



[HF 742](#) – Livestock and Crop Theft (LSB1982HZ)
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Fiscal Note Version – New

Description

The Bill specifies that a person convicted of a crime relating to agricultural property would be assessed a \$500 Agricultural Crime Surcharge. The Bill details what types of crimes are covered and describes types of agricultural property.

Background

The Bill creates a \$500 Agricultural Crime Surcharge under Iowa Code section [911.5](#). The collections generated from the assessment of the Surcharge will be remitted by the clerk of court to the State Court Administrator and appropriated to the Court Technology and Modernization Fund for supporting Judicial Branch operations. The agricultural property offense must involve either the theft of agricultural property or criminal mischief for damaging, defacing, altering, or destroying agricultural property.

Assumptions

The following collection rates from FY 2018 will remain consistent:

- Criminal Penalty Surcharge — 44.8%
- Municipal Infractions — 37.2%
- Simple Misdemeanors — 29.9%
- Serious Misdemeanors — 21.3%
- Aggravated Misdemeanors — 13.7%
- Felonies — 13.4%

Fiscal Impact

The fiscal impact of HF 742 cannot be estimated because the current criminal code does not differentiate between theft and agricultural theft. The Agricultural Crime Surcharge would be applied in addition to the fine and surcharge imposed for a Class C or Class D felony or an aggravated misdemeanor. In FY 2018, the collection rate for fines and surcharges assessed on felonies was 13.4%, and the collection rate for aggravated misdemeanors was 13.7%. Based on these collection rates, it is estimated that the Court Technology and Modernization Fund would receive approximately 13.6% of the amount assessed from the Agricultural Crime Surcharge.

Sources

Criminal and Juvenile Justice Planning Division, Department of Human Rights
LSA calculations and analysis
Judicial Branch

/s/ Holly M. Lyons

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