SENATE FILE 562
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1214)

(As Amended and Passed by the Senate May 2, 2023)
ALL New Language by the Senate

A BILL FOR

An Act relating to and making appropriations to the justice system, including by providing for payments associated with indigent defense and representation, the funding of activities relating to consumer fraud and antitrust, a corrections capital reinvestment fund, an Iowa law enforcement academy study, a human trafficking study, and the funding of peace officer retirement, and including effective date and retroactive applicability provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

FY 2023-2024 APPROPRIATIONS

Section 1. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 7,749,860

..... FTEs 228.00

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

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

b. For victim assistance grants:

..... $ 5,016,708

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

The balance of the victim compensation fund established

in section 915.94 may be used to provide salary and support of not more than 24.00 full-time equivalent positions and to provide maintenance for the victim compensation functions of the department of justice. In addition to the full-time equivalent positions authorized pursuant to this paragraph, 7.00 full-time equivalent positions are authorized and shall be used by the department of justice to employ one accountant and four program planners. The department of justice may employ the additional 7.00 full-time equivalent positions authorized pursuant to this paragraph that are in excess of the number of full-time equivalent positions authorized only if the department of justice receives sufficient federal moneys to maintain employment for the additional full-time equivalent positions during the current fiscal year. The department of justice shall only employ the additional 7.00 full-time equivalent positions in succeeding fiscal years if sufficient federal moneys are received during each of those succeeding fiscal years.

The department of justice shall transfer at least $150,000 from the victim compensation fund established in section 915.94 to the victim assistance grant program established in section 13.31.

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

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

..... $ 2,634,601

d. To improve the department of justice's cybersecurity and technology infrastructure:

..... $ 202,060

2. a. The department of justice, in submitting budget estimates for the fiscal year beginning July 1, 2024, pursuant

to section 8.23, shall include a report of funding from sources other than amounts appropriated directly from the general fund of the state to the department of justice or to the office of consumer advocate. These funding sources shall include but are not limited to reimbursements from other state agencies, commissions, boards, or similar entities, and reimbursements from special funds or internal accounts within the department of justice. The department of justice shall also report actual reimbursements for the fiscal year beginning July 1, 2022, and actual and expected reimbursements for the fiscal year beginning July 1, 2023.

b. The department of justice shall include the report required under paragraph "a", as well as information regarding any revisions occurring as a result of reimbursements actually received or expected at a later date, in a report to the general assembly. The department of justice shall submit the report on or before January 15, 2024.

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

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

Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated from the commerce revolving fund created in section 546.12, as amended by 2023 Iowa Acts, Senate File 514, to the office of consumer advocate of the department of justice for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amount, or so much thereof as is necessary, to be

used for the purposes designated:

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

..... $ 3,378,093

..... FTEs 18.00

The office of consumer advocate shall include in its charges assessed or revenues generated an amount sufficient to cover the amount stated in its appropriation and any state-assessed indirect costs determined by the department of administrative services.

Sec. 3. DEPARTMENT OF CORRECTIONS —— FACILITIES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 44,192,771

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

..... $ 37,022,808

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

..... $ 56,368,832

d. For the Oakdale correctional facility for department-wide institutional pharmaceuticals and miscellaneous purposes:

..... $ 9,550,417

e. For the operation of the Newton correctional facility, including salaries, support, maintenance, and miscellaneous

purposes:
..... $ 30,437,665
f. For the operation of the Mount Pleasant correctional facility, including salaries, support, maintenance, and miscellaneous purposes:
..... $ 28,642,429
g. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, and miscellaneous purposes:
..... $ 11,090,142
h. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, and miscellaneous purposes:
..... $ 27,355,684
Moneys received by the department of corrections as reimbursement for services provided to the Clarinda youth corporation are appropriated to the department and shall be used for the purpose of operating the Clarinda correctional facility.
i. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, and miscellaneous purposes:
..... $ 24,946,721
j. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, and miscellaneous purposes:
..... $ 32,742,479
k. For reimbursement of counties for temporary confinement of prisoners, as provided in sections 901.7, 904.908, and 906.17, and for offenders confined pursuant to section 904.513:
..... $ 1,195,319
l. For federal prison reimbursement, reimbursements for out-of-state placements, and miscellaneous contracts:
..... $ 234,411
2. The department of corrections shall use moneys

appropriated in subsection 1 to continue to contract for the services of a Muslim imam and a Native American spiritual leader.

Sec. 4. DEPARTMENT OF CORRECTIONS —— ADMINISTRATION. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general administration, including salaries and the adjustment of salaries throughout the department, support, maintenance, employment of an education director to administer a centralized education program for the correctional system, and miscellaneous purposes:

..... $ 6,313,331

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

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

2. For educational programs for inmates at state penal

institutions:
..... $ 2,608,109
a. To maximize the funding for educational programs, the department shall establish guidelines and procedures to prioritize the availability of educational and vocational training for inmates based upon the goal of facilitating an inmate's successful release from the correctional institution.
b. The director of the department of corrections may transfer moneys from Iowa prison industries and the canteen operating funds established pursuant to section 904.310, for use in educational programs for inmates.
c. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used only for the purposes designated in this subsection until the close of the succeeding fiscal year.
3. For the development and operation of the Iowa corrections offender network (ICON) data system:
..... $ 2,000,000
4. For offender mental health and substance abuse treatment:
..... $ 28,065
5. For department-wide duties, including operations, costs, and miscellaneous purposes:
..... $ 12,974,108

Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL SERVICES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2023, and ending June 30, 2024, for salaries, support, maintenance, and miscellaneous purposes, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:
a. For the first judicial district department of correctional services:

..... $ 16,207,339

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

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

..... $ 12,789,649

It is the intent of the general assembly that the second judicial district department of correctional services maintains two drug courts to be operated by the district department.

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

..... $ 7,710,790

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

..... $ 6,193,805

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

..... $ 23,440,024

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

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

..... $ 16,755,370

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

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

..... $ 10,362,851

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

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

..... $ 9,238,778

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

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

4. The office of drug control policy of the department of public safety shall consider federal grants made to the department of corrections for the benefit of each of the eight judicial district departments of correctional services as local government grants, as defined pursuant to federal regulations.

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

6. The public safety assessment shall not be utilized in pretrial hearings when determining whether to detain or release a defendant before trial until such time the use of the public safety assessment has been specifically authorized by the general assembly.

Sec. 6. DEPARTMENT OF CORRECTIONS —— REALLOCATION OF APPROPRIATIONS. Notwithstanding section 8.39, within the moneys appropriated in this division of this Act to the department of corrections, the department may reallocate the moneys appropriated and allocated as necessary to best fulfill

the needs of the correctional institutions, administration of the department, and the judicial district departments of correctional services. However, in addition to complying with the requirements of sections 904.116 and 905.8 and providing notice to the legislative services agency, the department of corrections shall also provide notice to the department of management, prior to the effective date of the revision or reallocation of an appropriation made pursuant to this section. The department of corrections shall not reallocate an appropriation or allocation for the purpose of eliminating any program.

Sec. 7. INTENT —— REPORTS.

1. The department of corrections, in cooperation with townships, the Iowa cemetery associations, and other nonprofit or governmental entities, may use inmate labor during the fiscal year beginning July 1, 2023, to restore or preserve rural cemeteries and historical landmarks. The department, in cooperation with the counties, may also use inmate labor to clean up roads, major water sources, and other water sources around the state.

2. By January 15, 2024, the department shall provide an annual status report regarding private-sector employment to the general assembly. The report shall include the number of offenders employed in the private sector, the combined number of hours worked by the offenders, the total amount of allowances, and the distribution of allowances pursuant to section 904.702, including any moneys deposited in the general fund of the state.

Sec. 8. ELECTRONIC MONITORING REPORT. The department of corrections shall submit a report on electronic monitoring to the general assembly by January 15, 2024. The report shall specifically address the number of persons being electronically monitored and break down the number of persons being electronically monitored by offense committed. The report shall also include a comparison of any data from the

prior fiscal year with the current fiscal year.

Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

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

2. State agencies are encouraged to purchase products from Iowa state industries, as defined in section 904.802, when purchases are required and the products are available from Iowa state industries. State agencies shall obtain bids from Iowa state industries for purchases of office furniture during the fiscal year beginning July 1, 2023, exceeding $5,000 or in accordance with applicable administrative rules related to purchases for the agency.

Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

1. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 1,238,504

..... FTEs 30.25

b. The Iowa law enforcement academy may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at

the close of the fiscal year.

2. The Iowa law enforcement academy may select at least five automobiles of the department of public safety, division of state patrol, prior to turning over the automobiles to the department of administrative services to be disposed of by public auction, and the Iowa law enforcement academy may exchange any automobile owned by the academy for each automobile selected if the selected automobile is used in training law enforcement officers at the academy. However, any automobile exchanged by the academy shall be substituted for the selected vehicle of the department of public safety and sold by public auction with the receipts being deposited in the depreciation fund maintained pursuant to section 8A.365 to the credit of the department of public safety, division of state patrol.

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

Sec. 11. STATE PUBLIC DEFENDER.

1. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections, appeals, and licensing for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 30,718,203

..... FTEs 241.00

b. For payments on behalf of eligible adults and juveniles from the indigent defense fund, in accordance with section

815.11:
..... $ 44,046,374

2. Moneys received by the office of the state public defender pursuant to Tit. IV-E of the federal Social Security Act remaining unencumbered and unobligated at the end of the fiscal year shall not revert but shall be transferred to the Tit. IV-E juvenile justice improvement fund created in 2022 Iowa Acts, chapter 1146, section 11, subsection 3, to remain available for expenditure by the office of the state public defender in succeeding fiscal years for the purposes allowed by Tit. IV-E of the federal Social Security Act.

Sec. 12. BOARD OF PAROLE. There is appropriated from the general fund of the state to the board of parole for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 1,517,894
..... FTEs 11.00

Sec. 13. DEPARTMENT OF PUBLIC DEFENSE.

1. There is appropriated from the general fund of the state to the department of public defense, for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 6,963,037
..... FTEs 248.00

2. The department of public defense may temporarily exceed and draw more than the amount appropriated in this section and incur a negative cash balance as long as there are receivables

of federal funds equal to or greater than the negative balance and the amount appropriated in this section is not exceeded at the close of the fiscal year.

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

1. There is appropriated from the general fund of the state to the department of homeland security and emergency management for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 2,439,389

..... FTEs 25.44

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

Sec. 15. DEPARTMENT OF PUBLIC SAFETY. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 5,920,476

..... FTEs 47.00

2. For the division of criminal investigation, including the state's contribution to the peace officers' retirement,

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

..... $ 19,712,633

..... FTEs 180.00

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

..... $ 650,000

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

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

..... $ 8,613,894

..... FTEs 67.00

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

in succeeding fiscal years if sufficient federal moneys are received during each of those succeeding fiscal years.

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

..... $ 209,042

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

..... $ 3,230,743

..... FTEs 21.00

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

..... $ 87,066,931

..... FTEs 613.00

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

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

..... $ 279,517

8. For costs associated with the training and equipment needs of volunteer fire fighters:
..... $ 1,075,520

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

9. For the public safety interoperable and broadband communications fund established in section 80.44:
..... $ 115,661

10. For the office to combat human trafficking established pursuant to section 80.45, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:
..... $ 200,742
..... FTEs 2.00

11. For department-wide duties, including operations, costs, and miscellaneous purposes:
..... $ 6,456,270

12. For deposit in the public safety equipment fund established in section 80.48 for the purchase, maintenance, and replacement of equipment used by the department:
..... $ 2,500,000

13. For the office of drug control policy, for salaries, support, maintenance, and miscellaneous purposes, including statewide coordination of the drug abuse resistance education (D.A.R.E) programs or other similar programs, and for not more than the following full-time equivalent positions:
..... $ 249,219
..... FTEs 4.00

Notwithstanding section 8.39, the department of public safety may reallocate moneys appropriated in this section as necessary to best fulfill the needs provided for in the appropriation. However, the department shall not reallocate

moneys appropriated to the department in this section unless notice of the reallocation is given to the legislative services agency and the department of management prior to the effective date of the reallocation. The notice shall include information regarding the rationale for reallocating the moneys. The department shall not reallocate moneys appropriated in this section for the purpose of eliminating any program.

Sec. 16. GAMING ENFORCEMENT.

1. There is appropriated from the gaming enforcement revolving fund created in section 80.43 to the department of public safety for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 10,778,483

..... FTEs 65.00

2. For each additional license to conduct gambling games on an excursion gambling boat, gambling structure, or racetrack enclosure issued during the fiscal year beginning July 1, 2023, there is appropriated from the gaming enforcement revolving fund to the department of public safety for the fiscal year beginning July 1, 2023, and ending June 30, 2024, an additional amount of not more than $300,000 to be used for full-time equivalent positions.

3. The department of public safety, with the approval of the department of management, may employ no more than three special agents for each additional riverboat or gambling structure regulated after July 1, 2024, and three special agents for each racing facility which becomes operational during the fiscal year which begins July 1, 2024. Positions authorized

in this subsection are in addition to the full-time equivalent positions otherwise authorized in this section.

Sec. 17. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT. There is appropriated from the 911 emergency communications fund created in section 34A.7A to the department of homeland security and emergency management for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... $ 300,000

Sec. 18. CONSUMER EDUCATION AND LITIGATION —— FARM MEDIATION AND PROSECUTIONS, APPEALS, AND CLAIMS. Notwithstanding section 714.16C, there is appropriated from the consumer education and litigation fund to the department of justice for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For farm mediation services as specified in section 13.13, subsection 2:

..... $ 300,000

2. For salaries, support, maintenance, and miscellaneous purposes for criminal prosecutions, criminal appeals, and performing duties pursuant to chapter 669:

..... $ 2,000,000

DIVISION II

INDIGENT DEFENSE AND REPRESENTATION

Sec. 19. Section 815.7, subsections 6 and 7, Code 2023, are amended to read as follows:

6. For appointments made on or after July 1, 2021, <u>through June 30, 2022,</u> the reasonable compensation shall be calculated on the basis of seventy-six dollars per hour for class "A"

felonies, seventy-one dollars per hour for class "B" felonies, and sixty-six dollars per hour for all other cases.

7. For appointments made on or after July 1, 2022, through June 30, 2023, the reasonable compensation shall be calculated on the basis of seventy-eight dollars per hour for class "A" felonies, seventy-three dollars per hour for class "B" felonies, and sixty-eight dollars per hour for all other cases.

Sec. 20. Section 815.7, Code 2023, is amended by adding the following new subsection:

NEW SUBSECTION. 7A. For appointments made on or after July 1, 2023, the reasonable compensation shall be calculated on the basis of eighty-three dollars per hour for class "A" felonies, seventy-eight dollars per hour for class "B" felonies, and seventy-three dollars per hour for all other cases.

Sec. 21. NEW SECTION. **815.7A Travel time for attorney or guardian ad litem.**

1. Compensation for time spent by an attorney or guardian ad litem traveling outside of the attorney's or guardian ad litem's county of domicile is payable when the travel is reasonable and necessary to represent the indigent client and shall be calculated at a rate of thirty-five dollars per hour. Compensation for travel for a court proceeding other than a trial or other contested proceeding shall only be paid if the attorney or guardian ad litem files a motion for a remote hearing and the motion is denied. This section does not affect any allowable compensation for time spent traveling already compensated pursuant to any other applicable provision of law.

2. Compensation for travel for an arraignment, pretrial conference, scheduling conference, or any other uncontested or nontestimonial judicial proceeding, for which a request for a remote hearing was denied, paid to the attorney or guardian ad litem from the indigent defense fund created in section 815.11 shall be reimbursed by the judicial branch.

3. For purposes of this section, *"county of domicile"* means the address the attorney or guardian ad litem has on file with

the office of the state public defender.

DIVISION III

ATTORNEY GENERAL —— ANTITRUST FUND —— CONSUMER EDUCATION AND LITIGATION FUND

Sec. 22. 2014 Iowa Acts, chapter 1138, section 21, as amended by 2016 Iowa Acts, chapter 1137, section 18, 2017 Iowa Acts, chapter 167, section 24, 2019 Iowa Acts, chapter 163, section 26, and 2021 Iowa Acts, chapter 166, section 23, is amended to read as follows:

SEC. 21. CONSUMER EDUCATION AND LITIGATION FUND. Notwithstanding section 714.16C, for each fiscal year of the period beginning July 1, 2014, and ending June 30, ~~2023~~ 2025, the annual appropriations in section 714.16C, are increased from $1,125,000 to $1,875,000, and $75,000 to $125,000 respectively.

Sec. 23. DEPARTMENT OF JUSTICE LITIGATION FUNDS. Notwithstanding sections 553.19 and 714.16C, for the fiscal years beginning July 1, 2022, and ending June 30, 2023, and beginning July 1, 2023, and ending June 30, 2024, any moneys not otherwise appropriated from the antitrust fund created in section 553.19 and the consumer education and litigation fund created in section 714.16C are appropriated to the department of justice for salaries, support, maintenance, and miscellaneous purposes necessary to perform the duties described in section 13.2.

Sec. 24. EFFECTIVE DATE. The following, being deemed of immediate importance, takes effect upon enactment:

The section of this division of this Act regarding the use of moneys not otherwise appropriated from the antitrust fund and the consumer education and litigation fund.

Sec. 25. RETROACTIVE APPLICABILITY. The following applies retroactively to July 1, 2022:

The section of this division of this Act regarding the use of moneys not otherwise appropriated from the antitrust fund and the consumer education and litigation fund.

DIVISION IV

DEPARTMENT OF CORRECTIONS

Sec. 26. Section 904.317, Code 2023, is amended to read as follows:

904.317 Director may buy and sell real estate —— options.

1. The director, subject to the approval of the board, may secure options to purchase real estate and acquire and sell real estate for the proper uses of the institutions. Real estate shall be acquired and sold upon terms and conditions the director recommends subject to the approval of the board. Upon sale of the real estate, the proceeds shall be deposited ~~with the treasurer of state and credited to the general fund of the state~~ in a corrections capital reinvestment fund, which is established in the state treasury under the purview of the department. There is appropriated from the ~~general~~ fund ~~of the state~~ to the department ~~a sum equal to~~ the proceeds, ~~so deposited and credited to the general fund of the state~~ which may be used to purchase other real estate or for capital improvements upon property under the director's supervision. Notwithstanding section 8.33, moneys in the fund that remain unencumbered or unobligated at the close of a fiscal year shall not revert but shall remain available for expenditure for the purposes designated. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the fund shall be credited to the fund.

2. The costs incident to the securing of options and acquisition and sale of real estate including, but not limited to, appraisals, invitations for offers, abstracts, and other necessary costs, may be paid from moneys appropriated for support and maintenance to the institution at which the real estate is located. The ~~fund~~ funding source for these costs shall be reimbursed from the proceeds of the sale.

Sec. 27. TRANSFER. Moneys remaining in the general fund of the state on June 30, 2023, from the sale of real estate pursuant to section 904.317, that are available to the

department of corrections are transferred to the corrections capital reinvestment fund established in section 904.317, as amended in this division of this Act.

Sec. 28. EFFECTIVE DATE. This division of this Act takes effect June 30, 2023.

DIVISION V

IOWA LAW ENFORCEMENT ACADEMY STUDY

Sec. 29. IOWA LAW ENFORCEMENT ACADEMY INTERIM STUDY COMMITTEE.

1. The legislative council is requested to establish an Iowa law enforcement academy interim study committee to do all of the following:

a. Review and evaluate minimum entrance requirements, the course of study, attendance requirements, and the sufficiency of current equipment and facilities.

b. Review and evaluate minimum basic training requirements.

c. Review and evaluate minimum standards of physical, mental, educational, and moral fitness.

d. Consider additional locations for law enforcement training schools and current and future facility needs.

2. The committee shall include all of the following members:

a. Ten members of the general assembly, including five members of the senate, three of whom shall be appointed by the majority leader of the senate and two of whom shall be appointed by the minority leader of the senate, and five members of the house of representatives, three of whom shall be appointed by the speaker of the house of representatives and two of whom shall be appointed by the minority leader of the house of representatives.

b. The director of the Iowa law enforcement academy or the director's designee.

c. A member of the Iowa law enforcement academy council.

d. A sheriff of a county with a population of fifty thousand or more who is a member of the Iowa state sheriffs and deputies association.

e. A sheriff of a county with a population of less than fifty thousand who is a member of the Iowa state sheriffs and deputies association.

f. A police chief of a city with a population of fifty thousand or more who is a member of the Iowa police chiefs association.

g. A police chief of a city with a population of less than fifty thousand who is a member of the Iowa police chiefs association.

h. A police officer who is a member of a police department of a city with a population of fifty thousand or more who is a member of the Iowa peace officers association.

i. A police officer who is a member of a police department of a city with a population of less than fifty thousand who is a member of the Iowa peace officers association.

j. The commissioner of the department of public safety or the commissioner's designee.

k. A member of the Iowa county attorneys association.

l. The attorney general or the attorney general's designee.

m. The governor or the governor's designee.

3. Members of the committee other than members of the general assembly shall be nonvoting members.

4. The committee shall issue a report, including findings and recommendations, to the governor and the general assembly no later than December 15, 2023.

DIVISION VI

HUMAN TRAFFICKING STUDY

Sec. 30. HUMAN TRAFFICKING INTERIM STUDY COMMITTEE.

1. The legislative council is requested to establish a human trafficking interim study committee to do all of the following:

a. Identify current initiatives to eliminate the human trafficking of minors in the state.

b. Identify current services available in the state for minor victims of human trafficking.

c. Identify and investigate the laws of other states that

focus on minor victims of human trafficking, concentrating on those states that border Iowa, to determine if another state's model would be effective in Iowa. Recommendations shall include funding needs for any services or programs.

d. Research and recommend a model of rehabilitative services for minor victims of human trafficking that includes input from law enforcement, social services organizations, the judicial system, and mental health professionals.

e. Identify barriers that prevent minor victims of human trafficking from seeking legal assistance or medical attention.

f. Create a procedure to be followed by all law enforcement officers statewide if a law enforcement officer encounters a minor who may be a victim of human trafficking.

g. Investigate the efficacy of safe harbor laws.

h. Investigate and identify potential routes to eliminate human trafficking of minors in the state.

i. Make recommendations on appropriate human trafficking-related training for law enforcement officers, county attorneys, and juvenile service officers.

j. Identify funding needs based upon recommendations made by the committee.

2. The committee shall include all of the following members:

a. Three members of the senate, two of whom shall be appointed by the majority leader of the senate, and one of whom shall be appointed by the minority leader of the senate.

b. Three members of the house of representatives, two of whom shall be appointed by the speaker of the house of representatives, and one of whom shall be appointed by the minority leader of the house of representatives.

c. A representative of the department of public safety.

d. A representative of the office to combat human trafficking.

e. A representative of the attorney general's office.

f. A representative of the department of health and human services.

g. A representative of juvenile court services.

h. The chief of police or head law enforcement official of a city in this state with a population of two hundred thousand or more as determined by the most recent population estimates issued by the United States bureau of census.

i. The chief of police or head law enforcement official of a city in this state with a population of less than two hundred thousand as determined by the most recent federal decennial census.

j. A county sheriff.

k. Up to two county attorneys who serve on child protection assistance teams under section 915.35, subsection 4, paragraph "a".

l. Up to two members of the public who are former human trafficking victims.

m. Up to two criminal defense attorneys with experience in human trafficking cases.

n. A representative from the Iowa network against human trafficking.

3. Members of the committee other than members of the general assembly shall be nonvoting members.

4. The committee shall issue a report, including findings and recommendations, to the governor and the general assembly no later than December 15, 2023.

DIVISION VII

DIRECTIVE —— DEPARTMENT OF PUBLIC SAFETY

Sec. 31. DEPARTMENT OF PUBLIC SAFETY —— PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM. For the fiscal year beginning July 1, 2023, and ending June 30, 2024, the department of public safety shall pay to the peace officers' retirement, accident, and disability system created in chapter 97A, from moneys appropriated in this Act to the department of public safety for the division of state patrol, the amount sufficient to fund the actuarial cost of the remaining transfer identified in 2023 Iowa Acts, Senate File 513, after the

trustee-to-trustee lump sum transfer required by that Act has been performed.

Sec. 32. CONTINGENT EFFECTIVE DATE. This division of this Act takes effect July 1, 2023, if 2023 Iowa Acts, Senate File 513, is enacted.