



**HF 2** – Global Positioning Device, Motor Vehicle Placement (LSB1443YH)  
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 Fiscal Note Version – New

**Description**

**House File 2** prohibits the placement of a global positioning device or a device equipped with global positioning technology on a motor vehicle owned or leased by another person without their consent. The bill also prohibits a person from intentionally obtaining information regarding the movement or location of another person from those same devices without consent.

The bill does not apply to the manufacturer’s installation of an in-vehicle communication or telematics system, a device installed with the owner’s permission for automobile insurance purposes, a peace officer acting within the scope of their employment, a parent or guardian tracking the movement or location of a minor child or ward, an employer or business owner tracking the movement or location of their vehicle, or a person tracking the movement or location of a device included within their shared cellular telephone service plan. Someone in violation of this bill commits a serious misdemeanor, which is punishable by confinement for no more than one year and a fine of at least \$315 but not more than \$1,875.

**Background**

Current law does not address global positioning devices or devices with global positioning technology in relation to stalking. This is a crime against a person. **Table 1** shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; length of stay (LOS) under those supervisions; and supervision marginal costs per day for offenders convicted of simple misdemeanors against persons.

**Table 1**

Percent to Prison	Avg LOS Prison (months)	FY 16 Marginal Cost/Day Prison	Avg LOS Parole (months)	Percent to Probation	Avg LOS Probation (months)	Fy 16 Avg Cost/Day Parole & Probation	Percent to CBC	FY 16 Marginal Cost/Day CBC	Percent to County Jail	Avg LOS County Jail (days)	Marginal Cost/Day Jail
2.00%	5.9	\$18.51	N/A	60.0%	16.1	\$4.59	1.0%	\$10.28	72.0%	28	\$15.00

**Assumptions**

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay; revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A lag effect of six months is assumed from the effective date of this bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$15.00 per day.

**Impacts**

**Minority Impact**

This bill creates a new crime for which there is no historical data. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Memo](#), dated January 30, 2017, for information related to minorities in the criminal justice system.

**Correctional Impact**

The correctional impact cannot be estimated because this bill creates a new crime. There is no data to provide a correctional impact projection. Given current sentencing patterns for serious misdemeanor crimes against a person, convicted offenders under this bill are likely to receive a sentence to county jail, probation, or both. Refer to the LSA memo addressed to the General Assembly, [Correctional Impact Memo](#), dated January 30, 2017, for information related to the correctional system.

**Fiscal Impact**

The fiscal impact cannot be estimated because this bill creates a new crime and the number of convictions cannot be estimated. The State's cost for one conviction under the bill would range from \$250 to \$4,200. The fiscal impact to county jail operating budgets is approximately \$400 per conviction.

**Sources**

Department of Human Rights, Division of Criminal and Juvenile Justice Planning  
Department of Corrections  
Office of the State Court Administrator  
Office of the State Public Defender

/s/ Holly M. Lyons

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February 2, 2017

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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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