IOWA CRIMINAL STATUTES SUMMARY CHART—2020

Judge Michael R. Mullins & Drake University Law School

For offenses occurring on 7/1/2020[1] through 6/30/2021.

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.

LINKS: (1) All Iowa Code sections in the 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. (2) Unless otherwise specified, the cited Code section is the 2019 Iowa Code, and if subsequently amended, a citation to the relevant legislation has been included. Citations to legislation are also hyperlinked. If the Code section is a new section, the citation is to the 2020 Iowa Code.

ADDITIONAL ACCESS: You can now access individual pages of the chart on a smartphone, iphone or tablet using the FastCase app sponsored by the Iowa State Bar Association.

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 IowaSentencingProject@gmail.com.

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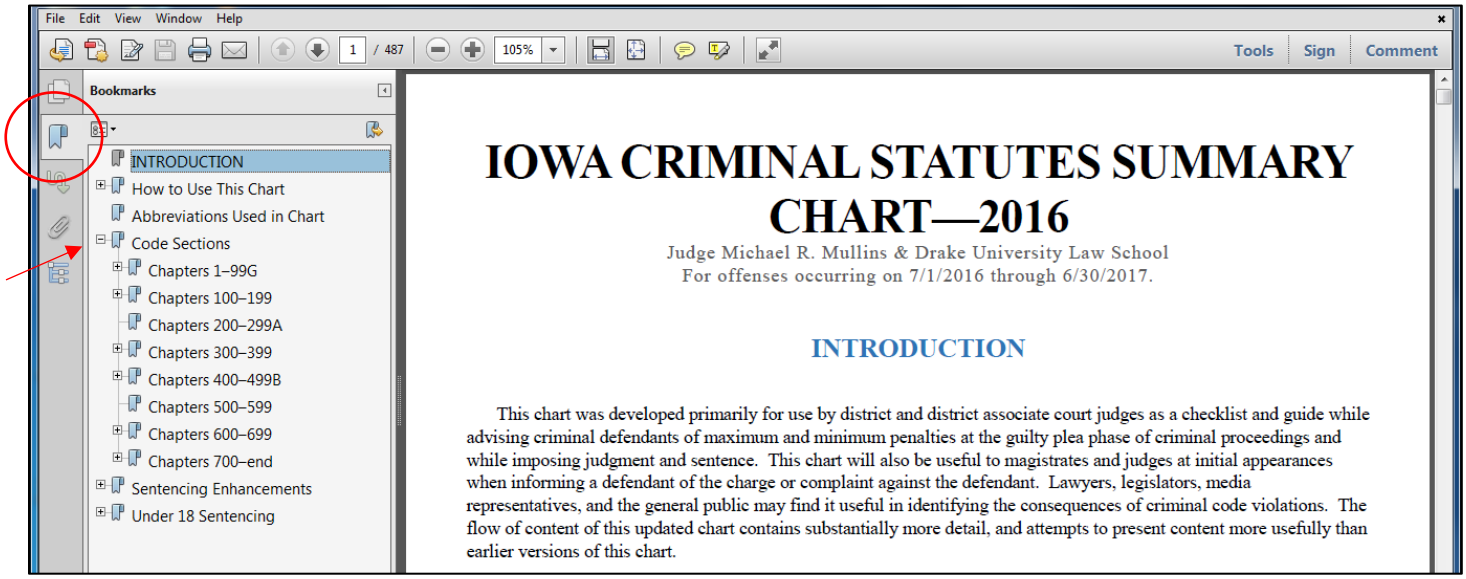
[1] Amendments made by 2020 Iowa Acts ch. 1074 effective 7/15/2020 unless otherwise provided.

HOW TO USE THIS CHART

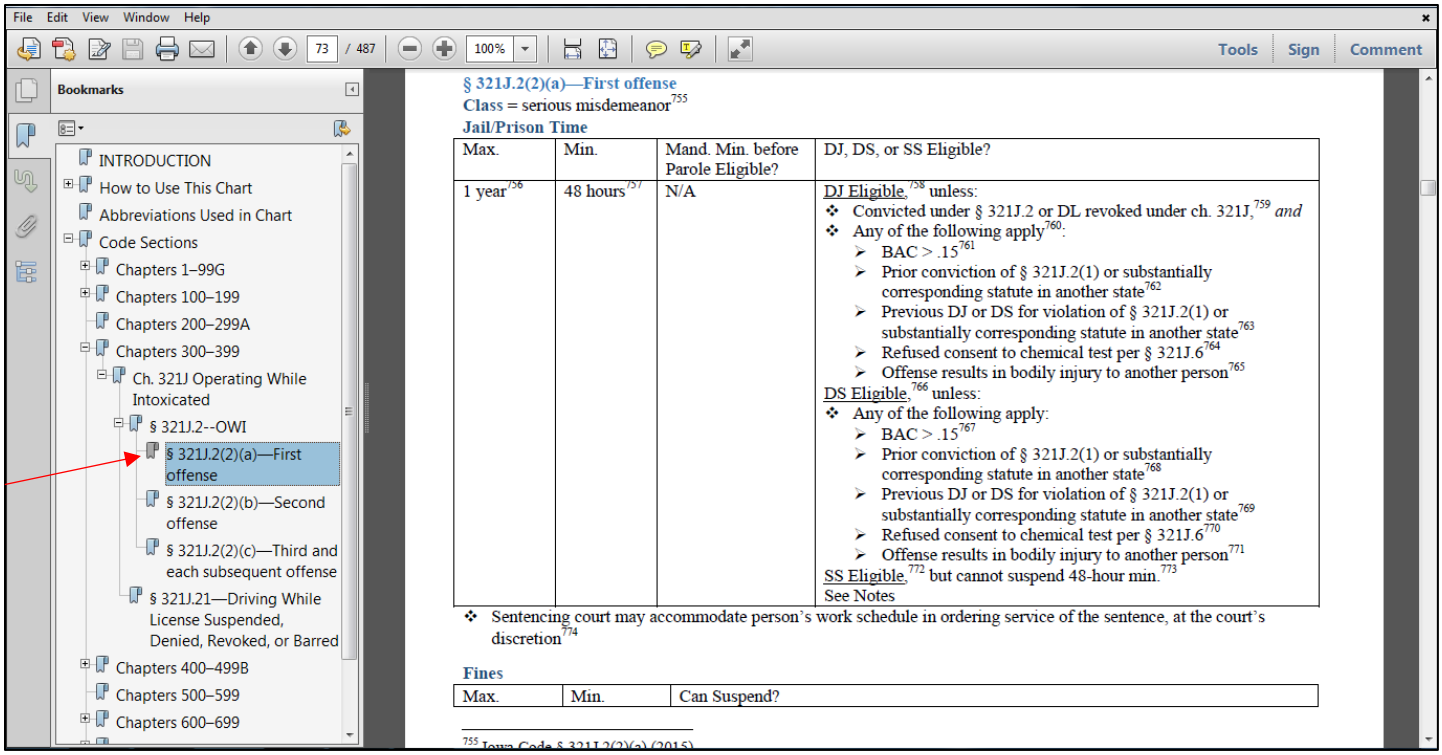
Step 1: Find Code Section

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)[2], 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."

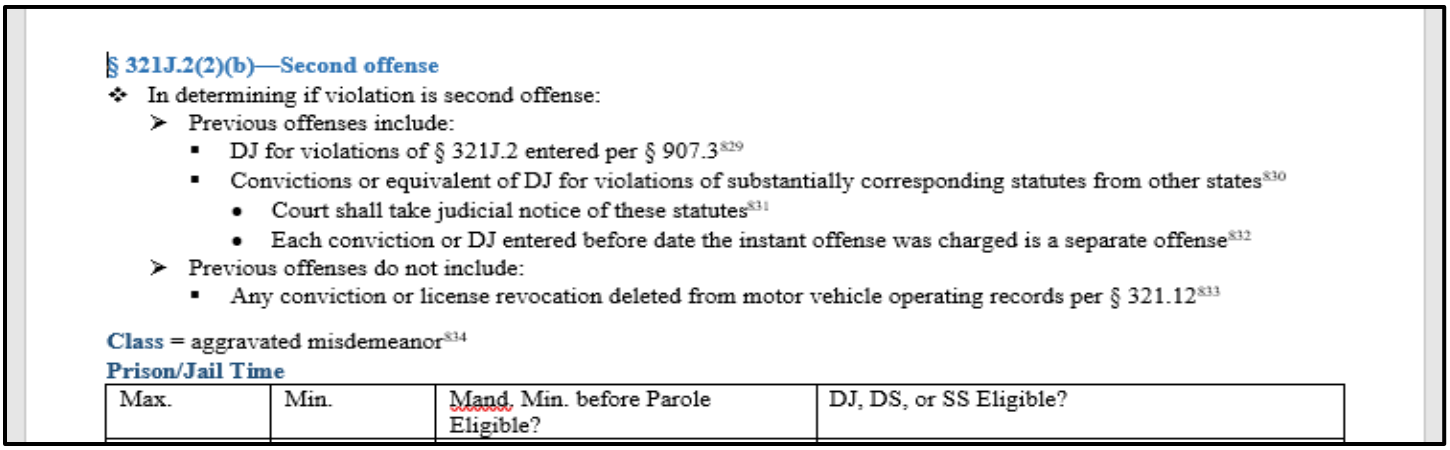
[2] Iowa Code § 321J.2(2)(a).



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.



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" felony[11]

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).

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 misdemeanor[311]
- for all others, "D" felony[312]

Prison/Jail Time

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

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 misdemeanor[1469]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[1470]	2 days[1471]	N/A	❖ Can suspend, except for min. sentenc ❖ DJ and DS eligible if: ➢ no previous DS or DJ for violatio on DAA,[1473] *or* ➢ no similar relief granted anywhe statute substantially correspondi

❖ 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" felony[2440]
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 • Exceptions: mandatory minimum does not apply if: ➢ offense is an accommodation per § 124.410,[103] *or* ➢ controlled substance is marijuana[104] 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 not be shown.

E. Surcharges

All surcharges are imposed in addition to any other penalty imposed. The "county enforcement" surcharge previously found in Iowa Code section 911.4 has been repealed, so it is not included in this chart. The "county enforcement" surcharge has been consolidated into the "crime services" surcharge within amendend Iowa Code section 911.1.

Surcharges[1798]

15% of fine or forfeiture	DAA
Yes[1799]	Yes, $90[1800]

1. *15% of fine or forfeiture*

This surcharge applies anytime there is a fine or forfeiture imposed. The surcharge is 15% of the fine or forfeiture imposed. If the code does not provide a fine for a particular offense, this box will not be shown. However, the surcharge may still apply if there was a forfeiture.

2. *HTV*

This box indicates whether the "human trafficking victim" surcharge applies for a criminal violation of section 725.1(2), 710A.2, 725.2, or 725.3. If it does, the surcharge is $1000. If it does not, a box will not be shown.

3. *Domestic or SA Related Crimes*

Iowa Code section 911.2B has been amended to require the court to "assess a domestic abuse assault, domestic abuse protective order contempt, sexual abuse, stalking, and human trafficking victim surcharge" of $90 if a defendant is adjudicated guilty or a deferred judgment has been entered for a violation of section 708.2A, 708.11, or 710A.2, or chapter 709, or if a defendant is held in contempt of court for violating a domestic abuse protective order issued pursuant to chapter 236.[3] This box indicates whether the "domestic or sexual abuse related crimes" surcharge applies. If it does, a box will be included for the applicable surcharge. If a surcharge from section 911.2B is not applicable, there will not be a box.

4. *Agricultural Theft*

This box indicates whether the newly enacted "agricultural theft" surcharge applies. If it does, the surcharge is $500. If it does not, a box will not appear.

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)[4].

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)[5].

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[3] Iowa Code § 911.2B (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/2020).
[4] Iowa Code § 901.5(8A).
[5] Iowa Code §§ 901.5(11), (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.

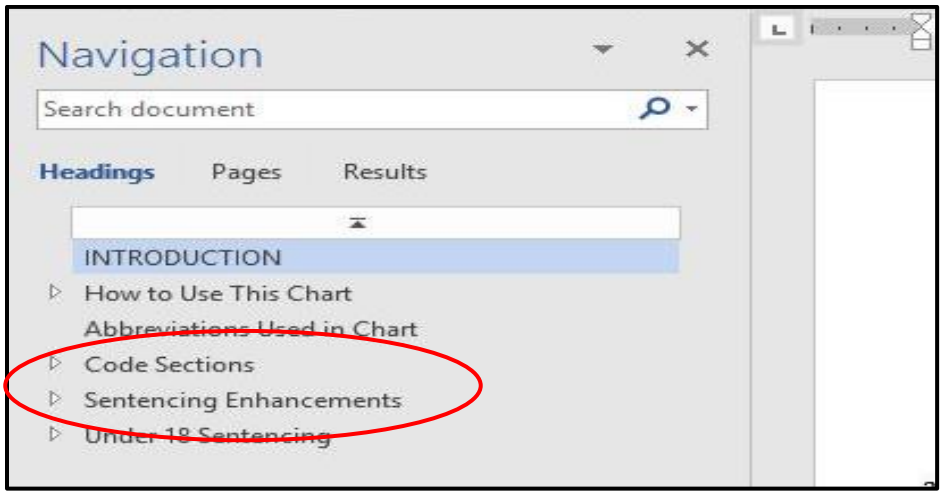
Sometimes, one of the above-discussed boxes will say "see Notes" or "but see Notes" as a "heads up" that there is additional information in this Notes section.

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)[6]. 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.

[6] Iowa Code ch. 124.

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[7] prevails over the three-year minimum in section 902.8 (habitual offender). Likewise, the one-third mandatory minimum in section 124.413[8] 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. *But see id.* §§ 901.8, 908.10, unnum. para. 2,[9] 908.10A, unnum. para. 2;[10] *see also State v. Hill*, 878 N.W.2d 269, 273–74 (Iowa 2016).

[7] Iowa Code § 902.12.
[8] Iowa Code § 124.413.
[9] Iowa Code § 908.10, unnum para. 2.
[10] Iowa Code § 908.10A, unnum para. 2.

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
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[11]

§ 81.6(1)—Disclosure of DNA record[12]

Class = aggravated misdemeanor[13]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[14]	0[15]	None	Yes[16]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[17]

Fines

Max.	Min.	Can Suspend?
$8540[18]	$855[19]	Yes[20]

Surcharges[21]

15% of fine or forfeiture
Yes[22]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[23]	No	No

Notes:

[11] Iowa Code § 81.6.
[12] Iowa Code § 81.6(1).
[13] Iowa Code § 81.6(1).
[14] Iowa Code § 903.1(2).
[15] Iowa Code § 903.1(2).
[16] *See* Iowa Code § 907.3.
[17] Iowa Code § 903.1(2).
[18] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[19] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[20] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[21] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[22] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[23] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 81.6(2)—Alteration, attempted alteration, or falsification[24]

Class = "D" felony[25]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[26]	0[27]	No, but see Enhancements	Yes[28]

Fines

Max.	Min.	Can Suspend?
$10,245[29]	$1025[30]	Yes[31]

Surcharges[32]

15% of fine or forfeiture
Yes[33]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[34]	No	No

Notes:

[24] Iowa Code § 81.6(2).
[25] Iowa Code § 81.6(2).
[26] Iowa Code § 902.9(1)(e).
[27] Iowa Code § 902.9(1)(e).
[28] *See* Iowa Code § 907.3.
[29] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[30] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[31] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[32] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[33] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[34] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 99B Social and Charitable Gambling

§ 99B.52—Electrical or Mechanical Amusement Devices[35]

§ 99B.54(1)—Improper use in violation § 99B.52(1), (3), (4), or (5)[36] or Failure to follow registration requirements in violation of § 99B.53(1), (2), (3), (5), (6), (7), (9), (14) or (15)[37]

Class = serious misdemeanor[38]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[39]	0[40]	N/A	Yes[41]

Fines

Max.	Min.	Can Suspend?
$2560[42]	$430[43]	No[44]

Surcharges[45]

15% of fine or forfeiture
Yes[46]

Miscellaneous

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

Notes:

[35] Iowa Code § 99B.52.
[36] Iowa Code § 99B.52(1), (3)–(5).
[37] Iowa Code §§ 99B.53(1)–(3), (5)–(7), (9), (14), (15), 99B.54(1).
[38] Iowa Code § 99B.54(1).
[39] Iowa Code § 903.1(1)(b).
[40] Iowa Code § 903.1(1)(b).
[41] *See* Iowa Code § 907.3.
[42] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[43] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[44] Iowa Code § 903.1(1).
[45] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[46] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 99B.54(2)(a) (first offense)[47]—Improper use in violation of § 99B.52(2) or (6)[48] or Failure to follow registration requirements in violation of § 99B.53(4), (8), (10), (11), (12) or (13)[49]

Class = simple misdemeanor punishable as a scheduled violation per § 805.8C(4)(b)[50]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
0[51]	0[52]	N/A	N/A

Fines

Max.	Min.	Can Suspend?
$325[53]	$325[54]	No[55]

Surcharges[56]

15% of fine or forfeiture
Yes[57]

Miscellaneous

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

Notes:

[47] Iowa Code § 99B.54(2)(a).
[48] Iowa Code § 99B.52(2), (6).
[49] Iowa Code § 99B.53(8), (10)–(13).
[50] Iowa Code § 99B.54(2)(a).
[51] Iowa Code § 805.8C(4)(b); *see id.* § 805.11 ("If the defendant is convicted of a scheduled violation, the penalty is the scheduled fine . . . .").
[52] Iowa Code § 805.8C(4)(b); *see id.* § 805.11.
[53] Iowa Code §§ 805.8C(4)(b), 99B.54(2)(a) (amended by 2020 Iowa Acts ch. 1074, § 44, effective 7/15/2020).
[54] Iowa Code §§ 805.8C(4)(b), 99B.54(2)(a) (amended by 2020 Iowa Acts ch. 1074, § 44, effective 7/15/2020).
[55] Iowa Code § 805.11.
[56] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[57] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020), § 805.8(1) (noting 15% fine or forfeiture surcharge is still applicable).

§ 99B.54(2)(b) (second or subsequent offense)[58]—Improper use in violation of § 99B.52(2) or (6)[59] or Failure to follow registration requirements in violation of § 99B.53(4), (8), (10), (11), (12) or (13)[60]

Class = serious misdemeanor[61]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[62]	0[63]	N/A	Yes[64]

Fines

Max.	Min.	Can Suspend?
$2560[65]	$430[66]	No[67]

Surcharges[68]

15% of fine or forfeiture
Yes[69]

Miscellaneous

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

Notes:

[58] Iowa Code § 99B.54(2)(b).
[59] Iowa Code § 99B.52(2), (6).
[60] Iowa Code § 99B.53(4), (8), (10), (11), (12), (13).
[61] Iowa Code § 99B.54(2)(b).
[62] Iowa Code § 903.1(1)(b).
[63] Iowa Code § 903.1(1)(b).
[64] *See* Iowa Code § 907.3.
[65] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[66] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[67] Iowa Code § 903.1(1).
[68] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[69] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

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

§ 99F.15(6)(b)—Unlawful betting[70]

§ 99F.15(6)(b)(1)—Unlawful bet: potential winnings exceed $1000[71]

Class = "D" felony[72]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[73]	0[74]	No, but see Enhancements	Yes[75]

Fines

Max.	Min.	Can Suspend?
$10,245[76]	$1025[77]	Yes[78]

Surcharges[79]

15% of fine or forfeiture
Yes[80]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[81]	No	No

Notes:

[70] Iowa Code § 99F.15(6)(b).
[71] Iowa Code § 99F.15(6)(b)(1).
[72] Iowa Code § 99F.15(6)(b)(1).
[73] Iowa Code § 902.9(1)(e).
[74] Iowa Code § 902.9(1)(e).
[75] *See* Iowa Code § 907.3.
[76] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[77] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[78] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[79] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[80] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[81] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 99F.15(6)(b)(2)—Unlawful bet: potential winnings between $500 and $1000[82]

Class = aggravated misdemeanor[83]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[84]	0[85]	None	Yes[86]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[87]

Fines

Max.	Min.	Can Suspend?
$8540[88]	$855[89]	Yes[90]

Surcharges[91]

15% of fine or forfeiture
Yes[92]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[93]	No	No

Notes:

[82] Iowa Code § 99F.15(6)(b)(2).
[83] Iowa Code § 99F.15(6)(b)(2).
[84] Iowa Code § 903.1(2).
[85] Iowa Code § 903.1(2).
[86] *See* Iowa Code § 907.3.
[87] Iowa Code § 903.1(2).
[88] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[89] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[90] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[91] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[92] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[93] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 99F.15(6)(b)(3)—Unlawful bet: potential winnings between $200 and $500[94]

Class = serious misdemeanor[95]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[96]	0[97]	N/A	Yes[98]

Fines

Max.	Min.	Can Suspend?
$2560[99]	$430[100]	No[101]

Surcharges[102]

15% of fine or forfeiture
Yes[103]

Miscellaneous

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

Notes:

[94] Iowa Code § 99F.15(6)(b)(3).
[95] Iowa Code § 99F.15(6)(b)(3).
[96] Iowa Code § 903.1(1)(b).
[97] Iowa Code § 903.1(1)(b).
[98] *See* Iowa Code § 907.3.
[99] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[100] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[101] Iowa Code § 903.1(1).
[102] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[103] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 99F.15(6)(b)(4)—Unlawful bet: potential winnings do not exceed $200[104]

Class = simple misdemeanor[105]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
30 days[106]	0[107]	N/A	Yes[108]

Fines

Max.	Min.	Suspended?
$855[109]	$105[110]	No[111]

Surcharges[112]

15% of fine or forfeiture
Yes[113]

Miscellaneous

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

Notes:

[104] Iowa Code § 99F.15(6)(b)(4).
[105] Iowa Code § 99F.15(6)(b)(4).
[106] Iowa Code § 903.1(1)(a).
[107] Iowa Code § 903.1(1)(a).
[108] *See* Iowa Code § 907.3.
[109] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[110] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[111] Iowa Code § 903.1(1).
[112] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[113] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

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.[114]
- § 124.401B—Possession of controlled substances on certain real property — additional penalty.[115]
- § 124.401C—Manufacturing methamphetamine in presence of minors.[116]
- § 124.401E—Certain penalties for manufacturing or delivery of amphetamine or methamphetamine.[117]
- § 124.411—Second or subsequent offenses.[118]

These sections are expanded upon in the "Enhancements for Drug Offenses" section, which can be found at the end of the chapter 124 offenses.[119] 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[120], 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."[121] Effectively, this provision allows the sentencing court to aggregate the multiple guilty verdicts into one offense for the purpose of sentencing.[122] (Note: This section also allows joinder of defendants.)

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

Only applies to violations of § 124.401[123] 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."[124] 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

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[114] Iowa Code § 124.401A.
[115] Iowa Code § 124.401B.
[116] Iowa Code § 124.401C.
[117] Iowa Code § 124.401E.
[118] Iowa Code § 124.411.
[119] *See generally* Iowa Code ch. 124.
[120] Iowa Code ch. 124.
[121] Iowa Code § 124.408.
[122] *See* Iowa Code § 124.408.
[123] Iowa Code § 124.401.
[124] Iowa Code § 124.409.

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."[125]

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.[126] If the person was charged or indicted, but not convicted, the case will proceed to trial or final disposition.[127] 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[128]

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.[129]

[125] Iowa Code § 124.409.
[126] Iowa Code § 124.409.
[127] Iowa Code § 124.409.
[128] Iowa Code § 124.410.
[129] Iowa Code § 124.410(1)(d).

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

§ 124.401(1)—[Conspiracy to] Manufacture, deliver, or possess with intent to manufacture or deliver][130]

§ 124.401(1)(a)—Largest quantities[131]

Class = "B" felony[132]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years[133]	0[134]	Not eligible until has served one-third of 50 years,[135] but see Under 18 Sentencing • Exceptions: mandatory minimum does not apply if: ➢ offense is an accommodation[136] per § 124.410,[137] *or* ➢ controlled substance is marijuana[138] See Notes See also Drug Enhancements and General Enhancements	Yes, but no DJ, DS, or SS if controlled substance is meth[139] (but see Under 18 Sentencing)

Fines

Max	Min.	Can Suspend?
$1M[140]	0[141]	Yes, unless controlled substance is meth[142] (but see Under 18 Sentencing)

Surcharges[143]

15% of fine or forfeiture
Yes[144]

[130] Iowa Code § 124.401(1).
[131] Iowa Code § 124.401(1)(a).
[132] Iowa Code § 124.401(1)(a).
[133] Iowa Code § 124.401(1)(a).
[134] Iowa Code § 902.9(1)(b).
[135] Iowa Code § 124.413(1).
[136] Iowa Code § 124.410.
[137] Iowa Code § 124.413(2)(a).
[138] Iowa Code § 124.413(2)(b).
[139] Iowa Code § 907.3 (1)(a)(5), (2)(a)(1), (3)(e).
[140] Iowa Code § 124.401(1)(a).
[141] *See* Iowa Code §§ 124.401(1)(a), 902.9(1)(b) (no explicit minimum fine provided).
[142] Iowa Code § 907.3 (3)(e).
[143] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[144] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[145] 180 days,[146] see Notes	Yes[147]	No	Yes, consider denying state[148] and federal benefits.[149]

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:[150]
      - violation is first conviction under § 124.413[151]
        - Note: § 124.413[152] sets out mandatory minimum before parole eligible for violation of § 124.40(1)[153]
      - mitigating circumstances exist
      - those circumstances are stated specifically in the record
    - exception:
      - if violation of § 124.401(1)(a)[154] involved amphetamine or methamphetamine, cannot reduce sentence unless offender pleads guilty[155]
        - can reduce mandatory minimum sentence by up to one-third if pleads guilty[156]
        - can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:[157]
          - 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 completed[158]
- 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 business[159]

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[145] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[146] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[147] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[148] Iowa Code § 901.5(12).
[149] Iowa Code § 901.5(11).
[150] Iowa Code § 901.10(1).
[151] Iowa Code § 124.413.
[152] Iowa Code § 124.413.
[153] Iowa Code § 124.401.
[154] Iowa Code § 124.401.
[155] Iowa Code § 901.10(2).
[156] Iowa Code § 901.10(2).
[157] Iowa Code § 901.10(2).
[158] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[159] Iowa Code § 124.412.

§ 124.401(1)(b)—Smaller quantities[160]

Class = "B" felony[161]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[162]	0[163]	Not eligible until has served between one-half of one-third of max. indeterminate term and max. indeterminate term[164] (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 • Exceptions: mandatory minimum does not apply if: ➢ offense is an accommodation[165] per § 124.410,[166] *or* ➢ controlled substance is marijuana[167] • court must determine at time of sentencing when person is to become eligible for parole or work release[168] ➢ 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"[169] See Notes See also Drug Enhancements and General Enhancements	Yes, but no DJ, DS, or SS if controlled substance is meth[170] (but see Under 18 Sentencing)

Fines

Max	Min.	Can Suspend?
$100,000[171]	$5000[172]	Yes, unless controlled substance is meth[173] (but see Under 18 Sentencing)

Surcharges[174]

15% of fine or forfeiture
Yes[175]

[160] Iowa Code § 124.401(1)(b).
[161] Iowa Code § 124.401(1)(b).
[162] Iowa Code § 902.9(1)(b).
[163] Iowa Code § 902.9(1)(b).
[164] Iowa Code § 124.413(1), (3).
[165] Iowa Code § 124.410.
[166] Iowa Code § 124.413(2)(a).
[167] Iowa Code § 124.413(2)(b).
[168] Iowa Code § 901.11(1).
[169] Iowa Code § 901.11(1).
[170] Iowa Code § 907.3(1)(a)(5), (2)(a)(1), (3)(e).
[171] Iowa Code § 124.401(1)(b).
[172] Iowa Code § 124.401(1)(b).
[173] Iowa Code § 907.3 (3)(e).
[174] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[175] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[176] 180 days,[177] see Notes	Yes[178]	No	Yes, consider denying state[179] and federal benefits.[180]

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:[181]
      - violation is first conviction under § 124.413[182]
        - Note: § 124.413[183] sets out mandatory minimum before parole eligible for violation of § 124.401(1)[184]
      - mitigating circumstances exist
      - those circumstances are stated specifically in the record
    - exception:
      - if violation of § 124.401(1)(b)[185] involved amphetamine or methamphetamine, cannot reduce sentence unless offender pleads guilty[186]
        - can reduce mandatory minimum sentence by up to one-third if pleads guilty[187]
        - can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:[188]
          - 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 completed[189]
- 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 business[190]

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[176] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[177] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[178] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[179] Iowa Code § 901.5(12).
[180] Iowa Code § 901.5(11).
[181] Iowa Code § 901.10(1).
[182] Iowa Code § 124.413.
[183] Iowa Code § 124.413.
[184] Iowa Code § 124.401(1).
[185] Iowa Code § 124.401(1).
[186] Iowa Code § 901.10(2).
[187] Iowa Code § 901.10(2).
[188] Iowa Code § 901.10(2).
[189] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[190] Iowa Code § 124.412.

§ 124.401(1)(c)—Smaller quantities[191]

Class = "C" felony[192]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[193]	0[194]	No, but see Drug Enhancements and General Enhancements	Yes,[195] see also Notes

Fines

Max	Min.	Can Suspend?
$50,000[196]	$1000[197]	Yes[198]

Surcharges[199]

15% of fine or forfeiture
Yes[200]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[201] 180 days,[202] see Notes	Yes[203]	No	Yes, consider denying state[204] and federal benefits.[205]

Notes:

- DJ, DS, or SS Eligible:
  - when controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:

[191] Iowa Code § 124.401(1)(c).
[192] Iowa Code § 124.401(1)(c).
[193] Iowa Code § 902.9(1)(d).
[194] Iowa Code § 902.9(1)(d).
[195] *See* Iowa Code § 907.3.
[196] Iowa Code § 124.401(1)(c).
[197] Iowa Code § 124.401(1)(c).
[198] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[199] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[200] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[201] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[202] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[203] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[204] Iowa Code § 901.5(12).
[205] Iowa Code § 901.5(11).

- if first violation of § 124.401(1)(c)[206] for delivery or possession w/ intent to deliver, court may suspend sentence and either:[207]
  - order person to complete drug court program if drug court has been established in county in which the person is being sentenced, *or*
  - order person be assigned to a community-based correctional facility for one year or until maximum benefits are achieved, whichever is earlier
- if violation of § 124.401(1)(c)[208] is for manufacturing, court may suspend sentence and either:[209]
  - 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)[210] for delivery or possession with intent to deliver:
  - court shall sentence person to imprisonment in accordance with § 124.401(1),[211] *and*
    - Note: this is in addition to imposing any other authorized penalties[212]
  - person shall serve minimum term of confinement as required by § 124.413[213]

❖ 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 completed[214]

❖ 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 business[215]

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[206] Iowa Code § 124.401(1)(c).
[207] Iowa Code § 124.401E(1).
[208] Iowa Code § 124.401(1)(c).
[209] Iowa Code § 124.401E(2).
[210] Iowa Code § 124.401(1)(c).
[211] Iowa Code § 124.401E(3).
[212] Iowa Code § 124.401E(3).
[213] Iowa Code §§ 124.401E(3), 124.413.
[214] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[215] Iowa Code § 124.412.

§ 124.401(1)(d)—50 kilos or less of marijuana or involving flunitrazepam[216]

Class = "D" felony[217]

- Exception: Accommodation offense[218]
  - 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)[219]:
    - Prosecution is for unlawful delivery or possession with intent to deliver marijuana, *and*
    - Prosecution proved defendant violated § 124.401(1)[220] 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)]"[221]
    - "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[222]	0[223]	No, but see Drug Enhancements and General Enhancements	Yes[224]

Fines

Max	Min.	Can Suspend?
$10,245[225]	$1025[226]	Yes[227]

Surcharges[228]

15% of fine or forfeiture
Yes[229]

[216] Iowa Code § 124.401(1)(d).
[217] Iowa Code § 124.401(1)(d).
[218] Iowa Code § 124.410.
[219] Iowa Code § 124.401(5).
[220] Iowa Code § 124.401(1).
[221] Iowa Code § 124.401(1).
[222] Iowa Code § 902.9(1)(e).
[223] Iowa Code § 902.9(1)(e).
[224] *See* Iowa Code § 907.3.
[225] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[226] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[227] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[228] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[229] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[230] 180 days,[231] see Notes	Yes[232]	No	Yes, consider denying state[233] and federal benefits.[234]

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 completed[235]
- 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 business[236]

[230] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[231] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[232] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[233] Iowa Code § 901.5(12).
[234] Iowa Code § 901.5(11).
[235] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[236] Iowa Code § 124.412.

§ 124.401(1)(d)—Substances in schedules IV and V[237]

Class = aggravated misdemeanor[238]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[239]	0[240]	No, but see Drug Enhancements and General Enhancements	Yes[241]

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[242]

Fines

Max	Min.	Can Suspend?
$8540[243]	$855[244]	Yes[245]

Surcharges[246]

15% of fine or forfeiture
Yes[247]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[248] 180 days,[249] see Notes	Yes[250]	No	Yes, consider denying state[251] and federal benefits.[252]

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 completed[253]
- Additional Penalty:

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[237] Iowa Code § 124.401(1)(d).
[238] Iowa Code § 124.401(1)(d).
[239] Iowa Code § 903.1(2).
[240] Iowa Code § 903.1(2).
[241] *See* Iowa Code § 907.3.
[242] Iowa Code § 903.1(2).
[243] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[244] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[245] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[246] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[247] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[248] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[249] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[250] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[251] Iowa Code § 901.5(12).
[252] Iowa Code § 901.5(11).
[253] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- 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 business[254]

[254] Iowa Code § 124.412.

§ 124.401(3)—Ephedrine as precursor[255]

Class = serious misdemeanor[256]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[257]	0[258]	N/A, but see Drug Enhancements	Yes[259]

Fines

Max	Min.	Can Suspend?
$2560[260]	$430[261]	No[262]

Surcharges[263]

15% of fine or forfeiture
Yes[264]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[265] 180 days,[266] see Notes	No	No	Yes, consider denying state[267] and federal benefits.[268]

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 completed[269]
- Additional Penalty:
  - Business/Professional License:

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[255] Iowa Code § 124.401(3).
[256] Iowa Code § 124.401(3).
[257] Iowa Code § 903.1(1)(b).
[258] Iowa Code § 903.1(1)(b).
[259] *See* Iowa Code § 907.3.
[260] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[261] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[262] Iowa Code § 903.1(1)(b).
[263] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[264] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[265] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[266] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[267] Iowa Code § 901.5(12).
[268] Iowa Code § 901.5(11).
[269] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- 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 business[270]

[270] Iowa Code § 124.412.

§ 124.401(4)—Possession with intent to manufacture[271]

Class = "D" felony[272]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[273]	0[274]	No, but see Drug Enhancements and General Enhancements	Yes[275]

Fines

Max	Min.	Can Suspend?
$10,245[276]	$1025[277]	Yes[278]

Surcharges[279]

15% of fine or forfeiture
Yes[280]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[281] 180 days,[282] see Notes	Yes[283]	No	Yes, consider denying state[284] and federal benefits.[285]

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 completed[286]
- Additional Penalty:

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[271] Iowa Code § 124.401(4).
[272] Iowa Code § 124.401(4).
[273] Iowa Code § 902.9(1)(e).
[274] Iowa Code § 902.9(1)(e).
[275] *See* Iowa Code § 907.3.
[276] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[277] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[278] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[279] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[280] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[281] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[282] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[283] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[284] Iowa Code § 901.5(12).
[285] Iowa Code § 901.5(11).
[286] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- 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 business[287]

[287] Iowa Code § 124.412.

§ 124.401(5)—Unlawful possession[288]

First Offense

Class = serious misdemeanor[289]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
• If controlled substance is marijuana, 6 months[290] • For all other controlled substances, 1 year[291]	48 hours[292]	N/A, but see Drug Enhancements	Yes,[293] see Notes

Fines

Max	Min.	Can Suspend?
• if controlled substance if marijuana, $1000[294] • for all other controlled substances, $2560[295]	• if controlled substance is marijuana, $0[296] • for all other controlled substances, $430[297]	Yes[298]

Surcharges[299]

15% of fine or forfeiture
Yes[300]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[301] 180 days,[302] see Notes	No	No	Yes, consider denying state[303] and federal benefits.[304]

Notes:

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[288] Iowa Code § 124.401(5).
[289] Iowa Code § 124.401(5), unnum. para. 1.
[290] Iowa Code § 124.401(5), unnum. para. 2.
[291] Iowa Code § 903.1(1)(b).
[292] Iowa Code § 124.401(5), unnum. paras. 4, 5.
[293] *See* Iowa Code § 907.3.
[294] Iowa Code § 124.401(5), unnum. para. 2.
[295] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[296] Iowa Code § 124.401(5), unnum. para. 2.
[297] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[298] Iowa Code § 124.401(5), unnum. para. 3.
[299] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[300] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[301] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[302] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[303] Iowa Code § 901.5(12).
[304] Iowa Code § 901.5(11).

- DJ, DS, or SS Eligible:
  - all or any part of the sentence may be suspended,[305] including the 48-hour minimum[306]
  - 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 court[307]
  - if controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
    - may be placed on intensive probation[308]
    - terms and conditions of probation shall require submission to random drug testing[309]
      - if fails drug test, court may transfer placement to any appropriate placement permissible under court order[310]
  - 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 testing[311]
      - if fails drug test, court may transfer placement to any appropriate placement permissible under court order[312]
- 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 completed[313]
- 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 business[314]

[305] Iowa Code § 124.401(5), unnum. para. 4.
[306] Iowa Code § 124.401(5), unnum. para. 5.
[307] Iowa Code § 124.401(5), unnum. para. 4–5.
[308] Iowa Code § 124.401(5), unnum. para. 5.
[309] Iowa Code § 124.401(5), unnum. para. 5.
[310] Iowa Code § 124.401(5), unnum. para. 5.
[311] Iowa Code § 124.401(5), unnum. para. 5.
[312] Iowa Code § 124.401(5), unnum. para. 4.
[313] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[314] Iowa Code § 124.412.

Violation of § 124.401(5)[315] + 1 prior conviction under chapter 124,[316] 124B,[317] or 453B[318] as it existed prior to July 1, 2017.[319]

Class =

- if controlled substance is marijuana, serious misdemeanor[320]
- for all other controlled substances, aggravated misdemeanor[321]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
• If controlled substance is marijuana and prior conviction was under § 124.401(5)[322] where controlled substance was marijuana, 1 year[323] • For all others, 2 years[324] ➢ If sentence of confinement is more than 1 year, sentence shall be for an indeterminate term[325]	48 hours[326]	• N/A if controlled substance is marijuana and prior conviction was under § 124.401(5)[327] where controlled substance was marijuana[328] • None for all others But see Drug Enhancements	Yes,[329] see Notes

Fines

Max	Min.	Can Suspend?
• if controlled substance is marijuana and prior conviction was under § 124.401(5)[330] where controlled substance was marijuana, $2560[331] • for all others, $8540[332]	• if controlled substance is marijuana and prior conviction was under § 124.401(5)[333] where controlled substance was marijuana, $430[334] • for all others, $855[335]	Yes[336]

[315] Iowa Code § 124.401(5).
[316] Iowa Code ch. 124.
[317] Iowa Code ch. 124B.
[318] Iowa Code ch. 453B.
[319] Iowa Code § 124.401(5), unnum. para. 1.
[320] *See* Iowa Code § 124.401(5), unnum. para. 1.
[321] Iowa Code § 124.401(5), unnum. para. 1.
[322] Iowa Code § 124.401(5).
[323] Iowa Code § 124.401(5), unnum. para. 2 (citing § 903.1(1)(b)).
[324] Iowa Code § 903.1(2).
[325] Iowa Code § 903.1(2).
[326] Iowa Code § 124.401(5), unnum. paras. 4, 5.
[327] Iowa Code § 124.401(5).
[328] *See* Iowa Code § 124.401(5), unnum. para. 2 (citing § 903.1(1)(b)) (mandatory minimums before parole eligibility do not apply to serious misdemeanors).
[329] *See* Iowa Code § 907.3.
[330] Iowa Code § 124.401(5).
[331] Iowa Code § 124.401(5), unnum. para. 2 (citing § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020)).
[332] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[333] Iowa Code § 124.401(5).
[334] Iowa Code § 124.401(5), unnum. para. 2 (citing § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020)).
[335] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[336] Iowa Code § 124.401(5), unnum. para. 3.

Surcharges[337]

15% of fine or forfeiture
Yes[338]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[339] 180 days,[340] see Notes	• if controlled substance is marijuana and prior conviction was under § 124.401(5)[341] where controlled substance was marijuana, No[342] • for all others, Yes[343]	No	Yes, consider denying state[344] and federal benefits.[345]

Notes:

- DJ, DS, or SS Eligible:
  - all or any part of the sentence may be suspended,[346] including the 48-hour minimum[347]
  - 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 court[348]
  - if controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
    - may be placed on intensive probation[349]
    - terms and conditions of probation shall require submission to random drug testing[350]
      - if fails drug test, court may transfer placement to any appropriate placement permissible under court order[351]
  - 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 testing[352]

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[337] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[338] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[339] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[340] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[341] Iowa Code § 124.401(5).
[342] *See* Iowa Code §§ 81.2(1), 901.5(8A)(a) (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).
[343] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[344] Iowa Code § 901.5(12).
[345] Iowa Code § 901.5(11).
[346] Iowa Code § 124.401(5), unnum. para. 4.
[347] Iowa Code § 124.401(5), unnum. para. 5.
[348] Iowa Code § 124.401(5), unnum. para. 4–5.
[349] Iowa Code § 124.401(5), unnum. para. 5.
[350] Iowa Code § 124.401(5), unnum. para. 5.
[351] Iowa Code § 124.401(5), unnum. para. 5.
[352] Iowa Code § 124.401(5), unnum. para. 4.

        - if fails drug test, court may transfer placement to any appropriate placement permissible under court order[353]
- 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 completed[354]
- 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 business[355]

[353] Iowa Code § 124.401(5), unnum. para. 4.
[354] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[355] Iowa Code § 124.412.

Violation of § 124.401(5)[356] + 2 or more prior convictions under chapter 124,[357] 124B,[358] or 453B[359] as it existed prior to July 1, 2017.[360]

Class =

- if controlled substance is marijuana and the 2 or more prior convictions were under § 124.401(5)[361] where the controlled substance was marijuana, aggravated misdemeanor[362]
- for all others, "D" felony[363]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
• If controlled substance is marijuana and prior conviction was under § 124.401(5)[364] where controlled substance was marijuana, 2 years[365] ➢ If sentence of confinement is more than 1 year, sentence shall be for an indeterminate term[366] • For all others, 5 years[367]	48 hours[368]	No, but see Drug Enhancements and General Enhancements	Yes,[369] see Notes

Fines

Max	Min.	Can Suspend?
• if controlled substance is marijuana and prior convictions were under § 124.401(5)[370] when controlled substance was marijuana, $8540[371] • for all others, $10,245[372]	• if controlled substance is marijuana and prior convictions were under § 124.401(5)[373] when controlled substance was marijuana, $855[374] • for all others, $1025[375]	Yes[376]

[356] Iowa Code § 124.401(5).
[357] Iowa Code ch. 124.
[358] Iowa Code ch. 124B.
[359] Iowa Code ch. 453B.
[360] Iowa Code § 124.401(5), unnum. para. 1.
[361] Iowa Code § 124.401(5).
[362] Iowa Code § 124.401(5), unnum. para. 2.
[363] Iowa Code § 124.401(5), unnum. para. 1.
[364] Iowa Code § 124.401(5).
[365] Iowa Code § 903.1(2).
[366] Iowa Code § 903.1(2).
[367] Iowa Code § 902.9(1)(e).
[368] Iowa Code § 124.401(5), unnum. paras. 4, 5.
[369] *See* Iowa Code § 907.3.
[370] Iowa Code § 124.401(5).
[371] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[372] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[373] Iowa Code § 124.401(5).
[374] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[375] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[376] Iowa Code § 124.401(5), unnum. para. 4.

Surcharges[377]

15% of fine or forfeiture
Yes[378]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[379] 180 days,[380] see Notes	Yes[381]	No	Yes, consider denying state[382] and federal benefits.[383]

Notes:

- DJ, DS, or SS Eligible:
  - all or any part of the sentence may be suspended,[384] including the 48-hour minimum[385]
  - 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 court[386]
  - if controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
    - may be placed on intensive probation[387]
    - terms and conditions of probation shall require submission to random drug testing[388]
      - if fails drug test, court may transfer placement to any appropriate placement permissible under court order[389]
  - 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 testing[390]
      - if fails drug test, court may transfer placement to any appropriate placement permissible under court order[391]
- License Revocation:

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[377] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[378] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[379] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[380] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[381] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[382] Iowa Code § 901.5(12).
[383] Iowa Code § 901.5(11).
[384] Iowa Code § 124.401(5), unnum. para. 4.
[385] Iowa Code § 124.401(5), unnum. para. 5.
[386] Iowa Code § 124.401(5), unnum. para. 4–5.
[387] Iowa Code § 124.401(5), unnum. para. 5.
[388] Iowa Code § 124.401(5), unnum. para. 5.
[389] Iowa Code § 124.401(5), unnum. para. 5.
[390] Iowa Code § 124.401(5), unnum. para. 4.
[391] Iowa Code § 124.401(5), unnum. para. 4.

- 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 completed[392]

- 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 business[393]

[392] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[393] Iowa Code § 124.412.

§ 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[394]

§ 124.401D(1)(b)—First offense[395]

Class = felony punishable under § 902.9(1)(a)[396]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
99 years,[397] see Notes	0[398]	Not eligible until has served minimum term of confinement of 10 years,[399] see also Drug Enhancements and General Enhancements	Yes[400]

Fines[401]—N/A

Surcharges[402]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[403]	No	Yes, consider denying state[404] and federal benefits.[405]

Notes:

- Max. Prison/Jail Time:
  - sentencing court has discretion to sentence person to a term less than the maximum 99 years[406]
    - can reduce term by up to one-third (i.e., 1/3 of 99 years → reduce by up to 33 years),[407] if:
      - mitigating circumstances exist and those circumstances are specifically stated in the record,[408] *and*
      - person pleads guilty[409]
    - may further reduce max. term if:

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394 Iowa Code § 124.401D(1).
395 Iowa Code § 124.401D(1)(b).
396 Iowa Code § 124.401D(1)(b).
397 Iowa Code § 902.9(1)(a).
398 Iowa Code § 902.9(1)(a).
399 Iowa Code § 902.8A.
400 *See* Iowa Code § 907.3.
401 *See* Iowa Code § 902.9(1)(a).
402 Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
403 Iowa Code §§ 81.2(1), 901.5(8A)(a).
404 Iowa Code § 901.5(12).
405 Iowa Code § 901.5(11).
406 Iowa Code § 901.10(3).
407 Iowa Code § 901.10(3).
408 Iowa Code § 901.10(3).
409 Iowa Code § 901.10(3).

- person cooperates in prosecution of other persons involved in the sale or use of controlled substances,[410] *and*
- prosecutor requests additional reduction in person's sentence because of such cooperation[411]

❖ 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 business[412]

[410] Iowa Code § 901.10(3).
[411] Iowa Code § 901.10(3).
[412] Iowa Code § 124.412.

§ 124.401D(1)(c)—Second or subsequent offense[413]

Class = "A" felony[414]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life,[415] but see Under 18 Sentencing	Life,[416] but see Under 18 Sentencing	Not eligible,[417] but see Under 18 Sentencing	No,[418] but see Under 18 Sentencing

Fines[419]—N/A

Surcharges[420]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[421]	No	Yes, consider denying state[422] and federal benefits.[423]

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 business[424]

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[413] Iowa Code § 124.401D(1)(c).
[414] Iowa Code § 124.401D(1)(c).
[415] Iowa Code § 902.1(1).
[416] Iowa Code § 902.1(1).
[417] Iowa Code § 902.1(1).
[418] Iowa Code § 902.1(1).
[419] *See* Iowa Code § 902.9(1)(a).
[420] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[421] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[422] Iowa Code § 901.5(12).
[423] Iowa Code § 901.5(11).
[424] Iowa Code § 124.412.

§ 124.401D(2)—Deliver or possession with intent to deliver to person under 18 years old[425]

§ 124.401D(2)(b)—First offense[426]

Class = felony punishable under § 902.9(1)(a)[427]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
99 years,[428] see Notes	0[429]	Not eligible until has served minimum term of confinement of 10 years,[430] see also Drug Enhancements and General Enhancements	Yes[431]

Fines[432]—N/A

Surcharges[433]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[434]	No	Yes, consider denying state[435] and federal benefits.[436]

Notes:

- Max. Prison/Jail Time:
  - sentencing court has discretion to sentence person to a term less than the maximum 99 years[437]
    - can reduce term by up to one-third (i.e., 1/3 of 99 years → reduce by up to 33 years),[438] if:
      - mitigating circumstances exist and those circumstances are specifically stated in the record,[439] *and*
      - person pleads guilty[440]
    - may further reduce max. term if:
      - person cooperates in prosecution of other persons involved in the sale or use of controlled substances,[441] *and*

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[425] Iowa Code § 124.401D(2).
[426] Iowa Code § 124.401D(2)(b).
[427] Iowa Code § 124.401D(2)(b).
[428] Iowa Code § 902.9(1)(a).
[429] Iowa Code § 902.9(1)(a).
[430] Iowa Code § 902.8A.
[431] *See* Iowa Code § 907.3.
[432] *See* Iowa Code § 902.9(1)(a).
[433] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[434] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[435] Iowa Code § 901.5(12).
[436] Iowa Code § 901.5(11).
[437] Iowa Code § 901.10(3).
[438] Iowa Code § 901.10(3).
[439] Iowa Code § 901.10(3).
[440] Iowa Code § 901.10(3).
[441] Iowa Code § 901.10(3).

- prosecutor requests additional reduction in person's sentence because of such cooperation[442]

❖ 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 business[443]

[442] Iowa Code § 901.10(3).
[443] Iowa Code § 124.412.

§ 124.401D(2)(c)—Second or subsequent offense[444]

Class = "A" felony[445]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life,[446] but see Under 18 Sentencing	Life,[447] but see Under 18 Sentencing	Not eligible but see Under 18 Sentencing	No,[448] but see Under 18 Sentencing

Fines[449]—N/A

Surcharges[450]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[451]	No	Yes, consider denying state[452] and federal benefits.[453]

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 business[454]

[444] Iowa Code § 124.401D(2)(c).
[445] Iowa Code § 124.401D(2)(c).
[446] Iowa Code § 902.1(1).
[447] Iowa Code § 902.1(1).
[448] Iowa Code § 902.1(1).
[449] *See* Iowa Code § 902.9(1)(a).
[450] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[451] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[452] Iowa Code § 901.5(12).
[453] Iowa Code § 901.5(11).
[454] Iowa Code § 124.412.

§ 124.401F—Possessing, Tampering with, or Transporting Anhydrous Ammonia or Equipment[455]

Class = serious misdemeanor[456]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[457]	0[458]	N/A, but see Drug Enhancements	Yes[459]

Fines

Max	Min.	Can Suspend?
$2560[460]	$430[461]	No[462]

Surcharges[463]

15% of fine or forfeiture
Yes[464]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	Yes, consider denying state[465] and federal benefits.[466]

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 business[467]
  - Additional Civil Penalty:
    - May be subject to additional civil penalty of up to $1500[468] if person either:
      - "Intentionally tampers with anhydrous ammonia equipment,"[469] *and/or*

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[455] Iowa Code § 124.401F.
[456] Iowa Code § 124.401F(2).
[457] Iowa Code § 903.1(1)(b).
[458] Iowa Code § 903.1(1)(b).
[459] *See* Iowa Code § 907.3.
[460] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[461] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[462] Iowa Code § 903.1(1)(b).
[463] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[464] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[465] Iowa Code § 901.5(12).
[466] Iowa Code § 901.5(11).
[467] Iowa Code § 124.412.
[468] Iowa Code § 124.401F(2).
[469] Iowa Code § 124.401F(2)(a).

- "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"[470]

[470] Iowa Code § 124.401F(2)(b).

§ 124.402—Prohibited Acts by Distributors, Registrants, and Proprietors[471]

§ 124.402(1)(a)—Violation of § 124.308[472]

Class = aggravated misdemeanor[473]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[474]	0[475]	No, but see Drug Enhancements	Yes[476]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[477]

Fines

Max	Min.	Can Suspend?
$8540[478]	$855[479]	Yes[480]

Surcharges[481]

15% of fine or forfeiture
Yes[482]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[483] 180 days,[484] see Notes	Yes[485]	No	Yes, consider denying state[486] and federal benefits.[487]

Notes:

❖ License Revocation:

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[471] Iowa Code § 124.402.
[472] Iowa Code § 124.402(1)(a).
[473] Iowa Code § 124.402(2)(a).
[474] Iowa Code § 903.1(2).
[475] Iowa Code § 903.1(2).
[476] *See* Iowa Code § 907.3.
[477] Iowa Code § 903.1(2).
[478] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[479] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[480] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[481] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[482] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[483] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[484] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[485] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[486] Iowa Code § 901.5(12).
[487] Iowa Code § 901.5(11).

- 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 completed[488]

- 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 business[489]

[488] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[489] Iowa Code § 124.412.

§ 124.402(1)(b)—Manufacture, distribution, or disbursement unauthorized by registration[490]

Class = aggravated misdemeanor[491]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[492]	0[493]	No, but see Drug Enhancements	Yes[494]

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[495]

Fines

Max	Min.	Can Suspend?
$8540[496]	$855[497]	Yes[498]

Surcharges[499]

15% of fine or forfeiture
Yes[500]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[501] 180 days,[502] see Notes	Yes[503]	No	Yes, consider denying state[504] and federal benefits.[505]

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 completed[506]
- Additional Penalty:

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[490] Iowa Code § 124.402(1)(b).
[491] Iowa Code § 124.402(2)(a).
[492] Iowa Code § 903.1(2).
[493] Iowa Code § 903.1(2).
[494] *See* Iowa Code § 907.3.
[495] Iowa Code § 903.1(2).
[496] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[497] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[498] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[499] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[500] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[501] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[502] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[503] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[504] Iowa Code § 901.5(12).
[505] Iowa Code § 901.5(11).
[506] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- 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 business[507]

[507] Iowa Code § 124.412.

§ 124.402(1)(c)—Records refusal or failure[508]

Class = serious misdemeanor[509]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[510]	0[511]	N/A, but see Drug Enhancements	Yes[512]

Fines

Max	Min.	Can Suspend?
$2560[513]	$430[514]	No[515]

Surcharges[516]

15% of fine or forfeiture
Yes[517]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[518] 180 days,[519] see Notes	No	No	Yes, consider denying state[520] and federal benefits.[521]

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 completed[522]
- Additional Penalty:
  - Business/Professional License:

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[508] Iowa Code § 124.402(1)(c).
[509] Iowa Code § 124.402(2)(b).
[510] Iowa Code § 903.1(1)(b).
[511] Iowa Code § 903.1(1)(b).
[512] *See* Iowa Code § 907.3.
[513] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[514] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[515] Iowa Code § 903.1(1)(b).
[516] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[517] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[518] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[519] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[520] Iowa Code § 901.5(12).
[521] Iowa Code § 901.5(11).
[522] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- 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 business[523]

[523] Iowa Code § 124.412.

§ 124.402(1)(d)—Refuse inspection[524]

Class = aggravated misdemeanor[525]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[526]	0[527]	No, but see Drug Enhancements	Yes[528]

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[529]

Fines

Max	Min.	Can Suspend?
$8540[530]	$855[531]	Yes[532]

Surcharges[533]

15% of fine or forfeiture
Yes[534]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[535] 180 days,[536] see Notes	Yes[537]	No	Yes, consider denying state[538] and federal benefits.[539]

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 completed[540]
- Additional Penalty:

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[524] Iowa Code § 124.402(1)(d).
[525] Iowa Code § 124.402(2)(a).
[526] Iowa Code § 903.1(2).
[527] Iowa Code § 903.1(2).
[528] *See* Iowa Code § 907.3.
[529] Iowa Code § 903.1(2).
[530] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[531] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[532] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[533] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[534] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[535] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[536] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[537] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[538] Iowa Code § 901.5(12).
[539] Iowa Code § 901.5(11).
[540] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- 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 business[541]

[541] Iowa Code § 124.412.

§ 124.402(1)(e)—Wrongful storage[542]

Class = aggravated misdemeanor[543]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[544]	0[545]	No, but see Drug Enhancements	Yes[546]

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[547]

Fines

Max	Min.	Can Suspend?
$8540[548]	$855[549]	Yes[550]

Surcharges[551]

15% of fine or forfeiture
Yes[552]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[553] 180 days,[554] see Notes	Yes[555]	No	Yes, consider denying state[556] and federal benefits.[557]

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 completed[558]
- Additional Penalty:

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[542] Iowa Code § 124.402(1)(e).
[543] Iowa Code § 124.402(2)(a).
[544] Iowa Code § 903.1(2).
[545] Iowa Code § 903.1(2).
[546] *See* Iowa Code § 907.3.
[547] Iowa Code § 903.1(2).
[548] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[549] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[550] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[551] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[552] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[553] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[554] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[555] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[556] Iowa Code § 901.5(12).
[557] Iowa Code § 901.5(11).
[558] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- 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 business[559]

[559] Iowa Code § 124.412.

§ 124.403—Miscellaneous Prohibited Acts[560]

Class = serious misdemeanor[561]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[562]	0[563]	N/A, but see Drug Enhancements	Yes[564]

Fines

Max	Min.	Can Suspend?
$2560[565]	$430[566]	No[567]

Surcharges[568]

15% of fine or forfeiture
Yes[569]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes,[570] 180 days,[571] see Notes	No	No	Yes, consider denying state[572] and federal benefits.[573]

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 completed[574]
- Additional Penalty:
  - Business/Professional License:

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[560] Iowa Code § 124.403.
[561] Iowa Code § 124.403(2).
[562] Iowa Code § 903.1(1)(b).
[563] Iowa Code § 903.1(1)(b).
[564] *See* Iowa Code § 907.3.
[565] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[566] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[567] Iowa Code § 903.1(1)(b).
[568] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[569] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[570] Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[571] Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[572] Iowa Code § 901.5(12).
[573] Iowa Code § 901.5(11).
[574] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- 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 business[575]

[575] Iowa Code § 124.412.

§ 124.406—Distribution to Person Under Age 18

§ 124.406(1)—Distribution or possession w/ intent to distribute schedule I, II, or III substance[576]

§ 124.406(1)(a)—Distribution or possession w/ intent to distribute schedule I or II to person under age 18[577]

Class = "B" felony[578]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years,[579] see Notes	• If distributed in, on, or within 1000 feet of certain real property, 10 years[580] • For all others, 5 years[581]	• If distributed in, on, or within 1000 feet of certain real property, not eligible until served 10 years[582] • For all others, not eligible until served 5 years[583] But see Under 18 Sentencing See also Drug Enhancements and General Enhancements	Yes[584]

Fines[585]—N/A

Surcharges[586]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[587]	No	Yes, consider denying state[588] and federal benefits.[589]

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[590]:
    - violation is first conviction under § 124.406[591]

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[576] Iowa Code § 124.406(1).
[577] Iowa Code § 124.406(1)(a).
[578] Iowa Code § 124.406(1)(a).
[579] Iowa Code § 902.9(1)(b).
[580] Iowa Code § 124.406(1)(a).
[581] Iowa Code § 124.406(1)(a).
[582] *See* Iowa Code § 124.406(1)(a).
[583] *See* Iowa Code § 124.406(1)(a).
[584] *See* Iowa Code § 907.3.
[585] *See* Iowa Code § 902.9(1)(b).
[586] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[587] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[588] Iowa Code § 901.5(12).
[589] Iowa Code § 901.5(11).
[590] Iowa Code § 901.10(1).
[591] Iowa Code § 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 business[592]

[592] Iowa Code § 124.412.

§ 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[593]

Class = "C" felony[594]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[595]	0[596]	No, but see Drug Enhancements and General Enhancements	Yes[597]

Fines

Max	Min.	Can Suspend?
$13,660[598]	$1370[599]	Yes[600]

Surcharges[601]

15% of fine or forfeiture
Yes[602]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[603]	No	Yes, consider denying state[604] and federal benefits.[605]

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[606]:
    - violation is first conviction under § 124.406[607]
    - mitigating circumstances exist
    - those circumstances are stated specifically in the record
- Additional Penalty:

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[593] Iowa Code § 124.406(1)(b).
[594] Iowa Code § 124.406(1)(b).
[595] Iowa Code § 902.9(1)(d).
[596] Iowa Code § 902.9(1)(d).
[597] *See* Iowa Code § 907.3.
[598] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[599] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[600] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[601] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[602] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[603] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[604] Iowa Code § 901.5(12).
[605] Iowa Code § 901.5(11).
[606] Iowa Code § 901.10(1).
[607] Iowa Code § 124.406.

- 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 business[608]

[608] Iowa Code § 124.412.

§ 124.406(1)(c)—Distribution schedule IV or V to person who is under age 18 and at least 3 years younger than violator[609]

Class = aggravated misdemeanor[610]

Prison/Jail Time

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

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[614]

Fines

Max	Min.	Can Suspend?
$8540[615]	$855[616]	Yes[617]

Surcharges[618]

15% of fine or forfeiture
Yes[619]

Miscellaneous

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

Notes:

- Max. Jail/Prison Time:
  - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:[623]
    - violation is first conviction under § 124.406[624]
    - mitigating circumstances exist
    - those circumstances are stated specifically in the record
- Additional Penalty:

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[609] Iowa Code § 124.406(1)(c).
[610] Iowa Code § 124.406(1)(c).
[611] Iowa Code § 903.1(2).
[612] Iowa Code § 903.1(2).
[613] *See* Iowa Code § 907.3.
[614] Iowa Code § 903.1(2).
[615] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[616] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[617] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[618] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[619] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[620] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[621] Iowa Code § 901.5(12).
[622] Iowa Code § 901.5(11).
[623] Iowa Code § 901.10(1).
[624] Iowa Code § 124.406.

- 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 business[625]

[625] Iowa Code § 124.412.

§ 124.406(2)—Distribution or possession w/ intent to distribute counterfeit or simulated schedule I, II, or III substance[626]

§ 124.406(2)(a)—Distribution or possession w/ intent to distribute counterfeit or simulated schedule I or II substance to person under age 18[627]

Class = "B" felony[628]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[629]	0[630]	No, But see Under 18 Sentencing See also Drug Enhancements and General Enhancements	Yes[631]

Fines[632]—N/A

Surcharges[633]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[634]	No	Yes, consider denying state[635] and federal benefits.[636]

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:[637]
    - violation is first conviction under § 124.406[638]
    - mitigating circumstances exist
    - those circumstances are stated specifically in the record
- Additional Penalty:
  - Business/Professional License:

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[626] Iowa Code § 124.406(2).
[627] Iowa Code § 124.406(2)(a).
[628] Iowa Code § 124.406(2)(a).
[629] Iowa Code § 902.9(1)(b).
[630] Iowa Code § 902.9(1)(b).
[631] *See* Iowa Code § 907.3.
[632] *See* Iowa Code § 902.9(1)(b).
[633] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[634] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[635] Iowa Code § 901.5(12).
[636] Iowa Code § 901.5(11).
[637] Iowa Code § 901.10(1).
[638] Iowa Code § 124.406.

- 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 business[639]

[639] Iowa Code § 124.412.

§ 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[640]

Class = "C" felony[641]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[642]	0[643]	No, but see Drug Enhancements and General Enhancements	Yes[644]

Fines

Max	Min.	Can Suspend?
$13,660[645]	$1370[646]	Yes[647]

Surcharges[648]

15% of fine or forfeiture
Yes[649]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[650]	No	Yes, consider denying state[651] and federal benefits.[652]

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:[653]
    - violation is first conviction under § 124.406[654]
    - mitigating circumstances exist
    - those circumstances are stated specifically in the record
- Additional Penalty:

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640 Iowa Code § 124.406(2)(b).
641 Iowa Code § 124.406(2)(b).
642 Iowa Code § 902.9(1)(d).
643 Iowa Code § 902.9(1)(d).
644 *See* Iowa Code § 907.3.
645 Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
646 Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
647 *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
648 Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
649 Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
650 Iowa Code §§ 81.2(1), 901.5(8A)(a).
651 Iowa Code § 901.5(12).
652 Iowa Code § 901.5(11).
653 Iowa Code § 901.10(1).
654 Iowa Code § 124.406.

- 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 business[655]

[655] Iowa Code § 124.412.

§ 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[656]

Class = aggravated misdemeanor[657]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[658]	0[659]	No, but see Drug Enhancements	Yes[660]

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[661]

Fines

Max	Min.	Can Suspend?
$8540[662]	$855[663]	Yes[664]

Surcharges[665]

15% of fine or forfeiture
Yes[666]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[667]	No	Yes, consider denying state[668] and federal benefits.[669]

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:[670]
    - violation is first conviction under § 124.406[671]
    - mitigating circumstances exist
    - those circumstances are stated specifically in the record
- Additional Penalty:

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656 Iowa Code § 124.406(2)(c).
657 Iowa Code § 124.406(2)(c).
658 Iowa Code § 903.1(2).
659 Iowa Code § 903.1(2).
660 *See* Iowa Code § 907.3.
661 Iowa Code § 903.1(2).
662 Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
663 Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
664 *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
665 Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
666 Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
667 Iowa Code §§ 81.2(1), 901.5(8A)(a).
668 Iowa Code § 901.5(12).
669 Iowa Code § 901.5(11).
670 Iowa Code § 901.10(1).
671 Iowa Code § 124.406.

- 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 business[672]

[672] Iowa Code § 124.412.

§ 124.406(3)—Conspiracy to deliver schedule I, II, III, IV, or V to person under age 18[673]

Class = "D" felony[674]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[675]	0[676]	No, but see Drug Enhancements and General Enhancements	Yes[677]

Fines

Max	Min.	Can Suspend?
$10,245[678]	$1025[679]	Yes[680]

Surcharges[681]

15% of fine or forfeiture
Yes[682]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[683]	No	Yes, consider denying state[684] and federal benefits.[685]

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:[686]
    - violation is first conviction under § 124.406[687]
    - mitigating circumstances exist
    - those circumstances are stated specifically in the record
- Additional Penalty:
  - Business/Professional License:

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[673] Iowa Code § 124.406(3).
[674] Iowa Code § 124.406(3).
[675] Iowa Code § 902.9(1)(e).
[676] Iowa Code § 902.9(1)(e).
[677] *See* Iowa Code § 907.3.
[678] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[679] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[680] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[681] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[682] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[683] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[684] Iowa Code § 901.5(12).
[685] Iowa Code § 901.5(11).
[686] Iowa Code § 901.10(1).
[687] Iowa Code § 124.406.

- 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 business[688]

[688] Iowa Code § 124.412.

§ 124.406A—Use of Persons Under Age 18 in Drug Trade[689]

Class = "C" felony[690]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[691]	0[692]	No, but see Drug Enhancements and General Enhancements	Yes[693]

Fines

Max	Min.	Can Suspend?
$13,660[694]	$1370[695]	Yes[696]

Surcharges[697]

15% of fine or forfeiture
Yes[698]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[699]	No	Yes, consider denying state[700] and federal benefits.[701]

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 business[702]

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[689] Iowa Code § 124.406A.
[690] Iowa Code § 124.406A.
[691] Iowa Code § 902.9(1)(d).
[692] Iowa Code § 902.9(1)(d).
[693] *See* Iowa Code § 907.3.
[694] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[695] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[696] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[697] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[698] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[699] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[700] Iowa Code § 901.5(12).
[701] Iowa Code § 901.5(11).
[702] Iowa Code § 124.412.

§ 124.407—Gatherings w/ Unlawful Use of substances[703]

§ 124.407(2)(a)—Gatherings w/ substance(s) other than marijuana[704]

Class = "D" felony[705]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[706]	0[707]	No, but see Drug Enhancements and General Enhancements	Yes[708]

Fines

Max	Min.	Can Suspend?
$10,245[709]	$1025[710]	Yes[711]

Surcharges[712]

15% of fine or forfeiture
Yes[713]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[714]	No	Yes, consider denying state[715] and federal benefits.[716]

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 business[717]
  - Expense Taxed as Costs in Criminal Action:

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[703] Iowa Code § 124.407.
[704] Iowa Code § 124.407(2)(a).
[705] Iowa Code § 124.407(2)(a).
[706] Iowa Code § 902.9(1)(e).
[707] Iowa Code § 902.9(1)(e).
[708] *See* Iowa Code § 907.3.
[709] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[710] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[711] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[712] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[713] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[714] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[715] Iowa Code § 901.5(12).
[716] Iowa Code § 901.5(11).
[717] Iowa Code § 124.412.

- "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."[718]

[718] Iowa Code § 124.407(4).

§ 124.407(2)(b)—Gatherings w/ only marijuana[719]

Class = serious misdemeanor[720]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[721]	0[722]	N/A, but see Drug Enhancements	Yes[723]

Fines

Max	Min.	Can Suspend?
$2560[724]	$430[725]	No[726]

Surcharges[727]

15% of fine or forfeiture
Yes[728]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	Yes, consider denying state[729] and federal benefits.[730]

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 business[731]
  - 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."[732]

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[719] Iowa Code § 124.407(2)(b).
[720] Iowa Code § 124.407(2)(b).
[721] Iowa Code § 903.1(1)(b).
[722] Iowa Code § 903.1(1)(b).
[723] *See* Iowa Code § 907.3.
[724] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[725] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[726] Iowa Code § 903.1(1)(b).
[727] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[728] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[729] Iowa Code § 901.5(12).
[730] Iowa Code § 901.5(11).
[731] Iowa Code § 124.412.
[732] Iowa Code § 124.407(4).

§ 124.414—Drug Paraphernalia[733]

Class = simple misdemeanor[734]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[735]	0[736]	N/A, but see Drug Enhancements	Yes[737]

Fines

Max	Min.	Can Suspend?
$855[738]	$105[739]	No[740]

Surcharges[741]

15% of fine or forfeiture
Yes[742]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	Yes, consider denying state[743] and federal benefits.[744]

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 business[745]

[733] Iowa Code § 124.414.
[734] Iowa Code § 124.414(3).
[735] Iowa Code § 903.1(1)(a).
[736] Iowa Code § 903.1(1)(a).
[737] *See* Iowa Code § 907.3.
[738] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[739] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[740] Iowa Code § 903.1(1).
[741] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[742] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[743] Iowa Code § 901.5(12).
[744] Iowa Code § 901.5(11).
[745] Iowa Code § 124.412.

Enhancements for Drug Offenses

1. Violation of § 124.401(1)[746] + Possession of Firearm

- Max. Jail/Prison Time:
  - "shall be sentenced to two times the term otherwise imposed by law"[747]
- Mand. Min. before Parole Eligible:
  - One-third of max. indeterminate sentence[748]
    - exception: does not apply if:
      - violation of § 124.401(1)[749] is an accommodation offense,[750] *or*
      - controlled substances was marijuana[751]
  - 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:[752]
      - violation is first conviction under § 124.413[753]
        - Note: § 124.413[754] sets out mandatory minimum before parole eligible for violation of § 124.401(1)[755]
      - mitigating circumstances exist
      - those circumstances are stated specifically in the record
    - exception:
      - if violation of § 124.401(1)(a) or (b)[756] involved amphetamine or methamphetamine, cannot reduce sentence unless offender pleads guilty[757]
        - can reduce mandatory minimum sentence by up to one-third if pleads guilty[758]
        - can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:[759]
          - 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,[760] but see Under 18 Sentencing

2. Violation of § 124.401(1)[761] + Possession of Offensive Weapon

- Max. Jail/Prison Time:
  - "shall be sentenced to three times the term otherwise imposed by law"[762]

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[746] Iowa Code § 124.401(1).
[747] Iowa Code § 124.401(1)(e).
[748] Iowa Code § 124.413(1).
[749] Iowa Code § 124.401(1).
[750] Iowa Code § 124.413(2)(a).
[751] Iowa Code § 124.413(2)(b).
[752] Iowa Code § 901.10(1).
[753] Iowa Code § 124.413.
[754] Iowa Code § 124.413.
[755] Iowa Code § 124.401.
[756] Iowa Code § 124.401(1).
[757] Iowa Code § 901.10(2).
[758] Iowa Code § 901.10(2).
[759] Iowa Code § 901.10(2).
[760] Iowa Code § 124.401(1)(e).
[761] Iowa Code § 124.401.
[762] Iowa Code § 124.401(1)(f).

- Mand. Min. before Parole Eligible:
  - One-third of max. indeterminate sentence[763]
    - exception: does not apply if:
      - violation of § 124.401(1)[764] is an accommodation offense,[765] *or*
      - controlled substances was marijuana[766]
  - 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:[767]
      - violation is first conviction under § 124.413[768]
        - Note: § 124.413[769] sets out mandatory minimum before parole eligible for violation of § 124.401(1)[770]
      - mitigating circumstances exist
      - those circumstances are stated specifically in the record
    - Exception:
      - if violation of § 124.401(1)(a) or (b)[771] involved amphetamine or methamphetamine, cannot reduce sentence unless offender pleads guilty[772]
        - can reduce mandatory minimum sentence by up to one-third if pleads guilty[773]
        - can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:[774]
          - 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,[775] 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"[776]
  - Note: this penalty may be imposed in addition to any other penalties provided in chapter 124[777] or any other chapter[778]

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[763] Iowa Code § 124.413(1).
[764] Iowa Code § 124.401.
[765] Iowa Code § 124.413(2)(a).
[766] Iowa Code § 124.413(2)(b).
[767] Iowa Code § 901.10(1).
[768] Iowa Code § 124.413.
[769] Iowa Code § 124.413.
[770] Iowa Code § 124.401.
[771] Iowa Code § 124.401(1).
[772] Iowa Code § 901.10(2).
[773] Iowa Code § 901.10(2).
[774] Iowa Code § 901.10(2).
[775] Iowa Code § 124.401(1)(f).
[776] Iowa Code § 124.401A.
[777] Iowa Code ch. 124.
[778] Iowa Code § 124.401A.

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"[779]
    - "court shall provide the offender with a written statement of the terms and monitoring provisions of the community service"[780]
  - Note: this penalty may be imposed in addition to any other penalties provided in chapter 124[781] or any other chapter[782]

5. Manufacturing Methamphetamine in Presence of Minors

- Max. Jail/Prison Time:
  - "shall be sentenced up to an additional term of confinement of five years"[783]
    - Exception:
      - "additional term of confinement shall not be imposed on a person who has been convicted and sentenced for a child endangerment offense under [§ 726.6(1)(g)[784]] arising from the same facts"[785]

6. Second or Subsequent Offenses

- If person is convicted of second or subsequent offense under chapter 124,[786] person may be:
  - "punished by imprisonment for a period not to exceed three times the term otherwise authorized,"[787] *or*
  - "fined not more than three times the amount otherwise authorized,"[788] *or*
  - "punished by both such imprisonment and fine"[789]
- Exception:
  - This enhancement is not applicable to violations of § 124.401(5)[790]

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[779] Iowa Code § 124.401B.
[780] Iowa Code § 124.401B.
[781] Iowa Code ch. 124.
[782] Iowa Code § 124.401B.
[783] Iowa Code § 124.401C(1).
[784] Iowa Code § 726.6(1)(g).
[785] Iowa Code § 124.401C(1).
[786] *See* Iowa Code § 124.411(2) for what qualifies as a second or subsequent offense.
[787] Iowa Code § 124.411(1).
[788] Iowa Code § 124.411(1).
[789] Iowa Code § 124.411(1).
[790] Iowa Code § 124.411(3).

CH. 124B PRECURSOR SUBSTANCES

§ 124B.9—Sale, Transfer, Furnishing, or Receipt for Unlawful Purposes[791]

§ 124B.9(1)—Sale, transfer, or furnishing[792]

Class = "C" felony[793]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[794]	0[795]	No, but see Enhancements	Yes[796]

Fines

Max	Min.	Can Suspend?
$13,660[797]	$1370[798]	Yes[799]

Surcharges[800]

15% of fine or forfeiture
Yes[801]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[802]	No	No

Notes:

[791] Iowa Code § 124B.9.
[792] Iowa Code § 124B.9(1).
[793] Iowa Code § 124B.9(1).
[794] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[795] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[796] *See* Iowa Code § 907.3.
[797] Iowa Code § 902.9(1)(d).
[798] Iowa Code § 902.9(1)(d).
[799] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[800] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[801] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[802] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 124B.9(2)—Receipt[803]

Class = "C" felony[804]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[805]	0[806]	No, but see Enhancements	Yes[807]

Fines

Max	Min.	Can Suspend?
$13,660[808]	$1370[809]	Yes[810]

Surcharges[811]

15% of fine or forfeiture
Yes[812]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[813]	No	No

Notes:

[803] Iowa Code § 124B.9(2).
[804] Iowa Code § 124B.9(2).
[805] Iowa Code § 902.9(1)(d).
[806] Iowa Code § 902.9(1)(d).
[807] *See* Iowa Code § 907.3.
[808] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[809] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[810] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[811] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[812] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[813] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 152C MASSAGE THERAPY

§ 152C.5—Practice or use of title–license required[814]

§ 152C.5—License required[815]

Class = serious misdemeanor[816]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[817]	0[818]	N/A	Yes[819]

Fines

Max	Min.	Can Suspend?
$2560[820]	$430[821]	No[822]

Surcharges[823]

15% of fine or forfeiture
Yes[824]

Miscellaneous

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

Notes:

- The defendant being a victim of a crime in violation of § 710A.2[825] it is an affirmative defense.[826]

[814] Iowa Code § 152C.5 (2020).
[815] Iowa Code § 152C.5 (2020).
[816] Iowa Code § 152C.5(1) (2020) (amended by 2019 Iowa Acts ch. 106, § 1, effective 7/1/2019).
[817] Iowa Code § 903.1(1)(b).
[818] Iowa Code § 903.1(1)(b).
[819] *See* Iowa Code § 907.3.
[820] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[821] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[822] Iowa Code § 903.1(1)(b).
[823] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[824] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[825] Iowa Code § 710A.2.
[826] Iowa Code § 152C.5(2) (2020) (amended by 2019 Iowa Acts ch. 106, § 1, effective 7/1/2019).

Chapters 300–399

CH. 351 DOGS AND OTHER ANIMALS

§ 351.45—Tampering with a rabies vaccination tag[827]

§ 351.45(2)(a)—First Offense[828]

Class = simple misdemeanor[829]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[830]	0[831]	N/A	Yes[832]

Fines

Max.	Min.	Can Suspend?
$855[833]	$105[834]	No[835]

Surcharges[836]

15% of fine or forfeiture
Yes[837]

Miscellaneous

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

Notes:

[827] Iowa Code § 351.45 (added by 2020 Iowa Acts ch. 1111, § 1, effective 7/1/2020),
[828] Iowa Code § 351.45(2)(a) (added by 2020 Iowa Acts ch. 1111, § 1, effective 7/1/2020),
[829] Iowa Code § 351.45(2)(a) (added by 2020 Iowa Acts ch. 1111, § 1, effective 7/1/2020),
[830] Iowa Code § 903.1(1)(a).
[831] Iowa Code § 903.1(1)(a).
[832] *See* Iowa Code § 907.3.
[833] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[834] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[835] Iowa Code § 903.1(1).
[836] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[837] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 351.45—Tampering with a rabies vaccination[838]
§ 351.45(2)(b)—Second or subsequent offense[839]
Class = serious misdemeanor[840]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[841]	0[842]	N/A	Yes[843]

Fines

Max.	Min.	Can Suspend?
$2560[844]	$430[845]	No[846]

Surcharges[847]

15% of fine or forfeiture
Yes[848]

Miscellaneous

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

Notes:

[838] Iowa Code § 351.45 (added by 2020 Iowa Acts ch. 1111, § 1, effective 7/1/2020),
[839] Iowa Code § 351.45(2)(b) (added by 2020 Iowa Acts ch. 1111, § 1, effective 7/1/2020),
[840] Iowa Code § 351.45(2)(b) (added by 2020 Iowa Acts ch. 1111, § 1, effective 7/1/2020),
[841] Iowa Code § 903.1(1)(b).
[842] Iowa Code § 903.1(1)(b).
[843] *See* Iowa Code § 907.3.
[844] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[845] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[846] Iowa Code § 903.1(1).
[847] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[848] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 351.46—Tampering with an electronic handling device[849]

§ 351.46(2)(a)—First Offense[850]

Class = simple misdemeanor[851]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[852]	0[853]	N/A	Yes[854]

Fines

Max.	Min.	Can Suspend?
$855[855]	$105[856]	No[857]

Surcharges[858]

15% of fine or forfeiture
Yes[859]

Miscellaneous

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

Notes:

[849] Iowa Code § 351.46 (added by 2020 Iowa Acts ch. 1111, § 2, effective 7/1/2020),
[850] Iowa Code § 351.46(2)(a) (added by 2020 Iowa Acts ch. 1111, § 2, effective 7/1/2020),
[851] Iowa Code § 351.46(2)(a) (added by 2020 Iowa Acts ch. 1111, § 2, effective 7/1/2020),
[852] Iowa Code § 903.1(1)(a).
[853] Iowa Code § 903.1(1)(a).
[854] *See* Iowa Code § 907.3.
[855] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[856] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[857] Iowa Code § 903.1(1).
[858] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[859] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 351.46—Tampering with an electronic handling device[860]
§ 351.46(2)(b)—Second or subsequent offense[861]

Class = serious misdemeanor[862]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[863]	0[864]	N/A	Yes[865]

Fines

Max.	Min.	Can Suspend?
$2560[866]	$430[867]	No[868]

Surcharges[869]

15% of fine or forfeiture
Yes[870]

Miscellaneous

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

Notes:

[860] Iowa Code § 351.46 (added by 2020 Iowa Acts ch. 1111, § 2, effective 7/1/2020),
[861] Iowa Code § 351.46(2)(b) (added by 2020 Iowa Acts ch. 1111, § 2, effective 7/1/2020),
[862] Iowa Code § 351.46(2)(b) (added by 2020 Iowa Acts ch. 1111, § 2, effective 7/1/2020),
[863] Iowa Code § 903.1(1)(b).
[864] Iowa Code § 903.1(1)(b).
[865] *See* Iowa Code § 907.3.
[866] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[867] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[868] Iowa Code § 903.1(1).
[869] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[870] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

CH. 321J OPERATING WHILE INTOXICATED

§ 321J.2—OWI[871]

§ 321J.2(2)(a)—First offense[872]

Class = serious misdemeanor[873]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[874]	48 hours[875]	N/A	DJ Eligible,[876] unless: ❖ Convicted under § 321J.2[877] or DL revoked under ch. 321J,[878] *and* ❖ Any of the following apply:[879] ➢ BAC > .15[880] ➢ Prior conviction of § 321J.2(1)[881] or substantially corresponding statute in another state[882] ➢ Previous DJ or DS for violation of § 321J.2(1)[883] or substantially corresponding statute in another state[884] ➢ Refused consent to chemical test per § 321J.6[885] ➢ Offense results in bodily injury to another person[886] ➢ Offense committed in violation of § 321.279(3)(a)(2)[887] DS Eligible,[888] unless: ❖ Any of the following apply: ➢ BAC > .15[889] ➢ Prior conviction of § 321J.2(1)[890] or substantially corresponding statute in another state[891] ➢ Previous DJ or DS for violation of § 321J.2(1)[892] or substantially corresponding statute in another state[893]

[871] Iowa Code § 321J.2.
[872] Iowa Code § 321J.2(2)(a).
[873] Iowa Code § 321J.2(2)(a).
[874] Iowa Code § 321J.2(3)(a).
[875] Iowa Code § 321J.2(3)(a).
[876] Iowa Code § 321J.2(3)(b)(1).
[877] Iowa Code § 321J.2.
[878] Iowa Code §§ 321J.2(3)(b)(2), 907.3(1)(a)(6).
[879] Iowa Code §§ 321J.2(3)(b)(2), 907.3(1)(a)(6).
[880] Iowa Code §§ 321J.2(3)(b)(2)(a), 907.3(1)(a)(6)(a).
[881] Iowa Code § 321J.2(1).
[882] Iowa Code §§ 321J.2(3)(b)(2)(b), 907.3(1)(a)(6)(b).
[883] Iowa Code § 321J.2(1).
[884] Iowa Code §§ 321J.2(3)(b)(2)(c), 907.3(1)(a)(6)(c).
[885] Iowa Code §§ 321J.6, 321J.2(3)(b)(2)(d), 907.3(1)(a)(6)(d).
[886] Iowa Code §§ 321J.2(3)(b)(2)(e), 907.3(1)(a)(6)(e).
[887] Iowa Code §§ 321J.2(3)(b)(2)(f) (added by 2020 Iowa Acts ch. 1028, § 2, effective 7/1/2020), 907.3(1)(a)(6)(f) (added by 2020 Iowa Acts ch. 1028, § 3, effective 7/1/2020).
[888] *See* Iowa Code § 907.3(2)(a)(2).
[889] Iowa Code § 907.3(2)(a)(2)(a).
[890] Iowa Code § 321J.2(1).
[891] Iowa Code § 907.3(2)(a)(2)(b).
[892] Iowa Code § 321J.2(1).
[893] Iowa Code § 907.3(2)(a)(2)(c).

			➢ Refused consent to chemical test per § 321J.6[894] ➢ Offense results in bodily injury to another person[895] ➢ Offense is a violation of § 321.279(3)(a)(2)[896] SS Eligible,[897] but cannot suspend 48-hour min.[898] See Notes

❖ Sentencing court may accommodate person's work schedule in ordering service of the sentence, at the court's discretion[899]

Fines

Max.	Min.	Can Suspend?
$1250[900]	$1250[901]	No[902] Court may waive up to $625 of the fine if: ❖ No personal or property injury resulted,[903] *and* ❖ Person presents to the court a temporary restricted license issued per § 321J.20[904] Alternative to some or all of the fine: ❖ Court may order person to perform unpaid community service[905] ❖ But alternative unpaid community service cannot be performed in lieu of civil penalty or victim restitution[906]

Surcharges[907]

15% of fine or forfeiture
Yes[908]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, min. of 180 days[909] up to max. of 1 year[910] See Notes	No	No	No

[894] Iowa Code §§ 321J.6, 907.3(2)(a)(2)(d).
[895] Iowa Code § 907.3(2)(a)(2)(e).
[896] Iowa Code §§ 321.279(3)(a)(2) (added by 2020 Iowa Acts ch. 1028, § 1, effective 7/1/2020), 907.3(2)(a)(2)(f) (added by 2020 Iowa Acts ch. 1028, § 4, effective 7/1/2020).
[897] *See* Iowa Code § 907.3(3)(c).
[898] Iowa Code § 907.3(3)(c).
[899] Iowa Code § 321J.2(3)(a).
[900] Iowa Code § 321J.2(3)(c).
[901] Iowa Code § 321J.2(3)(c).
[902] *See* Iowa Code § 907.3 (3)(c). 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.
[903] Iowa Code § 321J.2(3)(c).
[904] Iowa Code §§ 321J.2(3)(c), 321J.20.
[905] Iowa Code § 321J.2(3)(c)(2).
[906] Iowa Code § 321J.2(3)(c)(2).
[907] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[908] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[909] Iowa Code § 321J.2(3)(d).
[910] Iowa Code § 321J.2(3)(d).

Notes:

- DJ, DS, or SS Eligible:
  - If DJ is entered, civil penalty of at least $1250 shall be assessed[911]
    - up to $625 of the civil penalty may be waived if:
      - no personal or property injury resulted,[912] *and*
      - offender presents to the court a temporary restricted licensed issued per § 321J.20[913]
  - Required conditions (in addition to any other condition of probation):
    - attend program providing substance abuse prevention services or posttreatment services[914]
    - report to probation officer with proof of attendance at treatment or posttreatment program[915]
  - Additional terms and conditions, to the extent § 907.3[916] allows[917]

- License Revocation:
  - 180 days to 1 year pursuant to § 321J.4(1)[918], § 321J.9[919], or § 321J.12[920]
  - If violation of § 321J.2[921] involved a serious injury of a person other than the defendant:[922]
    - 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[923] 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
      - 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[924] involved death:[925]
    - 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[926] 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 determine[927]

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[911] Iowa Code § 321J.2(3)(c)(1).
[912] *See* Iowa Code § 321J.2(3)(c), (c)(1).
[913] *See* Iowa Code §§ 321J.2(3)(c), (c)(1), 321J.20.
[914] Iowa Code § 321J.3(1)(g).
[915] Iowa Code § 321J.3(1)(g).
[916] Iowa Code § 907.3.
[917] Iowa Code § 321J.2(6).
[918] Iowa Code § 321J.4(1).
[919] Iowa Code § 321J.9.
[920] Iowa Code §§ 321J.12, 321J.2(3)(d), 321J.4(1).
[921] Iowa Code § 321J.2.
[922] Iowa Code § 321J.4(5).
[923] Iowa Code § 321J.2.
[924] Iowa Code § 321J.2.
[925] Iowa Code § 321J.4(6).
[926] Iowa Code § 321J.2.
[927] *See* Iowa Code § 321J.2(3)(d).

- Additional Penalties:
  - Prior to sentencing, order substance abuse evaluation[928]
    - at person's expense[929]
    - order person to follow recommendations from evaluation[930]
  - Assignment to substance abuse evaluation and treatment, course for drinking drivers, and reality education substance abuse prevent program per § 321J.24[931] if available and appropriate[932]
    - 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 drugs[933]
    - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation[934]
    - 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,[935] *and*
      - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court[936]
  - Upon DJ or conviction, may order person to install ignition interlock devices on all motor vehicles owned or operated by person[937]

[928] Iowa Code § 321J.2(7)(a).
[929] Iowa Code § 321J.2(7)(a).
[930] Iowa Code §§ 321J.2(7)(a), 321J.3(1)(a).
[931] Iowa Code § 321J.24.
[932] Iowa Code § 321J.2(3)(e), (7)(b).
[933] Iowa Code § 321J.3(1)(c).
[934] Iowa Code § 321J.3(1)(d).
[935] Iowa Code § 321J.3(1)(f).
[936] Iowa Code § 321J.3(1)(f).
[937] Iowa Code § 321J.4(8)(a).

§ 321J.2(2)(b)—Second offense[938]

- In determining if violation is second offense:
  - Previous offenses include:
    - DJ for violations of § 321J.2[939] entered per § 907.3[940]
    - Convictions or equivalent of DJ for violations of substantially corresponding statutes from other states[941]
      - Court shall take judicial notice of these statutes[942]
      - Each conviction or DJ entered before date the instant offense was charged is a separate offense[943]
  - Previous offenses do not include:
    - Any conviction or license revocation deleted from motor vehicle operating records per § 321.12[944]

Class = aggravated misdemeanor[945]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[946]	7 days,[947] see Notes	N/A if jail 7 days if prison	Not DJ Eligible[948] or DS Eligible[949] ❖ but see Under 18 Sentencing SS Eligible,[950] but cannot suspend 7-day min.[951] See Notes

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[952]

Fines

Max	Min.	Can Suspend?
$6250[953]	$1875[954]	Yes,[955] but not the min.[956] and cannot suspend any portion of the fine over the min. if any of the following apply:

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[938] Iowa Code § 321J.2(2)(b).
[939] Iowa Code § 321J.2.
[940] Iowa Code §§ 907.3, 321J.2(8)(b).
[941] Iowa Code § 321J.2(8)(c).
[942] Iowa Code § 321J.2(8)(c).
[943] Iowa Code § 321J.2(8)(c).
[944] Iowa Code § 321J.2(8)(a).
[945] Iowa Code § 321J.2(2)(b).
[946] Iowa Code § 321J.2(4)(a).
[947] Iowa Code § 321J.2(4)(a).
[948] *See* Iowa Code § 907.3(1)(a)(6)(b), (c).
[949] *See* Iowa Code § 907.3(2)(a)(2)(b), (c).
[950] *See* Iowa Code § 907.3(3)(c).
[951] Iowa Code § 907.3(3)(c).
[952] Iowa Code § 903.1(2).
[953] Iowa Code § 321J.2(4)(b).
[954] Iowa Code § 321J.2(4)(b).
[955] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[956] 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).

		❖ BAC > .15[957] ❖ Prior conviction of § 321J.2(1)[958] or substantially corresponding statute in another state[959] ❖ Previously received DJ or DS for violation of § 321J.2(1)[960] or substantially corresponding statute in another state[961] ❖ Refused to consent to chemical test per § 321J.6[962] ❖ Offense results in bodily injury to another person[963]

Surcharges[964]

15% of fine or forfeiture
Yes[965]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes ❖ Revoked for 1 year if revocation occurs for failing chemical test under § 321J.12(1)[966] ❖ Revoked for 2 years if revocation occurs: ➢ for refusing chemical test under § 321J.9,[967] *or* ➢ for refusing chemical test and having a previous conviction under ch. 321J, per § 321J.4(2)[968] See Notes	No,[969] unless person has more than 1 previous revocation as determined by § 321J.2(8)[970] within the 12-year period immediately preceding the instant offense[971]	No	No

Notes:

❖ Min. Jail/Prison Time:
- ➢ Must be served on consecutive days[972]
  - ▪ 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 hours[973] if sentencing court finds:

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[957] Iowa Code § 907.3(3)(c)(1).
[958] Iowa Code § 321J.2(1).
[959] Iowa Code § 907.3(3)(c)(2).
[960] Iowa Code § 321J.2(1).
[961] Iowa Code § 907.3(3)(c)(3).
[962] Iowa Code §§ 321J.6, 907.3(3)(c)(4).
[963] Iowa Code § 907.3(3)(c)(5).
[964] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[965] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[966] Iowa Code § 321J.2(4)(c).
[967] Iowa Code §§ 321J.9, 321J.2(4)(c).
[968] Iowa Code § 321J.2(4)(c), (2).
[969] Iowa Code § 81.1(1)(a).
[970] Iowa Code § 321J.2(8).
[971] Iowa Code § 81.1 (1)(b).
[972] Iowa Code § 321J.2(7)(c).
[973] Iowa Code § 321J.2(7)(c).

        - service of full minimum term on consecutive days would be an undue hardship on person,[974] *or*
        - sufficient jail space is not available and is not reasonably expected to become available within 4 months after sentencing[975]
- DJ, DS, or SS Eligible:
  - Required conditions (in addition to any other condition of probation):
    - attend program providing substance abuse prevention services or posttreatment services[976]
    - report to probation officer with proof of attendance at treatment or posttreatment program[977]
  - Additional terms and conditions, to the extent § 907.3[978] allows[979]
- License Revocation:
  - If violation of § 321J.2[980] involved a serious injury of a person other than the defendant:[981]
    - 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[982] 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
      - 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[983] involved death:[984]
    - 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[985] 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 evaluation[986]
    - at person's expense[987]
    - order person to follow recommendations from evaluation[988]
  - Court may commit person for inpatient treatment of alcoholism or drug addiction or dependency[989]
    - Time for treatment is credited against person's sentence[990]

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[974] Iowa Code § 321J.2(7)(c).
[975] Iowa Code § 321J.2(7)(c).
[976] Iowa Code § 321J.3(1)(g).
[977] Iowa Code § 321J.3(1)(g).
[978] Iowa Code § 907.3.
[979] Iowa Code § 321J.2(6).
[980] Iowa Code § 321J.2.
[981] Iowa Code § 321J.4(5).
[982] Iowa Code § 321J.2.
[983] Iowa Code § 321J.2.
[984] Iowa Code § 321J.4(6).
[985] Iowa Code § 321J.2.
[986] Iowa Code § 321J.2(7)(a).
[987] Iowa Code § 321J.2(7)(a).
[988] Iowa Code § 321J.2(7)(a).
[989] Iowa Code § 321J.3(2)(a).
[990] Iowa Code § 321J.3(2)(a).

- 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 drugs[991]

- Assignment to substance abuse evaluation and treatment, course for drinking drivers, and reality education substance abuse prevent program per § 321J.24[992] if available and appropriate[993]
  - 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 drugs[994]
  - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation[995]
  - 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,[996] *and*
    - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court[997]
- Upon DJ or conviction, may order person to install ignition interlock devices on all motor vehicles owned or operated by person[998]
- Motor vehicle subject to impoundment for second or subsequent OWI offense, or operated while suspended, denied, revoked, or barred to violation of § 321J.2[999]

[991] Iowa Code § 321J.3(2)(b).
[992] Iowa Code § 321J.24.
[993] Iowa Code §§ 321J.2(4)(d), (7)(b), 321J.3(1)(a).
[994] Iowa Code § 321J.3(1)(c).
[995] Iowa Code § 321J.3(1)(d).
[996] Iowa Code § 321J.3(1)(f).
[997] Iowa Code §§ 321J.2, 321J.3(1)(f).
[998] Iowa Code § 321J.4(8)(a).
[999] Iowa Code § 321J.4B(2)(a).

§ 321J.2(2)(c)—Third and each subsequent offense[1000]

- In determining if violation is third or subsequent offense:
  - Previous offenses include:
    - DJ for violations of § 321J.2[1001] entered per § 907.3[1002]
    - Convictions or equivalent of DJ for violations of substantially corresponding statutes from other states[1003]
      - Court shall take judicial notice of these statutes[1004]
      - Each conviction or DJ entered before date the instant offense was charged is a separate offense[1005]
  - Previous offenses do not include:
    - Any conviction or revocation deleted from motor vehicle operating records per § 321.12[1006]

Class = "D" felony[1007]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1008] May sentence as habitual offender[1009]	30 days,[1010] see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ[1011] or DS[1012] ❖ but see Under 18 Sentencing SS Eligible,[1013] but cannot suspend 30-day min.[1014] See Notes

Fines

Max.	Min.	Can Suspend?
$9375[1015]	$3125[1016]	Yes, but not the min.[1017]

[1000] Iowa Code § 321J.2(2)(c).
[1001] Iowa Code § 321J.2.
[1002] Iowa Code §§ 907.3, 321J.2(8)(b).
[1003] Iowa Code § 321J.2(8)(c).
[1004] Iowa Code § 321J.2(8)(c).
[1005] Iowa Code § 321J.2(8)(c).
[1006] Iowa Code § 321J.2(8)(a).
[1007] Iowa Code § 321J.2(2)(c).
[1008] Iowa Code § 321J.2(5)(a).
[1009] Iowa Code § 321J.2(5)(e) (2020) (added by 2019 Iowa Acts ch. 5, § 2, effective 7/1/2019). *See* Iowa Code §§ 902.8–.9.
[1010] Iowa Code § 321J.2(5)(a).
[1011] *See* Iowa Code § 907.3 (1)(a)(6)(b), (c).
[1012] *See* Iowa Code § 907.3 (2)(a)(2)(b), (c).
[1013] *See* Iowa Code § 321J.2(5)(a)(1)–(2).
[1014] Iowa Code § 907.3 (3)(c).
[1015] Iowa Code § 321J.2(5)(b).
[1016] Iowa Code § 321J.2(5)(b).
[1017] 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).

Surcharges[1018]

15% of fine or forfeiture
Yes[1019]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, 6 years per § 321J.4(4)[1020] See Notes	Yes[1021]	No	No

Notes:

- Min. Jail/Prison Time:
  - Must be served on consecutive days[1022]
    - 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 hours[1023] if sentencing court finds:
        - service of full minimum term on consecutive days would be an undue hardship on person,[1024] *or*
        - sufficient jail space is not available and is not reasonably expected to become available within 4 months after sentencing[1025]
- DJ, DS, or SS Eligible:
  - If don't suspend sentence under § 321J.2(5)(a)[1026], person shall be assigned to a facility per § 904.513[1027]
  - If do suspend sentence under § 321J.2(5)(a)[1028]:
    - must order person to serve at least 30 days but no more than one year in county jail,[1029] *and*
    - may commit person to treatment in the community per § 907.6[1030]
  - Required conditions (in addition to any other condition of probation):
    - attend program providing substance abuse prevention services or posttreatment services[1031]
    - report to probation officer with proof of attendance at treatment or posttreatment program[1032]
  - Additional terms and conditions, to the extent § 907.3[1033] allows[1034]
- License Revocation:

[1018] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1019] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1020] Iowa Code §§ 321J.2(5)(c), 321J.4(4).
[1021] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1022] Iowa Code § 321J.2(7)(c).
[1023] Iowa Code § 321J.2(7)(c).
[1024] Iowa Code § 321J.2(7)(c).
[1025] Iowa Code § 321J.2(7)(c).
[1026] Iowa Code § 321J.2(5)(a).
[1027] Iowa Code §§ 904.513, 321J.2(5)(a)(1).
[1028] Iowa Code § 321J.2(5)(a).
[1029] Iowa Code § 321J.2(5)(a)(2).
[1030] Iowa Code § 321J.2(5)(a)(2).
[1031] Iowa Code § 321J.3(1)(g).
[1032] Iowa Code § 321J.3(1)(g).
[1033] Iowa Code § 907.3.
[1034] Iowa Code § 321J.2(6).

- If violation of § 321J.2[1035] involved a serious injury of a person other than the defendant[1036]:
  - 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[1037] 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
    - 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[1038] involved death:[1039]
  - 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[1040] 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 evaluation[1041]
  - at person's expense[1042]
  - order person to follow recommendations from evaluation[1043]
- Court may commit person for inpatient treatment of alcoholism or drug addiction or dependency[1044]
  - Time for treatment is credited against person's sentence[1045]
  - 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 drugs[1046]
- Assignment to substance abuse evaluation and treatment, course for drinking drivers, and reality education substance abuse prevent program per § 321J.24[1047] if available and appropriate[1048]
  - 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 drugs[1049]
  - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation[1050]

[1035] Iowa Code § 321J.2.
[1036] Iowa Code § 321J.4(5).
[1037] Iowa Code § 321J.2.
[1038] Iowa Code § 321J.2.
[1039] Iowa Code § 321J.4(6).
[1040] Iowa Code § 321J.2.
[1041] Iowa Code § 321J.2(7)(a).
[1042] Iowa Code § 321J.2(7)(a).
[1043] Iowa Code § 321J.2(7)(a).
[1044] Iowa Code § 321J.3(2)(a).
[1045] Iowa Code § 321J.3(2)(a).
[1046] Iowa Code § 321J.3(2)(b).
[1047] Iowa Code § 321J.24.
[1048] Iowa Code § 321J.2(5)(d), (7)(b).
[1049] Iowa Code § 321J.3(1)(c).
[1050] Iowa Code § 321J.3(1)(d).

- 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,[1051] *and*
  - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court[1052]
- Upon DJ or conviction, may order person to install ignition interlock devices on all motor vehicles owned or operated by person[1053]
- Motor vehicle subject to impoundment for second or subsequent OWI offense, or operated while suspended, denied, revoked, or barred to violation of § 321J.2[1054]

[1051] Iowa Code § 321J.3(1)(f).
[1052] Iowa Code § 321J.3(1)(f).
[1053] Iowa Code § 321J.4(8)(a).
[1054] Iowa Code §§ 321J.4B(2)(a), 321J.2.

§ 321J.21—Driving While License Suspended, Denied, Revoked, or Barred[1055]

Class = serious misdemeanor[1056]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[1057]	0[1058]	N/A	Yes[1059]

Fines

Max.	Min.	Can Suspend?
$1000[1060]	$1000[1061]	No[1062]

Surcharges[1063]

15% of fine or forfeiture
Yes[1064]

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 revocation[1065]
    - No new license shall be issued during this additional period[1066]
- 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.2[1067]

[1055] Iowa Code § 321J.21.
[1056] Iowa Code § 321J.21(1).
[1057] Iowa Code § 903.1(1)(b).
[1058] Iowa Code § 903.1(1)(b).
[1059] *See* Iowa Code § 907.3.
[1060] Iowa Code § 321J.21(1).
[1061] Iowa Code § 321J.21(1).
[1062] Iowa Code § 903.1(1).
[1063] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1064] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1065] Iowa Code § 321J.21(2).
[1066] Iowa Code § 321J.21(2).
[1067] Iowa Code §§ 321J.4B(2)(a), 321J.2.

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[1068]

Class = "D" felony[1069]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1070]	0[1071]	No, but see Enhancements	Yes[1072]

Fines

Max.	Min.	Can Suspend?
$10,245[1073]	$1025[1074]	Yes[1075]

Surcharges[1076]

15% of fine or forfeiture
Yes[1077]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, 180 days[1078] See Notes	Yes[1079]	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 terminated[1080]

[1068] Iowa Code § 453B.12(2)–(4).
[1069] Iowa Code § 453B.12(2)–(4).
[1070] Iowa Code § 902.9(1)(e).
[1071] Iowa Code § 902.9(1)(e).
[1072] *See* Iowa Code § 907.3.
[1073] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1074] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1075] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1076] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1077] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1078] Iowa Code § 901.5(10)(a)(3); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.
[1079] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1080] Iowa Code § 901.5(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

CH. 462A OPERATING BOAT WHILE INTOXICATED

§ 462A.14—Operating a Motorboat or Sailboat While Intoxicated[1081]

§ 462A.14(2)(a)—First offense[1082]

Class = serious misdemeanor[1083]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[1084]	48 hours[1085]	N/A	Yes,[1086] except: ❖ not eligible if any of the following apply: ➢ BAC > .15[1087] ➢ prior conviction of § 462A.14(1)[1088] or substantially corresponding statute in another state[1089] ➢ previous DJ or DS for violation of § 462A.14(1)[1090] or substantially corresponding statute in another state[1091] ➢ refused to consent to testing in accordance with § 462A.14A[1092] ➢ offense results in bodily injury to person other than offender[1093] ❖ cannot suspend mandatory minimum sentence[1094] See Notes

❖ Court may accommodate person's work schedule in ordering service of the sentence, at the court's discretion[1095]

Fines

Max.	Min.	Can Suspend?
$1000[1096]	$1000[1097]	No[1098]Court may waive up to $500 of the fine if no personal or property injury resulted[1099] Alternative to some or all of the fine: ❖ Court may order person to perform unpaid community service[1100]

[1081] Iowa Code § 462A.14.
[1082] Iowa Code § 462A.14(2)(a).
[1083] Iowa Code § 462A.14(2)(a).
[1084] Iowa Code § 903.1(1)(b).
[1085] Iowa Code § 462A.14(2)(a)(1).
[1086] *See* Iowa Code § 462A.14(3)(a).
[1087] Iowa Code § 462A.14(3)(a)(1).
[1088] Iowa Code § 462A.14(1).
[1089] Iowa Code § 462A.14(3)(a)(2).
[1090] Iowa Code § 462A.14(1).
[1091] Iowa Code § 462A.14(3)(a)(3).
[1092] Iowa Code §§ 462A.14A, 462A.14(3)(a)(4).
[1093] Iowa Code § 462A.14(3)(a)(5).
[1094] Iowa Code § 907.3(3)(f).
[1095] Iowa Code § 462A.14(2)(a)(1).
[1096] Iowa Code § 462A.14(2)(a)(2).
[1097] Iowa Code § 462A.14(2)(a)(2).
[1098] Iowa Code § 907.3(3)(f).
[1099] Iowa Code § 462A.14(2)(a)(2).
[1100] Iowa Code § 462A.14(2)(a)(2).

Surcharges[1101]

15% of fine or forfeiture
Yes[1102]

Miscellaneous

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

Notes:

- DJ, DS, or SS Eligible:
  - Required conditions (in addition to any other condition of probation):
    - attend program providing substance abuse prevention services or posttreatment services[1103]
    - report to probation officer with proof of attendance at treatment or posttreatment program[1104]
- License Revocation:
  - Prohibited from operating a motorboat or sailboat for one year, pursuant to court order[1105]
- Additional Penalties:
  - Substance abuse evaluation and treatment, and a course for drinking drivers[1106]
    - At person's expense[1107]
    - Person to follow recommendations proposed in substance abuse evaluation[1108]
    - 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 drugs[1109]
    - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation[1110]
    - If person fails to comply:[1111]
      - 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

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[1101] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1102] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1103] Iowa Code § 462A.14(12)(h).
[1104] Iowa Code § 462A.14(12)(h).
[1105] Iowa Code § 462A.14(2)(a)(3).
[1106] Iowa Code § 462A.14(2)(a)(4).
[1107] Iowa Code § 462A.14(12)(a).
[1108] Iowa Code § 462A.14(12)(b).
[1109] Iowa Code § 462A.14(12)(d).
[1110] Iowa Code § 462A.14(12)(e).
[1111] Iowa Code § 462A.14(12)(g).

§ 462A.14(2)(b)—Second offense[1112]

- In determining if violation is second offense:
  - Previous offenses include:
    - any conviction under § 462A.14[1113] within previous 12 years[1114]
    - DJ for violations of § 462A.14[1115] entered per § 907.3[1116]
    - Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state[1117]
      - Court shall take judicial notice of these statutes[1118]
      - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense[1119]

Class = aggravated misdemeanor[1120]

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[1121]	7 days,[1122] see Notes	N/A	Not eligible for DJ[1123] or DS[1124] SS eligible, except cannot suspend mandatory minimum sentence[1125] See Notes

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[1126]

Fines

Max	Min.	Can Suspend?
$5000[1127]	$1500[1128]	No[1129]

[1112] Iowa Code § 462A.14(2)(b).
[1113] Iowa Code § 462A.14.
[1114] Iowa Code § 462A.14(4)(a).
[1115] Iowa Code § 462A.14.
[1116] Iowa Code §§ 907.3, 462A.14(4)(b).
[1117] Iowa Code § 462A.14(4)(c).
[1118] Iowa Code § 462A.14(4)(c).
[1119] Iowa Code § 462A.14(4)(c).
[1120] Iowa Code § 462A.14(2)(b).
[1121] Iowa Code § 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.
[1122] Iowa Code § 462A.14(2)(b)(1).
[1123] Iowa Code § 462A.14(3)(a)(2), (3).
[1124] Iowa Code § 462A.14(3)(a)(2), (3).
[1125] Iowa Code § 462A.14(3)(a)(2), (3); *accord id.* § 907.3(3)(f).
[1126] Iowa Code § 903.1(2).
[1127] Iowa Code § 462A.14(2)(b)(2).
[1128] Iowa Code § 462A.14(2)(b)(2).
[1129] *See* Iowa Code § 462A.14(3)(a).

Surcharges[1130]

15% of fine or forfeiture
Yes[1131]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes[1132]	No	No

Notes:

- Min. Jail/Prison Time:
  - minimum term of imprisonment must be served on consecutive days[1133]
    - Exception:[1134]
      - 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 services[1135]
    - report to probation officer with proof of attendance at treatment or posttreatment program[1136]
- License Revocation:
  - Prohibited from operating motorboat or sailboat for two years[1137]
- Additional Penalties:
  - Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency[1138]
    - Time for treatment is credited against person's sentence[1139]
    - 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 drugs[1140]
  - Substance abuse evaluation and treatment, and course for drinking drivers[1141]
    - At person's expense[1142]
    - Person to follow recommendations proposed in substance abuse evaluation[1143]

[1130] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1131] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1132] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1133] Iowa Code § 462A.14(3)(b).
[1134] Iowa Code § 462A.14(3)(b).
[1135] Iowa Code § 462A.14(12)(h).
[1136] Iowa Code § 462A.14(12)(h).
[1137] Iowa Code § 462A.14(2)(b)(3).
[1138] Iowa Code § 462A.14(13)(a).
[1139] Iowa Code § 462A.14(13)(a).
[1140] Iowa Code § 462A.14(13)(b).
[1141] Iowa Code § 462A.14(2)(b)(4).
[1142] Iowa Code § 462A.14(12)(a).
[1143] Iowa Code § 462A.14(12)(b).

- 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 drugs[1144]
- Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation[1145]
- 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, *and*
  - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court[1146]

[1144] Iowa Code § 462A.14(12)(d).
[1145] Iowa Code § 462A.14(12)(e).
[1146] Iowa Code § 462A.14(12)(g).

§ 462A.14(2)(c)—Third and each subsequent offense[1147]

- In determining if violation is second offense:
  - Previous offenses include:
    - any conviction under § 462A.14[1148] within previous 12 years[1149]
    - DJ for violations of § 462A.14[1150] entered per § 907.3[1151]
    - Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state[1152]
      - Court shall take judicial notice of these statutes[1153]
      - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense[1154]

Class = "D" felony[1155]

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,[1156] see Notes	30 days,[1157] see Notes	N/A, but see Enhancements	Not eligible for DJ[1158] or DS[1159] SS eligible, except cannot suspend mandatory minimum sentence[1160] See Notes

Fines

Max.	Min.	Can Suspend?
$7500[1161]	$2500[1162]	No[1163]

[1147] Iowa Code § 462A.14(2)(c).
[1148] Iowa Code § 462A.14.
[1149] Iowa Code § 462A.14(4)(a).
[1150] Iowa Code § 462A.14.
[1151] Iowa Code §§ 907.3, 462A.14(4)(b).
[1152] Iowa Code § 462A.14(4)(c).
[1153] Iowa Code § 462A.14(4)(c).
[1154] Iowa Code § 462A.14(4)(c).
[1155] Iowa Code § 462A.14(2)(c).
[1156] Iowa Code § 462A.14(2)(c)(1); *see also* § 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.
[1157] Iowa Code § 462A.14(2)(c)(1).
[1158] Iowa Code § 462A.14(3)(a)(2), (3).
[1159] Iowa Code § 462A.14(3)(a)(2), (3).
[1160] Iowa Code § 462A.14(3)(a)(2), (3); *accord id.* § 907.3(3)(f).
[1161] Iowa Code § 462A.14(2)(c)(2).
[1162] Iowa Code § 462A.14(2)(c)(2).
[1163] *See* Iowa Code § 462A.14(3)(a).

Surcharges[1164]

15% of fine or forfeiture
Yes[1165]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes[1166]	No	No

Notes:

- Max. & Min. Jail/Prison Time:
  - sentence is a determinate sentence[1167]
  - 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,[1168] *or*
    - treatment in the community under § 907.13[1169]
  - minimum term of imprisonment must be served on consecutive days[1170]
    - Exception:[1171]
      - 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 services[1172]
    - report to probation officer with proof of attendance at treatment or posttreatment program[1173]
- License Revocation:
  - Prohibited from operating motorboat or sailboat for six years[1174]
- Additional Penalties:
  - Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency[1175]
    - Time for treatment is credited against person's sentence[1176]

[1164] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1165] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1166] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1167] Iowa Code § 462A.14(2)(c)(1).
[1168] Iowa Code § 462A.14(2)(c)(1).
[1169] Iowa Code § 462A.14(2)(c)(1).
[1170] Iowa Code § 462A.14(3)(b).
[1171] Iowa Code § 462A.14(3)(b).
[1172] Iowa Code § 462A.14(12)(h).
[1173] Iowa Code § 462A.14(12)(h).
[1174] Iowa Code § 462A.14(2)(c)(3).
[1175] Iowa Code § 462A.14(13)(a).
[1176] Iowa Code § 462A.14(13)(a).

- 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 drugs[1177]

- Substance abuse evaluation and treatment, and course for drinking drivers[1178]
  - At person's expense[1179]
  - Person to follow recommendations proposed in substance abuse evaluation[1180]
  - 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 drugs[1181]
  - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation[1182]
  - 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, *and*
    - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court[1183]

[1177] Iowa Code § 462A.14(13)(b).
[1178] Iowa Code § 462A.14(2)(c)(4).
[1179] Iowa Code § 462A.14(12)(a).
[1180] Iowa Code § 462A.14(12)(b).
[1181] Iowa Code § 462A.14(12)(d).
[1182] Iowa Code § 462A.14(12)(e).
[1183] Iowa Code § 462A.14(12)(g).

§ 462A.14(2)(d)—Resulting in serious injury to persons other than offender[1184]

- court must determine that the person who committed the offense caused the serious injury[1185]

Class = "D" felony[1186]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years,[1187] see Notes	30 days,[1188] see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ[1189] or DS[1190] SS eligible, except cannot suspend mandatory minimum sentence[1191] See Notes

Fines

Max.	Min.	Can Suspend?
$7500[1192]	$2500[1193]	No[1194]

Surcharges[1195]

15% of fine or forfeiture
Yes[1196]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes[1197]	No	No

Notes:

- Max. & Min. Jail/Prison Time:
  - sentence is a determinate sentence[1198]
  - alternatively, person may be committed to the custody of the director of the department of corrections[1199]

[1184] Iowa Code § 462A.14(2)(d).
[1185] Iowa Code § 462A.14(2)(d).
[1186] Iowa Code § 462A.14(2)(d).
[1187] Iowa Code § 462A.14(2)(d).
[1188] Iowa Code § 462A.14(2)(d).
[1189] *See* Iowa Code § 462A.14(3)(a)(5).
[1190] *See* Iowa Code § 462A.14(3)(a)(5).
[1191] *See* Iowa Code § 462A.14(3)(a); *see also* § 907.3(3)(f).
[1192] Iowa Code § 462A.14(2)(d).
[1193] Iowa Code § 462A.14(2)(d).
[1194] *See* Iowa Code § 462A.14(3)(a)(5).
[1195] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1196] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1197] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1198] Iowa Code § 462A.14(2)(d).
[1199] Iowa Code § 462A.14(2)(d).

- if so assigned, director shall assign person to facility per § 904.513[1200]

- License Revocation:
  - Prohibited from operating motorboat or sailboat for one year in addition to any other period of prohibition imposed[1201]
- Additional Penalties:
  - If second or subsequent offense:
    - Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency[1202]
      - Time for treatment is credited against person's sentence[1203]
      - 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 drugs[1204]
    - In determining if violation is second or subsequent offense:
      - Previous offenses include:
        - any conviction under § 462A.14[1205] within previous 12 years[1206]
        - DJ for violations of § 462A.14[1207] entered per § 907.3[1208]
        - Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state[1209]
          - Court shall take judicial notice of these statutes[1210]
          - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense[1211]
  - Substance abuse evaluation and treatment, and course for drinking drivers[1212]
    - At person's expense[1213]
    - Person to follow recommendations proposed in substance abuse evaluation[1214]
    - 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 drugs[1215]
    - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation[1216]
    - If person fails to comply:

[1200] Iowa Code § 462A.14(2)(d).
[1201] Iowa Code § 462A.14(2)(d).
[1202] Iowa Code § 462A.14(13)(a).
[1203] Iowa Code § 462A.14(13)(a).
[1204] Iowa Code § 462A.14(13)(b).
[1205] Iowa Code § 462A.14.
[1206] Iowa Code § 462A.14(4)(a).
[1207] Iowa Code § 462A.14.
[1208] Iowa Code §§ 907.3, 462A.14(4)(b).
[1209] Iowa Code § 462A.14(4)(c).
[1210] Iowa Code § 462A.14(4)(c).
[1211] Iowa Code § 462A.14(4)(c).
[1212] Iowa Code § 462A.14(2)(d).
[1213] Iowa Code § 462A.14(12)(a).
[1214] Iowa Code § 462A.14(12)(b).
[1215] Iowa Code § 462A.14(12)(d).
[1216] Iowa Code § 462A.14(12)(e).

- 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[1217]

[1217] Iowa Code § 462A.14(12)(g).

§ 462A.14(2)(e)—Resulting in death to persons other than offender[1218]

- Court must determine that the person who committed the offense caused the death[1219]

Class = "B" felony[1220]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years,[1221] see Notes	0,[1222] see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ[1223] or DS[1224] SS eligible, except cannot suspend mandatory minimum sentence[1225] See Notes

Fines[1226]— N/A

Surcharges[1227]— N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes[1228]	No	No

Notes:

- Max. & Min. Jail/Prison Time:
  - sentence is a determinate sentence[1229]
  - alternatively, person may be committed to the custody of the director of the department of corrections[1230]
    - if so assigned, director shall assign person to facility per § 904.513[1231]
- License Revocation:
  - Prohibited from operating motorboat or sailboat for six years[1232]
- Additional Penalties:
  - If second or subsequent offense:

[1218] Iowa Code § 462A.14(2)(e).
[1219] Iowa Code § 462A.14(2)(e).
[1220] Iowa Code § 462A.14(2)(e).
[1221] Iowa Code § 462A.14(2)(d).
[1222] *See* Iowa Code § 462A.14(2)(d).
[1223] *See* Iowa Code § 462A.14(3)(a)(5).
[1224] *See* Iowa Code § 462A.14(3)(a)(5).
[1225] *See* Iowa Code § 462A.14(3)(a); *see also* § 907.3(3)(f).
[1226] *See* Iowa Code § 902.9(1)(b).
[1227] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1228] Iowa Code §§ 81.2(1), 901.5(8A)(a)
[1229] Iowa Code § 462A.14(2)(e).
[1230] Iowa Code § 462A.14(2)(e).
[1231] Iowa Code § 462A.14(2)(e).
[1232] Iowa Code § 462A.14(2)(e).

- Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency[1233]
  - Time for treatment is credited against person's sentence[1234]
  - 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 drugs[1235]
- In determining if violation is second or subsequent offense:
  - Previous offenses include:
    - any conviction under § 462A.14[1236] within previous 12 years[1237]
    - DJ for violations of § 462A.14[1238] entered per § 907.3[1239]
    - Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state[1240]
      - Court shall take judicial notice of these statutes[1241]
      - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense[1242]

➢ Substance abuse evaluation and treatment, and course for drinking drivers[1243]
- At person's expense[1244]
- Person to follow recommendations proposed in substance abuse evaluation[1245]
- 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 drugs[1246]
- Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation[1247]
- 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, *and*
  - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court[1248]

[1233] Iowa Code § 462A.14(13)(a).
[1234] Iowa Code § 462A.14(13)(a).
[1235] Iowa Code § 462A.14(13)(b).
[1236] Iowa Code § 462A.14.
[1237] Iowa Code § 462A.14(4)(a).
[1238] Iowa Code § 462A.14.
[1239] Iowa Code §§ 907.3, 462A.14(4)(b).
[1240] Iowa Code § 462A.14(4)(c).
[1241] Iowa Code § 462A.14(4)(c).
[1242] Iowa Code § 462A.14(4)(c).
[1243] Iowa Code § 462A.14(2)(e).
[1244] Iowa Code § 462A.14(12)(a).
[1245] Iowa Code § 462A.14(12)(b).
[1246] Iowa Code § 462A.14(12)(d).
[1247] Iowa Code § 462A.14(12)(e).
[1248] Iowa Code § 462A.14(12)(g).

Chapters 600–699

CH. 664A No-Contact Orders & Protective Orders

§ 664A.7—Violation of No-Contact or Protective Order[1249]

§ 664A.7(3)—Convicted of or Held in contempt of no-contact order from § 664A.2(1)[1250] or issued during contempt proceeding brought per § 236.11[1251] (See Authors' Note below)

Class = n/a[1252]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
6 months[1253]	7 days[1254]	N/A	No[1255] and cannot suspend 7-day min.[1256]

❖ 7-day minimum shall be served on consecutive days[1257]

Fines

Max.	Min.	Can Suspend?
$500[1258]	0[1259]	No[1260]

❖ Fine may be imposed in addition to minimum sentence but shall not be imposed in lieu of minimum sentence[1261]

Surcharges[1262]

15% of fine or forfeiture
Yes[1263]

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[1264] confusing. This section, 664A.7(3)[1265], provides alternative remedies for a violation of a no-contact order or a modified no-contact order for a

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[1249] Iowa Code § 664A.7.
[1250] Iowa Code § 664A.2.
[1251] Iowa Code §§ 664A.7(3), 236.11.
[1252] *See* Iowa Code § 664A.7(3).
[1253] Iowa Code §§ 664A.7(5), 665.4.
[1254] Iowa Code § 664A.7(3).
[1255] Iowa Code § 664A.7(3); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).
[1256] Iowa Code § 664A.7(3).
[1257] Iowa Code § 664A.7(3).
[1258] Iowa Code § 665.4(2).
[1259] *See* Iowa Code §§ 664A.7(3), 665.4.
[1260] Iowa Code § 664A.7(3); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).
[1261] Iowa Code § 664A.7(3).
[1262] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1263] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1264] Iowa Code § 664A.7.
[1265] Iowa Code § 664A.7(3).

public offense referred to in section 664A.2(1):[1266] conviction or contempt. Section 664A.2(1)[1267] applies to no-contact orders in section 708.2A,[1268] 708.7,[1269] 708.11,[1270] 709.2–.4,[1271] and to any other public offense victim. Section 664A.7(5)[1272] 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[1273] or a protective order issued pursuant to chapter 232,[1274] 235F,[1275] 236,[1276] 236A,[1277] 598,[1278] or 915[1279]. We have not found authority for classification of a public offense for the sections listed in section 664A.2(1)[1280] that are not listed in section 664A.7(5).[1281] 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).[1282] 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.[1283]

[1266] Iowa Code § 664A.2(1).
[1267] Iowa Code § 664A.2(1).
[1268] Iowa Code § 708.2A.
[1269] Iowa Code § 708.7.
[1270] Iowa Code § 708.11.
[1271] Iowa Code §§ 709.2–.4.
[1272] Iowa Code § 664A.7.
[1273] Iowa Code § 708.2A.
[1274] Iowa Code ch. 232.
[1275] Iowa Code ch. 235F.
[1276] Iowa Code ch. 236.
[1277] Iowa Code ch. 236A.
[1278] Iowa Code ch. 598.
[1279] Iowa Code ch. 915.
[1280] Iowa Code § 664A.2(1).
[1281] Iowa Code § 664A.7(5).
[1282] Iowa Code § 664A.7 sub. para. (3)–(5).
[1283] Iowa Code § 664A.7.

§ 664A.7(4)—Convicted of or held in contempt for violation of civil protective order from § 664A.2(1)[1284] *(See Authors' Note to section 664A.7(3))*

Class = n/a[1285]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days simple[1286] 6 mo. contempt[1287]	None[1288]	N/A	No[1289]

- Any jail sentence imposed per § 664A.7(4)[1290] shall be served on consecutive days[1291]

Fines

Max.	Min.	Can Suspend?
$625 simple[1292] $500 contempt[1293]	$65 simple 0 contempt[1294]	No[1295]

- Fine may be imposed in addition to minimum sentence but shall not be imposed in lieu of minimum sentence[1296]

Surcharges[1297]

15% of fine or forfeiture	DA Prot. Order Contempt
Yes[1298]	Maybe, see Notes

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"[1299]

[1284] Iowa Code § 664A.7(4).
[1285] *See* Iowa Code § 664A.7(4).
[1286] Iowa Code §§ 664A.7(5)(for specified violations), 903.1(a).
[1287] Iowa Code §§ 664A.7(5), 665.4(2).
[1288] Iowa Code § 664A.7(4).
[1289] Iowa Code § 664A.7(3); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).
[1290] Iowa Code § 664A.7(4).
[1291] Iowa Code § 664A.7(4).
[1292] Iowa Code § 907.3 (1)(a).
[1293] Iowa Code § 665.4(2).
[1294] *See* Iowa Code §§ 907.3(1)(a), 664A.7(4), 665.4.
[1295] Iowa Code § 664A.7(3); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).
[1296] Iowa Code § 664A.7(3).
[1297] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1298] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1299] Iowa Code §§ 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20), 911.2C(1) (repealed by Iowa Acts ch. 1074, § 22, effective 7/15/2020).

- if applicable, surcharge is $90[1300]

[1300] Iowa Code §§ 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20), 911.2C(1) (repealed by Iowa Acts ch. 1074, § 22, effective 7/15/2020).

§ 664A.7(5)—Violation of no-contact entered for DAA in § 708.2A[1301] or protective order issued per chapters 232,[1302] 235F,[1303] 236,[1304] 236A,[1305] 598,[1306] or 915[1307] (See Authors' Note to section 664A.7(3))[1308]

Class = simple misdemeanor[1309]

❖ Alternative: may hold person in contempt and punish per § 664A.7(3)[1310], *see supra*

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[1311]	7 days[1312]	N/A	No[1313]

❖ 7-day minimum shall be served on consecutive days[1314]

Fines

Max.	Min.	Can Suspend?
$855[1315]	$105[1316]	No[1317]

❖ Fine may be imposed in addition to minimum sentence but shall not be imposed in lieu of minimum sentence[1318]

Surcharges[1319]

15% of fine or forfeiture	DA Prot. Order Contempt
Yes[1320]	Maybe, see Notes

Miscellaneous

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

Notes:

❖ DA Prot. Order Contempt Surcharge:

[1301] Iowa Code § 708.2A.
[1302] Iowa Code ch. 232.
[1303] Iowa Code ch. 235F.
[1304] Iowa Code ch. 236.
[1305] Iowa Code ch. 236A.
[1306] Iowa Code ch. 598.
[1307] Iowa Code ch. 915.
[1308] Iowa Code § 664A.7(5).
[1309] Iowa Code § 664A.7(5).
[1310] Iowa Code § 664A.7(3).
[1311] Iowa Code § 903.1(1)(a).
[1312] Iowa Code § 664A.7(3).
[1313] Iowa Code § 664A.7(3).
[1314] Iowa Code § 664A.7(3).
[1315] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1316] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1317] Iowa Code § 903.1(1).
[1318] Iowa Code § 664A.7(3).
[1319] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1320] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

- applies to person "held in contempt of court for violating a domestic abuse protective order issued pursuant to chapter 236"[1321]
  - if applicable, surcharge is $90[1322]

[1321] Iowa Code §§ 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20), 911.2C(1) (repealed by Iowa Acts ch. 1074, § 22, effective 7/15/2020).
[1322] Iowa Code §§ 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20), 911.2C(1) (repealed by Iowa Acts ch. 1074, § 22, effective 7/15/2020).

CH. 692A Sex Offender Registry

§ 692A.111(1)—Failure to register[1323]

First Offense

Class = aggravated misdemeanor[1324]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[1325]	0[1326]	None	SS eligible,[1327] but see Under 18 Sentencing

❖ if sentence of confinement is more than one year, term shall be an indeterminate term[1328]

Fines

Max.	Min.	Can Suspend?
$8540[1329]	$855[1330]	Yes[1331]

Surcharges[1332]

15% of fine or forfeiture
Yes[1333]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1334]	No	No

Notes:

[1323] Iowa Code § 692A.111(1).
[1324] Iowa Code § 692A.111(1).
[1325] Iowa Code § 903.1(2).
[1326] Iowa Code § 903.1(2).
[1327] Iowa Code § 692A.111(1); *see* § 907.3(1)(a)(9), (2)(a)(5).
[1328] Iowa Code § 903.1(2).
[1329] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1330] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1331] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1332] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1333] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1334] Iowa Code §§ 81.2(1), 901.5(8A)(a).

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.111[1335]
      - the court shall take judicial notice of these statutes[1336]
    - any violation of chapter 692A[1337] prior to July 1, 2009[1338]

Class = "D" felony[1339]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1340]	0[1341]	No, but see Enhancements	SS eligible,[1342] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[1343]	$1025[1344]	No[1345]

Surcharges[1346]

15% of fine or forfeiture
Yes[1347]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1348]	No	No

Notes:

[1335] Iowa Code § 692A.111(2).
[1336] Iowa Code § 692A.111(2).
[1337] Iowa Code ch. 692A.
[1338] Iowa Code § 692A.111(3).
[1339] Iowa Code § 692A.111(1).
[1340] Iowa Code § 902.9(1)(e).
[1341] Iowa Code § 902.9(1)(e).
[1342] Iowa Code § 692A.111(1); *see* § 907.3(1)(a)(9), (2)(a)(5).
[1343] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1344] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1345] Iowa Code § 692A.111(1).
[1346] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1347] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1348] Iowa Code §§ 81.2(1), 901.5(8A)(a).

Sex offender convicted of specified offenses committed while violating registration requirements

Class = "C" felony[1349]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[1350]	0[1351]	No, but see Enhancements	SS eligible,[1352] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[1353]	$1370[1354]	Yes[1355]

Surcharges[1356]

15% of fine or forfeiture
Yes[1357]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1358]	No	No

Notes:

[1349] Iowa Code § 692A.111(1).
[1350] Iowa Code § 902.9(1)(d).
[1351] Iowa Code § 902.9(1)(d).
[1352] Iowa Code § 692A.111(1); *see* § 907.3(1)(a)(9), (2)(a)(5).
[1353] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1354] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1355] Iowa Code § 692A.111(1).
[1356] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1357] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1358] Iowa Code §§ 81.2(1), 901.5(8A)(a).

Chapters 700–end

CH. 705 SOLICITATION

§ 705.1(2)—Solicitation of a felony[1359]

Class = "D" felony[1360]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1361]	0[1362]	No, but see Enhancements	Yes[1363]

Fines

Max.	Min.	Can Suspend?
$10,245[1364]	$1025[1365]	Yes[1366]

Surcharges[1367]

15% of fine or forfeiture
Yes[1368]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1369]	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[1370]
    - solicitation of minor to engage in an illegal act under § 709.8(1)(d)[1371]
    - solicitation of minor to engage in an illegal act under § 709.12[1372]
    - solicitation of minor to engage in an illegal act under § 725.3(2)[1373]
    - If yes, the offender shall be assessed a civil penalty of $250[1374]

[1359] Iowa Code § 705.1(2).
[1360] Iowa Code § 705.1(2).
[1361] Iowa Code § 902.9(1)(e).
[1362] Iowa Code § 902.9(1)(e).
[1363] *See* Iowa Code § 907.3.
[1364] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1365] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1366] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1367] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1368] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1369] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1370] Iowa Code §§ 705.1, 692A.102(1)(b)(2).
[1371] Iowa Code §§ 709.8(1)(d), 692A.102(1)(b)(3).
[1372] Iowa Code §§ 709.12, 692A.102(1)(b)(4).
[1373] Iowa Code §§ 725.3(2), 692A.102(1)(b)(16).
[1374] Iowa Code § 692A.110.

§ 705.1(3)—Solicitation of an aggravated misdemeanor[1375]

Class = aggravated misdemeanor[1376]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[1377]	0[1378]	None	Yes[1379]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[1380]

Fines

Max.	Min.	Can Suspend?
$8540[1381]	$855[1382]	Yes[1383]

Surcharges[1384]

15% of fine or forfeiture
Yes[1385]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1386]	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[1387]
- solicitation of minor to engage in an illegal act under § 709.8(1)(d)[1388]
- solicitation of minor to engage in an illegal act under § 709.12[1389]
- solicitation of minor to engage in an illegal act under § 725.3(2)[1390]
- If yes, the offender shall be assessed a civil penalty of $250[1391]

[1375] Iowa Code § 705.1(3).
[1376] Iowa Code § 705.1(2).
[1377] Iowa Code § 903.1(2).
[1378] Iowa Code § 903.1(2).
[1379] *See* Iowa Code § 907.3.
[1380] Iowa Code § 903.1(2).
[1381] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1382] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1383] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1384] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1385] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1386] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1387] Iowa Code §§ 705.1, 692A.102(1)(b)(2).
[1388] Iowa Code §§ 709.8(1)(d), 692A.102(1)(b)(3).
[1389] Iowa Code §§ 709.12, 692A.102(1)(b)(4).
[1390] Iowa Code §§ 725.3(2), 692A.102(1)(b)(16).
[1391] Iowa Code § 692A.110.

CH. 706 CONSPIRACY

§ 706.3(1)—To commit forcible felony[1392]

Class = "C" felony[1393]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[1394]	0[1395]	No, but see Enhancements	Yes[1396]

Fines

Max.	Min.	Can Suspend?
$13,660[1397]	$1370[1398]	Yes[1399]

Surcharges[1400]

15% of fine or forfeiture
Yes[1401]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1402]	No	No

Notes:

[1392] Iowa Code § 706.3(1).
[1393] Iowa Code § 706.3(1).
[1394] Iowa Code § 902.9(1)(d).
[1395] Iowa Code § 902.9(1)(d).
[1396] *See* Iowa Code § 907.3.
[1397] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1398] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1399] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1400] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1401] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1402] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 706.3(2)—To commit felony[1403]

Class = "D" felony[1404]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1405]	0[1406]	No, but see Enhancements	Yes[1407]

Fines

Max.	Min.	Can Suspend?
$10,245[1408]	$1025[1409]	Yes[1410]

Surcharges[1411]

15% of fine or forfeiture
Yes[1412]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1413]	No	No

Notes:

[1403] Iowa Code § 706.3(2).
[1404] Iowa Code § 706.3(2).
[1405] Iowa Code § 902.9(1)(e).
[1406] Iowa Code § 902.9(1)(e).
[1407] *See* Iowa Code § 907.3.
[1408] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1409] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1410] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1411] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1412] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1413] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 706.3(3)—To commit misdemeanor[1414]

Class = misdemeanor of the same class[1415]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Simple = 30 days[1416] Serious = 1 year[1417] Aggravated = 2 years[1418]	All = 0[1419]	If simple or serious, N/A If aggravated, none	Yes[1420]

❖ If sentence of confinement is more than one year, sentence shall be an indeterminate term[1421]

Fines

Max.	Min.	Suspended?
Simple = $855[1422] Serious = $2560[1423] Aggravated = $8540[1424]	Simple = $105[1425] Serious = $430[1426] Aggravated = $855[1427]	If simple or serious, No[1428] If aggravated, Yes[1429]

Surcharges[1430]

15% of fine or forfeiture
Yes[1431]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	If simple or serious, No If aggravated, Yes[1432]	No	No

Notes:

[1414] Iowa Code § 706.3(3).
[1415] Iowa Code § 706.3(3).
[1416] Iowa Code § 903.1(1)(a).
[1417] Iowa Code § 903.1(1)(b).
[1418] Iowa Code § 903.1(2).
[1419] Iowa Code § 903.1(1)(a), (b), (2).
[1420] *See* Iowa Code § 907.3.
[1421] Iowa Code § 903.1(2).
[1422] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1423] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1424] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1425] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1426] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1427] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1428] Iowa Code § 903.1(1)(a), (b).
[1429] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1430] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1431] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1432] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 706A ONGOING CRIMINAL CONDUCT

§ 706A.2(1)—Unlawful activity influenced enterprises[1433]

Class = "B" felony[1434]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[1435]	0[1436]	No, but see Enhancements	Yes[1437]

Fines[1438]—N/A

Surcharges[1439]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1440]	No	No

Notes:

[1433] Iowa Code § 706A.2(1).
[1434] Iowa Code § 706A.4.
[1435] Iowa Code § 902.9(1)(b).
[1436] Iowa Code § 902.9(1)(b).
[1437] *See* Iowa Code § 907.3.
[1438] *See* Iowa Code § 902.9(1)(b).
[1439] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1440] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 706A.2(2)—Facilitation of criminal network[1441]

Class = "B" felony[1442]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[1443]	0[1444]	No, but see Enhancements	Yes[1445]

Fines[1446]—N/A

Surcharges[1447]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1448]	No	No

Notes:

[1441] Iowa Code § 706A.2(2).
[1442] Iowa Code § 706A.4.
[1443] Iowa Code § 902.9(1)(b).
[1444] Iowa Code § 902.9(1)(b).
[1445] *See* Iowa Code § 907.3.
[1446] *See* Iowa Code § 902.9(1)(b).
[1447] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1448] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 706A.2(4)—Specified unlawful activity[1449]

Class = "B" felony[1450]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[1451]	0[1452]	No, but see Enhancements	Yes[1453]

Fines[1454]—N/A

Surcharges[1455]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1456]	No	No

Notes:

[1449] Iowa Code § 706A.2(4).
[1450] Iowa Code § 706A.4.
[1451] Iowa Code § 902.9(1)(b).
[1452] Iowa Code § 902.9(1)(b).
[1453] *See* Iowa Code § 907.3.
[1454] *See* Iowa Code § 902.9(1)(b).
[1455] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1456] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 706B MONEY LAUNDERING

§ 706B.2(1)(a), (b), or (c)—Money laundering (greater offense)[1457]

Class = "C" felony[1458]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years,[1459] but see Notes	0[1460]	No, but see Enhancements	Yes[1461]

Fines

Max.	Min.	Can Suspend?
$10,000 or twice the value of the property involved, whichever is greater[1462] But see Notes	$1370[1463]	Yes[1464]

Surcharges[1465]

15% of fine or forfeiture
Yes[1466]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1467]	No	No

Notes:

- Max. Jail/Prison Time & Max. Fine:
  - The violator "may be fined . . . or be imprisoned . . . or both."[1468] The specific provisions of this section supersede the standard sentencing provision of Iowa Code § 902.9(1)(d).

[1457] Iowa Code § 706B.2(1)(a)–(c).
[1458] Iowa Code § 706B.2(2)(a).
[1459] Iowa Code § 706B.2(2)(a).
[1460] Iowa Code § 902.9(1)(d).
[1461] *See* Iowa Code § 907.3.
[1462] Iowa Code § 706B.2(2)(a).
[1463] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1464] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1465] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1466] Iowa Code § 706B.2(4).
[1467] Iowa Code § 81.2(1), 901.5(8A)(a).
[1468] Iowa Code § 706B.2(2)(a).

§ 706B.2(1)(d)—Money laundering (lesser offense)[1469]

Class = "D" felony[1470]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1471]	0[1472]	No, but see Enhancements	Yes[1473]

Fines

Max.	Min.	Can Suspend?
$7500 or twice the value of the property involved, whichever is greater[1474]	$1025[1475]	Yes[1476]

Surcharges[1477]

15% of fine or forfeiture
Yes[1478]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1479]	No	No

Notes:

- Max. Jail/Prison Time & Max. Fine:
  - The violator "may be fined . . . or be imprisoned . . . or both."[1480] The specific provisions of this section supersede the standard sentencing provision of Iowa Code § 902.9(1)(d).

[1469] Iowa Code § 706B.2(1)(d).
[1470] Iowa Code § 706B.2(2)(b).
[1471] Iowa Code § 706B.2(2)(b).
[1472] Iowa Code § 902.9(1)(e).
[1473] *See* Iowa Code § 907.3.
[1474] Iowa Code § 706B.2(2)(b).
[1475] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1476] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1477] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1478] Iowa Code § 706B.2(4).
[1479] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1480] Iowa Code § 706B.2(2)(a).

CH. 707 HOMICIDE AND RELATED OFFENSES

§ 707.2—First-Degree Murder[1481]

Class = "A" felony[1482]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life[1483]	Life[1484]	Not eligible for parole, but see Under 18 Sentencing[1485]	No,[1486] but see Under 18 Sentencing

Fines[1487]—N/A

Surcharges[1488]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1489]	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,[1490] *or*
    - Fact-finder determined beyond a reasonable doubt that the violation of § 707.2[1491] was sexually motivated per § 692A.126[1492]
    - If yes, the offender shall be assessed a civil penalty of $250[1493]

[1481] Iowa Code § 707.2(2).
[1482] Iowa Code § 707.2(2).
[1483] Iowa Code § 902.1(1).
[1484] Iowa Code § 902.1(1).
[1485] Iowa Code § 902.1(1).
[1486] Iowa Code § 902.1(1).
[1487] *See* Iowa Code § 902.1(1).
[1488] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1489] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1490] Iowa Code §§ 707.2, 692A.102(1)(c)(1).
[1491] Iowa Code § 707.2.
[1492] Iowa Code §§ 692A.126, 692A.102(1)(c)(2), 707.2(3).
[1493] Iowa Code § 692A.110.

§ 707.3—Second-Degree Murder[1494]

Class = "B" felony[1495]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years[1496]	0[1497]	Not eligible until has served 70% of max. term of sentence,[1498] but see Under 18 Sentencing See also Enhancements	No,[1499] but see Under 18 Sentencing

Fines[1500]—N/A

Surcharges[1501]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1502]	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,[1503] *or*
    - Fact-finder determined beyond a reasonable doubt that the violation of § 707.2[1504] was sexually motivated per § 692A.126[1505]
    - If yes, the offender shall be assessed a civil penalty of $250[1506]

[1494] Iowa Code § 707.3.
[1495] Iowa Code § 707.3(2).
[1496] Iowa Code § 707.3(2).
[1497] Iowa Code § 902.9(1)(b).
[1498] Iowa Code § 902.12(1)(a).
[1499] Iowa Code § 907.3; *see* § 702.11(1) (listing "murder" as a forcible felony).
[1500] *See* Iowa Code § 902.9(1)(b).
[1501] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1502] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1503] Iowa Code §§ 707.2, 692A.102(1)(c)(1).
[1504] Iowa Code § 707.2.
[1505] Iowa Code §§ 692A.126, 692A.102(1)(c)(2), 707.3(3).
[1506] Iowa Code § 692A.110.

§ 707.3A—Solicitation to Commit Murder[1507]

Class = "C" felony[1508]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[1509]	0[1510]	No, but see Enhancements	Yes[1511]

Fines

Max.	Min.	Can Suspend?
$13,660[1512]	$1370[1513]	Yes[1514]

Surcharges[1515]

15% of fine or forfeiture
Yes[1516]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1517]	No	No

Notes:

[1507] Iowa Code § 707.3A.
[1508] Iowa Code § 707.3A(3).
[1509] Iowa Code § 902.9(1)(d).
[1510] Iowa Code § 902.9(1)(d).
[1511] *See* Iowa Code § 907.3.
[1512] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1513] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1514] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1515] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1516] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1517] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.4 —Voluntary manslaughter[1518]

Class = "C" felony[1519]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[1520]	0[1521]	No, but see Enhancements	No,[1522] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[1523]	$1370[1524]	No,[1525] but see Under 18 Sentencing

Surcharges[1526]

15% of fine or forfeiture
Yes[1527]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1528]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Defendant must register if:
    - Fact-finder determined beyond a reasonable doubt that the violation of § 707.4[1529] was sexually motivated per § 692A.126[1530]
    - If yes, the offender shall be assessed a civil penalty of $250[1531]

[1518] Iowa Code § 707.4.
[1519] Iowa Code § 707.4(2).
[1520] Iowa Code § 902.9(1)(d).
[1521] Iowa Code § 902.9(1)(d).
[1522] Iowa Code § 907.3, unnum. para.; *see* § 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).
[1523] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1524] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1525] Iowa Code § 907.3, unnum. para.; *see* § 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).
[1526] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1527] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1528] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1529] Iowa Code § 707.4.
[1530] Iowa Code §§ 692A.126, 692A.102(1)(c)(3), 707.4(4).
[1531] Iowa Code § 692A.110.

§ 707.5(1)—Involuntary Manslaughter[1532]

§ 707.5(1)(a)—By public offense[1533]

Class = "D" felony[1534]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1535]	0[1536]	No, but see Enhancements	Yes[1537]

Fines

Max.	Min.	Can Suspend?
$10,245[1538]	$1025[1539]	Yes[1540]

Surcharges[1541]

15% of fine or forfeiture
Yes[1542]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1543]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Defendant must register if:
    - Fact-finder determined beyond a reasonable doubt that the violation of § 707.5[1544] was sexually motivated per § 692A.126[1545]
    - If yes, the offender shall be assessed a civil penalty of $250[1546]

[1532] Iowa Code § 707.5(1).
[1533] Iowa Code § 707.5(1)(a).
[1534] Iowa Code § 707.5(1)(a).
[1535] Iowa Code § 902.9(1)(e).
[1536] Iowa Code § 902.9(1)(e).
[1537] *See* Iowa Code § 907.3.
[1538] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1539] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1540] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1541] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1542] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1543] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1544] Iowa Code § 707.5.
[1545] Iowa Code §§ 692A.126, 692A.102(1)(c)(4), 707.5(3).
[1546] Iowa Code § 692A.110.

§ 707.5(1)(b)—Via act likely to cause death or serious injury[1547]

Class = aggravated misdemeanor[1548]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[1549]	0[1550]	None	Yes[1551]

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[1552]

Fines

Max.	Min.	Can Suspend?
$8540[1553]	$855[1554]	Yes[1555]

Surcharges[1556]

15% of fine or forfeiture
Yes[1557]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1558]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Defendant must register if:
    - Fact-finder determined beyond a reasonable doubt that the violation of § 707.5[1559] was sexually motivated per § 692A.126[1560]
    - If yes, the offender shall be assessed a civil penalty of $250[1561]

[1547] Iowa Code § 707.5(1)(b).
[1548] Iowa Code § 707.5(1)(b).
[1549] Iowa Code § 903.1(2).
[1550] Iowa Code § 903.1(2).
[1551] *See* Iowa Code § 907.3.
[1552] Iowa Code § 903.1(2).
[1553] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1554] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1555] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1556] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1557] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1558] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1559] Iowa Code § 707.5.
[1560] Iowa Code §§ 692A.126, 692A.102(1)(c)(4), 707.5(3).
[1561] Iowa Code § 692A.110.

§ 707.6A—Vehicular Homicide[1562]

§ 707.6A(1)—While intoxicated[1563]

Class = "B" felony[1564]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[1565]	0[1566]	❖ If also convicted under § 321.261(4)[1567] based on same facts/event underlying conviction under § 707.6A(1),[1568] not eligible until served 70% of max. term of sentence[1569] ➢ but see Under 18 Sentencing ❖ Otherwise, No mand. min., but see Enhancements	No,[1570] but see Under 18 Sentencing

Fines[1571]—N/A

Surcharges[1572]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, 6 years[1573] See Notes	Yes[1574]	No	No

Notes:

❖ License Revocation:
  ➢ ineligible for temporary restricted license for at least 2 years after revocation[1575]

❖ Additional things sentencing court must order at defendant's expense:
  ➢ Enroll, attend and satisfactorily complete drinking drivers' course, per § 321J.22[1576]
  ➢ Submission to evaluation and treatment or rehab services[1577]

[1562] Iowa Code § 707.6A.
[1563] Iowa Code § 707.6A(1).
[1564] Iowa Code § 707.6A(1).
[1565] Iowa Code § 902.9(1)(b).
[1566] Iowa Code § 902.9(1)(b).
[1567] Iowa Code § 321.261(4).
[1568] Iowa Code § 707.6A(1).
[1569] Iowa Code § 902.12(1)(f).
[1570] Iowa Code § 707.6A(7).
[1571] *See* Iowa Code § 902.9(1)(b).
[1572] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1573] Iowa Code § 707.6A(1A).
[1574] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1575] Iowa Code § 707.6A(1A).
[1576] Iowa Code §§ 321J.22, 707.6A(1B)(a).
[1577] Iowa Code § 707.6A(1B)(b).

- Participation in reality education substance abuse prevention program, per § 321J.24[1578]
  - If program is available and appropriate for defendant

[1578] Iowa Code §§ 321J.24, 707.6A(1D).

§ 707.6A(2)—Vehicular homicide: reckless driving or eluding[1579]

Class = "C" felony[1580]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[1581]	0[1582]	❖ If also convicted under § 321.261(4)[1583] based on same facts/event underlying conviction under § 707.6A(2),[1584] not eligible until served 70% of max. term of sentence[1585] ➢ but see Under 18 Sentencing ❖ Otherwise, No mand. min., but see Enhancements	Yes[1586]

Fines

Max.	Min.	Can Suspend?
$13,660[1587]	$1370[1588]	Yes[1589]

Surcharges[1590]

15% of fine or forfeiture
Yes[1591]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1592]	No	No

Notes:

[1579] Iowa Code § 707.6A(2).
[1580] *See* Iowa Code § 707.6A(2)(a)(1)
[1581] Iowa Code § 902.9(1)(d).
[1582] Iowa Code § 902.9(1)(d).
[1583] Iowa Code § 321.261(4).
[1584] Iowa Code § 707.6A(2).
[1585] Iowa Code § 902.12(1)(f).
[1586] *See* Iowa Code § 907.3.
[1587] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1588] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1589] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1590] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1591] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1592] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.6A(3)—Vehicular homicide: drag racing[1593]

Class = "D" felony[1594]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1595]	0[1596]	No, but see Enhancements	Yes[1597]

Fines

Max.	Min.	Can Suspend?
$10,245[1598]	$1025[1599]	Yes[1600]

Surcharges[1601]

15% of fine or forfeiture
Yes[1602]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1603]	No	No

Notes:

[1593] Iowa Code § 707.6A(3).
[1594] Iowa Code § 707.6A(3).
[1595] Iowa Code § 902.9(1)(e).
[1596] Iowa Code § 902.9(1)(e).
[1597] *See* Iowa Code § 907.3.
[1598] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1599] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1600] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1601] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1602] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1603] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.6A(4)—Serious injury by vehicle[1604]

Class = "D" felony[1605]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1606]	0[1607]	No, but see Enhancements	No if violation involved OWI,[1608] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[1609]	$1025[1610]	No if violation involved OWI,[1611] but see Under 18 Sentencing

Surcharges[1612]

15% of fine or forfeiture
Yes[1613]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1614]	No	No

Notes:

[1604] Iowa Code § 707.6A(4).
[1605] Iowa Code § 707.6A(4).
[1606] Iowa Code § 902.9(1)(e).
[1607] Iowa Code § 902.9(1)(e).
[1608] Iowa Code §§ 707.6A(7), 907.3(1)(a)(10), (2)(a)(6), (3)(d).
[1609] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1610] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1611] Iowa Code § 707.6A(7).
[1612] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1613] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1614] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.7—Feticide and Related Offenses[1615]

§ 707.7(1) or (3)—Feticide[1616]

Class = "C" felony[1617]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[1618]	0[1619]	No, but see Enhancements	Yes[1620]

Fines

Max.	Min.	Can Suspend?
$13,660[1621]	$1370[1622]	Yes[1623]

Surcharges[1624]

15% of fine or forfeiture
Yes[1625]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1626]	No	No

Notes:

[1615] Iowa Code § 707.7.
[1616] Iowa Code § 707.7(1), (3).
[1617] Iowa Code § 707.7(1), (3).
[1618] Iowa Code § 902.9(1)(e).
[1619] Iowa Code § 902.9(1)(e).
[1620] *See* Iowa Code § 907.3.
[1621] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1622] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1623] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1624] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1625] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1626] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.7(2)—Attempted feticide[1627]

Class = "D" felony[1628]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1629]	0[1630]	No, but see Enhancements	Yes[1631]

Fines

Max.	Min.	Can Suspend?
$10,245[1632]	$1025[1633]	Yes[1634]

Surcharges[1635]

15% of fine or forfeiture
Yes[1636]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1637]	No	No

Notes:

[1627] Iowa Code § 707.7(2).
[1628] Iowa Code § 707.7(2).
[1629] Iowa Code § 902.9(1)(e).
[1630] Iowa Code § 902.9(1)(e).
[1631] *See* Iowa Code § 907.3.
[1632] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1633] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1634] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1635] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1636] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1637] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.8—Nonconsensual Termination—Serious Injury to Human Pregnancy[1638]

§ 707.8(1)—Nonconsensual termination of pregnancy during forcible felony[1639]

Class = "B" felony[1640]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[1641]	0[1642]	No, but see Enhancements	Yes[1643]

Fines[1644]—N/A

Surcharges[1645]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1646]	No	No

Notes:

[1638] Iowa Code § 707.8.
[1639] Iowa Code § 707.8(1).
[1640] Iowa Code § 707.8(1).
[1641] Iowa Code § 902.9(1)(b).
[1642] Iowa Code § 902.9(1)(b).
[1643] *See* Iowa Code § 907.3.
[1644] *See* Iowa Code § 902.9(1)(b).
[1645] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1646] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.8(2)–(5)—Termination of pregnancy[1647]

Class = "C" felony[1648]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[1649]	0[1650]	No, but see Enhancements	Yes[1651]

Fines

Max.	Min.	Can Suspend?
$13,660[1652]	$1370[1653]	Yes[1654]

Surcharges[1655]

15% of fine or forfeiture
Yes[1656]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1657]	No	No

Notes:

[1647] Iowa Code § 707.8(2)–(5).
[1648] Iowa Code § 707.8(2)–(5).
[1649] Iowa Code § 902.9(1)(d).
[1650] Iowa Code § 902.9(1)(d).
[1651] *See* Iowa Code § 907.3.
[1652] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1653] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1654] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1655] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1656] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1657] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.8(6)—Termination of Pregnancy while drag racing[1658]

Class = "D" felony[1659]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1660]	0[1661]	No, but see Enhancements	Yes[1662]

Fines

Max.	Min.	Can Suspend?
$10,245[1663]	$1025[1664]	Yes[1665]

Surcharges[1666]

15% of fine or forfeiture
Yes[1667]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1668]	No	No

Notes:

[1658] Iowa Code § 707.8(6).
[1659] Iowa Code § 707.8(6).
[1660] Iowa Code § 902.9(1)(e).
[1661] Iowa Code § 902.9(1)(e).
[1662] *See* Iowa Code § 907.3.
[1663] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1664] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1665] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1666] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1667] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1668] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.8(7)–(9)—Termination of or serious injury to pregnancy[1669]

Class = aggravated misdemeanor[1670]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[1671]	0[1672]	None	Yes[1673]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[1674]

Fines

Max.	Min.	Can Suspend?
$8540[1675]	$855[1676]	Yes[1677]

Surcharges[1678]

15% of fine or forfeiture
Yes[1679]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1680]	No	No

Notes:

[1669] Iowa Code § 707.8(7)–(9).
[1670] Iowa Code § 707.8(7)–(9).
[1671] Iowa Code § 903.1(2).
[1672] Iowa Code § 903.1(2).
[1673] *See* Iowa Code § 907.3.
[1674] Iowa Code § 903.1(2).
[1675] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1676] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1677] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1678] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1679] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1680] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.8(10)—Unintentional serious injury to pregnancy[1681]

Class = serious misdemeanor[1682]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[1683]	0[1684]	N/A	Yes[1685]

Fines

Max.	Min.	Can Suspend?
$2560[1686]	$430[1687]	No[1688]

Surcharges[1689]

15% of fine or forfeiture
Yes[1690]

Miscellaneous

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

Notes:

[1681] Iowa Code § 707.8(10).
[1682] Iowa Code § 707.8(10).
[1683] Iowa Code § 903.1(1)(b).
[1684] Iowa Code § 903.1(1)(b).
[1685] *See* Iowa Code § 907.3.
[1686] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1687] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1688] Iowa Code § 903.1(1)(b).
[1689] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1690] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 707.9—Murder of fetus born alive[1691]

Class = "B" felony[1692]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[1693]	0[1694]	No, but see Enhancements	Yes[1695]

Fines[1696]—N/A

Surcharges[1697]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1698]	No	No

Notes:

[1691] Iowa Code § 707.9.
[1692] Iowa Code § 707.9.
[1693] Iowa Code § 902.9(1)(b).
[1694] Iowa Code § 902.9(1)(b).
[1695] *See* Iowa Code § 907.3.
[1696] *See* Iowa Code § 902.9(1)(b).
[1697] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1698] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.10—Failure to preserve life/health of fetus[1699]

Class = serious misdemeanor[1700]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[1701]	0[1702]	N/A	Yes[1703]

Fines

Max.	Min.	Can Suspend?
$2560[1704]	$430[1705]	No[1706]

Surcharges[1707]

15% of fine or forfeiture
Yes[1708]

Miscellaneous

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

Notes:

[1699] Iowa Code § 707.10.
[1700] Iowa Code § 707.10.
[1701] Iowa Code § 903.1(1)(b).
[1702] Iowa Code § 903.1(1)(b).
[1703] *See* Iowa Code § 907.3.
[1704] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1705] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1706] Iowa Code § 903.1(1)(b).
[1707] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1708] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 707.11—Attempted Murder[1709]

Class = "B" felony[1710]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[1711]	0[1712]	Not eligible until served 70% of max. term of incarceration[1713] Specific to "peace officer," not eligible, shall serve 100% of term of incarceration[1714]	No,[1715] but see Under 18 Sentencing

Fines[1716]—N/A

Surcharges[1717]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1718]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Defendant must register if:
    - Fact-finder determined beyond a reasonable doubt that the violation of § 707.11[1719] was sexually motivated per § 692A.126[1720]
    - If yes, the offender shall be assessed a civil penalty of $250[1721]

[1709] Iowa Code § 707.11.
[1710] Iowa Code § 707.11(2).
[1711] Iowa Code § 902.9(1)(b).
[1712] Iowa Code § 902.9(1)(b).
[1713] Iowa Code § 902.12(1)(b).
[1714] Iowa Code § 707.11(5).
[1715] Iowa Code § 907.3; *see* § 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).
[1716] *See* Iowa Code § 902.9(1)(b).
[1717] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1718] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1719] Iowa Code § 707.11.
[1720] Iowa Code §§ 692A.126, 692A.102(1)(c)(5), 707.11(4).
[1721] Iowa Code § 692A.110.

CH. 707A ASSISTED SUICIDE

§ 707A.2—Assisted Suicide[1722]

Class = "C" felony[1723]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[1724]	0[1725]	No, but see Enhancements	Yes[1726]

Fines

Max.	Min.	Can Suspend?
$13,660[1727]	$1370[1728]	Yes[1729]

Surcharges[1730]

15% of fine or forfeiture
Yes[1731]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1732]	No	No

Notes:

[1722] Iowa Code § 707A.2.
[1723] Iowa Code § 707A.2.
[1724] Iowa Code § 902.9(1)(d).
[1725] Iowa Code § 902.9(1)(d).
[1726] *See* Iowa Code § 907.3.
[1727] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1728] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1729] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1730] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1731] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1732] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 708 ASSAULT

§ 708.2—Basic Assault[1733]

§ 708.2(1)—Assault with intent to inflict serious injury[1734]

Class = aggravated misdemeanor[1735]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
2 years[1736]	0[1737]	None	Yes, except no DJ if assault was against peace officer while performing peace officer's duties.[1738]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[1739]

Fines

Max.	Min.	Can Suspend?
$8540[1740]	$855[1741]	Yes[1742]

Surcharges[1743]

15% of fine or forfeiture
Yes[1744]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1745]	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 § 692A.126[1746]
  - ▪ If yes, the offender shall be assessed a civil penalty of $250[1747]

[1733] Iowa Code § 708.2.
[1734] Iowa Code § 708.2(1).
[1735] Iowa Code § 708.2(1).
[1736] Iowa Code § 903.1(2).
[1737] Iowa Code § 903.1(2).
[1738] Iowa Code § 907.3(1)(a)(11).
[1739] Iowa Code § 903.1(2).
[1740] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1741] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1742] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)
[1743] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1744] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1745] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1746] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[1747] Iowa Code § 692A.110.

§ 708.2(2)—Assault causing bodily injury or mental illness[1748]

Class = serious misdemeanor[1749]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[1750]	0[1751]	N/A	Yes, except no DJ if assault was against peace officer while performing peace officer's duties.[1752]

Fines

Max.	Min.	Can Suspend?
$2560[1753]	$430[1754]	No[1755]

Surcharges[1756]

15% of fine or forfeiture
Yes[1757]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if must register for Sex Registry[1758]	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 § 692A.126[1759]
    - If yes, the offender shall be assessed a civil penalty of $250[1760]

[1748] Iowa Code § 708.2(2).
[1749] Iowa Code § 708.2(2).
[1750] Iowa Code § 903.1(1)(b).
[1751] Iowa Code § 903.1(1)(b).
[1752] Iowa Code § 907.3(1)(a)(11).
[1753] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1754] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1755] Iowa Code § 903.1(1)(b).
[1756] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1757] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1758] Iowa Code § 81.2(6).
[1759] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[1760] Iowa Code § 692A.110.

§ 708.2(3)—Assault w/ dangerous weapon[1761]

Class = aggravated misdemeanor[1762]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[1763]	0[1764]	None	Yes, except No DJ if assault was against peace officer while performing peace officer's duties.[1765]

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[1766]

Fines

Max.	Min.	Can Suspend?
$8540[1767]	$855[1768]	Yes[1769]

Surcharges[1770]

15% of fine or forfeiture
Yes[1771]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1772]	Maybe, see Notes	No

Notes:

- This subsection does not apply if either § 708.6[1773] (intimidation with a dangerous weapon) or § 708.8[1774] (going armed with intent) apply[1775]
- 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 § 692A.126[1776]

[1761] Iowa Code § 708.2(3).
[1762] Iowa Code § 708.2(3).
[1763] Iowa Code § 903.1(2).
[1764] Iowa Code § 903.1(2).
[1765] Iowa Code § 907.3(1)(a)(11).
[1766] Iowa Code § 903.1(2).
[1767] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1768] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1769] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)
[1770] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1771] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1772] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1773] Iowa Code § 708.6.
[1774] Iowa Code § 708.8.
[1775] Iowa Code § 708.2(3).
[1776] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).

- If yes, the offender shall be assessed a civil penalty of $250[1777]

[1777] Iowa Code § 692A.110.

§ 708.2(4)—Assault causing serious injury[1778]

Class = "D" felony[1779]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1780]	0[1781]	None in §§ 708.2[1782] or 902.9, but see enhancements	Yes, except no DJ if assault was against peace officer while performing peace officer's duties.[1783] See Notes

Fines

Max.	Min.	Can Suspend?
$10,245[1784]	$1025[1785]	Yes[1786]

Surcharges[1787]

15% of fine or forfeiture
Yes[1788]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1789]	Maybe, see Notes	No

Notes:

- DJ, DS, or SS Eligible?
  - Assault in violation of § 708.2(4)[1790] is not a forcible felony,[1791] therefore not automatically prohibited from receiving DJ, DS, or SS[1792]
- Sex Registry:
  - Must register if:

[1778] Iowa Code § 708.2(4).
[1779] Iowa Code § 708.2(4).
[1780] Iowa Code § 902.9(1)(e).
[1781] Iowa Code § 902.9(1)(e).
[1782] Iowa Code § 708.2.
[1783] Iowa Code § 907.3(1)(a)(11).
[1784] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1785] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1786] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1787] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1788] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1789] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1790] Iowa Code § 708.2(4).
[1791] Iowa Code § 702.11(2)(f).
[1792] Iowa Code § 907.3, unnum. para. 1.

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 692A.126[1793]
- If yes, the offender shall be assessed a civil penalty of $250[1794]

[1793] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[1794] Iowa Code § 692A.110.

§ 708.2(5)—Assault w/ object to penetrate[1795]

Class = "C" felony[1796]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[1797]	0[1798]	No, but see Enhancements	No,[1799] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[1800]	$1370[1801]	No,[1802] but see Under 18 Sentencing

Surcharges[1803]

15% of fine or forfeiture
Yes[1804]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1805]	Yes[1806] The offender shall be assessed a civil penalty of $250[1807]	No

Notes:

[1795] Iowa Code § 708.2(5).
[1796] Iowa Code § 708.2(5).
[1797] Iowa Code § 902.9(1)(d).
[1798] Iowa Code § 902.9(1)(d).
[1799] Iowa Code § 907.3; *see* § 702.11(1) (including felonious "assault" as a forcible felony).
[1800] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1801] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1802] Iowa Code § 907.3; *see* § 702.11(1) (including felonious "assault" as a forcible felony).
[1803] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1804] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1805] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1806] Iowa Code § 692A.102(1)(c(6).
[1807] Iowa Code § 692A.110.

§ 708.2(6)—Any other assault[1808]

Class = simple misdemeanor[1809]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
30 days[1810]	0[1811]	N/A	Yes, except no DJ if assault was against peace officer while performing peace officer's duties[1812]

Fines

Max.	Min.	Can Suspend?
$855[1813]	$105[1814]	No[1815]

Surcharges[1816]

15% of fine or forfeiture
Yes[1817]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if must register for Sex Registry[1818]	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 § 692A.126[1819]
    - If yes, the offender shall be assessed a civil penalty of $250[1820]

[1808] Iowa Code § 708.2(6).
[1809] Iowa Code § 708.2(6).
[1810] Iowa Code § 903.1(1)(a).
[1811] Iowa Code § 903.1(1)(a).
[1812] Iowa Code § 907.3(1)(a)(11).
[1813] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1814] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1815] Iowa Code § 903.1(1)(a).
[1816] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1817] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1818] Iowa Code § 81.1(6).
[1819] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[1820] Iowa Code § 692A.110.

§ 708.2A—Domestic Abuse Assault

§ 708.2A(2)—First offense[1821]

§ 708.2A(2)(a)—DAA, First offense[1822]

Class = simple misdemeanor[1823]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[1824]	2 days[1825]	N/A	❖ Can suspend, except for min. sentence[1826] ❖ DJ and DS eligible if: ➢ no previous DS or DJ for violation of § 708.2[1827] or § 708.2A[1828] issued on DAA,[1829] *or* ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A[1830]

❖ Mandatory minimum must be served on consecutive days[1831]

Fines

Max.	Min.	Can Suspend?
$855[1832]	$105[1833]	No[1834]

❖ Fine cannot be imposed in lieu of minimum jail sentence[1835]

Surcharges[1836]

15% of fine or forfeiture	DAA
Yes[1837]	Yes, $90[1838]

[1821] Iowa Code § 708.2A(2).
[1822] Iowa Code § 708.2A(2)(a).
[1823] Iowa Code § 708.2A(2)(a).
[1824] Iowa Code § 903.1(1)(a).
[1825] Iowa Code § 708.2A(7)(a).
[1826] Iowa Code § 708.2A(7)(a); *accord id.* § 907.3(3)(a).
[1827] Iowa Code § 708.2.
[1828] Iowa Code § 708.2A.
[1829] Iowa Code § 708.2A(7)(a).
[1830] Iowa Code §§ 708.2A, 907.3(1)(a)(12) (deferred judgment), 907.3(2)(a)(7) (deferred sentence).
[1831] Iowa Code § 708.2A(7)(a).
[1832] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1833] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1834] Iowa Code § 903.1(1)(a).
[1835] Iowa Code § 708.2A(7)(a).
[1836] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1837] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1838] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry[1839]	Maybe, see Notes	No

Notes:

- Additional Penalties:
  - Participation in batterers' treatment program as required under § 708.2B[1840]
  - Court shall modify no-contact order issued at initial appearance per § 664A.5,[1841] regardless if person is placed on probation[1842]
- 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 § 692A.126[1843]
    - If yes, the offender shall be assessed a civil penalty of $250[1844]

[1839] Iowa Code § 907.3.
[1840] Iowa Code §§ 708.2B, 708.2A(10).
[1841] Iowa Code § 664A.5.
[1842] Iowa Code § 708.2A(8).
[1843] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[1844] Iowa Code § 692A.110.

§ 708.2A(2)(b)—Causing bodily injury or mental illness, first offense[1845]

Class = serious misdemeanor[1846]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[1847]	2 days[1848]	N/A	❖ Can suspend, except for min. sentence[1849] ❖ DJ and DS eligible if: ➢ no previous DS or DJ for violation of § 708.2[1850] or § 708.2A[1851] issued on DAA,[1852] *or* ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A[1853]

❖ Mandatory minimum must be served on consecutive days[1854]

Fines

Max.	Min.	Can Suspend?
$2560[1855]	$430[1856]	No[1857]

❖ Fine cannot be imposed in lieu of minimum sentence[1858]

Surcharges[1859]

15% of fine or forfeiture	DAA
Yes[1860]	Yes, $90[1861]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry[1862]	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

[1845] Iowa Code § 708.2A(2)(b).
[1846] Iowa Code § 708.2A(2)(b).
[1847] Iowa Code § 903.1(1)(b).
[1848] Iowa Code § 708.2A(7)(a).
[1849] Iowa Code § 708.2A(7)(a); *accord id.* § 907.3(3)(a).
[1850] Iowa Code § 708.2.
[1851] Iowa Code § 708.2A.
[1852] Iowa Code § 708.2A(7)(a).
[1853] Iowa Code §§ 708.2A, 907.3(1)(a)(12) (deferred judgment), 907.3(2)(a)(7) (deferred sentence).
[1854] Iowa Code § 708.2A(7)(a).
[1855] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1856] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1857] Iowa Code § 903.1(1)(b).
[1858] Iowa Code § 708.2A(7)(a).
[1859] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1860] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1861] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[1862] Iowa Code § 81.2(6).

- Participation in batterers' treatment program as required under § 708.2B[1863]
- Court shall modify no-contact order issued at initial appearance per § 664A.5,[1864] regardless if person is placed on probation[1865]

- 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 § 692A.126[1866]
    - If yes, the offender shall be assessed a civil penalty of $250[1867]

[1863] Iowa Code §§ 708.2B, 708.2A(10).
[1864] Iowa Code § 664A.5.
[1865] Iowa Code § 708.2A(8).
[1866] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[1867] Iowa Code § 692A.110.

§ 708.2A(2)(c)—With intent to inflict serious injury or with dangerous weapon, first offense[1868]

Class = aggravated misdemeanor[1869]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[1870]	2 days[1871]	2 days[1872]	❖ Can suspend, except for min. sentence[1873] ❖ DJ and DS eligible if: ➢ no previous DS or DJ for violation of § 708.2[1874] or § 708.2A[1875] issued on DAA,[1876] *or* ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A[1877]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[1878]

❖ Mandatory minimum must be served on consecutive days[1879]

Fines

Max.	Min.	Can Suspend?
$8540[1880]	$855[1881]	Yes[1882]

❖ Fine cannot be imposed in lieu of minimum sentence[1883]

Surcharges[1884]

15% of fine or forfeiture	DAA
Yes[1885]	Yes, $90[1886]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1887]	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

[1868] Iowa Code § 708.2A(2)(c).
[1869] Iowa Code § 708.2A(2)(c).
[1870] Iowa Code § 903.1(2).
[1871] Iowa Code § 708.2A(7)(a).
[1872] *See* Iowa Code § 708.2A(7)(a) (imposing 2 day mandatory minimum that cannot be suspended).
[1873] Iowa Code § 708.2A(7)(a); *accord id.* § 907.3(3)(a).
[1874] Iowa Code § 708.2.
[1875] Iowa Code § 708.2A.
[1876] Iowa Code § 708.2A(7)(a).
[1877] Iowa Code §§ 708.2A, 907.3(1)(a)(12) (deferred judgment), 907.3(2)(a)(7) (deferred sentence).
[1878] Iowa Code § 903.1(2).
[1879] Iowa Code § 708.2A(7)(a).
[1880] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1881] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1882] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25 , 31 (Iowa 1999)
[1883] Iowa Code § 708.2A(7)(a).
[1884] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1885] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1886] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[1887] Iowa Code §§ 81.2(1), 901.5(8A)(a).

- Participation in batterers' treatment program as required under § 708.2B[1888]
- Court shall modify no-contact order issued at initial appearance per § 664A.5,[1889] regardless if person is placed on probation[1890]

- 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 § 692A.126[1891]
    - If yes, the offender shall be assessed a civil penalty of $250[1892]

[1888] Iowa Code §§ 708.2B, 708.2A(10).
[1889] Iowa Code § 664A.5.
[1890] Iowa Code § 708.2A(8).
[1891] Iowa Code § 692A.102(1)(a)(6)(c).
[1892] Iowa Code §§ 692A.126, 692A.110.

§ 708.2A(2)(d)—By choking, first offense[1893]

Class = aggravated misdemeanor[1894]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[1895]	2 days[1896]	2 days[1897]	❖ Can suspend, except for min. sentence[1898] ❖ DJ and DS eligible if: ➢ no previous DS or DJ for violation of § 708.2[1899] or § 708.2A[1900] issued on DAA,[1901] *or* ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A[1902]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[1903]

❖ Mandatory minimum must be served on consecutive days[1904]

Fines

Max.	Min.	Can Suspend?
$8540[1905]	$855[1906]	Yes[1907]

❖ Fine cannot be imposed in lieu of minimum sentence[1908]

Surcharges[1909]

15% of fine or forfeiture	DAA
Yes[1910]	Yes, $90[1911]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1912]	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

[1893] Iowa Code § 708.2A(2)(d).
[1894] Iowa Code § 708.2A(2)(d).
[1895] Iowa Code § 903.1(2).
[1896] Iowa Code § 708.2A(7)(a).
[1897] *See* Iowa Code § 708.2A(7)(a) (imposing 2 day mandatory minimum that cannot be suspended).
[1898] Iowa Code § 708.2A(7)(a); *accord id.* § 907.3(3)(a).
[1899] Iowa Code § 708.2.
[1900] Iowa Code § 708.2A.
[1901] Iowa Code § 708.2A(7)(a).
[1902] Iowa Code §§ 708.2A, 907.3(1)(a)(12) (deferred judgment), 907.3(2)(a)(7) (deferred sentence).
[1903] Iowa Code § 903.1(2).
[1904] Iowa Code § 708.2A(7)(a).
[1905] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1906] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1907] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25 , 31 (Iowa 1999)
[1908] Iowa Code § 708.2A(7)(a).
[1909] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1910] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1911] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[1912] Iowa Code §§ 81.2(1), 901.5(8A)(a).

- Participation in batterers' treatment program as required under § 708.2B[1913]
- Court shall modify no-contact order issued at initial appearance per § 664A.5,[1914] regardless if person is placed on probation[1915]

- 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 § 692A.126[1916]
    - If yes, the offender shall be assessed a civil penalty of $250[1917]

[1913] Iowa Code §§ 708.2B, 708.2A(10).
[1914] Iowa Code § 664A.5.
[1915] Iowa Code § 708.2A(8).
[1916] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[1917] Iowa Code § 692A.110.

§ 708.2A(3)—Second offense[1918]

§ 708.2A(3)(a)—If first offense was a simple misdemeanor and second offense would otherwise be a simple misdemeanor[1919]

Class = serious misdemeanor[1920]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[1921]	2 days[1922]	N/A	❖ Can suspend, except for min. sentence[1923] ❖ DJ and DS eligible if: ➢ no previous DS or DJ for violation of § 708.2[1924] or § 708.2A[1925] issued on DAA,[1926] *or* ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A[1927]

❖ Mandatory minimum must be served on consecutive days[1928]

Fines

Max.	Min.	Can Suspend?
$2560[1929]	$430[1930]	No[1931]

❖ Fine cannot be imposed in lieu of minimum sentence[1932]

Surcharges[1933]

15% of fine or forfeiture	DAA
Yes[1934]	Yes, $90[1935]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry[1936]	Maybe, see Notes	No

Notes:

[1918] Iowa Code § 708.2A(3).
[1919] Iowa Code § 708.2A(3)(a).
[1920] Iowa Code § 708.2A(3)(a).
[1921] Iowa Code § 903.1(1)(b).
[1922] Iowa Code § 708.2A(7)(a).
[1923] Iowa Code § 708.2A(7)(a); *accord id.* § 907.3(3)(a).
[1924] Iowa Code § 708.2.
[1925] Iowa Code § 708.2A.
[1926] Iowa Code § 708.2A(7)(a).
[1927] Iowa Code §§ 708.2A, 907.3 (1)(a)(12) (deferred judgment), 907.3(2)(a)(7) (deferred sentence).
[1928] Iowa Code § 708.2A(7)(a).
[1929] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1930] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1931] Iowa Code § 903.1(1)(b).
[1932] Iowa Code § 708.2A(7)(a).
[1933] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1934] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1935] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[1936] Iowa Code § 81.2(6).

- Additional Penalties:
  - Participation in batterers' treatment program as required under § 708.2B[1937]
  - Court shall modify no-contact order issued at initial appearance per § 664A.5,[1938] regardless if person is placed on probation[1939]
- 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 § 692A.126[1940]
    - If yes, the offender shall be assessed a civil penalty of $250[1941]

[1937] Iowa Code §§ 708.2B, 708.2A(10).
[1938] Iowa Code § 664A.5.
[1939] Iowa Code § 708.2A(8).
[1940] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[1941] Iowa Code § 692A.110.

§ 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[1942]

Class = aggravated misdemeanor[1943]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[1944]	2 days[1945]	N/A	❖ Can suspend, except for min. sentence[1946] ❖ DJ and DS eligible if: ➢ no previous DS or DJ for violation of § 708.2[1947] or § 708.2A[1948] issued on DAA,[1949] *or* ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A[1950]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[1951]

❖ Mandatory minimum must be served on consecutive days[1952]

Fines

Max.	Min.	Can Suspend?
$8540[1953]	$855[1954]	Yes[1955]

❖ Fine cannot be imposed in lieu of minimum sentence[1956]

Surcharges[1957]

15% of fine or forfeiture	DAA
Yes[1958]	Yes, $90[1959]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1960]	Maybe, see Notes	No

Notes:

[1942] Iowa Code § 708.2A(3)(b).
[1943] Iowa Code § 708.2A(3)(b).
[1944] Iowa Code § 903.1(2).
[1945] Iowa Code § 708.2A(7)(a).
[1946] Iowa Code § 708.2A(7)(a); *accord id.* § 907.3(3)(a).
[1947] Iowa Code § 708.2.
[1948] Iowa Code § 708.2A.
[1949] Iowa Code § 708.2A(7)(a).
[1950] Iowa Code §§ 708.2A, 907.3(1)(a)(12) (deferred judgment), 907.3(2)(a)(7) (deferred sentence).
[1951] Iowa Code § 903.1(2).
[1952] Iowa Code § 708.2A(7)(a).
[1953] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1954] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[1955] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)
[1956] Iowa Code § 708.2A(7)(a).
[1957] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1958] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1959] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[1960] Iowa Code §§ 81.2(1), 901.5(8A)(a).

- Additional Penalties:
  - Participation in batterers' treatment program as required under § 708.2B[1961]
  - Court shall modify no-contact order issued at initial appearance per § 664A.5,[1962] regardless if person is placed on probation[1963]
- 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 § 692A.126[1964]
    - If yes, the offender shall be assessed a civil penalty of $250[1965]

[1961] Iowa Code §§ 708.2B, 708.2A(10).
[1962] Iowa Code § 664A.5.
[1963] Iowa Code § 708.2A(8).
[1964] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[1965] Iowa Code § 692A.110.

§ 708.2A(4)—Third or subsequent offense[1966]

Class = "D" felony[1967]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1968]	1 year or more[1969]	1 year or more,[1970] but see also Enhancements	No,[1971] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[1972]	$1025[1973]	No[1974]

Surcharges[1975]

15% of fine or forfeiture	DAA
Yes[1976]	Yes, $90[1977]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1978]	Maybe, see Notes	No

Notes:

- Additional Penalties:
  - Participation in batterers' treatment program as required under § 708.2B[1979]
  - Court shall modify no-contact order issued at initial appearance per § 664A.5,[1980] regardless if person is placed on probation[1981]

[1966] Iowa Code § 708.2A(4).
[1967] Iowa Code § 708.2A(4).
[1968] Iowa Code § 902.9(1)(e).
[1969] *See* Iowa Code § 708.2A(7)(b).
[1970] *See* Iowa Code § 708.2A(7)(b).
[1971] Iowa Code § 708.2A(7)(b); *see also* Iowa Code § 901.5; *see also id.* § 702.11(1) (including felonious "assault" as a forcible felony).
[1972] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1973] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1974] *See* Iowa Code § 708.2A(7)(b).
[1975] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1976] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1977] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[1978] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[1979] Iowa Code §§ 708.2B, 708.2A(10).
[1980] Iowa Code § 664A.5.
[1981] Iowa Code § 708.2A(8).

- "A person place on probation, parole, work release, or any other type of conditional release for [DAA] in violation of [§ 708.2A(4)],[1982] may be supervised by an electronic tracking and monitoring system . . . ."
  - Safety of victim and other legitimate factors may be considered by the court in determining necessity of electronic tracking

- 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 § 692A.126[1983]
    - If yes, the offender shall be assessed a civil penalty of $250[1984]

[1982] Iowa Code § 708.2A(4).
[1983] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[1984] Iowa Code § 692A.110.

§ 708.2A(5)—By choking causing bodily injury[1985]

Class = "D" felony[1986]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[1987]	0[1988]	No, but see Enhancements	❖ DJ and DS eligible if[1989]: ➢ no previous DS or DJ for violation of § 708.2[1990] or § 708.2A[1991] issued on DAA, *or* ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A[1992] ❖ See Notes

Fines

Max.	Min.	Can Suspend?
$10,245[1993]	$1025[1994]	Yes[1995]

Surcharges[1996]

15% of fine or forfeiture	DAA
Yes[1997]	Yes, $90[1998]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[1999]	Maybe, see Notes	No

Notes:

❖ DJ, DS, or SS Eligible?
- ➢ Violation of § 708.2A(5)[2000] is not a forcible felony,[2001] so not automatically prohibited from receiving DJ, DS, or SS[2002]

[1985] Iowa Code § 708.2A(5).
[1986] Iowa Code § 708.2A(5).
[1987] Iowa Code § 902.9(1)(e).
[1988] Iowa Code § 902.9(1)(e).
[1989] Iowa Code §§ 907.3(1)(a)(12) (deferred judgment), 907.3(2)(a)(7) (deferred sentence).
[1990] Iowa Code § 708.2.
[1991] Iowa Code § 708.2A.
[1992] Iowa Code § 708.2A.
[1993] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1994] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[1995] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[1996] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[1997] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[1998] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[1999] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2000] Iowa Code § 708.2A(5).
[2001] Iowa Code § 702.11 (2)(g).
[2002] Iowa Code § 907.3, unnum. para. 1.

- 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 § 692A.126[2003]
    - If yes, the offender shall be assessed a civil penalty of $250[2004]
- Additional Penalties:
  - Participation in batterers' treatment program as required under § 708.2B[2005]
  - Court shall modify no-contact order issued at initial appearance per § 664A.5,[2006] regardless if person is placed on probation[2007]

[2003] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2004] Iowa Code § 692A.110.
[2005] Iowa Code §§ 708.2B, 708.2A(10).
[2006] Iowa Code § 664A.5.
[2007] Iowa Code § 708.2A(8).

§ 708.2C—Assault in Violation of Individual Rights[2008]

§ 708.2C(2)—With intent to inflict serious injury[2009]

Class = "D" felony[2010]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2011]	0[2012]	No, but see Enhancements	No,[2013] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[2014]	$1025[2015]	No,[2016] but see Under 18 Sentencing

Surcharges[2017]

15% of fine or forfeiture
Yes[2018]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2019]	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 § 692A.126[2020]
    - If yes, the offender shall be assessed a civil penalty of $250[2021]

[2008] Iowa Code § 708.2C.
[2009] Iowa Code § 708.2C(2).
[2010] Iowa Code § 708.2C(2).
[2011] Iowa Code § 902.9(1)(e).
[2012] Iowa Code § 902.9(1)(e).
[2013] Iowa Code § 907.3; *see* § 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))).
[2014] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2015] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2016] Iowa Code § 907.3, unnum. para.; *see* § 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))).
[2017] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2018] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2019] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2020] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2021] Iowa Code § 692A.110.

§ 708.2C(3)—Causing bodily injury or mental illness[2022]

Class = aggravated misdemeanor[2023]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[2024]	0[2025]	None	No DJ if assault was against peace officer while performing peace officer's duties[2026]

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[2027]

Fines

Max.	Min.	Can Suspend?
$8540[2028]	$855[2029]	Yes[2030]

Surcharges[2031]

15% of fine or forfeiture
Yes[2032]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2033]	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 § 692A.126[2034]
    - If yes, the offender shall be assessed a civil penalty of $250[2035]

[2022] Iowa Code § 708.2C(3).
[2023] Iowa Code § 708.2C(3).
[2024] Iowa Code § 903.1(2).
[2025] Iowa Code § 903.1(2).
[2026] Iowa Code § 907.3(1)(a)(11).
[2027] Iowa Code § 903.1(2).
[2028] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2029] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2030] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25 , 31 (Iowa 1999)
[2031] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2032] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2033] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2034] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2035] Iowa Code § 692A.110.

§ 708.2C(4)—With dangerous weapon[2036]

Class = "D" felony[2037]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2038]	0[2039]	No, but see Enhancements	No,[2040] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[2041]	$1025[2042]	No,[2043] but see Under 18 Sentencing

Surcharges[2044]

15% of fine or forfeiture
Yes[2045]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2046]	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 § 692A.126[2047]
    - If yes, the offender shall be assessed a civil penalty of $250[2048]

[2036] Iowa Code § 708.2C(4).
[2037] Iowa Code § 708.2C(4).
[2038] Iowa Code § 902.9(1)(e).
[2039] Iowa Code § 902.9(1)(e).
[2040] Iowa Code § 907.3; *see* § 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))).
[2041] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2042] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2043] Iowa Code § 907.3; *see* § 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))).
[2044] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2045] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2046] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2047] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2048] Iowa Code § 692A.110.

§ 708.2C(5)—Assault in violation of individual rights[2049]

Class = serious misdemeanor[2050]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[2051]	0[2052]	N/A	No DJ if assault was against peace officer while performing peace officer's duties[2053]

Fines

Max.	Min.	Can Suspend?
$2560[2054]	$430[2055]	No[2056]

Surcharges[2057]

15% of fine or forfeiture
Yes[2058]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry[2059]	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 § 692A.126[2060]
    - If yes, the offender shall be assessed a civil penalty of $250[2061]

[2049] Iowa Code § 708.2C(5).
[2050] Iowa Code § 708.2C(5).
[2051] Iowa Code § 903.1(1)(b).
[2052] Iowa Code § 903.1(1)(b).
[2053] Iowa Code § 907.3(1)(a)(11).
[2054] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2055] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2056] Iowa Code § 903.1(1)(b).
[2057] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2058] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2059] Iowa Code § 81.2(6).
[2060] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2061] Iowa Code § 692A.110.

§ 708.3—Assault While Participating in Felony[2062]

§ 708.3(1)—Causing serious injury to any person[2063]

Class = "C" felony[2064]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2065]	0[2066]	No, but see Enhancements	No,[2067] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[2068]	$1370[2069]	No,[2070] but see Under 18 Sentencing

Surcharges[2071]

15% of fine or forfeiture
Yes[2072]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2073]	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 § 692A.126[2074]
    - If yes, the offender shall be assessed a civil penalty of $250[2075]

[2062] Iowa Code § 708.3.
[2063] Iowa Code § 708.3(1).
[2064] Iowa Code § 708.3(1).
[2065] Iowa Code § 902.9(1)(d).
[2066] Iowa Code § 902.9(1)(d).
[2067] Iowa Code § 907.3; *see* § 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))).
[2068] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2069] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2070] Iowa Code § 907.3; *see* § 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))).
[2071] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2072] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2073] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2074] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2075] Iowa Code § 692A.110.

§ 708.3(2)—No serious injury results[2076]

Class = "D" felony[2077]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2078]	0[2079]	No, but see Enhancements	No,[2080] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[2081]	$1025[2082]	No,[2083] but see Under 18 Sentencing

Surcharges[2084]

15% of fine or forfeiture
Yes[2085]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2086]	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 § 692A.126[2087]
    - If yes, the offender shall be assessed a civil penalty of $250[2088]

[2076] Iowa Code § 708.3(2).
[2077] Iowa Code § 708.3(2).
[2078] Iowa Code § 902.9(1)(e).
[2079] Iowa Code § 902.9(1)(e).
[2080] Iowa Code § 907.3; *see* § 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))).
[2081] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2082] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2083] Iowa Code § 907.3; *see* § 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))).
[2084] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2085] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2086] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2087] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2088] Iowa Code § 692A.110.

§ 708.3A—Assaults on Certain Professionals[2089]

§ 708.3A(1)—Assault against peace officer, etc. w/ intent to inflict serious injury[2090]

Class = "D" felony[2091]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2092]	0[2093]	No, but see Enhancements	No,[2094] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[2095]	$1025[2096]	No,[2097] but see Under 18 Sentencing

Surcharges[2098]

15% of fine or forfeiture
Yes[2099]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2100]	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 § 692A.126[2101]
    - If yes, the offender shall be assessed a civil penalty of $250[2102]

[2089] Iowa Code § 708.3A.
[2090] Iowa Code § 708.3A(1).
[2091] Iowa Code § 708.3A(1).
[2092] Iowa Code § 902.9(1)(e).
[2093] Iowa Code § 902.9(1)(e).
[2094] Iowa Code § 907.3; *see* § 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))).
[2095] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2096] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2097] Iowa Code § 907.3; *see* § 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))).
[2098] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2099] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2100] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2101] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2102] Iowa Code § 692A.110.

§ 708.3A(2)—Assault against peace officer, etc. w/ dangerous weapon[2103]

Class = "D" felony[2104]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2105]	0[2106]	No, but see Enhancements	No,[2107] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[2108]	$1025[2109]	No,[2110] but see Under 18 Sentencing

Surcharges[2111]

15% of fine or forfeiture
Yes[2112]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2113]	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 § 692A.126[2114]
    - If yes, the offender shall be assessed a civil penalty of $250[2115]

[2103] Iowa Code § 708.3A(2).
[2104] Iowa Code § 708.3A(2).
[2105] Iowa Code § 902.9(1)(e).
[2106] Iowa Code § 902.9(1)(e).
[2107] Iowa Code § 907.3; *see* § 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))).
[2108] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2109] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2110] Iowa Code § 907.3; *see* § 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))).
[2111] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2112] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2113] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2114] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2115] Iowa Code § 692A.110.

§ 708.3A(3)—Assault against peace officer, etc. causing bodily injury or mental illness[2116]

Class = aggravated misdemeanor[2117]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[2118]	0[2119]	None	No DJ if assault was against peace officer while performing peace officer's duties[2120]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[2121]

Fines

Max.	Min.	Can Suspend?
$8540[2122]	$855[2123]	Yes[2124]

Surcharges[2125]

15% of fine or forfeiture
Yes[2126]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2127]	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 § 692A.126[2128]
  - ▪ If yes, the offender shall be assessed a civil penalty of $250[2129]

[2116] Iowa Code § 708.3A(3).
[2117] Iowa Code § 708.3A(3).
[2118] Iowa Code § 903.1(2).
[2119] Iowa Code § 903.1(2).
[2120] Iowa Code § 907.3(1)(a)(11).
[2121] Iowa Code § 903.1(2).
[2122] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2123] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2124] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)
[2125] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2126] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2127] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2128] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2129] Iowa Code § 692A.110.

§ 708.3A(4)—Any other assault against a peace officer, etc.[2130]

Class = serious misdemeanor[2131]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[2132]	0[2133]	N/A	No DJ if assault was against peace officer while performing peace officer's duties[2134]

Fines

Max.	Min.	Can Suspend?
$2560[2135]	$430[2136]	No[2137]

Surcharges[2138]

15% of fine or forfeiture
Yes[2139]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry[2140]	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 § 692A.126[2141]
    - If yes, the offender shall be assessed a civil penalty of $250[2142]

[2130] Iowa Code § 708.3A(4).
[2131] Iowa Code § 708.3A(4).
[2132] Iowa Code § 903.1(1)(b).
[2133] Iowa Code § 903.1(1)(b).
[2134] Iowa Code § 907.3(1)(a)(11).
[2135] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2136] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2137] Iowa Code § 903.1(1)(b).
[2138] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2139] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2140] Iowa Code § 81.2(6).
[2141] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2142] Iowa Code § 692A.110.

§ 708.3B—Inmate Assaults[2143]

Class = "D" felony[2144]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2145]	0[2146]	No, but see Enhancements	No,[2147] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[2148]	$1025[2149]	No,[2150] but see Under 18 Sentencing

Surcharges[2151]

15% of fine or forfeiture
Yes[2152]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2153]	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 § 692A.126[2154]
    - If yes, the offender shall be assessed a civil penalty of $250[2155]

[2143] Iowa Code § 708.3B.
[2144] Iowa Code § 708.3B.
[2145] Iowa Code § 902.9(1)(e).
[2146] Iowa Code § 902.9(1)(e).
[2147] Iowa Code § 907.3; *see* § 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))).
[2148] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2149] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2150] Iowa Code § 907.3; *see* § 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))).
[2151] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2152] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2153] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2154] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2155] Iowa Code § 692A.110.

§ 708.4—Willful Injury[2156]

§ 708.4(1)—Causing serious injury[2157]

Class = "C" felony[2158]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2159]	0[2160]	No, but see Enhancements	No,[2161] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[2162]	$1370[2163]	No,[2164] but see Under 18 Sentencing

Surcharges[2165]

15% of fine or forfeiture
Yes[2166]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2167]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:

[2156] Iowa Code § 708.4.
[2157] Iowa Code § 708.4(1).
[2158] Iowa Code § 708.4(1).
[2159] Iowa Code § 902.9(1)(d).
[2160] Iowa Code § 902.9(1)(d).
[2161] Iowa Code § 907.3; *see* § 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))).
[2162] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2163] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2164] Iowa Code § 907.3; *see* § 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))).
[2165] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2166] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2167] Iowa Code §§ 81.2(1), 901.5(8A)(a).

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 692A.126[2168]
- If yes, the offender shall be assessed a civil penalty of $250[2169]

[2168] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2169] Iowa Code § 692A.110.

§ 708.4(2)—Causing bodily injury to another[2170]

Class = "D" felony[2171]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2172]	0[2173]	No, but see Enhancements	No DJ if assault was against peace officer while performing peace officer's duties[2174] See Notes

Fines

Max.	Min.	Can Suspend?
$10,245[2175]	$1025[2176]	Yes[2177]

Surcharges[2178]

15% of fine or forfeiture
Yes[2179]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2180]	Maybe, see Notes	No

Notes:

- DJ, DS, or SS Eligible:
  - Willful injury causing bodily injury is not a forcible felony,[2181] 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 § 692A.126[2182]
    - If yes, the offender shall be assessed a civil penalty of $250[2183]

[2170] Iowa Code § 708.4(2).
[2171] Iowa Code § 708.4(2).
[2172] Iowa Code § 902.9(1)(e).
[2173] Iowa Code § 902.9(1)(e).
[2174] Iowa Code § 907.3(1)(a)(11).
[2175] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2176] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2177] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2178] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2179] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2180] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2181] Iowa Code § 702.11(2)(a).
[2182] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2183] Iowa Code § 692A.110.

§ 708.5—Administering Harmful Substances[2184]

Class = "D" felony[2185]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2186]	0[2187]	No, but see Enhancements	Yes[2188]

Fines

Max.	Min.	Can Suspend?
$10,245[2189]	$1025[2190]	Yes[2191]

Surcharges[2192]

15% of fine or forfeiture
Yes[2193]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2194]	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 § 692A.126[2195]
    - If yes, the offender shall be assessed a civil penalty of $250[2196]

[2184] Iowa Code § 708.5.
[2185] Iowa Code § 708.5.
[2186] Iowa Code § 902.9(1)(e).
[2187] Iowa Code § 902.9(1)(e).
[2188] *See* Iowa Code § 907.3.
[2189] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2190] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2191] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2192] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2193] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2194] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2195] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2196] Iowa Code § 692A.110.

§ 708.6—Intimidation with Dangerous Weapon[2197]

§ 708.6, unnum. para. 1—Intimidation w/ intent to injure or provoke[2198]

Class = "C" felony[2199]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2200]	0[2201]	No, but see Enhancements	No,[2202] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[2203]	$1370[2204]	No,[2205] but see Under 18 Sentencing

Surcharges[2206]

15% of fine or forfeiture
Yes[2207]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2208]	Maybe, see notes	No

Notes:

- Sex Registry:
  - Must register if:

[2197] Iowa Code § 708.6.
[2198] Iowa Code § 708.6, unnum. para. 1.
[2199] Iowa Code § 708.6, unnum. para. 1.
[2200] Iowa Code § 902.9(1)(d).
[2201] Iowa Code § 902.9(1)(d).
[2202] Iowa Code § 907.3, unnum. para. 1; § 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)).
[2203] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2204] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2205] Iowa Code § 907.3, unnum. para. 1; § 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)).
[2206] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2207] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2208] Iowa Code §§ 81.2(1), 901.5(8A)(a).

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 692A.126[2209]
- If yes, the offender shall be assessed a civil penalty of $250[2210]

[2209] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2210] Iowa Code § 692A.110.

§ 708.6, unnum. para. 1—Threatened intimidation w/ intent to injure or provoke[2211]

Class = "C" felony[2212]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2213]	0[2214]	No, but see Enhancements	Yes, except no DJ if assault was against peace officer while performing peace officer's duties[2215] See Notes

Fines

Max.	Min.	Can Suspend?
$13,660[2216]	$1370[2217]	Yes[2218]

Surcharges[2219]

15% of fine or forfeiture
Yes[2220]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2221]	Maybe, see Notes	No

Notes:

- DJ, DS, or SS Eligible?
  - The "threatening" version of "intimidation with a dangerous weapon" is not a forcible felony,[2222] so not automatically prohibited from receiving a DJ, DS, or SS
- Sex Registry:

[2211] Iowa Code § 708.6, unnum. para. 1.
[2212] Iowa Code § 708.6, unnum. para. 1.
[2213] Iowa Code § 902.9(1)(d).
[2214] Iowa Code § 902.9(1)(d).
[2215] Iowa Code § 907.3 (1)(a)(11).
[2216] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2217] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2218] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2219] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2220] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2221] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2222] *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))).

- Must register if:
  - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 692A.126[2223]
  - If yes, the offender shall be assessed a civil penalty of $250[2224]

[2223] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2224] Iowa Code § 692A.110.

§ 708.6, unnum. para. 2—Intimidation w/ dangerous weapon[2225]

Class = "D" felony[2226]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2227]	0[2228]	No, but see Enhancements	No,[2229] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[2230]	$1025[2231]	No,[2232] but see Under 18 Sentencing

Surcharges[2233]

15% of fine or forfeiture
Yes[2234]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2235]	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 § 692A.126[2236]

[2225] Iowa Code § 708.6, unnum. para. 2.
[2226] Iowa Code § 708.6, unnum. para. 2.
[2227] Iowa Code § 902.9(1)(e).
[2228] Iowa Code § 902.9(1)(e).
[2229] Iowa Code § 907.3, unnum. para. 1; § 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)).
[2230] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2231] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2232] Iowa Code § 907.3, unnum. para. 1; § 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)).
[2233] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2234] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2235] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2236] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).

- If yes, the offender shall be assessed a civil penalty of $250[2237]

[2237] Iowa Code § 692A.110.

§ 708.6, unnum. para. 2—Threatened intimidation w/ dangerous weapon[2238]

Class = "D" felony[2239]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2240]	0[2241]	No, but see Enhancements	Yes, except no DJ if assault was against peace officer while performing peace officer's duties[2242] See Notes

Fines

Max.	Min.	Can Suspend?
$10,245[2243]	$1025[2244]	Yes[2245]

Surcharges[2246]

15% of fine or forfeiture
Yes[2247]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2248]	Maybe, see Notes	No

Notes:

- DJ, DS, or SS Eligible?
  - The "threatening" version of "intimidation with a dangerous weapon" is not a forcible felony,[2249] so not automatically prohibited from receiving a DJ, DS, or SS
- Sex Registry:
  - Must register if:

[2238] Iowa Code § 708.6, unnum. para. 2.
[2239] Iowa Code § 708.6, unnum. para. 2.
[2240] Iowa Code § 902.9(1)(e).
[2241] Iowa Code § 902.9(1)(e).
[2242] Iowa Code § 907.3 (1)(a)(11).
[2243] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2244] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2245] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2246] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2247] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2248] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2249] *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))).

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 692A.126[2250]
- If yes, the offender shall be assessed a civil penalty of $250[2251]

[2250] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2251] Iowa Code § 692A.110.

§ 708.7—Harassment[2252]

§ 708.7(2)—First-degree harassment[2253]

Class = aggravated misdemeanor[2254]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[2255]	0[2256]	None	Yes[2257]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[2258]

Fines

Max.	Min.	Can Suspend?
$8540[2259]	$855[2260]	Yes[2261]

Surcharges[2262]

15% of fine or forfeiture
Yes[2263]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2264]	Maybe, see Notes	No

Notes:

❖ Sex Registry:
- ➢ Must register if:
  - ▪ Harassment was sexually motivated pursuant to § 692A.126[2265]
  - ▪ If yes, the offender shall be assessed a civil penalty of $250[2266]

[2252] Iowa Code § 708.7.
[2253] Iowa Code § 708.7(2).
[2254] Iowa Code § 708.7(2)(b).
[2255] Iowa Code § 903.1(2).
[2256] Iowa Code § 903.1(2).
[2257] *See* Iowa Code § 907.3.
[2258] Iowa Code § 903.1(2).
[2259] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2260] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2261] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)
[2262] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2263] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2264] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2265] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(a).
[2266] Iowa Code § 692A.110.

§ 708.7(3)—Second-degree harassment[2267]

Class = serious misdemeanor[2268]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[2269]	0[2270]	N/A	Yes[2271]

Fines

Max.	Min.	Can Suspend?
$2560[2272]	$430[2273]	No[2274]

Surcharges[2275]

15% of fine or forfeiture
Yes[2276]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry[2277]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - Harassment was sexually motivated pursuant to § 692A.126[2278]
    - If yes, the offender shall be assessed a civil penalty of $250[2279]

[2267] Iowa Code § 708.7(3).
[2268] Iowa Code § 708.7(3)(b).
[2269] Iowa Code § 903.1(1)(b).
[2270] Iowa Code § 903.1(1)(b).
[2271] *See* Iowa Code § 907.3.
[2272] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2273] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2274] Iowa Code § 903.1(1)(b).
[2275] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2276] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2277] Iowa Code § 81.2(6).
[2278] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(a).
[2279] Iowa Code § 692A.110.

§ 708.7(4)—Third-degree harassment[2280]

Class = simple misdemeanor[2281]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[2282]	0[2283]	N/A	Yes[2284]

Fines

Max.	Min.	Can Suspend?
$855[2285]	$105[2286]	No[2287]

Surcharges[2288]

15% of fine or forfeiture
Yes[2289]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry[2290]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - Harassment was sexually motivated pursuant to § 692A.126[2291]
    - If yes, the offender shall be assessed a civil penalty of $250[2292]

[2280] Iowa Code § 708.7(4).
[2281] Iowa Code § 708.7(4)(b).
[2282] Iowa Code § 903.1(1)(a).
[2283] Iowa Code § 903.1(1)(a).
[2284] *See* Iowa Code § 907.3.
[2285] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2286] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2287] Iowa Code § 903.1(1).
[2288] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2289] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2290] Iowa Code § 81.2(6).
[2291] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(a).
[2292] Iowa Code § 692A.110.

§ 708.8—Going Armed with Intent[2293]

Class = "D" felony[2294]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2295]	0[2296]	No, but see Enhancements	No,[2297] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[2298]	$1025[2299]	No,[2300] but see Under 18 Sentencing

Surcharges[2301]

15% of fine or forfeiture
Yes[2302]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2303]	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 § 692A.126[2304]
    - If yes, the offender shall be assessed a civil penalty of $250[2305]

[2293] Iowa Code § 708.8.
[2294] Iowa Code § 708.8.
[2295] Iowa Code § 902.9(1)(e).
[2296] Iowa Code § 902.9(1)(e).
[2297] Iowa Code § 907.3, unnum. para. 1; § 702.11(1) (including felonious "assault" as a forcible felony); *id.* § 708.8.
[2298] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2299] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2300] Iowa Code § 907.3, unnum. para. 1; § 702.11(1) (including felonious "assault" as a forcible felony); *id.* § 708.8.
[2301] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2302] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2303] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2304] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2305] Iowa Code § 692A.110.

§ 708.9—Setting spring guns or traps[2306]

Class = aggravated misdemeanor[2307]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[2308]	0[2309]	None	Yes[2310]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[2311]

Fines

Max.	Min.	Can Suspend?
$8540[2312]	$855[2313]	Yes[2314]

Surcharges[2315]

15% of fine or forfeiture
Yes[2316]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2317]	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 § 692A.126[2318]
  - ▪ If yes, the offender shall be assessed a civil penalty of $250[2319]

[2306] Iowa Code § 708.9.
[2307] Iowa Code § 708.9.
[2308] Iowa Code § 903.1(2).
[2309] Iowa Code § 903.1(2).
[2310] *See* Iowa Code § 907.3.
[2311] Iowa Code § 903.1(2).
[2312] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2313] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2314] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)
[2315] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2316] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2317] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2318] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c).
[2319] Iowa Code § 692A.110.

§ 708.10—Hazing[2320]

§ 708.10(2)—Basic hazing[2321]

Class = simple misdemeanor[2322]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[2323]	0[2324]	N/A	Yes[2325]

Fines

Max.	Min.	Can Suspend?
$855[2326]	$105[2327]	No[2328]

Surcharges[2329]

15% of fine or forfeiture
Yes[2330]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry[2331]	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 § 692A.126[2332]
    - If yes, the offender shall be assessed a civil penalty of $250[2333]

[2320] Iowa Code § 708.10.
[2321] Iowa Code § 708.10(2).
[2322] Iowa Code § 708.10(2).
[2323] Iowa Code § 903.1(1)(a).
[2324] Iowa Code § 903.1(1)(a).
[2325] *See* Iowa Code § 907.3.
[2326] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2327] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2328] Iowa Code § 903.1(1).
[2329] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2330] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2331] Iowa Code § 81.2(6).
[2332] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c), 708.15.
[2333] Iowa Code § 692A.110.

§ 708.10(3)—Hazing causing serious bodily injury[2334]

Class = serious misdemeanor[2335]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[2336]	0[2337]	N/A	Yes[2338]

Fines

Max.	Min.	Can Suspend?
$2560[2339]	$430[2340]	No[2341]

Surcharges[2342]

15% of fine or forfeiture
Yes[2343]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry[2344]	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 § 692A.126[2345]
    - If yes, the offender shall be assessed a civil penalty of $250[2346]

[2334] Iowa Code § 708.10(3).
[2335] Iowa Code § 708.10(3).
[2336] Iowa Code § 903.1(1)(b).
[2337] Iowa Code § 903.1(1)(b).
[2338] *See* Iowa Code § 907.3.
[2339] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2340] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2341] Iowa Code § 903.1(1).
[2342] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2343] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2344] Iowa Code § 81.2(6).
[2345] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c), 708.15.
[2346] Iowa Code § 692A.110.

§ 708.11—Stalking[2347]

§ 708.11(3)(a)—Third or subsequent offense[2348]

Class = "C" felony[2349]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2350]	0[2351]	No, but see Enhancements	Yes[2352]

Fines

Max.	Min.	Can Suspend?
$13,660[2353]	$1370[2354]	Yes[2355]

Surcharges[2356]

15% of fine or forfeiture	Stalking
Yes[2357]	Yes, $90[2358]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2359]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - Determination is made that offense was sexually motivated pursuant to § 692A.126[2360]
    - If yes, the offender shall be assessed a civil penalty of $250[2361]

[2347] Iowa Code § 708.11.
[2348] Iowa Code § 708.11(3)(a).
[2349] Iowa Code § 708.11(3)(a).
[2350] Iowa Code § 902.9(1)(d).
[2351] Iowa Code § 902.9(1)(d).
[2352] *See* Iowa Code § 907.3.
[2353] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2354] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2355] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2356] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2357] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2358] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[2359] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2360] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(b); *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.").
[2361] Iowa Code § 692A.110.

§ 708.11(3)(b)—Specific conduct or 2d offense[2362]

Class = "D" felony[2363]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS. Eligible?
5 years[2364]	0[2365]	No, but see Enhancements	Yes[2366]

Fines

Max.	Min.	Can Suspend?
$10,245[2367]	$1025[2368]	Yes[2369]

Surcharges[2370]

15% of fine or forfeiture	Stalking
Yes[2371]	Yes, $90[2372]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2373]	Maybe, see notes	No

Notes:

- Sex Registry:
  - Must register if:
    - Determination is made that offense was sexually motivated pursuant to § 692A.126[2374]
    - If yes, the offender shall be assessed a civil penalty of $250[2375]

[2362] Iowa Code § 708.11(3)(b).
[2363] Iowa Code § 708.11(3)(b).
[2364] Iowa Code § 902.9(1)(e).
[2365] Iowa Code § 902.9(1)(e).
[2366] *See* Iowa Code § 907.3.
[2367] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2368] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2369] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2370] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2371] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2372] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[2373] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2374] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(b) (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.").
[2375] Iowa Code § 692A.110.

§ 708.11(3)(c)—First offense[2376]

Class = aggravated misdemeanor[2377]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[2378]	0[2379]	None	Yes[2380]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[2381]

Fines

Max.	Min.	Can Suspend?
$8540[2382]	$855[2383]	Yes[2384]

Surcharges[2385]

15% of fine or forfeiture	Stalking
Yes[2386]	Yes, $90[2387]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2388]	Maybe, see Notes	No

Notes:

❖ Sex Registry:
- ➢ Must register if:
  - ▪ Determination is made that offense was sexually motivated pursuant to § 692A.126[2389]
  - ▪ If yes, the offender shall be assessed a civil penalty of $250[2390]

[2376] Iowa Code § 708.11(3)(c).
[2377] Iowa Code § 708.11(3)(c).
[2378] Iowa Code § 903.1(2).
[2379] Iowa Code § 903.1(2).
[2380] *See* Iowa Code § 907.3.
[2381] Iowa Code § 903.1(2).
[2382] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2383] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2384] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)
[2385] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2386] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2387] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[2388] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2389] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(b); *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.").
[2390] Iowa Code § 692A.110.

§ 708.11A—Unauthorized Placement of Global Positioning Device[2391]

Class = serious misdemeanor

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[2392]	0[2393]	N/A	Yes[2394]

Fines

Max.	Min.	Can Suspend?
$2560[2395]	$430[2396]	No[2397]

Surcharges[2398]

15% of fine or forfeiture
Yes[2399]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits

Notes:

[2391] Iowa Code § 708.11A.
[2392] Iowa Code § 903.1(1)(b).
[2393] Iowa Code § 903.1(1)(b).
[2394] Iowa Code § 907.3.
[2395] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2396] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2397] Iowa Code § 903.1(1).
[2398] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2399] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 708.12—Removal of Officer's Communication or Control Device[2400]

§ 708.12(3)(a)—Basic removal of communication or control device[2401]

Class = simple misdemeanor[2402]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[2403]	0[2404]	N/A	Yes[2405]

Fines

Max.	Min.	Can Suspend?
$855[2406]	$105[2407]	No[2408]

Surcharges[2409]

15% of fine or forfeiture
Yes[2410]

Miscellaneous

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

Notes:

[2400] Iowa Code § 708.12.
[2401] Iowa Code § 708.12(3)(a).
[2402] Iowa Code § 708.12(3)(a).
[2403] Iowa Code § 903.1(1)(a).
[2404] Iowa Code § 903.1(1)(a).
[2405] *See* Iowa Code § 907.3.
[2406] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2407] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2408] Iowa Code § 903.1(1).
[2409] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2410] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 708.12(3)(b)—With intent to interfere[2411]

Class = serious misdemeanor[2412]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[2413]	0[2414]	N/A	Yes[2415]

Fines

Max.	Min.	Can Suspend?
$2560[2416]	$430[2417]	No[2418]

Surcharges[2419]

15% of fine or forfeiture
Yes[2420]

Miscellaneous

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

Notes:

[2411] Iowa Code § 708.12(3)(b).
[2412] Iowa Code § 708.12(3)(b).
[2413] Iowa Code § 903.1(1)(b).
[2414] Iowa Code § 903.1(1)(b).
[2415] *See* Iowa Code § 907.3.
[2416] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2417] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2418] Iowa Code § 903.1(1).
[2419] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2420] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 708.12(3)(c)—Resulting in bodily injury to officer[2421]

Class = serious misdemeanor[2422]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[2423]	0[2424]	N/A	Yes[2425]

Fines

Max.	Min.	Can Suspend?
$2560[2426]	$430[2427]	No[2428]

Surcharges[2429]

15% of fine or forfeiture
Yes[2430]

Miscellaneous

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

Notes:

[2421] Iowa Code § 708.12(3)(c).
[2422] Iowa Code § 708.12(3)(c).
[2423] Iowa Code § 903.1(1)(b).
[2424] Iowa Code § 903.1(1)(b).
[2425] *See* Iowa Code § 907.3.
[2426] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2427] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2428] Iowa Code § 903.1(1).
[2429] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2430] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 708.12(3)(d)—Resulting in serious injury to the officer[2431]

Class = aggravated misdemeanor[2432]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[2433]	0[2434]	None	Yes[2435]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[2436]

Fines

Max.	Min.	Can Suspend?
$8540[2437]	$855[2438]	Yes[2439]

Surcharges[2440]

15% of fine or forfeiture
Yes[2441]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2442]	No	No

Notes:

[2431] Iowa Code § 708.12(3)(d).
[2432] Iowa Code § 708.12(3)(d).
[2433] Iowa Code § 903.1(2).
[2434] Iowa Code § 903.1(2).
[2435] *See* Iowa Code § 907.3.
[2436] Iowa Code § 903.1(2).
[2437] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2438] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2439] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)
[2440] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2441] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2442] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 708.12(3)(e)—While knowingly or intentionally causing bodily injury to officer[2443]

Class = aggravated misdemeanor[2444]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, Ds, or SS Eligible?
2 years[2445]	0[2446]	None	Yes except no DJ if offense was against peace officer while performing peace officer's duties[2447] (if offense qualifies as an "assault" per § 907.3(1)(a)(11),[2448] see Notes)

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[2449]

Fines

Max.	Min.	Can Suspend?
$8540[2450]	$855[2451]	Yes[2452]

Surcharges[2453]

15% of fine or forfeiture
Yes[2454]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2455]	No	No

Notes:

❖ DJ, DS, or SS Eligible:
- ➢ if the alternative elements of assault in § 708.1(2)[2456] 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

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[2443] Iowa Code § 708.12(3)(e).
[2444] Iowa Code § 708.12(3)(e).
[2445] Iowa Code § 903.1(2).
[2446] Iowa Code § 903.1(2).
[2447] Iowa Code § 907.3(1)(a)(11).
[2448] For Iowa Code § 907.3(1)(a)(11) 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.
[2449] Iowa Code § 903.1(2).
[2450] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2451] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2452] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)
[2453] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2454] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2455] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2456] Iowa Code § 708.1(2).

§ 708.12(3)(f)—Removal and knowingly or intentionally causes serious injury to officer[2457]

Class = "D" felony[2458]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2459]	0[2460]	None	Yes except no DJ if offense was against peace officer while performing peace officer's duties[2461] (if offense qualifies as an "assault" per § 907.3(1)(a)(11),[2462] see Notes)

Fines

Max.	Min.	Can Suspend?
$10,245[2463]	$1025[2464]	Yes[2465]

Surcharges[2466]

15% of fine or forfeiture
Yes[2467]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2468]	No	No

Notes:

- DJ, DS, or SS Eligible?
  - This crime is not a forcible felony,[2469] so not automatically precluded from receiving a DJ, DS, or SS
  - if the alternative elements of assault in § 708.1(2)[2470] 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"

[2457] Iowa Code § 708.12(3)(f).
[2458] Iowa Code § 708.12(3)(f).
[2459] Iowa Code § 902.9(1)(e).
[2460] Iowa Code § 902.9(1)(e).
[2461] Iowa Code § 907.3 (1)(a)(11).
[2462] For Iowa Code § 907.3 (1)(a)(11) 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.
[2463] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2464] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2465] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2466] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2467] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2468] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2469] Iowa Code § 702.11(2)(h).
[2470] Iowa Code § 708.1(2).

- 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

§ 708.13—Disarming a Peace Officer of a Dangerous Weapon[2471]

§ 708.13(2)—Basic disarming[2472]

Class = "D" felony[2473]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2474]	0[2475]	No, but see Enhancements	Yes[2476]

Fines

Max.	Min.	Can Suspend?
$10,245[2477]	$1025[2478]	Yes[2479]

Surcharges[2480]

15% of fine or forfeiture
Yes[2481]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2482]	No	No

Notes:

[2471] Iowa Code § 708.13.
[2472] Iowa Code § 708.13(2).
[2473] Iowa Code § 708.13(2).
[2474] Iowa Code § 902.9(1)(e).
[2475] Iowa Code § 902.9(1)(e).
[2476] *See* Iowa Code § 907.3.
[2477] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2478] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2479] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2480] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2481] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2482] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 708.13(3)—Discharge of dangerous weapon while disarming peace officer[2483]

Class = "C" felony[2484]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2485]	0[2486]	No, but see Enhancements	Yes[2487]

Fines

Max.	Min.	Can Suspend?
$13,660[2488]	$1370[2489]	Yes[2490]

Surcharges[2491]

15% of fine or forfeiture
Yes[2492]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2493]	No	No

Notes:

[2483] Iowa Code § 708.13(3).
[2484] Iowa Code § 708.13(3).
[2485] Iowa Code § 902.9(1)(d).
[2486] Iowa Code § 902.9(1)(d).
[2487] *See* Iowa Code § 907.3.
[2488] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2489] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2490] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2491] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2492] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2493] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 708.14—Abuse of a Corpse[2494]

Class = "D" felony[2495]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2496]	0[2497]	No, but see Enhancements	Yes[2498]

Fines

Max.	Min.	Can Suspend?
$10,245[2499]	$1025[2500]	Yes[2501]

Surcharges[2502]

15% of fine or forfeiture
Yes[2503]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2504]	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 § 692A.126[2505]
    - If yes, the offender shall be assessed a civil penalty of $250[2506]

[2494] Iowa Code § 708.14.
[2495] Iowa Code § 708.14(2).
[2496] Iowa Code § 902.9(1)(e).
[2497] Iowa Code § 902.9(1)(e).
[2498] *See* Iowa Code § 907.3.
[2499] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2500] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2501] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2502] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2503] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2504] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2505] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c), 708.15.
[2506] Iowa Code § 692A.110.

§ 708.16—Female Genital Mutilation[2507]

§ 708.16(1)—Female genital mutilation[2508]

Class = "D" felony[2509]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2510]	0[2511]	No, but see Enhancements	Yes[2512]

Fines

Max.	Min.	Can Suspend?
$10,245[2513]	$1025[2514]	Yes[2515]

Surcharges[2516]

15% of fine or forfeiture
Yes[2517]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2518]	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 § 692A.126[2519]
    - If yes, the offender shall be assessed a civil penalty of $250[2520]

[2507] Iowa Code § 708.16 (2020) (added by 2019 Iowa Acts ch. 47, § 1, effective 7/1/2019).
[2508] Iowa Code § 708.16(1) (2020) (added by 2019 Iowa Acts ch. 47, § 1, effective 7/1/2019).
[2509] Iowa Code § 708.16(1) (2020) (added by 2019 Iowa Acts ch. 47, § 1, effective 7/1/2019).
[2510] Iowa Code § 902.9(1)(e).
[2511] Iowa Code § 902.9(1)(e).
[2512] *See* Iowa Code § 907.3.
[2513] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2514] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2515] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2516] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2517] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2518] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2519] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c), 708.15.
[2520] Iowa Code § 692A.110.

§ 708.16—Female Genital Mutilation[2521]

§ 708.16(4)—Transporting a minor for procedure[2522]

Class = "D" felony[2523]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2524]	0[2525]	No, but see Enhancements	Yes[2526]

Fines

Max.	Min.	Can Suspend?
$10,245[2527]	$1025[2528]	Yes[2529]

Surcharges[2530]

15% of fine or forfeiture
Yes[2531]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2532]	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 § 692A.126[2533]
    - If yes, the offender shall be assessed a civil penalty of $250[2534]

[2521] Iowa Code § 708.16 (2020) (added by 2019 Iowa Acts ch. 47, § 1, effective 7/1/2019).
[2522] Iowa Code § 708.16(4) (2020) (added by 2019 Iowa Acts ch. 47, § 1, effective 7/1/2019).
[2523] Iowa Code § 708.16(4) (2020) (added by 2019 Iowa Acts ch. 47, § 1, effective 7/1/2019).
[2524] Iowa Code § 902.9(1)(e).
[2525] Iowa Code § 902.9(1)(e).
[2526] *See* Iowa Code § 907.3.
[2527] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2528] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2529] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2530] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2531] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2532] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2533] Iowa Code §§ 692A.126, 692A.102(1)(a)(6)(c), 708.15.
[2534] Iowa Code § 692A.110.

CH. 708A TERRORISM

§ 708A.2—Terrorism[2535]

Class = "B" felony[2536]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years[2537]	0[2538]	No, but see Enhancements	Yes[2539]

Fines[2540]—N/A

Surcharges[2541]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2542]	No	No

Notes:

[2535] Iowa Code § 708A.2.
[2536] Iowa Code § 708A.2.
[2537] Iowa Code § 708A.2.
[2538] Iowa Code § 902.9(1)(b).
[2539] *See* Iowa Code § 907.3.
[2540] *See* Iowa Code § 902.9(1)(b).
[2541] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2542] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 708A.4—Soliciting or Providing Support or Resources for Terrorism[2543]

§ 708A.4(1)—Providing material support in excess of $1000[2544]

Class = "B" felony[2545]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[2546]	0[2547]	No, but see Enhancements	Yes[2548]

Fines[2549]—N/A

Surcharges[2550]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2551]	No	No

Notes:

[2543] Iowa Code § 708A.4.
[2544] Iowa Code § 708A.4(1).
[2545] Iowa Code § 708A.4(1).
[2546] Iowa Code § 902.9(1)(b).
[2547] Iowa Code § 902.9(1)(b).
[2548] *See* Iowa Code § 907.3.
[2549] *See* Iowa Code § 902.9(1)(b).
[2550] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2551] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 708A.4(2)—Providing material support under $1000[2552]

Class = "C" felony[2553]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2554]	0[2555]	No, but see Enhancements	Yes[2556]

Fines

Max.	Min.	Can Suspend?
$13,660[2557]	$1370[2558]	Yes[2559]

Surcharges[2560]

15% of fine or forfeiture
Yes[2561]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2562]	No	No

Notes:

[2552] Iowa Code § 708A.4(2).
[2553] Iowa Code § 708A.4(2).
[2554] Iowa Code § 902.9(1)(d).
[2555] Iowa Code § 902.9(1)(d).
[2556] *See* Iowa Code § 907.3.
[2557] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2558] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2559] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2560] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2561] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2562] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 708A.5—Threat of Terrorism[2563]

Class = "D" felony[2564]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2565]	0[2566]	No, but see Enhancements	Yes[2567]

Fines

Max.	Min.	Can Suspend?
$10,245[2568]	$1025[2569]	Yes[2570]

Surcharges[2571]

15% of fine or forfeiture
Yes[2572]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2573]	No	No

Notes:

[2563] Iowa Code § 708A.5.
[2564] Iowa Code § 708A.5.
[2565] Iowa Code § 902.9(1)(e).
[2566] Iowa Code § 902.9(1)(e).
[2567] *See* Iowa Code § 907.3.
[2568] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2569] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2570] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2571] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2572] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2573] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 708A.6—Obstruction of Terrorism Prosecution[2574]

§ 708A.6(1)—Criminal assistance that results in murder of a third person[2575]

Class = "B" felony[2576]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[2577]	0[2578]	No, but see Enhancements	Yes[2579]

Fines[2580]—N/A

Surcharges[2581]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2582]	No	No

Notes:

[2574] Iowa Code § 708A.6.
[2575] Iowa Code § 708A.6(1).
[2576] Iowa Code § 708A.6(1).
[2577] Iowa Code § 902.9(1)(b).
[2578] Iowa Code § 902.9(1)(b).
[2579] *See* Iowa Code § 907.3.
[2580] *See* Iowa Code § 902.9(1)(b).
[2581] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2582] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 708A.6(2)—Criminal assistance[2583]

Class = "C" felony[2584]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2585]	0[2586]	No, but see Enhancements	Yes[2587]

Fines

Max.	Min.	Can Suspend?
$13,660[2588]	$1370[2589]	Yes[2590]

Surcharges[2591]

15% of fine or forfeiture
Yes[2592]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2593]	No	No

Notes:

[2583] Iowa Code § 708A.6(2).
[2584] Iowa Code § 708A.6(2).
[2585] Iowa Code § 902.9(1)(d).
[2586] Iowa Code § 902.9(1)(d).
[2587] *See* Iowa Code § 907.3.
[2588] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2589] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2590] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2591] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2592] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2593] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 709 SEXUAL ABUSE

§ 709.2—First-Degree Sexual Abuse[2594]

Class = "A" felony[2595]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life,[2596] but see Under 18 Sentencing	Life,[2597] but see Under 18 Sentencing	Not eligible,[2598] but see Under 18 Sentencing	No,[2599] but see Under 18 Sentencing

Fines[2600]—N/A

Surcharges[2601]

SA
Yes, $90[2602]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2603]	Yes[2604] The offender shall be assessed a civil penalty of $250[2605]	No

Notes:

- Special Sentence for Life:[2606]
  - 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[2607]
  - 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

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[2594] Iowa Code § 709.2.
[2595] Iowa Code § 709.2, unnum. para. 2.
[2596] Iowa Code § 902.1(1).
[2597] Iowa Code § 902.1(1).
[2598] Iowa Code § 902.1(1).
[2599] Iowa Code § 902.1(1).
[2600] *See* Iowa Code § 902.1(1).
[2601] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2602] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[2603] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2604] Iowa Code § 692A.102(1)(c)(7).
[2605] Iowa Code § 692A.110.
[2606] Iowa Code § 903B.1.
[2607] Iowa Code ch. 906.

- Terms and conditions of the special sentence are subject to procedures in chapters 901B,[2608] 905,[2609] 906,[2610] and 908[2611]

[2608] Iowa Code ch. 901B.
[2609] Iowa Code ch. 905.
[2610] Iowa Code ch. 906.
[2611] Iowa Code ch. 908.

§ 709.3—Second-Degree Sexual Abuse[2612]

Class = "B" felony[2613]

- ❖ If violation of § 709.3[2614] is a second or subsequent offense involving any combination of violations of §§ 709.3,[2615] 709.4,[2616] or 709.8(1)na) or (b),[2617] class = "A" felony, see Enhancements

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years,[2618] but see Enhancements	0[2619]	Not eligible until has served 70% of 25 years,[2620] but see Under 18 Sentencing See also Enhancements ❖ Note: violation of § 709.3 is a SPO[2621] and a SVO[2622]	No,[2623] but see Under 18 Sentencing

Fines[2624]—N/A

Surcharges[2625]

SA
Yes, $90[2626]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2627]	Yes[2628] The offender shall be assessed a civil penalty of $250[2629]	No

[2612] Iowa Code § 709.3.
[2613] Iowa Code § 709.3(2).
[2614] Iowa Code § 709.3.
[2615] Iowa Code § 709.3.
[2616] Iowa Code § 709.4.
[2617] Iowa Code § 709.8(1)(a), (b).
[2618] Iowa Code § 902.9(1)(b).
[2619] Iowa Code § 902.9(1)(b).
[2620] Iowa Code § 902.12(1)(c).
[2621] Iowa Code § 229A.2(1).
[2622] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2623] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "sexual abuse" as a forcible felony).
[2624] *See* Iowa Code § 902.9(1)(b).
[2625] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2626] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[2627] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2628] Iowa Code § 692A.102(1)(a)(1), (c)(8), (c)(9).
[2629] Iowa Code § 692A.110.

Notes:

- Special Sentence for Life:[2630]
  - 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[2631]
  - 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,[2632] 905,[2633] 906,[2634] and 908[2635]

[2630] Iowa Code § 903B.1.
[2631] Iowa Code ch. 906.
[2632] Iowa Code ch. 901B.
[2633] Iowa Code ch. 905.
[2634] Iowa Code ch. 906.
[2635] Iowa Code ch. 908.

§ 709.4—Third-Degree Sexual Abuse[2636]

Class = "C" felony[2637]

- If violation of § 709.3[2638] is a second or subsequent offense involving any combination of violations of §§ 709.3,[2639] 709.4,[2640] or 709.8(1)(a) or (b),[2641] class = "A" felony, see Enhancements

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2642]	0[2643]	No, but see Enhancements ❖ Note: violation of § 709.4 is a SPO[2644] and a SVO[2645]	No,[2646] but see Under 18 Sentencing ❖ exceptions: ➢ if violation is of § 709.4(1)(b)(3)(d),[2647] *or* ➢ if offense is between spouses[2648] ❖ but not eligible if offender is a mandatory reporter of child abuse under § 232.69[2649] *and* victim was under age 18[2650]

Fines

Max.	Min.	Can Suspend?
$13,660[2651]	$1370[2652]	No,[2653] but see Under 18 Sentencing ❖ exceptions: ➢ if violation is of § 709.4(1)(b)(3)(d),[2654] *or* ➢ if offense is between spouses[2655] ❖ but not eligible if offender is a mandatory reporter of child abuse under § 232.69[2656] *and* victim was under age 18[2657]

[2636] Iowa Code § 709.4.
[2637] Iowa Code § 709.4(2).
[2638] Iowa Code § 709.3.
[2639] Iowa Code § 709.3.
[2640] Iowa Code § 709.4.
[2641] Iowa Code § 709.8(1)(a), (b).
[2642] Iowa Code § 902.9(1)(d).
[2643] Iowa Code § 902.9(1)(d).
[2644] Iowa Code § 229A.2 (1).
[2645] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2646] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "sexual abuse" as a forcible felony).
[2647] Iowa Code §§ 709.4(1)(b)(3)(d), 702.11(2)(c) (indicating third-degree sexual abuse in violation of § 709.4(1)(b)(3)(d) is not a forcible felony).
[2648] Iowa Code § 702.11(2)(b) (indicating third-degree sexual abuse between spouses is not a forcible felony).
[2649] Iowa Code § 232.69.
[2650] Iowa Code § 907.3, unnum. para.
[2651] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2652] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2653] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "sexual abuse" as a forcible felony).
[2654] Iowa Code §§ 709.4(1)(b)(3)(d), 702.11(2)(c) (indicating third-degree sexual abuse in violation of § 709.4(1)(b)(3)(d) is not a forcible felony).
[2655] Iowa Code § 702.11(2)(b) (indicating third-degree sexual abuse between spouses is not a forcible felony).
[2656] Iowa Code § 232.69.
[2657] Iowa Code § 907.3, unnum. para.

Surcharges[2658]

15% of fine or forfeiture	SA
Yes[2659]	Yes, $90[2660]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2661]	Yes[2662] The offender shall be assessed a civil penalty of $250[2663]	No

Notes:

- Special Sentence for Life:[2664]
  - 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[2665]
  - 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,[2666] 905,[2667] 906,[2668] and 908[2669]

[2658] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2659] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2660] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20)
[2661] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2662] Iowa Code § 692A.102(1)(a)(2)–(4), (c)(10)–(11).
[2663] Iowa Code § 692A.110.
[2664] Iowa Code § 903B.1.
[2665] Iowa Code ch. 906.
[2666] Iowa Code ch. 901B.
[2667] Iowa Code ch. 905.
[2668] Iowa Code ch. 906.
[2669] Iowa Code ch. 908.

§ 709.8—Lascivious Acts with a Child[2670]

§ 709.8(1)(a)—Fondling or touching child[2671]

Class = "C" felony[2672]

If violation of § 709.3[2673] is a second or subsequent offense involving any combination of violations of §§ 709.3,[2674] 709.4,[2675] or 709.8(1)(a) or (b),[2676] class = "A" felony, see Enhancements

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2677]	0[2678]	No, but see Enhancements ❖ Note: violation of § 709.8[2679] is a SPO[2680] and a SVO[2681]	Yes,[2682] except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69[2683] *and* victim was under age 18[2684] ❖ for DJ if child was age 12 or younger[2685]

Fines

Max.	Min.	Can Suspend?
$13,660[2686]	$1370[2687]	Yes, unless offender is a mandatory reporter of child abuse under § 232.69[2688] *and* victim was under age 18[2689]

Surcharges[2690]

15% of fine or forfeiture	SA
Yes[2691]	Yes, $90[2692]

[2670] Iowa Code § 709.8.
[2671] Iowa Code § 709.8(1)(a).
[2672] Iowa Code § 709.8(2)(a).
[2673] Iowa Code § 709.3.
[2674] Iowa Code § 709.3.
[2675] Iowa Code § 709.4.
[2676] Iowa Code § 709.8(1)(a), (b).
[2677] Iowa Code § 902.9(1)(d).
[2678] Iowa Code § 902.9(1)(d).
[2679] Iowa Code § 709.8.
[2680] Iowa Code § 229A.2(1).
[2681] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2682] *See* Iowa Code § 907.3; *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).
[2683] Iowa Code § 232.69.
[2684] Iowa Code § 907.3, unnum. para.
[2685] Iowa Code § 907.3(1)(a)(13).
[2686] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2687] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2688] Iowa Code § 232.69.
[2689] *See* Iowa Code § 907.3, unnum. para.
[2690] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2691] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2692] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2693]	Yes[2694] The offender shall be assessed a civil penalty of $250[2695]	No

Notes:

- Special Sentence for Life:[2696]
  - 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[2697]
  - 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,[2698] 905,[2699] 906,[2700] and 908[2701]

[2693] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2694] Iowa Code § 692A.102(1)(c)(12).
[2695] Iowa Code § 692A.110.
[2696] Iowa Code § 903B.1.
[2697] Iowa Code ch. 906.
[2698] Iowa Code ch. 901B.
[2699] Iowa Code ch. 905.
[2700] Iowa Code ch. 906.
[2701] Iowa Code ch. 908.

§ 709.8(1)(b)—Permitting or causing child to fondle or touch[2702]

Class = "C" felony[2703]

If violation of § 709.3[2704] is a second or subsequent offense involving any combination of violations of §§ 709.3,[2705] 709.4,[2706] or 709.8(1)(a) or (b),[2707] class = "A" felony, see Enhancements

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2708]	0[2709]	No, but see Enhancements ❖ Note: violation of § 709.8[2710] is a SPO[2711] and a SVO[2712]	Yes,[2713] except: ❖ not eligible if offender is a mandatory reporter of child abused under § 232.69[2714] *and* victim was under age 18[2715] ❖ not eligible for DJ if child was age 12 or younger[2716]

Fines

Max.	Min.	Can Suspend?
$13,660[2717]	$1370[2718]	Yes, unless offender is a mandatory reporter of child abuse under § 232.69[2719] *and* victim was under age 18[2720]

Surcharges[2721]

15% of fine or forfeiture	SA
Yes[2722]	Yes, $90[2723]

[2702] Iowa Code § 709.8(1)(b).
[2703] Iowa Code § 709.8(2)(a).
[2704] Iowa Code § 709.3.
[2705] Iowa Code § 709.3.
[2706] Iowa Code § 709.4.
[2707] Iowa Code § 709.8(1)(a), (b).
[2708] Iowa Code § 902.9(1)(d).
[2709] Iowa Code § 902.9(1)(d).
[2710] Iowa Code § 709.8.
[2711] Iowa Code § 229A.2(1).
[2712] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2713] *See* Iowa Code § 907.3; *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).
[2714] Iowa Code § 232.69.
[2715] Iowa Code § 907.3, unnum. para.
[2716] Iowa Code § 907.3 (1)(a)(13).
[2717] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2718] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2719] Iowa Code § 232.69.
[2720] *See* Iowa Code § 907.3, unnum. para.
[2721] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2722] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2723] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2724]	Yes[2725] The offender shall be assessed a civil penalty of $250[2726]	No

Notes:

- Special Sentence for Life:[2727]
  - 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[2728]
  - 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,[2729] 905,[2730] 906,[2731] and 908[2732]

[2724] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2725] Iowa Code § 692A.102(1)(c)(12).
[2726] Iowa Code § 692A.110.
[2727] Iowa Code § 903B.1.
[2728] Iowa Code ch. 906.
[2729] Iowa Code ch. 901B.
[2730] Iowa Code ch. 905.
[2731] Iowa Code ch. 906.
[2732] Iowa Code ch. 908.

§ 709.8(1)(c)—Causing touching of person's genitals to body of child[2733]

Class = "C" felony[2734]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2735]	0[2736]	No, but see Enhancements ❖ Note: violation of § 709.8[2737] is a SPO[2738] and a SVO[2739]	Yes,[2740] except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69[2741] *and* victim was under age 18[2742] ❖ for DJ if child was age 12 or younger[2743]

Fines

Max.	Min.	Can Suspend?
$13,660[2744]	$1370[2745]	Yes,[2746] unless offender is a mandatory reporter of child abuse under § 232.69[2747] *and* victim was under age 18[2748]

Surcharges[2749]

15% of fine or forfeiture	SA
Yes[2750]	Yes, $90[2751]

[2733] Iowa Code § 709.8(1)(c).
[2734] Iowa Code § 709.8(2)(a).
[2735] Iowa Code § 902.9(1)(d).
[2736] Iowa Code § 902.9(1)(d).
[2737] Iowa Code § 709.8.
[2738] Iowa Code § 229A.2(1).
[2739] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2740] *See* Iowa Code § 907.3; *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).
[2741] Iowa Code § 232.69.
[2742] Iowa Code § 907.3, unnum. para.
[2743] Iowa Code § 907.3(1)(a)(13).
[2744] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2745] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2746] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25 , 31 (Iowa 1999).
[2747] Iowa Code § 232.69.
[2748] *See* Iowa Code § 907.3, unnum. para.
[2749] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2750] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2751] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2752]	Yes[2753] The offender shall be assessed a civil penalty of $250[2754]	No

Notes:

- Special Sentence for Life:[2755]
  - 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[2756]
  - 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,[2757] 905,[2758] 906,[2759] and 908[2760]

[2752] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2753] Iowa Code § 692A.102(4); *see* § 229A.2(1)(a).
[2754] Iowa Code § 692A.110.
[2755] Iowa Code § 903B.1.
[2756] Iowa Code ch. 906.
[2757] Iowa Code ch. 901B.
[2758] Iowa Code ch. 905.
[2759] Iowa Code ch. 906.
[2760] Iowa Code ch. 908.

§ 709.8(1)(d)—Soliciting child to engage in sex act or person to arrange sex act with child[2761]

Class = "D" felony[2762]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2763]	0[2764]	No, but see Enhancements ❖ Note: violation of § 709.8[2765] is a SPO[2766] and a SVO[2767]	Yes,[2768] except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69[2769] *and* victim was under age 18[2770] ❖ for DJ if child was age 12 or younger[2771]

Fines

Max.	Min.	Can Suspend?
$10,245[2772]	$1025[2773]	Yes,[2774] unless offender is a mandatory reporter of child abuse under § 232.69[2775] *and* victim was under age 18[2776]

Surcharges[2777]

15% of fine or forfeiture	SA
Yes[2778]	Yes, $90[2779]

[2761] Iowa Code § 709.8(1)(d).
[2762] Iowa Code § 709.8(2)(b).
[2763] Iowa Code § 902.9(1)(e).
[2764] Iowa Code § 902.9(1)(e).
[2765] Iowa Code § 709.8.
[2766] Iowa Code § 229A.2(1).
[2767] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2768] *See* Iowa Code § 907.3; *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).
[2769] Iowa Code § 232.69.
[2770] Iowa Code § 907.3, unnum. para.
[2771] Iowa Code § 907.3(1)(a)(13).
[2772] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2773] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2774] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2775] Iowa Code § 232.69.
[2776] *See* Iowa Code § 907.3, unnum. para.
[2777] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2778] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2779] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2780]	Yes[2781] The offender shall be assessed a civil penalty of $250[2782]	No

Notes:

- Special Sentence for 10 years:[2783]
  - 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[2784]
  - 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,[2785] 905,[2786] 906,[2787] and 908[2788]

[2780] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2781] Iowa Code § 692A.102(1)(b)(1).
[2782] Iowa Code § 692A.110.
[2783] Iowa Code § 903B.2.
[2784] Iowa Code ch. 906.
[2785] Iowa Code ch. 901B.
[2786] Iowa Code ch. 905.
[2787] Iowa Code ch. 906.
[2788] Iowa Code ch. 908.

§ 709.8(1)(e)—Inflicting pain or discomfort upon child or permitting child to inflict pain or discomfort on person[2789]

Class = "D" felony[2790]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2791]	0[2792]	No, but see Enhancements ❖ Note: violation of § 709.8[2793] is a SPO[2794] and a SVO[2795]	Yes,[2796] except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69[2797] *and* victim was under age 18[2798] ❖ for DJ if child was age 12 or younger[2799]

Fines

Max.	Min.	Can Suspend?
$10,245[2800]	$1025[2801]	Yes,[2802] unless offender is a mandatory reporter of child abuse under § 232.69[2803] *and* victim was under age 18[2804]

Surcharges[2805]

15% of fine or forfeiture	SA
Yes[2806]	Yes, $90[2807]

[2789] Iowa Code § 709.8(1)(e).
[2790] Iowa Code § 709.8(2)(b).
[2791] Iowa Code § 902.9(1)(e).
[2792] Iowa Code § 902.9(1)(e).
[2793] Iowa Code § 709.8.
[2794] Iowa Code § 229A.2(1).
[2795] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2796] *See* Iowa Code § 907.3 ; *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).
[2797] Iowa Code § 232.69.
[2798] Iowa Code § 907.3, unnum. para.
[2799] Iowa Code § 907.3 (1)(a)(13).
[2800] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2801] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2802] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2803] Iowa Code § 232.69.
[2804] *See* Iowa Code § 907.3, unnum. para.
[2805] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2806] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2807] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2808]	Yes[2809] The offender shall be assessed a civil penalty of $250[2810]	No

Notes:

- Special Sentence for 10 years:[2811]
  - 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[2812]
  - 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,[2813] 905,[2814] 906,[2815] and 908[2816]

[2808] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2809] Iowa Code § 692A.102(1)(b)(1).
[2810] Iowa Code § 692A.110.
[2811] Iowa Code § 903B.2.
[2812] Iowa Code ch. 906.
[2813] Iowa Code ch. 901B.
[2814] Iowa Code ch. 905.
[2815] Iowa Code ch. 906.
[2816] Iowa Code ch. 908.

§ 709.9—Indecent Exposure—Masturbation[2817]

§ 709.9(1)—Exposing genital or pubic area or committing a sex act in front of another[2818]

Class = serious misdemeanor[2819]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[2820]	0[2821]	N/A, but violation of § 709.9[2822] is a SPO[2823] and a SVO,[2824] so see Enhancements	Yes,[2825] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[2826] *and* victim was under age 18[2827]

Fines

Max.	Min.	Can Suspend?
$2560[2828]	$430[2829]	No[2830]

Surcharges[2831]

15% of fine or forfeiture	SA
Yes[2832]	Yes, $90[2833]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2834]	Yes[2835] The offender shall be assessed a civil penalty of $250[2836]	No

[2817] Iowa Code § 709.9 (amended by 2020 Iowa Acts ch. 1039, § 1, effective 7/1/2020).
[2818] Iowa Code § 709.9(1) (amended by 2020 Iowa Acts ch. 1039, § 1, effective 7/1/2020).
[2819] Iowa Code § 709.9(1) (amended by 2020 Iowa Acts ch. 1039, § 1, effective 7/1/2020).
[2820] Iowa Code § 903.1(1)(b).
[2821] Iowa Code § 903.1(1)(b).
[2822] Iowa Code § 709.9 (amended by 2020 Iowa Acts ch. 1039, § 1, effective 7/1/2020).
[2823] Iowa Code § 229A.2(1).
[2824] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2825] *See* Iowa Code § 907.3.
[2826] Iowa Code § 232.69.
[2827] Iowa Code § 907.3, unnum. para 1.
[2828] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2829] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2830] Iowa Code § 903.1(1).
[2831] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2832] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2833] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[2834] Iowa Code § 81.2(6).
[2835] Iowa Code § 692A.102(1)(a)(5).
[2836] Iowa Code § 692A.110.

Notes:

- Special Sentence for 10 years:[2837]
  - 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[2838]
  - 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,[2839] 905,[2840] 906,[2841] and 908[2842]

[2837] Iowa Code § 903B.2.
[2838] Iowa Code ch. 906.
[2839] Iowa Code ch. 901B.
[2840] Iowa Code ch. 905.
[2841] Iowa Code ch. 906.
[2842] Iowa Code ch. 908.

§ 709.9(2)(a)—Masturbating in public in the presence of another[2843]

Class = serious misdemeanor[2844]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[2845]	0[2846]	N/A, but violation of § 709.9[2847] is a SPO[2848] and a SVO,[2849] so see Enhancements	Yes,[2850] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[2851] *and* victim was under age 18[2852]

Fines

Max.	Min.	Can Suspend?
$2560[2853]	$430[2854]	No[2855]

Surcharges[2856]

15% of fine or forfeiture	SA
Yes[2857]	Yes, $90[2858]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2859]	Yes[2860] The offender shall be assessed a civil penalty of $250[2861]	No

[2843] Iowa Code § 709.9(2)(a) (added by 2020 Iowa Acts ch. 1039, § 1, effective 7/1/2020).
[2844] Iowa Code § 709.9(2)(a) (added by 2020 Iowa Acts ch. 1039, § 1, effective 7/1/2020).
[2845] Iowa Code § 903.1(1)(b).
[2846] Iowa Code § 903.1(1)(b).
[2847] Iowa Code § 709.9 (amended by 2020 Iowa Acts ch. 1039, § 1, effective 7/1/2020).
[2848] Iowa Code § 229A.2(1).
[2849] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2850] *See* Iowa Code § 907.3.
[2851] Iowa Code § 232.69.
[2852] Iowa Code § 907.3, unnum. para 1.
[2853] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2854] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2855] Iowa Code § 903.1(1).
[2856] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2857] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2858] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[2859] Iowa Code § 81.2(6).
[2860] Iowa Code § 692A.102(1)(a)(5).
[2861] Iowa Code § 692A.110.

Notes:

- Special Sentence for 10 years:[2862]
  - 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[2863]
  - 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,[2864] 905,[2865] 906,[2866] and 908[2867]

[2862] Iowa Code § 903B.2.
[2863] Iowa Code ch. 906.
[2864] Iowa Code ch. 901B.
[2865] Iowa Code ch. 905.
[2866] Iowa Code ch. 906.
[2867] Iowa Code ch. 908.

§ 709.9(2)(b)—Masturbating in public in the presence of a child[2868]

Class = aggravated misdemeanor[2869]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 year[2870]	0[2871]	N/A, but violation of § 709.9[2872] is a SPO[2873] and a SVO,[2874] so see Enhancements	Yes,[2875] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[2876] *and* victim was under age 18[2877]

Fines

Max.	Min.	Can Suspend?
$ 8540[2878]	$ 855[2879]	No[2880]

Surcharges[2881]

15% of fine or forfeiture	SA
Yes[2882]	Yes, $90[2883]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2884]	Yes[2885] The offender shall be assessed a civil penalty of $250[2886]	No

[2868] Iowa Code § 709.9(2)(b) (added by 2020 Iowa Acts ch. 1039, § 1, effective 7/1/2020).
[2869] Iowa Code § 709.9(2)(b) (added by 2020 Iowa Acts ch. 1039, § 1, effective 7/1/2020).
[2870] Iowa Code § 903.1(2).
[2871] Iowa Code § 903.1(2).
[2872] Iowa Code § 709.9 (amended by 2020 Iowa Acts ch. 1039, § 1, effective 7/1/2020).
[2873] Iowa Code § 229A.2(1).
[2874] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2875] *See* Iowa Code § 907.3.
[2876] Iowa Code § 232.69.
[2877] Iowa Code § 907.3, unnum. para 1.
[2878] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2879] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2880] Iowa Code § 903.1(1).
[2881] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2882] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2883] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[2884] Iowa Code § 81.2(6).
[2885] Iowa Code § 692A.102(1)(a)(5).
[2886] Iowa Code § 692A.110.

Notes:

- Special Sentence for 10 years:[2887]
  - 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[2888]
  - 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,[2889] 905,[2890] 906,[2891] and 908[2892]

[2887] Iowa Code § 903B.2.
[2888] Iowa Code ch. 906.
[2889] Iowa Code ch. 901B.
[2890] Iowa Code ch. 905.
[2891] Iowa Code ch. 906.
[2892] Iowa Code ch. 908.

§ 709.11—Assault with Intent to Commit Sexual Abuse[2893]

§ 709.11(1)—Causing serious injury[2894]

Class = "C" felony[2895]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[2896]	0[2897]	No, but see Enhancements ❖ Note: violation of § 709.11[2898] is a SPO[2899] and a SVO[2900]	No,[2901] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[2902]	$1370[2903]	No,[2904] but see Under 18 Sentencing

Surcharges[2905]

15% of fine or forfeiture	SA
Yes[2906]	Yes, $90[2907]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2908]	Yes[2909] The offender shall be assessed a civil penalty of $250[2910]	No

[2893] Iowa Code § 709.11.
[2894] Iowa Code § 709.11(1).
[2895] Iowa Code § 709.11(1).
[2896] Iowa Code § 902.9(1)(d).
[2897] Iowa Code § 902.9(1)(d).
[2898] Iowa Code § 709.11.
[2899] Iowa Code § 229A.2(1).
[2900] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2901] *See* Iowa Code § 907.3, unnum. para.; *see also* § 702.11(1) (indicating felonious "assault" is a forcible felony).
[2902] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2903] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2904] *See* Iowa Code § 907.3, unnum. para.; *see also* § 702.11(1) (indicating felonious "assault" is a forcible felony).
[2905] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2906] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2907] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[2908] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2909] Iowa Code § 692A.102(1)(c) (15).
[2910] Iowa Code § 692A.110.

Notes:

- Special Sentence for Life:[2911]
  - 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[2912]
  - 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,[2913] 905,[2914] 906,[2915] and 908[2916]

[2911] Iowa Code § 903B.1.
[2912] Iowa Code ch. 906.
[2913] Iowa Code ch. 901B.
[2914] Iowa Code ch. 905.
[2915] Iowa Code ch. 906.
[2916] Iowa Code ch. 908.

§ 709.11(2)—Causing bodily injury[2917]

Class = "D" felony[2918]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[2919]	0[2920]	No, but see Enhancements ❖ Note: violation of § 709.11[2921] is a SPO[2922] and a SVO[2923]	No,[2924] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[2925]	$1025[2926]	No,[2927] but see Under 18 Sentencing

Surcharges[2928]

15% of fine or forfeiture	SA
Yes[2929]	Yes, $90[2930]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2931]	Yes[2932] The offender shall be assessed a civil penalty of $250[2933]	No

[2917] Iowa Code § 709.11(2).
[2918] Iowa Code § 709.11(2).
[2919] Iowa Code § 902.9(1)(e).
[2920] Iowa Code § 902.9(1)(e).
[2921] Iowa Code § 709.11.
[2922] Iowa Code § 229A.2(1).
[2923] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2924] *See* Iowa Code § 907.3, unnum. para.; *see also* § 702.11(1) (indicating felonious "assault" is a forcible felony).
[2925] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2926] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[2927] *See* Iowa Code § 907.3, unnum. para.; *see also* § 702.11(1) (indicating felonious "assault" is a forcible felony).
[2928] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2929] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2930] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[2931] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2932] Iowa Code § 692A.102(1)(c) (15).
[2933] Iowa Code § 692A.110.

Notes:

- Special Sentence for 10 years:[2934]
  - 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[2935]
  - 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,[2936] 905,[2937] 906,[2938] and 908[2939]

[2934] Iowa Code § 903B.2.
[2935] Iowa Code ch. 906.
[2936] Iowa Code ch. 901B.
[2937] Iowa Code ch. 905.
[2938] Iowa Code ch. 906.
[2939] Iowa Code ch. 908.

§ 709.11(3)—No injury results[2940]

Class = aggravated misdemeanor[2941]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[2942]	0[2943]	None, but violation of § 709.11[2944] is a SPO[2945] and a SVO,[2946] so see Enhancements	Yes,[2947] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[2948] *and* victim was under age 18[2949]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[2950]

Fines

Max.	Min.	Can Suspend?
$8540[2951]	$855[2952]	Yes,[2953] unless offender is a mandatory reporter of child abuse under § 232.69[2954] *and* victim was under age 18[2955]

Surcharges[2956]

15% of fine or forfeiture	SA
Yes[2957]	Yes, $90[2958]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2959]	Yes[2960] The offender shall be assessed a civil penalty of $250[2961]	No

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[2940] Iowa Code § 709.11(3).
[2941] Iowa Code § 709.11(3).
[2942] Iowa Code § 903.1(2).
[2943] Iowa Code § 903.1(2).
[2944] Iowa Code § 709.11.
[2945] Iowa Code § 229A.2(1).
[2946] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2947] *See* Iowa Code § 907.3.
[2948] Iowa Code § 232.69.
[2949] Iowa Code § 907.3, unnum. para.
[2950] Iowa Code § 903.1(2).
[2951] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2952] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2953] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2954] Iowa Code § 232.69.
[2955] Iowa Code § 907.3, unnum. para.
[2956] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2957] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2958] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[2959] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2960] Iowa Code § 692A.102(1)(b)(6).
[2961] Iowa Code § 692A.110.

Notes:

- Special Sentence for 10 years:[2962]
  - 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[2963]
  - 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,[2964] 905,[2965] 906,[2966] and 908[2967]

[2962] Iowa Code § 903B.2.
[2963] Iowa Code ch. 906.
[2964] Iowa Code ch. 901B.
[2965] Iowa Code ch. 905.
[2966] Iowa Code ch. 906.
[2967] Iowa Code ch. 908.

§ 709.12—Indecent Contact with a Child[2968]

Class = aggravated misdemeanor[2969]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[2970]	0[2971]	None, but violation of § 709.12 is a SPO[2972] and a SVO,[2973] so see Enhancements	Yes,[2974] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[2975] *and* victim was under age 18[2976]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[2977]

Fines

Max.	Min.	Can Suspend?
$8540[2978]	$855[2979]	Yes,[2980] unless offender is a mandatory reporter of child abused under § 232.69[2981] *and* victim was under age 18[2982]

Surcharges[2983]

15% of fine or forfeiture	SA
Yes[2984]	Yes, $90[2985]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[2986]	Yes[2987] The offender shall be assessed a civil penalty of $250[2988]	No

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[2968] Iowa Code § 709.12.
[2969] Iowa Code § 709.12(1).
[2970] Iowa Code § 903.1(2).
[2971] Iowa Code § 903.1(2).
[2972] Iowa Code § 229A.2(1).
[2973] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[2974] *See* Iowa Code § 907.3.
[2975] Iowa Code § 232.69.
[2976] Iowa Code § 907.3, unnum. para.
[2977] Iowa Code § 903.1(2).
[2978] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2979] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[2980] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[2981] Iowa Code § 232.69.
[2982] Iowa Code § 907.3, unnum. para.
[2983] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[2984] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[2985] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[2986] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[2987] Iowa Code § 692A.102(1)(b)(9), (c)(26).
[2988] Iowa Code § 692A.110.

Notes:

- Special Sentence for 10 years:[2989]
  - 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[2990]
  - 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,[2991] 905,[2992] 906,[2993] and 908[2994]

[2989] Iowa Code § 903B.2.
[2990] Iowa Code ch. 906.
[2991] Iowa Code ch. 901B.
[2992] Iowa Code ch. 905.
[2993] Iowa Code ch. 906.
[2994] Iowa Code ch. 908.

§ 709.14—Lascivious Conduct with a Minor[2995]

§ 709.14(1) (involving disrobing)[2996]

Class = serious misdemeanor[2997]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[2998]	0[2999]	N/A, but violation of § 709.14[3000] is a SPO[3001] and a SVO,[3002] so see Enhancements	Yes,[3003] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[3004] *and* victim was under age 18[3005]

Fines

Max.	Min.	Can Suspend?
$2560[3006]	$430[3007]	No[3008]

Surcharges[3009]

15% of fine or forfeiture	SA
Yes[3010]	Yes, $90[3011]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3012]	Yes[3013] The offender shall be assessed a civil penalty of $250[3014]	No

[2995] Iowa Code § 709.14 (2020).
[2996] Iowa Code § 709.14(1) (2020).
[2997] Iowa Code § 709.14(1)(b) (2020) (amended by 2019 Iowa Acts ch. 114, § 1, effective 7/1/2019).
[2998] Iowa Code § 903.1(1)(b).
[2999] Iowa Code § 903.1(1)(b).
[3000] Iowa Code § 709.14 (2020).
[3001] Iowa Code § 229A.2(1).
[3002] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3003] *See* Iowa Code § 907.3.
[3004] Iowa Code § 232.69.
[3005] Iowa Code § 907.3, unnum. para.
[3006] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3007] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3008] Iowa Code § 903.1(1).
[3009] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3010] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3011] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3012] Iowa Code §§ 81.2(6).
[3013] Iowa Code § 692A.102(1)(b)(10).
[3014] Iowa Code § 692A.110.

Notes:

- Special Sentence for 10 years:[3015]
  - 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[3016]
  - 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,[3017] 905,[3018] 906,[3019] and 908[3020]

[3015] Iowa Code § 903B.2.
[3016] Iowa Code ch. 906.
[3017] Iowa Code ch. 901B.
[3018] Iowa Code ch. 905.
[3019] Iowa Code ch. 906.
[3020] Iowa Code ch. 908.

§ 709.14(3) (specified fondling, touching, or soliciting)[3021]
Class = serious misdemeanor[3022]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[3023]	0[3024]	N/A, but violation of § 709.14[3025] is a SPO[3026] and a SVO,[3027] so see Enhancements	Yes,[3028] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[3029] *and* victim was under age 18[3030]

Fines

Max.	Min.	Can Suspend?
$2560[3031]	$430[3032]	No[3033]

Surcharges[3034]

15% of fine or forfeiture	SA
Yes[3035]	Yes, $90[3036]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3037]	Yes[3038] The offender shall be assessed a civil penalty of $250[3039]	No

[3021] Iowa Code § 709.14(3) (2020) (amended by 2019 Iowa Acts ch. 114, § 1, effective 7/1/2019).
[3022] Iowa Code § 709.14(3)(b) (2020) (amended by 2019 Iowa Acts ch. 114, § 1, effective 7/1/2019).
[3023] Iowa Code § 903.1(1)(b).
[3024] Iowa Code § 903.1(1)(b).
[3025] Iowa Code § 709.14 (2020).
[3026] Iowa Code § 229A.2(1).
[3027] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3028] *See* Iowa Code § 907.3.
[3029] Iowa Code § 232.69.
[3030] Iowa Code § 907.3, unnum. para.
[3031] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3032] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3033] Iowa Code § 903.1(1).
[3034] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3035] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3036] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3037] Iowa Code §§ 81.2(6).
[3038] Iowa Code § 692A.102(1)(b)(10).
[3039] Iowa Code § 692A.110.

Notes:

- Special Sentence for 10 years:[3040]
  - 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[3041]
  - 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,[3042] 905,[3043] 906,[3044] and 908[3045]

[3040] Iowa Code § 903B.2.
[3041] Iowa Code ch. 906.
[3042] Iowa Code ch. 901B.
[3043] Iowa Code ch. 905.
[3044] Iowa Code ch. 906.
[3045] Iowa Code ch. 908.

§ 709.14(4) (specified fondling, touching, soliciting, or inflicting pain)[3046]
Class = aggravated misdemeanor[3047]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 year[3048]	0[3049]	N/A, but violation of § 709.14[3050] is a SPO[3051] and a SVO,[3052] so see Enhancements	Yes,[3053] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[3054] *and* victim was under age 18[3055]

Fines

Max.	Min.	Can Suspend?
$8540[3056]	$855[3057]	Yes[3058]

Surcharges[3059]

15% of fine or forfeiture	SA
Yes[3060]	Yes, $90[3061]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3062]	Yes[3063] The offender shall be assessed a civil penalty of $250[3064]	No

[3046] Iowa Code § 709.14(4) (2020) (amended by 2019 Iowa Acts ch. 114, § 1, effective 7/1/2019).
[3047] Iowa Code § 709.14(4)(b) (2020) (amended by 2019 Iowa Acts ch. 114, § 1, effective 7/1/2019).
[3048] Iowa Code § 903.1(2).
[3049] Iowa Code § 903.1(2).
[3050] Iowa Code § 709.14 (2020).
[3051] Iowa Code § 229A.2(1).
[3052] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3053] *See* Iowa Code § 907.3.
[3054] Iowa Code § 232.69.
[3055] Iowa Code § 907.3, unnum. para.
[3056] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3057] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3058] Iowa Code § 903.1(2).
[3059] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3060] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3061] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3062] Iowa Code §§ 81.2(6).
[3063] Iowa Code § 692A.102(1)(b)(10).
[3064] Iowa Code § 692A.110.

Notes:

- Special Sentence for 10 years:[3065]
  - 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[3066]
  - 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,[3067] 905,[3068] 906,[3069] and 908[3070]

[3065] Iowa Code § 903B.2.
[3066] Iowa Code ch. 906.
[3067] Iowa Code ch. 901B.
[3068] Iowa Code ch. 905.
[3069] Iowa Code ch. 906.
[3070] Iowa Code ch. 908.

§ 709.15—Sexual Exploitation by a Counselor, Therapist, or School Employee[3071]

§ 709.15(2)(a)(1)—Counselor or Therapist: pattern, practice, or scheme of conduct to engage in sexual conduct[3072]

Class = "D" felony[3073]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3074]	0[3075]	No, but see Enhancements ❖ Note: violation of § 709.15[3076] is a SPO[3077] and a SVO[3078]	Yes,[3079] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[3080] *and* victim was under age 18[3081]

Fines

Max.	Min.	Can Suspend?
$10,245[3082]	$1025[3083]	Yes,[3084] unless offender is a mandatory reporter of child abused under § 232.69[3085] *and* victim was under age 18[3086]

Surcharges[3087]

15% of fine or forfeiture	SA
Yes[3088]	Yes, $90[3089]

[3071] Iowa Code § 709.15.
[3072] Iowa Code § 709.15(2)(a)(1).
[3073] Iowa Code § 709.15(4)(a).
[3074] Iowa Code § 902.9(1)(e).
[3075] Iowa Code § 902.9(1)(e).
[3076] Iowa Code § 709.15.
[3077] Iowa Code § 229A.2(1).
[3078] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3079] *See* Iowa Code § 907.3; *see also id.* § 702.11(2)(d) (indicating sexual exploitation by counselor, therapist, or school employee is not a forcible felony).
[3080] Iowa Code § 232.69.
[3081] Iowa Code § 907.3, unnum. para.
[3082] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3083] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3084] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3085] Iowa Code § 232.69.
[3086] Iowa Code § 907.3, unnum. para.
[3087] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3088] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3089] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3090]	Yes[3091] The offender shall be assessed a civil penalty of $250[3092]	No

Notes:

- Special Sentence for 10 years:[3093]
  - 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[3094]
  - 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,[3095] 905,[3096] 906,[3097] and 908[3098]

[3090] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3091] Iowa Code § 692A.102(1)(b)(11), (c)(27).
[3092] Iowa Code § 692A.110.
[3093] Iowa Code § 903B.2.
[3094] Iowa Code ch. 906.
[3095] Iowa Code ch. 901B.
[3096] Iowa Code ch. 905.
[3097] Iowa Code ch. 906.
[3098] Iowa Code ch. 908.

§ 709.15(2)(a)(2)—Counselor or Therapist: sexual conduct with emotionally dependent current or former patient or client[3099]

Class = aggravated misdemeanor[3100]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[3101]	0[3102]	None, but violation of § 709.15[3103] is a SPO[3104] and a SVO,[3105] so see Enhancements	Yes,[3106] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[3107] *and* victim was under age 18[3108]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[3109]

Fines

Max.	Min.	Can Suspend?
$8540[3110]	$855[3111]	Yes,[3112] unless offender is a mandatory reporter of child abused under § 232.69[3113] *and* victim was under age 18[3114]

Surcharges[3115]

15% of fine or forfeiture	SA
Yes[3116]	Yes, $90[3117]

[3099] Iowa Code § 709.15(2)(a)(2).
[3100] Iowa Code § 709.15(4)(b).
[3101] Iowa Code § 903.1(2).
[3102] Iowa Code § 903.1(2).
[3103] Iowa Code § 709.15.
[3104] Iowa Code § 229A.2(1).
[3105] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3106] *See* Iowa Code § 907.3.
[3107] Iowa Code § 232.69.
[3108] Iowa Code § 907.3, unnum. para.
[3109] Iowa Code § 903.1(2).
[3110] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3111] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3112] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3113] Iowa Code § 232.69.
[3114] Iowa Code § 907.3, unnum. para.
[3115] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3116] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3117] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3118]	Yes[3119] The offender shall be assessed a civil penalty of $250[3120]	No

Notes:

- Special Sentence for 10 years:[3121]
  - 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[3122]
  - 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,[3123] 905,[3124] 906,[3125] and 908[3126]

[3118] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3119] Iowa Code § 692A.102(1)(b)(11), (c)(27).
[3120] Iowa Code § 692A.110.
[3121] Iowa Code § 903B.2.
[3122] Iowa Code ch. 906.
[3123] Iowa Code ch. 901B.
[3124] Iowa Code ch. 905.
[3125] Iowa Code ch. 906.
[3126] Iowa Code ch. 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[3127]

Class = serious misdemeanor[3128]

- Alternative sentencing:
  - May require offender to attend sexual abuser treatment program in lieu of the sentence provided in § 903.1(1)(b)[3129]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[3130]	0[3131]	N/A, but violation of § 709.15[3132] is a SPO[3133] and a SVO,[3134] so see Enhancements	Yes,[3135] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[3136] *and* victim was under age 18[3137]

Fines

Max.	Min.	Can Suspend?
$2560[3138]	$430[3139]	No[3140]

Surcharges[3141]

15% of fine or forfeiture	SA
Yes[3142]	Yes, $90[3143]

[3127] Iowa Code § 709.15(2)(a)(3).
[3128] Iowa Code § 709.15(4)(c).
[3129] Iowa Code §§ 903.1(1)(b), 709.15(4)(c).
[3130] Iowa Code § 903.1(1)(b).
[3131] Iowa Code § 903.1(1)(b).
[3132] Iowa Code § 709.15.
[3133] Iowa Code § 229A.2(1).
[3134] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3135] *See* Iowa Code § 907.3.
[3136] Iowa Code § 232.69.
[3137] Iowa Code § 907.3, unnum. para.
[3138] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3139] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3140] Iowa Code § 903.1(1).
[3141] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3142] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3143] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3144]	Yes[3145] The offender shall be assessed a civil penalty of $250[3146]	No

Notes:

- Special Sentence for 10 years:[3147]
  - 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[3148]
  - 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,[3149] 905,[3150] 906,[3151] and 908[3152]

[3144] Iowa Code § 81.2(6).
[3145] Iowa Code § 692A.102(1)(b)(11), (c)(27).
[3146] Iowa Code § 692A.110.
[3147] Iowa Code § 903B.2.
[3148] Iowa Code ch. 906.
[3149] Iowa Code ch. 901B.
[3150] Iowa Code ch. 905.
[3151] Iowa Code ch. 906.
[3152] Iowa Code ch. 908.

§ 709.15(3)(a)(1)—School Employee: pattern, practice, or scheme of conduct to engage in sexual conduct with student[3153]

Class = "D" felony[3154]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3155]	0[3156]	No, but see Enhancements ❖ Note: violation of § 709.15[3157] is a SPO[3158] and a SVO[3159]	Yes,[3160] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[3161] *and* victim was under age 18[3162]

Fines

Max.	Min.	Can Suspend?
$10,245[3163]	$1025[3164]	Yes,[3165] unless offender is a mandatory reporter of child abused under § 232.69[3166] *and* victim was under age 18[3167]

Surcharges[3168]

15% of fine or forfeiture	SA
Yes[3169]	Yes, $90[3170]

[3153] Iowa Code § 709.15(3)(a)(1).
[3154] Iowa Code § 709.15(5)(a).
[3155] Iowa Code § 902.9(1)(e).
[3156] Iowa Code § 902.9(1)(e).
[3157] Iowa Code § 709.15.
[3158] Iowa Code § 229A.2(1).
[3159] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3160] *See* Iowa Code § 907.3; *see also id.* § 702.11(2)(d) (indicating sexual exploitation by counselor, therapist, or school employee is not a forcible felony).
[3161] Iowa Code § 232.69.
[3162] Iowa Code § 907.3, unnum. para.
[3163] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3164] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3165] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3166] Iowa Code § 232.69.
[3167] Iowa Code § 907.3, unnum. para.
[3168] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3169] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3170] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3171]	Yes[3172] The offender shall be assessed a civil penalty of $250[3173]	No

Notes:

- Special Sentence for 10 years:[3174]
  - 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[3175]
  - 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,[3176] 905,[3177] 906,[3178] and 908[3179]

[3171] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3172] Iowa Code § 692A.102(1)(b)(11), (c)(27).
[3173] Iowa Code § 692A.110.
[3174] Iowa Code § 903B.2.
[3175] Iowa Code ch. 906.
[3176] Iowa Code ch. 901B.
[3177] Iowa Code ch. 905.
[3178] Iowa Code ch. 906.
[3179] Iowa Code ch. 908.

§ 709.15(3)(a)(2)—School Employee: sexual conduct with student[3180]

Class = aggravated misdemeanor[3181]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[3182]	0[3183]	None, but violation of § 709.15[3184] is a SPO[3185] and a SVO,[3186] so see Enhancements	Yes,[3187] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[3188] *and* victim was under age 18[3189]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[3190]

Fines

Max.	Min.	Can Suspend?
$8540[3191]	$855[3192]	Yes,[3193] unless offender is a mandatory reporter of child abused under § 232.69[3194] *and* victim was under age 18[3195]

Surcharges[3196]

15% of fine or forfeiture	SA
Yes[3197]	Yes, $90[3198]

[3180] Iowa Code § 709.15(3)(a)(2).
[3181] Iowa Code § 709.15(5)(b).
[3182] Iowa Code § 903.1(2).
[3183] Iowa Code § 903.1(2).
[3184] Iowa Code § 709.15.
[3185] Iowa Code § 229A.2(1).
[3186] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3187] *See* Iowa Code § 907.3.
[3188] Iowa Code § 232.69.
[3189] Iowa Code § 907.3, unnum. para.
[3190] Iowa Code § 903.1(2).
[3191] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3192] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3193] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3194] Iowa Code § 232.69.
[3195] Iowa Code § 907.3, unnum. para.
[3196] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3197] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3198] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3199]	Yes[3200] The offender shall be assessed a civil penalty of $250[3201]	No

Notes:

- Special Sentence for 10 years:[3202]
  - 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[3203]
  - 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,[3204] 905,[3205] 906,[3206] and 908[3207]

[3199] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3200] Iowa Code § 692A.102(1)(b)(11), (c)(27).
[3201] Iowa Code § 692A.110.
[3202] Iowa Code § 903B.2.
[3203] Iowa Code ch. 906.
[3204] Iowa Code ch. 901B.
[3205] Iowa Code ch. 905.
[3206] Iowa Code ch. 906.
[3207] Iowa Code ch. 908.

§ 709.16—Sexual Misconduct with Offenders and Juveniles[3208]

§ 709.16(1)—Engaging in sex act with person committed to custody of the department of corrections or judicial district department of corrections services[3209]

Class = aggravated misdemeanor[3210]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[3211]	0[3212]	None, but violation of § 709.16[3213] is a SPO[3214] and a SVO,[3215] so see Enhancements	Yes,[3216] except not eligible if offender is a mandatory reporter of child abuse under § 232.69[3217] *and* victim was under age 18[3218]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[3219]

Fines

Max.	Min.	Can Suspend?
$8540[3220]	$855[3221]	Yes,[3222] offender is a mandatory reporter of child abused under § 232.69[3223] *and* victim was under age 18[3224]

Surcharges[3225]

15% of fine or forfeiture	SA
Yes[3226]	Yes, $90[3227]

[3208] Iowa Code § 709.16.
[3209] Iowa Code § 709.16(1).
[3210] Iowa Code § 709.16(1).
[3211] Iowa Code § 903.1(2).
[3212] Iowa Code § 903.1(2).
[3213] Iowa Code § 709.16.
[3214] Iowa Code § 229A.2(1).
[3215] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3216] *See* Iowa Code § 907.3
[3217] Iowa Code § 232.69.
[3218] Iowa Code § 907.3, unnum. para.
[3219] Iowa Code § 903.1(2).
[3220] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3221] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3222] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3223] Iowa Code § 232.69.
[3224] Iowa Code § 907.3, unnum. para.
[3225] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3226] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3227] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3228]	Yes[3229] The offender shall be assessed a civil penalty of $250[3230]	No

Notes:

- Special Sentence for 10 years:[3231]
  - 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[3232]
  - 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,[3233] 905,[3234] 906,[3235] and 908[3236]

[3228] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3229] Iowa Code § 692A.102(1)(b)(12), (c)(28).
[3230] Iowa Code § 692A.110.
[3231] Iowa Code § 903B.2.
[3232] Iowa Code ch. 906.
[3233] Iowa Code ch. 901B.
[3234] Iowa Code ch. 905.
[3235] Iowa Code ch. 906.
[3236] Iowa Code ch. 908.

§ 709.16(2)—Engaging in sex act with juvenile placed at juvenile placement facility[3237]

Class = aggravated misdemeanor[3238]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[3239]	0[3240]	None, but violation of § 709.16[3241] is a SPO[3242] and a SVO,[3243] so see Enhancements	Yes,[3244] unless offender is a mandatory reporter of child abuse under § 232.69[3245] *and* victim was under age 18[3246]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[3247]

Fines

Max.	Min.	Can Suspend?
$8540[3248]	$855[3249]	Yes,[3250] unless offender is a mandatory reporter of child abused under § 232.69[3251] *and* victim was under age 18[3252]

Surcharges[3253]

15% of fine or forfeiture	SA
Yes[3254]	Yes, $90[3255]

[3237] Iowa Code § 709.16.
[3238] Iowa Code § 709.16(2)(a).
[3239] Iowa Code § 903.1(2).
[3240] Iowa Code § 903.1(2).
[3241] Iowa Code § 709.16.
[3242] Iowa Code § 229A.2(1).
[3243] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3244] *See* Iowa Code § 907.3.
[3245] Iowa Code § 232.69.
[3246] Iowa Code § 907.3, unnum. para.
[3247] Iowa Code § 903.1(2).
[3248] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3249] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3250] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3251] Iowa Code § 232.69.
[3252] Iowa Code § 907.3, unnum. para.
[3253] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3254] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3255] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3256]	Yes[3257] The offender shall be assessed a civil penalty of $250[3258]	No

Notes:

- Special Sentence for 10 years:[3259]
  - 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[3260]
  - 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,[3261] 905,[3262] 906,[3263] and 908[3264]

[3256] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3257] Iowa Code § 692A.102(1)(b)(12), (c)(28).
[3258] Iowa Code § 692A.110.
[3259] Iowa Code § 903B.2.
[3260] Iowa Code ch. 906.
[3261] Iowa Code ch. 901B.
[3262] Iowa Code ch. 905.
[3263] Iowa Code ch. 906.
[3264] Iowa Code ch. 908.

§ 709.16(3)—Engaging in sex act with prisoner incarcerated in county jail[3265]

Class = aggravated misdemeanor[3266]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[3267]	0[3268]	None, but violation of § 709.16[3269] is a SPO[3270] and a SVO,[3271] so see Enhancements	Yes,[3272] unless offender is a mandatory reporter of child abuse under § 232.69[3273] *and* victim was under age 18[3274]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[3275]

Fines

Max.	Min.	Can Suspend?
$8540[3276]	$855[3277]	Yes,[3278] unless offender is a mandatory reporter of child abused under § 232.69[3279] *and* victim was under age 18[3280]

Surcharges[3281]

15% of fine or forfeiture	SA
Yes[3282]	Yes, $90[3283]

[3265] Iowa Code § 709.16(3).
[3266] Iowa Code § 709.16(3).
[3267] Iowa Code § 903.1(2).
[3268] Iowa Code § 903.1(2).
[3269] Iowa Code § 709.16.
[3270] Iowa Code § 229A.2(1).
[3271] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3272] *See* Iowa Code § 907.3.
[3273] Iowa Code § 232.69.
[3274] Iowa Code § 907.3, unnum. para.
[3275] Iowa Code § 903.1(2).
[3276] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3277] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3278] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3279] Iowa Code § 232.69.
[3280] Iowa Code § 907.3, unnum. para.
[3281] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3282] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3283] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3284]	Yes[3285] The offender shall be assessed a civil penalty of $250[3286]	No

Notes:

- Special Sentence for 10 years:[3287]
  - 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[3288]
  - 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,[3289] 905,[3290] 906,[3291] and 908[3292]

[3284] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3285] Iowa Code § 692A.102(1)(b)(12), (c)(28).
[3286] Iowa Code § 692A.110.
[3287] Iowa Code § 903B.2.
[3288] Iowa Code ch. 906.
[3289] Iowa Code ch. 901B.
[3290] Iowa Code ch. 905.
[3291] Iowa Code ch. 906.
[3292] Iowa Code ch. 908.

§ 709.18—Sexual Abuse of a Corpse[3293]

Class = "D" felony[3294]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3295]	0[3296]	No, but see Enhancements ❖ Note: violation of § 709.18[3297] is a SPO[3298] and a SVO[3299]	No,[3300] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[3301]	$1025[3302]	No,[3303] but see Under 18 Sentencing

Surcharges[3304]

15% of fine or forfeiture	SA
Yes[3305]	Yes, $90[3306]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3307]	Yes[3308] The offender shall be assessed a civil penalty of $250[3309]	No

[3293] Iowa Code § 709.18.
[3294] Iowa Code § 709.18(2).
[3295] Iowa Code § 902.9(1)(e).
[3296] Iowa Code § 902.9(1)(e).
[3297] Iowa Code § 709.18.
[3298] Iowa Code § 229A.2(1).
[3299] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3300] Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious "sexual abuse" as a forcible felony).
[3301] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3302] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3303] Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious "sexual abuse" as a forcible felony).
[3304] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3305] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3306] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3307] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3308] Iowa Code § 692A.102(1)(b)(13).
[3309] Iowa Code § 692A.110.

Notes:

- Special Sentence for 10 years:[3310]
  - 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[3311]
  - 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,[3312] 905,[3313] 906,[3314] and 908[3315]

[3310] Iowa Code § 903B.2.
[3311] Iowa Code ch. 906.
[3312] Iowa Code ch. 901B.
[3313] Iowa Code ch. 905.
[3314] Iowa Code ch. 906.
[3315] Iowa Code ch. 908.

§ 709.21—Invasion of Privacy[3316]

Class = aggravated misdemeanor[3317]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[3318]	0[3319]	None, but violation of § 709.21[3320] is a SPO[3321] and a SVO,[3322] so see Enhancements	Yes,[3323] unless offender is a mandatory reporter of child abused under § 232.69[3324] *and* victim was under age 18[3325]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[3326]

Fines

Max.	Min.	Can Suspend?
$8540[3327]	$855[3328]	Yes,[3329] unless offender is a mandatory reporter of child abused under § 232.69[3330] *and* victim was under age 18[3331]

Surcharges[3332]

15% of fine or forfeiture	SA
Yes[3333]	Yes, $90[3334]

[3316] Iowa Code § 709.21.
[3317] Iowa Code § 709.21(3).
[3318] Iowa Code § 903.1(2).
[3319] Iowa Code § 903.1(2).
[3320] Iowa Code § 709.21.
[3321] Iowa Code § 229A.2(1).
[3322] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3323] *See* Iowa Code § 907.3.
[3324] Iowa Code § 232.69.
[3325] Iowa Code § 907.3, unnum. para.
[3326] Iowa Code § 903.1(2).
[3327] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3328] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3329] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3330] Iowa Code § 232.69.
[3331] Iowa Code § 907.3, unnum. para.
[3332] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3333] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3334] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3335]	Yes[3336] The offender shall be assessed a civil penalty of $250[3337]	No

Notes:

- Special Sentence for 10 years:[3338]
  - 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[3339]
  - 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,[3340] 905,[3341] 906,[3342] and 908[3343]

[3335] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3336] Iowa Code § 692A.102(1)(b)(7).
[3337] Iowa Code § 692A.110.
[3338] Iowa Code § 903B.2.
[3339] Iowa Code ch. 906.
[3340] Iowa Code ch. 901B.
[3341] Iowa Code ch. 905.
[3342] Iowa Code ch. 906.
[3343] Iowa Code ch. 908.

§ 709.23—Continuous Sexual Abuse of a Child[3344]

Class = "B" felony[3345]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years[3346]	0[3347]	No, but see Enhancements ❖ Note: violation of § 709.23 is a SPO[3348] and a SVO[3349]	No,[3350] but see Under 18 Sentencing

Fines[3351]—N/A

Surcharges[3352]

SA
Yes, $90[3353]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3354]	Yes[3355] The offender shall be assessed a civil penalty of $250[3356]	No

Notes:

- ❖ Special Sentence for Life:[3357]
  - ➢ 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[3358]
  - ➢ 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

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[3344] Iowa Code § 709.23 (added by 2020 Iowa Acts ch. 1115, § 4, effective 7/1/2020).
[3345] Iowa Code § 709.23(2) (added by 2020 Iowa Acts ch. 1115, § 4, effective 7/1/2020).
[3346] Iowa Code § 709.23(2) (added by 2020 Iowa Acts ch. 1115, § 4, effective 7/1/2020).
[3347] Iowa Code § 902.9(1)(b).
[3348] Iowa Code § 229A.2(1).
[3349] Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).
[3350] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "sexual abuse" as a forcible felony).
[3351] *See* Iowa Code § 902.9(1)(b).
[3352] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3353] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3354] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3355] Iowa Code § 692A.102(1)(c)(013) (added by 2020 Iowa Acts ch. 1115, § 3, effective 7/1/2020).
[3356] Iowa Code § 692A.110.
[3357] Iowa Code § 903B.1.
[3358] Iowa Code ch. 906.

- Terms and conditions of the special sentence are subject to procedures in chapters 901B,[3359] 905,[3360] 906,[3361] and 908[3362]

[3359] Iowa Code ch. 901B.
[3360] Iowa Code ch. 905.
[3361] Iowa Code ch. 906.
[3362] Iowa Code ch. 908.

CH. 709A CONTRIBUTING TO JUVENILE DELINQUENCY

§ 709A.6(2)—Using a Juvenile to Commit Certain Offenses[3363]

Class = "C" felony[3364]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3365]	0[3366]	No, but see Enhancements	Yes,[3367] see also Notes

Fines

Max.	Min.	Can Suspend?
$13,660[3368]	$1370[3369]	Yes[3370]

Surcharges[3371]

15% of fine or forfeiture
Yes[3372]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3373]	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,"[3374] however, it is unclear if § 709A.3 refers to a violation of § 709A.6[3375] as § 709A.3 begins "Upon said conviction being had,"[3376] which arguably refers to violation of § 709A.1[3377] (punished via § 709A.2),[3378] not a violation of § 709A.6.

[3363] Iowa Code § 709A.6(2).
[3364] Iowa Code § 709A.6(2).
[3365] Iowa Code § 902.9(1)(d).
[3366] Iowa Code § 902.9(1)(d).
[3367] *See* Iowa Code § 907.3.
[3368] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3369] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3370] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3371] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3372] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3373] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3374] Iowa Code § 709A.3.
[3375] Iowa Code § 709A.6.
[3376] Iowa Code § 709A.3.
[3377] Iowa Code § 709A.1.
[3378] Iowa Code § 709A.2.

CH. 709D TRANSMISSION OF CONTAGIOUS DISEASE

§ 709D.3(1)—Successful Intentional Transmission[3379]

Class = "B" felony[3380]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[3381]	0[3382]	No, but see Enhancements	Yes[3383]

Fines[3384]—N/A

Surcharges[3385]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3386]	No	No

Notes:

[3379] Iowa Code § 709D.3(1).
[3380] Iowa Code § 709D.3(1).
[3381] Iowa Code § 902.9(1)(b).
[3382] Iowa Code § 902.9(1)(b).
[3383] *See* Iowa Code § 907.3.
[3384] *See* Iowa Code § 902.9(1)(b).
[3385] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3386] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 709D.3(2)—Unsuccessful Attempted Intentional Transmission[3387]

Class = "D" felony[3388]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3389]	0[3390]	No, but see Enhancements	Yes[3391]

Fines

Max.	Min.	Can Suspend?
$10,245[3392]	$1025[3393]	Yes[3394]

Surcharges[3395]

15% of fine or forfeiture
Yes[3396]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3397]	No	No

Notes:

[3387] Iowa Code § 709D.3(2).
[3388] Iowa Code § 709D.3(2).
[3389] Iowa Code § 902.9(1)(e).
[3390] Iowa Code § 902.9(1)(e).
[3391] *See* Iowa Code § 907.3.
[3392] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3393] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3394] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3395] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3396] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3397] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 709D.3(3)—Reckless Exposure Resulting in Transmission[3398]

Class = "D" felony[3399]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3400]	0[3401]	No, but see Enhancements	Yes[3402]

Fines

Max.	Min.	Can Suspend?
$10,245[3403]	$1025[3404]	Yes[3405]

Surcharges[3406]

15% of fine or forfeiture
Yes[3407]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3408]	No	No

Notes:

[3398] Iowa Code § 709D.3(3).
[3399] Iowa Code § 709D.3(3).
[3400] Iowa Code § 902.9(1)(e).
[3401] Iowa Code § 902.9(1)(e).
[3402] *See* Iowa Code § 907.3.
[3403] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3404] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3405] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3406] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3407] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3408] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 709D.3(4)—Reckless Exposure Not Resulting in Transmission[3409]

Class = serious misdemeanor[3410]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[3411]	0[3412]	N/A	Yes[3413]

Fines

Max.	Min.	Can Suspend?
$2560[3414]	$430[3415]	No[3416]

Surcharges[3417]

15% of fine or forfeiture
Yes[3418]

Miscellaneous

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

Notes:

[3409] Iowa Code § 709D.3(4).
[3410] Iowa Code § 709D.3(4).
[3411] Iowa Code § 903.1(1)(b).
[3412] Iowa Code § 903.1(1)(b).
[3413] See Iowa Code § 907.3.
[3414] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3415] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3416] Iowa Code § 903.1(1).
[3417] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3418] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

CH. 710 KIDNAPPING AND RELATED OFFENSES

§ 710.2—First-Degree Kidnapping[3419]

Class = "A" felony[3420]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, but see Under 18 Sentencing[3421]	Life,[3422] but see Under 18 Sentencing	Not eligible[3423] But see Under 18 Sentencing ❖ Note: kidnapping as defined in § 710.1[3424] can be a SVO,[3425] so see Enhancements	No,[3426] but see Under 18 Sentencing

Fines[3427]—N/A

Surcharges[3428]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3429]	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."[3430]
- 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 motivated[3431]
  - if kidnapping involved sexual abuse as defined in § 709.1 was committed during offense[3432]
  - kidnapping was of a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated[3433]
  - If yes, the offender shall be assessed a civil penalty of $250[3434]

[3419] Iowa Code § 710.2.
[3420] Iowa Code § 710.2, unnum. para. 2.
[3421] Iowa Code § 902.1(1).
[3422] Iowa Code § 902.1(1).
[3423] Iowa Code § 902.1(1).
[3424] Iowa Code § 710.1.
[3425] Iowa Code § 229A.2(11)(b)(2); *see id.* § 229A.2(3) (noting the definition of sexually violent offense is the same as in § 229A.2).
[3426] *See* Iowa Code § 902.1(1).
[3427] *See* Iowa Code § 902.1(1).
[3428] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3429] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3430] Iowa Code §§ 692A.126, 710.2.
[3431] Iowa Code § 692A.102(1)(b)(14).
[3432] Iowa Code § 692A.102(1)(c)(13).
[3433] Iowa Code § 692A.102(1)(c)(14).
[3434] Iowa Code § 692A.110.

§ 710.3—Second-Degree Kidnapping[3435]

Class = "B" felony[3436]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[3437]	0[3438]	Not eligible until has served 70% of max. term of sentence[3439] See also Enhancements ❖ Note: kidnapping as defined in § 710.1[3440] can be a SVO[3441]	No,[3442] but see Under 18 Sentencing

Fines[3443]—N/A

Surcharges[3444]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3445]	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."[3446]
- 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 motivated[3447]
  - kidnapping was of a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated[3448]
  - If yes, the offender shall be assessed a civil penalty of $250[3449]

[3435] Iowa Code § 710.3.
[3436] Iowa Code § 710.3, unnum. para. 1.
[3437] Iowa Code § 902.9(1)(b).
[3438] Iowa Code § 902.9(1)(b).
[3439] Iowa Code § 902.12(1)(d).
[3440] Iowa Code § 710.1.
[3441] Iowa Code § 229A.2(11)(b)(2); *see id.* § 229A.2(3) (noting the definition of sexually violent offense is the same as in § 229A.2).
[3442] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "kidnapping" as a forcible felony).
[3443] *See* Iowa Code § 902.9(1)(b).
[3444] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3445] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3446] Iowa Code §§ 692A.126, 710.3(2).
[3447] Iowa Code § 692A.102(1)(b)(14).
[3448] Iowa Code § 692A.102(1)(c)(14).
[3449] Iowa Code § 692A.110.

§ 710.4—Third-Degree Kidnapping[3450]

Class = "C" felony[3451]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3452]	0[3453]	No, but see Enhancements ❖ Note: kidnapping as defined in § 710.1[3454] can be a SVO[3455]	No,[3456] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[3457]	$1370[3458]	No,[3459] but see Under 18 Sentencing

Surcharges[3460]

15% of fine or forfeiture
Yes[3461]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3462]	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."[3463]
  - 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 motivated[3464]

[3450] Iowa Code § 710.4.
[3451] Iowa Code § 710.4, unnum. para. 1.
[3452] Iowa Code § 902.9(1)(d).
[3453] Iowa Code § 902.9(1)(d).
[3454] Iowa Code § 710.1.
[3455] Iowa Code § 229A.2(11)(b)(2); *see id.* § 229A.2(3) (noting the definition of sexually violent offense is the same as in § 229A.2).
[3456] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "kidnapping" as a forcible felony).
[3457] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3458] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3459] Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious "kidnapping" as a forcible felony).
[3460] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3461] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3462] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3463] Iowa Code §§ 692A.126, 710.4, unnum. para. 2.
[3464] Iowa Code § 692A.102(1)(b)(14).

- kidnapping was of a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated[3465]
- If yes, the offender shall be assessed a civil penalty of $250[3466]

[3465] Iowa Code § 692A.102(1)(c)(14).
[3466] Iowa Code § 692A.110.

§ 710.5—Child Stealing[3467]

Class = "C" felony[3468]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3469]	0[3470]	No, but see Enhancements	Yes[3471]

Fines

Max.	Min.	Can Suspend?
$13,660[3472]	$1370[3473]	Yes[3474]

Surcharges[3475]

15% of fine or forfeiture
Yes[3476]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3477]	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."[3478]
  - Must register if:
    - fact finder determines offense was sexually motivated pursuant to § 692A.126[3479]
    - If yes, the offender shall be assessed a civil penalty of $250[3480]

[3467] Iowa Code § 710.5
[3468] Iowa Code § 710.5(2).
[3469] Iowa Code § 902.9(1)(d).
[3470] Iowa Code § 902.9(1)(d).
[3471] *See* Iowa Code § 907.3.
[3472] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3473] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3474] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3475] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3476] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3477] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3478] Iowa Code §§ 692A.126, 710.5(3).
[3479] Iowa Code § 692A.102(1)(c)(29).
[3480] Iowa Code § 692A.110.

§ 710.6—Violating Custodial Order[3481]

§ 710.6, unnum. para. 1—Violation as a relative of the child[3482]

Class = "D" felony[3483]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3484]	0[3485]	No, but see Enhancements	Yes[3486]

Fines

Max.	Min.	Can Suspend?
$10,245[3487]	$1025[3488]	Yes[3489]

Surcharges[3490]

15% of fine or forfeiture
Yes[3491]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3492]	No	No

Notes:

[3481] Iowa Code § 710.6.
[3482] Iowa Code § 710.6, unnum. para. 1.
[3483] Iowa Code § 710.6, unnum. para. 1.
[3484] Iowa Code § 902.9(1)(e).
[3485] Iowa Code § 902.9(1)(e).
[3486] *See* Iowa Code § 907.3.
[3487] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3488] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3489] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3490] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3491] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3492] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 710.6, unnum. para. 2—Violation as a parent of the child[3493]

Class = serious misdemeanor[3494]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[3495]	0[3496]	N/A	Yes[3497]

Fines

Max.	Min.	Can Suspend?
$2560[3498]	$430[3499]	No[3500]

Surcharges[3501]

15% of fine or forfeiture
Yes[3502]

Miscellaneous

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

Notes:

[3493] Iowa Code § 710.6, unnum. para. 2.
[3494] Iowa Code § 710.6, unnum. para. 2.
[3495] Iowa Code § 903.1(1)(b).
[3496] Iowa Code § 903.1(1)(b).
[3497] *See* Iowa Code § 907.3.
[3498] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3499] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3500] Iowa Code § 903.1(1).
[3501] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3502] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 710.7—False Imprisonment[3503]

Class = serious misdemeanor[3504]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[3505]	0[3506]	N/A	Yes[3507]

Fines

Max.	Min.	Can Suspend?
$2560[3508]	$430[3509]	No[3510]

Surcharges[3511]

15% of fine or forfeiture
Yes[3512]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes, if required to register for Sex Registry[3513]	Yes,[3514] except if committed by a parent[3515] If yes, the offender shall be assessed a civil penalty of $250[3516]	No

Notes:

[3503] Iowa Code § 710.7.
[3504] Iowa Code § 710.7.
[3505] Iowa Code § 903.1(1)(b).
[3506] Iowa Code § 903.1(1)(b).
[3507] *See* Iowa Code § 907.3.
[3508] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3509] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3510] Iowa Code § 903.1(1).
[3511] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3512] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3513] Iowa Code § 81.2(6).
[3514] Iowa Code § 692A.102(1)(b)(5).
[3515] Iowa Code § 692A.102(1)(b)(5).
[3516] Iowa Code § 692A.110.

§ 710.8—Harboring a Runaway Child[3517]

Class = aggravated misdemeanor[3518]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
2 years[3519]	0[3520]	None	Yes[3521]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[3522]

Fines

Max.	Min.	Can Suspend?
$8540[3523]	$855[3524]	Yes[3525]

Surcharges[3526]

15% of fine or forfeiture
Yes[3527]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3528]	No	No

Notes:

[3517] Iowa Code § 710.8.
[3518] Iowa Code § 710.8(4).
[3519] Iowa Code § 903.1(2).
[3520] Iowa Code § 903.1(2).
[3521] *See* Iowa Code § 907.3.
[3522] Iowa Code § 903.1(2).
[3523] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3524] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3525] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3526] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3527] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3528] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 710.10—Enticing a Minor[3529]

§ 710.10(1)—With intent to commit sexual abuse or exploitation; minor under age 13[3530]

Class = "C" felony[3531]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
10 years[3532]	0[3533]	No, but see Enhancements ❖ Note: Violation of § 710.10(1)[3534] is a SPO[3535]	Yes[3536]

Fines

Max.	Min.	Can Suspend?
$13,660[3537]	$1370[3538]	Yes[3539]

Surcharges[3540]

15% of fine or forfeiture
Yes[3541]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3542]	Maybe,[3543] 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"[3544]
    - If yes, the offender shall be assessed a civil penalty of $250[3545]

[3529] Iowa Code § 710.10.
[3530] Iowa Code § 710.10(1).
[3531] Iowa Code § 710.10(1).
[3532] Iowa Code § 902.9(1)(d).
[3533] Iowa Code § 902.9(1)(d).
[3534] Iowa Code § 710.10(1).
[3535] Iowa Code § 229A.2(1)(c).
[3536] *See* Iowa Code § 907.3.
[3537] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3538] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3539] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3540] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3541] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3542] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3543] Iowa Code § 692A.102(1)(c)(30).
[3544] Iowa Code § 692A.102(1)(c)(30).
[3545] Iowa Code § 692A.110.

§ 710.10(2)—With intent to commit illegal sex act or sexual exploitation; minor under age 16[3546]

Class = "D" felony[3547]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3548]	0[3549]	No, but see Enhancements	Yes[3550]

Fines

Max.	Min.	Can Suspend?
$10,245[3551]	$1025[3552]	Yes[3553]

Surcharges[3554]

15% of fine or forfeiture
Yes[3555]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3556]	Maybe,[3557] 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"[3558]
    - If yes, the offender shall be assessed a civil penalty of $250[3559]

[3546] Iowa Code § 710.10(2).
[3547] Iowa Code § 710.10(2).
[3548] Iowa Code § 902.9(1)(e).
[3549] Iowa Code § 902.9(1)(e).
[3550] *See* Iowa Code § 907.3.
[3551] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3552] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3553] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3554] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3555] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3556] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3557] Iowa Code § 692A.102(1)(c)(30).
[3558] Iowa Code § 692A.102(1)(c)(30).
[3559] Iowa Code § 692A.110.

§ 710.10(3)—With intent to commit illegal act; minor under age 16[3560]

Class = "D" felony[3561]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3562]	0[3563]	No, but see Enhancements	Yes[3564]

Fines

Max.	Min.	Can Suspend?
$10,245[3565]	$1025[3566]	Yes[3567]

Surcharges[3568]

15% of fine or forfeiture
Yes[3569]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3570]	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"[3571]
    - If yes, the offender shall be assessed a civil penalty of $250[3572]

[3560] Iowa Code § 710.10(3).
[3561] Iowa Code § 710.10(3).
[3562] Iowa Code § 902.9(1)(e).
[3563] Iowa Code § 902.9(1)(e).
[3564] *See* Iowa Code § 907.3.
[3565] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3566] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3567] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3568] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3569] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3570] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3571] Iowa Code § 692A.102(1)(c)(30).
[3572] Iowa Code § 692A.110.

§ 710.10(4)—With intent to commit illegal act upon minor under age 16[3573]

Class = aggravated misdemeanor[3574]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
2 years[3575]	0[3576]	None	Yes[3577]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[3578]

Fines

Max.	Min.	Can Suspend?
$8540[3579]	$855[3580]	Yes[3581]

Surcharges[3582]

15% of fine or forfeiture
Yes[3583]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3584]	Maybe, see Notes	No

Notes:

❖ Sex Registry:
- ➢ Must register if:
  - ▪ Fact finder "determines the illegal act was sexually motivated"[3585]
  - ▪ If yes, the offender shall be assessed a civil penalty of $250[3586]

[3573] Iowa Code § 710.10(4).
[3574] Iowa Code § 710.10(4).
[3575] Iowa Code § 903.1(2).
[3576] Iowa Code § 903.1(2).
[3577] *See* Iowa Code § 907.3.
[3578] Iowa Code § 903.1(2).
[3579] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3580] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3581] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3582] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3583] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3584] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3585] Iowa Code § 710.10(4).
[3586] Iowa Code § 692A.110.

§ 710.11—Purchase or Sale of Individual[3587]

Class = "C" felony[3588]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3589]	0[3590]	No, but see Enhancements	Yes[3591]

Fines

Max.	Min.	Can Suspend?
$13,660[3592]	$1370[3593]	Yes[3594]

Surcharges[3595]

15% of fine or forfeiture
Yes[3596]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3597]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - "determination is made that the offense was sexually motivated pursuant to section 692A.126"[3598]
    - If yes, the offender shall be assessed a civil penalty of $250[3599]

[3587] Iowa Code § 710.11.
[3588] Iowa Code § 710.11.
[3589] Iowa Code § 902.9(1)(d).
[3590] Iowa Code § 902.9(1)(d).
[3591] *See* Iowa Code § 907.3.
[3592] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3593] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3594] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3595] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3596] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3597] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3598] Iowa Code §§ 692A.126, 692A.102(1)(c)(24).
[3599] Iowa Code § 692A.110.

CH. 710A HUMAN TRAFFICKING

§ 710A.2—Human Trafficking[3600]

§ 710A.2(1)—Basic human trafficking[3601]

Victim is 18 years old or older

Class = "D" felony[3602]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3603]	0[3604]	No, but see Enhancements	No,[3605] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$7500[3606]	$750[3607]	No,[3608] but see Under 18 Sentencing

Surcharges[3609]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3610]	Yes, $1000[3611]	Yes, $90[3612]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3613]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3614] *or*
    - sexual conduct or sexual contact is an element of the offense[3615]
    - If yes, the offender shall be assessed a civil penalty of $250[3616]

[3600] Iowa Code § 710A.2.
[3601] Iowa Code § 710A.2(1).
[3602] Iowa Code § 710A.2(1).
[3603] Iowa Code § 902.9(1)(e).
[3604] Iowa Code § 902.9(1)(e).
[3605] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3606] Iowa Code § 902.9(1)(e).
[3607] Iowa Code § 902.9(1)(e).
[3608] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3609] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3610] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3611] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3612] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3613] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3614] Iowa Code § 692A.102(1)(c)(23).
[3615] Iowa Code § 692A.102(1)(c)(23).
[3616] Iowa Code § 692A.110.

Victim is under 18 years old
Class = "C" felony[3617]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3618]	0[3619]	No, but see Enhancements	No,[3620] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[3621]	$1370[3622]	No,[3623] but see Under 18 Sentencing

Surcharges[3624]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3625]	Yes, $1000[3626]	Yes, $90[3627]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3628]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3629] *or*
    - sexual conduct or sexual contact is an element of the offense[3630]
    - If yes, the offender shall be assessed a civil penalty of $250[3631]

[3617] Iowa Code § 710A.2(1).
[3618] Iowa Code § 902.9(1)(d).
[3619] Iowa Code § 902.9(1)(d).
[3620] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3621] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3622] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3623] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3624] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3625] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3626] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3627] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3628] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3629] Iowa Code § 692A.102(1)(c)(23).
[3630] Iowa Code § 692A.102(1)(c)(23).
[3631] Iowa Code § 692A.110.

§ 710A.2(2)—By causing or threatening to cause serious physical injury[3632]

Victim is 18 years old or older

Class = "C" felony[3633]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3634]	0[3635]	No, but see Enhancements	No,[3636] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[3637]	$1370[3638]	No,[3639] but see Under 18 Sentencing

Surcharges[3640]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3641]	Yes, $1000[3642]	Yes, $90[3643]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3644]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3645] *or*
    - sexual conduct or sexual contact is an element of the offense[3646]
    - If yes, the offender shall be assessed a civil penalty of $250[3647]

[3632] Iowa Code § 710A.2(2).
[3633] Iowa Code § 710A.2(2).
[3634] Iowa Code § 902.9(1)(d).
[3635] Iowa Code § 902.9(1)(d).
[3636] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3637] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3638] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3639] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3640] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3641] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3642] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3643] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3644] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3645] Iowa Code § 692A.102(1)(c)(23).
[3646] Iowa Code § 692A.102(1)(c)(23).
[3647] Iowa Code § 692A.110.

Victim is under 18 years old
Class = "B" felony[3648]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[3649]	0[3650]	No, but see Enhancements	No,[3651] but see Under 18 Sentencing

Fines[3652]—N/A

Surcharges[3653]

HTV	HTV (included in section 911.2B)
Yes, $1000[3654]	Yes, $90[3655]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3656]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3657] *or*
    - sexual conduct or sexual contact is an element of the offense[3658]
    - If yes, the offender shall be assessed a civil penalty of $250[3659]

[3648] Iowa Code § 710A.2(2).
[3649] Iowa Code § 902.9(1)(d).
[3650] Iowa Code § 902.9(1)(d).
[3651] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3652] *See* Iowa Code § 902.9(1)(d).
[3653] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3654] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3655] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3656] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3657] Iowa Code § 692A.102(1)(c)(23).
[3658] Iowa Code § 692A.102(1)(c)(23).
[3659] Iowa Code § 692A.110.

§ 710A.2(3)—By physically restraining or threatening to physically restrain[3660]

Victim is 18 years old or older

Class = "D" felony[3661]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3662]	0[3663]	No, but see Enhancements	No,[3664] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[3665]	$1025[3666]	No,[3667] but see Under 18 Sentencing

Surcharges[3668]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3669]	Yes, $1000[3670]	Yes, $90[3671]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3672]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3673] *or*
    - sexual conduct or sexual contact is an element of the offense[3674]
    - If yes, the offender shall be assessed a civil penalty of $250[3675]

[3660] Iowa Code § 710A.2(3).
[3661] Iowa Code § 710A.2(3).
[3662] Iowa Code § 902.9(1)(e).
[3663] Iowa Code § 902.9(1)(e).
[3664] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3665] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3666] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3667] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3668] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3669] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3670] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3671] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3672] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3673] Iowa Code § 692A.102(1)(c)(23).
[3674] Iowa Code § 692A.102(1)(c)(23).
[3675] Iowa Code § 692A.110.

Victim under 18 years old
Class = "C" felony[3676]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3677]	0[3678]	No, but see Enhancements	No,[3679] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[3680]	$1370[3681]	No,[3682] but see Under 18 Sentencing

Surcharges[3683]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3684]	Yes, $1000[3685]	Yes, $90[3686]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3687]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3688] *or*
    - sexual conduct or sexual contact is an element of the offense[3689]
    - If yes, the offender shall be assessed a civil penalty of $250[3690]

[3676] Iowa Code § 710A.2(3).
[3677] Iowa Code § 902.9(1)(d).
[3678] Iowa Code § 902.9(1)(d).
[3679] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3680] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3681] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3682] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3683] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3684] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3685] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3686] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3687] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3688] Iowa Code § 692A.102(1)(c)(23).
[3689] Iowa Code § 692A.102(1)(c)(23).
[3690] Iowa Code § 692A.110.

§ 710A.2(4)—By soliciting services or benefitting from services[3691]

Victim is 18 years old or older

Class = "D" felony[3692]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3693]	0[3694]	No, but see Enhancements	No,[3695] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[3696]	$1025[3697]	No,[3698] but see Under 18 Sentencing

Surcharges[3699]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3700]	Yes, $1000[3701]	Yes, $90[3702]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3703]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3704] *or*
    - sexual conduct or sexual contact is an element of the offense[3705]
    - If yes, the offender shall be assessed a civil penalty of $250[3706]

[3691] Iowa Code § 710A.2(4).
[3692] Iowa Code § 710A.2(4).
[3693] Iowa Code § 902.9(1)(e).
[3694] Iowa Code § 902.9(1)(e).
[3695] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3696] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3697] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3698] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3699] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3700] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3701] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3702] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3703] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3704] Iowa Code § 692A.102(1)(c)(23).
[3705] Iowa Code § 692A.102(1)(c)(23).
[3706] Iowa Code § 692A.110.

Victim is under 18 years old
Class = "C" felony[3707]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3708]	0[3709]	No, but see Enhancements	No,[3710] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[3711]	$1370[3712]	No,[3713] but see Under 18 Sentencing

Surcharges[3714]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3715]	Yes, $1000[3716]	Yes, $90[3717]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3718]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3719] *or*
    - sexual conduct or sexual contact is an element of the offense[3720]
    - If yes, the offender shall be assessed a civil penalty of $250[3721]

[3707] Iowa Code § 710A.2(4).
[3708] Iowa Code § 902.9(1)(d).
[3709] Iowa Code § 902.9(1)(d).
[3710] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3711] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3712] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3713] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3714] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3715] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3716] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3717] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3718] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3719] Iowa Code § 692A.102(1)(c)(23).
[3720] Iowa Code § 692A.102(1)(c)(23).
[3721] Iowa Code § 692A.110.

§ 710A.2(5)—By abusing or threatening to abuse the law or legal process[3722]

Victim is 18 years old or older

Class = "D" felony[3723]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3724]	0[3725]	No, but see Enhancements	No,[3726] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[3727]	$1025[3728]	No,[3729] but see Under 18 Sentencing

Surcharges[3730]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3731]	Yes, $1000[3732]	Yes, $90[3733]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3734]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3735] *or*
    - sexual conduct or sexual contact is an element of the offense[3736]
    - If yes, the offender shall be assessed a civil penalty of $250[3737]

[3722] Iowa Code § 710A.2(5).
[3723] Iowa Code § 710A.2(5).
[3724] Iowa Code § 902.9(1)(e).
[3725] Iowa Code § 902.9(1)(e).
[3726] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3727] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3728] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3729] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3730] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3731] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3732] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3733] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3734] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3735] Iowa Code § 692A.102(1)(c)(23).
[3736] Iowa Code § 692A.102(1)(c)(23).
[3737] Iowa Code § 692A.110.

Victim is under 18 years old
Class = "C" felony[3738]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3739]	0[3740]	No, but see Enhancements	No,[3741] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[3742]	$1370[3743]	No,[3744] but see Under 18 Sentencing

Surcharges[3745]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3746]	Yes, $1000[3747]	Yes, $90[3748]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3749]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3750] *or*
    - sexual conduct or sexual contact is an element of the offense[3751]
    - If yes, the offender shall be assessed a civil penalty of $250[3752]

[3738] Iowa Code § 710A.2(5).
[3739] Iowa Code § 902.9(1)(d).
[3740] Iowa Code § 902.9(1)(d).
[3741] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3742] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3743] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3744] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3745] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3746] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3747] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3748] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3749] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3750] Iowa Code § 692A.102(1)(c)(23).
[3751] Iowa Code § 692A.102(1)(c)(23).
[3752] Iowa Code § 692A.110.

§ 710A.2(6)—By interfering with any passport, immigration document, or government identification document[3753]

Victim is 18 years old or older

Class = "D" felony[3754]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3755]	0[3756]	No, but see Enhancements	No,[3757] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[3758]	$1025[3759]	No,[3760] but see Under 18 Sentencing

Surcharges[3761]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3762]	Yes, $1000[3763]	Yes, $90[3764]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3765]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3766] *or*
    - sexual conduct or sexual contact is an element of the offense[3767]
    - If yes, the offender shall be assessed a civil penalty of $250[3768]

[3753] Iowa Code § 710A.2(6).
[3754] Iowa Code § 710A.2(6).
[3755] Iowa Code § 902.9(1)(e).
[3756] Iowa Code § 902.9(1)(e).
[3757] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3758] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3759] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3760] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3761] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3762] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3763] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3764] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3765] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3766] Iowa Code § 692A.102(1)(c)(23).
[3767] Iowa Code § 692A.102(1)(c)(23).
[3768] Iowa Code § 692A.110.

Victim is under 18 years old
Class = "C" felony[3769]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3770]	0[3771]	No, but see Enhancements	No,[3772] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[3773]	$1370[3774]	No,[3775] but see Under 18 Sentencing

Surcharges[3776]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3777]	Yes, $1000[3778]	Yes, $90[3779]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3780]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3781] *or*
    - sexual conduct or sexual contact is an element of the offense[3782]
    - If yes, the offender shall be assessed a civil penalty of $250[3783]

[3769] Iowa Code § 710A.2(6).
[3770] Iowa Code § 902.9(1)(d).
[3771] Iowa Code § 902.9(1)(d).
[3772] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3773] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3774] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3775] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3776] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3777] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3778] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3779] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3780] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3781] Iowa Code § 692A.102(1)(c)(23).
[3782] Iowa Code § 692A.102(1)(c)(23).
[3783] Iowa Code § 692A.110.

§ 710A.2(7)—Financial or other benefit from participating in human trafficking[3784]

Victim is 18 years old or older

Class = "D" felony[3785]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3786]	0[3787]	No, but see Enhancements	No,[3788] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[3789]	$1025[3790]	No,[3791] but see Under 18 Sentencing

Surcharges[3792]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3793]	Yes, $1000[3794]	Yes, $90[3795]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3796]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3797] *or*
    - sexual conduct or sexual contact is an element of the offense[3798]
    - If yes, the offender shall be assessed a civil penalty of $250[3799]

[3784] Iowa Code § 710A.2(7).
[3785] Iowa Code § 710A.2(7).
[3786] Iowa Code § 902.9(1)(e).
[3787] Iowa Code § 902.9(1)(e).
[3788] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3789] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3790] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3791] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3792] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3793] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3794] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3795] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3796] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3797] Iowa Code § 692A.102(1)(c)(23).
[3798] Iowa Code § 692A.102(1)(c)(23).
[3799] Iowa Code § 692A.110.

Victim is under 18 years old
Class = "C" felony[3800]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3801]	0[3802]	No, but see Enhancements	No,[3803] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[3804]	$1370[3805]	No,[3806] but see Under 18 Sentencing

Surcharges[3807]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3808]	Yes, $1000[3809]	Yes, $90[3810]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3811]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if sexual abuse or assault with intent to commit sexual abuse is committed,[3812] *or*
    - sexual conduct or sexual contact is an element of the offense[3813]
    - If yes, the offender shall be assessed a civil penalty of $250[3814]

[3800] Iowa Code § 710A.2(7).
[3801] Iowa Code § 902.9(1)(d).
[3802] Iowa Code § 902.9(1)(d).
[3803] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3804] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3805] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3806] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3807] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3808] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3809] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3810] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3811] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3812] Iowa Code § 692A.102(1)(c)(23).
[3813] Iowa Code § 692A.102(1)(c)(23).
[3814] Iowa Code § 692A.110.

§ 710A.2A—Solicitation of Commercial Sexual Activity[3815]

Class = "D" felony[3816]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3817]	0[3818]	No, but see Enhancements	No,[3819] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$10,245[3820]	$1025[3821]	No,[3822] but see Under 18 Sentencing

Surcharges[3823]

15% of fine or forfeiture	HTV	HTV (included in section 911.2B)
Yes[3824]	Yes, $1000[3825]	Yes, $90[3826]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3827]	Yes[3828] The offender shall be assessed a civil penalty of $250[3829]	No

Notes:

[3815] Iowa Code § 710A.2A.
[3816] Iowa Code § 710A.2A.
[3817] Iowa Code § 902.9(1)(e).
[3818] Iowa Code § 902.9(1)(e).
[3819] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3820] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3821] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3822] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3823] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3824] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3825] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[3826] Iowa Code § 911.2B(1) (amended by 2020 Iowa Acts ch. 1074, § 20, effective 7/15/20).
[3827] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[3828] Iowa Code § 692A.102(1)(c) (31).
[3829] Iowa Code § 692A.110.

CH. 711 Robbery and Extortion

§ 711.2—First-Degree Robbery[3830]

Class = "B" felony[3831]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[3832]	0[3833]	If convicted on or after 7/1/2018, not eligible until has served between 50–70% of max. term of sentence,[3834] ▪ court must determine at time of sentencing when person is to become eligible for parole or work release[3835] ▪ 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"[3836] But see Under 18 Sentencing See also Enhancements	No,[3837] but see Under 18 Sentencing

Fines[3838]—N/A

Surcharges[3839]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3840]	No	No

Notes:

[3830] Iowa Code § 711.2.
[3831] Iowa Code § 711.2.
[3832] Iowa Code § 902.9(1)(b).
[3833] Iowa Code § 902.9(1)(b).
[3834] Iowa Code § 902.12(3) (2020) (added by 2019 Iowa Acts ch. 140, § 8, effective 7/1/2019).
[3835] Iowa Code § 901.11(3) (2020) (added by 2019 Iowa Acts ch. 140, § 6, effective 7/1/2019).
[3836] Iowa Code § 901.11(3) (2020) (added by 2019 Iowa Acts ch. 140, § 6, effective 7/1/2019).
[3837] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "robbery" as a forcible felony).
[3838] *See* Iowa Code § 902.9(1)(b).
[3839] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3840] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 711.3—Second-Degree Robbery[3841]

Class = "C" felony[3842]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3843]	0[3844]	❖ If convicted on or before 6/30/2016, not eligible until has served 70% of max. term of sentence,[3845] 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,[3846] but see Under 18 Sentencing ▪ court must determine at time of sentencing when person is to become eligible for parole or work release[3847] ▪ 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"[3848] See also Enhancements	No,[3849] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[3850]	$1370[3851]	No,[3852] but see Under 18 Sentencing

Surcharges[3853]

15% of fine or forfeiture
Yes[3854]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3855]	No	No

[3841] Iowa Code § 711.3.
[3842] Iowa Code § 711.3.
[3843] Iowa Code § 902.9(1)(d).
[3844] Iowa Code § 902.9(1)(d).
[3845] Iowa Code § 902.12(1)(e).
[3846] Iowa Code § 902.12(4) (2020).
[3847] Iowa Code § 901.11(4) (2020).
[3848] Iowa Code § 901.11(4) (2020).
[3849] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "robbery" as a forcible felony).
[3850] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3851] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3852] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "human trafficking" as a forcible felony).
[3853] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3854] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3855] Iowa Code §§ 81.2(1), 901.5(8A)(a).

Notes:

§ 711.3B—Aggravated Theft[3856]

Class = aggravated misdemeanor[3857]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[3858]	0[3859]	None	Yes[3860]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[3861]

Fines

Max.	Min.	Can Suspend?
$8540[3862]	$855[3863]	Yes[3864]

Surcharges[3865]

15% of fine or forfeiture
Yes[3866]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3867]	No	No

Notes:

[3856] Iowa Code § 711.3B (2020) (as added by 2019 Iowa Acts ch. 140, § 4, effective 7/1/2019).
[3857] Iowa Code § 711.3B(2)(a) (2020) (as added by 2019 Iowa Acts ch. 140, § 4, effective 7/1/2019).
[3858] Iowa Code § 903.1(2).
[3859] Iowa Code § 903.1(2).
[3860] *See* Iowa Code § 907.3, unnum. para.
[3861] Iowa Code § 903.1(2).
[3862] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3863] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3864] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3865] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3866] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3867] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 711.3B—Aggravated theft with prior conviction for aggravated theft, robbery, or extortion[3868]

Class = "D" felony[3869]

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?
$10,245[3873]	$1025[3874]	Yes[3875]

Surcharges[3876]

15% of fine or forfeiture
Yes[3877]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3878]	No	No

Notes:

[3868] Iowa Code § 711.3B (2020) (as added by 2019 Iowa Acts ch. 140, § 4, effective 7/1/2019).
[3869] Iowa Code § 711.3B(2)(b) (2020) (added by 2019 Iowa Acts ch. 140, § 4, effective 7/1/2019).
[3870] Iowa Code § 902.9(1)(e).
[3871] Iowa Code § 902.9(1)(e).
[3872] *See* Iowa Code § 907.3 .
[3873] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3874] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3875] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3876] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3877] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3878] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 711.4—Extortion[3879]

Class = "D" felony[3880]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3881]	0[3882]	No, but see Enhancements	Yes[3883]

Fines

Max.	Min.	Can Suspend?
$10,245[3884]	$1025[3885]	Yes[3886]

Surcharges[3887]

15% of fine or forfeiture
Yes[3888]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3889]	No	No

Notes:

[3879] Iowa Code § 711.4.
[3880] Iowa Code § 711.4(2).
[3881] Iowa Code § 902.9(1)(e).
[3882] Iowa Code § 902.9(1)(e).
[3883] *See* Iowa Code § 907.3.
[3884] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3885] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3886] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3887] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3888] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3889] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 712 Arson

§ 712.2—First-Degree Arson[3890]

Class = "B" felony[3891]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[3892]	0[3893]	If convicted on or after 7/1/2019, not eligible until has served between 50–70% of max. term of sentence,[3894] but see Under 18 Sentencing ▪ court must determine at time of sentencing when person is to become eligible for parole or work release[3895] ▪ 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"[3896] See Enhancements	No,[3897] but see Under 18 Sentencing

Fines[3898]—N/A

Surcharges[3899]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3900]	No	No

Notes:

[3890] Iowa Code § 712.2.
[3891] Iowa Code § 712.2(2) (amended by 2020 Iowa Acts ch. 1062, § 70, effective 7/1/2020) .
[3892] Iowa Code § 902.9(1)(b).
[3893] Iowa Code § 902.9(1)(b).
[3894] Iowa Code § 902.12(5) (2020) (added by 2019 Iowa Acts ch. 140, § 39, effective 7/1/2019).
[3895] Iowa Code § 901.11(5) (2020) ((amended by by 2020 Iowa Acts ch. 1063, § 381, effective 7/1/2020) (added by 2019 Iowa Acts ch. 140, § 38, effective 7/1/2019)).
[3896] Iowa Code § 901.11(5) (2020) (added by 2019 Iowa Acts ch. 140, § 38, effective 7/1/2019).
[3897] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including "arson in the first degree" as a forcible felony).
[3898] *See* Iowa Code § 902.9(1)(b).
[3899] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3900] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 712.3—Second-Degree Arson[3901]

Class = "C" felony[3902]

- if violation is "also a hate crime as defined in section 729A.2,[3903] [the violation] shall be classified and punished as an offense one degree higher than the underlying offense"[3904]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3905]	0[3906]	No, but see Enhancements	Yes[3907]

Fines

Max.	Min.	Can Suspend?
$13,660[3908]	$1370[3909]	Yes[3910]

Surcharges[3911]

15% of fine or forfeiture
Yes[3912]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3913]	No	No

Notes:

[3901] Iowa Code § 712.3.
[3902] Iowa Code § 712.3(2) (amended by 2020 Iowa Acts ch. 1062, § 71, effective 7/1/2020) .
[3903] Iowa Code § 729A.2.
[3904] Iowa Code § 712.9.
[3905] Iowa Code § 902.9(1)(d).
[3906] Iowa Code § 902.9(1)(d).
[3907] *See* Iowa Code § 907.3.
[3908] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3909] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3910] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3911] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3912] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3913] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 712.4—Third-Degree Arson[3914]

Class = aggravated misdemeanor[3915]

- if violation is "also a hate crime as defined in section 729A.2,[3916] [the violation] shall be classified and punished as an offense one degree higher than the underlying offense"[3917]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[3918]	0[3919]	None	Yes[3920]

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[3921]

Fines

Max.	Min.	Can Suspend?
$8540[3922]	$855[3923]	Yes[3924]

Surcharges[3925]

15% of fine or forfeiture
Yes[3926]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3927]	No	No

Notes:

[3914] Iowa Code § 712.4.
[3915] Iowa Code § 712.4(2) (amended by 2020 Iowa Acts ch. 1062, § 72, effective 7/1/2020).
[3916] Iowa Code § 729A.2.
[3917] Iowa Code § 712.9.
[3918] Iowa Code § 903.1(2).
[3919] Iowa Code § 903.1(2).
[3920] *See* Iowa Code § 907.3, unnum. para.
[3921] Iowa Code § 903.1(2).
[3922] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3923] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3924] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3925] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3926] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3927] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 712.5—Reckless Use of Fire or Explosives[3928]

Class = serious misdemeanor[3929]

- if violation is "also a hate crime as defined in section 729A.2,[3930] [the violation] shall be classified and punished as an offense one degree higher than the underlying offense"[3931]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[3932]	0[3933]	N/A	Yes[3934]

Fines

Max.	Min.	Can Suspend?
$2560[3935]	$430[3936]	No[3937]

Surcharges[3938]

15% of fine or forfeiture
Yes[3939]

Miscellaneous

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

Notes:

[3928] Iowa Code § 712.5.
[3929] Iowa Code § 712.5.
[3930] Iowa Code § 729A.2.
[3931] Iowa Code § 712.9.
[3932] Iowa Code § 903.1(1)(b).
[3933] Iowa Code § 903.1(1)(b).
[3934] *See* Iowa Code § 907.3.
[3935] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3936] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3937] Iowa Code § 903.1(1).
[3938] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3939] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 712.6—Explosive or Incendiary Materials or Devices[3940]

§ 712.6(1)—Possession with intent to use to commit a public offense[3941]

Class = "C" felony[3942]

- if violation is "also a hate crime as defined in section 729A.2,[3943] [the violation] shall be classified and punished as an offense one degree higher than the underlying offense"[3944]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[3945]	0[3946]	No, but see Enhancements	Yes[3947]

Fines

Max.	Min.	Can Suspend?
$13,660[3948]	$1370[3949]	Yes[3950]

Surcharges[3951]

15% of fine or forfeiture
Yes[3952]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3953]	No	No

Notes:

[3940] Iowa Code § 712.6.
[3941] Iowa Code § 712.6(1).
[3942] Iowa Code § 712.6(1).
[3943] Iowa Code § 729A.2.
[3944] Iowa Code § 712.9.
[3945] Iowa Code § 902.9(1)(d).
[3946] Iowa Code § 902.9(1)(d).
[3947] *See* Iowa Code § 907.3.
[3948] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3949] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3950] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3951] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3952] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3953] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 712.6(2)(a)—Possession[3954]

Class = aggravated misdemeanor[3955]

- if violation is "also a hate crime as defined in section 729A.2,[3956] [the violation] shall be classified and punished as an offense one degree higher than the underlying offense"[3957]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[3958]	0[3959]	None	Yes[3960]

- If sentence of confinement is more than one year, sentence shall be for an indeterminate term[3961]

Fines

Max.	Min.	Can Suspend?
$8540[3962]	$855[3963]	Yes[3964]

Surcharges[3965]

15% of fine or forfeiture
Yes[3966]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3967]	No	No

Notes:

[3954] Iowa Code § 712.6(2)(a).
[3955] Iowa Code § 712.6(2)(a).
[3956] Iowa Code § 729A.2.
[3957] Iowa Code § 712.9.
[3958] Iowa Code § 903.1(2).
[3959] Iowa Code § 903.1(2).
[3960] *See* Iowa Code § 907.3, unnum. para.
[3961] Iowa Code § 903.1(2).
[3962] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3963] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3964] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3965] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3966] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3967] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 712.6(3)—Placement of simulated device with intent to intimidate, annoy, or alarm[3968]

Class = serious misdemeanor[3969]

- if violation is "also a hate crime as defined in section 729A.2,[3970] [the violation] shall be classified and punished as an offense one degree higher than the underlying offense"[3971]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[3972]	0[3973]	N/A	Yes[3974]

Fines

Max.	Min.	Can Suspend?
$2560[3975]	$430[3976]	No[3977]

Surcharges[3978]

15% of fine or forfeiture
Yes[3979]

Miscellaneous

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

Notes:

[3968] Iowa Code § 712.6(3).
[3969] Iowa Code § 712.6(3).
[3970] Iowa Code § 729A.2.
[3971] Iowa Code § 712.9.
[3972] Iowa Code § 903.1(1)(b).
[3973] Iowa Code § 903.1(1)(b).
[3974] *See* Iowa Code § 907.3.
[3975] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3976] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[3977] Iowa Code § 903.1(1).
[3978] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3979] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 712.7—False Reports[3980]

Class = "D" felony[3981]

- if violation is "also a hate crime as defined in section 729A.2,[3982] [the violation] shall be classified and punished as an offense one degree higher than the underlying offense"[3983]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3984]	0[3985]	No, but see Enhancements	Yes[3986]

Fines

Max.	Min.	Can Suspend?
$10,245[3987]	$1025[3988]	Yes[3989]

Surcharges[3990]

15% of fine or forfeiture
Yes[3991]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[3992]	No	No

Notes:

[3980] Iowa Code § 712.7.
[3981] Iowa Code § 712.7.
[3982] Iowa Code § 729A.2.
[3983] Iowa Code § 712.9.
[3984] Iowa Code § 902.9(1)(e).
[3985] Iowa Code § 902.9(1)(e).
[3986] *See* Iowa Code § 907.3.
[3987] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3988] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[3989] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[3990] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[3991] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[3992] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 712.8—Threat or Attempt to Place Incendiary, Explosive, or Destructive Device[3993]

Class = "D" felony[3994]

- if violation is "also a hate crime as defined in section 729A.2,[3995] [the violation] shall be classified and punished as an offense one degree higher than the underlying offense"[3996]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[3997]	0[3998]	No, but see Enhancements	Yes[3999]

Fines

Max.	Min.	Can Suspend?
$10,245[4000]	$1025[4001]	Yes[4002]

Surcharges[4003]

15% of fine or forfeiture
Yes[4004]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4005]	No	No

Notes:

[3993] Iowa Code § 712.8.
[3994] Iowa Code § 712.8.
[3995] Iowa Code § 729A.2.
[3996] Iowa Code § 712.9.
[3997] Iowa Code § 902.9(1)(e).
[3998] Iowa Code § 902.9(1)(e).
[3999] *See* Iowa Code § 907.3 .
[4000] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4001] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4002] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4003] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4004] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4005] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 713 BURGLARY

§ 713.3—First-Degree Burglary[4006]

Class = "B" felony[4007]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[4008]	0[4009]	No, but burglary as defined in § 713.1 can be a SVO,[4010] so see Enhancements	No,[4011] but see Under 18 Sentencing

Fines[4012]—N/A

Surcharges[4013]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4014]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - if person violated § 713.3(1)(a), (b), or (c)[4015] *and* fact finder determined beyond a reasonable doubt the burglary was sexually motivated[4016]
    - if person violated § 713.3(1)(d)[4017]
    - If yes, the offender shall be assessed a civil penalty of $250[4018]

[4006] Iowa Code § 713.3.
[4007] Iowa Code § 713.3(2).
[4008] Iowa Code § 902.9(1)(b).
[4009] Iowa Code § 902.9(1)(b).
[4010] Iowa Code § 229A.2(11) (3) ; *see id.* § 229A.2(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).
[4011] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including "burglary in the first degree" as a forcible felony).
[4012] *See* Iowa Code § 902.9(1)(b).
[4013] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4014] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4015] Iowa Code § 713.3(1)(a)–(c).
[4016] Iowa Code §§ 692A.102(1)(c) (17), 692A.126(1)(n), 713.3(3).
[4017] Iowa Code §§ 713.3(1)(d), 692A.102(1)(c)(16).
[4018] Iowa Code § 692A.110.

§ 713.4—Attempted First-Degree Burglary[4019]

Class = "C" felony[4020]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[4021]	0[4022]	No, but see Enhancements	Yes[4023]

Fines

Max.	Min.	Can Suspend?
$13,660[4024]	$1370[4025]	Yes[4026]

Surcharges[4027]

15% of fine or forfeiture
Yes[4028]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4029]	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"[4030]
    - If yes, the offender shall be assessed a civil penalty of $250[4031]

[4019] Iowa Code § 713.4.
[4020] Iowa Code § 713.4(2).
[4021] Iowa Code § 902.9(1)(d).
[4022] Iowa Code § 902.9(1)(d).
[4023] *See* Iowa Code § 907.3 .
[4024] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4025] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4026] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4027] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4028] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4029] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4030] Iowa Code §§ 692A.126, 692A.102(1)(c)(18), 713.4(3).
[4031] Iowa Code § 692A.110.

§ 713.5—Second-Degree Burglary[4032]

Class = "C" felony[4033]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[4034]	0[4035]	No, but burglary as defined in § 713.1 can be a SVO,[4036] so see Enhancements	Yes[4037]

Fines

Max.	Min.	Can Suspend?
$13,660[4038]	$1370[4039]	Yes[4040]

Surcharges[4041]

15% of fine or forfeiture
Yes[4042]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4043]	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"[4044]
    - If yes, the offender shall be assessed a civil penalty of $250[4045]

[4032] Iowa Code § 713.5.
[4033] Iowa Code § 713.5(2).
[4034] Iowa Code § 902.9(1)(d).
[4035] Iowa Code § 902.9(1)(d).
[4036] Iowa Code § 229A.2(11)(3); *see id.* § 229A.2(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).
[4037] *See* Iowa Code § 907.3 .
[4038] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4039] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4040] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4041] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4042] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4043] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4044] Iowa Code §§ 692A.126, 692A.102(1)(c)(19), 713.5(3).
[4045] Iowa Code § 692A.110.

§ 713.6—Attempted Second-Degree Burglary[4046]

Class = "D" felony[4047]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4048]	0[4049]	No, but see Enhancements	Yes[4050]

Fines

Max.	Min.	Can Suspend?
$10,245[4051]	$1025[4052]	Yes[4053]

Surcharges[4054]

15% of fine or forfeiture
Yes[4055]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4056]	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"[4057]
    - If yes, the offender shall be assessed a civil penalty of $250[4058]

[4046] Iowa Code § 713.6.
[4047] Iowa Code § 713.6(2).
[4048] Iowa Code § 902.9(1)(e).
[4049] Iowa Code § 902.9(1)(e).
[4050] *See* Iowa Code § 907.3 .
[4051] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4052] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4053] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4054] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4055] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4056] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4057] Iowa Code §§§ 692A.126, 692A.102(1)(c)(20), 713.6(3).
[4058] Iowa Code § 692A.110.

§ 713.6A—Third-Degree Burglary

§ 713.6A(1)—Third-degree burglary[4059]

Class = "D" felony[4060]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4061]	0[4062]	No, but burglary as defined in § 713.1 can be a SVO,[4063] so see Enhancements	Yes[4064]

Fines

Max.	Min.	Can Suspend?
$10,245[4065]	$1025[4066]	Yes[4067]

Surcharges[4068]

15% of fine or forfeiture
Yes[4069]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4070]	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"[4071]
    - If yes, the offender shall be assessed a civil penalty of $250[4072]

[4059] Iowa Code § 713.6A(1).
[4060] Iowa Code § 713.6A(1).
[4061] Iowa Code § 902.9(1)(e).
[4062] Iowa Code § 902.9(1)(e).
[4063] Iowa Code § 229A.2(11)(3); *see id.* § 229A.2(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).
[4064] *See* Iowa Code § 907.3.
[4065] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4066] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4067] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4068] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4069] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4070] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4071] Iowa Code §§§ 692A.126, 692A.102(1)(c) (21), 713.6A(3).
[4072] Iowa Code § 692A.110.

§ 713.6A(2)—Involving unoccupied motor vehicle or truck, or vessel[4073]

First Offense

Class = aggravated misdemeanor[4074]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4075]	0[4076]	None	Yes[4077]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4078]

Fines

Max.	Min.	Can Suspend?
$8540[4079]	$855[4080]	Yes[4081]

Surcharges[4082]

15% of fine or forfeiture
Yes[4083]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4084]	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"[4085]
  - If yes, the offender shall be assessed a civil penalty of $250[4086]

[4073] Iowa Code § 713.6A(2).
[4074] Iowa Code § 713.6A(2).
[4075] Iowa Code § 903.1(2).
[4076] Iowa Code § 903.1(2).
[4077] *See* Iowa Code § 907.3, unnum. para.
[4078] Iowa Code § 903.1(2).
[4079] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4080] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4081] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4082] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4083] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4084] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4085] Iowa Code §§ 692A.126, 692A.102(1)(c)(21), 713.6A(3).
[4086] Iowa Code § 692A.110.

Second or Subsequent Offense

Class = "D" felony[4087]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4088]	0[4089]	No, but see Enhancements	Yes[4090]

Fines

Max.	Min.	Can Suspend?
$10,245[4091]	$1025[4092]	Yes[4093]

Surcharges[4094]

15% of fine or forfeiture
Yes[4095]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4096]	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"[4097]
    - If yes, the offender shall be assessed a civil penalty of $250[4098]

[4087] Iowa Code § 713.6A(2).
[4088] Iowa Code § 902.9(1)(e).
[4089] Iowa Code § 902.9(1)(e).
[4090] *See* Iowa Code § 907.3.
[4091] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4092] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4093] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4094] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4095] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4096] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4097] Iowa Code §§ 692A.126, 692A.102(1)(c)(21), 713.6A(3).
[4098] Iowa Code §§ 692A.126, 692A.110.

§ 713.6B—Attempted Third-Degree Burglary[4099]

§ 713.6B(1)—Attempted third-degree burglary[4100]

Class = aggravated misdemeanor[4101]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4102]	0[4103]	None	Yes[4104]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4105]

Fines

Max.	Min.	Can Suspend?
$8540[4106]	$855[4107]	Yes[4108]

Surcharges[4109]

15% of fine or forfeiture
Yes[4110]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4111]	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"[4112]
  - If yes, the offender shall be assessed a civil penalty of $250[4113]

[4099] Iowa Code § 713.6B.
[4100] Iowa Code § 713.6B(1).
[4101] Iowa Code § 713.6B(1).
[4102] Iowa Code § 903.1(2).
[4103] Iowa Code § 903.1(2).
[4104] *See* Iowa Code § 907.3, unnum. para.
[4105] Iowa Code § 903.1(2).
[4106] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4107] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4108] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4109] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4110] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4111] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4112] Iowa Code §§ 692A.126, 692A.102(1)(c)(22), 713.6B(3).
[4113] Iowa Code § 692A.110.

§ 713.6B(2)—Involving unoccupied motor vehicle or truck, or vessel[4114]

First Offense

Class = serious misdemeanor[4115]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4116]	0[4117]	N/A	Yes[4118]

Fines

Max.	Min.	Can Suspend?
$2560[4119]	$430[4120]	No[4121]

Surcharges[4122]

15% of fine or forfeiture
Yes[4123]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if must register for Sex Registry[4124]	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"[4125]
    - If yes, the offender shall be assessed a civil penalty of $250[4126]

[4114] Iowa Code § 713.6B(2).
[4115] Iowa Code § 713.6B(2).
[4116] Iowa Code § 903.1(1)(b).
[4117] Iowa Code § 903.1(1)(b).
[4118] *See* Iowa Code § 907.3.
[4119] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4120] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4121] Iowa Code § 903.1(1).
[4122] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4123] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4124] Iowa Code § 81.2(6).
[4125] Iowa Code §§ 692A.126, 692A.102(1)(c)(22), 713.6B(3).
[4126] Iowa Code § 692A.110.

Second or Subsequent Offense

Class = aggravated misdemeanor[4127]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4128]	0[4129]	None	Yes[4130]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4131]

Fines

Max.	Min.	Can Suspend?
$8540[4132]	$855[4133]	Yes[4134]

Surcharges[4135]

15% of fine or forfeiture
Yes[4136]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4137]	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"[4138]
  - If yes, the offender shall be assessed a civil penalty of $250[4139]

[4127] Iowa Code § 713.6B(2).
[4128] Iowa Code § 903.1(2).
[4129] Iowa Code § 903.1(2).
[4130] *See* Iowa Code § 907.3, unnum. para.
[4131] Iowa Code § 903.1(2).
[4132] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4133] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4134] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4135] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4136] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4137] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4138] Iowa Code §§ 692A.126, 692A.102(1)(c)(22), 713.6B(3).
[4139] Iowa Code § 692A.110.

§ 713.7—Possession of Burglar's Tools[4140]

Class = aggravated misdemeanor[4141]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4142]	0[4143]	None	Yes[4144]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4145]

Fines

Max.	Min.	Can Suspend?
$8540[4146]	$855[4147]	Yes[4148]

Surcharges[4149]

15% of fine or forfeiture
Yes[4150]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4151]	No	No

Notes:

[4140] Iowa Code § 713.7.
[4141] Iowa Code § 713.7.
[4142] Iowa Code § 903.1(2).
[4143] Iowa Code § 903.1(2).
[4144] *See* Iowa Code § 907.3, unnum. para.
[4145] Iowa Code § 903.1(2).
[4146] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4147] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4148] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4149] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4150] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4151] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 714 THEFT AND FRAUD

§ 714.2—Theft[4152]

§ 714.2(1)—First-degree theft[4153]

Class = "C" felony[4154]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[4155]	0[4156]	No, but see Enhancements	Yes[4157]

Fines

Max.	Min.	Can Suspend?
$13,660[4158]	$1370[4159]	Yes[4160]

Surcharges[4161]

15% of fine or forfeiture	Agricultural Theft
Yes[4162]	Maybe, see Notes

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4163]	No	No

Notes:

- Agricultural Theft Surcharge:
  - applies if an adjudication of guilt or a deferred judgement has been entered for a criminal violation involving theft of agricultural property[4164]
    - if applicable, surcharge is $500[4165]

[4152] Iowa Code § 714.2.
[4153] Iowa Code § 714.2(1).
[4154] Iowa Code § 714.2(1).
[4155] Iowa Code § 902.9(1)(d).
[4156] Iowa Code § 902.9(1)(d).
[4157] *See* Iowa Code § 907.3.
[4158] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4159] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4160] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4161] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4162] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4163] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4164] Iowa Code § 911.5 (added by 2020 Iowa Acts ch. 1074, § 21, effective 7/15/20).
[4165] Iowa Code § 911.5 (added by 2020 Iowa Acts ch. 1074, § 21, effective 7/15/20).

§ 714.2(2)—Second-degree theft[4166]

Class = "D" felony[4167]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4168]	0[4169]	No, but see Enhancements	Yes[4170]

Fines

Max.	Min.	Can Suspend?
$10,245[4171]	$1025[4172]	Yes[4173]

Surcharges[4174]

15% of fine or forfeiture	Agricultural Theft
Yes[4175]	Maybe, see Notes

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4176]	No	No

Notes:

- Agricultural Theft Surcharge:
  - applies if an adjudication of guilt or a deferred judgement has been entered for a criminal violation involving theft of agricultural property[4177]
    - if applicable, surcharge is $500[4178]

[4166] Iowa Code § 714.2(2).
[4167] Iowa Code § 714.2(2).
[4168] Iowa Code § 902.9(1)(e).
[4169] Iowa Code § 902.9(1)(e).
[4170] *See* Iowa Code § 907.3.
[4171] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4172] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4173] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4174] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4175] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4176] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4177] Iowa Code § 911.5 (added by 2020 Iowa Acts ch. 1074, § 21, effective 7/15/20).
[4178] Iowa Code § 911.5 (added by 2020 Iowa Acts ch. 1074, § 21, effective 7/15/20).

§ 714.2(3)—Third-degree theft[4179]

Class = aggravated misdemeanor[4180]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4181]	0[4182]	None	Yes[4183]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4184]

Fines

Max.	Min.	Can Suspend?
$8540[4185]	$855[4186]	Yes[4187]

Surcharges[4188]

15% of fine or forfeiture	Agricultural Theft
Yes[4189]	Maybe, see Notes

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4190]	No	No

Notes:

❖ Agricultural Theft Surcharge:
- ➢ applies if an adjudication of guilt or a deferred judgement has been entered for a criminal violation involving theft of agricultural property[4191]
  - ▪ if applicable, surcharge is $500[4192]

[4179] Iowa Code § 714.2(3).
[4180] Iowa Code § 714.2(3).
[4181] Iowa Code § 903.1(2).
[4182] Iowa Code § 903.1(2).
[4183] *See* Iowa Code § 907.3, unnum. para.
[4184] Iowa Code § 903.1(2).
[4185] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4186] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4187] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4188] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4189] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4190] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4191] Iowa Code § 911.5 (added by 2020 Iowa Acts ch. 1074, § 21, effective 7/15/20).
[4192] Iowa Code § 911.5 (added by 2020 Iowa Acts ch. 1074, § 21, effective 7/15/20).

§ 714.2(4)—Fourth-degree theft[4193]

Class = serious misdemeanor[4194]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4195]	0[4196]	N/A	Yes[4197]

Fines

Max.	Min.	Can Suspend?
$2560[4198]	$430[4199]	No[4200]

Surcharges[4201]

15% of fine or forfeiture
Yes[4202]

Miscellaneous

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

Notes:

[4193] Iowa Code § 714.2(4).
[4194] Iowa Code § 714.2(4).
[4195] Iowa Code § 903.1(1)(b).
[4196] Iowa Code § 903.1(1)(b).
[4197] *See* Iowa Code § 907.3.
[4198] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4199] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4200] Iowa Code § 903.1(1).
[4201] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4202] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 714.2(5)—Fifth-degree theft[4203]

Class = simple misdemeanor[4204]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[4205]	0[4206]	N/A	Yes[4207]

Fines

Max.	Min.	Can Suspend?
$855[4208]	$105[4209]	No[4210]

Surcharges[4211]

15% of fine or forfeiture
Yes[4212]

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)[4213] for theft of motor fuel from a retail dealer, may suspend for up to 30 days in lieu or in addition to fine or imprisonment[4214]

[4203] Iowa Code § 714.2(5).
[4204] Iowa Code § 714.2(5).
[4205] Iowa Code § 903.1(1)(a).
[4206] Iowa Code § 903.1(1)(a).
[4207] *See* Iowa Code § 907.3.
[4208] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4209] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4210] Iowa Code § 903.1(1).
[4211] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4212] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4213] Iowa Code § 714.2(5).
[4214] Iowa Code § 714.7D.

§ 714.7—Operating Vehicle Without Owner's Consent[4215]

Class = aggravated misdemeanor[4216]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4217]	0[4218]	None	Yes[4219]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4220]

Fines

Max.	Min.	Can Suspend?
$8540[4221]	$855[4222]	Yes[4223]

Surcharges[4224]

15% of fine or forfeiture
Yes[4225]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4226]	No	No

Notes:

[4215] Iowa Code § 714.7.
[4216] Iowa Code § 714.7.
[4217] Iowa Code § 903.1(2).
[4218] Iowa Code § 903.1(2).
[4219] *See* Iowa Code § 907.3, unnum. para.
[4220] Iowa Code § 903.1(2).
[4221] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4222] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4223] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4224] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4225] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4226] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 714.7B—Theft Detection Devices[4227]

§ 714.7B(1)—Manufacture, sale, possession, or distribution of theft detection shielding devices[4228]

Class = serious misdemeanor[4229]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4230]	0[4231]	N/A	Yes[4232]

Fines

Max.	Min.	Can Suspend?
$2560[4233]	$430[4234]	No[4235]

Surcharges[4236]

15% of fine or forfeiture
Yes[4237]

Miscellaneous

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

Notes:

[4227] Iowa Code § 714.7B.
[4228] Iowa Code § 714.7B(1).
[4229] Iowa Code § 714.7B(5).
[4230] Iowa Code § 903.1(1)(b).
[4231] Iowa Code § 903.1(1)(b).
[4232] *See* Iowa Code § 907.3.
[4233] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4234] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4235] Iowa Code § 903.1(1).
[4236] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4237] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 714.7B(2)—Unlawful removal or attempted removal of theft detection device[4238]

Less Than $200

Class = simple misdemeanor[4239]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[4240]	0[4241]	N/A	Yes[4242]

Fines

Max.	Min.	Can Suspend?
$855[4243]	$105[4244]	No[4245]

Surcharges[4246]

15% of fine or forfeiture
Yes[4247]

Miscellaneous

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

Notes:

[4238] Iowa Code § 714.7B(2).
[4239] Iowa Code § 714.7B(6)(a).
[4240] Iowa Code § 903.1(1)(a).
[4241] Iowa Code § 903.1(1)(a).
[4242] *See* Iowa Code § 907.3.
[4243] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4244] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4245] Iowa Code § 903.1(1).
[4246] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4247] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

In Excess of $200

Class = serious misdemeanor[4248]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4249]	0[4250]	N/A	Yes[4251]

Fines

Max.	Min.	Can Suspend?
$2560[4252]	$430[4253]	No[4254]

Surcharges[4255]

15% of fine or forfeiture
Yes[4256]

Miscellaneous

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

Notes:

[4248] Iowa Code § 714.7B(6)(b).
[4249] Iowa Code § 903.1(1)(b).
[4250] Iowa Code § 903.1(1)(b).
[4251] *See* Iowa Code § 907.3.
[4252] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4253] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4254] Iowa Code § 903.1(1).
[4255] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4256] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 714.7B(3)—Possession of tool, instrument, or device with intent to use to remove theft detection device[4257]

Class = serious misdemeanor[4258]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4259]	0[4260]	N/A	Yes[4261]

Fines

Max.	Min.	Can Suspend?
$2560[4262]	$430[4263]	No[4264]

Surcharges[4265]

15% of fine or forfeiture
Yes[4266]

Miscellaneous

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

Notes:

[4257] Iowa Code § 714.7B(3).
[4258] Iowa Code § 714.7B(5).
[4259] Iowa Code § 903.1(1)(b).
[4260] Iowa Code § 903.1(1)(b).
[4261] *See* Iowa Code § 907.3.
[4262] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4263] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4264] Iowa Code § 903.1(1).
[4265] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4266] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 714.7C—Theft of Product Containing Pseudoephedrine[4267]

Class = serious misdemeanor[4268]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4269]	0[4270]	N/A	Yes[4271]

Fines

Max.	Min.	Can Suspend?
$2560[4272]	$430[4273]	No[4274]

Surcharges[4275]

15% of fine or forfeiture
Yes[4276]

Miscellaneous

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

Notes:

[4267] Iowa Code § 714.7C.
[4268] Iowa Code § 714.7C.
[4269] Iowa Code § 903.1(1)(b).
[4270] Iowa Code § 903.1(1)(b).
[4271] *See* Iowa Code § 907.3.
[4272] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4273] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4274] Iowa Code § 903.1(1).
[4275] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4276] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 714.9—First-Degree Fraudulent Practice[4277]

Class = "C" felony[4278]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[4279]	0[4280]	No, but see Enhancements	Yes[4281]

Fines

Max.	Min.	Can Suspend?
$13,660[4282]	$1370[4283]	Yes[4284]

Surcharges[4285]

15% of fine or forfeiture
Yes[4286]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4287]	No	No

Notes:

[4277] Iowa Code § 714.9.
[4278] Iowa Code § 714.9(2).
[4279] Iowa Code § 902.9(1)(d).
[4280] Iowa Code § 902.9(1)(d).
[4281] *See* Iowa Code § 907.3.
[4282] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4283] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4284] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4285] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4286] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4287] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 714.10—Second-Degree Fraudulent Practice[4288]

Class = "D" felony[4289]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4290]	0[4291]	No, but see Enhancements	Yes[4292]

Fines

Max.	Min.	Can Suspend?
$10,245[4293]	$1025[4294]	Yes[4295]

Surcharges[4296]

15% of fine or forfeiture
Yes[4297]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4298]	No	No

Notes:

[4288] Iowa Code § 714.10.
[4289] Iowa Code § 714.10(2).
[4290] Iowa Code § 902.9(1)(e).
[4291] Iowa Code § 902.9(1)(e).
[4292] *See* Iowa Code § 907.3.
[4293] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4294] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4295] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4296] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4297] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4298] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 714.11—Third-Degree Fraudulent Practice[4299]

Class = aggravated misdemeanor[4300]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4301]	0[4302]	None	Yes[4303]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4304]

Fines

Max.	Min.	Can Suspend?
$8540[4305]	$855[4306]	Yes[4307]

Surcharges[4308]

15% of fine or forfeiture
Yes[4309]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4310]	No	No

Notes:

[4299] Iowa Code § 714.11.
[4300] Iowa Code § 714.11(2).
[4301] Iowa Code § 903.1(2).
[4302] Iowa Code § 903.1(2).
[4303] *See* Iowa Code § 907.3.
[4304] Iowa Code § 903.1(2).
[4305] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4306] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4307] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4308] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4309] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4310] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 714.12—Fourth-Degree Fraudulent Practices[4311]

Class = serious misdemeanor[4312]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4313]	0[4314]	N/A	Yes[4315]

Fines

Max.	Min.	Can Suspend?
$2560[4316]	$430[4317]	No[4318]

Surcharges[4319]

15% of fine or forfeiture
Yes[4320]

Miscellaneous

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

Notes:

[4311] Iowa Code § 714.12.
[4312] Iowa Code § 714.12, unnum. para. 2.
[4313] Iowa Code § 903.1(1)(b).
[4314] Iowa Code § 903.1(1)(b).
[4315] *See* Iowa Code § 907.3.
[4316] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4317] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4318] Iowa Code § 903.1(1).
[4319] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4320] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 714.13—Fifth-Degree Fraudulent Practices[4321]

Class = simple misdemeanor[4322]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[4323]	0[4324]	N/A	Yes[4325]

Fines

Max.	Min.	Can Suspend?
$855[4326]	$105[4327]	No[4328]

Surcharges[4329]

15% of fine or forfeiture
Yes[4330]

Miscellaneous

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

Notes:

[4321] Iowa Code § 714.13.
[4322] Iowa Code § 714.13, unnum. para. 2.
[4323] Iowa Code § 903.1(1)(a).
[4324] Iowa Code § 903.1(1)(a).
[4325] *See* Iowa Code § 907.3.
[4326] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4327] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4328] Iowa Code § 903.1(1).
[4329] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4330] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 714.26—Intellectual Property Counterfeiting[4331]

§ 714.26(2)(a)—First-degree intellectual property counterfeiting[4332]

Class = "C" felony[4333]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[4334]	0[4335]	No, but see Enhancements	Yes[4336]

Fines

Max.	Min.	Can Suspend?
$13,660[4337]	$1370[4338]	Yes[4339]

Surcharges[4340]

15% of fine or forfeiture
Yes[4341]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4342]	No	No

Notes:

[4331] Iowa Code § 714.26.
[4332] Iowa Code § 714.26(2)(a)(2).
[4333] Iowa Code § 714.26(2)(a)(2).
[4334] Iowa Code § 902.9(1)(d).
[4335] Iowa Code § 902.9(1)(d).
[4336] *See* Iowa Code § 907.3.
[4337] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4338] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4339] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4340] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4341] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4342] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 714.26(2)(b)—Second-degree intellectual property counterfeiting[4343]

Class = "D" felony[4344]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4345]	0[4346]	No, but see Enhancements	Yes[4347]

Fines

Max.	Min.	Can Suspend?
$10,245[4348]	$1025[4349]	Yes[4350]

Surcharges[4351]

15% of fine or forfeiture
Yes[4352]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4353]	No	No

Notes:

[4343] Iowa Code § 714.26(2)(b).
[4344] Iowa Code § 714.26(2)(b)(2).
[4345] Iowa Code § 902.9(1)(e).
[4346] Iowa Code § 902.9(1)(e).
[4347] *See* Iowa Code § 907.3; *see also* § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).
[4348] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4349] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4350] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4351] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4352] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4353] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 714.26(2)(c)—Third-degree intellectual property counterfeiting[4354]

Class = aggravated misdemeanor[4355]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4356]	0[4357]	None	Yes[4358]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4359]

Fines

Max.	Min.	Can Suspend?
$8540[4360]	$855[4361]	Yes[4362]

Surcharges[4363]

15% of fine or forfeiture
Yes[4364]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4365]	No	No

Notes:

[4354] Iowa Code § 714.26(2)(c).
[4355] Iowa Code § 714.26(2)(c).
[4356] Iowa Code § 903.1(2).
[4357] Iowa Code § 903.1(2).
[4358] *See* Iowa Code § 907.3.
[4359] Iowa Code § 903.1(2).
[4360] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4361] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4362] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4363] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4364] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4365] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 715A FORGERY AND RELATED OFFENSES

§ 715A.2—Forgery[4366]

§ 715A.2(2)(a)—Forgery involving money[4367]

Class = "D" felony[4368]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4369]	0[4370]	No, but see Enhancements	Yes[4371]

Fines

Max.	Min.	Can Suspend?
$7500[4372]	$750[4373]	Yes[4374]

Surcharges[4375]

15% of fine or forfeiture
Yes[4376]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4377]	No	No

Notes:

[4366] Iowa Code § 715A.2.
[4367] Iowa Code § 715A.2(2)(a).
[4368] Iowa Code § 715A.2(2)(a).
[4369] Iowa Code § 902.9(1)(e).
[4370] Iowa Code § 902.9(1)(e).
[4371] *See* Iowa Code § 907.3.
[4372] Iowa Code § 902.9(1)(e).
[4373] Iowa Code § 902.9(1)(e).
[4374] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4375] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4376] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4377] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 715A.2(2)(b)—Forgery involving legal relationship[4378]

Class = aggravated misdemeanor[4379]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4380]	0[4381]	None	Yes[4382]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4383]

Fines

Max.	Min.	Can Suspend?
$8540[4384]	$855[4385]	Yes[4386]

Surcharges[4387]

15% of fine or forfeiture
Yes[4388]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4389]	No	No

Notes:

[4378] Iowa Code § 715A.2(2)(b).
[4379] Iowa Code § 715A.2(2)(b).
[4380] Iowa Code § 903.1(2).
[4381] Iowa Code § 902.9(1)(e).
[4382] *See* Iowa Code § 907.3.
[4383] Iowa Code § 903.1(2).
[4384] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4385] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4386] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4387] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4388] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4389] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 715A.6—Credit Cards[4390]

§ 715A.6(2)(a)—Credit card fraud exceeding $10,000[4391]

Class = "C" felony[4392]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[4393]	0[4394]	No, but see Enhancements	Yes[4395]

Fines

Max.	Min.	Can Suspend?
$13,660[4396]	$1370[4397]	Yes[4398]

Surcharges[4399]

15% of fine or forfeiture
Yes[4400]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4401]	No	No

Notes:

[4390] Iowa Code § 715A.6.
[4391] Iowa Code § 715A.6(2)(a).
[4392] Iowa Code § 715A.6(2)(a).
[4393] Iowa Code § 902.9(1)(d).
[4394] Iowa Code § 902.9(1)(d).
[4395] *See* Iowa Code § 907.3.
[4396] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4397] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4398] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4399] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4400] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4401] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 715A.6(2)(b)—Credit card fraud exceeding $1000 but less than $10,000[4402]

Class = "D" felony[4403]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4404]	0[4405]	No, but see enhancements	Yes[4406]

Fines

Max.	Min.	Can Suspend?
$10,245[4407]	$1025[4408]	Yes[4409]

Surcharges[4410]

15% of fine or forfeiture
Yes[4411]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4412]	No	No

Notes:

[4402] Iowa Code § 715A.6(2)(b).
[4403] Iowa Code § 715A.6(2)(b).
[4404] Iowa Code § 902.9(1)(e).
[4405] Iowa Code § 902.9(1)(e).
[4406] *See* Iowa Code § 907.3.
[4407] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4408] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4409] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4410] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4411] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4412] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 715A.6(2)(c)—Credit card fraud less than $1000[4413]

Class = aggravated misdemeanor[44144415]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4416]	0[4417]	None	Yes[4418]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4419]

Fines

Max.	Min.	Can Suspend?
$8540[4420]	$855[4421]	Yes[4422]

Surcharges[4423]

15% of fine or forfeiture
Yes[4424]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4425]	No	No

Notes:

[4413] Iowa Code § 715A.6(2)(c).
[4414] Iowa Code § 715A.2(2)(b).
[4415] Iowa Code § 715A.6(2).
[4416] Iowa Code § 903.1(2).
[4417] Iowa Code § 902.9(1)(e).
[4418] *See* Iowa Code § 907.3.
[4419] Iowa Code § 903.1(2).
[4420] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4421] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4422] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4423] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4424] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4425] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 715A.8—Identity Theft[4426]

§ 715A.8(3)(a)—In excess of $10,000[4427]

Class = "C" felony[4428]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[4429]	0[4430]	No, but see Enhancements	Yes[4431]

Fines

Max.	Min.	Can Suspend?
$13,660[4432]	$1370[4433]	Yes[4434]

Surcharges[4435]

15% of fine or forfeiture
Yes[4436]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4437]	No	No

Notes:

- Property obtained in violation of § 715A.8[4438] may be subject to forfeiture[4439]

[4426] Iowa Code § 715A.8.
[4427] Iowa Code § 715A.8(3)(a).
[4428] Iowa Code § 715A.8(3)(a).
[4429] Iowa Code § 902.9(1)(d).
[4430] Iowa Code § 902.9(1)(d).
[4431] *See* Iowa Code § 907.3.
[4432] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4433] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4434] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4435] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4436] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4437] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4438] Iowa Code § 715A.8.
[4439] Iowa Code § 715A.8(6).

§ 715A.8(3)(b)—In excess of $1000 but not more than $10,000[4440]

Class = "D" felony[4441]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4442]	0[4443]	No, but see Enhancements	Yes[4444]

Fines

Max.	Min.	Can Suspend?
$10,245[4445]	$1025[4446]	Yes[4447]

Surcharges[4448]

15% of fine or forfeiture
Yes[4449]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4450]	No	No

Notes:

- Property obtained in violation of § 715A.8[4451] may be subject to forfeiture[4452]

[4440] Iowa Code § 715A.8(3)(b).
[4441] Iowa Code § 715A.8(3)(b).
[4442] Iowa Code § 902.9(1)(e).
[4443] Iowa Code § 902.9(1)(e).
[4444] *See* Iowa Code § 907.3.
[4445] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4446] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4447] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4448] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4449] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4450] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4451] Iowa Code § 715A.8.
[4452] Iowa Code § 715A.8(6).

§ 715A.8(3)(c)—Not in excess of $1000[4453]

Class = aggravated misdemeanor[4454]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4455]	0[4456]	None	Yes[4457]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4458]

Fines

Max.	Min.	Can Suspend?
$8540[4459]	$855[4460]	Yes[4461]

Surcharges[4462]

15% of fine or forfeiture
Yes[4463]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4464]	No	No

Notes:

❖ Property obtained in violation of § 715A.8[4465] may be subject to forfeiture[4466]

[4453] Iowa Code § 715A.8(3)(c).
[4454] Iowa Code § 715A.8(3)(c).
[4455] Iowa Code § 903.1(2).
[4456] Iowa Code § 903.1(2).
[4457] *See* Iowa Code § 907.3.
[4458] Iowa Code § 903.1(2).
[4459] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4460] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4461] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4462] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4463] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4464] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4465] Iowa Code § 715A.8.
[4466] Iowa Code § 715A.8(6).

§ 715A.10—Illegal Use of Scanning Device or Encoding Machine[4467]

§ 715A.10(1)—Illegal use[4468]

Class = "D" felony[4469]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4470]	0[4471]	No, but see Enhancements	Yes[4472]

Fines

Max.	Min.	Can Suspend?
$10,245[4473]	$1025[4474]	Yes[4475]

Surcharges[4476]

15% of fine or forfeiture
Yes[4477]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4478]	No	No

Notes:

[4467] Iowa Code § 715A.10.
[4468] Iowa Code § 715A.10(1).
[4469] Iowa Code § 715A.10(1).
[4470] Iowa Code § 902.9(1)(e).
[4471] Iowa Code § 902.9(1)(e).
[4472] *See* Iowa Code § 907.3.
[4473] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4474] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4475] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4476] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4477] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4478] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 715A.10(1A)—Possesses scanning device with intent[4479]

Class = aggravated misdemeanor[4480]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4481]	0[4482]	None	Yes[4483]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4484]

Fines

Max.	Min.	Can Suspend?
$8540[4485]	$855[4486]	Yes[4487]

Surcharges[4488]

15% of fine or forfeiture
Yes[4489]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4490]	No	No

Notes:

[4479] Iowa Code § 715A.10(1A).
[4480] Iowa Code § 715A.10(1A).
[4481] Iowa Code § 903.1(2).
[4482] Iowa Code § 903.1(2).
[4483] *See* Iowa Code § 907.3, unnum. para.
[4484] Iowa Code § 903.1(2).
[4485] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4486] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4487] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4488] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4489] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4490] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 715A.10(2)—Second or subsequent offense[4491]

Class = "C" felony[4492]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[4493]	0[4494]	No, but see Enhancements	Yes[4495]

Fines

Max.	Min.	Can Suspend?
$13,660[4496]	$1370[4497]	Yes[4498]

Surcharges[4499]

15% of fine or forfeiture
Yes[4500]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4501]	No	No

Notes:

[4491] Iowa Code § 715A.10(2).
[4492] Iowa Code § 715A.10(2).
[4493] Iowa Code § 902.9(1)(d).
[4494] Iowa Code § 902.9(1)(d).
[4495] *See* Iowa Code § 907.3.
[4496] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4497] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4498] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4499] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4500] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4501] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 715B PROTECTION OF BUYERS OF FINE ART AND VISUAL ART MULTIPLES

§ 715B.3—Falsifying Certificates of Authenticity or False Representation[4502]

Class = aggravated misdemeanor[4503]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4504]	0[4505]	None	Yes[4506]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4507]

Fines

Max.	Min.	Can Suspend?
$8540[4508]	$855[4509]	Yes[4510]

Surcharges[4511]

15% of fine or forfeiture
Yes[4512]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4513]	No	No

Notes:

[4502] Iowa Code § 715B.3.
[4503] Iowa Code § 715B.3.
[4504] Iowa Code § 903.1(2).
[4505] Iowa Code § 903.1(2).
[4506] *See* Iowa Code § 907.3.
[4507] Iowa Code § 903.1(2).
[4508] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4509] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4510] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4511] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4512] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4513] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 716 DAMAGE AND TRESPASS TO REAL PROPERTY

§ 716.3—First-Degree Criminal Mischief[4514]

Class = "C" felony[4515]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[4516]	0[4517]	No, but see Enhancements	Yes[4518]

Fines

Max.	Min.	Can Suspend?
$13,660[4519]	$1370[4520]	Yes[4521]

Surcharges[4522]

15% of fine or forfeiture	Agricultural Theft
Yes[4523]	Maybe, see Notes

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4524]	No	No

Notes:

- Agricultural Theft Surcharge:
  - applies if an adjudication of guilt or a deferred judgement has been entered for a criminal violation involving criminal mischief by damaging, defacing, altering or destroying agricultural property[4525]
    - if applicable, surcharge is $500[4526]

[4514] Iowa Code § 716.3.
[4515] Iowa Code § 716.3(2).
[4516] Iowa Code § 902.9(1)(d).
[4517] Iowa Code § 902.9(1)(d).
[4518] *See* Iowa Code § 907.3.
[4519] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4520] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4521] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4522] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4523] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4524] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4525] Iowa Code § 911.5 (added by 2020 Iowa Acts ch. 1074, § 21, effective 7/15/2020).
[4526] Iowa Code § 911.5 (added by 2020 Iowa Acts ch. 1074, § 21, effective 7/15/20).

§ 716.4—Second-Degree Criminal Mischief[4527]

Class = "D" felony[4528]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4529]	0[4530]	No, but see Enhancements	Yes[4531]

Fines

Max.	Min.	Can Suspend?
$10,245[4532]	$1025[4533]	Yes[4534]

Surcharges[4535]

15% of fine or forfeiture	Agricultural Theft
Yes[4536]	Maybe, see Notes

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4537]	No	No

Notes:

- Agricultural Theft Surcharge:
  - applies if an adjudication of guilt or a deferred judgement has been entered for a criminal violation involving criminal mischief by damaging, defacing, altering or destroying agricultural property[4538]
    - if applicable, surcharge is $500[4539]

[4527] Iowa Code § 716.4.
[4528] Iowa Code § 716.4(2).
[4529] Iowa Code § 902.9(1)(e).
[4530] Iowa Code § 902.9(1)(e).
[4531] *See* Iowa Code § 907.3.
[4532] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4533] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4534] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4535] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4536] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4537] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4538] Iowa Code § 911.5 (added by 2020 Iowa Acts ch. 1074, § 21, effective 7/15/2020).
[4539] Iowa Code § 911.5 (added by 2020 Iowa Acts ch. 1074, § 21, effective 7/15/20).

§ 716.5—Third-Degree Criminal Mischief[4540]

Class = aggravated misdemeanor[4541]

❖ If violation of § 716.5[4542] is also a hate crime, offense is classified and punished as a "D" felony[4543]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4544]	0[4545]	None	Yes[4546]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4547]

Fines

Max.	Min.	Can Suspend?
$8540[4548]	$855[4549]	Yes[4550]

Surcharges[4551]

15% of fine or forfeiture	Agricultural Theft
Yes[4552]	Maybe, see Notes

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4553]	No	No

Notes:

❖ Agricultural Theft Surcharge:
- ➢ applies if an adjudication of guilt or a deferred judgement has been entered for a criminal violation involving criminal mischief by damaging, defacing, altering or destroying agricultural property[4554]
  - ▪ if applicable, surcharge is $500[4555]

[4540] Iowa Code § 716.5.
[4541] Iowa Code § 716.5(2) (amended by 2018 Iowa Acts ch. 1011, § 2 to expand the offense to include property as defined in Iowa Code § 715A.10, effective 7/1/2018).
[4542] Iowa Code § 716.5.
[4543] *See* Iowa Code § 716.6A.
[4544] Iowa Code § 903.1(2).
[4545] Iowa Code § 903.1(2).
[4546] *See* Iowa Code § 907.3, unnum. para.
[4547] Iowa Code § 903.1(2).
[4548] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4549] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4550] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4551] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4552] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4553] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[4554] Iowa Code § 911.5 (added by 2020 Iowa Acts ch. 1074, § 21, effective 7/15/2020).
[4555] Iowa Code § 911.5 (added by 2020 Iowa Acts ch. 1074, § 21, effective 7/15/20).

§ 716.6—Fourth- and Fifth-Degree Criminal Mischief[4556]

§ 716.6(1)—Fourth-degree criminal mischief[4557]

Class = serious misdemeanor[4558]

❖ If violation of § 716.6(1)[4559] is also a hate crime, offense is classified and punished as an aggravated misdemeanor[4560]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4561]	0[4562]	N/A	Yes[4563]

Fines

Max.	Min.	Can Suspend?
$2560[4564]	$430[4565]	No[4566]

Surcharges[4567]

15% of fine or forfeiture
Yes[4568]

Miscellaneous

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

Notes:

[4556] Iowa Code § 716.6.
[4557] Iowa Code § 716.6(1).
[4558] Iowa Code § 716.6(1)(b).
[4559] Iowa Code § 716.6(1).
[4560] *See* Iowa Code § 716.6A.
[4561] Iowa Code § 903.1(1)(b).
[4562] Iowa Code § 903.1(1)(b).
[4563] *See* Iowa Code § 907.3.
[4564] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4565] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4566] Iowa Code § 903.1(1).
[4567] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4568] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 716.6(2)—Fifth-degree criminal mischief[4569]

Class = simple misdemeanor[4570]

❖ If violation of § 716.6(2)[4571] is also a hate crime, offense is classified and punished as a serious misdemeanor[4572]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[4573]	0[4574]	N/A	Yes[4575]

Fines

Max.	Min.	Can Suspend?
$855[4576]	$105[4577]	No[4578]

Surcharges[4579]

15% of fine or forfeiture
Yes[4580]

Miscellaneous

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

Notes:

[4569] Iowa Code § 716.6(2).
[4570] Iowa Code § 716.6(2).
[4571] Iowa Code § 716.6(2).
[4572] *See* Iowa Code § 716.6A.
[4573] Iowa Code § 903.1(1)(a).
[4574] Iowa Code § 903.1(1)(a).
[4575] *See* Iowa Code § 907.3.
[4576] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4577] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4578] Iowa Code § 903.1(1).
[4579] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4580] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 716.6B—Unauthorized Computer Access[4581]

§ 716.6B(1)(a)—Unauthorized access of certain confidential information[4582]

Class = aggravated misdemeanor[4583]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4584]	0[4585]	None	Yes[4586]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4587]

Fines

Max.	Min.	Can Suspend?
$8540[4588]	$855[4589]	Yes[4590]

Surcharges[4591]

15% of fine or forfeiture
Yes[4592]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4593]	No	No

Notes:

[4581] Iowa Code § 716.6B.
[4582] Iowa Code § 716.6B(1)(a).
[4583] Iowa Code § 716.6B(1)(a).
[4584] Iowa Code § 903.1(2).
[4585] Iowa Code § 903.1(2).
[4586] *See* Iowa Code § 907.3, unnum. para.
[4587] Iowa Code § 903.1(2).
[4588] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4589] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4590] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4591] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4592] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4593] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.6B(1)(b)—Copying, altering, or deleting computer data[4594]

Class = serious misdemeanor[4595]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4596]	0[4597]	N/A	Yes[4598]

Fines

Max.	Min.	Can Suspend?
$2560[4599]	$430[4600]	No[4601]

Surcharges[4602]

15% of fine or forfeiture
Yes[4603]

Miscellaneous

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

Notes:

[4594] Iowa Code § 716.6B(1)(b).
[4595] Iowa Code § 716.6A(1)(b).
[4596] Iowa Code § 903.1(1)(b).
[4597] Iowa Code § 903.1(1)(b).
[4598] *See* Iowa Code § 907.3.
[4599] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4600] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4601] Iowa Code § 903.1(1).
[4602] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4603] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 716.6B(1)(c)—Any other unauthorized access[4604]

Class = simple misdemeanor[4605]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[4606]	0[4607]	N/A	Yes[4608]

Fines

Max.	Min.	Can Suspend?
$855[4609]	$105[4610]	No[4611]

Surcharges[4612]

15% of fine or forfeiture
Yes[4613]

Miscellaneous

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

Notes:

[4604] Iowa Code § 716.6B(1)(c).
[4605] Iowa Code § 716.6A(1)(a).
[4606] Iowa Code § 903.1(1)(a).
[4607] Iowa Code § 903.1(1)(a).
[4608] *See* Iowa Code § 907.3.
[4609] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4610] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4611] Iowa Code § 903.1(1).
[4612] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4613] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 716.8—Trespass[4614]

§ 716.8(1)—Trespass on property of another[4615]

Class = simple misdemeanor[4616] punishable as a scheduled violation per Iowa Code section 805.8C(11).

[4614] Iowa Code § 716.8.
[4615] Iowa Code § 716.8(1).
[4616] Iowa Code § 716.8(1).

§ 716.8(2)—Trespass resulting in injury to any person or damage of more than $200[4617]

Class = serious misdemeanor[4618]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4619]	0[4620]	N/A	Yes[4621]

Fines

Max.	Min.	Can Suspend?
$2560[4622]	$430[4623]	No[4624]

Surcharges[4625]

15% of fine or forfeiture
Yes[4626]

Miscellaneous

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

Notes:

[4617] Iowa Code § 716.8(2).
[4618] Iowa Code § 716.8(2).
[4619] Iowa Code § 903.1(1)(b).
[4620] Iowa Code § 903.1(1)(b).
[4621] *See* Iowa Code § 907.3.
[4622] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4623] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4624] Iowa Code § 903.1(1).
[4625] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4626] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 716.8(3)—Trespass with intent to commit a hate crime[4627]

Class = serious misdemeanor[4628]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4629]	0[4630]	N/A	Yes[4631]

Fines

Max.	Min.	Can Suspend?
$2560[4632]	$430[4633]	No[4634]

Surcharges[4635]

15% of fine or forfeiture
Yes[4636]

Miscellaneous

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

Notes:

[4627] Iowa Code § 716.8(3).
[4628] Iowa Code § 716.8(3).
[4629] Iowa Code § 903.1(1)(b).
[4630] Iowa Code § 903.1(1)(b).
[4631] *See* Iowa Code § 907.3.
[4632] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4633] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4634] Iowa Code § 903.1(1).
[4635] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4636] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 716.8(4)—Trespass with intent to commit a hate crime that results in injury to any person or damage or more than $200[4637]

Class = aggravated misdemeanor[4638]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4639]	0[4640]	None	Yes[4641]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4642]

Fines

Max.	Min.	Can Suspend?
$8540[4643]	$855[4644]	Yes[4645]

Surcharges[4646]

15% of fine or forfeiture
Yes[4647]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4648]	No	No

Notes:

[4637] Iowa Code § 716.8(4).
[4638] Iowa Code § 716.8(4).
[4639] Iowa Code § 903.1(2).
[4640] Iowa Code § 903.1(2).
[4641] *See* Iowa Code § 907.3, unnum. para.
[4642] Iowa Code § 903.1(2).
[4643] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4644] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4645] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4646] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4647] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4648] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.8(5)—Trespass while hunting deer[4649]

Class = simple misdemeanor[4650] punishable as a scheduled violation per Iowa Code section 805.8C(11).

[4649] Iowa Code § 716.8(5).
[4650] Iowa Code § 716.8(5).

§ 716.8(6)—Trespass as defined in § 716.7(2)(a)(6)[4651]

Class = "D" felony[4652]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4653]	0[4654]	No, but see Enhancements	Yes[4655]

Fines

Max.	Min.	Can Suspend?
$10,245[4656]	$1025[4657]	Yes[4658]

Surcharges[4659]

15% of fine or forfeiture
Yes[4660]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4661]	No	No

Notes:

[4651] Iowa Code §§ 716.8(6), 716.7(2)(a)(6).
[4652] Iowa Code § 716.8(6).
[4653] Iowa Code § 902.9(1)(e).
[4654] Iowa Code § 902.9(1)(e).
[4655] *See* Iowa Code § 907.3.
[4656] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4657] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4658] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4659] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4660] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4661] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.8(7)—Trespass as defined in § 716.7(2)(a)(7)[4662]

Class = serious misdemeanor[4663]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4664]	0[4665]	N/A	Yes[4666]

Fines

Max.	Min.	Can Suspend?
$2560[4667]	$430[4668]	No[4669]

Surcharges[4670]

15% of fine or forfeiture
Yes[4671]

Miscellaneous

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

Notes:

[4662] Iowa Code §§ 716.8(7), 716.7(2)(a)(7).
[4663] Iowa Code § 716.8(7).
[4664] Iowa Code § 903.1(1)(b).
[4665] Iowa Code § 903.1(1)(b).
[4666] *See* Iowa Code § 907.3.
[4667] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4668] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4669] Iowa Code § 903.1(1).
[4670] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4671] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 716.8(8)—Food Operation Trespass as defined in § 716.7A[4672]
§ 716.8(8)(a)—First offense[4673]
Class = aggravated misdemeanor[4674]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 year[4675]	0[4676]	None	Yes[4677]

Fines

Max.	Min.	Can Suspend?
$8540[4678]	$855[4679]	No[4680]

Surcharges

15% of fine or forfeiture
Yes[4681]

Miscellaneous

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

Notes:

[4672] Iowa Code §§ 716.8(8) (added by 2020 Iowa Acts ch. 1036, § 18, effective 6/10/2020), 716.7A (added by 2020 Iowa Acts ch. 1036, §§ 17, effective 6/10/2020).
[4673] Iowa Code § 716.8(8)(a) (added by 2020 Iowa Acts ch. 1036, § 18, effective 6/10/2020).
[4674] Iowa Code § 716.8(8)(a) (added by 2020 Iowa Acts ch. 1036, § 18, effective 6/10/2020).
[4675] Iowa Code § 903.1(2).
[4676] Iowa Code § 903.1(2).
[4677] *See* Iowa Code § 907.3.
[4678] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4679] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4680] Iowa Code § 903.1(1).
[4681] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 716.8(8)—Food Operation Trespass as defined in § 716.7A[4682]
§ 716.8(8)(b)—Second or subsequent offense[4683]

Class = "D" felony[4684]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 year[4685]	0[4686]	No, but see Enhancements	Yes[4687]

Fines

Max.	Min.	Can Suspend?
$10,245[4688]	$1025[4689]	Yes[4690]

Surcharges

15% of fine or forfeiture
Yes[4691]

Miscellaneous

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

Notes:

[4682] Iowa Code §§ 716.8(8) (added by 2020 Iowa Acts ch. 1036, § 18, effective 6/10/2020), 716.7A (added by Iowa Acts ch. 1036, §§ 17, effective 6/10/2020).
[4683] Iowa Code § 716.8(8)(b) (added by Iowa Acts ch. 1036, § 18, effective 6/10/2020).
[4684] Iowa Code § 716.8(8)(b) (added by Iowa Acts ch. 1036, § 18, effective 6/10/2020).
[4685] Iowa Code § 902.9(1)(e).
[4686] Iowa Code § 902.9(1)(e).
[4687] *See* Iowa Code § 907.3.
[4688] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4689] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4690] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4691] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 716.9—Stowing Away[4692]

Class = simple misdemeanor[4693]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[4694]	0[4695]	N/A	Yes[4696]

Fines

Max.	Min.	Can Suspend?
$855[4697]	$105[4698]	No[4699]

Surcharges[4700]

15% of fine or forfeiture
Yes[4701]

Miscellaneous

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

Notes:

[4692] Iowa Code § 716.9.
[4693] Iowa Code § 716.9.
[4694] Iowa Code § 903.1(1)(a).
[4695] Iowa Code § 903.1(1)(a).
[4696] *See* Iowa Code § 907.3.
[4697] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4698] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4699] Iowa Code § 903.1(1).
[4700] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4701] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 716.10—Railroad Vandalism[4702]

§ 716.10(2)(a)—First-degree railroad vandalism[4703]

Class = "B" felony[4704]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years[4705]	0[4706]	No, but see Enhancements	Yes[4707]

Fines[4708]—N/A

Surcharges[4709]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4710]	No	No

Notes:

[4702] Iowa Code § 716.10.
[4703] Iowa Code § 716.10(2)(a).
[4704] Iowa Code § 716.10(2)(a).
[4705] Iowa Code § 716.10(2)(a).
[4706] Iowa Code § 902.9(1)(b).
[4707] *See* Iowa Code § 907.3.
[4708] *See* Iowa Code § 902.9(1)(b).
[4709] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4710] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.10(2)(b)—Second-degree railroad vandalism[4711]

Class = "B" felony[4712]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[4713]	0[4714]	No, but see Enhancements	Yes[4715]

Fines[4716]—N/A

Surcharges[4717]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4718]	No	No

Notes:

[4711] Iowa Code § 716.10(2)(b).
[4712] Iowa Code § 716.10(2)(b).
[4713] Iowa Code § 902.9(1)(b).
[4714] Iowa Code § 902.9(1)(b).
[4715] *See* Iowa Code § 907.3.
[4716] *See* Iowa Code § 902.9(1)(b).
[4717] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4718] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.10(2)(c)—Third-degree railroad vandalism[4719]

Class = "C" felony[4720]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[4721]	0[4722]	No, but see Enhancements	Yes[4723]

Fines

Max.	Min.	Can Suspend?
$13,660[4724]	$1370[4725]	Yes[4726]

Surcharges[4727]

15% of fine or forfeiture
Yes[4728]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4729]	No	No

Notes:

[4719] Iowa Code § 716.10(2)(c).
[4720] Iowa Code § 716.10(2)(c).
[4721] Iowa Code § 902.9(1)(d).
[4722] Iowa Code § 902.9(1)(d).
[4723] *See* Iowa Code § 907.3.
[4724] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4725] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4726] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4727] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4728] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4729] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.10(2)(d)—Fourth-degree railroad vandalism[4730]

Class = "D" felony[4731]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4732]	0[4733]	No, but see Enhancements	Yes[4734]

Fines

Max.	Min.	Can Suspend?
$10,245[4735]	$1025[4736]	Yes[4737]

Surcharges[4738]

15% of fine or forfeiture
Yes[4739]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4740]	No	No

Notes:

[4730] Iowa Code § 716.10(2)(d).
[4731] Iowa Code § 716.10(2)(d).
[4732] Iowa Code § 902.9(1)(e).
[4733] Iowa Code § 902.9(1)(e).
[4734] *See* Iowa Code § 907.3.
[4735] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4736] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4737] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4738] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4739] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4740] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.10(2)(e)—Fifth-degree railroad vandalism[4741]

Class = aggravated misdemeanor[4742]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4743]	0[4744]	None	Yes[4745]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4746]

Fines

Max.	Min.	Can Suspend?
$8540[4747]	$855[4748]	Yes[4749]

Surcharges[4750]

15% of fine or forfeiture
Yes[4751]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4752]	No	No

Notes:

[4741] Iowa Code § 716.10(2)(e).
[4742] Iowa Code § 716.5(2).
[4743] Iowa Code § 903.1(2).
[4744] Iowa Code § 903.1(2).
[4745] *See* Iowa Code § 907.3, unnum. para.
[4746] Iowa Code § 903.1(2).
[4747] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4748] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4749] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4750] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4751] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4752] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.10(2)(f)—Sixth-degree railroad vandalism[4753]

Class = serious misdemeanor[4754]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4755]	0[4756]	N/A	Yes[4757]

Fines

Max.	Min.	Can Suspend?
$2560[4758]	$430[4759]	No[4760]

Surcharges[4761]

15% of fine or forfeiture
Yes[4762]

Miscellaneous

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

Notes:

[4753] Iowa Code § 716.10(2)(f).
[4754] Iowa Code § 716.10(2)(f).
[4755] Iowa Code § 903.1(1)(b).
[4756] Iowa Code § 903.1(1)(b).
[4757] *See* Iowa Code § 907.3.
[4758] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4759] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4760] Iowa Code § 903.1(1).
[4761] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4762] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 716.10(2)(g)—Seventh-degree railroad vandalism[4763]

Class = simple misdemeanor[4764]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[4765]	0[4766]	N/A	Yes[4767]

Fines

Max.	Min.	Can Suspend?
$855[4768]	$105[4769]	No[4770]

Surcharges[4771]

15% of fine or forfeiture
Yes[4772]

Miscellaneous

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

Notes:

[4763] Iowa Code § 716.10(2)(g).
[4764] Iowa Code § 716.10(2)(g).
[4765] Iowa Code § 903.1(1)(a).
[4766] Iowa Code § 903.1(1)(a).
[4767] *See* Iowa Code § 907.3.
[4768] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4769] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4770] Iowa Code § 903.1(1).
[4771] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4772] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 716.12—Critical Infrastructure Sabotage[4773]

Class = "B" felony[4774]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years[4775]	0[4776]	No, but see Enhancements	Yes[4777]

Fines

Max.	Min.	Can Suspend?
$100,000[4778]	$85,000[4779]	N/A

Surcharges[4780]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4781]	No	No

Notes:

[4773] Iowa Code § 716.12.
[4774] Iowa Code § 716.12.
[4775] Iowa Code § 902.9(1)(b).
[4776] Iowa Code § 902.9(1)(b).
[4777] *See* Iowa Code § 907.3.
[4778] Iowa Code § 716.12.
[4779] Iowa Code § 716.12.
[4780] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4781] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 719 OBSTRUCTING JUSTICE

§ 719.1—Interference with Official Acts

§ 719.1(1)—Interference with official acts[4782]

§ 719.1(1)(b)—Interference with official acts[4783]

Class = simple misdemeanor[4784]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[4785]	0[4786]	N/A	Yes[4787]

Fines

Max.	Min.	Can Suspend?
$855[4788]	$250[4789]	No[4790]

Surcharges[4791]

15% of fine or forfeiture
Yes[4792]

Miscellaneous

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

Notes:

[4782] Iowa Code § 719.1(1).
[4783] Iowa Code § 719.1(1)(b).
[4784] Iowa Code § 719.1(1)(b).
[4785] Iowa Code § 903.1(1)(a).
[4786] Iowa Code § 903.1(1)(a).
[4787] *See* Iowa Code § 907.3.
[4788] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4789] Iowa Code § 719.1(1)(b).
[4790] Iowa Code § 903.1(1).
[4791] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4792] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 719.1(1)(c)—Resulting in bodily injury[4793]

Class = serious misdemeanor[4794]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4795]	0[4796]	N/A	Yes[4797]

Fines

Max.	Min.	Can Suspend?
$2560[4798]	$430[4799]	No[4800]

Surcharges[4801]

15% of fine or forfeiture
Yes[4802]

Miscellaneous

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

Notes:

[4793] Iowa Code § 719.1(1)(c).
[4794] Iowa Code § 719.1(1)(c).
[4795] Iowa Code § 903.1(1)(b).
[4796] Iowa Code § 903.1(1)(b).
[4797] *See* Iowa Code § 907.3.
[4798] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4799] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4800] Iowa Code § 903.1(1).
[4801] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4802] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 719.1(1)(d)—Resulting in serious injury[4803]

Class = aggravated misdemeanor[4804]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4805]	0[4806]	None	Yes[4807]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4808]

Fines

Max.	Min.	Can Suspend?
$8540[4809]	$855[4810]	Yes[4811]

Surcharges[4812]

15% of fine or forfeiture
Yes[4813]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4814]	No	No

Notes:

[4803] Iowa Code § 719.1(1)(d).
[4804] Iowa Code § 719.1(1)(d).
[4805] Iowa Code § 903.1(2).
[4806] Iowa Code § 903.1(2).
[4807] *See* Iowa Code § 907.3.
[4808] Iowa Code § 903.1(2).
[4809] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4810] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4811] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4812] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4813] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4814] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(1)(e)—Inflicting non-serious bodily injury[4815]

Class = aggravated misdemeanor[4816]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4817]	0[4818]	None	Yes[4819]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4820]

Fines

Max.	Min.	Can Suspend?
$8540[4821]	$855[4822]	Yes[4823]

Surcharges[4824]

15% of fine or forfeiture
Yes[4825]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4826]	No	No

Notes:

[4815] Iowa Code § 719.1(1)(e).
[4816] Iowa Code § 719.1(1)(e).
[4817] Iowa Code § 903.1(2).
[4818] Iowa Code § 903.1(2).
[4819] *See* Iowa Code § 907.3.
[4820] Iowa Code § 903.1(2).
[4821] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4822] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4823] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4824] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4825] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4826] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(1)(f)—Inflicting or attempting to inflict serious injury, while displaying a dangerous weapon, or while armed with a firearm[4827]

Class = "D" felony[4828]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4829]	0[4830]	No, but see Enhancements	Yes[4831]

Fines

Max.	Min.	Can Suspend?
$10,245[4832]	$1025[4833]	Yes[4834]

Surcharges[4835]

15% of fine or forfeiture
Yes[4836]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4837]	No	No

Notes:

[4827] Iowa Code § 719.1(1)(f).
[4828] Iowa Code § 719.1(1)(f).
[4829] Iowa Code § 902.9(1)(e).
[4830] Iowa Code § 902.9(1)(e).
[4831] *See* Iowa Code § 907.3.
[4832] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4833] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4834] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4835] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4836] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4837] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(2)—Interference with official acts while under custody, control, or supervision of the department of corrections[4838]

§ 719.1(2)(b)—Interference with official acts while under custody, control, or supervision of the department of corrections[4839]

Class = serious misdemeanor[4840]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4841]	0[4842]	N/A	Yes[4843]

Fines

Max.	Min.	Can Suspend?
$2560[4844]	$430[4845]	No[4846]

Surcharges[4847]

15% of fine or forfeiture
Yes[4848]

Miscellaneous

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

Notes:

[4838] Iowa Code § 719.1(2).
[4839] Iowa Code § 719.1(2)(b).
[4840] Iowa Code § 719.1(2)(b).
[4841] Iowa Code § 903.1(1)(b).
[4842] Iowa Code § 903.1(1)(b).
[4843] *See* Iowa Code § 907.3.
[4844] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4845] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4846] Iowa Code § 903.1(1).
[4847] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4848] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 719.1(2)(c)—While committing an assault[4849]

Class = aggravated misdemeanor[4850]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4851]	0[4852]	None	Yes[4853]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4854]

Fines

Max.	Min.	Can Suspend?
$8540[4855]	$855[4856]	Yes[4857]

Surcharges[4858]

15% of fine or forfeiture
Yes[4859]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4860]	No	No

Notes:

[4849] Iowa Code § 719.1(2)(c).
[4850] Iowa Code § 719.1(2)(c).
[4851] Iowa Code § 903.1(2).
[4852] Iowa Code § 903.1(2).
[4853] *See* Iowa Code § 907.3.
[4854] Iowa Code § 903.1(2).
[4855] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4856] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4857] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4858] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4859] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4860] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(2)(d)—Resulting in bodily injury[4861]

Class = aggravated misdemeanor[4862]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4863]	0[4864]	None	Yes[4865]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4866]

Fines

Max.	Min.	Can Suspend?
$8540[4867]	$855[4868]	Yes[4869]

Surcharges[4870]

15% of fine or forfeiture
Yes[4871]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4872]	No	No

Notes:

[4861] Iowa Code § 719.1(2)(d).
[4862] Iowa Code § 719.1(2)(d).
[4863] Iowa Code § 903.1(2).
[4864] Iowa Code § 903.1(2).
[4865] *See* Iowa Code § 907.3.
[4866] Iowa Code § 903.1(2).
[4867] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4868] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4869] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4870] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4871] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4872] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(2)(e)—Resulting in serious injury[4873]

Class = "D" felony[4874]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4875]	0[4876]	No, but see Enhancements	Yes[4877]

Fines

Max.	Min.	Can Suspend?
$10,245[4878]	$1025[4879]	Yes[4880]

Surcharges[4881]

15% of fine or forfeiture
Yes[4882]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4883]	No	No

Notes:

[4873] Iowa Code § 719.1(2)(e).
[4874] Iowa Code § 719.1(2)(e).
[4875] Iowa Code § 902.9(1)(e).
[4876] Iowa Code § 902.9(1)(e).
[4877] *See* Iowa Code § 907.3.
[4878] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4879] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4880] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4881] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4882] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4883] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(2)(f)—Inflicting or attempting to inflict serious injury, while displaying a dangerous weapon, or while armed with a firearm[4884]

Class = "D" felony[4885]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4886]	0[4887]	No, but see Enhancements	Yes[4888]

Fines

Max.	Min.	Can Suspend?
$10,245[4889]	$1025[4890]	Yes[4891]

Surcharges[4892]

15% of fine or forfeiture
Yes[4893]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4894]	No	No

Notes:

[4884] Iowa Code § 719.1(2)(f).
[4885] Iowa Code § 719.1(2)(f).
[4886] Iowa Code § 902.9(1)(e).
[4887] Iowa Code § 902.9(1)(e).
[4888] *See* Iowa Code § 907.3.
[4889] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4890] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4891] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4892] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4893] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4894] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(2)(g)—While using or attempting to use a dangerous weapon, or inflicting serious injury[4895]

Class = "C" felony[4896]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[4897]	0[4898]	No, but see Enhancements	Yes[4899]

Fines

Max.	Min.	Can Suspend?
$13,660[4900]	$1370[4901]	Yes[4902]

Surcharges[4903]

15% of fine or forfeiture
Yes[4904]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4905]	No	No

Notes:

[4895] Iowa Code § 719.1(2)(g).
[4896] Iowa Code § 719.1(2)(g).
[4897] Iowa Code § 902.9(1)(d).
[4898] Iowa Code § 902.9(1)(d).
[4899] *See* Iowa Code § 907.3.
[4900] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4901] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4902] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4903] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4904] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4905] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1A—Providing False Identification Information[4906]

Class = simple misdemeanor[4907]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[4908]	0[4909]	N/A	Yes[4910]

Fines

Max.	Min.	Can Suspend?
$855[4911]	$105[4912]	No[4913]

Surcharges[4914]

15% of fine or forfeiture
Yes[4915]

Miscellaneous

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

Notes:

[4906] Iowa Code § 719.1A.
[4907] Iowa Code § 719.1A.
[4908] Iowa Code § 903.1(1)(a).
[4909] Iowa Code § 903.1(1)(a).
[4910] *See* Iowa Code § 907.3.
[4911] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4912] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4913] Iowa Code § 903.1(1).
[4914] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4915] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 719.2—Refusing to Assist Officer[4916]

Class = simple misdemeanor[4917]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[4918]	0[4919]	N/A	Yes[4920]

Fines

Max.	Min.	Can Suspend?
$855[4921]	$105[4922]	No[4923]

Surcharges[4924]

15% of fine or forfeiture
Yes[4925]

Miscellaneous

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

Notes:

[4916] Iowa Code § 719.2.
[4917] Iowa Code § 719.2.
[4918] Iowa Code § 903.1(1)(a).
[4919] Iowa Code § 903.1(1)(a).
[4920] *See* Iowa Code § 907.3.
[4921] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4922] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4923] Iowa Code § 903.1(1).
[4924] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4925] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 719.3—Preventing Apprehension, Obstructing Prosecution, or Obstructing Defense[4926]

Class = aggravated misdemeanor[4927]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[4928]	0[4929]	None	Yes[4930]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[4931]

Fines

Max.	Min.	Can Suspend?
$8540[4932]	$855[4933]	Yes[4934]

Surcharges[4935]

15% of fine or forfeiture
Yes[4936]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4937]	No	No

Notes:

[4926] Iowa Code § 719.3.
[4927] Iowa Code § 719.3.
[4928] Iowa Code § 903.1(2).
[4929] Iowa Code § 903.1(2).
[4930] *See* Iowa Code § 907.3.
[4931] Iowa Code § 903.1(2).
[4932] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4933] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4934] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4935] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4936] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4937] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.4—Escape or Absence from Custody[4938]

§ 719.4(1)—Felon escape or attempting to escape[4939]

Class = "D" felony[4940]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4941]	0[4942]	No, but see Enhancements	Yes[4943]

Fines

Max.	Min.	Can Suspend?
$10,245[4944]	$1025[4945]	Yes[4946]

Surcharges[4947]

15% of fine or forfeiture
Yes[4948]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4949]	No	No

Notes:

[4938] Iowa Code § 719.4.
[4939] Iowa Code § 719.4(1).
[4940] Iowa Code § 719.4(1).
[4941] Iowa Code § 902.9(1)(e).
[4942] Iowa Code § 902.9(1)(e).
[4943] *See* Iowa Code § 907.3.
[4944] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4945] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4946] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4947] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4948] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4949] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.4(2)—Misdemeanant escape or attempting to escape[4950]

Class = serious misdemeanor[4951]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4952]	0[4953]	N/A	Yes[4954]

Fines

Max.	Min.	Can Suspend?
$2560[4955]	$430[4956]	No[4957]

Surcharges[4958]

15% of fine or forfeiture
Yes[4959]

Miscellaneous

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

Notes:

[4950] Iowa Code § 719.4(2).
[4951] Iowa Code § 719.4(2).
[4952] Iowa Code § 903.1(1)(b).
[4953] Iowa Code § 903.1(1)(b).
[4954] *See* Iowa Code § 907.3.
[4955] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4956] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4957] Iowa Code § 903.1(1).
[4958] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4959] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 719.4(3)—Absence from department of corrections institution or community-based correctional facility[4960]

Class = serious misdemeanor[4961]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[4962]	0[4963]	N/A	Yes[4964]

Fines

Max.	Min.	Can Suspend?
$2560[4965]	$430[4966]	No[4967]

Surcharges[4968]

15% of fine or forfeiture
Yes[4969]

Miscellaneous

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

Notes:

[4960] Iowa Code § 719.4(3).
[4961] Iowa Code § 719.4(3).
[4962] Iowa Code § 903.1(1)(b).
[4963] Iowa Code § 903.1(1)(b).
[4964] *See* Iowa Code § 907.3.
[4965] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4966] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[4967] Iowa Code § 903.1(1).
[4968] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4969] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 719.4(4)—Flees from the state to avoid prosecution for felony or aggravated misdemeanor[4970]

Class = "D" felony[4971]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4972]	0[4973]	No, but see Enhancements	Yes[4974]

Fines

Max.	Min.	Can Suspend?
$10,245[4975]	$1025[4976]	Yes[4977]

Surcharges[4978]

15% of fine or forfeiture
Yes[4979]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4980]	No	No

Notes:

[4970] Iowa Code § 719.4(4).
[4971] Iowa Code § 719.4(4).
[4972] Iowa Code § 902.9(1)(e).
[4973] Iowa Code § 902.9(1)(e).
[4974] *See* Iowa Code § 907.3.
[4975] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4976] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4977] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4978] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4979] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4980] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.5—Permitting Prisoner to Escape[4981]

§ 719.5(1)—Permitting prisoner convicted or charged with "A" felony to escape[4982]

Class = "C" felony[4983]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[4984]	0[4985]	No, but see Enhancements	Yes[4986]

Fines

Max.	Min.	Can Suspend?
$13,660[4987]	$1370[4988]	Yes[4989]

Surcharges[4990]

15% of fine or forfeiture
Yes[4991]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[4992]	No	No

Notes:

[4981] Iowa Code § 719.5.
[4982] Iowa Code § 719.5(1).
[4983] Iowa Code § 719.5(1).
[4984] Iowa Code § 902.9(1)(d).
[4985] Iowa Code § 902.9(1)(d).
[4986] *See* Iowa Code § 907.3.
[4987] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4988] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4989] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[4990] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[4991] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[4992] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.5(2)—Permitting prisoner convicted or charged with any public offense other than an "A" felony to escape[4993]

Class = "D" felony[4994]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[4995]	0[4996]	No, but see Enhancements	Yes[4997]

Fines

Max.	Min.	Can Suspend?
$10,245[4998]	$1025[4999]	Yes[5000]

Surcharges[5001]

15% of fine or forfeiture
Yes[5002]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5003]	No	No

Notes:

[4993] Iowa Code § 719.5(2).
[4994] Iowa Code § 719.5(2).
[4995] Iowa Code § 902.9(1)(e).
[4996] Iowa Code § 902.9(1)(e).
[4997] *See* Iowa Code § 907.3.
[4998] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[4999] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5000] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5001] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5002] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5003] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.6—Assisting Prisoner to Escape[5004]

§ 719.6(1)—Assisting prisoner convicted of "A" felony to escape[5005]

Class = "C" felony[5006]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[5007]	0[5008]	No, but see Enhancements	Yes[5009]

Fines

Max.	Min.	Can Suspend?
$13,660[5010]	$1370[5011]	Yes[5012]

Surcharges[5013]

15% of fine or forfeiture
Yes[5014]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5015]	No	No

Notes:

[5004] Iowa Code § 719.6.
[5005] Iowa Code § 719.6(1).
[5006] Iowa Code § 719.6(1).
[5007] Iowa Code § 902.9(1)(d).
[5008] Iowa Code § 902.9(1)(d).
[5009] *See* Iowa Code § 907.3.
[5010] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5011] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5012] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5013] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5014] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5015] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.6(2)—Assisting prisoner convicted of any public offense other than an "A" felony to escape[5016]

Class = "D" felony[5017]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5018]	0[5019]	No, but see Enhancements	Yes[5020]

Fines

Max.	Min.	Can Suspend?
$10,245[5021]	$1025[5022]	Yes[5023]

Surcharges[5024]

15% of fine or forfeiture
Yes[5025]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5026]	No	No

Notes:

[5016] Iowa Code § 719.6(2).
[5017] Iowa Code § 719.6(2).
[5018] Iowa Code § 902.9(1)(e).
[5019] Iowa Code § 902.9(1)(e).
[5020] *See* Iowa Code § 907.3.
[5021] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5022] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5023] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5024] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5025] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5026] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.7—Possessing Contraband[5027]

§ 719.7(4)(a)—Contraband including dangerous or offensive weapon, ammunition, knife, incendiary material, etc.[5028]

Class = "C" felony[5029]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[5030]	0[5031]	No, but see Enhancements	Yes[5032]

Fines

Max.	Min.	Can Suspend?
$13,660[5033]	$1370[5034]	Yes[5035]

Surcharges[5036]

15% of fine or forfeiture
Yes[5037]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5038]	No	No

Notes:

[5027] Iowa Code § 719.7.
[5028] Iowa Code § 719.7(4)(a).
[5029] Iowa Code § 719.7(4)(a).
[5030] Iowa Code § 902.9(1)(d).
[5031] Iowa Code § 902.9(1)(d).
[5032] *See* Iowa Code § 907.3.
[5033] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5034] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5035] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5036] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5037] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5038] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.7(4)(b)—Any other contraband[5039]

Class = "D" felony[5040]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5041]	0[5042]	No, but see Enhancements	Yes[5043]

Fines

Max.	Min.	Can Suspend?
$10,245[5044]	$1025[5045]	Yes[5046]

Surcharges[5047]

15% of fine or forfeiture
Yes[5048]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5049]	No	No

Notes:

[5039] Iowa Code § 719.7(4)(b).
[5040] Iowa Code § 719.7(4)(b).
[5041] Iowa Code § 902.9(1)(e).
[5042] Iowa Code § 902.9(1)(e).
[5043] *See* Iowa Code § 907.3.
[5044] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5045] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5046] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5047] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5048] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5049] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.7(4)(c)—Failure to report known possession or attempted possession of contraband[5050]

Class = aggravated misdemeanor[5051]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5052]	0[5053]	None	Yes[5054]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5055]

Fines

Max.	Min.	Can Suspend?
$8540[5056]	$855[5057]	Yes[5058]

Surcharges[5059]

15% of fine or forfeiture
Yes[5060]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5061]	No	No

Notes:

[5050] Iowa Code § 719.7(4)(c).
[5051] Iowa Code § 719.7(4)(c).
[5052] Iowa Code § 903.1(2).
[5053] Iowa Code § 903.1(2).
[5054] *See* Iowa Code § 907.3.
[5055] Iowa Code § 903.1(2).
[5056] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5057] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5058] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5059] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5060] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5061] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.7A—Electronic Contraband[5062]

§ 719.7A(3)—Possession of electronic contraband[5063]

Class = "D" felony[5064]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5065]	0[5066]	No, but see Enhancements	Yes[5067]

Fines

Max.	Min.	Can Suspend?
$10,245[5068]	$1025[5069]	Yes[5070]

Surcharges[5071]

15% of fine or forfeiture
Yes[5072]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5073]	No	No

Notes:

[5062] Iowa Code § 719.7A.
[5063] Iowa Code § 719.7A(3).
[5064] Iowa Code § 719.7A(3).
[5065] Iowa Code § 902.9(1)(e).
[5066] Iowa Code § 902.9(1)(e).
[5067] *See* Iowa Code § 907.3.
[5068] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5069] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5070] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5071] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5072] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5073] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.7A(4)—Failure to report known possession or attempted possession of electronic contraband[5074]

Class = aggravated misdemeanor[5075]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5076]	0[5077]	None	Yes[5078]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5079]

Fines

Max.	Min.	Can Suspend?
$8540[5080]	$855[5081]	Yes[5082]

Surcharges[5083]

15% of fine or forfeiture
Yes[5084]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5085]	No	No

Notes:

[5074] Iowa Code § 719.7A(4).
[5075] Iowa Code § 719.7A(4).
[5076] Iowa Code § 903.1(2).
[5077] Iowa Code § 903.1(2).
[5078] *See* Iowa Code § 907.3.
[5079] Iowa Code § 903.1(2).
[5080] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5081] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5082] Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5083] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5084] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5085] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.8—Furnishing Controlled Substance or Intoxicating Beverage to Inmates at Detention Facility[5086]

Class = "D" felony[5087]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5088]	0[5089]	No, but see Enhancements	Yes[5090]

Fines

Max.	Min.	Can Suspend?
$10,245[5091]	$1025[5092]	Yes[5093]

Surcharges[5094]

15% of fine or forfeiture
Yes[5095]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5096]	No	No

Notes:

[5086] Iowa Code § 719.8.
[5087] Iowa Code § 719.8.
[5088] Iowa Code § 902.9(1)(e).
[5089] Iowa Code § 902.9(1)(e).
[5090] *See* Iowa Code § 907.3.
[5091] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5092] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5093] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5094] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5095] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5096] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.9—Use of Unmanned Aerial Vehicle[5097]

Class = "D" felony[5098]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5099]	0[5100]	No, but see Enhancements	Yes[5101]

Fines

Max.	Min.	Can Suspend?
$10,245[5102]	$1025[5103]	Yes[5104]

Surcharges[5105]

15% of fine or forfeiture
Yes[5106]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5107]	No	No

Notes:

[5097] Iowa Code § 719.9.
[5098] Iowa Code § 719.9.
[5099] Iowa Code § 902.9(1)(e).
[5100] Iowa Code § 902.9(1)(e).
[5101] *See* Iowa Code § 907.3.
[5102] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5103] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5104] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5105] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5106] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5107] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CHAPTER 717B

omitted from this draft

CH. 720 INTERFERENCE WITH JUDICIAL PROCESS

§ 720.1—Compounding a Felony[5108]

Class = aggravated misdemeanor[5109]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5110]	0[5111]	None	Yes[5112]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5113]

Fines

Max.	Min.	Can Suspend?
$8540[5114]	$855[5115]	Yes[5116]

Surcharges[5117]

15% of fine or forfeiture
Yes[5118]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5119]	No	No

Notes:

[5108] Iowa Code § 720.1.
[5109] Iowa Code § 720.1.
[5110] Iowa Code § 903.1(2).
[5111] Iowa Code § 903.1(2).
[5112] *See* Iowa Code § 907.3.
[5113] Iowa Code § 903.1(2).
[5114] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5115] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5116] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5117] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5118] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5119] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 720.2—Perjury, Contradictory Statements, and Retraction[5120]

Class = "D" felony[5121]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5122]	0[5123]	No, but see Enhancements	Yes[5124]

Fines

Max.	Min.	Can Suspend?
$10,245[5125]	$1025[5126]	Yes[5127]

Surcharges[5128]

15% of fine or forfeiture
Yes[5129]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5130]	No	No

Notes:

[5120] Iowa Code § 720.2.
[5121] Iowa Code § 720.2.
[5122] Iowa Code § 902.9(1)(e).
[5123] Iowa Code § 902.9(1)(e).
[5124] *See* Iowa Code § 907.3.
[5125] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5126] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5127] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5128] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5129] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5130] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 720.3—Suborning Perjury[5131]

Class = "D" felony[5132]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5133]	0[5134]	No, but see Enhancements	Yes[5135]

Fines

Max.	Min.	Can Suspend?
$10,245[5136]	$1025[5137]	Yes[5138]

Surcharges[5139]

15% of fine or forfeiture
Yes[5140]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5141]	No	No

Notes:

[5131] Iowa Code § 720.3.
[5132] Iowa Code § 720.3.
[5133] Iowa Code § 902.9(1)(e).
[5134] Iowa Code § 902.9(1)(e).
[5135] *See* Iowa Code § 907.3.
[5136] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5137] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5138] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5139] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5140] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5141] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 720.4—Tampering with Witnesses or Jurors[5142]

Class = aggravated misdemeanor[5143]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5144]	0[5145]	None	Yes[5146]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5147]

Fines

Max.	Min.	Can Suspend?
$8540[5148]	$855[5149]	Yes[5150]

Surcharges[5151]

15% of fine or forfeiture
Yes[5152]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5153]	No	No

Notes:

[5142] Iowa Code § 720.4.
[5143] Iowa Code § 720.4.
[5144] Iowa Code § 903.1(2).
[5145] Iowa Code § 903.1(2).
[5146] *See* Iowa Code § 907.3.
[5147] Iowa Code § 903.1(2).
[5148] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5149] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5150] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5151] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5152] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5153] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 720.5—False Representation of Records or Process[5154]

Class = simple misdemeanor"[5155]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days[5156]	0[5157]	N/A	Yes[5158]

Fines

Max.	Min.	Can Suspend?
$855[5159]	$105[5160]	No[5161]

Surcharges[5162]

15% of fine or forfeiture
Yes[5163]

Miscellaneous

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

Notes:

[5154] Iowa Code § 720.5.
[5155] Iowa Code § 720.5.
[5156] Iowa Code § 903.1(1)(a).
[5157] Iowa Code § 903.1(1)(a).
[5158] *See* Iowa Code § 907.3.
[5159] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5160] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5161] Iowa Code § 903.1(1).
[5162] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5163] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 720.6—Malicious Prosecution[5164]

Class = serious misdemeanor[5165]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5166]	0[5167]	N/A	Yes[5168]

Fines

Max.	Min.	Can Suspend?
$2560[5169]	$430[5170]	No[5171]

Surcharges[5172]

15% of fine or forfeiture
Yes[5173]

Miscellaneous

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

Notes:

[5164] Iowa Code § 720.6.
[5165] Iowa Code § 720.6.
[5166] Iowa Code § 903.1(1)(b).
[5167] Iowa Code § 903.1(1)(b).
[5168] *See* Iowa Code § 907.3.
[5169] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5170] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5171] Iowa Code § 903.1(1).
[5172] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5173] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 720.7—Interference with Judicial Acts[5174]

Class = aggravated misdemeanor[5175]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5176]	0[5177]	None	Yes[5178]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5179]

Fines

Max.	Min.	Can Suspend?
$8540[5180]	$855[5181]	Yes[5182]

Surcharges[5183]

15% of fine or forfeiture
Yes[5184]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5185]	No	No

Notes:

[5174] Iowa Code § 720.7.
[5175] Iowa Code § 720.7.
[5176] Iowa Code § 903.1(2).
[5177] Iowa Code § 903.1(2).
[5178] *See* Iowa Code § 907.3.
[5179] Iowa Code § 903.1(2).
[5180] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5181] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5182] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5183] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5184] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5185] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 721 OFFICIAL MISCONDUCT

§ 721.1—Felonious Misconduct in Office[5186]

Class = "D" felony[5187]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5188]	0[5189]	No, but see Enhancements	Yes[5190]

Fines

Max.	Min.	Can Suspend?
$10,245[5191]	$1025[5192]	Yes[5193]

Surcharges[5194]

15% of fine or forfeiture
Yes[5195]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5196]	No	No

Notes:

[5186] Iowa Code § 721.1.
[5187] Iowa Code § 721.1.
[5188] Iowa Code § 902.9(1)(e).
[5189] Iowa Code § 902.9(1)(e).
[5190] *See* Iowa Code § 907.3.
[5191] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5192] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5193] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5194] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5195] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5196] Iowa Code §§ 81.2, 901.5(8A)(a) .

§ 721.2—Nonfelonious Misconduct in Office[5197]

Class = serious misdemeanor[5198]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5199]	0[5200]	N/A	Yes[5201]

Fines

Max.	Min.	Can Suspend?
$2560[5202]	$430[5203]	No[5204]

Surcharges[5205]

15% of fine or forfeiture
Yes[5206]

Miscellaneous

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

Notes:

[5197] Iowa Code § 721.2.
[5198] Iowa Code § 721.2.
[5199] Iowa Code § 903.1(1)(b).
[5200] Iowa Code § 903.1(1)(b).
[5201] *See* Iowa Code § 907.3.
[5202] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5203] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5204] Iowa Code § 903.1(1).
[5205] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5206] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 721.3—Solicitation for Political Purposes[5207]

Class = serious misdemeanor[5208]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5209]	0[5210]	N/A	Yes[5211]

Fines

Max.	Min.	Can Suspend?
$2560[5212]	$430[5213]	No[5214]

Surcharges[5215]

15% of fine or forfeiture
Yes[5216]

Miscellaneous

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

Notes:

[5207] Iowa Code § 721.3.
[5208] Iowa Code § 721.7.
[5209] Iowa Code § 903.1(1)(b).
[5210] Iowa Code § 903.1(1)(b).
[5211] *See* Iowa Code § 907.3.
[5212] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5213] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5214] Iowa Code § 903.1(1).
[5215] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5216] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 721.4—Using Public Motor Vehicles for Political Purposes[5217]

Class = serious misdemeanor[5218]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5219]	0[5220]	N/A	Yes[5221]

Fines

Max.	Min.	Can Suspend?
$2560[5222]	$430[5223]	No[5224]

Surcharges[5225]

15% of fine or forfeiture
Yes[5226]

Miscellaneous

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

Notes:

[5217] Iowa Code § 721.4.
[5218] Iowa Code § 721.7.
[5219] Iowa Code § 903.1(1)(b).
[5220] Iowa Code § 903.1(1)(b).
[5221] *See* Iowa Code § 907.3.
[5222] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5223] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5224] Iowa Code § 903.1(1).
[5225] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5226] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 721.5—State Employee Leaving Employment or Duties to Solicit Votes or Campaign During Hours of Employment[5227]

Class = serious misdemeanor[5228]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5229]	0[5230]	N/A	Yes[5231]

Fines

Max.	Min.	Can Suspend?
$2560[5232]	$430[5233]	No[5234]

Surcharges[5235]

15% of fine or forfeiture
Yes[5236]

Miscellaneous

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

Notes:

[5227] Iowa Code § 721.5.
[5228] Iowa Code § 721.7.
[5229] Iowa Code § 903.1(1)(b).
[5230] Iowa Code § 903.1(1)(b).
[5231] *See* Iowa Code § 907.3.
[5232] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5233] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5234] Iowa Code § 903.1(1).
[5235] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5236] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 721.8—Failure to Label Publicly Owned Motor Vehicles[5237]

Class = serious misdemeanor[5238]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5239]	0[5240]	N/A	Yes[5241]

Fines

Max.	Min.	Can Suspend?
$2560[5242]	$430[5243]	No[5244]

Surcharges[5245]

15% of fine or forfeiture
Yes[5246]

Miscellaneous

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

Notes:

[5237] Iowa Code § 721.8.
[5238] Iowa Code § 721.9.
[5239] Iowa Code § 903.1(1)(b).
[5240] Iowa Code § 903.1(1)(b).
[5241] *See* Iowa Code § 907.3.
[5242] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5243] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5244] Iowa Code § 903.1(1).
[5245] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5246] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 721.10—Misuse of Public Records and Files[5247]

Class = serious misdemeanor[5248]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5249]	0[5250]	N/A	Yes[5251]

Fines

Max.	Min.	Can Suspend?
$2560[5252]	$430[5253]	No[5254]

Surcharges[5255]

15% of fine or forfeiture
Yes[5256]

Miscellaneous

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

Notes:

[5247] Iowa Code § 721.10.
[5248] Iowa Code § 721.10.
[5249] Iowa Code § 903.1(1)(b).
[5250] Iowa Code § 903.1(1)(b).
[5251] *See* Iowa Code § 907.3.
[5252] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5253] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5254] Iowa Code § 903.1(1).
[5255] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5256] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 721.11—Interest in Public Contracts[5257]

Class = serious misdemeanor[5258]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5259]	0[5260]	N/A	Yes[5261]

Fines

Max.	Min.	Can Suspend?
$2560[5262]	$430[5263]	No[5264]

Surcharges[5265]

15% of fine or forfeiture
Yes[5266]

Miscellaneous

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

Notes:

[5257] Iowa Code § 721.11.
[5258] Iowa Code § 721.11.
[5259] Iowa Code § 903.1(1)(b).
[5260] Iowa Code § 903.1(1)(b).
[5261] *See* Iowa Code § 907.3.
[5262] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5263] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5264] Iowa Code § 903.1(1).
[5265] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5266] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 721.12—Profiting From Inmates[5267]

Class = simple misdemeanor[5268]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[5269]	0[5270]	N/A	Yes[5271]

Fines

Max.	Min.	Can Suspend?
$855[5272]	$105[5273]	No[5274]

Surcharges[5275]

15% of fine or forfeiture
Yes[5276]

Miscellaneous

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

Notes:

[5267] Iowa Code § 721.12.
[5268] Iowa Code § 721.12.
[5269] Iowa Code § 903.1(1)(a).
[5270] Iowa Code § 903.1(1)(a).
[5271] *See* Iowa Code § 907.3.
[5272] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5273] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5274] Iowa Code § 903.1(1).
[5275] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5276] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

CH. 722 BRIBERY AND CORRUPTION

§ 722.1—Bribery[5277]

Class = "D" felony[5278]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5279]	0[5280]	No, but see Enhancements	Yes[5281]

Fines

Max.	Min.	Can Suspend?
$10,245[5282]	$1025[5283]	Yes[5284]

Surcharges[5285]

15% of fine or forfeiture
Yes[5286]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5287]	No	No

Notes:

- Additional Penalty:
  - person is disqualified from holding public office[5288]

[5277] Iowa Code § 722.1.
[5278] Iowa Code § 722.1.
[5279] Iowa Code § 902.9(1)(e).
[5280] Iowa Code § 902.9(1)(e).
[5281] *See* Iowa Code § 907.3.
[5282] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5283] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5284] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5285] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5286] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5287] Iowa Code §§ 81.2, 901.5(8A)(a).
[5288] Iowa Code § 722.1.

§ 722.2—Accepting Bribe[5289]

Class = "C" felony[5290]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[5291]	0[5292]	No, but see Enhancements	Yes[5293]

Fines

Max.	Min.	Can Suspend?
$13,660[5294]	$1370[5295]	Yes[5296]

Surcharges[5297]

15% of fine or forfeiture
Yes[5298]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5299]	No	No

Notes:

- Additional Penalty:
  - person is disqualified from holding public office[5300]

[5289] Iowa Code § 722.2.
[5290] Iowa Code § 722.2.
[5291] Iowa Code § 902.9(1)(d).
[5292] Iowa Code § 902.9(1)(d).
[5293] *See* Iowa Code § 907.3.
[5294] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5295] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5296] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5297] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5298] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5299] Iowa Code §§ 81.2, 901.5(8A)(a).
[5300] Iowa Code § 722.2.

§ 722.3–Bribery in Sports[5301]

Class = aggravated misdemeanor[5302]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5303]	0[5304]	None	Yes[5305]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5306]

Fines

Max.	Min.	Can Suspend?
$8540[5307]	$855[5308]	Yes[5309]

Surcharges[5310]

15% of fine or forfeiture
Yes[5311]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5312]	No	No

Notes:

[5301] Iowa Code § 722.3.
[5302] Iowa Code § 722.3.
[5303] Iowa Code § 903.1(2).
[5304] Iowa Code § 903.1(2).
[5305] *See* Iowa Code § 907.3.
[5306] Iowa Code § 903.1(2).
[5307] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5308] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5309] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5310] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5311] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5312] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 722.10—Commercial Bribery[5313]

Class = "D" felony[5314]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5315]	0[5316]	No, but see Enhancements	Yes[5317]

Fines

Max.	Min.	Can Suspend?
$10,245[5318]	$1025[5319]	Yes[5320]

Surcharges[5321]

15% of fine or forfeiture
Yes[5322]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5323]	No	No

Notes:

[5313] Iowa Code § 722.10.
[5314] Iowa Code § 722.10(3).
[5315] Iowa Code § 902.9(1)(e).
[5316] Iowa Code § 902.9(1)(e).
[5317] *See* Iowa Code § 907.3.
[5318] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5319] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5320] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5321] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5322] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5323] Iowa Code §§ 81.2, 901.5(8A)(a).

§ 722.11—Student-Athlete Prohibitions[5324]

§ 722.11(2)—Unlawful giving, offering, promising, or attempting to give money to student-athlete[5325]

Class = aggravated misdemeanor[5326]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5327]	0[5328]	None	Yes[5329]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5330]

Fines

Max.	Min.	Can Suspend?
$8540[5331]	$855[5332]	Yes[5333]

Surcharges[5334]

15% of fine or forfeiture
Yes[5335]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5336]	No	No

Notes:

[5324] Iowa Code § 722.11.
[5325] Iowa Code § 722.11(2).
[5326] Iowa Code § 722.11(2)(e).
[5327] Iowa Code § 903.1(2).
[5328] Iowa Code § 903.1(2).
[5329] *See* Iowa Code § 907.3.
[5330] Iowa Code § 903.1(2).
[5331] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5332] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5333] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5334] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5335] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5336] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 722.11(3)—Unlawful solicitation or accepting of money or anything of value by student-athlete[5337]

Class = serious misdemeanor[5338]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5339]	0[5340]	N/A	Yes[5341]

Fines

Max.	Min.	Can Suspend?
$2560[5342]	$430[5343]	No[5344]

Surcharges[5345]

15% of fine or forfeiture
Yes[5346]

Miscellaneous

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

Notes:

[5337] Iowa Code § 722.11(3).
[5338] Iowa Code § 722.11(3)(c).
[5339] Iowa Code § 903.1(1)(b).
[5340] Iowa Code § 903.1(1)(b).
[5341] *See* Iowa Code § 907.3.
[5342] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5343] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5344] Iowa Code § 903.1(1).
[5345] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5346] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

CH. 723 Public Disorder

§ 723.1—Riot[5347]

Class = aggravated misdemeanor[5348]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5349]	0[5350]	None	Yes[5351]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5352]

Fines

Max.	Min.	Can Suspend?
$8540[5353]	$855[5354]	Yes[5355]

Surcharges[5356]

15% of fine or forfeiture
Yes[5357]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5358]	No	No

Notes:

[5347] Iowa Code § 723.1.
[5348] Iowa Code § 723.1.
[5349] Iowa Code § 903.1(2).
[5350] Iowa Code § 903.1(2).
[5351] *See* Iowa Code § 907.3.
[5352] Iowa Code § 903.1(2).
[5353] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5354] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5355] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5356] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5357] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5358] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 723.2—Unlawful Assembly[5359]

Class = simple misdemeanor[5360]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days[5361]	0[5362]	N/A	Yes[5363]

Fines

Max.	Min.	Can Suspend?
$855[5364]	$105[5365]	No[5366]

Surcharges[5367]

15% of fine or forfeiture
Yes[5368]

Miscellaneous

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

Notes:

[5359] Iowa Code § 723.2.
[5360] Iowa Code § 723.2.
[5361] Iowa Code § 903.1(1)(a).
[5362] Iowa Code § 903.1(1)(a).
[5363] *See* Iowa Code § 907.3.
[5364] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5365] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5366] Iowa Code § 903.1(1).
[5367] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5368] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 723.3—Failure to Disburse[5369]

Class = simple misdemeanor[5370]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days[5371]	0[5372]	N/A	Yes[5373]

Fines

Max.	Min.	Can Suspend?
$855[5374]	$105[5375]	No[5376]

Surcharges[5377]

15% of fine or forfeiture
Yes[5378]

Miscellaneous

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

Notes:

[5369] Iowa Code § 723.3.
[5370] Iowa Code § 723.3.
[5371] Iowa Code § 903.1(1)(a).
[5372] Iowa Code § 903.1(1)(a).
[5373] *See* Iowa Code § 907.3.
[5374] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5375] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5376] Iowa Code § 903.1(1).
[5377] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5378] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 723.4—Disorderly Conduct[5379]

Class = simple misdemeanor[5380]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days[5381]	0[5382]	N/A	Yes[5383]

Fines

Max.	Min.	Can Suspend?
$855[5384]	$105[5385]	No[5386]

Surcharges[5387]

15% of fine or forfeiture
Yes[5388]

Miscellaneous

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

Notes:

[5379] Iowa Code § 723.4.
[5380] Iowa Code § 723.4.
[5381] Iowa Code § 903.1(1)(a).
[5382] Iowa Code § 903.1(1)(a).
[5383] *See* Iowa Code § 907.3.
[5384] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5385] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5386] Iowa Code § 903.1(1).
[5387] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5388] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 723.5—Disorderly Conduct at a Funeral or Memorial Service[5389]

§ 723.5(3)(a)—First offense[5390]

Class = simple misdemeanor[5391]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days[5392]	0[5393]	N/A	Yes[5394]

Fines

Max.	Min.	Can Suspend?
$855[5395]	$105[5396]	No[5397]

Surcharges[5398]

15% of fine or forfeiture
Yes[5399]

Miscellaneous

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

Notes:

[5389] Iowa Code § 723.5.
[5390] Iowa Code § 723.5(3)(a).
[5391] Iowa Code § 723.5(3)(a).
[5392] Iowa Code § 903.1(1)(a).
[5393] Iowa Code § 903.1(1)(a).
[5394] *See* Iowa Code § 907.3.
[5395] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5396] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5397] Iowa Code § 903.1(1).
[5398] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5399] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 723.5(3)(b)—Second offense[5400]

Class = serious misdemeanor[5401]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 Year[5402]	0[5403]	N/A	Yes[5404]

Fines

Max.	Min.	Can Suspend?
$2560[5405]	$430[5406]	No[5407]

Surcharges[5408]

15% of fine or forfeiture
Yes[5409]

Miscellaneous

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

Notes:

[5400] Iowa Code § 723.5(3)(b).
[5401] Iowa Code § 723.5(3)(b).
[5402] Iowa Code § 903.1(1)(b).
[5403] Iowa Code § 903.1(1)(b).
[5404] *See* Iowa Code § 907.3.
[5405] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5406] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5407] Iowa Code § 903.1(1).
[5408] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5409] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 723.5(3)(c)—Third or subsequent offense[5410]

Class = "D" felony[5411]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5412]	0[5413]	No, but see Enhancements	Yes[5414]

Fines

Max.	Min.	Can Suspend?
$10,245[5415]	$1025[5416]	Yes[5417]

Surcharges[5418]

15% of fine or forfeiture
Yes[5419]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5420]	No	No

Notes:

[5410] Iowa Code § 723.5(3)(c).
[5411] Iowa Code § 723.5(3)(c).
[5412] Iowa Code § 902.9(1)(e).
[5413] Iowa Code § 902.9(1)(e).
[5414] *See* Iowa Code § 907.3.
[5415] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5416] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5417] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5418] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5419] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5420] Iowa Code §§ 81.2, 901.5(8A)(a).

CH. 723A Criminal Street Gangs

§ 723A.2—Criminal Gang Participation[5421]

Class = "D" felony[5422]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5423]	0[5424]	No, but see Enhancements	Yes[5425]

Fines

Max.	Min.	Can Suspend?
$10,245[5426]	$1025[5427]	Yes[5428]

Surcharges[5429]

15% of fine or forfeiture
Yes[5430]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5431]	No	No

Notes:

[5421] Iowa Code § 723A.2.
[5422] Iowa Code § 723A.2.
[5423] Iowa Code § 902.9(1)(e).
[5424] Iowa Code § 902.9(1)(e).
[5425] *See* Iowa Code § 907.3.
[5426] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5427] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5428] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5429] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5430] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5431] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 723A.3—Gang Recruitment[5432]

§ 723A.3(1)—Recruitment of a minor[5433]

Class = "C" felony[5434]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[5435]	0[5436]	No, but see Enhancements	Yes[5437]

Fines

Max.	Min.	Can Suspend?
$13,660[5438]	$1370[5439]	Yes[5440]

Surcharges[5441]

15% of fine or forfeiture
Yes[5442]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5443]	No	No

Notes:

[5432] Iowa Code § 723A.3.
[5433] Iowa Code § 723A.3(1).
[5434] Iowa Code § 723A.3(1).
[5435] Iowa Code § 902.9(1)(d).
[5436] Iowa Code § 902.9(1)(d).
[5437] *See* Iowa Code § 907.3.
[5438] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5439] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5440] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5441] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5442] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5443] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 723A.3(2)—Conspiracy to recruit a minor[5444]

Class = "D" felony[5445]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5446]	0[5447]	No, but see Enhancements	Yes[5448]

Fines

Max.	Min.	Can Suspend?
$10,245[5449]	$1025[5450]	Yes[5451]

Surcharges[5452]

15% of fine or forfeiture
Yes[5453]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5454]	No	No

Notes:

[5444] Iowa Code § 723A.3(2).
[5445] Iowa Code § 723A.3(2).
[5446] Iowa Code § 902.9(1)(e).
[5447] Iowa Code § 902.9(1)(e).
[5448] *See* Iowa Code § 907.3.
[5449] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5450] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5451] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5452] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5453] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5454] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 724 Weapons

§ 724.1B—Possession of Firearm Suppressor[5455]

Class = "D" felony[5456]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5457]	0[5458]	No, but see Enhancements	Yes[5459]

Fines

Max.	Min.	Can Suspend?
$10,245[5460]	$1025[5461]	Yes[5462]

Surcharges[5463]

15% of fine or forfeiture
Yes[5464]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5465]	No	No

Notes:

[5455] Iowa Code § 724.1B.
[5456] Iowa Code § 724.1B(2).
[5457] Iowa Code § 902.9(1)(e).
[5458] Iowa Code § 902.9(1)(e).
[5459] *See* Iowa Code § 907.3.
[5460] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5461] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5462] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5463] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5464] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5465] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.1C—Possession of Short-Barreled Rifle or Short-Barreled Shotgun[5466]

Class = "D" felony

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5467]	0[5468]	No, but see Enhancements	Yes[5469]

Fines

Max.	Min.	Can Suspend?
$10,245[5470]	$1025[5471]	Yes[5472]

Surcharges[5473]

15% of fine or forfeiture
Yes[5474]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5475]	No	No

Notes:

[5466] Iowa Code § 724.1C.
[5467] Iowa Code § 902.9(1)(e).
[5468] Iowa Code § 902.9(1)(e).
[5469] *See* Iowa Code § 907.3.
[5470] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5471] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5472] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5473] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5474] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5475] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.3—Unauthorized Possession of Offensive Weapon[5476]

Class = "D" felony[5477]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5478]	0[5479]	No, but see Enhancements	Yes[5480]

Fines

Max.	Min.	Can Suspend?
$10,245[5481]	$1025[5482]	Yes[5483]

❖ Fine is doubled if possession was in weapons free zone[5484]

Surcharges[5485]

15% of fine or forfeiture
Yes[5486]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5487]	No	No

Notes:

[5476] Iowa Code § 724.3.
[5477] Iowa Code § 724.3.
[5478] Iowa Code § 902.9(1)(e).
[5479] Iowa Code § 902.9(1)(e).
[5480] *See* Iowa Code § 907.3.
[5481] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5482] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5483] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5484] Iowa Code § 724.4A(2).
[5485] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5486] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5487] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.4—Carrying Weapons[5488]

§ 724.4(1)—Concealed dangerous weapon; armed with pistol, revolver, or loaded firearm; or carries or transports pistol or revolver[5489]

Class = aggravated misdemeanor[5490]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5491]	0[5492]	None	Yes[5493]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5494]

Fines

Max.	Min.	Can Suspend?
$8540[5495]	$855[5496]	Yes[5497]

❖ Fine is doubled if possession was in weapons free zone[5498]

Surcharges[5499]

15% of fine or forfeiture
Yes[5500]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5501]	No	No

Notes:

[5488] Iowa Code § 724.4.
[5489] Iowa Code § 724.4(1).
[5490] Iowa Code § 724.4(1).
[5491] Iowa Code § 903.1(2).
[5492] Iowa Code § 903.1(2).
[5493] *See* Iowa Code § 907.3, unnum. para.
[5494] Iowa Code § 903.1(2).
[5495] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5496] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5497] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5498] Iowa Code § 724.4A(2).
[5499] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5500] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5501] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.4(2)—Concealed knife used in commission of a crime[5502]

Class = aggravated misdemeanor[5503]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5504]	0[5505]	None	Yes[5506]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5507]

Fines

Max.	Min.	Can Suspend?
$8540[5508]	$855[5509]	Yes[5510]

Surcharges[5511]

15% of fine or forfeiture
Yes[5512]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5513]	No	No

Notes:

[5502] Iowa Code § 724.4(2).
[5503] Iowa Code § 724.4(2).
[5504] Iowa Code § 903.1(2).
[5505] Iowa Code § 903.1(2).
[5506] *See* Iowa Code § 907.3, unnum. para.
[5507] Iowa Code § 903.1(2).
[5508] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5509] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5510] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5511] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5512] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5513] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.4(3)—Concealed knife not used in commission of a crime[5514]

§ 724.4(3)(a)—Blade exceeds 8 inches in length[5515]

Class = aggravated misdemeanor[5516]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5517]	0[5518]	None	Yes[5519]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5520]

Fines

Max.	Min.	Can Suspend?
$8540[5521]	$855[5522]	Yes[5523]

Surcharges[5524]

15% of fine or forfeiture
Yes[5525]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5526]	No	No

Notes:

[5514] Iowa Code § 724.4(3).
[5515] Iowa Code § 724.4(3)(a).
[5516] Iowa Code § 724.4(3)(a).
[5517] Iowa Code § 903.1(2).
[5518] Iowa Code § 903.1(2).
[5519] *See* Iowa Code § 907.3, unnum. para.
[5520] Iowa Code § 903.1(2).
[5521] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5522] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5523] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5524] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5525] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5526] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.4(3)(b)—Blade exceeds 5 inches but less than 8 inches in length[5527]

Class = serious misdemeanor[5528]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5529]	0[5530]	N/A	Yes[5531]

Fines

Max.	Min.	Can Suspend?
$2560[5532]	$430[5533]	No[5534]

Surcharges[5535]

15% of fine or forfeiture
Yes[5536]

Miscellaneous

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

Notes:

[5527] Iowa Code § 724.4(3)(b).
[5528] Iowa Code § 724.4(3)(b).
[5529] Iowa Code § 903.1(1)(b).
[5530] Iowa Code § 903.1(1)(b).
[5531] *See* Iowa Code § 907.3.
[5532] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5533] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5534] Iowa Code § 903.1(1).
[5535] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5536] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 724.4(5)—Minor, concealed or not, dangerous weapon; armed with weapon that directs electric current, wave, or beam with high-voltage pulse[5537]

Class = simple misdemeanor[5538]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[5539]	0[5540]	N/A	Yes[5541]

Fines

Max.	Min.	Can Suspend?
$855[5542]	$105[5543]	No[5544]

Surcharges[5545]

15% of fine or forfeiture
Yes[5546]

Miscellaneous

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

Notes:

[5537] Iowa Code § 724.4(5).
[5538] Iowa Code § 724.4(5).
[5539] Iowa Code § 903.1(1)(a).
[5540] Iowa Code § 903.1(1)(a).
[5541] *See* Iowa Code 907.3.
[5542] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5543] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5544] Iowa Code § 903.1(1).
[5545] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5546] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 724.4B—Carrying Firearm on School Grounds[5547]

Class = "D" felony[5548]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5549]	0[5550]	No, but see Enhancements	Yes[5551]

Fines

Max.	Min.	Can Suspend?
$10,245[5552]	$1025[5553]	Yes[5554]

❖ Fine is doubled if possession was in weapons free zone[5555]

Surcharges[5556]

15% of fine or forfeiture
Yes[5557]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5558]	No	No

Notes:

[5547] Iowa Code § 724.4B.
[5548] Iowa Code § 724.4B(1).
[5549] Iowa Code § 902.9(1)(e).
[5550] Iowa Code § 902.9(1)(e).
[5551] *See* Iowa Code § 907.3.
[5552] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5553] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5554] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5555] Iowa Code § 724.4A(2).
[5556] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5557] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5558] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.4C—Possessing or Carrying Dangerous Weapons While Under the Influence[5559]

Class = serious misdemeanor[5560]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5561]	0[5562]	N/A	Yes[5563]

Fines

Max.	Min.	Can Suspend?
$2560[5564]	$430[5565]	No[5566]

Surcharges[5567]

15% of fine or forfeiture
Yes[5568]

Miscellaneous

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

Notes:

[5559] Iowa Code § 724.4C.
[5560] Iowa Code § 724.4C.
[5561] Iowa Code § 903.1(1)(b).
[5562] Iowa Code § 903.1(1)(b).
[5563] *See* Iowa Code § 907.3.
[5564] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5565] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5566] Iowa Code § 903.1(1).
[5567] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5568] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 724.5—Failure to Produce Permit[5569]

Class = simple misdemeanor[5570]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[5571]	0[5572]	N/A	Yes[5573]

Fines

Max.	Min.	Can Suspend?
$855[5574]	$105[5575]	No[5576] But see Notes

Surcharges[5577]

15% of fine or forfeiture
Yes[5578]

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."[5579]

[5569] Iowa Code § 724.5.
[5570] Iowa Code § 724.5.
[5571] Iowa Code § 903.1(1)(a).
[5572] Iowa Code § 903.1(1)(a).
[5573] *See* Iowa Code 907.3.
[5574] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5575] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5576] Iowa Code § 903.1(1).
[5577] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5578] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5579] Iowa Code § 724.5(2).

§ 724.10—False Information Provided in Application for Weapons Permit[5580]

Class = "D" felony[5581]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5582]	0[5583]	No, but see Enhancements	Yes[5584]

Fines

Max.	Min.	Can Suspend?
$10,245[5585]	$1025[5586]	Yes[5587]

Surcharges[5588]

15% of fine or forfeiture
Yes[5589]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5590]	No	No

Notes:

[5580] Iowa Code § 724.10.
[5581] Iowa Code § 724.10(3).
[5582] Iowa Code § 902.9(1)(e).
[5583] Iowa Code § 902.9(1)(e).
[5584] *See* Iowa Code § 907.3.
[5585] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5586] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5587] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5588] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5589] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5590] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.16—Improper Ownership or Transfer of Pistol or Revolver[5591]

§ 724.16(1)—Ownership without valid permit[5592]

Class = aggravated misdemeanor[5593]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5594]	0[5595]	None	Yes[5596]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5597]

Fines

Max.	Min.	Can Suspend?
$8540[5598]	$855[5599]	Yes[5600]

❖ Fine is doubled if offense occurred in weapons free zone[5601]

Surcharges[5602]

15% of fine or forfeiture
Yes[5603]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5604]	No	No

Notes:

[5591] Iowa Code § 724.16.
[5592] Iowa Code § 724.16(1).
[5593] Iowa Code § 724.16(1).
[5594] Iowa Code § 903.1(2).
[5595] Iowa Code § 903.1(2).
[5596] *See* Iowa Code § 907.3, unnum. para.
[5597] Iowa Code § 903.1(2).
[5598] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5599] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5600] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5601] Iowa Code § 724.4A(2).
[5602] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5603] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5604] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.16(2)—Transfer of ownership[5605]

Class = "D" felony[5606]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5607]	0[5608]	No, but see Enhancements	Yes[5609]

Fines

Max.	Min.	Can Suspend?
$10,245[5610]	$1025[5611]	Yes[5612]

❖ Fine is doubled if offense occurred in weapons free zone[5613]

Surcharges[5614]

15% of fine or forfeiture
Yes[5615]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5616]	No	No

Notes:

[5605] Iowa Code § 724.16(2).
[5606] Iowa Code § 724.16(1).
[5607] Iowa Code § 902.9(1)(e).
[5608] Iowa Code § 902.9(1)(e).
[5609] *See* Iowa Code § 907.3.
[5610] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5611] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5612] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5613] Iowa Code § 724.4A(2).
[5614] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5615] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5616] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.16A—Trafficking in Stolen Weapons[5617]

§ 724.16A(1)(a)—First offense[5618]

Class = "D" felony[5619]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5620]	0[5621]	No, but see Enhancements	Yes[5622]

Fines

Max.	Min.	Can Suspend?
$10,245[5623]	$1025[5624]	Yes[5625]

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone[5626]

Surcharges[5627]

15% of fine or forfeiture
Yes[5628]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5629]	No	No

Notes:

[5617] Iowa Code § 724.16A.
[5618] Iowa Code § 724.16A(1)(a).
[5619] Iowa Code § 724.16A(1)(a).
[5620] Iowa Code § 902.9(1)(e).
[5621] Iowa Code § 902.9(1)(e).
[5622] *See* Iowa Code § 907.3.
[5623] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5624] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5625] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5626] Iowa Code § 724.4A(2).
[5627] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5628] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5629] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.16A(1)(b)—Second or subsequent offense, or weapon used in commission of public offense[5630]

Class = "C" felony[5631]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[5632]	0[5633]	No, but see Enhancements	Yes[5634]

Fines

Max.	Min.	Can Suspend?
$13,660[5635]	$1370[5636]	Yes[5637]

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone[5638]

Surcharges[5639]

15% of fine or forfeiture
Yes[5640]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5641]	No	No

Notes:

[5630] Iowa Code § 724.16A(1)(b).
[5631] Iowa Code § 724.16A(1)(b).
[5632] Iowa Code § 902.9(1)(d).
[5633] Iowa Code § 902.9(1)(d).
[5634] *See* Iowa Code 907.3.
[5635] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5636] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5637] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5638] Iowa Code § 724.4A(2).
[5639] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5640] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5641] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.17—False Statement or Documentation in Application for Permit[5642]

Class = "D" felony[5643]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5644]	0[5645]	No, but see Enhancements	Yes[5646]

Fines

Max.	Min.	Can Suspend?
$10,245[5647]	$1025[5648]	Yes[5649]

Surcharges[5650]

15% of fine or forfeiture
Yes[5651]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5652]	No	No

Notes:

[5642] Iowa Code § 724.17.
[5643] Iowa Code § 724.17.
[5644] Iowa Code § 902.9(1)(e).
[5645] Iowa Code § 902.9(1)(e).
[5646] *See* Iowa Code § 907.3.
[5647] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5648] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5649] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5650] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5651] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5652] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.21—Giving False Information when Acquiring Weapon[5653]

Class = "D" felony[5654]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5655]	0[5656]	No, but see Enhancements	Yes[5657]

Fines

Max.	Min.	Can Suspend?
$10,245[5658]	$1025[5659]	Yes[5660]

Surcharges[5661]

15% of fine or forfeiture
Yes[5662]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5663]	No	No

Notes:

[5653] Iowa Code § 724.21.
[5654] Iowa Code § 724.21.
[5655] Iowa Code § 902.9(1)(e).
[5656] Iowa Code § 902.9(1)(e).
[5657] *See* Iowa Code § 907.3.
[5658] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5659] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5660] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5661] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5662] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5663] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.22—Sale, Loan, Gift, or Making Available to Person Under Age 21[5664]

§ 724.22(1)—Rifle, shotgun, or ammunition for rifle or shotgun[5665]

First Offense

Class = serious misdemeanor[5666]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5667]	0[5668]	None	Yes[5669]

Fines

Max.	Min.	Can Suspend?
$2560[5670]	$430[5671]	No[5672]

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone[5673]

Surcharges[5674]

15% of fine or forfeiture
Yes[5675]

Miscellaneous

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

Notes:

[5664] Iowa Code § 724.22.
[5665] Iowa Code § 724.22(1).
[5666] Iowa Code § 724.22(1).
[5667] Iowa Code § 903.1(1)(b).
[5668] Iowa Code § 903.1(1)(b).
[5669] *See* Iowa Code § 907.3, unnum. para.
[5670] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5671] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5672] *See* Iowa Code § 903.1(1).
[5673] Iowa Code § 724.4A(2).
[5674] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5675] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

Second or Subsequent Offense

Class = "D" felony[5676]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5677]	0[5678]	No, but see Enhancements	Yes[5679]

Fines

Max.	Min.	Can Suspend?
$10,245[5680]	$1025[5681]	Yes[5682]

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone[5683]

Surcharges[5684]

15% of fine or forfeiture
Yes[5685]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5686]	No	No

Notes:

[5676] Iowa Code § 724.22(1).
[5677] Iowa Code § 902.9(1)(e).
[5678] Iowa Code § 902.9(1)(e).
[5679] *See* Iowa Code § 907.3.
[5680] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5681] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5682] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5683] Iowa Code § 724.4A(2).
[5684] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5685] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5686] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.22(2)—Pistol, revolver, or ammunition for pistol or revolver[5687]

First Offense

Class = serious misdemeanor[5688]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5689]	0[5690]	None	Yes[5691]

Fines

Max.	Min.	Can Suspend?
$2560[5692]	$430[5693]	No[5694]

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone[5695]

Surcharges[5696]

15% of fine or forfeiture
Yes[5697]

Miscellaneous

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

Notes:

[5687] Iowa Code § 724.22(2).
[5688] Iowa Code § 724.22(2).
[5689] Iowa Code § 903.1(1)(b).
[5690] Iowa Code § 903.1(1)(b).
[5691] *See* Iowa Code § 907.3, unnum. para.
[5692] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5693] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5694] *See* Iowa Code § 903.1(1).
[5695] Iowa Code § 724.4A(2).
[5696] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5697] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

Second or Subsequent Offense
Class = "D" felony[5698]
Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5699]	0[5700]	No, but see Enhancements	Yes[5701]

Fines

Max.	Min.	Can Suspend?
$10,245[5702]	$1025[5703]	Yes[5704]

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone[5705]

Surcharges[5706]

15% of fine or forfeiture
Yes[5707]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5708]	No	No

Notes:

[5698] Iowa Code § 724.22(2).
[5699] Iowa Code § 902.9(1)(e).
[5700] Iowa Code § 902.9(1)(e).
[5701] *See* Iowa Code § 907.3.
[5702] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5703] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5704] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5705] Iowa Code § 724.4A(2).
[5706] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5707] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5708] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.22(7)—Unlawful storage or leaving of loaded firearm[5709]

Class = serious misdemeanor[5710]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5711]	0[5712]	N/A	Yes[5713]

Fines

Max.	Min.	Can Suspend?
$2560[5714]	$430[5715]	No[5716]

❖ Fine is doubled if offense occurred in weapons free zone[5717]

Surcharges[5718]

15% of fine or forfeiture
Yes[5719]

Miscellaneous

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

Notes:

[5709] Iowa Code § 724.22(7).
[5710] Iowa Code § 724.22(7).
[5711] Iowa Code § 903.1(1)(b).
[5712] Iowa Code § 903.1(1)(b).
[5713] *See* Iowa Code § 907.3, unnum. para.
[5714] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5715] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5716] *See* Iowa Code § 903.1(1).
[5717] Iowa Code § 724.4A(2).
[5718] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5719] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 724.26—Possession, Receipt, Transportation, or Dominion and Control by Felons and Others[5720]

§ 724.26(1)—Felon in possession or who receives, transports, or exercises dominion or control[5721]

Class = "D" felony[5722]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5723]	0[5724]	No, but see Enhancements	Yes[5725]

Fines

Max.	Min.	Can Suspend?
$10,245[5726]	$1025[5727]	Yes[5728]

- Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone[5729]

Surcharges[5730]

15% of fine or forfeiture
Yes[5731]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5732]	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."[5733]

[5720] Iowa Code § 724.26.
[5721] Iowa Code § 724.26(1).
[5722] Iowa Code § 724.26(1).
[5723] Iowa Code § 902.9(1)(e).
[5724] Iowa Code § 902.9(1)(e).
[5725] *See* Iowa Code § 907.3.
[5726] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5727] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5728] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5729] Iowa Code § 724.4A(2).
[5730] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5731] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5732] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[5733] Iowa Code § 724.25(1).

§ 724.26(2)—Possession, shipment, transportation, or receipt by person subject to protective order under 18 U.S.C.[5734]

§ 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" felony[5735]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5736]	0[5737]	No, but see Enhancements	Yes[5738]

Fines

Max.	Min.	Can Suspend?
$10,245[5739]	$1025[5740]	Yes[5741]

- Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone[5742]

Surcharges[5743]

15% of fine or forfeiture
Yes[5744]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5745]	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."[5746]

[5734] Iowa Code § 724.26(2).
[5735] Iowa Code § 724.26(2)(a).
[5736] Iowa Code § 902.9(1)(e).
[5737] Iowa Code § 902.9(1)(e).
[5738] *See* Iowa Code § 907.3.
[5739] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5740] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5741] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5742] Iowa Code § 724.4A(2).
[5743] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5744] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5745] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[5746] Iowa Code § 724.26(2)(c).

§ 724.29—Selling or Offering for Sale Firearm Devices[5747]

Class = aggravated misdemeanor[5748]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5749]	0[5750]	None	Yes[5751]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5752]

Fines

Max.	Min.	Can Suspend?
$8540[5753]	$855[5754]	Yes[5755]

Surcharges[5756]

15% of fine or forfeiture
Yes[5757]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5758]	No	No

Notes:

[5747] Iowa Code § 724.29.
[5748] Iowa Code § 724.16(1).
[5749] Iowa Code § 903.1(2).
[5750] Iowa Code § 903.1(2).
[5751] *See* Iowa Code § 907.3, unnum. para.
[5752] Iowa Code § 903.1(2).
[5753] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5754] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5755] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5756] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5757] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5758] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.29A—Fraudulent purchase of firearms or ammunition[5759]

§ 724.29A(2)—Knowing solicits, persuades, encourages, or entices[5760]

Class = "D" felony

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5761]	0[5762]	None	Yes[5763]

Fines

Max.	Min.	Can Suspend?
$10,245[5764]	$1025[5765]	Yes[5766]

Surcharges[5767]

15% of fine or forfeiture
Yes[5768]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5769]	No	No

Notes:

[5759] Iowa Code § 724.29A.
[5760] Iowa Code § 724.29A(2).
[5761] Iowa Code § 902.9(1)(e).
[5762] Iowa Code § 902.9(1)(e).
[5763] *See* Iowa Code § 907.3.
[5764] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5765] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5766] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5767] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5768] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5769] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.29A(3)—Knowing provides materially false information[5770]

Class = "D" felony[5771]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 year[5772]	0[5773]	None	Yes[5774]

Fines

Max.	Min.	Can Suspend?
$10,245[5775]	$1025[5776]	No[5777]

Surcharges[5778]

15% of fine or forfeiture
Yes[5779]

Miscellaneous

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

Notes:

[5770] Iowa Code § 724.29A(3).
[5771] Iowa Code § 724.29A(3).
[5772] Iowa Code § 902.9(1)(e).
[5773] Iowa Code § 902.9(1)(e).
[5774] *See* Iowa Code § 907.3.
[5775] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5776] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5777] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5778] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5779] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§724.30—Reckless Use of a Firearm[5780]

§ 724.30(1)—Serious injury occurs[5781]

Class = "C" felony[5782]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[5783]	0[5784]	No, but see Enhancements	Yes[5785]

Fines

Max.	Min.	Can Suspend?
$13,660[5786]	$1370[5787]	Yes[5788]

❖ Fine is doubled if offense occurred in weapons free zone[5789]

Surcharges[5790]

15% of fine or forfeiture
Yes[5791]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5792]	No	No

Notes:

[5780] Iowa Code § 724.30.
[5781] Iowa Code § 724.30(1).
[5782] Iowa Code § 724.30(1).
[5783] Iowa Code § 902.9(1)(d).
[5784] Iowa Code § 902.9(1)(d).
[5785] *See* Iowa Code 907.3.
[5786] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5787] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5788] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5789] Iowa Code § 724.4A(2).
[5790] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5791] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5792] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.30(2)—Bodily injury that is not serious injury occurs[5793]

Class = "D" felony[5794]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5795]	0[5796]	No, but see Enhancements	Yes[5797]

Fines

Max.	Min.	Can Suspend?
$10,245[5798]	$1025[5799]	Yes[5800]

❖ Fine is doubled if offense occurred in weapons free zone[5801]

Surcharges[5802]

15% of fine or forfeiture
Yes[5803]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5804]	No	No

Notes:

[5793] Iowa Code § 724.30(2).
[5794] Iowa Code § 724.30(2).
[5795] Iowa Code § 902.9(1)(e).
[5796] Iowa Code § 902.9(1)(e).
[5797] *See* Iowa Code § 907.3.
[5798] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5799] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5800] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5801] Iowa Code § 724.4A(2).
[5802] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5803] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5804] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.30(3)—Property damage occurs without a serious injury or bodily injury occurring[5805]

Class = aggravated misdemeanor[5806]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5807]	0[5808]	None	Yes[5809]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5810]

Fines

Max.	Min.	Can Suspend?
$8540[5811]	$855[5812]	Yes[5813]

❖ Fine is doubled if offense occurred in weapons free zone[5814]

Surcharges[5815]

15% of fine or forfeiture
Yes[5816]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5817]	No	No

Notes:

[5805] Iowa Code § 724.30(3).
[5806] Iowa Code § 724.30(3).
[5807] Iowa Code § 903.1(2).
[5808] Iowa Code § 903.1(2).
[5809] *See* Iowa Code § 907.3, unnum. para.
[5810] Iowa Code § 903.1(2).
[5811] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5812] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5813] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5814] Iowa Code § 724.4A(2).
[5815] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5816] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5817] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.30(4)—No injury to person or property damage occurs[5818]

Class = simple misdemeanor[5819]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[5820]	0[5821]	N/A	Yes[5822]

Fines

Max.	Min.	Can Suspend?
$855[5823]	$105[5824]	No[5825]

❖ Fine is doubled if offense occurred in weapons free zone[5826]

Surcharges[5827]

15% of fine or forfeiture
Yes[5828]

Miscellaneous

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

Notes:

[5818] Iowa Code § 724.30(4).
[5819] Iowa Code § 724.30(4).
[5820] Iowa Code § 903.1(1)(a).
[5821] Iowa Code § 903.1(1)(a).
[5822] *See* Iowa Code 907.3.
[5823] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5824] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5825] Iowa Code § 903.1(1).
[5826] Iowa Code § 724.4A(2).
[5827] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5828] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

CH. 725 VICE

§ 725.1—Prostitution[5829]

§ 725.1(1)—Selling or offering for sale person's services as a partner in a sex act[5830]

Class = aggravated misdemeanor[5831]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5832]	0[5833]	None	Yes[5834]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5835]

Fines

Max.	Min.	Can Suspend?
$8540[5836]	$855[5837]	Yes[5838]

Surcharges[5839]

15% of fine or forfeiture
Yes[5840]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5841]	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 act[5842]
- ➢ may expunge after 2 years, per § 725.1(1)(c).[5843]

[5829] Iowa Code § 725.1.
[5830] Iowa Code § 725.1(1).
[5831] Iowa Code § 725.1(1).
[5832] Iowa Code § 903.1(2).
[5833] Iowa Code § 903.1(2).
[5834] *See* Iowa Code § 907.3, unnum. para.
[5835] Iowa Code § 903.1(2).
[5836] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5837] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5838] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5839] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5840] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5841] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[5842] Iowa Code § 725.1(1)(b).
[5843] Iowa Code § 725.1(1)(c).

§ 725.1(2)—Purchasing or offering to purchase another person's services as a partner in a sex act[5844]

§ 725.1(2)(a)—Seller is 18 years old or older[5845]

Class = aggravated misdemeanor[5846]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5847]	0[5848]	None	Yes[5849]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5850]

Fines

Max.	Min.	Can Suspend?
$8540[5851]	$855[5852]	Yes[5853]

Surcharges[5854]

15% of fine or forfeiture	HTV
Yes[5855]	Yes, $1000[5856]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5857]	No	No

Notes:

[5844] Iowa Code § 725.1(2).
[5845] Iowa Code § 725.1(2)(a).
[5846] Iowa Code § 725.1(2)(a).
[5847] Iowa Code § 903.1(2).
[5848] Iowa Code § 903.1(2).
[5849] *See* Iowa Code § 907.3, unnum. para.
[5850] Iowa Code § 903.1(2).
[5851] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5852] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5853] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5854] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5855] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5856] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[5857] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 725.1(2)(b)—Seller is under 18 years old[5858]

Class = "D" felony[5859]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5860]	0[5861]	No, but see Enhancements	Yes[5862]

Fines

Max.	Min.	Can Suspend?
$10,245[5863]	$1025[5864]	Yes[5865]

Surcharges[5866]

15% of fine or forfeiture	HTV
Yes[5867]	Yes, $1000[5868]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5869]	No	No

Notes:

[5858] Iowa Code § 725.1(2)(b).
[5859] Iowa Code § 725.1(2)(b).
[5860] Iowa Code § 902.9(1)(e).
[5861] Iowa Code § 902.9(1)(e).
[5862] *See* Iowa Code § 907.3.
[5863] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5864] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5865] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5866] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5867] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5868] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[5869] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 725.2—Pimping[5870]

§ 725.2(1)—Pimping[5871]

Class = "D" felony[5872]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5873]	0[5874]	No, but see Enhancements	Yes[5875]

Fines

Max.	Min.	Can Suspend?
$10,245[5876]	$1025[5877]	Yes[5878]

Surcharges[5879]

15% of fine or forfeiture	HTV
Yes[5880]	Yes, $1000[5881]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5882]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:[5883]
    - offense was committed against a minor or otherwise involved a minor, *and*
    - determination is made that offense was sexually motivated per § 692A.126[5884]
    - If yes, the offender shall be assessed a civil penalty of $250[5885]

[5870] Iowa Code § 725.2.
[5871] Iowa Code § 725.2(1).
[5872] Iowa Code § 725.2(1).
[5873] Iowa Code § 902.9(1)(e).
[5874] Iowa Code § 902.9(1)(e).
[5875] *See* Iowa Code § 907.3.
[5876] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5877] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5878] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5879] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5880] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5881] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[5882] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[5883] Iowa Code § 692A.102(1)(a)(7).
[5884] Iowa Code § 692A.126.
[5885] Iowa Code § 692A.110.

§ 725.2(2)—Prostitute is under 18 years old[5886]

Class = "C" felony[5887]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[5888]	0[5889]	No, but see Enhancements	Yes[5890]

Fines

Max.	Min.	Can Suspend?
$13,660[5891]	$1370[5892]	Yes[5893]

Surcharges[5894]

15% of fine or forfeiture	HTV
Yes[5895]	Yes, $1000[5896]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5897]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:[5898]
    - offense was committed against a minor or otherwise involved a minor, *and*
    - determination is made that offense was sexually motivated per § 692A.126[5899]
    - If yes, the offender shall be assessed a civil penalty of $250[5900]

[5886] Iowa Code § 725.2(2).
[5887] Iowa Code § 725.2(2).
[5888] Iowa Code § 902.9(1)(d).
[5889] Iowa Code § 902.9(1)(d).
[5890] *See* Iowa Code 907.3.
[5891] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5892] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5893] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5894] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5895] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5896] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[5897] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[5898] Iowa Code § 692A.102(1)(a)(7).
[5899] Iowa Code § 692A.126.
[5900] Iowa Code § 692A.110.

§ 725.3—Pandering[5901]

§ 725.3(1)—Not involving a minor[5902]

Class = "D" felony[5903]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5904]	0[5905]	No, but see Enhancements	Yes[5906]

Fines

Max.	Min.	Can Suspend?
$10,245[5907]	$1025[5908]	Yes[5909]

Surcharges[5910]

15% of fine or forfeiture	HTV
Yes[5911]	Yes, $1000[5912]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5913]	Yes[5914] The offender shall be assessed a civil penalty of $250[5915]	No

Notes:

[5901] Iowa Code § 725.3.
[5902] Iowa Code § 725.3(1).
[5903] Iowa Code § 725.3(1).
[5904] Iowa Code § 902.9(1)(e).
[5905] Iowa Code § 902.9(1)(e).
[5906] *See* Iowa Code § 907.3.
[5907] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5908] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5909] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5910] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5911] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5912] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[5913] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[5914] Iowa Code § 692A.102(1)(b)(15).
[5915] Iowa Code § 692A.110.

§ 725.3(2)—Involving a minor[5916]

Class = "C" felony[5917]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[5918]	0[5919]	No, but violation of § 725.3(2)[5920] is a SPO[5921] and a SVO,[5922] so see Enhancements	Yes[5923]

Fines

Max.	Min.	Can Suspend?
$13,660[5924]	$1370[5925]	Yes[5926]

Surcharges[5927]

15% of fine or forfeiture	HTV
Yes[5928]	Yes, $1000[5929]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5930]	Yes[5931] The offender shall be assessed a civil penalty of $250[5932]	No

Notes:

[5916] Iowa Code § 725.3(2).
[5917] Iowa Code § 725.3(2).
[5918] Iowa Code § 902.9(1)(d).
[5919] Iowa Code § 902.9(1)(d).
[5920] Iowa Code § 725.3(2).
[5921] Iowa Code § 229A.2 (1)(d).
[5922] Iowa Code § 229A.2(11)(d); *see id.* § 229A.2(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).
[5923] *See* Iowa Code 907.3.
[5924] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5925] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5926] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5927] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5928] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5929] Iowa Code § 911.2A(1) (amended by 2020 Iowa Acts ch. 1074, § 19, effective 7/15/20).
[5930] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[5931] Iowa Code 692A.102(1)(b)(15); *see id.* § 692A.102(1)(a)(8) (also requiring registration if determination is made offense was sexually motivated per § 692A.126).
[5932] Iowa Code § 692A.110.

§ 725.4—Leasing Premises for Prostitution[5933]

Class = serious misdemeanor[5934]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5935]	0[5936]	N/A	Yes[5937]

Fines

Max.	Min.	Can Suspend?
$2560[5938]	$430[5939]	No[5940]

Surcharges[5941]

15% of fine or forfeiture
Yes[5942]

Miscellaneous

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

Notes:

[5933] Iowa Code § 725.4.
[5934] Iowa Code § 725.4.
[5935] Iowa Code § 903.1(1)(b).
[5936] Iowa Code § 903.1(1)(b).
[5937] *See* Iowa Code § 907.3.
[5938] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5939] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5940] Iowa Code § 903.1(1).
[5941] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5942] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 725.5—Keeping Gambling House[5943]

Class = serious misdemeanor[5944]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5945]	0[5946]	N/A	Yes[5947]

Fines

Max.	Min.	Can Suspend?
$2560[5948]	$430[5949]	No[5950]

Surcharges[5951]

15% of fine or forfeiture
Yes[5952]

Miscellaneous

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

Notes:

[5943] Iowa Code § 725.5.
[5944] Iowa Code § 725.5.
[5945] Iowa Code § 903.1(1)(b).
[5946] Iowa Code § 903.1(1)(b).
[5947] *See* Iowa Code § 907.3.
[5948] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5949] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5950] Iowa Code § 903.1(1).
[5951] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5952] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 725.7—Illegal Gambling[5953]

§ 725.7(2)(a)—Fourth-degree illegal gambling[5954]

§ 725.7(2)(a)(1)—First offense[5955]

Class = serious misdemeanor[5956]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[5957]	0[5958]	N/A	Yes[5959]

Fines

Max.	Min.	Can Suspend?
$2560[5960]	$430[5961]	No[5962]

Surcharges[5963]

15% of fine or forfeiture
Yes[5964]

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 809[5965]

[5953] Iowa Code § 725.7.
[5954] Iowa Code § 725.7(2)(a).
[5955] Iowa Code § 725.7(2)(a)(1).
[5956] Iowa Code § 725.7(2)(a)(1).
[5957] Iowa Code § 903.1(1)(b).
[5958] Iowa Code § 903.1(1)(b).
[5959] *See* Iowa Code § 907.3.
[5960] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5961] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5962] Iowa Code § 903.1(1).
[5963] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5964] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5965] Iowa Code § 725.8, ch. 809.

§ 725.7(2)(a)(2)—Second offense[5966]

Class = aggravated misdemeanor[5967]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[5968]	0[5969]	None	Yes[5970]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[5971]

Fines

Max.	Min.	Can Suspend?
$8540[5972]	$855[5973]	Yes[5974]

Surcharges[5975]

15% of fine or forfeiture
Yes[5976]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No[5977]	No	No

Notes:

❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809[5978]

[5966] Iowa Code § 725.7(2)(a)(2).
[5967] Iowa Code § 725.7(2)(a)(2).
[5968] Iowa Code § 903.1(2).
[5969] Iowa Code § 903.1(2).
[5970] *See* Iowa Code § 907.3, unnum. para.
[5971] Iowa Code § 903.1(2).
[5972] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5973] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[5974] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5975] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5976] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5977] Iowa Code § 81.11(1)(e).
[5978] Iowa Code § 725.8, ch. 809.

§ 725.7(2)(a)(3)—Third offense[5979]

Class = "D" felony[5980]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[5981]	0[5982]	No, but see Enhancements	Yes[5983]

Fines

Max.	Min.	Can Suspend?
$10,245[5984]	$1025[5985]	Yes[5986]

Surcharges[5987]

15% of fine or forfeiture
Yes[5988]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[5989]	No	No

Notes:

- violation of § 725.7 may result in forfeiture proceedings under chapter 809[5990]

[5979] Iowa Code § 725.7(2)(a)(3).
[5980] Iowa Code § 725.7(2)(a)(3).
[5981] Iowa Code § 902.9(1)(e).
[5982] Iowa Code § 902.9(1)(e).
[5983] *See* Iowa Code § 907.3.
[5984] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5985] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5986] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5987] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[5988] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[5989] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[5990] Iowa Code § 725.8, ch. 809.

§ 725.7(2)(a)(4)—Fourth or subsequent offense[5991]

Class = "C" felony[5992]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[5993]	0[5994]	No, but see Enhancements	Yes[5995]

Fines

Max.	Min.	Can Suspend?
$13,660[5996]	$1370[5997]	Yes[5998]

Surcharges[5999]

15% of fine or forfeiture
Yes[6000]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6001]	No	No

Notes:

- violation of § 725.7 may result in forfeiture proceedings under chapter 809[6002]

[5991] Iowa Code § 725.7(2)(a)(4).
[5992] Iowa Code § 725.7(2)(a)(4).
[5993] Iowa Code § 902.9(1)(d).
[5994] Iowa Code § 902.9(1)(d).
[5995] *See* Iowa Code 907.3.
[5996] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5997] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[5998] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[5999] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6000] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6001] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6002] Iowa Code § 725.8, ch. 809.

§ 725.7(2)(b)—Third-degree illegal gambling[6003]

§ 725.7(2)(b)(1)—First offense[6004]

Class = aggravated misdemeanor[6005]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[6006]	0[6007]	None	Yes[6008]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[6009]

Fines

Max.	Min.	Can Suspend?
$8540[6010]	$855[6011]	Yes[6012]

Surcharges[6013]

15% of fine or forfeiture
Yes[6014]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No[6015]	No	No

Notes:

❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809[6016]

[6003] Iowa Code § 725.7(2)(b).
[6004] Iowa Code § 725.7(2)(b)(1).
[6005] Iowa Code § 725.7(2)(b)(1).
[6006] Iowa Code § 903.1(2).
[6007] Iowa Code § 903.1(2).
[6008] *See* Iowa Code § 907.3, unnum. para.
[6009] Iowa Code § 903.1(2).
[6010] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6011] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6012] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6013] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6014] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6015] Iowa Code § 81.11(1)(e).
[6016] Iowa Code § 725.8, ch. 809.

§ 725.7(2)(b)(2)—Second offense[6017]

Class = "D" felony[6018]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[6019]	0[6020]	No, but see Enhancements	Yes[6021]

Fines

Max.	Min.	Can Suspend?
$10,245[6022]	$1025[6023]	Yes[6024]

Surcharges[6025]

15% of fine or forfeiture
Yes[6026]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6027]	No	No

Notes:

- violation of § 725.7 may result in forfeiture proceedings under chapter 809[6028]

[6017] Iowa Code § 725.7(2)(b)(2).
[6018] Iowa Code § 725.7(2)(b)(2).
[6019] Iowa Code § 902.9(1)(e).
[6020] Iowa Code § 902.9(1)(e).
[6021] *See* Iowa Code § 907.3.
[6022] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6023] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6024] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6025] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6026] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6027] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6028] Iowa Code § 725.8, ch. 809.

§ 725.7(2)(b)(3)—Third or subsequent offense[6029]

Class = "C" felony[6030]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[6031]	0[6032]	No, but see Enhancements	Yes[6033]

Fines

Max.	Min.	Can Suspend?
$13,660[6034]	$1370[6035]	Yes[6036]

Surcharges[6037]

15% of fine or forfeiture
Yes[6038]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6039]	No	No

Notes:

- violation of § 725.7 may result in forfeiture proceedings under chapter 809[6040]

[6029] Iowa Code § 725.7(2)(b)(3).
[6030] Iowa Code § 725.7(2)(b)(3).
[6031] Iowa Code § 902.9(1)(d).
[6032] Iowa Code § 902.9(1)(d).
[6033] *See* Iowa Code 907.3.
[6034] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6035] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6036] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6037] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6038] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6039] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6040] Iowa Code § 725.8, ch. 809.

§ 725.7(2)(c)—Second-degree illegal gambling[6041]

§ 726.7(2)(c)(1)—First offense[6042]

Class = "D" felony[6043]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[6044]	0[6045]	No, but see Enhancements	Yes[6046]

Fines

Max.	Min.	Can Suspend?
$10,245[6047]	$1025[6048]	Yes[6049]

Surcharges[6050]

15% of fine or forfeiture
Yes[6051]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6052]	No	No

Notes:

- violation of § 725.7 may result in forfeiture proceedings under chapter 809[6053]

[6041] Iowa Code § 725.7(2)(c).
[6042] Iowa Code § 725.7(2)(c)(1).
[6043] Iowa Code § 725.7(2)(c)(1).
[6044] Iowa Code § 902.9(1)(e).
[6045] Iowa Code § 902.9(1)(e).
[6046] *See* Iowa Code § 907.3.
[6047] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6048] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6049] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6050] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6051] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6052] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6053] Iowa Code § 725.8, ch. 809.

§ 725.7(2)(c)(2)—Second or subsequent offense[6054]

Class = "C" felony[6055]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[6056]	0[6057]	No, but see Enhancements	Yes[6058]

Fines

Max.	Min.	Can Suspend?
$13,660[6059]	$1370[6060]	Yes[6061]

Surcharges[6062]

15% of fine or forfeiture
Yes[6063]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6064]	No	No

Notes:

- violation of § 725.7 may result in forfeiture proceedings under chapter 809[6065]

[6054] Iowa Code § 725.7(2)(c)(2).
[6055] Iowa Code § 725.7(2)(c)(2).
[6056] Iowa Code § 902.9(1)(d).
[6057] Iowa Code § 902.9(1)(d).
[6058] *See* Iowa Code 907.3.
[6059] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6060] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6061] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6062] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6063] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6064] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6065] Iowa Code § 725.8, ch. 809.

§ 725.7(2)(d)—First-degree illegal gambling[6066]

Class = "C" felony[6067]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[6068]	0[6069]	No, but see Enhancements	Yes[6070]

Fines

Max.	Min.	Can Suspend?
$13,660[6071]	$1370[6072]	Yes[6073]

Surcharges[6074]

15% of fine or forfeiture
Yes[6075]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6076]	No	No

Notes:

- violation of § 725.7 may result in forfeiture proceedings under chapter 809[6077]

[6066] Iowa Code § 725.7(2)(d).
[6067] Iowa Code § 725.7(2)(d).
[6068] Iowa Code § 902.9(1)(d).
[6069] Iowa Code § 902.9(1)(d).
[6070] *See* Iowa Code 907.3.
[6071] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6072] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6073] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6074] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6075] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6076] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6077] Iowa Code § 725.8, ch. 809.

§ 725.9—Possession of Gambling Devices[6078]

Class = serious misdemeanor[6079]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[6080]	0[6081]	N/A	Yes[6082]

Fines

Max.	Min.	Can Suspend?
$2560[6083]	$430[6084]	No[6085]

Surcharges[6086]

15% of fine or forfeiture
Yes[6087]

Miscellaneous

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

Notes:

[6078] Iowa Code § 725.9.
[6079] Iowa Code § 725.9(3).
[6080] Iowa Code § 903.1(1)(b).
[6081] Iowa Code § 903.1(1)(b).
[6082] *See* Iowa Code § 907.3.
[6083] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6084] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6085] Iowa Code § 903.1(1).
[6086] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6087] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 725.10—Pool Selling[6088]

Class = serious misdemeanor[6089]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[6090]	0[6091]	N/A	Yes[6092]

Fines

Max.	Min.	Can Suspend?
$2560[6093]	$430[6094]	No[6095]

Surcharges[6096]

15% of fine or forfeiture
Yes[6097]

Miscellaneous

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

Notes:

[6088] Iowa Code § 725.10.
[6089] Iowa Code § 725.10.
[6090] Iowa Code § 903.1(1)(b).
[6091] Iowa Code § 903.1(1)(b).
[6092] *See* Iowa Code § 907.3.
[6093] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6094] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6095] Iowa Code § 903.1(1).
[6096] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6097] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 725.12—Unlawful Lotteries and Possession of Lottery Tickets[6098]

Class = serious misdemeanor[6099]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[6100]	0[6101]	N/A	Yes[6102]

Fines

Max.	Min.	Can Suspend?
$2560[6103]	$430[6104]	No[6105]

Surcharges[6106]

15% of fine or forfeiture
Yes[6107]

Miscellaneous

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

Notes:

[6098] Iowa Code § 725.12.
[6099] Iowa Code § 725.12(1).
[6100] Iowa Code § 903.1(1)(b).
[6101] Iowa Code § 903.1(1)(b).
[6102] *See* Iowa Code § 907.3.
[6103] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6104] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6105] Iowa Code § 903.1(1).
[6106] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6107] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 725.16—Gambling in Violation of Chapter 99B[6108]

Class = serious misdemeanor[6109]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[6110]	0[6111]	N/A	Yes[6112]

Fines

Max.	Min.	Can Suspend?
$2560[6113]	$430[6114]	No[6115]

Surcharges[6116]

15% of fine or forfeiture
Yes[6117]

Miscellaneous

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

Notes:

[6108] Iowa Code § 725.16.
[6109] Iowa Code § 725.16.
[6110] Iowa Code § 903.1(1)(b).
[6111] Iowa Code § 903.1(1)(b).
[6112] *See* Iowa Code § 907.3.
[6113] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6114] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6115] Iowa Code § 903.1(1).
[6116] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6117] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 725.17—Protection Money[6118]

Class = aggravated misdemeanor[6119]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[6120]	0[6121]	None	Yes[6122]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[6123]

Fines

Max.	Min.	Can Suspend?
$8540[6124]	$855[6125]	Yes[6126]

Surcharges[6127]

15% of fine or forfeiture
Yes[6128]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6129]	No	No

Notes:

[6118] Iowa Code § 725.17.
[6119] Iowa Code § 725.17.
[6120] Iowa Code § 903.1(2).
[6121] Iowa Code § 903.1(2).
[6122] *See* Iowa Code § 907.3, unnum. para.
[6123] Iowa Code § 903.1(2).
[6124] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6125] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6126] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6127] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6128] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6129] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 725.18—Unlawful Collection Service[6130]

Class = aggravated misdemeanor[6131]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[6132]	0[6133]	None	Yes[6134]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[6135]

Fines

Max.	Min.	Can Suspend?
$8540[6136]	$855[6137]	Yes[6138]

Surcharges[6139]

15% of fine or forfeiture
Yes[6140]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6141]	No	No

Notes:

[6130] Iowa Code § 725.18.
[6131] Iowa Code § 725.18.
[6132] Iowa Code § 903.1(2).
[6133] Iowa Code § 903.1(2).
[6134] *See* Iowa Code § 907.3, unnum. para.
[6135] Iowa Code § 903.1(2).
[6136] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6137] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6138] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6139] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6140] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6141] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 725.19—Gambling by Underage Persons[6142]

§ 725.19(1)—Gambling by person under 21 years old[6143]

Class = scheduled violation under § 805.8C(5)(a)[6144]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
0[6145]	0[6146]	N/A	N/A[6147]

Fines

Max.	Min.	Can Suspend?
$645[6148]	$645[6149]	No[6150]

Surcharges[6151]

15% of fine or forfeiture
Yes[6152]

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."[6153]

[6142] Iowa Code § 725.19.
[6143] Iowa Code § 725.19(1).
[6144] Iowa Code § 725.19(1).
[6145] Iowa Code § 805.8C(5)(a).
[6146] Iowa Code § 805.8C(5)(a).
[6147] *See* Iowa Code § 805.8C(5)(a).
[6148] Iowa Code § 805.8C(5)(a) (amended by 2020 Iowa Acts ch. 1074, § 44, effective 7/15/2020).
[6149] Iowa Code § 805.8C(5)(a) (amended by 2020 Iowa Acts ch. 1074, § 44, effective 7/15/2020).
[6150] *See* Iowa Code § 805.8C(5)(a).
[6151] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6152] Iowa Code §§ 805.8(1) (amended by 2020 Iowa Acts ch. 1074, § 15, effective 7/15/2020), 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6153] Iowa Code § 805.8C(5)(a).

§ 725.19(2)—Permitting gambling by person under 21 years old[6154]

Class = simple misdemeanor[6155]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[6156]	0[6157]	N/A	Yes[6158]

Fines

Max.	Min.	Can Suspend?
$855[6159]	$105[6160]	No[6161]

Surcharges[6162]

15% of fine or forfeiture
Yes[6163]

Miscellaneous

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

Notes:

[6154] Iowa Code § 725.19(2).
[6155] Iowa Code § 725.19(2).
[6156] Iowa Code § 903.1(1)(a).
[6157] Iowa Code § 903.1(1)(a).
[6158] *See* Iowa Code 907.3.
[6159] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6160] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6161] Iowa Code § 903.1(1).
[6162] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6163] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

CH. 726 PROTECTION OF THE FAMILY AND DEPENDENT PERSONS

§ 726.1—Bigamy[6164]

Class = serious misdemeanor[6165]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[6166]	0[6167]	N/A	Yes[6168]

Fines

Max.	Min.	Can Suspend?
$2560[6169]	$430[6170]	No[6171]

Surcharges[6172]

15% of fine or forfeiture
Yes[6173]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry[6174]	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,"[6175] *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"[6176]
    - If yes, the offender shall be assessed a civil penalty of $250[6177]

[6164] Iowa Code § 726.1.
[6165] Iowa Code § 726.1(2).
[6166] Iowa Code § 903.1(1)(b).
[6167] Iowa Code § 903.1(1)(b).
[6168] *See* Iowa Code § 907.3.
[6169] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6170] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6171] Iowa Code § 903.1(1).
[6172] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6173] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6174] Iowa Code § 81.2(6).
[6175] Iowa Code §§ 726.10, 692A.126.
[6176] Iowa Code §§ 692A.102(1)(a)(9), 692A.126.
[6177] Iowa Code § 692A.110.

§ 726.2—Incest[6178]

Class = "D" felony[6179]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[6180]	0[6181]	No, but see Enhancements	Yes[6182]

Fines

Max.	Min.	Can Suspend?
$10,245[6183]	$1025[6184]	Yes[6185]

Surcharges[6186]

15% of fine or forfeiture
Yes[6187]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6188]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if any of the following apply:
    - committed against dependent adult[6189]
    - committed against a minor[6190]
    - committed against a minor and fact finder determines offense was sexually motivated per § 692A.126[6191]
    - "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"[6192]
    - If yes, the offender shall be assessed a civil penalty of $250[6193]

[6178] Iowa Code § 726.2.
[6179] Iowa Code § 725.1(2)(b).
[6180] Iowa Code § 902.9(1)(e).
[6181] Iowa Code § 902.9(1)(e).
[6182] *See* Iowa Code § 907.3.
[6183] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6184] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6185] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6186] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6187] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6188] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6189] Iowa Code § 692A.102(1)(b)(17).
[6190] Iowa Code § 692A.102(1)(b)(18).
[6191] Iowa Code §§ 692A.126, 726.10.
[6192] Iowa Code §§ 692A.126, 692A.102(1)(a)(9).
[6193] Iowa Code § 692A.110.

- Special Sentence for 10 years:[6194]
  - 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[6195]
  - 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,[6196] 905,[6197] 906,[6198] and 908[6199]

[6194] Iowa Code § 903B.2.
[6195] Iowa Code ch. 906.
[6196] Iowa Code ch. 901B.
[6197] Iowa Code ch. 905.
[6198] Iowa Code ch. 906.
[6199] Iowa Code ch. 908.

§ 726.3—Neglect or Abandonment of Dependent Person[6200]

Class = "C" felony[6201]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[6202]	0[6203]	No, but see Enhancements	Yes[6204]

Fines

Max.	Min.	Can Suspend?
$13,660[6205]	$1370[6206]	Yes[6207]

Surcharges[6208]

15% of fine or forfeiture
Yes[6209]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6210]	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,"[6211] *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"[6212]
    - If yes, the offender shall be assessed a civil penalty of $250[6213]

[6200] Iowa Code § 726.3.
[6201] Iowa Code § 726.3.
[6202] Iowa Code § 902.9(1)(d).
[6203] Iowa Code § 902.9(1)(d).
[6204] *See* Iowa Code 907.3.
[6205] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6206] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6207] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6208] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6209] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6210] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6211] Iowa Code §§ 692A.126, 726.10.
[6212] Iowa Code §§ 692A.126, 692A.102(1)(a)(9).
[6213] Iowa Code § 692A.110.

§ 726.5—Nonsupport[6214]

Class = "D" felony[6215]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[6216]	0[6217]	No, but see Enhancements	Yes[6218]

Fines

Max.	Min.	Can Suspend?
$10,245[6219]	$1025[6220]	Yes[6221]

Surcharges[6222]

15% of fine or forfeiture
Yes[6223]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6224]	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,"[6225] *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"[6226]
    - If yes, the offender shall be assessed a civil penalty of $250[6227]

[6214] Iowa Code § 726.5.
[6215] Iowa Code § 726.5.
[6216] Iowa Code § 902.9(1)(e).
[6217] Iowa Code § 902.9(1)(e).
[6218] *See* Iowa Code § 907.3.
[6219] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6220] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6221] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6222] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6223] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6224] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6225] Iowa Code §§ 692A.126, 726.10.
[6226] Iowa Code §§ 692A.126, 692A.102(1)(a)(9).
[6227] Iowa Code § 692A.110.

§ 726.6—Child Endangerment[6228]

§ 726.6(4)—Resulting in death to child or minor[6229]

Class = "B" felony[6230]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years[6231]	0[6232]	❖ If child endangerment was in violation of § 726.6(1)(b),[6233] not eligible until served between 30% and 70% of max. term of sentence[6234] ➢ court shall determine at time of sentencing when person is to become eligible for parole or work release[6235] ▪ "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"[6236] ➢ but see Under 18 Sentencing	No,[6237] but see Under 18 Sentencing

Fines[6238]—N/A

Surcharges[6239]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6240]	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,"[6241] *or*

[6228] Iowa Code § 726.6.
[6229] Iowa Code § 726.6(4).
[6230] Iowa Code § 726.6(4).
[6231] Iowa Code § 726.6(4).
[6232] Iowa Code § 902.9(1)(b).
[6233] Iowa Code § 726.6(1)(b).
[6234] Iowa Code § 902.12(2).
[6235] Iowa Code § 901.11(2).
[6236] Iowa Code § 901.11(2).
[6237] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "child endangerment" as a forcible felony).
[6238] *See* Iowa Code § 902.9(1)(b).
[6239] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6240] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6241] Iowa Code §§ 692A.126, 726.10.

- "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"[6242]
- If yes, the offender shall be assessed a civil penalty of $250[6243]

[6242] Iowa Code §§ 692A.126, 692A.102(1)(a)(9).
[6243] Iowa Code § 692A.110.

§ 726.6(5)—Resulting in serious injury to child or minor[6244]

Class = "C" felony[6245]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[6246]	0[6247]	No, but see Enhancements Note: child endangerment in violation of § 726.6(1)(e)[6248] can be a SVO[6249]	No,[6250] but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
$13,660[6251]	$1370[6252]	Yes[6253]

Surcharges[6254]

15% of fine or forfeiture
Yes[6255]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6256]	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,"[6257] *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"[6258]

[6244] Iowa Code § 726.6(5).
[6245] Iowa Code § 726.6(5).
[6246] Iowa Code § 902.9(1)(d).
[6247] Iowa Code § 902.9(1)(d).
[6248] Iowa Code § 726.6(1)(e).
[6249] Iowa Code § 229A.2(11) (b)(4); *see id.* § 229A.2(3) (noting definition of "sexually violent offense" is the same as defined in § 229A.2).
[6250] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "child endangerment" as a forcible felony).
[6251] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6252] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6253] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6254] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6255] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6256] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6257] Iowa Code §§ 692A.126, 726.10.
[6258] Iowa Code §§ 692A.126, 692A.102(1)(a)(9).

- If yes, the offender shall be assessed a civil penalty of $250[6259]

[6259] Iowa Code § 692A.110.

§ 726.6(6)—Resulting in bodily injury to child or minor, or violation of § 726.6(1)(g)[6260] that does not result in serious injury[6261]

Class = "D" felony[6262]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[6263]	0[6264]	No, but see Enhancements Note: child endangerment in violation of § 726.6(1)(e)[6265] can be a SVO[6266]	Yes[6267]

Fines

Max.	Min.	Can Suspend?
$10,245[6268]	$1025[6269]	Yes[6270]

Surcharges[6271]

15% of fine or forfeiture
Yes[6272]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6273]	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,"[6274] *or*

[6260] Iowa Code § 726.6(1)(g).
[6261] Iowa Code § 726.6(6).
[6262] Iowa Code § 726.6(6).
[6263] Iowa Code § 902.9(1)(e).
[6264] Iowa Code § 902.9(1)(e).
[6265] Iowa Code § 726.6(1)(e).
[6266] Iowa Code § 229A.2(11) (b)(4); *see id.* § 229A.2(3) (noting definition of "sexually violent offense" is the same as defined in § 229A.2).
[6267] *See* Iowa Code § 907.3 ; *see also* § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).
[6268] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6269] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6270] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6271] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6272] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6273] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6274] Iowa Code §§ 692A.126, 726.10.

- "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"[6275]
- If yes, the offender shall be assessed a civil penalty of $250[6276]

[6275] Iowa Code §§ 692A.126, 692A.102(1)(a)(9).
[6276] Iowa Code § 692A.110.

§ 726.6(7)—Any other child endangerment[6277]

Class = aggravated misdemeanor[6278]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[6279]	0[6280]	None, but child endangerment in violation of § 726.6(1)(e)[6281] can be a SVO,[6282] so see Enhancements	Yes[6283]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[6284]

Fines

Max.	Min.	Can Suspend?
$8540[6285]	$855[6286]	Yes[6287]

Surcharges[6288]

15% of fine or forfeiture
Yes[6289]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6290]	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,"[6291] *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"[6292]

[6277] Iowa Code § 726.6(7).
[6278] Iowa Code § 726.6(7).
[6279] Iowa Code § 903.1(2).
[6280] Iowa Code § 903.1(2).
[6281] Iowa Code § 726.6(1)(e).
[6282] Iowa Code § 229A.2(11) (b)(4); *see id.* § 229A.2(3) (noting definition of "sexually violent offense" is the same as defined in § 229A.2).
[6283] *See* Iowa Code § 907.3, unnum. para.
[6284] Iowa Code § 903.1(2).
[6285] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6286] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6287] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6288] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6289] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6290] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6291] Iowa Code §§ 692A.126, 726.10.
[6292] Iowa Code §§ 692A.126, 692A.102(1)(a)(9).

- If yes, the offender shall be assessed a civil penalty of $250[6293]

[6293] Iowa Code § 692A.110.

§ 726.6A—Multiple Acts of Child Endangerment[6294]

Class = "B" felony[6295]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years[6296]	0[6297]	No, but see Enhancements ❖ Note: child endangerment in violation of § 726.6(1)(e)[6298] can be a SVO[6299]	No,[6300] but see Under 18 Sentencing

Fines[6301]—N/A

Surcharges[6302]—N/A

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6303]	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,"[6304] *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"[6305]
    - If yes, the offender shall be assessed a civil penalty of $250[6306]

[6294] Iowa Code § 726.6A.
[6295] Iowa Code § 726.6A.
[6296] Iowa Code § 726.6A.
[6297] Iowa Code § 902.9(1)(b).
[6298] Iowa Code § 726.6(1)(e).
[6299] Iowa Code § 229A.2(11) (b)(4); *see id.* § 229A.2(3) (noting definition of "sexually violent offense" is the same as defined in § 229A.2).
[6300] Iowa Code § 907.3, unnum. para.; *see* § 702.11(1) (including felonious "child endangerment" as a forcible felony).
[6301] *See* Iowa Code § 902.9(1)(b).
[6302] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6303] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6304] Iowa Code §§ 692A.126, 726.10.
[6305] Iowa Code §§ 692A.126, 692A.102(1)(a)(9).
[6306] Iowa Code § 692A.110.

§ 726.7—Wanton Neglect of a Resident of a Health Care Facility[6307]

§ 726.7(2)—Resulting in serious injury to resident[6308]

Class = "C" felony[6309]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[6310]	0[6311]	No, but see Enhancements	Yes[6312]

Fines

Max.	Min.	Can Suspend?
$13,660[6313]	$1370[6314]	Yes[6315]

Surcharges[6316]

15% of fine or forfeiture
Yes[6317]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6318]	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,"[6319] *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"[6320]
    - If yes, the offender shall be assessed a civil penalty of $250[6321]

[6307] Iowa Code § 726.7.
[6308] Iowa Code § 726.7(2).
[6309] Iowa Code § 726.7(2).
[6310] Iowa Code § 902.9(1)(d).
[6311] Iowa Code § 902.9(1)(d).
[6312] *See* Iowa Code 907.3.
[6313] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6314] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6315] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6316] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6317] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6318] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6319] Iowa Code §§ 692A.126, 726.10.
[6320] Iowa Code §§ 692A.126, 692A.102(1)(a)(9).
[6321] Iowa Code § 692A.110.

§ 726.7(3)—Not resulting in serious injury[6322]

Class = aggravated misdemeanor[6323]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[6324]	0[6325]	None	Yes[6326]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[6327]

Fines

Max.	Min.	Can Suspend?
$8540[6328]	$855[6329]	Yes[6330]

Surcharges[6331]

15% of fine or forfeiture
Yes[6332]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6333]	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,"[6334] *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"[6335]
  - If yes, the offender shall be assessed a civil penalty of $250[6336]

[6322] Iowa Code § 726.7(3).
[6323] Iowa Code § 726.7(3).
[6324] Iowa Code § 903.1(2).
[6325] Iowa Code § 903.1(2).
[6326] *See* Iowa Code § 907.3, unnum. para.
[6327] Iowa Code § 903.1(2).
[6328] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6329] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6330] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6331] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6332] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6333] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6334] Iowa Code §§ 692A.126, 726.10.
[6335] Iowa Code §§ 692A.126, 692A.102(1)(a)(9).
[6336] Iowa Code § 692A.110.

§ 726.8—Wanton Neglect or Nonsupport of a Dependent Adult[6337]

§ 726.8(1)—By a caretaker[6338]

Class = serious misdemeanor[6339]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[6340]	0[6341]	N/A	Yes[6342]

Fines

Max.	Min.	Can Suspend?
$2560[6343]	$430[6344]	No[6345]

Surcharges[6346]

15% of fine or forfeiture
Yes[6347]

Miscellaneous

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

Notes:

[6337] Iowa Code § 726.8.
[6338] Iowa Code § 726.8(1).
[6339] Iowa Code § 726.8(1).
[6340] Iowa Code § 903.1(1)(b).
[6341] Iowa Code § 903.1(1)(b).
[6342] *See* Iowa Code § 907.3.
[6343] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6344] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6345] Iowa Code § 903.1(1).
[6346] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6347] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 726.8(2)—By a person with legal responsibility[6348]

Class = "D" felony[6349]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[6350]	0[6351]	No, but see Enhancements	Yes[6352]

Fines

Max.	Min.	Can Suspend?
$10,245[6353]	$1025[6354]	Yes[6355]

Surcharges[6356]

15% of fine or forfeiture
Yes[6357]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6358]	No	No

Notes:

[6348] Iowa Code § 726.8(2).
[6349] Iowa Code § 726.8(2).
[6350] Iowa Code § 902.9(1)(e).
[6351] Iowa Code § 902.9(1)(e).
[6352] *See* Iowa Code § 907.3; *see also* § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).
[6353] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6354] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6355] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6356] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6357] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6358] Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 728 OBSCENITY

§ 728.2—Dissemination and Exhibition of Obscene Materials to Minors[6359]

Class = serious misdemeanor[6360]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[6361]	0[6362]	N/A	Yes[6363]

Fines

Max.	Min.	Can Suspend?
$2560[6364]	$430[6365]	No[6366]

Surcharges[6367]

15% of fine or forfeiture
Yes[6368]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6369]	Yes[6370] The offender shall be assessed a civil penalty of $250[6371]	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 months[6372]

[6359] Iowa Code § 728.2.
[6360] Iowa Code § 728.2.
[6361] Iowa Code § 903.1(1)(b).
[6362] Iowa Code § 903.1(1)(b).
[6363] *See* Iowa Code § 907.3.
[6364] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6365] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6366] Iowa Code § 903.1(1).
[6367] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6368] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6369] Iowa Code § 81.2(6) (requiring submission of an DNA Sample for anyone required to register for sex offender registry).
[6370] Iowa Code § 692A.102(1)(a)(10)(a).
[6371] Iowa Code § 692A.110.
[6372] Iowa Code § 728.8.

§ 728.3—Admitting Minors to Premises Where Obscene Material Is Exhibited[6373]

§ 728.3(1)—Minor is not a child[6374]

Class = serious misdemeanor[6375]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[6376]	0[6377]	N/A	Yes[6378]

Fines

Max.	Min.	Can Suspend?
$2560[6379]	$430[6380]	No[6381]

Surcharges[6382]

15% of fine or forfeiture
Yes[6383]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6384]	Yes[6385] The offender shall be assessed a civil penalty of $250[6386]	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 months[6387]

[6373] Iowa Code § 728.3.
[6374] Iowa Code § 728.3(1).
[6375] Iowa Code § 728.2.
[6376] Iowa Code § 903.1(1)(b).
[6377] Iowa Code § 903.1(1)(b).
[6378] *See* Iowa Code § 907.3.
[6379] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6380] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6381] Iowa Code § 903.1(1).
[6382] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6383] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6384] Iowa Code § 81.2(6) (requiring submission of an DNA Sample for anyone required to register for sex offender registry).
[6385] Iowa Code § 692A.102(1)(a)(11).
[6386] Iowa Code § 692A.110.
[6387] Iowa Code § 728.8.

§ 728.3(2)—Minor is a child[6388]

Class = aggravated misdemeanor[6389]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[6390]	0[6391]	None	Yes[6392]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[6393]

Fines

Max.	Min.	Can Suspend?
$8540[6394]	$855[6395]	Yes[6396]

Surcharges[6397]

15% of fine or forfeiture
Yes[6398]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6399]	Yes[6400] The offender shall be assessed a civil penalty of $250[6401]	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 months[6402]

[6388] Iowa Code § 728.3(2).
[6389] Iowa Code § 728.3(2).
[6390] Iowa Code § 903.1(2).
[6391] Iowa Code § 903.1(2).
[6392] *See* Iowa Code § 907.3, unnum. para.
[6393] Iowa Code § 903.1(2).
[6394] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6395] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6396] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6397] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6398] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6399] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6400] Iowa Code § 692A.102(1)(a)(11).
[6401] Iowa Code § 692A.110.
[6402] Iowa Code § 728.8.

§ 728.4—Rental or Sale of Hard-Core Pornography[6403]

First Offense

Class = aggravated misdemeanor[6404]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[6405]	0[6406]	None	Yes[6407]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[6408]

Fines

Max.	Min.	Can Suspend?
$8540[6409]	$855[6410]	Yes[6411]

Surcharges[6412]

15% of fine or forfeiture
Yes[6413]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6414]	Maybe, see Notes	No

Notes:

❖ Sex Registry:
- ➢ Must register if:
  - delivery is to a minor[6415]
  - If yes, the offender shall be assessed a civil penalty of $250[6416]

[6403] Iowa Code § 728.4.
[6404] Iowa Code § 728.4.
[6405] Iowa Code § 903.1(2).
[6406] Iowa Code § 903.1(2).
[6407] *See* Iowa Code § 907.3, unnum. para.
[6408] Iowa Code § 903.1(2).
[6409] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6410] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6411] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6412] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6413] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6414] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6415] Iowa Code § 692A.102(1)(a)(10)(b).
[6416] Iowa Code § 692A.110.

Second or Subsequent Offense

Class = "D" felony[6417]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[6418]	0[6419]	No, but see Enhancements	Yes[6420]

Fines

Max.	Min.	Can Suspend?
$10,245[6421]	$1025[6422]	Yes[6423]

Surcharges[6424]

15% of fine or forfeiture
Yes[6425]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6426]	Maybe, see Notes	No

Notes:

- Sex Registry:
  - Must register if:
    - delivery is to a minor[6427]
    - If yes, offender shall be assessed a civil penalty of $250[6428]

[6417] Iowa Code § 728.4.
[6418] Iowa Code § 902.9(1)(e).
[6419] Iowa Code § 902.9(1)(e).
[6420] *See* Iowa Code § 907.3.
[6421] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6422] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6423] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6424] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6425] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6426] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6427] Iowa Code § 692A.102(1)(a)(10)(b).
[6428] Iowa Code § 692A.110.

§ 728.5—Public Indecent Exposure in Certain Establishments[6429]

§ 728.5(1)—Public indecent exposure[6430]

Class = serious misdemeanor[6431]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year[6432]	0[6433]	N/A	Yes[6434]

Fines

Max.	Min.	Can Suspend?
$2560[6435]	$430[6436]	No[6437]

Surcharges[6438]

15% of fine or forfeiture
Yes[6439]

Miscellaneous

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

Notes:

- Additional Penalty:
  - if violation of § 728.5(1)(f),[6440] 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 months[6441]

[6429] Iowa Code § 728.5.
[6430] Iowa Code § 728.5(1).
[6431] Iowa Code § 728.5(1).
[6432] Iowa Code § 903.1(1)(b).
[6433] Iowa Code § 903.1(1)(b).
[6434] *See* Iowa Code § 907.3.
[6435] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6436] Iowa Code § 903.1(1)(b) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6437] Iowa Code § 903.1(1).
[6438] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6439] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6440] Iowa Code § 728.5(1)(f).
[6441] Iowa Code § 728.8.

§ 728.5(2)—Involving a minor[6442]

Class = aggravated misdemeanor[6443]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[6444]	0[6445]	None	Yes[6446]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[6447]

Fines

Max.	Min.	Can Suspend?
$8540[6448]	$855[6449]	Yes[6450]

Surcharges[6451]

15% of fine or forfeiture
Yes[6452]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6453]	No	No

Notes:

[6442] Iowa Code § 728.5(2).
[6443] Iowa Code § 728.5(2).
[6444] Iowa Code § 903.1(2).
[6445] Iowa Code § 903.1(2).
[6446] *See* Iowa Code § 907.3, unnum. para.
[6447] Iowa Code § 903.1(2).
[6448] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6449] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6450] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6451] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6452] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6453] Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 728.12—Sexual Exploitation of a Minor[6454]

§ 728.12(1)—Cause or attempt to cause minor to engage in prohibited sexual act or simulation of prohibited sexual act[6455]

Class = "C" felony[6456]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years[6457]	0[6458]	No, but see Enhancements Note: violation of § 728.12(1) is a SPO[6459] and a SVO[6460]	Yes[6461]

Fines

Max.	Min.	Can Suspend?
$50,000[6462]	$1370[6463]	Yes[6464]

Surcharges[6465]

15% of fine or forfeiture
Yes[6466]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6467]	Yes[6468] The offender shall be assessed a civil penalty of $250[6469]	No

Notes:

[6454] Iowa Code § 728.12.
[6455] Iowa Code § 728.12(1).
[6456] Iowa Code § 728.12(1).
[6457] Iowa Code § 902.9(1)(d).
[6458] Iowa Code § 902.9(1)(d).
[6459] Iowa Code § 229A.2 (1)(b).
[6460] Iowa Code § 229A.2(11) (c); *see id.* § 229A.2(3) (noting definition of "sexually violent offense" is the same as defined in § 229A.2).
[6461] *See* Iowa Code § 907.3 .
[6462] Iowa Code § 728.12(1).
[6463] Iowa Code § 902.9(1)(d) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6464] *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6465] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6466] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6467] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6468] Iowa Code § 692A.102(1)(c) (25).
[6469] Iowa Code § 692A.110.

- Special Sentence for Life:[6470]
  - 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[6471]
  - 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,[6472] 905,[6473] 906,[6474] and 908[6475]

[6470] Iowa Code § 903B.1.
[6471] Iowa Code ch. 906.
[6472] Iowa Code ch. 901B.
[6473] Iowa Code ch. 905.
[6474] Iowa Code ch. 906.
[6475] Iowa Code ch. 908.

§ 728.12(2)—Promotion of unlawful material[6476]

Class = "D" felony[6477]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[6478]	0[6479]	No, but see Enhancements	Yes[6480]

Fines

Max.	Min.	Can Suspend?
$25,000[6481]	$1025[6482]	Yes[6483]

Surcharges[6484]

15% of fine or forfeiture
Yes[6485]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6486]	Yes[6487] The offender shall be assessed a civil penalty of $250[6488]	No

Notes:

- Special Sentence for 10 years:[6489]
  - 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[6490]
  - 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"

[6476] Iowa Code § 728.12(2).
[6477] Iowa Code § 728.12(2).
[6478] Iowa Code § 902.9(1)(e).
[6479] Iowa Code § 902.9(1)(e).
[6480] *See* Iowa Code § 907.3; *see also* § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).
[6481] Iowa Code § 728.12(2).
[6482] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6483] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6484] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6485] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6486] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6487] Iowa Code § 692A.102(1)(b)(19).
[6488] Iowa Code § 692A.110.
[6489] Iowa Code § 903B.2.
[6490] Iowa Code ch. 906.

- 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,[6491] 905,[6492] 906,[6493] and 908[6494]

[6491] Iowa Code ch. 901B.
[6492] Iowa Code ch. 905.
[6493] Iowa Code ch. 906.
[6494] Iowa Code ch. 908.

§ 728.12(3)—Purchase or possess visual depiction[6495]

First Offense

❖ multiple violations of § 728.12 involving the same minor are prosecuted and punished as one offense[6496]

Class = aggravated misdemeanor[6497]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[6498]	0[6499]	None	Yes[6500]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[6501]

Fines

Max.	Min.	Can Suspend?
$8540[6502]	$855[6503]	Yes[6504]

Surcharges[6505]

15% of fine or forfeiture
Yes[6506]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6507]	Yes[6508] The offender shall be assessed a civil penalty of $250[6509]	No

Notes:

❖ Special Sentence for 10 years:[6510]

[6495] Iowa Code § 728.12(3).
[6496] Iowa Code § 728.12(3).
[6497] Iowa Code § 728.12(3).
[6498] Iowa Code § 903.1(2).
[6499] Iowa Code § 903.1(2).
[6500] *See* Iowa Code § 907.3, unnum. para.
[6501] Iowa Code § 903.1(2).
[6502] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6503] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6504] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6505] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6506] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6507] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6508] Iowa Code § 692A.102(1)(b)(19).
[6509] Iowa Code § 692A.110.
[6510] Iowa Code § 903B.2.

- 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[6511]
- 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,[6512] 905,[6513] 906,[6514] and 908[6515]

[6511] Iowa Code ch. 906.
[6512] Iowa Code ch. 901B.
[6513] Iowa Code ch. 905.
[6514] Iowa Code ch. 906.
[6515] Iowa Code ch. 908.

Second or Subsequent Offense

- multiple violations of § 728.12 involving the same minor are prosecuted and punished as one offense[6516]
- 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)[6517]
  - 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)[6518]
    - The court shall take judicial notice of other states' statutes that define offenses substantially similar to the offense in § 728.12(3)[6519]

Class = "D" felony[6520]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[6521]	0[6522]	No, but see Enhancements	Yes[6523]

Fines

Max.	Min.	Can Suspend?
$10,245[6524]	$1025[6525]	Yes[6526]

Surcharges[6527]

15% of fine or forfeiture
Yes[6528]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6529]	Yes[6530] The offender shall be assessed a civil penalty of $250[6531]	No

[6516] Iowa Code § 728.12(3).
[6517] Iowa Code § 728.12(3), (3)(a).
[6518] Iowa Code § 728.12(3), (3)(b).
[6519] Iowa Code § 728.12(3), (3)(b).
[6520] Iowa Code § 728.12(3).
[6521] Iowa Code § 902.9(1)(e).
[6522] Iowa Code § 902.9(1)(e).
[6523] *See* Iowa Code § 907.3.
[6524] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6525] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6526] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6527] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6528] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6529] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6530] Iowa Code § 692A.102(1)(b)(19).
[6531] Iowa Code § 692A.110.

Notes:

- Special Sentence for 10 years:[6532]
  - 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[6533]
  - 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,[6534] 905,[6535] 906,[6536] and 908[6537]

[6532] Iowa Code § 903B.2.
[6533] Iowa Code ch. 906.
[6534] Iowa Code ch. 901B.
[6535] Iowa Code ch. 905.
[6536] Iowa Code ch. 906.
[6537] Iowa Code ch. 908.

§ 728.14—Failure of Commercial Film and Photographic Film Processor to Report Depictions of Minors Engaged in Prohibited Sexual Acts[6538]

Class = simple misdemeanor[6539]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days[6540]	0[6541]	N/A	Yes[6542]

Fines

Max.	Min.	Can Suspend?
$855[6543]	$105[6544]	No[6545]

Surcharges[6546]

15% of fine or forfeiture
Yes[6547]

Miscellaneous

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

Notes:

[6538] Iowa Code § 728.14.
[6539] Iowa Code § 728.14(3).
[6540] Iowa Code § 903.1(1)(a).
[6541] Iowa Code § 903.1(1)(a).
[6542] *See* Iowa Code § 907.3.
[6543] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6544] Iowa Code § 903.1(1)(a) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6545] Iowa Code § 903.1(1).
[6546] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6547] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).

§ 728.15—Telephone Dissemination of Obscene Materials to Minors[6548]

§ 728.15(1)(b)—Using telephones or telephone facilities to disseminate obscene material to minor[6549]

First Offense

Class = aggravated misdemeanor[6550]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years[6551]	0[6552]	None	Yes[6553]

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term[6554]

Fines

Max.	Min.	Can Suspend?
$8540[6555]	$855[6556]	Yes[6557]

Surcharges[6558]

15% of fine or forfeiture
Yes[6559]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6560]	Yes[6561] The offender shall be assessed a civil penalty of $250[6562]	No

Notes:

[6548] Iowa Code § 728.15.
[6549] Iowa Code § 728.15(1)(b).
[6550] Iowa Code § 728.15(4)(a).
[6551] Iowa Code § 903.1(2).
[6552] Iowa Code § 903.1(2).
[6553] *See* Iowa Code § 907.3, unnum. para.
[6554] Iowa Code § 903.1(2).
[6555] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6556] Iowa Code § 903.1(2) (amended by 2020 Iowa Acts ch. 1074, § 46, effective 7/15/2020).
[6557] *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6558] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6559] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6560] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6561] Iowa Code § 692A.102(1)(a)(10)(a).
[6562] Iowa Code § 692A.110.

Second or Subsequent Offense

Class = "D" felony[6563]

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years[6564]	0[6565]	No, but see Enhancements	Yes[6566]

Fines

Max.	Min.	Can Suspend?
$10,245[6567]	$1025[6568]	Yes[6569]

Surcharges[6570]

15% of fine or forfeiture
Yes[6571]

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes[6572]	Yes[6573] The offender shall be assessed a civil penalty of $250[6574]	No

Notes:

[6563] Iowa Code § 728.15(4)(b).
[6564] Iowa Code § 902.9(1)(e).
[6565] Iowa Code § 902.9(1)(e).
[6566] *See* Iowa Code § 907.3.
[6567] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6568] Iowa Code § 902.9(1)(e) (amended by 2020 Iowa Acts ch. 1074, § 45, effective 7/15/2020).
[6569] *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).
[6570] Iowa Code §§ 911.2 (DARE), 911.3 (LEIS), and 911.4 (County enforcement surcharge) (repealed by 2020 Iowa Acts ch. 1074, § 22, effective 7/15/2020). Iowa Code § 911.2C (Domestic abuse protective order contempt surcharge) repealed, but the surcharge has been added to Iowa Code § 911.2B (2020 Iowa Acts ch. 1074, §§ 20, 22, effective 7/15/2020).
[6571] Iowa Code § 911.1(1) (amended by 2020 Iowa Acts ch. 1074, § 18, effective 7/15/2020).
[6572] Iowa Code §§ 81.2(1), 901.5(8A)(a).
[6573] Iowa Code § 692A.102(1)(a)(10)(a).
[6574] Iowa Code § 692A.110.

SENTENCING ENHANCEMENTS

1. Sexually Predatory Offenses (SPO)

A. Definition of SPO

- Any serious or aggravated misdemeanor, or felony violation of:
  - Ch. 709 ("Sexual Abuse")[6575]
  - § 710.10(1) ("Enticing a minor")[6576]
  - § 725.3(2) ("Pandering involving a minor")[6577]
  - § 728.12(1) ("Sexual exploitation of a minor")[6578]
- Any attempt to commit any of the offenses listed directly above[6579]
- 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)[6580]

B. Other Helpful Definitions

- "Prior Conviction" (for purposes of ch. 901A)[6581]
  - 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)[6582]
  - Same as defined in § 229A.2,[6583] which means violation of:
    - § 707.1 (murder involving [attempted/intent to commit] sexual abuse)[6584]
    - Ch. 709 ("Sexual Abuse")[6585]
    - § 710.1 (kidnapping involving [attempted/intent to commit] sexual abuse)[6586]
    - § 713.1 (burglary involving [attempted/intent to commit] sexual abuse)[6587]
    - § 725.3(2) (pandering involving a minor)[6588]
    - § 726.6(1)(e) (child endangerment involving [attempted/intent to commit] sexual abuse)[6589]
    - § 728.12 (sexual exploitation of a minor involving [attempted/intent to commit] sexual abuse)[6590]
    - Any offense:

[6575] Iowa Code § 229A.2(1)(a), ch. 709.
[6576] Iowa Code §§ 710.10(1), 229A.2(1)(c).
[6577] Iowa Code §§ 725.3(2), 229A.2(1)(d).
[6578] Iowa Code §§ 728.12(1), 229A.2(1)(b).
[6579] Iowa Code § 229A.2(1)(e).
[6580] Iowa Code § 229A.2(1)(f).
[6581] Iowa Code § 229A.2(2), ch. 901A.
[6582] Iowa Code § 229A.2, ch. 901A.
[6583] Iowa Code § 229A.2.
[6584] Iowa Code §§ 707.1, 229A.2(11)(b)(1).
[6585] Iowa Code § 229A.2(11)(a), ch. 709.
[6586] Iowa Code §§ 710.1, 229A.2(11)(b)(2).
[6587] Iowa Code §§ 713.1, 229A.2(11)(b)(3).
[6588] Iowa Code §§ 725.3(2), 229A.2(11)(d).
[6589] Iowa Code §§ 726.6(1)(e), 229A.2(11)(b)(4).
[6590] Iowa Code §§ 728.12, 229A.2(11)(c) (2020) (as amended by 2019 Iowa Acts ch. 17, § 2, effective 7/1/2019).

- involving attempt or conspiracy to commit any of the above offenses,[6591] *or*
- under prior Iowa law or committed in another jurisdiction that would be the equivalent of any of the above offenses (including attempt/conspiracy)[6592]

▪ Any act that has been determined to be sexually motivated[6593]
- Determination must be:[6594]
  - ♦ 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[6595]

❖ 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."[6596]
  ➢ But "[t]he board of parole shall determine whether the person shall be released on parole or placed in a work release program."[6597]

❖ Not eligible for DJ, DS, or SS[6598]

❖ 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[6599]

❖ 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."[6600]
  ➢ But "[t]he board of parole shall determine whether the person shall be released on parole or placed in a work release program."[6601]

❖ Not eligible for DJ, DS, or SS[6602]

❖ Sentence Reduction:
  ➢ Not eligible for sentence reduction under ch. 903A ("Reduction of Sentences") or otherwise by more than 15%

[6591] Iowa Code § 229A.2(11)(e).
[6592] Iowa Code § 229A.2(11)(f).
[6593] Iowa Code § 229A.2(11)(g). "'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).
[6594] Iowa Code § 229A.2(11)(g).
[6595] Iowa Code § 901A.2(1).
[6596] Iowa Code § 901A.2(8).
[6597] Iowa Code § 901A.2(8).
[6598] Iowa Code § 901A.2(7).
[6599] Iowa Code § 901A.2(2).
[6600] Iowa Code § 901A.2(8).
[6601] Iowa Code § 901A.2(8).
[6602] Iowa Code § 901A.2(7).

iii. Second Conviction for Violation of § 709.3(1)(b)[6603]

- Sentence = life commitment to custody of the director of the Iowa Department of Corrections
- Not eligible for DJ, DS, or SS[6604]
- Terms and conditions that apply to sentences for "A" felonies under chapters 901–909 apply

iv. If SPO is a felony + 1 prior SPO[6605]

- Term of incarceration = the greater of:
  - 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."[6606]
  - But "[t]he board of parole shall determine whether the person shall be released on parole or placed in a work release program."[6607]
- Not eligible for DJ, DS, or SS[6608]
- 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)[6609]

- Sentence = life in prison
  - Same terms as a class "A" felony under § 902.1[6610]
- Not eligible for DJ, DS, or SS[6611]
- Note: prosecuting attorney must allege and prove that person:[6612]
  - 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[6613]

- Note: for this enhancement to apply, the person must have been:
  - Placed in a transitional release program, released with 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 SS[6614]

[6603] Iowa Code §§ 709.3(1)(b), 901A.2(5).
[6604] Iowa Code § 901A.2(7).
[6605] Iowa Code § 901A.2(3).
[6606] Iowa Code § 901A.2(8).
[6607] Iowa Code § 901A.2(8).
[6608] Iowa Code § 901A.2(7).
[6609] Iowa Code § 901A.2(4).
[6610] Iowa Code § 902.1.
[6611] Iowa Code § 901A.2(7).
[6612] Iowa Code § 901A.2(4).
[6613] Iowa Code § 901A.2(6).
[6614] Iowa Code § 901A.2(7).

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 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[6615]
- Terms and conditions applicable to class "A" felonies under chapters 901–909 apply
- Not eligible for DJ, DS, or SS[6616]

2. Use of a Dangerous Weapon[6617]

- Requirements:
  - 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 satisfied[6618]
- 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 apply[6619]:
      - offender pleads guilty
      - mitigating circumstances exist
      - those circumstances are stated specifically in the record
- Helpful Definitions:
  - "Dangerous Weapon"[6620]
    - 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

[6615] Iowa Code § 902.1.
[6616] Iowa Code § 901A.2(7).
[6617] Iowa Code § 902.7.
[6618] Iowa R. Crim. P. 2.6(6).
[6619] Iowa Code § 901.10(1).
[6620] Iowa Code § 702.7.

        - 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
- "Forcible Felony"[6621]
    - Any felonious child endangerment, assault, murder, sexual abuse, kidnapping, robbery, human trafficking, arson in the first degree, or burglary in the first degree[6622]
    - Exceptions—following are not forcible felonies:
        - Violations of:
            - § 708.2(4) (assault)[6623]
            - § 708.2A(5) (domestic abuse assault)[6624]
            - § 708.4(2) (willful injury)[6625]
            - § 708.12(3)(f) (removal of officer's communication or control device)[6626]
            - § 709.4(1)(b)(3)(d) (sexual abuse)[6627]
            - § 709.15 (sexual exploitation by counselor, therapist, or school employee)[6628]
            - § 726.6(6) (child endangerment)[6629]
        - Third-degree sexual abuse committed between spouses[6630]

3. Firearm or Offensive Weapon in Weapons Free Zone[6631]

- Requirements:
    - Commit public offense involving a firearm or offensive weapon in violation of any Code chapter
    - Offense committed within a weapons free zone
- Result:

[6621] Iowa Code § 702.11.
[6622] Iowa Code § 702.11(1).
[6623] Iowa Code §§ 708.2(4), 702.11(2)(f).
[6624] Iowa Code §§ 708.2A(5), 702.11(2)(g).
[6625] Iowa Code §§ 708.4(2), 702.11(2)(a).
[6626] Iowa Code §§ 708.12(3)(f), 702.11(2)(h).
[6627] Iowa Code §§ 709.4(1)(b)(3)(d), 702.11(2)(c).
[6628] Iowa Code §§ 709.15, 702.11(2)(d).
[6629] Iowa Code §§ 726.6(6), 702.11.
[6630] Iowa Code § 702.11(2)(b).
[6631] Iowa Code § 724.4A(2).

- Fine = twice the max. amount which may otherwise be imposed for the public offense

- Helpful Definitions:
  - "Offensive Weapon"—see Iowa Code § 724.1.[6632]
  - "Weapons Free Zone"[6633]
    - "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 Offender[6634]

- 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 years[6635]
  - Mand. Min. before Parole Eligible = 3 years of confinement
  - Not eligible for DJ[6636]
- Helpful Definition:
  - "Felony"
    - "An offense is a felony if, by the law under which the person is convicted, it is so classified at the time of the person's conviction."

5. Felony Conviction + Prior Felony Convictions[6637]

- 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,[6638] *or*
  - Sentence being served is for operating a motor vehicle while under the influence of alcohol or a drug under chapter 321J[6639]

6. Sexual Abuse or Lascivious Acts with a Child[6640]

- Requirements:
  - Person commits second or subsequent offense involving any combination of the following:

[6632] Iowa Code § 724.1.
[6633] Iowa Code § 724.4A(1).
[6634] Iowa Code § 902.8.
[6635] Iowa Code § 902.9(1)(c).
[6636] Iowa Code § 907.3(1)(a)(1).
[6637] Iowa Code § 902.11, unnum. para. 1.
[6638] Iowa Code § 902.11(1).
[6639] Iowa Code § 902.11(2).
[6640] Iowa Code § 902.14(1) (amended by Iowa Acts ch. 1115, § 5, effective 7/1/2020).

- Violation of § 709.3 (second-degree sexual abuse)[6641]
- Violation of § 709.4 (third-degree sexual abuse)[6642]
- Violation of § 709.8(1)(a) or (b) (lascivious acts with a child)[6643]
- Violation of § 709.23 (continuous sexual abuse of a child)[6644]

❖ Results:
  - ➢ Class = "A" felony
    - See § 902.1 for "A" felony consequences[6645]

7. Conviction of a Serious Sex Offense

❖ Definition of Serious Sex Offense (SSO)[6646]
  - ➢ 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)[6647]
    - § 709.3 (second-degree sexual abuse)[6648]
    - § 709.4 (third-degree sexual abuse)[6649]
    - § 709.8 (lascivious acts with a child)[6650]
    - § 709.11 (assault with intent)[6651]
    - § 709.12 (indecent contact with a minor)[6652]
    - § 709.14 (lascivious conduct with a minor)[6653]
    - § 709.15 (sexual exploitation)[6654]
    - § 728.12(1) or (2) (sexual exploitation of a minor)[6655]
    - § 709.23 (continuous sexual abuse of a child)[6656]

❖ Results:
  - ➢ First conviction of SSO:[6657]
    - Person *may* be required to undergo hormone intervention therapy as part of any conditions of release imposed by the court or board of parole
    - If required, person shall pay reasonable fee for costs of providing the treatment[6658]
      - 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."[6659]

[6641] Iowa Code § 709.3.
[6642] Iowa Code § 709.4.
[6643] Iowa Code § 709.8(1)(a), (b).
[6644] Iowa Code § 709.23 (added by Iowa Acts ch. 1115, § 4, effective 7/1/2020).
[6645] Iowa Code § 902.1.
[6646] Iowa Code § 903B.10(3) (amended by Iowa Acts ch. 1115, § 6, effective 7/1/2020).
[6647] Iowa Code § 709.2.
[6648] Iowa Code § 709.3.
[6649] Iowa Code § 709.4.
[6650] Iowa Code § 709.8.
[6651] Iowa Code § 709.11.
[6652] Iowa Code § 709.12.
[6653] Iowa Code § 709.14.
[6654] Iowa Code § 709.15.
[6655] Iowa Code § 728.12(1), (2).
[6656] Iowa Code § 709.23 (added by Iowa Acts ch. 1115, § 4, effective 7/1/2020).
[6657] Iowa Code § 903B.10(1).
[6658] Iowa Code § 903B.10(5).
[6659] Iowa Code § 903B.10(5).

- Second or subsequent conviction of SSO:[6660]
  - Person *shall* be required to undergo hormone intervention therapy as a condition of release
  - Person shall pay reasonable fee for costs of providing the treatment[6661]
    - 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."[6662]
- Exceptions:
  - Not required for second or subsequent conviction of SSO if after appropriate assessment, court or board determines treatment would not be effective[6663]
  - Not required if person voluntarily undergoes permanent surgical alternative approved by court or board[6664]

[6660] Iowa Code § 903B.10(1).
[6661] Iowa Code § 903B.10(5).
[6662] Iowa Code § 903B.10(5).
[6663] Iowa Code § 903B.10(1).
[6664] Iowa Code § 903B.10(1).

UNDER 18 SENTENCING

Max. Jail/Prison Time:

- categorical rule—cannot sentence to life without parole[6665]
- for violations of § 707.2,[6666] murder in the first degree, sentenced per § 902.1(2)[6667]
- for commission of any other "A" felony, sentenced per § 902.1(3)[6668]
- for violations of the following chapters, see § 903.1(3):[6669]
  - 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 factor[6670]
  - However, "*Miller* [*v. Alabama*] requires 'more than a generalized notion of taking age into consideration as a factor in sentencing.'"[6671]
  - "[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.'"[6672]
  - 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.'"[6673]
    - 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.

[6665] *State v. Sweet*, 879 N.W.2d 811, 832 (Iowa 2016).
[6666] Iowa Code § 707.2.
[6667] Iowa Code § 902.1(2).
[6668] Iowa Code § 903.1(3).
[6669] Iowa Code § 903.1(3).
[6670] *State v. Lyle*, 854 N.W.2d 378, 403 (Iowa 2014).
[6671] *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)).
[6672] *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)).
[6673] *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)).

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)[6674]

DNA Test:

- may be required per § 232.52(11)[6675]

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).

[6674] Iowa Code § 901.5(14).
[6675] Iowa Code § 232.52(11).