



[SF 119](#) – Carbon Monoxide Alarms Standards (LSB1540XS)
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Fiscal Note Version – New

Description

[Senate File 119](#) requires the State Fire Marshal to adopt administrative rules for standards relating to carbon monoxide protection that are consistent with the International Building Code and International Fire Code. The Bill also allows the State Fire Marshal to include carbon monoxide awareness in fire safety campaigns. A person who violates an administrative rule adopted by the State Fire Marshal is guilty of a simple misdemeanor. However, a person who fails to remedy a violation that constitutes a clear and present danger to life 30 days after receiving written notice is guilty of a serious misdemeanor.

Background

[661 IAC 211](#) details the use of carbon monoxide alarms in single and multifamily dwellings. The State Fire Marshal has adopted the 2015 International Building Code and International Fire Code.

A simple misdemeanor is punishable by confinement for no more than 30 days and a fine of at least \$105 but not more than \$855. A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least \$430 but not more than \$2,560.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); 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.
- Due to increased workload, 1.0 full-time equivalent (FTE) position for an Information Specialist 3 will be required.

Correctional Impact

Senate File 119 modifies the penalties for existing offenses, and the correctional impact cannot be determined. **Table 1** shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; LOS in months under those supervisions; and supervision marginal costs per day for all convictions of aggravated misdemeanors and serious misdemeanors. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 20, 2023, for information related to the correctional system.

Table 1 — Sentencing Estimates and LOS

Conviction Offense Class	Percent Ordered to State Prison	FY 22 Avg LOS In Prison In Months (All Releases)	FY 22 Marginal Cost Per Day Prison	Percent Ordered to Probation	FY 22 Avg LOS on Probation In Months	FY 22 Avg Cost Per Day Probation	Percent Sentenced to CBC Residential Facility	FY 22 Marginal Cost Per Day CBC	Percent Ordered to County Jail	Marginal Cost Per Day Jail	FY 22 Avg LOS on Parole In Months	FY 22 Marginal Cost Per Day Parole
Agg Misd Non-Persons	31.4%	7.5	\$23.42	45.6%	20.7	\$7.27	3.3%	\$20.67	72.2%	\$50.00	8.2	\$7.27
Serious Misd	1.9%	5.5	\$23.42	51.2%	13.7	\$7.27	0.9%	\$20.67	73.3%	\$50.00	0.5	\$7.27

Minority Impact

Senate File 119 modifies the penalties for existing offenses. The Division of Criminal and Juvenile Justice Planning of the Department of Human Rights cannot use prior existing data to estimate the minority impact. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 20, 2023, for information related to minorities in the criminal justice system.

Fiscal Impact

Senate File 119 modifies the penalties for existing offenses, and the fiscal impact due to any increased penalties cannot be determined. **Table 2** shows the average State cost per offense for an aggravated misdemeanor and serious misdemeanor. The estimated impact to the State General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the Department of Corrections (DOC). The costs would be incurred across multiple fiscal years for prison and parole supervision.

Table 2 — Average State Cost Per Offense

Offense Class	Average Cost
Aggravated Misdemeanor	\$5,000 to \$9,600
Serious Misdemeanor	\$400 to \$5,600

The State Fire Marshal’s Office estimates the costs for an Information Specialist 3 FTE position to be approximately \$77,000. The fiscal impact for implementing carbon monoxide awareness within a fire awareness campaign is unknown

Sources

- Department of Corrections
- Department of Human Rights, Criminal and Juvenile Justice Planning Division
- Department of Public Safety

/s/ Jennifer Acton

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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.