



# Fiscal Note

## Fiscal Services Division



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[SF 2115](#) – Sexual Exploitation of a Minor, Prohibition on Suspending Sentences (LSB5938SV)  
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### Description

[Senate File 2115](#) relates to sexual exploitation of a minor and deferred and suspended sentences. The Bill prohibits the court from deferring or suspending the sentence for individuals convicted of sexual exploitation of a minor under Iowa Code section [728.12](#) if the minor was under 12 or prepubescent at the time of the offense.

### Background

Penalties under Iowa Code section 728.12 range from a Class D felony to a Class C felony. A Class D felony 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.

In FY 2025, there were 228 convictions under Iowa Code section 728.12 involving 96 offenders. Of those convicted, 11 received a deferred sentence.

### 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 delay of six months is assumed from the effective date of the Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated because county jail data is unavailable. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.
- Convictions: This data represents the total number of convictions in adult court. Cases that include multiple charges may also involve multiple convictions, and each of those individual convictions should appear in this data.
- Offender-based convictions: A count of individuals (based on first name, last name, and date of birth) convicted of a specific offense in adult court. Each person is counted only once per Iowa Code section, regardless of the total number of charges received.
- Prison admits: A count of new admissions to Iowa's correctional facilities during the selected time period. This data is based on the most serious offense committed.
- Enforcement of Iowa Code section 728.12 will result in an increased number of trials.
- For the offenders who received a deferred sentence in FY 2025, the ages of the victims are unknown.

### Correctional Impact

The correctional impact of the Bill cannot be determined due to lack of relevant historical data. **Figure 1** shows sentencing estimates 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 a Class C felony and Class D felony. 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
D Felony Persons	79.7%	18.1	\$23.07	57.6%	40.0	\$8.00	\$16.35	\$50.00	16.8	\$8.00
C Felony Persons	89.1%	39.1	\$23.07	30.1%	42.8	\$8.00	\$16.35	\$50.00	27.2	\$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 due to lack of historical data; however, the extent of the increase in costs to the Department of Corrections (DOC) and State Public Defender (SPD) is unknown. **Figure 2** shows the average State cost per offense for a Class D felony and Class C felony. The estimated impact to the General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the DOC. The costs would be incurred across multiple fiscal years for prison and parole supervision.

**Figure 2 — Average State Cost Per Offense**

Offense Class	Average Cost
Class D Felony	\$13,000 to \$18,100
Class C Felony	\$15,000 to \$25,200

### Sources

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

/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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