

Senate File 000

1 Amend Senate File 000 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <DIVISION I

5 APPROPRIATIONS

6 Section 1. DEPARTMENT OF JUSTICE.

7 1. There is appropriated from the general fund
8 of the state to the department of justice for the
9 fiscal year beginning July 1, 2013, and ending June 30,
10 2014, the following amounts, or so much thereof as is
11 necessary, to be used for the purposes designated:

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

20 \$ 7,792,930
21 FTEs 214.00

22 It is the intent of the general assembly that as
23 a condition of receiving the appropriation provided
24 in this lettered paragraph, the department of justice
25 shall maintain a record of the estimated time incurred
26 representing each agency or department.

27 b. For victim assistance grants:

28 \$ 2,876,400

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

33 The balance of the victim compensation fund
34 established in section 915.94 may be used to provide

1 salary and support of not more than 24 FTEs and
2 to provide maintenance for the victim compensation
3 functions of the department of justice.

4 The department of justice shall transfer at least
5 \$150,000 from the victim compensation fund established
6 in section 915.94 to the victim assistance grant
7 program.

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

10 \$ 2,107,416

11 2. a. The department of justice, in submitting
12 budget estimates for the fiscal year commencing July
13 1, 2014, pursuant to section 8.23, shall include a
14 report of funding from sources other than amounts
15 appropriated directly from the general fund of the
16 state to the department of justice or to the office of
17 consumer advocate. These funding sources shall include
18 but are not limited to reimbursements from other state
19 agencies, commissions, boards, or similar entities, and
20 reimbursements from special funds or internal accounts
21 within the department of justice. The department of
22 justice shall also report actual reimbursements for the
23 fiscal year commencing July 1, 2012, and actual and
24 expected reimbursements for the fiscal year commencing
25 July 1, 2013.

26 b. The department of justice shall include the
27 report required under paragraph "a", as well as
28 information regarding any revisions occurring as a
29 result of reimbursements actually received or expected
30 at a later date, in a report to the co-chairpersons
31 and ranking members of the joint appropriations
32 subcommittee on the justice system and the legislative
33 services agency. The department of justice shall
34 submit the report on or before January 15, 2014.

1 facility.

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

5 \$ 31,277,482

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

9 \$ 58,550,123

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

13 \$ 27,127,290

14 e. For the operation of the Mt. Pleasant
15 correctional facility, including salaries, support,
16 maintenance, and miscellaneous purposes:

17 \$ 24,811,427

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

21 \$ 9,671,148

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

25 \$ 25,241,616

26 Moneys received by the department of corrections as
27 reimbursement for services provided to the Clarinda
28 youth corporation are appropriated to the department
29 and shall be used for the purpose of operating the
30 Clarinda correctional facility.

31 h. For the operation of the Mitchellville
32 correctional facility, including salaries, support,
33 maintenance, and miscellaneous purposes:

34 \$ 21,374,472

1 i. For the operation of the Fort Dodge correctional
2 facility, including salaries, support, maintenance, and
3 miscellaneous purposes:

4 \$ 29,865,232

5 j. For reimbursement of counties for temporary
6 confinement of work release and parole violators, as
7 provided in sections 901.7, 904.908, and 906.17, and
8 for offenders confined pursuant to section 904.513:

9 \$ 1,075,092

10 k. For federal prison reimbursement, reimbursements
11 for out-of-state placements, and miscellaneous
12 contracts:

13 \$ 484,411

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

18 Sec. 4. DEPARTMENT OF CORRECTIONS —
19 ADMINISTRATION. There is appropriated from the general
20 fund of the state to the department of corrections for
21 the fiscal year beginning July 1, 2013, and ending June
22 30, 2014, the following amounts, or so much thereof as
23 is necessary, to be used for the purposes designated:

24 1. For general administration, including salaries,
25 support, maintenance, employment of an education
26 director to administer a centralized education
27 program for the correctional system, and miscellaneous
28 purposes:

29 \$ 4,881,582

30 a. It is the intent of the general assembly
31 that each lease negotiated by the department of
32 corrections with a private corporation for the purpose
33 of providing private industry employment of inmates in
34 a correctional institution shall prohibit the private

1 corporation from utilizing inmate labor for partisan
2 political purposes for any person seeking election to
3 public office in this state and that a violation of
4 this requirement shall result in a termination of the
5 lease agreement.

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

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

19 \$ 2,358,109

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

26 b. The director of the department of corrections
27 may transfer moneys from Iowa prison industries and the
28 canteen operating funds established pursuant to section
29 904.310, for use in educational programs for inmates.

30 c. Notwithstanding section 8.33, moneys
31 appropriated in this subsection that remain unobligated
32 or unexpended at the close of the fiscal year shall not
33 revert but shall remain available to be used only for
34 the purposes designated in this subsection until the

1 close of the succeeding fiscal year.

2 3. For the development of the Iowa corrections
3 offender network (ICON) data system:

4 \$ 2,000,000

5 4. For offender mental health and substance abuse
6 treatment:

7 \$ 22,319

8 5. For viral hepatitis prevention and treatment:

9 \$ 167,881

10 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF
11 CORRECTIONAL SERVICES.

12 1. There is appropriated from the general fund of
13 the state to the department of corrections for the
14 fiscal year beginning July 1, 2013, and ending June
15 30, 2014, for salaries, support, maintenance, and
16 miscellaneous purposes, the following amounts, or
17 so much thereof as is necessary, to be allocated as
18 follows:

19 a. For the first judicial district department of
20 correctional services:

21 \$ 13,646,172

22 b. For the second judicial district department of
23 correctional services:

24 \$ 10,870,425

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

27 \$ 6,885,470

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

30 \$ 5,495,309

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

34 \$ 19,375,428

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

3 \$ 14,095,408

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

6 \$ 7,363,514

7 h. For the eighth judicial district department of
8 correctional services:

9 \$ 7,869,317

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

18 3. Each judicial district department of
19 correctional services shall provide alternatives to
20 prison consistent with chapter 901B. The alternatives
21 to prison shall ensure public safety while providing
22 maximum rehabilitation to the offender. A judicial
23 district department of correctional services may also
24 establish a day program.

25 4. The governor's office of drug control policy
26 or any succeeding entity of the governor's office of
27 drug control policy shall consider federal grants made
28 to the department of corrections for the benefit of
29 each of the eight judicial district departments of
30 correctional services as local government grants, as
31 defined pursuant to federal regulations.

32 5. The department of corrections shall continue
33 to contract with a judicial district department
34 of correctional services to provide for the rental

1 of electronic monitoring equipment which shall be
2 available statewide.

3 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION
4 OF APPROPRIATIONS. Notwithstanding section 8.39,
5 within the moneys appropriated in this division of this
6 Act to the department of corrections, the department
7 may reallocate the moneys appropriated and allocated as
8 necessary to best fulfill the needs of the correctional
9 institutions, administration of the department, and the
10 judicial district departments of correctional services.
11 However, in addition to complying with the requirements
12 of sections 904.116 and 905.8 and providing notice
13 to the legislative services agency, the department
14 of corrections shall also provide notice to the
15 department of management, prior to the effective date
16 of the revision or reallocation of an appropriation
17 made pursuant to this section. The department of
18 corrections shall not reallocate an appropriation or
19 allocation for the purpose of eliminating any program.

20 Sec. 7. INTENT — REPORTS.

21 1. The department of corrections in cooperation
22 with townships, the Iowa cemetery associations, and
23 other nonprofit or governmental entities may use inmate
24 labor during the fiscal year beginning July 1, 2013,
25 to restore or preserve rural cemeteries and historical
26 landmarks. The department in cooperation with the
27 counties may also use inmate labor to clean up roads,
28 major water sources, and other water sources around the
29 state.

30 2. On a quarterly basis the department shall
31 provide a status report regarding private-sector
32 employment to the legislative services agency beginning
33 on July 1, 2013. The report shall include the number
34 of offenders employed in the private sector, the

1 combined number of hours worked by the offenders, the
2 total amount of allowances, and the distribution of
3 allowances pursuant to section 904.702, including any
4 moneys deposited in the general fund of the state.

5 Sec. 8. ELECTRONIC MONITORING REPORT. The
6 department of corrections shall submit a report on
7 electronic monitoring to the general assembly, to the
8 co-chairpersons and the ranking members of the joint
9 appropriations subcommittee on the justice system, and
10 to the legislative services agency by January 15, 2014.
11 The report shall specifically address the number of
12 persons being electronically monitored and break down
13 the number of persons being electronically monitored
14 by offense committed. The report shall also include a
15 comparison of any data from the prior fiscal year with
16 the current year.

17 Sec. 9. STATE AGENCY PURCHASES FROM PRISON
18 INDUSTRIES.

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

28 2. State agencies are hereby encouraged to purchase
29 products from Iowa state industries, as defined in
30 section 904.802, when purchases are required and the
31 products are available from Iowa state industries.
32 State agencies shall obtain bids from Iowa state
33 industries for purchases of office furniture during the
34 fiscal year beginning July 1, 2013, exceeding \$5,000

1 or in accordance with applicable administrative rules
2 related to purchases for the agency.

3 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

4 1. There is appropriated from the general fund of
5 the state to the Iowa law enforcement academy for the
6 fiscal year beginning July 1, 2013, and ending June 30,
7 2014, the following amount, or so much thereof as is
8 necessary, to be used for the purposes designated:

9 For salaries, support, maintenance, miscellaneous
10 purposes, including jailer training and technical
11 assistance, and for not more than the following
12 full-time equivalent positions:

13	\$	1,001,698
14	FTEs	23.88

15 It is the intent of the general assembly that the
16 Iowa law enforcement academy may provide training of
17 state and local law enforcement personnel concerning
18 the recognition of and response to persons with
19 Alzheimer's disease.

20 The Iowa law enforcement academy may temporarily
21 exceed and draw more than the amount appropriated in
22 this subsection and incur a negative cash balance as
23 long as there are receivables equal to or greater than
24 the negative balance and the amount appropriated in
25 this subsection is not exceeded at the close of the
26 fiscal year.

27 2. The Iowa law enforcement academy may select
28 at least five automobiles of the department of public
29 safety, division of state patrol, prior to turning over
30 the automobiles to the department of administrative
31 services to be disposed of by public auction, and
32 the Iowa law enforcement academy may exchange any
33 automobile owned by the academy for each automobile
34 selected if the selected automobile is used in training

1 law enforcement officers at the academy. However,
2 any automobile exchanged by the academy shall be
3 substituted for the selected vehicle of the department
4 of public safety and sold by public auction with the
5 receipts being deposited in the depreciation fund to
6 the credit of the department of public safety, division
7 of state patrol.

8 Sec. 11. STATE PUBLIC DEFENDER. There is
9 appropriated from the general fund of the state to the
10 office of the state public defender of the department
11 of inspections and appeals for the fiscal year
12 beginning July 1, 2013, and ending June 30, 2014, the
13 following amounts, or so much thereof as is necessary,
14 to be allocated as follows for the purposes designated:

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

18 \$ 25,862,182
19 FTEs 219.00

20 2. For payments on behalf of eligible adults and
21 juveniles from the indigent defense fund, in accordance
22 with section 815.11:

23 \$ 29,901,929

24 Sec. 12. BOARD OF PAROLE. There is appropriated
25 from the general fund of the state to the board of
26 parole for the fiscal year beginning July 1, 2013, and
27 ending June 30, 2014, the following amount, or so much
28 thereof as is necessary, to be used for the purposes
29 designated:

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

33 \$ 1,203,835
34 FTEs 11.00

1 b. It is the intent of the general assembly that
2 the homeland security and emergency management division
3 or successor agency work in conjunction with the
4 department of public safety, to the extent possible,
5 when gathering and analyzing information related to
6 potential domestic or foreign security threats, and
7 when monitoring such threats.

8 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
9 appropriated from the general fund of the state to
10 the department of public safety for the fiscal year
11 beginning July 1, 2013, and ending June 30, 2014, the
12 following amounts, or so much thereof as is necessary,
13 to be used for the purposes designated:

14 1. For the department's administrative functions,
15 including the criminal justice information system, and
16 for not more than the following full-time equivalent
17 positions:

18 \$ 4,067,054
19 FTEs 41.00

20 2. For the division of criminal investigation,
21 including the state's contribution to the peace
22 officers' retirement, accident, and disability system
23 provided in chapter 97A in the amount of the state's
24 normal contribution rate, as defined in section
25 97A.8, multiplied by the salaries for which the
26 moneys are appropriated, to meet federal fund matching
27 requirements, and for not more than the following
28 full-time equivalent positions:

29 \$ 12,933,414
30 FTEs 149.60

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

33 \$ 302,345

34 4. a. For the division of narcotics enforcement,

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

9 \$ 6,755,855
10 FTEs 66.00

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

13 \$ 109,042

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

24 \$ 4,470,556
25 FTEs 54.00

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

1 \$ 55,536,208

2 FTEs 499.00

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

7 7. For deposit in the sick leave benefits fund
8 established under section 80.42 for all departmental
9 employees eligible to receive benefits for accrued sick
10 leave under the collective bargaining agreement:

11 \$ 279,517

12 8. For costs associated with the training and
13 equipment needs of volunteer fire fighters:

14 \$ 583,520

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

22 b. Notwithstanding section 8.39, the department
23 of public safety may reallocate moneys appropriated
24 in this section as necessary to best fulfill the
25 needs provided for in the appropriation. However, the
26 department shall not reallocate moneys appropriated
27 to the department in this section unless notice of
28 the reallocation is given to the legislative services
29 agency and the department of management prior to
30 the effective date of the reallocation. The notice
31 shall include information regarding the rationale for
32 reallocating the moneys. The department shall not
33 reallocate moneys appropriated in this section for the
34 purpose of eliminating any program.

1 Sec. 15. GAMING ENFORCEMENT.

2 1. There is appropriated from the gaming
3 enforcement revolving fund created in section 80.43 to
4 the department of public safety for the fiscal year
5 beginning July 1, 2013, and ending June 30, 2014, the
6 following amount, or so much thereof as is necessary,
7 to be used for the purposes designated:

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

15	\$ 10,898,008
16	FTEs 115.00

17 2. For each additional license to conduct gambling
18 games on an excursion gambling boat, gambling
19 structure, or racetrack enclosure issued during
20 the fiscal year beginning July 1, 2013, there is
21 appropriated from the gaming enforcement fund to
22 the department of public safety for the fiscal year
23 beginning July 1, 2013, and ending June 30, 2014, an
24 additional amount of not more than \$521,000 to be used
25 for not more than 6.00 additional full-time equivalent
26 positions.

27 3. The department of public safety, with the
28 approval of the department of management, may employ
29 no more than two special agents and four gaming
30 enforcement officers for each additional riverboat
31 or gambling structure regulated after July 1, 2013,
32 and one special agent for each racing facility which
33 becomes operational during the fiscal year which
34 begins July 1, 2013. One additional gaming enforcement

1 officer, up to a total of four per riverboat or
2 gambling structure, may be employed for each riverboat
3 or gambling structure that has extended operations to
4 24 hours and has not previously operated with a 24-hour
5 schedule. Positions authorized in this subsection
6 are in addition to the full-time equivalent positions
7 otherwise authorized in this section.

8 Sec. 16. CIVIL RIGHTS COMMISSION. There is
9 appropriated from the general fund of the state to the
10 Iowa state civil rights commission for the fiscal year
11 beginning July 1, 2013, and ending June 30, 2014, the
12 following amount, or so much thereof as is necessary,
13 to be used for the purposes designated:

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

17	\$	1,297,069
18	FTEs	28.00

19 The Iowa state civil rights commission may enter
20 into a contract with a nonprofit organization to
21 provide legal assistance to resolve civil rights
22 complaints.

23 Sec. 17. CRIMINAL AND JUVENILE JUSTICE PLANNING
24 DIVISION. There is appropriated from the general fund
25 of the state to the criminal and juvenile justice
26 planning division of the department of human rights for
27 the fiscal year beginning July 1, 2013, and ending June
28 30, 2014, the following amounts, or so much thereof as
29 is necessary, to be used for the purposes designated:

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

33	\$	1,100,105
34	FTEs	9.81

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

5 Sec. 18. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
6 DIVISION OR SUCCESSOR AGENCY. There is appropriated
7 from the E911 emergency communications fund created in
8 section 34A.7A to the homeland security and emergency
9 management division of the department of public defense
10 or successor agency for the fiscal year beginning
11 July 1, 2013, and ending June 30, 2014, an amount not
12 exceeding \$250,000 to be used for implementation,
13 support, and maintenance of the functions of the
14 administrator and program manager under chapter 34A and
15 to employ the auditor of the state to perform an annual
16 audit of the wireless E911 emergency communications
17 fund.

18 Sec. 19. NEW SECTION. **80.44 Public safety**
19 **interoperable and broadband communications fund.**

20 1. A statewide public safety interoperable and
21 broadband communications fund is established in the
22 office of the treasurer of state under the control of
23 the department of public safety. Any moneys annually
24 appropriated, granted, or credited to the fund,
25 including any federal moneys, are appropriated to
26 the department of public safety for the planning and
27 development of a statewide public safety interoperable
28 and broadband communications system.

29 2. Notwithstanding section 12C.7, subsection 2,
30 interest and earnings on moneys deposited in the fund
31 shall be credited to the fund. Notwithstanding section
32 8.33, moneys remaining in the fund at the end of the
33 fiscal year shall not revert to any other fund but
34 shall remain available to be used for the purposes

1 specified in subsection 1.

2 Sec. 20. 2011 Iowa Acts, chapter 134, section 43,
3 subsection 9, as amended by 2012 Iowa Acts, chapter
4 1134, section 10, is amended to read as follows:

5 9. For costs associated with the training and
6 operation of the statewide interoperable communications
7 system board ~~excluding salaries and contracts or~~
8 deposit in the statewide public safety interoperable
9 and broadband communications fund established in
10 section 80.44, as determined by the department:

11 \$ 48,000

12 Sec. 21. IOWA CORRECTIONS OFFENDER NETWORK —
13 FUND. Notwithstanding any provision of law to the
14 contrary, the unencumbered or unobligated balance of
15 the Iowa corrections offender network fund at the close
16 of the fiscal year beginning July 1, 2012, or the close
17 of any succeeding fiscal year that would otherwise be
18 required by law to revert to, be deposited in, or to
19 be credited to the Iowa offender network fund shall
20 instead be credited to the general fund of the state.

21 Sec. 22. REPEAL. Section 904.118, Code 2013, is
22 repealed.

23 Sec. 23. EFFECTIVE UPON ENACTMENT. The following
24 provision or provisions of this division of this Act,
25 being deemed of immediate importance, take effect upon
26 enactment:

27 1. The section of this division amending 2011 Iowa
28 Acts, chapter 134, section 43, subsection 9, as amended
29 by 2012 Iowa Acts, chapter 1134, section 10.

30 2. The section of this division enacting the
31 section tentatively numbered 80.44.

32 DIVISION II

33 CIGARETTE FIRE SAFETY STANDARD FUND — APPROPRIATION

34 Sec. 24. Section 101B.5, subsection 5, Code 2013,

1 is amended to read as follows:

2 5. For each cigarette listed in a certification, a
3 manufacturer shall pay a fee of one hundred dollars to
4 the department. The department shall deposit all fees
5 received pursuant to this subsection with the treasurer
6 of state for credit to the general fund of the state.

7 Sec. 25. Section 101B.8, Code 2013, is amended by
8 adding the following new subsection:

9 NEW SUBSECTION. 10. The department shall deposit
10 any moneys received from civil penalties assessed
11 pursuant to this section with the treasurer of state
12 for credit to the general fund of the state.

13 Sec. 26. Section 101B.9, Code 2013, is amended to
14 read as follows:

15 **101B.9 Cigarette fire safety standard fund.**

16 A cigarette fire safety standard fund is created as
17 a special fund in the state treasury under the control
18 of the department of public safety. The fund shall
19 consist of all moneys recovered from the assessment
20 of civil penalties or certification fees under this
21 chapter. ~~The moneys in the fund shall, in~~ In addition
22 to any moneys made available for such purpose, be
23 ~~available, subject to appropriation,~~ moneys in the fund
24 are appropriated to the department of public safety for
25 the purpose of fire safety and prevention programs,
26 including for entry level fire fighter training,
27 equipment, and operations.

28 Sec. 27. REPEAL. Section 101B.9, Code 2013, is
29 repealed.

30 Sec. 28. CIGARETTE FIRE SAFETY STANDARD FUND.

31 Notwithstanding any provision of law to the contrary,
32 the unencumbered or unobligated balance of the
33 cigarette fire safety standard fund at the close of the
34 fiscal year beginning July 1, 2012, shall be credited

1 to the fire service training bureau of the division of
2 state fire marshal for fire fighter training in the
3 fiscal year beginning July 1, 2013, and ending June 30,
4 2014.

5 Sec. 29. EFFECTIVE UPON ENACTMENT. The following
6 provision or provisions of this division of this Act,
7 being deemed of immediate importance, take effect upon
8 enactment:

9 1. The section of this division amending section
10 101B.9.

11 2. The section of this division providing for
12 retroactive applicability.

13 Sec. 30. RETROACTIVE APPLICABILITY. The following
14 provision or provisions of this division of this Act
15 apply retroactively to July 1, 2007:

16 1. The section of this division amending section
17 101B.9.>