EIGHTY-NINTH GENERAL ASSEMBLY
2022 REGULAR SESSION
DAILY

HOUSE CLIP SHEET

February 1, 2022

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
HF 2083	H-8003		DOLECHECK of Ringgold
HF 2123	H-8004		KLEIN of Washington
HF 2128	H-8005		HEIN of Jones

Fiscal Notes

HF 2160 — Assisted Reproduction, Penalties (LSB5089HV)

HOUSE FILE 2083

H-8003

Amend House File 2083 as follows:

1. Page 1, by striking lines 6 through 11 and inserting:

<~~*a. The applicant was in the top twenty-five percent academically of students exiting a teacher preparation program approved by the state board of education pursuant to section 256.7, subsection 3, or a similar teacher preparation program in another state, or had earned other comparable academic credentials.*~~>

2. Page 1, line 12, by striking <*b.*> and inserting <~~*b.*~~ *a.*>

3. Page 1, line 32, by striking <*c.*> and inserting <~~*c.*~~ *b.*>

4. Page 2, line 1, by striking <*d.*> and inserting <*c.*>

By DOLECHECK of Ringgold

H-8003 FILED FEBRUARY 1, 2022

HOUSE FILE 2123

H-8004

Amend House File 2123 as follows:

1. Page 1, after line 28 by inserting:

<Sec. ___. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.>

2. Title page, line 3, by striking <cases> and inserting <cases, and including effective date provisions>

3. By renumbering as necessary.

By KLEIN of Washington

H-8004 FILED FEBRUARY 1, 2022

HOUSE FILE 2128

H-8005

Amend House File 2128 as follows:

1. Page 2, after line 21 by inserting:

<(3) A dispenser that is part of a commercial marina.>

2. Page 4, line 28, by striking <may> and inserting <shall>

3. Page 4, line 32, by striking <dealer> and inserting <dealer, if the retail motor fuel site qualifies under this section>

4. Page 6, line 35, by striking <may> and inserting <shall>

5. Page 7, line 1, after <order> by inserting <as provided in this subsection>

6. Page 7, line 18, by striking <may> and inserting <shall>

7. Page 7, line 19, by striking <which> and inserting <as provided in this subsection. The order>

8. Page 7, by striking lines 21 and 22 and inserting <department may file and review a completed inspection>

9. Page 7, line 25, after <must> by inserting <be supported by credible evidence and>

10. Page 13, line 33, after <section 214A.34 that> by inserting <the retail dealer knows>

11. Page 14, line 5, after <that> by inserting <the retail dealer knows>

12. Page 14, line 10, after <that> by inserting <the installer knows>

13. Page 17, line 1, after <infrastructure> by inserting <used to store and dispense ethanol blended gasoline classified as E-15 or higher,>

14. Page 25, line 6, after <fuel.> by inserting <If the biodiesel blended fuel does not meet the required classification after applying a one percent tolerance, the department shall adopt rules to determine the classification based on the retail dealer's records of the volume of biodiesel blended with diesel fuel.>

By HEIN of Jones

H-8005 FILED FEBRUARY 1, 2022

Fiscal Note

Fiscal Services Division

HF 2160 – Assisted Reproduction, Penalties (LSB5089HV)
Staff Contact: Isabel Waller (515.281.6561) isabel.waller@legis.iowa.gov
Fiscal Note Version – New

Description

House File 2160 creates the crime of sexual abuse in the fourth degree under Iowa Code chapter 709 and provides penalties. A health care professional commits sexual abuse in the fourth degree when the health care professional implants the health care professional's own human reproduction material through assisted reproduction without the patient's prior knowledge and written consent. Sexual abuse in the fourth degree is punishable as an aggravated misdemeanor and is a Tier III sex offense under the sex offender registry.

Background

An aggravated misdemeanor is punishable by a fine of at least $855 but not more than $8,540 and up to two years in prison. Registration as a Tier III sex offender requires an offender to report in person to verify their registration information every three months.

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 $50.00 per day.

Correctional Impact

House File 2160 establishes a new criminal offense, and the correctional impact cannot be estimated for this Bill due to the lack of existing conviction data. **Table 1** below 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 all convictions of aggravated misdemeanors for sex offenses. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, Cost Estimates Used for Correctional Impact Statements, dated January 18, 2022, for information related to the correctional system.

Table 1 — Sentencing Estimates and Length of Stay (LOS)

Conviction Offense Class	Percent Ordered to State Prison	FY 21 Avg LOS in Prison (All Releases)	FY 21 Marginal Cost Per Day Prison	Percent Ordered to Probation	Avg LOS on Probation	FY 21 Avg Cost Per Day on Probation	Percent Sentenced to CBC Residential Facility	FY 21 Marginal Cost CBC Per Day	Percent Ordered to County Jail	Marginal Cost Per Day Jail	Avg LOS on Parole	FY 21 Marginal Cost Per Day Parole
Aggravated Misdemeanor (Sex Offense)	80.1%	14.5	$23.33	58.5%	25.0	$7.01	1.1%	$17.78	74.6%	$50.00	26.9	$7.01

Minority Impact

House File 2160 establishes a new offense. As a result, the Criminal and Juvenile Justice Planning Division (CJJP) of the Department of Human Rights cannot use prior existing data to estimate the minority impact of HF 2160. Refer to the LSA memo addressed to the General Assembly, Minority Impact Statement, dated January 18, 2022, for information related to minorities in the criminal justice system.

Fiscal Impact

House File 2160 establishes a new offense, and the fiscal impact cannot be estimated due to the lack of existing conviction data. The average State cost per offense for an aggravated misdemeanor ranges from $4,900 to $9,500. The estimated impact to the State General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the Department of Corrections. The cost would be incurred across multiple fiscal years for prison and parole supervision.

Sources

CJJP, Department of Human Rights
Department of Corrections

/s/ Holly M. Lyons

January 31, 2022

Doc ID 1286344

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.