

MAR 3 2003
STATE GOVERNMENT

HOUSE FILE 377
BY MASCHER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the retention of licensing and renewal fees
2 received by the board of nursing, and providing an effective
3 date.

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

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HF 377

1 Section 1. NEW SECTION. 152.13 FEES -- SPECIAL FUND
2 CREATED.

3 1. It is the intent of the general assembly that licensing
4 and renewal fees received by the board of nursing shall be
5 used to finance the duties and activities of the board and to
6 provide funding for the administration of the board and all of
7 the board's programs.

8 2. Notwithstanding section 147.82, the board of nursing
9 shall collect and retain all licensing and registration fees
10 and shall deposit the fees into the board of nursing special
11 fund, established as a separate fund in the state treasury
12 under the authority of the board for the sole use of the
13 board. Moneys deposited in the special fund shall be
14 considered repayment receipts as defined in section 8.2 and
15 shall be continuously and exclusively available to the board
16 for the purpose of carrying out the duties, activities, and
17 administration of the board, and all of its programs and to
18 pay all costs and expenses incurred in connection with the
19 operation of the board, including but not limited to
20 additional full-time equivalent positions and travel. Amounts
21 deposited in the special fund shall not be transferred, used,
22 obligated, appropriated, or otherwise encumbered except as
23 provided in this section.

24 Notwithstanding section 8.33, moneys deposited in the
25 special fund that remain unencumbered or unobligated at the
26 close of the fiscal year shall not revert to any other fund
27 but shall remain available for expenditure for the purposes
28 designated in future fiscal years. Notwithstanding section
29 12C.7, subsection 2, interest or earnings on moneys deposited
30 into the special fund shall be credited to and remain a part
31 of the special fund.

32 3. The executive director of the board shall keep an
33 accurate and detailed account of fees and funds received and
34 deposited, account for any expenditures and refunds made, and
35 manage any fees and funds received to defray board expenses.

1 Payments out of the special fund shall be made only upon the
2 direction of the board by the executive director of the board.
3 The fund shall be subject to annual audit by the auditor of
4 state.

5 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
6 immediate importance, takes effect upon enactment.

7 EXPLANATION

8 This bill provides for the creation of a special fund
9 within the state treasury into which shall be deposited
10 licensing and registration fees received by the board of
11 nursing. The bill provides that a special fund is established
12 for the board within the state treasury, and that amounts
13 deposited therein shall be used to finance the duties and
14 activities of the board and to provide funding for the
15 administration of the board and all of its programs. The bill
16 provides for the establishment of the fund, notwithstanding a
17 provision that directs that licensing fees collected by a
18 board shall be deposited into the general fund of the state.

19 The bill provides that all licensing and registration fees
20 shall be deposited into the fund and shall be considered
21 repayment receipts pursuant to Code section 8.2. The bill
22 provides that moneys deposited in the fund shall be
23 continuously and exclusively available to the board for the
24 purpose of carrying out the duties, activities, and
25 administration of the board, and all of its programs and to
26 pay all costs and expenses incurred in connection with the
27 operation of each board, including but not limited to
28 additional full-time equivalent positions and travel. The
29 bill provides that amounts deposited in the fund shall not be
30 transferred, used, obligated, appropriated, or otherwise
31 encumbered except as provided in the bill, that moneys
32 deposited in the fund remain unencumbered or unobligated at
33 the close of the fiscal year shall not revert to any other
34 fund but shall remain available for expenditure for the
35 purposes designated in future fiscal years, and that interest

1 or earnings on moneys deposited into the fund shall be
2 credited to and remain a part of the fund.

3 The bill provides for the accounting of deposits into and
4 expenditures out of the fund by the executive director of the
5 board, and provides that the fund shall be subject to annual
6 audit by the auditor of state.

7 The bill takes effect upon enactment.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35