

House File 2458 - Enrolled

House File 2458

AN ACT

RELATING TO APPROPRIATIONS TO THE JUSTICE SYSTEM, AND INCLUDING EFFECTIVE DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. 2015 Iowa Acts, chapter 135, section 23, is amended to read as follows:

SEC. 23. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, matching funds for federal violence against women grant programs, victim assistance grants, office of drug control policy prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

|       |      |                      |
|-------|------|----------------------|
| ..... | \$   | <del>3,994,953</del> |
|       |      | <u>7,989,905</u>     |
| ..... | FTEs | <del>214.00</del>    |
|       |      | <u>215.00</u>        |

As a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing

each agency or department.

b. For victim assistance grants:

|       |                         |
|-------|-------------------------|
| ..... | \$ <del>3,367,200</del> |
|       | <u>6,734,400</u>        |

The moneys appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

The balance of the victim compensation fund established in [section 915.94](#) may be used to provide salary and support of not more than ~~24~~ 29.00 FTEs and to provide maintenance for the victim compensation functions of the department of justice. Of the FTEs authorized pursuant to this paragraph, 5.00 FTEs shall be used by the department of justice to employ one accountant and four program planners. The department of justice may employ the additional five FTEs authorized pursuant to this lettered paragraph that are in excess of the number of FTEs authorized for the previous fiscal year only if the department of justice receives sufficient federal moneys to maintain employment for the additional FTEs during the current fiscal year. The department of justice shall only employ the additional five FTEs in succeeding fiscal years if sufficient federal moneys are received during each of those succeeding fiscal years.

The department of justice shall transfer at least \$150,000 from the victim compensation fund established in [section 915.94](#) to the victim assistance grant program.

Notwithstanding [section 8.33](#), moneys appropriated in this paragraph "b" that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

c. For legal services for persons in poverty grants as provided in [section 13.34](#):

|       |                         |
|-------|-------------------------|
| ..... | \$ <del>1,200,000</del> |
|       | <u>2,400,000</u>        |

2. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2017, pursuant to [section 8.23](#), shall include a report of funding

from sources other than amounts appropriated directly from the general fund of the state to the department of justice or to the office of consumer advocate. These funding sources shall include but are not limited to reimbursements from other state agencies, commissions, boards, or similar entities, and reimbursements from special funds or internal accounts within the department of justice. The department of justice shall also report actual reimbursements for the fiscal year commencing July 1, 2015, and actual and expected reimbursements for the fiscal year commencing July 1, 2016.

b. The department of justice shall include the report required under paragraph "a", as well as information regarding any revisions occurring as a result of reimbursements actually received or expected at a later date, in a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency. The department of justice shall submit the report on or before January 15, 2017.

3. a. The department of justice shall reimburse the costs and necessary related expenses incurred by the Iowa law enforcement academy to employ one additional instructor position who shall provide training for domestic abuse and human trafficking-related issues throughout the state.

b. The department of justice shall obtain the moneys necessary to reimburse the Iowa law enforcement academy to employ such an instructor from unrestricted moneys from either the victim compensation fund established in section 915.94, the human trafficking victim fund established in section 915.95, or the human trafficking enforcement fund established in 2015 Iowa Acts, ch. 138, §141.

Sec. 2. CONSUMER EDUCATION AND LITIGATION — FARM MEDIATION. Notwithstanding section 714.16C, there is appropriated from the consumer education and litigation fund to the department of justice for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For farm mediation services as specified in section 13.13, subsection 2:

..... \$ 300,000

Sec. 3. 2015 Iowa Acts, chapter 135, section 24, is amended to read as follows:

SEC. 24. OFFICE OF CONSUMER ADVOCATE. There is appropriated from the department of commerce revolving fund created in section 546.12 to the office of consumer advocate of the department of justice for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,568,794
3,137,588
..... FTEs 22.00

Sec. 4. 2015 Iowa Acts, chapter 135, section 25, is amended to read as follows:

SEC. 25. DEPARTMENT OF CORRECTIONS — FACILITIES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 21,885,801
43,771,602

b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 16,834,127
33,668,253

It is the intent of the general assembly that the department of corrections maintain and operate the Luster Heights prison camp.

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, and miscellaneous

purposes:

..... \$ ~~30,079,046~~  
60,158,092

d. For the operation of the Newton correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ ~~13,786,054~~  
27,974,048

e. For the operation of the Mount Pleasant correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ ~~12,680,067~~  
24,958,195

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ ~~4,918,177~~  
9,836,353

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ ~~12,966,715~~  
25,933,430

Moneys received by the department of corrections as reimbursement for services provided to the Clarinda youth corporation are appropriated to the department and shall be used for the purpose of operating the Clarinda correctional facility.

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ ~~11,322,985~~  
22,645,970

i. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ ~~15,048,824~~  
30,097,648

j. For reimbursement of counties for temporary confinement

of work release and parole violators, as provided in sections 901.7, 904.908, and 906.17, and for offenders confined pursuant to section 904.513:

..... \$ 537,546  
1,075,092

k. For federal prison reimbursement, reimbursements for out-of-state placements, and miscellaneous contracts:

..... \$ 242,205  
484,411

2. The department of corrections shall use moneys appropriated in subsection 1 to continue to contract for the services of a Muslim imam and a Native American spiritual leader.

Sec. 5. 2015 Iowa Acts, chapter 135, section 26, is amended to read as follows:

SEC. 26. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general administration, including salaries, support, maintenance, employment of an education director to administer a centralized education program for the correctional system, and miscellaneous purposes:

..... \$ ~~2,635,005~~  
5,270,010

a. It is the intent of the general assembly that each lease negotiated by the department of corrections with a private corporation for the purpose of providing private industry employment of inmates in a correctional institution shall prohibit the private corporation from utilizing inmate labor for partisan political purposes for any person seeking election to public office in this state and that a violation of this requirement shall result in a termination of the lease agreement.

b. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection the department of corrections shall not enter into

a lease or contractual agreement pursuant to [section 904.809](#) with a private corporation for the use of building space for the purpose of providing inmate employment without providing that the terms of the lease or contract establish safeguards to restrict, to the greatest extent feasible, access by inmates working for the private corporation to personal identifying information of citizens.

2. For educational programs for inmates at state penal institutions:

..... \$ ~~1,304,055~~  
2,608,109

a. To maximize the funding for educational programs, the department shall establish guidelines and procedures to prioritize the availability of educational and vocational training for inmates based upon the goal of facilitating an inmate's successful release from the correctional institution.

b. The director of the department of corrections may transfer moneys from Iowa prison industries and the canteen operating funds established pursuant to [section 904.310](#), for use in educational programs for inmates.

c. Notwithstanding [section 8.33](#), moneys appropriated in this subsection that remain unobligated or unexpended at the close of the fiscal year shall not revert but shall remain available to be used only for the purposes designated in this subsection until the close of the succeeding fiscal year.

3. For the development of the Iowa corrections offender network (ICON) data system:

..... \$ ~~1,000,000~~  
2,000,000

4. For offender mental health and substance abuse treatment:

..... \$ ~~11,159~~  
22,319

4A. For department-wide duties, including operations, costs, and miscellaneous purposes:

..... \$ 3,407,808

5. It is the intent of the general assembly that for the fiscal year addressed by this section the department of corrections shall continue to operate the correctional

farms under the control of the department at the same or greater level of participation and involvement as existed as of January 1, 2011; shall not enter into any rental agreement or contract concerning any farmland under the control of the department that is not subject to a rental agreement or contract as of January 1, 2011, without prior legislative approval; and shall further attempt to provide job opportunities at the farms for inmates. The department shall attempt to provide job opportunities at the farms for inmates by encouraging labor-intensive farming or gardening where appropriate; using inmates to grow produce and meat for institutional consumption; researching the possibility of instituting food canning and cook-and-chill operations; and exploring opportunities for organic farming and gardening, livestock ventures, horticulture, and specialized crops.

Sec. 6. 2015 Iowa Acts, chapter 135, section 27, is amended to read as follows:

SEC. 27. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL SERVICES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2016, and ending June 30, 2017, for salaries, support, maintenance, and miscellaneous purposes, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the first judicial district department of correctional services:

..... \$ ~~7,393,988~~  
14,787,977

It is the intent of the general assembly that the first judicial district department of correctional services maintain the drug courts operated by the district department.

b. For the second judicial district department of correctional services:

..... \$ ~~5,750,331~~  
11,500,661

It is the intent of the general assembly that the second judicial district department of correctional services establish and maintain two drug courts to be operated by the



district department.

c. For the third judicial district department of correctional services:

..... \$ ~~3,620,628~~  
7,241,257

d. For the fourth judicial district department of correctional services:

..... \$ ~~2,819,003~~  
5,638,005

e. For the fifth judicial district department of correctional services, including funding for electronic monitoring devices for use on a statewide basis:

..... \$ ~~10,539,196~~  
21,078,393

It is the intent of the general assembly that the fifth judicial district department of correctional services maintain the drug court operated by the district department.

f. For the sixth judicial district department of correctional services:

..... \$ ~~7,431,812~~  
14,863,623

It is the intent of the general assembly that the sixth judicial district department of correctional services maintain the drug court operated by the district department.

g. For the seventh judicial district department of correctional services:

..... \$ ~~3,928,436~~  
7,856,873

It is the intent of the general assembly that the seventh judicial district department of correctional services maintain the drug court operated by the district department.

h. For the eighth judicial district department of correctional services:

..... \$ ~~4,083,597~~  
8,167,194

2. Each judicial district department of correctional services, within the funding available, shall continue programs and plans established within that district to provide for intensive supervision, sex offender treatment, diversion

of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate criminal sanctions.

3. Each judicial district department of correctional services shall provide alternatives to prison consistent with chapter 901B. The alternatives to prison shall ensure public safety while providing maximum rehabilitation to the offender. A judicial district department of correctional services may also establish a day program.

4. The governor's office of drug control policy shall consider federal grants made to the department of corrections for the benefit of each of the eight judicial district departments of correctional services as local government grants, as defined pursuant to federal regulations.

5. The department of corrections shall continue to contract with a judicial district department of correctional services to provide for the rental of electronic monitoring equipment which shall be available statewide.

Sec. 7. 2015 Iowa Acts, chapter 135, section 32, is amended to read as follows:

SEC. 32. IOWA LAW ENFORCEMENT ACADEMY.

1. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, including jailer training and technical assistance, and for not more than the following full-time equivalent positions:

|       |      |                  |
|-------|------|------------------|
| ..... | \$   | 501,607          |
|       |      | <u>1,003,214</u> |
| ..... | FTEs | <del>24.00</del> |
|       |      | <u>25.00</u>     |

It is the intent of the general assembly that the Iowa law enforcement academy may provide training of state and local law enforcement personnel concerning the recognition of and response to persons with Alzheimer's disease.

The Iowa law enforcement academy may temporarily exceed and

draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

2. The Iowa law enforcement academy may select at least five automobiles of the department of public safety, division of state patrol, prior to turning over the automobiles to the department of administrative services to be disposed of by public auction, and the Iowa law enforcement academy may exchange any automobile owned by the academy for each automobile selected if the selected automobile is used in training law enforcement officers at the academy. However, any automobile exchanged by the academy shall be substituted for the selected vehicle of the department of public safety and sold by public auction with the receipts being deposited in the depreciation fund to the credit of the department of public safety, division of state patrol.

3. The Iowa law enforcement academy shall provide training for domestic abuse and human trafficking-related issues throughout the state. The training shall be offered at no cost to the attendees and the training shall not replace any existing domestic abuse or human trafficking training offered by the academy.

Sec. 8. 2015 Iowa Acts, chapter 135, section 33, is amended to read as follows:

SEC. 33. STATE PUBLIC DEFENDER. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

|       |      |                       |
|-------|------|-----------------------|
| ..... | \$   | <del>13,016,121</del> |
|       |      | <u>26,182,243</u>     |
| ..... | FTEs | 223.00                |

2. For payments on behalf of eligible adults and juveniles

from the indigent defense fund, in accordance with section 815.11:

|       |                          |
|-------|--------------------------|
| ..... | \$ <del>14,875,965</del> |
|       | <u>29,601,929</u>        |

Sec. 9. 2015 Iowa Acts, chapter 135, section 34, is amended to read as follows:

SEC. 34. BOARD OF PAROLE. There is appropriated from the general fund of the state to the board of parole for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

|       |                       |
|-------|-----------------------|
| ..... | \$ <del>602,291</del> |
|       | <u>1,204,583</u>      |
| ..... | FTEs 10.75            |

Sec. 10. 2015 Iowa Acts, chapter 135, section 35, is amended to read as follows:

SEC. 35. DEPARTMENT OF PUBLIC DEFENSE.

1. There is appropriated from the general fund of the state to the department of public defense, for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

|       |                         |
|-------|-------------------------|
| ..... | \$ <del>3,277,239</del> |
|       | <u>6,554,478</u>        |
| ..... | FTEs 277.50             |

2. The department of public defense may temporarily exceed and draw more than the amount appropriated in this section and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the amount appropriated in this section is not exceeded at the close of the fiscal year.

Sec. 11. 2015 Iowa Acts, chapter 135, section 36, is amended to read as follows:

SEC. 36. THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.

1. There is appropriated from the general fund of the state to the department of homeland security and emergency management for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

|       |      |                  |
|-------|------|------------------|
| ..... | \$   | 1,114,812        |
|       |      | <u>2,229,623</u> |
| ..... | FTEs | 35.95            |

2. The department of homeland security and emergency management may temporarily exceed and draw more than the amount appropriated in this section and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the amount appropriated in this section is not exceeded at the close of the fiscal year.

3. It is the intent of the general assembly that the department of homeland security and emergency management work in conjunction with the department of public safety, to the extent possible, when gathering and analyzing information related to potential domestic or foreign security threats, and when monitoring such threats.

Sec. 12. 2015 Iowa Acts, chapter 135, section 37, is amended to read as follows:

SEC. 37. DEPARTMENT OF PUBLIC SAFETY. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the department's administrative functions, including the criminal justice information system, and for not more than the following full-time equivalent positions:

|       |    |           |
|-------|----|-----------|
| ..... | \$ | 2,113,065 |
|-------|----|-----------|

|            |           |
|------------|-----------|
|            | 4,226,131 |
| ..... FTEs | 38.00     |

2. For the division of criminal investigation, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

|            |                         |
|------------|-------------------------|
|            | \$ <del>6,898,272</del> |
|            | 13,796,544              |
| ..... FTEs | <del>159.00</del>       |
|            | 162.00                  |

The division of criminal investigation may employ two of the three additional FTEs authorized pursuant to this subsection that are in excess of the number of FTEs authorized for the previous fiscal year only if the division of criminal investigation receives sufficient federal moneys to maintain employment for the additional two FTEs during the current fiscal year. The division of criminal investigation shall only employ the additional two FTEs in succeeding fiscal years if sufficient federal moneys are received during each of those succeeding fiscal years.

3. For the criminalistics laboratory fund created in section 691.9:

|  |                       |
|--|-----------------------|
|  | \$ <del>151,173</del> |
|  | 302,345               |

4. a. For the division of narcotics enforcement, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

|            |                         |
|------------|-------------------------|
|            | \$ <del>3,695,519</del> |
|            | 7,391,039               |
| ..... FTEs | <del>65.50</del>        |

66.50

The division of narcotics enforcement may employ the additional one FTE authorized pursuant to this lettered paragraph that is in excess of the number of FTEs authorized for the previous fiscal year only if the division of narcotics enforcement receives sufficient federal moneys to maintain employment for the additional FTE during the current fiscal year. The division of narcotics enforcement shall only employ the additional one FTE in succeeding fiscal years if sufficient federal moneys are received during each of those succeeding fiscal years.

b. For the division of narcotics enforcement for undercover purchases:

|       |    |                   |
|-------|----|-------------------|
| ..... | \$ | <del>54,521</del> |
|       |    | <u>109,042</u>    |

5. For the division of state fire marshal, for fire protection services as provided through the state fire service and emergency response council as created in the department, and for the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in [section 97A.8](#), multiplied by the salaries for which the moneys are appropriated, and for not more than the following full-time equivalent positions:

|       |      |                      |
|-------|------|----------------------|
| ..... | \$   | <del>2,325,505</del> |
|       |      | <u>4,651,010</u>     |
| ..... | FTEs | 53.00                |

6. For the division of state patrol, for salaries, support, maintenance, workers' compensation costs, and miscellaneous purposes, including the state's contribution to the peace officers' retirement, accident, and disability system provided in [chapter 97A](#) in the amount of the state's normal contribution rate, as defined in [section 97A.8](#), multiplied by the salaries for which the moneys are appropriated, and for not more than the following full-time equivalent positions:

|       |      |                       |
|-------|------|-----------------------|
| ..... | \$   | <del>30,750,788</del> |
|       |      | <u>61,501,575</u>     |
| ..... | FTEs | 512.00                |

It is the intent of the general assembly that the division

of state patrol implement the endangered persons advisory alert system.

It is the intent of the general assembly that members of the state patrol be assigned to patrol the highways and roads in lieu of assignments for inspecting school buses for the school districts.

7. For deposit in the sick leave benefits fund established under section 80.42 for all departmental employees eligible to receive benefits for accrued sick leave under the collective bargaining agreement:

|       |    |                    |
|-------|----|--------------------|
| ..... | \$ | <del>139,759</del> |
|       |    | <u>279,517</u>     |

8. For costs associated with the training and equipment needs of volunteer fire fighters:

|       |    |                    |
|-------|----|--------------------|
| ..... | \$ | <del>412,760</del> |
|       |    | <u>825,520</u>     |

a. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure only for the purpose designated in this subsection until the close of the succeeding fiscal year.

b. Notwithstanding section 8.39, the department of public safety may reallocate moneys appropriated in this section as necessary to best fulfill the needs provided for in the appropriation. However, the department shall not reallocate moneys appropriated to the department in this section unless notice of the reallocation is given to the legislative services agency and the department of management prior to the effective date of the reallocation. The notice shall include information regarding the rationale for reallocating the moneys. The department shall not reallocate moneys appropriated in this section for the purpose of eliminating any program.

9. For the public safety interoperable and broadband communications fund established in section 80.44:

|       |    |                   |
|-------|----|-------------------|
| ..... | \$ | <del>77,330</del> |
|       |    | <u>154,661</u>    |

10. For department-wide duties, including operations, costs, and miscellaneous purposes:



..... \$ 1,834,973

Sec. 13. 2015 Iowa Acts, chapter 135, section 38, is amended to read as follows:

SEC. 38. GAMING ENFORCEMENT.

1. There is appropriated from the gaming enforcement revolving fund created in section 80.43 to the department of public safety for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For any direct support costs for agents and officers of the division of criminal investigation's excursion gambling boat, gambling structure, and racetrack enclosure enforcement activities, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

|       |      |                      |
|-------|------|----------------------|
| ..... | \$   | <del>5,449,004</del> |
|       |      | <u>9,745,272</u>     |
| ..... | FTEs | <del>102.00</del>    |
|       |      | <u>73.00</u>         |

2. For each additional license to conduct gambling games on an excursion gambling boat, gambling structure, or racetrack enclosure issued during the fiscal year beginning July 1, 2016, there is appropriated from the gaming enforcement fund to the department of public safety for the fiscal year beginning July 1, 2016, and ending June 30, 2017, an additional amount of not more than \$300,000 to be used for not more than 3 additional full-time equivalent positions.

3. The department of public safety, with the approval of the department of management, may employ no more than three special agents for each additional riverboat or gambling structure regulated after July 1, 2016, and three special agents for each racing facility which becomes operational during the fiscal year which begins July 1, 2016. Positions authorized in this subsection are in addition to the full-time equivalent positions otherwise authorized in this section.

Sec. 14. 2015 Iowa Acts, chapter 135, section 39, is amended to read as follows:

SEC. 39. CIVIL RIGHTS COMMISSION.

1. There is appropriated from the general fund of the

state to the Iowa state civil rights commission for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

|       |      |                    |
|-------|------|--------------------|
| ..... | \$   | <del>584,770</del> |
|       |      | <u>1,169,540</u>   |
| ..... | FTEs | 28.00              |

2. The Iowa state civil rights commission may enter into a contract with a nonprofit organization to provide legal assistance to resolve civil rights complaints.

Sec. 15. 2015 Iowa Acts, chapter 135, section 40, is amended to read as follows:

**SEC. 40. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.**

1. There is appropriated from the general fund of the state to the criminal and juvenile justice planning division of the department of human rights for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

|       |      |                    |
|-------|------|--------------------|
| ..... | \$   | <del>630,053</del> |
|       |      | <u>1,260,105</u>   |
| ..... | FTEs | 12.15              |

2. The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

Sec. 16. Section 915.94, Code 2016, is amended to read as follows:

**915.94 Victim compensation fund.**

A victim compensation fund is established as a separate fund in the state treasury. Moneys deposited in the fund shall be administered by the department and dedicated to and used for the purposes of [section 915.41](#) and [this subchapter](#).

In addition, the department may use moneys from the fund for the purpose of the department's prosecutor-based victim service coordination, including the duties defined in sections 910.3 and 910.6 and [this chapter](#), and for the award of funds to programs that provide services and support to victims of domestic abuse or sexual assault as provided in [chapter 236](#), to victims under [section 710A.2](#), for reimbursement to the Iowa law enforcement academy for domestic abuse and human trafficking training, and for the support of an automated victim notification system established in [section 915.10A](#). For each fiscal year, the department may also use up to three hundred thousand dollars from the fund to provide training for victim service providers, to provide training for related professionals concerning victim service programming, and to provide training concerning homicide, domestic assault, sexual assault, stalking, harassment, and human trafficking as required by [section 710A.6](#). Notwithstanding [section 8.33](#), any balance in the fund on June 30 of any fiscal year shall not revert to the general fund of the state.

Sec. 17. Section 915.95, Code 2016, is amended to read as follows:

**915.95 Human trafficking victim fund.**

A fund is created as a separate fund in the state treasury. Moneys deposited in the fund shall be administered by the department and dedicated to and used for awarding moneys to programs that provide services and support to victims of human trafficking under [section 710A.2](#), including public outreach and awareness programs and service provider training programs, and for reimbursing the Iowa law enforcement academy for domestic abuse and human trafficking training. Notwithstanding [section 8.33](#), any balance in the fund on June 30 of any fiscal year shall not revert to the general fund of the state.

Sec. 18. 2014 Iowa Acts, chapter 1138, section 21, is amended to read as follows:

SEC. 21. CONSUMER EDUCATION AND LITIGATION FUND. Notwithstanding [section 714.16C](#), for each fiscal year of the period beginning July 1, 2014, and ending June 30, ~~2016~~ 2018, the annual appropriations in [section 714.16C](#),

are increased from \$1,125,000 to \$1,875,000, and \$75,000 to \$125,000 respectively.

Sec. 19. 2015 Iowa Acts, chapter 135, section 41, is amended to read as follows:

SEC. 41. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT. There is appropriated from the E911 emergency communications fund created in section 34A.7A to the department of homeland security and emergency management for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For implementation, support, and maintenance of the functions of the administrator and program manager under chapter 34A and to employ the auditor of the state to perform an annual audit of the E911 emergency communications fund:

|       |    |                    |
|-------|----|--------------------|
| ..... | \$ | <del>125,000</del> |
|       |    | <u>250,000</u>     |

Sec. 20. 2015 Iowa Acts, chapter 138, section 141, is amended to read as follows:

SEC. 141. HUMAN TRAFFICKING ENFORCEMENT FUND. A human trafficking enforcement fund is established, separate and apart from all other public moneys or funds of the state, under the control of the department of justice. The department of justice shall deposit unencumbered or unobligated moneys transferred from the mortgage servicing settlement fund into the fund. Moneys in the fund are appropriated to the department of justice, and after consultation with the commissioner of public safety and the director of the Iowa law enforcement academy the moneys shall be used for purposes of training local law enforcement, members of the state patrol, county attorneys, judicial officers, juvenile court officers, and public safety answering point personnel about recognizing and reporting incidents of human trafficking, and for reimbursing the Iowa law enforcement academy for domestic abuse and human trafficking training. Any moneys remaining in the fund on June 30, 2020, shall be transferred to the general fund of the state.

Sec. 21. STATE PUBLIC DEFENDER PILOT PROJECT — ATTORNEY CHOICE — EMERGENCY RULES.

1. Notwithstanding any other provision of the law to the contrary, for each fiscal year for the period beginning July 1, 2016, and ending June 30, 2019, the state public defender may establish a pilot project allowing an indigent person to choose an eligible attorney to represent the person in the person's case that requires such representation. The state public defender shall have sole discretion to establish the pilot project in no more than four counties throughout the state. The state public defender may coordinate with other agencies and organizations in order to seek grant funding and to measure the results of the pilot project.

2. The state public defender may adopt emergency rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph "b", to implement the provisions of this section of this Act. Any rules adopted in accordance with this section shall also be published as a notice of intended action as provided in section 17A.4.

Sec. 22. SPECIAL AGENTS.

1. Notwithstanding section 99F.10, subsection 4, and any other law to the contrary, two special agents, previously designated gaming enforcement officers, shall remain employed as special agents on or after July 1, 2016, at a facility licensed under chapter 99F. After a special agent retires or otherwise leaves a special agent position specified in this subsection, the special agent full-time equivalent position specified in this subsection shall be eliminated and shall not be filled.

2. Notwithstanding section 99F.10, subsection 4, and for purposes of determining the amount of license fees and regulatory fees charged pursuant to section 99F.10, subsection 4, the state racing and gaming commission shall include the cost of the salary of the special agents specified under subsection 1 plus any direct and indirect support costs of such agents.

Sec. 23. OTHER ACT EFFECTIVE UPON ENACTMENT OF THIS ACT. 2016 Iowa Acts, Senate File 2326, section 1, if enacted, being deemed of immediate importance, takes effect upon enactment of this Act.

Sec. 24. EFFECTIVE UPON ENACTMENT. The section of this

Act, which makes 2016 Iowa Acts, Senate File 2326, section 1, effective upon enactment of this Act, takes effect upon enactment.

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LINDA UPMEYER  
Speaker of the House

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PAM JOCHUM  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2458, Eighty-sixth General Assembly.

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CARMINE BOAL  
Chief Clerk of the House

Approved \_\_\_\_\_, 2016

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TERRY E. BRANSTAD  
Governor