An Act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and including effective date provisions.
FUNDING SUMMARY

This Bill makes adjustments to various standing appropriations that result in a decrease in appropriations of $31.7 million for FY 2020. This Bill also includes a supplemental appropriation of $15.0 million for estimated net FY 2019.

NEW PROGRAMS, SERVICES, OR ACTIVITIES

Creates a new special motor vehicle license plate with a blackout design. Revenues from the blackout license plate design are directed towards each county's Mental Health and Disabilities Services Fund.

Page 8, Line 35

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

Limits the FY 2020 General Fund appropriation to the Department of Education for nonpublic school transportation to $8.2 million. Requires the appropriation to be prorated if the claims exceed the appropriation.

Page 1, Line 3


Page 1, Line 17

Reduces the FY 2020 State school aid funding to Area Education Agencies (AEAs) by $15.0 million.

Page 1, Line 23

FUNDING FOR PROJECTS AND PROGRAMS

Provides a $15.0 million appropriation to the Flood Mitigation Fund for FY 2019 for counties declared a major disaster area by the President of the United States on or after March 12, 2019.

Page 2, Line 1

SIGNIFICANT CODE CHANGES

Provides that moneys appropriated to the Flood Mitigation Fund shall not revert at the end of FY 2019 and will remain available for expenditure for disaster assistance.

Page 2, Line 12

Requires the Salary Model Administrator to work with the Legislative Services Agency (LSA) to maintain the State’s salary model. Requires various departments to submit salary data to the Department of Management (DOM) and the LSA.

Page 6, Line 24

Codifies language included in previous Standing Appropriations Acts relating to the submission of annual
budgets by State departments. Requires the Director of the DOM to consult with LSA concerning the content of the budget data.

Codifies language included in previous Standing Appropriations Acts requiring expenditure requirements, prioritized by program or results to be achieved.

Codifies language included in previous Standing Appropriations Acts regarding Judicial Branch budget requests.

**EFFECTIVE DATE**

Specifies that Division II of the Bill relating to flood recovery assistance takes effect upon enactment.
Senate File 638 provides for the following changes to the Code of Iowa.

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<tr>
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DIVISION I
STANDING APPROPRIATIONS AND RELATED MATTERS

Section 1. LIMITATIONS OF STANDING APPROPRIATIONS —— FY 2019-2020. Notwithstanding the standing appropriation in the following designated section for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the amount appropriated from the general fund of the state pursuant to that section for the following designated purpose shall not exceed the following amount:

For payment of claims for nonpublic school transportation under section 285.2: $8,197,091

If total approved claims for reimbursement for nonpublic school pupil transportation exceed the amount appropriated in accordance with this section, the department of education shall prorate the amount of each approved claim.

Sec. 2. INSTRUCTIONAL SUPPORT STATE AID —— FY 2019-2020. In lieu of the appropriation provided in section 257.20, subsection 2, the appropriation for the fiscal year beginning July 1, 2019, and ending June 30, 2020, for paying instructional support state aid under section 257.20 for such fiscal year is zero.

Sec. 3. Section 257.35, Code 2019, is amended by adding the following new subsection:
NEW SUBSECTION 13A. Notwithstanding subsection 1, and in addition to the reduction applicable pursuant to subsection 2, the state aid for area education agencies and the portion of the combined district cost calculated for these agencies for the fiscal year beginning July 1, 2019, and ending June 30, 2020, shall be reduced by the department of management by fifteen million dollars. The reduction for each area education agency shall be prorated based on the reduction that the agency received in the fiscal year beginning July 1, 2003.

DIVISION II
MISCELLANEOUS APPROPRIATIONS

Sec. 4. FLOOD MITIGATION.
1. There is appropriated from the general fund of the state to the flood mitigation fund created in section 418.10 for the fiscal year

DETAIL: This represents no change compared to estimated net FY 2019. This also represents a decrease of $1,949,689 compared to the estimated standing unlimited appropriation of $10,146,780 based on current law.

Suspends the General Fund standing appropriation of $14,800,000 for the Instructional Support Program for FY 2020.

DETAIL: Although no State funding will be provided for the Instructional Support Program, school districts may use local property tax and income surtax to fund their portion of the Program. In FY 2019, 329 school districts implemented the Program and generated $234,605,541 in local taxes ($91,908,949 in income surtax and $142,696,592 in property taxes). The Program has not been funded by the State since FY 2006.

CODE: Reduces the FY 2020 State school aid funding to Area Education Agencies (AEAs) by $15,000,000.

DETAIL: In addition to the $15,000,000 State aid reduction for FY 2020, the AEAs have an annual statutory reduction of $7,500,000. The State aid reduction to the AEAs will total $22,500,000 for FY 2020. Funding was reduced by the same amount the previous year for FY 2019.

CODE: Provides a $15,000,000 supplemental appropriation to the Flood Mitigation Fund for FY 2019 for counties declared a major disaster area by the President of the United States on or after March
fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For projects located in any county that has been declared a major disaster by the president of the United States on or after March 12, 2019, and that is also a county in which individuals are eligible for federal individual assistance:

$15,000,000

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated.

Sec. 5. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION III
MISCELLANEOUS PROVISIONS

Sec. 6. Section 2C.18, Code 2019, is amended to read as follows:

The ombudsman shall by December 15 of each year submit an economically designed and reproduced report to the general assembly and to the governor concerning the exercise of the ombudsman’s functions during the preceding calendar year. In discussing matters with which the ombudsman has been concerned, the ombudsman shall not identify specific persons if to do so would cause needless hardship. If the annual report criticizes a named agency or official, it shall also include unedited replies made by the agency or official to the criticism, unless excused by the agency or official affected.

DIVISION IV
CORRECTIVE PROVISIONS

Sec. 7. Section 225C.51, subsection 1, paragraph a, if enacted by 2019 Iowa Acts, House File 690, section 8, is amended to read as follows:

a. The director of the department of human services or the director’s designee.

Sec. 8. Section 225C.51, subsection 3, if enacted by 2019 Iowa Acts, House File 690, section 8, is amended to read as follows:

3. The director of the department of human services and the director's designee.
Sec. 9. Section 261H.3, subsections 1 and 2, as enacted by 2019 Iowa Acts, Senate File 274, section 3, are amended to read as follows:

1. Noncommercial expressive activities protected under the provisions of this chapter include but are not limited to any lawful oral or written means by which members of the campus community may communicate ideas to one another, including but not limited to all forms of peaceful assembly, protests, speeches including by invited speakers, distribution of literature, circulating petitions, and publishing, including publishing or streaming on an internet site, or audio or video recorded in outdoor areas of campus.

2. A member of the campus community who wishes to engage in noncommercial expressive activity in outdoor areas of campus shall be permitted to do so freely, subject to reasonable time, place, and manner restrictions, and as long as the member’s conduct is not unlawful, does not impede others’ access to a facility or use of walkways, and does not disrupt the functioning of the public institution of higher education, subject to the protections of subsection 1. The public institution of higher education may designate other areas of campus available for use by the campus community according to institutional policy, but in all cases access to designated areas of campus must be granted on a viewpoint-neutral basis within the bounds of established principles of the first amendment to the Constitution of the United States.

Sec. 10. Section 513D.2, subsection 2, Code 2019, as amended by 2019 Iowa Acts, House File 679, section 184, if enacted, is amended to read as follows:

2. The commissioner of insurance may take any enforcement action under the commissioner’s authority to enforce compliance with this chapter.

Sec. 11. Section 515I.4A, subsection 1, paragraph c, as enacted by 2019 Iowa Acts, Senate File 558, section 4, is amended to read as follows:

c. The board of directors of the insurer has passed a resolution seeking approval as a domestic surplus lines insurer in this state and stating that the insurer shall only write surplus line business. The resolution shall not be amended without approval of the commissioner.

2019.

CODE: Corrective provision for SF 274 (College Campus Free Speech Act).

DETAIL: This Act was approved by the General Assembly on March 26, 2019, and signed by the Governor on March 27, 2019.

CODE: Corrective provision for HF 679 (Substantive Code Editor's Bill).

DETAIL: This Bill was approved by the General Assembly on April 15, 2019.

CODE: Corrective provision for SF 558 (Domestic Surplus Lines Insurers Act).

DETAIL: This Act was approved by the General Assembly on April 8, 2019, and signed by the Governor on April 9, 2019.
The text is a page from a legal document, containing amendments to various sections of the code. The amendments include:

- Section 522E.13, subsection 6, Code 2019, as amended by 2019 Iowa Acts, Senate File 559, section 6, is amended to read as follows:
- Whenever notice or correspondence with respect to a policy of portable electronics insurance is required pursuant to this section, it shall be in writing and sent within the notice period required pursuant to this section. Notices and correspondence shall be sent to the licensed portable electronics vendor that is the policyholder at the portable electronics vendor’s mailing or electronic mail address specified for that purpose and to its affected enrolled consumers’ last known mailing or electronic mail addresses on file with the insurer or the portable electronics vendor. All notices and documents that are delivered by electronic means shall comply with section 505B.1, except for the provisions in section 505B.1, subsection 4. The insurer or portable electronics vendor shall maintain proof that the notice or correspondence was sent for not less than three years after that notice or correspondence was sent.

- Section 633.648, Code 2019, as amended by 2019 Iowa Acts, House File 610, section 34, if enacted, is amended to read as follows:
- APPOINTMENT OF ATTORNEY IN COMPROMISE OF PERSONAL INJURY SETTLEMENTS.
- Notwithstanding the provisions of section 633.642 prior to authorizing a compromise of a claim for damages on account of personal injuries to the ward protected person, the court may order an independent investigation by an attorney other than by the attorney for the conservator. The cost of such investigation, including a reasonable attorney fee, shall be taxed as part of the cost of the conservatorship.

- Sections 15E.206, subsection 3, paragraph “a”; 15E.207, subsection 2, paragraph “b”, subparagraph (2), subparagraph division (c); 15E.208, subsection 5, paragraph “g”, subparagraphs (1) and (2); 15E.208, subsection 6, paragraph “d”, subparagraph (1), subparagraph division (a); 135.61, unnumbered paragraph 1; 135.61, subsection 1, paragraph “d”; 135.61, subsection 4; 135.62, subsection 1; 135.62, subsection 2, paragraph “f”, subparagraphs (2), (4), and (5); 135.63, subsection 1; 135.63, subsection 2, unnumbered paragraph 1; 135.63, subsection 2, paragraph “f”; 135.63, subsection 2, paragraph “g”, subparagraph (1); 135.63, subsection 2, paragraph “h”, subparagraph (1), unnumbered
DIVISION V

STATE BUDGET PROCESS

Sec. 15. Section 8.6, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION 16. SALARY MODEL ADMINISTRATOR. To designate a position within the department to serve as the salary model administrator.

a. The salary model administrator shall work in conjunction with the legislative services agency to maintain the state’s salary model used for analyzing, comparing, and projecting state employee salary and benefit information, including information relating to employees of the state board of regents.

b. The department of revenue, the department of administrative services, the institutions governed by the state board of regents pursuant to section 262.7, each judicial district’s department of correctional services, and the state department of transportation shall provide salary data to the

CODE: Adds a new subsection to the Iowa Code section 8.6 requiring the Salary Model Administrator to work with the Legislative Services Agency (LSA) to maintain the State’s salary model. Requires various departments to submit salary data to the Debarment of Management (DOM) and the LSA.

DETAIL: Codifies language included in previous Standings Appropriations Acts.
department of management and the legislative services agency
to operate the state's salary model. The format and frequency
of provision of the salary data shall be determined by the
department of management and the legislative services agency.
c. The information shall be used in collective bargaining
processes under chapter 20 and in calculating the funding needs
contained within any annual salary adjustment legislation.
A state employee organization as defined in section 20.3,
subsection 4, may request information produced by the model,
but the information provided shall not contain information
attributable to individual employees.

Sec. 16. Section 8.23, subsection 1, unnumbered paragraph
1, Code 2019, is amended to read as follows:
On or before October 1, prior to each legislative session,
all departments and establishments of the government shall
transmit to the director, on blanks to be furnished by the
director, estimates of their expenditure requirements,
including every proposed expenditure, for the ensuing fiscal
year, classified so as to distinguish between expenditures
estimated for administration, operation, and maintenance, and
the cost of each project involving the purchase of land or the
making of a public improvement or capital outlay of a permanent
character, together with supporting data and explanations
as called for by the director after consultation with the
legislative services agency.

Sec. 17. Section 8.23, subsection 1, paragraph a, Code 2019,
is amended to read as follows:
The estimates of expenditure requirements shall be
based upon seventy-five percent of the funding provided for
the current fiscal year accounted for by program reduced by
the historical employee vacancy factor in a form specified by
the director, and the remainder of the estimate of expenditure
requirements shall include all proposed expenditures and shall
be prioritized by program or the results to be achieved. The
estimates shall be accompanied with performance measures
for evaluating the effectiveness of the program programs or
results.

Sec. 18. Section 602.1301, subsection 2, paragraph a,
unnumbered paragraph 1, Code 2019, is amended to read as
follows:
As early as possible, but not later than December 1, the
supreme court shall submit to the legislative services agency
the annual budget request and detailed supporting information
for the judicial branch. The submission shall be designed
to assist the legislative services agency in its preparation

CODE: Codifies language included in previous Standing Appropriations
Acts relating to the submission of annual budgets by State
departments. Requires the Director of the DOM to consult with LSA
concerning the content of the budget data.

CODE: Requires State agencies to submit budget information to the
DOM and include all proposed expenditures, supporting data, and
explanations, prioritized by program or the results to be achieved.

DETAIL: This requirement replaces the statutory budget submission
requirements for Executive Branch agencies in Iowa Code section
8.23 which requires all departments to submit annual budgets based
on 75.00% of the funding provided for the current fiscal year. The
budget submission requirement in this bill has been in place for the
past 10 fiscal years and was first applicable to the FY 2007 budget.

CODE: Codifies language included in previous Standing Appropriations
Acts regarding Judicial Branch budget requests to the LSA.

DETAIL: Replaces statutory budget submission requirements for the
Judicial Branch in Iowa Code Section 8.23. This provision removes the
language requiring expenditure requirements to be based upon
100.00% of funding for the current fiscal year. This requirement has
been included in previous annual Standing Appropriations Acts.
for legislative consideration of the budget request. The
information submitted shall contain and be arranged in a format
substantially similar to the format specified by the director
of the department of management and used by all departments
and establishments in transmitting to the director estimates
of their expenditure requirements pursuant to section 8.23,
except the estimates of expenditure requirements shall be based
upon one hundred percent of funding for the current fiscal
year accounted for by program, and using the same line item
definitions of expenditures as used for the current fiscal
year’s budget request, and the remainder of the estimate of
expenditure requirements prioritized by program. The supreme
court shall also make use of the department of management’s
automated budget system when submitting information to the
director of the department of management to assist the director
in the transmittal of information as required under section
8.35A. The supreme court shall budget and track expenditures by
the following separate organization codes:

DIVISION VI
BLACKOUT SPECIAL REGISTRATION PLATES

Sec. 19. Section 321.34, Code 2019, is amended by adding the
following new subsection:
NEW SUBSECTION 11C. BLACKOUT PLATES.

a. Upon application and payment of the proper fees,
the director may issue blackout plates to the owner of a
motor vehicle subject to registration under section 321.109,
subsection 1, autocycle, motor truck, motor home, multipurpose
vehicle, motorcycle, trailer, or travel trailer.
b. Blackout plates shall be designed by the department. A
blackout plate’s background shall be black, and the plate’s
letters and numbers shall be white.
c. The special blackout fee for letter-number designated
blackout plates is thirty-five dollars. An applicant may
obtain personalized blackout plates upon payment of the fee for
personalized plates as provided in subsection 5, which is in
addition to the special blackout fee. The fees collected by
the director under this subsection shall be paid monthly to
the treasurer of state and deposited in the road use tax fund.
The treasurer of state shall credit monthly from the statutory
allocations fund created under section 321.145, subsection 2,
to each county’s county mental health and disabilities services
fund created pursuant to section 331.424A, the amount of the
special blackout fees collected in the previous month for the
blackout plates issued to vehicles registered in that county.
d. Upon receipt of the special registration plates, the
applicant shall surrender the current registration plates to

CODE: Creates a new special motor vehicle license plate with a
blackout design.

DETAIL: The fee for the license plate is $35 with an annual $10
registration fee charged in addition to the regular annual registration
fee. An additional $5 fee is applied for personalized plates in addition
to the standard $25 personalized plate fee. Revenues from the
blackout license plate fees will be directed to the County’s Mental
Health and Disabilities Services Fund under Iowa Code section
331.424A.
the county treasurer. The county treasurer shall validate
the special registration plates in the same manner as regular
registration plates are validated under this section. The
annual special blackout fee for letter-number designated plates
is ten dollars which shall be paid in addition to the regular
annual registration fee. The annual fee for personalized
blackout plates is five dollars which shall be paid in addition
to the annual special blackout fee and the regular annual
registration fee. The annual special blackout fee shall be
credited as provided under paragraph “c”.

The department shall not condition the issuance of
blackout plates on the receipt of any number of orders for
blackout plates.

Sec. 20. Section 321.166, subsection 9, Code 2019, is
amended to read as follows:

9. Special registration plates issued pursuant to section
321.34, other than gold star, medal of honor, collegiate, fire
fighter, and natural resources, and blackout registration
plates, shall be consistent with the design and color of
regular registration plates but shall provide a space on a
portion of the plate for the purpose of allowing the placement
of a distinguishing processed emblem or an organization
decal. Special registration plates shall also comply with
the requirements for regular registration plates as provided
in this section to the extent the requirements are consistent
with the section authorizing a particular special vehicle
registration plate.

CODE: Adds the blackout license plate design to license plates
exempted from Iowa Code section 321.34 license plate requirements
regarding design, color, and emblems/decals.

DETAIL: The blackout license plate design will be exempted along with
gold star, medal of honor, collegiate, fire fighter, and natural resources
license plates from requiring a space for the placement of an emblem
or an organization decal.
# Unassigned Standings
## General Fund

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<td>$128,900,000</td>
<td>$41,100,000</td>
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<td>$41,100,000</td>
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</table>
### Unassigned Standings

#### General Fund

<table>
<thead>
<tr>
<th>Public Defense, Department of</th>
<th>Actual FY 2018</th>
<th>Estimated FY 2019</th>
<th>Current Law</th>
<th>Senate Standings SF 638</th>
<th>Net Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Defense, Dept. of</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compensation and Expense</td>
<td>$ 612,201</td>
<td>$ 342,556</td>
<td>$ 342,556</td>
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<tr>
<td>Total Public Defense, Department of</td>
<td>$ 612,201</td>
<td>$ 342,556</td>
<td>$ 342,556</td>
<td>$ 0</td>
<td>$ 342,556</td>
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</table>

<table>
<thead>
<tr>
<th>Public Safety, Department of</th>
<th>Actual FY 2018</th>
<th>Estimated FY 2019</th>
<th>Current Law</th>
<th>Senate Standings SF 638</th>
<th>Net Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Safety, Dept. of</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DPS - POR Unfunded Liabilities</td>
<td>$ 5,000,000</td>
<td>$ 5,000,000</td>
<td>$ 5,000,000</td>
<td>$ 0</td>
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<tr>
<td>Total Public Safety, Department of</td>
<td>$ 5,000,000</td>
<td>$ 5,000,000</td>
<td>$ 5,000,000</td>
<td>$ 0</td>
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</table>

<table>
<thead>
<tr>
<th>Revenue, Department of</th>
<th>Actual FY 2018</th>
<th>Estimated FY 2019</th>
<th>Current Law</th>
<th>Senate Standings SF 638</th>
<th>Net Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue, Dept. of</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Homestead Tax Credit Aid - GF</td>
<td>$ 137,306,758</td>
<td>$ 135,071,538</td>
<td>$ 130,316,500</td>
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<tr>
<td>Elderly &amp; Disabled Tax Credit</td>
<td>20,741,534</td>
<td>24,690,028</td>
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<tr>
<td>Ag Land Tax Credit - GF</td>
<td>39,072,143</td>
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<tr>
<td>Military Service Tax Exemption</td>
<td>1,894,661</td>
<td>1,961,234</td>
<td>1,352,000</td>
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<tr>
<td>Comm &amp; Industrial Prop Tax Replacement</td>
<td>152,063,510</td>
<td>152,114,544</td>
<td>152,114,544</td>
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<tr>
<td>Business Property Tax Credit</td>
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<td>125,000,000</td>
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<tr>
<td>Total Revenue, Department of</td>
<td>$ 476,078,606</td>
<td>$ 477,937,344</td>
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<tr>
<td>Total Unassigned Standings</td>
<td>$ 3,746,466,804</td>
<td>$ 3,864,188,258</td>
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<td>$ -31,749,689</td>
<td>$ 3,860,088,325</td>
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