

House File 148 - Reprinted

HOUSE FILE 148
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 1)

(As Amended and Passed by the House March 8, 2011)

A BILL FOR

1 An Act relating to state expenditure requirements involving the
2 revenue estimating conference and appropriation transfers
3 and including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8.22A, subsection 2, Code 2011, is
2 amended to read as follows:

3 2. The conference shall meet as often as deemed necessary,
4 but shall meet at least quarterly. The conference may use
5 sources of information deemed appropriate. At each meeting,
6 the conference shall agree to estimates for the current and the
7 next two succeeding fiscal years for the general fund of the
8 state, lottery revenues to be available for disbursement, and
9 from gambling revenues and from interest earned on the cash
10 reserve fund and the economic emergency fund to be deposited in
11 the rebuild Iowa infrastructure fund.

12 Sec. 2. Section 8.39, subsections 1 and 2, Code 2011, are
13 amended to read as follows:

14 1. Except as otherwise provided by law, an appropriation or
15 any part of it shall not be used for any other purpose than that
16 for which it was made. However, with the prior written consent
17 and approval of the governor and the director of the department
18 of management, the governing board or head of any state
19 department, institution, or agency may, at any time during the
20 fiscal year, make a whole or partial intradepartmental transfer
21 of its unexpended appropriations for purposes within the scope
22 of such department, institution, or agency. Such transfer
23 shall be to an appropriation made from the same funding source
24 and within the same fiscal year. The amount of a transfer made
25 from an appropriation under this subsection shall be limited
26 to not more than one-tenth of one percent of the total of all
27 appropriations made from the funding source of the transferred
28 appropriation for the fiscal year in which the transfer is
29 made.

30 2. If the appropriation of a department, institution, or
31 agency is insufficient to properly meet the legitimate expenses
32 of the department, institution, or agency, the director, with
33 the approval of the governor, may make an interdepartmental
34 transfer from any other department, institution, or agency of
35 the state having an appropriation in excess of its needs, of

1 sufficient funds to meet that deficiency. Such transfer shall
2 be to an appropriation made from the same funding source and
3 within the same fiscal year. The amount of a transfer made
4 from an appropriation under this subsection shall be limited
5 to not more than one-tenth of one percent of the total of all
6 appropriations made from the funding source of the transferred
7 appropriation for the fiscal year in which the transfer is
8 made. An interdepartmental transfer to an appropriation which
9 is not an entitlement appropriation is not authorized when
10 the general assembly is in regular session and, in addition,
11 the sum of interdepartmental transfers in a fiscal year to an
12 appropriation which is not an entitlement appropriation shall
13 not exceed fifty percent of the amount of the appropriation
14 as enacted by the general assembly. For the purposes of
15 this subsection, an entitlement appropriation is a line item
16 appropriation to the state public defender for indigent defense
17 or to the department of human services for foster care, state
18 supplementary assistance, or medical assistance, or for the
19 family investment program.

20 Sec. 3. Section 8.39, Code 2011, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. 2A. The aggregate amount of
23 intradepartmental and interdepartmental transfers made
24 from all appropriations for a fiscal year pursuant to this
25 section is limited to not more than five-tenths of one percent
26 of the total amount of the appropriations made from the general
27 fund of the state for the fiscal year.

28 Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
29 immediate importance, takes effect upon enactment.