

# Senate File 396 - Introduced

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1031)

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 creating a courthouse security  
3 commission.

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

5 TLSB 1377SV 82

6 jm/je/5

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1 1 Section 1. Section 602.1304, subsection 2, paragraph a,  
1 2 Code 2007, is amended to read as follows:  
1 3 a. The enhanced court collections fund is created in the  
1 4 state treasury under the authority of the supreme court. The  
1 5 fund shall be separate from the general fund of the state and  
1 6 the balance in the fund shall not be considered part of the  
1 7 balance of the general fund of the state. Notwithstanding  
1 8 section 8.33, moneys in the fund shall not revert to the  
1 9 general fund, unless and to the extent the total amount of  
1 10 moneys deposited into the fund in a fiscal year would exceed  
1 11 the maximum annual deposit amount established for the  
1 12 collections fund by the general assembly. The initial maximum  
1 13 annual deposit amount for a fiscal year is ~~four~~ five million  
1 14 dollars. Notwithstanding section 12C.7, subsection 2,  
1 15 interest or earnings on moneys in the collections fund shall  
1 16 remain in the collections fund and any interest and earnings  
1 17 shall be in addition to the maximum annual deposit amount.

1 18 Sec. 2. Section 602.1304, subsection 2, paragraph c, Code  
1 19 2007, is amended to read as follows:

1 20 c. ~~Moneys in the collections fund~~ The first four million  
1 21 dollars deposited in the fund during the fiscal year shall be  
1 22 used by the judicial branch for the Iowa court information  
1 23 system; records management equipment, services, and projects;  
1 24 other technological improvements; electronic legal research  
1 25 equipment, systems, and projects; and the study, development,  
1 26 and implementation of other innovations and projects that  
1 27 would improve the administration of justice. ~~The~~ Such moneys  
1 28 in the collection fund may also be used for capital  
1 29 improvements necessitated by the installation of or connection  
1 30 with the Iowa court information system, the Iowa  
1 31 communications network, and other technological improvements  
1 32 approved by the judicial branch.

1 33 Sec. 3. Section 602.1304, subsection 2, Code 2007, is  
1 34 amended by adding the following new paragraph:

1 35 NEW PARAGRAPH. d. If the moneys deposited into the fund  
2 1 exceed four million dollars during the fiscal year, then up to  
2 2 one million dollars of any excess moneys shall be used to fund  
2 3 a courthouse security grant program. The program shall make  
2 4 grants to counties for the purpose of providing and improving  
2 5 courthouse security. The moneys shall be used by the county  
2 6 for the purchase of security equipment and building  
2 7 enhancements that improve courthouse security. The supreme  
2 8 court shall establish a commission to administer the grant  
2 9 program including reviewing applications for grants and  
2 10 awarding such grants. The state court administrator shall  
2 11 disburse the grants awarded by the commission. The commission  
2 12 shall consist of members who have an interest in courthouse  
2 13 security. Members shall be selected by the supreme court and  
2 14 are to include but are not limited to: a county sheriff, a  
2 15 county attorney, an emergency management coordinator, an  
2 16 attorney in private practice, a county supervisor, a district  
2 17 judge, a district associate judge, a magistrate, an employee

2 18 of the state public defender, a clerk of the district court, a  
2 19 chief judge, a court administrator, and a person who has  
2 20 expertise or a professional interest in security. In  
2 21 selecting the members of the commission the supreme court  
2 22 shall consult with any professional organization or agency  
2 23 that represents the respective members prior to selecting a  
2 24 member. The supreme court shall prescribe rules to implement  
2 25 this paragraph.

2 26 EXPLANATION

2 27 This bill relates to courthouse security programs, and  
2 28 funding such programs through the enhanced court collections  
2 29 fund and establishing a courthouse security grant commission.

2 30 The bill increases the maximum annual deposit into the  
2 31 enhanced court collections fund from \$4 million to \$5 million.  
2 32 If the annual deposit into the fund exceeds \$4 million, the  
2 33 bill provides that up to \$1 million of the excess funds shall  
2 34 be used to establish a courthouse security grant program. The  
2 35 bill provides that the grants shall be used by counties for  
3 1 the purchase of courthouse security equipment or building  
3 2 enhancements that improve courthouse security.

3 3 The bill also establishes a commission to administer the  
3 4 grant program including reviewing applications for grants and  
3 5 awarding such grants.

3 6 Current law limits the use of moneys deposited into the  
3 7 enhanced court collections fund to projects related to the  
3 8 Iowa court information system, for records management  
3 9 equipment, and court technological improvements. The enhanced  
3 10 court collections fund is funded through fees and other  
3 11 revenue collected by the judicial branch.

3 12 LSB 1377SV 82

3 13 jm:nh/je/5