

House Study Bill 722 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
VETERANS AFFAIRS BILL BY
CHAIRPERSON ZIRKELBACH)

A BILL FOR

1 An Act requiring the designation of a county veterans outreach
2 coordinator, establishing a veterans outreach fund, and
3 creating a veterans outreach fund income tax checkoff and
4 including effective date and retroactive applicability
5 provisions.

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

1 Section 1. Section 35A.5, subsection 14, paragraph f, Code
2 Supplement 2009, is amended by striking the paragraph and
3 inserting in lieu thereof the following:

4 *f.* Information related to compliance with the outreach
5 requirements under section 35B.6A during the previous calendar
6 year.

7 Sec. 2. Section 35A.5, subsection 14, Code Supplement 2009,
8 is amended by adding the following new paragraph:

9 NEW PARAGRAPH. *g.* An analysis of the information contained
10 in paragraphs "a" through "f", including an analysis of such
11 information for previous years.

12 Sec. 3. NEW SECTION. **35A.15 Veterans outreach fund.**

13 1. A veterans outreach fund is created within the state
14 treasury under the control of the department. The fund
15 shall consist of moneys transferred to the fund under section
16 422.12F, appropriations made to the fund, reimbursements under
17 section 35B.6A, subsection 4, and any other moneys available
18 to and obtained or accepted by the department from the federal
19 government or private sources for deposit in the fund.

20 2. Notwithstanding section 12C.7, interest or earnings on
21 moneys in the veterans outreach fund shall be credited to the
22 veterans outreach fund. Notwithstanding section 8.33, moneys
23 remaining in the veterans outreach fund at the end of a fiscal
24 year shall not revert to the general fund of the state.

25 3. Moneys credited to the veterans outreach fund shall not
26 be transferred, used, obligated, appropriated, or otherwise
27 encumbered, except as provided in this section.

28 4. *a.* Except as provided in paragraph "b", the minimum
29 balance of the veterans outreach fund required prior to
30 expenditure of moneys from the fund is two hundred fifty
31 thousand dollars.

32 *b.* If the balance of the veterans outreach fund exceeds
33 one hundred thousand dollars, the department may approve
34 expenditures from the fund for the purpose of receiving federal
35 matching funds to provide veterans outreach as defined in

1 section 35B.6A.

2 5. *a.* In addition to the purpose designated in subsection
3 4, paragraph "b", if the veterans outreach fund balance
4 meets the requirement under subsection 4, paragraph "a",
5 the department may approve expenditures from the fund for
6 allocations to each county commission of veteran affairs to
7 provide veterans outreach under section 35B.6A.

8 *b.* The total amount of allocations to all counties under
9 paragraph "a" in any one year shall not exceed an amount equal
10 to the balance of the veterans outreach fund minus two hundred
11 fifty thousand dollars.

12 *c.* Each county's allocation under paragraph "a" in any year
13 shall be an amount equal to the total amount of allocations
14 determined under paragraph "b" for that year multiplied by
15 the quotient of the total number of veterans residing in that
16 county divided by the total number of veterans residing in the
17 state.

18 6. If the department identifies other purposes for which
19 the moneys in the veterans outreach fund may be used for the
20 benefit of veterans and veterans' families, the department
21 shall submit recommendations for the addition of such purposes
22 to the general assembly for review.

23 7. The department shall submit an annual report to the
24 general assembly by January 15 of each year concerning the
25 veterans outreach fund created by this section. The annual
26 report shall include financial information concerning moneys
27 in the fund and shall also include information on the number,
28 amount, and type of expenditures, if any, from the fund during
29 the prior calendar year.

30 8. The department shall adopt rules, pursuant to chapter
31 17A, deemed necessary for the implementation of this section.

32 **Sec. 4. NEW SECTION. 35B.6A Veterans outreach coordinator**
33 **— designation — duties.**

34 1. Each county commission of veteran affairs shall
35 designate one of the following individuals as the county

1 veterans outreach coordinator:

2 *a.* The executive director or administrator, as applicable,
3 employed by the commission under section 35B.6, subsection 1.

4 *b.* An executive director or administrator, as applicable,
5 whose services are shared by the county pursuant to an
6 agreement under section 35B.6, subsection 2.

7 *c.* An individual hired by the commission specifically to
8 provide veterans outreach. An individual under this paragraph
9 may be an individual whose veterans outreach services are
10 shared between the county and one or more other counties
11 pursuant to an agreement under chapter 28E.

12 *d.* A current commissioner on the county commission of
13 veteran affairs.

14 2. The designation of a county veterans outreach
15 coordinator shall not relieve the county, the county commission
16 of veteran affairs, or the individual designated of any
17 other duty required by law, including but not limited to the
18 requirements of section 35B.6.

19 3. All moneys allocated to the commission under section
20 35A.15 shall be used exclusively for veterans outreach as
21 defined in this section. Priority shall be given to veterans
22 outreach that is directed toward veterans who have recently
23 returned from a combat zone and the families of such veterans.

24 4. If a county fails to be in compliance with the
25 requirements of this section on June 30 of each fiscal year,
26 all moneys received by the county from the veterans outreach
27 fund during that fiscal year shall be reimbursed to the
28 veterans outreach fund.

29 5. Moneys allocated to a county from the veterans outreach
30 fund shall be used to supplement and not supplant any existing
31 funding provided by the county or received by the county from
32 any other source. The department shall adopt a maintenance of
33 effort requirement for moneys distributed to counties from the
34 veterans outreach fund.

35 6. For purposes of this section "*veterans outreach*"

1 means activities and programs, including personnel expenses
2 related to such activities and programs, that provide direct
3 communication between a veterans outreach coordinator and
4 a veteran or a veteran's family to provide information on
5 veterans services and programs available through governmental
6 entities, nonprofit organizations, or other private sources.
7 "Veterans outreach" also means training and educational programs
8 for other government employees on topics related to issues
9 affecting veterans. Direct communication between a veterans
10 outreach coordinator and a veteran or a veteran's family may
11 include electronic communication.

12 Sec. 5. NEW SECTION. **422.12F** **Income tax checkoff for the**
13 **veterans outreach fund.**

14 1. A person who files an individual or a joint income
15 tax return with the department of revenue under section
16 422.13 may designate five dollars or more to be paid to the
17 veterans outreach fund created in section 35A.15. If the
18 refund due on the return or the payment remitted with the
19 return is insufficient to pay the amount designated by the
20 taxpayer to the veterans outreach fund, the amount designated
21 shall be reduced to the remaining amount of the refund or the
22 remaining amount remitted with the return. The designation of
23 a contribution to the veterans outreach fund under this section
24 is irrevocable.

25 2. The director of revenue shall draft the income tax form
26 to allow the designation of contributions to the veterans
27 outreach fund on the tax return. The department of revenue,
28 on or before January 31, shall transfer the total amount
29 designated on the tax return forms due in the preceding
30 calendar year to the veterans outreach fund. However, before
31 a checkoff pursuant to this section shall be permitted, all
32 liabilities on the books of the department of administrative
33 services and accounts identified as owing under section 8A.504
34 and the political contribution allowed under section 68A.601
35 shall be satisfied.

1 3. The department of veterans affairs may authorize payment
2 of moneys from the veterans outreach fund, in accordance with
3 section 35A.15.

4 4. The department of revenue shall adopt rules to administer
5 this section.

6 5. This section is subject to repeal under section 422.12E.

7 Sec. 6. IMPLEMENTATION. The income tax checkoff created
8 in this Act shall be eligible for placement on the individual
9 income tax return form beginning for the tax year commencing
10 January 1, 2010, provided the conditions for placement on the
11 return form set out in section 422.12E are met.

12 Sec. 7. RETROACTIVE APPLICABILITY. The section of this Act
13 enacting section 422.12F, applies retroactively to January 1,
14 2010, for tax years beginning on or after that date.

15 Sec. 8. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
16 immediate importance, takes effect upon enactment.

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EXPLANATION

18 This bill creates new Code section 35A.15, which establishes
19 a veterans outreach fund within the state treasury under the
20 control of the department of veterans affairs. The bill
21 provides that the fund consists of moneys transferred to the
22 fund under section new Code section 422.12F (veterans outreach
23 fund checkoff), appropriations made to the fund, required
24 reimbursements from counties under new Code section 35B.6A, and
25 any other moneys available to and obtained or accepted by the
26 department of veterans affairs from the federal government or
27 private sources for deposit in the fund. Interest or earnings
28 on moneys in the veterans outreach fund are credited to the
29 fund and moneys remaining in the fund at the end of a fiscal
30 year do not revert to the general fund of the state.

31 The moneys in the veterans outreach fund are to be used for
32 veterans outreach, as defined in the bill, conducted through
33 the county commissions of veteran affairs by designated county
34 veterans outreach coordinators. Under new Code section 35B.6A,
35 each county commission of veteran affairs is required to

1 designate a county veterans outreach coordinator from a list of
2 specified individuals. Allocations from the veterans outreach
3 fund to each county are made based on the number of veterans
4 residing in each county.

5 Before the expenditure of moneys can be approved by the
6 department of veterans affairs, the veterans outreach fund
7 must have a balance of \$250,000. However, the department of
8 veterans affairs may approve expenditures from the fund for
9 the purpose of securing certain federal matching funds if the
10 veterans outreach fund balance exceeds \$100,000.

11 The bill specifies that veterans outreach directed toward
12 veterans who have recently returned from a combat zone shall be
13 given priority. The bill imposes reimbursement requirements
14 on counties who receive moneys from the veterans outreach
15 fund, but which fail to comply with the requirements of new
16 Code section 35B.6A. The bill requires that moneys from the
17 veterans outreach fund must be used to supplement and not
18 supplant any existing funding provided by the county.

19 This bill establishes an income tax checkoff for the
20 veterans outreach fund. The bill provides that a person who
21 files an individual or a joint income tax return may designate
22 five dollars or more to be paid to the veterans outreach fund.
23 The department of revenue, on or before January 31 of each
24 year, is required to transfer the total amount designated on
25 the tax return forms due in the preceding calendar year to the
26 veterans outreach fund.

27 The income tax checkoff created in the bill is eligible for
28 placement on the individual income tax return form beginning
29 for the tax year commencing January 1, 2010, and is subject to
30 repeal under Code section 422.12E.

31 The bill also establishes certain reporting requirements for
32 the department of veterans affairs relating to the veterans
33 outreach fund and compliance with the outreach requirements of
34 new Code section 35B.6A.

35 The bill takes effect upon enactment. The section of the

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1 bill enacting the income tax checkoff applies retroactively to
2 January 1, 2010, for tax years beginning on or after that date.