

JAN 29 2002
JUDICIARY

WITHDRAWN

3/21/62

HOUSE FILE 2147

BY O'BRIEN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act prohibiting a sex offender from residing by a school or
2 child care facility, and providing a penalty.

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

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HF 2147

1 Section 1. Section 692A.1, Code Supplement 2001, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 1A. "Child care facility" means as
4 defined in section 237A.1.

5 Sec. 2. Section 692A.5, subsection 1, Code 2001, is
6 amended by adding the following new paragraph:

7 NEW PARAGRAPH. g. Inform the person that the person shall
8 not reside within one thousand feet of the real property
9 comprising a public or nonpublic elementary or secondary
10 school or a child care facility.

11 Sec. 3. NEW SECTION. 692A.7A RESIDENCY RESTRICTIONS --
12 CHILD CARE FACILITIES AND SCHOOLS.

13 1. A person required to register under this chapter shall
14 not reside within one thousand feet of the real property
15 comprising a public or nonpublic elementary or secondary
16 school or a child care facility.

17 2. A person required to register under this chapter who
18 resides within one thousand feet of the real property
19 comprising a public or nonpublic elementary or secondary
20 school, or a child care facility, commits an aggravated
21 misdemeanor.

22 3. A person does not commit a violation of this section if
23 the person is required to serve a sentence at a jail, prison,
24 juvenile facility, or other correctional institution or
25 facility which is within one thousand feet of a public or
26 nonpublic elementary or secondary school or child care
27 facility.

28 EXPLANATION

29 This bill prohibits a sex offender from residing near a
30 school or child care facility.

31 The bill provides that a person required to register as a
32 sex offender shall not reside within 1,000 feet of the real
33 property comprising a public or private elementary or
34 secondary school or child care facility.

35 The bill defines "child care facility" to mean a child care

1 center, preschool, or registered child care home.

2 A person who violates the bill commits an aggravated
3 misdemeanor.

4 The bill also provides that prior to release or sentencing,
5 the person shall be informed about the restrictions on
6 residing near a school or child care facility.

7 A sex offender does not violate the bill if the person is
8 required to serve a sentence at a jail, prison, juvenile
9 facility, or other correctional institution or facility which
10 is within 1,000 feet of a school or child care facility.

11 An aggravated misdemeanor is punishable by confinement for
12 no more than two years and a fine of at least \$500 but not
13 more than \$5,000.

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