



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF MANAGEMENT
David Roederer, Director

January 31, 2017

MEMORANDUM

TO: Governor Terry E. Branstad, Members of the Iowa General Assembly

FR: David Roederer, Director, Iowa Department of Management

RE: Biennial State Mandates Report

Pursuant to Iowa Code Chapter 25B.4, attached is the Biennial State Mandates report. Please contact Joel Lunde at joel.lunde@iowa.gov with any questions or comments.

Biennial State Mandates Report (Legislative Sessions 2015 and 2016)

Iowa Code 25 B.4 requires a report at least biennially from the Director of the Department of Management to the Governor and the General Assembly regarding the administration of Iowa Code 25B including any proposed changes.

For the 2015 legislative session, the Legislative Services Agency found that there were no mandates identified passed by the General Assembly.

For the 2016 legislative session, the Legislative Services Agency identified two bills that may contain a State Mandate. HF 2233 – Public Entity Investments, Israel Boycotting Prohibition Act for which the fiscal note file with the bill is considered sufficient in estimating the cost of the state mandate in the bill, so no further estimate was filed with the Secretary of State and no notation of the filing of the estimate was required in the official Acts of the General Assembly.

HF 2420 – Sexual Abuse Examination Kit Inventory for which the fiscal note file with the bill is considered sufficient in estimating the cost of the state mandate in the bill, so no further estimate was filed with the Secretary of State and no notation of the filing of the estimate was required in the official Acts of the General Assembly.



**LEGISLATIVE
SERVICES AGENCY**

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Glen Dickinson, Director

Holly M. Lyons
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Memorandum

Date: July 21, 2016
To: Roger Karns
From: Holly Lyons *HL*
Re: State Mandates

Chapter 25B, Iowa Code, defines a "state mandate" as a statutory change or appropriation that would require the political subdivisions of the State to establish, expand, or modify their activities in a manner that would increase statewide annual expenditures of local revenue by \$100,000, or increase local expenditures by \$500,000 within five years. An order issued by a court of this State is not considered a State mandate.

The Legislative Services Agency is required to provide a cost estimate Fiscal Note for a bill or joint resolution that is enacted and contains a State mandate, unless a sufficient estimate is already on file with the originating house. The estimate is to be filed with the Secretary of State for inclusion with the official copy of the bill or resolution. A notation of the filing of the estimate is to be made in the Acts of the General Assembly.

The Legislative Services Agency has identified two bills that passed the General Assembly during the 2016 legislative session that contained a State Mandate.

HF 2331 (Public Entity Investments, Israel Boycotting Prohibition) - Pursuant to Iowa Code chapter 25B.5(3), the fiscal note filed with the bill in the Senate and House chambers is sufficient in estimating the cost of the state mandate in Section 4 of the bill, so no further estimate will be filed with the Secretary of State for inclusion with the official copy of the bill. Therefore no notation of the filing of the estimate is required in the official Acts of the General Assembly.

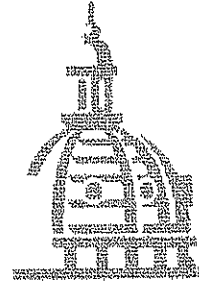
HF 2420 (Sexual Abuse Examination Kit Inventory) - Pursuant to Iowa Code chapter 25B.5(3), the fiscal note filed with the bill in the Senate and House chambers is sufficient in estimating the cost of the state mandate in Section 1 of the bill, so no further estimate will be filed with the Secretary of State for inclusion with the official copy of the bill. Therefore no notation of the filing of the estimate is required in the official Acts of the General Assembly.

If you have any questions, please contact me.



Fiscal Note

Fiscal Services Division



HF 2331 – Public Entity Investments, Israel Boycotting Prohibition (LSB5462HV)
Analyst: David Reynolds (Phone: 515-281-6934) (dave.reynolds@legis.iowa.gov)
Fiscal Note Version – New

Description

House File 2331 prohibits certain entities defined by the bill as public funds from directly investing in companies that are engaged in a boycott of Israel. The entities include: the Treasurer of State, Board of Regents, Iowa Public Employees Retirement System (IPERS), the Municipal Fire and Police Retirement System, the Peace Officer Retirement Fund, and the Judicial Retirement System. The public funds are not prohibited from investing in indirect holdings (i.e., mutual funds, etc.) that include scrutinized companies, but are encouraged to replace such investments with investments that do not include scrutinized companies.

The bill also prohibits a public entity from entering into a contract of \$1,000 or more with a scrutinized company. The bill requires each public fund to file an annual report by October 1 with the General Assembly, and make the report available to the public. The report is to include a list of identified scrutinized companies, a summary of written notices sent, and all investments sold, redeemed, divested, or withdrawn during the prior fiscal year.

Background

House File 2331, as well as similar legislation in other states, is intended to counter efforts of the Boycott, Divestment, and Sanctions Movement (BDS). The purpose of the BDS Movement is to encourage countries, government entities, and companies to boycott goods manufactured in Israel and by Israeli companies and divest from financial holdings in Israel and Israeli companies. Legislation similar to **HF 2331** has been enacted in South Carolina and Illinois. Similar legislation is currently pending in seven other states.

Fiscal Impact

HF 2331 will not have a fiscal impact on the State General Fund. However, the fiscal impact resulting from future investment activity on the pension funds cannot be determined due to lack of information as to particular companies that may be covered by the legislation.

The cost associated with purchasing research services associated with identifying information on scrutinized companies is estimated to range from \$3,000 to \$10,000 annually. It is assumed that the entities impacted by the requirements of the bill will coordinate for the purchase of these research services to eliminate duplication.

Sources

Iowa Treasurer of State
Iowa Public Employee Retirement System (IPERS)
Board of Regents
Municipal Fire and Police Retirement System of Iowa

/s/ Holly M. Lyons

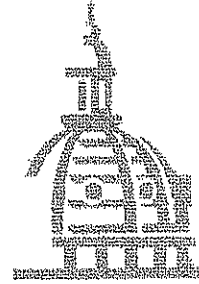
February 23, 2016

The fiscal note for this bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the LSA upon request.



Fiscal Note

Fiscal Services Division



HF 2420 – Sexual Abuse Examination Kit Inventory (LSB1323HV)
Analyst: Alice Wisner (Phone: 515-281-6764) (alice.wisner@legis.iowa.gov)
Fiscal Note Version – New

Description

House File 2420 addresses the issue of untested sexual abuse evidence collection kits not submitted to a crime lab for testing but stored at law enforcement agencies in Iowa.

Background

In September 2015, the U. S. Department of Justice awarded a \$2.0 million grant to the Iowa Attorney General's Office (AG) to identify the number of untested sexual abuse evidence collection kits existing within Iowa law enforcement agencies. Half of the grant funds (\$1.0 million) is directed to testing kits and the remaining funds (\$1.0 million) is directed to support law enforcement investigations and prosecutions derived from kits tested. This grant will be available for three federal fiscal years (FFY 2016 – FFY 2018). A steering committee within the Crime Victim Assistance Division (CVAD) of the AG's Office was formed to administrate the grant.

The funds were received in February 2016 and a survey was immediately sent to 414 Iowa law enforcement agencies. Responses were requested within 90 days. The experience in other states has been a compliance rate of approximately 40.0% with a nonmandated survey. This bill requires a survey response by January 1, 2017. The CVAD is to compile the results of the survey and submit a written report to the General Assembly by March 15, 2017. The report is to include the names and contact information of each law enforcement agency that fails to submit answers to the survey as required. The survey includes specific questions on the storage of each kit, and an inventory of each kit including the reason for not submitting the kit for analysis.

It is not possible at this time to estimate how many untested sexual abuse kits will be reported statewide. The city of Des Moines has already completed an inventory and identified 870 untested kits. It is also unknown at this point how many kits will be viable for testing. A kit must yield five samples to be viable for laboratory testing.

Assumptions

- Up to 1,000 kits will be tested at a cost of \$1,000 each.
- The Department of Public Safety Division of Criminal Investigation Crime Lab will contract with private laboratories for testing kits as the funding is not considered sustainable to add necessary equipment and hire and train additional permanent staff. Only private laboratories following the Federal Bureau of Investigation Quality Assurance Standards will be utilized to perform testing of kits.
- Currently 2.0 FTE positions are being utilized for the survey and inventory of kits. The cost of these FTE positions will be paid from federal funds.

Fiscal Impact

There will be no fiscal impact to the General Fund for the survey, inventory, and testing of sexual abuse kits.

It is not possible to estimate at this time if the federal grant funding will be sufficient to test all identified viable kits. Nor is it possible to estimate if all of the costs involved in investigations and prosecutions related to tested kits will be covered under the federal grant. However, this is a three-year funding process and the survey results will make it possible to estimate the amount of funding necessary to test all viable kits.

The bill may include a state mandate as defined in Code section 25B.3.

Sources

Iowa Department of Justice, Attorney General's Office, Crime Victim Assistance Division
Iowa Department of Public Safety, Crime Lab

/s/ Holly M. Lyons

March 2, 2016

The fiscal note for this bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



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Memorandum

Date: August 7, 2015
To: Roger Karns, LSA
From: Holly Lyons, LSA
Re: State Mandates

Chapter 25B, Iowa Code, defines a "state mandate" as a statutory change or appropriation that would require the political subdivisions of the State to establish, expand, or modify their activities in a manner that would increase statewide annual expenditures of local revenue by \$100,000, or increase local expenditures by \$500,000 within five years. An order issued by a court of this State is not considered a State mandate.

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There were no mandates identified by the Legislative Services Agency passed by the General Assembly during the 2015 Legislative Session.