

**Fiscal Services Division  
Legislative Services Agency  
Fiscal Note**

---

HF 2443 - Child Endangerment (LSB 5205 HV)  
Analyst: Beth Lenstra (Phone: (515) 281-6301 (beth.lenstra@legis.state.ia.us))  
Fiscal Note Version - New

---

**Description**

House File 2443 provides a sentencing option for offenders who commit child endangerment resulting in the death of a child or minor. The Bill imposes a Class B felony with confinement of no more than 50 years in the State prison system.

**Assumptions**

1. Under current law, an offender who kills a child while committing child endangerment or while committing assault upon the child, and the death occurs under circumstances manifesting an extreme indifference to human life, commits murder in the first degree. This is a Class A felony with confinement of life in the State prison system. The average time served prior to death in the State prison system is 16.4 years for offenders sentenced to a life prison term.
2. Under current law, murder in the second degree is a Class B felony with a maximum sentence of 50 years. This is a mandatory minimum term where 70.0% of the sentence (35.0 years) is required to be served in the State prison system. Malice aforethought must be proven in order for this sentence to be imposed.
3. The sentence imposed under HF 2443 is a Class B felony with a maximum sentence of 50 years. However, the sentence is not subject to a mandatory minimum term of confinement. Under this sentencing option, it would not be necessary to prove malice aforethought. The average time served in prison for an offender convicted of a Class B felony crime against a person is 11.25 years.

**Correctional Impact**

There is no correctional impact over the next five years. An offender sentenced under HF 2443 would serve less time in prison (11.25 years) than someone convicted of murder in the first degree (life in prison) or murder in the second degree (35.0 years).

**Fiscal Impact**

House File 2443 is not expected to have a significant fiscal impact.

**Sources**

Department of Human Rights, Criminal and Juvenile Justice Planning Division  
Department of Corrections  
Office of the State Public Defender  
Office of the Attorney General

Dennis C Prouty

---

March 8, 2004

---

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

---