

House File 2175 - Introduced

HOUSE FILE _____
BY R. OLSON

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

A BILL FOR

1 An Act establishing a county courthouse infrastructure and
2 security fund and program, changing the tax rate on adjusted
3 gross receipts from certain gambling structures, and providing
4 an appropriation to the fund from a portion of adjusted gross
5 receipts from gambling games on gambling structures.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 5638YH 82
8 ec/nh/8

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1 1 Section 1. Section 99F.11, subsection 2, Code Supplement
1 2 2007, is amended to read as follows:
1 3 2. The tax rate imposed each fiscal year on any amount of
1 4 adjusted gross receipts over three million dollars shall be as
1 5 follows:
1 6 a. If the licensee is an excursion gambling boat ~~or~~
1 7 ~~gambling structure~~, twenty=two percent.
1 8 b. If the licensee is a racetrack enclosure or gambling
1 9 structure conducting gambling games and another licensee that
1 10 is an excursion gambling boat ~~or gambling structure~~ is located
1 11 in the same county, then the following rate, as applicable:
1 12 (1) If the licensee of the racetrack enclosure has not
1 13 been issued a table games license during the fiscal year or if
1 14 the adjusted gross receipts from gambling games of the
1 15 racetrack enclosure or gambling structure licensee in the
1 16 prior fiscal year were less than one hundred million dollars,
1 17 twenty=two percent.
1 18 (2) If the licensee of the racetrack enclosure has been
1 19 issued a table games license during the fiscal year or prior
1 20 fiscal year and the adjusted gross receipts from gambling
1 21 games of the licensee in the prior fiscal year were one
1 22 hundred million dollars or more, twenty=two percent on
1 23 adjusted gross receipts received prior to the operational date
1 24 and twenty=four percent on adjusted gross receipts received on
1 25 or after the operational date. For purposes of this
1 26 subparagraph, the operational date is the date the commission
1 27 determines table games became operational at the racetrack
1 28 enclosure.
1 29 (3) If the adjusted gross receipts from gambling games of
1 30 a licensee of a gambling structure in the prior fiscal year
1 31 were one hundred million dollars or more, twenty=four percent.
1 32 c. If the licensee is a racetrack enclosure or gambling
1 33 structure conducting gambling games and no licensee that is an
1 34 excursion gambling boat ~~or gambling structure~~ is located in
1 35 the same county, twenty=four percent.
2 1 Sec. 2. Section 99F.11, subsection 3, Code Supplement
2 2 2007, is amended by adding the following new paragraph:
2 3 NEW PARAGRAPH. ee. Two percent of the adjusted gross
2 4 receipts over three million dollars from gambling structures
2 5 with a tax rate of twenty=four percent shall be deposited in
2 6 the county courthouse infrastructure and security fund created
2 7 in section 602.1304A.
2 8 Sec. 3. NEW SECTION. 602.1304A COUNTY COURTHOUSE
2 9 INFRASTRUCTURE AND SECURITY PROGRAM AND FUND.
2 10 1. A county courthouse infrastructure and security fund is
2 11 created in the state treasury under the authority of the
2 12 supreme court to be used to fund a county courthouse
2 13 infrastructure and security program. The fund shall be
2 14 separate from the general fund of the state and the balance in
2 15 the fund shall not be considered part of the balance of the
2 16 general fund of the state. Notwithstanding section 8.33,
2 17 moneys in the fund that remain unencumbered or unobligated at

2 18 the close of the fiscal year shall not revert but shall remain
2 19 available for expenditure for the purposes designated until
2 20 the close of the succeeding fiscal year. Notwithstanding
2 21 section 12C.7, subsection 2, interest or earnings on moneys in
2 22 the fund shall be credited in the fund.

2 23 2. A county courthouse infrastructure and security program
2 24 is created to make grants to counties for the purpose of
2 25 providing and improving courthouse infrastructure and
2 26 security. The moneys may be used by the county for courthouse
2 27 infrastructure projects and the purchase of security equipment
2 28 and building enhancements that improve courthouse security.
2 29 The supreme court shall establish a commission to administer
2 30 the grant program including reviewing applications for grants
2 31 and awarding grants. The state court administrator shall
2 32 disburse the grants awarded by the commission. The commission
2 33 shall consist of members who have an interest in courthouse
2 34 infrastructure and security. Members shall be selected by the
2 35 supreme court and are to include but are not limited to: a
3 1 county sheriff, a county attorney, an emergency management
3 2 coordinator, an attorney in private practice, a county
3 3 supervisor, a district judge, a district associate judge, a
3 4 magistrate, an employee of the state public defender, a clerk
3 5 of the district court, a chief judge, a court administrator,
3 6 and a person who has expertise or a professional interest in
3 7 security. In selecting the members of the commission the
3 8 supreme court shall consult with any professional organization
3 9 or agency that represents the respective members prior to
3 10 selecting a member. The supreme court shall prescribe rules
3 11 to implement this subsection.

3 12 EXPLANATION

3 13 This bill establishes a county courthouse infrastructure
3 14 and security program and fund and provides funding for the
3 15 program through an increase in the tax on certain gambling
3 16 structures.

3 17 Code section 99F.11 is amended to provide that the adjusted
3 18 gross receipts tax on gambling structures shall be the same as
3 19 for racetrack enclosures. The bill provides that the tax rate
3 20 on adjusted gross receipts over \$3 million for a licensed
3 21 gambling structure shall be 24 percent if no other gambling
3 22 boat is located in the same county or a gambling boat is
3 23 located in the same county and the adjusted gross receipts of
3 24 the gambling structure for the prior fiscal year are \$100
3 25 million or more. If an excursion gambling boat is located in
3 26 the same county as the gambling structure and adjusted gross
3 27 receipts of the gambling structure for the prior fiscal year
3 28 are less than \$100 million the tax rate is 22 percent.
3 29 Current law provides that the tax rate on gambling structures
3 30 is 22 percent.

3 31 The Code section is also amended to provide that 2 percent
3 32 of the adjusted gross receipts over \$3 million from gambling
3 33 structures with a tax rate of 24 percent shall be deposited in
3 34 the county courthouse infrastructure and security fund created
3 35 in the bill.

4 1 The bill establishes a county courthouse infrastructure and
4 2 security fund and program within the supreme court. The bill
4 3 provides that grants from the program may be used by counties
4 4 for courthouse infrastructure projects and the purchase of
4 5 courthouse security equipment or building enhancements that
4 6 improve courthouse security. The bill also establishes a
4 7 commission to administer the grant program including reviewing
4 8 applications for grants and awarding such grants.

4 9 LSB 5638YH 82

4 10 ec/nh/8