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[HF 556](#) – Victims, Vehicle Identification (LSB1968HV)  
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Fiscal Note Version – New

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**Description**

[House File 556](#) requires a no-contact order issued pursuant to Iowa Code section [664A.3](#) and a protective order issued pursuant to Iowa Code section [664A.2](#)(2) to include vehicle identification information.

This Bill requires a defendant or respondent to provide identification information regarding any vehicle the defendant or respondent owns or operates, including the make, model, model year, color, and vehicle registration plate number. A defendant or respondent must also provide identification information about a vehicle the defendant or respondent operates in the regular course of the defendant's or respondent's employment or occupation and a vehicle owned by or registered to another person in the defendant's or respondent's household.

The defendant or respondent must file the identification information with the clerk of court within 10 days after receiving service of the no-contact order or protective order. The clerk of court must notify the court if the identification information is not timely filed.

Following the initial filing of the identification information, the defendant or respondent must provide to the clerk of court any new or updated identification information within five business days of the change in identification information occurring.

A defendant or respondent who fails to timely file the identification information or who fails to timely notify the clerk of court of any new or updated identification information must be held in contempt of court and punished pursuant to Iowa Code chapter [665](#).

The Bill takes effect July 1, 2024.

**Background**

Under current law, when a person is taken into custody for certain contempt proceedings pursuant to Iowa Code section [236.11](#) or [236A.12](#), or arrested for domestic abuse assault, older individual assault; harassment; stalking; sexual abuse in the first, second, or third degree; or any other public offense for which there is a victim, and the person is brought before a magistrate for an initial appearance, the magistrate must enter a no-contact order if the magistrate finds probable cause that any public offense or a violation of a no-contact order, protective order, or consent agreement has occurred and the presence of or contact with the defendant poses a threat to the safety of the alleged victim, persons residing with the alleged victim, or members of the alleged victim's family. A protective order issued in a civil proceeding must be issued pursuant to Iowa Code chapter [232](#) (juvenile justice), [235F](#) (elder abuse), [236](#) (domestic abuse), [236A](#) (sexual abuse), [598](#) (dissolution of marriage and domestic relations), or [915](#) (victim rights). A protective order is also issued in orders establishing conditions of release and sentencing orders in a criminal prosecution arising from a domestic abuse assault (Iowa Code section [708.2A](#)) or older individual assault (Iowa Code section [708.2D](#)).

A person held in contempt under Iowa Code chapter 665 by a district judge, district associate judge (DAJ), or an associate juvenile judge may be ordered to pay a fine not exceeding \$500 or imprisoned in a county jail for up to six months, or both. A person held in contempt by a judicial magistrate may be ordered to pay a fine not exceeding \$100 or imprisoned in a county jail for up to 30 days.

**Assumptions**

- Implementation of the Bill will likely require a modified order for each issuance of an order because the information received after the issuance of the order is required to be included in the order.
- In a given year, there are approximately 22,000 criminal no-contact orders and civil protection orders issued. Nearly all criminal no-contact orders and most types of protection orders will be issued and then may need to be modified and reissued within a matter of days.
- If the process of receiving vehicle information, adding it to an order, and reissuing each order takes approximately 10 minutes per order, the time required would be 220,000 minutes or 3,667 hours.
- Issuance or modification of an order is a function that can only be performed by a judicial officer, not a clerical employee such as a judicial specialist or clerk of court.
- Adding vehicle information to an order and then reviewing and issuing a modified order will be a shared responsibility of a judge and judicial specialist or clerk of court.
- The average hourly cost for a district judge and DAJ is \$101.49.
- The average hourly cost for a judicial specialist/clerk of court staff member is \$32.39.
- The information would need to be included in the IOWA System protection order file and replicated in the National Crime Information Center (NCIC) protection order file. To accomplish this, the Judicial Branch would need to add a new screen or modify a current screen within Case Management, and potentially add new role codes to capture all the potential vehicle information. The Judicial Branch would need to work with outside entities to create or modify a Criminal Justice Information System (CJIS) exchange.
- The system changes and data exchange work are estimated to require 800 hours of programmer time at \$150.00 per hour.

**Fiscal Impact**

The Judicial Branch estimates the Bill would result in a one-time cost of \$120,000 for computer programming in FY 2024 and an estimated increase in annual operating costs of approximately \$245,000 beginning in FY 2025. **Table 1** shows the breakdown of estimated annual costs.

**Table 1 — Estimated Annual Cost to the Judicial Branch**

	Average Hourly Cost	Hours Per Year	Cost Extended
District Judge and DAJ	\$101.49	1,833.5	\$186,000
Judicial Specialist/Clerk of Court Staff	\$32.39	1,833.5	\$59,000
<b>Total Recurring Annual Cost</b>			<b>\$245,000</b>

**Source**

Judicial Branch

/s/ Jennifer Acton

March 28, 2023

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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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