



[HF 2486](#) – Service Animals, Misrepresentation (LSB5134HV)
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Fiscal Note Version – New

Description

[House File 2486](#) relates to reasonable housing accommodations for persons with assistance or service animals. The Bill provides that a housing provider make accommodations in its rules, policies, practices, and services for a person with an assistance or service animal who needs reasonable accommodations to afford the person equal opportunity to use and enjoy the dwelling. The Bill also provides reasons that a housing provider may deny a request for an accommodation relating to an assistance or service animal.

House File 2486 provides that a person who knowingly and intentionally misrepresents an animal as an assistance animal or service animal, or provides to a housing provider material information regarding a claimed assistance or service animal that is false, commits a simple misdemeanor. A simple misdemeanor is punishable by confinement for up to 30 days and a fine of between \$105 and \$855.

Background

Under current law, a housing provider who knowingly denies or interferes with the right of a person with a disability under Iowa Code section [216.8B](#) commits a simple misdemeanor.

The Iowa Civil Rights Commission (ICRC) has a workshare agreement with the federal Department of Housing and Urban Development (HUD) that is contingent on Iowa Code chapter [216](#) (the Iowa Civil Rights Act) being substantially similar to the federal [Fair Housing Act](#).

Assumptions

- The ICRC would no longer be eligible to receive federal HUD funding for cases involving assistance and service animals under Iowa Code sections 216.8B and [216.8C](#).
- Patterns and trends related to complaints received by the ICRC will not change.
- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends, prisoner length of stay, 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 2486 establishes a new offense. As a result, the correctional impact cannot be estimated due to a lack of existing data. A conviction for a simple misdemeanor does not result in a prison sentence, but does carry the possibility of confinement for up to 30 days. Marginal

county jail costs are estimated to be \$50 per day, but there is insufficient information to determine any costs related to length of stay.

Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 18, 2022, for information related to the correctional system.

Minority Impact

The minority impact of [HF 2486](#) is unknown. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 18, 2022, for information related to minorities in the criminal justice system.

Fiscal Impact

The fiscal impact of HF 2486 related to the creation of a simple misdemeanor cannot be estimated due to a lack of existing data. The estimated cost for one simple misdemeanor conviction ranges from \$40 to \$370. The estimated fine revenue from one simple misdemeanor conviction ranges from \$105 to \$855.

According to the ICRC, HF 2486 may result in the HUD providing funding for fewer disability-related housing cases or the HUD ending its workshare agreement with the ICRC. This would decrease federal funding for the ICRC by up to \$530,000, which amounts to approximately 22.0% of the ICRC's total annual budget. The ICRC anticipates that its total workload would not change and that it would seek to recover lost federal funds from the State General Fund.

Sources

Criminal and Juvenile Justice Planning Division, Department of Human Rights
Iowa Civil Rights Commission

/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.

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