

House File 861 - Introduced

HOUSE FILE 861

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 1005YA)

A BILL FOR

1 An Act relating to appropriations to the justice system.

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

1 DIVISION I
2 FY 2021-2022
3 APPROPRIATIONS

4 Section 1. DEPARTMENT OF JUSTICE.

5 1. There is appropriated from the general fund of the state
6 to the department of justice for the fiscal year beginning July
7 1, 2021, and ending June 30, 2022, the following amounts, or
8 so much thereof as is necessary, to be used for the purposes
9 designated:

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

18	\$	6,371,768
19	FTEs	215.00

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

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

30 b. For victim assistance grants:
31 \$ 5,016,708

32 The moneys appropriated in this lettered paragraph shall be
33 used to provide grants to care providers providing services to
34 crime victims of domestic abuse or to crime victims of rape and
35 sexual assault.

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

20 The department of justice shall transfer at least \$150,000
21 from the victim compensation fund established in section 915.94
22 to the victim assistance grant program established in section
23 13.31.

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

29 c. For legal services for persons in poverty grants as
30 provided in section 13.34:

31 \$ 2,634,601

32 2. a. The department of justice, in submitting budget
33 estimates for the fiscal year beginning July 1, 2022, pursuant
34 to section 8.23, shall include a report of funding from sources
35 other than amounts appropriated directly from the general fund

1 of the state to the department of justice or to the office of
2 consumer advocate. These funding sources shall include but
3 are not limited to reimbursements from other state agencies,
4 commissions, boards, or similar entities, and reimbursements
5 from special funds or internal accounts within the department
6 of justice. The department of justice shall also report actual
7 reimbursements for the fiscal year beginning July 1, 2020,
8 and actual and expected reimbursements for the fiscal year
9 beginning July 1, 2021.

10 b. The department of justice shall include the report
11 required under paragraph "a", as well as information regarding
12 any revisions occurring as a result of reimbursements actually
13 received or expected at a later date, in a report to the
14 general assembly. The department of justice shall submit the
15 report on or before January 15, 2022.

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 2021, and ending June 30, 2022, 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, 2021, and ending June 30, 2022, 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 \$ 43,874,586

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

18 \$ 34,674,762

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

22 \$ 65,504,081

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

26 \$ 30,336,583

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

30 \$ 27,512,550

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

34 \$ 11,198,997

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

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

3 \$ 26,494,779

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 \$ 24,793,038

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

16 \$ 31,863,351

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, 2021, and ending June 30, 2022, 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 \$ 5,681,661

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 unencumbered or unobligated 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, 2021, and ending June 30, 2022, 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 \$ 16,040,331

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

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

28 \$ 12,388,902

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

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

34 \$ 7,802,557

35 d. For the fourth judicial district department of

1 correctional services:

2 \$ 6,125,378

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 \$ 23,250,182

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

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

12 \$ 15,957,947

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

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

18 \$ 8,503,757

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

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

24 \$ 9,073,261

25 2. There is appropriated from the general fund of the state
26 to the department of corrections for the fiscal year beginning
27 July 1, 2021, and ending June 30, 2022, the following amount,
28 or so much thereof as is necessary, to be used for the purposes
29 designated:

30 For statewide judicial assistance, support, and pilot
31 projects for judicial district departments of correctional
32 services:

33 \$ 663,219

34 3. Each judicial district department of correctional
35 services, within the moneys available, shall continue programs

1 and plans established within that district to provide for
2 intensive supervision, sex offender treatment, diversion of
3 low-risk offenders to the least restrictive sanction available,
4 job development, and expanded use of intermediate criminal
5 sanctions.

6 4. Each judicial district department of correctional
7 services shall provide alternatives to prison consistent with
8 chapter 901B. The alternatives to prison shall ensure public
9 safety while providing maximum rehabilitation to the offender.
10 A judicial district department of correctional services may
11 also establish a day program.

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

17 6. The department of corrections shall continue to contract
18 with a judicial district department of correctional services to
19 provide for the rental of electronic monitoring equipment which
20 shall be available statewide.

21 7. The public safety assessment shall not be utilized
22 in pretrial hearings when determining whether to detain or
23 release a defendant before trial, and the use of the public
24 safety assessment pilot program shall be terminated as of the
25 effective date of this subsection, until such time the use of
26 the public safety assessment has been specifically authorized
27 by the general assembly.

28 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
29 APPROPRIATIONS. Notwithstanding section 8.39, within
30 the moneys appropriated in this Act to the department of
31 corrections, the department may reallocate the moneys
32 appropriated and allocated as necessary to best fulfill the
33 needs of the correctional institutions, administration of
34 the department, and the judicial district departments of
35 correctional services. However, in addition to complying with

1 the requirements of sections 904.116 and 905.8 and providing
2 notice to the legislative services agency, the department
3 of corrections shall also provide notice to the department
4 of management, prior to the effective date of the revision
5 or reallocation of an appropriation made pursuant to this
6 section. The department of corrections shall not reallocate an
7 appropriation or allocation for the purpose of eliminating any
8 program.

9 Sec. 7. INTENT — REPORTS.

10 1. The department of corrections, in cooperation with
11 townships, the Iowa cemetery associations, and other nonprofit
12 or governmental entities, may use inmate labor during the
13 fiscal year beginning July 1, 2021, to restore or preserve
14 rural cemeteries and historical landmarks. The department, in
15 cooperation with the counties, may also use inmate labor to
16 clean up roads, major water sources, and other water sources
17 around the state.

18 2. On a quarterly basis, the department shall provide
19 a status report regarding private-sector employment to the
20 general assembly beginning on July 1, 2021. The report shall
21 include the number of offenders employed in the private sector,
22 the combined number of hours worked by the offenders, the
23 total amount of allowances, and the distribution of allowances
24 pursuant to section 904.702, including any moneys deposited in
25 the general fund of the state.

26 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
27 corrections shall submit a report on electronic monitoring
28 to the general assembly by January 15, 2022. The report
29 shall specifically address the number of persons being
30 electronically monitored and break down the number of persons
31 being electronically monitored by offense committed. The
32 report shall also include a comparison of any data from the
33 prior fiscal year with the current fiscal year.

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

35 1. As used in this section, unless the context otherwise

1 requires, "state agency" means the government of the state
2 of Iowa, including but not limited to all executive branch
3 departments, agencies, boards, bureaus, and commissions, the
4 judicial branch, the general assembly and all legislative
5 agencies, institutions within the purview of the state board of
6 regents, and any corporation whose primary function is to act
7 as an instrumentality of the state.

8 2. State agencies are encouraged to purchase products from
9 Iowa state industries, as defined in section 904.802, when
10 purchases are required and the products are available from
11 Iowa state industries. State agencies shall obtain bids from
12 Iowa state industries for purchases of office furniture during
13 the fiscal year beginning July 1, 2021, exceeding \$5,000 or
14 in accordance with applicable administrative rules related to
15 purchases for the agency.

16 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

17 1. There is appropriated from the general fund of the
18 state to the Iowa law enforcement academy for the fiscal year
19 beginning July 1, 2021, and ending June 30, 2022, the following
20 amount, or so much thereof as is necessary, to be used for the
21 purposes designated:

22 a. For salaries, support, maintenance, and miscellaneous
23 purposes, including jailer training and technical assistance,
24 and for not more than the following full-time equivalent
25 positions:

26	\$	1,222,768
27	FTEs	30.25

28 b. The Iowa law enforcement academy may temporarily exceed
29 and draw more than the amount appropriated in this subsection
30 and incur a negative cash balance as long as there are
31 receivables equal to or greater than the negative balance and
32 the amount appropriated in this subsection is not exceeded at
33 the close of the fiscal year.

34 2. The Iowa law enforcement academy may select at least
35 five automobiles of the department of public safety, division

1 of state patrol, prior to turning over the automobiles to
2 the department of administrative services to be disposed
3 of by public auction, and the Iowa law enforcement academy
4 may exchange any automobile owned by the academy for each
5 automobile selected if the selected automobile is used in
6 training law enforcement officers at the academy. However, any
7 automobile exchanged by the academy shall be substituted for
8 the selected vehicle of the department of public safety and
9 sold by public auction with the receipts being deposited in the
10 depreciation fund maintained pursuant to section 8A.365 to the
11 credit of the department of public safety, division of state
12 patrol.

13 3. The Iowa law enforcement academy shall provide training
14 for domestic abuse and human trafficking-related issues
15 throughout the state. The training shall be offered at no
16 cost to the attendees and the training shall not replace any
17 existing domestic abuse or human trafficking training offered
18 by the academy.

19 Sec. 11. STATE PUBLIC DEFENDER. There is appropriated from
20 the general fund of the state to the office of the state public
21 defender of the department of inspections and appeals for the
22 fiscal year beginning July 1, 2021, and ending June 30, 2022,
23 the following amounts, or so much thereof as is necessary, to
24 be used for the purposes designated:

25 1. For salaries, support, maintenance, and miscellaneous
26 purposes, and for not more than the following full-time
27 equivalent positions:

28 \$ 29,531,882
29 FTEs 233.00

30 2. For payments on behalf of eligible adults and juveniles
31 from the indigent defense fund, in accordance with section
32 815.11:

33 \$ 41,228,448

34 Sec. 12. BOARD OF PAROLE. There is appropriated from the
35 general fund of the state to the board of parole for the fiscal

1 year beginning July 1, 2021, and ending June 30, 2022, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	1,287,865
.....	FTEs	10.53

Sec. 13. DEPARTMENT OF PUBLIC DEFENSE.

1. There is appropriated from the general fund of the state to the department of public defense, for the fiscal year beginning July 1, 2021, and ending June 30, 2022, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	6,928,040
.....	FTEs	254.00

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

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

1. There is appropriated from the general fund of the state to the department of homeland security and emergency management for the fiscal year beginning July 1, 2021, and ending June 30, 2022, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

1	\$	2,291,540
2	FTEs	30.00

3 2. The department of homeland security and emergency
4 management may temporarily exceed and draw more than the amount
5 appropriated in this section and incur a negative cash balance
6 as long as there are receivables of federal funds equal to or
7 greater than the negative balance and the amount appropriated
8 in this section is not exceeded at the close of the fiscal
9 year.

10 Sec. 15. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
11 from the general fund of the state to the department of public
12 safety for the fiscal year beginning July 1, 2021, and ending
13 June 30, 2022, the following amounts, or so much thereof as is
14 necessary, to be used for the purposes designated:

15 1. For administrative functions, including salaries and the
16 adjustment of salaries throughout the department, the criminal
17 justice information system, and for not more than the following
18 full-time equivalent positions:

19	\$	5,833,065
20	FTEs	43.00

21 2. For the division of criminal investigation, including
22 the state's contribution to the peace officers' retirement,
23 accident, and disability system provided in chapter 97A in the
24 amount of the state's normal contribution rate, as defined in
25 section 97A.8, multiplied by the salaries for which the moneys
26 are appropriated, to meet federal fund matching requirements,
27 and for not more than the following full-time equivalent
28 positions:

29	\$	18,216,868
30	FTEs	173.00

31 3. For the criminalistics laboratory fund created in
32 section 691.9:

33	\$	650,000
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34 Notwithstanding section 8.33, moneys appropriated in this
35 subsection that remain unencumbered or unobligated at the close

1 of the fiscal year shall not revert but shall remain available
2 for expenditure for the purposes designated until the close of
3 the succeeding fiscal year.

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

12	\$	8,428,156
13	FTEs	67.00

14 The division of narcotics enforcement is authorized an
15 additional 1.00 full-time equivalent position pursuant to
16 this lettered paragraph that is in excess of the number of
17 full-time equivalent positions authorized for the previous
18 fiscal year only if the division of narcotics enforcement
19 receives sufficient federal moneys to maintain employment
20 for the additional full-time equivalent position during the
21 current fiscal year. The division of narcotics enforcement
22 shall only employ the additional full-time equivalent position
23 in succeeding fiscal years if sufficient federal moneys are
24 received during each of those succeeding fiscal years.

25 b. For the division of narcotics enforcement for undercover
26 purchases:

27	\$	209,042
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28 5. For the division of state fire marshal, for fire
29 protection services as provided through the state fire service
30 and emergency response council as created in the department,
31 and for the state's contribution to the peace officers'
32 retirement, accident, and disability system provided in chapter
33 97A in the amount of the state's normal contribution rate,
34 as defined in section 97A.8, multiplied by the salaries for
35 which the moneys are appropriated, and for not more than the

1 following full-time equivalent positions:

2	\$	5,460,291
3	FTEs	49.00

4 6. For the division of state patrol, for salaries, support,
 5 maintenance, workers' compensation costs, and miscellaneous
 6 purposes, including the state's contribution to the peace
 7 officers' retirement, accident, and disability system provided
 8 in chapter 97A in the amount of the state's normal contribution
 9 rate, as defined in section 97A.8, multiplied by the salaries
 10 for which the moneys are appropriated, and for not more than
 11 the following full-time equivalent positions:

12	\$	69,432,433
13	FTEs	506.00

14 It is the intent of the general assembly that members of the
 15 state patrol be assigned to patrol the highways and roads in
 16 lieu of assignments for inspecting school buses for the school
 17 districts.

18 7. For deposit in the sick leave benefits fund established
 19 in section 80.42 for all departmental employees eligible to
 20 receive benefits for accrued sick leave under the collective
 21 bargaining agreement:

22	\$	279,517
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23 8. For costs associated with the training and equipment
 24 needs of volunteer fire fighters:

25	\$	825,520
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26 Notwithstanding section 8.33, moneys appropriated in this
 27 subsection that remain unencumbered or unobligated at the
 28 close of the fiscal year shall not revert but shall remain
 29 available for expenditure only for the purpose designated in
 30 this subsection until the close of the succeeding fiscal year.

31 9. For the public safety interoperable and broadband
 32 communications fund established in section 80.44:

33	\$	115,661
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34 10. For the office to combat human trafficking established
 35 pursuant to section 80.45, including salaries, support,

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

3 \$ 197,325
4 FTEs 2.00

5 11. For costs associated with the training and equipment
6 needs of volunteer fire fighters:

7 \$ 50,000

8 12. For deposit in the public safety equipment fund
9 established in section 80.48 for the purchase, maintenance, and
10 replacement of equipment used by the department:

11 \$ 2,500,000

12 Notwithstanding section 8.39, the department of public
13 safety may reallocate moneys appropriated in this section
14 as necessary to best fulfill the needs provided for in the
15 appropriation. However, the department shall not reallocate
16 moneys appropriated to the department in this section unless
17 notice of the reallocation is given to the legislative services
18 agency and the department of management prior to the effective
19 date of the reallocation. The notice shall include information
20 regarding the rationale for reallocating the moneys. The
21 department shall not reallocate moneys appropriated in this
22 section for the purpose of eliminating any program.

23 Sec. 16. GAMING ENFORCEMENT.

24 1. There is appropriated from the gaming enforcement
25 revolving fund created in section 80.43 to the department of
26 public safety for the fiscal year beginning July 1, 2021, and
27 ending June 30, 2022, the following amount, or so much thereof
28 as is necessary, to be used for the purposes designated:

29 For any direct support costs for agents and officers of
30 the division of criminal investigation's excursion gambling
31 boat, gambling structure, and racetrack enclosure enforcement
32 activities, including salaries, support, maintenance, and
33 miscellaneous purposes, and for not more than the following
34 full-time equivalent positions:

35 \$ 11,311,731

1 FTEs 73.00

2 2. For each additional license to conduct gambling games on
3 an excursion gambling boat, gambling structure, or racetrack
4 enclosure issued during the fiscal year beginning July 1, 2021,
5 there is appropriated from the gaming enforcement fund to the
6 department of public safety for the fiscal year beginning July
7 1, 2021, and ending June 30, 2022, an additional amount of
8 not more than \$300,000 to be used for full-time equivalent
9 positions.

10 3. The department of public safety, with the approval of the
11 department of management, may employ no more than three special
12 agents for each additional riverboat or gambling structure
13 regulated after July 1, 2022, and three special agents for
14 each racing facility which becomes operational during the
15 fiscal year which begins July 1, 2022. Positions authorized
16 in this subsection are in addition to the full-time equivalent
17 positions otherwise authorized in this section.

18 Sec. 17. CIVIL RIGHTS COMMISSION.

19 1. There is appropriated from the general fund of the state
20 to the Iowa state civil rights commission for the fiscal year
21 beginning July 1, 2021, and ending June 30, 2022, the following
22 amount, or so much thereof as is necessary, to be used for the
23 purposes designated:

24 For salaries, support, maintenance, and miscellaneous
25 purposes, and for not more than the following full-time
26 equivalent positions:

27 \$ 1,320,899

28 FTEs 27.00

29 2. The Iowa state civil rights commission may enter into
30 a contract with a nonprofit organization to provide legal
31 assistance to resolve civil rights complaints.

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

33 1. There is appropriated from the general fund of the state
34 to the criminal and juvenile justice planning division of the
35 department of human rights for the fiscal year beginning July

1 1, 2021, and ending June 30, 2022, the following amount or
2 so much thereof as is necessary, to be used for the purposes
3 designated:

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

7 \$ 1,290,499
8 FTEs 8.82

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

18 \$ 140,000

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

21 2. The justice advisory board and the juvenile justice
22 advisory council shall coordinate their efforts in carrying out
23 their respective duties relative to juvenile justice.

24 Sec. 19. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
25 MANAGEMENT. There is appropriated from the 911 emergency
26 communications fund created in section 34A.7A to the department
27 of homeland security and emergency management for the fiscal
28 year beginning July 1, 2021, and ending June 30, 2022, the
29 following amount, or so much thereof as is necessary, to be
30 used for the purposes designated:

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

35 \$ 250,000

1 Sec. 20. CONSUMER EDUCATION AND LITIGATION — FARM
2 MEDIATION AND PROSECUTIONS, APPEALS, AND CLAIMS.

3 Notwithstanding [section 714.16C](#), there is appropriated from the
4 consumer education and litigation fund to the department of
5 justice for the fiscal year beginning July 1, 2021, and ending
6 June 30, 2022, the following amounts, or so much thereof as is
7 necessary, to be used for the purposes designated:

8 a. For farm mediation services as specified in section
9 13.13, subsection 2:

10 \$ 300,000

11 b. For salaries, support, maintenance, and miscellaneous
12 purposes for criminal prosecutions, criminal appeals, and
13 performing duties pursuant to [chapter 669](#):

14 \$ 2,000,000

15 FTEs 2.00

16 DIVISION II

17 MISCELLANEOUS APPROPRIATIONS

18 Sec. 21. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
19 MANAGEMENT — APPROPRIATION. There is appropriated from

20 the general fund of the state to the department of homeland
21 security and emergency management for the fiscal year beginning
22 July 1, 2021, and ending June 30, 2022, the following amount,
23 or so much thereof as is necessary, to be used to conduct a
24 governance and funding of levee districts study:

25 \$ 400,000

26 DIVISION III

27 ATTORNEY GENERAL

28 Sec. 22. Section 85.67, Code 2021, is amended to read as
29 follows:

30 **85.67 Administration of fund — special counsel — payment of**
31 **award.**

32 The attorney general shall appoint a staff member
33 to represent the treasurer of state and the fund in all
34 proceedings and matters arising under this subchapter. The
35 attorney general shall be reimbursed up to ~~two hundred fifteen~~

1 four hundred fifty thousand dollars annually from the fund
2 for services provided related to the fund. The commissioner
3 of insurance shall consider the reimbursement to the attorney
4 general as an outstanding liability when making a determination
5 of funding availability under section 85.65A, subsection
6 2. In making an award under this subchapter, the workers'
7 compensation commissioner shall specifically find the amount
8 the injured employee shall be paid weekly, the number of weeks
9 of compensation which shall be paid by the employer, the date
10 upon which payments out of the fund shall begin, and, if
11 possible, the length of time the payments shall continue.

12 Sec. 23. 2014 Iowa Acts, chapter 1138, section 21, as
13 amended by 2016 Iowa Acts, chapter 1137, section 18, 2017 Iowa
14 Acts, chapter 167, section 24, and 2019 Iowa Acts, chapter 163,
15 section 26, is amended to read as follows:

16 SEC. 21. CONSUMER EDUCATION AND LITIGATION
17 FUND. Notwithstanding [section 714.16C](#), for each fiscal
18 year of the period beginning July 1, 2014, and ending June
19 30, ~~2021~~ 2023, the annual appropriations in [section 714.16C](#),
20 are increased from \$1,125,000 to \$1,875,000, and \$75,000 to
21 \$125,000 respectively.

22 DIVISION IV

23 INDIGENT DEFENSE

24 Sec. 24. Section 815.7, Code 2021, is amended by adding the
25 following new subsection:

26 NEW SUBSECTION. 5A. For appointments made on or after
27 July 1, 2021, the reasonable compensation shall be calculated
28 on the basis of seventy-six dollars per hour for class "A"
29 felonies, seventy-one dollars per hour for class "B" felonies,
30 and sixty-six dollars per hour for all other cases.

31 EXPLANATION

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

34 This bill relates to and makes appropriations to the justice
35 system.

1 The bill makes appropriations from the general fund of
2 the state for FY 2021-2022 to the departments of justice,
3 corrections, public defense, public safety, and homeland
4 security and emergency management, and the Iowa law enforcement
5 academy, office of the state public defender, board of parole,
6 Iowa state civil rights commission, and the criminal and
7 juvenile justice planning division of the department of human
8 rights.

9 The bill appropriates moneys from the department of commerce
10 revolving fund for FY 2021-2022 to the office of consumer
11 advocate of the department of justice.

12 The bill appropriates moneys from the gaming enforcement
13 revolving fund for FY 2021-2022 to the department of public
14 safety.

15 The bill appropriates moneys from the 911 emergency
16 communications fund for FY 2021-2022 to the department of
17 homeland security and emergency management.

18 The bill appropriates moneys from the consumer education and
19 litigation fund for FY 2021-2022 to the department of justice
20 for farm mediation services and salaries, support, maintenance,
21 and miscellaneous purposes for criminal prosecutions, criminal
22 appeals, and performing certain duties.

23 MISCELLANEOUS APPROPRIATIONS. The bill appropriates
24 moneys to the department of homeland security and emergency
25 management for the fiscal year 2021-2022 to be used to conduct
26 a governance and funding of levee districts study.

27 ATTORNEY GENERAL. The attorney general shall appoint a
28 staff member to represent the treasurer of state and the
29 workers' compensation fund in all proceedings and matters
30 arising under the second injury compensation Act. The bill
31 provides that the attorney general shall be reimbursed up to
32 \$450,000 annually from the fund for services provided related
33 to the fund.

34 CONSUMER EDUCATION AND LITIGATION FUND. The bill provides
35 that notwithstanding Code section 714.16C, for each fiscal

1 year of the period beginning July 1, 2014, and ending June
2 30, 2023, the annual appropriations in Code section 714.16C,
3 are increased from \$1,125,000 to \$1,875,000, and \$75,000 to
4 \$125,000, respectively.

5 INDIGENT DEFENSE. The bill increases the hourly rates for
6 court-appointed counsel by \$3 per hour and provides that for
7 appointments made on or after July 1, 2021, the reasonable
8 compensation shall be calculated on the basis of \$76 per hour
9 for class "A" felonies, \$71 per hour for class "B" felonies,
10 and \$66 per hour for all other cases.