

**House File 15 - Introduced**

HOUSE FILE 15  
BY LOHSE

**A BILL FOR**

- 1 An Act creating a rural attorney recruitment assistance program,
- 2 and making appropriations.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **256.20 Rural attorney recruitment**  
2 **assistance program — fund.**

3 1. *Program created.* The department may establish a program  
4 to assist rural counties and municipalities in recruiting  
5 attorneys.

6 2. *Application.* Each interested county or municipality must  
7 apply to the department to be included in the rural attorney  
8 recruitment assistance program. Before making a determination  
9 of eligibility, the department shall conduct a county or  
10 municipality assessment designed to evaluate the county's or  
11 municipality's need for an attorney and the county's or  
12 municipality's ability to sustain and support an attorney. The  
13 department shall maintain a list of counties and municipalities  
14 that have been assessed and are eligible for participation in the  
15 program. The department may revise any county or municipality  
16 assessment or conduct a new assessment as necessary to reflect  
17 any change in conditions within a county or municipality.

18 3. *County or municipality eligible to participate.* A county  
19 or municipality is eligible to participate in the program if all  
20 of the following are true:

21 a. The county or municipality has a population of less than  
22 twenty-six thousand and is located more than twenty miles from a  
23 city with a population of at least fifty thousand, based on the  
24 2020 federal decennial census.

25 b. The county or municipality agrees to provide the county's  
26 or municipality's portion of the incentive payment pursuant to  
27 the provisions of this section. Such payments shall be in  
28 addition to the advertised salary and benefits of the attorney  
29 position.

30 c. The department determines the county or municipality is  
31 eligible.

32 4. *Incentive payment to participating attorneys.* Any  
33 attorney who is selected to enter into an agreement and who, in  
34 conjunction with the eligible county or municipality, fulfills  
35 the requirements of the program is entitled to receive an

1 incentive payment in five equal annual installments, each in an  
2 amount equal to ninety percent of the annual university of Iowa  
3 college of law resident tuition and fees as determined on July 1,  
4 2025.

5 5. *Agreement for payment of recruitment assistance.*

6 a. Any agreement for the payment of recruitment assistance  
7 pursuant to this section must obligate the rural county or  
8 municipality served by the attorney to provide thirty-five  
9 percent of the total amount of the incentive payments in  
10 five equal annual installments. After the rural county or  
11 municipality certifies to the department that the county or  
12 municipality has paid the attorney the required amount, the  
13 department shall pay to the attorney the remaining balance.  
14 The department shall pay the required amount out of moneys  
15 appropriated pursuant to this section. A county or municipality  
16 may prepay its portion of the incentive payments at any time  
17 during the five-year period. The department shall only pay upon  
18 completion of each annual employment obligation.

19 b. The agreement must require the attorney to become a  
20 contract attorney with the office of the state public defender  
21 and agree to participate in volunteer lawyer projects through  
22 nonprofit organizations providing critical legal assistance to  
23 low-income and vulnerable Iowans.

24 6. *County and municipality funding.* Any eligible county  
25 or municipality may appropriate moneys for the purpose of  
26 carrying out the provisions of this section. An eligible  
27 county or municipality may enter an agreement with any county,  
28 municipality, school district, or nonprofit entity to assist the  
29 county or municipality in carrying out the provisions of this  
30 section.

31 7. *Filing and approval of recruitment assistance*  
32 *agreement.* A recruitment assistance agreement entered into  
33 pursuant to this section is not effective until it is filed with  
34 and approved by the department. The agreement must provide that  
35 the attorney practice law full-time in the eligible county or

1 municipality for at least five years.

2 8. *Ineligibility for participation in other programs.* A  
3 person shall not participate in the program if the person has  
4 previously participated in the program, or any other state or  
5 federal scholarship, loan repayment, or tuition reimbursement  
6 program that obligates the person to provide attorney services  
7 within an underserved area.

8 9. *Fund established.* A rural attorney recruitment assistance  
9 program fund is created in the state treasury under the control  
10 of the department. The department may accept gifts, grants,  
11 bequests, and other private contributions, as well as state or  
12 federal moneys, for deposit in the fund. The department shall  
13 remit all repayments made pursuant to this section to the fund.  
14 All moneys deposited or paid into the fund are appropriated  
15 to the department to be used for meeting the requirements of  
16 this section and increasing the number of attorneys participating  
17 in the program. During a fiscal year, up to five percent  
18 of the moneys in the fund may be used by the department to  
19 cover implementation and administration costs associated with  
20 this section. Notwithstanding section 8.33, moneys in the fund  
21 that remain unencumbered or unobligated at the close of a fiscal  
22 year shall not revert but shall remain available for expenditure  
23 for the purposes designated. Notwithstanding section 12C.7,  
24 subsection 2, interest or earnings on moneys in the fund shall  
25 be credited to the fund.

26 10. *Rules.* The state board shall adopt rules to administer  
27 this section.

28 11. *Limitation.* The program shall not provide assistance for  
29 more than five attorneys. This subsection is repealed July 1,  
30 2026.

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 creates the rural attorney recruitment assistance  
35 program. The bill allows the department of education to

1 establish a program for attorneys to assist rural counties and  
2 municipalities in recruiting attorneys. The bill requires each  
3 interested county or municipality to apply to the department.  
4 The department is required to conduct a county or municipality  
5 assessment designed to evaluate the county's or municipality's  
6 need for an attorney and the county's or municipality's ability  
7 to sustain and support an attorney before admitting a county or  
8 municipality into the program. The bill requires the department  
9 to maintain a list of counties and municipalities that have been  
10 assessed and are eligible for participation in the program.  
11 The department is allowed to revise any county or municipality  
12 assessment or conduct a new assessment as necessary to reflect  
13 any change in conditions within a county or municipality.

14 The bill provides that a county or municipality is eligible  
15 to participate in the program if it has a population of less  
16 than 26,000 and is located more than 20 miles from a city with  
17 a population of at least 50,000, based on the 2020 federal  
18 decennial census.

19 The bill provides that any attorney who fulfills the  
20 requirements of the program is entitled to receive an incentive  
21 payment in five equal annual installments, each in an amount  
22 equal to 90 percent of the university of Iowa college of law  
23 resident tuition and fees as determined on July 1, 2025. This  
24 is in addition to the advertised salary and benefits for the  
25 attorney position.

26 The bill provides that any agreement for payment under the  
27 program shall obligate the county or municipality served by  
28 the attorney to pay 35 percent of the total amount of the  
29 incentive payments in five equal annual installments. The bill  
30 requires the department, upon certification that the county or  
31 municipality has paid the attorney the annual amount to the  
32 department, to pay the attorney the remaining balance. The bill  
33 provides that the department shall pay the required amount out of  
34 moneys appropriated from the state. The bill further provides  
35 that a county or municipality may prepay its portion of the

1 incentive payment at any time during the five-year period. The  
2 bill requires the agreement to require the attorney to become a  
3 contract attorney with the office of the state public defender  
4 and agree to participate in volunteer lawyer projects.

5 The bill allows any rural county or municipality to  
6 appropriate moneys for the purpose of funding the program.

7 The bill provides that no recruitment assistance agreement  
8 entered into is effective until it is filed with and approved by  
9 the department. The agreement shall provide that the attorney  
10 practice law full-time in the eligible county or municipality for  
11 at least five years.

12 The bill provides that no person may participate in the  
13 program if the person has previously participated in the program,  
14 or any other state or federal scholarship, loan repayment,  
15 or tuition reimbursement program that obligates the person to  
16 provide attorney services within an underserved area.

17 A rural attorney recruitment assistance program fund is  
18 created and moneys in the fund are appropriated to the department  
19 to be used for the program and to increase the number of  
20 attorneys in the program. The program is limited to five  
21 attorneys in the first year.