

FEB 27 2001
JUDICIARY

HOUSE FILE 427
BY MURPHY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring a person who commits the offense of criminal
2 transmission of human immunodeficiency virus to register as a
3 sex offender.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 427

1 Section 1. Section 692A.1, subsection 1, Code 2001, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. i. Criminal transmission of human
4 immunodeficiency virus in violation of section 709C.1.

5 EXPLANATION

6 This bill adds the offense of criminal transmission of
7 human immunodeficiency virus to the list of aggravated
8 offenses that require registration under the sex offender
9 registry. Current law generally requires a person to register
10 as a sex offender for a period of 10 years. Persons convicted
11 of aggravated offenses are required to register for life. A
12 person who is convicted of criminal transmission of human
13 immunodeficiency virus, commits a class "B" felony.

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**HOUSE FILE 427
FISCAL NOTE**

A fiscal note for **House File 427** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 427 requires a person who commits an offense of criminal transmission of human immunodeficiency virus to register as a sex offender.

ASSUMPTIONS

1. Current law requires a sex offender to register for ten years on the sex offender registry.
2. A person who is convicted of criminal transmission of human immunodeficiency virus commits a Class B felony.
3. According to the Justice Data Warehouse, there was one offender convicted during FY 2000. The number of offenders in the future is unknown.
4. Court costs for a Class B felony range from approximately \$9,000 to \$15,000.
5. The marginal cost per day for a prison inmate is \$16.
6. The average length of stay for a Class B felony is 130.7 months.
7. The cost to the State Public Defender's Office is \$3,000.

CORRECTIONAL IMPACT

The number of people who might be convicted of criminal transmission of human immunodeficiency virus, in the future, is unknown. During FY 2000, only one person was convicted of the offense.

FISCAL IMPACT

Due to insufficient information, an accurate fiscal impact cannot be determined. However, for each offender, the General Fund cost would be between \$75,000 and \$81,000.

SOURCES

Criminal and Juvenile Justice Planning Division, Department of Human Rights
Judicial Department
State Public Defender

(LSB 3140hh, JDD)

FILED MARCH 12, 2001

BY DENNIS PROUTY, FISCAL DIRECTOR