



HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 2161 (will sub SF 2363)	House Committee:	PASSED on March 15 (14-7)
Committee:	Public Safety	House Floor:	
Floor Manager:	Rep. Klein	Senate Floor:	PASSED on March 22 (48-1)
Date:	March 24, 2022	Governor:	
Staff:	Amanda Wille (1-5230)		

Sex Offender Registry Modification

- SF 2363 extends the time a sex offender must remain on the registry before they can apply for a reduced sentence.
- Current law allows a tier I offender to be on the registry for two years and a tier II or III offender to be on the registry for five years before applying for a modification.
- SF 2363 requires tier I offenders to serve five years and their II or III to serve at least 10 years.
- **Fiscal Note**-Minimal fiscal impact.

Section by Section Analysis

Section 1- Sex Offender Registry- Modification (692A.128)

A sex offender whose registry begins before July 1, 2022 they may only apply to modify their sentence if the following apply

1. Served 2 years on the registry as a tier 1 offender or served five years if they are a tier II or III offender
2. Successfully completed all sex offender treatment programs required.
3. A risk assessment has been completed and the sex offender was classified as low risk to offend.
4. They are not incarcerated when the application to modify their sentence is filed.
5. The director of the Judicial District or their designee stipulates to the modification.

A sex offender whose registry begins after July 1, 2022 shall not be granted modification unless all the following apply:

1. A tier I offender has been on the registry for at least 10 years prior to applying
2. A tier I offender who was under 20 at the time of the offense and was convicted of having a relationship with a person four years younger than them 709.4(1)(b)(2)(d) can apply after being on the registry for at least five years.
3. A tier II or III offender initially registered at least 15 years prior to filing the application
4. Successfully completed all sex offender treatment programs required.
5. A risk assessment has been completed and the sex offender was classified as low risk to offend.
6. They have successfully completed any pretrial release, probation, parole or work release for their offense.

7. The director of the Judicial District or their designee stipulates to the modification.
8. They are not incarcerated when they apply.

A tier I offender must not have been convicted of any criminal offense other than a simple misdemeanor or traffic violation under Ch 321 for a ten-year period immediately preceding the application.

A tier II or III offender must not have been convicted of any criminal offense other than a simple misdemeanor or traffic violation under Ch 321 for a 15-year period immediately preceding the application.

Amendment Analysis

H-8236- Klein

Conforming with the Senate. Full analysis above.