

JAN 25 2005
PUBLIC SAFETY

HOUSE FILE 125
BY GASKILL

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

A BILL FOR

1 An Act creating a criminal offense for strangulation, and
2 providing a penalty.

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

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HF 125

1 Section 1. NEW SECTION. 708.14 STRANGULATION.

2 1. A person commits the offense of strangulation if the
3 person knowingly or intentionally impedes the normal breathing
4 or circulation of blood of another person by applying pressure
5 on the throat or neck of the other person.

6 2. Except as provided in subsection 3, a person who
7 commits strangulation commits a class "D" felony.

8 3. A person who commits strangulation commits a class "C"
9 felony if the person uses or attempts to use a dangerous
10 weapon during the commission of the offense, or if the person
11 has been previously convicted of strangulation.

12 4. This section does not apply to an act of strangulation
13 if the act constitutes a legitimate medical procedure.

14 EXPLANATION

15 This bill creates the new criminal offense of
16 strangulation.

17 Under the bill, a person who knowingly or intentionally
18 impedes the normal breathing or circulation of blood of
19 another person by applying pressure to the throat or neck of
20 the other person commits the criminal offense of
21 strangulation.

22 A person who commits strangulation is guilty of a class "D"
23 felony. A person who commits strangulation while using or
24 attempting to use a dangerous weapon, or if the person has
25 previously been convicted of strangulation, is guilty of a
26 class "C" felony.

27 The bill does not apply to an act of strangulation if the
28 act constitutes a legitimate medical procedure.

29 A class "D" felony is punishable by confinement for no more
30 than five years and a fine of at least \$750 but not more than
31 \$7,500. A class "C" felony is punishable by confinement for
32 no more than 10 years and a fine of at least \$1,000 but not
33 more than \$10,000.

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