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SENATE FILE 2110

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LUNDBY, and HANSEN

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

A BILL FOR

1 An Act prohibiting a registered sex offender from residing near
2 a school or child care facility, and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF
2110
JUDICIARY

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 two 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.2A RESIDENCY RESTRICTIONS --
12 CHILD CARE FACILITIES AND SCHOOLS.

13 1. A person required to register under this chapter shall
14 not reside within two 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 two 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,
23 if the person is required to serve a sentence at a jail,
24 prison, juvenile facility, or other correctional institution
25 or facility which is within two thousand feet of the real
26 property comprising a school or child care facility.

27 EXPLANATION

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

30 The bill provides that a person required to register as a
31 sex offender shall not reside within 2,000 feet of the real
32 property comprising a public or nonpublic elementary or
33 secondary school, or child care facility. The bill defines
34 "child care facility" to mean a child care center, preschool,
35 or registered child care home.

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

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

6 A sex offender does not violate the bill if the person is
7 required to serve a sentence at a jail, prison, juvenile
8 facility, or other correctional institution or facility which
9 is within 2,000 feet of the real property of a school or child
10 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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