

Senate Study Bill 1255 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON BREITBACH)

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
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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 DIVISION IV

6 FIRE SERVICE TRAINING REVOLVING FUND

7 Sec. 25. Section 100B.4, Code 2019, is amended to read as
8 follows:

9 **100B.4 Fees — retention — use — fund.**

10 1. Fees assessed pursuant to [this chapter](#) shall be retained
11 by the division of state fire marshal and such repayments
12 received shall be used exclusively to offset the cost of
13 fire service training. Fees charged by regional emergency
14 response training centers for fire service training programs as
15 described in [section 100B.6](#) shall not be greater than the fee
16 schedule established by rule by the state fire marshal.

17 2. Notwithstanding [section 8.33](#), repayment receipts
18 collected by the division of state fire marshal for the fire
19 service training bureau that remain unencumbered or unobligated
20 at the close of the fiscal year shall not revert but shall
21 remain available for expenditure for the purposes designated
22 until the close of the succeeding fiscal year.

23 3. A fire service training revolving fund is created in the
24 state treasury under the control of the department of public
25 safety. The fund shall consist of fees assessed pursuant to
26 this section, and deposited into the fire service training
27 revolving fund. All moneys in the fund are appropriated to
28 the department of public safety for purposes of fire service
29 training and shall be under the control of the state fire
30 marshal. Notwithstanding section 8.33, moneys in the fund
31 that remain unencumbered or unobligated at the close of a
32 fiscal year shall not revert but shall remain available for
33 expenditures for the purposes designated until the close of
34 the succeeding fiscal year. Notwithstanding section 12C.7,
35 subsection 2, interest or earnings on moneys in the fund shall

1 be credited to the fund.

2 Sec. 26. EFFECTIVE DATE. This division of this Act, being
3 deemed of immediate importance, takes effect upon enactment.

4 Sec. 27. RETROACTIVE APPLICABILITY. This division of this
5 Act applies retroactively to July 1, 2018.

6 DIVISION V

7 DEPARTMENT OF CORRECTIONS

8 Sec. 28. DEPARTMENT OF CORRECTIONS. Notwithstanding
9 sections 8.33 and 8.39, the department of corrections may use
10 any general fund resources appropriated to the department
11 for the fiscal year beginning July 1, 2018, and ending June
12 30, 2019, for the resolution of the settlement agreement
13 with the division of labor services to the amended citation
14 P1582-1281728 dated October 18, 2018; requiring the department
15 to remedy citation 1(a) by providing adequate means of
16 communication for employees to summon assistance during violent
17 attacks, which must be abated by March 1, 2019.

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

20 DIVISION VI

21 INDIGENT DEFENSE

22 Sec. 30. 2016 Iowa Acts, chapter 1137, section 21,
23 subsection 1, is amended to read as follows:

24 1. Notwithstanding any other provision of the law to the
25 contrary, for each fiscal year for the period beginning July 1,
26 2016, and ending June 30, ~~2019~~ 2022, the state public defender
27 may establish a pilot project allowing an indigent person to
28 choose an eligible attorney to represent the person in the
29 person's case that requires such representation. The state
30 public defender shall have sole discretion to establish the
31 pilot project in no more than four counties throughout the
32 state. The state public defender may coordinate with other
33 agencies and organizations in order to seek grant funding and
34 to measure the results of the pilot project.

35 Sec. 31. EFFECTIVE DATE. This division of this Act, being

1 deemed of immediate importance, takes effect upon enactment.

2 EXPLANATION

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

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

7 FY 2019-2020 APPROPRIATIONS. The bill makes appropriations
8 from the general fund of the state for fiscal year 2019-2020 to
9 the departments of justice, corrections, public defense, public
10 safety, and homeland security and emergency management, and
11 the Iowa law enforcement academy, office of the state public
12 defender, board of parole, Iowa state civil rights commission,
13 and the criminal and juvenile justice planning division of the
14 department of human rights.

15 The bill appropriates moneys from the department of commerce
16 revolving fund to the office of consumer advocate of the
17 department of justice for fiscal year 2019-2020.

18 The bill also appropriates moneys from the gaming
19 enforcement revolving fund to the department of public safety
20 for fiscal year 2019-2020.

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

24 The bill appropriates moneys from the consumer education and
25 litigation fund to the department of justice for farm mediation
26 services and salaries, support, maintenance, and miscellaneous
27 purposes for criminal prosecuting, criminal appeals, and
28 performing duties for fiscal year 2019-2020.

29 SUPPLEMENTAL AND MISCELLANEOUS APPROPRIATIONS. The bill
30 appropriates moneys to the state public defender and the Iowa
31 law enforcement academy for the fiscal year 2018-2019. The
32 division is effective upon enactment.

33 ATTORNEY GENERAL. The bill provides that the attorney
34 general shall report to the legislative services agency and
35 the department of management all money settlements and court

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

5 FIRE SERVICE TRAINING REVOLVING FUND. The bill creates a
6 fire service training revolving fund and appropriates moneys
7 in the fund to the department of public safety and provides
8 that the moneys shall be under the control of the state fire
9 marshal. The division is effective upon enactment and is
10 retroactively applicable to July 1, 2018.

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

19 INDIGENT DEFENSE. The bill provides for the extension of the
20 state public defender pilot project allowing an indigent person
21 to choose an eligible attorney to represent the person in the
22 person's case that requires such representation, extending the
23 completion date of that project from June 30, 2019, to June 30,
24 2022. The division is effective upon enactment.