

**137F.3A Municipal corporation inspections — contingent appropriation.**

1. *a.* The department may employ additional full-time equivalent positions to enforce the provisions of [this chapter](#) and [chapters 137C](#) and [137D](#), with the approval of the department of management, if either of the following apply:

(1) A municipal corporation operating pursuant to a [chapter 28E](#) agreement with the department to enforce the chapters either fails to renew the agreement effective after April 1, 2007, or discontinues, after April 1, 2007, enforcement activities in one or more jurisdictions during the agreement time frame.

(2) The department cancels an agreement after April 1, 2007, due to noncompliance with the terms of the agreement.

*b.* Before approval may be given, the director of the department of management must have determined that the expenses exceed the funds budgeted by the general assembly for food inspections to the department. The department may hire no more than one full-time equivalent position for each six hundred inspections required pursuant to [this chapter](#) and [chapters 137C](#) and [137D](#).

2. Notwithstanding [chapter 137D](#), and [sections 137C.9](#) and [137E.6](#), if the conditions described in [this section](#) are met, fees imposed pursuant to that chapter and those sections shall be retained by and are appropriated to the department each fiscal year to provide for salaries, support, maintenance, and miscellaneous purposes associated with the additional inspections. The appropriation made in [this subsection](#) is not applicable in a fiscal year for which the general assembly enacts an appropriation made for the purposes described in [this subsection](#).

[2006 Acts, ch 1185, §46, 53; 2007 Acts, ch 215, §214, 221; 2009 Acts, ch 133, §39; 2023 Acts, ch 19, §1909](#)

See annual Iowa Acts for provisions relating to the retention of certain fees collected by the department of inspections, appeals, and licensing as a result of licensing and registration activities under chapters 99B, 137C, 137D, and 137F for purposes of enforcing those chapters, and the remittance to a municipal corporation of certain fees collected on behalf of the municipal corporation

Section amended