



# Fiscal Note

## Fiscal Services Division



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[HF 2515](#) – Sexual Exploitation of a Minor, Prohibition on Suspending Sentences (LSB5938HV.1)

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Fiscal Note Version – As amended and passed by the House

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### Description

[House File 2515](#) 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](#).

### Background

Penalties under Iowa Code section 728.12 range from a Class D felony up to a Class B 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. A Class B felony is punishable by confinement for up to 25 years and a fine of at least \$5,000 but not more than \$100,000.

In FY 2025, there were 228 convictions under Iowa Code section 728.12 involving 96 offenders. Of those convicted, 12 received a deferred sentence. The offense classes of the 12 deferred sentences are as follows:

- Felony C = 4
- Felony D = 5
- Aggravated Misdemeanor = 3

In the same year, there were 33 individuals admitted to prison, 44 admitted to probation, and 5 admitted to parole. The offense classes of the 44 probation admissions are as follows:

- Felony B = 3
- Felony C = 5
- Felony D = 33
- Aggravated Misdemeanor = 3

Enacted during the 2023 Legislative Session, 2023 Iowa Acts, chapter [74](#) (Sexual Exploitation of a Minor, Penalties Act) increased the penalties under Iowa Code section 728.12, with the lowest offense class under the current law increased to a Class C felony.

### 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: This data consists of 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: This data consists of 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.
- Expanded enforcement of Iowa Code section 728.12 will result in an increased number of trials.
- Probation admits under current law will go to prison under the Bill.
- Future convictions and sentences will be based on current law offense classes.
- **Figure 1** displays the FY 2025 probation cohort supervision costs of \$408,000.

**Figure 1 — Cost Under FY 2025 Law**

Total Probation Admissions	Probation LOS Days	Probation Marginal Cost Per Day	Total Cost
Class B = 3	636	\$8.00	\$15,000
Class C = 5	1303	8.00	52,000
Class D = 33	1216	8.00	321,000
AGMS = 3	840	8.00	20,000
<b>Total</b>			<b>\$408,000</b>

### Correctional Impact

The correctional impact of HF 2515 is anticipated to be minimal. **Figure 2** 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 B felony, 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 2 — 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 Sex	91.2%	20.8	\$23.07	54.4%	30.8	\$8.00	\$16.35	\$50.00	5.0	\$8.00
C Felony Sex	92.9%	53.2	\$23.07	24.6%	52.5	\$8.00	\$16.35	\$50.00	15.7	\$8.00
B Felony Sex	100.0%	159.3	\$23.07	14.8%	N/A	\$8.00	\$16.35	\$50.00	19.7	\$8.00

### Minority Impact

The minority impact of HF 2515 is anticipated to be minimal. 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 total fiscal impact of HF 2515 to the DOC is \$1.0 million. This includes approximately \$619,000 per year in additional spending, beyond the current \$408,000 for probation costs, due to an increase in an estimated prison population of approximately 56 individuals who would, under current law, be admitted to probation or receive deferred sentences. **Figure 3** shows the new total cost under the Bill.

**Figure 3 — Cost Under House File 2515**

<b>Total Prison Admissions</b>	<b>Prison LOS Days</b>	<b>Prison Marginal Cost Per Day</b>	<b>Total Cost</b>
Class B = 3	3,187	\$23.07	\$221,000
Class C = 9	1,190	23.07	247,000
Class D = 44	551	23.07	559,000
<b>Total</b>			<b>\$1,027,000</b>

### Sources

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

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/s/ Jennifer Acton

March 23, 2026

Doc ID 1602479

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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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