

House Study Bill 134

SENATE/HOUSE FILE _____
BY (PROPOSED JUDICIAL
BRANCH BILL)

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

A BILL FOR

1 An Act funding courthouse security programs through the enhanced
2 court collections fund and the county general fund.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1377DP 82
5 jm/je/5

PAG LIN

1 1 Section 1. Section 356.7, subsection 5, Code 2007, is
2 amended to read as follows:

1 3 5. ~~a. Of the moneys collected and credited to the county~~
~~1 4 general fund as provided in this section, sixty~~ Forty percent
1 5 of the moneys collected and credited to the county general
1 6 fund pursuant to this section shall be used for the following

1 7 purposes:

1 8 ~~a. Courthouse security equipment and law enforcement~~
~~1 9 personnel costs.~~

1 10 ~~b. (1) Infrastructure improvements of a jail, including~~
1 11 ~~new or remodeling costs.~~

1 12 ~~c. (2) Infrastructure improvements of juvenile detention~~
1 13 ~~facilities, including new or remodeling costs.~~

1 14 b. Twenty percent of the moneys collected and credited to
1 15 the county general fund pursuant to this section shall be used
1 16 for courthouse security equipment and law enforcement
1 17 personnel.

1 18 c. The sheriff may submit a plan or recommendations to the
1 19 county board of supervisors for the use of the funds as
1 20 provided in this subsection or the sheriff and board may
1 21 jointly develop a plan for the use of the funds. Subject to
1 22 the requirements of this subsection, funds may be used in the
1 23 manner set forth in an agreement entered into under chapter
1 24 28E.

1 25 d. The county board of supervisors shall review the plan
1 26 or recommendations submitted by the sheriff during the normal
1 27 budget process of the county.

1 28 Sec. 2. Section 602.1304, subsection 2, paragraph a, Code
1 29 2007, is amended to read as follows:

1 30 a. The enhanced court collections fund is created in the
1 31 state treasury under the authority of the supreme court. The
1 32 fund shall be separate from the general fund of the state and
1 33 the balance in the fund shall not be considered part of the
1 34 balance of the general fund of the state. Notwithstanding
1 35 section 8.33, moneys in the fund shall not revert to the
2 1 general fund, unless and to the extent the total amount of
2 2 moneys deposited into the fund in a fiscal year would exceed
2 3 the maximum annual deposit amount established for the
2 4 collections fund by the general assembly. The initial maximum
2 5 annual deposit amount for a fiscal year is ~~four~~ five million
2 6 dollars. Notwithstanding section 12C.7, subsection 2,
2 7 interest or earnings on moneys in the collections fund shall
2 8 remain in the collections fund and any interest and earnings
2 9 shall be in addition to the maximum annual deposit amount.

2 10 Sec. 3. Section 602.1304, subsection 2, paragraph c, Code
2 11 2007, is amended to read as follows:

2 12 c. ~~Moneys in the collections fund~~ The first four million
2 13 dollars deposited in the fund during the fiscal year shall be
2 14 used by the judicial branch for the Iowa court information
2 15 system; records management equipment, services, and projects;
2 16 other technological improvements; electronic legal research
2 17 equipment, systems, and projects; and the study, development,
2 18 and implementation of other innovations and projects that
2 19 would improve the administration of justice. ~~The~~ Such moneys

2 20 in the collection fund may also be used for capital
2 21 improvements necessitated by the installation of or connection
2 22 with the Iowa court information system, the Iowa
2 23 communications network, and other technological improvements
2 24 approved by the judicial branch.
2 25 Sec. 4. Section 602.1304, subsection 2, Code 2007, is
2 26 amended by adding the following new paragraph:
2 27 NEW PARAGRAPH. d. If the moneys deposited into the fund
2 28 exceed four million dollars during the fiscal year, then up to
2 29 one million dollars of any excess moneys shall be used to fund
2 30 a courthouse security grant program. The program shall make
2 31 grants to counties for the purpose of providing and improving
2 32 courthouse security. The moneys shall be used by the county
2 33 for the purchase of security equipment and building
2 34 enhancements that improve courthouse security. The supreme
2 35 court shall prescribe rules to implement this paragraph.

3 1 EXPLANATION

3 2 This bill relates to courthouse security programs, and
3 3 funding such programs through the enhanced court collections
3 4 fund and the county general fund.

3 5 The bill requires a county to use 20 percent of the fees
3 6 collected from inmates at the county jail for courthouse
3 7 security. The bill also requires the county to use 40 percent
3 8 of the fees collected from inmates for infrastructure
3 9 improvements at the county jail or infrastructure improvements
3 10 at juvenile detention facilities. Current law requires the
3 11 county to use 60 percent of the fees collected from inmates
3 12 for courthouse security, infrastructure improvements at the
3 13 county jail, and infrastructure improvements at juvenile
3 14 detention facilities, but does not allocate the distribution
3 15 of the fees. Under current law and under the bill, the
3 16 remaining 40 percent of the fees remain in the county general
3 17 fund.

3 18 The bill increases the maximum annual deposit into the
3 19 enhanced court collections fund from \$4 million to \$5 million.
3 20 If the annual deposit into the fund exceeds \$4 million, the
3 21 bill provides that up to \$1 million of the excess funds shall
3 22 be used to establish a courthouse security grant program. The
3 23 bill provides that the grants shall be used by counties for
3 24 the purchase of courthouse security equipment or building
3 25 enhancements that improve courthouse security.

3 26 Current law limits the use of moneys deposited into the
3 27 enhanced court collections fund to projects related to the
3 28 Iowa court information system, for records management
3 29 equipment, and court technological improvements. The enhanced
3 30 court collections fund is funded through fees and other
3 31 revenue collected by the judicial branch.

3 32 LSB 1377DP 82

3 33 jm:nh/je/5