

MAR 2 2001

JUDICIARY

HOUSE FILE 472  
BY DOTZLER

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

**A BILL FOR**

1 An Act creating the criminal offense of sexual exploitation by a  
2 law enforcement officer and providing a penalty.

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

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HF 472

1 Section 1. Section 702.11, subsection 2, Code 2001, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. e. Sexual exploitation by a law  
4 enforcement officer in violation of section 709.15A.

5 Sec. 2. NEW SECTION. 709.15A SEXUAL EXPLOITATION BY A  
6 LAW ENFORCEMENT OFFICER -- PENALTY.

7 1. A law enforcement officer commits a class "D" felony  
8 when the officer sexually exploits a person who is the victim  
9 of, a suspect in, or a witness to a criminal act or other  
10 activity which the officer is responding to or is  
11 investigating.

12 2. For purposes of this section, "law enforcement officer"  
13 means a peace officer employed by the state or a political  
14 subdivision of the state.

15 3. For purposes of this section, "sexually exploits" means  
16 engaging in conduct that is for the purpose of arousing or  
17 satisfying the sexual desires of the law enforcement officer  
18 or other participant and includes but is not limited to  
19 kissing; touching of the clothed or unclothed inner thigh,  
20 breast, groin, buttocks, anus, pubes, or genitals; or a sex  
21 act as defined in section 702.17.

22 EXPLANATION

23 This bill creates a class "D" felony offense of sexual  
24 exploitation by a law enforcement officer. Sexual  
25 exploitation by a law enforcement officer is committed when  
26 the law enforcement officer engages in certain sexual conduct  
27 that is for the purpose of arousing or satisfying the sexual  
28 desires of the law enforcement officer or other participant.  
29 A class "D" felony is punishable by imprisonment of not more  
30 than five years and a fine of at least \$750 but not more than  
31 \$7,500.

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