Justice System Appropriations Bill
Senate File 615

An Act relating to appropriations to the justice system, and including effective date and retroactive applicability provisions.
FUNDING SUMMARY

**General Fund FY 2020:** Appropriates a total of $583.8 million from the General Fund and 5,424.9 full-time equivalent (FTE) positions to the Departments of Justice, Corrections, Inspections and Appeals, Public Defense, Human Rights, Public Safety, and Homeland Security and Emergency Management; the Iowa Law Enforcement Academy; the Board of Parole; and the Iowa Civil Rights Commission for FY 2020. This is an increase of $13.0 million and 32.5 FTE positions compared to estimated net FY 2019.

**General Fund Supplemental Appropriations FY 2019:** Appropriates a total of $2.8 million from the General Fund for FY 2019 supplemental appropriations. The supplemental appropriations include:

- An additional $2.5 million for the Indigent Defense Fund.
- An additional $286,000 for Iowa Law Enforcement Academy relocation expenses.

**Other Funds FY 2020:** Appropriates a total of $17.8 million from other funds for FY 2020. This is an increase of $100,000 compared to estimated net FY 2019.

**Standing Appropriations FY 2020:** Appropriates a total of $10,000 for State Cases Court Costs.

NEW PROGRAMS, SERVICES, OR ACTIVITIES

**Criminal and Juvenile Justice Planning Division, Department of Human Rights (CJJP):** Provides a new General Fund appropriation for a single grant to a program committed to deterring juvenile delinquency through early intervention in the criminal justice system by providing comprehensive, multifaceted delivery of social services to a city with a higher than average juvenile crime rate as determined by the CJJP and a population of greater than 80,000 as determined by the 2010 federal decennial census.

**Department of Public Safety, Division of the State Fire Marshal:** Creates a Fire Service Training Revolving Fund under the control of the Department of Public Safety.

**Department of Public Safety (DPS):** Creates a Public Safety Survivor Benefits Fund under the control of the DPS. The Fund will consist of moneys transferred from the Iowa Lottery Authority (ILA) and any other moneys appropriated or deposited in the Fund for purposes of providing resources to assist surviving family members of eligible peace officers and fire fighters killed in the line of duty in paying costs associated with accident or health care coverage.

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS
Department of Justice (DOJ): An increase of $408,000 and a decrease of 0.3 FTE position compared to estimated net FY 2019.

Department of Corrections (DOC): An increase of $4.1 million and 10.8 FTE positions compared to estimated net FY 2019. The changes include:
- An increase of $3.5 million for Corrections Administration.
- A decrease of $492,000 for County Confinement.
- A decrease of $250,000 for Federal Prisoner Reimbursements.
- An increase of $504,000 for the Oakdale Correctional Facility.
- An increase of $66,000 for the Newton Correctional Facility.
- An increase of $125,000 for Community-Based Corrections (CBC) District 1.
- An increase of $70,000 for CBC District 2.
- An increase of $70,000 for CBC District 3.
- An increase of $70,000 for CBC District 4.
- An increase of $141,000 for CBC District 5.
- An increase of $70,000 for CBC District 7.
- An increase of $279,000 for CBC District 8.

Office of the State Public Defender: An increase of $450,000 for the Office of the State Public Defender and an increase of $3.1 million to the Indigent Defense Fund compared to estimated net FY 2019.

Department of Public Safety (DPS): An increase in funding of $3.8 million compared to estimated net FY 2019 and an increase of 25.0 FTE positions. This includes an increase of:
- $350,000 and 5.0 FTE positions to the Division of Criminal Investigation.
- $1.7 million and 10.0 FTE positions for the Iowa State Patrol.
- $200,000 to Narcotics Enforcement.
- $1.6 million for Department-wide duties, including operations, costs, and miscellaneous purposes.

SIGNIFICANT CODE CHANGES

Amends Iowa Code section 13.2(1)(a) and (b) regarding the duties of the Attorney General. Allows the Attorney General to prosecute all actions or proceedings in which the State may be a party or interested, in a court outside of Iowa, when requested by the Governor, Executive Council, or General Assembly. The Attorney General may prosecute in an Iowa court, or defend in any court other than Iowa, when in the Attorney General's judgment the interest of the State requires such action, or when requested to do so by the Governor, Executive Council, or General Assembly. This section was vetoed by the Governor.
Requires the Attorney General to report to the Legislative Services Agency and the Department of Management all money settlement awards and court money awards which were awarded to the State of Iowa. The Attorney General is required to report which funds are designated to receive the moneys and under what legal authority the designation is being made.

Repeals Iowa Code section 7A.6, which requires the Attorney General to submit a biennial report to the Governor. This report is no longer required by statute and Iowa Code section 7A.6 is no longer necessary.

Allows the DOC to use any General Fund resources appropriated to the Department for FY 2019 for the resolution of the settlement agreement with the Division of Labor Services within Iowa Workforce Development, requiring the DOC to remedy the Occupational Safety and Health Administration (OSHA) citation issued by providing adequate means of communication for employees to summon assistance during violent attacks, which must be abated by March 1, 2020.

Amends Iowa Code section 815.7(4A) to increase the hourly rates for court-appointed counsel by $3.00 for each case type beginning in FY 2020.

**EFFECTIVE DATE**

Specifies that the supplemental FY 2019 General Fund appropriations to the ILEA and the Indigent Defense Fund take effect upon enactment.

Specifies that the section of this Act amending Iowa Code section 13.2 takes effect upon enactment. *This section was vetoed by the Governor.*

Specifies that Division IV of this Act takes effect upon enactment and applies retroactively to July 1, 2018.

Specifies that Division V of this Act takes effect upon enactment.

Specifies that Section 36 of this Act takes effect upon enactment.

**GOVERNOR'S VETOES**

**Attorney General Duties:** The Governor vetoed Section 24 which amends the Attorney General's statutory duties to require the approval of the Governor, Executive Council, or General Assembly to prosecute any action or proceeding, including signing onto or authorizing amicus briefs or letters of support, in any court or tribunal other than an Iowa state court.
Attorney General Duties: The Governor vetoed Section 28 which specifies that the section of this Act amending the duties of the Attorney General is effective upon enactment.

ENACTMENT DATE

This Act was approved by the General Assembly on April 24, 2019, and item vetoed and signed by the Governor on May 22, 2019.

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Senate File 615 provides for the following changes to the Code of Iowa.

<table>
<thead>
<tr>
<th>Page #</th>
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<th>Bill Section</th>
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DIVISION I

FY 2019-2020

APPROPRIATIONS

Section 1. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

   a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, matching funds for federal violence against women grant programs, victim assistance grants, office of drug control policy prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

   ...................................................................... $ 5,989,473
   ................................................................... FTEs 215.00

   As a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing each agency or department.

   The general office of attorney general may temporarily exceed and draw more than the amount appropriated in this lettered paragraph and incur a negative cash balance as long as there are receivables equal to or greater than the negative balances and the amount appropriated in this paragraph is not exceeded at the close of the fiscal year.

   b. For victim assistance grants:

   ...................................................................... $ 5,016,708

   The moneys appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

   The balance of the victim compensation fund established in section 915.94 may be used to provide salary and support

General Fund appropriation to the Department of Justice (DOJ) for the Office of the Attorney General for salaries, support, maintenance, and miscellaneous purposes.

DETAIL: This is an increase of $77,768 and an increase of 0.04 full-time equivalent (FTE) position compared to estimated net FY 2019.

Specifies that it is the intent of the General Assembly that the DOJ maintain a record of the estimated time incurred to represent each agency or department.

Permits the Office of the Attorney General to incur a negative General Fund balance as long as there are equal receivables available to the Office by the close of the fiscal year.

General Fund appropriation to the DOJ for the Victim Assistance Grants Program.

DETAIL: This is no change in funding and a decrease of 0.34 FTE position compared to estimated net FY 2019.

Requires victim assistance funds to be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault.

Permits 24.00 FTE positions to be funded from the Victim Compensation Fund to administer the victim compensation functions of...
of not more than 24.00 full-time equivalent positions and to
provide maintenance for the victim compensation functions
of the department of justice. In addition to the full-time
equivalent positions authorized pursuant to this paragraph,
5.00 full-time equivalent positions are authorized and shall
be used by the department of justice to employ one accountant
and four program planners. The department of justice may
employ the additional 5.00 full-time equivalent positions
authorized pursuant to this paragraph that are in excess of the
number of full-time equivalent positions authorized only if
the department of justice receives sufficient federal moneys
to maintain employment for the additional full-time equivalent
positions during the current fiscal year. The department
shall only employ the additional 5.00 full-time equivalent positions in succeeding fiscal years if sufficient federal moneys are received during each of those succeeding fiscal years.

The department of justice shall transfer at least $150,000 from the victim compensation fund established in section 915.94 to the victim assistance grant program.

Notwithstanding section 8.33, moneys appropriated in this paragraph “b” 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 until the close of the succeeding fiscal year.

c. For legal services for persons in poverty grants as provided in section 13.34:

<table>
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<tr>
<th>Amount</th>
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<tr>
<td>$2,634,601</td>
<td>General Fund appropriation to the DOJ for the Legal Services Poverty Grants Program.</td>
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Requires the DOJ to transfer at least $150,000 from the Victim Compensation Fund to the Victim Assistance Grant Program in FY 2020.

CODE: Allows any unexpended funds appropriated for the Victim Assistance Grants Program to remain available through the end of FY 2021 for the purposes designated.

Requires the DOJ to submit a report with the FY 2021 budget estimate that specifies the amount of funding from all non-General Fund sources and any revisions that occur as a result of actual reimbursements. The report is to include actual reimbursements for FY 2019 and actual and expected FY 2020 reimbursements from other agencies and internal funds.
are not limited to reimbursements from other state agencies, commissions, boards, or similar entities, and reimbursements from special funds or internal accounts within the department of justice. The department of justice shall also report actual reimbursements for the fiscal year commencing July 1, 2018, and actual and expected reimbursements for the fiscal year commencing July 1, 2019.

b. The department of justice shall include the report required under paragraph “a”, as well as information regarding any revisions occurring as a result of reimbursements actually received or expected at a later date, in a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency. The department of justice shall submit the report on or before January 15, 2020.

3. a. The department of justice shall fully reimburse the costs and necessary related expenses incurred by the Iowa law enforcement academy to continue to employ one additional instructor position who shall provide training for human trafficking-related issues throughout the state.

b. The department of justice shall obtain the moneys necessary to reimburse the Iowa law enforcement academy to employ such an instructor from unrestricted moneys from either the victim compensation fund established in section 915.94, the human trafficking victim fund established in section 915.95, or the human trafficking enforcement fund established in 2015 Iowa Acts, chapter 138, section 141.

Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated from the department of commerce revolving fund created in section 546.12 to the office of consumer advocate of the department of justice for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

<table>
<thead>
<tr>
<th>Positions</th>
<th>Amount</th>
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Sec. 3. DEPARTMENT OF CORRECTIONS —— FACILITIES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts,
or so much thereof as is necessary, to be used for the purposes designated:

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

   $41,213,841

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

   $32,414,148

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

   $61,812,427

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

   $28,327,158

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

   $25,676,413

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

   $10,521,861

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

   $24,847,950

General Fund appropriation to the DOC for the Fort Madison Correctional Facility.
DETAIL: This is no change compared to estimated net FY 2019.

General Fund appropriation to the DOC for the Anamosa Correctional Facility.
DETAIL: This is no change compared to estimated net FY 2019.

General Fund appropriation to the DOC for the Oakdale Correctional Facility.
DETAIL: This is an increase of $504,000 compared to estimated net FY 2019. The increase is intended to address the rising pharmaceutical costs and increased use of the pharmacy by the correctional population at the Iowa Medical and Classification Center.

General Fund appropriation to the DOC for the Newton Correctional Facility.
DETAIL: This is an increase of $65,938 compared to estimated net FY 2019. The increase is intended to fund a new Revocation Correctional Counselor position at the Newton Correctional Facility.

General Fund appropriation to the DOC for the Mount Pleasant Correctional Facility.
DETAIL: This is no change compared to estimated net FY 2019.

General Fund appropriation to the DOC for the Rockwell City Correctional Facility.
DETAIL: This is no change compared to estimated net FY 2019.

General Fund appropriation to the DOC for the Clarinda Correctional Facility.
DETAIL: This is no change compared to estimated net FY 2019.
Moneys received by the department of corrections as reimbursement for services provided to the Clarinda youth corporation are appropriated to the department and shall be used for the purpose of operating the Clarinda correctional facility.

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, and miscellaneous purposes:
   $23,294,090

i. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, and miscellaneous purposes:
   $30,067,231

j. For reimbursement of counties for temporary confinement of prisoners, as provided in sections 901.7, 904.908, and 906.17, and for offenders confined pursuant to section 904.513:
   $1,082,635

k. For federal prison reimbursement, reimbursements for out-of-state placements, and miscellaneous contracts:
   $234,411

2. The department of corrections shall use moneys appropriated in subsection 1 to continue to contract for the services of a Muslim imam and a Native American spiritual leader.

Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general administration, including salaries and the adjustment of salaries throughout the department, support, teaching, and miscellaneous purposes:
   $3,486,307

Appropriates reimbursements from the Clarinda Youth Academy to the DOC for operating costs associated with the Clarinda Correctional Facility.

General Fund appropriation to the DOC for the Mitchellville Correctional Facility.

DETAIL: This is no change compared to estimated net FY 2019.

General Fund appropriation to the DOC for the Fort Dodge Correctional Facility.

DETAIL: This is no change compared to estimated net FY 2019.

General Fund appropriation to the DOC for the County Confinement Account to pay for holding alleged parole and work release violators until their revocation hearings.

DETAIL: This is a decrease of $492,457 compared to estimated net FY 2019. The decrease in funding is due to savings created by the LEAN project conducted by the Department of Management (DOM).

General Fund appropriation to the DOC to reimburse the federal Bureau of Prisons for confining Iowa inmates and to pay miscellaneous contracts.

DETAIL: This is a decrease of $250,000 compared to estimated net FY 2019. The decrease in funding is due to savings created by the LEAN project conducted by the DOM.

Requires the DOC to contract with a Muslim imam and a Native American spiritual leader to provide religious services and religious counseling.

General Fund appropriation to the DOC for general administration, including salaries and the adjustment of salaries throughout the Department, support, maintenance, employment of an education director to administer a centralized education program for the correctional system, and miscellaneous purposes.

DETAIL: This is an increase of $3,486,307 compared to estimated net FY 2019. The increase is intended for the general operations of DOC.
maintenance, employment of an education director to administer
a centralized education program for the correctional system,
and miscellaneous purposes:

---------------------------------------- $ 8,773,216

a. It is the intent of the general assembly that each
lease negotiated by the department of corrections with a
private corporation for the purpose of providing private
industry employment of inmates in a correctional institution
shall prohibit the private corporation from utilizing inmate
labor for partisan political purposes for any person seeking
election to public office in this state and that a violation
of this requirement shall result in a termination of the lease
agreement.

b. It is the intent of the general assembly that as a
condition of receiving the appropriation provided in this
subsection the department of corrections shall not enter into
a lease or contractual agreement pursuant to section 904.809
with a private corporation for the use of building space for
the purpose of providing inmate employment without providing
that the terms of the lease or contract establish safeguards to
restrict, to the greatest extent feasible, access by inmates
working for the private corporation to personal identifying
information of citizens.

2. For educational programs for inmates at state penal
institutions:

---------------------------------------- $ 2,608,109

a. To maximize the funding for educational programs,
the department shall establish guidelines and procedures to
prioritize the availability of educational and vocational
training for inmates based upon the goal of facilitating an
inmate's successful release from the correctional institution.

b. The director of the department of corrections may
transfer moneys from Iowa prison industries and the canteen
operating funds established pursuant to section 904.310, for
use in educational programs for inmates.

c. Notwithstanding section 8.33, moneys appropriated in
this subsection that remain unobligated or unexpended at the
close of the fiscal year shall not revert but shall remain
available to be used only for the purposes designated in this
General Fund appropriation to the DOC for educational programs for
inmates.

DETAIL: This is no change in funding compared to estimated net
FY 2019. The DOC contracts with local community colleges for
education services for offenders.

Requires the DOC to establish guidelines and procedures to prioritize
the availability of educational and vocational training for offenders.

Permits the DOC to use funds from Iowa Prison Industries (IPI) and the
Canteen Funds for educational programs.

CODE: Requires nonreversion of appropriated funds for the
Corrections Education Program through the end of FY 2021 for the
purposes designated.
subsection until the close of the succeeding fiscal year.

For the development and operation of the Iowa corrections offender network (ICON) data system:
$ 2,000,000

For offender mental health and substance abuse treatment:
$ 28,065

Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL SERVICES.

There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2019, and ending June 30, 2020, for salaries, support, maintenance, and miscellaneous purposes, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the first judicial district department of correctional services:
$ 15,069,356

It is the intent of the general assembly that the first judicial district department of correctional services maintain the drug courts operated by the district department.

b. For the second judicial district department of correctional services:
$ 11,618,090

It is the intent of the General Assembly that the First CBC District Department maintain its drug court.

General Fund appropriation to the DOC for the First CBC District Department.
DETAIL: This is an increase of $125,090 compared to estimated net FY 2019. The increase is intended to fund an additional 1.77 Community Treatment Coordinator FTE positions.

Specifies that it is the intent of the General Assembly that the First CBC District Department maintain its drug court.

General Fund appropriation to the DOC for the Second CBC District Department.
DETAIL: This is an increase of $70,351 compared to estimated net FY 2019. The increase is intended to fund an additional 1.00
It is the intent of the general assembly that the second judicial district department of correctional services maintain two drug courts to be operated by the district department.

c. For the third judicial district department of correctional services:

$7,318,308

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

$5,811,273

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

$21,986,762

It is the intent of the general assembly that the fifth judicial district department of correctional services maintain the drug court operated by the district department.

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

$14,839,165

It is the intent of the general assembly that the sixth judicial district department of correctional services maintain the drug court operated by the district department.

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

$7,919,692

Community Treatment Coordinator FTE position.

Specifies that it is the intent of the General Assembly that the Second CBC District Department maintain two drug courts.

General Fund appropriation to the DOC for the Third CBC District Department.

DETAIL: This is an increase of $70,351 compared to estimated net FY 2019. The increase is intended to fund an additional 1.00 Community Treatment Coordinator FTE position.

General Fund appropriation to the DOC for the Fourth CBC District Department.

DETAIL: This is an increase of $70,351 compared to estimated net FY 2019. The increase is intended to fund an additional 1.00 Community Treatment Coordinator FTE position.

General Fund appropriation to the DOC for the Fifth CBC District Department.

DETAIL: This is an increase of $140,702 compared to estimated net FY 2019. The increase is intended to fund an additional 2.00 Community Treatment Coordinator FTE positions.

Specifies that it is the intent of the General Assembly that the Fifth CBC District Department maintain its drug court.

General Fund appropriation to the DOC for the Sixth CBC District Department.

DETAIL: This is no change compared to estimated net FY 2019.

Specifies that it is the intent of the General Assembly that the Sixth CBC District Department maintain its drug court.

General Fund appropriation to the DOC for the Seventh CBC District Department.
It is the intent of the general assembly that the seventh judicial district department of correctional services maintain the drug court operated by the district department.

For the eighth judicial district department of correctional services:

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

- Each judicial district department of correctional services shall provide alternatives to prison consistent with Iowa Code chapter 901B. The alternatives to prison shall ensure public safety while providing maximum rehabilitation to the offender.

A judicial district department of correctional services may also establish a day program.

The governor's office of drug control policy shall consider federal grants made to the department of corrections for the benefit of each of the eight judicial district departments of correctional services as local government grants as defined by federal regulations.

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

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

Sec. 6. DEPARTMENT OF CORRECTIONS —— REALLOCATION OF
APPROPRIATIONS. Notwithstanding section 8.39, within the
moneys appropriated in this division of this Act to the
department of corrections, the department may reallocate the
moneys appropriated and allocated as necessary to best fulfill
the needs of the correctional institutions, administration
of the department, and the judicial district departments of
correctional services. However, in addition to complying with
the requirements of sections 904.116 and 905.8 and providing
notice to the legislative services agency, the department
or reallocation of an appropriation made pursuant to this
section. The department of corrections shall not reallocate an
appropriation or allocation for the purpose of eliminating any
program.

Sec. 7. INTENT —— REPORTS.
1. The department of corrections in cooperation with
townships, the Iowa cemetery associations, and other nonprofit
or governmental entities may use inmate labor during the
fiscal year beginning July 1, 2019, to restore or preserve
rural cemeteries and historical landmarks. The department in
cooperation with the counties may also use inmate labor to
clean up roads, major water sources, and other water sources
around the state.

2. On a quarterly basis the department shall provide a
status report regarding private-sector employment to the
legislative services agency beginning on July 1, 2019. The
report shall include the number of offenders employed in the
private sector, the combined number of hours worked by the
offenders, the total amount of allowances, and the distribution
of allowances pursuant to section 904.702, including any moneys
deposited in the general fund of the state.

Sec. 8. ELECTRONIC MONITORING REPORT. The department of
corrections shall submit a report on electronic monitoring to
the general assembly, to the co-chairpersons and the ranking
members of the joint appropriations subcommittee on the justice
system, and to the legislative services agency by January
15, 2020. The report shall specifically address the number

CODE: Permits funds appropriated to the DOC to be allocated as
necessary to fulfill appropriation needs within the Department. The
Department is not allowed to reallocate an appropriation unless notice
is given to the LSA and the DOM prior to the effective date of the
reallocation. The DOC is not allowed to reallocate the appropriations
for the purpose of eliminating a program.

Permits the DOC to work with nonprofit and governmental entities to
use inmate labor to restore or preserve rural cemeteries or historical
landmarks and to clean up roads and water resources.

Requires the DOC to provide a quarterly status report to the LSA
regarding private sector employment of inmates.

Requires the DOC to submit a report regarding electronic monitoring to
the General Assembly, the chairpersons and ranking members of the
Justice System Appropriations Subcommittee, and the LSA by January
of persons being electronically monitored and break down the
number of persons being electronically monitored by offense
committed. The report shall also include a comparison of any
data from the prior fiscal year with the current year.

Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

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

2. State agencies are encouraged to purchase products from
Iowa state industries, as defined in section 904.802, when
purchases are required and the products are available from
Iowa state industries. State agencies shall obtain bids from
Iowa state industries for purchases of office furniture during
the fiscal year beginning July 1, 2019, exceeding $5,000 or
in accordance with applicable administrative rules related to
purchases for the agency.

Encourages State agencies to buy products from IPI whenever
possible. Requires State agencies to obtain a bid from IPI for
purchases of office furniture exceeding $5,000, or in accordance with
administrative rules.

Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

1. There is appropriated from the general fund of the
state to the Iowa law enforcement academy for the fiscal year
beginning July 1, 2019, and ending June 30, 2020, the following
amount, or so much thereof as is necessary, to be used for the
purposes designated:

   a. (1) For salaries, support, maintenance, and
      jailer training and technical assistance, and for not more than the following full-time
      equivalent positions:
      .......................................................... $ 980,767
      .......................................................... FTEs 27.26

   (2) For the costs associated with temporary relocation of
      the Iowa law enforcement academy:
      .......................................................... $ 1,015,442

General Fund appropriation to the ILEA.

DETAIL: This is an increase of $9,426 and 3.01 FTE positions
compared to estimated net FY 2019. The additional 1.00 FTE position
would allow the ILEA to hire a law enforcement instructor to assist in
managing software and coursework for the Academy’s Online Campus.

General Fund appropriation to the ILEA for relocation expenses.

DETAILS: This is an increase of $729,460 compared to estimated net
FY 2019. This one-time appropriation will fund student housing and
classroom relocation expenses resulting from November 2018 flooding
and carbon monoxide damage to the Academy’s dormitory and
classroom facilities.

NOTE: Senate File 2414 (FY 2019 Infrastructure Appropriations Act)
appropriated $1,400,000 in FY 2019 and $10,800,000 in FY 2020 from
the Rebuild Iowa Infrastructure Fund (RIIF) to renovate ILEA facilities.
The Request for Proposal (RFP) process for the renovation project
b. The Iowa law enforcement academy may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

2. The Iowa law enforcement academy may select at least five automobiles of the department of public safety, division of administrative services to be disposed of by public auction, and the Iowa law enforcement academy may exchange any automobile owned by the academy for each automobile selected if the selected automobile is used in training law enforcement officers at the academy. However, any automobile exchanged by the academy shall be substituted for the selected vehicle of the department of public safety and sold by public auction with the receipts being deposited in the depreciation fund to the credit of the department of public safety, division of state patrol.

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

Sec. 11. STATE PUBLIC DEFENDER. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

   $ 26,955,139

   FTEs 223.00

Permits the ILEA to incur a negative General Fund balance as long as there are equal receivables available to the Academy by the close of the fiscal year.

Permits the ILEA to annually exchange at least five vehicles returned to the State Fleet Administrator by the Department of Public Safety (DPS) for any of the Academy's training vehicles. The vehicles received from the ILEA are to be sold at public auction, with the receipts to be deposited in the Depreciation Fund used to purchase new vehicles for the DPS.

Requires the ILEA to provide domestic abuse and human trafficking-related training throughout the State. This training is to be provided at no cost to the attendees and is not intended to replace any existing training related to domestic abuse and human trafficking currently offered by the ILEA.

General Fund appropriation to the Department of Inspections and Appeals (DIA) for the Office of the State Public Defender.

DETAIL: This is an increase of $449,840 and no change in FTE positions compared to estimated net FY 2019. This increase is intended for general operations of the Office of the State Public Defender.
For payments on behalf of eligible adults and juveniles from the indigent defense fund, in accordance with section 815.11:

$40,760,448

Sec. 12. BOARD OF PAROLE. There is appropriated from the general fund of the state to the board of parole for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

$1,234,687

FTEs 10.50

Sec. 13. DEPARTMENT OF PUBLIC DEFENSE.

1. There is appropriated from the general fund of the state to the department of public defense, for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

$6,405,545

FTEs 249.00

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

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

1. There is appropriated from the general fund of the state to the department of homeland security and emergency management:

General Fund appropriation to the DIA for the Indigent Defense Fund.

DETAIL: This is an increase of $3,116,000 compared to estimated net FY 2019. This increase is intended to fund the projected increase in claims to the Fund.

General Fund appropriation to the Board of Parole.

DETAIL: This is an increase of $13,313 and no change in FTE positions compared to estimated net FY 2019.

General Fund appropriation to the Department of Public Defense (DPD).

DETAIL: This is an increase of $70,584 and 4.00 FTE positions compared to estimated net FY 2019. The increase in FTE positions aligns the number of positions to the funds appropriated.

Permits the DPD to incur a negative cash balance as long as the Department has federal reimbursable expenses to cover the negative balance.

DETAIL: The DPD can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization permits the Department to use State General Fund moneys to cover these expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that permits the State to receive an advance of federal funds to meet payroll and other requirements. The Department has implemented the accounting procedure to use the new system.

General Fund appropriation to the Homeland Security and Emergency Management Department (HSEMD).

DETAIL: This is an increase of $1,267 and no change in FTE positions.
for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

$2,124,877  FTEs 31.03

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

Sec. 15. DEPARTMENT OF PUBLIC SAFETY. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

$4,734,703  FTEs 37.00

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

$15,013,083  FTEs 162.00

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

Permits the HSEMD to incur a negative cash balance as long as the Department has federal reimbursable expenses to cover the negative balance.

DETAIL: The HSEMD can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization permits the Department to use State General Fund moneys to cover these expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that permits the State to receive an advance of federal funds to meet payroll and other requirements. The Department has implemented the accounting procedure to use the new system.

General Fund appropriation to the DPS for public safety administration.

DETAIL: This is no change in funding and no change in FTE positions compared to estimated net FY 2019.

General Fund appropriation to the DPS for the Division of Criminal Investigation (DCI).

DETAIL: This is an increase of $350,000 and 5.00 FTE positions compared to estimated net FY 2019 to fund salary and benefits for 5.00 new Special Agent 2 FTE positions. This increase would allow the Division to accommodate the high turnaround rate associated with this job class due to the extensive nature of case work involved.

General Fund appropriation to the DPS for the Criminalistics Laboratory Fund.
Notwithstanding section 8.33, moneys appropriated in this subsection 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 until the close of the succeeding fiscal year.

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

   $ 7,985,873
   FTEs 65.00

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

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

   $ 209,042

5. For the division of state fire marshal, for fire protection services as provided through the state fire service and emergency response council as created in the department, and for the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries for
which the moneys are appropriated, and for not more than the
following full-time equivalent positions:

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<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>FTEs</th>
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<tbody>
<tr>
<td>General Fund appropriation to the Iowa State Patrol.</td>
<td>$4,965,056</td>
<td>49.00</td>
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</table>

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

General Fund appropriation to the Sick Leave Benefits Fund in the DPS to be used for payout of accrued sick leave under the collective bargaining agreement.

General Fund appropriation to the DPS for volunteer fire fighter training and related equipment needs.

CODE: Allows any unexpended funds appropriated for fire fighter training and equipment needs to remain available through the end of FY 2021 for the purposes designated.

Specifies that the DPS may reallocate funds appropriated for this section as necessary to best fulfill the needs provided for in the appropriation. The Department must notify the LSA and the DOM of any reallocation, and provide information regarding the rationale for reallocating moneys.
date of the reallocation. The notice shall include information regarding the rationale for reallocating the moneys. The department shall not reallocate moneys appropriated in this section for the purpose of eliminating any program.

For the public safety interoperable and broadband communications fund established in section 80.44:

$115,661

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

$150,000

FTEs 1.00

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

$1,597,834

Sec. 16. GAMING ENFORCEMENT.

There is appropriated from the gaming enforcement revolving fund created in section 80.43 to the department of public safety for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For any direct support costs for agents and officers of the division of criminal investigation’s excursion gambling boat, gambling structure, and racetrack enclosure enforcement activities, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

$10,469,077

FTEs 73.00

For each additional license to conduct gambling games on an excursion gambling boat, gambling structure, or racetrack enclosure issued during the fiscal year beginning July 1, 2019, there is appropriated from the gaming enforcement fund to the department of public safety for the fiscal year beginning July 1, 2019, and ending June 30, 2020, an additional amount of not more than $300,000 to be used for full-time equivalent FTE positions.
3. The department of public safety, with the approval of the
deptment of management, may employ no more than three special
agents for each additional riverboat or gambling structure
regulated after July 1, 2020, and three special agents for
each racing facility which becomes operational during the
teach year which begins July 1, 2020. Positions authorized
in this subsection are in addition to the full-time equivalent
positions otherwise authorized in this section.

Sec. 17. CIVIL RIGHTS COMMISSION.
1. There is appropriated from the general fund of the state
to the Iowa state civil rights commission for the fiscal year
beginning July 1, 2019, and ending June 30, 2020, the following
amount, or so much thereof as is necessary, to be used for the
purposes designated:

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

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<tr>
<td></td>
<td>$ 1,237,756</td>
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<td>FTEs 26.00</td>
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</tbody>
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2. The Iowa state civil rights commission may enter into
a contract with a nonprofit organization to provide legal
assistance to resolve civil rights complaints.

Sec. 18. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.
1. There is appropriated from the general fund of the state
to the criminal and juvenile justice planning division of the
department of human rights for the fiscal year beginning July
1, 2019, and ending June 30, 2020, the following amount or
so much thereof as is necessary, to be used for the purposes
designated:

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

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<tr>
<td></td>
<td>$ 1,226,399</td>
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<td>FTEs 8.99</td>
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b. (1) For a single grant to a program located in a city
with a higher than average juvenile crime rate as determined
by the criminal and juvenile justice planning division and
a population greater than 80,000 as determined by the 2010
federal decennial census, which may be used for studying,
planning, programming, and capital, that is committed to
deterring juvenile delinquency through early intervention in
the criminal justice system by providing a comprehensive,
multifaceted delivery of social services:

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

The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

Sec. 19. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT. There is appropriated from the 911 emergency communications fund created in section 34A.7A to the department of homeland security and emergency management for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For implementation, support, and maintenance of the functions of the administrator and program manager under chapter 34A and to employ the auditor of the state to perform an annual audit of the 911 emergency communications fund:

911 Emergency Communications Fund appropriation for the 911 Program Manager in the HSEMD for FY 2019.

Sec. 20. CONSUMER EDUCATION AND LITIGATION —— FARM MEDIATION AND PROSECUTIONS, APPEALS, AND CLAIMS. Notwithstanding section 714.16C, there is appropriated from the consumer education and litigation fund to the department of justice for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

Consumer Education and Litigation Fund appropriation to the DOJ for FY 2020 for farm mediation services.

DETAIL: This is a new appropriation for FY 2020. The grant funding is intended to be used for studying, planning, programming, and capital purchases related to a program that is committed to deterring juvenile delinquency through early intervention in the criminal justice system.

Specifies that the program committed to deterring juvenile delinquency through early intervention in the criminal justice system use no more that 5.00% of grant funding for administrative costs.

Requires the CJJP Advisory Council and the Juvenile Justice Advisory Council to coordinate their efforts.

DETAIL: This is no change in funding compared to estimated net FY 2019. The Department receives up to $250,000 and 2.00 FTE positions for the administration of the 911 service and to employ the State Auditor to perform an annual audit on the Fund.

DETAIL: This is no change in funding compared to estimated net FY 2019. Iowa Code section 13.13 requires the Attorney General to contract with a nonprofit organization to provide farm mediation services. Currently, the Attorney General contracts with Iowa Mediation
Services to provide farm mediation services for the State.

Consumer Education and Litigation Fund appropriation to the DOJ for salaries, support, maintenance, and miscellaneous purposes for criminal prosecutions, criminal appeals, and State tort claims in FY 2019.

DETAIL: This is no change compared to estimated net FY 2019.

General Fund supplemental appropriation to the ILEA for FY 2019.

DETAIL: This is a supplemental appropriation of $285,982 to assist the Academy in covering relocation costs of the Academy staff formerly operating out of the flood-damaged administrative building, and to accommodate the National Guard as it allows the ILEA to utilize its buildings for training and teaching purposes.


DETAIL: This is a supplemental appropriation of $2,500,000 to fund a projected shortfall to the Indigent Defense Fund in FY 2019.

Specifies that the supplemental FY 2019 General Fund appropriations to the ILEA and the Indigent Defense Fund take effect upon enactment.

CODE: Amends Iowa Code section 13.2(1)(a) and (b) regarding the duties of the Attorney General. Allows the Attorney General to prosecute all actions or proceedings in which the State may be a party
appellate courts in which the state is a party or interested.

b. (1) Prosecute and defend in any other Iowa state court or tribunal, all actions and proceedings, civil or criminal,

1 in which the state may be a party or interested, when, in the

2 attorney general’s judgment, the interest of the state requires

3 such action, or when requested to do so by the governor,

4 executive council, or general assembly.

5     (2) (a) Prosecute in any other court or tribunal other than

6 an Iowa state court or tribunal, all actions or proceedings

7 including signing onto or authoring amicus briefs or letters of

8 support, civil or criminal, in which the state may be a party

9 or interested, when requested to do so by or with the approval

10 of the governor, executive council, or general assembly.

11     (b) Defend in any other court or tribunal other than an

12 Iowa state court or tribunal, all actions or proceedings

13 including signing onto, civil or criminal, in which the state

14 may be a party or interested, when, in the attorney general’s

15 judgment, the interest of the state requires such action, or

16 when requested to do so by the governor, executive council, or

17 general assembly.

18     (c) Subparagraph divisions (a) and (b) shall not be

19 construed to affect any pending litigation in which the

20 attorney general is engaged as of the effective date of this

21 Act.

22     (3) The authority of the attorney general under this

23 paragraph shall be determined at the time the action is

24 initiated. Transfer of an action to a different court or

25 tribunal shall not affect the attorney general’s authority

26 under this paragraph if the attorney general had authority at

27 the time the action was initiated.

VETOED: The Governor vetoed this Section, citing an agreement with
the Attorney General to adjust the litigation practices of the Office.

CODE: Requires the Attorney General to report to the LSA and the
DOM all money settlement awards and court money awards which
were awarded to the State of Iowa. The Attorney General is required to
report which funds are designated to receive the moneys and under
what legal authority the designation is being made.

CODE: Extends the increases for two standing appropriations from the
Consumer Education and Litigation Fund to FY 2021. The appropriation
changes are as follows:

- The Consumer Fraud Education and Enforcement appropriation
  is increased from $1,125,000 to $1,875,000.
- The Older Iowans Consumer Fraud from appropriation is
  increased $75,000 to $125,000.
$125,000 respectively.

Sec. 27. REPEAL. Section 7A.6, Code 2019, is repealed.

Sec. 28. EFFECTIVE DATE. The following, being deemed of immediate importance, takes effect upon enactment:
The section of this Act amending section 13.2.

DIVISION IV
FIRE SERVICE TRAINING REVOLVING FUND

1. Fees assessed pursuant to this chapter shall be retained by the division of state fire marshal and such repayments received shall be used exclusively to offset the cost of fire service training. Fees charged by regional emergency response training centers for fire service training programs as described in section 100B.6 shall not be greater than the fee schedule established by rule by the state fire marshal.

CODE: Specifies that fees assessed and retained by the Division of the State Fire Marshal are to be used exclusively to offset the cost of fire service training, and cannot be greater than the fee schedule established by the State Fire Marshal through administrative rule.

DETAIL: These changes maintain the current level of funding for both appropriations. Under current law, Iowa Code section 714.16C(2) appropriates $1,125,000 from the Consumer Education and Litigation Fund to the Department of Justice to be used for public education relating to consumer fraud and for the enforcement of Iowa Code section 714.16 and federal consumer laws. In addition, Iowa Code section 714.16C(2) appropriates $75,000 from the Consumer Education and Litigation Fund to the DOJ to be used for investigation, prosecution, and consumer education relating to consumer and criminal fraud committed against older Iowans.

CODE: Repeals Iowa Code section 7A.6, which requires the Attorney General to submit a biennial report to the Governor. This report is no longer required by statute and Iowa Code section 7A.6 is no longer necessary.

DETAIL: Iowa Code section 13.2(1)(g) was repealed in HF 2492 (FY 2019 Justice System Appropriations Act). The repealed language required the Office of the Attorney General to submit a biennial report to the Governor concerning opinions rendered by the Office and business of public interest transacted by the Office. The report became obsolete due to availability of the required information from other sources, and the State Auditor has recommended that the Office of the Attorney General request the repeal of this requirement.

Specifies that the section of this Act amending Iowa Code section 13.2 takes effect upon enactment.

VETOED: The Governor vetoed this Section, citing an agreement with the Attorney General to adjust to the litigation practices of the Office.
Notwithstanding section 8.33, repayment receipts collected by the division of state fire marshal for the fire service training bureau 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 until the close of the succeeding fiscal year.

A fire service training revolving fund is created in the state treasury under the control of the department of public safety. The fund shall consist of fees assessed pursuant to this section, and deposited into the fire service training revolving fund. All moneys in the fund are appropriated to the department of public safety for purposes of fire service training and shall be under the control of the state fire marshal. Notwithstanding section 8.33, moneys in the fund that remain unencumbered or unobligated at the close of a fiscal year shall not revert but shall remain available for expenditures for the purposes designated until the close of the succeeding fiscal year. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the fund shall be credited to the fund.

Sec. 30. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 31. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to July 1, 2018.

DIVISION V
DEPARTMENT OF CORRECTIONS

Sec. 32. DEPARTMENT OF CORRECTIONS. Notwithstanding sections 8.33 and 8.39, the department of corrections may use any general fund resources appropriated to the department for the fiscal year beginning July 1, 2018, and ending June 30, 2019, for the resolution of the settlement agreement with the division of labor services to the amended citation P1582-1281728 dated October 18, 2018; requiring the department to remedy citation 1(a) by providing adequate means of communication for employees to summon assistance during violent attacks, which must be abated by March 1, 2020.

Sec. 33. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.
DIVISION VI
INDIGENT DEFENSE

Sec. 34. Section 815.7, subsection 4, Code 2019, is amended to read as follows:

4. For appointments made on or after July 1, 2007, through June 30, 2019, the reasonable compensation shall be calculated on the basis of seventy dollars per hour for class “A” felonies, sixty-five dollars per hour for class “B” felonies, and sixty dollars per hour for all other cases.

Sec. 35. Section 815.7, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION 4A. For appointments made on or after July 1, 2019, the reasonable compensation shall be calculated on the basis of seventy-three dollars per hour for class “A” felonies, sixty-eight dollars per hour for class “B” felonies, and sixty-three dollars per hour for all other cases.

Sec. 36. 2016 Iowa Acts, chapter 1137, section 21, subsection 1, is amended to read as follows:

1. Notwithstanding any other provision of the law to the contrary, for each fiscal year for the period beginning July 1, 2016, and ending June 30, 2022, the state public defender may establish a pilot project allowing an indigent person to choose an eligible attorney to represent the person in the person’s case that requires such representation. The state public defender shall have sole discretion to establish the pilot project in no more than four counties throughout the state. The state public defender may coordinate with other agencies and organizations in order to seek grant funding and to measure the results of the pilot project.

Sec. 37. EFFECTIVE DATE. The following, being deemed of immediate importance, takes effect upon enactment:

The section of this division of this Act amending 2016 Iowa Acts, chapter 1137, section 21, subsection 1.

DIVISION VII
PUBLIC SAFETY SURVIVOR BENEFITS FUND

Sec. 38. NEW SECTION 80.47 PUBLIC SAFETY SURVIVOR BENEFITS FUND.
Creates a Public Safety Survivor Benefits Fund under the control of the DPS.

DETAIL: The Public Safety Survivor Benefits Fund is created for the purpose of providing resources to assist surviving family members of eligible peace officers and fire fighters killed in the line of duty in paying costs associated with accident or health care coverage. The Fund shall consist of moneys transferred from the Iowa Lottery Authority (ILA) and any other moneys appropriated or deposited.

Specifies that of the total moneys appropriated or transferred to the Public Safety Survivor Benefits Fund per fiscal year, 50.00% will be distributed in the form of grants to nonprofit organizations that provide resources to assist surviving family members of eligible peace officers killed in the line of duty in paying costs associated with accident or health care coverage. When awarding these grants, the DPS must give first consideration to Concerns of Police Survivors, Inc. (COPS) and similar nonprofit organizations.

Specifies that the remaining 50.00% of funds in the Public Safety Survivor Benefits Fund per fiscal year will be distributed in the form of grants to nonprofit organizations that provide resources to assist surviving family members of eligible fire fighters killed in the line of duty in paying costs associated with accident or health care coverage. When awarding these grants, the DPS must give first consideration to Iowa Professional Fire Fighters, Inc. and similar nonprofit organizations.

CODE: Allows any unexpended funds appropriated to the Public Safety Survivors Benefits Fund to remain available through the end of FY 2021 for the purposes designated.

Transfers a total of $100,000 in lottery revenues to the Public Safety Survivor Benefits Fund annually, prior to the deposit of lottery revenues into the General Fund.

Specifies that if total fiscal year gaming revenues are insufficient to meet the total amount of revenues required to be deposited in the
a. Notwithstanding subsection 1, if gaming revenues under sections 99D.17 and 99F.11 are insufficient in a fiscal year to meet the total amount of such revenues directed to be deposited in the vision Iowa fund during the fiscal year pursuant to section 8.57, subsection 5, paragraph “e”, the difference shall be paid from lottery revenues prior to deposit of the lottery revenues in the general fund, and transfer of lottery revenues to the public safety survivor benefits fund as provided in subsection 3. If lottery revenues are insufficient during the fiscal year to pay the difference, the remaining difference shall be paid from lottery revenues prior to deposit of lottery revenues in the general fund, and the transfer of lottery revenues to the veterans trust fund as provided in subsection 3. If lottery revenues are insufficient during the fiscal year to pay the difference, the remaining difference must be paid in subsequent fiscal years as such revenue becomes available prior to the deposit of lottery revenues in the General Fund and transfers to the Veterans Trust Fund and Public Safety Survivor Benefits Fund.
## Summary Data
### General Fund

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<tbody>
<tr>
<td>Justice System</td>
<td>$556,576,931</td>
<td>$568,025,203</td>
<td>$2,785,982</td>
<td>$570,811,185</td>
<td>$576,240,824</td>
<td>$583,791,690 - $12,980,505</td>
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<td>Grand Total</td>
<td>$556,576,931</td>
<td>$568,025,203</td>
<td>$2,785,982</td>
<td>$570,811,185</td>
<td>$576,240,824</td>
<td>$583,791,690 - $12,980,505</td>
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## Justice System

### General Fund

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#### Attorney General

Justice, Dept. of

| General Office AG | $6,392,238 | $5,911,705 | $0 | $5,911,705 | $5,911,705 | $5,989,473 | $77,768 | PG 2 LN 4 |
| Legal Services Poverty Grants | 2,206,199 | 2,304,601 | 0 | 2,304,601 | 2,634,601 | 2,634,601 | 330,000 | PG 3 LN 27 |

**Total Attorney General**

$13,615,145 | $13,233,014 | $0 | $13,233,014 | $13,563,014 | $13,640,782 | $407,768 | |

#### Civil Rights Commission, Iowa

| Civil Rights Commission | $1,146,631 | $1,198,266 | $0 | $1,198,266 | $1,198,266 | $1,237,756 | $39,490 | PG 19 LN 9 |

**Total Civil Rights Commission, Iowa**

$1,146,631 | $1,198,266 | $0 | $1,198,266 | $1,198,266 | $1,237,756 | $39,490 | |

#### Corrections, Department of

| Corrections Administration | $5,046,968 | $5,287,909 | $0 | $5,287,909 | $5,346,881 | $8,773,216 | $3,485,307 | PG 6 LN 28 |
| County Confinement | 1,575,092 | 1,575,092 | 0 | 1,575,092 | 1,082,635 | 1,082,635 | -492,457 | PG 6 LN 17 |
| Federal Prisoners/Contractual | 484,411 | 484,411 | 0 | 484,411 | 234,411 | 234,411 | -250,000 | PG 6 LN 21 |
| Corrections Education | 2,608,109 | 2,608,109 | 0 | 2,608,109 | 2,608,109 | 2,608,109 | 0 | PG 7 LN 24 |
| Iowa Corrections Offender Network | 2,000,000 | 2,000,000 | 0 | 2,000,000 | 2,000,000 | 2,000,000 | 0 | PG 8 LN 6 |
| Mental Health/Substance Abuse | 28,065 | 28,065 | 0 | 28,065 | 28,065 | 28,065 | 0 | PG 8 LN 9 |
| State Cases Court Costs | 0 | 10,000 | 0 | 10,000 | 10,000 | 10,000 | 0 | |

**Central Office**

$11,742,645 | $11,993,586 | $0 | $11,993,586 | $11,310,101 | $14,736,436 | $2,742,850 | |

#### Fort Madison

| Ft. Madison Institution | $40,709,469 | $41,213,841 | $0 | $41,213,841 | $41,213,841 | $41,213,841 | $0 | PG 5 LN 11 |

#### Anamosa

| Anamosa Institution | $31,874,128 | $32,414,148 | $0 | $32,414,148 | $32,414,148 | $32,414,148 | $0 | PG 5 LN 15 |

#### Oakdale

| Oakdale Institution | $59,770,579 | $61,308,427 | $0 | $61,308,427 | $61,812,427 | $61,812,427 | $504,000 | PG 5 LN 19 |

#### Newton

| Newton Institution | $27,808,195 | $28,261,220 | $0 | $28,261,220 | $28,327,158 | $28,327,158 | $65,938 | PG 5 LN 19 |

#### Mount Pleasant

| Mount Pleasant Institution | $25,296,244 | $25,676,413 | $0 | $25,676,413 | $25,676,413 | $25,676,413 | $0 | PG 5 LN 23 |

#### Rockwell City

| Rockwell City Institution | $10,364,555 | $10,521,861 | $0 | $10,521,861 | $10,521,861 | $10,521,861 | $0 | PG 5 LN 27 |

#### Clarinda

| Clarinda Institution | $24,557,503 | $24,847,950 | $0 | $24,847,950 | $24,847,950 | $24,847,950 | $0 | PG 5 LN 35 |
## Justice System
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LSA: SF615_Final_90_10328  Page 3  5/24/2019 10:52 AM
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## Justice System
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### Homeland Security & Emergency Mgmt

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**Total Justice System**

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# Justice System

## FTE Positions

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| Total Justice System          | 5,027.36       | 5,392.43         | 0.00                     | 5,392.43              | 5,407.90       | 5,424.91            | 32.48                             |