

**NINETY-FIRST GENERAL ASSEMBLY  
2026 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET  
February 10, 2026**

**Clip Sheet Summary**

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

<b>Bill</b>	<b>Amendment</b>	<b>Action</b>	<b>Sponsor</b>
-------------	------------------	---------------	----------------

No amendments filed on February 10, 2026

**Fiscal Notes**

[Kratom and Synthetic Kratom, Scheduling as a Controlled Substance](#)



---

[HF 2133](#) – Kratom and Synthetic Kratom, Scheduling as a Controlled Substance (LSB5158HV)  
Staff Contact: Nathan Moore (515.725.0155) [nathan.moore@legis.iowa.gov](mailto:nathan.moore@legis.iowa.gov)  
Fiscal Note Version – New

---

### **Description**

[House File 2133](#) amends Iowa Code section [124.204](#)(4) to add kratom, which refers to any part of the *Mitragyna speciosa* plant to include all its synthetic equivalents and derivatives, compounds, salts, mixtures, and preparations as a Schedule I hallucinogenic substance. The penalty for first-time possession is a serious misdemeanor, for a second offense, an aggravated misdemeanor, and for a third and subsequent offense, a Class D felony.

### **Background**

Under Iowa Code section [903.1](#), a serious misdemeanor is punishable by confinement of no more than one year and a fine of at least \$430 but not more than \$2,560; and an aggravated misdemeanor is punishable by confinement of no more than two years and a fine of at least \$850 but not more than \$8,540. A Class D felony under Iowa Code section [902.9](#) is punishable by confinement for up to five years and a fine of at least \$1,025 but not more than \$10,245.

### **Assumptions**

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); revocation rates; plea bargaining; and other criminal justice system policies and practices.
- County jail data is unavailable. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.
- Conviction data reflects the total number of convictions in adult court, which may include multiple convictions per individual. Not all convictions lead to incarceration, and there may be a delay between conviction and prison admission, which can contribute to differences in totals.
- A six-month delay is assumed from the effective date of the Bill to the date the first offender will enter the correctional system.
- Offender-based convictions are a count of individuals convicted of the same offense. Each offender is counted only once per Iowa Code section, regardless of the number of individual convictions.
- Admissions are a count of individuals newly admitted to the Department of Corrections (DOC) for supervision during a selected time period, based on the most serious offense committed.

### **Correctional Impact**

House File 2133 creates a new offense. A correctional impact cannot be determined as it is unknown how many new convictions may result under the Bill. **Figure 1** provides estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; LOS in months under those supervisions; and supervision marginal costs per day for a serious misdemeanor, an aggravated misdemeanor, and a Class D felony.

**Figure 1 — Sentencing Estimates and Length of Stay (LOS) in Months**

Conviction Offense Class	Percent Ordered to State Prison	FY 2025 Avg LOS in Prison (All Releases)	Marginal Cost Per Day Prison	Percent Ordered to Probation	FY 2025 Field Avg LOS on Probation	Avg Cost Per Day Probation	Marginal Cost Per Day CBC	Marginal Cost Per Day Jail	FY 2025 Field Avg LOS on Parole	Marginal Cost Per Day Parole
Serious Misdemeanor	2.30%	7.3	\$23.07	44.80%	21.0	\$8.00	\$16.35	\$50.00	N/A	\$8.00
Aggravated Misdemeanor Non-Persons	31.10%	9.3	\$23.07	37.10%	28.4	\$8.00	\$16.35	\$50.00	11.2	\$8.00
D Felony Non-Persons	84.20%	12.5	\$23.07	69.40%	41.4	\$8.00	\$16.35	\$50.00	15.5	\$8.00

Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 12, 2026, for information related to the correctional system.

**Minority Impact**

House File 2133 creates a new offense for the possession of kratom, and as a result existing data cannot be used to estimate the minority impact of the Bill. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statements](#), dated January 12, 2026, for information related to minorities in the criminal justice system.

**Fiscal Impact**

House File 2133 may increase the number of convictions under Iowa Code section 124.204(4); however, the extent of the increase in costs to the DOC is unknown. **Figure 2** shows the average State cost per relevant offense. The estimated impact to the 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.

**Figure 2 — Average State Cost Per Offense**

Offense Class	Average Cost
Serious Misdemeanor	\$350 to \$6,200
Aggravated Misdemeanor	\$8,300 to \$12,200
Class D Felony	\$13,000 to \$18,100

**Sources**

Department of Corrections  
 Division of Data, Planning, and Improvement (DPI), Department of Management (DOM)

/s/ Jennifer Acton

February 9, 2026

Doc ID 1596373

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.