

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC DEFENSE BILL)

A BILL FOR

1 An Act relating to the national guard educational assistance
2 program by removing residency requirements and providing for
3 the nonreversion of certain funds, and including effective
4 date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 261.86, subsection 1, paragraph a, Code
2 2014, is amended to read as follows:

3 a. ~~Is a resident of the state and~~ a member of an Iowa
4 army or air national guard unit while receiving educational
5 assistance pursuant to this section.

6 Sec. 2. Section 261.86, subsection 6, Code 2014, is amended
7 to read as follows:

8 6. ~~Notwithstanding section 8.33, until one year after the~~
9 ~~date the president of the United States or the Congress of~~
10 ~~the United States declares a cessation of hostilities ending~~
11 ~~operation Iraqi freedom, operation new dawn, and operation~~
12 ~~enduring freedom, of those~~ funds appropriated for purposes of
13 this section ~~which~~ that remain unencumbered or unobligated
14 at the close of the fiscal year for which the funds were
15 appropriated, an amount not to exceed five percent of the
16 amount appropriated shall not revert but shall be available for
17 expenditure for the following fiscal year for purposes of this
18 section.

19 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
20 immediate importance, takes effect upon enactment.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill relates to the national guard educational
25 assistance program by removing residency restrictions and
26 providing for the nonreversion of certain funds.

27 Current law requires, in part, that for an individual to be
28 eligible for the national guard educational assistance program
29 that the individual be a member of an Iowa army or air national
30 guard unit and be a resident of the state while receiving
31 assistance through the program. The bill removes the Iowa
32 residency requirement.

33 Current law also provides that up until one year after
34 the president of the United States declares the cessation of
35 hostilities in certain conflicts, funds appropriated for the

1 program that are unencumbered or unobligated at the close
2 of a fiscal year shall be available for expenditure for the
3 following fiscal year for the purposes of the program. The
4 bill limits this nonreversion provision to a maximum of 5
5 percent of the funds appropriated and removes the presidential
6 declaration limitation on the nonreversion of funds.
7 The bill takes effect upon enactment.