

FILED MAR 10 1999

SENATE FILE 388  
BY JOHNSON

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act providing for the sunset of new state programs requiring a  
2 state appropriation.

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

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SF 388  
APPROPRIATIONS

1 Section 1. NEW SECTION. 25C.1 DEFINITION.

2 As used in this chapter, unless the context otherwise  
3 requires, "funding mandate" means a statutory requirement  
4 which requires the state to establish, expand, or modify its  
5 activities in a manner which necessitates an additional state  
6 appropriation of at least one hundred thousand dollars.  
7 However, any requirement originating from the federal  
8 government and administered, implemented, or enacted by the  
9 state, an order issued by a court of this state, or any  
10 allocation of federal moneys conditioned upon enactment of a  
11 state law or rule, is not a funding mandate.

12 Sec. 2. NEW SECTION. 25C.2 COST ESTIMATES -- SUNSET  
13 CONSIDERATION.

14 1. When a bill or joint resolution is requested, the  
15 legislative service bureau shall make an initial determination  
16 of whether the bill or joint resolution may impose a funding  
17 mandate. If a funding mandate may be included, that fact  
18 shall be included in the explanation of the bill or joint  
19 resolution.

20 2. If a bill or joint resolution may include a funding  
21 mandate, a copy of the prepared draft shall be sent to the  
22 legislative fiscal bureau, which shall determine if the bill  
23 or joint resolution contains a funding mandate. If the bill  
24 or joint resolution contains a funding mandate, the bill or  
25 joint resolution shall provide that the funding mandate shall  
26 be repealed within five years or sooner from the effective  
27 date of the legislation or shall affirmatively provide that  
28 the funding mandate shall not be repealed.

29 EXPLANATION

30 This bill provides that a bill or resolution establishing a  
31 funding mandate, which is defined as a statutory requirement  
32 to establish, expand, or modify an activity of the state  
33 necessitating an additional state appropriation of \$100,000,  
34 shall either provide for the repeal of the new program within  
35 at least five years of the effective date of the legislation

1 or shall affirmatively state that the bill or resolution shall  
2 not be repealed. The bill provides that the legislative  
3 service bureau shall note whether a bill may impose a funding  
4 mandate and further provides that the legislative fiscal  
5 bureau shall then determine whether the bill establishes a  
6 funding mandate. The bill provides that any requirement to  
7 expend moneys as required by the federal government or  
8 pursuant to court order shall not be considered a funding  
9 mandate subject to the requirements of this bill.

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