

**EIGHTY-SIXTH GENERAL ASSEMBLY  
2015 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

MARCH 4, 2015

No amendments filed - see attached Fiscal Notes



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**HF 449** – Psychiatric Beds Tracking System (LSB2334HV)  
Analyst: Jess Benson (Phone: (515) 281-4611) ([jess.benson@legis.iowa.gov](mailto:jess.benson@legis.iowa.gov))  
Fiscal Note Version – New

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**Description**

**House File 449** directs the Department of Human Services (DHS) to spend up to \$200,000 for FY 2016 to develop and implement an inpatient psychiatric bed tracking system. The Bill also requires that once a court-ordered mental health commitment is entered, the clerk of court is required to utilize the tracking system to check availability and reserve a bed if available. Once the bed is reserved, it cannot be assigned to any other person.

**Background**

**Senate File 406** (FY 2014 Mental Health, Judicial Workgroup Recommendations Act), directed the DHS to conduct a **study** regarding the possible development of a hospital bed tracking system in order to most efficiently and effectively serve the needs of persons suffering from mental illness. The Bill directs the DHS to base the procurement requirements on the recommendations contained in the December 2013 report.

**Assumptions**

Based on the study submitted by the DHS, there will be a one-time cost of \$200,000 to build the bed tracking system and a \$25,000 annual cost to maintain the system.

**Fiscal Impact**

The DHS has stated that they will use federal dollars to cover the one-time cost of \$200,000 that is projected for FY 2016. There will be an ongoing cost of \$25,000 for FY 2017 and beyond to maintain the system.

**Source**

Department of Human Services

/s/ Holly M. Lyons

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March 3, 2015

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The fiscal note for this bill was prepared pursuant to **Joint Rule 17** and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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**HF 381**– Health Information Network Transition (LSB1221HV)  
Analyst: Kenneth Ohms (Phone: (515) 725-2200) ([kenneth.ohms@legis.iowa.gov](mailto:kenneth.ohms@legis.iowa.gov))  
Fiscal Note Version – New

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**Description**

**House File 381** provides for the administration and governance of the **lowa Health Information Network** (IHIN) by a nonprofit entity designated by the **lowa Department of Public Health** (IDPH). The Bill directs the IDPH to utilize a competitive process to select a designated entity to administer and govern the IHIN. On the successful transition of administration and governance of the IHIN, all unobligated funds in the lowa Health Information Network Fund must be transferred to the designated nonprofit entity.

**Background**

The IHIN was established in 2012 lowa Acts chapter 1080 (lowa Health Information Network Act). Hospitals and other provider practices pay fees to access the IHIN. lowa Code section **135.156A** requires the IHIN to be self-sustaining. The IHIN annual operating budget has ranged from \$5.5 million to \$8.2 million depending on the year and projects undertaken.

**Assumptions**

- The IDPH will select and successfully transfer the IHIN to a nonprofit entity.
- Staff support at IDPH will not be necessary once the transition is complete.
- The timing for successfully completing the transition is unknown at this time.

**Fiscal Impact**

All remaining unobligated funds in the lowa Health Information Network Fund will be transferred to the designated nonprofit entity on the successful assumption of the administration and governance of the IHIN. The amount that will be available is unknown and will depend on timing.

Once the IDPH successfully transfers the IHIN there will be General Fund savings to the Community Capacity appropriation to IDPH. This savings will be approximately \$149,000, but the fiscal year impacted will depend on the timing of the transition.

**Source**

lowa Department of Public Health

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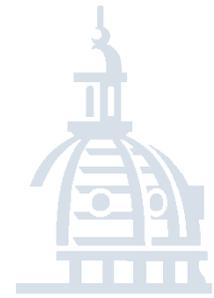
/s/ Holly M. Lyons

March 2, 2015

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The fiscal note for this bill was prepared pursuant to **Joint Rule 17** and the lowa 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 438** – Lottery Proceeds to Iowa Veterans Trust Fund (LSB1182HZ)  
Analyst: David Reynolds (Phone: (515) 281-6934) ([dave.reynolds@legis.iowa.gov](mailto:dave.reynolds@legis.iowa.gov))  
Fiscal Note Version – New

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**Description**

**House File 438** requires \$2.5 million of lottery revenue to be transferred annually to the Veterans Trust Fund. Under current law, the Lottery Authority is required to conduct a limited series of lottery games to specifically benefit veterans' programs. The proceeds from these lottery games are deposited in the Veterans Trust Fund. **House File 438** repeals the current requirement.

**Background**

The lottery revenues deposited in the Veterans Trust Fund from FY 2009 to FY 2014 have averaged \$2.5 million annually. However, over the last two fiscal years the proceeds have been below the five-year average and have decreased to \$2.1 million in FY 2013 and \$1.8 million in FY 2014. For the first six months of FY 2015, the revenues from lottery games benefitting veterans have increased \$467,000 compared to the same period of FY 2014. According to the Iowa Lottery Authority, the increase is due to the successful release of a \$3 instant-scratch game at the beginning of the fiscal year. The Lottery Authority discontinued the \$3 instant-scratch game and does not anticipate ticket sales to be as strong in the second half of FY 2015.

**Assumptions**

- Assumes lottery revenues generated for the Veterans Trust Fund from January 2015 through June 2015 will be similar to the revenue generated during the same period of FY 2014 (\$955,000), resulting in estimated revenues of \$2.3 million for FY 2015.
- The actual impact of **HF 438** will be the difference between the potential future sales of lottery games benefitting veterans compared to the \$2.5 million transfer limit specified in the Bill. For estimating purposes it is assumed that lottery revenue for the Veterans Trust Fund in FY 2016 and FY 2017 will range between \$2.0 million and \$2.3 million annually.
- According to the Iowa Lottery Authority, lottery games benefitting veterans will continue to be marketed.

**Fiscal Impact**

For FY 2016 total lottery proceeds are projected to be \$313.2 million. Under current law, an estimated \$66.9 million will be transferred to the General Fund, and an estimated \$2.2 million will be transferred to the Iowa Veteran's Trust Fund. **House File 438** will reduce lottery revenues transferred to the General Fund in FY 2016 and FY 2017 by an estimated \$200,000 to \$500,000 annually with a midpoint estimate of \$350,000. The Bill will also increase the funds transferred to the Veterans Trust Fund by a like amount.

**Sources**

Iowa Lottery Authority  
Legislative Services Agency

/s/ Holly M. Lyons

March 3, 2015



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**HF 258** – Peace Officer Sexual Misconduct with Offenders and Juveniles (LSB1160HV)  
Analyst: Beth Lenstra (Phone: (515) 281-6301) ([beth.lenstra@legis.iowa.gov](mailto:beth.lenstra@legis.iowa.gov))  
Fiscal Note Version – New  
Requested by Representative Chip Baltimore

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**Description**

**House File 258** amends Iowa Code section **709.16** (Sexual Misconduct with Offenders and Juveniles) to prohibit a peace officer from engaging in a sex act with an offender under the supervision of the Department of Corrections (**DOC**) or Community-Based Corrections (CBC) District Departments, or with a juvenile in a juvenile placement facility, or a prisoner in a county jail. The penalty is an aggravated misdemeanor.

**Background**

**Correctional and Fiscal Information**

- There are about 6,000 sworn peace officers in Iowa.
- The total number of offenders under State correctional supervision was 39,814 offenders on February 20, 2015. These offenders were supervised in the State prison system (8,194) or CBC District Departments (31,620).
- There are 98 counties that maintain jails. Three of those facilities are temporary holding facilities; they can detain an inmate for a maximum of 24 hours. The 98 county facilities have 7,033 beds, with about 832 temporary holding beds and 6,201 standard county jail beds.
- There are 10 juvenile detention centers in Iowa that are licensed for 262 detention beds per Iowa Code section **232.142(5)**.
- The average cost per case for the **Judicial Branch** is \$213 for an aggravated misdemeanor. This estimate does not include bench or jury trial costs.
- The cost for the **Indigent Defense Fund** is \$1,200 for an aggravated misdemeanor case.
- Convictions under the provisions of Iowa Code section **709.16** are rare. The most recent occurred in FY 2011 when there were three convictions. Two of the offenders were sentenced to probation supervision while one received a State prison sentence.
- Offenders sentenced under the provisions of this Bill are subject to sentencing enhancements because they are sex offenders. These offenders are subject to the requirements of the Sex Offender Registry (**SOR**) for at least 10 years per Iowa Code chapter **692A**. The SOR is administered by the Department of Public Safety (**DPS**). These offenders are also subject to the Special Sentence imposed under Iowa Code section **903B.2**. Offenders on Special Sentence are supervised by the CBC District Departments.
- According to the Justice Data Warehouse, the Criminal and Juvenile Justice Planning Division (**CJJPD**), and the DOC, the following are estimates for sentencing, length of stay under supervision, and costs for an offender convicted of an aggravated misdemeanor sex offense.

### Corrections Supervision Information

Percent Sentenced to State Prison	Avg Length of Stay in Prison	Marginal Cost per Day	Avg Length of Stay on Parole Including Special Sentence	Percent Sentenced to Probation	Avg Length of Stay on Probation Including Special Sentence	Percent Sentenced to CBC Residential Facility	Avg Length of Stay in CBC Res. Facility	Marginal Cost per Day	Percent Sentenced to County Jail	Avg Length of Stay in County Jail	Marginal Cost per Day
31.5%	12.9 months	\$18.92	26.8 months	58.2%	76.3 months	9.6%	5.8 months	\$11.55	15.7%	79 days	\$15.00

- The percent sentenced to State prison, probation, CBC residential facility, or county jail is 115.0%. The disposition of sentences exceeds 100.0% because certain offenders are sentenced to county jail and then probation supervision; certain offenders are sentenced to a CBC residential facility and then probation supervision.
- Approximately 81.2% of the marginal cost per day for CBC residential facilities is paid from local sources.
- Marginal costs for county jails cannot be determined due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$15.00 per day.
- Offenders sentenced to prison are required to participate in a Sex Offender Treatment Program (SOTP). The table above does not include the average length of stay in treatment or the average daily cost of State prison-based SOTP.
- Sex offenders can be revoked from probation, parole, or special sentence supervision for technical violations or new convictions. The average length of stay in prison does not include time served for revocations.
- Offenders convicted of a sex offense and supervised by a CBC District Department are usually placed on intensive supervision and gradually progress to normal supervision if they are successful. These offenders are usually placed on electronic monitoring for a period of their supervision. Sex offenders are required to participate in a SOTP while under CBC supervision. The table below shows supervision length of stay and costs that are unique to sex offenders convicted of an aggravated misdemeanor and supervised by CBC District Departments.

### Information for Sex Offender Supervision in CBC District Departments

Avg Length of Stay on Special Sentence Only	Avg Length of Stay on Intensive Supervision While on Parole or Probation	Avg Daily Cost of Intensive Supervision for Sex Offenders	Avg Length of Stay on Normal Probation or Parole Supervision	Avg Daily Cost for Probation or Parole	Avg Length of Stay on Electronic Monitoring	Avg Daily Cost of Electronic Monitoring Device	Avg Length of Stay in SOTP CBC Only	Avg Daily Cost for SOTP CBC Only
54.9 months	42 months	\$12.80	34.3 months	\$4.26	26.4 months	\$3.15	38.8 months	\$5.08

- The [Fifth](#) CBC District Department's State General Fund appropriation includes funds for the statewide command center and electronic monitoring system. Electronic monitoring devices range in cost by type of device. Global Positioning System (GPS) Active devices are \$3.15 per day while GPS Passive devices are \$3.10 per day. Refer to the [Electronic Monitoring Report](#) issued by the DOC in October 2014 and published on the General Assembly's [website](#) for additional information.
- Some offenders receive a jail sentence without a probation sentence. The special sentence starts once the jail sentence is served. They are then placed on CBC supervision.

### Minority Data Information

According to the Justice Data Warehouse, two of the offenders convicted in FY 2011 were White and one was Hispanic. Two of the offenders were men and one was a woman.

## Assumptions

### **Correctional and Fiscal Information**

- Charge, conviction, and sentencing patterns and trends will not change over the projection period.
- Prisoner length of stay, revocation rates, plea bargaining, and other criminal justice policies and practices will not change over the projection period.
- The law will become effective July 1, 2015. 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.
- The fiscal impact on the Indigent Defense Fund and the Judicial Branch operating budget is expected to be minimal because convictions under current law are rare.
- Offenders convicted under this Bill are likely to receive probation, given current sentencing pattern trends.

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

## Summary of Impacts

### **Correctional Impact**

The correctional impact will be minimal. Convictions under Iowa Code section [709.16](#) are rare.

### **Minority Impact**

The minority impact is minimal. Few convictions are anticipated under the provisions of this Bill.

### **Fiscal Impact**

The fiscal impact is expected to be minimal because few criminal cases are anticipated under the provisions of this Bill. The majority of any fiscal impact will be incurred in the corrections system.

## Sources

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

/s/ Holly M. Lyons

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March 2, 2015

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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