

**EIGHTY-FIFTH GENERAL ASSEMBLY
2014 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

MARCH 27, 2014

**Senate Amendment to
HOUSE FILE 2230**

H-8167

1 Amend House File 2230, as passed by the House, as
2 follows:
3 1. Page 1, line 14, after <interstate,> by
4 inserting <so long as the equipment is without payload
5 and the movement does not violate posted weight
6 limitations on bridges,>
7 2. Page 1, after line 26 by inserting:
8 <Sec. ____ . EFFECTIVE UPON ENACTMENT. This Act,
9 being deemed of immediate importance, takes effect upon
10 enactment.>
11 3. Title page, line 3, after <land> by inserting <,
12 and including effective date provisions>
13 4. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8167 FILED MARCH 26, 2014

HOUSE FILE 2450

H-8168

1 Amend House File 2450 as follows:
2 1. Page 7, after line 30 by inserting:
3 <6A. For additional correctional officers to be
4 added to the current number of correctional officers
5 as of July 1, 2014, throughout the correctional
6 facilities:
7 \$ 2,000,000>

By T. TAYLOR of Linn

H-8168 FILED MARCH 26, 2014

HOUSE FILE 475

H-8160

1 Amend the Senate amendment, H-8131, to House File
2 475, as passed by the House, as follows:
3 1. Page 1, after line 2 by inserting:
4 <___. Page 1, before line 1 by inserting:
5 <Section 1. Section 808.1, Code 2014, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 01. "Global positioning device"
8 means a global positioning device or any other tracking
9 device.>>
10 2. Page 1, line 19, by striking <person, place,>
11 and inserting <place>
12 3. Page 1, line 38, after <3.> by inserting <a.>
13 4. Page 1, after line 43 by inserting:
14 <b. Upon a finding of probable cause to issue such
15 a warrant, the global positioning device shall not be
16 placed upon a person in order to track or monitor that
17 person.>>
18 5. By renumbering as necessary.

By SHEETS of Appanoose

H-8160 FILED MARCH 26, 2014

HOUSE FILE 2448

H-8164

1 Amend the amendment, H-8148, to House File 2448 as
2 follows:
3 1. Page 1, after line 4 by inserting:
4 <___. Page 8, by striking lines 33 and 34 and
5 inserting:
6 (1) Rehabilitation, repair, or redevelopment at
7 a brownfield or grayfield site that results in new
8 dwelling units.>>

By KAUFMANN of Cedar

H-8164 FILED MARCH 26, 2014

HOUSE FILE 2458

H-8159

1 Amend House File 2458 as follows:

2 1. Page 16, after line 28 by inserting:

3 <5A. FIELD AND STREAM BUFFERS

4 For purposes of installing field and stream buffers,

5 and providing associated support to buffer technicians

6 in cooperation with soil and water conservation

7 districts and the natural resources conservation

8 service of the United States department of agriculture:

9 \$ 500,000>

10 2. Page 18, line 2, by striking <800,000> and

11 inserting <300,000>

12 3. Page 18, line 4, by striking <600,000> and

13 inserting <225,000>

14 4. Page 18, line 10, by striking <200,000> and

15 inserting <75,000>

16 5. By renumbering as necessary.

By RUFF of Clayton

H-8159 FILED MARCH 26, 2014

HOUSE FILE 2458

H-8165

1 Amend House File 2458 as follows:

2 1. Page 25, after line 5 by inserting:

3 <DIVISION _____

4 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2014

5 REGULATION OF SNOWMOBILES

6 Sec. _____. Section 321G.3, Code 2014, is amended to
7 read as follows:

8 321G.3 ~~Registration~~ Resident registration and user
9 permit required ---- farm exemption ---- penalties.

10 1. Each snowmobile used by a resident on public
11 land, public ice, or a designated snowmobile trail
12 of this state shall be currently registered in this
13 state pursuant to section 321G.4. A ~~person~~ resident
14 shall not operate, maintain, or give permission for
15 the operation or maintenance of a snowmobile on public
16 land, public ice, or a designated snowmobile trail
17 unless the snowmobile is registered in accordance with
18 this chapter ~~or applicable federal laws or in accordance~~
19 ~~with an approved numbering system of another state~~
20 ~~and the evidence of registration is in full force and~~
21 ~~effect~~. ~~A~~ The owner of a snowmobile must also be
22 issued obtain a user permit in accordance with this
23 chapter section 321G.4A.

24 2. The owner of a snowmobile that is exempt from
25 regular registration under section 321G.8, subsection
26 2, for which a certificate of title has been issued,
27 may apply for a special farm registration certificate
28 which shall be issued without payment of a registration
29 fee, upon payment of a writing fee as provided in
30 section 321G.27 and an administrative fee established
31 by the commission. A registration decal shall not
32 be issued for the snowmobile and the special farm
33 registration shall not expire so long as the snowmobile
34 remains exempt from regular registration.

35 ~~2-~~ 3. A violation of subsection 1 is punishable as
36 a scheduled violation under section 805.8B, subsection
37 2, paragraph "a". When the scheduled fine is paid, the
38 violator shall submit proof to the department that a
39 valid registration and user permit have been obtained
40 by providing a copy of the registration and user permit
41 to the department within thirty days of the date the
42 fine is paid. A person who violates this subsection is
43 guilty of a simple misdemeanor.

44 Sec. _____. Section 321G.4, subsections 2 and 4, Code
45 2014, are amended to read as follows:

46 2. The owner of the snowmobile shall file an
47 application for registration with the department
48 through the county recorder of the county of residence,
49 ~~or in the case of a nonresident owner, in the county~~
50 ~~of primary use,~~ in the manner established by the

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1 commission. The application shall be completed by the
2 owner and shall be accompanied by a fee of fifteen
3 dollars and a writing fee as provided in section
4 321G.27. A snowmobile shall not be registered by the
5 county recorder until the county recorder is presented
6 with receipts, bills of sale, or other satisfactory
7 evidence that the sales or use tax has been paid for
8 the purchase of the snowmobile or that the owner is
9 exempt from paying the tax. A snowmobile that has an
10 expired registration certificate from another state may
11 be registered in this state upon proper application,
12 payment of all applicable registration and writing
13 fees, and payment of a penalty of five dollars.

14 4. Notwithstanding subsections 1 and 2, a
15 snowmobile ~~that is more than thirty years old~~
16 manufactured prior to 1984 may be registered as an
17 antique snowmobile for a one-time fee of twenty-five
18 dollars, which shall exempt the owner from annual
19 registration and fee requirements for that snowmobile.
20 However, if ownership of ~~such a~~ an antique snowmobile
21 is transferred, the new owner shall register the
22 snowmobile and pay the one-time fee as required under
23 this subsection. A snowmobile may be registered
24 under this section with only a signed bill of sale as
25 evidence of ownership.

26 Sec. ____ . NEW SECTION. 321G.4B Nonresident
27 requirements ---- penalties.

28 1. A nonresident wishing to operate a snowmobile
29 on public land, public ice, or a designated snowmobile
30 trail of this state shall obtain a user permit in
31 accordance with section 321G.4A. In addition to
32 obtaining a user permit, a nonresident shall display
33 a current registration decal or other evidence of
34 registration or numbering required by the owner's state
35 of residence unless the owner resides in a state that
36 does not register or number snowmobiles.

37 2. A violation of subsection 1 is punishable as a
38 scheduled violation under section 805.8B, subsection
39 2, paragraph "a". When the scheduled fine is paid, the
40 violator shall submit proof to the department that a
41 user permit has been obtained and provide evidence of
42 registration or numbering as required by the owner's
43 state of residence, if applicable, to the department
44 within thirty days of the date the fine is paid. A
45 person who violates this section is guilty of a simple
46 misdemeanor.

47 Sec. ____ . Section 321G.8, subsection 2, Code 2014,
48 is amended to read as follows:

49 2. Snowmobiles used exclusively as farm implements,
50 except as provided in section 321G.3, subsection 2.

1 Sec. _____. Section 321G.20, Code 2014, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 321G.20 Operation by persons under sixteen.

5 A person under sixteen years of age shall not
6 operate a snowmobile on a designated snowmobile
7 trail, public land, or public ice unless the operation
8 is under the direct supervision of a parent, legal
9 guardian, or another person of at least eighteen years
10 of age authorized by the parent or guardian, who is
11 experienced in snowmobile operation and who possesses a
12 valid driver's license, as defined in section 321.1, or
13 an education certificate issued under this chapter.

14 Sec. _____. Section 321G.24, subsection 1, Code 2014,
15 is amended to read as follows:

16 1. A person ~~under eighteen~~ twelve through seventeen
17 years of age shall not operate a snowmobile on public
18 land, public ice, a designated snowmobile trail, or
19 land purchased with snowmobile registration funds
20 in this state without obtaining ~~a valid~~ an education
21 certificate approved by the department and having
22 the certificate in the person's possession, unless
23 the person is accompanied on the same snowmobile by
24 a responsible person of at least eighteen years of
25 age who is experienced in snowmobile operation and
26 possesses a valid driver's license, as defined in
27 section 321.1, or an education certificate issued under
28 this chapter.

29 Sec. _____. Section 805.8B, subsection 2, paragraph
30 a, Code 2014, is amended to read as follows:

31 a. For registration or user permit violations under
32 section 321G.3, subsection 1, or section 321G.4B, the
33 scheduled fine is fifty dollars.>

34 2. Title page, line 4, after <procedures,> by
35 inserting <making penalties applicable,>

36 3. By renumbering as necessary.

By WOOD of Scott

HOUSE FILE 2458

H-8166

1 Amend House File 2458 as follows:
2 1. Page 22, after line 11 by inserting:
3 <IOWA FINANCE AUTHORITY
4 Sec. _____. UNSEWERED COMMUNITY REVOLVING LOAN
5 PROGRAM. There is appropriated from the general fund
6 of the state to the Iowa finance authority for the
7 fiscal year beginning July 1, 2014, and ending June 30,
8 2015, the following amount, or so much thereof as is
9 necessary, to be used for the purposes designated:
10 For deposit in the unsewered community revolving
11 loan fund created in section 16.141 for purposes of
12 supporting the unsewered community revolving loan
13 program as provided in that section:
14 \$ 40,000,000>
15 2. By renumbering, redesignating, and correcting
16 internal references as necessary.

By THEDE of Scott

H-8166 FILED MARCH 26, 2014

SENATE FILE 2195

H-8161

1 Amend the amendment, H-8151, to Senate File 2195, as
2 passed by the Senate, as follows:
3 1. Page 8, after line 9 by inserting:
4 <Sec. _____. Section 478.6, Code 2014, is amended by
5 adding the following new unnumbered paragraph:
6 NEW UNNUMBERED PARAGRAPH A petition seeking
7 the use of the right of eminent domain shall not
8 be considered to serve a public use, as determined
9 pursuant to this section or under section 6A.22, if
10 the franchise involves the proposed construction of a
11 direct current transmission line which extends across
12 state boundaries.>
13 2. Page 8, after line 11 by inserting:
14 <Sec. _____. EFFECTIVE UPON ENACTMENT. The section
15 of this Act amending section 478.6, being deemed of
16 immediate importance, takes effect upon enactment.
17 Sec. _____. RETROACTIVE APPLICABILITY. The
18 section of this Act amending section 478.6 applies
19 retroactively to January 1, 2014.>
20 3. Page 8, line 15, after <commerce> by inserting
21 <, and including effective date and retroactive
22 applicability provisions>
23 4. By renumbering as necessary.

By WATTS of Dallas

H-8161 FILED MARCH 26, 2014

SENATE FILE 2195

H-8162

1 Amend the amendment, H-8151, to Senate File 2195, as
2 passed by the Senate, as follows:

3 1. Page 8, after line 9 by inserting:

4 <Sec. _____. Section 478.3, subsection 2, Code 2014,
5 is amended by adding the following new paragraph:

6 NEW PARAGRAPH. 0b. Petitions for transmission
7 lines capable of operating at more than one hundred
8 kilovolts direct current and either extending a
9 distance of not less than one mile or extending across
10 state boundaries shall also demonstrate that prior to
11 filing the petition the proposed construction has been
12 examined, accepted, and identified in appendix A of
13 the most recent annual midcontinent independent system
14 operator transmission expansion plan as approved by
15 the midcontinent independent system operator board of
16 directors, or approved as part of the expansion plan
17 of any successor regional transmission organization
18 representing the area in which the proposed lines will
19 be constructed. Notwithstanding paragraph "b", this
20 requirement shall not be subject to waiver by the
21 utilities board.

22 Sec. _____. Section 478.13, Code 2014, is amended by
23 adding the following new subsection:

24 NEW SUBSECTION. 6. If an extension is sought
25 for transmission lines capable of operating at more
26 than one hundred kilovolts direct current and either
27 extending a distance of not less than one mile or
28 extending across state boundaries, the application
29 shall be subject to the requirement in section 478.3,
30 subsection 2, paragraph "0b".>

31 2. Page 8, after line 11 by inserting:

32 <Sec. _____. EFFECTIVE UPON ENACTMENT. The following
33 provision or provisions of this Act, being deemed of
34 immediate importance, take effect upon enactment:

35 1. The section of this Act enacting section 478.3,
36 subsection 2, paragraph "0b".

37 2. The section of this Act enacting section 478.13,
38 subsection 6.

39 Sec. _____. RETROACTIVE APPLICABILITY. The following
40 provision or provisions of this Act apply retroactively
41 to January 1, 2014:

42 1. The section of this Act enacting section 478.3,
43 subsection 2, paragraph "0b".

44 2. The section of this Act enacting section 478.13,
45 subsection 6.>

46 3. Page 8, line 15, after <commerce> by inserting
47 <, and including effective date and retroactive
48 applicability provisions>

49 4. By renumbering as necessary.

By WATTS of Dallas

H-8162 FILED MARCH 26, 2014

SENATE FILE 2195

H-8163

1 Amend the amendment, H-8151, to Senate File 2195, as
2 passed by the Senate, as follows:

3 1. Page 2, after line 25 by inserting:

4 <Sec. _____. NEW SECTION. 476.10C Solar panel
5 installation ---- annual analysis.

6 1. The division shall enter into an agreement with
7 the department of administrative services to contract
8 with an independent engineer selected by the department
9 to conduct an analysis regarding the performance of
10 solar panels installed at the energy-efficient building
11 constructed pursuant to section 476.10B. The analysis
12 shall be conducted on an annual basis commencing on
13 December 31 of the year following a full year of solar
14 panel operation and December 31 each year thereafter,
15 and shall continue until the panels are removed from
16 service. A report summarizing the annual analysis
17 shall be submitted to the general assembly by March 31
18 following each annual analysis period.

19 2. The annual analysis shall include or encompass
20 the following factors:

21 a. The total actual cost to acquire, install, test,
22 and commission the installation project.

23 b. The total operating and maintenance costs
24 incurred, including but not limited to internal
25 and external labor, repairs, panel cleaning, and
26 replacement parts.

27 c. The actual kilowatt hours of alternating-current
28 generation produced by the project and the associated
29 capacity factor.

30 d. The performance ratio for the project.

31 e. The actual project availability.

32 f. The sale of any renewable energy credits
33 generated by the project.

34 g. The calculated annual degradation rate for the
35 project.

36 h. The alternating current output in comparison to
37 solar insolation.

38 i. The actual electricity and demand charge savings
39 resulting from the project.

40 j. Financing costs incurred to support the project.

41 k. Estimated project decommissioning costs, net of
42 any expected salvage value.

43 l. The projected and actual internal rate of return
44 and payback of the project including tax impacts, to
45 the extent applicable over the twenty-five-year period
46 following installation.

47 3. In conducting the analysis, each of the factors
48 listed in subsection 2 shall be compared to and
49 reconciled with the pro forma document developed when
50 the project was originally proposed.

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1 4. The amount to be expended by the division for
2 purposes of conducting the analysis shall not exceed
3 ten thousand dollars annually.>

4 2. By renumbering as necessary.

By WATTS of Dallas

H-8163 FILED MARCH 26, 2014



HF 2448 – Enterprise Zone Transition (LSB 5320HZ)
Analyst: Jeff Robinson (Phone: (515) 281-4614) (jeff.robinson@legis.iowa.gov)
Fiscal Note Version – New (similar to HF 2305 fiscal note)

Description

House File 2448 repeals the existing Economic Development Authority Enterprise Zone (EZ) and the related Housing Enterprise Zone (HEZ) Programs. The purpose of the EZ Program is transferred to the existing High Quality Jobs (HQJ) Program and the purpose of the HEZ Program is transferred to a new Workforce Housing Tax Incentive Program (WHTIP). As part of the transition, several changes to investment tax credits and tax refunds are made.

The new WHTIP is effective on enactment and applies retroactively to tax year 2014. A provision that makes existing HEZ tax credits that were not transferrable when originally issued into transferable tax credits is effective on enactment and applies to qualified nonrefundable HEZ investment tax credits issued prior to July 1, 2014. Holders of the impacted credits are required to notify the Authority of their intent to transfer tax credits.

Background

Only a portion of tax credits awarded by the Authority is eventually redeemed. The Department of Revenue tracks tax credit awards and tax credit redemptions and has determined a redemption pattern (the percentage of a year's worth of awards that is redeemed each year after the awards are made) for each Authority tax credit program. Tax credit redemption patterns vary significantly from program to program and the percentage of awards that are eventually redeemed also varies greatly.

Tax credits may be awarded but never redeemed for several reasons, including:

- Projects that are never started or never completed.
- Projects that fail to meet the requirements of the award.
- Lack of sufficient income tax liability for the holder of nonrefundable and nontransferable tax credits.

The EZ, HEZ, and HQJ Programs as well as the new housing incentive program are part of the Authority's \$170.0 million annual aggregate tax credit cap as established in [Iowa Code section 15.119](#). Since this Bill does not change the annual tax credit cap, this Bill does not alter the annual dollar value of tax credits available to the Authority for award. However, provisions of this Bill will change both the timing of credit redemption and the percentage of awarded credits that are ultimately redeemed.

This Bill also changes the transferability status of outstanding HEZ tax credits. Transferable tax credits are redeemed at a much quicker rate, and at a much higher ratio than nontransferable tax credits.

Assumptions

The following table provides current law and proposed law assumptions concerning the redemptions of tax credits awarded under the Authority programs impacted by this Bill. The “# of Years” columns show the number of years a tax credit awarded in one year is assumed to impact. The “% Redeemed” columns show the percent of credits awarded in that one year that is ultimately redeemed on tax returns.

For example, \$1.0 million in HEZ Investment Tax Credits awarded in 2010 is assumed to be redeemed in varying percentages over the time frame of 2010 through 2018, and by the end of 2018, 50.1% (\$501,000) of the original credits is assumed to impact the State General Fund. The remaining \$499,000 is assumed to have no fiscal impact.

	<u>Current Law</u>		<u>Proposed Law</u>	
	<u># of Years</u>	<u>% Redeemed</u>	<u># of Years</u>	<u>% Redeemed</u>
HEZ Investment Tax Credit	9	50.1%	N/A	N/A
HEZ Sales/Use Tax Refunds	9	75.0%	N/A	N/A
WHTIP Investment Tax Credit	N/A	N/A	6	94.0%
WHTIP Sales/Use Tax Refund	N/A	N/A	9	75.0%
EZ Investment Tax Credit	13	37.8%	N/A	N/A
EZ Sales/Use Tax Refunds	5	29.8%	N/A	N/A
HQJ Investment Tax Credit	13	35.1%	13	35.1%
HQJ Sales/Use Tax Refunds	6	35.0%	6	35.0%

For the new WHITC, a greater percentage of tax credits awarded is assumed to be redeemed than under the existing HEZ program due to the addition of complete transferability of tax credits under the new housing program.

For the EZ components transferred to the HQJ Program, the redemption patterns are assumed to be very similar to current law with 30.0% to 35.0% of awarded tax credits eventually redeemed.

Section 24 of this Bill, making existing HEZ tax credits that were not transferrable when originally issued into transferable tax credits will have a fiscal impact, as transferable tax credits are redeemed at a much higher rate than nontransferable tax credits.

Fiscal Impact

While the provisions of this Bill do not increase the assumed dollar value of tax credits awarded by the Authority, this Bill does alter the redemption pattern for awarded credits. The following table provides the projected net General Fund revenue reduction associated with this Bill's tax credit redemption changes. The impacts include program revisions that lead to quicker

redemptions of awarded tax credits as well as changes that increase the percentage of awards that are eventually redeemed.

General Fund Revenue Impact	
In millions	
	<u>Revenue</u>
FY 2014	\$ -0.5
FY 2015	-2.3
FY 2016	-2.3
FY 2017	-3.8
FY 2018	-0.9
FY 2019	-1.0
FY 2020	-3.7
FY 2021	-5.0
FY 2022	-6.3

Sources

Economic Development Authority
Department of Revenue

/s/ Holly M. Lyons

March 26, 2014

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 2297 – Contagious or Infectious Disease Transmission (LSB 5088SV)
 Analyst: Beth Lenstra (Phone: (515) 281-6301) (beth.lenstra@legis.iowa.gov)
 Fiscal Note Version – As amended by **H-8118**

Description

The Committee amendment **H-8118** to **SF 2297** strikes everything after the enacting clause. This amendment provides definitions related to contagious or infectious diseases, including hepatitis, meningitis, Acquired Immune Deficiency Syndrome (AIDS), or Human Immunodeficiency Virus (HIV). This amendment provides a graduated system of penalties, ranging from a Class D to a Class B felony, for the criminal transmission of a contagious or infectious disease. Convicted offenders are required to be placed on the Sex Offender Registry (SOR) and remain in compliance with the provisions of the SOR. This amendment repeals Iowa Code chapter **709C** (Criminal Transmission of HIV Act).

Background

Correctional and Fiscal Information

- According to the Justice Data Warehouse, there were six offenders convicted under Iowa Code chapter 709C from FY 2008 through FY 2013. All convictions under this Iowa Code chapter are Class B felonies.
- The average cost per case for the Judicial Branch is \$427 for a Class D, C, or B felony.
- The cost for an indigent defense case is \$1,200 for a Class D felony, \$1,800 for a Class C felony, and \$3,600 for a Class B felony.
- Offenders may be sentenced to probation supervision in Community-Based Corrections (CBC) or State prison. Offenders sentenced to probation may be placed in a residential facility before being supervised by field services.
- According to the Criminal and Juvenile Justice Planning Division (CJJPD) and the Department of Corrections (DOC), the following are estimates for sentencing, length of stay, and costs for offenders convicted under this amendment.

Criminal Justice System Information

Conviction Offense Class	Percent Sentenced to Probation	Avg Length of Stay on Probation (Months)	Average Cost per Day for Prob/Parole	Percent Sentenced to CBC Residential Facility	Average Length of Stay in a CBC Residential Facility (Months)	Marginal Cost per Day for CBC Res. Facility*	Percent Sentenced to Prison	Avg Length of Stay in State Prison (Months)	Marginal Cost Per Day for State Prison	Avg Length of Stay on Parole (Months)	Average Cost per Day for Prob/Parole
Class D Felony	44.0%	31.0	\$3.35	5.5%	5.9	\$10.73	53.5%	16.9	\$18.25	12.8	\$3.35
Class C Felony	26.5%	35.2	\$3.35	4.1%	5.9	\$10.73	72.1%	38.0	\$18.25	19.6	\$3.35
Class B Felony	0.0%	0	\$0.00	0.0%	0	\$0.00	100.0%	124.1	\$18.25	47.6	\$3.35

* Approximately 95.0% of the marginal cost per day for a CBC residential facility is funded by local income.

Minority Data Information

- Of the six offenders convicted under current law, five were Caucasian and one was Black.
- The rate of Hepatitis B is lowest for Asians/Pacific Islanders and Hispanics, and highest for Blacks.

Assumptions

Correctional and Fiscal Information

- Charge, conviction, and sentencing patterns and trends will not change over the projection period.
- Plea bargaining and other criminal justice system policies and practices will not change over the projection period.
- This law takes effect upon enactment. A lag effect of six months is assumed from the effective date of first entry of affected offenders into the correctional system.
- These will be bench trials. Trials by jury are rare. Refer to the **Fiscal Topic, [Jury Trials](#)**, published by the Legislative Services Agency (LSA) in August 2013 for additional information regarding the use of juries.
- Approximately 50.0% of the defendants will be indigent.
- The number of convictions under this amendment may increase in comparison to current law, given the prevalence of hepatitis. According to the Department of Public Health, it is the most common blood borne infection in the U.S.
- Data from the Iowa Department of Public Health report, [Viral Hepatitis Plan 2004](#), and the [website](#) of the C. Everett Koop Institute, Dartmouth Medical School, were used to estimate the number of offenders that would be impacted by this amendment's sentencing provisions.

Minority Data Information: The impact on minorities will remain consistent with current data.

Summary of Impacts

Correctional Impact

On an annual basis, there will be an estimated 14 Class D felons and one Class C felon convicted under this amendment. Half of the offenders convicted of the Class D felony will be sentenced to State prison while half will receive probation. One offender will be sentenced to probation with a condition of completing a CBC residential facility stay before being placed on probation. One offender annually will be sentenced to State prison as a Class C felon.

State prison admissions are expected to be four offenders in FY 2015 and eight offenders annually thereafter. The prison population is expected to increase by four offenders in FY 2015, 12 offenders in FY 2016, and 13 offenders annually thereafter. The population increases faster than the number of admissions because the average length of stay in State prison exceeds one year.

There will be one admission to a CBC residential facility annually. There will be six offenders annually sentenced to probation supervision. The correctional impact on the CBC population is expected to be minimal.

Minority Impact

This amendment is expected to have a disproportionate impact on Black offenders because they are more likely to have Hepatitis.

Fiscal Impact

The fiscal impact of [H-8118](#) to SF 2297 is estimated to be an increased cost to the State General Fund of \$24,100 in FY 2015 and \$109,600 in FY 2016. The table below shows the fiscal impact by areas of the criminal justice system.

Fiscal Impact on the State General Fund

	<u>FY 2015</u>	<u>FY 2016</u>
CBC - Probation	\$ 2,500	\$ 13,000
State Prison	13,300	80,000
Judicial Branch	3,200	6,400
Indigent Defense	5,100	10,200
Total	<u>\$ 24,100</u>	<u>\$ 109,600</u>

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning Division
Department of Corrections
Department of Public Health
Office of the State Public Defender
Office of the State Court Administrator
C. Everett Koop Institute

/s/ Holly M. Lyons

March 26, 2014

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.
