

Criminal Code Reorganization Bills Pass House

Bills proposed by the Legislature's Criminal Code Reorganization Study Committee passed the House this week. The bills help to make the Iowa code easier to navigate and more transparent for both legal professionals and Iowa citizens. The improved code will reduce confusion in the legal system and result in a more consistent and efficient justice system.

The Criminal Code Reorganization Study Committee is charged with considering proposals to Iowa's Code to revise, reorganize, and update Iowa's criminal laws.

Clarifying & Updating Iowa Code

Several of the proposals dealt with clarifying and updating code language. House File 2374 standardizes the definition of serious injury throughout Iowa Code. Under current law, there are separate definitions of serious injury dealing with dependent adult abuse, operating while intoxicated, and water navigation. This bill makes the definition the same.

House File 2392 clarifies the differences between abuse of a corpse and sexual abuse of a corpse. It also locates these provisions in the logical chapters of the Iowa Code.

Two bills strike outdated language. House File 2286 strikes language making detention in a brothel illegal. Brothels are, and have been, illegal in Iowa for quite some time, and detention is covered under Iowa's kidnapping and human trafficking laws. House File 2288 strikes language regulating the use of cowl lamps on vehicles. Cowl lamps are antique accessories that have not been used on vehicles in many, many years.

Improving Flexibility

House File 2372 modifies the elements of assault causing serious injury to create a modified assault charge. Under the new crime, a person that commits an assault without the intent to inflict serious injury, but who causes serious injury, would be guilty of a nonforcible Class D felony. This person would be subject to up to five years in jail and a fine of \$750 to \$7,500, but this sentence could be deferred or suspended.

House File 2377 allows a judge to extend a period of probation for up to a year beyond the maximum statutorily allowed probation period if there is a violation of probation. Under current law, if there is any violation of probation, often the only recourse for a court is to require the individual to complete a prison sentence.

House File 2233 allows for the expunging of a possession of alcohol under the legal age if an individual does not have any other criminal convictions for two years after the violation. The bill mirrors similar expungement procedures for public intoxication.

Streamlining Current Code

House File 2373 modifies the elements of intimidation with a dangerous weapon. Current law includes both Class C and Class D felonies for intimidation with a dangerous weapon. The bill would clarify the requirement of the mens rea, or guilty mind, component to be guilty of this crime.