



[SF 2241](#) – Baiting Deer (LSB5528SV)
Staff Contact: Austin Brinks (515.725.2200) austin.brinks@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2241](#) does the following:

- Prohibits a person from hunting, taking, or attempting to take deer on or in a baited area.
- Requires a person who has placed feed in a baited area to remove the feed at least 10 days before the first day of the first fall deer hunting season.
- Prohibits a person from taking a deer within 200 yards of a permanently baited area.
- Specifies that if salt, minerals, or other feed that will dissolve and leach into the soil is placed in an area for agricultural purposes, that area is not considered a baited or permanently baited area.
- Prohibits a person from creating a baited area with the intent to prevent or disrupt the hunting activities of another person.

The Bill defines a “baited area” as any area where feed is placed with the intent to lure, attract, or entice wildlife to a specific location. An area is no longer considered a baited area 10 days after the removal of any feed that was placed there, but an area can be considered permanently baited if it is baited with salt, minerals, or any other type of feed that will dissolve and leach into the soil. A permanently baited area is considered a baited area until all contaminated soil is removed or there is no evidence that deer are artificially attracted to or accessing the area.

A violation of this Bill constitutes a violation of Iowa Code section [481A.125](#), which carries a penalty of a simple misdemeanor for a first offense and a serious misdemeanor for a second or subsequent offense.

Background

Iowa Code chapter [481A](#) governs wildlife conservation and contains various regulations related to hunting, fishing, and trapping. Iowa Code section 481A.125 relates to penalties for intentional interference with lawful hunting, fishing, and fur-harvesting activities. To interfere with hunting, fishing, or fur-harvesting activities generally means to change the behavior or environment of an animal to influence the ability of a hunter to take an animal, either favorably or unfavorably.

A simple misdemeanor is punishable by confinement for up to 30 days and a fine of between \$105 and \$855, while a serious misdemeanor is punishable by confinement for not more than one year and a fine of between \$430 and \$2,560.

Assumptions

- There may be an increase in simple and serious misdemeanors as a result of this Bill, but the number is unknown.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

Correctional Impact

Senate File 2241 expands a criminal offense. As a result, the correctional impact cannot be estimated due to a lack of existing data. A conviction for a simple misdemeanor does not result in a prison sentence but does carry the possibility of confinement in jail for up to 30 days. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2024, for information related to the correctional system.

Minority Impact

Senate File 2241 expands a criminal offense, and the minority impact cannot be determined due to lack of conviction data. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 16, 2024, for information related to minorities in the criminal justice system.

Fiscal Impact

The fiscal impact cannot be estimated due to a lack of existing data. The average State cost per offense for one simple misdemeanor conviction ranges from \$40 to \$400, and the average state cost for one serious misdemeanor conviction ranges from \$400 to \$6,900.

Sources

Legislative Services Agency
Criminal and Juvenile Justice Planning (CJJP), Department of Management

/s/ Jennifer Acton

February 14, 2024

Doc ID 1445927

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
