

**Senate File 615 - Introduced**

SENATE FILE 615  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1255)

**A BILL FOR**

1 An Act relating to appropriations to the justice system, and  
2 including effective date and retroactive applicability  
3 provisions.

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

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DIVISION I  
FY 2019-2020  
APPROPRIATIONS

Section 1. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, matching funds for federal violence against women grant programs, victim assistance grants, office of drug control policy prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

.....	\$	5,911,705
.....	FTEs	215.00

As a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing each agency or department.

The general office of attorney general may temporarily exceed and draw more than the amount appropriated in this lettered paragraph and incur a negative cash balance as long as there are receivables equal to or greater than the negative balances and the amount appropriated in this paragraph is not exceeded at the close of the fiscal year.

b. For victim assistance grants:

.....	\$	5,016,708
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The moneys appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

The balance of the victim compensation fund established

1 in section 915.94 may be used to provide salary and support  
 2 of not more than 24.00 full-time equivalent positions and to  
 3 provide maintenance for the victim compensation functions  
 4 of the department of justice. In addition to the full-time  
 5 equivalent positions authorized pursuant to this paragraph,  
 6 5.00 full-time equivalent positions are authorized and shall  
 7 be used by the department of justice to employ one accountant  
 8 and four program planners. The department of justice may  
 9 employ the additional 5.00 full-time equivalent positions  
 10 authorized pursuant to this paragraph that are in excess of the  
 11 number of full-time equivalent positions authorized only if  
 12 the department of justice receives sufficient federal moneys  
 13 to maintain employment for the additional full-time equivalent  
 14 positions during the current fiscal year. The department  
 15 of justice shall only employ the additional 5.00 full-time  
 16 equivalent positions in succeeding fiscal years if sufficient  
 17 federal moneys are received during each of those succeeding  
 18 fiscal years.

19 The department of justice shall transfer at least \$150,000  
 20 from the victim compensation fund established in section 915.94  
 21 to the victim assistance grant program.

22 Notwithstanding section 8.33, moneys appropriated in this  
 23 paragraph "b" that remain unencumbered or unobligated at the  
 24 close of the fiscal year shall not revert but shall remain  
 25 available for expenditure for the purposes designated until the  
 26 close of the succeeding fiscal year.

27 c. For legal services for persons in poverty grants as  
 28 provided in section 13.34:

29 ..... \$ 2,464,601

30 2. a. The department of justice, in submitting budget  
 31 estimates for the fiscal year commencing July 1, 2020, pursuant  
 32 to section 8.23, shall include a report of funding from sources  
 33 other than amounts appropriated directly from the general fund  
 34 of the state to the department of justice or to the office of  
 35 consumer advocate. These funding sources shall include but

1 are not limited to reimbursements from other state agencies,  
2 commissions, boards, or similar entities, and reimbursements  
3 from special funds or internal accounts within the department  
4 of justice. The department of justice shall also report actual  
5 reimbursements for the fiscal year commencing July 1, 2018,  
6 and actual and expected reimbursements for the fiscal year  
7 commencing July 1, 2019.

8 b. The department of justice shall include the report  
9 required under paragraph "a", as well as information regarding  
10 any revisions occurring as a result of reimbursements actually  
11 received or expected at a later date, in a report to the  
12 co-chairpersons and ranking members of the joint appropriations  
13 subcommittee on the justice system and the legislative services  
14 agency. The department of justice shall submit the report on  
15 or before January 15, 2020.

16 3. a. The department of justice shall fully reimburse  
17 the costs and necessary related expenses incurred by the Iowa  
18 law enforcement academy to continue to employ one additional  
19 instructor position who shall provide training for human  
20 trafficking-related issues throughout the state.

21 b. The department of justice shall obtain the moneys  
22 necessary to reimburse the Iowa law enforcement academy to  
23 employ such an instructor from unrestricted moneys from either  
24 the victim compensation fund established in section 915.94, the  
25 human trafficking victim fund established in section 915.95, or  
26 the human trafficking enforcement fund established in 2015 Iowa  
27 Acts, chapter 138, section 141.

28 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated  
29 from the department of commerce revolving fund created in  
30 section 546.12 to the office of consumer advocate of the  
31 department of justice for the fiscal year beginning July 1,  
32 2019, and ending June 30, 2020, the following amount, or so  
33 much thereof as is necessary, to be used for the purposes  
34 designated:

35 For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time  
2 equivalent positions:

3 ..... \$ 3,137,588  
4 ..... FTEs 22.00

5 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

6 1. There is appropriated from the general fund of the state  
7 to the department of corrections for the fiscal year beginning  
8 July 1, 2019, and ending June 30, 2020, the following amounts,  
9 or so much thereof as is necessary, to be used for the purposes  
10 designated:

11 a. For the operation of the Fort Madison correctional  
12 facility, including salaries, support, maintenance, and  
13 miscellaneous purposes:

14 ..... \$ 41,613,841

15 b. For the operation of the Anamosa correctional facility,  
16 including salaries, support, maintenance, and miscellaneous  
17 purposes:

18 ..... \$ 32,414,148

19 c. For the operation of the Oakdale correctional facility,  
20 including salaries, support, maintenance, and miscellaneous  
21 purposes:

22 ..... \$ 61,874,191

23 d. For the operation of the Newton correctional facility,  
24 including salaries, support, maintenance, and miscellaneous  
25 purposes:

26 ..... \$ 28,327,158

27 e. For the operation of the Mount Pleasant correctional  
28 facility, including salaries, support, maintenance, and  
29 miscellaneous purposes:

30 ..... \$ 25,676,413

31 f. For the operation of the Rockwell City correctional  
32 facility, including salaries, support, maintenance, and  
33 miscellaneous purposes:

34 ..... \$ 10,521,861

35 g. For the operation of the Clarinda correctional facility,

1 including salaries, support, maintenance, and miscellaneous  
2 purposes:

3 ..... \$ 24,847,950

4 Moneys received by the department of corrections as  
5 reimbursement for services provided to the Clarinda youth  
6 corporation are appropriated to the department and shall be  
7 used for the purpose of operating the Clarinda correctional  
8 facility.

9 h. For the operation of the Mitchellville correctional  
10 facility, including salaries, support, maintenance, and  
11 miscellaneous purposes:

12 ..... \$ 23,294,090

13 i. For the operation of the Fort Dodge correctional  
14 facility, including salaries, support, maintenance, and  
15 miscellaneous purposes:

16 ..... \$ 30,067,231

17 j. For reimbursement of counties for temporary confinement  
18 of prisoners, as provided in sections 901.7, 904.908, and  
19 906.17, and for offenders confined pursuant to section 904.513:

20 ..... \$ 1,082,635

21 k. For federal prison reimbursement, reimbursements for  
22 out-of-state placements, and miscellaneous contracts:

23 ..... \$ 234,411

24 2. The department of corrections shall use moneys  
25 appropriated in subsection 1 to continue to contract for the  
26 services of a Muslim imam and a Native American spiritual  
27 leader.

28 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

29 There is appropriated from the general fund of the state to the  
30 department of corrections for the fiscal year beginning July  
31 1, 2019, and ending June 30, 2020, the following amounts, or  
32 so much thereof as is necessary, to be used for the purposes  
33 designated:

34 1. For general administration, including salaries and the  
35 adjustment of salaries throughout the department, support,

1 maintenance, employment of an education director to administer  
2 a centralized education program for the correctional system,  
3 and miscellaneous purposes:

4 ..... \$ 6,346,881

5 a. It is the intent of the general assembly that each  
6 lease negotiated by the department of corrections with a  
7 private corporation for the purpose of providing private  
8 industry employment of inmates in a correctional institution  
9 shall prohibit the private corporation from utilizing inmate  
10 labor for partisan political purposes for any person seeking  
11 election to public office in this state and that a violation  
12 of this requirement shall result in a termination of the lease  
13 agreement.

14 b. It is the intent of the general assembly that as a  
15 condition of receiving the appropriation provided in this  
16 subsection the department of corrections shall not enter into  
17 a lease or contractual agreement pursuant to section 904.809  
18 with a private corporation for the use of building space for  
19 the purpose of providing inmate employment without providing  
20 that the terms of the lease or contract establish safeguards to  
21 restrict, to the greatest extent feasible, access by inmates  
22 working for the private corporation to personal identifying  
23 information of citizens.

24 2. For educational programs for inmates at state penal  
25 institutions:

26 ..... \$ 2,608,109

27 a. To maximize the funding for educational programs,  
28 the department shall establish guidelines and procedures to  
29 prioritize the availability of educational and vocational  
30 training for inmates based upon the goal of facilitating an  
31 inmate's successful release from the correctional institution.

32 b. The director of the department of corrections may  
33 transfer moneys from Iowa prison industries and the canteen  
34 operating funds established pursuant to section 904.310, for  
35 use in educational programs for inmates.

1 c. Notwithstanding section 8.33, moneys appropriated in  
2 this subsection that remain unobligated or unexpended at the  
3 close of the fiscal year shall not revert but shall remain  
4 available to be used only for the purposes designated in this  
5 subsection until the close of the succeeding fiscal year.

6 3. For the development and operation of the Iowa corrections  
7 offender network (ICON) data system:

8 ..... \$ 2,000,000

9 4. For offender mental health and substance abuse  
10 treatment:

11 ..... \$ 28,065

12 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
13 SERVICES.

14 1. There is appropriated from the general fund of the state  
15 to the department of corrections for the fiscal year beginning  
16 July 1, 2019, and ending June 30, 2020, for salaries, support,  
17 maintenance, and miscellaneous purposes, the following amounts,  
18 or so much thereof as is necessary, to be used for the purposes  
19 designated:

20 a. For the first judicial district department of  
21 correctional services:

22 ..... \$ 15,069,356

23 It is the intent of the general assembly that the first  
24 judicial district department of correctional services maintain  
25 the drug courts operated by the district department.

26 b. For the second judicial district department of  
27 correctional services:

28 ..... \$ 11,618,090

29 It is the intent of the general assembly that the second  
30 judicial district department of correctional services maintain  
31 two drug courts to be operated by the district department.

32 c. For the third judicial district department of  
33 correctional services:

34 ..... \$ 7,318,308

35 d. For the fourth judicial district department of



1 correctional services:

2 ..... \$ 5,811,273

3 e. For the fifth judicial district department of  
4 correctional services, including funding for electronic  
5 monitoring devices for use on a statewide basis:

6 ..... \$ 21,986,762

7 It is the intent of the general assembly that the fifth  
8 judicial district department of correctional services maintain  
9 the drug court operated by the district department.

10 f. For the sixth judicial district department of  
11 correctional services:

12 ..... \$ 14,839,165

13 It is the intent of the general assembly that the sixth  
14 judicial district department of correctional services maintain  
15 the drug court operated by the district department.

16 g. For the seventh judicial district department of  
17 correctional services:

18 ..... \$ 7,919,692

19 It is the intent of the general assembly that the seventh  
20 judicial district department of correctional services maintain  
21 the drug court operated by the district department.

22 h. For the eighth judicial district department of  
23 correctional services:

24 ..... \$ 8,443,071

25 2. Each judicial district department of correctional  
26 services, within the funding available, shall continue programs  
27 and plans established within that district to provide for  
28 intensive supervision, sex offender treatment, diversion of  
29 low-risk offenders to the least restrictive sanction available,  
30 job development, and expanded use of intermediate criminal  
31 sanctions.

32 3. Each judicial district department of correctional  
33 services shall provide alternatives to prison consistent with  
34 chapter 901B. The alternatives to prison shall ensure public  
35 safety while providing maximum rehabilitation to the offender.

1 A judicial district department of correctional services may  
2 also establish a day program.

3 4. The governor's office of drug control policy shall  
4 consider federal grants made to the department of corrections  
5 for the benefit of each of the eight judicial district  
6 departments of correctional services as local government  
7 grants, as defined pursuant to federal regulations.

8 5. The department of corrections shall continue to contract  
9 with a judicial district department of correctional services to  
10 provide for the rental of electronic monitoring equipment which  
11 shall be available statewide.

12 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF  
13 APPROPRIATIONS. Notwithstanding section 8.39, within the  
14 moneys appropriated in this division of this Act to the  
15 department of corrections, the department may reallocate the  
16 moneys appropriated and allocated as necessary to best fulfill  
17 the needs of the correctional institutions, administration  
18 of the department, and the judicial district departments of  
19 correctional services. However, in addition to complying with  
20 the requirements of sections 904.116 and 905.8 and providing  
21 notice to the legislative services agency, the department  
22 of corrections shall also provide notice to the department  
23 of management, prior to the effective date of the revision  
24 or reallocation of an appropriation made pursuant to this  
25 section. The department of corrections shall not reallocate an  
26 appropriation or allocation for the purpose of eliminating any  
27 program.

28 Sec. 7. INTENT — REPORTS.

29 1. The department of corrections in cooperation with  
30 townships, the Iowa cemetery associations, and other nonprofit  
31 or governmental entities may use inmate labor during the  
32 fiscal year beginning July 1, 2019, to restore or preserve  
33 rural cemeteries and historical landmarks. The department in  
34 cooperation with the counties may also use inmate labor to  
35 clean up roads, major water sources, and other water sources

1 around the state.

2 2. On a quarterly basis the department shall provide a  
3 status report regarding private-sector employment to the  
4 legislative services agency beginning on July 1, 2019. The  
5 report shall include the number of offenders employed in the  
6 private sector, the combined number of hours worked by the  
7 offenders, the total amount of allowances, and the distribution  
8 of allowances pursuant to section 904.702, including any moneys  
9 deposited in the general fund of the state.

10 Sec. 8. ELECTRONIC MONITORING REPORT. The department of  
11 corrections shall submit a report on electronic monitoring to  
12 the general assembly, to the co-chairpersons and the ranking  
13 members of the joint appropriations subcommittee on the justice  
14 system, and to the legislative services agency by January  
15 15, 2020. The report shall specifically address the number  
16 of persons being electronically monitored and break down the  
17 number of persons being electronically monitored by offense  
18 committed. The report shall also include a comparison of any  
19 data from the prior fiscal year with the current year.

20 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

21 1. As used in this section, unless the context otherwise  
22 requires, "state agency" means the government of the state  
23 of Iowa, including but not limited to all executive branch  
24 departments, agencies, boards, bureaus, and commissions, the  
25 judicial branch, the general assembly and all legislative  
26 agencies, institutions within the purview of the state board of  
27 regents, and any corporation whose primary function is to act  
28 as an instrumentality of the state.

29 2. State agencies are encouraged to purchase products from  
30 Iowa state industries, as defined in section 904.802, when  
31 purchases are required and the products are available from  
32 Iowa state industries. State agencies shall obtain bids from  
33 Iowa state industries for purchases of office furniture during  
34 the fiscal year beginning July 1, 2019, exceeding \$5,000 or  
35 in accordance with applicable administrative rules related to

1 purchases for the agency.

2 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

3 1. There is appropriated from the general fund of the  
4 state to the Iowa law enforcement academy for the fiscal year  
5 beginning July 1, 2019, and ending June 30, 2020, the following  
6 amount, or so much thereof as is necessary, to be used for the  
7 purposes designated:

8 a. (1) For salaries, support, maintenance, and  
9 miscellaneous purposes, including jailer training and technical  
10 assistance, and for not more than the following full-time  
11 equivalent positions:

12 .....	\$	971,341
13 .....	FTEs	25.25

14 (2) For the costs associated with temporary relocation of  
15 the Iowa law enforcement academy:  
16 ..... \$ 1,015,442

17 b. The Iowa law enforcement academy may temporarily exceed  
18 and draw more than the amount appropriated in this subsection  
19 and incur a negative cash balance as long as there are  
20 receivables equal to or greater than the negative balance and  
21 the amount appropriated in this subsection is not exceeded at  
22 the close of the fiscal year.

23 2. The Iowa law enforcement academy may select at least  
24 five automobiles of the department of public safety, division  
25 of state patrol, prior to turning over the automobiles to  
26 the department of administrative services to be disposed  
27 of by public auction, and the Iowa law enforcement academy  
28 may exchange any automobile owned by the academy for each  
29 automobile selected if the selected automobile is used in  
30 training law enforcement officers at the academy. However, any  
31 automobile exchanged by the academy shall be substituted for  
32 the selected vehicle of the department of public safety and  
33 sold by public auction with the receipts being deposited in the  
34 depreciation fund to the credit of the department of public  
35 safety, division of state patrol.

1 3. The Iowa law enforcement academy shall provide training  
2 for domestic abuse and human trafficking-related issues  
3 throughout the state. The training shall be offered at no  
4 cost to the attendees and the training shall not replace any  
5 existing domestic abuse or human trafficking training offered  
6 by the academy.

7 Sec. 11. STATE PUBLIC DEFENDER. There is appropriated from  
8 the general fund of the state to the office of the state public  
9 defender of the department of inspections and appeals for the  
10 fiscal year beginning July 1, 2019, and ending June 30, 2020,  
11 the following amounts, or so much thereof as is necessary, to  
12 be used for the purposes designated:

13 1. For salaries, support, maintenance, and miscellaneous  
14 purposes, and for not more than the following full-time  
15 equivalent positions:

16 ..... \$ 26,605,299  
17 ..... FTEs 223.00

18 2. For payments on behalf of eligible adults and juveniles  
19 from the indigent defense fund, in accordance with section  
20 815.11:

21 ..... \$ 39,144,448

22 Sec. 12. BOARD OF PAROLE. There is appropriated from the  
23 general fund of the state to the board of parole for the fiscal  
24 year beginning July 1, 2019, and ending June 30, 2020, the  
25 following amount, or so much thereof as is necessary, to be  
26 used for the purposes designated:

27 For salaries, support, maintenance, and miscellaneous  
28 purposes, and for not more than the following full-time  
29 equivalent positions:

30 ..... \$ 1,221,374  
31 ..... FTEs 10.50

32 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE.

33 1. There is appropriated from the general fund of the  
34 state to the department of public defense, for the fiscal year  
35 beginning July 1, 2019, and ending June 30, 2020, the following

1 amounts, or so much thereof as is necessary, to be used for the  
2 purposes designated:

3 For salaries, support, maintenance, and miscellaneous  
4 purposes, and for not more than the following full-time  
5 equivalent positions:

6 .....	\$	6,334,961
7 .....	FTEs	249.00

8 2. The department of public defense may temporarily exceed  
9 and draw more than the amount appropriated in this section and  
10 incur a negative cash balance as long as there are receivables  
11 of federal funds equal to or greater than the negative balance  
12 and the amount appropriated in this section is not exceeded at  
13 the close of the fiscal year.

14 Sec. 14. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY  
15 MANAGEMENT.

16 1. There is appropriated from the general fund of the state  
17 to the department of homeland security and emergency management  
18 for the fiscal year beginning July 1, 2019, and ending June  
19 30, 2020, the following amounts, or so much thereof as is  
20 necessary, to be used for the purposes designated:

21 For salaries, support, maintenance, and miscellaneous  
22 purposes, and for not more than the following full-time  
23 equivalent positions:

24 .....	\$	2,123,610
25 .....	FTEs	31.03

26 2. The department of homeland security and emergency  
27 management may temporarily exceed and draw more than the amount  
28 appropriated in this section and incur a negative cash balance  
29 as long as there are receivables of federal funds equal to or  
30 greater than the negative balance and the amount appropriated  
31 in this section is not exceeded at the close of the fiscal  
32 year.

33 Sec. 15. DEPARTMENT OF PUBLIC SAFETY. There is appropriated  
34 from the general fund of the state to the department of public  
35 safety for the fiscal year beginning July 1, 2019, and ending

1 June 30, 2020, the following amounts, or so much thereof as is  
2 necessary, to be used for the purposes designated:

3 1. For administrative functions, including salaries and the  
4 adjustment of salaries throughout the department, the criminal  
5 justice information system, and for not more than the following  
6 full-time equivalent positions:

7 ..... \$ 4,734,703  
8 ..... FTEs 37.00

9 2. For the division of criminal investigation, including  
10 the state's contribution to the peace officers' retirement,  
11 accident, and disability system provided in chapter 97A in the  
12 amount of the state's normal contribution rate, as defined in  
13 section 97A.8, multiplied by the salaries for which the moneys  
14 are appropriated, to meet federal fund matching requirements,  
15 and for not more than the following full-time equivalent  
16 positions:

17 ..... \$ 15,663,083  
18 ..... FTEs 167.00

19 3. For the criminalistics laboratory fund created in  
20 section 691.9:

21 ..... \$ 700,000

22 Notwithstanding section 8.33, moneys appropriated in this  
23 subsection that remain unencumbered or unobligated at the close  
24 of the fiscal year shall not revert but shall remain available  
25 for expenditure for the purposes designated until the close of  
26 the succeeding fiscal year.

27 4. a. For the division of narcotics enforcement, including  
28 the state's contribution to the peace officers' retirement,  
29 accident, and disability system provided in chapter 97A in the  
30 amount of the state's normal contribution rate, as defined in  
31 section 97A.8, multiplied by the salaries for which the moneys  
32 are appropriated, to meet federal fund matching requirements,  
33 and for not more than the following full-time equivalent  
34 positions:

35 ..... \$ 7,985,873

1 ..... FTEs 65.00

2 The division of narcotics enforcement is authorized an  
3 additional 1.00 full-time equivalent position pursuant to  
4 this lettered paragraph that is in excess of the number of  
5 full-time equivalent positions authorized for the previous  
6 fiscal year only if the division of narcotics enforcement  
7 receives sufficient federal moneys to maintain employment  
8 for the additional full-time equivalent position during the  
9 current fiscal year. The division of narcotics enforcement  
10 shall only employ the additional full-time equivalent position  
11 in succeeding fiscal years if sufficient federal moneys are  
12 received during each of those succeeding fiscal years.

13 b. For the division of narcotics enforcement for undercover  
14 purchases:

15 ..... \$ 259,042

16 5. For the division of state fire marshal, for fire  
17 protection services as provided through the state fire service  
18 and emergency response council as created in the department,  
19 and for the state's contribution to the peace officers'  
20 retirement, accident, and disability system provided in chapter  
21 97A in the amount of the state's normal contribution rate,  
22 as defined in section 97A.8, multiplied by the salaries for  
23 which the moneys are appropriated, and for not more than the  
24 following full-time equivalent positions:

25 ..... \$ 4,965,056

26 ..... FTEs 49.00

27 As a condition of receiving the appropriation in this  
28 subsection, the commissioner of the department of public safety  
29 shall appoint the administrator of the fire service training  
30 bureau of the division of state fire marshal as provided in  
31 section 100B.7.

32 6. For the division of state patrol, for salaries, support,  
33 maintenance, workers' compensation costs, and miscellaneous  
34 purposes, including the state's contribution to the peace  
35 officers' retirement, accident, and disability system provided



1 in chapter 97A in the amount of the state's normal contribution  
2 rate, as defined in section 97A.8, multiplied by the salaries  
3 for which the moneys are appropriated, and for not more than  
4 the following full-time equivalent positions:

5 ..... \$ 65,926,287  
6 ..... FTEs 517.00

7 It is the intent of the general assembly that members of the  
8 state patrol be assigned to patrol the highways and roads in  
9 lieu of assignments for inspecting school buses for the school  
10 districts.

11 7. For deposit in the sick leave benefits fund established  
12 under section 80.42 for all departmental employees eligible to  
13 receive benefits for accrued sick leave under the collective  
14 bargaining agreement:

15 ..... \$ 279,517

16 8. For costs associated with the training and equipment  
17 needs of volunteer fire fighters:

18 ..... \$ 875,520

19 a. Notwithstanding section 8.33, moneys appropriated in  
20 this subsection that remain unencumbered or unobligated at the  
21 close of the fiscal year shall not revert but shall remain  
22 available for expenditure only for the purpose designated in  
23 this subsection until the close of the succeeding fiscal year.

24 b. Notwithstanding section 8.39, the department of public  
25 safety may reallocate moneys appropriated in this section  
26 as necessary to best fulfill the needs provided for in the  
27 appropriation. However, the department shall not reallocate  
28 moneys appropriated to the department in this section unless  
29 notice of the reallocation is given to the legislative services  
30 agency and the department of management prior to the effective  
31 date of the reallocation. The notice shall include information  
32 regarding the rationale for reallocating the moneys. The  
33 department shall not reallocate moneys appropriated in this  
34 section for the purpose of eliminating any program.

35 9. For the public safety interoperable and broadband

1 communications fund established in section 80.44:  
2 ..... \$ 115,661

3 10. For the office to combat human trafficking established  
4 pursuant to section 80.45, including salaries, support,  
5 maintenance, miscellaneous purposes, and for not more than the  
6 following full-time equivalent positions:

7 ..... \$ 200,000  
8 ..... FTEs 1.00

9 Sec. 16. GAMING ENFORCEMENT.

10 1. There is appropriated from the gaming enforcement  
11 revolving fund created in section 80.43 to the department of  
12 public safety for the fiscal year beginning July 1, 2019, and  
13 ending June 30, 2020, the following amount, or so much thereof  
14 as is necessary, to be used for the purposes designated:

15 a. For any direct support costs for agents and officers of  
16 the division of criminal investigation's excursion gambling  
17 boat, gambling structure, and racetrack enclosure enforcement  
18 activities, including salaries, support, maintenance, and  
19 miscellaneous purposes, and for not more than the following  
20 full-time equivalent positions:

21 ..... \$ 10,469,077  
22 ..... FTEs 73.00

23 b. In addition to the moneys appropriated and full-time  
24 equivalent positions authorized in paragraph "a", and  
25 contingent upon the enactment of 2019 Iowa Acts, Senate File  
26 366, or its successor, the department of public safety is  
27 appropriated an additional \$300,000 and is authorized an  
28 additional 3.00 full-time equivalent positions to assist in  
29 implementing the provisions of 2019 Iowa Acts, Senate File 366,  
30 or its successor, if enacted.

31 2. For each additional license to conduct gambling games on  
32 an excursion gambling boat, gambling structure, or racetrack  
33 enclosure issued during the fiscal year beginning July 1, 2019,  
34 there is appropriated from the gaming enforcement fund to the  
35 department of public safety for the fiscal year beginning July

1 1, 2019, and ending June 30, 2020, an additional amount of  
2 not more than \$300,000 to be used for full-time equivalent  
3 positions.

4 3. The department of public safety, with the approval of the  
5 department of management, may employ no more than three special  
6 agents for each additional riverboat or gambling structure  
7 regulated after July 1, 2020, and three special agents for  
8 each racing facility which becomes operational during the  
9 fiscal year which begins July 1, 2020. Positions authorized  
10 in this subsection are in addition to the full-time equivalent  
11 positions otherwise authorized in this section.

12 Sec. 17. CIVIL RIGHTS COMMISSION.

13 1. There is appropriated from the general fund of the state  
14 to the Iowa state civil rights commission for the fiscal year  
15 beginning July 1, 2019, and ending June 30, 2020, the following  
16 amount, or so much thereof as is necessary, to be used for the  
17 purposes designated:

18 For salaries, support, maintenance, and miscellaneous  
19 purposes, and for not more than the following full-time  
20 equivalent positions:

21 .....	\$	1,198,266
22 .....	FTEs	26.00

23 2. The Iowa state civil rights commission may enter into  
24 a contract with a nonprofit organization to provide legal  
25 assistance to resolve civil rights complaints.

26 Sec. 18. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.

27 1. There is appropriated from the general fund of the state  
28 to the criminal and juvenile justice planning division of the  
29 department of human rights for the fiscal year beginning July  
30 1, 2019, and ending June 30, 2020, the following amount or  
31 so much thereof as is necessary, to be used for the purposes  
32 designated:

33 a. For salaries, support, maintenance, and miscellaneous  
34 purposes, and for not more than the following full-time  
35 equivalent positions:

1 ..... \$ 1,209,410  
2 ..... FTEs 8.99

3 b. (1) For a single grant to a program located in a city  
4 with a higher than average juvenile crime rate as determined  
5 by the criminal and juvenile justice planning division and  
6 a population greater than 80,000 as determined by the 2010  
7 federal decennial census, which may be used for studying,  
8 planning, programming, and capital, that is committed to  
9 deterring juvenile delinquency through early intervention in  
10 the criminal justice system by providing a comprehensive,  
11 multifaceted delivery of social services:

12 ..... \$ 140,000

13 (2) The program shall use no more than 5 percent of the  
14 grant for administrative costs.

15 2. The criminal and juvenile justice planning advisory  
16 council and the juvenile justice advisory council shall  
17 coordinate their efforts in carrying out their respective  
18 duties relative to juvenile justice.

19 Sec. 19. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY  
20 MANAGEMENT. There is appropriated from the 911 emergency  
21 communications fund created in section 34A.7A to the department  
22 of homeland security and emergency management for the fiscal  
23 year beginning July 1, 2019, and ending June 30, 2020, the  
24 following amount, or so much thereof as is necessary, to be  
25 used for the purposes designated:

26 For implementation, support, and maintenance of the  
27 functions of the administrator and program manager under  
28 chapter 34A and to employ the auditor of the state to perform  
29 an annual audit of the 911 emergency communications fund:

30 ..... \$ 250,000

31 Sec. 20. CONSUMER EDUCATION AND LITIGATION — FARM  
32 MEDIATION AND PROSECUTIONS, APPEALS, AND CLAIMS.

33 Notwithstanding [section 714.16C](#), there is appropriated from the  
34 consumer education and litigation fund to the department of  
35 justice for the fiscal year beginning July 1, 2019, and ending

1 June 30, 2020, the following amount, or so much thereof as is  
2 necessary, to be used for the purposes designated:

3 a. For farm mediation services as specified in section  
4 13.13, subsection 2:

5 ..... \$ 300,000

6 b. For salaries, support, maintenance, and miscellaneous  
7 purposes for criminal prosecutions, criminal appeals, and  
8 performing duties pursuant to chapter 669:

9 ..... \$ 1,500,000

10 DIVISION II

11 SUPPLEMENTAL AND MISCELLANEOUS APPROPRIATIONS

12 Sec. 21. IOWA LAW ENFORCEMENT ACADEMY. There is  
13 appropriated from the general fund of the state to the Iowa  
14 law enforcement academy for the fiscal year beginning July  
15 1, 2018, and ending June 30, 2019, the following amount, or  
16 so much thereof as is necessary, to be used for the purposes  
17 designated:

18 For relocation costs, including salaries, support,  
19 maintenance, and miscellaneous purposes:

20 ..... \$ 285,982

21 Sec. 22. 2017 Iowa Acts, chapter 167, section 37, subsection  
22 2, as amended by 2018 Iowa Acts, chapter 1168, section 7, is  
23 amended to read as follows:

24 2. For payments on behalf of eligible adults and juveniles  
25 from the indigent defense fund, in accordance with section  
26 815.11:

27 ..... \$ ~~35,144,448~~

28 ..... 37,644,448

29 Sec. 23. EFFECTIVE DATE. The division of this Act, being  
30 deemed of immediate importance, takes effect upon enactment.

31 DIVISION III

32 ATTORNEY GENERAL

33 Sec. 24. NEW SECTION. 13.12 Report of money awards.

34 The attorney general shall report to the legislative  
35 services agency and the department of management all money

1 settlement awards and court money awards which were awarded to  
2 the state of Iowa. The attorney general shall report which  
3 funds are designated to receive the moneys and under what legal  
4 authority the designation is being made.

5 Sec. 25. REPEAL. Section 7A.6, Code 2019, is repealed.

6 Sec. 26. 2014 Iowa Acts, chapter 1138, section 21, as  
7 amended by 2016 Iowa Acts, chapter 1137, section 18, and 2017  
8 Iowa Acts, chapter 167, section 24, is amended to read as  
9 follows:

10 SEC. 21. CONSUMER EDUCATION AND LITIGATION FUND.

11 Notwithstanding [section 714.16C](#), for each fiscal year of the  
12 period beginning July 1, 2014, and ending June 30, ~~2019~~ 2021,  
13 the annual appropriations in [section 714.16C](#), are increased  
14 from \$1,125,000 to \$1,875,000, and \$75,000 to \$125,000  
15 respectively.

16 DIVISION IV

17 FIRE SERVICE TRAINING REVOLVING FUND

18 Sec. 27. Section 100B.4, Code 2019, is amended to read as  
19 follows:

20 **100B.4 Fees — retention — use — fund.**

21 1. Fees assessed pursuant to [this chapter](#) shall be retained  
22 by the division of state fire marshal and such repayments  
23 received shall be used exclusively to offset the cost of  
24 fire service training. Fees charged by regional emergency  
25 response training centers for fire service training programs as  
26 described in [section 100B.6](#) shall not be greater than the fee  
27 schedule established by rule by the state fire marshal.

28 2. Notwithstanding [section 8.33](#), repayment receipts  
29 collected by the division of state fire marshal for the fire  
30 service training bureau that remain unencumbered or unobligated  
31 at the close of the fiscal year shall not revert but shall  
32 remain available for expenditure for the purposes designated  
33 until the close of the succeeding fiscal year.

34 3. A fire service training revolving fund is created in the  
35 state treasury under the control of the department of public

1 safety. The fund shall consist of fees assessed pursuant to  
2 this section, and deposited into the fire service training  
3 revolving fund. All moneys in the fund are appropriated to  
4 the department of public safety for purposes of fire service  
5 training and shall be under the control of the state fire  
6 marshal. Notwithstanding section 8.33, moneys in the fund  
7 that remain unencumbered or unobligated at the close of a  
8 fiscal year shall not revert but shall remain available for  
9 expenditures for the purposes designated until the close of  
10 the succeeding fiscal year. Notwithstanding section 12C.7,  
11 subsection 2, interest or earnings on moneys in the fund shall  
12 be credited to the fund.

13 Sec. 28. EFFECTIVE DATE. This division of this Act, being  
14 deemed of immediate importance, takes effect upon enactment.

15 Sec. 29. RETROACTIVE APPLICABILITY. This division of this  
16 Act applies retroactively to July 1, 2018.

17 DIVISION V

18 DEPARTMENT OF CORRECTIONS

19 Sec. 30. DEPARTMENT OF CORRECTIONS. Notwithstanding  
20 sections 8.33 and 8.39, the department of corrections may use  
21 any general fund resources appropriated to the department  
22 for the fiscal year beginning July 1, 2018, and ending June  
23 30, 2019, for the resolution of the settlement agreement  
24 with the division of labor services to the amended citation  
25 P1582-1281728 dated October 18, 2018; requiring the department  
26 to remedy citation 1(a) by providing adequate means of  
27 communication for employees to summon assistance during violent  
28 attacks, which must be abated by March 1, 2019.

29 Sec. 31. EFFECTIVE DATE. This division of this Act, being  
30 deemed of immediate importance, takes effect upon enactment.

31 DIVISION VI

32 INDIGENT DEFENSE

33 Sec. 32. 2016 Iowa Acts, chapter 1137, section 21,  
34 subsection 1, is amended to read as follows:

35 1. Notwithstanding any other provision of the law to the

1 contrary, for each fiscal year for the period beginning July 1,  
2 2016, and ending June 30, ~~2019~~ 2022, the state public defender  
3 may establish a pilot project allowing an indigent person to  
4 choose an eligible attorney to represent the person in the  
5 person's case that requires such representation. The state  
6 public defender shall have sole discretion to establish the  
7 pilot project in no more than four counties throughout the  
8 state. The state public defender may coordinate with other  
9 agencies and organizations in order to seek grant funding and  
10 to measure the results of the pilot project.

11 Sec. 33. EFFECTIVE DATE. This division of this Act, being  
12 deemed of immediate importance, takes effect upon enactment.

13 EXPLANATION

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

16 This bill relates to and makes appropriations to the justice  
17 system. The bill is organized by divisions.

18 FY 2019-2020 APPROPRIATIONS. The bill makes appropriations  
19 from the general fund of the state for fiscal year 2019-2020 to  
20 the departments of justice, corrections, public defense, public  
21 safety, and homeland security and emergency management, and  
22 the Iowa law enforcement academy, office of the state public  
23 defender, board of parole, Iowa state civil rights commission,  
24 and the criminal and juvenile justice planning division of the  
25 department of human rights.

26 The bill appropriates moneys from the department of commerce  
27 revolving fund to the office of consumer advocate of the  
28 department of justice for fiscal year 2019-2020.

29 The bill also appropriates moneys from the gaming  
30 enforcement revolving fund to the department of public safety  
31 for fiscal year 2019-2020.

32 The bill appropriates moneys from the wireless E911  
33 emergency communications fund to the department of homeland  
34 security and emergency management for fiscal year 2019-2020.

35 The bill appropriates moneys from the consumer education and



1 litigation fund to the department of justice for farm mediation  
2 services and salaries, support, maintenance, and miscellaneous  
3 purposes for criminal prosecuting, criminal appeals, and  
4 performing duties for fiscal year 2019-2020.

5 SUPPLEMENTAL AND MISCELLANEOUS APPROPRIATIONS. The bill  
6 appropriates moneys to the state public defender and the Iowa  
7 law enforcement academy for the fiscal year 2018-2019. The  
8 division is effective upon enactment.

9 ATTORNEY GENERAL. The bill provides that the attorney  
10 general shall report to the legislative services agency and  
11 the department of management all money settlements and court  
12 money awards which were awarded to the state of Iowa. The bill  
13 provides that the attorney general shall report which funds are  
14 designated to receive the moneys and under what legal authority  
15 the designation is being made.

16 The bill repeals Code section 7A.6, which prescribes the  
17 requirements of the biennial report of the attorney general.  
18 2018 Iowa Acts, chapter 1168, section 18, amended Code section  
19 13.2, subsection 1, paragraph "g", by striking the paragraph,  
20 which required a condition of the attorney general report shall  
21 be provided to the governor.

22 The bill extends the period beginning fiscal year July 1,  
23 2014, and ending June 30, 2019, by two years for an increase in  
24 annual appropriations in Code section 714.6C. Specifically,  
25 it increases the annual appropriations from \$1,125,000 to  
26 \$1,875,000 from the consumer education and litigation fund  
27 to the department of justice to be used for public education  
28 relating to consumer fraud and for enforcement of Code section  
29 714.16 and federal consumer laws. It also increases the annual  
30 appropriations from \$75,000 to \$125,000 from the consumer  
31 education and litigation fund to the department of justice to  
32 be used for investigation, prosecution, and consumer education  
33 relating to consumer and criminal fraud committed against older  
34 Iowans.

35 FIRE SERVICE TRAINING REVOLVING FUND. The bill creates a

1 fire service training revolving fund and appropriates moneys  
2 in the fund to the department of public safety and provides  
3 that the moneys shall be under the control of the state fire  
4 marshal. The division is effective upon enactment and is  
5 retroactively applicable to July 1, 2018.

6 DEPARTMENT OF CORRECTIONS. The bill provides that the  
7 department of corrections may use general fund resources  
8 appropriated to the department for fiscal year 2018-2019 for  
9 the resolution of the settlement agreement with the division  
10 of labor services to remedy the citation by providing adequate  
11 means of communication for employees to summon assistance  
12 during violent attacks. The division is effective upon  
13 enactment.

14 INDIGENT DEFENSE. The bill provides for the extension of the  
15 state public defender pilot project allowing an indigent person  
16 to choose an eligible attorney to represent the person in the  
17 person's case that requires such representation, extending the  
18 completion date of that project from June 30, 2019, to June 30,  
19 2022. The division is effective upon enactment.