰²⁵ Iowa Code § 692A.102(1)(a)(10)(b) (2017).

⁵⁰²⁶ Iowa Code § 692A.110 (2017).

§ 728.5—Public Indecent Exposure in Certain Establishments

§ 728.5(1)—Public indecent exposure

Class = serious misdemeanor⁵⁰²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁵⁰²⁸	0 ⁵⁰²⁹	N/A	Yes ⁵⁰³⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ⁵⁰³¹	\$315 ⁵⁰³²	No ⁵⁰³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰³⁴	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 months⁵⁰³⁵

⁵⁰²⁷ Iowa Code § 728.5(1) (2017).

⁵⁰²⁸ Iowa Code § 903.1(1)(b) (2017).

⁵⁰²⁹ Iowa Code § 903.1(1)(b) (2017).

⁵⁰³⁰ See Iowa Code § 907.3 (2017).

⁵⁰³¹ Iowa Code § 903.1(1)(b) (2017).

⁵⁰³² Iowa Code § 903.1(1)(b) (2017).

⁵⁰³³ Iowa Code § 903.1(1) (2017).

⁵⁰³⁴ Iowa Code § 911.1(1) (2017).

⁵⁰³⁵ Iowa Code § 728.8 (2017).

§ 728.5(2)—Involving a minorClass = aggravated misdemeanor⁵⁰³⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵⁰³⁷	0 ⁵⁰³⁸	None	Yes ⁵⁰³⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁰⁴⁰**Fines**

Max.	Min.	Can Suspend?
\$6250 ⁵⁰⁴¹	\$625 ⁵⁰⁴²	Yes ⁵⁰⁴³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁴⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰⁴⁵	No	No

Notes:⁵⁰³⁶ Iowa Code § 728.5(2) (2017).⁵⁰³⁷ Iowa Code § 903.1(2) (2017).⁵⁰³⁸ Iowa Code § 903.1(2) (2017).⁵⁰³⁹ See Iowa Code § 907.3, unnum. para. (2017).⁵⁰⁴⁰ Iowa Code § 903.1(2) (2017).⁵⁰⁴¹ Iowa Code § 903.1(2) (2017).⁵⁰⁴² Iowa Code § 903.1(2) (2017).⁵⁰⁴³ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁵⁰⁴⁴ Iowa Code § 911.1(1) (2017).⁵⁰⁴⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

§ 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” felony⁵⁰⁴⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁵⁰⁴⁷	0 ⁵⁰⁴⁸	No, but see Enhancements Note: violation of § 728.12(1) is a SPO ⁵⁰⁴⁹ and a SVO ⁵⁰⁵⁰	Yes ⁵⁰⁵¹

Fines

Max.	Min.	Can Suspend?
\$50,000 ⁵⁰⁵²	\$1000 ⁵⁰⁵³	Yes ⁵⁰⁵⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁵⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰⁵⁶	Yes ⁵⁰⁵⁷ The offender shall be assessed a civil penalty of \$250 ⁵⁰⁵⁸	No

Notes:

- ❖ Special Sentence for Life⁵⁰⁵⁹:
 - 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

⁵⁰⁴⁶ Iowa Code § 728.12(1) (2017).

⁵⁰⁴⁷ Iowa Code § 902.9(1)(d) (2017).

⁵⁰⁴⁸ Iowa Code § 902.9(1)(d) (2017).

⁵⁰⁴⁹ Iowa Code § 901A.1 (1)(b) (2017).

⁵⁰⁵⁰ Iowa Code § 229A.2(11) (c) (2017); *see id.* § 901A.1(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁵⁰⁵¹ *See* Iowa Code § 907.3 (2017).

⁵⁰⁵² Iowa Code § 728.12(1) (2017).

⁵⁰⁵³ Iowa Code § 902.9(1)(d) (2017).

⁵⁰⁵⁴ *See* Iowa Code § 902.9(1)(d) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰⁵⁵ Iowa Code § 911.1(1) (2017).

⁵⁰⁵⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵⁰⁵⁷ Iowa Code § 692A.102(1)(c) (25) (2017).

⁵⁰⁵⁸ Iowa Code § 692A.110 (2017).

⁵⁰⁵⁹ Iowa Code § 903B.1 (2017).

- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 728.12(2)—Promotion of unlawful material

Class = “D” felony⁵⁰⁶⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁵⁰⁶¹	0 ⁵⁰⁶²	No, but see Enhancements	Yes ⁵⁰⁶³

Fines

Max.	Min.	Can Suspend?
\$25,000 ⁵⁰⁶⁴	\$750 ⁵⁰⁶⁵	Yes ⁵⁰⁶⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁶⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰⁶⁸	Yes ⁵⁰⁶⁹ The offender shall be assessed a civil penalty of \$250 ⁵⁰⁷⁰	No

Notes:

- ❖ Special Sentence for 10 years⁵⁰⁷¹:
 - 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

⁵⁰⁶⁰ Iowa Code § 728.12(2) (2017).

⁵⁰⁶¹ Iowa Code § 902.9(1)(e) (2017).

⁵⁰⁶² Iowa Code § 902.9(1)(e) (2017).

⁵⁰⁶³ See Iowa Code § 907.3 (2017); see also *id.* § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).

⁵⁰⁶⁴ Iowa Code § 728.12(2) (2017).

⁵⁰⁶⁵ Iowa Code § 902.9(1)(e) (2017).

⁵⁰⁶⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰⁶⁷ Iowa Code § 911.1(1) (2017).

⁵⁰⁶⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵⁰⁶⁹ Iowa Code § 692A.102(1)(b)(19) (2017).

⁵⁰⁷⁰ Iowa Code § 692A.110 (2017).

⁵⁰⁷¹ Iowa Code § 903B.2 (2017).

§ 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 offense⁵⁰⁷²

Class = aggravated misdemeanor⁵⁰⁷³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵⁰⁷⁴	0 ⁵⁰⁷⁵	None	Yes ⁵⁰⁷⁶

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁰⁷⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ⁵⁰⁷⁸	\$625 ⁵⁰⁷⁹	Yes ⁵⁰⁸⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁸¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰⁸²	Yes ⁵⁰⁸³ The offender shall be assessed a civil penalty of \$250 ⁵⁰⁸⁴	No

Notes:

- ❖ Special Sentence for 10 years⁵⁰⁸⁵:
 - 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](#)

⁵⁰⁷² Iowa Code § 728.12(3) (2017).

⁵⁰⁷³ Iowa Code § 728.12(3) (2017).

⁵⁰⁷⁴ Iowa Code § 903.1(2) (2017).

⁵⁰⁷⁵ Iowa Code § 903.1(2) (2017).

⁵⁰⁷⁶ See Iowa Code § 907.3, unnum. para. (2017).

⁵⁰⁷⁷ Iowa Code § 903.1(2) (2017).

⁵⁰⁷⁸ Iowa Code § 903.1(2) (2017).

⁵⁰⁷⁹ Iowa Code § 903.1(2) (2017).

⁵⁰⁸⁰ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰⁸¹ Iowa Code § 911.1(1) (2017).

⁵⁰⁸² Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵⁰⁸³ Iowa Code § 692A.102(1)(b)(19) (2017).

⁵⁰⁸⁴ Iowa Code § 692A.110 (2017).

⁵⁰⁸⁵ Iowa Code § 903B.2 (2017).

Second or Subsequent Offense

- ❖ multiple violations of § 728.12 involving the same minor are prosecuted and punished as one offense⁵⁰⁸⁶
- ❖ 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)⁵⁰⁸⁷
 - 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)⁵⁰⁸⁸
 - The court shall take judicial notice of other states' statutes that define offenses substantially similar to the offense in § 728.12(3)⁵⁰⁸⁹

Class = "D" felony⁵⁰⁹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁵⁰⁹¹	0 ⁵⁰⁹²	No, but see Enhancements	Yes ⁵⁰⁹³

Fines

Max.	Min.	Can Suspend?
\$7500 ⁵⁰⁹⁴	\$750 ⁵⁰⁹⁵	Yes ⁵⁰⁹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰⁹⁸	Yes ⁵⁰⁹⁹ The offender shall be assessed a civil penalty of \$250 ⁵¹⁰⁰	No

Notes:

- ❖ Special Sentence for 10 years⁵¹⁰¹:
 - 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](#)

⁵⁰⁸⁶ Iowa Code § 728.12(3) (2017).

⁵⁰⁸⁷ Iowa Code § 728.12(3)(a) (2017).

⁵⁰⁸⁸ Iowa Code § 728.12(3)(b) (2017).

⁵⁰⁸⁹ Iowa Code § 728.12(3)(b) (2017).

⁵⁰⁹⁰ Iowa Code § 728.12(3) (2017).

⁵⁰⁹¹ Iowa Code § 902.9(1)(e) (2017).

⁵⁰⁹² Iowa Code § 902.9(1)(e) (2017).

⁵⁰⁹³ See Iowa Code § 907.3 (2017).

⁵⁰⁹⁴ Iowa Code § 902.9(1)(e) (2017).

⁵⁰⁹⁵ Iowa Code § 902.9(1)(e) (2017).

⁵⁰⁹⁶ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰⁹⁷ Iowa Code § 911.1(1) (2017).

⁵⁰⁹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵⁰⁹⁹ Iowa Code § 692A.102(1)(b)(19) (2017).

⁵¹⁰⁰ Iowa Code § 692A.110 (2017).

⁵¹⁰¹ Iowa Code § 903B.2 (2017).

- 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](#)

§ 728.14—Failure of Commercial Film and Photographic Film Processor to Report Depictions of Minors Engaged in Prohibited Sexual Acts

Class = simple misdemeanor⁵¹⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁵¹⁰³	0 ⁵¹⁰⁴	N/A	Yes ⁵¹⁰⁵

Fines

Max.	Min.	Can Suspend?
\$625 ⁵¹⁰⁶	\$65 ⁵¹⁰⁷	No ⁵¹⁰⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵¹⁰⁹	No	No	No	No	No

Miscellaneous

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

Notes:

⁵¹⁰² Iowa Code § 728.14(3) (2017).

⁵¹⁰³ Iowa Code § 903.1(1)(a) (2017).

⁵¹⁰⁴ Iowa Code § 903.1(1)(a) (2017).

⁵¹⁰⁵ See Iowa Code § 907.3 (2017).

⁵¹⁰⁶ Iowa Code § 903.1(1)(a) (2017).

⁵¹⁰⁷ Iowa Code § 903.1(1)(a) (2017).

⁵¹⁰⁸ Iowa Code § 903.1(1) (2017).

⁵¹⁰⁹ Iowa Code § 911.1(1) (2017).

§ 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 misdemeanor⁵¹¹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵¹¹¹	0 ⁵¹¹²	None	Yes ⁵¹¹³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵¹¹⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ⁵¹¹⁵	\$625 ⁵¹¹⁶	Yes ⁵¹¹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵¹¹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵¹¹⁹	Yes ⁵¹²⁰ The offender shall be assessed a civil penalty of \$250 ⁵¹²¹	No

Notes:

⁵¹¹⁰ Iowa Code § 728.15(4)(a) (2017).

⁵¹¹¹ Iowa Code § 903.1(2) (2017).

⁵¹¹² Iowa Code § 903.1(2) (2017).

⁵¹¹³ See Iowa Code § 907.3, unnum. para. (2017).

⁵¹¹⁴ Iowa Code § 903.1(2) (2017).

⁵¹¹⁵ Iowa Code § 903.1(2) (2017).

⁵¹¹⁶ Iowa Code § 903.1(2) (2017).

⁵¹¹⁷ See Iowa Code § 903.1(2) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵¹¹⁸ Iowa Code § 911.1(1) (2017).

⁵¹¹⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵¹²⁰ Iowa Code § 692A.102(1)(a)(10)(a) (2017).

⁵¹²¹ Iowa Code § 692A.110 (2017).

Second or Subsequent Offense

Class = “D” felony⁵¹²²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁵¹²³	0 ⁵¹²⁴	No, but see Enhancements	Yes ⁵¹²⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ⁵¹²⁶	\$750 ⁵¹²⁷	Yes ⁵¹²⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵¹²⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵¹³⁰	Yes ⁵¹³¹ The offender shall be assessed a civil penalty of \$250 ⁵¹³²	No

Notes:

⁵¹²² Iowa Code § 728.15(4)(b) (2017).

⁵¹²³ Iowa Code § 902.9(1)(e) (2017).

⁵¹²⁴ Iowa Code § 902.9(1)(e) (2017).

⁵¹²⁵ See Iowa Code § 907.3 (2017).

⁵¹²⁶ Iowa Code § 902.9(1)(e) (2017).

⁵¹²⁷ Iowa Code § 902.9(1)(e) (2017).

⁵¹²⁸ See Iowa Code § 902.9(1)(e) (2017); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵¹²⁹ Iowa Code § 911.1(1) (2017).

⁵¹³⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a) (2017).

⁵¹³¹ Iowa Code § 692A.102(1)(a)(10)(a) (2017).

⁵¹³² Iowa Code § 692A.110 (2017).

SENTENCING ENHANCEMENTS

1. Sexually Predatory Offenses (SPO)

A. Definition of SPO

- ❖ Any serious or aggravated misdemeanor, or felony violation of:
 - Ch. 709 (“Sexual Abuse”)⁵¹³³
 - § 710.10(1) (“Enticing a minor”)⁵¹³⁴
 - § 725.3(2) (“Pandering involving a minor”)⁵¹³⁵
 - § 728.12(1) (“Sexual exploitation of a minor”)⁵¹³⁶
- ❖ Any attempt to commit any of the offenses listed directly above⁵¹³⁷
- ❖ 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)⁵¹³⁸

B. Other Helpful Definitions

- ❖ “Prior Conviction” (for purposes of ch. 901A)⁵¹³⁹
 - 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)⁵¹⁴⁰
 - Same as defined in § 229A.2, which means violation of:
 - § 707.1 (murder involving [attempted/intent to commit] sexual abuse)⁵¹⁴¹
 - Ch. 709 (“Sexual Abuse”)⁵¹⁴²
 - § 710.1 (kidnapping involving [attempted/intent to commit] sexual abuse)⁵¹⁴³
 - § 713.1 (burglary involving [attempted/intent to commit] sexual abuse)⁵¹⁴⁴
 - § 725.3(2) (pandering involving a minor)⁵¹⁴⁵
 - § 726.6(1)(e) (child endangerment involving [attempted/intent to commit] sexual abuse)⁵¹⁴⁶
 - § 728.12(1) (sexual exploitation of a minor involving [attempted/intent to commit] sexual abuse)⁵¹⁴⁷
 - Any offense:
 - involving attempt or conspiracy to commit any of the above offenses,⁵¹⁴⁸ *or*
 - under prior Iowa law or committed in another jurisdiction that would be the equivalent of any of the above offenses (including attempt/conspiracy)⁵¹⁴⁹

⁵¹³³ Iowa Code § 901A.1 (1)(a) (2017).

⁵¹³⁴ Iowa Code § 901A.1(1)(c) (2017).

⁵¹³⁵ Iowa Code § 901A.1(1)(d) (2017).

⁵¹³⁶ Iowa Code § 901A.1(1)(b) (2017).

⁵¹³⁷ Iowa Code § 901A.1(1)(e) (2017).

⁵¹³⁸ Iowa Code § 901A.1(1)(f) (2017).

⁵¹³⁹ Iowa Code § 901A.1(2) (2017).

⁵¹⁴⁰ Iowa Code § 901A.1 (2017).

⁵¹⁴¹ Iowa Code § 229A.2(11) (b)(1) (2017).

⁵¹⁴² Iowa Code § 229A.2(11)(a) (2017).

⁵¹⁴³ Iowa Code § 229A.2(11)(b)(2) (2017).

⁵¹⁴⁴ Iowa Code § 229A.2(11)(b)(3) (2017).

⁵¹⁴⁵ Iowa Code § 229A.2(11)(d) (2017).

⁵¹⁴⁶ Iowa Code § 229A.2(11)(b)(4) (2017).

⁵¹⁴⁷ Iowa Code § 229A.2(11)(c) (2017).

⁵¹⁴⁸ Iowa Code § 229A.2(11)(e) (2017).

⁵¹⁴⁹ Iowa Code § 229A.2(11)(f) (2017).

- Any act that has been determined to be sexually motivated⁵¹⁵⁰
 - Determination must be:⁵¹⁵¹
 - ♦ 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*⁵¹⁵²

- ❖ 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.”⁵¹⁵³
 - But “[t]he board of parole shall determine whether the person shall be released on parole or placed in a work release program.”⁵¹⁵⁴
- ❖ Not eligible for DJ, DS, or SS⁵¹⁵⁵
- ❖ 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*⁵¹⁵⁶

- ❖ 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.”⁵¹⁵⁷
 - But “[t]he board of parole shall determine whether the person shall be released on parole or placed in a work release program.”⁵¹⁵⁸
- ❖ Not eligible for DJ, DS, or SS⁵¹⁵⁹
- ❖ 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)*⁵¹⁶⁰

- ❖ Sentence = life commitment to custody of the director of the Iowa Department of Corrections
- ❖ Not eligible for DJ, DS, or SS⁵¹⁶¹
- ❖ Terms and conditions that apply to sentences for “A” felonies under chapters 901–909 apply

iv. *If SPO is a felony + 1 prior SPO*⁵¹⁶²

- ❖ Term of incarceration = the greater of:

⁵¹⁵⁰ Iowa Code § 229A.2(11) (g) (2017). “‘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).

⁵¹⁵¹ Iowa Code § 229A.2(11) (g) (2017).

⁵¹⁵² Iowa Code § 901A.2 (1) (2017).

⁵¹⁵³ Iowa Code § 901A.2 (8) (2017).

⁵¹⁵⁴ Iowa Code § 901A.2 (8) (2017).

⁵¹⁵⁵ Iowa Code § 901A.2 (7) (2017).

⁵¹⁵⁶ Iowa Code § 901A.2 (2) (2017).

⁵¹⁵⁷ Iowa Code § 901A.2 (8) (2017).

⁵¹⁵⁸ Iowa Code § 901A.2 (8) (2017).

⁵¹⁵⁹ Iowa Code § 901A.2 (7) (2017).

⁵¹⁶⁰ Iowa Code § 901A.2 (5) (2017).

⁵¹⁶¹ Iowa Code § 901A.2 (7) (2017).

⁵¹⁶² Iowa Code § 901A.2 (3) (2017).

- Twice the maximum period of incarceration, *or*
 - 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.”⁵¹⁶³
 - But “[t]he board of parole shall determine whether the person shall be released on parole or placed in a work release program.”⁵¹⁶⁴
 - ❖ Not eligible for DJ, DS, or SS⁵¹⁶⁵
 - ❖ 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)*⁵¹⁶⁶
- ❖ Sentence = life in prison
 - Same terms as a class “A” felony under § 902.1
 - ❖ Not eligible for DJ, DS, or SS⁵¹⁶⁷
 - ❖ Note: prosecuting attorney must allege and prove that person:⁵¹⁶⁸
 - 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*⁵¹⁶⁹
- ❖ 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 SS⁵¹⁷⁰
- 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 SS⁵¹⁷¹

2. Use of a Dangerous Weapon⁵¹⁷²

- ❖ Requirements:

⁵¹⁶³ Iowa Code § 901A.2 (8) (2017).

⁵¹⁶⁴ Iowa Code § 901A.2(8) (2017).

⁵¹⁶⁵ Iowa Code § 901A.2(7) (2017).

⁵¹⁶⁶ Iowa Code § 901A.2(4) (2017).

⁵¹⁶⁷ Iowa Code § 901A.2(7) (2017).

⁵¹⁶⁸ Iowa Code § 901A.2(4) (2017).

⁵¹⁶⁹ Iowa Code § 901A.2(6) (2017).

⁵¹⁷⁰ Iowa Code § 901A.2(7) (2017).

⁵¹⁷¹ Iowa Code § 901A.2(7) (2017).

⁵¹⁷² Iowa Code § 902.7 (2017).

- At trial of person charged with participating in forcible felony
- Trier of fact finds beyond a reasonable doubt:
 - 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 satisfied⁵¹⁷³
- ❖ 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 apply⁵¹⁷⁴:
 - offender pleads guilty
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- ❖ Helpful Definitions:
 - “Dangerous Weapon”⁵¹⁷⁵
 - 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
 - ♦ Stilettos
 - ♦ 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

⁵¹⁷³ Iowa R. Crim. P. 2.6(6).

⁵¹⁷⁴ Iowa Code § 901.10(1) (2017).

⁵¹⁷⁵ Iowa Code § 702.7 (2017).

- “Forcible Felony”⁵¹⁷⁶
 - Any felonious child endangerment, assault, murder, sexual abuse, kidnapping, robbery, human trafficking, arson in the first degree, or burglary in the first degree⁵¹⁷⁷
 - Exceptions—following are not forcible felonies:
 - Violations of:
 - ♦ § 708.2(4) (assault)⁵¹⁷⁸
 - ♦ § 708.2A(5) (domestic abuse assault)⁵¹⁷⁹
 - ♦ § 708.4(2) (willful injury)⁵¹⁸⁰
 - ♦ § 708.12(3)(f) (removal of officer’s communication or control device)⁵¹⁸¹
 - ♦ § 709.4(1)(b)(3)(d) (sexual abuse)⁵¹⁸²
 - ♦ § 709.15 (sexual exploitation by counselor, therapist, or school employee)⁵¹⁸³
 - ♦ § 726.6(6) (child endangerment)⁵¹⁸⁴
 - Third-degree sexual abuse committed between spouses⁵¹⁸⁵

3. Firearm or Offensive Weapon in Weapons Free Zone⁵¹⁸⁶

- ❖ 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 (2017).
 - “Weapons Free Zone”⁵¹⁸⁷
 - “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 Offender⁵¹⁸⁸

- ❖ 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 years⁵¹⁸⁹
 - Mand. Min. before Parole Eligible = 3 years of confinement
 - Not eligible for DJ⁵¹⁹⁰
- ❖ Helpful Definition:
 - “Felony”

⁵¹⁷⁶ Iowa Code § 702.11 (2017).

⁵¹⁷⁷ Iowa Code § 702.11(1) (2017).

⁵¹⁷⁸ Iowa Code § 702.11(2)(f) (2017).

⁵¹⁷⁹ Iowa Code § 702.11(2)(g) (2017).

⁵¹⁸⁰ Iowa Code § 702.11(2)(a) (2017).

⁵¹⁸¹ Iowa Code § 702.11(2)(h) (2017).

⁵¹⁸² Iowa Code § 702.11(2)(c) (2017).

⁵¹⁸³ Iowa Code § 702.11(2)(d) (2017).

⁵¹⁸⁴ Iowa Code § 702.11 (2017).

⁵¹⁸⁵ Iowa Code § 702.11(2)(b) (2017).

⁵¹⁸⁶ Iowa Code § 724.4A(2) (2017).

⁵¹⁸⁷ Iowa Code § 724.4A(1) (2017).

⁵¹⁸⁸ Iowa Code § 902.8 (2017).

⁵¹⁸⁹ Iowa Code § 902.9(1)(c) (2017).

⁵¹⁹⁰ Iowa Code § 907.3 (1)(a)(1) (2017).

- “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.”

5. Felony Conviction + Prior Felony Convictions⁵¹⁹¹

- ❖ 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,⁵¹⁹² *or*
 - Sentence being served is for operating a motor vehicle while under the influence of alcohol or a drug under chapter 321J⁵¹⁹³

6. Sexual Abuse or Lascivious Acts with a Child⁵¹⁹⁴

- ❖ 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)⁵¹⁹⁵
 - 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:⁵¹⁹⁶
 - Person *may* be required to undergo hormone intervention therapy as part of any conditions of release imposed by the court or board of parole

⁵¹⁹¹ Iowa Code § 902.11, unnum. para. 1 (2017).

⁵¹⁹² Iowa Code § 902.11(1) (2017).

⁵¹⁹³ Iowa Code § 902.11(2) (2017).

⁵¹⁹⁴ Iowa Code § 902.14 (2017).

⁵¹⁹⁵ Iowa Code § 903B.10(3) (2017).

⁵¹⁹⁶ Iowa Code § 903B.10(1) (2017).

- If required, person shall pay reasonable fee for costs of providing the treatment⁵¹⁹⁷
 - 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.”⁵¹⁹⁸
- Second or subsequent conviction of SSO:⁵¹⁹⁹
 - Person *shall* be required to undergo hormone intervention therapy as a condition of release
 - Person shall pay reasonable fee for costs of providing the treatment⁵²⁰⁰
 - 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.”⁵²⁰¹
- Exceptions:
 - Not required for second or subsequent conviction of SSO if after appropriate assessment, court or board determines treatment would not be effective⁵²⁰²
 - Not required if person voluntarily undergoes permanent surgical alternative approved by court or board⁵²⁰³

⁵¹⁹⁷ Iowa Code § 903B.10(5) (2017).

⁵¹⁹⁸ Iowa Code § 903B.10(5) (2017).

⁵¹⁹⁹ Iowa Code § 903B.10(1) (2017).

⁵²⁰⁰ Iowa Code § 903B.10(5) (2017).

⁵²⁰¹ Iowa Code § 903B.10(5) (2017).

⁵²⁰² Iowa Code § 903B.10(1) (2017).

⁵²⁰³ Iowa Code § 903B.10(1) (2017).

UNDER 18 SENTENCING

Max. Jail/Prison Time:

- ❖ categorical rule—cannot sentence to life without parole⁵²⁰⁴
- ❖ 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 factor⁵²⁰⁵
 - However, “*Miller [v. Alabama]* requires ‘more than a generalized notion of taking age into consideration as a factor in sentencing.’”⁵²⁰⁶
 - “[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.’”⁵²⁰⁷
 - 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.’”⁵²⁰⁸
 - 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)

⁵²⁰⁴ *State v. Sweet*, 879 N.W.2d 811, 832 (Iowa 2016).

⁵²⁰⁵ *State v. Lyle*, 854 N.W.2d 378, 403 (Iowa 2014).

⁵²⁰⁶ *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)).

⁵²⁰⁷ *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)).

⁵²⁰⁸ *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).