Senate File 2408 - Enrolled

Senate File 2408

AN ACT

RELATING TO STATE AND LOCAL FINANCES BY MAKING AND SUPPLEMENTING APPROPRIATIONS, PROVIDING FOR LEGAL AND REGULATORY RESPONSIBILITIES, PROVIDING FOR OTHER PROPERLY RELATED MATTERS, AND INCLUDING EFFECTIVE DATE PROVISIONS.

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

DIVISION I

SUPPLEMENTAL APPROPRIATIONS

Section 1. DEPARTMENT OF HUMAN SERVICES —— FY 2019-2020.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. To supplement the appropriation made for medical assistance program reimbursement and associated costs in 2019 Iowa Acts, chapter 85, section 13, unnumbered paragraph 2:
..... $ 88,982,734

b. To supplement the appropriation made for maintenance of the healthy and well kids in Iowa (hawk-i) program pursuant to chapter 514I in 2019 Iowa Acts, chapter 85, section 16, subsection 1:
..... $ 1,737,294

c. To supplement the appropriations made for the state resource center at Glenwood for salaries, support, maintenance, and miscellaneous purposes in 2019 Iowa Acts, chapter 85,

section 25, subsection 1, paragraph “a”, and 2020 Iowa Acts, Senate File 2144, section 1:

..... $ 595,608

2. Notwithstanding section 8.33, moneys appropriated in this section 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.

Sec. 2. STATE BOARD OF REGENTS —— FY 2019-2020.

1. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

To supplement the appropriation made for the state hygienic laboratory of the state university of Iowa, including salaries, support, maintenance, and miscellaneous purposes, in 2019 Iowa Acts, chapter 135, section 9, subsection 2, paragraph “c”:

..... $ 525,578

2. Notwithstanding section 8.33, moneys appropriated in this section 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.

Sec. 3. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION II

STANDING APPROPRIATIONS AND RELATED MATTERS

Sec. 4. LIMITATIONS OF STANDING APPROPRIATIONS —— FY 2020-2021. Notwithstanding the standing appropriation in the following designated section for the fiscal year beginning July 1, 2020, and ending June 30, 2021, the amount appropriated from the general fund of the state pursuant to that section for the following designated purpose shall not exceed the following amount:

For payment of claims for nonpublic school pupil transportation under section 285.2:

..... $ 8,197,091

If total approved claims for reimbursement for nonpublic

school pupil transportation exceed the amount appropriated in accordance with this section, the department of education shall prorate the amount of each approved claim.

Sec. 5. INSTRUCTIONAL SUPPORT STATE AID —— FY 2020-2021. In lieu of the appropriation provided in section 257.20, subsection 2, the appropriation for the fiscal year beginning July 1, 2020, and ending June 30, 2021, for paying instructional support state aid under section 257.20 for such fiscal year is zero.

Sec. 6. Section 257.35, Code 2020, is amended by adding the following new subsection:

NEW SUBSECTION. 14A. Notwithstanding subsection 1, and in addition to the reduction applicable pursuant to subsection 2, the state aid for area education agencies and the portion of the combined district cost calculated for these agencies for the fiscal year beginning July 1, 2020, and ending June 30, 2021, shall be reduced by the department of management by fifteen million dollars. The reduction for each area education agency shall be prorated based on the reduction that the agency received in the fiscal year beginning July 1, 2003.

DIVISION III

CONTINUING APPROPRIATIONS

Sec. 7. CONTINUING APPROPRIATIONS —— FY 2020-2021.

1. APPROPRIATIONS DETERMINED FROM 2019-2020 LINE ITEM AND LIMITED STANDING APPROPRIATIONS.

a. For all line item appropriations, standing limited appropriations, and standing unlimited appropriations otherwise limited by law, including appropriations from federal and nonstate funds, the department of management, in consultation with the legislative services agency, shall determine the amount of such line item appropriations, standing limited appropriations, and standing unlimited appropriations otherwise limited by law, including appropriations from federal and nonstate funds, made for the fiscal year beginning July 1, 2019, and ending June 30, 2020, by taking into consideration all of the following:

(1) 2020 Iowa Acts, Senate File 2144, and other 2020 Iowa Acts.

(2) 2019 Iowa Acts.

(3) All interdepartmental and intradepartmental transfers made pursuant to section 8.39 and other provisions of law.

(4) Other provisions of law.

b. The department of management, in consultation with the legislative services agency, shall also identify the entities to which such appropriations were made, or the entities' successors.

2. CONTINUING APPROPRIATIONS. There is appropriated from the appropriate state fund or account to the entities identified pursuant to subsection 1, for the period beginning July 1, 2020, and ending August 31, 2020, amounts, or so much thereof as is necessary, equal to two-twelfths of the amounts of all line item appropriations, standing limited appropriations, and standing unlimited appropriations otherwise limited by law, including federal and nonstate funds, made for the fiscal year beginning July 1, 2019, and ending June 30, 2020, as determined pursuant to subsection 1.

3. DUPLICATIVE STANDING APPROPRIATIONS TEMPORARILY SUPPLANTED. The amounts appropriated under subsection 2 shall supplant, for only the period beginning July 1, 2020, and ending August 31, 2020, any duplicative standing appropriation for the fiscal year beginning July 1, 2020, and ending June 30, 2021.

4. CONTINUING APPROPRIATION CONSIDERED ALLOTMENT OF FULL YEAR APPROPRIATION. Upon the governor's approval of any enrolled bill, as passed by both the senate and the house of representatives during the 2020 regular session of the eighty-eighth general assembly, containing the same line item or limited standing appropriation for the fiscal year beginning July 1, 2020, and ending June 30, 2021, as made in the two-twelfths appropriation under subsection 2, the two-twelfths appropriation amount shall be considered an allotment of the line item appropriation or limited standing appropriation for the full fiscal year beginning July 1, 2020, and ending June 30, 2021.

5. EXCLUSIONS. This section does not apply to any of the following:

a. Appropriations made from the rebuild Iowa infrastructure fund and the technology reinvestment fund pursuant to 2019 Iowa

Acts, chapter 137.

b. Appropriations made to the department of transportation from the road use tax fund for capital costs associated with placing a driver and identification services center in Dallas county pursuant to 2019 Iowa Acts, chapter 52, section 3, subsection 13, and from the primary road fund for replacement of the Sioux City combined facility pursuant to 2019 Iowa Acts, chapter 52, section 4, subsection 16.

c. The appropriation made to the department of administrative services from the general fund of the state for establishing a listing of real property owned or leased by the state pursuant to 2019 Iowa Acts, chapter 136, section 1, subsection 1, paragraph "d".

d. The appropriation made to the department of management from the general fund of the state for distribution of moneys to other governmental entities for the payment of rate adjustments established by the office of the chief information officer pursuant to 2019 Iowa Acts, chapter 136, section 16, subsection 2, paragraph "a".

e. The appropriation made to the department of agriculture and land stewardship from the general fund of the state for deposit in the hungry canyons account of the loess hills development and conservation fund pursuant to 2019 Iowa Acts, chapter 131, section 9, subsection 1.

f. The appropriation made to the department of cultural affairs from the general fund of the state for payment of rent for the state records center pursuant to 2019 Iowa Acts, chapter 154, section 1, subsection 1, paragraph "g".

g. The appropriation made to the Iowa law enforcement academy from the general fund of the state for costs associated with temporary relocation of the Iowa law enforcement academy pursuant to 2019 Iowa Acts, chapter 163, section 10, subsection 1, paragraph "a", subparagraph (2).

h. The appropriation made to the department of public safety from the general fund of the state for costs associated with the training and equipment needs of volunteer fire fighters pursuant to 2019 Iowa Acts, chapter 163, section 15, subsection 8.

i. The appropriation made to the department of homeland

security and emergency management from the general fund of the state for flood recovery pursuant to 2020 Iowa Acts, Senate File 2144, section 3.

Sec. 8. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION IV

INTERDEPARTMENTAL AND INTRADEPARTMENTAL TRANSFERS

Sec. 9. APPLICABILITY OF LIMITATIONS AND REQUIREMENTS. All of the following do not apply to transfers made by the director of the department of management pursuant to section 8.39 for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and for the period beginning July 1, 2020, and ending August 31, 2020:

1. The limitations on the amount of an interdepartmental transfer and the sum of interdepartmental transfers under section 8.39, subsection 2.

2. The limitations on the aggregate amount of intradepartmental and interdepartmental transfers under section 8.39, subsection 3.

3. The requirement under section 8.39, subsection 4, that the director of the department of management give the chairpersons of the standing committees on budget of the senate and the house of representatives, and the chairpersons of subcommittees of such committees, at least two weeks to review and comment on a proposed transfer before the transfer is made. This subsection shall not be construed to relieve the director of the department of management of the director's duty to notify such chairpersons of a proposed transfer before the transfer is made.

Sec. 10. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION V

IOWA ECONOMIC EMERGENCY FUND

Sec. 11. DEPARTMENT OF MANAGEMENT —— APPROPRIATION.

1. Notwithstanding section 8.55, subsection 3, there is appropriated from the Iowa economic emergency fund to the department of management for the period beginning on the effective date of this division of this Act, and ending August 31, 2020, an amount not to exceed ten percent of the balance

of the Iowa economic emergency fund at the close of the fiscal year beginning July 1, 2019, and ending June 30, 2020, or so much thereof as is necessary, to be used for purposes approved by the governor.

2. Notwithstanding section 8.55, subsection 3, in the event the amount appropriated under subsection 1 is insufficient, there is appropriated from the Iowa economic emergency fund to the department of management for the period beginning on the effective date of this division of this Act, and ending August 31, 2020, an amount not to exceed the maximum balance of the Iowa economic emergency fund under section 8.55, subsection 2, or so much thereof as is necessary, to be used for purposes approved by the governor and the legislative council.

3. This section is repealed on the date the 2020 regular session of the eighty-eighth general assembly reconvenes after the effective date of this division of this Act, or August 31, 2020, whichever occurs earlier.

Sec. 12. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VI

INSTRUCTIONAL TIME WAIVERS FOR SCHOOLS

Sec. 13. INSTRUCTIONAL TIME WAIVERS FOR SCHOOL DISTRICTS AND ACCREDITED NONPUBLIC SCHOOLS —— COVID-19.

1. Notwithstanding any other provision of law to the contrary, if a school district or accredited nonpublic school is closed or closes on or before April 12, 2020, in order to prevent or contain the spread of COVID-19, the instructional time requirements of section 279.10, subsection 1, and the minimum school day requirements of section 256.7, subsection 19, are waived for the affected school district or accredited nonpublic school for such a closure.

2. The governor, by appropriate executive order, may waive the instructional time requirements of section 279.10, subsection 1, and the minimum school day requirements of section 256.7, subsection 19, for a school district or accredited nonpublic school that is closed or closes after April 12, 2020, in order to prevent or contain the spread of COVID-19.

3. This section is repealed July 1, 2020.

Sec. 14. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

CHARLES SCHNEIDER
President of the Senate

PAT GRASSLEY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2408, Eighty-eighth General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2020

KIM REYNOLDS
Governor