

Senate Study Bill 3176 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON ROZENBOOM)

A BILL FOR

1 An Act establishing continuing appropriations in fiscal years
2 for which the general assembly does not pass an annual
3 budget.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 2.12C Continuing appropriations.

2 1. *Annual budget not passed by general assembly.*

3 a. This section applies to any fiscal year for which the
4 general assembly has not passed and presented to the governor,
5 on or before July 1 of the fiscal year, any bills appropriating
6 moneys for the fiscal year.

7 b. If, on or after July 1 of the fiscal year, the general
8 assembly passes and presents to the governor one or more bills
9 appropriating moneys for the fiscal year, this section shall
10 cease to apply for purposes of that fiscal year.

11 c. For purposes of this subsection, "*bill appropriating*
12 *moneys for the fiscal year*" does not include any of the
13 following:

14 (1) A bill enacting an appropriation for the fiscal year in
15 this Code.

16 (2) A bill enacting an appropriation for the fiscal year if
17 the bill was passed and presented to the governor prior to July
18 1 of the immediately preceding fiscal year.

19 2. *Prior fiscal year appropriations determined.*

20 a. For all line item appropriations, standing limited
21 appropriations, and standing unlimited appropriations otherwise
22 limited by law, including appropriations from federal and
23 nonstate funds, the department of management, in consultation
24 with the legislative services agency, shall determine the
25 amount of such line item appropriations, standing limited
26 appropriations, and standing unlimited appropriations otherwise
27 limited by law, including appropriations from federal and
28 nonstate funds, made for the immediately preceding fiscal year
29 by taking into consideration all of the following:

30 (1) All Acts appropriating moneys for that immediately
31 preceding fiscal year.

32 (2) All interdepartmental and intradepartmental transfers
33 made pursuant to section 8.39 and other provisions of law for
34 that immediately preceding fiscal year.

35 (3) Other relevant provisions of law.

1 *b.* The department of management, in consultation with the
2 legislative services agency, shall also identify the entities
3 to which such appropriations were made, or the entities'
4 successors.

5 3. *Continuing appropriation.* There is appropriated from the
6 appropriate state fund or account to the entities identified
7 pursuant to subsection 2, for the fiscal year to which this
8 section applies, amounts, or so much thereof as is necessary,
9 equal to the amounts of all line item appropriations, standing
10 limited appropriations, and standing unlimited appropriations
11 otherwise limited by law, including federal and nonstate funds,
12 made for the immediately preceding fiscal year, as determined
13 pursuant to subsection 2.

14 4. *Duplicative standing appropriations supplanted.* The
15 amounts appropriated under subsection 3 shall supplant any
16 duplicative standing appropriation for the fiscal year to which
17 this section applies.

18 5. *Miscellaneous provisions applicable.* Powers, duties,
19 limitations, or requirements, including reporting requirements,
20 set forth for appropriations applicable to the immediately
21 preceding fiscal year are applicable for the fiscal year to
22 which this section applies, and any specified date contained
23 therein shall apply one year later than specified.

24 6. *Allocation amounts.* For any line item appropriation,
25 standing limited appropriation, or standing unlimited
26 appropriation otherwise limited by law identified pursuant to
27 subsection 2, which is subject to an allocation amount for the
28 immediately preceding fiscal year, the amount appropriated
29 under subsection 3 based on the appropriation shall be subject
30 to the same allocation amount for the fiscal year to which this
31 section applies.

32 7. *Nonreversion.* For any line item appropriation, standing
33 limited appropriation, or standing unlimited appropriation
34 otherwise limited by law identified pursuant to subsection 2
35 that is subject to a specified nonreversion provision, whether

1 fiscal year, the general assembly passes and presents to the
2 governor one or more bills appropriating moneys for the fiscal
3 year.

4 For fiscal years to which the bill applies, the bill requires
5 the department of management (DOM), in consultation with the
6 legislative services agency (LSA), to identify the amounts of
7 all line item appropriations, standing limited appropriations,
8 and standing unlimited appropriations otherwise limited by law
9 for the immediately preceding fiscal year and the entities to
10 which those appropriations were made. The bill appropriates
11 those amounts to those entities for the fiscal year to which
12 the bill applies.

13 The bill supplants duplicative standing appropriations,
14 meaning the amounts for limited standing appropriations and
15 unlimited standing appropriations otherwise limited by law
16 identified for the immediately preceding fiscal year apply in
17 lieu of amounts estimated for the fiscal year to which the bill
18 applies.

19 The bill applies powers, duties, limitations, requirements,
20 allocations, nonreversions, and full-time equivalent position
21 authorizations associated with such appropriations from the
22 immediately preceding fiscal year for the fiscal year to which
23 the bill applies.

24 The bill excludes one-time appropriations from the
25 immediately preceding fiscal year, as determined by DOM in
26 consultation with LSA. One-time appropriations may include
27 but are not limited to appropriations for an infrastructure
28 project, technology project, or temporary project or program
29 for which a subsequent fiscal year appropriation is not
30 appropriate.

31 The bill does not reapply uncodified transfers from the
32 immediately preceding fiscal year. Codified transfers are not
33 affected by the bill and would operate in accordance with the
34 law during the fiscal year to which the bill applies.

35 The general assembly passed similar provisions in June 2020

S.F. _____

1 applicable only to FY 2020-2021.