

Budget Unit Brief

FY 2017



Court-Ordered Environmental Crime Fines

Purpose

The Attorney General is charged with enforcement of Iowa Code chapters [455B](#), [459](#) (subchapters I, II, III, IV, and VI), [459A](#), and [459B](#). The [Office of the Attorney General](#) may institute civil or criminal proceedings, including an action for injunction, to enforce these provisions of Iowa law. The Court Ordered Environmental Crime Fines Fund is created in Iowa Code section [455B.112A](#) under the administration of the Attorney General. This restricted Fund is used for the investigation and prosecution of environmental crimes, including reimbursement of expenses incurred by local government agencies that cooperate with the Attorney General's Office in the investigation and prosecution of environmental crimes.

Funding

Receipts to the Fund include court-ordered fines and restitution awarded to the Office of the Attorney General as part of a judgment in an environmental crime case. Iowa law provides a standing limited appropriation of \$20,000 annually from the Fund to the Office of the Attorney General. Any receipt of fines and restitution in excess of \$20,000 is deposited in the State General Fund. The year-end balance carries forward to the next fiscal year. Interest earnings remain in the Fund.

Receipts vary significantly from year to year, with FY 2010 and FY 2013 receipts at zero, FY 2011 and FY 2012 receipts at the codified cap of \$20,000 annually, and FY 2015 receipts at \$9,005. The amount of interest earned is negligible. The balance brought forward in FY 2015 and FY 2016 were \$7,510 and \$16,516 respectively. There were no expenditures from the Fund in FY 2010, FY 2014, and FY 2015. For FY 2011 and FY 2012, expenditures reached the codified cap of \$20,000 for reimbursements to the Office of the Attorney General.

Related Statutes and Administrative Rules

Iowa Code chapters [13](#), [455B](#), [459](#) (subchapters I, II, III, IV, and VI), [459A](#), and [459B](#).

[61](#) Iowa Administrative Code

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More Information

Office of the Attorney General: <https://www.iowaattorneygeneral.gov/>

Iowa General Assembly: <https://www.legis.iowa.gov/>

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