

CHAPTER 168**LAW ENFORCEMENT INITIATIVE SURCHARGE***S.F. 486*

AN ACT relating to the assessment of a law enforcement initiative surcharge on certain criminal offenses.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 602.8102, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 135B. Assess the law enforcement initiative surcharge as provided by section 911.3.

Sec. 2. Section 602.8107, subsection 4, unnumbered paragraph 2, Code 2001, is amended to read as follows:

This subsection does not apply to amounts collected for victim restitution, the victim compensation fund, criminal penalty surcharge, law enforcement initiative surcharge, amounts collected as a result of procedures initiated under subsection 5 or under section 421.17, subsection 25, or sheriff's room and board fees.

Sec. 3. Section 602.8108, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. When a court assesses the law enforcement initiative surcharge under section 911.3, the clerk of court shall remit to the treasurer of the state, no later than the fifteenth day of each month, all the moneys collected during the preceding month, for deposit in the general fund of the state.

Sec. 4. Section 902.9, subsection 5, unnumbered paragraph 2, Code 2001, is amended to read as follows:

The criminal penalty surcharge required by ~~section~~ sections 911.2 and 911.3 shall be added to a fine imposed on a class "C" or class "D" felon, as provided by that section, and is not a part of or subject to the maximums set in this section.

Sec. 5. Section 903.1, subsection 4, Code 2001, is amended to read as follows:

4. The criminal penalty surcharge required by ~~section~~ sections 911.2 and 911.3 shall be added to a fine imposed on a misdemeanor, and is not a part of or subject to the maximums set in this section.

Sec. 6. Section 909.8, Code 2001, is amended to read as follows:

909.8 PAYMENT AND COLLECTION PROVISIONS APPLY TO ~~CRIMINAL PENALTY SURCHARGE~~.

The provisions of this chapter governing the payment and collection of a fine, except section 909.3A, also apply to the payment and collection of a ~~criminal penalty surcharge~~ surcharge imposed pursuant to chapter 911. However, section 909.10 shall not apply to surcharges assessed under section 911.3.

Sec. 7. NEW SECTION. 911.3 LAW ENFORCEMENT INITIATIVE SURCHARGE.

1. In addition to the surcharge assessed in section 911.2, a law enforcement initiative surcharge of one hundred and twenty-five dollars shall be assessed by the clerk of the district court if an adjudication of guilt or a deferred judgment has been entered for a criminal violation under any of the following:

- a. Chapter 124, 155A, 453B, 713, 714, 715A, or 716.
- b. Section 719.8, 725.1, 725.2, or 725.3.

2. The surcharge shall be deposited in the general fund of the state.

3. The surcharge is subject to the provisions of chapter 909 governing the payment and collection of fines, as provided in section 909.8.

Approved June 1, 2001

CHAPTER 169

ADMINISTRATION AND OVERSIGHT OF STATE GOVERNMENT

H.F. 687

AN ACT relating to government accountability, by providing for strategic planning, performance measurement and reporting, performance audits, performance contracting, return on investment, and oversight, and providing for its implementation.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 8.22, unnumbered paragraph 1, Code 2001, is amended to read as follows:

The budget shall consist of ~~three~~ four parts, the nature and contents of which shall be as follows:

Sec. 2. Section 8.22, Code 2001, is amended by adding the following new part:

NEW PART. PART IV

STRATEGIC PLAN. Part IV shall include an explanation that correlates the budget with the enterprise strategic plan adopted pursuant to section 8E.204. The budget shall provide an explanation of appropriations recommended for the administration and maintenance of an agency as defined in section 8E.103 with the general evaluation of the agency in meeting enterprise strategic goals, including identifying goals that require legislation.

Sec. 3. Section 8.23, unnumbered paragraph 1, Code 2001, is amended to read as follows:

On or before October 1, prior to each legislative session, all departments and establishments of the government shall transmit to the director, on blanks to be furnished by the director, estimates of their expenditure requirements, including every proposed expenditure, for the ensuing fiscal year, classified so as to distinguish between expenditures estimated for administration, operation, and maintenance, and the cost of each project involving the purchase of land or the making of a public improvement or capital outlay of a permanent character, together with supporting data and explanations as called for by the director.

1. The budget estimates shall include for those agencies which pay for energy directly a line item for energy expenses itemized by type of energy and location.

2. The estimates of expenditure requirements shall be based upon seventy-five percent of the funding provided for the current fiscal year accounted for by program reduced by the historical employee vacancy factor in form specified by the director and the remainder of the estimate of expenditure requirements prioritized by program. The estimates shall be accompanied with performance measures for evaluating the effectiveness of the program.

3. The budget estimates for an agency as defined in section 8E.103 shall be based on achieving goals contained in the enterprise strategic plan and the agency's strategic plan as provided for in chapter 8E. The estimates shall be accompanied by a description of the measurable and other results to be achieved by the agency. Performance measures shall be based on the goals developed pursuant to sections 8E.205, 8E.206, and 8E.208. The esti-