



[HF 426](#) – Crime Victim Assistance (LSB1208HV.1)
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Fiscal Note Version – Final Action

Description

[House File 426](#) relates to the collection of evidence in sexual abuse cases. The Bill establishes an automated sexual abuse evidence collection kit tracking system within the Crime Victim Assistance Division under the Attorney General’s Office. The purpose of the kit tracking system is to allow victims, county attorneys, and entities with custody of sexual abuse evidence collection kits to track the status and location of a kit. The Bill requires the State Criminalistics Laboratory to provide health care providers with such kits and requires that health care providers use these kits when conducting forensic medical examinations of victims of sexual abuse. Additionally, the Bill provides that costs for the medical examination of the victim will be covered by the Victim Compensation Fund as established under Iowa Code section [915.94](#).

House File 426 also establishes requirements regarding the storage and disposal of kits, and requires that health care providers, laboratories, and law enforcement agencies document the location and status of the kit within 48 hours of receipt of the kit. The Bill outlines victim consent and notification provisions regarding the collection, testing, and analysis of the evidence in the kit, and prohibits the kit from containing personally identifiable information should a victim choose to remain anonymous. Victims may anonymously track and choose to receive notifications regarding the status and location of the kit by utilizing an Internet platform. Additionally, law enforcement must notify a victim of the results of the evidence analysis collected from the victim’s medical information if the victim requests it.

House File 426 also amends the definition of “survivor of a deceased victim” to include certain persons in relation to the victim specifically at the time of the crime.

Background

The Office of the Attorney General established the automated sexual abuse evidence collection kit tracking system in fall 2020. Start-up costs for the initial establishment of the system were paid by a federal discretionary grant, which will cover costs of administering the system through FY 2022.

Assumptions

- Costs of administering the kit system for FY 2023 and beyond will be the responsibility of the State.
- Fiscal impact is based on the cost of administering the kit tracking system under the terms of the contract with the vendor. The current contract is valid through FY 2027.
- For FY 2023 and beyond, the Attorney General’s Office estimates an annual increase of 2.0% in the cost of administering the system.

Fiscal Impact

Beginning in FY 2023, the cost for administering the automated sexual abuse evidence collection kit tracking system will be funded by the [Victim Compensation Fund](#). Receipts to the Victim Compensation Fund include criminal fines and penalties, victim restitution, a percentage of wages earned by inmates employed in the private sector, and federal funds. The year-end balance in the Fund carries forward to the next fiscal year. The table below displays the estimated cost of administering the automated sexual abuse evidence collection kit tracking system from FY 2023 to FY 2027.

**Annual Costs, Automated Sexual Abuse Evidence
Collection Kit Tracking System, FY 2023 – FY 2027**

	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Administration Costs	\$ 157,700	\$ 160,800	\$ 164,000	\$ 167,300	\$ 170,700

As House File 426 requires local law enforcement entities such as police and sheriff departments to utilize the tracking kit system, these entities may incur a fiscal and operational impact as a result of the kit documentation requirements. Exact fiscal impact cannot be calculated at this time, but it is estimated to be minimal.

Sources

Department of Justice
Legislative Services Agency

/s/ Holly M. Lyons

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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.
