

Senate File 479 - Introduced

SENATE FILE 479
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 1203)

A BILL FOR

- 1 An Act relating to the denial of state funds to a local entity.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2515SV (1) 89
as/rh

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1 Section 1. NEW SECTION. **8.31A Denial of state funds.**

2 1. Notwithstanding any other provision of law to the
3 contrary, a local entity, including any entity under the
4 jurisdiction of the local entity, shall be ineligible to
5 receive any state funds if the local entity reduces the budget
6 of a law enforcement agency under the jurisdiction of the local
7 entity unless the total budget of the local entity is reduced
8 by an equal or larger percentage or the local entity provides
9 sufficient justification under subsection 4.

10 2. State funds shall be denied to a local entity pursuant to
11 subsection 1 by all state agencies for each state fiscal year
12 that begins after the fiscal year in which the law enforcement
13 agency's budget is reduced. State funds shall continue to be
14 denied until eligibility to receive state funds is reinstated
15 under section 8.31. However, any state funds for law
16 enforcement purposes shall not be denied under this section.

17 3. A local entity's eligibility to receive state funds shall
18 be reinstated beginning on the first day of the month following
19 the date on which the local entity's budget is no longer in
20 violation of this section.

21 4. a. A local entity may submit written justification to
22 the department of management for any reductions in the local
23 entity's law enforcement budget. Sufficient justification may
24 include any of the following:

25 (1) Reductions related to one-time capital or one-time
26 equipment or vehicle purchases in the prior fiscal year.

27 (2) Reductions related to lower personnel cost of law
28 enforcement personnel due only to lower cost entry-level
29 law enforcement personnel replacing prior law enforcement
30 personnel.

31 (3) Reductions due to the merging or consolidation of jail
32 services or communications and dispatch services or the merging
33 of law enforcement agencies.

34 (4) Reductions due to reduced population in a jurisdiction
35 served by a law enforcement agency.

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1 b. Notwithstanding any other provision of the Code, detailed
2 information shall be required by any local entity, as described
3 in rules, for any necessary budgetary information.

4 5. The department of management shall adopt rules pursuant
5 to chapter 17A to implement this section uniformly across
6 state agencies from which state funds are distributed to local
7 entities.

8 6. For purposes of this section, "local entity" means the
9 governing body of a city or county. "Local entity" includes
10 an officer or employee of a local entity or a division,
11 department, or other body that is part of a local entity,
12 including but not limited to a sheriff, police department, city
13 attorney, or county attorney.

14 EXPLANATION

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

17 This bill relates to the denial of state funds to a local
18 entity.

19 The bill provides that a local entity, including any entity
20 under the jurisdiction of the local entity, shall be ineligible
21 to receive any state funds if the local entity reduces the
22 budget of their law enforcement agency unless the total budget
23 of the local entity is reduced by an equal or larger percentage
24 or the local entity provides sufficient justification for the
25 reduction. A local entity may submit written justification to
26 the department of management for any reductions in the local
27 entity's law enforcement budget. Sufficient justification may
28 include: reductions related to one-time capital or one-time
29 equipment or vehicle purchases in the prior fiscal year;
30 reductions related to lower personnel cost of law enforcement
31 personnel due only to lower cost entry-level law enforcement
32 personnel replacing prior law enforcement personnel; reductions
33 due to the merging or consolidation of jail services or
34 communications and dispatch services or the merging of law
35 enforcement agencies; and reductions due to reduced population

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1 in a jurisdiction served by a law enforcement agency. State
2 funds shall be denied to a local entity by all state agencies
3 for each state fiscal year that begins after the fiscal year in
4 which the law enforcement agency's budget is reduced. State
5 funds shall continue to be denied until eligibility to receive
6 state funds is reinstated under Code section 8.31. State
7 funds for law enforcement purposes shall not be denied. The
8 department of management is directed to adopt rules pursuant to
9 Code chapter 17A to implement the provisions of the bill.
10 Code section 8.2 defines "state funds" as any and all moneys
11 appropriated by the legislature, or money collected by or for
12 the state, or an agency thereof, pursuant to authority granted
13 by any of its laws.