

House File 248 - Introduced

HOUSE FILE 248

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A BILL FOR

1 An Act appropriating moneys for the state budget contingent on
2 the failure to include such appropriations in bills passed
3 by the general assembly by certain dates.

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

1 Section 1. NEW SECTION. 8.48 State budget — contingent
2 appropriation.

3 1. If a line item appropriation, standing limited
4 appropriation, or standing unlimited appropriation otherwise
5 limited by law, including an appropriation from federal
6 and nonstate moneys, for the following fiscal year, is not
7 included in a bill passed by both the senate and the house of
8 representatives by the end of the one hundred tenth calendar
9 day of the first regular session of a general assembly or by
10 the end of the one hundredth calendar day of the second regular
11 session of a general assembly, and if such an appropriation
12 was made for the fiscal year in which the first or second
13 regular session falls, there is appropriated for the following
14 fiscal year, from the appropriate state fund or account,
15 to the appropriate entity, an amount or so much thereof as
16 is necessary, equal to the amount determined pursuant to
17 subsection 2.

18 2. If an appropriation is not included in a bill as provided
19 in subsection 1, the department of management, in consultation
20 with the legislative services agency, shall determine the
21 amount of such line item appropriation, standing limited
22 appropriation, or standing unlimited appropriation otherwise
23 limited by law, including an appropriation from federal and
24 nonstate moneys, for the fiscal year in which the appropriation
25 was last made. In making such an appropriation amount
26 determination, the department shall also identify the fund or
27 account from which the appropriation was made and the identity
28 of the entity to which such appropriation was so made, or the
29 entity's successor.

30 3. In making an appropriation amount determination pursuant
31 to subsection 2, the department of management, in consultation
32 with the legislative services agency, shall consider all of the
33 following, as applicable:

34 a. The general fund expenditure limitations provided in
35 section 8.54.

1 (1) For fiscal years in which it is anticipated that the
2 distribution of moneys from the Iowa economic emergency fund
3 in accordance with section 8.55, subsection 2, will result in
4 moneys being transferred to the general fund, the original
5 state general fund expenditure limitation amount provided for
6 in section 8.54, subsection 3, shall not be readjusted to
7 include the amount of moneys anticipated to be so transferred.

8 (2) If, in making appropriation amount determinations,
9 it is determined that such appropriations would exceed
10 the state general fund expenditure limitation amount, the
11 department of management, in consultation with the legislative
12 services agency, shall reduce the appropriation amounts
13 in a uniform and prorated manner between all departments,
14 agencies, and establishments upon the basis of their respective
15 appropriations and the governor shall make reductions in
16 allotments at the same rate and in the manner provided in
17 section 8.31 for any general fund appropriations not included
18 in the appropriation amount determinations made under this
19 subsection.

20 b. Any reductions in the allotments of appropriations.

21 4. This section does not apply to appropriations for capital
22 projects.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 This bill appropriates moneys for the state budget
27 contingent on the failure to include certain appropriations in
28 bills passed by the general assembly by certain dates.

29 The bill provides that if a line item appropriation,
30 standing limited appropriation, or standing unlimited
31 appropriation otherwise limited by law, including an
32 appropriation from federal and nonstate moneys, for the
33 following fiscal year is not included in a bill passed by
34 both the senate and the house of representatives by the end
35 of the 110th calendar day of the first regular session of a

1 general assembly or by the end of the 100th calendar day of
2 the second regular session of a general assembly, and if such
3 appropriation is made for the fiscal year in which the first
4 or second regular session falls, there is appropriated for
5 the following fiscal year, from the appropriate state fund or
6 account, to the appropriate entity, an amount determined as
7 provided in the bill.

8 The appropriation amount is determined by the department
9 of management, in consultation with the legislative services
10 agency, and equals the amount of such appropriation for the
11 fiscal year in which the appropriation was last made. In
12 making such determinations, the department, in consultation
13 with the legislative services agency, shall consider the
14 general fund expenditure limitations and any across-the-board
15 budget reductions.

16 In considering the general fund expenditure limitation, the
17 bill prohibits the inclusion of any anticipated general fund
18 surplus, attributable to a transfer of excess moneys in the
19 Iowa economic emergency fund to the general fund, from the
20 calculation of the general fund expenditure limitation amount.

21 The bill provides that if, in making appropriation amount
22 determinations, it is determined that such appropriations would
23 exceed the general fund expenditure limitation amount, the
24 department of management, in consultation with the legislative
25 services agency, shall reduce the appropriation amounts
26 in a uniform and prorated manner between all departments,
27 agencies, and establishments upon the basis of their respective
28 appropriations and the governor shall make reductions in
29 allotments at the same rate and in the manner provided in
30 Code section 8.31 for any general fund appropriations not
31 included in the appropriation amount determinations made by the
32 department of management.