



[HF 336](#) – Constitutional Convention Commissioners (LSB1065HV)
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Fiscal Note Version – New

Description

[House File 336](#) relates to persons appointed to a convention called by the United States Congress to propose amendments to the United States Constitution. The Bill makes the following changes: prohibits a commissioner from voting related to unauthorized rules or amendments, defines terms, provides penalties for violations, and requires a commissioner to take an oath recognizing these prohibitions and penalties. The Bill takes effect upon enactment.

A simple misdemeanor penalty is created under Iowa Code chapter [38](#) for violating provisions related to unauthorized voting at a convention called by the United States Congress pursuant to [Article V](#) of the United States Constitution.

Background

Article V of the United States Constitution allows for states to propose amendments to the United States Constitution with the approval of two-thirds of the states.

A simple misdemeanor is punishable by confinement for up to 30 days and a fine of at least \$105 but not more than \$855.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A lag effect of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- 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

House File 336 creates a new criminal offense, and the correctional impact cannot be estimated for the Bill due to a lack of existing conviction 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. Marginal county jail costs are estimated to be \$50 per day. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 20, 2023, for information related to the correctional system.

Minority Impact

House File 336 establishes a new offense. As a result, the Division of Criminal and Juvenile Justice Planning (CJJP) of the Department of Human Rights cannot use existing data to estimate the minority impact of the Bill. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 20, 2023, for information related to minorities in the criminal justice system.

Fiscal Impact

House File 336 establishes a new criminal offense, and the fiscal impact cannot be estimated due to a lack of existing conviction data. The average State cost per offense for a simple misdemeanor ranges from \$35 to \$375.

Sources

Division of Criminal and Juvenile Justice Planning, Department of Human Rights
Legislative Services Agency

/s/ Jennifer Acton

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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.

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