



# Bill Summary

## HF 2660 Justice Systems FY 09 Budget

Status of Bill: House Calendar  
 Committee: Appropriations (Passed 14-11)  
 Floor Manager: Rep. Todd Taylor  
 Subcomm Dems: Reps. Todd Taylor-Ch, Beth Wessel-Kroeschell-VC, Rick Olson, Dick Taylor, Ray Zirkelbach  
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April 3, 2008

HF 2660 appropriates \$521.5 million in FY 09 from the general fund, \$748,723 less than over FY 09.

FY 09 – GENERAL FUND APPROPRIATIONS					
Agency / Program	Estimated FY 08	Department FY 09	Governor FY 09	HSB 773 FY 09	Difference HSB 773 v. FY 08
<b>ATTORNEY GENERAL</b>					
General Office	\$9,485,145	\$9,715,145	\$9,437,720	\$9,437,720	-\$47,425
Victim Assistance Grants	\$150,000	\$150,000	\$150,000	\$150,000	0
Legal Services Poverty Grants	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	0
Farm Mediation Services	\$300,000	\$300,000	\$300,000	\$300,000	0
Consumer Advocate	\$3,117,471	\$3,117,471	\$3,101,884	\$3,101,884	-\$15,587
Kids Dissolution Proceeding Pilot	\$50,000	0	0	0	-\$50,000
<b>Total Attorney General</b>	<b>\$15,102,616</b>	<b>\$15,282,616</b>	<b>\$14,989,604</b>	<b>\$14,989,604</b>	<b>-\$113,012</b>
<b>CIVIL RIGHTS COMM.</b>	<b>\$1,504,036</b>	<b>\$1,504,036</b>	<b>\$1,504,036</b>	<b>\$1,504,036</b>	<b>0</b>
<b>CORRECTIONS</b>					
Central Office	\$8,733,037	\$8,733,037	\$10,501,066	\$8,471,066	-\$261,971
Institutions	\$265,384,474	\$265,384,474	\$271,299,782	\$265,622,726	\$238,252
Community Based Corrections	\$79,204,535	\$79,004,535	\$85,710,375	\$79,674,566	\$470,031
<b>Total Corrections</b>	<b>\$353,322,046</b>	<b>\$353,122,046</b>	<b>\$367,511,223</b>	<b>\$353,768,358</b>	<b>\$446,312</b>
<b>INSPECTIONS &amp; APPEALS</b>					
Public Defender	\$21,749,296	\$21,749,296	\$21,749,296	\$21,749,296	0
Indigent Defense	\$31,282,538	\$31,282,538	\$31,282,538	\$31,282,538	0
<b>Total Insp. &amp; Appeals</b>	<b>\$53,031,834</b>	<b>\$53,031,834</b>	<b>\$53,031,834</b>	<b>\$53,031,834</b>	<b>0</b>
<b>LAW ENFORCEMENT ACADEMY</b>	<b>\$1,289,562</b>	<b>\$1,289,562</b>	<b>\$1,283,115</b>	<b>\$1,283,115</b>	<b>-\$6,447</b>
<b>PAROLE BOARD</b>	<b>\$1,256,273</b>	<b>\$1,256,273</b>	<b>\$1,249,992</b>	<b>\$1,249,992</b>	<b>-\$6,281</b>
<b>PUBLIC DEFENSE</b>	<b>\$8,703,566</b>	<b>\$8,703,566</b>	<b>\$8,676,379</b>	<b>\$8,676,379</b>	<b>-\$27,187</b>
<b>PUBLIC SAFETY</b>					
Administration	\$4,180,033	\$4,455,581	\$4,455,581	\$4,455,581	\$275,548
DCI Investigations	\$21,729,482	\$21,606,228	\$21,245,742	\$21,121,120	-\$608,362
DCI Crime Lab Equipment	\$342,000	\$342,000	\$342,000	\$342,000	0
Narcotics Enforcement	\$6,315,289	\$6,302,046	\$6,335,522	\$6,302,046	-\$13,243
Undercover Funds	\$123,343	\$123,343	\$123,343	\$123,343	0
Fire Marshall	\$3,328,952	\$4,158,394	\$4,182,548	\$3,991,394	\$662,442
Fire Service	\$836,508	0	0	0	-\$836,508
Fire Fighter Training	\$699,587	\$699,587	\$699,587	\$699,587	0
Iowa State Patrol	\$50,210,762	\$50,078,777	\$50,233,525	\$49,688,777	-\$521,985
Bargained Sick Leave Payout	\$316,179	\$316,179	\$316,179	\$316,179	0
<b>Total Public Safety</b>	<b>\$88,082,135</b>	<b>\$88,082,135</b>	<b>\$87,934,027</b>	<b>\$87,040,027</b>	<b>-\$1,042,108</b>
<b>GRAND TOTAL</b>	<b>\$522,292,068</b>	<b>\$522,272,068</b>	<b>\$536,180,210</b>	<b>\$521,543,345</b>	<b>-\$748,723</b>

## CHANGES FROM FY 08

Agency	Explanation	FY 09 General Fund Cuts	FY 09 General Fund Increases	FY 09 Other Fund Transfers
<b>Attorney General</b>	General office reduction.	-\$47,425		
	<u>Consumer Advocate</u> general office reduction.	-\$15,587		
	<u>Pilot project</u> eliminated that involved support for school children whose parents are in a marriage dissolution.	-\$50,000		
<b>Corrections</b>	<u>Victim Assistance Grants</u> – forfeited property receipts transfer.			\$600,000
	<u>County Confinement Costs</u> - a decrease to reflect past reversion.	-\$231,971		
	<u>Offender Education</u> - prison canteen receipts transfer.			\$300,000
	<u>Pilot Project</u> - for transitional housing.	-\$30,000		
	<u>1st CBC District CBC</u> – replaces expired federal grants for the dual diagnosis program and drug court.		\$206,000	
	<u>2nd CBC District</u> – to open 60 bed facility replacing 34 currently leased beds and adding 26 new beds (for 9.5 months of operation)		\$589,031	
	<u>5th CBC District</u> – cuts lease purchase charge that ended in FY 07.	-\$125,000		
	<u>6th CBC District</u> – eliminates one-time costs.	-\$200,000		
	<u>Anamosa</u> – replaces expired federal grant for Therapeutic Community Program.		\$238,252	
	<u>Rockwell City</u> – transfer correctional officer from Ft. Dodge		\$58,000	
<u>Ft. Dodge</u> – transfer correctional officer to Rockwell City	-\$58,000			
<b>Law Enforce Academy</b>	<u>General office</u> reduction	-\$6,447		
<b>Parole Board</b>	<u>General office</u> reduction	-\$6,281		
<b>Public Defense</b>	<u>New Camp Dodge Readiness Center</u> - state share		\$92,813	
	<u>Civil Air Patrol</u> – eliminates state support	-\$120,000		
<b>Public Safety</b>	<u>DCI</u> – cuts 6 FTEs as a result of Ft. Madison riverboat closing	-\$425,108		
	<u>DCI</u> – eliminate one time expenditures	-\$60,000		
	<u>Fire Marshall</u> – eliminates one-time expenditures	-\$167,000		
	<u>State Patrol</u> – eliminates one-time expenditures	-\$390,000		
<b>Totals</b>		<u>-\$1,932,819</u>	<u>\$1,184,096</u>	<u>\$900,000</u>

## JUSTICE SYSTEMS BUDGET HIGHLIGHTS

### ATTORNEY GENERAL

The bill provides \$14.98 million from the general fund, \$113,000 less than FY 08.

- **Operations.** \$9,437,720, a decrease of \$47,425.
- **Victim Assistance Grants.** \$3.35 million –\$150,05,000 from the general fund, the same as FY 08, and a \$3.2 million transfer from the Crime Victim Compensation Fund, the same as FY 08. Grants go to local groups for services to crime victims of domestic abuse, rape or sexual assault.
  - ⇒ In addition to the above amounts, the bill also transfers \$600,000 from the Forfeited Property Fund to partially make up for a \$900,000 loss in federal funding. The Forfeited Property Fund is estimated to have a FY 08 ending balance of about \$1.2 million.

- ⇒ Language also authorizes funding 20 FTEs from the Victims Compensation Fund for the Crime Victim Assistance Division and 2 FTEs for the Area Prosecutors Division, same as FY 08.
- **Legal Services for Person in Poverty Grants (LSPPG):** \$2 million, the same as FY 08. The AG contracts with Iowa Legal Aid to provide the poor with legal help in civil - not criminal – actions. Eligibility requires that income be less than 125% of U.S. poverty guidelines – in 2008 this is \$13,000 for a single person and \$26,500 for a family of four.
- **Farm Mediation:** \$300,000, the same as FY 08.
- **Office of the (Utility) Consumer Advocate (OCA).** \$3.1 million, \$15,587 less than FY 08. Current law also provides a standing unlimited appropriation for the costs of reviewing new power plant proposals and allows the Department of Management to approve additional OCA spending if necessary for the OCA to perform its duties. The utility industry reimburses the OCA for all expenditures.
- **Contingency funds.** In the past, there has been an annual appropriation from various contingency funds. SF 575 codifies these appropriations as follows:
  - ⇒ Environmental Crime Fine Fund. There is a standing \$20,000 appropriation for investigating environmental crimes (Section 455B112A). This fund receives monies from fines from environmental actions. The appropriation is contingent on sufficient receipts from fines of at least this amount. A maximum of \$20,000 from environmental crime awards is credited to this fund each year, with excess amounts going into the general fund.
  - ⇒ Anti-Trust Fund. There is a \$500,000 standing appropriation to enforce the Iowa Competition Law (Section 553.19), contingent on sufficient receipts from anti-trust legal actions. There is no limit to the amount of anti-trust awards credited to this fund and funds do not revert.
  - ⇒ Consumer Education and Litigation Fund: There is a standing \$1,125,000 appropriation to enforce consumer fraud laws and educate consumers regarding fraud (Section 714.16C). This section also appropriates \$75,000 for investigating and prosecuting consumer and criminal fraud against older Iowans. These appropriations are contingent on sufficient income from consumer and criminal fraud legal actions. There is no limit to the amount of anti-trust awards credited to this fund and funds do not revert.

## *CIVIL RIGHTS COMMISSION*

The commission receives \$1,504,036, the same as FY 08. Language also allows the commission to contract with a nonprofit organization to provide legal services to resolve disputes. However, Legal Services Corporation (LSC) would charge them \$65 per hour – compared to about \$26 for the highest paid commission investigator with benefits.

## *DEPARTMENT OF CORRECTIONS (DOC)*

The DOC receives \$353.3 million, a \$446,312 increase.

- ⇒ Damage to DOC Personal Items By Inmates: Under current law (904.108) the DOC Director may reimburse the costs of replacement or repair of employee personal items damaged by offenders during duty. The bill increases the maximum reimbursement from \$150 to \$300.
- ⇒ Inmate Labor: Language prohibits contractors from using inmates for partisan political activities and requires them to restrict inmate access to citizens' personal information. The DOC may, in cooperation with townships, the Iowa cemetery associations, and other nonprofit or governmental entities, use inmate labor to restore or preserve rural cemeteries and historical landmarks. DOC may also use inmate labor to clean up roads and water sources around the state.

- ⇒ Private Sector Employment of Inmates. Language requires DOC to report on the number of inmates employed, combined number of hours worked, and allocation of inmate income.
- ⇒ Electronic Monitoring: Requires DOC to report on electronic monitoring, including the number monitored by the offense as compared to the prior fiscal year. The report is due 1-15-08.
- ⇒ New Privatization Contracts. Prohibits new contracts over \$100,000, except contract renewals, to privatize services performed by state workers without prior consultation with the affected union and prior notification of the co-chairs and ranking members of the subcommittee.
- ⇒ Prison Farms. Language requires the department to continue farm operations at the same or greater level, to not lease additional farmland to private persons without legislative approval and to increase produce gardening by inmates.
- ⇒ Purchasing From Prison Industries. Language encourages state agencies to buy prison industry products and get a bid from prison industries for purchases of office furniture exceeding \$5,000.
- ⇒ Smoking Cessation. DOC is required to provide smoking cessation programs to inmates.
- **Central Office**. \$8.4 million, a decrease of \$261,971.
  - ⇒ Administration: \$5,050,732, the same as FY 08.
  - ⇒ Mental Health / Substance Abuse: \$25,000, the same as FY 08, for mental health and substance abuse treatment. Each institution has funds, but this provides flexibility to respond to problems.
  - ⇒ Hepatitis Treatment: \$188,000, the same as FY 08, for education, prevention and treatment of viral hepatitis.
  - ⇒ County Confinement. \$967,983, a decrease of \$231,971, since DOC reverted this amount at the end of FY 07. These funds reimburse counties for holding inmates that violate parole or probation. An average daily cost is negotiated with each county.
  - ⇒ Inmate Education Programs. \$1,570,358, the same as FY 08.
    - An additional \$300,000 is transferred from the Prison Canteen Fund for this purpose.
    - DOC must consult with community colleges on how to provide high school completion, high school equivalency diploma, adult literacy, and adult basic education programs, and to establish guidelines and procedures for educational and vocational training with a goal of facilitating successful release from the correctional institution. The DOC Director may transfer moneys from Iowa Prison Industries for use in educational programs. Unexpended educational funds do not revert.
  - ⇒ Federal Prison Contract. \$241,293, the same as FY 08, to reimburse federal prisons for out-of-state inmate placements.
  - ⇒ Muslim Imam: Language requires contracting with a Muslim Imam for religious services, as required by federal court order. Federal courts have ruled that states must give prisoners a reasonable opportunity to exercise their religious freedom under the First and Fourteenth Amendments.
    - About 20 or 25 year ago, Muslim inmates at Ft. Madison sued because there were Christian religious advisors but no Muslim advisors. A federal court ordered the Department of Corrections (DOC) retain a Muslim imam at Ft. Madison.
    - NOTE: This right has its limits. In 1992, Ft. Madison inmates sued because, even though an imam was available, the imam was not of their particular Muslim sect, The Moorish Science Temple (MST), and therefore the state should provide an MST imam. The 8th Circuit U.S. Court of Appeals denied their request on March 16, 1992, stating that the constitution does not require that a religious advisor be provided for every represented sect.
    - DOC provides Catholic, Protestant, Jewish, Islamic, and Native American religious advisors.
  - ⇒ Iowa Corrections Offender Network (ICON): \$427,700, the same as FY 08, for continued development of the computer network.

- **State Prison Institutions.** Nine facilities receive \$265.2 million, an increase of \$238,252.
  - ⇒ More Correctional Officers: Intent language state that, if additional fund should become available, they will be used for 8 additional correctional officers to be distributed at the Anamosa and Mt. Pleasant institutions.
  - ⇒ Fort Madison. \$44.5 million, the same as FY 08..
  - ⇒ Anamosa. \$30.9 million, an increase of \$238,252 to replace an expired federal grant for the Therapeutic Community Program.
    - Language requires funding one substance abuse counselor at the Luster Heights Facility.
  - ⇒ Oakdale. \$56.2 million, the same as FY 08.
  - ⇒ Newton. \$27.8 million, the same as FY 08.
  - ⇒ Mt. Pleasant. \$26.3 million, the same as FY 08.
  - ⇒ Rockwell City. \$9.2 million, an increase of \$58,030, which reflects a transfer of one correctional officer position from the Fort Dodge institution.
  - ⇒ Clarinda. \$25.1 million, the same as FY 08.
    - The facility also receives \$1 million in reimbursements for services provided to the Clarinda Youth Academy, a long term residential facility for at risk youth.
  - ⇒ Mitchellville. \$15.9 million, the same as FY 08.
    - *Interfaith Freedom Initiative:* There are no funds for this substance abuse therapeutic community treatment program due to a federal court ruling that the use of tax dollars was unconstitutional as a violation of the separation of church and state.
  - ⇒ Fort Dodge. \$29.7 million, a decrease of \$58,030, which reflects a transfer of one correctional officer position to the Rockwell City institution.
- **Community Based Corrections.** The eight CBC districts and statewide programs receive \$79.7 million, an increase of \$470,031.
  - ⇒ First District. \$12.9 million, an increase of \$206,000, to replace expired federal grants – \$66,000 for the drug court and \$140,000 for the dual diagnosis program.
  - ⇒ Second District. \$10.7 million, an increase of \$589,031, to open a new 60 bed facility, which will replace a 34 bed facility currently being rented and add 26 new beds. This amount is the equivalent of 9.5 months worth of operating costs.
  - ⇒ Third District. \$5.9 million, the same as FY 08.
  - ⇒ Fourth District. \$5.4 million, the same as FY 08.
  - ⇒ Fifth District. \$18.3 million, a decrease of \$125,000, due to expired lease-purchase payments.
  - ⇒ Sixth District. \$12.5 million, a decrease of \$200,000, due to elimination of one-time costs related to construction.
    - Language requires the district to maintain a youth leadership model program to help at-risk youth. The district may recruit college or high school students to work with at-risk youth.
  - ⇒ Seventh District. \$7 million, the same as FY 08.
  - ⇒ Eighth District. \$7 million, the same as FY 08.

## *DEPT. OF INSPECTIONS & APPEALS / Indigent Defense*

- **State Public Defender:** \$21.8 million, the same as FY 08. This program pays salaries of full-time attorneys to represent indigent defendants in criminal proceedings.
  - ⇒ Language requires the public defender to make recommendations for cost containments and report to the Justice Systems Subcommittee and LSA by December 15, 2008.
- **Indigent Defense:** \$31.3 million, the same as FY 08. This program pays for court-appointed attorneys to represent indigent defendants in criminal proceedings. Statutory fees are as follows:
  - ⇒ Class A felony \$70 per hour.
  - ⇒ Class B felony \$65 per hour.
  - ⇒ Class C and D felonies \$60 per hour.
  - ⇒ Misdemeanors \$60 per hour.
  - ⇒ All other cases, such as juvenile proceedings \$60 per hour.

## *THE LAW ENFORCEMENT ACADEMY (ILEA)*

The ILEA receives \$1,289,562, a decrease of \$6,447.

- Code Section 80B.11B limits the ILEA charge for training to 50% of the actual costs. The bill not withstands this section to allow the ILEA to charge more than 50%, if approved by the ILEA Training Council. This language was also in the last three year's budget bills. Currently, the ILEA charge is 60% of the actual cost of training, or \$3,575 per person.
- Language allows the ILEA to annually exchange five vehicles used for training with vehicles recently turned into the State Fleet Administrator by the state patrol.

## *THE BOARD OF PAROLE*

The board receives \$1,256,273, a decrease of \$6,281.

## *DEPARTMENT OF PUBLIC DEFENSE*

- **Military Division.** \$6.4 million, a decrease of \$27,187.
  - ⇒ A \$92,813 increase provides the required federal funds 25% match to operate the new Camp Dodge Readiness Center. This is for 9 months of operating costs.
  - ⇒ A \$120,000 decrease is due to elimination of support for the Iowa Civil Air Patrol.
- **Emergency Management Division.** \$2.3 million, the same as FY 08.
  - ⇒ The division also receives \$200,000 from the E911 Wireless Communications Fund to administer the E911 wireless service.

## *DEPARTMENT OF PUBLIC SAFETY (DPS)*

- \$87 million, a decrease of \$1,042,108.
- **Administration.** \$4.5 million, an increase of \$275,548, for the following transfers.
  - ⇒ \$83,002, represents a transfer from the DCI to the Administration Division for the coordinator for the Commission for the Accreditation of Law Enforcement Agencies.
  - ⇒ \$65,426 represents a transfer of one position from the DCI to the Technology Services Division of the Administrative Division.
  - ⇒ \$127,120 represents a transfer of the Finance Bureau Chief from the Enforcement Division to the Finance Bureau of the Administrative Division.

- **Division of Criminal Investigation (DCI).** \$21.4 million, a decrease of \$608,362.
  - ⇒ There is a \$60,000 decrease due to elimination of one-time expenditures.
  - ⇒ There is a \$148,428 decrease due to programs being transferred to the Administration Division, as described on the previous page.
  - ⇒ Gaming Enforcement: There is a \$425,000, and six FTE, decrease due to the closure of the Ft. Madison Riverboat.
  - ⇒ Crime Lab Equipment: \$342,000 is for new equipment, the same as FY 08. This is a continuation of a multi-year commitment to expend this amount from revenues for criminal penalty surcharges that were increased in 2005 (HF 123).
  - ⇒ Internet Crimes Against Children: There is an increase of one FTE for a new criminalist to be paid from a federal grant to expand the activities of this unit.
  - ⇒ Cold Cases: There is an increase of two FTEs for a Clod Case Unit, funded form a federal grant.
  - ⇒ Native American Tribes. There is an increase of one FTE for audit, inspection, and enforcement services to assure that tribal casinos comply with the Tribal-State Compact, and other applicable law on tribal lands. This is funded from escrow accounts of the Native American tribes.
- **Narcotics Enforcement.** \$6.3 million, a decrease of \$13,243, to reallocate funds to the Administration Division.
  - ⇒ Undercover Funds. \$123,343 is provided for undercover drug buys, the same as FY 08.
- **Iowa State Patrol.** \$49.7 million, a decrease of \$521,985.
  - ⇒ In addition, \$316,179 is provided for sick leave payout for retiring officers, the same as FY 08, pursuant to the collective bargaining contract which requires paying unused sick leave to non-supervisory peace officers.
  - ⇒ School Bus Inspections: Intent language states that the State Patrol assigns education officers to perform safety inspections of school buses rather than road troopers.
- **Fire Marshall's Office.** \$4 million, an increase of \$662,442.
  - ⇒ There is a \$67,000 decrease by eliminating one-time expenditure.
  - ⇒ There is a \$7,0660 decrease due to reallocation to the DPS Administrative Division.
  - ⇒ A decrease of \$100,000 of funding for a one-time training equipment purchase by the Fire Service Training Bureau.
  - ⇒ An Increase of \$836,508, and 10 FTEs due to eliminating the separate line item for the Fire Service Training Bureau to provide the Fire Marshall with more flexibility.
- **Training and Equipment for Volunteer Fire Fighters.** \$699,587, the same as FY 08.

## AMENDMENT SUMMARY

**H-8262 by Horbach (R-Tama) – Cuts Attorney General/ Adds to Prisons:** The amendment cuts \$382,228 from the Attorney Generals budget. It then adds \$191,144 to the budget for Anamosa and \$191,144 to the budget for Mt. Pleasant. This would allow each institution to hire 4 additional correctional officers. The amendment also has intent language stating that if \$382,288 in additional funds become available, they will be appropriated to the Attorney General's Office.

**H-8381 by Zirkelbach (and Lukan (R-Dubuque) – Intent Language for Spending at Anamosa and the 1st CBC District:**

1. The \$30.9 million appropriation for Anamosa is a \$238,252 increase over FY 08 to replace an expired federal grant for the Therapeutic Community Program. The amendment states that as a condition of this appropriation, DOC shall replace the expired grant by spending at least \$238,252 for the therapeutic treatment community program, including maintaining at least 4.75 FTEs for the program.
2. The \$12.9 million appropriation for the 1st CBC District is a \$206,000 an increase over FY 08, of which \$140,000 is to replace an expired federal grant for a Dual Diagnosis Treatment Program for offenders with more than one problem, such as drug abuse and mental illness. The amendment states that as a condition of this appropriation, DOC shall replace the expired grants by spending at least \$140,000 for the dual diagnosis program, including maintaining 1.25 FTEs for this program.

**H-8266 by Horbach (R-Tama) – Cuts DOC Administration/ Adds to Pilot Project:** The amendment cuts \$30,000 from the DOC administrative budget. It then appropriates \$30,000 for a transitional housing pilot project in Waterloo for offenders on parole who are in the early stages of recovery from substance abuse. \$20,000 was appropriated for FY 07 and \$30,000 for FY 08. The DOC contracts with a private nonprofit substance abuse provider.

**H-8272 by Alons (R-Sioux) and Baudler (R-Adair) – Intoxication:** Requires that, regarding public intoxication, providing alcohol to a minor, and having an open container in a motor vehicle, and other alcoholic beverage violations, if the person is under age 18, they must be referred to juvenile court.

**H-8334 by Abdul-Samad (D-Polk) and Todd Taylor (D-Linn) – Certificate of Employability:** Requires the Board of Parole to develop and implement a Certificate of Employability Program by July 1, 2009. The board shall file an interim status report with the legislature by January 1, 2009. The program to maximize opportunities for rehabilitation and employability of parolees or former parolees who are unemployed or under employed. The programs shall provide protection of the community, while considering the needs of potential employers. The program shall be based on successful completion of designated programs and other relevant factors determined by the board. A registered sex offender is ineligible for the program.

**H-8343 by Linda Miller (R-Scott) and Abdul-Samad (D-Polk) – Infection Control Education:** Requires the Department of Public Health, in consultation with the DOC, the Antibiotic Resistance Task force, and the AFSCME, to develop educational programs to increase awareness and utilization of infection control practices in institutions listed in state correctional institutions.

**H-8344 by Zirkelbach (D-Jones), Todd Taylor (D-Linn), and Lukan (R-Dubuque) – Central Warehouse:** Requires the DOC to establish a fund to maintain and operate a central warehouse, supply depot, and distribution facility for surplus government products, canned goods, paper products, other staples, and other items as determined by DOC. The fund is composed of receipts from sales and handling, operating, and delivery charges. Any state agency or political subdivision may buy products, goods, staples, or other items from the central warehouse and supply depot.

Intent language states that upon completion of the DOC central warehouse, the Department of Human Services shall cease utilizing its central warehouse and supply depot, which is at Woodward. This is the same as HF 2545 (Public Safety) on the House Calendar, except for the addition of the intent language

**H-8396 by Struyk (R-Pottawattamie), Lukan (R-Dubuque), & Horbach (R-Tama) – Immigration Enforcement:** The amendment does the following:

1. Directs the Attorney General to negotiate a memorandum of understanding between the state of Iowa with either the U.S. Department of Justice or the U.S. Department of Homeland Security concerning the enforcement of federal immigration and custom laws, detention removals, and investigations in the state of Iowa.
  - The agreement must include a provision that the federal government reimburse the state for costs of detention and deportation of an unauthorized alien.
  - The memorandum must be signed on behalf of the state of Iowa by the Attorney General and the Governor or as otherwise required by the appropriate federal agency.
  - The memorandum cannot be implemented until funds are appropriated for that purpose.
2. Prohibits local governments from enacting any ordinance, resolution, or policy that limits or prohibits a law enforcement officer, local officer, or local government employee from communicating or cooperating with federal officials regarding the immigration status of any person – either by action of its governing body, initiative, referendum, or any other process.
3. Forbids Iowa government entities or officials from prohibiting or restricting any government entity or official from sending to, or receiving from, the U.S. Department of Homeland Security information on the citizenship or immigration status, lawful or unlawful, of any individual.
4. Forbids a person or agency from prohibiting or restricting a public employee from doing any of the following regarding information on the immigration status, lawful or unlawful, of any individual:
  - Sending such information to, or requesting or receiving such information from, the U.S. Department of Homeland Security.
  - Maintaining such information.
  - Exchanging such information with any other federal, state, or local government entity.
5. Authorizes any natural or legal person legally domiciled in Iowa to file for a Writ of Mandamus to compel any uncooperative local or state governmental agency to comply with this section.
  - “Mandamus” is Latin for “we command”. A Writ of Mandamus is issued by a court in the name of the state directing a person to do a specified thing in accordance with their office and duty.

**H-8397 by Baudler (R-Adair), Lukan (R-Dubuque) and Horbach (R-Tama) – Identity Theft / Document Falsification:** The amendment makes it a aggravated misdemeanor (a fine of \$625 up to \$6,250 and imprisonment for up to two years) for a person to do any of the following:

1. Make a driver's license, nonoperator's ID card, blank driver's license form, or any other form or document used to establish a person's identity to assist an unauthorized alien to obtain employment, if the person has no authority to make such a document.
2. Obtain, possess, or have in one's control or on one's premises, a driver's license, nonoperator's ID card, blank driver's license form, or any other form or document used to establish a person's identity to assist an unauthorized alien to obtain employment.

3. Obtain, possess, or have in one's control or on one's premises, a driver's license, nonoperator's ID card, blank driver's license, nonoperator's identification card form, or any other form or document which could be used to establish a person's identity, which was made by a person having no authority to make the document in order to assist an unauthorized alien to obtain employment.
4. Use a false or fictitious name in any application for a driver's license, nonoperator's ID card, or knowingly make a false statement, conceal a material fact, or otherwise commit fraud on an application to assist an unauthorized alien to obtain employment.

**H-8398 by Baudler (R-Adair), Lukan (R-Dubuque) and Horbach (R-Tama) – Bails Restrictions:**

The amendment does the following:

1. Prohibits bail for a defendant who is an identified unauthorized alien not lawfully in the United States.
2. Requires the law enforcement agency responsible for the arrest of a defendant, denied bail for being an identified unauthorized alien not lawfully in the United States, to notify U.S. Immigration and Customs Enforcement.
3. Exempts the above provisions from section 25B.2, which prohibits enacting any state mandate unless adequate funds are appropriated to fully fund its cost.