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SENATE FILE 2232
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 2196)

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

A BILL FOR

1 An Act relating to the establishment of an Iowa spinal cord
2 injury research program and including the levying of a
3 surcharge on certain motor vehicle violations.

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

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SF 2232
JUDICIARY

1 Section 1. NEW SECTION. 135M.1 LEGISLATIVE FINDINGS AND
2 INTENT.

3 1. The general assembly finds that every year, thousands
4 of Americans sustain spinal cord injuries, the major cause of
5 which is motor vehicle accidents.

6 2. The general assembly also finds that because of
7 advances in research, spinal cord injuries that were once
8 thought to be nonreversible may be reversed with regenerative
9 therapies, and the objective of current research is no longer
10 merely rehabilitation, but a cure.

11 3. It is the intent of the general assembly to provide an
12 ongoing source of funding for research to accelerate the
13 discovery of a cure for spinal cord injuries.

14 Sec. 2. NEW SECTION. 135M.2 IOWA SPINAL CORD RESEARCH
15 TRUST FUND CREATED.

16 1. The Iowa spinal cord research trust fund is created in
17 the state treasury under the authority of the treasurer of
18 state. Moneys received through the surcharge on motor vehicle
19 violations pursuant to section 135M.4 shall be deposited in
20 the trust fund.

21 2. Moneys deposited in the trust fund shall be used only
22 for the purposes of the Iowa spinal cord injury research
23 program as specified in this chapter.

24 3. The moneys in the trust fund shall not be considered
25 revenue of the state, but rather shall be funds of the Iowa
26 spinal cord research program. The moneys deposited in the
27 trust fund are not subject to section 8.33 and shall not be
28 transferred, used, obligated, appropriated, or otherwise
29 encumbered, except to provide for the purposes of this
30 chapter. Notwithstanding section 12C.7, subsection 2,
31 interest or earnings on moneys deposited in the trust fund
32 shall be credited to the trust fund.

33 4. The treasurer of state shall provide a quarterly report
34 of trust fund activities and balances to the Iowa spinal cord
35 research program board.

1 Sec. 3. NEW SECTION. 135M.3 IOWA SPINAL CORD RESEARCH
2 PROGRAM BOARD -- MEMBERSHIP -- DUTIES.

3 1. The Iowa spinal cord research program board is created
4 to provide for the administration of the Iowa spinal cord
5 research trust fund created in section 135M.2.

6 2. The members of the board shall include all of the
7 following:

8 a. Two individuals representing the state university of
9 Iowa and two individuals representing Iowa state university of
10 science and technology who have expertise in neuroscience,
11 neurology, neurosurgery, or neuropharmacology, selected by the
12 dean of the respective university.

13 b. Six members of the public appointed by the governor and
14 subject to confirmation by the senate. The public members
15 shall have knowledge about spinal cord injury, and shall
16 include at least one individual with a spinal cord injury.

17 c. A licensed physician with professional experience with
18 spinal cord injury, selected by the Iowa medical society and
19 the Iowa osteopathic medical society.

20 d. A licensed physician or researcher with expertise in
21 spinal cord injury, selected by the Iowa chiropractic society.

22 3. Members appointed by the governor shall serve three-
23 year staggered terms as designated by the governor. The
24 filling of positions reserved for the public members,
25 vacancies, membership terms, and removal of the members are
26 governed by chapter 69.

27 4. The members shall select a chairperson on an annual
28 basis from among the membership of the board. A majority of
29 the board shall constitute a quorum. The board may recruit
30 scientists and clinicians with expertise in spinal cord
31 injuries to constitute an advisory panel to review grant
32 applications and make recommendations to the board.

33 5. The board shall meet at least once annually, and may
34 meet more frequently upon the call of the chairperson.

35 6. The Iowa department of public health shall act as

1 support staff to the board.

2 7. The board shall do all of the following:

3 a. Solicit and review applications from public and private
4 entities and organizations and qualified research institutions
5 which have the goal of finding a cure for spinal cord injuries
6 and which are located in the state for grants of money from
7 funds deposited in the Iowa spinal cord research trust fund.

8 b. Approve research grants funded through the Iowa spinal
9 cord research trust fund.

10 c. Apportion funds to qualifying research entities to
11 finance approved research projects.

12 d. Submit an annual report to the governor and the general
13 assembly by January 31 regarding the status of the moneys
14 awarded for research and the results of research efforts.

15 Sec. 4. NEW SECTION. 135M.4 MOTOR VEHICLE VIOLATION
16 SURCHARGE.

17 1. A motor vehicle violation surcharge shall be levied
18 against certain violators as provided in this section.
19 Notwithstanding section 805.12, the surcharge amounts
20 collected under this section shall be deposited in the Iowa
21 spinal cord research trust fund created in section 135M.2.

22 2. The motor vehicle violation surcharge shall be levied,
23 in addition to any other amounts levied, for all violations
24 described in section 805.8A, subsections 5, 6, 7, and 8, and
25 subsection 14, paragraph "c", in the amount of ten dollars.

26 Sec. 5. Section 805.8, subsection 1, Code 2003, is amended
27 to read as follows:

28 1. APPLICATION. Except as otherwise indicated, violations
29 of sections of the Code specified in sections 805.8A, 805.8B,
30 and 805.8C are scheduled violations, and the scheduled fine
31 for each of those violations is as provided in those sections,
32 whether the violation is of state law or of a county or city
33 ordinance. The criminal penalty surcharge required by section
34 911.2 and the motor vehicle violation surcharge required by
35 section 135M.4 shall be added to the scheduled fine.

1 EXPLANATION

2 This bill creates an Iowa spinal cord research program,
3 including a spinal cord research trust fund and a spinal cord
4 research program board.

5 The bill creates an Iowa spinal cord research trust fund
6 into which moneys received through the surcharge placed on
7 motor vehicle violations pursuant to the bill are to be
8 deposited. The moneys in the trust fund are to be used only
9 for the purposes of the Iowa spinal cord injury research
10 program. The bill directs the treasurer of state to provide a
11 quarterly report of trust fund activities and balances to the
12 Iowa spinal cord injury research program board.

13 The bill creates an Iowa spinal cord research program board
14 composed of two individuals representing the university of
15 Iowa and two individuals representing Iowa state university
16 who have expertise in neuroscience, neurology, neurosurgery,
17 or neuropharmacology, selected by the dean of the respective
18 university; six members of the public appointed by the
19 governor and subject to confirmation by the senate; a licensed
20 physician with professional experience with spinal cord
21 injury, selected by the Iowa medical society and the Iowa
22 osteopathic medical society; and a licensed physician or
23 researcher with expertise in spinal cord injury, selected by
24 the Iowa chiropractic society. The public members are to have
25 knowledge about spinal cord injury, and shall include at least
26 one individual with a spinal cord injury. The bill specifies
27 the duties of the board, including that the board is to
28 solicit and review applications for grants to public and
29 private entities and organizations and qualified research
30 institutions which have the goal of finding a cure for spinal
31 cord injuries; approve grants; apportion funds to finance
32 research projects; and submit annual reports to the governor
33 and the general assembly regarding the status of the moneys
34 awarded for research and the results of research efforts.

35 The bill establishes a motor vehicle violation surcharge of

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1 \$10 for certain moving motor vehicle violations. The
2 surcharge moneys collected are to be deposited in the Iowa
3 spinal cord research trust fund.

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SENATE FILE 2232**S-5072**

1 Amend Senate File 2232 as follows:
2 1. Page 1, line 4, by inserting after the word
3 "cord" the following: "or brain".
4 2. Page 1, line 7, by inserting after the word
5 "cord" the following: "or brain".
6 3. Page 1, line 13, by inserting after the word
7 "cord" the following: "and brain".
8 4. Page 1, line 14, by inserting after the word
9 "CORD" the following: "AND BRAIN".
10 5. Page 1, line 16, by inserting after the word
11 "cord" the following: "and brain injury".
12 6. Page 1, line 22, by inserting after the word
13 "cord" the following: "and brain".
14 7. Page 1, line 26, by inserting after the word
15 "cord" the following: "and brain injury".
16 8. Page 1, line 34, by inserting after the word
17 "cord" the following: "and brain injury".
18 9. Page 2, line 1, by inserting after the word
19 "CORD" the following: "AND BRAIN INJURY".
20 10. Page 2, line 3, by inserting after the word
21 "cord" the following: "and brain injury".
22 11. Page 2, line 4, by inserting after the word
23 "cord" the following: "and brain injury".
24 12. Page 2, line 15, by inserting after the word
25 "cord" the following: "or brain".
26 13. Page 2, line 16, by inserting after the word
27 "cord" the following: "or brain".
28 14. Page 2, line 18, by inserting after the word
29 "cord" the following: "or brain".
30 15. Page 2, line 21, by inserting after the word
31 "cord" the following: "or brain".
32 16. Page 2, line 30, by inserting after the word
33 "cord" the following: "or brain".
34 17. Page 3, line 5, by inserting after the word
35 "cord" the following: "and brain".
36 18. Page 3, line 7, by inserting after the word
37 "cord" the following: "and brain injury".
38 19. Page 3, line 9, by inserting after the word
39 "cord" the following: "and brain injury".
40 20. Page 3, line 21, by inserting after the word
41 "cord" the following: "and brain injury".
42 21. Title page, line 1, by inserting after the
43 word "cord" the following: "and brain".

By STEVEN H. WARNSTADT**S-5072 FILED MARCH 10, 2004**