



[HF 2394](#) – Critical Infrastructure, Criminal Acts Against (LSB5229HV)
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Fiscal Note Version – New

Description

[House File 2394](#) relates to criminal acts against critical infrastructure and provides penalties.

Background

Current law specifies criminal charges and penalties for terrorism, arson, burglary, and criminal mischief, but does not specifically address those crimes when committed against critical infrastructure.

This Bill would create the crime of critical infrastructure sabotage as a Class B felony. A Class B felony is punishable by confinement of no more than 25 years. This Bill also subjects a person convicted of committing critical infrastructure sabotage to a fine of not less than \$85,000 and no more than \$100,000. **Table 1** shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections residential facilities; length of stay (LOS) under those supervisions; and supervision marginal costs per day for offenders convicted of Class B felonies against property.

Table 1 — Sentencing Estimates

	Percent to Prison	Avg LOS Prison (months)	FY 17 Marginal Cost/Day Prison	Avg LOS Parole (months)	Percent to Probation	Avg LOS Probation (months)	FY 17 Avg Cost/Day Parole & Probation	Percent to CBC	FY 17 Marginal Cost/Day CBC	Percent to County Jail	Avg LOS County Jail (days)	Marginal Cost/Day Jail
B Felony (Non-Persons)	86.0%	26.9	\$17.52	30.9	30.0%	42	\$4.93	4.0%	\$10.56	49.0%	N/A	\$50.00

Assumptions

Since this is a new crime, data for previous incidents is not available and it is not possible to determine how many additional convictions may be expected as a result of this legislation.

Impacts

Minority Impact

This Bill creates a new crime for which there is no historical data. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 8, 2018, 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. Refer to the LSA memo addressed to the General Assembly, [Cost Estimates Used For Correctional Impact Statements](#), dated January 8, 2018, 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 \$12,500 to \$29,600.

Sources

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

/s/ Holly M. Lyons

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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.
