

Senate Study Bill 1265 - Introduced

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

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	\$	6,006,268
19	FTEs	213.00

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

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 7.00 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 7.00 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 7.00 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 \$ 41,647,701

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

18 \$ 32,868,225

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

22 \$ 62,610,335

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

26 \$ 28,818,686

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

30 \$ 26,177,884

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

34 \$ 10,623,767

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

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

3 \$ 25,132,431

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 \$ 23,483,038

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

16 \$ 30,324,956

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 \$ 5,473,325

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 5. For department-wide duties, including operations, costs,
13 and miscellaneous purposes:

14 \$ 5,950,000

15 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
16 SERVICES.

17 1. There is appropriated from the general fund of the state
18 to the department of corrections for the fiscal year beginning
19 July 1, 2021, and ending June 30, 2022, for salaries, support,
20 maintenance, and miscellaneous purposes, the following amounts,
21 or so much thereof as is necessary, to be used for the purposes
22 designated:

23 a. For the first judicial district department of
24 correctional services:

25 \$ 15,219,261

26 It is the intent of the general assembly that the first
27 judicial district department of correctional services maintains
28 the drug courts operated by the district department.

29 b. For the second judicial district department of
30 correctional services:

31 \$ 11,758,160

32 It is the intent of the general assembly that the second
33 judicial district department of correctional services maintains
34 two drug courts to be operated by the district department.

35 c. For the third judicial district department of

1 correctional services:

2 \$ 7,324,425

3 d. For the fourth judicial district department of
4 correctional services:

5 \$ 5,815,391

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

9 \$ 22,008,023

10 It is the intent of the general assembly that the fifth
11 judicial district department of correctional services maintains
12 the drug court operated by the district department.

13 f. For the sixth judicial district department of
14 correctional services:

15 \$ 15,069,674

16 It is the intent of the general assembly that the sixth
17 judicial district department of correctional services maintains
18 the drug court operated by the district department.

19 g. For the seventh judicial district department of
20 correctional services:

21 \$ 8,013,609

22 It is the intent of the general assembly that the seventh
23 judicial district department of correctional services maintains
24 the drug court operated by the district department.

25 h. For the eighth judicial district department of
26 correctional services:

27 \$ 8,547,829

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

33 For statewide judicial assistance, support, and pilot
34 projects for judicial district departments of correctional
35 services:

1 \$ 663,219

2 3. Each judicial district department of correctional
3 services, within the moneys available, shall continue programs
4 and plans established within that district to provide for
5 intensive supervision, sex offender treatment, diversion of
6 low-risk offenders to the least restrictive sanction available,
7 job development, and expanded use of intermediate criminal
8 sanctions.

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

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

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

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

31 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
32 APPROPRIATIONS. Notwithstanding section 8.39, within
33 the moneys appropriated in this Act to the department of
34 corrections, the department may reallocate the moneys
35 appropriated and allocated as necessary to best fulfill the

1 needs of the correctional institutions, administration of
2 the department, and the judicial district departments of
3 correctional services. However, in addition to complying with
4 the requirements of sections 904.116 and 905.8 and providing
5 notice to the legislative services agency, the department
6 of corrections shall also provide notice to the department
7 of management, prior to the effective date of the revision
8 or reallocation of an appropriation made pursuant to this
9 section. The department of corrections shall not reallocate an
10 appropriation or allocation for the purpose of eliminating any
11 program.

12 Sec. 7. INTENT — REPORTS.

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

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

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

1 prior fiscal year with the current fiscal year.

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

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

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

19 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

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

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

29	\$	1,193,868
30	FTEs	30.25

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

1 the close of the fiscal year.

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

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

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

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

31	\$ 28,044,382
32	FTEs 233.00

33 2. For payments on behalf of eligible adults and juveniles
34 from the indigent defense fund, in accordance with section
35 815.11:

1 \$ 39,360,448

2 Sec. 12. BOARD OF PAROLE. There is appropriated from the
3 general fund of the state to the board of parole for the fiscal
4 year beginning July 1, 2021, and ending June 30, 2022, the
5 following amount, or so much thereof as is necessary, to be
6 used for the purposes designated:

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

10 \$ 1,240,265

11 FTEs 10.53

12 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE.

13 1. There is appropriated from the general fund of the
14 state to the department of public defense, for the fiscal year
15 beginning July 1, 2021, and ending June 30, 2022, the following
16 amounts, 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 \$ 6,678,140

22 FTEs 254.00

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

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

31 1. There is appropriated from the general fund of the state
32 to the department of homeland security and emergency management
33 for the fiscal year beginning July 1, 2021, and ending June
34 30, 2022, the following amounts, or so much thereof as is
35 necessary, to be used for the purposes designated:

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

4 \$ 2,139,390
5 FTEs 30.00

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

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

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

22 \$ 5,591,361
23 FTEs 43.00

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

32 \$ 17,174,580
33 FTEs 165.00

34 3. For the criminalistics laboratory fund created in
35 section 691.9:

1 \$ 650,000

2 Notwithstanding section 8.33, moneys appropriated in this
3 subsection that remain unencumbered or unobligated at the close
4 of the fiscal year shall not revert but shall remain available
5 for expenditure for the purposes designated until the close of
6 the succeeding fiscal year.

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

15 \$ 8,124,117
16 FTEs 67.00

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

28 b. For the division of narcotics enforcement for undercover
29 purchases:

30 \$ 209,042

31 5. For the division of state fire marshal, for fire
32 protection services as provided through the state fire service
33 and emergency response council as created in the department,
34 and for the state's contribution to the peace officers'
35 retirement, accident, and disability system provided in chapter

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

5 \$ 5,231,360
6 FTEs 49.00

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

15 \$ 66,037,699
16 FTEs 506.00

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

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

25 \$ 279,517

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

28 \$ 825,520

29 Notwithstanding section 8.33, moneys appropriated in this
30 subsection that remain unencumbered or unobligated at the
31 close of the fiscal year shall not revert but shall remain
32 available for expenditure only for the purpose designated in
33 this subsection until the close of the succeeding fiscal year.

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

1 \$ 115,661

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

6 \$ 340,000

7 FTEs 2.00

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

10 \$ 50,000

11 12. For department-wide duties, including operations,
12 costs, and miscellaneous purposes:

13 \$ 2,500,000

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

25 Sec. 16. GAMING ENFORCEMENT.

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

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

1 full-time equivalent positions:

2	\$ 11,311,731
3	FTEs 73.00

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

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

20 Sec. 17. CIVIL RIGHTS COMMISSION.

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

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

29	\$ 1,252,899
30	FTEs 27.00

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

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

35 1. There is appropriated from the general fund of the state

1 to the criminal and juvenile justice planning division of the
2 department of human rights for the fiscal year beginning July
3 1, 2021, and ending June 30, 2022, the following amount or
4 so much thereof as is necessary, to be used for the purposes
5 designated:

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

9	\$	1,226,399
10	FTEs	8.82

11 b. (1) For a single grant to a program located in a city
12 with a higher than average juvenile crime rate as determined
13 by the criminal and juvenile justice planning division and
14 a population greater than 80,000 as determined by the 2010
15 federal decennial census, which may be used for studying,
16 planning, programming, and capital, that is committed to
17 deterring juvenile delinquency through early intervention in
18 the criminal justice system by providing a comprehensive,
19 multifaceted delivery of social services and which shall meet
20 the guiding principles and standards for assessment centers set
21 forth by the national assessment center association:

22 \$ 140,000

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

25 (3) A city shall not receive a grant under this paragraph,
26 or a similar grant from the state of Iowa, for more than
27 two consecutive fiscal years unless no other city meets the
28 requirements specified in subparagraph (1).

29 2. The justice advisory board and the juvenile justice
30 advisory council shall coordinate their efforts in carrying out
31 their respective duties relative to juvenile justice.

32 Sec. 19. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
33 MANAGEMENT. There is appropriated from the 911 emergency
34 communications fund created in section 34A.7A to the department
35 of homeland security and emergency management for the fiscal

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

4 For implementation, support, and maintenance of the
5 functions of the administrator and program manager under
6 chapter 34A and to employ the auditor of the state to perform
7 an annual audit of the 911 emergency communications fund:
8 \$ 250,000

9 Sec. 20. CONSUMER EDUCATION AND LITIGATION — FARM
10 MEDIATION AND PROSECUTIONS, APPEALS, AND CLAIMS.

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

16 a. For farm mediation services as specified in section
17 13.13, subsection 2:
18 \$ 300,000

19 b. For salaries, support, maintenance, and miscellaneous
20 purposes for criminal prosecutions, criminal appeals, and
21 performing duties pursuant to [chapter 669](#):
22 \$ 1,500,000

23 DIVISION II
24 ATTORNEY GENERAL

25 Sec. 21. Section 85.67, Code 2021, is amended to read as
26 follows:

27 **85.67 Administration of fund — special counsel — payment of**
28 **award.**

29 The attorney general shall appoint a staff member
30 to represent the treasurer of state and the fund in all
31 proceedings and matters arising under this subchapter. The
32 attorney general shall be reimbursed up to ~~two hundred fifteen~~
33 four hundred fifty thousand dollars annually from the fund
34 for services provided related to the fund. The commissioner
35 of insurance shall consider the reimbursement to the attorney

1 general as an outstanding liability when making a determination
2 of funding availability under section 85.65A, subsection
3 2. In making an award under this subchapter, the workers'
4 compensation commissioner shall specifically find the amount
5 the injured employee shall be paid weekly, the number of weeks
6 of compensation which shall be paid by the employer, the date
7 upon which payments out of the fund shall begin, and, if
8 possible, the length of time the payments shall continue.

9 Sec. 22. 2014 Iowa Acts, chapter 1138, section 21, as
10 amended by 2016 Iowa Acts, chapter 1137, section 18, 2017 Iowa
11 Acts, chapter 167, section 24, and 2019 Iowa Acts, chapter 163,
12 section 26, is amended to read as follows:

13 SEC. 21. CONSUMER EDUCATION AND LITIGATION

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

19 DIVISION III

20 PUBLIC SAFETY

21 Sec. 23. NEW SECTION. **80.6A Peace officers — health**
22 **insurance.**

23 1. a. (1) Notwithstanding any provision to the contrary,
24 peace officers employed within the department that are not
25 covered under a collective bargaining agreement who were at
26 any time eligible to be enrolled in the group health insurance
27 plan that is negotiated under chapter 20 between the state
28 and the state police officers council labor union and who
29 elect to participate in a group health insurance plan provided
30 by the state, shall only be permitted, if not prohibited to
31 participate pursuant to paragraph "b", to participate in the
32 group health insurance plan that is negotiated under chapter 20
33 between the state and the state police officers council labor
34 union for peace officers subject to the requirements of this
35 subsection. In addition, a peace officer who was covered under

1 a collective bargaining agreement and who becomes a manager
2 or supervisor and is no longer covered by the agreement shall
3 not lose group health insurance benefits as provided by the
4 agreement.

5 (2) Notwithstanding any provision to the contrary, a peace
6 officer participating in the group health insurance plan
7 pursuant to this paragraph "a" shall have the option, upon
8 retirement, to continue participation in the group health
9 insurance plan pursuant to section 509A.13 subject to the
10 requirements of this section. However, a peace officer who was
11 not covered under a collective bargaining agreement and not
12 participating in the group health insurance plan as provided by
13 this section at the time of retirement shall not be allowed to
14 participate in the group health insurance plan negotiated under
15 chapter 20 between the state and the state police officers
16 council upon retirement.

17 b. By September 1, 2021, and by September 1 of each year
18 thereafter if the ability to participate in the group health
19 insurance plan provided by this subsection is offered for that
20 year, the governing body of the state police officers council
21 shall have the right to offer or terminate the ability to
22 participate in the group health insurance plan provided by this
23 subsection for the subsequent calendar year and shall provide
24 written notice of the council's decision to the department by
25 September 1, if applicable. The Iowa state patrol supervisors
26 association shall have the opportunity to address the governing
27 board of the state police officers council concerning the
28 decision of the governing board under this paragraph on or
29 after July 1 but before September 1 of each calendar year, if
30 applicable. A decision to terminate the ability to participate
31 in the group health insurance plan provided by this subsection
32 is irrevocable and applies for all subsequent calendar years.

33 2. The department shall be authorized to retain any savings
34 to the department for peace officers participating in the group
35 health insurance plan pursuant to subsection 1 from moneys

1 appropriated to the department.

2 Sec. 24. NEW SECTION. **80.6B Group health insurance plan**
3 **reporting — state police officers council.** Prior to July 1
4 of each calendar year if group health insurance is offered
5 to employees that are not covered by a collective bargaining
6 agreement, the provider of the group health insurance plan
7 negotiated under chapter 20 between the state and the state
8 police officers council labor union shall submit a report
9 to the state police officers council and the departments of
10 public safety and natural resources necessary for purposes
11 of complying with the requirements of sections 80.6A and
12 456A.13A. The report shall include usage statistics that
13 separately account for employees in the group health insurance
14 plan covered by a collective bargaining agreement negotiated
15 by the state police officers council and those employees that
16 are not covered by a collective bargaining agreement and shall
17 include any information that led to any premium rate increase
18 or decrease for the following calendar year.

19 Sec. 25. NEW SECTION. **456.13A Full-time officers — health**
20 **insurance.**

21 1. *a.* (1) Notwithstanding any provision to the contrary,
22 full-time officers as defined in section 456A.13 that are not
23 covered under a collective bargaining agreement who were at
24 any time eligible to be enrolled in the group health insurance
25 plan that is negotiated under chapter 20 between the state
26 and the state police officers council labor union and who
27 elect to participate in a group health insurance plan provided
28 by the state, shall only be permitted, if not prohibited to
29 participate pursuant to paragraph "b", to participate in the
30 group health insurance plan that is negotiated under chapter
31 20 between the state and the state police officers council
32 labor union for full-time officers subject to the requirements
33 of this subsection. In addition, a full-time officer who
34 was covered under a collective bargaining agreement and who
35 becomes a manager or supervisor and is no longer covered by

1 the agreement shall not lose group health insurance benefits
2 as provided by the agreement.

3 (2) Notwithstanding any provision to the contrary, a
4 full-time officer participating in the group health insurance
5 plan pursuant to this paragraph "a" shall have the option,
6 upon retirement, to continue participation in the group health
7 insurance plan pursuant to section 509A.13 subject to the
8 requirements of this section. However, a full-time officer who
9 was not covered under a collective bargaining agreement and not
10 participating in the group health insurance plan as provided by
11 this section at the time of retirement shall not be allowed to
12 participate in the group health insurance plan negotiated under
13 chapter 20 between the state and the state police officers
14 council upon retirement.

15 b. By September 1, 2021, and by September 1 of each year
16 thereafter if the ability to participate in the group health
17 insurance plan provided by this subsection is offered for that
18 year, the governing body of the state police officers council
19 shall have the right to offer or terminate the ability to
20 participate in the group health insurance plan provided by this
21 subsection for the subsequent calendar year and shall provide
22 written notice of the council's decision to the department
23 by September 1, if applicable. A decision to terminate the
24 ability to participate in the group health insurance plan
25 provided by this subsection is irrevocable and applies for all
26 subsequent calendar years.

27 2. The department shall calculate the savings to the
28 department for full-time officers employed in the law
29 enforcement bureau of the department who are participating in
30 the group health insurance plan pursuant to subsection 1. The
31 department shall transfer to the state fish and game protection
32 fund created in section 456A.17 from moneys appropriated to the
33 department an amount equal to the savings calculated by the
34 department. In addition, the department shall be authorized
35 to retain any savings to the department for full-time officers

1 who are not employed in the law enforcement bureau of the
2 department participating in the group health insurance plan
3 pursuant to subsection 1 from moneys appropriated to the
4 department.

5

EXPLANATION

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

8 This bill relates to and makes appropriations to the justice
9 system.

10 The bill makes appropriations from the general fund of
11 the state for FY 2021-2022 to the departments of justice,
12 corrections, public defense, public safety, and homeland
13 security and emergency management, and the Iowa law enforcement
14 academy, office of the state public defender, board of parole,
15 Iowa state civil rights commission, and the criminal and
16 juvenile justice planning division of the department of human
17 rights.

18 The bill appropriates moneys from the department of commerce
19 revolving fund for FY 2021-2022 to the office of consumer
20 advocate of the department of justice.

21 The bill appropriates moneys from the gaming enforcement
22 revolving fund for FY 2021-2022 to the department of public
23 safety.

24 The bill appropriates moneys from the 911 emergency
25 communications fund for FY 2021-2022 to the department of
26 homeland security and emergency management.

27 The bill appropriates moneys from the consumer education and
28 litigation fund for FY 2021-2022 to the department of justice
29 for farm mediation services and salaries, support, maintenance,
30 and miscellaneous purposes for criminal prosecutions, criminal
31 appeals, and performing certain duties.

32 ATTORNEY GENERAL. Currently, the attorney general is
33 required to appoint a staff member to represent the treasurer
34 of state and the workers' compensation fund in all proceedings
35 and matters arising under the second injury compensation Act.

1 The bill provides that the attorney general shall be reimbursed
2 up to \$450,000 annually from the fund for services provided
3 related to the fund.

4 CONSUMER EDUCATION AND LITIGATION FUND. The bill provides
5 that notwithstanding Code section 714.16C, for each fiscal
6 year of the period beginning July 1, 2014, and ending June
7 30, 2023, the annual appropriations in Code section 714.16C,
8 are increased from \$1,125,000 to \$1,875,000, and \$75,000 to
9 \$125,000, respectively.

10 PUBLIC SAFETY. The bill allows peace officers or full-time
11 officers employed within the department of public safety and
12 the department of natural resources that are not covered
13 under a collective bargaining agreement to have the option
14 to participate in the group health insurance plan that is
15 negotiated between the state and the state police officers
16 council labor union (SPOC) for peace officers and full-time
17 officers. A peace officer or full-time officer participating
18 in the group health insurance plan shall have the option, upon
19 retirement, to continue participation in the group health
20 insurance plan pursuant to Code section 509A.13 subject to
21 the requirements of this Code section. The department is
22 authorized to retain any savings to the department for peace
23 officers, and full-time officers not employed in the law
24 enforcement bureau of the department, participating in the
25 group health insurance plan from moneys appropriated to the
26 department. The department shall calculate the savings to
27 the department for full-time officers employed in the law
28 enforcement bureau of the department who are participating in
29 the group health insurance plan. The department is required to
30 transfer to the state fish and game protection fund created in
31 Code section 456A.17 from moneys appropriated to the department
32 an amount equal to the savings calculated by the department.