



Fiscal Note

Fiscal Services Division

[SF 2342](#) – Probation and Parole Conditions, Child Endangerment (LSB6294SV)
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Fiscal Note Version – New

Description

[Senate File 2342](#) provides that a person on parole or work release who is serving a sentence under Iowa Code section [726.6\(5\)](#), [726.6\(6\)](#), or [726.6\(7\)](#) (child endangerment) is not permitted to have unsupervised access to or provide supervision for a child or minor, even in a circumstance where the parent or guardian of the minor has provided consent. The Bill also provides the same regulations for a person on probation convicted of child endangerment under Iowa Code section 726.6.

Background

Iowa Code sections 726.6(5) through 726.6(8) provide crimes and penalties for child endangerment as follows:

- Iowa Code section 726.6(5): A person who commits child endangerment resulting in the death of a child or minor commits a Class B felony. Notwithstanding Iowa Code section [902.9\(1\)\(b\)](#), a person convicted of a violation of this section may not be confined for more than 50 years.
- Iowa Code section 726.6(6): A person who commits child endangerment resulting in serious injury to a child or a minor commits a Class C felony.
- Iowa Code section 726.6(7): A person who commits child endangerment resulting in bodily injury to a child or minor, or child endangerment in violation of Iowa Code section 726.6(1)(g) that does not result in serious injury, or a person who commits child endangerment in violation of Iowa Code section 726.6(2) commits a Class D felony.
- Iowa Code section 726.6(8): A person who commits child endangerment that is not subject to penalty under Iowa Code sections 726.6(5) through 726.6(7) commits an aggravated misdemeanor.

A Class B felony is punishable by confinement for up to 25 years. A Class C felony is punishable by confinement for up to 10 years and a fine of at least \$1,270, but no more than \$13,660. A Class D felony is punishable by confinement for up to five years and a fine of at least \$1,025 but no more than \$10,245. An aggravated misdemeanor is punishable by confinement for up to two years and a fine of at least \$855, but no more than \$8,540.

In FY 2023, there were 221 total convictions for child endangerment under Iowa Code sections 726.6(5) through 726.6(7) and 765 total convictions for child endangerment under Iowa Code section 726.6(8).

Under current law, the standard terms of parole state that the parolee may not have any contact with a victim or the family of a victim unless approved by the Board of Parole (BOP). The BOP requires a recommendation from the parolee's supervising officer that contact should be approved, in addition to a notarized letter from the victim, or parent or guardian if the victim is a minor, stating that the victim wants contact with the parolee. Additionally, a parolee convicted of any form of child endangerment under Iowa Code section 726.6 may not have direct or indirect contact with a minor until approved by the Judicial District Director or the Director's designee.

The parolee also may not work, reside, or establish contact with or join any group or organization that deals with minors until approved by the Judicial District Director or the Director’s designee.

Assumptions

- In calendar year (CY) 2022 the Department of Health and Human Services (HHS) received 28,210 child abuse assessments, 25.0% of which were founded. The HHS assumes that 10.0% of these cases had a parent, guardian, or custodian on probation, parole, or work release for a sentence of child endangerment. This equals a total of 701 cases.
- Of the 701 cases, 50.0% have another parent, guardian, or custodian to care for or supervise access to the child. This equals a total of 351 cases that will require the child to be placed in foster care annually.
- If there are two children involved in the case, there will be a total of 701 children who require foster care annually.
- If there are three children involved in the case, there will be a total of 1,053 children who require foster care annually.
- Costs per case are applied 62.0% State and 38.0% federal.
- The average State cost for a child in foster care is \$5,400.
- The HHS receives federal dollars through Title IV-E to assist with foster care costs.

Fiscal Impact

The annual fiscal impact of SF 2342 to the HHS is estimated to range from \$1.9 million (351 children) to \$5.7 million (1,053 children) annually depending on the number of children entering foster care.

Figure 1 — Annual Fiscal Impact Summary of SF 2342

Foster Care Cases	FY 2025	
	Total	State
Foster Care Cost Per Case	\$ 8,700	\$ 5,400
351 Cases	\$3,053,700	\$1,895,400
701 Cases	\$6,098,700	\$3,785,400
1,053 Cases	\$9,161,100	\$5,686,200

Sources

Department of Health and Human Services
 Board of Parole
 Legislative Services Agency

/s/ Jennifer Acton

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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.
