

# House Study Bill 102

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 relating to courthouse security, lease purchase  
2 agreements, and the issuance of bonds for building projects on  
3 certain buildings occupied by the judicial branch, and making  
4 an appropriation.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 1403XD 83  
7 jm/rj/5

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1 1 Section 1. Section 331.301, subsection 10, paragraph e,  
1 2 subparagraph (1), unnumbered paragraph 2, Code 2009, is  
1 3 amended to read as follows:  
1 4 However, if the principal amount of a lease or  
1 5 lease=purchase contract pursuant to this subparagraph is less  
1 6 than twenty=five thousand dollars, the board may authorize the  
1 7 lease or lease=purchase contract without following the  
1 8 authorization procedures of section 331.443. If a lease or  
1 9 lease=purchase contract involves real property that is a  
1 10 public building which is or will be more than fifty percent  
1 11 occupied by the judicial branch, the board may authorize the  
1 12 lease or lease=purchase contract without following the  
1 13 authorization procedures of section 331.443.

1 14 Sec. 2. Section 331.441, subsection 2, paragraph b,  
1 15 subparagraph (5), subparagraph division (b), Code 2009, is  
1 16 amended to read as follows:

1 17 (b) Seven hundred fifty thousand dollars in a county  
1 18 having a population of more than twenty=five thousand but not  
1 19 more than fifty thousand, except as provided in subparagraph  
1 20 (18).

1 21 Sec. 3. Section 331.441, subsection 2, paragraph b, Code  
1 22 2009, is amended by adding the following new subparagraph:  
1 23 NEW SUBPARAGRAPH. (18) Public buildings which are or will  
1 24 be more than fifty percent occupied by the judicial branch in  
1 25 counties with a population of more than twenty=five thousand  
1 26 but not more than fifty thousand.

1 27 Sec. 4. Section 602.1304, subsection 2, paragraph a, Code  
1 28 2009, is amended to read as follows:

1 29 a. The enhanced court collections fund is created in the  
1 30 state treasury under the authority of the supreme court. The  
1 31 fund shall be separate from the general fund of the state and  
1 32 the balance in the fund shall not be considered part of the  
1 33 balance of the general fund of the state. Notwithstanding  
1 34 section 8.33, moneys in the fund shall not revert to the  
1 35 general fund, unless and to the extent the total amount of  
2 1 moneys deposited ~~into~~ in the fund in a fiscal year would  
2 2 exceed the maximum annual deposit amount established for the  
2 3 collections fund by the general assembly. The ~~initial~~ maximum  
2 4 annual deposit amount for a fiscal year is ~~four~~ five million  
2 5 dollars. Notwithstanding section 12C.7, subsection 2,  
2 6 interest or earnings on moneys in the collections fund shall  
2 7 remain in the collections fund and any interest and earnings  
2 8 shall be in addition to the maximum annual deposit amount.

2 9 Sec. 5. Section 602.1304, subsection 2, paragraph c, Code  
2 10 2009, is amended to read as follows:

2 11 c. ~~Moneys in the collections fund~~ The first four million  
2 12 dollars deposited in the fund during the fiscal year shall be  
2 13 used by the judicial branch for the Iowa court information  
2 14 system; records management equipment, services, and projects;  
2 15 other technological improvements; electronic legal research  
2 16 equipment, systems, and projects; and the study, development,  
2 17 and implementation of other innovations and projects that

2 18 would improve the administration of justice. The Such moneys  
2 19 ~~in the collection fund~~ may also be used for capital  
2 20 improvements necessitated by the installation of or connection  
2 21 with the Iowa court information system, the Iowa  
2 22 communications network, and other technological improvements  
2 23 approved by the judicial branch.  
2 24 Sec. 6. Section 602.1304, subsection 2, Code 2009, is  
2 25 amended by adding the following new paragraph:  
2 26 NEW PARAGRAPH. d. If the moneys deposited in the fund  
2 27 exceeds four million dollars during the fiscal year, up to one  
2 28 million dollars of the excess shall be used by the judicial  
2 29 branch to establish a court security grant program. The  
2 30 program shall make grant awards to counties for the purpose of  
2 31 providing and improving court security. The moneys shall be  
2 32 used by counties for the purchase of security equipment and  
2 33 building improvements that enhance court security. The  
2 34 supreme court shall prescribe rules to administer the court  
2 35 security grant program.

3 1 EXPLANATION

3 2 This bill relates to courthouse security, lease-purchase  
3 3 contracts, and the issuance of bonds for building projects on  
3 4 certain buildings occupied by the judicial branch.  
3 5 The bill provides that if the real property at interest is  
3 6 a public building which is or will be at least 51 percent  
3 7 occupied by the judicial branch, the board may authorize the  
3 8 lease or lease-purchase contract without following the same  
3 9 authorization procedures set forth in Code section 331.443 for  
3 10 the issuance of essential county purpose bonds.  
3 11 The bill also provides that a proposed building project for  
3 12 a public building which is or will be at least 51 percent  
3 13 occupied by the judicial branch is exempt from a county vote  
3 14 on the issuance of bonds to fund the project in a county  
3 15 having a population of more than 25,000 but not more than  
3 16 50,000. Any proposed project applicable under the bill would  
3 17 be considered an "essential county purpose" and the issuance  
3 18 of any bonds would not be subject to a county vote but would  
3 19 be subject to the essential county purpose bond provisions in  
3 20 Code section 331.443.  
3 21 Current law provides that any proposed building project in  
3 22 excess of \$750,000 involving a public building in a county  
3 23 having a population of more than 25,000 but not more than  
3 24 50,000 is required to have a county vote upon the question of  
3 25 issuing the bonds to fund the project.  
3 26 The bill increases the maximum annual deposit into the  
3 27 enhanced court collections fund from \$4 million to \$5 million.  
3 28 If the annual deposit into the fund exceeds \$4 million, the  
3 29 bill provides that up to \$1 million of the excess shall be  
3 30 used to establish a courthouse security grant program. The  
3 31 bill provides that the grants shall be used by counties for  
3 32 the purchase of courthouse security equipment or building  
3 33 enhancements that improve courthouse security.  
3 34 Current law limits the use of moneys deposited into the  
3 35 enhanced court collections fund to projects related to the  
4 1 Iowa court information system, records management equipment,  
4 2 and court technological improvements. The enhanced court  
4 3 collections fund is funded through fees and other revenue  
4 4 collected by the judicial branch.  
4 5 LSB 1403XD 83  
4 6 jm/rj/5.1