

FILED MAR 02 2003

SENATE FILE **2310**  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 3115)

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

**A BILL FOR**

1 An Act permitting the board of educational examiners to retain  
2 and carry over a percentage of the licensing fees it collects.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2310

1 Section 1. Section 272.10, Code Supplement 2005, is  
2 amended to read as follows:

3 272.10 FEES.

4 1. It is the intent of the general assembly that licensing  
5 fees established by the board of educational examiners be  
6 sufficient to finance the activities of the board under this  
7 chapter.

8 2. Licensing fees are payable to the treasurer of state  
9 and shall be deposited with the executive director of the  
10 board. The executive director shall deposit ten percent of  
11 the fees collected annually with the treasurer of state and  
12 the fees shall be credited to the general fund of the state.  
13 The remaining licensing fees collected during the fiscal year  
14 shall be retained by and are appropriated to the board for the  
15 purposes related to the board's duties. Notwithstanding  
16 section 8.33, licensing fees retained by and appropriated to  
17 the board pursuant to this section that remain unencumbered or  
18 unobligated at the close of the fiscal year in an amount of  
19 not more than fifteen percent of the total licensing fees  
20 collected by the board during the fiscal year shall not revert  
21 but shall remain available for expenditure for the activities  
22 of the board as provided in this chapter until the close of  
23 the succeeding fiscal year.

24 3. The executive director shall keep an accurate and  
25 detailed account of fees received, and including fees paid to  
26 the treasurer of state and fees retained by the board.

27 EXPLANATION

28 This bill requires that the board of educational examiners  
29 deposit 10 percent of the fees it collects annually with the  
30 treasurer of state, but permits the board to retain the  
31 remaining 90 percent to finance the activities of the board.  
32 The bill also permits the board to carry over to the  
33 succeeding fiscal year 15 percent of the total licensing fees  
34 collected during the fiscal year that remain unencumbered or  
35 unobligated at the close of the fiscal year.

1 The Code currently requires the board to deposit all fees  
2 collected with the treasurer, which are then credited to the  
3 general fund of the state. In recent years the general  
4 assembly has at times nullified this statutory provision to  
5 permit the board to retain a percentage of the fees it  
6 collects.

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**Fiscal Services Division**  
**Legislative Services Agency**  
**Fiscal Note**

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SF 2310 - Board of Educational Examiner Fees (LSB 5141 SV)  
Analyst: Robin Madison (Phone: (515) 281-5270) (robin.madison@legis.state.ia.us)  
Fiscal Note Version - New

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**Description**

Senate File 2310 limits the amount of licensure fee revenue the Board of Educational Examiners may retain to 90.0% of the total collected annually. The remainder is deposited to the General Fund. The Bill also permits up to 15.0% of total annual fee revenue to carry forward to the following year.

**Background**

Section 272.10, Code of Iowa, permits the Board to retain all fee revenue, but in previous years, the annual Education Appropriations Bill has included intent language to notwithstanding the statute and limit the amount retained. In FY 2006, the Board is allowed to retain 73.0% of fee revenue, with a 10.0% cap on carry-forward.

**Assumptions**

It is assumed that the Board of Educational Examiners will fully expend retained fee revenue up to the amount permitted to carry forward each year, and no retained revenue will revert to the General Fund at the end of the fiscal year.

The estimate of fiscal impact is based upon licensure projections prepared by the Board of Educational Examiners in July 2006, in conjunction with the most recent fee increase.

**Fiscal Impact**

Senate File 2310 will reduce General Fund revenue by \$321,000 each year in FY 2007 and FY 2008.

**Sources**

Board of Educational Examiners

/s/ Holly M. Lyons

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March 3, 2006

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

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Dvorsky co-chair  
Boettger co-chair  
Connolly  
Mulder

Succeeded By  
O HF 2310 Education  
SSB# 345

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
EDUCATION BILL BY  
CO-CHAIRPERSON CONNOLLY)

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

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