



[HF 2348](#) – Animal Torture, Criminal Offense and Penalty (LSB6778XS)
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Fiscal Note Version – As amended by Senate amendment [H-8435](#)

Description

[House File 2348](#) as amended by Senate amendment [H-8435](#) adds a new subsection under Iowa Code section [717B.3A](#) stating that a person is guilty of animal torture if the person intentionally, willfully, and maliciously mutilates, burns, poisons, drowns, starves, or causes intensive or prolonged pain or death to a companion animal, or causes, directs, or provides anything of value to another person to do the same. A person who commits animal torture under the Bill as amended is guilty of a Class D felony.

House File 2348 as amended increases the penalty for acts specified under the Bill from a Class D felony to a Class C felony if the individual has been convicted of the following crimes:

- Animal abuse (Iowa Code section [717B.2](#))
- Animal neglect punishable as a serious misdemeanor or aggravated misdemeanor (Iowa Code section [717B.3](#))
- Animal torture under the Bill as amended, injury to or interference with a police service dog (Iowa Code section [717B.9](#))
- Bestiality (Iowa Code section [717C.1](#))
- An act involving a prohibited animal contest (Iowa Code section [717D.2](#))

Background

Under current law, a person is guilty of animal torture if they intentionally or knowingly inflict on an animal severe and prolonged or repeated physical pain that causes the animal's serious injury or death, which is an aggravated misdemeanor for a first offense and a Class D felony if previously convicted.

In FY 2025 there were no convictions or individuals admitted to prison, probation, or parole on a most serious offense under Iowa Code section 717B.3A(1), 717B.3A(4), or 717B.3A(5).

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.

Correctional Impact

The correctional impact of the Bill as amended cannot be determined because the number of new convictions cannot be estimated, but is anticipated to be minimal. **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 D felony and Class C 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 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

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 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 the Bill as amended is estimated to be minimal. **Figure 2** shows the average State cost per offense for a Class C felony and Class D felony. The estimated impact to the General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the DOC.

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)

/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.
