

**EIGHTY-EIGHTH GENERAL ASSEMBLY  
2020 REGULAR SESSION  
DAILY  
SENATE CLIP SHEET**

**February 26, 2020**

**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>
<a href="#">SF 2153</a> .....	<a href="#">S-5023</a> .....	Filed	AMY SINCLAIR
<a href="#">SF 2195</a> .....	<a href="#">S-5013</a> .....	Deferred	MARK LOFGREN
<a href="#">SF 2249</a> .....	<a href="#">S-5012</a> .....	Adopted	WAYLON BROWN
<a href="#">SF 2272</a> .....	<a href="#">S-5021</a> .....	Filed	JASON SCHULTZ
<a href="#">SF 2272</a> .....	<a href="#">S-5022</a> .....	Filed	JASON SCHULTZ
<a href="#">SF 2337</a> .....	<a href="#">S-5015</a> .....	Adopted	ZACH NUNN
<a href="#">SF 2338</a> .....	<a href="#">S-5020</a> .....	Lost	TONY BISIGNANO
<a href="#">SF 2360</a> .....	<a href="#">S-5014</a> .....	Adopted	AMY SINCLAIR
<a href="#">SF 2360</a> .....	<a href="#">S-5016</a> .....	Lost	ERIC GIDDENS
<a href="#">SF 2360</a> .....	<a href="#">S-5017</a> .....	Lost	JACKIE SMITH
<a href="#">SF 2360</a> .....	<a href="#">S-5018</a> .....	Lost	CLAIRE CELSI
<a href="#">SF 2360</a> .....	<a href="#">S-5019</a> .....	Lost	LIZ MATHIS

**Fiscal Notes**

[SF 2272](#) — [Medicaid, Supplemental Nutrition Assistance Program \(SNAP\), Eligibility Verification](#) (LSB5725SV)

[SF 2297](#) — [License Plates, The Corn State](#) (LSB6324SV)

[SF 2307](#) — [Veterans Trust Fund, Home Ownership Assistance](#) (LSB5480SV)

[SF 2313](#) — [Future Ready Iowa](#) (LSB5595SV)

[SF 2320](#) — [Interpreters, Judicial Branch](#) (LSB5325SV)

[SF 2322](#) — [Continuous Sexual Abuse of a Child](#) (LSB5316SV)

SENATE FILE 2153

S-5023

- 1 Amend Senate File 2153 as follows:
- 2 1. Page 1, line 4, after <conducting> by inserting <an  
3 invasive physical examination of a student or>
- 4 2. Page 1, by striking line 14 and inserting:  
5 <3. For purposes of this section:  
6 a. "*Emergent care situation*" means a sudden or unforeseen  
7 occurrence or onset of a medical or behavioral condition that  
8 could result in serious injury or harm to a student or others  
9 in the event immediate medical attention is not provided.  
10 b. "*Invasive physical examination*" means any medical  
11 examination that involves the exposure of private body parts  
12 or any act during such examination that includes incision,  
13 insertion, or injection into the body, but does not include a  
14 hearing, vision, or scoliosis screening.  
15 c. "*Student health screening*">
- 16 3. Page 1, line 16, by striking <a student> and inserting  
17 <students>
- 18 4. Page 1, line 18, after <services.> by inserting <"*Student*  
19 *health screening*" does not include an episodic, individual  
20 screening done in accordance with professional licensed  
21 practice.>
- 22 5. Title page, line 1, after <of> by inserting <physical  
23 examinations and>

By AMY SINCLAIR

S-5023 FILED FEBRUARY 25, 2020

SENATE FILE 2195

S-5013

1 Amend Senate File 2195 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. Section 89A.2, subsection 1, Code 2020, is  
5 amended by adding the following new paragraph:

6 NEW PARAGRAPH. *f.* A conveyance installed in a building in a  
7 federally designated national historic district as long as each  
8 of the following conditions is met:

9 (1) The owner of the building owns a commercial enterprise  
10 that occupies the first story of the building.

11 (2) The building has no more than two stories above the  
12 first story of the building.

13 (3) The owner of the building lives in the upper stories of  
14 the building.

15 (4) The building has sufficient physical barriers or safety  
16 protocols to ensure that only the owner, the owner's guests, or  
17 a government official acting in an official capacity can access  
18 the elevator.>

19 2. Title page, by striking lines 1 through 3 and inserting  
20 <An Act providing an exception to the Iowa state elevator code  
21 for certain multi-story commercial buildings in specified  
22 circumstances.>

By MARK LOFGREN

S-5013 FILED FEBRUARY 25, 2020

DEFERRED

SENATE FILE 2249

S-5012

- 1 Amend Senate File 2249 as follows:
- 2 1. Page 1, line 19, after <"C".> by inserting <For purposes
- 3 of this subsection, "access point" includes but is not limited
- 4 to a driveway as defined in section 306.19.>

By WAYLON BROWN

S-5012 FILED FEBRUARY 25, 2020

ADOPTED

SENATE FILE 2272

S-5021

- 1 Amend Senate File 2272 as follows:
- 2 1. Page 1, line 6, by striking <July> and inserting
- 3 <October>
- 4 2. Page 8, line 9, by striking <Prior> and inserting <Unless
- 5 otherwise prohibited by federal law or regulation, prior>
- 6 3. Page 8, by striking lines 21 and 22 and inserting
- 7 <recipient information.>
- 8 4. Page 9, line 4, by striking <A> and inserting <Unless
- 9 otherwise prohibited by federal law or regulation, a>
- 10 5. Page 9, by striking lines 12 through 14 and inserting <or
- 11 recipient shall be provided ten days to respond to the notice.
- 12 The department may request additional information as>

By JASON SCHULTZ

S-5021 FILED FEBRUARY 25, 2020

SENATE FILE 2272

S-5022

1 Amend Senate File 2272 as follows:

2 1. Page 2, after line 8 by inserting:

3 <\_\_\_. "*Real-time system*" means real-time electronic access  
4 to a system that allows verification of all applicable public  
5 assistance program eligibility information based on the  
6 most recent information available to the department through  
7 nonmodeled earned and unearned income, such as commercially  
8 available wage data.>

9 2. Page 3, after line 32 by inserting:

10 <(3) Any existing real-time eligibility system that  
11 includes employment and income information maintained by a  
12 consumer reporting agency, as defined by the federal Fair  
13 Credit Reporting Act, 15 U.S.C. §1681a, for the purpose of  
14 obtaining real-time employment and income information.>

15 3. By striking page 4, line 31, through page 5, line 1, and  
16 inserting:

17 <\_\_\_. The department may contract with a third-party vendor  
18 to develop or provide a service for a real-time eligibility  
19 system that allows the department to verify or authenticate  
20 income, assets, and identity eligibility of applicants and  
21 recipients to prevent fraud, misrepresentation, and inadequate  
22 documentation when determining eligibility for public  
23 assistance programs. The system shall>

24 4. Page 5, line 6, after <department.> by inserting  
25 <Specifically, the department may contract with a third-party  
26 consumer reporting agency, as defined by the federal Fair  
27 Credit Reporting Act, 15 U.S.C. §1681a, for the purpose of  
28 obtaining real-time employment and income information.>

29 5. Page 7, by striking lines 19 and 20 and inserting:

30 <(4) A third-party consumer reporting agency, as defined  
31 by the federal Fair Credit Reporting Act, 15 U.S.C. §1681a,  
32 for the purpose of obtaining real-time employment and income  
33 information.>

34 6. Page 8, after line 7 by inserting:

35 <3. The state may contract with a third-party consumer

S-5022 (Continued)

1 reporting agency, as defined by the federal Fair Credit  
2 Reporting Act, 15 U.S.C. §1681a, for the purpose of obtaining  
3 real-time employment and income information under this  
4 section.>

5 7. By renumbering, redesignating, and correcting internal  
6 references as necessary.

By JASON SCHULTZ

[S-5022](#) FILED FEBRUARY 25, 2020

SENATE FILE 2337

S-5015

1 Amend Senate File 2337 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. Section 686B.3, subsection 2, Code 2020, is  
5 amended to read as follows:

6 2. A plaintiff in an asbestos action, including an action  
7 alleging a nonmalignant or a malignant condition, or a silica  
8 action involving silicosis, shall include with the detailed  
9 narrative medical report file with the petition or other  
10 initial pleading a sworn information form containing specifying  
11 the evidence that provides the basis for each claim against  
12 each defendant. The sworn information form shall include all  
13 of the following with specificity:

14 a. The name, address, date of birth, ~~social security number,~~  
15 marital status, occupation, current and past worksites, and  
16 employer of the exposed person, ~~and any person through whom the~~  
17 ~~exposed person alleges exposure.~~

18 ~~b. The plaintiff's relationship to the exposed person or~~  
19 ~~person through whom the exposure is alleged.~~

20 b. Each person through whom the exposed person was exposed  
21 to asbestos or silica, and the exposed person's relationship  
22 to each person.

23 c. Each asbestos-containing product or silica product,  
24 whether from a bankrupt entity or otherwise, to which the  
25 exposed person was exposed, or if the exposed person was  
26 exposed through another person, to which that person was  
27 exposed.

28 ~~e. d.~~ The specific location and manner of each alleged  
29 exposure, including the specific location and manner of  
30 exposure for any person through whom the exposed person alleges  
31 exposure was exposed to asbestos or silica.

32 ~~d. e.~~ The beginning and ending dates of each alleged  
33 exposure and the frequency of the exposure of the exposed  
34 person to the product or its use, including for any person  
35 through whom the exposed person was exposed.

1 ~~e.~~ f. The identity of the manufacturer or seller of the  
2 specific asbestos or silica product for each exposure.

3 ~~f.~~ ~~The identity of the defendant or defendants against whom~~  
4 ~~the plaintiff asserts a claim.~~

5 g. The specific asbestos-related or silica-related disease  
6 claimed to exist.

7 h. Any supporting documentation relating to the information  
8 required under this subsection.

9 Sec. 2. Section 686B.3, subsection 3, Code 2020, is amended  
10 by striking the subsection.

11 Sec. 3. Section 686B.3, subsection 5, Code 2020, is amended  
12 to read as follows:

13 5. The court shall dismiss the asbestos action or silica  
14 action without prejudice on finding that the plaintiff has  
15 failed to make the prima facie showing required by this chapter  
16 or failed to comply with the requirements of ~~this section~~  
17 subsections 1 and 2. The court shall dismiss the asbestos  
18 action or silica action without prejudice as to any defendant  
19 whose product or premises is not identified in the information  
20 required pursuant to subsection 2.

21 Sec. 4. APPLICABILITY. This Act applies to an asbestos  
22 action, including an action alleging a nonmalignant or  
23 malignant condition, or a silica action involving silicosis  
24 filed on or after July 1, 2020.>

By ZACH NUNN

S-5015 FILED FEBRUARY 25, 2020

ADOPTED

SENATE FILE 2338

S-5020

- 1 Amend Senate File 2338 as follows:
- 2 1. By striking page 1, line 15, through page 2, line 5.
- 3 2. Title page, by striking lines 1 through 4 and inserting
- 4 <An Act relating to the total amount recoverable as a
- 5 noneconomic damages award against a health care provider.>

By TONY BISIGNANO

S-5020 FILED FEBRUARY 25, 2020

LOST

SENATE FILE 2360

S-5014

1 Amend Senate File 2360 as follows:

2 1. Page 4, by striking lines 23 through 25 and inserting <a  
3 school district and an accredited nonpublic school.>

4 2. Page 4, line 29, by striking <section> and inserting  
5 <paragraph "a">

6 3. Page 8, by striking lines 15 and 16 and inserting <12,  
7 less the amount of transportation costs reimbursed under  
8 section 256.25A and the amount received for transporting  
9 nonpublic school pupils under section 285.1, by the>

10 4. Page 8, by striking lines 29 through 31 and inserting  
11 <contractual obligations under section 279.13, the failure  
12 of an administrator to protect the safety of staff and  
13 students, the failure of an administrator to meet mandatory  
14 reporter obligations, the refusal of a practitioner to  
15 implement provisions of an individualized education program or  
16 behavioral intervention plan, and habitual nonparticipation in  
17 professional development; and>

18 5. Page 9, line 21, by striking <may> and inserting <shall>

19 6. Page 9, line 25, after <team.> by inserting <The area  
20 education agency, in collaboration with the school district,  
21 may, when the parent or guardian meets with the individualized  
22 education program team during the reevaluation of the student's  
23 individualized education program, inform the parent or guardian  
24 of individual or family counseling services available in the  
25 area.>

26 7. Page 10, line 9, by striking <Pub. L. ,> and inserting  
27 <Pub. L. No. 114-95,>

28 8. By renumbering as necessary.

By AMY SINCLAIR

S-5014 FILED FEBRUARY 25, 2020

ADOPTED

SENATE FILE 2360

S-5016

- 1 Amend Senate File 2360 as follows:
- 2 1. Page 1, line 33, after <incentive> by inserting <and  
3 behavior modification>
- 4 2. Page 2, line 1, after <incentives> by inserting <and  
5 behavior modification>
- 6 3. Page 2, line 2, after <classrooms> by inserting <and any  
7 other evidence-based behavior modification programs>
- 8 4. Page 2, line 10, after <classroom> by inserting <or other  
9 evidence-based behavior modification program>
- 10 5. Page 2, line 21, after <incentive> by inserting <and  
11 behavior modification>
- 12 6. Page 2, line 22, after <classrooms> by inserting <or  
13 other evidence-based behavior modification programs>
- 14 7. Page 3, after line 11 by inserting:  
15 <f. Grant amounts awarded for behavior modification  
16 programs shall be as determined by the department and shall be  
17 distributed as determined by the department.>
- 18 8. Page 3, line 12, after <incentive> by inserting <and  
19 behavior modification>
- 20 9. Page 3, line 19, after <incentive> by inserting <and  
21 behavior modification>
- 22 10. Page 12, line 25, after <INCENTIVE> by inserting <AND  
23 BEHAVIOR MODIFICATION>
- 24 11. Page 12, line 30, after <incentive> by inserting <and  
25 behavior modification>
- 26 12. Title page, line 5, after <classrooms> by inserting <and  
27 for behavior modification programs>
- 28 13. By renumbering as necessary.

By ERIC GIDDENS

S-5016 FILED FEBRUARY 25, 2020

LOST

SENATE FILE 2360

S-5017

1 Amend Senate File 2360 as follows:

2 1. Page 13, after line 12 by inserting:

3 <Sec. \_\_\_\_ . DEPARTMENT OF EDUCATION — BEHAVIORAL  
4 INTERVENTIONS — SURVEY AND WORKING GROUP.

5 1. The department of education shall conduct a classroom  
6 behavioral interventions survey of every school district to  
7 determine how schools are currently addressing classroom  
8 management issues and implementing behavioral interventions  
9 to reduce or otherwise meet behavioral challenges in the  
10 classroom. The results of the survey shall be summarized and  
11 submitted to the state board of education by October 1, 2020.

12 2. The department of education shall convene a working  
13 group comprised of educators, mental health specialists,  
14 and disability rights advocates who have expertise in  
15 evidence-based behavioral interventions for the classroom.  
16 The working group shall review data from the survey conducted  
17 pursuant to subsection 1, shall identify best practices for  
18 meeting the challenges summarized in the survey, and shall  
19 propose funding estimates based on the costs of providing the  
20 behavioral interventions and programs identified by the working  
21 group to school districts statewide.

22 3. The working group shall submit its findings and  
23 recommendations to the state board of education and to the  
24 general assembly by October 1, 2021.>

25 2. Title page, line 6, after <classrooms,> by inserting  
26 <providing for a behavioral interventions survey and working  
27 group,>

28 3. By renumbering as necessary.

By JACKIE SMITH

S-5017 FILED FEBRUARY 25, 2020

LOST

SENATE FILE 2360

S-5018

1 Amend Senate File 2360 as follows:

2 1. By striking page 1, line 33, through page 4, line 5, and  
3 inserting:

4 <Sec. \_\_\_\_\_. NEW SECTION. 256.25 Evidence-based behavioral  
5 interventions pilot program — competitive grants.

6 1. Subject to an appropriation of sufficient funds by  
7 the general assembly for such purpose, the department shall  
8 establish an evidence-based behavioral interventions pilot  
9 program that provides grants to three school districts for  
10 conducting pilot projects to demonstrate the efficacy of  
11 evidence-based behavioral interventions that positively affect  
12 student learning.

13 2. Each pilot project approved by the department for a  
14 grant under this section shall be conducted for a minimum of  
15 one year. The department shall establish a pilot project grant  
16 application process and criteria for the selection of pilot  
17 project participant school districts. At a minimum, grant  
18 applications shall include proposals for methods the school  
19 district will use to assist teachers and the department in  
20 measuring changes in student behavior and student learning,  
21 and by which the approved pilot program may be analyzed and  
22 evaluated.

23 3. *a.* Grants shall be as equitably distributed  
24 geographically as reasonably possible. The department shall  
25 locate the three pilot projects as follows:

26 (1) In a small school district that may partner with one  
27 or more other school districts to utilize a regional approach  
28 in collaboration with an area education agency, or a nonprofit  
29 agency, or an institution that provides children's mental  
30 health services, or any combination of collaboratives thereof.

31 (2) In a medium school district.

32 (3) In a large school district.

33 *b.* For purposes of this subsection, a large school district  
34 is a district with an actual enrollment of five thousand or  
35 more pupils; a medium school district is a district with an

1 actual enrollment that is greater than one thousand one hundred  
2 ninety-nine pupils, but less than five thousand pupils; and a  
3 small school district is a district with an actual enrollment  
4 of one thousand one hundred ninety-nine or fewer pupils.

5 4. School districts approved to receive grant moneys  
6 pursuant to this section shall be selected and notified no  
7 later than March 1, 2021. Grantees shall use moneys received  
8 pursuant to this section to provide for ongoing support and  
9 training of the teachers implementing the pilot projects.  
10 Grant amounts shall be distributed as determined by the  
11 department.

12 5. The department shall submit a final report summarizing  
13 the results of the pilot projects and including the  
14 department's findings and recommendations to the general  
15 assembly by November 15, 2022.

16 6. This section is repealed effective July 1, 2023.>

17 2. Page 6, by striking line 23 and inserting <means a  
18 classroom designed for the purpose of providing support for any  
19 student whose emotional, social, or behavioral needs interfere  
20 with the student's ability to be successful in the current  
21 educational environment, with or without supports, until the  
22 student is able to successfully return to the student's current  
23 education environment, with or without supports, including but  
24 not limited to the general education classroom.>

25 3. Page 8, line 16, by striking <256.25> and inserting  
26 <256.25A>

27 4. Page 12, by striking lines 24 and 25 and inserting:

28 <Sec. \_\_\_\_ . DEPARTMENT OF EDUCATION — EVIDENCE-BASED  
29 BEHAVIORAL INTERVENTIONS PILOT PROGRAM. There is appropriated  
30 from the general fund>

31 5. Page 12, by striking lines 30 and 31 and inserting:

32 <For grants awarded to school districts pursuant to section  
33 256.25, as enacted by this Act:>

34 6. Page 13, line 26, by striking <take> and inserting  
35 <takes>

S-5018 (Continued)

1 7. Page 13, by striking line 27.

2 8. Title page, by striking lines 4 and 5 and inserting  
3 <an evidence-based behavioral interventions pilot program,  
4 providing claims reimbursement to school>

5 9. By renumbering, redesignating, and correcting internal  
6 references as necessary.

By CLAIRE CELSI

S-5018 FILED FEBRUARY 25, 2020

LOST

SENATE FILE 2360

S-5019

1 Amend Senate File 2360 as follows:

2 1. Page 12, by striking lines 10 through 14 and inserting:

3 <For distribution to the area education agencies based on  
4 the special education support services weighted enrollment for  
5 each area education agency in accordance with section 257.6,  
6 subsection 5, paragraph "b", for professional development>

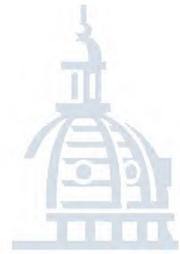
7 2. Page 12, by striking line 32 and inserting:

8 <..... \$ 3,000,000>

By LIZ MATHIS

S-5019 FILED FEBRUARY 25, 2020

LOST



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[SF 2272](#) – Medicaid, Supplemental Nutrition Assistance Program (SNAP), Eligibility Verification (LSB5725SV)

Staff Contact: Jess Benson (515.281.4611) [jess.benson@legis.iowa.gov](mailto:jess.benson@legis.iowa.gov)

Fiscal Note Version – New

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**Description**

[Senate File 2272](#) requires the Department of Human Services (DHS) to implement an eligibility verification system for public assistance programs to verify the eligibility of an individual who is an applicant for any such program.

Division I requires the DHS to request a federal waiver from the United States Department of Agriculture Food and Nutrition Service by July 1, 2020, in order to comply with the provision of the [Agriculture Improvement Act of 2018](#) regarding real-time prevention of duplicate participation upon a potential beneficiary's application for Supplemental Nutrition Assistance Program (SNAP) benefits. Upon federal approval, the DHS is required to contract with a third-party vendor to conduct National Accuracy Clearinghouse matches and corresponding actions in accordance with the federal law and regulations.

Division II of the Bill creates a new Iowa Code chapter relating to various eligibility verification and authentication measures for public assistance programs, including:

- Providing definitions used in the new Iowa Code chapter including the definition of “public assistance,” which includes the Medicaid Program, the Family Investment Program (FIP), SNAP, and the Children’s Health Insurance Program (CHIP).
- Requiring the DHS to conduct an asset test on all members of the household of an applicant for SNAP benefits. The Bill specifies the minimum information from federal, State, and other data sources and public records that the DHS must access prior to determining an applicant’s eligibility for SNAP benefits. The Bill requires the DHS to enter into a memorandum of understanding with any department or subunit of a department to obtain the information specified.
- Requiring that an applicant for SNAP benefits cooperate with the Child Support Recovery Unit (CSRU) as a condition of eligibility for SNAP benefits.
- Requiring that by July 1, 2021, the DHS provide for identity verification, identity authentication, asset verification, and dual enrollment prevention in each public assistance program administered by the DHS. The DHS may contract with a third-party vendor to develop a system or provide a service to verify income, assets, and identity eligibility of applicants and recipients.
- Requiring that prior to being awarded public assistance benefits, an applicant is to complete a computerized identity authentication process to confirm the applicant’s identity through the use of a knowledge-based questionnaire consisting of financial and personal questions, including questions tailored to assist persons without a bank account or those who have poor access to financial and banking services or who do not have an established credit history.

- Providing that if information obtained from a review of an applicant's or recipient's information does not result in the DHS finding a discrepancy or change in an individual's circumstances affecting eligibility, the DHS is to take no further action. If the information obtained from a review of the applicant's or recipient's information results in finding a discrepancy or a change in the individual's circumstances affecting eligibility, the DHS is to provide written notice to the individual and the opportunity to explain any issues identified.
- Specifying the processes and results depending upon whether an applicant or recipient responds by disagreeing or agreeing with the findings of a review by the DHS. If the applicant or recipient fails to respond to the notice in a timely manner, the DHS is required to provide notice to terminate the applicant's application or to discontinue the recipient's enrollment for failure to cooperate, and is required to terminate the applicant's application or discontinue the recipient's enrollment.
- Allowing the DHS to refer cases of suspected fraud along with any supportive information to the Department of Inspections and Appeals (DIA) for review. In cases of substantiated fraud, upon conviction, the State is required to review all appropriate legal options including but not limited to removal of a recipient from other public assistance programs and garnishment of wages or State income tax refunds until the DHS recovers an equal amount of benefits fraudulently claimed. The DHS may refer suspected cases of fraud, misrepresentation, or inadequate documentation relating to initial or continued eligibility to appropriate State agencies, divisions, or departments for review of eligibility issues in other public assistance programs.
- Requiring the DHS to adopt administrative rules to administer the Iowa Code chapter and to submit a report to the Governor and the General Assembly by January 15, 2022, and by January 15 annually thereafter through January 15, 2027, detailing the impact of the verification and authentication measures taken under the Bill.
- Requiring the DHS to request federal approval or waivers necessary to administer Division II of the Bill, and requiring that the provisions of Division II requiring federal approval be implemented upon receipt of such federal approval. The provisions of Division II that do not require federal approval are to be implemented as specified in the Bill or, if not specified in the Bill, no later than July 1, 2021.

### **Assumptions**

All increases in staffing are assumed for four months in FY 2021 and for a full year in FY 2022. In addition, the federal match rate varies by program and activity from 0.0% to 100.0% federal match. Total cost and State share are depicted in the table below.

**Public Assistance Asset Verification Savings** — Approximately 1.0% of individuals receiving benefits will have their benefits canceled due to discrepancies. This includes 5,999 Medicaid recipients, 793 CHIP recipients, 68 FIP recipients, and 1,466 SNAP recipients.

**Prevention of Multiple Issuances of SNAP Benefits** — Requires 1,680 hours of contract computer work at \$105 per hour to allow the DHS eligibility system to interface with the National Accuracy Clearinghouse and provide batch processing.

**Asset Test for SNAP** — Requires 300 hours of contract computer work at \$105 per hour to connect the child support computer system with the system used by income maintenance staff.

**Cooperation with Child Support Enforcement for SNAP Eligibility** — Requires the following systems changes and staff increases:

- The Bill will require 3,650 hours of contract computer work at \$105 per hour to make various changes to the Iowa Collections and Reporting (ICAR) system, the Automated Benefit Calculation (ABC) system, and the Iowa Child Support Case (ICSC) number screen to allow referrals and the systems to communicate.

- DHS field staff will have 12,407 additional referrals to the CSRU, requiring 1.0 Income Maintenance Worker 2 (IMW2) full-time equivalent (FTE) position.
- Of the cases referred by DHS field staff, 8,626 cases will be new and require the CSRU to establish child support orders and begin enforcement procedures. At current staffing ratios, this will require 15.0 Support Recovery Officer FTE positions, 5.0 Clerk Specialist FTE positions, and 1.0 Support Recovery Supervisor FTE position.
- Each additional FTE position will require \$2,097 for computers and other technology to complete the work.
- The DHS will need to update forms, training, manuals, and rules, and make other ICAR system changes.

**Verification and Authentication Systems — Public Assistance Programs** — Requires 21,830 hours of contract computer work at \$105 per hour to redesign existing systems or establish a new system to provide for identity verification, identity authentication, asset verification, and dual enrollment prevention. These changes impact multiple systems including the Eligibility Integrated Application Solution (ELIAS) eligibility system, the ABC system, the Worker Information System Exchange (WISE) system, and the data warehouse. In addition, the DHS will require 1.0 Executive Officer 2 FTE position to implement and monitor the new requirements.

**Public Assistance Programs — Applicant and Recipient Eligibility Verification** — The DHS will contract with a third-party vendor to complete the verifications required by this Bill. Although actual pricing is unknown, the DHS estimates a \$500,000 annual base contract amount plus a 10.0% contingency payment based on total savings.

**Notice and Right to Be Heard** — As of January 2020, there were 146,566 households receiving SNAP benefits. The DHS sending Requests for Information (RFI) to benefits members and data discrepancies will have the following impact on DHS field staff:

- Due to the additional verifications and data matches, it is assumed that two changes will be reported per year per household, requiring approximately five minutes of staff time per change. This will require an additional 15.0 IMW2 FTE positions.
- There will be 1.0 IMW2 FTE position needed to address data discrepancies for SNAP recipients.
- It is assumed that 1.0% of Medicaid, CHIP, and SNAP cases will be closed due to discrepancies. This will require 4.0 fewer IMW2 FTE positions at current staffing levels.
- Each additional FTE position will require \$2,097 for computers and other technology to complete the work.
- An additional 7,328 RFIs will be sent at \$0.60 per mailing.

**Referrals for Fraud, Misrepresentation, or Inadequate Documentation** — The DIA anticipates referrals for investigation will increase from 3.5% of the current SNAP caseload to 5.0%, resulting in an additional 2,256 additional referrals annually. At current caseloads, this will require 7.0 Investigator III FTE positions, 1.0 Administrative Assistant II FTE position, and 1.0 Public Service Manager II FTE position. Investigator III positions are home-based and travel throughout the State to do investigative work, which requires that the employees are assigned State vehicles.

**Administration, Rules, and Reporting** — New reporting requirements will require 160 hours of contract computer work at \$105 per hour to update the ABC system to provide the information specified.

### **Fiscal Impact**

[Senate File 2272](#) is estimated to increase State operating costs by \$1.8 million in FY 2021 and save the State \$12.3 million in FY 2022 and subsequent fiscal years. Details of the estimated

increase in costs, increases in FTE positions, and savings are listed in the table below for FY 2021 and FY 2022.

**Fiscal Impact Estimate for SF 2272**

	FY 2021		FY 2022	
	Total Cost	State Share	Total Cost	State Share
<b>DHS Staff Cost</b>				
DHS Staff Increase	\$ 726,747	\$ 278,388	\$ 2,180,242	\$ 835,164
Other IT Costs (New Computers)	79,692	38,387	0	0
<b>Total DHS Staff Cost</b>	<b>\$ 806,439</b>	<b>\$ 316,775</b>	<b>\$ 2,180,242</b>	<b>\$ 835,164</b>
<b>DIA Staff Cost</b>				
DIA Staff Increase	\$ 217,316	\$ 217,316	\$ 651,948	\$ 651,948
Investigator Vehicles	150,906	150,906	0	0
<b>Total DIA Staff Cost</b>	<b>\$ 368,222</b>	<b>\$ 368,222</b>	<b>\$ 651,948</b>	<b>\$ 651,948</b>
<b>Information Technology</b>				
IT Systems Contractors	\$ 2,942,090	\$ 1,087,059	\$ 0	\$ 0
<b>Miscellaneous Costs</b>				
Third-Party Verification Contract	\$ 0	\$ 0	\$ 6,204,153	\$ 2,990,016
Child Support Notices	0	0	257,893	87,684
Child Support Training Updates	75,270	25,592	0	0
Food Assistance Postage	0	0	4,397	2,240
<b>Total Miscellaneous Costs</b>	<b>\$ 75,270</b>	<b>\$ 25,592</b>	<b>\$ 6,466,443</b>	<b>\$ 3,079,939</b>
<b>Program Savings</b>				
Medicaid	\$ 0	\$ 0	\$ -49,953,560	\$ -16,221,714
Children's Health Insurance Program	0	0	-1,578,908	-422,674
Family Investment Program	0	0	-270,139	-270,139
Food Assistance	0	0	-5,238,925	0
<b>Total Program Savings</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ -57,041,533</b>	<b>\$ -16,914,527</b>
<b>SF 2272 Total Increased Cost/Savings</b>	<b>\$ 4,192,021</b>	<b>\$ 1,797,648</b>	<b>\$ -47,742,899</b>	<b>\$ -12,347,475</b>

**Sources**

Department of Human Services  
 Department of Inspections and Appeals

/s/ Holly M. Lyons

February 25, 2020

Doc ID 1131018

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** – License Plates, The Corn State (LSB6324SV)  
 Staff Contact: Adam Broich (515.281.8223) [adam.broich@legis.iowa.gov](mailto:adam.broich@legis.iowa.gov)  
 Fiscal Note Version – New

**Description**

**Senate File 2297** creates a “The Corn State” license plate and requires the Department of Transportation (DOT) to design the plate. The plate requires two fees, an initial special fee of \$35 and an annual special fee of \$10. These fees are deposited in the Road Use Tax Fund (RUTF). The Bill also allows for a personalized “The Corn State” plate for an additional initial fee of \$25 and an additional annual renewal fee of \$5. Personalized plates are currently established under Iowa Code section [321.34\(5\)](#).

**Background**

The State of Iowa currently has over 70 types of specialty license plates that citizens may select. Over 221,000 of the 4.5 million vehicles registered in Iowa have specialty plates. The top 16 plate types account for 86.1% of all specialty plates issued in Iowa. The top 16 license plates in Iowa are listed below. However, there are over 50 types not represented in the data below that have far fewer plates issued.

Top 16 Iowa Specialty Plates			
Blackout	93,634	Business Trade	4,258
University of Iowa	25,617	DNR Pheasant	3,738
Iowa State University	16,740	DNR Deer	3,532
DNR Goldfinch	13,133	God Bless America	3,465
Fire Fighter	11,860	Fallen Peace Officer	2,957
Veteran	9,505	Univ. of Northern Iowa	2,219
Cattleman's	6,426	Breast Cancer	1,463
DNR Eagle	4,600	Share the Road	1,449

Note: Through December 2019.

**Assumptions**

- An estimated 6,000 “The Corn State” license plates will be issued within two years.
- This would make the plate as popular as the “Cattleman’s” plate currently issued by the DOT. It is estimated that 3,000 plates will be issued in FY 2021 and 3,000 plates will be issued in FY 2022. Approximately 30.0% of “The Corn State” plates will be personalized. This is similar to the percentage of other special plates that are personalized.

**Fiscal Impact**

[Senate File 2297](#) is estimated to increase revenue to the Road Use Tax Fund by \$127,500 in FY 2021, \$162,000 in FY 2022, and \$69,000 each year thereafter. The RUTF will fund plate production costs (Iowa Code section [312.2\(3\)](#)), but expenditure on these plates is expected to be minimal and can be attributed to implementation of the Bill only when individuals prematurely replace a license plate in order to replace it with a new plate.

Estimated Fiscal Impact	FY 2021	FY 2022	FY 2023	FY 2024
Existing Plates	-	3,000	6,000	6,000
New Plates Issued	3,000	3,000	-	-
Initial Special Fee	\$ 105,000	\$ 105,000	\$ -	\$ -
Annual Fee	-	30,000	60,000	60,000
Personalization Fees	22,500	27,000	9,000	9,000
RUTF Revenue	\$ 127,500	\$ 162,000	\$ 69,000	\$ 69,000

Estimated plate production expenses are \$13,500 in each FY 2021 and FY 2022. These expenses will be funded from the RUTF.

**Sources**

Iowa Department of Transportation  
LSA calculations

\_\_\_\_\_  
/s/ Holly M. Lyons

February 24, 2020

Doc ID 1131086

\_\_\_\_\_  
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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[SF 2307](#) – Veterans Trust Fund, Home Ownership Assistance (LSB5480SV)  
Staff Contact: Kenneth Ohms (515.725.2200) [kenneth.ohms@legis.iowa.gov](mailto:kenneth.ohms@legis.iowa.gov)  
Fiscal Note Version – New

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### **Description**

[Senate File 2307](#) amends the Veterans Trust Fund (VTF) to appropriate any unobligated or unexpended funds from the spendable portion of the VTF at the end of the fiscal year to the Iowa Finance Authority for the Veterans Home Ownership Program in the succeeding fiscal year.

### **Background**

The [Veterans Home Ownership Program](#) provides a \$5,000 grant to a service member for a down payment and closing costs toward the purchase of a new home in the State of Iowa.

Iowa Code section [35A.13](#)(4)(a) appropriates \$500,000 from the Lottery Fund transfer of \$2.5 million to the VTF, and any interest earned on the VTF to the Commission for services specified in Iowa Code section [35A.13](#)(6). The appropriation requires that funds unexpended or unobligated at the end of the fiscal year revert to the VTF.

### **Assumptions**

- The full amount of the lottery transfer is spent annually on services. Once that amount is spent, the Commission then spends the interest earned.
- Monthly reports and the State accounting system indicate that the interest has not reverted to the principal of the VTF and has remained in the spendable portion of the Fund to be spent on awards in succeeding fiscal years. Approximately \$568,000 of interest income was brought forward into FY 2020.
- The VTF has earned \$279,000 in interest income through the first seven months of FY 2020. There will likely be another \$200,000 earned by the end of FY 2020.
- The Commission has not yet made any awards from the interest in the VTF in FY 2020. Based on previous fiscal year averages, an estimated \$262,000 will be awarded from the interest in FY 2020.

### **Fiscal Impact**

[Senate File 2307](#) will result in the appropriation of an estimated \$785,000 from the VTF to the Home Ownership Assistance Program in FY 2021.

Due to the variability of interest earned on the VTF, and the practice of retaining interest earned each fiscal year, increasing the spending power from the VTF, estimating a future appropriation to the Home Ownership Assistance Program is difficult. For FY 2022 and years thereafter, based on three-year averages of spending and interest, an estimated \$240,000 could be transferred.

### **Sources**

Department of Veterans Affairs  
LSA analysis and calculations

/s/ Holly M. Lyons

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February 24, 2020

Doc ID 1130992

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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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**SF 2313** – Future Ready Iowa (LSB5595SV)

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Fiscal Note Version – New

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**Description**

[Senate File 2313](#) adds to and modifies the Iowa Code provisions enacted by [87 Iowa Acts, chapter 1067](#) (Future Ready Iowa Act) and other efforts to strengthen Iowa's workforce, including a Child Care Challenge Program, a Workforce Diploma Pilot Program, computer science instruction, work-based learning coordinators, and a Senior Year Plus Program. This Bill is organized by divisions.

DIVISION I — Future Ready Iowa Apprenticeship Programs.

Subject to an appropriation of funds, Division I creates an Expanded Registered Apprenticeship Opportunities Program that is similar to the existing [Registered Apprenticeship Development Program](#). The purpose of the new Program is to provide financial assistance to encourage sponsors of apprenticeship programs with 20 or fewer apprentices to maintain apprenticeship programs in [high-demand occupations](#).

DIVISION II — Iowa Child Care Challenge Fund.

Division II establishes an Iowa Child Care Challenge Program under the Iowa Department of Workforce Development (IWD) and creates an Iowa Child Care Challenge Fund under the control of the IWD. The IWD must administer the Program in consultation with the Workforce Development Board. The purpose of the Program is to encourage and enable businesses, nonprofit organizations, and consortiums to establish local child care facilities and increase the availability of quality, affordable child care for working Iowans. A portion of the moneys deposited in the [Iowa Employer Innovation Fund](#) created in Iowa Code section [84A.13](#), in an amount determined annually by the IWD in consultation with the Workforce Development Board, must be transferred annually to the Iowa Child Care Challenge Fund.

DIVISION III — Workforce Diploma Pilot Program.

Subject to an appropriation of sufficient funds, Division III requires the IWD to establish a Workforce Diploma Pilot Program to qualify eligible program providers to implement programs in accordance with the Department's rules, and to assist students who are beyond school age to obtain a high school diploma while developing employability and career and technical education skills.

The IWD is required to provide payment to a qualified provider in the order in which invoices are submitted until all moneys appropriated for such purpose are exhausted. The IWD must also provide a monthly update to qualified providers, including the aggregate total of moneys paid to qualified providers to date and the estimated number of enrollments still available for the

program year. The IWD must review data to ensure the programs are achieving minimum Program performance standards and measures.

#### DIVISION IV — Computer Science Instruction — K-12.

Division IV relates to computer science instruction in kindergarten through grade 12, amending Code provisions establishing the minimum educational standards and establishing or modifying computer science instruction-related responsibilities of the Department of Education, school districts, and accredited nonpublic schools. Commencing with the 2022-2023 school year, accredited schools must offer and teach computer science instruction that incorporates the computer science education standards adopted by the State Board of Education in at least one grade at the elementary level and at the middle school level. In grades 9-12, commencing with the 2021-2022 school year, one-half unit of computer science that incorporates the computer science education standards adopted by the State Board must be offered and taught; however, the one-half unit may be offered and taught online.

Each school district and accredited nonpublic school must develop and implement a K-12 computer science plan by July 1, 2021. The Department of Education is required to develop and implement a Statewide K-12 computer science instruction plan by July 1, 2021. The Department of Education is required to convene a computer science work group to develop recommendations to strengthen computer science instruction and for the development and implementation of a Statewide campaign to promote computer science to K-12 students and to the parents and legal guardians of students. The work group is required to submit its findings to the General Assembly by December 15, 2020.

#### DIVISION V — Supplementary Weighting — Shared Operational Functions.

A work-based learning (WBL) coordinator is added to the list of eligible operational functions and positions eligible for a supplementary weighting beginning FY 2021 through FY 2025. The WBL coordinator will have a supplementary weighting of 3.0 students. For more information on operational function sharing, see [Operational Function Sharing Guidance](#).

#### DIVISION VI — Future Ready Iowa Skilled Workforce Last-Dollar Scholarship Program.

Division VI directs the State Board of Education to adopt administrative rules establishing a process by which the Department of Education must approve structured educational and training programs that include authentic worksite training for purposes of participating community colleges, then expands the definition of “eligible student” under the Future Ready Iowa Skilled Workforce Last-Dollar Scholarship Program administered by the Iowa College Student Aid Commission.

#### DIVISION VII — Senior Year Plus Program and Postsecondary Enrollment Options.

Division VII amends provisions under the [Senior Year Plus Program](#) by eliminating references and provisions relating to full-time and part-time enrollment.

### **Background**

#### DIVISION IV — Computer Science Instruction — K-12.

In 2017, [Senate File 274](#) (Computer Science Education Act) was enacted to expand computer science opportunities for students Statewide. Included in the legislation was the establishment of the Computer Science Professional Incentive Fund and a Computer Science Education Work Group. The Fund was established to provide for various forms of professional development

relating to computer science and has received an annual appropriation of \$500,000. The Work Group was convened and issued its [recommendations](#) in 2017 on how to expand and strengthen computer science education in the State.

The Department of Education recently issued the Computer Science in Iowa [report](#) that details the implementation of computer science instruction in school districts and district needs to support computer science education. It is estimated that 51.0% of elementary schools, 39.0% of middle schools, and 38.0% of high schools will need to either incorporate computer science instruction with current staff or add additional teachers to teach computer science to meet the requirements of this Bill.

A settlement of a Microsoft class-action lawsuit will provide \$4.0 million to be used for school districts to support Division IV of the Bill. The funds will be used for supporting computer science professional learning and training for teachers, virtual computer science curriculum for Iowa schools, and computer science curriculum for schools.

#### DIVISION VII — Senior Year Plus Program and Postsecondary Enrollment Options.

The Senior Year Plus Program offers a variety of options for eligible students, including concurrent enrollment and Postsecondary Enrollment Options (PSEO). A review of concurrent enrollment credits by the Department of Education completed during the 2018-2019 school year showed 819 students (1.8% of total enrollees) enrolled in 24 credit hours or more of coursework. One hundred seventeen districts (38.7%) enrolled at least one student in concurrent enrollment courses where credits associated with those courses met the definition of full-time enrollment (24 credits or more). The additional concurrent enrollment credit hours are already funded by supplementary weighting for an estimated total of \$240,000 in State aid from the General Fund.

PSEO enrollment has been declining in the last several years. During the 2018-2019 school year, total PSEO enrollment was 1,014 students, down from 5,916 students in the 2010-2011 school year.

#### **Assumptions**

DIVISION IV — Computer Science Instruction — K-12. It is unknown how many school districts will choose to hire additional computer science instruction staff.

#### DIVISION V — Supplementary Weighting — Shared Operational Functions.

- Based on supplementary weighting data for FY 2021, there are 226 school districts eligible for full or partial weightings for WBL coordinators.
- It is assumed 20.0% of the eligible districts will share a WBL coordinator with another district, Area Education Agency, or under a [28E](#) agreement with a local authority.
- Funding for WBL coordinators will begin in FY 2022 based on school year 2020-2021 data.
- Under current law, the State cost per pupil for FY 2022 and all future years is \$6,880.

#### DIVISION VII — Senior Year Plus Program and Postsecondary Enrollment Options.

- Based on an analysis by the Department of Education of concurrent enrollment credits completed for school year 2018-2019, there may be an additional 143 students who exceed 23 credit hours during the 2020-2021 school year.
- The fiscal estimates assume each of these students will increase their total credit hours by 4.1 credits.
- The average cost per credit is estimated to be \$71.
- Under current law, the State cost per pupil for FY 2022 and all future years is \$6,880.

- PSEO costs will remain at \$250 per course.
- PSEO enrollment over the 23-hour credit limit may increase; however, the impact is expected to be minimal.

### **Fiscal Impact**

The estimated fiscal impact of [SF 2313](#), by division, is as follows:

Division I relates to an Expanded Registered Apprenticeship Opportunities Program and is subject to an appropriation of funds. Division I of the Bill does not have a fiscal impact because this Bill does not provide an appropriation.

Division II relates to the establishment of an Iowa Child Care Challenge Program and Fund. The Bill will not have a fiscal impact because this Bill authorizes the IWD to utilize a current appropriation for the new Program, and the impact on current education and training efforts supported by the Iowa Employer Innovation Fund cannot be determined because this Bill does not specify the amount of the current appropriation that will be used for the new Program.

Division III relates to a Workforce Diploma Pilot Program and is subject to an appropriation of funds. Division III of the Bill does not have a fiscal impact because this Bill does not provide an appropriation.

Division IV relates to computer science instruction. Division IV will have minimal fiscal impact to the Department of Education. However, the fiscal impact to school districts and accredited nonpublic schools cannot be determined. It is unknown how many school districts will choose to hire additional staff to meet the requirements of this Bill. School districts may choose to use current staff or incorporate computer science into current instruction. School districts may have costs for additional staff, training and professional development of current staff, and curriculum. Some of that cost may be offset by the \$4.0 million Microsoft class-action lawsuit proceeds or by funds in the Computer Science Professional Incentive Fund.

Division V of the Bill is expected to increase State school aid from the General Fund by \$1.0 million each year beginning in FY 2022 and ending in FY 2026.

Division VI relates to the Future Ready Iowa Skilled Workforce Last-Dollar Scholarship Program. The Bill will result in one-time and ongoing costs to the Iowa College Student Aid Commission in FY 2021 totaling an estimated \$32,000. The ongoing costs will total between \$5,000 and \$6,000 in subsequent years. These costs will be funded from the Commission's Strategic Reserve Fund, also known as the Operating Fund. The cost of awards under the Program is capped by an annual General Fund appropriation.

Division VII is expected to increase State school aid from the General Fund by \$42,000 beginning in FY 2022. Any increase in PSEO enrollments may increase individual school districts costs; however, due to the recent decline in PSEO courses, the fiscal impact is expected to be minimal.

**Sources**

Iowa Department of Workforce Development  
Iowa Department of Education  
Iowa College Student Aid Commission  
Iowa Economic Development Authority

\_\_\_\_\_  
/s/ Holly M. Lyons

February 25, 2020

Doc ID 1131310

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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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[SF 2320](#) – Interpreters, Judicial Branch (LSB5325SV)  
Staff Contact: Laura Book (515.205.9275) [laura.book@legis.iowa.gov](mailto:laura.book@legis.iowa.gov)  
Fiscal Note Version – New

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### **Description**

[Senate File 2320](#) relates to interpreters for limited-English-proficient (LEP) persons and sign language interpreters for deaf and hard-of-hearing persons in legal proceedings. The Bill provides that the State Court Administrator shall receive, review, and pay fee claims for interpreters from the Jury and Witness Revolving Fund established in Iowa Code section [602.1302\(3\)](#).

The Bill also provides that costs and fees associated with interpreters are not payable from the Indigent Defense Fund. The result of the Bill, in part, is that the Judicial Branch is to assume responsibility for the review and payment of interpreter and translator claims formerly paid by the Indigent Defense Fund. The Bill takes effect October 1, 2020.

### **Background**

Currently, four state agencies may pay oral language interpreters, depending on the case type and economic status of the person needing an interpreter:

- 1) State Public Defender — Pays interpreters who work on behalf of indigent parties who are LEP and who are represented by assigned counsel in criminal and juvenile cases.
- 2) Local Public Defender Field Offices — Pay interpreters who work on behalf of indigent parties represented by public defenders in criminal and juvenile cases.
- 3) Counties — Pay all sign language interpreters in court proceedings and oral language interpreters who assist LEP persons who are subjects of mental health commitment proceedings.
- 4) State Court Administrator — Pays interpreters appointed for LEP parties in all other cases.

### **Assumptions**

Oral language interpreter fees for LEP indigent persons represented by public defenders or court-appointed counsel will be the same in FY 2021 as those expenses were in FY 2019.

### **Fiscal Impact**

[Senate File 2320](#) is estimated to cost approximately \$500,000 in interpreter fees from the Jury and Witness Revolving Fund. Currently, the State Public Defender pays these fees from the Indigent Defense Fund. This Bill would transfer those costs to the Revolving Fund. As a result, the Indigent Defense Fund would experience a savings of approximately the same amount. The following table shows the court interpreter fees paid by local public defender (PD) field offices and the State Public Defender from the Indigent Defense Fund for the last three fiscal years.

## Court Interpreter Fees Paid by Local PD Offices and the State Public Defender

<u>Funding Source</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
PD Field Offices	\$ 126,927	\$ 91,110	\$ 115,147
State Public Defender	287,169	356,878	384,729
	<u>\$ 414,096</u>	<u>\$ 447,988</u>	<u>\$ 499,876</u>

Although a funds transfer is not authorized in this Bill, if the funds necessary to pay the interpreter fees were transferred from the Indigent Defense Fund budget to the Jury and Witness Revolving Fund beginning in FY 2021, there would be a minimal impact to the State Public Defender's operations. The amount represents approximately 1.0% of the State Public Defender's indigent defense budget, and the work of reviewing interpreter claims is spread among four employees. Given the remaining workload of these employees, the shift of interpreter claims to the Judicial Branch would not significantly reduce their workload and would not reduce or eliminate the necessity of any staff.

### Sources

Judicial Branch  
Office of the State Public Defender

/s/ Holly M. Lyons

February 24, 2020

Doc ID 1131386

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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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[SF 2322](#) – Continuous Sexual Abuse of a Child (LSB5316SV)  
Staff Contact: Laura Book (515.205.9275) [laura.book@legis.iowa.gov](mailto:laura.book@legis.iowa.gov)  
Fiscal Note Version – New

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## **Description**

[Senate File 2322](#) creates a new criminal offense of continuous sexual abuse of a child. Under the Bill, a person commits continuous sexual abuse of a child when the victim is a child (under the age of 14), at least 30 days have elapsed between the first and last acts of sexual abuse, and the person engages in three or more acts of sexual abuse in violation of:

- Iowa Code section [709.2](#) (1st degree Sexual Abuse),
- Iowa Code section [709.3](#) (2nd degree Sexual Abuse),
- Iowa Code section [709.4](#) (3rd degree Sexual Abuse),
- Iowa Code section [709.8](#) (Lascivious Acts with a Child), or
- Iowa Code section [709.12](#) (Indecent Contact with a Child)

## **Background**

A person who commits a violation of this Bill is guilty of a Class B felony. The Bill allows a court to sentence a person guilty of continuous sexual abuse to maximum confinement of 50 years. The default sentence for a Class B felony is maximum confinement of 25 years.

## **Assumptions**

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay; revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A lag effect of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.
- The average marginal cost for prison is \$20.38 per day.
- The average length of stay of an individual convicted of continuous sexual abuse of a child will be 176.6 months.

## **Correctional Impact**

[Senate File 2322](#) creates a new criminal offense and the correctional impact is unknown. In FY 2019, there were 156 individuals who were admitted to prison on at least one of the offenses listed under this Bill. Sixty-one of these individuals were convicted of an offense which specified a child victim was involved.

It is estimated that some of those who are admitted annually to prison for similar offenses and serving Class C or D felonies will receive sentence enhancements under this Bill. In FY 2019, the current average length of stay for those exiting prison under those sentences was 54.3 months for a Class C felony and 25.0 months for a Class D felony. It is estimated that the average length of stay for those convicted of this offense would increase to 176.6 months. The

extent of the increase cannot be calculated due to unavailable data relating to the duration of abuse.

Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2020, for information related to the correctional system.

**Minority Impact**

[Senate File 2322](#) creates a new criminal offense and the minority impact cannot be estimated due to a lack of data.

Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 15, 2020, for information related to minorities in the criminal justice system.

**Fiscal Impact**

The fiscal impact of [SF 2322](#) cannot be estimated due to the unknown correctional impact. Given that the average length of stay would increase to 176.6 months, the estimated cost for an admission to prison for a violation of this Bill would be approximately \$109,000 per offender.

Currently, the cost to incarcerate an individual convicted of a Class C or D felony listed in this Bill is approximately \$34,000 and \$15,000, respectively. It is estimated that some of these admissions will become Class B felonies under this Bill. The increased cost for those previously admitted to prison as a Class C or D felony would be \$76,000 and \$94,000, respectively.

**Sources**

Criminal and Juvenile Justice Planning Division, Department of Human Rights  
Department of Corrections

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/s/ Holly M. Lyons

February 25, 2020

Doc ID 1131158

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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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