

Justice System Appropriations Bill Senate File 2378

Last Action:

Senate Floor

March 16, 2010

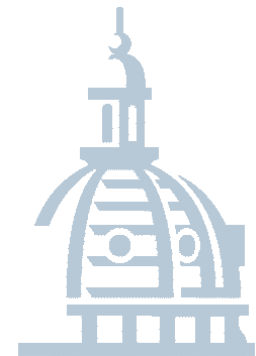
An Act relating to and making appropriations to the justice system, providing for fees and fines, and including effective date provisions.

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

Fiscal Services Division

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**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 2378
JUSTICE SYSTEM APPROPRIATIONS BILL**

FUNDING SUMMARY

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS**

- **GENERAL FUND:** Appropriates a total of \$484.1 million from the General Fund and 1,836.2 FTE positions to the Departments of Justice, Corrections, Inspections and Appeals, Public Defense, and Public Safety, the Iowa Law Enforcement Academy, Board of Parole, and the Civil Rights Commission. This is an increase of \$18.5 million and a decrease of 47.8 FTE positions compared to estimated net FY 2010. The Department of Corrections has 4,078.5 FTE positions in estimated FY 2010 that are not limited in this Bill. These FTE positions are included in the State budget system and are estimated to decrease by 365.9 FTE positions compared to estimated net FY 2010.
- **OTHER FUNDS:**
 - Appropriates \$3.3 million and 27.0 FTE positions from the Department of Commerce Revolving Fund to the Office of the Consumer Advocate. This is an increase of \$197,000 for debt service. (Page 2, Line 24)
 - Establishes a Gaming Enforcement Revolving Fund and appropriates \$8.9 million from the Fund to the Department of Public Safety for gaming enforcement. Receipts to the Fund are generated by billings to the gaming industry. (Page 18, Line 30; and Page 31, Line 15 through Page 33, Line 20)
 - Establishes a Public Safety Enforcement Fund and requires the Treasurer of State to allocate \$8.8 million from the Fund to the Department of Corrections (\$3.0 million), Department of Public Safety (\$400,000), Civil Rights Commission (\$100,000) and the Judicial Branch (\$5.3 million). This Bill directs \$8.8 million in court receipts to the Fund. (Page 29, Line 17 through Page 30, Line 20)
 - Increases court costs and fines for certain scheduled and non-scheduled traffic offenses, and certain simple misdemeanors. Increases court costs for serious and aggravated misdemeanors and felonies. These increases in fines are anticipated to generate an additional \$9.1 million in receipts. (Page 20, Line 2 through Page 29, Line 15)
- Makes the following significant General Fund changes for FY 2010:
 - **Department of Justice - Legal Services Poverty Grants:** An increase of \$172,000 for a general increase. (Page 1, Line 35)
 - **Department of Corrections (DOC):** An increase of \$23.2 million to partially restore the FY 2010 across-the-board reduction. (Page 3, Line 1 through Page 10, Line 14)
 - **State Public Defender/Indigent Defense:** A net decrease of \$3.8 million for a general reduction. (Page 12, Line 29 through Page 13, Line 8)
 - **Department of Public Defense:** An increase of \$829,000 and 10.6 FTE positions, including:
 - An increase of \$625,000 and 10.7 FTE positions for the Military Division. (Page 14, Line 24)
 - An increase of \$204,000 and a decrease of 0.10 FTE position for the Homeland Security and Emergency Management Division. (Page 15, Line 1)
 - **Department of Public Safety (DPS):** A decrease of \$2.0 million, including:
 - An increase of \$182,000 to Public Safety Administration. (Page 15, Line 24)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 2378
JUSTICE SYSTEM APPROPRIATIONS BILL**

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)**

STUDIES AND INTENT LANGUAGE

- *Department of Public Safety (DPS):* (continued)
 - A decrease of \$6.2 million to the Division of Criminal Investigation (DCI). (Page 15, Line 29)
 - An increase of \$759,000 to the Division of Narcotics Enforcement. (Page 17, Line 2)
 - An increase of \$754,000 to the Fire Marshal's Office. (Page 17, Line 15)
 - An increase of \$3.9 million to the Iowa State Patrol. (Page 17, Line 26)
- Requires the DOC to use the John Bennett Facility at Fort Madison as either a prison facility or a Community-Based Corrections (CBC) facility. (Page 3, Line 14)
- Requires the DOC to employ two part-time nurses at the Luster Heights Prison Camp. (Page 3, Line 22)
- Requires the DOC to operate the Luster Heights Prison Camp at its 88-bed capacity. (Page 3, Line 27)
- Requires the DOC to spend at least \$238,000 on the therapeutic treatment community program at the Anamosa State Penitentiary and \$140,000 on the Dual Diagnosis Program in the First CBC District Department. (Page 3, Line 30 and Page 9, Line 16)
- Requires the DOC to use at least \$300,000 in canteen receipts for the Corrections Education Program. (Page 6, Line 26)
- Eliminates the Chief Security Officer in the DOC Central Office. (Page 8, Line 32)
- Permits the Iowa Law Enforcement Academy to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes, as long as equal receivables are anticipated at the close of the fiscal year. (Page 13, Line 24)
- Permits the Iowa Law Enforcement Academy to annually exchange five vehicles returned to the State Fleet Administrator by the DPS. (Page 13, Line 30)
- Permits the Military Division of the Department of Public Defense to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes, as long as equal receivables are anticipated at the close of the fiscal year. (Page 14, Line 30)
- Permits the Homeland Security and Emergency Management Division to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes, as long as equal receivables are anticipated at the close of the fiscal year. (Page 15, Line 7)
- Requires the Homeland Security and Emergency Management Division to work in conjunction with the Department of Public Safety on the Fusion Program. (Page 15, Line 13)
- Authorizes no more than \$200,000 from the Wireless E911 Emergency Communications Fund for FY 2011 to be used for administration of the Fund and to employ the State Auditor to perform an annual audit on the Fund. (Page 35, Line 14)
- Requires the DOC and DPS to make every effort to preserve correctional officer and peace officer positions through the reduction of administrative costs. (Page 35, Line 25)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 2378
JUSTICE SYSTEM APPROPRIATIONS BILL**

SIGNIFICANT CODE CHANGES

- Provides for a waiver process for centralized purchasing for Iowa Prison Industries. (Page 30, Line 33)
- Requires the Department of Justice to retain no more than 10.0% of the cash received in certain forfeiture proceedings. (Page 33, Line 21)
- Increases the cap on the dollar value of inmate labor from \$50,000 per maintenance project to \$100,000 per maintenance project. (Page 34, Line 11)
- Permits the Chairperson of the Board of Parole to assume the duties of the Executive Director if necessary. (Page 34, Line 18)
- The provision eliminating the Chief of Security position in the DOC is effective on enactment. (Page 19, Line 32)

EFFECTIVE DATES

Senate File 2378 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
7	16	4.1(b)	Nwthstnd	Sec. 8.33	Nonreversion of Appropriation for Inmate Education Program
11	6	6	Nwthstnd	Sec. 8.39	Reallocation of Appropriations within the DOC and CBC District Departments
18	13	14.8	Nwthstnd	Sec. 8.33	Nonreversion of Volunteer Fire Fighter Training Funds
18	18	14.8	Nwthstnd	Sec. 8.39	Reallocation of Department of Public Safety Appropriations
20	2	18	Amends	Sec. 602.8106(1)(a), (b), (d), and (e)	Increases Court Costs
20	28	19	Amends	Sec. 805.8A	Increases Fines for Moving and Non-Moving Violations
29	12	20	Amends	Sec. 805.8C	Increases the Fine for First Offense Purchase of Pseudoephedrine
29	17	21	Nwthstnd	Sec. 602.8108	Allows for the Deposit of Court Receipts in the Public Safety Enforcement Fund Prior to Deposit in the State General Fund
30	23	22	Amends	Sec. 62, SF 2088	CBC Financial Reporting
30	33	23	Amends	Sec. 71, SF 2088	Iowa Prison Industries Waiver Process
31	15	24	Adds	Sec. 80.43(1)	Creates the Gaming Enforcement Revolving Fund
31	28	24	Adds	Sec. 80.43(2)	Cash Flow Language for Gaming Enforcement Revolving Fund
32	4	24	Nwthstnd	Sec. 8.33 and 80.43(3)	Nonreversion of Receipts in the Gaming Enforcement Revolving Fund
32	9	25	Nwthstnd	Sec. 8.60 and 99D.17	Directs Gambling Regulation Receipts to the Gaming Enforcement Revolving Fund
32	30	26	Nwthstnd	Sec. 8.60 and 99F.4	Directs Gambling Regulation Receipts to the Gaming Enforcement Revolving Fund
33	21	27	Amends	Sec. 809A.17(5)	Forfeited Property Receipts

Page #	Line #	Bill Section	Action	Code Section	Description
34	11	28	Amends	Sec. 904.315(2), Code Supplement 2009	Cap on Use of Inmate Labor
34	18	29	Amends	Sec. 904A.4B	Board of Parole

1 1 DIVISION I
1 2 APPROPRIATIONS

1 3 Section 1. DEPARTMENT OF JUSTICE.

1 4 1. There is appropriated from the general fund of the state
1 5 to the department of justice for the fiscal year beginning July
1 6 1, 2010, and ending June 30, 2011, the following amounts, or
1 7 so much thereof as is necessary, to be used for the purposes
1 8 designated:

1 9 a. For the general office of attorney general for salaries,
1 10 support, maintenance, and miscellaneous purposes, including
1 11 the prosecuting attorneys training program, victim assistance
1 12 grants, office of drug control policy prosecuting attorney
1 13 program, and odometer fraud enforcement, and for not more than
1 14 the following full-time equivalent positions:
1 15 \$ 7,732,930
1 16 FTEs 232.50

General Fund appropriation to the Department of Justice for the Office of the Attorney General, Prosecuting Attorney Training Program, Victim Assistance Grants, Office of Drug Control Policy, Office of Drug Control Policy Prosecuting Attorney Training Program, and Odometer Fraud Enforcement.

DETAIL: This is no change compared to estimated net FY 2010.

NOTE: Senate File 2088 (Government Reorganization and Efficiency Bill) provides an appropriation of \$60,000 and 1.00 FTE position to the Office of the Attorney General for enforcement of the False Claims Act.

1 17 It is the intent of the general assembly that as a condition
1 18 of receiving the appropriation provided in this lettered
1 19 paragraph, the department of justice shall maintain a record
1 20 of the estimated time incurred representing each agency or
1 21 department.

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

1 22 b. For victim assistance grants:
1 23 \$ 3,060,000

General Fund appropriation to the Department of Justice for the Victim Assistance Grants Program.

DETAIL: This is no change compared to estimated net FY 2010.

1 24 The funds appropriated in this lettered paragraph shall be

Requires Victim Assistance funds to be awarded as grants to

<p>1 25 used to provide grants to care providers providing services to 1 26 crime victims of domestic abuse or to crime victims of rape and 1 27 sexual assault.</p>	<p>providers of services for victims of domestic abuse, rape, and sexual assault.</p>
<p>1 28 The balance of the victim compensation fund established in 1 29 section 915.94 may be used to provide salary and support of not 1 30 more than 22 FTEs and to provide maintenance for the victim 1 31 compensation functions of the department of justice.</p>	<p>Permits 22.00 FTE positions to be funded from the Victim Compensation Fund to administer the victim compensation functions of the Department of Justice.</p> <p>DETAIL: Maintains the current level of FTE positions funded from the Victim Compensation Fund. Of the total FTE positions, 20.00 FTE positions are assigned to the Crime Victim Assistance Division and 2.00 FTE positions are assigned to the Office of the Attorney General, Area Prosecutions Division.</p>
<p>1 32 The department of justice may transfer moneys from the 1 33 victim compensation fund established in section 915.94 to the 1 34 victim assistance grant program.</p>	<p>Permits the Department of Justice to transfer funds from the Victim Compensation Fund to the Victim Assistance Grants Program in FY 2011.</p>
<p>1 35 c. For legal services for persons in poverty grants as 2 1 provided in section 13.34: 2 2 \$ 1,930,671</p>	<p>General Fund appropriation to the Department of Justice for the Legal Services Poverty Grants Program.</p> <p>DETAIL: This is an increase \$171,500 compared to estimated net FY 2010 for a general increase.</p>
<p>2 3 2. a. The department of justice, in submitting budget 2 4 estimates for the fiscal year commencing July 1, 2011, pursuant 2 5 to section 8.23, shall include a report of funding from sources 2 6 other than amounts appropriated directly from the general fund 2 7 of the state to the department of justice or to the office of 2 8 consumer advocate. These funding sources shall include but 2 9 are not limited to reimbursements from other state agencies, 2 10 commissions, boards, or similar entities, and reimbursements 2 11 from special funds or internal accounts within the department 2 12 of justice. The department of justice shall also report actual 2 13 reimbursements for the fiscal year commencing July 1, 2009, 2 14 and actual and expected reimbursements for the fiscal year</p>	<p>Requires the Department of Justice, in submitting FY 2012 budget estimates, to submit a report to the Department of Management (DOM) that specifies the amount of funding from all sources other than the General Fund. The report is to include actual reimbursements from other fund accounts for FY 2010 and FY 2011.</p>

2 15 commencing July 1, 2010.

2 16 b. The department of justice shall include the report
2 17 required under paragraph "a", as well as information regarding
2 18 any revisions occurring as a result of reimbursements actually
2 19 received or expected at a later date, in a report to the
2 20 co=chairpersons and ranking members of the joint appropriations
2 21 subcommittee on the justice system and the legislative services
2 22 agency. The department of justice shall submit the report on
2 23 or before January 15, 2011.

Requires the Department of Justice to submit a report that specifies the amount of funding from all sources other than the General Fund and any revisions that occur as a result of actual reimbursements. The report is to be submitted to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA) by January 15, 2011.

2 24 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
2 25 from the department of commerce revolving fund created in
2 26 section 546.12 to the office of consumer advocate of the
2 27 department of justice for the fiscal year beginning July 1,
2 28 2010, and ending June 30, 2011, the following amount, or so
2 29 much thereof as is necessary, to be used for the purposes
2 30 designated:

Department of Commerce Revolving Fund appropriation to the Department of Justice for the Office of the Consumer Advocate.

DETAIL: This is an increase of \$197,456 and no change in FTE positions compared to estimated net FY 2010 for debt retirement for the new Iowa Utilities Board/Office of the Consumer Advocate building.

2 31 For salaries, support, maintenance, miscellaneous purposes,
2 32 and for not more than the following full=time equivalent
2 33 positions:
2 34 \$ 3,336,344
2 35 FTEs 27.00

3 1 Sec. 3. DEPARTMENT OF CORRECTIONS == FACILITIES.
3 2 1. There is appropriated from the general fund of the state
3 3 to the department of corrections for the fiscal year beginning
3 4 July 1, 2010, and ending June 30, 2011, the following amounts,
3 5 or so much thereof as is necessary, to be used for the purposes
3 6 designated:
3 7 For the operation of adult correctional institutions,
3 8 reimbursement of counties for certain confinement costs, and
3 9 federal prison reimbursement, to be allocated as follows:

3 10 a. For the operation of the Fort Madison correctional

General Fund appropriation to the Department of Corrections (DOC)

<p>3 11 facility, including salaries, support, maintenance, and 3 12 miscellaneous purposes: 3 13 \$ 39,991,374</p>	<p>for the Fort Madison Correctional Facility.</p> <p>DETAIL: This is an increase of \$2,988,151 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.</p> <p>NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$764,048 for the Fort Madison Correctional Facility.</p>
<p>3 14 As a condition of receiving an appropriation in this 3 15 lettered paragraph, the department of corrections shall operate 3 16 the John Bennett facility either as an institution of the 3 17 department or a community-based correctional facility.</p>	<p>Requires the DOC to operate the John Bennett Facility as either a prison or a Community-Based Corrections (CBC) facility.</p> <p>DETAIL: The John Bennett Facility is a 152-bed medium security facility attached to the exterior wall of the Iowa State Penitentiary at Fort Madison.</p>
<p>3 18 b. For the operation of the Anamosa correctional facility, 3 19 including salaries, support, maintenance, and miscellaneous 3 20 purposes: 3 21 \$ 30,416,461</p>	<p>General Fund appropriation to the DOC for the Anamosa Correctional Facility.</p> <p>DETAIL: This is an increase of \$2,143,956 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.</p> <p>NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$543,179 for the Anamosa Correctional Facility.</p>
<p>3 22 As a condition of receiving the appropriation in this 3 23 lettered paragraph, the department of corrections shall employ 3 24 two part-time registered nurses at the Luster Heights facility, 3 25 and shall seek volunteer licensed medical personnel to serve at 3 26 the facility.</p>	<p>Requires the DOC to employ two part-time nurses at the Luster Heights Prison Camp and to seek volunteer licensed medical personnel to serve at that facility.</p>
<p>3 27 It is the intent of the general assembly that the department 3 28 of corrections fully operate the Luster Heights facility at the</p>	<p>Directs the DOC to operate the Luster Heights facility at capacity.</p>

3 29 facility's 88=bed capacity.

DETAIL: The Luster Heights Prison Camp is an 88-bed minimum security facility located in the Yellow River Forest State Park.

3 30 As a condition of the moneys appropriated in this lettered
3 31 paragraph, the department of corrections shall replace expired
3 32 federal funding by expending at least \$238,252 for continuation
3 33 of a treatment program that prepares offenders for ongoing
3 34 therapeutic treatment programs offered by the department and
3 35 maintaining at least 4.75 FTEs for the program.

Requires the DOC to spend at least \$238,252 to maintain a therapeutic treatment program.

4 1 Moneys appropriated in this lettered paragraph shall
4 2 provide for one full=time substance abuse counselor for the
4 3 Luster Heights facility for the purpose of certification of a
4 4 substance abuse program at that facility.

Specifies that funds be provided for one substance abuse counselor at the Luster Heights Prison Camp.

4 5 c. For the operation of the Oakdale correctional facility,
4 6 including salaries, support, maintenance, and miscellaneous
4 7 purposes:
4 8 \$ 55,755,246

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

DETAIL: This is an increase of \$2,973,761 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$2,650,762 for the Oakdale Correctional Facility.

4 9 d. For the operation of the Newton correctional facility,
4 10 including salaries, support, maintenance, and miscellaneous
4 11 purposes:
4 12 \$ 26,452,257

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

DETAIL: This is an increase of \$1,222,203 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of

PG LN	Senate File 2378	Explanation
		\$526,181 for the Newton Correctional Facility.
4 13	e. For the operation of the Mt. Pleasant correctional	General Fund appropriation to the DOC for the Mount Pleasant Correctional Facility. DETAIL: This is an increase of \$1,770,693 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction. NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$415,980 for the Mount Pleasant Correctional Facility.
4 14	facility, including salaries, support, maintenance, and	
4 15	miscellaneous purposes:	
4 16 \$ 26,265,257	
4 17	f. For the operation of the Rockwell City correctional	General Fund appropriation to the DOC for the Rockwell City Correctional Facility. DETAIL: This is an increase of \$871,598 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction. NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$108,833 for the Rockwell City Correctional Facility.
4 18	facility, including salaries, support, maintenance, and	
4 19	miscellaneous purposes:	
4 20 \$ 9,324,565	
4 21	g. For the operation of the Clarinda correctional facility,	General Fund appropriation to the DOC for the Clarinda Correctional Facility. DETAIL: This is an increase of \$2,566,087 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction. NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$451,752 for the Clarinda Correctional Facility.
4 22	including salaries, support, maintenance, and miscellaneous	
4 23	purposes:	
4 24 \$ 23,645,033	
4 25	Moneys received by the department of corrections as	Appropriates reimbursements from the Clarinda Youth Academy to the DOC for operating costs associated with the Clarinda Correctional
4 26	reimbursement for services provided to the Clarinda youth	

<p>4 27 corporation are appropriated to the department and shall be 4 28 used for the purpose of operating the Clarinda correctional 4 29 facility.</p>	<p>Facility. DETAIL: The Clarinda Youth Academy's annual reimbursement to the Clarinda Correctional Facility is approximately \$1,000,000.</p>
<p>4 30 h. For the operation of the Mitchellville correctional 4 31 facility, including salaries, support, maintenance, and 4 32 miscellaneous purposes: 4 33 \$ 15,486,586</p>	<p>General Fund appropriation to the DOC for the Mitchellville Correctional Facility. DETAIL: This is an increase of \$1,233,471 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction. NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$169,416 for the Mitchellville Correctional Facility.</p>
<p>4 34 i. For the operation of the Fort Dodge correctional 4 35 facility, including salaries, support, maintenance, and 5 1 miscellaneous purposes: 5 2 \$ 29,020,235</p>	<p>General Fund appropriation to the DOC for the Fort Dodge Correctional Facility. DETAIL: This is an increase of \$2,021,103 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction. NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$200,000 for the Fort Dodge Correctional Facility.</p>
<p>5 3 j. For reimbursement of counties for temporary confinement 5 4 of work release and parole violators, as provided in sections 5 5 901.7, 904.908, and 906.17, and for offenders confined pursuant 5 6 to section 904.513: 5 7 \$ 775,092</p>	<p>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 no change compared to estimated net FY 2010.</p>
<p>5 8 k. For federal prison reimbursement, reimbursements for 5 9 out-of-state placements, and miscellaneous contracts:</p>	<p>General Fund appropriation to the DOC to reimburse the federal Bureau of Prisons for confining Iowa inmates and to pay miscellaneous contracts.</p>

5 10 \$ 239,411

DETAIL: This is an increase of \$23,941 compared to estimated net FY 2010 to restore the FY 2010 across-the-board reduction.

5 11 2. The department of corrections shall use moneys
 5 12 appropriated in subsection 1 to continue to contract for the
 5 13 services of a Muslim imam.

Requires the DOC to contract with a Muslim imam to provide religious services and religious counseling.

DETAIL: This contract is required pursuant to a federal court order.

5 14 Sec. 4. DEPARTMENT OF CORRECTIONS == ADMINISTRATION.

5 15 1. There is appropriated from the general fund of the state
 5 16 to the department of corrections for the fiscal year beginning
 5 17 July 1, 2010, and ending June 30, 2011, the following amounts,
 5 18 or so much thereof as is necessary, to be used for the purposes
 5 19 designated:

5 20 a. For general administration, including salaries, support,
 5 21 maintenance, employment of an education director to administer
 5 22 a centralized education program for the correctional system,
 5 23 and miscellaneous purposes:
 5 24 \$ 4,254,068

General Fund appropriation to the DOC for the Central Office.

DETAIL: This is a decrease of \$74,975 compared to estimated net FY 2010 appropriation for a general reduction.

5 25 (1) It is the intent of the general assembly that as a
 5 26 condition of receiving the appropriation provided in this
 5 27 lettered paragraph the department of corrections shall not,
 5 28 except as otherwise provided in subparagraph (3), enter
 5 29 into a new contract, unless the contract is a renewal of an
 5 30 existing contract, for the expenditure of moneys in excess of
 5 31 \$100,000 during the fiscal year beginning July 1, 2010, for the
 5 32 privatization of services performed by the department using
 5 33 state employees as of July 1, 2010, or for the privatization
 5 34 of new services by the department without prior consultation
 5 35 with any applicable state employee organization affected
 6 1 by the proposed new contract and prior notification of the

Specifies it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC not enter into a new contract in excess of \$100,000 for privatized services during FY 2011 without prior notification of the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee, and without prior consultation with any affected employee organization. Existing contracts may be renewed without notification.

6 2 co=chairpersons and ranking members of the joint appropriations
6 3 subcommittee on the justice system.

6 4 (2) It is the intent of the general assembly that each
6 5 lease negotiated by the department of corrections with a
6 6 private corporation for the purpose of providing private
6 7 industry employment of inmates in a correctional institution
6 8 shall prohibit the private corporation from utilizing inmate
6 9 labor for partisan political purposes for any person seeking
6 10 election to public office in this state and that a violation
6 11 of this requirement shall result in a termination of the lease
6 12 agreement.

Specifies that it is the intent of the General Assembly that the DOC prohibit the use of inmate labor for partisan political activities within Iowa when contracting for inmate workers to be employed by a private business. Violation of these contract terms will result in termination of the contract.

6 13 (3) It is the intent of the general assembly that as a
6 14 condition of receiving the appropriation provided in this
6 15 lettered paragraph the department of corrections shall not
6 16 enter into a lease or contractual agreement pursuant to section
6 17 904.809 with a private corporation for the use of building
6 18 space for the purpose of providing inmate employment without
6 19 providing that the terms of the lease or contract establish
6 20 safeguards to restrict, to the greatest extent feasible, access
6 21 by inmates working for the private corporation to personal
6 22 identifying information of citizens.

Specifies that it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC, when contracting with a private business for inmate employment, must restrict inmates' access to citizens' personal identifying information.

6 23 b. For educational programs for inmates at state penal
6 24 institutions:
6 25 \$ 1,558,109

General Fund appropriation to the DOC for the educational programs for inmates.

DETAIL: This is an increase of \$194,402 compared to estimated net FY 2010 to restore the FY 2010 across-the-board reduction.

6 26 As a condition of receiving the appropriation in this
6 27 lettered paragraph, the department of corrections shall
6 28 transfer at least \$300,000 from the canteen operating funds
6 29 established pursuant to section 904.310 to be used for
6 30 correctional educational programs funded in this lettered

Requires the DOC to transfer at least \$300,000 from Canteen Funds to the Corrections Education Program.

6 31 paragraph.

6 32 It is the intent of the general assembly that moneys
6 33 appropriated in this lettered paragraph shall be used solely
6 34 for the purpose indicated and that the moneys shall not be
6 35 transferred for any other purpose. In addition, it is the
7 1 intent of the general assembly that the department shall
7 2 consult with the community colleges in the areas in which the
7 3 institutions are located to utilize moneys appropriated in this
7 4 lettered paragraph to fund the high school completion, high
7 5 school equivalency diploma, adult literacy, and adult basic
7 6 education programs in a manner so as to maintain these programs
7 7 at the institutions.

7 8 To maximize the funding for educational programs, the
7 9 department shall establish guidelines and procedures to
7 10 prioritize the availability of educational and vocational
7 11 training for inmates based upon the goal of facilitating an
7 12 inmate's successful release from the correctional institution.

7 13 The director of the department of corrections may transfer
7 14 moneys from Iowa prison industries for use in educational
7 15 programs for inmates.

7 16 Notwithstanding section 8.33, moneys appropriated in this
7 17 lettered paragraph that remain unobligated or unexpended at
7 18 the close of the fiscal year shall not revert but shall remain
7 19 available for expenditure only for the purpose designated in
7 20 this lettered paragraph until the close of the succeeding
7 21 fiscal year.

7 22 c. For the development of the Iowa corrections offender
7 23 network (ICON) data system:
7 24 \$ 424,364

7 25 d. For offender mental health and substance abuse

Specifies that it is the intent of the General Assembly that these funds be used only for inmate education. Also, requires the DOC to consult with community colleges located within the area of the prisons regarding how to maintain the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs at the Institutions. Requires the DOC to establish guidelines and procedures to prioritize admission to educational and vocational programs to facilitate inmates' successful release from prison. Permits the DOC to transfer funds from the Iowa Prison Industries Revolving Fund for educational programs for inmates.

CODE: Requires nonreversion of funds for the Inmate Education Program.

General Fund appropriation to the DOC for the Iowa Corrections Offender Network (ICON).

DETAIL: This is an increase of \$42,436 compared to estimated net FY 2010 to restore the FY 2010 across-the-board reduction.

General Fund appropriation to the DOC for mental health and

7 26 treatment:	substance abuse treatment.
7 27 \$ 22,319	DETAIL: This is no change compared to estimated net FY 2010.
7 28 e. For viral hepatitis prevention and treatment:	General Fund appropriation to the DOC for viral hepatitis prevention and treatment.
7 29 \$ 167,881	DETAIL: This is no change compared to estimated net FY 2010.
<p>7 30 2. It is the intent of the general assembly that the</p> <p>7 31 department of corrections shall continue to operate the</p> <p>7 32 correctional farms under the control of the department at</p> <p>7 33 the same or greater level of participation and involvement</p> <p>7 34 as existed as of June 30, 2011; shall not enter into any</p> <p>7 35 rental agreement or contract concerning any farmland under</p> <p>8 1 the control of the department that is not subject to a rental</p> <p>8 2 agreement or contract as of January 1, 2010, without prior</p> <p>8 3 legislative approval; and shall further attempt to provide</p> <p>8 4 job opportunities at the farms for inmates. The department</p> <p>8 5 shall attempt to provide job opportunities at the farms for</p> <p>8 6 inmates by encouraging labor-intensive farming or gardening</p> <p>8 7 where appropriate; using inmates to grow produce and meat for</p> <p>8 8 institutional consumption; researching the possibility of</p> <p>8 9 instituting food canning and cook-and-chill operations; and</p> <p>8 10 exploring opportunities for organic farming and gardening,</p> <p>8 11 livestock ventures, horticulture, and specialized crops.</p>	<p>Specifies that it is the intent of the General Assembly that the DOC continue farm operations at the same or greater level as exists on June 30, 2011. The DOC is prohibited from renting farmland under the control of the DOC that is not currently being rented without legislative approval. The DOC is to provide meaningful job opportunities for inmates employed on the farms.</p>
<p>8 12 3. The department of corrections shall provide a smoking</p> <p>8 13 cessation program to offenders committed to the custody of the</p> <p>8 14 director or who are otherwise detained by the department, that</p> <p>8 15 complies with legislation enacted restricting or prohibiting</p> <p>8 16 smoking on the grounds of correctional institutions.</p>	<p>Requires the DOC to provide a smoking cessation program to offenders.</p>
8 17 4. As a condition of receiving the appropriations made	Requires the Department of Corrections to develop and implement re

8 18 in this section, the department of corrections shall develop
 8 19 and implement offender reentry programs in Black Hawk and
 8 20 Polk counties to provide transitional planning and release
 8 21 primarily for offenders released from the Iowa correctional
 8 22 institution for women at Mitchellville and the Fort Dodge
 8 23 correctional facility. Programming shall include minority
 8 24 and gender-specific responsivity, employment, substance
 8 25 abuse treatment, mental health services, housing, and family
 8 26 reintegration. The department of corrections shall collaborate
 8 27 with the first and fifth judicial district departments of
 8 28 correctional services, the Iowa department of workforce
 8 29 development, the department of human services, community-based
 8 30 providers and faith-based organizations, and local law
 8 31 enforcement.

entry programs in Waterloo and Des Moines. Specifies programming requirements. This Bill includes appropriations to the First and Fifth CBC District Departments for re-entry programs.

8 32 5. The chief security officer position within the
 8 33 department of corrections shall be eliminated by the effective
 8 34 date of this subsection.

Eliminates the Chief of Security position in the DOC Central Office.

DETAIL: This provision is effective on enactment of this Bill.

8 35 6. The department shall place inmates at the Luster Heights
 9 1 facility who have been approved by the board of parole for
 9 2 work release but who are expected to be waiting in prison
 9 3 for at least four months for a bed to become available at a
 9 4 community-based correctional facility, unless the placement
 9 5 would dislodge an inmate receiving substance abuse treatment.

Requires the DOC to place offenders at the Luster Heights facility that have been approved by the Board of Parole for work release, that are on a waiting list for a CBC bed, as long as the placement does not prevent another offender from receiving substance abuse treatment.

9 6 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
 9 7 SERVICES.

9 8 1. There is appropriated from the general fund of the state
 9 9 to the department of corrections for the fiscal year beginning
 9 10 July 1, 2010, and ending June 30, 2011, for salaries, support,
 9 11 maintenance, and miscellaneous purposes, the following amounts,
 9 12 or so much thereof as is necessary, to be allocated as follows:

<p>9 13 a. For the first judicial district department of 9 14 correctional services: 9 15 \$ 12,453,082</p>	<p>General Fund appropriation to the DOC for the First CBC District Department.</p> <p>DETAIL: This is an increase of \$534,392 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.</p> <p>NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$110,275 for the First CBC District Department.</p>
<p>9 16 As a condition of the moneys appropriated in this lettered 9 17 paragraph, the department of corrections shall replace expired 9 18 federal funding by expending at least \$140,000 for the dual 9 19 diagnosis program and maintaining 1.25 FTEs for the program.</p>	<p>Requires the First CBC District Department to spend at least \$140,000 to maintain the Dual Diagnosis Program.</p>
<p>9 20 b. For the second judicial district department of 9 21 correctional services: 9 22 \$ 10,770,616</p>	<p>General Fund appropriation to the DOC for the Second CBC District Department.</p> <p>DETAIL: This is an increase of \$783,971 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.</p> <p>NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$308,214 for the Second CBC District Department.</p>
<p>9 23 c. For the third judicial district department of 9 24 correctional services: 9 25 \$ 5,715,578</p>	<p>General Fund appropriation to the DOC for the Third CBC District Department.</p> <p>DETAIL: This is an increase of \$369,936 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.</p> <p>NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$18,010 for the Third CBC District Department.</p>
<p>9 26 d. For the fourth judicial district department of</p>	<p>General Fund appropriation to the DOC for the Fourth CBC District</p>

9 27 correctional services:	Department.
9 28 \$ 5,522,416	DETAIL: This is an increase of \$342,916 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.
	NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$76,117 for the Fourth CBC District Department.
9 29 e. For the fifth judicial district department of 9 30 correctional services, including funding for electronic 9 31 monitoring devices for use on a statewide basis:	General Fund appropriation to the DOC for the Fifth CBC District Department.
9 32 \$ 18,938,081	DETAIL: This is an increase of \$1,587,659 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.
	NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$790,020 for the Fifth CBC District Department.
9 33 As a condition of receiving the appropriation in this 9 34 lettered paragraph, the fifth judicial district department of 9 35 correctional services shall reinstate 67 beds in buildings 65 10 1 and 66 at the Fort Des Moines facility and resume operating the 10 2 buildings, in addition to maintaining the 199 beds in buildings 10 3 68 and 70 at the Fort Des Moines facility. The district 10 4 department may use inmate labor to upgrade and renovate the 10 5 buildings, if renovation and updating are required.	Requires the Fifth CBC District Department to reinstate and use 67 beds at Building 65/66 at the Fort Des Moines Residential Facility and maintain the use of 199 beds at Building 68/70. Permits the use of inmate labor to renovate the buildings, if renovation is required.
	DETAIL: The Fifth CBC District Department has restructured its Fort Des Moines operations. There are 199 beds at Building 68/70 for residential and work release programs. Eighty of these beds are dedicated for substance abuse treatment. Building 65/66 has an honors unit of 40 beds plus a substance abuse treatment contract for 60 beds with a private provider.
10 6 f. For the sixth judicial district department of 10 7 correctional services:	General Fund appropriation to the DOC for the Sixth CBC District Department.
10 8 \$ 13,030,356	DETAIL: This is an increase of \$622,039 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$302,810 for the Sixth CBC District Department.

10 9 g. For the seventh judicial district department of
10 10 correctional services:
10 11 \$ 6,846,560

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

DETAIL: This is an increase of \$409,565 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$24,923 for the Seventh CBC District Department.

10 12 h. For the eighth judicial district department of
10 13 correctional services:
10 14 \$ 6,935,622

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

DETAIL: This is an increase of \$543,795 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$400,850 for the Eighth CBC District Department.

10 15 2. Each judicial district department of correctional
10 16 services, within the funding available, shall continue programs
10 17 and plans established within that district to provide for
10 18 intensive supervision, sex offender treatment, diversion of
10 19 low-risk offenders to the least restrictive sanction available,
10 20 job development, and expanded use of intermediate criminal
10 21 sanctions.

Requires each CBC District Department, within available funding, to continue programs and plans established within the District Department for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate sanctions.

10 22 3. Each judicial district department of correctional

Requires each CBC District Department to provide alternatives to prison consistent with statute. Permits the District Departments to

<p>10 23 services shall provide alternatives to prison consistent with 10 24 chapter 901B. The alternatives to prison shall ensure public 10 25 safety while providing maximum rehabilitation to the offender. 10 26 A judicial district department of correctional services may 10 27 also establish a day program.</p>	<p>establish day programs.</p>
<p>10 28 4. The governor's office of drug control policy shall 10 29 consider federal grants made to the department of corrections 10 30 for the benefit of each of the eight judicial district 10 31 departments of correctional services as local government 10 32 grants, as defined pursuant to federal regulations.</p>	<p>Requires the Governor's Office of Drug Control Policy to consider federal grants made to the DOC for the benefit of the CBC District Departments as local government grants rather than State government grants as defined by federal regulations.</p>
<p>10 33 5. The department of corrections shall continue to contract 10 34 with a judicial district department of correctional services to 10 35 provide for the rental of electronic monitoring equipment which 11 1 shall be available statewide.</p>	<p>Requires the DOC to contract with a CBC District Department for the rental of electronic monitoring equipment. DETAIL: The DOC contracts with the Fifth CBC District Department for electronic monitoring devices that are available statewide.</p>
<p>11 2 6. A judicial district department of correctional services 11 3 shall accept into the facilities of the district department, 11 4 offenders assigned from other judicial district departments of 11 5 correctional services.</p>	<p>Requires the CBC District Departments to accept the transfer of offenders into residential facilities between CBC District Departments.</p>
<p>11 6 Sec. 6. DEPARTMENT OF CORRECTIONS == REALLOCATION OF 11 7 APPROPRIATIONS. Notwithstanding section 8.39, within 11 8 the moneys appropriated in this Act to the department of 11 9 corrections, the department may reallocate the moneys 11 10 appropriated and allocated as necessary to best fulfill the 11 11 needs of the correctional institutions, administration of 11 12 the department, and the judicial district departments of 11 13 correctional services. However, in addition to complying with 11 14 the requirements of sections 904.116 and 905.8 and providing 11 15 notice to the legislative services agency, the department 11 16 of corrections shall also provide notice to the department 11 17 of management, prior to the effective date of the revision</p>	<p>CODE: Permits the DOC to reallocate appropriations between the correctional institutions, the Central Office, and CBC District Departments. Requires the DOC to provide notice to the DOM and the LSA before reallocating the funds. Prohibits the reallocation of funds to eliminate a program.</p>

11 18 or reallocation of an appropriation made pursuant to this
11 19 section. The department shall not reallocate an appropriation
11 20 or allocation for the purpose of eliminating any program.

11 21 Sec. 7. INTENT == REPORTS.

11 22 1. The department in cooperation with townships, the Iowa
11 23 cemetery associations, and other nonprofit or governmental
11 24 entities may use inmate labor during the fiscal year beginning
11 25 July 1, 2010, to restore or preserve rural cemeteries and
11 26 historical landmarks. The department in cooperation with the
11 27 counties may also use inmate labor to clean up roads, major
11 28 water sources, and other water sources around the state.

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.

11 29 2. Each month the department shall provide a status report
11 30 regarding private=sector employment to the legislative services
11 31 agency beginning on July 1, 2010. The report shall include
11 32 the number of offenders employed in the private sector, the
11 33 combined number of hours worked by the offenders, and the
11 34 total amount of allowances, and the distribution of allowances
11 35 pursuant to section 904.702, including any moneys deposited in
12 1 the general fund of the state.

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

12 2 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
12 3 corrections shall submit a report on electronic monitoring to
12 4 the general assembly, to the co=chairpersons and the ranking
12 5 members of the joint appropriations subcommittee on the justice
12 6 system, and to the legislative services agency by January
12 7 15, 2011. The report shall specifically address the number
12 8 of persons being electronically monitored and break down the
12 9 number of persons being electronically monitored by offense
12 10 committed. The report shall also include a comparison of any
12 11 data from the prior fiscal year with the current year.

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 15, 2011. Specifies the content of the report.

12 12 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

Encourages State agencies to buy products from Iowa Prison

12 13 1. As used in this section, unless the context otherwise
 12 14 requires, "state agency" means the government of the state
 12 15 of Iowa, including but not limited to all executive branch
 12 16 departments, agencies, boards, bureaus, and commissions, the
 12 17 judicial branch, the general assembly and all legislative
 12 18 agencies, institutions within the purview of the state board of
 12 19 regents, and any corporation whose primary function is to act
 12 20 as an instrumentality of the state.

12 21 2. State agencies are hereby encouraged to purchase
 12 22 products from Iowa state industries, as defined in section
 12 23 904.802, when purchases are required and the products are
 12 24 available from Iowa state industries. State agencies shall
 12 25 obtain bids from Iowa state industries for purchases of
 12 26 office furniture during the fiscal year beginning July 1,
 12 27 2010, exceeding \$5,000 or in accordance with applicable
 12 28 administrative rules related to purchases for the agency.

12 29 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated from
 12 30 the general fund of the state to the office of the state public
 12 31 defender of the department of inspections and appeals for the
 12 32 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 12 33 the following amounts, or so much thereof as is necessary, to
 12 34 be allocated as follows for the purposes designated:

12 35 1. For salaries, support, maintenance, miscellaneous
 13 1 purposes, and for not more than the following full-time
 13 2 equivalent positions:
 13 3 \$ 21,743,182
 13 4 FTEs 203.00

Industries whenever possible. Requires State agencies to obtain a bid from Iowa Prison Industries for purchases of office furniture exceeding \$5,000, or in accordance with administrative rules.

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

DETAIL: This is an increase of \$2,174,318 and no change in FTE positions compared to estimated net FY 2010 for a general increase.

NOTE: Senate File 2088 (Government Reorganization and Efficiency Bill) provides an appropriation of \$1,140,000 and 16.00 FTE positions to expand local public defender offices.

13 5 2. For the fees of court-appointed attorneys for indigent

General Fund appropriation to the Department of Inspections and

<p>13 6 adults and juveniles, in accordance with section 232.141 and 13 7 chapter 815: 13 8 \$ 15,680,929</p>	<p>Appeals for the Indigent Defense Program.</p> <p>DETAIL: This is a decrease of \$5,927,318 compared to the estimated net FY 2010 appropriation for a general reduction.</p> <p>NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Bill) provides an FY 2010 General Fund supplemental appropriation of \$10,900,000 for the Indigent Defense Program.</p>
<p>13 9 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY. 13 10 1. There is appropriated from the general fund of the 13 11 state to the Iowa law enforcement academy for the fiscal year 13 12 beginning July 1, 2010, and ending June 30, 2011, the following 13 13 amount, or so much thereof as is necessary, to be used for the 13 14 purposes designated: 13 15 For salaries, support, maintenance, miscellaneous purposes, 13 16 including jailer training and technical assistance, and for not 13 17 more than the following full-time equivalent positions: 13 18 \$ 1,049,430 13 19 FTEs 30.55</p>	<p>General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).</p> <p>DETAIL: This is no change to the General Fund appropriation and an increase of 1.00 FTE position compared to estimated net FY 2010. The increase in FTE position is due to the receipt of federal grant dollars.</p>
<p>13 20 It is the intent of the general assembly that the Iowa law 13 21 enforcement academy may provide training of state and local 13 22 law enforcement personnel concerning the recognition of and 13 23 response to persons with Alzheimer's disease.</p>	<p>Specifies the intent of the General Assembly that the ILEA may offer training for law enforcement officers in recognizing and responding to persons with Alzheimer's disease.</p>
<p>13 24 The Iowa law enforcement academy may temporarily exceed and 13 25 draw more than the amount appropriated and incur a negative 13 26 cash balance as long as there are receivables equal to or 13 27 greater than the negative balance and the amount appropriated 13 28 in this subsection is not exceeded at the close of the fiscal 13 29 year.</p>	<p>Permits the ILEA to incur a negative General Fund balance as long as there are equal receivables coming into the Academy by the close of the fiscal year.</p> <p>DETAIL: This language is to assist with cash flow issues the ILEA faces in the last quarter of the fiscal year.</p>
<p>13 30 2. The Iowa law enforcement academy may select at least</p>	<p>Permits the ILEA to annually exchange at least five vehicles returned to the State Fleet Administrator by the Department of Public Safety for</p>

13 31 five automobiles of the department of public safety, division
 13 32 of state patrol, prior to turning over the automobiles to
 13 33 the department of administrative services to be disposed
 13 34 of by public auction, and the Iowa law enforcement academy
 13 35 may exchange any automobile owned by the academy for each
 14 1 automobile selected if the selected automobile is used in
 14 2 training law enforcement officers at the academy. However, any
 14 3 automobile exchanged by the academy shall be substituted for
 14 4 the selected vehicle of the department of public safety and
 14 5 sold by public auction with the receipts being deposited in the
 14 6 depreciation fund to the credit of the department of public
 14 7 safety, division of state patrol.

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 Department of Public Safety (DPS).

14 8 Sec. 12. BOARD OF PAROLE. There is appropriated from the
 14 9 general fund of the state to the board of parole for the fiscal
 14 10 year beginning July 1, 2010, and ending June 30, 2011, the
 14 11 following amount, or so much thereof as is necessary, to be
 14 12 used for the purposes designated:
 14 13 For salaries, support, maintenance, miscellaneous purposes,
 14 14 and for not more than the following full-time equivalent
 14 15 positions:
 14 16 \$ 1,045,259
 14 17 FTEs 13.50

General Fund appropriation to the Board of Parole.

DETAIL: This is no change in funding and a decrease of 5.00 FTE positions compared to estimated net FY 2010 for a general reduction in positions.

14 18 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
 14 19 appropriated from the general fund of the state to the
 14 20 department of public defense for the fiscal year beginning July
 14 21 1, 2010, and ending June 30, 2011, the following amounts, or
 14 22 so much thereof as is necessary, to be used for the purposes
 14 23 designated:

14 24 1. MILITARY DIVISION
 14 25 For salaries, support, maintenance, miscellaneous purposes,
 14 26 and for not more than the following full-time equivalent
 14 27 positions:
 14 28 \$ 6,249,201

General Fund appropriation to the Military Division of the Department of Public Defense.

DETAIL: This is an increase of \$624,920 and 10.70 FTE positions compared to estimated net FY 2010.

14 29 FTEs 324.00

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustment Bill) includes \$526,202 to partially restore the 10.00% across-the-board reduction.

14 30 The military division may temporarily exceed and draw more
14 31 than the amount appropriated and incur a negative cash balance
14 32 as long as there are receivables of federal funds equal to or
14 33 greater than the negative balance and the amount appropriated
14 34 in this subsection is not exceeded at the close of the fiscal
14 35 year.

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

DETAIL: The Military Division can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization permits the Division to use State General Fund money 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 Division has implemented the accounting procedures to use the new System.

15 1 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

15 2 For salaries, support, maintenance, miscellaneous purposes,
15 3 and for not more than the following full-time equivalent
15 4 positions:

15 5 \$ 2,038,119

15 6 FTEs 33.00

General Fund appropriation to the Homeland Security and Emergency Management Division.

DETAIL: This is an increase of \$203,812 and a decrease of 0.10 FTE position compared to estimated net FY 2010.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustment Bill) includes \$61,614 to partially restore the 10.00% across-the-board reduction.

15 7 The homeland security and emergency management division may
15 8 temporarily exceed and draw more than the amount appropriated
15 9 and incur a negative cash balance as long as there are
15 10 receivables of federal funds equal to or greater than the
15 11 negative balance and the amount appropriated in this subsection
15 12 is not exceeded at the close of the fiscal year.

Permits the Homeland Security and Emergency Management Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Homeland Security and Emergency Management Division can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization permits the

Division to use State General Fund money 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 Division has implemented the accounting procedures to use the new System.

15 13 It is the intent of the general assembly that the homeland
15 14 security and emergency management division work in conjunction
15 15 with the department of public safety, to the extent possible,
15 16 when gathering and analyzing information related to potential
15 17 domestic or foreign security threats, and when monitoring such
15 18 threats.

Specifies the intent of the General Assembly that the Homeland Security and Emergency Management Division work in conjunction with the DPS when gathering and analyzing information related to potential domestic and foreign security threats.

15 19 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
15 20 from the general fund of the state to the department of public
15 21 safety for the fiscal year beginning July 1, 2010, and ending
15 22 June 30, 2011, the following amounts, or so much thereof as is
15 23 necessary, to be used for the purposes designated:

15 24 1. For the department's administrative functions, including
15 25 the criminal justice information system, and for not more than
15 26 the following full=time equivalent positions:
15 27 \$ 4,134,461
15 28 FTEs 36.00

General Fund appropriation to the DPS for the Administrative Services Division.

DETAIL: This is an increase of \$182,390 and a decrease of 3.00 FTE positions compared to estimated net FY 2010.

15 29 2. For the division of criminal investigation, including
15 30 the state's contribution to the peace officers' retirement,
15 31 accident, and disability system provided in chapter 97A in the
15 32 amount of the state's normal contribution rate, as defined in
15 33 section 97A.8, multiplied by the salaries for which the funds
15 34 are appropriated, to meet federal fund matching requirements,
15 35 and for not more than the following full=time equivalent
16 1 positions:

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

DETAIL: This is a decrease of \$6,151,033 and 10.40 FTE positions compared to estimated net FY 2010. This is a decrease of \$8,851,775 to reflect gambling regulation receipts and an increase of \$2,700,742 for a general increase to the Crime Lab, the Records and Identification Bureau, and the Homicide Bureau.

16 2 \$ 12,861,710

16 3 FTEs 162.10

NOTE: In addition to the General Fund appropriation, the DPS receives an appropriation from the Gaming Enforcement Revolving Fund established in Section 17. This appropriation is to be used to support 115.00 of the 277.10 FTE positions authorized for DPS.

16 4 If any of the Indian tribes fail to pay for 1.00 FTE pursuant
16 5 to the agreements or compacts entered into between the state
16 6 and the Indian tribes pursuant to section 10A.104, subsection
16 7 10, the number of full-time equivalent positions authorized
16 8 under this subsection is reduced by 1.00 FTE.

Specifies that if funding for the 1.00 FTE position for a DCI Special Agent to perform Tribal Gaming Inspections is not funded from the Tribal-State Compact, this FTE position will no longer be authorized.

16 9 The department shall employ one additional special agent and
16 10 one additional criminalist for the purpose of investigating
16 11 cold cases. Prior to employing the additional special agent
16 12 and criminalist authorized in this paragraph, the department
16 13 shall provide a written statement to prospective employees that
16 14 states to the effect that the positions are being funded by a
16 15 temporary federal grant and there are no assurances that funds
16 16 from other sources will be available after the federal funding
16 17 expires. If the federal funding for the additional positions
16 18 expires during the fiscal year, the number of full-time
16 19 equivalent positions authorized in this subsection is reduced
16 20 by 2.00 FTEs.

Specifies that the DPS will employ one Special Agent and one Criminalist to investigate cold cases. However, if federal funds are not received for the 2.00 FTE positions for the Cold Case Unit, the positions are eliminated.

16 21 The department of public safety, with the approval of the
16 22 department of management, may employ no more than two special
16 23 agents and four gaming enforcement officers for each additional
16 24 riverboat or gambling structure regulated after July 1, 2010,
16 25 and one special agent for each racing facility which becomes
16 26 operational during the fiscal year which begins July 1, 2010.
16 27 One additional gaming enforcement officer, up to a total of
16 28 four per riverboat or gambling structure, may be employed
16 29 for each riverboat or gambling structure that has extended
16 30 operations to 24 hours and has not previously operated with a
16 31 24-hour schedule. Positions authorized in this paragraph are

Permits the DPS to employ a maximum of two special agents and four gaming officers if approved by the DOM for new riverboats licensed after July 1, 2010, and for riverboats that have extended operations to 24 hours. Also, permits the employment of one special agent for each racing facility that becomes operational during FY 2011.

NOTE: Senate File 2247 relates to the designation of a gaming enforcement officer. The Bill specifies it is the intent of the General Assembly that the change in designation is for official designation purposes only and will not modify the existing job classification or duties for a gaming enforcement officer as of July 1, 2010.

16 32 in addition to the full-time equivalent positions otherwise
 16 33 authorized in this subsection.

16 34 3. For the criminalistics laboratory fund created in
 16 35 section 691.9:

17 1 \$ 302,345

General Fund appropriation for the Criminalistics Laboratory Fund.

DETAIL: This is no change compared to estimated net FY 2010.

17 2 4. a. For the division of narcotics enforcement, including
 17 3 the state's contribution to the peace officers' retirement,
 17 4 accident, and disability system provided in chapter 97A in the
 17 5 amount of the state's normal contribution rate, as defined in
 17 6 section 97A.8, multiplied by the salaries for which the funds
 17 7 are appropriated, to meet federal fund matching requirements,
 17 8 and for not more than the following full-time equivalent
 17 9 positions:

17 10 \$ 6,507,048

17 11 FTEs 75.00

General Fund appropriation to the DPS for the Division of Narcotics
 Enforcement (DNE).

DETAIL: This is an increase of \$759,401 and a decrease of 6.00 FTE
 positions compared to estimated net FY 2010.

17 12 b. For the division of narcotics enforcement for undercover
 17 13 purchases:

17 14 \$ 109,042

General Fund appropriation to the DPS for DNE undercover
 purchases.

DETAIL: This is no change compared to estimated net FY 2010.

17 15 5. For the division of state fire marshal, for fire
 17 16 protection services as provided through the state fire service
 17 17 and emergency response council as created in the department,
 17 18 and for the state's contribution to the peace officers'
 17 19 retirement, accident, and disability system provided in chapter
 17 20 97A in the amount of the state's normal contribution rate, as
 17 21 defined in section 97A.8, multiplied by the salaries for which
 17 22 the funds are appropriated, and for not more than the following
 17 23 full-time equivalent positions:

17 24 \$ 4,343,896

17 25 FTEs 57.00

General Fund appropriation to the DPS for the State Fire Marshal's
 Office.

DETAIL: This is an increase of \$753,893 and a decrease of 2.00 FTE
 positions compared to estimated net FY 2010.

17 26 6. For the division of state patrol, for salaries, support,
 17 27 maintenance, workers' compensation costs, and miscellaneous
 17 28 purposes, including the state's contribution to the peace
 17 29 officers' retirement, accident, and disability system provided
 17 30 in chapter 97A in the amount of the state's normal contribution
 17 31 rate, as defined in section 97A.8, multiplied by the salaries
 17 32 for which the funds are appropriated, and for not more than the
 17 33 following full-time equivalent positions:
 17 34 \$ 48,984,147
 17 35 FTEs 503.00

General Fund appropriation to the Iowa State Patrol.

DETAIL: This is an increase of \$3,922,862 and a decrease of 33.00 FTE positions compared to estimated net FY 2010.

18 1 It is the intent of the general assembly that members of the
 18 2 state patrol be assigned to patrol the highways and roads in
 18 3 lieu of assignments for inspecting school buses for the school
 18 4 districts.

Specifies the intent of the General Assembly that the Iowa State Patrol assign education officers to perform school bus inspections rather than having road troopers perform these inspections.

18 5 7. For deposit in the sick leave benefits fund established
 18 6 under section 80.42 for all departmental employees eligible to
 18 7 receive benefits for accrued sick leave under the collective
 18 8 bargaining agreement:
 18 9 \$ 279,517

General Fund appropriation to create a non-reversionary fund in the DPS to be used for sick leave payout. All sworn officers of the Department are eligible to receive benefits for accrued sick leave under the collective bargaining agreement.

DETAIL: This is no change compared to estimated net FY 2010.

18 10 8. For costs associated with the training and equipment
 18 11 needs of volunteer fire fighters:
 18 12 \$ 612,255

General Fund appropriation to the DPS for Volunteer Fire Fighter Training.

DETAIL: This is no change compared to estimated net FY 2010.

18 13 Notwithstanding section 8.33, moneys appropriated in this
 18 14 subsection that remain unencumbered or unobligated at the
 18 15 close of the fiscal year shall not revert but shall remain
 18 16 available for expenditure only for the purpose designated in
 18 17 this subsection until the close of the succeeding fiscal year.

CODE: Requires nonreversion of funds for fire fighter training and equipment needs.

18 18 Notwithstanding section 8.39, within the moneys appropriated

CODE: Permits funds appropriated to the DPS to be allocated as

18 19 in this section the department of public safety may reallocate
 18 20 moneys as necessary to best fulfill the needs provided for
 18 21 in the appropriation. However, the department shall not
 18 22 reallocate an appropriation made to the department in this
 18 23 section unless notice of the reallocation is given to the
 18 24 legislative services agency and the department of management
 18 25 prior to the effective date of the reallocation. The notice
 18 26 shall include information about the rationale for reallocating
 18 27 the appropriation. The department shall not reallocate
 18 28 an appropriation made in this section for the purpose of
 18 29 eliminating any program.

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 Department is not allowed to reallocate the appropriation for the purpose of eliminating a program.

18 30 Sec. 15. GAMING ENFORCEMENT. There is appropriated from the
 18 31 gaming enforcement revolving fund created in section 80.43 to
 18 32 the department of public safety for the fiscal year beginning
 18 33 July 1, 2010, and ending June 30, 2011, the following amount,
 18 34 or so much thereof as is necessary, to be used for the purposes
 18 35 designated:
 19 1 For any direct and indirect support costs for agents
 19 2 and officers of the division of criminal investigation's
 19 3 excursion gambling boat, gambling structure, and racetrack
 19 4 enclosure enforcement activities, including salaries, support,
 19 5 maintenance, miscellaneous purposes, and for not more than the
 19 6 following full-time equivalent positions:
 19 7 \$ 8,851,775
 19 8 FTEs 115.00

Gaming Enforcement Revolving Fund appropriation to the Department of Public Safety for direct and indirect support costs for DCI agents and officers for gaming enforcement.

DETAIL: This is a new Fund and appropriation.

19 9 However, for each additional license to conduct gambling
 19 10 games on an excursion gambling boat, gambling structure, or
 19 11 racetrack enclosure issued during the period beginning July 1,
 19 12 2009, through June 30, 2011, there is appropriated from the
 19 13 gaming enforcement fund to the department of public safety for
 19 14 the fiscal year beginning July 1, 2010, and ending June 30,
 19 15 2011, an additional amount of not more than \$521,000 to be
 19 16 used for not more than 6.00 additional full-time equivalent
 19 17 positions.

If an additional gambling license is granted in FY 2010 or FY 2011, an additional \$521,000 and 6.00 FTE positions may be expended from the Gaming Enforcement Revolving Fund.

19 18 Sec. 16. CIVIL RIGHTS COMMISSION. There is appropriated
 19 19 from the general fund of the state to the Iowa state civil
 19 20 rights commission for the fiscal year beginning July 1,
 19 21 2010, and ending June 30, 2011, the following amount, or so
 19 22 much thereof as is necessary, to be used for the purposes
 19 23 designated:
 19 24 For salaries, support, maintenance, miscellaneous purposes,
 19 25 and for not more than the following full-time equivalent
 19 26 positions:
 19 27 \$ 1,379,861
 19 28 FTEs 29.50

General Fund appropriation to the Iowa Civil Rights Commission.
 DETAIL: This is no change compared to estimated net FY 2010.

19 29 The Iowa state civil rights commission may enter into
 19 30 a contract with a nonprofit organization to provide legal
 19 31 assistance to resolve civil rights complaints.

Permits the Iowa Civil Rights Commission to enter into a contract with a non-profit organization for legal assistance.

19 32 Sec. 17. EFFECTIVE UPON ENACTMENT. The provision of this
 19 33 division of this Act eliminating the chief security officer
 19 34 position within the department of corrections, being deemed of
 19 35 immediate importance, takes effect upon enactment.

The provision eliminating the Chief of Security position in the Central Office of the DOC is effective on enactment.

20 1 DIVISION II

20 2 COURT COSTS == FINES

20 3 Sec. 18. Section 602.8106, subsection 1, paragraphs a, b, d,
 20 4 and e, Code Supplement 2009, are amended to read as follows:
 20 5 a. Except as otherwise provided in paragraphs "b" and
 20 6 "c", for filing and docketing a criminal case to be paid
 20 7 by the county or city which has the duty to prosecute the
 20 8 criminal action, payable as provided in section 602.8109, one
 20 9 hundred twenty dollars. When judgment is rendered against the
 20 10 defendant, costs collected from the defendant shall be paid to
 20 11 the county or city which has the duty to prosecute the criminal
 20 12 action to the extent necessary for reimbursement for fees
 20 13 paid. However, the fees which are payable by the county to the

CODE: Increases the court costs for simple misdemeanors and scheduled and non-scheduled traffic violations from \$60 to \$70 and increases the court costs for indictable misdemeanors and felonies from \$100 to \$120.

20 14 clerk of the district court for services rendered in criminal
20 15 actions prosecuted under state law and the court costs taxed in
20 16 connection with the trial of those actions or appeals from the
20 17 judgments in those actions are waived.

20 18 b. For filing and docketing of a complaint or information
20 19 for a simple misdemeanor and a complaint or information
20 20 for a nonscheduled simple misdemeanor under chapter 321,
20 21 ~~sixty~~ seventy dollars.

20 22 d. The court costs in scheduled violation cases where a
20 23 court appearance is required, ~~sixty~~
20 24 seventy dollars.

20 25 e. For court costs in scheduled violation cases where a
20 26 court appearance is not required, ~~sixty~~
20 27 seventy dollars.

20 28 Sec. 19. Section 805.8A, Code Supplement 2009, is amended
20 29 to read as follows:

20 30 805.8A Motor vehicle and transportation scheduled violations.
20 31 1. Parking violations.

20 32 a. For parking violations under sections 321.236, 321.239,
20 33 321.358, 321.360, and 321.361, the scheduled fine is five
20 34 dollars, except if the local authority has established the
20 35 fine by ordinance. The scheduled fine for a parking violation
21 1 pursuant to section 321.236 increases by five dollars, if
21 2 authorized by ordinance and if the parking violation is not
21 3 paid within thirty days of the date upon which the violation
21 4 occurred. For purposes of calculating the unsecured appearance
21 5 bond required under section 805.6, the scheduled fine shall
21 6 be five dollars, or if the amount of the fine is greater than
21 7 five dollars, the unsecured appearance bond shall be the amount
21 8 of the fine established by the local authority. However,
21 9 violations charged by a city or county upon simple notice of a
21 10 fine instead of a uniform citation and complaint required by
21 11 section 321.236, subsection 1, paragraph "b", are not scheduled
21 12 violations, and this section shall not apply to any offense
21 13 charged in that manner. For a parking violation under section
21 14 ~~321.362 or 461A.38~~, the scheduled fine is ten dollars. For

CODE: Increases fines in amounts ranging from \$10 to \$65 for moving and non-moving violations.

NOTE: See the attached spreadsheet for additional detail.

21 15 parking violations under section 321.362, the scheduled fine
21 16 is twenty dollars.
21 17 b. For a parking violation under section 321L.2A, subsection
21 18 2, the scheduled fine is twenty dollars.
21 19 c. For violations under section 321L.2A, subsection 3,
21 20 sections 321L.3, 321L.4, subsection 2, and section 321L.7, the
21 21 scheduled fine is one hundred ten dollars.
21 22 2. Title or registration violations.
21 23 a. For violations under sections 321.32, 321.34, 321.37,
21 24 321.38, and 321.41, the scheduled fine is ~~ten~~ twenty dollars.
21 25 b. (1) For violations under sections 321.115 and 321.115A,
21 26 the scheduled fine is thirty dollars.
21 27 (2) For violations under sections 321.17, 321.47, 321.55,
21 28 and 321.98, ~~321.115, and 321.115A,~~ the scheduled fine is
21 29 thirty forty dollars.
21 30 c. For violations under sections 321.25, 321.45, 321.46,
21 31 321.48, 321.52, 321.57, 321.62, 321.67, and 321.104, the
21 32 scheduled fine is ~~thirty~~ sixty dollars.
21 33 d. For a violation under section 321.99, the scheduled fine
21 34 is one hundred ten dollars.
21 35 3. Equipment violations.
22 1 a. For violations under sections 321.317, 321.386, 321.387,
22 2 321.388, 321.389, 321.390, 321.392, 321.393, 321.422, 321.432,
22 3 321.436, 321.439, 321.440, 321.441, 321.442, and 321.444, the
22 4 scheduled fine is ~~ten~~ twenty dollars.
22 5 b. For improperly used or nonused, or defective or
22 6 improper equipment, other than brakes, driving lights and
22 7 brake lights, under section 321.437, the scheduled fine is
22 8 ~~ten~~ twenty dollars.
22 9 c. For violations under sections 321.382, and
22 10 321.404A, ~~and 321.438,~~ the scheduled fine is
22 11 fifteen twenty=five dollars.
22 12 d. For violations of sections 321.383, 321.384, 321.385,
22 13 321.398, 321.402, 321.403, 321.404, 321.409, 321.415,
22 14 321.419, 321.420, 321.421, 321.423, and 321.433, the scheduled
22 15 fine is ~~twenty~~ thirty dollars.
22 16 e. For a violation of section 321.430, the scheduled fine is
22 17 ~~thirty=five~~ forty=five dollars.

22 18 f. (1) For violations under section 321.234A and 321.438,
22 19 the scheduled fine is fifty dollars.
22 20 (2) For violations under sections ~~321.234A~~, 321.247,
22 21 321.381, and 321.381A, the scheduled fine is
22 22 ~~fifty~~ sixty dollars.
22 23 4. Driver's license violations.
22 24 a. For violations under sections 321.174A, 321.180,
22 25 321.180B, 321.193, and 321.194, the scheduled fine is
22 26 ~~thirty~~ forty dollars.
22 27 b. For a violation of section 321.216, the scheduled fine is
22 28 ~~seventy-five~~ eighty-five dollars.
22 29 c. For violations under sections 321.174, 321.216B,
22 30 321.216C, 321.219, and 321.220, the scheduled fine is one
22 31 hundred ten dollars.
22 32 5. Speed violations.
22 33 a. For excessive speed violations in excess of the limit
22 34 under section 321.236, subsections 5 and 11, sections 321.285,
22 35 and 461A.36, the scheduled fine shall be the following:
23 1 (1) ~~Ten~~ Twenty dollars for speed not more than five miles
23 2 per hour in excess of the limit.
23 3 (2) ~~Twenty~~ Forty dollars for speed greater than five but not
23 4 more than ten miles per hour in excess of the limit.
23 5 (3) ~~Thirty~~ Fifty dollars for speed greater than ten but not
23 6 more than fifteen miles per hour in excess of the limit.
23 7 (4) ~~Forty~~ Sixty dollars for speed greater than fifteen but
23 8 not more than twenty miles per hour in excess of the limit.
23 9 (5) ~~Forty~~ Sixty dollars plus two dollars for each mile per
23 10 hour of excessive speed over twenty miles per hour over the
23 11 limit.
23 12 b. Notwithstanding paragraph "a", for excessive speed
23 13 violations in speed zones greater than ~~fifty~~ five miles per
23 14 hour, the scheduled fine shall be:
23 15 (1) ~~Twenty~~ Thirty dollars for speed not more than five miles
23 16 per hour in excess of the limit.
23 17 (2) ~~Forty~~ Sixty dollars for speed greater than five but not
23 18 more than ten miles per hour in excess of the limit.
23 19 (3) ~~Sixty~~ Eighty dollars for speed greater than ten but not
23 20 more than fifteen miles per hour in excess of the limit.

23 21 (4) ~~Eighty~~ One hundred dollars for speed greater than
23 22 fifteen but not more than twenty miles per hour in excess of
23 23 the limit.

23 24 (5) ~~Ninety~~ One hundred ten dollars plus five dollars for
23 25 each mile per hour of excessive speed over twenty miles per
23 26 hour over the limit.

23 27 c. Excessive speed in whatever amount by a school bus is
23 28 not a scheduled violation under any section listed in this
23 29 subsection.

23 30 d. Excessive speed in conjunction with a violation of
23 31 section 321.278 is not a scheduled violation, whatever the
23 32 amount of excess speed.

23 33 e. For a violation under section 321.295, the scheduled fine
23 34 is ~~thirty~~ forty dollars.

23 35 6. Operating violations.

24 1 a. For a violation under section 321.236, subsections 3, 4,
24 2 9, and 12, the scheduled fine is twenty dollars.

24 3 b. For violations under section 321.275, subsections
24 4 1 through 7, sections ~~321.277A~~ , 321.315, 321.316,
24 5 321.318, 321.363, and 321.365, the scheduled fine is
24 6 ~~twenty-five~~ thirty-five dollars.

24 7 c. (1) For violations under sections ~~321.288~~ , ~~321.297~~,
24 8 ~~321.299~~, ~~321.303~~, ~~321.304~~, subsections 1 and 2, sections
24 9 ~~321.305~~, 321.306, 321.311, ~~321.312~~, 321.314, 321.323,
24 10 321.340, 321.353, 321.354, and 321.395, the scheduled fine is
24 11 ~~thirty-five~~ forty-five dollars.

24 12 (2) For violations under sections 321.277A, 321.297,
24 13 321.299, 321.303, 321.304, subsections 1 and 2, 321.305,
24 14 321.312, and 321.320, the scheduled fine is seventy-five
24 15 dollars.

24 16 (3) For violations under section 321.288, the scheduled
24 17 fine is one hundred dollars.

24 18 d. For violations under sections 321.302 and 321.366, the
24 19 scheduled fine is ~~fifty~~ sixty dollars.

24 20 7. Failure to yield or obey violations.

24 21 a. ~~For a violation by an operator of a motor vehicle~~
24 22 ~~under section 321.257, subsection 2, the scheduled fine is~~
24 23 ~~thirty-five~~ dollars.

24 24 ~~b.~~ a. For violations under sections ~~321.298~~ , 321.307,
24 25 321.308, 321.313, 321.319, ~~321.320, 321.321,~~ 321.327,
24 26 321.329, and 321.333, the scheduled fine is
24 27 ~~thirty=~~ forty=five dollars.
24 28 b. For a violation under section 321.321, the scheduled fine
24 29 is fifty dollars.
24 30 c. For violations under sections 321.298 and 321.320, the
24 31 scheduled fine is seventy=five dollars.
24 32 d. For a violation by an operator of a motor vehicle
24 33 under section 321.257, subsection 2, the scheduled fine is
24 34 seventy=five dollars.
24 35 8. Traffic sign or signal violations.
25 1 a. For violations under section 321.236, subsections 2
25 2 and 6, ~~sections 321.256, 321.294, 321.304, subsection 3, and~~
25 3 ~~section 321.322,~~ the scheduled fine is thirty=five dollars.
25 4 b. For a violation under section 321.294, the scheduled fine
25 5 is forty=five dollars.
25 6 c. For violations of sections 321.256, 321.304, subsection
25 7 3, and 321.322, the scheduled fine is seventy=five dollars.
25 8 9. Bicycle or pedestrian violations.
25 9 a. For violations by a pedestrian or a bicyclist under
25 10 ~~section 321.234, subsections 3 and 4, section 321.236,~~
25 11 ~~subsection 10, section 321.257, subsection 2, section 321.275,~~
25 12 ~~subsection 8, section 321.325, 321.326, 321.328, 321.331,~~
25 13 ~~321.332, 321.397, or~~ and section 321.434, the scheduled fine
25 14 is fifteen dollars.
25 15 b. For violations by a pedestrian or bicyclist under section
25 16 321.234, subsections 3 and 4, section 321.257, subsection 2,
25 17 section 321.275, subsection 8, and sections 321.325, 321.326,
25 18 321.328, 321.331, 321.332, and 321.397, the scheduled fine is
25 19 twenty=five dollars.
25 20 9A. Electric personal assistive mobility device
25 21 violations. For violations under section 321.235A, the
25 22 scheduled fine is fifteen dollars.
25 23 10. School bus violations.
25 24 a. For violations by an operator of a school bus under
25 25 sections 321.285 and 321.372, subsections 1 and 2, the
25 26 scheduled fine is ~~thirty=~~ forty=five dollars. However,

25 27 an excessive speed violation by a school bus of more than
25 28 ten miles per hour in excess of the limit is not a scheduled
25 29 violation.

25 30 b. For a violation under section 321.372, subsection 3, the
25 31 scheduled fine is one hundred ~~ten~~ dollars.

25 32 11. Emergency vehicle violations.

25 33 a. For violations under sections 321.231, 321.367, and
25 34 321.368, the scheduled fine is ~~thirty=five~~ forty=five dollars.

25 35 b. For a violation under section 321.323A or 321.324, the
26 1 scheduled fine is ~~thirty~~ sixty dollars.

26 2 12. Restrictions on vehicles.

26 3 a. For violations under sections 321.309, 321.310,
26 4 321.394, 321.461, and 321.462, the scheduled fine is
26 5 ~~twenty=five~~ thirty=five dollars.

26 6 b. For violations under section 321.437, the scheduled fine
26 7 is ~~twenty=five~~ thirty=five dollars.

26 8 c. For height, length, width, and load violations under
26 9 sections 321.454, 321.455, 321.456, 321.457, and 321.458, the
26 10 scheduled fine is one hundred ~~ten~~ dollars.

26 11 d. For violations under section 321.466, the scheduled fine
26 12 is twenty dollars for each two thousand pounds or fraction
26 13 thereof of overweight.

26 14 e. (1) Violations of the schedule of axle and tandem axle
26 15 and gross or group of axle weight violations in section 321.463
26 16 shall be scheduled violations subject to the provisions,
26 17 procedures, and exceptions contained in sections 805.6 through
26 18 805.11, irrespective of the amount of the fine under that
26 19 schedule.

26 20 (a) Violations of the schedule of weight violations shall be
26 21 chargeable, where the fine charged does not exceed one thousand
26 22 dollars, only by uniform citation and complaint.

26 23 (b) Violations of the schedule of weight violations, where
26 24 the fine charged exceeds one thousand dollars shall, when the
26 25 violation is admitted and section 805.9 applies, be chargeable
26 26 upon uniform citation and complaint, indictment, or county
26 27 attorney's information, but otherwise shall be chargeable only
26 28 upon indictment or county attorney's information.

26 29 (2) In all cases of charges under the schedule of weight

26 30 violations, the charge shall specify the amount of fine charged
26 31 under the schedule. Where a defendant is convicted and the
26 32 fine under the foregoing schedule of weight violations exceeds
26 33 one thousand dollars, the conviction shall be of an indictable
26 34 offense although section 805.9 is employed and whether the
26 35 violation is charged upon uniform citation and complaint,
27 1 indictment, or county attorney's information.
27 2 f. For a violation under section 321E.16, other than the
27 3 provisions relating to weight, the scheduled fine is one
27 4 hundred ten dollars.
27 5 13. Motor carrier violations.
27 6 a. (1) For violations under sections ~~321.54~~, 326.22, and
27 7 326.23, the scheduled fine is twenty dollars.
27 8 (2) For a violation under section 321.54, the scheduled fine
27 9 is thirty dollars.
27 10 b. For a violation under section 321.449, the scheduled fine
27 11 is ~~twenty-five~~ fifty dollars.
27 12 c. (1) For violations under sections 321.364, ~~321.450,~~
27 13 ~~321.460,~~ and 452A.52, the scheduled fine is one hundred
27 14 dollars.
27 15 (2) For violations under sections 321.450 and 321.460, the
27 16 scheduled fine is one hundred ten dollars.
27 17 d. For violations of section 325A.3, subsection 5, or
27 18 section 325A.8, the scheduled fine is ~~fifty~~ sixty dollars.
27 19 e. For violations of chapter 325A, other than a violation of
27 20 section 325A.3, subsection 5, or section 325A.8, the scheduled
27 21 fine is two hundred fifty dollars.
27 22 f. For failure to have proper carrier identification
27 23 markings under section 327B.1, the scheduled fine is
27 24 ~~fifty~~ sixty dollars.
27 25 g. For failure to have proper evidence of interstate
27 26 authority carried or displayed under section 327B.1, and for
27 27 failure to register, carry, or display evidence that interstate
27 28 authority is not required under section 327B.1, the scheduled
27 29 fine is two hundred ~~fifty~~ sixty dollars.
27 30 14. Miscellaneous violations.
27 31 a. Failure to obey a peace officer. For a
27 32 violation under section 321.229, the scheduled fine is

27 33 ~~thirty=~~forty=five dollars.
27 34 b. Abandoning a motor vehicle. For a violation under
27 35 section 321.91, the scheduled fine is one hundred ten dollars.
28 1 c. Seat belt or restraint violations. For violations
28 2 under sections 321.445 and 321.446, the scheduled fine is
28 3 ~~twenty=~~seventy=five dollars.
28 4 d. Litter and debris violations. For violations
28 5 under sections 321.369 and 321.370, the scheduled fine is
28 6 ~~seventy~~ eighty dollars.
28 7 e. Open container violations. For violations under sections
28 8 321.284 and 321.284A, the scheduled fine is one hundred
28 9 fifty dollars.
28 10 f. Proof of financial responsibility. If, in connection with
28 11 a motor vehicle accident, a person is charged and found guilty
28 12 of a violation of section 321.20B, subsection 1, the scheduled
28 13 fine is five hundred dollars; otherwise, the scheduled fine for
28 14 a violation of section 321.20B, subsection 1, is two hundred
28 15 fifty dollars. Notwithstanding section 805.12, fines collected
28 16 pursuant to this paragraph shall be submitted to the state
28 17 court administrator and distributed fifty percent to the victim
28 18 compensation fund established in section 915.94, ~~twenty=~~five
28 19 percent to the county in which such fine is imposed, and
28 20 ~~twenty=~~five percent to the general fund of the state.
28 21 g. Radar=jamming devices. For a violation under section
28 22 321.232, the scheduled fine is ~~ifty~~ sixty dollars.
28 23 h. Railroad crossing violations.
28 24 (1) For violations under sections 321.341, 321.342,
28 25 321.343, and 321.344, the scheduled fine is one hundred
28 26 ten dollars.
28 27 (2) For a violation under section 321.344B, the scheduled
28 28 fine is two hundred dollars.
28 29 i. Road work zone violations. The scheduled fine for any
28 30 moving traffic violation under chapter 321, as provided in
28 31 this section, shall be doubled if the violation occurs within
28 32 any road work zone, as defined in section 321.1. However,
28 33 notwithstanding subsection 5, the scheduled fine for violating
28 34 the speed limit in a road work zone is as follows:
28 35 (1) One hundred fifty dollars for speed not more than ten

29 1 miles per hour over the posted speed limit.
 29 2 (2) Three hundred dollars for speed greater than ten but not
 29 3 more than twenty miles per hour over the posted speed limit.
 29 4 (3) Five hundred dollars for speed greater than twenty but
 29 5 not more than twenty=five miles per hour over the posted speed
 29 6 limit.
 29 7 (4) One thousand dollars for speed greater than twenty=five
 29 8 miles per hour over the posted speed limit.
 29 9 j. Vehicle component parts records violations. For
 29 10 violations under section 321.95, the scheduled fine is fifty
 29 11 dollars.

29 12 Sec. 20. Section 805.8C, subsection 6, paragraph a, Code
 29 13 Supplement 2009, is amended to read as follows:
 29 14 a. If the violation is a first offense, the scheduled fine
 29 15 is one hundred ten dollars.

CODE: Increases the fines for first offense purchase of pseudoephedrine from \$100 to \$110.

29 16 DIVISION III

29 17 PUBLIC SAFETY ENFORCEMENT FUND
 29 18 Sec. 21. PUBLIC SAFETY ENFORCEMENT FUND ESTABLISHED ==
 29 19 TEMPORARY ALLOCATION OF FINES AND FEES.
 29 20 1. A public safety enforcement fund is created in the
 29 21 state treasury under the control of the treasurer of state.
 29 22 Notwithstanding section 602.8108, the state court administrator
 29 23 shall allocate to the treasurer of state for deposit in the
 29 24 public safety enforcement fund the first eight million eight
 29 25 hundred thousand dollars of the moneys received under section
 29 26 602.8108, subsection 2, during the fiscal year beginning July
 29 27 1, 2010, and ending June 30, 2011. Moneys deposited into the
 29 28 fund are appropriated to the treasurer of state for allocation
 29 29 as provided in subsection 2.

Creates the Public Safety Enforcement Fund under the control of the State Treasurer.

CODE: Requires the State Court Administrator to allocate the first \$8,800,000 of court receipts received in FY 2011 to the State Treasurer for deposit in the Public Safety Enforcement Fund.

29 30 2. The treasurer of state shall allocate to the following
 29 31 entities the following amounts from the public safety

Requires the State Treasurer to allocate money from the Public Safety Enforcement Fund in the following amounts to the following State

29 32 enforcement fund for the fiscal year beginning July 1, 2010,
 29 33 and ending June 30, 2011:
 29 34 a. To the department of corrections, \$502,810 and of the
 29 35 amount allocated in this paragraph, \$402,810 shall be allocated
 30 1 by the department of corrections to the sixth judicial district
 30 2 of department of correctional services, and \$100,000 shall
 30 3 be allocated to the first judicial district department of
 30 4 correctional services.
 30 5 b. To the department of corrections, \$2,497,190 and of
 30 6 the amount allocated in this paragraph, \$1,451,000 shall be
 30 7 allocated by the department of corrections for the operation
 30 8 of the Fort Madison correctional facility, \$846,190 shall be
 30 9 allocated for the operation of the Luster Heights facility, and
 30 10 \$200,000 shall be allocated for the operation of the Anamosa
 30 11 correctional facility.
 30 12 c. To the department of public safety, \$150,000 for costs
 30 13 associated with the training and equipment needs of volunteer
 30 14 fire fighters.
 30 15 d. To the department of public safety, \$250,000.
 30 16 e. To the Iowa civil rights commission, \$100,000.
 30 17 f. To the judicial branch, \$5,300,000.
 30 18 3. Moneys remaining in the fund at or after the close of the
 30 19 fiscal year shall revert to the general fund of the state.
 30 20 4. This section is repealed June 30, 2011.

agencies. This Section is repealed June 30, 2011.:

- CBC District 1 - \$100,000
- CBC District 6 - \$402,810
- Fort Madison Institution - \$1,451,000
- Anamosa Institution - \$200,000
- Luster Heights Correctional Facility - \$846,190
- Volunteer Fire Fighters - \$150,000
- Department of Public Safety - \$250,000
- Iowa Civil Rights Commission - \$100,000
- Judicial Branch - \$5,300,000

30 21 DIVISION IV
 30 22 GAMING ENFORCEMENT FUND AND MISCELLANEOUS PROVISIONS

30 23 Sec. 22. 2010 Iowa Acts, Senate File 2088, section 62, is
 30 24 amended to read as follows:
 30 25 SEC. 62. COMMUNITY=BASED CORRECTIONS == STATE
 30 26 ACCOUNTING BUDGETING SYSTEM. Each judicial district
 30 27 department of correctional services shall utilize the state
 30 28 ~~accounting~~ budgeting system for purposes of tracking both
 30 29 appropriations and expenditures. Each judicial district
 30 30 department shall coordinate its ~~accounting~~ budgeting activities

CODE: Clarifies that CBC District Departments are to report their financial data using the State budget system.

DETAIL: Current law requires the CBC District Departments to file their financial reports quarterly with the LSA.

30 31 with the department of management for purposes of implementing
30 32 the requirements of this section.

30 33 Sec. 23. Section 8A.302, subsection 1, as amended by 2010
30 34 Iowa Acts, Senate File 2088, section 71, is amended to read as
30 35 follows:
31 1 1. Providing a system of uniform standards and
31 2 specifications for purchasing. When the system is developed,
31 3 all items of general use shall be purchased by state agencies
31 4 through the department, except items provided for under
31 5 section 904.808 or items used by the state board of regents
31 6 and institutions under the control of the state board of
31 7 regents. However, the department may authorize the department
31 8 of transportation, the department for the blind, and any other
31 9 agencies otherwise exempted by law from centralized purchasing,
31 10 to directly purchase items used by those agencies without going
31 11 through the department, if the department of administrative
31 12 services determines such purchasing is in the best interests
31 13 of the state. However, items of general use may be purchased
31 14 through the department by any governmental entity.

31 15 Sec. 24. NEW SECTION . 80.43 Gaming enforcement ==
31 16 revolving fund.
31 17 1. A gaming enforcement revolving fund is created in the
31 18 state treasury under the control of the department. The fund
31 19 shall consist of fees collected and deposited into the fund
31 20 paid by licensees pursuant to section 99D.14, subsection 2,
31 21 paragraph "b", and fees paid by licensees pursuant to section
31 22 99F.10, subsection 4, paragraph "b". All costs for agents and
31 23 officers plus any direct and indirect support costs for such
31 24 agents and officers of the division of criminal investigation's
31 25 racetrack, excursion boat, or gambling structure enforcement
31 26 activities shall be paid from the fund as provided in
31 27 appropriations made for this purpose by the general assembly.

31 28 2. To meet the department's cash flow needs, the department

CODE: Corrective language for the waiver process for State agencies to purchase products from Iowa Prison Industries.

DETAIL: This Section amends language in SF 2088 (Government Reorganization and Efficiency Act).

CODE: Creates the Gaming Enforcement Revolving Fund under the control of the DPS for the collection of fees for direct and indirect costs paid by licensees for the regulation of boats and racetracks by the Division of Criminal Investigation.

DETAIL: These funds will be used to support 115.00 FTE positions for gaming enforcement at an estimated cost of \$8,851,775.

CODE: Permits the DPS to temporarily use General Fund money to

31 29 may temporarily use funds from the general fund of the state
31 30 to pay expenses in excess of moneys available in the revolving
31 31 fund if those additional expenditures are fully reimbursable
31 32 and the department reimburses the general fund of the state
31 33 and ensures all moneys are repaid in full by the close of the
31 34 fiscal year. Because any general fund moneys used shall be
31 35 fully reimbursed, such temporary use of funds from the general
32 1 fund of the state shall not constitute an appropriation for
32 2 purposes of calculating the state general fund expenditure
32 3 limitation pursuant to section 8.54.

provide cash flow for the Gaming Enforcement Revolving Fund and requires the DPS to repay all money used for cash flow purposes by the end of the fiscal year.

32 4 3. Section 8.33 does not apply to any moneys credited or
32 5 appropriated to the revolving fund from any other fund and,
32 6 notwithstanding section 12C.7, subsection 2, earnings or
32 7 interest on moneys deposited in the revolving fund shall be
32 8 credited to the revolving fund.

CODE: Requires nonreversion of funds appropriated to the Gaming Enforcement Revolving Fund. Requires interest earnings to be retained in the Fund.

32 9 Sec. 25. Section 99D.14, subsection 2, Code 2009, is amended
32 10 to read as follows:

32 11 2. a. A licensee shall pay a regulatory fee to be charged
32 12 as provided in this section. In determining the regulatory fee
32 13 to be charged as provided under this section, the commission
32 14 shall use the amount appropriated to the commission plus the
32 15 cost of salaries for no more than two special agents for each
32 16 racetrack that has not been issued a table games license under
32 17 chapter 99F or no more than three special agents for each
32 18 racetrack that has been issued a table games license under
32 19 chapter 99F, plus any direct and indirect support costs for the
32 20 agents, for the division of criminal investigation's racetrack
32 21 activities, as the basis for determining the amount of revenue
32 22 to be raised from the regulatory fee.

32 23 b. Notwithstanding sections 8.60 and 99D.17, the portion of
32 24 the fee paid pursuant to paragraph "a" relating to the costs
32 25 of special agents plus any direct and indirect support costs
32 26 for the agents, for the division of criminal investigation's
32 27 racetrack activities, shall not be deposited in the general

CODE: Requires gambling regulation receipts to be deposited in the Gaming Enforcement Revolving Fund rather than being deposited in the General Fund.

32 28 fund of the state but instead shall be deposited into the
32 29 gaming enforcement revolving fund established in section 80.43.

32 30 Sec. 26. Section 99F.10, subsection 4, Code 2009, is amended
32 31 to read as follows:

32 32 4. a. In determining the license fees and state regulatory
32 33 fees to be charged as provided under section 99F.4 and this
32 34 section, the commission shall use as the basis for determining
32 35 the amount of revenue to be raised from the license fees and
33 1 regulatory fees the amount appropriated to the commission
33 2 plus the cost of salaries for no more than two special agents
33 3 for each excursion gambling boat or gambling structure and no
33 4 more than four gaming enforcement officers for each excursion
33 5 gambling boat or gambling structure with a patron capacity of
33 6 less than two thousand persons or no more than five gaming
33 7 enforcement officers for each excursion gambling boat or
33 8 gambling structure with a patron capacity of at least two
33 9 thousand persons, plus any direct and indirect support costs
33 10 for the agents and officers, for the division of criminal
33 11 investigation's excursion gambling boat or gambling structure
33 12 activities.

33 13 b. Notwithstanding sections 8.60 and 99F.4, the portion of
33 14 the fee paid pursuant to paragraph "a" relating to the costs
33 15 of special agents and officers plus any direct and indirect
33 16 support costs for the agents and officers, for the division of
33 17 criminal investigation's excursion gambling boat or gambling
33 18 structure activities, shall not be deposited in the general
33 19 fund of the state but instead shall be deposited into the
33 20 gaming enforcement revolving fund established in section 80.43.

33 21 Sec. 27. Section 809A.17, subsection 5, Code 2009, is
33 22 amended by adding the following new paragraph:
33 23 NEW PARAGRAPH . e. If the forfeited property is cash or
33 24 proceeds from the sale of real property the distribution of the
33 25 forfeited property shall be as follows:

33 26 (1) The department of justice shall not retain more than

CODE: Requires gambling regulation receipts to be deposited in the Gaming Enforcement Revolving Fund rather than being deposited in the General Fund.

CODE: Requires the Department of Justice to retain 10.00% of the cash or proceeds from the sale of forfeited property and 90.00% is to be distributed to the seizing agencies.

33 27 ten percent of the gross sale of any forfeited real property.
 33 28 The balance of the proceeds shall be distributed to the
 33 29 seizing agency for use by the agency or for division among
 33 30 law enforcement agencies and county attorneys pursuant to any
 33 31 agreement entered into by the seizing agency.
 33 32 (2) The department of justice shall not retain more than
 33 33 ten percent of any forfeited cash. The balance shall be
 33 34 distributed to the seizing agency for use by the agency or for
 33 35 division among law enforcement agencies and county attorneys
 34 1 pursuant to any agreement entered into by the seizing agency.
 34 2 (3) In the event of a cash forfeiture in excess of four
 34 3 hundred thousand dollars the distribution of forfeited cash
 34 4 shall be as follows:
 34 5 (a) Forty=five percent shall be retained by the seizing
 34 6 agency.
 34 7 (b) Forty=five percent shall be distributed to other law
 34 8 enforcement agencies within the region of the seizing agency.
 34 9 (c) Ten percent shall be retained by the department of
 34 10 justice.

34 11 Sec. 28. Section 904.315, subsection 2, Code Supplement
 34 12 2009, is amended to read as follows:
 34 13 2. A contract is not required for improvements at a state
 34 14 institution where the labor of inmates is to be used if the
 34 15 contract is not for a construction, reconstruction, demolition,
 34 16 or repair project or improvement with an estimated cost in
 34 17 excess of ~~forty~~ one hundred thousand dollars.

CODE: Increases the dollar value cap on the use of inmate labor from \$50,000 per project to \$100,000 per maintenance project.

34 18 Sec. 29. Section 904A.4B, Code 2009, is amended to read as
 34 19 follows:
 34 20 904A.4B Executive director of the board of parole == duties.
 34 21 1. The chief administrative officer of the board of
 34 22 parole shall be the executive director , except as provided in
 34 23 subsection 2 . The executive director shall be appointed by the
 34 24 chairperson, subject to the approval of the board and shall
 34 25 serve at the pleasure of the board. The executive director

CODE: Permits the Chairperson of the Board of Parole to serve as Acting Executive Director if necessary.

34 26 shall do all of the following:

34 27 ~~1- a.~~ Advise the board on matters relating to parole,
34 28 work release, and executive clemency, and advise the board on
34 29 matters involving automation and word processing.

34 30 ~~2- b.~~ Carry out all directives of the board.

34 31 ~~3- c.~~ Hire and supervise all of the board's staff pursuant
34 32 to the provisions of chapter 8A, subchapter IV.

34 33 ~~4- d.~~ Act as the board's liaison with the general assembly.

34 34 ~~5- e.~~ Prepare a budget for the board, subject to the
34 35 approval of the board, and prepare all other reports required
35 1 by law.

35 2 ~~6- f.~~ Develop long-range parole and work release planning,
35 3 in cooperation with the department of corrections.

35 4 2. If an executive director is not appointed as provided in
35 5 subsection 1, the chairperson shall serve as acting executive
35 6 director and perform the administrative duties under subsection
35 7 1.

35 8 Sec. 30. IOWA COMMUNICATIONS NETWORK. It is the
35 9 intent of the general assembly that the executive branch
35 10 agencies receiving an appropriation in this Act utilize
35 11 the Iowa communications network or secure other electronic
35 12 communications in lieu of traveling for the fiscal year
35 13 addressed by the appropriations.

Encourages State agencies that receive an appropriation in this Bill to utilize the Iowa Communications Network in lieu of travel.

35 14 Sec. 31. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
35 15 DIVISION. There is appropriated from the wireless E911
35 16 emergency communications fund created in section 34A.7A to the
35 17 administrator of the homeland security and emergency management
35 18 division of the department of public defense for the fiscal
35 19 year beginning July 1, 2010, and ending June 30, 2011, an
35 20 amount not exceeding \$200,000 to be used for implementation,
35 21 support, and maintenance of the functions of the administrator
35 22 and program manager under chapter 34A and to employ the auditor
35 23 of the state to perform an annual audit of the wireless E911
35 24 emergency communications fund.

Permits continued funding from the Wireless E911 Emergency Communications Fund for the E911 Program Manager in the Homeland Security and Emergency Management Division of the Department of Public Defense through FY 2011.

DETAIL: The Division receives up to \$200,000 and 2.00 FTE positions for the administration of the wireless E911 service and to employ the State Auditor to perform an annual audit on the Fund.

35 25 Sec. 32. CORRECTIONAL OFFICER AND PEACE OFFICER ==
35 26 PRIORITY. As a condition of receiving an appropriation in
35 27 this Act, the department of corrections and the department of
35 28 public safety shall make every effort to preserve correctional
35 29 officer and peace officer positions through the reduction of
35 30 administrative and related overhead costs.

Requires the DOC and the DPS to preserve correctional and peace officer positions by reducing administrative costs.

35 31 SF 2378 (5) 83

35 32 jm/jp/jh

Summary Data

General Fund

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	Senate Action FY 2011 <u>(4)</u>	Senate Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
Justice System	\$ 532,710,567	\$ 465,588,015	\$ 489,464,972	\$ 484,054,572	\$ 18,466,557	
Grand Total	<u><u>\$ 532,710,567</u></u>	<u><u>\$ 465,588,015</u></u>	<u><u>\$ 489,464,972</u></u>	<u><u>\$ 484,054,572</u></u>	<u><u>\$ 18,466,557</u></u>	

Justice System General Fund

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	Senate Action FY 2011 <u>(4)</u>	Senate Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Justice, Department of</u>						
Justice, Dept. of						
General Office A.G.	\$ 9,359,691	\$ 7,732,930	\$ 7,732,930	\$ 7,732,930	\$ 0	PG 1 LN 9
Victim Assistance Grants	147,750	3,060,000	3,060,000	3,060,000	0	PG 1 LN 22
Legal Services Poverty Grants	1,970,000	1,759,171	1,759,171	1,930,671	171,500	PG 1 LN 35
Total Justice, Department of	\$ 11,477,441	\$ 12,552,101	\$ 12,552,101	\$ 12,723,601	\$ 171,500	
<u>Civil Rights Commission</u>						
Civil Rights Commission						
Civil Rights Commission	\$ 1,545,232	\$ 1,379,861	\$ 1,379,861	\$ 1,379,861	\$ 0	PG 19 LN 18
Total Civil Rights Commission	\$ 1,545,232	\$ 1,379,861	\$ 1,379,861	\$ 1,379,861	\$ 0	
<u>Corrections, Dept. of</u>						
CBC District 1						
CBC District I	\$ 13,300,371	\$ 11,918,690	\$ 12,453,082	\$ 12,453,082	\$ 534,392	PG 9 LN 13
CBC District 2						
CBC District II	\$ 11,053,717	\$ 9,986,645	\$ 10,770,616	\$ 10,770,616	\$ 783,971	PG 9 LN 20
CBC District 3						
CBC District III	\$ 6,104,702	\$ 5,345,642	\$ 5,715,578	\$ 5,715,578	\$ 369,936	PG 9 LN 23
CBC District 4						
CBC District IV	\$ 5,603,983	\$ 5,179,500	\$ 5,522,416	\$ 5,522,416	\$ 342,916	PG 9 LN 26
CBC District 5						
CBC District V	\$ 19,232,705	\$ 17,350,422	\$ 18,938,081	\$ 18,938,081	\$ 1,587,659	PG 9 LN 29
CBC District 6						
CBC District VI	\$ 14,273,011	\$ 12,408,317	\$ 13,030,356	\$ 13,030,356	\$ 622,039	PG 10 LN 6
CBC District 7						
CBC District VII	\$ 7,265,034	\$ 6,436,995	\$ 6,846,560	\$ 6,846,560	\$ 409,565	PG 10 LN 9
CBC District 8						
CBC District VIII	\$ 7,109,164	\$ 6,391,827	\$ 6,935,622	\$ 6,935,622	\$ 543,795	PG 10 LN 12

Justice System General Fund

	Actual FY 2009	Estimated Net FY 2010	Gov Rec FY 2011	Senate Action FY 2011	Senate Action vs. Est Net 2010	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
Central Office						
County Confinement	\$ 967,983	\$ 775,092	\$ 775,092	\$ 775,092	\$ 0	PG 5 LN 3
Federal Prisoners/ Contractual	241,293	215,470	239,411	239,411	23,941	PG 5 LN 8
Corrections Administration	5,047,861	4,329,043	4,491,968	4,254,068	-74,975	PG 5 LN 20
Corrections Education	1,570,358	1,363,707	1,558,109	1,558,109	194,402	PG 6 LN 23
Iowa Corrections Offender Network	427,700	381,928	424,364	424,364	42,436	PG 7 LN 22
Mental Health/Substance Abuse	24,994	22,319	22,319	22,319	0	PG 7 LN 25
Hepatitis Treatment and Education	188,000	167,881	167,881	167,881	0	PG 7 LN 28
Total Central Office	\$ 8,468,189	\$ 7,255,440	\$ 7,679,144	\$ 7,441,244	\$ 185,804	
Fort Madison						
Ft. Madison Institution	\$ 44,737,908	\$ 37,003,223	\$ 41,442,374	\$ 39,991,374	\$ 2,988,151	PG 3 LN 10
Anamosa						
Anamosa Institution	\$ 31,548,089	\$ 28,272,505	\$ 30,356,461	\$ 30,416,461	\$ 2,143,956	PG 3 LN 18
Oakdale						
Oakdale Institution	\$ 59,219,891	\$ 52,781,485	\$ 55,955,246	\$ 55,755,246	\$ 2,973,761	PG 4 LN 5
Newton						
Newton Institution	\$ 28,372,772	\$ 25,230,054	\$ 26,452,257	\$ 26,452,257	\$ 1,222,203	PG 4 LN 9
Mt Pleasant						
Mt. Pleasant Inst.	\$ 27,430,137	\$ 24,494,564	\$ 26,265,257	\$ 26,265,257	\$ 1,770,693	PG 4 LN 13
Rockwell City						
Rockwell City Institution	\$ 9,466,021	\$ 8,452,967	\$ 9,324,565	\$ 9,324,565	\$ 871,598	PG 4 LN 17
Clarinda						
Clarinda Institution	\$ 25,526,358	\$ 21,078,946	\$ 23,645,033	\$ 23,645,033	\$ 2,566,087	PG 4 LN 21
Mitchellville						
Mitchellville Institution	\$ 16,126,292	\$ 14,253,115	\$ 15,486,586	\$ 15,486,586	\$ 1,233,471	PG 4 LN 30
Fort Dodge						
Ft. Dodge Institution	\$ 30,313,681	\$ 26,999,132	\$ 29,020,235	\$ 29,020,235	\$ 2,021,103	PG 4 LN 34
Total Corrections, Dept. of	\$ 365,152,025	\$ 320,839,469	\$ 345,839,469	\$ 344,010,569	\$ 23,171,100	

Justice System General Fund

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	Senate Action FY 2011 <u>(4)</u>	Senate Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Inspections & Appeals, Dept. of</u>						
Public Defender						
Public Defender	\$ 21,465,998	\$ 19,568,864	\$ 21,743,182	\$ 21,743,182	\$ 2,174,318	PG 12 LN 35
Indigent Defense Appropriation	33,013,300	21,608,247	19,433,929	15,680,929	-5,927,318	PG 13 LN 5
Total Inspections & Appeals, Dept. of	\$ 54,479,298	\$ 41,177,111	\$ 41,177,111	\$ 37,424,111	\$ -3,753,000	
<u>Law Enforcement Academy</u>						
Law Enforcement Academy						
Law Enforcement Academy	\$ 1,275,199	\$ 1,049,430	\$ 1,049,430	\$ 1,049,430	\$ 0	PG 13 LN 9
Total Law Enforcement Academy	\$ 1,275,199	\$ 1,049,430	\$ 1,049,430	\$ 1,049,430	\$ 0	
<u>Parole, Board of</u>						
Parole Board						
Parole Board	\$ 1,251,903	\$ 1,045,259	\$ 1,045,259	\$ 1,045,259	\$ 0	PG 14 LN 8
Total Parole, Board of	\$ 1,251,903	\$ 1,045,259	\$ 1,045,259	\$ 1,045,259	\$ 0	
<u>Public Defense, Dept. of</u>						
Public Defense, Dept. of						
Public Defense, Department of	\$ 6,361,947	\$ 5,624,281	\$ 6,249,201	\$ 6,249,201	\$ 624,920	PG 14 LN 24
Emergency Management Division						
Homeland Security & Emer. Mgmt.	\$ 2,212,722	\$ 1,834,307	\$ 2,038,119	\$ 2,038,119	\$ 203,812	PG 15 LN 1
Total Public Defense, Dept. of	\$ 8,574,669	\$ 7,458,588	\$ 8,287,320	\$ 8,287,320	\$ 828,732	

Justice System

General Fund

	Actual FY 2009	Estimated Net FY 2010	Gov Rec FY 2011	Senate Action FY 2011	Senate Action vs. Est Net 2010	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
Public Safety, Department of						
Public Safety, Dept. of						
Public Safety - Department Wide Duties	\$ 0	\$ 1,419,288	\$ 0	\$ 0	\$ -1,419,288	
Public Safety Administration	4,470,414	3,952,071	4,134,461	4,134,461	182,390	PG 15 LN 24
Public Safety DCI	21,506,406	19,012,743	12,861,710	12,861,710	-6,151,033	PG 15 LN 29
DCI - Crime Lab Equipment/Training	342,000	302,345	302,345	302,345	0	PG 16 LN 34
Narcotics Enforcement	6,501,493	5,747,647	6,507,048	6,507,048	759,401	PG 17 LN 2
Public Safety Undercover Funds	123,343	109,042	109,042	109,042	0	PG 17 LN 12
DPS Fire Marshal	4,060,859	3,590,003	4,343,896	4,343,896	753,893	PG 17 LN 15
Iowa State Patrol	50,971,409	45,061,285	48,984,147	48,984,147	3,922,862	PG 17 LN 26
DPS/SPOC Sick Leave Payout	316,179	279,517	279,517	279,517	0	PG 18 LN 5
Fire Fighter Training	662,697	612,255	612,255	612,255	0	PG 18 LN 10
Total Public Safety, Department of	\$ 88,954,800	\$ 80,086,196	\$ 78,134,421	\$ 78,134,421	\$ -1,951,775	
Total Justice System	\$ 532,710,567	\$ 465,588,015	\$ 489,464,972	\$ 484,054,572	\$ 18,466,557	

Summary Data

Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	Senate Action FY 2011 <u>(4)</u>	Senate Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
Justice System	\$ 0	\$ 3,138,888	\$ 3,336,344	\$ 20,988,119	\$ 17,849,231	
Grand Total	<u>\$ 0</u>	<u>\$ 3,138,888</u>	<u>\$ 3,336,344</u>	<u>\$ 20,988,119</u>	<u>\$ 17,849,231</u>	

Justice System

Other Funds

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	Senate Action FY 2011 <u>(4)</u>	Senate Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Justice, Department of</u>						
Consumer Advocate						
Consumer Advocate - Fd. 0019	\$ 0	\$ 3,138,888	\$ 3,336,344	\$ 3,336,344	\$ 197,456	PG 2 LN 24
Total Justice, Department of	\$ 0	\$ 3,138,888	\$ 3,336,344	\$ 3,336,344	\$ 197,456	
<u>Civil Rights Commission</u>						
Civil Rights Commission						
Civil Rights - PSEF	\$ 0	\$ 0	\$ 0	\$ 100,000	\$ 100,000	PG 29 LN 30
Total Civil Rights Commission	\$ 0	\$ 0	\$ 0	\$ 100,000	\$ 100,000	
<u>Corrections, Dept. of</u>						
CBC District 1						
CBC District 1 - PSEF	\$ 0	\$ 0	\$ 0	\$ 100,000	\$ 100,000	PG 29 LN 30
CBC District 6						
CBC District 6 - PSEF	\$ 0	\$ 0	\$ 0	\$ 402,810	\$ 402,810	PG 29 LN 30
Fort Madison						
Fort Madison Inst.- PSEF	\$ 0	\$ 0	\$ 0	\$ 1,451,000	\$ 1,451,000	PG 29 LN 30
Anamosa						
Anamosa Inst. - PSEF	\$ 0	\$ 0	\$ 0	\$ 1,046,190	\$ 1,046,190	PG 29 LN 30
Total Corrections, Dept. of	\$ 0	\$ 0	\$ 0	\$ 3,000,000	\$ 3,000,000	
<u>Judicial Branch</u>						
Judicial Branch						
Judicial Branch - PSEF	\$ 0	\$ 0	\$ 0	\$ 5,300,000	\$ 5,300,000	PG 29 LN 30
Total Judicial Branch	\$ 0	\$ 0	\$ 0	\$ 5,300,000	\$ 5,300,000	
<u>Public Safety, Department of</u>						
Public Safety, Dept. of						
Department Wide Duties-PSEF	\$ 0	\$ 0	\$ 0	\$ 250,000	\$ 250,000	PG 29 LN 30
Fire Fighter Training-PSEF	0	0	0	150,000	150,000	PG 29 LN 30
Gaming Enforcement-GERF	0	0	0	8,851,775	8,851,775	PG 18 LN 30
Total Public Safety, Department of	\$ 0	\$ 0	\$ 0	\$ 9,251,775	\$ 9,251,775	
Total Justice System	\$ 0	\$ 3,138,888	\$ 3,336,344	\$ 20,988,119	\$ 17,849,231	

Summary Data

FTE

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	Senate Action FY 2011 <u>(4)</u>	Senate Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
Justice System	6,042.38	6,355.35	5,925.68	5,941.68	-413.67	
Grand Total	<u>6,042.38</u>	<u>6,355.35</u>	<u>5,925.68</u>	<u>5,941.68</u>	<u>-413.67</u>	

Justice System

FTE

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	Senate Action FY 2011 <u>(4)</u>	Senate Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Justice, Department of</u>						
Justice, Dept. of						
General Office A.G.	214.97	232.50	232.50	232.50	0.00	PG 1 LN 9
Victim Compensation Fund	21.60	22.00	22.00	22.00	0.00	PG 1 LN 28
Total Justice, Dept. of	<u>236.57</u>	<u>254.50</u>	<u>254.50</u>	<u>254.50</u>	<u>0.00</u>	
Consumer Advocate						
Consumer Advocate - Fd. 0019	20.35	27.00	27.00	27.00	0.00	PG 2 LN 24
Total Justice, Department of	<u>256.92</u>	<u>281.50</u>	<u>281.50</u>	<u>281.50</u>	<u>0.00</u>	
<u>Civil Rights Commission</u>						
Civil Rights Commission						
Civil Rights Commission	31.81	29.50	29.50	29.50	0.00	PG 19 LN 18
Total Civil Rights Commission	<u>31.81</u>	<u>29.50</u>	<u>29.50</u>	<u>29.50</u>	<u>0.00</u>	
<u>Corrections, Dept. of</u>						
CBC District 1						
CBC District I	187.75	201.50	189.51	189.51	-11.99	PG 9 LN 13
CBC District 2						
CBC District II	159.94	157.94	156.89	156.89	-1.05	PG 9 LN 20
CBC District 3						
CBC District III	77.89	81.99	78.99	78.99	-3.00	PG 9 LN 23
CBC District 4						
CBC District IV	69.00	75.00	68.60	68.60	-6.40	PG 9 LN 26
CBC District 5						
CBC District V	272.45	288.12	266.45	266.45	-21.67	PG 9 LN 29
CBC District 6						
CBC District VI	203.13	216.06	191.63	191.63	-24.43	PG 10 LN 6
CBC District 7						
CBC District VII	105.45	105.45	95.45	95.45	-10.00	PG 10 LN 9
CBC District 8						
CBC District VIII	93.80	97.15	93.00	93.00	-4.15	PG 10 LN 12

Justice System

FTE

	Actual FY 2009	Estimated Net FY 2010	Gov Rec FY 2011	Senate Action FY 2011	Senate Action vs. Est Net 2010	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)
Central Office						
Corrections Administration	45.36	47.18	41.00	41.00	-6.18	PG 5 LN 20
Fort Madison						
Ft. Madison Institution	516.83	556.50	489.00	489.00	-67.50	PG 3 LN 10
Anamosa						
Anamosa Institution	348.73	356.25	334.75	350.75	-5.50	PG 3 LN 18
Oakdale						
Oakdale Institution	559.75	610.50	565.00	565.00	-45.50	PG 4 LN 5
Newton						
Newton Institution	321.19	351.00	307.00	307.00	-44.00	PG 4 LN 9
Mt Pleasant						
Mt. Pleasant Inst.	301.79	319.56	298.16	298.16	-21.40	PG 4 LN 13
Rockwell City						
Rockwell City Institution	106.99	113.00	106.00	106.00	-7.00	PG 4 LN 17
Clarinda						
Clarinda Institution	282.46	303.20	277.10	277.10	-26.10	PG 4 LN 21
Mitchellville						
Mitchellville Institution	186.29	198.00	185.00	185.00	-13.00	PG 4 LN 30
Fort Dodge						
Ft. Dodge Institution	334.54	366.00	319.00	319.00	-47.00	PG 4 LN 34
Total Corrections, Dept. of	4,173.33	4,444.40	4,062.53	4,078.53	-365.87	
<u>Inspections & Appeals, Dept. of</u>						
Public Defender						
Public Defender	200.97	203.00	203.00	203.00	0.00	PG 12 LN 35
Total Inspections & Appeals, Dept. of	200.97	203.00	203.00	203.00	0.00	
<u>Law Enforcement Academy</u>						
Law Enforcement Academy						
Law Enforcement Academy	26.94	29.55	30.55	30.55	1.00	PG 13 LN 9
Total Law Enforcement Academy	26.94	29.55	30.55	30.55	1.00	

Justice System

FTE

	Actual FY 2009 <u>(1)</u>	Estimated Net FY 2010 <u>(2)</u>	Gov Rec FY 2011 <u>(3)</u>	Senate Action FY 2011 <u>(4)</u>	Senate Action vs. Est Net 2010 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Parole, Board of</u>						
Parole Board						
Parole Board	11.97	18.50	13.50	13.50	-5.00	PG 14 LN 8
Total Parole, Board of	<u>11.97</u>	<u>18.50</u>	<u>13.50</u>	<u>13.50</u>	<u>-5.00</u>	
<u>Public Defense, Dept. of</u>						
Public Defense, Dept. of						
Public Defense, Department of	301.38	313.30	324.00	324.00	10.70	PG 14 LN 24
Emergency Management Division						
Homeland Security & Emer. Mgmt.	57.74	33.10	33.00	33.00	-0.10	PG 15 LN 1
Total Public Defense, Dept. of	<u>359.12</u>	<u>346.40</u>	<u>357.00</u>	<u>357.00</u>	<u>10.60</u>	
<u>Public Safety, Department of</u>						
Public Safety, Dept. of						
Public Safety Administration	39.17	39.00	36.00	36.00	-3.00	PG 15 LN 24
Public Safety DCI	275.45	287.50	277.10	162.10	-125.40	PG 15 LN 29
Narcotics Enforcement	75.26	81.00	75.00	75.00	-6.00	PG 17 LN 2
DPS Fire Marshal	56.10	59.00	57.00	57.00	-2.00	PG 17 LN 15
Iowa State Patrol	535.35	536.00	503.00	503.00	-33.00	PG 17 LN 26
Gaming Enforcement-GERF	0.00	0.00	0.00	115.00	115.00	PG 18 LN 30
Total Public Safety, Department of	<u>981.32</u>	<u>1,002.50</u>	<u>948.10</u>	<u>948.10</u>	<u>-54.40</u>	
Total Justice System	<u><u>6,042.38</u></u>	<u><u>6,355.35</u></u>	<u><u>5,925.68</u></u>	<u><u>5,941.68</u></u>	<u><u>-413.67</u></u>	

Offense Code	Scheduled and Non-Scheduled Violations	#Guilty	Fine	Fine
126.23A(2)-A	PURCHASE OF PSEUDOEPHEDRINE - 1ST OFFENSE	45	\$100	\$110
321.104(1)	OPERATION W/CANCELED TITLE OR SUS. OR REV. REG.	29	\$50	\$60
321.104(2)	FAILURE TO OBTAIN MFG. CERTIFICATE/TITLE -	43	\$50	\$60
321.104(3)	FAILURE TO SURRENDER PLATES, TITLE OR REGIST.	11	\$50	\$60
321.104(4)	FAILURE TO DELIVER TITLE AS REQUIRED	17	\$50	\$60
321.104(5)	PENAL OFFENSES AGAINST TITLE LAW	10	\$50	\$60
321.17	OPERATING NON REGISTERED VEHICLE -	1,556	\$30	\$40
321.174	FAILURE TO HAVE VALID LICENSE/PERMIT WHILE OPER. MOTOR VEH.	17,465	\$100	\$110
321.174A	OPERATION OF MOTOR VEHICLE WITH EXPIRED LICENSE	2,415	\$30	\$40
321.180	VIOLATION OF INSTRUCTION PERMIT LIMITATION -	390	\$30	\$40
321.180B	VIOLATION OF GRADUATED DRIVERS LICENSE CONDITIONS	333	\$30	\$40
321.193	VIOL OF CONDITIONS OF RESTRICTED LICENSE -	804	\$30	\$40
321.194	VIOL OF CONDITIONS OF MINOR'S SCHOOL LICENSE -	145	\$30	\$40
321.208(a)	DNU - TWENTY-FOUR HOUR OUT OF SERVICE ORDER VIOLATION	4	\$100	\$110
321.216	UNLAWFUL USE OF LICENSE -	457	\$75	\$85
321.216B	MISUSE OF LIC OR ID CARD TO ACQUIRE ALCOHOL	82	\$100	\$110
321.216C	MISUSE OF LIC OR ID CARD TO ACQUIRE TOBACCO	3	\$100	\$110
321.219	PERMITTING UNAUTHORIZED MINOR TO DRIVE	116	\$100	\$110
321.220	PERMITTING UNAUTHORIZED PERSON TO DRIVE	551	\$100	\$110
321.229	FAIL TO COMPLY W/ ORDER OF PEACE OFFICER -	52	\$35	\$45
321.231	FAIL OF CAUTION BY DRIVER OF EMERGENCY VEHICLE -	7	\$35	\$45
321.232	RADAR JAMMING DEVICES -	5	\$50	\$60
321.234	FAILURE TO OBSERVE SEATING REQUIREMENTS -	4	\$15	\$25
321.247	UNLAWFUL GOLF CART OPERATION	8	\$50	\$60
321.25	IMPROPER USE OF REGISTRATION CARD - 1992	22	\$50	\$60
321.256	FAIL TO OBEY TRAFFIC CONTROL DEVICE	3,286	\$35	\$75
321.257(2)(a)-A	VEHICLES FAIL TO RESPOND TO STEADY RED SIGNAL	527	\$35	\$75
321.257(2)(b)-A	VEHICLES FAIL TO RESPOND TO YELLOW CAUTION SIGNAL	42	\$35	\$75
321.257(2)(d)	FAIL TO YIELD TO PED. IN CROSSWALK UNDER GREEN ARROW	5	\$35	\$75
321.257(2)(e)	FAIL TO OBEY FLASHING RED STOP SIGNAL	100	\$35	\$75
321.257(2)(f)	FAIL TO RESPOND TO FLASHING YELLOW CAUTION SIGNAL	6	\$35	\$75
321.257(2)(g)	PEDESTRIAN FAILURE TO OBEY "DON'T WALK" LIGHT	11	\$15	\$25
321.257(2)(h)	FAIL TO YIELD TO PEDESTRIAN WITHIN INTERSECTION	24	\$35	\$75
321.275-A	(1-7)MOTORCYCLE AND MOTORIZED BIKE VIOLATION -	27	\$25	\$35
321.275-B	(8) FAILURE TO DISPLAY SAFETY FLAG -	17	\$15	\$25
321.277A	CARELESS DRIVING	1,371	\$25	\$75
321.284	OPEN CONTAINER - DRIVER	1,808	\$100	\$150
321.284A	OPEN CONTAINER - PASSENGER	2,548	\$100	\$150
321.285-A	SPEEDING < 55 (1 THRU 5 OVER) -	11,916	\$10	\$20
321.285-B	SPEEDING < 55 (6 THRU 10 OVER) -	58,210	\$20	\$40
321.285-C	SPEEDING < 55 (11 THRU 15 OVER) -	15,766	\$30	\$50
321.285-D	SPEEDING < 55 (16 THRU 20) -	5,905	\$40	\$60
321.285-E	SPEEDING < 55 (20 MPH OVER +\$2.00 EA MILE)	3,728	\$40	\$60
321.285-F	SPEEDING > 55 (1 THRU 5 OVER) -	6,390	\$20	\$30
321.285-G	SPEEDING > 55 (6 THRU 10 OVER) -	24,269	\$40	\$60
321.285-H	SPEEDING > 55 (11 THRU 15 OVER) -	9,380	\$60	\$80
321.285-I	SPEEDING > 55 (16 THRU 20) -	3,748	\$80	\$100
321.285-J	SPEEDING > 55 (OVER 20 MPH OVER)	2,703	\$90	\$110
321.285-S	SPEEDING - SCHOOL BUS (1 THRU 10)	4	\$35	\$45
321.288	FAIL TO MAINTAIN CONTROL -	4,683	\$35	\$100
321.294	FAIL TO MAINTAIN MINIMUM SPEED -	10	\$35	\$45
321.295	EXCESSIVE SPEED ON BRIDGE -	3	\$30	\$40
321.297	DRIVING ON WRONG SIDE OF TWO WAY HIGHWAY -	359	\$35	\$75

Offense Code	Scheduled and Non-Scheduled Violations	#Guilty	Fine	Fine
321.298	FAIL TO YIELD HALF OF ROADWAY WHEN MEETING VEHICLE -	133	\$35	\$75
321.299	PASSING ON WRONG SIDE -	28	\$35	\$75
321.302	DNU - IMPROPER OVERTAKING ON RIGHT	80	\$50	\$60
321.302	OVERTAKING AND PASSING	63	\$50	\$60
321.303	UNSAFE PASSING -	369	\$35	\$75
321.304(1)	PASSING ON GRADE OR HILL -	30	\$35	\$75
321.304(2)	PASSING TO NEAR BRIDGE, INTERSECT OR RR -	161	\$35	\$75
321.304(3)	PASSING CONTRARY TO HIGHWAY SIGN/MARKING -	598	\$35	\$75
321.305	VIOLATING ONEWAY TRAFFIC DESIGNATION - 1978	281	\$35	\$75
321.306	IMPROPER USE OF LANES -	855	\$35	\$45
321.307	FOLLOWING TOO CLOSE -	889	\$35	\$45
321.308	FOLLOWING TOO CLOSE (TRUCKS AND TOWING VEHICLES) -	123	\$35	\$45
321.309	FAIL TO USE APPROVED DRAWBAR -	13	\$25	\$35
321.310	UNLAWFUL TOWING OF FOUR WHEELED TRAILER -	2	\$25	\$35
321.311	TURNING FROM IMPROPER LANE -	236	\$35	\$45
321.312	MAKING UTURN ON CURVE OR HILL -	22	\$35	\$75
321.313	UNSAFE STARTING OF A STOPPED VEHICLE -	75	\$35	\$45
321.314	UNSAFE TURN OR FAIL TO GIVE SIGNAL -	276	\$35	\$45
321.315	FAIL TO GIVE CONTINUOUS TURN SIGNAL -	147	\$25	\$35
321.316	FAIL TO SIGNAL STOP OR RAPID DECELERATION -	21	\$25	\$35
321.317	SIGNAL LIGHT REQUIREMENT -	12	\$10	\$20
321.319	FAIL TO YIELD TO VEHICLE ON RIGHT -	240	\$35	\$45
321.32	FAIL TO CARRY REGISTRATION CARD -	1,901	\$10	\$20
321.320	FAIL TO YIELD UPON LEFT TURN -	964	\$35	\$75
321.321	FAIL TO YIELD UPON ENTERING THROUGH HIGHWAY -	1,021	\$35	\$50
321.322	FAIL TO OBEY STOP OR YIELD SIGN -	5,928	\$35	\$75
321.323	UNSAFE BACKING ON HIGHWAY -	312	\$35	\$45
321.323A	UNSAFE APPROACH TO CERTAIN STATIONARY VEHICLES	843	\$50	\$60
321.324	FAIL TO YIELD TO EMERGENCY VEHICLE -	268	\$50	\$60
321.325	PEDESTRIAN DISOBEYING TRAFFIC CONTROL SIGNAL -	10	\$15	\$25
321.326	PEDESTRIAN WALKING ON WRONG SIDE OF HIGHWAY -	1	\$15	\$25
321.327	FAIL TO YIELD TO PEDESTRIANS' RIGHT OF WAY	37	\$35	\$45
321.328	PEDESTRIAN FAILING TO USE CROSSWALK -	16	\$15	\$25
321.329	VEHICLE FAILING TO YIELD TO PEDESTRIAN -	17	\$35	\$45
321.331	SOLICITING RIDE FROM W/I ROADWAY -	4	\$15	\$25
321.332	UNLAWFUL USE OF WHITE CANE -	1	\$15	\$25
321.34	REGISTRATION VIOLATION -	1,361	\$10	\$20
321.340	DRIVING IN OR THROUGH SAFETY ZONE -	10	\$35	\$45
321.341	FAIL TO PROPERLY STOP AT RR -	145	\$100	\$110
321.342	FAIL TO OBEY STOP SIGN AT RR -	158	\$100	\$110
321.343(1)	FAILURE TO STOP CERTAIN CARGO OR PASSGR VEH AT RR XING	6	\$100	\$110
321.343(2)(a)	CMV-FAIL TO SLOW/CHECK RR CROSSING	1	\$100	\$110
321.343(2)(b)	CMV-FAIL TO STOP/RR TRACK NOT CLEAR	3	\$100	\$110
321.343(2)(c)	CMV-BLOCKS RR CROSSING	1	\$100	\$110
321.343(2)(d)	CMV-DISOBEYS TRAFFIC CONTROL AT RR	3	\$100	\$110
321.353	UNSAFE ENTRY ONTO SIDEWALK OR ROADWAY -	116	\$35	\$45
321.354(1)	STOPPING ON PAVED PART OF HIGHWAY	113	\$35	\$45
321.354(2)	STOPPING ON TRAVELED PART OF UNPAVED HIGHWAY	16	\$35	\$45
321.362	PARKING W/O STOPPING ENGINE & SETTING BRAKE -	13	\$10	\$20
321.363	DRIVING W/ OBSTRUCTED VIEW OR CONTROL -	76	\$25	\$35
321.365	COASTING UPON DOWNGRADE -	2	\$25	\$35
321.366	IMPROPER USE OF MEDIAN, CURB, OR ACC FACILITY -	311	\$50	\$60
321.367	FAIL TO MAINTAIN DISTANCE FROM FF VEHICLE -	1	\$35	\$45

Offense Code	Scheduled and Non-Scheduled Violations	#Guilty	Fine	Fine
321.368	CROSSING UNPROTECTED FIRE HOSE -	1	\$35	\$45
321.369	DEPOSITING OR THROWING LITTER -	365	\$70	\$80
321.37	FAIL TO DISPLAY REGISTRATION PLATE -	4,149	\$10	\$20
321.370	REMOVING INJURIOUS MATERIAL -	1	\$70	\$80
321.372(1)	FAIL OF SCHOOL BUS DRIVER TO SIGNAL -	9	\$35	\$45
321.372(3)	UNLAWFUL PASSING OF SCHOOL BUS -	685	\$100	\$110
321.38	FAIL TO MAINTAIN REGISTRATION PLATE -	554	\$10	\$20
321.381	DRIVING OR TOWING UNSAFE VEHICLE -	147	\$50	\$60
321.381A	IMPROPER OPERATION OF LOW-SPEED VEHICLE	3	\$50	\$60
321.383	FAIL TO DISP REFLECT DEV ON SLOW MOVING VEHICLE -	20	\$20	\$30
321.384	FAIL TO USE HEADLAMPS WHEN REQUIRED - 1978	361	\$20	\$30
321.385	INSUFFICIENT NUMBER OF HEADLAMPS -	178	\$20	\$30
321.387	IMPROPER REAR LAMP -	533	\$10	\$20
321.388	IMPROPER REGISTRATION PLATE LAMP -	267	\$10	\$20
321.389	IMPROPER REAR REFLECTOR -	5	\$10	\$20
321.390	INCLUDED IN SECTION 753.15(2)(1) REFLECT. REQUIRE. -	1	\$10	\$20
321.392	IMPROPER CLEAR LIGHTING ON TRUCK OR TRAILER -	3	\$10	\$20
321.393	LIGHTING DEVICE COLOR AND MOUNTING -	22	\$10	\$20
321.394	NO LAMP OR FLAG ON REAR/PROJECTING LOAD -	18	\$25	\$35
321.395	PARKING ON CERTAIN ROADWAYS W/O PARKING LIGHTS -	3	\$35	\$45
321.397	IMPROPER LIGHT ON BICYCLE -	59	\$15	\$25
321.398	IMPROPER LIGHT ON OTHER VEHICLE -	3	\$20	\$30
321.403	IMPROPER USE OF AUXILIARY DRIVING LIGHTS -	2	\$20	\$30
321.404	IMPROPER BRAKE LIGHT -	241	\$20	\$30
321.404A	USE OF LIGHT RESTRICTING DEVICE	79	\$15	\$25
321.409	IMPROPERLY ADJUSTED HEADLAMP -	1	\$20	\$30
321.41	FAIL TO GIVE NOTICE OF ADDRESS/NAME CHANGE -	179	\$10	\$20
321.415	FAILURE TO DIM -	198	\$20	\$30
321.419	IMPROPERLY HEADLIGHTING WHEN NIGHT DRIVING -	43	\$20	\$30
321.420	EXCESSIVE NUMBER OF DRIVING LIGHTS -	4	\$20	\$30
321.421	VIOLATION OF SPECIAL RESTRICTIONS ON LAMPS	1	\$20	\$30
321.422	LIGHTS OF IMPROPER COLOR / FRONT OR REAR -	48	\$10	\$20
321.423(A)	UNAUTHORIZED USE OF EMERGENCY VEH LIGHTING EQUIP -	15	\$20	\$30
321.423(B)	FAIL TO USE FLASH SIGNAL ON SLOW MOVING VEH -	5	\$20	\$30
321.430	DEFECTIVE BRAKING EQUIPMENT -	39	\$35	\$45
321.432	DEFECTIVE AUDIBLE WARNING DEVICE -	7	\$10	\$20
321.433(A)	UNAUTHORIZED USE OF EMERG AUDIBLE WARN DEVICE -	6	\$20	\$30
321.436	DEFECTIVE OR UNAUTHORIZED MUFFLER SYSTEM -	610	\$10	\$20
321.437-A	FAILURE TO MEET MIRROR REQUIREMENTS -	22	\$10	\$20
321.437-B	FAILURE TO HAVE PROPER EXTERIOR MIRROR (TOWING) -	1	\$25	\$35
321.438	DNU - WINDSHIELD/WINDOWS REQUIREMENTS	3	\$15	\$50
321.438(1)	WINDSHIELD AND WINDOW - OBSTRUCTED VISION	516	\$15	\$50
321.438(2)	DARK WINDOW/WINDSHIELD	9,193	\$15	\$50
321.438(3)	WINDSHIELD AND WINDOW REQUIREMENTS	210	\$15	\$50
321.438-A	DNU - (1,3)WINDSHIELD/WINDOW REQUIREMENTS	133	\$15	\$50
321.438-B	DNU - (2)DARK WINDOW/WINDSHIELD	586	\$15	\$50
321.439	DEFECTIVE WINDSHIELD WIPERS -	5	\$10	\$20
321.440	DEFECTIVE TIRES -	112	\$10	\$20
321.441	UNAUTHORIZED USE OF METAL TIRE OR TRACK -	2	\$10	\$20
321.442	UNAUTHORIZED USE OF METAL PROJ ON WHEELS -	4	\$10	\$20
321.444	FAIL TO USE SAFETY GLASS -	15	\$10	\$20
321.445	FAIL TO MAINTAIN SAFETY BELTS -	32,220	\$25	\$75
321.446	FAILURE TO SECURE CHILD -	2,115	\$25	\$75

Offense Code	Scheduled and Non-Scheduled Violations	#Guilty	Fine	Fine
321.449	VIOLATION - MOTOR CARRIER SAFETY REGULATIONS	101	\$25	\$50
321.449-A	FAILURE TO COMPLY WITH SAFETY REG. RULES -	19,040	\$25	\$50
321.449-B	OPERATION BY UNQUALIFIED DRIVER -	2,314	\$25	\$50
321.449-C	MAX. HOURS OF SERVICE VIOLATION -	6,975	\$25	\$50
321.449-E	PRESENCE OF ALCOHOL - CMV	123	\$25	\$50
321.45	FAILURE TO TRANSFER TITLE -	159	\$50	\$60
321.450	VIOLATION OF HAZARDOUS MATERIALS TRANSPORTATION	365	\$100	\$110
321.454	WIDTH VIOLATION	319	\$100	\$110
321.455	EXCESSIVE SIDE PROJ OF LOAD / PASSENGER VEH -	9	\$100	\$110
321.456	EXCESSIVE HEIGHT -	35	\$100	\$110
321.457	EXCESSIVE LENGTH -	223	\$100	\$110
321.458	EXCESSIVE PROJ FROM FRONT OF VEHICLE -	5	\$100	\$110
321.46	FAILURE TO TRANSFER TITLE WITHIN 15 DAYS -	68	\$50	\$60
321.460	SPILLING ON HIGHWAY -	99	\$100	\$110
321.461	EXCESSIVE TOW/BAR LENGTH -	2	\$25	\$35
321.462	FAIL TO USE REQUIRED TOWING EQUIPMENT -	70	\$25	\$35
321.48	VIOLATIONS OF TITLE - VEHICLES FOR RESALE	1	\$50	\$60
321.52	VIOLATIONS OF TITLE - OUT-OF-STATE JUNKED, DISMANTLED, WRECK	7	\$50	\$60
321.54	INTRA STATE HAULING ON FOREIGN REGISTRATION / 1 -	46	\$20	\$30
321.55	INTRA STATE HAULING ON FOREIGN REGISTRATION / 2 -	13	\$30	\$40
321.57	VIOLATION OF SPECIAL PLATE REQUIREMENTS	24	\$50	\$60
321.62	SPECIAL PLATES - RECORDS VIOLATION	7	\$50	\$60
321.67(1)	NO CERTIFICATE OF TITLE UPON DISPOSAL - 1993	5	\$50	\$60
321.67(2)	FAILURE TO OBTAIN TITLE ON A MOTOR VEHICLE	5	\$50	\$60
321.91	ABANDONMENT OF A MOTOR VEHICLE	42	\$100	\$110
321.98	OPERATION W/O REGISTRATION -	18,401	\$30	\$40
321.99	IMPROPER USE OF REGISTRATION	1,114	\$100	\$110
321E.16	VIOLATIONS OF PERMIT (EXCEPT WEIGHT)	311	\$100	\$110
321L.3	FAILURE TO RETURN HANDICAPPED ID -	4	\$100	\$110
321L.4(1)	IMPROPER USE OF HANDICAPPED ID DEVICE -	12	\$100	\$110
321L.4(2)	IMPROPER USE OF A HANDICAPPED PARKING SPACE	72	\$100	\$110
321L.7	FAILURE TO PROVIDE HANDICAPPED PARKING SPACE SIGNS -	1	\$100	\$110
325A.3(5)	FAILURE TO CARRY/EXHIBIT PERMIT	94	\$50	\$60
325A.8	VIOLATIONS OF REQUIRED MARKINGS	12	\$50	\$60
327B.1(A)	NO OR IMPROPER CARRIER IDENTIFICATION -	1	\$50	\$60
321.47	TRANSFERS BY OPERATION OF LAW	0	\$30	\$40
321.382	OPERATING AN UNDERPOWERED VEHICLE	0	\$15	\$25
321.402	IMPROPER USE OF A SPOTLIGHT	0	\$20	\$30
321.333	FILURE TO YIELD TO A BLIND PERSON	0	\$35	\$45
321.344	UNLAWFUL MOVEMENT OF CONSTRUCTION EQUIPMENT ACROSS RR	0	\$100	\$110
271 - ST	SCHEDULED TRAFFIC COURT COSTS	553,778	\$60	\$70
291 - NT	NON-SCHEDULED TRAFFIC COURT COSTS	39,047	\$60	\$70
321 - SM	SIMPLE MISDEMEANOR COURT COSTS	71,036	\$60	\$70
831 - OW	OWI COURT COSTS	17,168	\$100	\$120
831 -SR	SERIOUS MISDEMEANOR COURT COSTS	20,865	\$100	\$120
831 - AG	AGGRAVATED MISDEMEANOR COURT COSTS	12,847	\$100	\$120
831 - FE	FELONY COURT COSTS	16,372	\$100	\$120