



Fiscal Note

Fiscal Services Division



[SF 2218](#) – Educational Practitioner Licensing, Lawful Presence Verification (LSB5046SV.2)

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Fiscal Note Version – Final Action

Description

[Senate File 2218](#) is comprised of six divisions and 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 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.
- 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.

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 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 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.

Under the Bill, 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 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 FTE position with estimated base salary and benefits ranging from \$107,000 to \$124,000.
 - 2.0 Investigator 2 FTE 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 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 creates a new criminal offense. As a result, the Department of Management (DOM) Division of Data, Planning, and Improvement (DPI) cannot use existing data to estimate the minority impact of 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 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 — Employment and Licensure

Description

Division III of the Bill requires each house of the General Assembly; the Legislative Services Agency; the Ombudsman’s Office; each head of a department or independent agency of the State; each Board of Regents (BOR) institution; public, nonpublic, and charter schools; counties; and cities to use the E-Verify system of the U.S. Citizenship and Immigration Services (USCIS) to confirm the employment eligibility of newly hired employees. The Division also requires the results of the E-Verify system check to be transmitted to the United States Immigration and Customs Enforcement (ICE) and other appropriate federal immigration agencies if the check shows that the subject of the check does not have legal status to be present in the United States, after the completion of any appeals.

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 USCIS status of applicants for licensure and renewal of licensure and requires professional licensing boards to verify citizenship and immigration status. The Division also requires the results of the E-Verify system check to be transmitted to the United States ICE and other appropriate federal immigration agencies if the check shows that the subject of the check does not have legal status to be present in the United States, after the completion of any appeals. The Division includes requirements for individuals challenging the results of E-Verify and SAVE system checks. The DIAL is directed to adopt administrative rules to implement provisions of this Division. Division III takes effect July 1, 2026.

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 and is 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.

According to the DIAL, costs associated with Division III of the Bill have already been incurred in FY 2026 as a result of EO15 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 DOM Division of Information Technology (DoIT).

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.

Assumption

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

The estimated annual costs to the DIAL, beginning in FY 2027, are \$20,000 for DOM DoIT support and \$92,000 and 1.0 FTE position for a SAVE Program Sponsor, for a total annual cost of \$112,000 and 1.0 FTE position.

Division IV — Voter Registration — Unauthorized Aliens

Description

Division IV of the Bill disqualifies persons who are unauthorized aliens from registering to vote and voting. Division IV of the Bill 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 requires the State registrar of voters to attempt to verify all registered voters' United States citizenship using the SAVE system of the USCIS and to provide notice to each county commissioner of registration of the results of the citizenship verification for each registrant in the county. The Division includes requirements for the county commissioner and the registrant pertaining to notice, registration status, and proof of citizenship. The Division additionally requires the State Registrar of Voters to verify the citizenship status of newly registered voters monthly and to verify the citizenship status of all registered voters annually. The Registrar of Voters is directed to adopt administrative rules to implement provisions of this Division.

Division IV of the Bill 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 discovery of information for election misconduct in the first degree must occur 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 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.
- Counties report there may be an increase in costs associated with tracking and notifying registrants whose records have been designated as unconfirmed, but it cannot be estimated as it is unknown how many registrants will need to be notified.

Correctional Impact

The correctional impact of Division IV of the Bill cannot be determined because the number of new convictions cannot be estimated. **Figure 3** 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 3 — 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. 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 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.

This Division of the Bill is expected to increase costs associated with tracking and notifying unconfirmed registrants, but estimates cannot be determined.

Division V — Pretrial Detention

Description

Division V of the Bill 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 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. This presumption can be rebutted by demonstrating that adequate conditions of release will secure the appearance of the defendant at trial.

Fiscal Impact

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

Division VI — Severability

Description

Division VI includes severability clauses stating that if any portions of the Bill are held invalid or are enjoined by a federal court, the invalidity or the injunction does not affect the provisions or applications of the Bill that can be given effect without the invalid provisions or applications.

The Bill states that each division of the Bill is to be construed as independent legislation, and that the invalidity of any one division is not to affect the validity of any other division. The Bill also states that courts are to construe any invalidity as narrowly as possible to preserve maximum effect for the remaining provisions.

The requirements of the Bill are to be suspended during times in which the federal government does not provide the State or its political subdivisions with access to the E-Verify or the SAVE systems, ceases to fund the E-Verify or the SAVE systems, or terminates any authorization that permits the State to access the federal verification systems.

Fiscal Impact

Division VI is anticipated to have no fiscal impact on the State.

Fiscal Impact Summary

Division I and **Division VI** of SF 2218 are anticipated to have no fiscal impact on the State.

Division II of SF 2218 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 is estimated to increase expenditures by \$112,000 annually.

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.
