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[SF 462](#) – Weapons Background Checks, Information Sharing (LSB2487SV.2)  
Staff Contact: Nathan Moore (515.725.0155) [nathan.moore@legis.iowa.gov](mailto:nathan.moore@legis.iowa.gov)  
Fiscal Note Version – Final Action

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**Description**

[Senate File 462](#) modifies the penalties for and applies a mandatory minimum sentence to the control, possession, receipt, or transportation of a firearm or offensive weapon by a felon. The penalty is increased from a Class D felony to the following:

- For a first offense, a Class D felony with a mandatory minimum sentence of two years.
- For a second offense, a Class D felony with a mandatory minimum sentence of four years.
- For a third offense, a Class C felony with a mandatory minimum sentence of seven years.
- For a fourth or subsequent offense, a Class C felony with a mandatory minimum sentence of 10 years.

The Bill provides that the court cannot defer judgment or sentencing or suspend the execution of a mandatory minimum sentence for this offense, except that the court may suspend execution of the sentence upon recommendation by the county attorney. Accrued time earned by a person convicted is not applied to reduce any imposed mandatory minimum sentencing.

The Bill repeals current Iowa Code section [724.31A](#). Currently, the Iowa Code requires the clerk of the district court to provide to the Department of Public Safety (DPS) identifying information of persons who are prohibited from acquiring a pistol or revolver under Iowa Code section [724.15\(2\)](#). The DPS is then required to forward the information to the Federal Bureau of Investigation (FBI) for the purpose of inclusion in the national instant criminal background check system (NICS) database. The clerk of the district court shall also notify the persons of the prohibitions imposed under Iowa Code section [724.31A\(1\)](#).

A person who is no longer prohibited from acquiring a pistol or revolver under Iowa Code section [724.15\(2\)\(d\)](#) will provide a written request to the DPS, and as soon as is practicable after receiving the request, the DPS will update, correct, modify, or remove the person's record in any database made available to the NICS and shall notify the United States Department of Justice.

**Background**

Under Iowa Code section [724.26\(1\)](#), a person who is convicted of a felony in a State or federal court, or who is adjudicated delinquent based on conduct that would constitute a felony if committed by an adult, and who knowingly has under the person's dominion and control or possession receives, transports, or causes to be transported a firearm or offensive weapon is guilty of a Class D felony. A Class D felony under Iowa Code section [902.9](#) is punishable by confinement for up to five years and a fine of at least \$1,025 but not more than \$10,245. A Class C felony is punishable by confinement for up to 10 years and a fine of at least \$1,370 but not more than \$13,660.

## **Assumptions**

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; 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.
- Admissions include only individuals admitted to Department of Corrections (DOC) supervision whose most serious offense is the control, possession, receipt, or transportation of a firearm or offensive weapon by a felon.
- Although the statutory mandatory minimum for a first offense under Senate File 462 is two years, not all individuals will be released precisely at the minimum threshold. A Class D felony has a statutory maximum term of 5 years, and using the midpoint, the projected average length of stay (LOS) is approximately 36 months. This is consistent with the DOC estimates for mandatory minimum offenses, where the average time served exceeds the stated minimum.
- The marginal cost per day in prison is \$24.51. The marginal cost per day on probation and parole is \$7.68.

## **Correctional Impact**

In FY 2024, there were 65 individuals admitted to prison and 172 individuals admitted to Community-Based Corrections (CBC) under Iowa Code section 724.26(1). If all conditions of convictions and sentencing remain unchanged, under the Bill, all 65 individuals would be admitted to prison. The estimated LOS for individuals admitted to prison for this offense would increase from approximately 13.1 months to a minimum of 24.0 months. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 13, 2025, for information related to the correctional system.

## **Minority Impact**

Senate File 462 increases the penalty for the control, possession, receipt, or transportation of a firearm or offensive weapon by a felon and may disproportionately impact Black individuals if trends remain constant. Of the 428 convictions under Iowa Code section 724.26(1) in FY 2024, 51.7% were White, 42.7% were Black, and 5.6% were other races. Iowa's population is 85.6% White, 3.8% Black, and 10.6% other races. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statements](#), dated January 13, 2025, for information related to minorities in the criminal justice system.

## **Fiscal Impact**

Senate File 462 is estimated to increase costs to the DOC by approximately \$529,000 for the minimum sentence, and up to \$1.1 million, for each group of individuals annually admitted to DOC supervision for an offense under Iowa Code section 724.26(1). This cost is incurred across the entire LOS or multiple fiscal years. Because the distribution of admissions among a first, second, third, and fourth or subsequent offense cannot be estimated, **Figure 1** estimates the cost to the DOC if all individuals were admitted to DOC supervision on a first offense in one year. This cost would recur for each annual group of admissions.

**Figure 1 — Minimum Cost Increase to DOC Under SF 462**

<b>Supervision Status</b>	<b>Annual Admissions</b>	<b>Cost Per Day</b>	<b>LOS (Days)</b>	<b>Total Cost</b>
<b>Current Penalties</b>				
Prison	65.0	\$ 24.51	398.2	\$ 634,392
Parole Admits	42.0	7.68	501.6	161,796
Probation Admits	130.0	7.68	1,185.6	1,183,703
<b>Total</b>	<u>237.0</u>			<u>\$ 1,979,891</u>
<b>24 Month LOS</b>				
Prison (1st Offense)	65.0	\$ 24.51	730.0	\$ 1,163,000
Parole Admits	42.0	7.68	501.6	161,796
Probation Admits	130.0	7.68	1,185.6	1,183,703
<b>Total</b>	<u>237.0</u>			<u>\$ 2,508,499</u>
<b>36 Month LOS</b>				
Prison (1st Offense)	65.0	\$ 24.51	1,095.0	\$ 1,744,499
Parole Admits	42.0	7.68	501.6	161,796
Probation Admits	130.0	7.68	1,185.6	1,183,703
<b>Total</b>	<u>237.0</u>			<u>\$ 3,089,998</u>

The cost per individual admitted for a second, third, or fourth or subsequent offense will be higher than the cost per individual admitted for a first offense due to higher mandatory minimum sentences, as shown in **Figure 2**.

**Figure 2 — Total Prison Supervision Cost Per Person Under SF 462**

<b>Offense Category</b>	<b>Cost Per Day</b>	<b>LOS (Days)</b>	<b>Total Cost Per Person</b>
1st Offense	\$24.51	730	\$ 17,892
2nd Offense	24.51	1,460	35,785
3rd Offense	24.51	2,555	62,623
4th or Subsequent Offense	24.51	3,650	89,462

**Sources**

Department of Corrections  
Department of Management (DOM) Criminal Justice Planning

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/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.  
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