

**House File 55 - Introduced**

HOUSE FILE 55

BY BAUDLER

**A BILL FOR**

1 An Act relating to the awarding of bonuses to appointed state  
2 officers and state employees and to employees of entities  
3 receiving government funds pursuant to a service contract  
4 with the state and providing an effective date.

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

1 Section 1. Section 8F.3, subsection 1, Code 2011, is amended  
2 by adding the following new paragraph:

3 NEW PARAGRAPH. e. Information that the recipient entity's  
4 policies prohibit the use of any of the moneys received  
5 pursuant to a service contract to provide bonuses to officers  
6 or employees of the recipient entity.

7 Sec. 2. Section 70A.1, subsection 1, Code 2011, is amended  
8 to read as follows:

9 1. Salaries specifically provided for in an appropriation  
10 Act of the general assembly shall be in lieu of existing  
11 statutory salaries, for the positions provided for in the Act,  
12 and all salaries, including longevity where applicable by  
13 express provision in the Code, shall be paid according to the  
14 provisions of chapter 91A and shall be in full compensation  
15 of all services, including any service on committees, boards,  
16 commissions or similar duty for Iowa government, except for  
17 members of the general assembly. A state employee on an annual  
18 salary shall not be paid for a pay period an amount which  
19 exceeds the employee's annual salary transposed into a rate  
20 applicable to the pay period by dividing the annual salary by  
21 the number of pay periods in the fiscal year. Salaries for  
22 state employees covered by the overtime payment provisions of  
23 the federal Fair Labor Standards Act shall be established on an  
24 hourly basis. In addition, unless otherwise authorized by law  
25 or required pursuant to a collective bargaining agreement, a  
26 state employee shall not receive any additional remuneration in  
27 the form of a bonus, including but not limited to a retention  
28 bonus, recruitment bonus, exceptional job performance pay,  
29 extraordinary job performance pay, exceptional performance  
30 pay, extraordinary duty pay, or extraordinary or special duty  
31 pay, for or during the time period beginning on or after the  
32 effective date of this Act.

33 Sec. 3. Section 602.1401, subsection 6, Code 2011, is  
34 amended to read as follows:

35 6. The benefits plan established by the supreme court may

1 provide for benefits to court employees not covered under  
2 a collective bargaining agreement entered into pursuant to  
3 chapter 20, notwithstanding any contrary provision of section  
4 70A.1 or 70A.23, consistent with benefits provided to court  
5 employees covered under a collective bargaining agreement  
6 entered into with the state court administrator pursuant to  
7 chapter 20. Court employees not covered under a collective  
8 bargaining agreement, however, shall not receive any additional  
9 remuneration in the form of a bonus, including but not limited  
10 to a retention bonus, recruitment bonus, exceptional job  
11 performance pay, extraordinary job performance pay, exceptional  
12 performance pay, extraordinary duty pay, or extraordinary or  
13 special duty pay, for or during the time period beginning on or  
14 after the effective date of this Act.

15 Sec. 4. 2010 Iowa Acts, chapter 1193, section 17, subsection  
16 3, is amended to read as follows:

17 3. A person whose salary is established pursuant to this  
18 section and who is a full-time, year-round employee of the  
19 state shall not receive any other remuneration from the state  
20 or from any other source for the performance of that person's  
21 duties ~~unless the additional remuneration is first approved by~~  
22 ~~the governor or authorized by law.~~ However, this provision  
23 does not exclude the reimbursement for necessary travel and  
24 expenses incurred in the performance of duties or fringe  
25 benefits normally provided to employees of the state.

26 Sec. 5. 2010 Iowa Acts, chapter 1193, section 21, is amended  
27 to read as follows:

28 SEC. 21 BONUS PAY. For the fiscal year beginning July 1,  
29 2010, and ending June 30, 2011, employees of the executive  
30 branch, judicial branch, and legislative branch shall not  
31 receive bonus pay unless otherwise authorized by law, required  
32 pursuant to a contract of employment entered into before July  
33 1, 2010, or required pursuant to a collective bargaining  
34 agreement. ~~This section does not apply to employees of the~~  
35 ~~state board of regents.~~ For purposes of this section, "bonus

1 pay" means any additional remuneration provided an employee in  
2 the form of a bonus, including but not limited to a retention  
3 bonus, recruitment bonus, exceptional job performance pay,  
4 extraordinary job performance pay, exceptional performance pay,  
5 extraordinary duty pay, or extraordinary or special duty pay,  
6 and any extra benefit not otherwise provided to other similarly  
7 situated employees.

8 Sec. 6. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
9 immediate importance, takes effect upon enactment.

10

EXPLANATION

11 This bill prohibits the granting of bonuses to state  
12 employees and the use of government moneys to provide bonuses  
13 to employees of an entity that enters into a service contract  
14 with the state.

15 Code section 8F.3, concerning contractual requirements  
16 for entities entering into a service contract with a state  
17 agency, is amended to provide that the entity entering into the  
18 contract shall have policies in place prohibiting the use of  
19 any of the moneys received pursuant to the service contract  
20 to provide bonuses to officers or employees of the entity.  
21 Code section 70A.1, concerning salaries and benefits of state  
22 employees, is amended to provide that no bonuses shall be paid  
23 to state employees unless otherwise authorized by law or a  
24 collective bargaining agreement.

25 Code section 602.1401 is amended to prohibit the granting  
26 of bonuses to court employees not covered under a collective  
27 bargaining agreement.

28 2010 Iowa Acts, chapter 1193, concerning the pay of  
29 appointed state officers, is amended to eliminate the ability  
30 of the officers to receive additional remuneration if approved  
31 by the governor or otherwise authorized by law.

32 The bill further amends 2010 Iowa Acts, chapter 1193, to  
33 make the section 21 prohibition against granting bonus pay  
34 applicable to employees of the state board of regents.

35 The bill takes effect upon enactment.