

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR BUDGET
BILL)

A BILL FOR

1 An Act relating to appropriations to the justice system
2 following state government realignment, providing for
3 properly related matters, and including effective date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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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:
..... \$ 6,999,860

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

1 of the department of justice. In addition, 7.00 full-time
2 equivalent positions are authorized and shall be used by the
3 department of justice to employ one accountant and four program
4 planners. The department of justice may employ the additional
5 7.00 full-time equivalent positions authorized pursuant to
6 this paragraph that are in excess of the number of full-time
7 equivalent positions authorized only if the department
8 of justice receives sufficient federal moneys to maintain
9 employment for the additional full-time equivalent positions
10 during the current fiscal year.

11 The department of justice shall transfer at least \$150,000
12 from the victim compensation fund established in section 915.94
13 to the victim assistance grant program established in section
14 13.31.

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

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

22 \$ 2,634,601

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

25 \$ 202,060

26 2. a. The department of justice, in submitting budget
27 estimates for the fiscal year beginning July 1, 2024, pursuant
28 to section 8.23, shall include a report of funding from sources
29 other than amounts appropriated directly from the general fund
30 of the state to the department of justice or to the office of
31 consumer advocate. These funding sources shall include but
32 are not limited to reimbursements from other state agencies,
33 commissions, boards, or similar entities, and reimbursements
34 from special funds or internal accounts within the department
35 of justice. The department of justice shall also report actual

1 reimbursements for the fiscal year beginning July 1, 2022,
2 and actual and expected reimbursements for the fiscal year
3 beginning July 1, 2023.

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

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

15 b. The department of justice shall obtain the moneys
16 necessary to reimburse the Iowa law enforcement academy to
17 employ such an instructor from unrestricted moneys from either
18 the victim compensation fund established in section 915.94
19 or the human trafficking victim fund established in section
20 915.95.

21 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
22 from the commerce revolving fund created in section 546.12 to
23 the office of consumer advocate of the department of justice
24 for the fiscal year beginning July 1, 2023, and ending June 30,
25 2024, the following amount, or so much thereof as is necessary,
26 to be used for the purposes designated:

27 For salaries, support, maintenance, and miscellaneous
28 purposes:

29 \$ 3,378,093

30 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

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

1 a. For the operation of the Fort Madison correctional
2 facility, including salaries, support, maintenance, and
3 miscellaneous purposes:
4 \$ 44,192,771
5 b. For the operation of the Anamosa correctional facility,
6 including salaries, support, maintenance, and miscellaneous
7 purposes:
8 \$ 37,022,808
9 c. For the operation of the Oakdale correctional facility,
10 including salaries, support, maintenance, and miscellaneous
11 purposes:
12 \$ 56,368,832
13 d. For the Oakdale correctional facility for
14 department-wide institutional pharmaceuticals and miscellaneous
15 purposes:
16 \$ 9,550,417
17 e. For the operation of the Newton correctional facility,
18 including salaries, support, maintenance, and miscellaneous
19 purposes:
20 \$ 30,437,665
21 f. For the operation of the Mount Pleasant correctional
22 facility, including salaries, support, maintenance, and
23 miscellaneous purposes:
24 \$ 28,642,429
25 g. For the operation of the Rockwell City correctional
26 facility, including salaries, support, maintenance, and
27 miscellaneous purposes:
28 \$ 11,090,142
29 h. For the operation of the Clarinda correctional facility,
30 including salaries, support, maintenance, and miscellaneous
31 purposes:
32 \$ 27,355,684
33 Moneys received by the department of corrections as
34 reimbursement for services provided to the Clarinda youth
35 corporation are appropriated to the department and shall be

1 used for the purpose of operating the Clarinda correctional
2 facility.

3 i. For the operation of the Mitchellville correctional
4 facility, including salaries, support, maintenance, and
5 miscellaneous purposes:

6 \$ 24,946,721

7 j. For the operation of the Fort Dodge correctional
8 facility, including salaries, support, maintenance, and
9 miscellaneous purposes:

10 \$ 32,742,479

11 k. For reimbursement of counties for temporary confinement
12 of prisoners, as provided in sections 901.7, 904.908, and
13 906.17, and for offenders confined pursuant to section 904.513:

14 \$ 1,195,319

15 1. For federal prison reimbursement, reimbursements for
16 out-of-state placements, and miscellaneous contracts:

17 \$ 234,411

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

22 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

23 There is appropriated from the general fund of the state to the
24 department of corrections for the fiscal year beginning July
25 1, 2023, and ending June 30, 2024, the following amounts, or
26 so much thereof as is necessary, to be used for the purposes
27 designated:

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

33 \$ 6,313,331

34 a. It is the intent of the general assembly that each
35 lease negotiated by the department of corrections with a

1 private corporation for the purpose of providing private
2 industry employment of inmates in a correctional institution
3 shall prohibit the private corporation from utilizing inmate
4 labor for partisan political purposes for any person seeking
5 election to public office in this state and that a violation
6 of this requirement shall result in a termination of the lease
7 agreement.

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

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

20 \$ 2,608,109

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

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

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

35 3. For the development and operation of the Iowa corrections

1 offender network (ICON) data system:
2 \$ 2,000,000
3 4. For offender mental health and substance abuse
4 treatment:
5 \$ 28,065
6 5. For department-wide duties, including operations, costs,
7 and miscellaneous purposes:
8 \$ 11,897,254
9 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
10 SERVICES.
11 1. There is appropriated from the general fund of the state
12 to the department of corrections for the fiscal year beginning
13 July 1, 2023, and ending June 30, 2024, for salaries, support,
14 maintenance, and miscellaneous purposes, the following amounts,
15 or so much thereof as is necessary, to be used for the purposes
16 designated:
17 a. For the first judicial district department of
18 correctional services:
19 \$ 16,207,339
20 It is the intent of the general assembly that the first
21 judicial district department of correctional services maintains
22 the drug courts operated by the district department.
23 b. For the second judicial district department of
24 correctional services:
25 \$ 12,789,649
26 It is the intent of the general assembly that the second
27 judicial district department of correctional services maintains
28 two drug courts to be operated by the district department.
29 c. For the third judicial district department of
30 correctional services:
31 \$ 7,710,790
32 d. For the fourth judicial district department of
33 correctional services:
34 \$ 6,193,805
35 e. For the fifth judicial district department of

1 correctional services, including funding for electronic
2 monitoring devices for use on a statewide basis:

3 \$ 23,440,024

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

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

9 \$ 16,755,370

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

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

15 \$ 9,672,851

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

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

21 \$ 9,238,778

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

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

35 4. The office of drug control policy of the department

1 of public safety shall consider federal grants made to the
2 department of corrections for the benefit of each of the eight
3 judicial district departments of correctional services as local
4 government grants, as defined pursuant to federal regulations.

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

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

16 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
17 APPROPRIATIONS. Notwithstanding section 8.39, within the
18 moneys appropriated in this division of this Act to the
19 department of corrections, the department may reallocate the
20 moneys appropriated and allocated as necessary to best fulfill
21 the needs of the correctional institutions, administration
22 of the department, and the judicial district departments of
23 correctional services. However, in addition to complying with
24 the requirements of sections 904.116 and 905.8 and providing
25 notice to the legislative services agency, the department
26 of corrections shall also provide notice to the department
27 of management, prior to the effective date of the revision
28 or reallocation of an appropriation made pursuant to this
29 section. The department of corrections shall not reallocate an
30 appropriation or allocation for the purpose of eliminating any
31 program.

32 Sec. 7. INTENT — REPORTS.

33 1. The department of corrections, in cooperation with
34 townships, the Iowa cemetery associations, and other nonprofit
35 or governmental entities, may use inmate labor during the

1 fiscal year beginning July 1, 2023, to restore or preserve
2 rural cemeteries and historical landmarks. The department, in
3 cooperation with the counties, may also use inmate labor to
4 clean up roads, major water sources, and other water sources
5 around the state.

6 2. On a quarterly basis, the department shall provide
7 a status report regarding private-sector employment to the
8 general assembly beginning on July 1, 2023. The report shall
9 include the number of offenders employed in the private sector,
10 the combined number of hours worked by the offenders, the
11 total amount of allowances, and the distribution of allowances
12 pursuant to section 904.702, including any moneys deposited in
13 the general fund of the state.

14 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
15 corrections shall submit a report on electronic monitoring
16 to the general assembly by January 15, 2024. The report
17 shall specifically address the number of persons being
18 electronically monitored and break down the number of persons
19 being electronically monitored by offense committed. The
20 report shall also include a comparison of any data from the
21 prior fiscal year with the current fiscal year.

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

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

31 2. State agencies are encouraged to purchase products from
32 Iowa state industries, as defined in section 904.802, when
33 purchases are required and the products are available from
34 Iowa state industries. State agencies shall obtain bids from
35 Iowa state industries for purchases of office furniture during

1 the fiscal year beginning July 1, 2023, exceeding \$5,000 or
2 in accordance with applicable administrative rules related to
3 purchases for the agency.

4 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

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

10 a. For salaries, support, maintenance, and miscellaneous
11 purposes, including jailer training and technical assistance:
12 \$ 1,238,504

13 b. The Iowa law enforcement academy may temporarily exceed
14 and draw more than the amount appropriated in this subsection
15 and incur a negative cash balance as long as there are
16 receivables equal to or greater than the negative balance and
17 the amount appropriated in this subsection is not exceeded at
18 the close of the fiscal year.

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

33 3. The Iowa law enforcement academy shall provide training
34 for domestic abuse and human trafficking-related issues
35 throughout the state. The training shall be offered at no

1 cost to the attendees and the training shall not replace any
2 existing domestic abuse or human trafficking training offered
3 by the academy.

4 Sec. 11. STATE PUBLIC DEFENDER.

5 1. There is appropriated from the general fund of the state
6 to the office of the state public defender of the department
7 of inspections and appeals for the fiscal year beginning July
8 1, 2023, and ending June 30, 2024, the following amounts, or
9 so much thereof as is necessary, to be used for the purposes
10 designated:

11 a. For salaries, support, maintenance, and miscellaneous
12 purposes:

13 \$ 30,068,203

14 b. For payments on behalf of eligible adults and juveniles
15 from the indigent defense fund, in accordance with section
16 815.11:

17 \$ 42,160,374

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

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

32 For salaries, support, maintenance, and miscellaneous
33 purposes:

34 \$ 1,517,894

35 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE.

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

6 For salaries, support, maintenance, and miscellaneous
7 purposes:

8 \$ 6,963,037

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

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

17 1. There is appropriated from the general fund of the state
18 to the department of homeland security and emergency management
19 for the fiscal year beginning July 1, 2023, and ending June 30,
20 2024, the following amount, or so much thereof as is necessary,
21 to be used for the purposes designated:

22 For salaries, support, maintenance, and miscellaneous
23 purposes:

24 \$ 2,439,389

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

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

1 necessary, to be used for the purposes designated:

2 1. For administrative functions, including salaries and
3 the adjustment of salaries throughout the department, and the
4 criminal justice information system:

5 \$ 5,920,476

6 2. For the division of criminal investigation, including
7 the state's contribution to the peace officers' retirement,
8 accident, and disability system provided in chapter 97A in the
9 amount of the state's normal contribution rate, as defined in
10 section 97A.8, multiplied by the salaries for which the moneys
11 are appropriated, to meet federal fund matching requirements:

12 \$ 19,712,633

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

15 \$ 650,000

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

21 4. a. For the division of narcotics enforcement, including
22 the state's contribution to the peace officers' retirement,
23 accident, and disability system provided in chapter 97A in the
24 amount of the state's normal contribution rate, as defined in
25 section 97A.8, multiplied by the salaries for which the moneys
26 are appropriated, to meet federal fund matching requirements:

27 \$ 8,613,894

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

30 \$ 209,042

31 5. For the division of state fire marshal, for fire
32 protection services as provided through the state fire service
33 and emergency response council as created in the department,
34 and for the state's contribution to the peace officers'
35 retirement, accident, and disability system provided in chapter

1 97A in the amount of the state's normal contribution rate, as
2 defined in section 97A.8, multiplied by the salaries for which
3 the moneys are appropriated:

4 \$ 3,230,743

5 6. For the division of state patrol, for salaries, support,
6 maintenance, workers' compensation costs, and miscellaneous
7 purposes, including the state's contribution to the peace
8 officers' retirement, accident, and disability system provided
9 in chapter 97A in the amount of the state's normal contribution
10 rate, as defined in section 97A.8, multiplied by the salaries
11 for which the moneys are appropriated:

12 \$ 87,066,931

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

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

21 \$ 279,517

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

24 \$ 1,075,520

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

30 9. For the public safety interoperable and broadband
31 communications fund established in section 80.44:

32 \$ 115,661

33 10. For the office to combat human trafficking established
34 pursuant to section 80.45, including salaries, support,
35 maintenance, and miscellaneous purposes:

1 \$ 200,742
2 11. For department-wide duties, including operations,
3 costs, and miscellaneous purposes:
4 \$ 5,336,923
5 12. For deposit in the public safety equipment fund
6 established in section 80.48 for the purchase, maintenance, and
7 replacement of equipment used by the department:
8 \$ 2,500,000
9 13. For the office of drug control policy, for salaries,
10 support, maintenance, and miscellaneous purposes, including
11 statewide coordination of the drug abuse resistance education
12 (D.A.R.E) programs or other similar programs:
13 \$ 249,219
14 Notwithstanding section 8.39, the department of public
15 safety may reallocate moneys appropriated in this section
16 as necessary to best fulfill the needs provided for in the
17 appropriation. However, the department shall not reallocate
18 moneys appropriated to the department in this section unless
19 notice of the reallocation is given to the legislative services
20 agency and the department of management prior to the effective
21 date of the reallocation. The notice shall include information
22 regarding the rationale for reallocating the moneys. The
23 department shall not reallocate moneys appropriated in this
24 section for the purpose of eliminating any program.
25 Sec. 16. GAMING ENFORCEMENT.
26 1. There is appropriated from the gaming enforcement
27 revolving fund created in section 80.43 to the department of
28 public safety for the fiscal year beginning July 1, 2023, and
29 ending June 30, 2024, the following amount, or so much thereof
30 as is necessary, to be used for the purposes designated:
31 For any direct support costs for agents and officers of
32 the division of criminal investigation's excursion gambling
33 boat, gambling structure, and racetrack enclosure enforcement
34 activities, including salaries, support, maintenance, and
35 miscellaneous purposes:

1 \$ 10,778,483

2 2. For each additional license to conduct gambling games on
3 an excursion gambling boat, gambling structure, or racetrack
4 enclosure issued during the fiscal year beginning July 1, 2023,
5 there is appropriated from the gaming enforcement revolving
6 fund to the department of public safety for the fiscal year
7 beginning July 1, 2023, and ending June 30, 2024, an additional
8 amount of not more than \$300,000.

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

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

20 \$ 300,000

21 Sec. 18. CONSUMER EDUCATION AND LITIGATION — FARM
22 MEDIATION AND PROSECUTIONS, APPEALS, AND CLAIMS.

23 Notwithstanding section 714.16C, there is appropriated from the
24 consumer education and litigation fund to the department of
25 justice for the fiscal year beginning July 1, 2023, and ending
26 June 30, 2024, the following amounts, or so much thereof as is
27 necessary, to be used for the purposes designated:

28 1. For farm mediation services as specified in section
29 13.13, subsection 2:

30 \$ 300,000

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

34 \$ 2,000,000

35 DIVISION II

INDIGENT DEFENSE

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, through June 30, 2022, 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-one dollars per hour for class "A" felonies, seventy-six dollars per hour for class "B" felonies, and seventy-one dollars per hour for all other cases.

DIVISION III

DEPARTMENT OF CORRECTIONS

Sec. 21. 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

1 ~~of the state~~ to the department ~~a sum equal to~~ the proceeds,
2 ~~so deposited and credited to the general fund of the state~~
3 which may be used to purchase other real estate or for capital
4 improvements upon property under the director's supervision.
5 Notwithstanding section 8.33, moneys in the fund that remain
6 unencumbered or unobligated at the close of a fiscal year shall
7 not revert but shall remain available for expenditure for the
8 purposes designated. Notwithstanding section 12C.7, subsection
9 2, interest or earnings on moneys in the fund shall be credited
10 to the fund.

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

18 Sec. 22. TRANSFER. Moneys remaining in the general
19 fund of the state on June 30, 2023, from the sale of real
20 estate pursuant to section 904.317, that are available to the
21 department of corrections are transferred to the corrections
22 capital reinvestment fund established in section 904.317, as
23 amended in this division of this Act.

24 Sec. 23. EFFECTIVE DATE. This division of this Act takes
25 effect June 30, 2023.

26 DIVISION IV

27 ATTORNEY GENERAL — CONSUMER EDUCATION AND LITIGATION FUND

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

33 SEC. 21. CONSUMER EDUCATION AND LITIGATION
34 FUND. Notwithstanding section 714.16C, for each fiscal
35 year of the period beginning July 1, 2014, and ending June

1 30, ~~2023~~ 2025, the annual appropriations in section 714.16C,
2 are increased from \$1,125,000 to \$1,875,000, and \$75,000 to
3 \$125,000 respectively.

4 DIVISION V

5 DIRECTIVE

6 Sec. 25. DEPARTMENT OF PUBLIC SAFETY — PEACE OFFICERS'
7 RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM. For the fiscal
8 year beginning July 1, 2023, and ending June 30, 2024, the
9 department of public safety shall pay to the peace officers'
10 retirement, accident, and disability system created in chapter
11 97A, from moneys appropriated in this Act to the department
12 of public safety for the division of state patrol, the amount
13 sufficient to fund the actuarial cost of the remaining transfer
14 identified in the Act relating to motor vehicle enforcement
15 duties of the department of public safety and the department of
16 transportation, after the trustee-to-trustee lump sum transfer
17 required by that Act has been performed.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill relates to and makes appropriations to the justice
22 system. The bill is organized by divisions.

23 FY 2023-2024 APPROPRIATIONS. The bill makes appropriations
24 for FY 2023-2024 from the general fund of the state to the
25 departments of justice, corrections, public defense, public
26 safety, and homeland security and emergency management, and
27 the Iowa law enforcement academy, office of the state public
28 defender, and board of parole.

29 The bill appropriates moneys from the commerce revolving
30 fund to the office of consumer advocate of the department
31 of justice; from the gaming enforcement revolving fund to
32 the department of public safety; from the 911 emergency
33 communications fund to the department of homeland security
34 and emergency management; and from the consumer education and
35 litigation fund to the department of justice for farm mediation

1 services and salaries, support, maintenance, and miscellaneous
2 purposes for criminal prosecutions, criminal appeals, and
3 performing certain duties.

4 INDIGENT DEFENSE. The bill increases the hourly rates for
5 court-appointed counsel by \$3 per hour and provides that for
6 appointments made on or after July 1, 2023, compensation is
7 calculated on the basis of \$81 per hour for class "A" felonies,
8 \$76 per hour for class "B" felonies, and \$71 per hour for all
9 other cases.

10 DEPARTMENT OF CORRECTIONS. The bill provides that upon
11 an approved sale of real estate by the director of the
12 department of corrections, the proceeds shall be deposited in a
13 corrections capital reinvestment fund established by the bill.
14 The bill transfers associated moneys remaining in the general
15 fund to the new fund. The funding source for costs incident
16 to the acquisition and sale of real estate shall be reimbursed
17 from the proceeds of the sale. These provisions take effect
18 June 30, 2023.

19 ATTORNEY GENERAL — CONSUMER EDUCATION AND LITIGATION
20 FUND. The bill extends an increase in Code section 714.16C
21 appropriations to the department of justice to June 30,
22 2025. The annual appropriations in Code section 714.16C,
23 are increased from \$1,125,000 to \$1,875,000, and \$75,000 to
24 \$125,000, respectively.

25 DEPARTMENT OF PUBLIC SAFETY DIRECTIVE. The bill requires
26 the department of public safety to pay to the peace officers'
27 retirement, accident, and disability system, from moneys
28 appropriated in the bill, the amount sufficient to fund
29 the actuarial cost of the remaining transfer identified in
30 another bill relating to motor vehicle enforcement duties
31 of the department of public safety and the department of
32 transportation, after the trustee-to-trustee lump sum transfer
33 required by the other bill has been performed.