

HOUSE REPUBLICAN STAFF ANALYSIS

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|----------------|----------------------------------|------------------|-------------------------------------|
| Bill: | House File 570 (Formerly HF 119) | House Committee: | PASSED on February 28 (14-5) |
| Committee: | Public Safety | House Floor: | |
| Floor Manager: | Rep. Shipley | Senate Floor: | |
| Date: | March 16, 2023 | Governor: | |
| Staff: | Amanda Wille (1-5230) | | |

Assault on a Pregnant Person

- HF 570 increases the penalties for assault if the victim is pregnant and the defendant knows or should have known.
- **Fiscal Note-** Can't be determined.

Section by Section Analysis

Note- The phrase "pregnant person" is used throughout code.

Section 1 – Assault- Penalties for Assault (708.2)

A person who commits assault and does any of the following:

- causes bodily injury or mental illness
- uses or displays a dangerous weapon

is guilty of a class "D" felony if they knew or should have known the person they assaulted was pregnant.

Section 2 – Assault- Domestic Abuse- Assault- Mandatory Minimums, Penalties, Enhanced- Extension of No-Contact Order (708.2A)

A person who commits first offense domestic abuse and does any of the following:

- causes bodily injury or mental illness
- commits the abuse with the intent to inflict serious injury or displays a weapon,
- chokes the victim

is guilty of a class "D" felony if they knew or should have known the person they assaulted was pregnant.

Section 3 – Assault- Domestic Abuse- Assault- Mandatory Minimums, Penalties, Enhanced- Extension of No-Contact Order (708.2A)

A person who commits a second domestic abuse or assault commits a class "D" felony if their first was classified as a "D" and their second was classified as a serious or aggravated misdemeanor. This ensures a second offense receives a felony conviction.

Amendment Analysis

H-1069- Olson-

Assault- Penalties for Assault (708.2)

A person who commits assault and:

- uses or displays a dangerous weapon

is guilty of a class "D" felony if they knew or should have known the person they assaulted was pregnant.

Assault- Domestic Abuse- Assault- Mandatory Minimums, Penalties, Enhanced- Extension of No-Contact Order (708.2A)

A person who commits first offense domestic abuse and does any of the following:

- commits the abuse with the intent to inflict serious injury or displays a weapon,
- chokes the victim

is guilty of a class "D" felony if they knew or should have known the person they assaulted was pregnant.

Assault- Domestic Abuse- Assault- Mandatory Minimums, Penalties, Enhanced- Extension of No-Contact Order (708.2A)

A person who commits a second domestic abuse or assault commits a class "D" felony if their first was classified as a "D" and their second was classified as an aggravated misdemeanor. This ensures a second offense receives a felony conviction.