

Reviewed and/or revised: 01/07/2019, 01/04/2021

Iowa Code

Iowa Code Chapter 692A.113 prohibits a sex offender who has been convicted of a sex offense against a minor from being present upon library property without the written permission of the director, or from loitering within 300 feet of the boundary of the real property of a public library.

- A “sex offender” is someone who is required under Chapter 692A to be on the Sex Offender Registry.
- “Sex offense against a minor” means an offense for which a conviction has been entered for a sex offense classified as a tier I, tier II, or tier III offense under Chapter 692 is such offense was committed against a minor, or otherwise involves a minor.
- “Loiter” means remaining in a place or circulating around a place under circumstances where a reasonable person would believe that the purpose or effect of the behavior is to enable a sex offender against a minor to become familiar with a location where a potential victim may be found, or to satisfy an unlawful sexual desire, or to locate, lure, or harass a potential victim.

In addition, the law prohibits a sex offender who has been convicted of a sex offense against a minor from being employed by or from acting as a contractor or volunteer at any public library.

Exceptions

There are two exceptions to this law. A sex offender who has been convicted of a sex offense against a minor may be present: 1) during the period of time reasonably necessary to transport the offender’s own minor child or ward to or from the library; and 2) during the period of time reasonably necessary to vote in a public election, if the polling place is located in the library.

Other exceptions to this policy can occur only with written permission from the Library Director. The Library Director will determine eligibility of the offender to be on the library property and may consult with law enforcement, social service agencies and/or other appropriate governmental officials. The Board of Trustees will not entertain any appeals of the Library Director’s determination.

Access to Materials

If a request for permission to be on Library property is denied, an offender may arrange for a third party to select, check-out, and return materials to the Library his or her behalf. The Library may issue a library card in the offender’s name (with copies of a photo ID and address verification) to be used by a third party.

Enforcement

The responsibility for compliance with this law rests with the offender. However, if Library staff has knowledge or receives information that a person who has been convicted of a sex offense against a minor is on the premises, the Iowa Falls Police Department will be contacted.

The Library staff will check quarterly the online State of Iowa sex offender lists. Sex offenders in the area will be added to the database as a patron with a sex offender status, triggering an alert if an offender is in the Library trying to access services.