

House File 774

H-1241

1 Amend House File 774 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. NEW SECTION. **80.47 Public safety equipment**  
4 **fund.**

5 1. A public safety equipment fund is created in the state  
6 treasury under the control of the department. The fund shall  
7 consist of moneys deposited in the fund pursuant to section  
8 321.492C and any other moneys appropriated to or deposited  
9 in the fund. Moneys in the fund are appropriated to the  
10 department for the purchase, maintenance, and replacement of  
11 equipment used by the department.

12 2. Notwithstanding section 8.33, moneys in the fund  
13 that remain unencumbered or unobligated at the close of a  
14 fiscal year shall not revert but shall remain available for  
15 expenditure for the purposes designated. Notwithstanding  
16 section 12C.7, subsection 2, interest or earnings on moneys in  
17 the fund shall be credited to the fund.

18 Sec. \_\_\_\_\_. Section 135.25, Code 2019, is amended to read as  
19 follows:

20 **135.25 Emergency medical services fund.**

21 An emergency medical services fund is created in the state  
22 treasury under the control of the department. The fund  
23 includes, but is not limited to, amounts appropriated by the  
24 general assembly, and other moneys available from federal or  
25 private sources which are to be used for purposes of this  
26 section. Funds remaining in the fund at the end of each  
27 fiscal year shall not revert to the general fund of the state  
28 but shall remain in the emergency medical services fund,  
29 notwithstanding [section 8.33](#). The fund is established to  
30 assist counties by matching, on a dollar-for-dollar basis,  
31 moneys spent by a county for the acquisition of equipment for  
32 the provision of emergency medical services and by providing  
33 grants to counties for education and training in the delivery  
34 of emergency medical services, as provided in [this section](#) and  
35 section 422D.6. A county seeking matching funds under this

1 section shall apply to the emergency medical services division  
2 of the department. Moneys deposited in the fund pursuant to  
3 section 321.492C shall be allocated as required under this  
4 section, but shall be used to assist counties in providing  
5 emergency medical services in rural, underserved areas of  
6 the state. The department shall adopt rules concerning the  
7 application and awarding process for the matching funds and  
8 the criteria for the allocation of moneys in the fund if the  
9 moneys are insufficient to meet the emergency medical services  
10 needs of the counties. Moneys allocated by the department to a  
11 county for emergency medical services purposes may be used for  
12 equipment or training and education as determined by the board  
13 of supervisors pursuant to [section 422D.6.](#)>

14 2. Page 7, line 9, after <proceedings.> by inserting <An  
15 administrative process created by a local authority prior to  
16 the effective date of this Act which provides due process and  
17 an opportunity for judicial review shall be deemed to fulfill  
18 the requirements of this subparagraph division.>

19 3. By striking page 7, line 30, through page 8, line 6, and  
20 inserting:

21 <3. a. Before July 1, 2020, one hundred percent of the  
22 moneys collected by a local authority from citations issued as  
23 a result of the use of an automated traffic law enforcement  
24 system shall be used by the local authority for purposes of  
25 public safety. On and after July 1, 2020, forty percent of  
26 such moneys shall be used by the local authority for purposes  
27 of public safety and sixty percent shall be transferred  
28 to the treasurer of state. The treasurer of state shall  
29 deposit thirty-four percent of the moneys received under this  
30 subsection in the public safety equipment fund created in  
31 section 80.47 and sixty-six percent of the moneys received  
32 under this subsection in the emergency medical services fund  
33 created in section 135.25.

34 b. The amounts referred to in paragraph "a" shall be  
35 calculated after subtracting moneys ordered refunded by a

1 court or through an administrative process, moneys used for  
2 the installation, operation, administration, and maintenance  
3 of the automated traffic law enforcement system, and costs and  
4 fees withheld by or paid to an entity operating the automated  
5 traffic law enforcement system on the local authority's behalf.  
6 c. On and after the effective date of this Act, a local  
7 authority shall not enter into any contract or agreement that  
8 requires more than twenty-five percent of a civil penalty  
9 collected as a result of the use of an automated traffic law  
10 enforcement system be paid to an entity operating the automated  
11 traffic law enforcement system on the local authority's behalf,  
12 or any other third party, for providing services relating to  
13 the enforcement of the local authority's ordinances or the  
14 collection of civil penalties imposed as a result of the use  
15 of an automated traffic law enforcement system. A contract or  
16 agreement entered into in violation of this paragraph is void.  
17 This paragraph does not apply to a contract or agreement in  
18 effect prior to the effective date of this Act. However, such  
19 a contract or agreement shall not be renewed or extended beyond  
20 the terms of such contract or agreement unless the contract or  
21 agreement complies with this paragraph.>  
22 4. By renumbering as necessary.

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HINSON of Linn

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KLEIN of Washington