

Senate File 442

H-1327

1 Amend the amendment, H-1306, to Senate File 442, as  
2 passed by the Senate, as follows:

3 1. By striking page 1, line 1, through page 6, line  
4 26, and inserting:

5 <Amend Senate File 442, as passed by the Senate, as  
6 follows:

7 1. By striking everything after the enacting clause  
8 and inserting:

9 <DIVISION I  
10 FY 2013-2014

11 Section 1. JUDICIAL BRANCH.

12 1. There is appropriated from the general fund of  
13 the state to the judicial branch for the fiscal year  
14 beginning July 1, 2013, and ending June 30, 2014, the  
15 following amount, or so much thereof as is necessary,  
16 to be used for the purposes designated:

17 a. For salaries of supreme court justices,  
18 appellate court judges, district court judges,  
19 district associate judges, associate juvenile judges,  
20 associate probate judges, judicial magistrates and  
21 staff, state court administrator, clerk of the supreme  
22 court, district court administrators, clerks of the  
23 district court, juvenile court officers, board of law  
24 examiners and board of examiners of shorthand reporters  
25 and judicial qualifications commission; receipt and  
26 disbursement of child support payments; reimbursement  
27 of the auditor of state for expenses incurred in  
28 completing audits of the offices of the clerks of the  
29 district court during the fiscal year beginning July  
30 1, 2013; and maintenance, equipment, and miscellaneous  
31 purposes:

32 ..... \$164,599,367

33 b. For deposit in the revolving fund created  
34 pursuant to section 602.1302, subsection 3, for jury  
35 and witness fees, mileage, costs related to summoning  
36 jurors, fees for interpreters, and reimbursement of  
37 attorney fees paid by the state public defender:

38 ..... \$ 3,100,000

39 2. The judicial branch, except for purposes of  
40 internal processing, shall use the current state budget  
41 system, the state payroll system, and the Iowa finance  
42 and accounting system in administration of programs  
43 and payments for services, and shall not duplicate the  
44 state payroll, accounting, and budgeting systems.

45 3. The judicial branch shall submit monthly  
46 financial statements to the legislative services  
47 agency and the department of management containing  
48 all appropriated accounts in the same manner as  
49 provided in the monthly financial status reports and  
50 personal services usage reports of the department

1 of administrative services. The monthly financial  
2 statements shall include a comparison of the dollars  
3 and percentage spent of budgeted versus actual revenues  
4 and expenditures on a cumulative basis for full-time  
5 equivalent positions and dollars.

6 4. The judicial branch shall focus efforts upon the  
7 collection of delinquent fines, penalties, court costs,  
8 fees, surcharges, or similar amounts.

9 5. The offices of the clerks of the district court  
10 shall operate in all 99 counties and be accessible to  
11 the public during regular business hours.

12 6. In addition to the requirements for transfers  
13 under section 8.39, the judicial branch shall not  
14 change the appropriations from the amounts appropriated  
15 to the judicial branch in this division of this Act,  
16 unless notice of the revisions is given prior to their  
17 effective date to the legislative services agency.  
18 The notice shall include information on the branch's  
19 rationale for making the changes and details concerning  
20 the workload and performance measures upon which the  
21 changes are based.

22 7. The judicial branch shall submit a semiannual  
23 update to the legislative services agency specifying  
24 the amounts of fines, surcharges, and court costs  
25 collected using the Iowa court information system since  
26 the last report. The judicial branch shall continue  
27 to facilitate the sharing of vital sentencing and  
28 other information with other state departments and  
29 governmental agencies involved in the criminal justice  
30 system through the Iowa court information system.

31 8. The judicial branch shall provide a report to  
32 the general assembly by January 1, 2014, concerning  
33 the amounts received and expended from the enhanced  
34 court collections fund created in section 602.1304 and  
35 the court technology and modernization fund created in  
36 section 602.8108, subsection 7, during the fiscal year  
37 beginning July 1, 2012, and ending June 30, 2013, and  
38 the plans for expenditures from each fund during the  
39 fiscal year beginning July 1, 2013, and ending June 30,  
40 2014. A copy of the report shall be provided to the  
41 legislative services agency.

42 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding  
43 any provision to the contrary, for the fiscal year  
44 beginning July 1, 2013, and ending June 30, 2014, if  
45 all parties in a case agree, a civil trial including a  
46 jury trial may take place in a county contiguous to the  
47 county with proper jurisdiction, even if the contiguous  
48 county is located in an adjacent judicial district or  
49 judicial election district. If the trial is moved  
50 pursuant to this section, court personnel shall treat

1 the case as if a change of venue occurred. However,  
2 if a trial is moved to an adjacent judicial district  
3 or judicial election district, the judicial officers  
4 serving in the judicial district or judicial election  
5 district receiving the case shall preside over the  
6 case.

7 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding  
8 section 602.1509, for the fiscal year beginning July 1,  
9 2013, a judicial officer may waive travel reimbursement  
10 for any travel outside the judicial officer's county of  
11 residence to conduct official judicial business.

12 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT —  
13 LEGISLATIVE SERVICES AGENCY. All reports or copies of  
14 reports required to be provided by the judicial branch  
15 for fiscal year 2013-2014 to the legislative services  
16 agency shall be provided in an electronic format. The  
17 legislative services agency shall post the reports on  
18 its internet website and shall notify by electronic  
19 means all the members of the joint appropriations  
20 subcommittee on the justice system when a report  
21 is posted. Upon request, copies of the reports may  
22 be mailed to members of the joint appropriations  
23 subcommittee on the justice system.

24 Sec. 5. JUDICIAL OFFICER — UNPAID  
25 LEAVE. Notwithstanding the annual salary rates  
26 for judicial officers established by 2008 Iowa Acts,  
27 chapter 1191, section 11, for the fiscal year beginning  
28 July 1, 2013, and ending June 30, 2014, the supreme  
29 court may by order place all judicial officers on  
30 unpaid leave status on any day employees of the  
31 judicial branch are placed on temporary layoff status.  
32 The biweekly pay of the judicial officers shall be  
33 reduced accordingly for the pay period in which the  
34 unpaid leave date occurred in the same manner as for  
35 noncontract employees of the judicial branch. Through  
36 the course of the fiscal year, the judicial branch may  
37 use an amount equal to the aggregate amount of salary  
38 reductions due to the judicial officer unpaid leave  
39 days for any purpose other than for judicial salaries.

40 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the  
41 intent of the general assembly that the judicial branch  
42 utilize the Iowa communications network or other secure  
43 electronic communications in lieu of traveling for the  
44 fiscal year beginning July 1, 2013.

45 DIVISION II  
46 FY 2014-2015

47 Sec. 7. JUDICIAL BRANCH.

48 1. There is appropriated from the general fund of  
49 the state to the judicial branch for the fiscal year  
50 beginning July 1, 2014, and ending June 30, 2015, the

1 following amount, or so much thereof as is necessary,  
2 to be used for the purposes designated:

3 a. For salaries of supreme court justices,  
4 appellate court judges, district court judges,  
5 district associate judges, associate juvenile judges,  
6 associate probate judges, judicial magistrates and  
7 staff, state court administrator, clerk of the supreme  
8 court, district court administrators, clerks of the  
9 district court, juvenile court officers, board of law  
10 examiners and board of examiners of shorthand reporters  
11 and judicial qualifications commission; receipt and  
12 disbursement of child support payments; reimbursement  
13 of the auditor of state for expenses incurred in  
14 completing audits of the offices of the clerks of the  
15 district court during the fiscal year beginning July  
16 1, 2014; and maintenance, equipment, and miscellaneous  
17 purposes:

18 ..... \$139,909,462

19 b. For deposit in the revolving fund created  
20 pursuant to section 602.1302, subsection 3, for jury  
21 and witness fees, mileage, costs related to summoning  
22 jurors, fees for interpreters, and reimbursement of  
23 attorney fees paid by the state public defender:

24 ..... \$ 2,635,000

25 2. The judicial branch, except for purposes of  
26 internal processing, shall use the current state budget  
27 system, the state payroll system, and the Iowa finance  
28 and accounting system in administration of programs  
29 and payments for services, and shall not duplicate the  
30 state payroll, accounting, and budgeting systems.

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32 financial statements to the legislative services  
33 agency and the department of management containing  
34 all appropriated accounts in the same manner as  
35 provided in the monthly financial status reports and  
36 personal services usage reports of the department  
37 of administrative services. The monthly financial  
38 statements shall include a comparison of the dollars  
39 and percentage spent of budgeted versus actual revenues  
40 and expenditures on a cumulative basis for full-time  
41 equivalent positions and dollars.

42 4. The judicial branch shall focus efforts upon the  
43 collection of delinquent fines, penalties, court costs,  
44 fees, surcharges, or similar amounts.

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46 shall operate in all 99 counties and be accessible to  
47 the public during regular business hours.

48 6. In addition to the requirements for transfers  
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50 change the appropriations from the amounts appropriated

1 to the judicial branch in this division of this Act,  
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3 effective date to the legislative services agency.  
4 The notice shall include information on the branch's  
5 rationale for making the changes and details concerning  
6 the workload and performance measures upon which the  
7 changes are based.

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9 update to the legislative services agency specifying  
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11 collected using the Iowa court information system since  
12 the last report. The judicial branch shall continue  
13 to facilitate the sharing of vital sentencing and  
14 other information with other state departments and  
15 governmental agencies involved in the criminal justice  
16 system through the Iowa court information system.

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18 the general assembly by January 1, 2015, concerning  
19 the amounts received and expended from the enhanced  
20 court collections fund created in section 602.1304 and  
21 the court technology and modernization fund created in  
22 section 602.8108, subsection 7, during the fiscal year  
23 beginning July 1, 2013, and ending June 30, 2014, and  
24 the plans for expenditures from each fund during the  
25 fiscal year beginning July 1, 2014, and ending June 30,  
26 2015. A copy of the report shall be provided to the  
27 legislative services agency.

28 Sec. 8. CIVIL TRIALS — LOCATION. Notwithstanding  
29 any provision to the contrary, for the fiscal year  
30 beginning July 1, 2014, and ending June 30, 2015, if  
31 all parties in a case agree, a civil trial including a  
32 jury trial may take place in a county contiguous to the  
33 county with proper jurisdiction, even if the contiguous  
34 county is located in an adjacent judicial district or  
35 judicial election district. If the trial is moved  
36 pursuant to this section, court personnel shall treat  
37 the case as if a change of venue occurred. However,  
38 if a trial is moved to an adjacent judicial district  
39 or judicial election district, the judicial officers  
40 serving in the judicial district or judicial election  
41 district receiving the case shall preside over the  
42 case.

43 Sec. 9. TRAVEL REIMBURSEMENT. Notwithstanding  
44 section 602.1509, for the fiscal year beginning July 1,  
45 2014, a judicial officer may waive travel reimbursement  
46 for any travel outside the judicial officer's county of  
47 residence to conduct official judicial business.

48 Sec. 10. POSTING OF REPORTS IN ELECTRONIC FORMAT —  
49 LEGISLATIVE SERVICES AGENCY. All reports or copies of  
50 reports required to be provided by the judicial branch

1 for fiscal year 2014-2015 to the legislative services  
2 agency shall be provided in an electronic format. The  
3 legislative services agency shall post the reports on  
4 its internet website and shall notify by electronic  
5 means all the members of the joint appropriations  
6 subcommittee on the justice system when a report  
7 is posted. Upon request, copies of the reports may  
8 be mailed to members of the joint appropriations  
9 subcommittee on the justice system.

10 Sec. 11. JUDICIAL OFFICER — UNPAID  
11 LEAVE. Notwithstanding the annual salary rates  
12 for judicial officers established by 2008 Iowa Acts,  
13 chapter 1191, section 11, for the fiscal year beginning  
14 July 1, 2014, and ending June 30, 2015, the supreme  
15 court may by order place all judicial officers on  
16 unpaid leave status on any day employees of the  
17 judicial branch are placed on temporary layoff status.  
18 The biweekly pay of the judicial officers shall be  
19 reduced accordingly for the pay period in which the  
20 unpaid leave date occurred in the same manner as for  
21 noncontract employees of the judicial branch. Through  
22 the course of the fiscal year, the judicial branch may  
23 use an amount equal to the aggregate amount of salary  
24 reductions due to the judicial officer unpaid leave  
25 days for any purpose other than for judicial salaries.

26 Sec. 12. IOWA COMMUNICATIONS NETWORK. It is the  
27 intent of the general assembly that the judicial branch  
28 utilize the Iowa communications network or other secure  
29 electronic communications in lieu of traveling for the  
30 fiscal year beginning July 1, 2014.

31 \_\_\_\_\_. Page 1, after line 1 by inserting:

32 Sec. \_\_\_\_\_. SUPREME COURT JUSTICE SALARY.

33 1. Any justice appointed to the supreme court  
34 prior to April 3, 2009, and who remains a justice of  
35 the supreme court on or after the date the electorate  
36 ratifies a constitutional amendment declaring marriage  
37 between one man and one woman is the only valid or  
38 recognized legal union in this state, shall have the  
39 salary of the justice reduced in accordance with this  
40 section unless the justice resigns immediately.

41 2. If the justice does not resign, the salary  
42 reduction shall be calculated and implemented as  
43 follows:

44 a. The total amount to be reduced from the future  
45 salary of such a justice shall equal the difference  
46 between the total amount of the salary earned by  
47 the justice between April 3, 2009, and the date the  
48 electorate ratified the constitutional amendment,  
49 and the total amount of the salary earned by a member  
50 of the general assembly between April 3, 2009, and

1 the date the electorate ratified the constitutional  
2 amendment.  
3 b. Upon calculating the total amount of the salary  
4 to be reduced pursuant to paragraph "a", the salary of  
5 the justice shall be reduced to equal the salary of a  
6 current member of the general assembly.  
7 c. The salary of the justice shall be reduced until  
8 such time as the total amount of the salary to be  
9 reduced in paragraph "a" equals the total amount of the  
10 actual salary reduction under paragraph "b".>>

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ALONS of Sioux

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SHAW of Pocahontas

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SHEETS of Appanoose

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GASSMAN of Winnebago

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HEARTSILL of Marion