

**EIGHTY-NINTH GENERAL ASSEMBLY
2022 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

April 7, 2022

Clip Sheet Summary

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

Bill	Amendment	Action	Sponsor
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No amendments filed on April 7, 2022

Fiscal Notes

[SF 2328](#) — [Criminal Victims' Rights, Recidivism Reduction](#) (LSB5174SV.1)

[SF 2374](#) — [Alcoholic Beverage Control Licensing](#) (LSB5045SZ.1)

[HF 2526](#) — [Elections, Omnibus](#) (LSB5344HV)



[SF 2328](#) – Criminal Victims’ Rights, Recidivism Reduction (LSB5174SV.1)
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Fiscal Note Version – As amended and passed by the Senate

Description

[Senate File 2328](#) relates to criminal law, including the disclosure of a defendant’s privileged records in a criminal action, no-contact orders, penalties for domestic abuse assault, limitations on criminal actions involving certain sexual offenses, criminal sentencing and corrections, parole and work release, crime victim rights, discovery in criminal actions, postconviction relief procedure, certain reporting requirements, and conditional guilty pleas.

Division I — Communications in Professional Confidence — Criminal Actions

Description

Division I of SF 2328 limits exculpatory information in certain circumstances to only information that tends to negate the guilt of the defendant, and not information that is merely impeaching or is substantially cumulative in nature.

Assumptions

- According to the Office of the State Public Defender, the provisions of Division I may lead to a substantial increase in the number of Brady motions.
- The Office of the State Public Defender estimates each Brady motion will take an average of 3.5 hours of attorney time to investigate the Brady issue, prepare the Brady motion, and hear the motion in court.
- State Public Defender contract attorneys are paid \$76 per hour for Class A felony cases, \$71 per hour for Class B felony cases, and \$66 per hour for all other cases.
- There were 66 Class A felony, 1,097 Class B felony, and 37,387 Class C felony claims to the Indigent Defense Fund in FY 2019.
- The average contract attorney cost per hour for an indigent defense claim in FY 2019 was approximately \$66.
- The cost of a State Public Defender full-time equivalent (FTE) position is approximately \$90,000 per year to the State Public Defender operating budget.
- A State Public Defender attorney works approximately 2,000 hours per year.
- The cost per hour for a State Public Defender attorney is approximately \$45.
- State Public Defender attorneys closed 63,908 cases in FY 2019.
- It is not known how many additional Brady motions will result from this Division.

Fiscal Impact

Division 1 may lead to a substantial increase in the number of Brady motions for State Public Defender attorneys and contract attorneys, but the extent of this increase is not known. As shown in **Table 1** below, the annual cost to the Indigent Defense Fund and the State Public Defender operating budget if 10.0% of State Public Defender cases have an additional Brady motion as a result of this Bill is \$891,000 and \$1.0 million, respectively. Both are funded through the General Fund.

Table 1 — Potential Annual Cost to the Office of the State Public Defender

	Cases	Additional Hours Per Brady Claim	Attorney Hourly Rate	Percent of Cases With a New Brady Claim	Total Cost
Indigent Defense Fund	38,550	3.5	\$66	10%	\$890,500
State Public Defender Operating Budget	63,908	3.5	\$45	10%	\$1,006,600

Division II — No-Contact Orders

Description

Division II relates to the modification and extension of no-contact orders. Under the Bill, when a no-contact order expires, the court is to modify and extend the no-contact order for an additional five years unless the defendant files an application within 90 days prior to the expiration and the court finds that the defendant no longer poses a threat to the safety of the victim, persons residing with the victim, or members of the victim’s family.

Background

Under Iowa Code chapter [664A](#), no-contact orders may be entered by the court for violations or alleged violations of harassment, stalking, sexual abuse in the first degree, sexual abuse in the second degree, sexual abuse in the third degree, or any other public offense for which there is a victim.

Iowa Code section [664A.8](#) currently provides that the court is to modify and extend a no-contact order for an additional five years only upon the filing of an application by the State or by the victim within 90 days prior to the expiration of the no-contact order. Upon such an application by the State or the victim, the court is to modify and extend the no-contact order unless the court finds that the defendant no longer poses a threat to the safety of the victim, persons residing with the victim, or members of the victim’s family.

Assumptions

- Based on whether an extension is resisted by the defendant, some no-contact order extensions will require a court hearing and some will not.
- The average cost per hour combined for a district judge or district associate judge plus a court reporter, judicial specialist, and clerk of court is \$229.
- Court time for each no-contact order extension will average approximately 10 minutes.
- Each no-contact order extension will cost approximately \$38 for court time.
- Approximately 14,300 no-contact orders will be affected by the Bill each year from FY 2023 to FY 2027.
- The extension of a no-contact order for an additional five years will occur indefinitely unless, upon application by the defendant, the court finds that the defendant no longer poses a threat.
- Beginning in FY 2028, no-contact orders extended under this Bill will be up for extension again.

Fiscal Impact

Division II is expected to increase costs to the Judicial Branch by approximately \$543,000 per year from FY 2023 to FY 2027. The Judicial Branch is funded through the General Fund.

Table 2 provides the estimated cost per year to the Judicial Branch from FY 2023 to FY 2027.

Table 2 — Cost to Judicial Branch

No-Contact Orders Affected	Average Cost Per Extension	Total Cost Per Year FY 2023 to FY 2027
14,300	\$38	\$543,400

In the succeeding fiscal years, no-contact orders that would be extended under this Bill would be up for extension again, which may lead to a large growth in the number of no-contact orders to be modified and extended each year. This would likely cause a significant fiscal impact to the Judicial Branch in succeeding fiscal years.

Additionally, the Office of the State Public Defender notes that an increased number of no-contact orders will lead to an increase in no-contact order violations. Providing indigent defense to defendants who violate no-contact orders will increase costs to the Indigent Defense Fund, but the extent of this increase cannot be estimated.

Division III — Domestic Abuse Assault Penalties

Description

Division III eliminates current law that provides that a conviction for, deferred judgment for, or plea of guilty to domestic abuse assault that occurred more than 12 years before the date of the violation charged is not to be considered in determining that the violation charged is a second and subsequent offense.

Background

Iowa Code section [708.2A](#) provides that a second conviction for domestic abuse assault results in a higher conviction class than if it were a first conviction and that a third or subsequent offense is a Class D felony. Penalties for domestic abuse assault include a simple misdemeanor, a serious misdemeanor, an aggravated misdemeanor, and a Class D felony, based on injury caused, intent to inflict a serious injury, use of a weapon, and prior offenses.

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.
- 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 per day.

Correctional Impact

The removal of the 12-year provision in Division III could result in a reclassification of class based on the first offense. In FY 2021, there were 68 individuals convicted under Iowa Code section 708.2A who also had a prior conviction under Iowa Code section 708.2A 12 or more years prior, 4 of which were for aggravated misdemeanors, 10 for serious misdemeanors, and 54 for simple misdemeanors. It cannot be determined which of the original offenses would result in an increased class of conviction, but there would likely be an increase in convictions for second and subsequent offenses and an increase in prison admissions. The proportion of the increase cannot be estimated.

Table 3 below shows estimates for sentencing to State prison, parole, probation, or community-based corrections (CBC) residential facilities; LOS under those supervisions; and supervision

marginal costs per day for all convictions of Class D felonies, aggravated misdemeanors, and serious misdemeanors. A conviction for a simple misdemeanor does not result in a prison sentence but does carry the possibility of confinement for up to 30 days. Marginal county jail costs are estimated to be \$50 per day. 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 3 — Sentencing Estimates and Length of Stay (LOS)

Conviction Offense Class	Percent Ordered to State Prison	FY 21 Avg LOS in Prison in Months (All Releases)	FY 21 Marginal Cost Per Day Prison	Percent Ordered to Probation	Avg LOS on Probation in Months	FY 21 Avg Cost Per Day Probation	Percent Sentenced to CBC Residential Facility	FY 21 Marginal Cost Per Day CBC	Percent Ordered to County Jail	Marginal Cost Per Day Jail	Avg LOS on Parole in Months	FY 21 Marginal Cost Per Day Parole
D Felony (Persons)	84.2%	18.8	\$23.33	47.8%	32.8	\$7.01	10.5%	\$17.78	38.6%	\$50.00	11.3	\$7.01
Aggravated Misdemeanor (Persons)	47.0%	9.6	\$23.33	51.7%	20.6	\$7.01	5.2%	\$17.78	70.7%	\$50.00	6.2	\$7.01
Serious Misdemeanor	1.8%	6.5	\$23.33	56.0%	14.5	\$7.01	0.9%	\$17.78	69.0%	\$50.00	18.1	\$7.01

Minority Impact

Division III may have a disproportionate impact on African Americans. Of the 68 individuals who had a prior conviction under Iowa Code section 708.2A 12 or more years prior who may be convicted of an increased class under this Bill, 69.1% were Caucasian and 17.6% were African American, while the Iowa population is 85.3% Caucasian and 3.9% African American. 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

The fiscal impact of Division III cannot be estimated due to a lack of data. **Table 4** below shows the average State cost per offense for a Class D felony, aggravated misdemeanor, serious misdemeanor, and simple misdemeanor. 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 (DOC). The cost would be incurred across multiple fiscal years for prison and parole supervision.

Table 4 — Average State Cost Per Offense	
Class D Felony	\$9,100 to \$16,600
Aggravated Misdemeanor	\$4,900 to \$9,500
Serious Misdemeanor	\$410 to \$7,000
Simple Misdemeanor	\$40 to \$370

Division IV — Limitation of Criminal Actions Involving Certain Sexual Offenses

Description

Division IV adds the following offenses to the list of offenses for which an information or indictment may be commenced at any time after the commission of the offense, when the offense was committed on or with a person who is under the age of 18:

- Continuous sexual abuse of a child.
- Kidnapping in the first degree when the person kidnapped, and as a consequence of the kidnapping, is intentionally subjected to sexual abuse.
- Burglary in the first degree, when the person performs or participates in a sex act with any person which would constitute sexual abuse.

Background

Under Iowa Code section [802.2B](#), the offenses for which an information or indictment may be commenced at any time after the commission of the offense, when the offense was committed on or with a person who is under the age of 18, currently include lascivious acts with a child, assault with intent to commit sexual abuse, indecent contact with a child, lascivious conduct with a minor, sexual misconduct with a juvenile, child endangerment, and sexual exploitation of a minor.

Continuous sexual abuse of a child and burglary in the first degree are Class B felonies. Kidnapping in the first degree is a Class A felony. A Class B felony is punishable by confinement for no more than 25 years. A Class A felony is punishable by life in prison.

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.
- 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 per day.

Correctional Impact

Division IV changes the statute of limitations for certain offenses, and the correctional impact cannot be estimated due to a lack of data. This change will likely increase the number of prison admissions for these offenses, but the extent of that increase cannot be calculated. Refer to the 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.

Minority Impact

Division IV changes the statute of limitations for certain offenses, and as a result, the Criminal and Juvenile Justice Planning Division of the Department of Human Rights cannot use prior existing data to estimate the minority impact. 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

Division IV changes the statute of limitations for certain offenses, and the fiscal impact cannot be estimated due to a lack of data. The average State cost per offense for a Class A felony must be calculated on an individual basis to determine prison costs. At a minimum, Class A felonies require two indigent defense attorneys at a cost of approximately \$39,200 and include court time and jury trial costs ranging from \$10,400 to \$14,700. The average State cost per offense for a Class B felony ranges from \$12,600 to \$45,700. The estimated impact to the State General Fund includes operating costs incurred by the Judicial Branch, the Indigent Defense Fund, and the DOC. The cost would be incurred across multiple fiscal years for prison and parole supervision.

Division V — Criminal Sentencing and Corrections

Description

Division V, Section 7, provides that if a person is sentenced for two or more separate offenses contained in Iowa Code section [902.12](#)(1) (murder in the second degree, attempted murder, sexual abuse in the second degree, kidnapping in the second degree, robbery in the second degree, and vehicular homicide under certain circumstances), and one or more of the convictions is for an offense under Iowa Code chapter [709](#) or [710](#) (sexual abuse in the second degree and kidnapping in the second degree), the sentences are required to be served consecutively.

Division V, Section 9, provides that the minimum sentence of any person convicted of a felony contained in Iowa Code section 902.12 and who did not receive a deferred judgment or a deferred or suspended sentence should be determined as follows, if not already prescribed by statute:

- A Class B felon should be confined for at least one year.
- A Class C felon should be confined for at least two months.
- A Class D felon should be confined for at least one month.

Division V, Section 10, adds to Iowa Code section 902.12, which currently provides minimum sentences for certain felonies. The Bill provides for minimum sentences of at least 90.0% of the maximum term for the following offenses. Division V also provides that in regards to earned time, category C sentences include sentences for these offenses:

- Homicide or a related crime.
- Assault.
- Terrorism.
- Sexual abuse.
- Kidnapping or related offenses.
- Human trafficking, except for solicitation of commercial sexual activity.
- Robbery, aggravated theft, or extortion.
- Arson.
- Burglary, except for possession of burglar's tools with the intent to use them in the perpetration of a burglary.
- Criminal gang participation or gang recruitment.
- Sexual exploitation of a minor.

Background

Iowa Code section 902.12 provides a minimum sentence of at least 70.0% of a maximum term of a person's sentence for the following: murder in the second degree, attempted murder, sexual abuse in the second degree, kidnapping in the second degree, robbery in the second degree, and vehicular homicide under certain circumstances.

An inmate serving a category C sentence is ineligible for a reduction of sentence under Iowa Code section [903A.2](#) (Earned Time).

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.
- 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 per day.

Correctional Impact

Division V, Section 7, provides that if a person is sentenced for two or more separate offenses contained in Iowa Code section 902.12, and one or more of the convictions is for an offense under Iowa Code chapter 709 or 710, the sentences must be served consecutively. Of those actively incarcerated on February 18, 2022, there were 82 individuals who met these criteria who are currently serving concurrent sentences. This portion of the Bill would lengthen the sentences of individuals whose crimes meet these criteria, but the extent of the increase cannot be estimated.

According to the DOC, Division V, Section 10, would extend the period of incarceration for those who are admitted to prison for crimes currently designated as crimes under Iowa Code section 902.12. Current law requires that a person be denied parole or work release unless the person has served at least 50.0% or 70.0% of the maximum term of a person's sentence for certain felonies. According to the DOC, this Section changes the mandatory term to 90.0% of a person's sentence. The DOC reports that extending the minimum period of incarceration for one cohort of individuals annually admitted to prison for convictions under current Iowa Code section 902.12 is expected to cost \$5.5 million more per annual cohort over the course of that cohort's supervision period compared to current estimated supervision costs. A cohort is the group of individuals annually admitted to prison for convictions under a certain Iowa Code section.

Division V, Section 10, creates mandatory terms for crimes that historically have not had mandatory terms applied. This Division creates mandatory terms for these offenses consistent with those proposed for crimes under Iowa Code section 902.12, with a mandatory minimum term of 90.0% of a person's sentence required to be served prior to release consideration. This Section also provides that for earned time purposes, these sentences are classified as category C sentences, meaning they are ineligible for a reduction of sentence. This section is expected to impact approximately 1,118 prison admissions annually. Due to the mandatory term applied, the DOC expects that the cost of supervision per annual cohort of individuals admitted under the affected Iowa Code sections would cost \$34.6 million more over the duration of the supervision of each annual cohort. Additionally, according to the Office of the State Public Defender, the provisions of this Section will make it less likely that cases will be plead out, and more cases will go to trial. Expenses to the Office of the State Public Defender are likely to increase significantly due to increased trial expenses, but the extent of this increase cannot be determined because it is not known how many more cases will go to trial.

Refer to the 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.

Minority Impact

The minority impact of Division V cannot be estimated due to a lack of data. 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.

Division VI — Parole and Work Release

Description

Division VI makes the following changes:

- Modifies Board of Parole (BOP) procedure. Under the Bill, a parole or work release may be ordered only for the best interest of society, any victim of the person, and the person. The BOP is to release a person on parole or work release only when in its opinion there is a

significant possibility that the person can be released without detriment to the community, any victim of the person, or the person.

- Limits the BOP to reviewing the status of a person other than a Class A felon, a Class B felon serving a sentence of more than 25 years, a felon serving a sentence for a first conviction for a violation of Iowa Code section [124.401D](#), or a felon serving a mandatory minimum sentence other than a Class A felon to no more frequently than every six months.
- Provides that the BOP shall require that all parole hearings be recorded and maintained as public records for a minimum of three years from the date of the hearing or the most recent release of an inmate on parole.
- Modifies the intent of the General Assembly for the BOP to implement a plan of early release. The plan must ensure that parole or work release is only ordered when in the best interest of society, any victim of the person, and the person, rather than to control the prison population.

Background

Under current law, a parole or work release should be ordered for the best interest of society and the offender. The BOP is to release a person on parole or work release when in its opinion there is a reasonable probability that the person can be released without detriment to the community or the person.

Under current law, the BOP at least annually reviews the status of a person other than a Class A felon, a Class B felon serving a sentence of more than 25 years, a felon serving a sentence for a first conviction for a violation of Iowa Code section 124.401D, or a felon serving a mandatory minimum sentence other than a Class A felon.

According to Iowa Code section [906.5](#), the intent of the General Assembly is currently that the BOP is to implement a plan of early release in an effort to assist in controlling the prison population and assuring prison space for the confinement of offenders whose release would be detrimental to the citizens of Iowa.

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.
- 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 per day.

Correctional Impact

Division VI may have a correctional impact by decreasing the number of offenders who are granted parole and work release and thus increasing the prison population. However, the number of victims who will choose to be a part of the work release process and the overall impact this Division will have on the decision of granting parole and work release cannot be determined.

Minority Impact

The minority impact of Division VI cannot be estimated due to a lack of data. 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

The requirement for the BOP to capture and store recordings of interviews will have a modest fiscal impact on the BOP. The BOP reports that this can be absorbed into its existing budget and FTE positions.

The change in intent for the BOP may increase prison populations, but the fiscal impact to the Department of Corrections cannot be determined.

Division VII — Crime Victims — Rights

Description

Division VII relates to crime victims' rights and makes the following changes:

- Requires a local police department or county sheriff's department to provide a victim with a pamphlet explaining the victim's rights.
- Requires a local police department or county sheriff's department to provide to the Crime Victim Assistance Division (CVAD) of the Office of the Attorney General the contact information for a victim of a public offense or delinquent act. A victim counselor is to contact a victim to determine if the victim is in need of further assistance or whether the victim has any questions regarding rights as a victim.
- Provides that it is the public policy of the State that statements made by children to forensic interviewers at child advocacy centers and child protection centers are presumptively reliable and should be admitted into evidence in court. The court should upon motion of a party admit such recorded statement of a child under certain circumstances.
- Provides that a defendant charged with a criminal offense for sexual abuse who has filed an application for postconviction relief upon conviction for a sexual offense cannot question any victim regarding evidence that is inadmissible under [Rule of Evidence 5.412](#).
- Instructs the Supreme Court to amend [Iowa Court Rule 42.2](#) to require all attorneys licensed in Iowa to complete a minimum of one hour annually of continuing legal education that focuses on crime victims and improving their experience within the criminal justice system.

Background

According to Iowa Code section [915.20A](#), a victim counselor is a person who is engaged in a crime victim center, is certified as a counselor by the crime victim center, and is under the control of a direct service supervisor of a crime victim center, whose primary purpose is the rendering of advice, counseling, and assistance to victims of crime.

Assumptions

- The sharing of victim contact information includes personally identifying information that must be protected from unauthorized or accidental access.
- The CVAD will need to create or procure a secure database that will allow for over 400 law enforcement agencies to input victim data and allow victim counselors to access that data.
- The CVAD estimates start-up costs of the database to be approximately \$500,000 with ongoing maintenance expenses of \$50,000 each year.
- The CVAD does not currently provide direct services to victims, and none of the CVAD staff are victim counselors.
- If the crime victim counselors are to be employed by the CVAD under the Bill, the CVAD will require additional staff to manage the database, provide assistance to law enforcement agencies inputting data, access the data to contact the victims, and identify and vet local resources in communities across the State.
- The CVAD estimates approximately 320 victims will be input into the database each day who will need to be contacted.
- The CVAD estimates it will require 11.0 FTE positions to manage this program, at the cost of \$75,000 per FTE position.

- The CVAD will also incur further expenses each year related to technology and equipment as well as a larger space, as the CVAD has no workspaces for new staff.
- The hiring of new staff will take approximately three months, so costs related to FTE positions are calculated at 75.0% for the first year.
- According to the Office of the State Public Defender, the provision of making statements made by children to forensic interviewers at child advocacy centers and child protection centers presumptively reliable and admissible into evidence at court will increase costs due to hiring of expert witnesses.
- The cost to the State Public Defender for hiring an expert witness is approximately \$2,400.
- The Office of the State Public Defender estimates that it provides counsel for approximately 520 cases related to sex offenses that involve children each year.
- It is not known how often the use of expert witnesses by the State Public Defender will be needed due to this Bill.

Fiscal Impact

As shown in **Table 5** below, the estimated cost of Division VII to the Office of the Attorney General is approximately \$1.1 million in FY 2023 and \$875,000 for each year after. This cost includes creating and maintaining the database and hiring 11.0 FTE positions to manage the program. This fiscal impact would be to the General Fund.

Table 5 — Estimated Cost to the Office of the Attorney General

	FY 2023	FY 2024 and after
Database	\$500,000	\$50,000
Staff	<u>619,000</u>	<u>825,000</u>
Total	<u>\$1,119,000</u>	<u>\$875,000</u>

The Office of the Attorney General notes that if the Bill requires local victim services agencies to assume the duty of contacting victims rather than CVAD employees, the General Fund appropriation for victim services programs will need to be increased from \$5.0 million annually to approximately \$15.0 million annually to meet a 200.0% increase in demand.

The Office of the State Public Defender expects an increase in the need for expert witnesses in its cases due to the provision of making statements made by children to forensic interviewers at child advocacy centers and child protection centers presumptively reliable and admissible into evidence at court. It is not known how often expert witnesses will be needed, but if the State Public Defender utilizes an expert witness in 25.0% to 50.0% of cases related to sex offenses that involve children due to this provision, the total additional cost for expert witnesses each year will be \$312,000 to \$624,000. This fiscal impact would be to the General Fund.

Division VIII — Discovery

Description

Division VIII does the following:

- Provides that a criminal defendant or the defendant’s counsel cannot issue any subpoena for documents or other evidence except upon application to the court. The application is only to be granted if the defendant proves by a preponderance of the evidence various factors related to the necessity of the subpoena. A person who issues a subpoena that does not comply with this Division may be declared in contempt of court.

- Provides that discovery depositions are not permitted in any criminal action, except upon application to the court and if exceptional circumstances are shown.
- Requires a criminal defendant to file a witness list by certain deadlines.
- Provides that a person who is not yet a party to a criminal action is not permitted to depose another person until the time the person who is not yet a party to the criminal action is charged with or indicted for the associated criminal offense.

Assumptions

- The requirements related to discovery under this Division will result in additional time expended by Office of the State Public Defender to comply with procedure and to track down evidence.
- The Office of the State Public Defender handled approximately the following number of indictable criminal offenses in FY 2019:
 - 29,500 indictable criminal offenses through the Indigent Defense Fund.
 - 63,900 indictable criminal offenses through State Public Defender attorneys.
- The Office of the State Public Defender estimates an additional 3.5 hours of attorney time will be needed in many cases.
- It is unknown how many cases will require additional attorney time to be expended by State Public Defender attorneys and contract attorneys due to the discovery requirements.

Fiscal Impact

This Division restricts discovery depositions by requiring an application to the court and a showing of exceptional circumstances. This will likely increase the workload of the courts if the court has to review each application and determine what constitutes an exceptional circumstance. Additionally, eliminating depositions except in exceptional circumstances may result in more trials, as depositions often help to resolve a case. The fiscal impact of this Division to the Judicial Branch cannot be determined but may be significant.

This Division will result in additional time expended by Office of the State Public Defender attorneys and contract attorneys. The amount of additional time is unknown, but if an additional 3.5 hours of time is needed in 10.0% of cases handled by contract attorneys, the cost to the Indigent Defense Fund will be approximately \$681,000. If an additional 3.5 hours of time is needed in 10.0% cases handled by State Public Defender attorneys, the cost to the Office of the State Public Defender operating budget will be approximately \$1.0 million. This would be a total fiscal impact of \$1.7 million to the Office of the State Public Defender. Additionally, according to the Office of the State Public Defender, this Division may lead to more cases going to trial, but the extent of this increase and the fiscal impact cannot be estimated.

Division IX — Postconviction Relief and Discovery Procedure

Description

Division IX provides a limited scope of discovery to postconviction relief proceedings. This includes the following limitations:

- An applicant may conduct discovery only by order of the court to be granted upon a showing that the information sought is reasonably calculated to lead to the discovery of admissible evidence to support or defeat a claim that is adequately pled in the application and, if taken as true, constitutes a colorable claim for relief.
- An applicant is not permitted to depose or conduct discovery upon a victim unless the applicant proves various factors by clear and convincing evidence.
- Evidence that would be excluded in a criminal action pursuant to Rule of Evidence 5.412 is not discoverable or admissible in a postconviction action.
- An applicant is not permitted to conduct discovery or seek the appointment of an expert witness through ex parte communication or in camera review.

- Depositions are only permitted upon a showing of exceptional circumstances.

Assumptions

- The State Public Defender anticipates that Division IX will require an attorney to expend additional time on postconviction relief proceedings. The increase in time would be due to the requirements to litigate many actions that litigation is not currently required for, requirements for a court order to conduct discovery and depose victims, and the requirement for notice and a hearing on the use of an expert witness.
- The Office of the State Public Defender estimates that it will participate in a total of 600 postconviction relief claims each year.
- It is unknown how many additional attorney hours each postconviction relief proceeding will require.

Fiscal Impact

Due to a lack of data, the total fiscal impact of this Division to the Office of the State Public Defender is unknown. However, if State Public Defender contract attorneys spend an additional 10 hours on each postconviction relief proceeding at \$66 per hour, the cost to the Indigent Defense Fund will be \$396,000. If the contract attorney spends an additional 20 hours on each postconviction relief proceeding, the cost to the Indigent Defense Fund will be \$792,000.

Division X — Required Reports to the General Assembly

Description

Division X requires the State Court Administrator to submit an annual report to the Governor and General Assembly each year by December 15 related to deferred judgments, deferred sentences, and suspended sentences for violent and sexual criminal offenses contained in Iowa Code section 902.12.

Division X also requires the DOC in cooperation with the BOP to submit an annual report to the Governor and General Assembly each year related to the recidivism rate for violent and sexual criminal offenses contained in Iowa Code section 902.12.

Fiscal Impact

The requirement for the State Court Administrator to submit an annual report would require staff time to prepare the report, but costs to the Judicial Branch would be minimal.

The annual report required of the DOC and BOP would require the structure of the Iowa Corrections Offender Network (ICON) to be programmed to account for some of the required elements. Significant ICON programming costs would result, but the extent cannot be calculated. Additionally, this report would require staff time to create and disseminate the report.

Division XI — Conditional Guilty Pleas

Description

Division XI provides that a conditional guilty plea that reserves the right to appellate review of an adverse determination of a specified pretrial motion is not allowed.

Fiscal Impact

The Division is not estimated to have a fiscal impact.

Summary of Impacts

Table 6 includes a summary of the fiscal, correctional, and minority impacts for each Division of SF 2328.

Table 6 — Estimated Summary of Impacts for SF 2328

Division	Provision	Fiscal Impact	Agencies Impacted	Correctional Impact	Minority Impact
I	Communications in Professional Confidence — Criminal Actions	\$891,000 to Indigent Defense Fund	State Public Defender	No	No
		\$1.0 million to State Public Defender Operating Budget	State Public Defender		
II	No-Contact Orders	\$543,000 from FY 2023 to FY 2027, Potentially More Significant After	Judicial Branch, State Public Defender	No	No
III	Domestic Abuse Assault Penalties	Unknown	Judicial Branch, Department of Corrections, State Public Defender	Yes	Yes
IV	Limitation of Criminal Actions Involving Certain Sexual Offenses	Unknown	Judicial Branch, Department of Corrections, State Public Defender	Yes	Yes
V	Criminal Sentencing and Corrections	\$40.1 million	Department of Corrections	Yes	Yes
		Unknown, Potentially Significant	State Public Defender		
VI	Parole and Work Release	Modest Impact	Board of Parole	Yes	Unknown
		Unknown	Department of Corrections		
VII	Crime Victims — Rights	\$1.1 million in FY 2023 and \$875,000 After	Attorney General	No	No
		Unknown, Potentially \$312,000 to \$624,000	State Public Defender		
VIII	Discovery	Unknown, Potentially \$1.7 Million	State Public Defender, Judicial Branch	No	No
IX	Postconviction Relief and Discovery Procedure	Unknown, Potentially \$396,000 to \$792,000	State Public Defender	No	No
X	Required Reports to the General Assembly	Significant ICON Costs, Staff Time	Department of Corrections, Judicial Branch	No	No
XI	Conditional Guilty Pleas	No		No	No

Sources

Criminal and Juvenile Justice Planning Division, Department of Human Rights
 Board of Parole
 Office of the Attorney General
 Department of Corrections
 Judicial Branch
 Office of the State Public Defender
 Legislative Services Agency

/s/ Holly M. Lyons

April 6, 2022

Doc ID 1288563

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.



SF 2374 – Alcoholic Beverage Control Licensing (LSB5045SZ.1)

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Fiscal Note Version – As amended and passed by the Senate, and House Ways and Means Committee Amendment [H-8352](#)

Description

[Senate File 2374](#) relates to alcoholic beverage control and establishes new retail alcohol licenses and fee structures. **Table 8A** and **Table 8B**, presented at the end of this **Fiscal Note**, summarize the fiscal impacts of the various Bill divisions. The Bill is effective January 1, 2023, and provides for transition provisions for current licenses.

Background

The Alcoholic Beverages Division (ABD) of the Department of Commerce is the regulatory entity for the sale and distribution of alcohol in the State of Iowa. The Division is responsible for the enforcement of State and federal laws and regulations regarding the sale and use of alcoholic products. The Beer and Liquor Control Fund (Liquor Control Trust Fund) is administered by the Office of the State Treasurer and consists of revenues from the following sources:

- Alcoholic liquor sale receipts
- Permit and license fees
- Wine tax collections
- Miscellaneous revenue

**Table 1 – Liquor Control Trust Fund Deposits
FY 2017 – FY 2021**

Deposits	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Liquor Sales	\$ 305,619,127	\$ 320,049,812	\$ 339,537,641	\$ 367,284,902	\$ 415,835,178
License and Permit Revenue	15,664,468	16,613,682	18,773,557	17,676,967	19,134,834
Beer Tax Collections*	13,904,082	13,592,912	13,438,680	9,435,077	18,207,794
Wine Tax Collections	8,078,043	8,166,553	8,219,810	5,677,108	11,008,117
Miscellaneous Revenue	6,115,965	4,806,557	5,290,473	5,614,701	6,198,781
Total Deposits	349,381,685	363,229,516	385,260,161	405,688,755	470,384,704
Total Expenses	219,986,581	228,179,166	244,804,012	261,613,359	302,348,510
Net Revenues	\$ 129,395,104	\$ 135,050,350	\$ 140,456,149	\$ 144,075,396	\$ 168,036,194

*Beer tax collected is deposited into the State General Fund.

Iowa Code section [123.17\(3\)](#) specifies that if gaming revenues are not sufficient to meet the total amount of revenues directed to be deposited in the Revenue Bonds Debt Service Fund and the Revenue Bonds Subsidy Holdback Fund, funds may be transferred from the Liquor Control Trust Fund to account for the difference. Each quarter, the Treasurer of State prepares an estimate of gaming revenues and the Liquor Control Trust Fund ending balance. To date, no moneys from the Liquor Control Trust Fund have been transferred to the Revenue Bonds Debt Service Fund.

Iowa Code section 123.17(5) requires that at least 7.0% of gross monthly liquor sales (or at least \$9.0 million annually) be transferred to the State General Fund. Of the State General Fund transferred amount, a minimum of \$2.0 million is to be transferred annually to the Iowa Department of Public Health (IDPH) for substance abuse treatment and prevention. This provision is met annually through the appropriations made in the Health and Human Services Appropriations Bill. Beginning in FY 2022, there is a new transfer of \$1.0 million to the Iowa Economic Development Authority for a statewide tourism marketing campaign under Iowa Code section 123.17(7).

Additionally, fees paid to the ABD for liquor control licenses, wine permits, beer permits, and fines collected from civil penalties are transferred to cities and counties issuing those licenses. Sunday sales license fees are also to be allocated to the IDPH for grants to cities and counties operating substance abuse programs pertaining to education, prevention, referral, or posttreatment services.

Table 2 below shows the transfers from ABD revenue in FY 2021.

Table 2 — FY 2021 Revenue Transfers

Transfer	FY 2021 Actuals
General Fund Reversion	\$ 120,600,000
7.0% General Fund Transfer	29,225,511
State Aid to Cities and Counties	2,638,105
Sunday Sales Grants	944,896
Total	\$ 153,408,512

Division I — Retail Alcohol Licenses

Description and Background

Division I replaces liquor control licenses with retail alcohol licenses and modifies the classes within the new category of retail alcohol licenses. The Division also updates the retail alcohol license application process. Division I is effective January 1, 2023. The Bill makes the following retail license changes to move from 14 license types to 8 license types:

Class “B” Retail Alcohol License (*Grocery and Convenience Stores*)

- Repeals the current class “C” beer permits and class “B” wine permits and combines them in part into a new class “B” retail alcohol license that allows the licensee to sell wine and beer for consumption off premises.
- Adds the privilege to sell wine and beer to class “C,” “D,” “F,” and special class “C” retail alcohol licensees for resale for on-premises consumption. Such wine sales must be limited to less than one case of any wine brand, and such beer sales must be limited to no more than five cases of beer, high alcoholic content beer, and canned cocktails. There shall be only one of these sales made per retail alcohol licensee in a 24-hour period, and class “A” beer permittees are held harmless regarding any beer resold.

Special Class “B” Retail Native Wine License (*Grocery and Convenience Stores*)

Renames the class “B” native wine permit to a special class “B” retail native wine license.

Class “C” Retail Alcohol License (*Bars and Restaurants*)

- Renames the current class “C” liquor control license to class “C” retail alcohol license.

- Adds the privilege to purchase wine from class “B” or class “E” retail alcohol license holders in quantities of less than one case of any wine brand. Any one license holder may not make more than one of these purchases in a 24-hour period.
- Adds the privilege to purchase beer from class “A” beer permittees and beer from class “B” and “E” retail alcohol licensees in quantities limited to no more than five cases of beer, high alcoholic content beer, and canned cocktails. There shall be only one of these sales made per retail alcohol licensee, in a 24-hour period, and class “A” beer permittees are held harmless regarding any beer resold.

Special Class “C” Retail Alcohol License (*Bars and Restaurants*)

- Renames the current special class “C” liquor control license to special class “C” retail alcohol license.
- Adds the privilege to purchase wine from class “B” or class “E” retail alcohol license holders in quantities of less than one case of any wine brand. Any one license holder may not make more than one of these purchases in a 24-hour period.
- Adds the privilege to purchase beer from class “A” beer permittees and beer from class “B” and “E” retail alcohol licensees in quantities limited to no more than five cases of beer, high alcoholic content beer, and canned cocktails. There shall be only one of these sales made per retail alcohol licensee in a 24-hour period, and class “A” beer permittees are held harmless regarding any beer resold.
- Adds the privilege to sell wine to consumers for consumption off the premises.

Class “D” Retail Alcohol License (*Trains, Airplanes, and Watercraft*)

- Renames the current class “D” liquor control license to a class “D” retail alcohol license.
- Adds the privilege to purchase wine from class “B” or class “E” retail alcohol license holders in quantities of less than one case of any wine brand. Any one license holder may not make more than one of these purchases in a 24-hour period.
- Adds the privilege to purchase beer from class “A” beer permittees and beer from class “B” and “E” retail alcohol licensees in quantities limited to no more than five cases of beer, high alcoholic content beer, and canned cocktails. There shall be only one of these sales made per retail alcohol licensee in a 24-hour period, and class “A” beer permittees are held harmless regarding any beer resold.

Class “E” Retail Alcohol License (*Grocery and Convenience Stores*)

- Renames the current class “E” liquor control license to a new class “E” retail alcohol license and allows the new class “E” retail alcohol licensee to purchase and sell wine and beer, in addition to liquor and high alcoholic content beer.
- Adds the privilege to sell wine to class “C,” “D,” “F,” and special class “C” retail alcohol licensees for resale for on-premises consumption in quantities limited to less than one case of any wine brand and only one of these sales made in a 24-hour period.
- Adds the privilege to sell beer to class “C,” “D,” “F,” and special class “C” retail alcohol licensees for resale for on-premises consumption in quantities limited to no more than five cases of beer, high alcoholic content beer, and canned cocktails. There shall be only one of these sales made per retail alcohol licensee in a 24-hour period, and class “A” beer permittees are held harmless regarding any beer resold.

Class “F” Retail Alcohol License (*Nonprofit Clubs*)

- Renames the current class “A” liquor control license to a class “F” retail alcohol license.

- Adds the privilege to purchase wine from class “B” or class “E” retail alcohol license holders in quantities of less than one case of any wine brand. Any one license holder may not make more than one of these purchases in a 24-hour period.
- Adds the privilege to purchase beer from class “A” beer permittees and beer from class “B” and “E” retail alcohol licensees in quantities limited to no more than five cases of beer, high alcoholic content beer, and canned cocktails. There shall be only one of these sales made per retail alcohol licensee in a 24-hour period, and class “A” beer permittees are held harmless regarding any beer resold.

Among these changes, the following license and permit types were also repealed:

- Class “C” beer permit (*Grocery and Convenience Stores*)
- Class “B” wine permit (*Grocery and Convenience Stores*)
- Class “B” liquor control license (*Hotels and Motels*)
- Special class “C” native distilled spirits liquor control license (*Iowa Native Distilled Spirits Manufacturers*)
- Class “B” beer permit (*Restaurants and Bars*)
- Class “C” native wine permit (*Retail Native Wine Establishments*)

Table 3 provides a summary overview of the changes to the existing licensing structure in Division I.

Table 3 — Summary of Division I Changes to Retail Licenses

Current License/Permit Name	New License Name
N/A	Class "B" Retail Alcohol License
Class "B" Native Wine Permit	Special Class "B" Retail Native Wine License
Class "C" Liquor Control License	Class "C" Retail Alcohol License
Special Class "C" Liquor Control License	Special Class "C" Retail Alcohol License
Class "E" Liquor Control License	Class "E" Retail Alcohol License
Class "A" Liquor Control License	Class "F" Retail Alcohol License
Class "D" Liquor Control License	Class "D" Retail Alcohol License
Charity Beer, Spirits, and Wine Auction Permit	Charity, Beer, Spirits, and Wine
Charity Beer, Spirits, and Wine Event Permit	Special Event License
Class "C" Beer Permit	Repealed (incorporated into Class "B" Retail Alcohol License)
Class "B" Wine Permit	
Class "B" Beer Permit	Repealed
Class "B" Liquor Control License	Repealed
Class "C" Native Distilled Spirits Liquor Control License	Repealed
Class "C" Native Wine Permit	Repealed

Assumptions and Fiscal Impact

Division I establishes new retail alcohol licenses and is not projected to have an identifiable fiscal impact. Division II establishes the fees for the new licenses; this portion of the **Fiscal Note** identifies the fiscal impact for each new license type.

Division II — Alcohol Beverage Control Fees

Description and Background

Division II establishes new fee structures for the retail alcohol licenses created in Division I, as well as amends existing license fees for manufacturing and wholesaling licenses. Division II is

effective January 1, 2023. The changes are listed below by retail alcohol license and manufacturing/wholesaling license.

Retail Alcohol Licenses — Annual Fees

Class “B” Retail Alcohol License (Grocery and Convenience Stores)

The fees for the new class “B” retail alcohol license are as follows, based on size and location of the premises:

City Population	Less than 1,500 square feet	1,501 to 2,000 square feet	2,001 to 5,000 square feet	Over 5,000 square feet
2,500 or less	\$ 75	\$ 150	\$ 250	\$ 350
2,500 to 15,000	150	250	350	500
Over 15,000	250	350	500	750

Special Class “B” Retail Native Wine License (Grocery and Convenience Stores)

The fee for the new class “B” retail native wine license is increased from \$25 to \$125, an increase of \$100 compared to the current class “B” native wine permit.

Class “C” Retail Alcohol License (Bars and Restaurants)

The fees for the new class “C” retail alcohol licenses are decreased by \$50 compared to the current class “C” liquor control license; and the population thresholds are increased. Currently, there is a 30.0% surcharge on class “C” liquor control licenses. The Bill retains this 30.0% surcharge on class “C” retail alcohol licenses. The new fees are as follows:

- \$550 (\$715 with surcharge) for establishments located within cities with a population of 2,500 or less.
- \$900 (\$1,170 with surcharge) for establishments located within cities with a population of over 2,500 but less than 15,000.
- \$1,250 (\$1,625 with surcharge) for establishments located within cities with a population of 15,000 or more.

Special Class “C” Retail Alcohol License (Bars and Restaurants)

The fee for a special class “C” retail alcohol license remained the same as the current special class “C” liquor control license; however, the population threshold is increased. The Bill retains the 30.0% surcharge on special class “C” retail alcohol licenses. The new fees are as follows:

- \$150 (\$195 with surcharge) for establishments located within cities with a population of 2,500 or less.
- \$300 (\$390 with surcharge) for establishments located within cities with a population of over 2,500 but less than 15,000.
- \$450 (\$585 with surcharge) for establishments located within cities with a population of 15,000 or more.

Class “E” Retail Alcohol License (Grocery and Convenience Stores)

The fees for a class “E” retail alcohol license are as follows:

City Population	Less than 1,500 square feet	1,501 to 2,000 square feet	2,001 to 5,000 square feet	Over 5,000 square feet
2,500 or less	\$ 750	\$ 1,500	\$ 2,500	\$ 3,500
2,500 to 15,000	1,500	2,500	3,500	5,000
Over 15,000	2,500	3,500	5,000	7,500

Charity Beer, Spirits, and Wine Special Event License (*Charity Events*)

Current fees for the charity beer, spirits, and wine auction permit and the charity beer, spirits, and wine event permit are made applicable to a charity beer, spirits, and wine permit.

Class “F” Retail Alcohol License (*Nonprofit Clubs*)

Current fees for a class “A” liquor control license are made applicable to a class “F” retail alcohol license.

Class “D” Retail Alcohol License (*Trains, Airplanes, and Watercraft*)

Current fees for a class “D” liquor control license are made applicable to a class “D” retail alcohol license.

Table 4 includes a summary of the changes to retail licenses.

Table 4 — Summary of Changes to Retail Licenses Fees

Current License Name	Current Annual Fee Amount	New License Name	New Annual Fee Amount
N/A	N/A	Class "B" Retail Alcohol License	Varies by city population and square footage
Class "B" Native Wine Permit	\$25	Special Class "B" Retail Native Wine License	\$125
Class "C" Liquor Control License	Varies by city population	Class "C" Retail Alcohol License	Decrease of \$50 and varies by increased city population thresholds
Special Class "C" Liquor Control License	Varies by city population	Special Class "C" Retail Alcohol License	Varies by increased city population thresholds
Class "E" Liquor Control License	Varies by city population, square footage, and the presence of gasoline sales	Class "E" Retail Alcohol License	Varies by increased city population and adjusted square footage
Class "A" Liquor Control License	Varies by city population, club membership, and days open	Class "F" Retail Alcohol License	No change
Class "D" Liquor Control License	Varies by classification	Class "D" Retail Alcohol License	
Charity Beer, Spirits, and Wine Auction Permit	\$100	Charity, Beer, Spirits, and Wine Special Event License	
Charity Beer, Spirits, and Wine Event Permit	\$100		
Class "C" Beer Permit	Varies by square footage	Repealed	N/A
Class "B" Wine Permit	\$500		
Class "B" Beer Permit	Varies by city population		
Class "B" Liquor Control License	Varies by city population		
Class "C" Native Distilled Spirits License	\$250		
Class "C" Native Wine Permit	\$25		

Manufacturing/Wholesale Annual Fees

Distiller’s Certificate of Compliance

The Distiller’s Certificate of Compliance fee is increased from \$50 to \$200.

Manufacturer’s License

The fee for a manufacturer’s license is decreased from \$350 to \$300.

Class “A” Native Distilled Spirits License

The fee for a class “A” native distilled spirits license is decreased from \$500 to \$300.

Beer Permit Fees

- The permit fee for a class “A” beer permit for a native brewery is decreased from \$750 to \$300.

- The permit fee for a special class “A” beer permit is decreased from \$750 to \$300.
- The fee for a Brewer’s Certificate of Compliance is decreased from \$500 to \$200.

Wine Permit and License Fees

- The fee for a native class “A” wine permit is increased from \$25 to \$100.
- The fee for a Vintner’s Certificate of Compliance is increased from \$100 to \$200.

Table 5 includes a summary of the changes to manufacturing/wholesale license fees.

Table 5 — Summary Changes to Manufacturing/Wholesale Fees

License Type	Current License Fee	New License Fee
Class "A" Beer (Native)	\$750	\$300
Class "A" Wine (Native)	\$25	\$100
Special Class "A" Beer	\$750	\$300
Class "A" Native Distilled Spirits	\$500	\$300
Brewer's Certificate of Compliance	\$500	\$200
Distiller's Certificate of Compliance	\$50	\$200
Vintner's Certificate of Compliance	\$100	\$200
Manufacturer's License	\$350	\$300
Class "A" Wine	\$750	<i>No change</i>
Class "A" Beer	\$750	<i>No change</i>
Wine Carrier Permit	\$100	<i>No change</i>
Broker's Permit	\$25	<i>No change</i>
Direct Shipper's Permit	\$25	<i>No change</i>

Assumptions

The assumptions are listed separately below for each new retail alcohol license that has a fee change compared to current licenses. It is assumed that implementation of the new retail alcohol licenses will start upon enactment of SF 2374, with complete implementation by October 1, 2022. Therefore, for the purposes of this **Fiscal Note**, there would be 75.0% of the total fiscal impact will be realized in FY 2023, with the full fiscal impact being realized in succeeding fiscal years.

Class “B” Retail Alcohol License (Grocery and Convenience Stores)

The class “B” retail alcohol license is replacing the class “B” wine permit and class “C” beer permit. The new class “B” retail alcohol license utilizes a fee structure based on square footage of the premises and the population of the city in which the premises is located. However, the fee structure for the existing class “B” wine permit is based on duration of the permit, and the fee for the class “C” beer permit is based on square footage of the premises. As a result, the ABD does not currently collect the population data or the square footage of data for current class “B” wine permittees needed to accurately estimate the fiscal impact of the new class “B” retail alcohol license.

Special Class “B” Retail Native Wine License (Grocery and Convenience Stores)

In FY 2021, there were 748 class “B” native wine permits issued. For the purposes of this **Fiscal Note**, it is assumed that the number of issued licenses in future fiscal years under the increased fee amount will be similar to the number issued in FY 2021.

Class “C” Retail Alcohol License (*Bars and Restaurants*)

- Class “C” liquor control licensees will be licensed under the new class “C” retail alcohol license. Current class “C” liquor control licenses are issued based on city population.
- The following current licensees may obtain a class “C” retail alcohol license: class “B” liquor control licensees, class “C” native distilled spirits liquor control licensees, class “A” beer permit holders that also hold class “B” beer permits, and class “A” wine permit holders that also hold class “C” native wine permits.
- Sixty-five percent of class “C” retail alcohol license fees, excluding the surcharge, are remitted to local authorities. This is no change to current law. The total revenue impact to the Liquor Control Trust Fund is calculated assuming a 30.0% surcharge on all applicable licenses.
- For the purposes of this **Fiscal Note**, it is assumed that the number of issued licenses in future fiscal years under a class “C” retail alcohol license will be similar to the number of current class “C” liquor control licenses issued in FY 2021 in addition to the number of current class “B” liquor control licenses, class “C” native distilled spirits liquor control licenses, class “B” native brewers, and class “C” native wine permits issued in FY 2021.
- Due to updates to the population thresholds used to determine license fees and to the addition of population as criteria for certain license types, the total fiscal impact cannot be accurately captured.

Special Class “C” Retail Alcohol License (*Bars and Restaurants*)

- Special class “C” liquor control licensees will be licensed under the new special class “C” retail alcohol license. Currently, special class “C” liquor control licenses are issued based on city population.
- Current class “B” beer permittees, excluding those that also hold a class “A” beer permit, may obtain a special class “C” retail alcohol license.
- Seventy-five percent of class “C” retail alcohol license fees, excluding the surcharge, are remitted to local authorities. This is no change to current law. The total revenue impact to the Liquor Control Trust Fund is calculated assuming a 30.0% surcharge on all applicable licenses.
- For the purposes of this **Fiscal Note**, it is assumed that the number of issued licenses in future fiscal years under a special class “C” retail alcohol license will be similar to the number of current special class “C” liquor control licenses issued in FY 2021 in addition to the number of current class “B” beer permittees, excluding those that also hold a class “A” beer permit.
- Due to updates to the population thresholds used to determine license fees and to the addition of population as criteria for certain license types, the total fiscal impact cannot be accurately captured.

Class “E” Retail Alcohol License (*Grocery and Convenience Stores*)

- Under the new class “E” retail alcohol licenses, licensees will be able to sell alcoholic liquor, wine, and beer for off-premises consumption under one license. In FY 2021, there were 3,420 add-on permits for off-premises beer, wine, native beer, and native wine to class “E” licensees. For the purposes of this **Fiscal Note**, it is assumed that this add-on permit revenue would not be realized.
- In FY 2021, there were 1,853 class “E” licensees. For the purposes of this **Fiscal Note**, it is assumed that the number of issued licenses in future fiscal years under the adjusted fee structure will be similar to the number issued in FY 2021.

Manufacturing/Wholesale Fees

This **Fiscal Note** assumes that the number of issued licenses in future fiscal years under adjusted fee amounts will be similar to the number issued in FY 2021.

System Updates

- The ABD will need to update its system to account for changes to population data requirements and to adjust license types.
- The ABD uses both a Salesforce system and the Iowa Department of Revenue's (IDR's) GovConnectIowa system for its licensing.
- It is estimated that to update the systems, there will be a one-time cost of between \$50,000 and \$250,000. For the purposes of this **Fiscal Note**, the average between \$50,000 and \$250,000 is used. This cost will be incurred in FY 2023.

Fiscal Impact

Table 6A and **Table 6B** include the summary of the fiscal impacts for the retail license fees described above:

Table 6A — Estimated Fiscal Impact for Retail License Fee Changes (FY 2023)

New License Name	Revenue Impact to Liquor Control Trust Fund	Revenue Impact to Local Authorities
Class "B" Retail Alcohol License	Cannot be estimated	-
Special Class "B" Retail Native Wine License	\$ 56,000	-
Class "C" Retail Alcohol License	\$ -127,000	-139,000
Special Class "C" Retail Alcohol License	\$ 39,000	-2,000
Class "E" Retail Alcohol License	\$ -2,720,000	-
Total Annual Decrease in Revenue	\$ -2,752,000	\$ -141,000

Table 6B — Estimated Fiscal Impact for Retail License Fee Changes (FY 2024 and After)

New License Name	Revenue Impact to Liquor Control Trust Fund	Revenue Impact to Local Authorities
Class "B" Retail Alcohol License	Cannot be estimated	-
Special Class "B" Retail Native Wine License	\$ 75,000	-
Class "C" Retail Alcohol License	-169,000	-185,000
Special Class "C" Retail Alcohol License	52,000	-3,000
Class "E" Retail Alcohol License	-3,627,000	-
Total Annual Decrease in Revenue	\$ -3,669,000	\$ -188,000

All license fee revenue is first deposited into the Liquor Control Trust Fund prior to transfers to local authorities. According to Iowa Code section [123.36](#), the ABD must remit to local authorities 65.0% of the fees collected for each class "B," class "C," and class "F" retail alcohol license and 75.0% of the fees collected for each special class "C" retail alcohol license covering premises located within the local authority's jurisdiction. Additionally, retail beer permits are currently allowed to be retained by local authorities. The decrease to the Liquor Control Trust Fund (center column of **Table 6A** and **Table 6B**) does not include the portion of the revenue decrease to the local authorities (right column of **Table 6A** and **Table 6B**).

Table 7A and **Table 7B** include the fiscal impacts for the manufacturing and wholesaler fees that are modified in this Bill:

Table 7A — Estimated Fiscal Impact to the Liquor Control Trust Fund (FY 2023)

License/Permit/Certificate	Current Annual Fee	Number of Licenses Issued in FY 2021	New Annual Fee	Annual Change in Revenue
Class "A" Beer (Native)	\$750	72	\$300	\$ -24,300
Class "A" Wine (Native)	\$25	97	\$100	\$ 5,456
Special Class "A" Beer	\$750	50	\$300	\$ -16,875
Class "A" Native Distilled Spirits	\$500	20	\$300	\$ -3,000
Brewer's Certificate of Compliance	\$500	189	\$200	\$ -42,525
Distiller's Certificate of Compliance	\$50	219	\$200	\$ 24,638
Vintner's Certificate of Compliance	\$100	536	\$200	\$ 40,200
Manufacturer's License	\$350	13	\$300	\$ -488
Total Annual Decrease in Revenue				\$ -16,894

Table 7B — Estimated Fiscal Impact to the Liquor Control Trust Fund (FY 2024 and After)

License/Permit/Certificate	Current Annual Fee	Number of Licenses Issued in FY 2021	New Annual Fee	Annual Change in Revenue
Class "A" Beer (Native)	\$750	72	\$300	\$ -32,400
Class "A" Wine (Native)	\$25	97	\$100	\$ 7,275
Special Class "A" Beer	\$750	50	\$300	\$ -22,500
Class "A" Native Distilled Spirits	\$500	20	\$300	\$ -4,000
Brewer's Certificate of Compliance	\$500	189	\$200	\$ -56,700
Distiller's Certificate of Compliance	\$50	219	\$200	\$ 32,850
Vintner's Certificate of Compliance	\$100	536	\$200	\$ 53,600
Manufacturer's License	\$350	13	\$300	\$ -650
Total Annual Decrease in Revenue				\$ -22,525

It is also estimated that the total expense to update population measures and adjust license types to system requirements will be a one-time cost of approximately \$150,000. The total expense is dependent on scope and hours needed for the updates. This update would be funded from the Liquor Control Trust Fund.

General Fund Impact of Division II: The ABD transfers a monthly amount of a portion of license fees, liquor sales, and other sources from the Liquor Control Trust Fund to the State General Fund. Decreases in revenue to the Liquor Control Trust Fund from all retail license fee changes, manufacturing/wholesale fee changes, and system changes will result in a decrease in revenue to the General Fund. As a result, Division II is expected to decrease General Fund revenue by \$2.9 million in FY 2023 and to decrease General Fund revenue by \$3.7 million in succeeding fiscal years.

Division III — Alcoholic Beverage Control

Description

Division III makes conforming changes relative to the creation of the new retail alcohol licenses and the elimination of certain native distilled spirits, beer, and wine permits in the Bill. Division III is effective January 1, 2023. The Division also makes the following changes:

- Creates a new “retail alcohol license” definition reflecting the new classes of licenses.
- Amends the minimum alcohol by volume threshold for the definition of “canned cocktail” to be 0.5% instead of 6.25%.
- Amends the definition of “high alcoholic content beer” to allow up to 19.0% of alcohol by volume instead of the current 15.0%.
- Allows for seasonal and shortened licenses for class “C,” special class “C,” class “D,” and class “F” retail alcohol licenses and eliminates the six-month option. The fee for eight-month seasonal license fees is 50.0% of the fee instead of a proportional share of that fee.
- Removes the requirement for the ABD to provide a 60-day notice of license/permit/certification expiration.
- Allows for automatic renewal of a class “E” retail alcohol license; a distiller’s, vintner’s, or brewer’s certificate of compliance; and a wine direct shipper’s permit when certain conditions are met.
- Makes conforming changes concerning native distilleries to reflect the new retail alcohol licenses, including updates regarding maximum liters sold per person per day and stating that a distillery may be granted not more than two class “C” retail alcohol licenses instead of two class “C” native distilled spirits liquor control licenses. The Division also removes provisions requiring spirits sold for on-premises consumption and mixed drinks or cocktails sold for off-premises consumption be purchased from a class “E” liquor control licensee.
- Provides that the new retail alcohol licenses are licenses, not permits.
- Provides that deliveries must occur on the same day the orders for alcoholic beverages are removed from the licensed premises.
- Amends the [Dramshop Act](#) to provide that every retail alcohol licensee, except a class “B,” special class “B,” or class “E” retail alcohol licensee, must furnish proof of financial responsibility.
- Makes conforming changes concerning class “A” beer permits to reflect the new retail alcohol licenses. This Division states that a native brewery may be granted not more than two class “C” retail alcohol licenses instead of two class “B” permits and the addition of special class “C” retail licenses to special class “A” requirement options.
- Provides for a keg identification label instead of a sticker and eliminates provisions regarding the forfeiture and remittance of deposits relating to defacing the keg identification label.
- Strikes provisions regarding the distribution of retail beer permit fees and specifies that all permit fees collected by the ABD under Iowa Code section [123.143](#) accrue to the Liquor Control Trust Fund, except as otherwise provided.
- Combines the charity beer, spirits, and wine auction permit and the charity beer, spirits, and wine event permit into one charity beer, spirits, and wine special event license and allows one auction or event to be conducted during the period of the license and limits a person to no more than two special event licenses in a calendar year.

- Makes conforming changes concerning native wines to reflect the new retail alcohol licenses, including that a manufacturer of native wines may be granted not more than two class “C” retail alcohol licenses instead of two class “C” native wine permits.
- Eliminates the requirement that an application for a wine direct shipper permit is accompanied by a bond.
- Makes conforming changes related to the transfer of certain revenues to the IDPH.
- Repeals Iowa Code section [123.97](#) which provides that all revenue except the portion of license fees remitted to local authorities must become part of the General Fund due to inconsistencies with Iowa Code section [123.17](#).
- Eliminates the requirement to obtain a special privilege to sell alcoholic beverages on Sunday.

Background

Seasonal Retail Licenses

In FY 2021, the ABD issued 147 licenses and permits for a 6-month duration and 72 licenses for an 8-month duration for a total revenue of approximately \$102,000.

Sunday Sales

Currently, some retailers may conduct Sunday sales as a privilege of their license or permit, while other licensees and permittees may pay an additional 20.0% fee for the privilege to sell alcoholic beverages on Sundays. In FY 2021, Sunday sale license fees totaled approximately \$945,000. In the previous five fiscal years, Sunday sale license fees averaged approximately \$925,000. The entirety of Sunday sale license fee revenue is currently transferred from the Liquor Control Trust Fund, by the ABD, to the IDPH. Additional details can be found in Iowa Code section [125.59](#).

Assumptions/Fiscal Impact

Seasonal Retail Licenses

For the purposes of this ***Fiscal Note***, it is assumed the number of six-month and eight-month seasonal retail licenses/permits will be similar to the number of six-month and eight-month seasonal retail licenses/permits there were in FY 2021. Assuming current criteria for determining license fees, fee revenue generated by the ABD for the sale of seasonal retail licenses/permits would decrease from \$102,000 to \$92,000, a decrease of \$10,000. The ABD is unable to estimate the fiscal impact of this change under the new license structure due to new population criteria for certain new licenses under the Bill. The ABD currently does not obtain population data for all current license types and would need to implement a change to its licensing system to collect that data.

Sunday Sales

For the purposes of this ***Fiscal Note***, it is assumed that in future years, Sunday sales license fee revenue will be similar to the average Sunday sales license fee revenue generated over the previous five fiscal years under status quo license fees. It is also assumed that implementation of these changes will start upon enactment of SF 2374, with complete implementation by October 1, 2022. Therefore, for the purposes of this ***Fiscal Note***, it is assumed that 75.0% of the total fiscal impact will be realized in FY 2023, with the full fiscal impact being realized in succeeding fiscal years.

By incorporating Sunday sales privilege into applicable retail alcohol licenses at no extra cost, there will be an FY 2023 decrease in Sunday sales fee revenue of approximately \$694,000 to the Liquor Control Trust Fund, which will result in a decrease of approximately \$694,000 to the IDPH. In FY 2024 and each succeeding fiscal year, the annual decrease is expected to be approximately \$925,000.

Division IV — Conforming Changes

Description

This Division makes conforming changes to Iowa Code chapters [7D](#), [12](#), and [99B](#). This Division also amends Iowa Code section [137F.1](#) to conform with the repeal of a class “B” wine permit and provides that a food establishment does not include only a premises covered by a class “A” wine permit. Division IV is effective January 1, 2023. Division IV is not projected to have an identifiable fiscal impact.

Division V — Transitional Provisions

Description

This Division provides that any license or permit that is repealed, merged, or altered in this Bill and active on January 1, 2023, must continue with the authority granted by that license or permit until expiration or renewal. The ABD is authorized to adopt alternative procedures for the issuance of any license or permit that is repealed, merged, or altered on January 1, 2023, or that are issued on or after the effective date of this Division but before January 1, 2023. Any alternative procedures must be consistent with the provision of the Bill. Division V is effective upon enactment. Division V is not projected to have a fiscal impact.

Summary of Fiscal Impacts

Table 8A and **Table 8B** include summaries of the fiscal impacts for each Division of the Bill.

Table 8A — Summary of Estimated Fiscal Impacts for SF 2374 (FY 2023)

Division	Item	Revenue Impact to the Liquor Control Trust Fund	Revenue Impact to Local Authority Jurisdictions	Revenue Impact to IDPH
I	Retail Alcohol Licenses	\$ 0	-	-
II	Alcohol Beverage Control Fees - Class "B" Retail	unknown*	unknown*	-
II	Alcohol Beverage Control Fees - Special Class "B" Retail	56,000	-	-
II	Alcohol Beverage Control Fees - Class "C" Retail	-127,000	-139,000	-
II	Alcohol Beverage Control Fees - Special Class "C" Retail	39,000	-2,000	-
II	Alcohol Beverage Control Fees - Class "E" Retail	-2,720,000	-	-
II	Alcohol Beverage Control Fees - Manufacturing/Wholesale	-17,000	-	-
III	Alcoholic Beverage Control - Seasonal Retail Licenses	-8,000	-	-
III	Alcoholic Beverage Control - Sunday Sales	0	-	-694,000
IV	Conforming Changes	0	-	-
V	Transitional Provisions - Effective Date	0	-	-
I-III	System Updates	-150,000	-	-
Total Fiscal Impact		\$ -2,927,000	\$ -141,000	\$ -694,000

*The ABD is unable to estimate the fiscal impact of this change under the new license structure due to new population and square footage criteria for the new licenses under the Bill. The ABD currently does not obtain population or square footage data for all license types and would need to implement a change to its licensing system to collect that data. As a result, an accurate fiscal impact of this license change cannot be estimated.

NOTE: All license revenue is directed to the Liquor Control Trust Fund before being redistributed to local authority jurisdictions and the IDPH. This table is updated to reflect the net change to the Liquor Control Trust Fund. Net revenue in the Liquor Control Trust Fund is transferred to the General Fund.

Table 8B — Summary of Estimated Fiscal Impacts for SF 2374 (FY 2024 and After)

Division	Item	Revenue Impact to the Liquor Control Trust Fund	Revenue Impact to Local Authority Jurisdictions	Revenue Impact to IDPH
I	Retail Alcohol Licenses	\$ 0	-	-
II	Alcohol Beverage Control Fees - Class "B" Retail	unknown*	unknown*	-
II	Alcohol Beverage Control Fees - Special Class "B" Retail	75,000	-	-
II	Alcohol Beverage Control Fees - Class "C" Retail	-169,000	-185,000	-
II	Alcohol Beverage Control Fees - Special Class "C" Retail	52,000	-3,000	-
II	Alcohol Beverage Control Fees - Class "E" Retail	-3,627,000	-	-
II	Alcohol Beverage Control Fees - Manufacturing/Wholesale	-23,000	-	-
III	Alcoholic Beverage Control - Seasonal Retail Licenses	-10,000	-	-
III	Alcoholic Beverage Control - Sunday Sales	0	-	-925,000
IV	Conforming Changes	0	-	-
V	Transitional Provisions - Effective Date	0	-	-
I-III	System Updates	0	-	-
Total Fiscal Impact		\$ -3,702,000	\$ -188,000	\$ -925,000

*The ABD is unable to estimate the fiscal impact of this change under the new license structure due to new population and square footage criteria for the new licenses under the Bill. The ABD currently does not obtain population or square footage data for all license types and would need to implement a change to its licensing system to collect that data. As a result, an accurate fiscal impact of this license change cannot be estimated.

NOTE: All license revenue is directed to the Liquor Control Trust Fund before being redistributed to local authority jurisdictions and the IDPH. This table is updated to reflect the net change to the Liquor Control Trust Fund. Net revenue in the Liquor Control Trust Fund is transferred to the General Fund.

All license fee revenue is first deposited into the Liquor Control Trust Fund prior to remittance to local authorities. According to Iowa Code section [123.36](#), the ABD must remit to local authorities 65.0% of the fees collected for each class “B,” class “C,” and class “F” retail alcohol license and 75.0% of the fees collected for each special class “C” retail alcohol license covering premises located within the local authority’s jurisdiction. Additionally, the fee revenue from retail beer permits is currently allowed to be retained by local authorities. The decrease to the Liquor Control Trust Fund does not include the portion of the revenue decrease to the local authorities.

The entirety of Sunday sale license fee revenue is currently transferred from the Liquor Control Trust Fund to the IDPH, of which 50.0% is to be earmarked for grants to counties for substance abuse programs. Eliminating Sunday sales license fees represents a loss of approximately \$694,000 in FY 2023 and \$925,000 in FY 2024 and after to the IDPH for these purposes.

Total General Fund Impact of SF 2374: The ABD transfers a monthly amount of a portion of license fees, liquor sales, and other sources from the Liquor Control Trust Fund to the State General Fund. Decreases in revenue to the Liquor Control Trust Fund from all retail license fee changes, seasonal retail license changes, manufacturing/wholesale fee changes, and system changes are expected to result in a decrease in revenue to the General Fund. As a result, the Bill is expected to decrease General Fund revenue by \$2.9 million in FY 2023 and to decrease General Fund revenue by \$3.7 million in succeeding fiscal years, as reflected in the revenue decrease to the Liquor Control Fund in **Tables 8A and 8B**.

Sources

Iowa Department of Commerce, Alcoholic Beverages Division
Iowa Department of Inspections and Appeals
LSA calculations

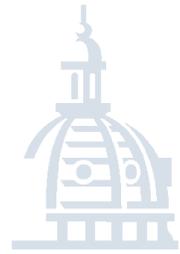
/s/ Holly M. Lyons

April 6, 2022

Doc ID 1289128

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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[HF 2526](#) – Elections, Omnibus (LSB5344HV)
 Staff Contact: Xavier Leonard (515.725.0509) xavier.leonard@legis.iowa.gov
 Fiscal Note Version – New

Description

[House File 2526](#) relates to the conduct of elections, including provisions related to absentee ballots, recounts, and contested gubernatorial elections and impeachments. The Bill makes the following changes:

- Updates the filing requirements for nomination papers, the recount requirements and procedures, the precinct caucus notices, the state and county funding restrictions, the candidate withdrawal deadline, the election notice requirements, the public announcement procedure at the conclusion of an election, the days permitted for canvass meetings, the time frame for the apparent winner of an election to respond to the commissioner following the election, and the requirements of both the State and the County Commissioners of Elections.
- Requires the commissioner to verify all requests upon receipt of a written request for a hand recount of a state office. If a candidate makes a hand recount request, all of their requests for that office must be for a hand recount; if not, the candidate is subject to a \$100 civil penalty for each request for that office that is not a request for a hand recount.
- Requires absentee ballots to be sent enclosed in a delivery envelope, accompanied by an affidavit envelope, a return envelope, and, if required to hide all voting ovals on the absentee ballot, a secrecy envelope.

Background

City and school board elections are on odd-numbered years and do not see large fluctuations in the number of voters from election to election. Primary and general elections, however, see an increase in the number of voters during presidential election years. **Table 1** below shows past years' total absentee ballots cast during both presidential and non-presidential year elections. Additionally, **Table 1** shows the current costs associated with absentee ballots by election type and the estimated costs under the Bill.

Table 1 — Current and Estimated Cost of Absentee Ballots by Election Type

Year	Election	Ballots
Odd-Numbered	Regular City	64,458
	Regular School	
Even-Numbered, Non-Presidential	Primary	55,193
	General	576,085
	Total	631,278
Even-Numbered, Presidential	Primary	489,258
	General	1,053,088
	Total	1,542,346

Currently, absentee ballots are sent enclosed in a delivery envelope, accompanied by a return envelope, and, if required to hide all voting ovals on the absentee ballot, a secrecy envelope. The affidavit envelope will require the voter’s identification number and the voter’s signature.

Assumptions

- The number of absentee ballots requested for each election type will depend on the year of the cycle.
- Presidential election years, which are years divisible by four, will have higher election turnouts. Primary elections occurring during these years will have approximately 489,000 absentee ballots. General elections during these years will have approximately 1.1 million absentee ballots.
- Non-presidential election years, which are even-numbered years that are not divisible by four, will have lower election turnouts. Primary elections occurring during these years will have approximately 55,000 absentee ballots. General elections occurring during these years will have approximately 576,000 absentee ballots.
- City and school elections, which occur on odd-numbered years, will have approximately 64,000 absentee ballots.
- Absentee ballots cost \$0.83 each. This Bill will increase the cost of absentee ballots to \$1.41 each.

Fiscal Impact

The Bill is estimated to increase the cost of absentee ballots by approximately \$37,000 during odd-numbered years, \$366,000 during even-numbered years that are not presidential election years, and \$895,000 during even-numbered years that are presidential election years. Additional estimated expenditure is due to the addition of an affidavit envelope. The fiscal impact of civil penalties for improper recount requests cannot be determined due to a lack of existing penalty data. **Table 2** summarizes the fiscal impact of each election type.

Table 2 — Estimated Fiscal Impact by Election Type

Year	Election	Current Cost	Est. Cost	Est. Increase
Odd-Numbered	Regular City	\$ 54,000	\$ 91,000	\$ 37,000
	Regular School			
Even-Numbered, Non-Presidential	Primary	\$ 46,000	\$ 78,000	\$ 32,000
	General	478,000	812,000	334,000
	Total	\$ 524,000	\$ 890,000	\$ 366,000
Even-Numbered, Presidential	Primary	\$ 406,000	\$ 690,000	\$ 284,000
	General	874,000	1,485,000	611,000
	Total	\$ 1,280,000	\$ 2,175,000	\$ 895,000

Sources

Iowa Secretary of State
Iowa State Association of Counties
LSA calculations

/s/ Holly M. Lyons

April 7, 2022

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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