



[SF 2019](#) – Invasion of Privacy, Attempt (LSB5369XS)
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Fiscal Note Version – New

Description

[Senate File 2019](#) adds that a person who attempts to view, photograph, or film another person, for the purpose of arousing or gratifying the sexual desire of any person, commits invasion of privacy if all of the requirements under Iowa Code section [709.21](#) apply.

Background

Under Iowa Code section 709.21, a person who knowingly views, photographs, or films another person for the purpose of arousing or gratifying the sexual desire of any person is guilty of invasion of privacy if all of the following conditions are met:

- The other person does not consent or is unable to consent to being viewed, photographed, or filmed.
- The other person is in a state of full or partial nudity.
- The other person has a reasonable expectation of privacy while in a state of full or partial nudity.

In FY 2025, there were 23 convictions under Iowa Code section 709.21 for invasion of privacy. Of those convictions, 19 offenders were involved. During the same time period, eight individuals were admitted to probation and two individuals were admitted to prison for the most serious offense under Iowa Code section 709.21.

An aggravated misdemeanor is punishable by confinement for up to two years and a fine of at least \$855 but not more than \$8,540. A violation of Iowa Code section 709.21 is a Tier II sex offense, and a person convicted of this offense is required to register as a sex offender for 10 years. If the offense is committed against a person under 13 years of age, the offense is reclassified as a Tier III offense, requiring lifetime registration.

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.
- County jail data is unavailable. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.
- Conviction data reflects the total number of convictions in adult court, which may include multiple convictions per individual. Not all convictions lead to incarceration, and there may be a delay between conviction and prison admission, which can contribute to differences in totals.
- A six-month delay is assumed from the effective date of the Bill to the date the first offender will enter the correctional system.
- Offender-based convictions are a count of individuals convicted of the same offense. Each offender is counted only once per Iowa Code section, regardless of the number of individual convictions.

- Admissions are a count of individuals newly admitted to the Department of Corrections (DOC) for supervision during a selected time period, based on the most serious offense committed.

Correctional Impact

Senate File 2019 may increase annual convictions; however, the correctional impact of the Bill cannot be determined because the number of new convictions cannot be estimated. **Figure 1** shows sentencing estimates for State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; LOS in months under those supervisions; and supervision marginal costs per day for an aggravated misdemeanor. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 12, 2026, for information related to the correctional system.

Figure 1 — Sentencing Estimates and Length of Stay (LOS) in Months

Conviction Offense Class	Percent Ordered to State Prison	FY 2025 Avg LOS in Prison (All Releases)	Marginal Cost Per Day Prison	Percent Ordered to Probation	FY 2025 Field Avg LOS on Probation	Avg Cost Per Day Probation	Marginal Cost Per Day CBC	Marginal Cost Per Day Jail	FY 2025 Field Avg LOS on Parole	Marginal Cost Per Day Parole
Aggravated Misdemeanor Sex	67.8%	12.1	\$23.07	55.4%	26.1	\$8.00	\$16.35	\$50.00	N/A	\$8.00

Minority Impact

The minority impact cannot be determined since it is not known how many additional convictions would result from the changes under the Bill. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statements](#), dated January 12, 2026, for information related to minorities in the criminal justice system.

Fiscal Impact

The fiscal impact of the Bill cannot be determined because the number of new convictions under the Bill cannot be estimated. The average State cost per aggravated misdemeanor is between \$8,300 and \$12,200. The estimated impact to the General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the DOC. The cost would be incurred across multiple fiscal years for prison and parole supervision.

Sources

Department of Corrections
 Division of Data, Planning, and Improvement (DPI), Department of Management (DOM)

/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.
