



Fiscal Note

Fiscal Services Division



[SF 2218](#) – Educational Practitioner Licensing, Lawful Presence Verification (LSB5046SV.1)

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Fiscal Note Version – As amended by House amendment [S-5104](#)

Description

[Senate File 2218](#) as amended by House amendment [S-5104](#) relates to verification of lawful presence and legal authorization matters, including education-related professions, providing false social security numbers, State employment and licensure, voter registration, and pretrial detention, and includes penalties and applicability provisions.

Division I — Education-Related Provisions

Description

Division I of the Bill as amended requires all initial applicants for licensure and all applicants for licensure renewal to provide evidence of their legal authorization to work in the United States to the Board of Educational Examiners (BOEE). After initial licensure, the applicant is required to provide evidence of legal work authorization every five years.

This Division also specifies the documents that may be accepted by the BOEE as proof of identification and employment eligibility. The BOEE has the exclusive authority to adopt administrative rules to implement this requirement.

Background

Under Iowa Code section [256.146](#), the BOEE requires that a background check be conducted by the Division of Criminal Investigation (DCI). This includes national criminal history background checks, sex offender registry information, child abuse registry information, and dependent adult abuse information. Current law does not require evidence of legal authorization to work in the United States.

The BOEE uses Fieldprint to complete the federal portion of required background checks for new applicants. The applicant pays a fee as part of the initial and renewal process, and a background check is conducted with each renewal. Additional resources, such as Iowa Courts Online, the child abuse registry, and the sex offender registry, are used in the process.

Currently, all license applications and renewals are only accepted online, and no paper submissions are accepted. Application and renewal processing can take a minimum of four to six weeks.

Assumptions

- The BOEE has processes that can be readily modified to incorporate the provisions of the Bill as amended.
- The DCI currently conducts fingerprint-based background investigations for initial applicants.
- The DCI's current process and involvement will not be affected by the additional requirements in the Bill as amended.

Fiscal Impact

No fiscal impact is anticipated for the BOEE or DCI. Any additional costs to implement the requirements of this Division will be absorbed by existing staff within the BOEE.

Costs associated with providing evidence of legal authorization to work in the United States, as well as additional fees, will be the responsibility of the applicant.

Division II — Providing False Social Security Numbers — Penalties

Description

Division II of the Bill as amended relates to providing a false social security number to an employer or prospective employer or to a potential employee.

The Division prohibits an employer from hiring or continuing to employ an employee whom the employer knows has provided the employer with a false social security number on any documentation for employment.

An employer violating the Bill as amended is subject to a \$10,000 civil penalty to be collected by Iowa Workforce Development (IWD). For a fourth or subsequent violation, in addition to the civil penalty, an employer must cease operations at the location where the violation occurred until any individual who holds a majority ownership interest in the employer, and all managerial staff at the location, participate in training developed by IWD regarding compliance with the Bill as amended.

Under the Bill as amended, it is a fraudulent practice for a person, for the purpose of retaining or obtaining employment, or any other thing of value, to falsely provide an employer or prospective employer with a social security number that does not belong to the person. It is a fraudulent practice for an employer to knowingly provide a potential employee with a fraudulent social security number for the purpose of hiring the potential employee.

Penalties for fraudulent practices range from a simple misdemeanor to a Class C felony depending upon the amount of moneys or value of property or services involved.

Background

A simple misdemeanor is punishable by confinement for up to 30 days or a fine of at least \$105 but not more than \$855. A serious misdemeanor is punishable by confinement for up to one year and a fine of at least \$430 but not more than \$2,560. 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 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.

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 as amended 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.
- Implementation and workload will require 3.0 additional full-time equivalent (FTE) positions. According to the IWD, the required job classes and costs of these positions will be as follows:
 - 1.0 Attorney position with estimated avg base salary and benefits ranging from \$107,000 to \$124,000.
 - 2.0 Investigator 2 positions with estimated total base salary and benefits for both positions ranging from \$163,000 to \$197,000.
- The IWD would incur ongoing indirect costs between \$41,000 and \$48,000.

Correctional Impact

Division II of the Bill as amended creates a new criminal offense, and the correctional impact cannot be estimated due to a lack of existing conviction data. **Figure 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 a serious misdemeanor, aggravated misdemeanor, Class D felony, and Class C felony.

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
Serious Misdemeanor	2.3%	7.3	\$23.07	44.8%	21.0	\$8.00	\$16.35	\$50.00	N/A	\$8.00
Aggravated Misdemeanor Non-Persons	31.1%	9.3	\$23.07	37.1%	28.4	\$8.00	\$16.35	\$50.00	11.2	\$8.00
D Felony Non-Persons	84.2%	12.5	\$23.07	69.4%	41.4	\$8.00	\$16.35	\$50.00	15.5	\$8.00
C Felony Non-Persons	84.0%	16.8	\$23.07	66.4%	51.4	\$8.00	\$16.35	\$50.00	24.3	\$8.00

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.

Minority Impact

Division II of the Bill as amended creates a new criminal offense. As a result, the Department of Management (DOM) Division of Data, Planning, and Improvement (DPI) cannot use existing data and cannot be used to estimate the minority impact of the Bill as amended. 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 cost to IWD to add 3.0 FTE positions is approximately \$311,000 to \$369,000 annually.

The fiscal impact on the justice system cannot be determined because the number of convictions cannot be estimated. **Figure 2** shows the average State cost per relevant offense. 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
Serious Misdemeanor	\$350 to \$6,200
Aggravated Misdemeanor	\$8,300 to \$12,200
Class D Felony	\$13,000 to \$18,100
Class C Felony	\$15,000 to \$25,200

Division III — Immigration Status — State Employment and Licensure

Description

Division III of the Bill as amended requires each head of a department or independent agency of the State, and each Board of Regents (BOR) institution, to use the E-Verify system of the U.S. Citizenship and Immigration Services (USCIS) to confirm the employment eligibility of newly hired employees. Division III creates within the Department of Inspections, Appeals, and Licensing (DIAL) a Systematic Alien Verification for Entitlements (SAVE) program clearinghouse to process requests to verify the United States citizenship and immigration status of applicants for licensure and renewal of licensure and requires professional licensing boards to verify citizenship and immigration status. The DIAL is directed to adopt administrative rules to implement provisions of this Division.

Background

The SAVE online service is maintained by the U.S. Department of Homeland Security (DHS) and administered by the USCIS. The DIAL is currently required to access information maintained by the USCIS of the DHS when determining eligibility for professional license applicants as mandated by Executive Order 15 (EO15), signed on October 8, 2025.

The SAVE system is an online service for registered federal, State, territorial, tribal, and local government agencies to verify the immigration and citizenship status of applicants seeking benefits or licenses, administered by the USCIS of the DHS. A user agency is charged a monthly service charge of \$25 for each month in which the user agency submits at least one SAVE case. As of April 1, 2025, nonfederal user agencies are not charged a fee for each case run through SAVE.

The DIAL is currently undergoing a project to modernize, standardize, and simplify its licensing operations. The Administrative Licensing and Inspections Governance Network (ALIGN) system will consolidate existing systems into one unified licensing, permitting, inspection, and case management system.

Assumptions

- According to the DIAL, costs associated with Division III of the Bill as amended have already been incurred as a result of EO15. These costs begin in the current fiscal year and include the following:
 - 1.0 FTE position for an Executive Officer 2 to serve as the project sponsor for the SAVE clearinghouse at an annual cost of approximately \$92,000 beginning in FY 2027. It is estimated that approximately one-third of this cost, or \$31,000, will begin in FY 2026.
 - \$40,000 in FY 2026 to modify current licensing database systems.
 - \$60,000 in FY 2026 to make changes to the ALIGN system.

- \$20,000 in annual expenses for continued support from the Department of Management, Division of Information Technology (DOM DoIT).
- Additional costs to other State agencies for the implementation of the E-Verify and SAVE systems are unknown but are not estimated to be significant.

Fiscal Impact

State agencies and the BOR are required by EO15 to use E-Verify to confirm the employment eligibility of newly hired employees. The Executive Order also requires State agencies to use the SAVE clearinghouse. **Figure 3** shows the estimated FY 2026 costs and the estimated annual costs beginning in FY 2027 to the DIAL. According to the DIAL, these costs have already been incurred as a result of EO15.

Figure 3 — Division III, Estimated FY 2026 and FY 2027 Costs

Category	FY 2026	FY 2027
Modifications to Current Licensing Database Systems	\$ 40,000	\$ 0
Modifications to the ALIGN System	60,000	0
DOM DoIT Support	20,000	20,000
SAVE Program Sponsor (1.0 Executive Officer 2 FTE position)	31,000	92,000
Total	\$ 153,000	\$ 112,000

Division IV — Voter Registration — Unauthorized Aliens

Description

Division IV of the Bill as amended disqualifies persons who are unauthorized aliens from registering to vote and voting. Division IV of the Bill as amended requires a person submitting a voter registration form to swear an oath that the person is qualified to register to vote, and that the person has not submitted false information in the voter registration forms. A person falsely swearing this oath is guilty of election misconduct in the first degree, which is a Class D felony. Division IV of the Bill as amended expands the scope of election misconduct in the first degree and provides that indictment or information for election misconduct in the first degree must be found within five years after the commission of the offense.

Background

Under current law, the indictment or information for election misconduct in the first degree must be found within three years after the commission of the offense. 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. In FY 2025, there were two convictions of election misconduct in the first degree.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner 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 as amended 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 DOC for supervision during a selected time period, based on the most serious offense committed.

Correctional Impact

The correctional impact of Division IV of the Bill as amended cannot be determined because the number of new convictions cannot be estimated. **Figure 4** shows estimates for sentencing to State prison, parole, probation, or CBC residential facilities; LOS in months under those supervisions; and supervision marginal costs per day for a Class D felony.

Figure 4 — 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 Non-Persons	84.2%	12.5	\$23.07	69.4%	41.4	\$8.00	\$16.35	\$50.00	15.5	\$8.00

Refer to the 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.

Minority Impact

The minority impact cannot be determined since it is not known how many new convictions would result from the changes under Division IV of the Bill as amended. 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 Division IV of the Bill as amended cannot be determined because the number of new convictions cannot be estimated. The average State cost for a Class D felony is between \$13,000 and \$18,100. 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.

Division V — Pretrial Detention

Description

Division V of the Bill as amended provides that a charge for a forcible felony creates a rebuttable presumption that the person is dangerous and that there is not sufficient surety or condition of release that will reasonably ensure the personal safety of another person or persons. If a court determines that there is probable cause to believe that the defendant committed a forcible felony, then the defendant must be held without bail. Division V of the Bill as amended provides that it will be presumed that there are not sufficient sureties or conditions of release that will secure the appearance at trial of an unauthorized alien for an indictable offense.

Fiscal Impact

The fiscal impact of Division V of the Bill as amended is unknown.

Fiscal Impact Summary

Division I of SF 2218 as amended is anticipated to have no fiscal impact on the State.

Division II of SF 2218 as amended is expected to require 3.0 additional FTE positions with costs of approximately \$311,000 to \$369,000 annually. The fiscal impact on the justice system cannot be determined because the number of convictions cannot be determined.

Division III of SF 2218 as amended is estimated to increase expenditures by \$153,000 in FY 2026 and \$112,000 in FY 2027.

The fiscal impact of **Division IV** and **Division V** cannot be determined.

Sources

Board of Educational Examiners, Department of Education

Department of Corrections

Department of Inspections, Appeals, and Licensing

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

Division of Criminal Investigation, Department of Public Safety

Iowa Workforce Development

Legislative Services Agency analysis

/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.
