

## CHAPTER 59

### SUBSTANTIVE CODE CORRECTIONS

H.F. 679

AN ACT relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

*Be It Enacted by the General Assembly of the State of Iowa:*

#### DIVISION I MISCELLANEOUS CHANGES

Section 1. [Section 1.14](#), Code 2019, is amended to read as follows:

**1.14 Tribal ordinances or customs enforced.**

Any tribal ordinance or custom ~~heretofore or hereafter~~ adopted by the governing council of the Sac and Fox Indian settlement in Tama county in the exercise of any authority which it may possess shall, if not inconsistent with any applicable civil law of the state, be given full force and effect in the determination of civil causes of action pursuant to [sections 1.12](#), [1.13](#), [this section](#), and [1.15](#).

Sec. 2. [Section 8.33](#), Code 2019, is amended to read as follows:

**8.33 Time limit on obligations — reversion.**

1. No obligation of any kind shall be incurred or created subsequent to the last day of the fiscal year for which an appropriation is made, except when specific provision otherwise is made in the Act making the appropriation. On August 31, or as otherwise provided in an appropriation Act, following the close of each fiscal year, all unencumbered or unobligated balances of appropriations made for that fiscal term revert to the state treasury and to the credit of the funds from which the appropriations were made, except that capital expenditures for the purchase of land or the erection of buildings or new construction continue in force until the attainment of the object or the completion of the work for which the appropriations were made unless the Act making an appropriation for the capital expenditure contains a specific provision relating to a time limit for incurring an obligation or reversion of funds. [This section](#) does not repeal [sections 7D.11 through 7D.14](#).

2. ~~No~~ A payment of an obligation for goods and services shall not be charged to an appropriation subsequent to the last day of the fiscal year for which the appropriation is made unless the goods or services are received on or before the last day of the fiscal year, except that repair projects, purchase of specialized equipment and furnishings, and other contracts for services and capital expenditures for the purchase of land or the erection of buildings or new construction or remodeling, which were committed and in progress prior to the end of the fiscal year are excluded from [this provision subsection](#).

Sec. 3. [Section 8.35A, subsection 2](#), Code 2019, is amended to read as follows:

2. Commencing October 1, the director shall provide weekly budget ~~tapes~~ data files in the form and level of detail requested by the legislative services agency reflecting finalized agency budget requests for the following fiscal year as submitted to the governor. The director shall transmit all agency requests in final form to the legislative services agency by November 15. Final budget records containing the governor's recommendation and final agency requests shall be transmitted to the legislative services agency by January 1 or no later than the date the governor's budget document is delivered to the printer. The governor's recommendation included on this record shall be considered confidential by the legislative services agency until it is made public by the governor. The legislative services agency shall use this data in the preparation of information for the legislative appropriation process.

Sec. 4. [Section 8.38](#), Code 2019, is amended to read as follows:

**8.38 Misuse of appropriations.**

~~No~~ A state department, institution, or agency, or any board member, commissioner, director, manager, or other person connected with any such department, institution, or agency, shall not expend funds or approve claims in excess of the appropriations made thereto, nor expend funds for any purpose other than that for which the money was appropriated, except as otherwise provided by law. A violation of ~~the foregoing provision~~ this section shall make any person ~~violating same,~~ committing or consenting to the violation ~~of same~~ liable to the state for ~~such~~ the sum so expended together with interest and costs, which shall be recoverable in an action to be instituted by the attorney general for the use of the state, ~~which.~~ The action may be brought in any county of the state.

Sec. 5. Section 8.46, subsection 4, Code 2019, is amended to read as follows:

4. A contract for construction by a private party of property to be lease-purchased by a state agency is a contract for a public improvement as defined in section 26.2 and is a lease-purchase arrangement for purposes of this section. If the estimated cost of the property to be lease-purchased that is renovated, repaired, or involves new construction exceeds the competitive bid threshold in section 26.3, the state agency shall comply with the competitive bidding requirements of section 26.3.

Sec. 6. Section 8.57B, subsection 1, Code 2019, is amended to read as follows:

1. A water quality infrastructure fund is created within the division of soil conservation and water quality of the department of agriculture and land stewardship. The fund shall consist of moneys ~~transferred~~ deposited in the fund pursuant to section 8.57, subsection 5, paragraph “f”, subparagraph (1), subparagraph division (c), moneys transferred to the fund pursuant to section 423G.6, and appropriations made to the fund and transfers of interest, earnings, and moneys from other funds as provided by law.

Sec. 7. Section 8A.315, subsection 5, Code 2019, is amended to read as follows:

5. Information on recycled content shall be requested on all bids for paper products other than printing and writing paper issued by the state and on other bids for products which could have recycled content such as oil, plastic products, ~~including but not limited to~~ compost materials, aggregate, solvents, soybean-based inks, and rubber products. Except for purchases of printing and writing paper made pursuant to subsection 2, paragraphs “c”, “d”, and “e”, the department shall require persons submitting bids for printing and writing paper to certify that the printing and writing paper proposed complies with the requirements referred to in subsection 2, paragraph “a”.

Sec. 8. Section 9A.105, subsections 2, 3, and 4, Code 2019, are amended to read as follows:

2. Instead of proceeding under subsection 1, an individual registered as an athlete agent in another state may apply for registration as an athlete agent in this state by submitting to the secretary of state all of the following:

a. A copy of the application for registration in another state.

b. A statement that identifies any material change in the information on the application or verifies there is no material change in the information, signed under penalty of perjury.

c. A copy of the certificate of registration from the other state.

3. The secretary of state shall issue a certificate of registration to an individual who applies for registration under subsection 2 if the secretary of state determines all of the following:

a. The application and registration requirements of the other state are substantially similar to or more restrictive than this chapter.

b. The registration has not been revoked or suspended and no action involving the individual’s conduct as an athlete agent is pending against the individual or the individual’s registration in any state.

4. For purposes of implementing subsection 3, the secretary of state shall do all of the following:

a. Cooperate with national organizations concerned with athlete agent issues and agencies in other states which register athlete agents to develop a common registration form and determine which states have laws that are substantially similar to or more restrictive than this chapter.

b. Exchange information, including information related to actions taken against registered athlete agents or their registrations, with those organizations and agencies.

Sec. 9. [Section 9A.106, subsections 2 and 3](#), Code 2019, are amended to read as follows:

2. The secretary of state may refuse to issue a certificate of registration to an applicant for registration under [section 9A.105, subsection 1](#), if the secretary of state determines that the applicant has engaged in conduct that significantly adversely reflects on the applicant's fitness to act as an athlete agent. In making the determination, the secretary of state may consider whether the applicant has done any of the following:

a. Pleaded guilty or no contest to, has been convicted of, or has charges pending for, a crime that would involve moral turpitude or be a felony if committed in this state.

b. Made a materially false, misleading, deceptive, or fraudulent representation in the application or as an athlete agent.

c. Engaged in conduct that would disqualify the applicant from serving in a fiduciary capacity.

d. Engaged in conduct prohibited by [section 9A.114](#).

e. Had a registration as an athlete agent suspended, revoked, or denied in any state.

f. Been refused renewal of registration as an athlete agent in any state.

g. Engaged in conduct resulting in imposition of a sanction, suspension, or declaration of ineligibility to participate in an interscholastic, intercollegiate, or professional athletic event on a student athlete or a sanction on an educational institution.

h. Engaged in conduct that adversely reflects on the applicant's credibility, honesty, or integrity.

3. In making a determination under [subsection 2](#), the secretary of state shall consider all of the following:

a. How recently the conduct occurred.

b. The nature of the conduct and the context in which it occurred.

c. Other relevant conduct of the applicant.

Sec. 10. [Section 9A.110, subsection 2](#), Code 2019, is amended to read as follows:

2. An agency contract shall contain all of the following information:

a. A statement that the agent is registered as an athlete agent in this state and a list of any other states in which the agent is registered as an athlete agent.

b. The amount and method of calculating the consideration to be paid by the student athlete for services to be provided by the agent under the contract and any other consideration the agent has received or will receive from any other source for entering into the contract or providing the services.

c. The name of any person not listed in the agent's application for registration or renewal of registration which will be compensated because the athlete signed the contract.

d. A description of any expenses the athlete agrees to reimburse.

e. A description of the services to be provided to the athlete.

f. The duration of the contract.

g. The date of execution.

Sec. 11. [Section 9A.113, subsection 1](#), Code 2019, is amended to read as follows:

1. An athlete agent shall create and retain for five years records of all of the following:

a. The name and address of each individual represented by the agent.

b. Each agency contract entered into by the agent.

c. The direct costs incurred by the agent in the recruitment or solicitation of each student athlete to enter into an agency contract.

Sec. 12. [Section 16.134A, subsection 3](#), unnumbered paragraph 1, Code 2019, is amended to read as follows:

For each fiscal year in the fiscal period beginning July 1, 2018, and ending June 30, 2029, there is appropriated the following percentages of the balance of the fund for the following purposes:

Sec. 13. [Section 16.154, subsection 1](#), unnumbered paragraph 1, Code 2019, is amended to read as follows:

An eligible entity may apply to the authority for financial assistance under the program by submitting a plan that meets all of the following requirements:

Sec. 14. [Section 16.154, subsection 3](#), Code 2019, is amended to read as follows:

3. ~~An~~ If an application by an eligible entity is approved, the eligible entity shall may enter into an agreement with the authority for the provision of financial assistance. The agreement shall include standard terms for the receipt of program moneys and any other terms the authority deems necessary or convenient for the efficient administration of the program.

Sec. 15. [Section 17A.4B, subsection 1](#), paragraph c, Code 2019, is amended by striking the paragraph.

Sec. 16. [Section 24.27](#), Code 2019, is amended to read as follows:

**24.27 Protest to budget.**

1. Not later than March 25, or April 25 if the municipality is a school district, a number of persons in any municipality equal to one-fourth of one percent of those voting for the office of governor, at the last general election in the municipality, but the number shall not be less than ten, and the number need not be more than one hundred persons, who are affected by any proposed budget, expenditure or tax levy, or by any item thereof, may appeal from any decision of the certifying board or the levying board by filing with the county auditor of the county in which the municipal corporation is located, a written protest setting forth their objections to the budget, expenditure or tax levy, or to one or more items thereof, and the grounds for their objections. If a budget is certified after March 15, or April 15 in the case of a school district, all appeal time limits shall be extended to correspond to allowances for a timely filing.

2. Upon the filing of a protest, the county auditor shall immediately prepare a true and complete copy of the written protest, together with the budget, proposed tax levy or expenditure to which objections are made, and shall transmit them forthwith to the state board, and shall also send a copy of the protest to the certifying board or to the levying board, as the case may be.

Sec. 17. [Section 26.2, subsection 3](#), Code 2019, is amended to read as follows:

3. a. “Public improvement” means a building or construction work ~~which~~ that is constructed under the control of a governmental entity and for which either of the following applies:

(1) Has been paid for in whole or in part with funds of the governmental entity.

(2) A commitment has been made prior to construction by the governmental entity to pay for the building or construction work in whole or in part with funds of the governmental entity.

b. “Public improvement” includes a building or improvement constructed or operated jointly with any other public or private agency, but excludes ~~urban~~ all of the following:

(1) Urban renewal demolition and low-rent housing projects, ~~industrial~~.

(2) Industrial aid projects authorized under [chapter 419](#), ~~emergency~~.

(3) Emergency work or repair or maintenance work performed by employees of a governmental entity, ~~and excludes a~~.

(4) A highway, bridge, or culvert project, ~~and excludes construction~~.

(5) Construction or repair or maintenance work performed for a city utility under [chapter 388](#) by its employees or performed for a rural water district under [chapter 357A](#) by its employees.

Sec. 18. [Section 29A.12A, subsection 3](#), Code 2019, is amended to read as follows:

3. There is no liability to the state of Iowa under [this section](#). Members of the governing body of the activity shall not be held ~~to any personal or individual liability personally or individually liable~~ for any action taken by them under [this chapter](#).

Sec. 19. [Section 29A.57, subsection 7](#), Code 2019, is amended to read as follows:

7. There is no liability to the state of Iowa under [this section](#). Members of the armory board and of the state executive council shall not be held to ~~any personal or individual liability personally or individually liable~~ for any action taken by them under [this chapter](#).

Sec. 20. [Section 43.20, subsection 1](#), paragraphs a, b, and c, Code 2019, are amended to read as follows:

a. If for governor, or United States senator, by at least one percent of the voters of the candidate's party, in each of at least ten counties of the state, and in the aggregate by not less than one-half of one percent of the total vote of the candidate's party in the state, as shown by the last general election.

b. If for any other state office, by at least fifty signatures in each of at least ten counties of the state, and in the aggregate by not less than one thousand signatures.

c. If for a representative in Congress, in districts composed of more than one county, by at least two percent of the voters of the candidate's party, as shown by the last general election, in each of at least one-half of the counties of the district, and in the aggregate by not less than one percent of the total vote of the candidate's party in such district, as shown by the last general election. If for a representative in the general assembly, by not less than fifty voters of the representative district; and if for a senator in the general assembly, by not less than one hundred voters of the senatorial district.

Sec. 21. [Section 44.9, subsection 3](#), Code 2019, is amended to read as follows:

3. In the office of the ~~proper~~ appropriate school board secretary, at least thirty-five days before the day of a regularly scheduled school election.

Sec. 22. [Section 49.58, subsection 2](#), Code 2019, is amended to read as follows:

2. Each candidate for that office whose name appeared on the general election ballot shall also be a candidate for the office in the special election, except that the deceased candidate's political party may designate another candidate in substantially the manner provided by [section 43.78](#) for filling vacancies on the general election ballot. However, a political party which did not have a candidate on the general election ballot for the office in question may similarly designate a candidate for that office in the special election. The name of any replacement or additional candidate so designated shall be submitted in writing to the state commissioner, or the commissioner in the case of a candidate for county supervisor, not later than 5:00 p.m. on the first Tuesday after the date of the general election. ~~No other candidate whose~~ The name of a candidate that did not appear on the general election ballot as a candidate for the office in question shall not be placed on the ballot for the special election, in any manner. The special election shall be held and canvassed in the manner prescribed by law for the general election.

Sec. 23. [Section 49.102](#), Code 2019, is amended to read as follows:

**49.102 Defective ballots.**

~~Said defective ballots~~ Ballots containing a defect described in [section 49.101](#) shall be counted for the candidate or candidates for such offices named in the nomination papers, certificate of nomination, or certified abstract.

Sec. 24. [Section 49.103](#), Code 2019, is amended to read as follows:

**49.103 Wrong ballots.**

~~Said wrong ballots~~ Ballots containing an error described in [section 49.101](#) shall be counted as cast for all candidates for whom the voter had the right to vote, and for whom the voter did vote.

Sec. 25. [Section 53.26](#), Code 2019, is amended to read as follows:

**53.26 Rejected ballots — how handled.**

1. Every ballot not counted shall be endorsed on the back ~~thereof~~ with the following:  
“~~Rejected Rejected because (giving reason therefor)~~” therefor).

2. All rejected ballots shall be enclosed and securely sealed in an envelope on which the precinct election officials shall endorse “Defective ballots”, with a statement of signed by the

precinct election officials regarding the precinct in which and the date of the election at which they were cast, and be signed by the precinct election officials and. The envelope shall be returned to the same officer and in the same manner as by law provided for the return and preservation of official ballots voted at such election.

Sec. 26. [Section 59.5](#), Code 2019, is amended to read as follows:

**59.5 Statement and depositions — notice.**

The secretary shall deliver the ~~same~~ unopened papers described in [section 59.4](#) to the presiding officer of the house in which the contest is to be tried, on or before the second day of the session, regular or special, of the general assembly next after taking the depositions, ~~and the.~~ The presiding officer shall immediately give notice to that officer's house that such papers are in the officer's possession.

Sec. 27. [Section 66.10](#), Code 2019, is amended to read as follows:

**66.10 Governor to direct filing.**

The governor shall direct the attorney general to file ~~such a~~ petition for removal against any ~~of said officers~~ public officer whenever the governor has reasonable grounds for such direction. The attorney general shall comply with such direction and prosecute ~~such the~~ action.

Sec. 28. [Section 66.15](#), Code 2019, is amended to read as follows:

**66.15 Order by appointed judge.**

Upon the receipt of ~~such a~~ commission issued pursuant to [section 66.14](#), ~~said the~~ judge shall immediately make an order fixing a time and place of hearing in the county in which the petition is filed. ~~Said time~~ The hearing date shall not be not less than ten days nor more than twenty days from the date of the order.

Sec. 29. [Section 66.16](#), Code 2019, is amended to read as follows:

**66.16 Filing order — effect.**

~~Said~~ The order for hearing issued pursuant to [section 66.15](#) shall be forwarded to the clerk of the district court of the county in which the hearing is to be had. Said The time and place for the hearing specified in the order shall supersede the time and place specified in any notice already served.

Sec. 30. [Section 66.17](#), Code 2019, is amended to read as follows:

**66.17 Notice to accused.**

The clerk shall file ~~said the~~ order issued pursuant to [section 66.15](#), and forthwith give the defendant, by mail, notice of the time and place of hearing.

Sec. 31. [Section 66.30](#), Code 2019, is amended to read as follows:

**66.30 Ordinance.**

The council may, by ordinance, provide as to the manner of preferring and hearing ~~such~~ charges filed pursuant to [section 66.29](#). ~~No~~ A person shall not be twice removed twice by the council from the same office for the same offense. Proceedings before the council shall not be a bar to proceedings in the district court as provided in [this chapter](#) provided.

Sec. 32. [Section 69.16, subsection 2](#), Code 2019, is amended to read as follows:

2. In the case where the appointment of members of the general assembly is allowed, and the law does not otherwise provide, if an even number of legislators are appointed they shall be equally divided by political party affiliation; if an odd number of members of the general assembly are appointed, the number representing a certain political party shall not exceed ~~by more than one~~ the number of legislative members of the other political party who may be appointed by more than one.

Sec. 33. [Section 76.2, subsection 1](#), paragraph b, Code 2019, is amended to read as follows:

b. If the resolution is filed prior to April 1, or May 1, if the political subdivision is a school district, the annual levy shall begin with the tax levy for collection commencing July 1 of that



year. If the resolution is filed after April 1, or May 1, in the case of a school district, the annual levy shall begin with the tax levy for collection in the next succeeding fiscal year. However, the governing authority of a political subdivision may adjust a levy of taxes made under [this section](#) for the purpose of adjusting the annual levies and collections for property severed from the political subdivision, subject to the approval of the director of the department of management.

Sec. 34. [Section 84A.2, subsection 12](#), paragraph b, Code 2019, is amended to read as follows:

b. “*Industry or sector partnership*” may include representatives of state or local government, state or local economic development agencies, the state workforce development board, local workforce development boards, the department of workforce development or another entity providing employment services, state or local agencies, business or trade associations, economic development organizations, nonprofit organizations, community-based organizations, philanthropic organizations, industry associations, and other organizations, as determined to be necessary by the members comprising the industry or sector partnership.

Sec. 35. [Section 85.37, subsection 1](#), Code 2019, is amended to read as follows:

1. If an employee receives a personal injury causing temporary total disability, or causing a permanent partial disability for which compensation is payable during a healing period, compensation for the temporary total disability or for the healing period shall be upon the basis provided in [this section](#). The weekly benefit amount payable to any employee for any one week shall be upon the basis of eighty percent of the employee’s weekly spendable earnings, but shall not exceed an amount, rounded to the nearest dollar, equal to sixty-six and two-thirds percent of the statewide average weekly wage paid employees as determined by the department of workforce development under [section 96.19, subsection 36](#), and in effect at the time of the injury. However, as of ~~July 1, 1975; July 1, 1977; July 1, 1979; and July 1, 1981~~, the maximum weekly benefit amount rounded to the nearest dollar shall be increased so that it equals ~~one hundred percent, one hundred thirty-three and one-third percent, one hundred sixty-six and two-thirds percent, and two hundred percent, respectively~~, of the statewide average weekly wage as determined ~~above~~ in [this section](#). Total weekly compensation for any employee shall not exceed eighty percent per week of the employee’s weekly spendable earnings. The minimum weekly benefit amount shall be equal to the weekly benefit amount of a person whose gross weekly earnings are thirty-five percent of the statewide average weekly wage, or to the spendable weekly earnings of the employee, whichever are less.

Sec. 36. [Section 85A.26](#), Code 2019, is amended to read as follows:

**85A.26 Insurance contracts.**

No policy of insurance in effect ~~at the time of the enactment of this chapter~~ on October 1, 1947, covering the liability of an employer under the workers’ compensation law, shall be construed to cover the liability of such employer under [this chapter](#) for any occupational disease unless such liability is expressly accepted by the insurance carrier issuing such policy and is endorsed ~~thereon~~ on the policy. The insurance or security in force to cover compensation liability under [this chapter](#) shall be separate and distinct from the insurance or security under the workers’ compensation law and any insurance contract covering liability under either [this chapter](#) or the workers’ compensation law need not cover any liability under the other.

Sec. 37. [Section 86.11](#), Code 2019, is amended to read as follows:

**86.11 Reports of injuries.**

Every employer shall hereafter keep a record of all injuries, fatal or otherwise, alleged by an employee to have been sustained in the course of the employee’s employment and resulting in incapacity for a longer period than one day. If the injury results only in temporary disability, causing incapacity for a longer period than three days, then within four days thereafter, not counting Sundays and legal holidays, the employer or insurance carrier having had notice or knowledge of the occurrence of such injury and resulting disability

shall file a report with the workers' compensation commissioner in the form and manner required by the commissioner. If such injury to the employee results in permanent total disability, permanent partial disability, or death, then the employer or insurance carrier, upon notice or knowledge of the occurrence of the employment injury, shall file a report with the workers' compensation commissioner within four days after having notice or knowledge of the permanent injury to the employee or the employee's death. The report to the workers' compensation commissioner of injury shall be without prejudice to the employer or insurance carrier and shall not be admitted in evidence or used in any trial or hearing before any court, the workers' compensation commissioner, or a deputy workers' compensation commissioner except as to the notice under [section 85.23](#).

Sec. 38. [Section 88.1, subsection 3](#), Code 2019, is amended to read as follows:

3. Authorizing the labor commissioner to set mandatory occupational safety and health standards applicable to businesses, and by providing for an adjudicatory process through the employment appeal board within the department of inspections and appeals for carrying out adjudicatory functions under ~~the~~ [this chapter](#).

Sec. 39. [Section 96.7, subsection 2](#), paragraph d, subparagraph (1), Code 2019, is amended to read as follows:

(1) The current reserve fund ratio is computed by dividing the total funds available for payment of benefits, on the computation date or on August 15 following the computation date if the total funds available for payment of benefits is a higher amount on August 15, by the total wages paid in covered employment excluding reimbursable employment wages during the first four calendar quarters of the five calendar quarters immediately preceding the computation date. However, in computing the current reserve fund ratio ~~the following amounts, beginning July 1, 2007, one hundred fifty million dollars~~ shall be added to the total funds available for payment of benefits on ~~the following computation dates~~:

- ~~(a) Twenty million dollars on July 1, 2004.~~
- ~~(b) Seventy million dollars on July 1, 2005.~~
- ~~(c) One hundred twenty million dollars on July 1, 2006.~~
- ~~(d) One hundred fifty million dollars on July 1, 2007, and on each subsequent computation date.~~

Sec. 40. [Section 96.16, subsections 1 and 2](#), Code 2019, are amended to read as follows:

1. *Penalties.* An individual who makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact, to obtain or increase any benefit or other payment under [this chapter](#), either for the individual or for any other individual, is guilty of a fraudulent practice as defined in [sections 714.8 to through 714.14](#). The total amount of benefits or payments involved in the completion of or in the attempt to complete a fraudulent practice shall be used in determining the value involved under [section 714.14](#).

2. *False statement.* Any employing unit or any officer or agent of an employing unit or any other person who makes a false statement or representation knowing it to be false, or who knowingly fails to disclose a material fact, to prevent or reduce the payment of benefits to any individual entitled thereto, or to avoid becoming or remaining subject hereto, or to avoid or reduce any contribution or other payment required from an employing unit under [this chapter](#), or who willfully fails or refuses to make any such contributions or other payment or to furnish any reports required hereunder or to produce or permit the inspection or copying of records as required hereunder, is guilty of a fraudulent practice as defined in [sections 714.8 to through 714.14](#). The total amount of benefits, contributions, or payments involved in the completion of or in the attempt to complete a fraudulent practice shall be used in determining the value involved under [section 714.14](#).

Sec. 41. [Section 100.52](#), Code 2019, is amended to read as follows:

**100.52 Grounds for issuance.**

1. The judicial officer shall review the application and may take sworn testimony or receive affidavits to supplement it [the application](#).



2. If the judicial officer is satisfied that there are legal grounds under the circumstances specified in the application and any supplementary testimony taken sufficient to justify the issuance of an inspection warrant, it an inspection warrant shall be issued.

Sec. 42. [Section 123.38, subsection 1](#), Code 2019, is amended to read as follows:

1. A liquor control license, wine permit, or beer permit is a personal privilege and is revocable for cause. It is not property nor is it subject to attachment and execution nor alienable nor assignable, and it shall cease upon the death of the permittee or licensee. However, the administrator of the division may in the administrator's discretion allow the executor or administrator of the estate of a permittee or licensee to operate the business of the decedent for a reasonable time not to exceed the expiration date of the permit or license. Every permit or license shall be issued in the name of the applicant and no person holding a permit or license shall allow any other person to use it.

Sec. 43. [Section 123.38, subsection 2](#), paragraph a, unnumbered paragraph 1, Code 2019, is amended to read as follows:

Any licensee or permittee, or the ~~licensee's or permittee's~~ executor or administrator of the estate of a licensee or permittee, or any person duly appointed by the court to take charge of and administer the property or assets of the licensee or permittee for the benefit of the licensee's or permittee's creditors, may voluntarily surrender a license or permit to the division. When a license or permit is surrendered the division shall notify the local authority, and the division or the local authority shall refund to the person surrendering the license or permit, a proportionate amount of the fee received by the division or the local authority for the license or permit as follows:

Sec. 44. [Section 123.91](#), unnumbered paragraph 1, Code 2019, is amended to read as follows:

~~Any~~ Unless otherwise provided by law, a person who has been convicted, in a criminal action, in any court of record, of a violation of a provision of [this chapter](#), ~~a provision of the prior laws of this state relating to alcoholic liquors, wine, or beer which was in force prior to the enactment of this chapter~~, or a provision of the laws of the United States or of any other state relating to alcoholic liquors, wine, or beer, and who is thereafter convicted of a subsequent criminal offense against any provision of [this chapter](#) is guilty of the following offenses:

Sec. 45. [Section 123.99](#), Code 2019, is amended to read as follows:

**123.99 False statements.**

~~If any~~ A person commits a simple misdemeanor if the person, for the purpose of procuring the shipment, transportation, or conveyance of any alcoholic liquor, wine, or beer within this state in violation of [this chapter](#), ~~shall make~~ does any of the following:

1. Makes to any person, company, corporation, or common carrier, or to any agent thereof, any false statements as to the character or contents of any box, barrel, or other vessel or package containing such alcoholic liquor, wine, or beer; ~~or shall refuse.~~

2. Refuses to give correct and truthful information as to the contents of any such box, barrel, or other vessel or package so sought to be transported or conveyed; ~~or shall falsely mark, brand, or label such.~~

3. Falsely labels, brands, or marks a box, barrel, or other vessel or package in order to conceal the fact that the same contains alcoholic liquor, wine, or beer; ~~or shall by.~~

4. By any device or concealment procure ~~procures~~ or attempt ~~attempts~~ to procure the conveyance or transportation of such alcoholic liquor, wine, or beer ~~as herein prohibited, the person shall be guilty of a simple misdemeanor.~~

Sec. 46. [Section 123.107, subsection 2](#), Code 2019, is amended to read as follows:

2. ~~But proof~~ Proof of the violation by the accused of any provision of [this chapter](#), the substance of which violation is briefly set forth, within the time mentioned in ~~said~~ the indictment or information, shall be sufficient to convict such person.

Sec. 47. [Section 124.302, subsection 1](#), Code 2019, is amended to read as follows:

1. Every person who manufactures, distributes, or dispenses, or conducts research with any controlled substance in this state or who proposes to engage in the manufacture, distribution, or dispensing of or conducting research with any controlled substance within this state, shall obtain and maintain a registration issued by the board in accordance with its the board's rules.

Sec. 48. [Section 124.308, subsection 1](#), Code 2019, is amended to read as follows:

1. Except when dispensed directly by a practitioner to an ultimate user, a prescription drug as defined in [section 155A.3](#) that is a controlled substance shall not be dispensed without a prescription, ~~unless such~~. The prescription is must be authorized by a practitioner and complies must comply with [this section](#), [section 155A.27](#), applicable federal law and regulation, and rules of the board.

Sec. 49. [Section 124.409](#), Code 2019, is amended to read as follows:

**124.409 Conditional discharge, commitment for treatment, and probation.**

Whenever the court finds that a person who is charged with a violation of [section 124.401](#) and who consents thereto, or who has entered a plea of guilty to or been found guilty of a violation of that section, is addicted to, dependent upon, or a chronic abuser of any controlled substance and that such person will be aided by proper medical treatment and rehabilitative services, it may order that the person be committed as an in-patient or out-patient to a facility licensed by the Iowa department of public health for medical treatment and rehabilitative services. A person committed under [this subsection section](#) who is not possessed of sufficient income or estate to enable the person to make payment of the costs of such treatment in whole or in part shall be considered a state patient and the costs of treatment shall be paid as provided in [section 125.44](#). The determination of ability to pay shall be made by the court. The court shall require the patient, or the patient's parent, guardian, or custodian to complete under oath a detailed financial statement. The court may enter appropriate orders requiring the patient or those legally liable for the patient's support to reimburse the state with the costs, or any part thereof. In order to obtain the most effective results from such medical treatment and rehabilitative services, the court may commit the person to the custody of a public or private agency or any other responsible person and impose other conditions upon the commitment as is necessary to insure compliance with the court's order and to insure that the person will not, during the period of treatment and rehabilitation, again violate a provision of [this chapter](#). If it is established thereafter to the satisfaction of the court that the person has again violated a provision of [this chapter](#), the person may be returned to custody or sentenced upon conviction as provided by law. The public or private agency or responsible person to whom the accused person was committed by the court shall immediately report to the court when the person has received maximum benefit from the program or has recovered from addiction, dependency, or tendency to chronically abuse any controlled substance. The person shall then be returned to the court for disposition of the case. If the person has been charged or indicted, but not convicted, such charge shall proceed to trial or final disposition. If the person has been convicted or is thereafter convicted, the court shall sentence the person as provided by law but may remit all or any part of the sentence and place the person on probation upon terms and conditions as the court may prescribe.

Sec. 50. [Section 139A.18](#), Code 2019, is amended to read as follows:

**139A.18 Reimbursement from county.**

If any person receives services or supplies under [this chapter](#) who does not have residence in the county in which the bills were incurred and paid, the amount paid shall be certified to the board of supervisors of the county in which the person claims ~~settlement~~ residence or owns property, and the board of supervisors of that county shall reimburse the county from which the claim is certified, in the full amount originally paid.

Sec. 51. [Section 139A.30](#), Code 2019, is amended to read as follows:

**139A.30 Confidential reports.**

1. Reports to the department which include the identity of persons infected with a sexually transmitted disease or infection, and all such related information, records, and reports concerning the person, shall be confidential and shall not be accessible to the public.

2. ~~However~~ Notwithstanding [subsection 1](#), such reports to the department and related reports, information, and records shall be confidential only to the extent necessary to prevent identification of persons named in such reports, information, and records; ~~the~~. The other parts of such reports, information, and records shall be public records. ~~The preceding sentence~~ [This subsection](#) shall prevail over any inconsistent provision of [this subchapter](#).

Sec. 52. [Section 154D.4, subsection 3](#), paragraph a, Code 2019, is amended to read as follows:

a. Persons licensed to practice other professions under [this subtitle](#), provided that ~~the person does not represent that the person is a licensed behavior analyst or licensed assistant behavior analyst unless also licensed as one~~, applied behavior analysis is within the scope of practice of the person's profession, and the services provided are within the boundaries of the person's education, training, and competence, and ~~the person does not represent that the person is a licensed behavior analyst or licensed assistant behavior analyst unless also licensed as one~~.

Sec. 53. [Section 155A.27, subsection 1](#), Code 2019, is amended to read as follows:

1. Except when dispensed directly by a prescriber to an ultimate user, a prescription drug shall not be dispensed without a prescription, ~~that is~~ authorized by a prescriber, and based on a valid patient-prescriber relationship.

Sec. 54. [Section 156.2](#), unnumbered paragraph 1, Code 2019, is amended to read as follows:

~~Section~~ The terms defined in [section 156.1](#) shall not be construed to include the following classes of persons:

Sec. 55. [Section 159A.14, subsection 5](#), paragraph b, subparagraph (1), Code 2019, is amended to read as follows:

(1) Upgrade or replace a dispenser which is part of gasoline storage and dispensing infrastructure used to store and dispense E-85 gasoline as provided in [section 455G.31](#). The participating person is only eligible to be awarded the supplemental financial incentives if the person installed the dispenser not later than sixty days after ~~the date of the publication in the Iowa administrative bulletin of the state fire marshal's order providing that a commercially available dispenser is listed as compatible for use with E-85 gasoline by an independent testing laboratory as provided in section 455G.31~~ July 27, 2011. The supplemental financial incentives awarded to the participating person shall not exceed seventy-five percent of the actual cost of making the improvement or thirty thousand dollars, whichever is less.

Sec. 56. [Section 166D.2, subsection 1](#), Code 2019, is amended by striking the subsection.

Sec. 57. [Section 166D.3](#), Code 2019, is amended to read as follows:

**166D.3 State pseudorabies advisory committee.**

1. A state pseudorabies advisory committee is established. The committee shall consist of not more than seven members who shall be appointed by the Iowa pork producers association. At least four members of the committee must be actively engaged in swine production. The members shall serve staggered terms of two years, except that the initial ~~board~~ committee members shall serve unequal terms. A person appointed to fill a vacancy for a member shall serve only for the unexpired portion of the term. A member is eligible for reappointment for three successive terms. A majority of the ~~board~~ committee constitutes a quorum and an affirmative vote of the majority of members is necessary for substantive action taken by the ~~board~~ committee. The majority shall not include any member who has a conflict of interest and a statement by a member of a conflict of interest shall be conclusive for this purpose. A vacancy in the membership does not impair the right of a quorum to exercise all rights and perform all duties of the ~~board~~ committee.

2. The advisory committee shall:

1. a. Inform and educate interested persons in the state, including persons involved in producing, processing, or marketing swine, regarding eradication activities under [this chapter](#).

2. b. Review eradication activities under [this chapter](#) including the pseudorabies eradication programs. The committee shall make recommendations to the department and the inspection service and may consult with state officials regarding any matter relating to pseudorabies control and eradication, including departmental rules, other state or federal regulations, program areas, the use of vaccine, testing procedures, the progress of pseudorabies eradication programs, and state and federal program standards. The committee in cooperation with the department shall report to the governor and general assembly not later than January 15 the progress of pseudorabies eradication, including recommendations.

3. c. Maintain communication with other states and with the national pork producers council, the livestock conservation institute, and the inspection service.

Sec. 58. [Section 206.7A, subsection 2](#), Code 2019, is amended to read as follows:

2. [This section](#) does not apply to ~~an operator~~ a commercial, public, or private applicator who is certified pursuant to [this chapter](#).

Sec. 59. [Section 206.22, subsection 2](#), Code 2019, is amended to read as follows:

2. Any person violating any provision of [this chapter](#) other than [section 206.11, subsection 1](#), paragraph “a”, or [section 206.7A](#) shall be guilty of a serious misdemeanor; provided, that any offense committed more than five years after a previous conviction shall be considered a first offense; and provided, further, that in any case where a registrant was issued a warning by the secretary pursuant to the provisions of [this chapter](#), such registrant shall upon conviction of a violation of any provision of [this chapter](#) other than [section 206.11, subsection 1](#), paragraph “a”, or [section 206.7A](#), be guilty of a serious misdemeanor; and the registration of the article with reference to which the violation occurred shall terminate automatically. An article, the registration of which has been terminated, may not again be registered unless the article, its labeling, and other material required to be submitted appear to the secretary to comply with all the requirements of [this chapter](#).

Sec. 60. [Section 216.5, subsection 10](#), Code 2019, is amended to read as follows:

10. To adopt, publish, amend, and rescind ~~regulations~~ commission rules pursuant to chapter 17A consistent with and necessary for the enforcement of [this chapter](#).

Sec. 61. [Section 218.9](#), Code 2019, is amended to read as follows:

**218.9 Appointment of superintendents.**

1. The administrator in charge of an institution, subject to the approval of the director of human services, shall appoint the superintendent of the institution. The tenure of office of a superintendent shall be at the pleasure of the ~~appointing authority~~ administrator. The ~~appointing authority~~ administrator may transfer a superintendent or warden from one institution to another.

2. The superintendent or warden shall have immediate custody and control, subject to the orders and policies of the ~~division~~ administrator in charge of the institution, of all property used in connection with the institution except as provided in [this chapter](#).

Sec. 62. [Section 218.40](#), Code 2019, is amended to read as follows:

**218.40 Services required.**

Residents of ~~said~~ the institutions who are subject to the provisions ~~hereinafter provided,~~ of this chapter may be required to render any proper and reasonable service either in the institutions proper or in the industries established in connection ~~therewith~~ with the institutions.

Sec. 63. [Section 218.56](#), Code 2019, is amended to read as follows:

**218.56 Purchase of supplies — vendor warrants.**

1. The administrators shall, from time to time, adopt and make of record, rules and regulations governing the purchase of all articles and supplies needed at the various institutions under their control, and the form and verification of vouchers for such purchases.

2. The department of human services shall mail vendor warrants for the department of corrections.

Sec. 64. [Section 222.63](#), Code 2019, is amended to read as follows:

**222.63 Finding of residency — objection.**

A certification through the regional administrator for a county that a person's residency is in another county shall be sent to the regional administrator for the county of residence. The certification shall be accompanied by a copy of the evidence supporting the determination. The regional administrator for the county of residence shall submit the certification to the ~~regional administrator for the county~~ region's governing board and it shall be conclusively presumed that the patient has residency in that a county in the notified region unless ~~the that~~ regional administrator for that county disputes the determination of residency as provided in [section 331.394](#).

Sec. 65. [Section 226.41](#), Code 2019, is amended to read as follows:

**226.41 Charge permitted.**

The hospital is authorized to make a charge for ~~these patients~~ admitted under [section 226.40](#), in the manner ~~now~~ provided by law and subject to the changes ~~hereinafter~~ provided in [section 226.42](#).

Sec. 66. [Section 229A.8, subsection 5](#), paragraph e, subparagraph (2), subparagraph division (b), Code 2019, is amended to read as follows:

(b) The committed person may waive the sixty-day final hearing requirement under subparagraph subdivision (a); however, the committed person or the attorney for the committed person may reassert the requirement by filing a demand that the final hearing be held within sixty days from the date of the filing of the demand with the clerk of court.

Sec. 67. [Section 230.25, subsection 1](#), Code 2019, is amended to read as follows:

1. Upon receipt from the ~~county auditor or the~~ regional administrator for mental health and disability services of the list of names furnished pursuant to [section 230.21](#), the board of supervisors of the county of residence shall make an investigation to determine the ability of each person whose name appears on the list, and also the ability of any person liable under [section 230.15](#) for the support of that person, to pay the expenses of that person's hospitalization. If the board finds that neither the hospitalized person nor any person legally liable for the person's support is able to pay those expenses, the board shall direct the ~~county auditor or~~ regional administrator not to index the names of any of those persons as would otherwise be required by [section 230.26](#). However the board may review its finding with respect to any person at any subsequent time at which another list is furnished by the ~~county auditor or~~ regional administrator upon which that person's name appears. If the board finds upon review that that person or those legally liable for the person's support are presently able to pay the expenses of that person's hospitalization, that finding shall apply only to charges stated upon the certificate from which the list was drawn up and any subsequent charges similarly certified, unless and until the board again changes its finding.

Sec. 68. [Section 231.64, subsection 1](#), paragraph b, Code 2019, is amended to read as follows:

b. Options counseling to assist individuals in assessing their existing or anticipated long-term care needs and developing and implementing a plan for long-term care living and community support services designed to meet their specific needs and circumstances. The plan for long-term living and community support services may include support with person-centered care transitions to assist consumers and family caregivers with transitions between home and care settings.



Sec. 69. [Section 232.127, subsection 5](#), Code 2019, is amended to read as follows:

5. The court may adjudicate the family to be a family in need of assistance and enter an appropriate dispositional order if the court finds all of the following:

a. There has been a breakdown in the relationship between the child and the child's parent, guardian, or custodian; ~~and.~~

b. The child or the child's parent, guardian, or custodian has sought services from public or private agencies to maintain and improve the familial relationship; ~~and.~~

c. The court has at its disposal services for this purpose which can be made available to the family.

Sec. 70. [Section 232.150, subsection 3](#), Code 2019, is amended to read as follows:

3. Notice and copies of a sealing order shall be sent to each agency or person having custody or the records named ~~therein~~ in the sealing order.

Sec. 71. [Section 233.2, subsections 3 and 6](#), Code 2019, are amended to read as follows:

3. As soon as possible after the individual on duty or first responder assumes physical custody of a newborn infant released under [subsection 1](#), the individual or first responder shall notify the department of human services and the department shall take the actions necessary to assume the care, control, and custody of the newborn infant. The department shall immediately notify the juvenile court and the county attorney of the department's action and the circumstances surrounding the action and request an ex parte order from the juvenile court ordering, in accordance with the requirements of [section 232.78](#), the department to take custody of the newborn infant. Upon receiving the order, the department shall take custody of the newborn infant. Within twenty-four hours of taking custody of the newborn infant, the department shall notify the juvenile court and the county attorney in writing of the department's action and the circumstances surrounding the action.

6. An individual on duty at an institutional health facility or first responder who assumes custody of a newborn infant upon the release of the newborn infant under [subsection 1](#) shall be provided notice of any hearing held concerning the newborn infant at the same time notice is provided to other parties to the hearing and the individual or first responder may provide testimony at the hearing.

Sec. 72. [Section 233.6, subsection 1](#), Code 2019, is amended to read as follows:

1. An information card or other publication for distribution by an institutional health facility or a first responder to a parent who releases custody of a newborn infant in accordance with [this chapter](#). The publication shall inform the parent of a parent's rights under [section 233.4](#), explain the request for medical history information under [section 233.2, subsection 2](#), and provide other information deemed pertinent by the departments.

Sec. 73. [Section 237A.5, subsection 2](#), paragraph i, subparagraph (1), subparagraph division (c), unnumbered paragraph 1, Code 2019, is amended to read as follows:

~~If the~~ The person has committed any of the following felony-level offenses:

Sec. 74. [Section 260C.22, subsection 1](#), paragraphs b, d, and e, Code 2019, are amended to read as follows:

b. In order to make immediately available to the merged area the proceeds of the voted tax authorized to be levied under [this section](#), the board of directors of any such merged area is hereby authorized, without the necessity for any further election, to borrow money and enter into loan agreements in anticipation of the collection of such tax, and such board shall, by resolution, provide for the levy of an annual tax, within the limits of the special voted tax authorized under [this section](#), sufficient to pay the amount of any such loan and the interest thereon to maturity as the same becomes due. A certified copy of this resolution shall be filed with the county auditors of the counties in which such merged area is located, and the filing thereof shall make it a duty of such auditors to enter annually this levy for collection until funds are realized to repay the loan and interest thereon in full. Said loan shall bear interest at a rate or rates not exceeding that permitted by [chapter 74A](#). Any loan agreement entered into pursuant to authority ~~herein~~ contained in this section shall be in such form as the board of directors shall by resolution provide and the loan shall be payable as to both

principal and interest from the proceeds of the annual levy of the voted tax authorized under [this section](#), or so much thereof as will be sufficient to pay the loan and interest thereon. In furtherance of the foregoing the board of directors of such merged area may, with or without notice, negotiate and enter into a loan agreement or agreements with any bank, investment banker, trust company, insurance company or group thereof, whereunder the borrowing of the necessary funds may be assured and consummated. The proceeds of such loan shall be deposited in a special fund, to be kept separate and apart from all other funds of the merged area, and shall be paid out upon warrants drawn by the president and secretary of the board of directors to pay the cost of acquiring the school facilities for which the tax was authorized.

d. Nothing ~~herein~~ contained in [this section](#) shall be construed to limit the authority of the board of directors to levy the full amount of the voted tax, but if and to whatever extent said tax is levied in any year in excess of the amount of principal and interest falling due in such year under any loan agreement, the first available proceeds thereof, to an amount sufficient to meet maturing installments of principal and interest under the loan agreement, shall be paid into the sinking fund for such loan before any of such taxes are otherwise made available to the merged area for other school purposes, and the amount required to be annually set aside to pay the principal of and interest on the money borrowed under such loan agreement shall constitute a first charge upon all of the proceeds of such annual special voted tax, which tax shall be pledged to pay said loan and the interest thereon.

e. [This subsection](#) shall be construed as supplemental and in addition to existing statutory authority and as providing an independent method of financing the cost of acquiring school facilities for which a tax has been voted under [this section](#) and for the borrowing of money and execution of loan agreements in connection therewith and shall not be construed as subject to the provisions of any other law. The fact that a merged area may have previously borrowed money and entered into loan agreements under ~~the~~ authority ~~herein~~ contained in [this section](#) shall not prevent such merged area from borrowing additional money and entering into further loan agreements provided that the aggregate of the amount payable under all of such loan agreements does not exceed the proceeds of the voted tax. All acts and proceedings heretofore taken by the board of directors or by any official of any merged area for the exercise of any of the powers granted by [this section](#) are hereby legalized and validated in all respects.

Sec. 75. [Section 262.57, subsection 1](#), Code 2019, is amended to read as follows:

1. To pay all or any part of the cost of carrying out any project at any institution the board is authorized to borrow money and to issue and sell negotiable bonds or notes and to refund and refinance bonds or notes ~~heretofore issued or as may be hereafter~~ issued for any project or for refunding purposes at a lower rate, the same rate, or a higher rate or rates of interest and from time to time as often as the board shall find it to be advisable and necessary so to do. Such bonds or notes may be sold by ~~said the~~ board at public sale in the manner prescribed by [chapter 75](#), but if the board ~~shall find~~ ~~finds~~ it to be advantageous and in the public interest to do so, such bonds or notes may be sold by the board at private sale without published notice of any kind and without regard to the requirements of [chapter 75](#) in such manner and upon such terms as may be prescribed by the resolution authorizing the same. Bonds or notes issued to refund other bonds or notes ~~heretofore or hereafter~~ issued by the board for residence hall or dormitory purposes at any institution, including dining or other facilities and additions, or ~~heretofore or hereafter~~ issued for refunding purposes, may either be sold in the manner ~~hereinbefore~~ specified in [this subchapter](#) and the proceeds thereof applied to the payment of the obligations being refunded, or the refunding bonds or notes may be exchanged for and in payment and discharge of the obligations being refunded, and a finding by the board in the resolution authorizing the issuance of such refunding bonds or notes that the bonds or notes being refunded were issued for a purpose specified in [this subchapter](#) and constitute binding obligations of the board shall be conclusive and may be relied upon by any holder of any refunding bond or note issued under the provisions of [this subchapter](#). The refunding bonds or notes may be sold or exchanged in installments at different times or an entire issue or series may be sold or exchanged at one time. Any issue or series of refunding bonds or notes may be exchanged in part or sold in parts in installments at different times or at one time. The refunding bonds or notes may be sold or exchanged at any time on, before, or after

the maturity of any of the outstanding notes, bonds, or other obligations to be refinanced thereby and may be issued for the purpose of refunding a like or greater principal amount of bonds or notes, except that the principal amount of the refunding bonds or notes may exceed the principal amount of the bonds or notes to be refunded to the extent necessary to pay any premium due on the call of the bonds or notes to be refunded or to fund interest in arrears or about to become due.

Sec. 76. [Section 262.66](#), Code 2019, is amended to read as follows:

**262.66 Prior action legalized.**

All rights heretofore acquired prior to April 29, 1963, in connection with the financing of any project at any institution are hereby preserved and all acts and proceedings taken by the board preliminary to and in connection with the authorization and issuance of any previously notes or other obligations for any project issued and outstanding notes or other obligations for any project prior to April 29, 1963, are hereby legalized, validated and confirmed and said notes or obligations are hereby declared to be legal and to constitute valid and binding obligations of the board according to their terms and payable solely and only from the sources referred to therein in the notes or obligations.

Sec. 77. [Section 266.46](#), Code 2019, is amended to read as follows:

**266.46 Information reporting.**

1. In accordance with [section 266.42](#), Iowa state university of science and technology is the custodian of all information including but not limited to reports and records obtained, submitted, and maintained in connection with the research projects conducted on the site of a livestock operation as provided in [this subchapter](#), and all information submitted by or gathered from or deduced from a livestock producer or livestock operation pursuant to a livestock odor mitigation evaluation under [section 266.49](#) or [section 459.303, subsection 3](#). The public shall have a right to examine and copy the information as provided in [chapter 22](#), subject to the exceptions of [section 22.7](#). In addition,

2. Notwithstanding [subsection 1](#), the university or an agent or employee of the university shall not release the name or location, or any other information sufficient to identify the name or location of any livestock producer or livestock operation participating in a research project or participating in a livestock odor mitigation evaluation pursuant to [section 266.49](#) or [section 459.303, subsection 3](#), and such information shall not be subject to release pursuant to subpoena or discovery in any civil proceeding, unless such confidentiality is waived in writing by the livestock producer. In addition, the university or an employee or agent of the university shall release no other information submitted by or gathered from or deduced from a livestock producer or livestock operation pursuant to a livestock odor mitigation evaluation under [section 266.49](#) or [section 459.303, subsection 3](#), unless such information is used in a research project, which in turn shall not occur without the written consent of the livestock producer.

3. Any information provided by, gathered from, or deduced from a livestock producer or livestock operation in connection with a research project or odor mitigation evaluation that is in the possession of the livestock producer or livestock operation shall not be subject to subpoena or discovery in any civil action against the producer.

Sec. 78. [Section 273.8, subsection 8](#), paragraph b, Code 2019, is amended to read as follows:

b. Where feasible, boundary lines of director districts shall coincide with the boundary lines of school districts and the boundary lines of election precincts established pursuant to [sections 49.3 to through 49.6](#).

Sec. 79. [Section 274.44](#), Code 2019, is amended to read as follows:

**274.44 Determination final.**

The determination of the director of the department of education in such matters [sections 274.42 and 274.43](#) shall be final.

Sec. 80. [Section 274.45](#), Code 2019, is amended to read as follows:

**274.45 Expense audited and paid.**

The expense of the director of the department of education in respect to the carrying out of the provisions of [sections 274.42 to through 274.44](#), shall be paid from funds appropriated to the department of education.

Sec. 81. [Section 275.9, subsection 2](#), Code 2019, is amended to read as follows:

2. The provisions of [sections 275.1 to through 275.5](#), relating to studies, surveys, hearings and adoption of plans shall constitute a mandatory prerequisite to the effectuation of any proposal for district boundary change. It shall be the mandatory duty of the area education agency board to dismiss the petition if the above provisions are not complied with fully.

Sec. 82. [Section 279.36, subsection 2](#), Code 2019, is amended to read as follows:

2. For the fiscal year beginning July 1, 1989, and each fiscal year thereafter, the fee for the publications shall be the legal publication fee provided by statute [section 618.11](#).

Sec. 83. [Section 297.31](#), Code 2019, is amended to read as follows:

**297.31 Improvements.**

If there are improvements on said a school site, the same improvements may at the request of either party be appraised and sold separately.

Sec. 84. [Section 303.34](#), unnumbered paragraph 1, Code 2019, is amended to read as follows:

The provisions of [sections 303.20 to through 303.33](#) do not apply within the limits of a city. However, in order for a city to designate an area which is deemed to merit preservation as an area of historical significance, the following shall apply:

Sec. 85. [Section 306.42, subsection 6](#), Code 2019, is amended to read as follows:

6. Notwithstanding any other provision of the Code, for transfers of roads and streets made after May 1, 1987, neither the transferring jurisdiction or the receiving jurisdiction shall be held liable for any claim or damage for any act or omission relating to the design, construction, or maintenance of the road or street that occurred prior to the effective date of the transfer. This paragraph subsection shall apply to all transfers pursuant to [this chapter](#) or [section 313.2](#).

Sec. 86. [Section 308A.2](#), Code 2019, is amended to read as follows:

**308A.2 Funds.**

The department of natural resources may accept in the name of the state funds contributed by ~~such the groups;~~ specified in [section 308A.1](#) and ~~such the funds~~ shall be used exclusively in the establishment of bikeways as ~~herein~~ provided in [this chapter](#). Additional funds as may be necessary in purchasing signs and otherwise carrying out the provisions of [this chapter](#) may be expended by the department of natural resources if authorized by the general assembly pursuant to appropriations for such purposes; ~~and the~~. The department shall be authorized to accept and expend federal funds made available for the purposes of aiding in the implementation of [this chapter](#).

Sec. 87. [Section 312.3, subsection 2](#), paragraph c, Code 2019, is amended by striking the paragraph.

Sec. 88. [Section 313.4, subsection 6](#), Code 2019, is amended by striking the subsection.

Sec. 89. [Section 317.9](#), Code 2019, is amended to read as follows:

**317.9 Duty of board to enforce.**

The ~~Unless otherwise provided,~~ responsibility for the enforcement of the provisions of [this chapter](#) shall be vested in the board of supervisors as to all ~~farm~~ of the following:

1. Farm lands, railroad.
2. Railroad lands, abandoned.
3. Abandoned cemeteries, state.
4. State lands and state parks, primary.
5. Primary and secondary roads; roads.

6. Roads, streets, and other lands within cities unless otherwise provided.

Sec. 90. [Section 321.1, subsection 11](#), paragraph f, subparagraphs (1) and (2), Code 2019, are amended to read as follows:

(1) The combination of vehicles has a gross combination weight rating or combined gross combination weight, whichever is greater, of twenty-six thousand one or more pounds, including a towed vehicle or vehicles having a gross vehicle weight rating or gross vehiele weight, whichever is greater, of ten thousand one or more pounds.

(2) The motor vehicle has a gross vehicle weight rating or gross vehiele weight, whichever is greater, of twenty-six thousand one or more pounds.

Sec. 91. [Section 321.228, subsection 2](#), Code 2019, is amended to read as follows:

2. The provisions of [sections 321.261 to through 321.273](#), and [sections 321.277 and 321.280](#) shall apply upon highways and elsewhere throughout the state.

Sec. 92. [Section 321.277](#), Code 2019, is amended to read as follows:

**321.277 Reckless driving.**

1. Any A person who drives any vehicle in such manner as to indicate either a willful or a wanton disregard for the safety of persons or property is guilty of reckless driving.

2. Every A person who is convicted of reckless driving shall be guilty of a simple misdemeanor.

Sec. 93. [Section 321.319](#), Code 2019, is amended to read as follows:

**321.319 Entering intersections from different highways.**

1. When two vehicles enter an intersection from different highways or public streets at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

2. The ~~foregoing~~ rule contained in subsection 1 is modified at through highways and as otherwise as hereinafter stated in this chapter.

Sec. 94. [Section 321.325](#), Code 2019, is amended to read as follows:

**321.325 Pedestrians subject to signals.**

Pedestrians shall be subject to traffic-control signals at intersections as ~~heretofore declared provided in this chapter~~, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in [sections 321.327 to through 321.331](#).

Sec. 95. [Section 321.334](#), Code 2019, is amended to read as follows:

**321.334 Penalties.**

~~Any A~~ person ~~who shall carry~~ be fined not less than one dollar nor more than one hundred dollars for each offense, if the person does any of the following:

1. Carries a cane or walking stick such as is prescribed in [section 321.332](#), but contrary to the provisions hereof, or who shall fail of this chapter.

2. Fails to heed the approach of a person lawfully ~~so~~ carrying a cane or walking stick that is white in color or white tipped with red, or who is being led by a guide dog, or who shall fail.

3. Fails to immediately come to a complete stop, and take such precautions against accident or injury to such a person, ~~shall be fined not less than one dollar nor more than one hundred dollars for each offense~~ described in subsection 2.

Sec. 96. [Section 321.347](#), Code 2019, is amended to read as follows:

**321.347 Exceptions.**

~~Provided that~~ Notwithstanding section 321.345, at intersections of such through highways with boulevards or heavy traffic streets in cities, the city council, subject to the approval of the department, may determine that the through highway traffic shall come to a stop, ~~or~~ may erect traffic-control signals, or may adopt such other means of handling the traffic as may be deemed practical and proper.

Sec. 97. [Section 321.384](#), Code 2019, is amended to read as follows:

**321.384 When lighted lamps required.**



1. Every motor vehicle upon a highway within the state, at any time from sunset to sunrise, and at such other times when conditions such as fog, snow, sleet, or rain provide insufficient lighting to render clearly discernible persons and vehicles on the highway at a distance of five hundred feet ahead, shall display lighted headlamps as provided in [section 321.415](#), subject to exceptions with respect to parked vehicles as ~~hereinafter stated~~ provided in [this chapter](#).

2. Whenever a requirement is ~~hereinafter declared~~ established in [this chapter](#) as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, ~~said provisions~~ that requirement shall apply during the times stated in [subsection 1](#) of [this section](#) upon a straight level unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

Sec. 98. [Section 322.20](#), Code 2019, is amended to read as follows:

**322.20 Extension of time.**

[Sections 537.2503](#) and [537.3402](#) notwithstanding, if the holder of a retail installment contract in connection with the purchase or sale of a vehicle, at the request of the buyer, renews the loan or extends the scheduled due date of all or any part of an installment or installments, the holder may restate the amount of installments and the time schedule for paying installments and collect for installments, subject to the renewal or extension, a finance charge on the outstanding declining balance of the amount financed for the period of the extension or renewal. The finance charge on a renewal or extension under [this subsection section](#) shall not exceed the rate on the original retail installment contract as limited by [section 322.19](#).

Sec. 99. [Section 322G.7](#), unnumbered paragraph 1, Code 2019, is amended to read as follows:

To facilitate uniform application, interpretation, and enforcement of [this section](#) and [section 322G.6](#), and in implementing rules adopted pursuant to [section 322G.14](#), the attorney general may cooperate with agencies that perform similar functions in any other states that enact these or similar sections. The cooperation authorized by [this subsection section](#) may include any of the following:

Sec. 100. [Section 325A.13](#), [subsections 3 and 6](#), Code 2019, are amended to read as follows:

3. It is unlawful for a taxicab service to transport passengers by motor vehicle for hire from any place in this state to another place in this state, irrespective of the route or highway traversed, without first having obtained a taxicab service passenger certificate from the department. However, a taxicab service passenger certificate issued by the department does not authorize a taxicab service to transport passengers within the boundaries of an area governed by a local authority that licenses or regulates such vehicles pursuant to [section 321.236](#), [subsection 7](#), unless the taxicab service is in compliance with all applicable regulations of the local authority.

6. A person operating a motor vehicle in a car pool or van pool is exempt from the ~~requirement~~ requirements of [this chapter](#).

Sec. 101. [Section 327F.31](#), Code 2019, is amended to read as follows:

**327F.31 Political subdivision ordinances.**

An ordinance or resolution adopted by a political subdivision of this state which relates to the speed of a train in an area within the jurisdiction of the political subdivision is subject to approval by the state department of transportation. Any speed ordinance or resolution adopted by a political subdivision of the state prior to July 1, 1988, which has not been approved by the department shall be referred to the department by the political subdivision and shall be in full force and effect upon approval of the ordinance or resolution by the department. [This subsection section](#) does not abrogate, modify, or alter any historical or contractual agreement between a political subdivision of the state and a railroad corporation in existence on July 1, 1975.

Sec. 102. [Section 329.12, subsection 1](#), Code 2019, is amended to read as follows:

1. The governing body of any municipality seeking to exercise powers under [this chapter](#) shall by ordinance provide for the appointment of a board of adjustment, as provided in [section 414.7](#) for a city, or as provided in [section 335.10](#) for a county. The board of adjustment has the same powers and duties, and its procedure and appeals are subject to the same provisions as established in [sections 414.9 to 414.19 through 414.18](#) for a city, or [sections 335.12 to through 335.21](#) for a county.

Sec. 103. [Section 331.238, subsection 2](#), paragraph a, subparagraph (7), Code 2019, is amended to read as follows:

(7) The organization of county departments, agencies, or boards. The organization plan may provide for the abolition or consolidation of a board or a commission and the assumption of its powers and duties by the board of supervisors or another officer. ~~This paragraph does not apply to the board of trustees of a county hospital.~~

Sec. 104. [Section 331.362, subsection 6](#), Code 2019, is amended to read as follows:

6. The board shall provide for the control or eradication of noxious weeds in accordance with [chapter 317](#).

Sec. 105. [Section 331.437](#), Code 2019, is amended to read as follows:

**331.437 Expenditures exceeding appropriations.**

1. It is unlawful for a county official, the expenditures of whose office come under [this part](#), to authorize the expenditure of a sum for the official's department larger than the amount which has been appropriated for that department by the board.

2. A county official in charge of a department or office who violates [this law section](#) is guilty of a simple misdemeanor. The penalty in [this section](#) is in addition to the liability imposed in [section 331.476](#).

Sec. 106. [Section 349.16](#), Code 2019, is amended to read as follows:

**349.16 What published.**

There shall be published in each of said the official newspapers at the expense of the county during the ensuing year:

1. The proceedings of the board of supervisors, as furnished by the county auditor, excluding from the publication of said those proceedings, ~~its~~ the canvass of the various elections, as provided by law; the complete text of any questions or propositions submitted to the registered voters of the county by the board of supervisors, which shall be published with the required notice of a general or special election; and witness fees of witnesses before the grand jury and in the district court in criminal cases.

2. The schedule of bills allowed by said the board of supervisors.

3. The reports of the county treasurer, including a schedule of the receipts and expenditures of the county and the current cash balance in each fund in the treasurer's office together with the total of warrants outstanding against each of the funds as shown by the warrant register in the auditor's office. A listing of warrants outstanding is not required if the county issues checks in lieu of warrants, and there are no remaining outstanding warrants issued by the county.

4. A synopsis of the expenditures of township trustees for road purposes as provided by law.

Sec. 107. [Section 351.29](#), Code 2019, is amended to read as follows:

**351.29 Construction clause.**

A holding that one or more sections hereof of this chapter are unconstitutional shall not be held to invalidate the remaining sections.

Sec. 108. [Section 355.19](#), Code 2019, is amended to read as follows:

**355.19 Application of terms.**

The use of the term "Iowa plane coordinate system north zone" or "Iowa plane coordinate system south zone" on a map, report of survey, or other document shall be limited to coordinates based on the Iowa plane coordinate system as defined in [this chapter subchapter](#).

Sec. 109. [Section 357.33](#), Code 2019, is amended to read as follows:

**357.33 Appeal procedure.**

Any person aggrieved, may appeal from any final action of the board of supervisors in relation to any matter involving the person's rights, to the district court of the county in which the district is located. The procedure in such appeals shall be governed by the provisions of [sections 468.84 to 468.99 through 468.98](#) provided that whenever in the above sections the words "drainage district" occur, the words "benefited water district" shall be substituted.

Sec. 110. [Section 358.3](#), Code 2019, is amended to read as follows:

**358.3 Jurisdiction — decisions — records.**

The board of supervisors of the county in which the proposed sanitary district, or the major portion thereof of the proposed sanitary district, is located shall have jurisdiction of the proceedings on said the petition as herein provided in [this chapter](#), and the decision of a majority of the members of said the board shall be necessary for adoption. All orders of the board made hereunder under [this chapter](#) shall be spread at length upon the records of the proceedings of the board of supervisors, but need not be published under [section 349.16](#).

Sec. 111. [Section 358.15](#), Code 2019, is amended to read as follows:

**358.15 Personal interest in contracts.**

No A trustee of such district shall not be directly or indirectly interested in any contract, work, or business of the district, or in the sale of any article the expense, price, or consideration of which is paid by such district; nor in the purchase of any real estate or other property belonging to the district, or which shall is to be sold for taxes or assessments, or by virtue of legal process at the suit of said the district; ~~provided, that nothing herein.~~ However, [this section](#) shall not be construed as prohibiting the selection of any person as trustee because of the person's ownership of real estate in the district or because the person is a taxpayer in the district.

Sec. 112. [Section 359.12](#), Code 2019, is amended to read as follows:

**359.12 Order for election.**

The county commissioner of elections shall issue an order for such the first election, stating the time and place of the same election, the officers to be elected, and any other business to be transacted; ~~and no business.~~ Business not named in such the order shall not be transacted at such the election.

Sec. 113. [Section 372.1, subsection 3](#), Code 2019, is amended to read as follows:

3. Within thirty days of the date that [this section](#) becomes effective, a A city shall adopt by ordinance a charter embodying its existing form of government, which must be one of the forms provided in [this subchapter](#), and shall file a copy of its charter with the secretary of state, and maintain copies available for public inspection.

Sec. 114. [Section 388.7](#), Code 2019, is amended to read as follows:

**388.7 Prior utility board.**

1. A utility board functioning on the effective date of the city code [July 1, 1975](#), shall continue to function until discontinued as provided in [this chapter](#), and has all the powers granted in [this chapter](#).

2. Nothing in the city code shall be construed to allow the abrogation of any franchise.

Sec. 115. [Section 390.5](#), Code 2019, is amended to read as follows:

**390.5 Financing.**

A city may finance its share of the cost of a joint facility by the use of any method of financing available for city utilities under the statutes of this state, for the financing of electric generation or transmission facilities to be owned by a city in their entirety, including but not limited to the provisions of [chapters 397 and 407, Code 1973](#), and [sections 384.23 to through 384.36](#) and [sections 384.80 to through 384.94](#) as applicable. Revenues derived by a city utility from its share of ownership or operation of a joint facility shall be deemed to be revenues of the city utility for all purposes including the issuance and payment of bonds secured by or payable from the revenues of a city utility. A joint agreement shall be deemed payable from

revenues or revenue bonds of a city utility in the absence of provision to the contrary or a referendum approving the issuance of general obligation bonds.

Sec. 116. [Section 400.11, subsection 1](#), paragraph a, Code 2019, is amended to read as follows:

a. The commission, within one hundred eighty days after the beginning of each competitive examination for original appointment, shall certify to the city council a list of the names of forty persons, or a lesser number as determined by the commission, who qualify with the highest standing as a result of each examination for the position they seek to fill, or the number which have qualified if less than forty, in the order of their standing, and all newly created offices or other vacancies in positions under civil service which occur before the beginning of the next examination for the positions shall be filled from the lists, or from the preferred list existing as if provided for in case of diminution of employees, within thirty days. If a tie occurs in the examination scores which would qualify persons for the last position on the list, the list of the names of the persons who qualify with the highest standing as a result of each examination shall include all persons who qualify for the last position. Preference for temporary service in civil service positions shall be given those on the lists. However, the commission may certify a list of names eligible for appointment subject to successfully completing a medical examination. The medical examination shall be provided pursuant to commission rules adopted under [section 400.8](#).

Sec. 117. [Section 400.11, subsection 2](#), paragraph a, Code 2019, is amended to read as follows:

a. The commission, within ninety days after the beginning of each competitive examination for promotion, shall certify to the city council a list of names of the ten persons who qualify with the highest standing as a result of each examination for the position the persons seek to fill, or the number which have qualified if less than ten, in the order of their standing and all newly created offices or other vacancies in positions under civil service which occur before the beginning of the next examination for the positions shall be filled from the lists, or from the preferred list existing as if provided for in the case of diminution of employees, within thirty days. If a tie occurs in the examination scores which would qualify persons for the tenth position on the list, the list of names of the persons who qualify with the highest standing as a result of each examination shall include all persons who qualify for the tenth position.

Sec. 118. [Section 414.7](#), Code 2019, is amended to read as follows:

**414.7 Board of adjustment — review by council.**

1. The council shall provide for the appointment of a board of adjustment ~~and in~~. In the regulations and restrictions adopted pursuant to the authority of [this chapter](#), the council shall provide that the said board of adjustment may in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinances in harmony with its general purpose and intent and in accordance with general or specific rules ~~therein~~ contained in the ordinance and provide that any property owner aggrieved by the action of the council in the adoption of such regulations and restrictions may petition the said board of adjustment direct to modify regulations and restrictions as applied to such property owners.

2. The council may provide for its review of variances granted by the board of adjustment by the council before their the effective date of the variances. The council may remand a decision to grant a variance to the board of adjustment for further study. The effective date of the variance is delayed for thirty days from the date of the remand.

Sec. 119. [Section 414.18](#), Code 2019, is amended to read as follows:

**414.18 Trial — judgment — costs.**

1. If upon the hearing, which shall be tried de novo, it shall appear to the court that testimony is necessary for the proper disposition of the matter, ~~it~~ the court may take evidence or appoint a referee to take such evidence as it may direct and. The referee shall report the same evidence to the court with the referee's findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

2. Costs shall not be allowed against the board, unless it shall appear to the court that it the board acted with gross negligence or in bad faith or with malice in making the decision appealed from.

Sec. 120. [Section 420.286](#), Code 2019, is amended to read as follows:

**420.286 Procedure.**

On the presentation of a petition signed by one-fourth of the electors, as shown by the vote at the next preceding city election, of any city acting under a special charter or act of incorporation, to the governing body ~~thereof of the city~~, asking that the question of the amendment of ~~such the~~ special charter or act of incorporation be submitted to the electors of such city, ~~such the~~ governing body shall immediately propose sections ~~amendatory of said to amend the~~ charter or act of incorporation, and shall submit the ~~same amendment~~, as requested, at the first ensuing city election. At least ten days before ~~such the~~ election, the mayor of ~~such the~~ city shall issue a proclamation setting forth the nature and character of ~~such the~~ amendment, and shall cause ~~such the~~ proclamation to be published in a newspaper published ~~therein in the city~~, or, if there be none, the mayor shall cause the ~~same amendment~~ to be posted in five public places in ~~such the~~ city. On the day specified, the proposition to adopt the amendment shall be submitted to the electors ~~thereof of the city~~ for adoption or rejection, in the manner provided by the general election laws.

Sec. 121. [Section 420.288](#), Code 2019, is amended to read as follows:

**420.288 Submission at special election.**

The legislative body of ~~said the~~ city may submit any amendment to the vote of the people ~~as aforesaid~~ at any special election, provided one-half of the electors ~~as aforesaid~~ petition for that purpose, and the proceedings shall be the same as at the general election.

Sec. 122. [Section 421B.4](#), Code 2019, is amended to read as follows:

**421B.4 Combination sales.**

In all offers for sale or sales involving cigarettes and any other item at a combined price, and in all offers for sale, or sales, involving the giving of any gift or concession of any kind ~~whatsoever (whether whatsoever, whether it be coupons or otherwise) otherwise~~, the wholesaler's or retailer's combined selling price shall not be below the cost to the wholesaler or the cost to the retailer, respectively, of the total of all articles, products, commodities, gifts and concessions included in such ~~transactions: transactions~~. If any such articles, products, commodities, gifts, or concessions, ~~shall are not be~~ cigarettes, the basic cost thereof shall be determined in ~~like the same~~ manner as provided in [section 421B.2, subsection 8](#).

Sec. 123. [Section 422.33, subsection 5](#), paragraph f, subparagraph (1), Code 2019, is amended to read as follows:

(1) For purposes of [this section subsection](#), "base amount" means the product of the fixed-based percentage times the average annual gross receipts of the taxpayer for the four taxable years preceding the taxable year for which the credit is being determined, but in no event shall the base amount be less than fifty percent of the qualified research expenses for the credit year.

Sec. 124. [Section 423.2A, subsection 2](#), paragraph g, Code 2019, is amended to read as follows:

g. Beginning the first day of the quarter following July 1, 2014, transfer to the raceway facility tax rebate fund created in [section 423.4, subsection 11](#), paragraph "e", that portion of the sales tax receipts collected and remitted upon sales of tangible personal property or services furnished by retailers at a raceway facility meeting the qualifications of [section 423.4, subsection 11](#), that remains after the transfers required in paragraphs "a" through "f" of [this subsection 2](#). This paragraph is repealed June 30, 2025, or thirty days following the date on which an amount of total rebates specified in [section 423.4, subsection 11](#), paragraph "c", subparagraph (3), subparagraph division (a) ~~or~~ (b), ~~whichever is applicable~~, has been provided or thirty days following the date on which rebates cease as provided in [section 423.4, subsection 11](#), paragraph "c", subparagraph (4), whichever is earliest.



Sec. 125. [Section 423.3, subsection 46](#), Code 2019, is amended to read as follows:

46. The sales price from sales or rentals to a printer or publisher of the following: acetate; anti-halation backing; antistatic spray; back lining; base material used as a carrier for light sensitive emulsions; blankets; blow-ups; bronze powder; carbon tissue; codas; color filters; color separations; contacts; continuous tone separations; creative art; custom dies and die cutting materials; dampener sleeves; dampening solution; design and styling; diazo coating; dot etching; dot etching solutions; drawings; drawsheets; driers; duplicate films or prints; electronically digitized images; electrotypes; end product of image modulation; engravings; etch solutions; film; finished art or final art; fix; fixative spray; flats; flying pasters; foils; goldenrod paper; gum; halftones; illustrations; ink; ink paste; keylines; lacquer; lasering images; layouts; lettering; line negatives and positives; linotypes; lithographic offset plates; magnesium and zinc etchings; masking paper; masks; masters; mats; mat service; metal toner; models and modeling; mylar; negatives; nonoffset spray; opaque film process paper; opaquing; padding compound; paper stock; photographic materials: acids, plastic film, desensitizer emulsion, exposure chemicals, fix, developers, and paper; photography, day rate; photopolymer coating; photographs; photostats; photo-display tape; phototypesetter materials; ~~ph-indicator~~ pH-indicator sticks; positives; press pack; printing cylinders; printing plates, all types; process lettering; proof paper; proofs and proof processes, all types; pumice powder; purchased author alterations; purchased composition; purchased phototypesetting; purchased stripping and pasteups; red litho tape; reducers; roller covering; screen tints; sketches; stepped plates; stereotypes; strip types; substrate; tints; tissue overlays; toners; transparencies; tympan; typesetting; typography; varnishes; veloxes; wood mounts; and any other items used in a like capacity to any of the above enumerated items by the printer or publisher to complete a finished product for sale at retail. Expendable tools and supplies which are not enumerated in [this subsection](#) are excluded from the exemption. “Printer” means that portion of a person’s business engaged in printing that completes a finished product for ultimate sale at retail or means that portion of a person’s business used to complete a finished printed packaging material used to package a product for ultimate sale at retail. “Printer” does not mean an in-house printer who prints or copyrights its own materials.

Sec. 126. [Section 423.34](#), Code 2019, is amended to read as follows:

**423.34 Liability of user.**

Any person who uses any tangible personal property, specified digital products, or services enumerated in [section 423.2](#) upon which the use tax has not been paid, either to the county treasurer or to a retailer or direct to the department as required by [this subchapter](#), shall be liable for the payment of tax, and shall on or before the last day of the month next succeeding each quarterly period pay the use tax upon all tangible personal property, specified digital products, or services used by the person during the preceding quarterly period in the manner and accompanied by such returns as the director shall prescribe. All of the provisions of [sections 423.32](#) and [423.33](#) with reference to the returns and payments shall be applicable to the returns and payments required by [this section](#).

Sec. 127. [Section 427.1, subsection 13](#), Code 2019, is amended to read as follows:

13. *Public airports.* Any lands, the use of which ~~(without, without~~ charge by or compensation to the holder of the legal title thereto) to the lands, has been granted to and accepted by the state or any political subdivision thereof for airport or aircraft landing area purposes.

Sec. 128. [Section 427.9](#), Code 2019, is amended to read as follows:

**427.9 Suspension of taxes, assessments, and rates or charges, including interest, fees, and costs.**

If a person is a recipient of federal supplementary security income or state supplementary assistance, as defined in [section 249.1](#), or is a resident of a health care facility, as defined by [section 135C.1](#), which is receiving payment from the department of human services for the person’s care, the person shall be deemed to be unable to contribute to the public revenue. The director of human services shall notify a person receiving such assistance of the tax

suspension provision and shall provide the person with evidence to present to the appropriate county board of supervisors which shows the person's eligibility for tax suspension on parcels owned, possessed, or upon which the person is paying taxes as a purchaser under contract. The board of supervisors so notified, without the filing of a petition and statement as specified in [section 427.8](#), shall order the county treasurer to suspend the collection of all the taxes, special assessments, and rates or charges, including interest, fees, and costs, assessed against the parcels and remaining unpaid by the person or contractually payable by the person, for such time as the person remains the owner or contractually prospective owner of the parcels, and during the period the person receives assistance as described in [this section](#). The county board of supervisors shall annually send to the department of human services the names and social security numbers of persons receiving a tax suspension pursuant to [this section](#). The department shall verify the continued eligibility for tax suspension of each name on the list and shall return the list to the board of supervisors. The director of human services shall advise the person that the person may apply for an additional property tax credit pursuant to [sections 425.16 to 425.39 through 425.37](#) which shall be credited against the amount of the taxes suspended.

Sec. 129. [Section 428.35, subsections 2 and 3](#), Code 2019, are amended to read as follows:

2. *Tax imposed.* An annual excise tax is hereby levied on such handling of grain in the amount ~~hereinafter~~ provided in [this section](#). All grain so handled shall be exempt from all taxation as property under the laws of this state. The amount of such excise tax shall be a sum equal to one-fourth mill per bushel upon all grain as ~~herein~~ defined in [this section](#) that is so handled.

3. *Statement filing form.* Every person engaged in handling grain shall, on the first day of January of each year and not later than sixty days thereafter, make and file with the assessor a statement of the number of bushels of grain handled by the person in that district during the year immediately preceding, or the part thereof, during which the person was engaged in handling grain; ~~and on~~. Upon demand, the assessor shall have the right to inspect all such person's records thereof. A form for making ~~such the~~ statement shall be included in the blanks prescribed by the director of revenue. If ~~such a~~ statement is not furnished as ~~herein~~ required in [this subsection](#), [section 441.24](#) shall be ~~applicable~~ apply.

Sec. 130. [Section 434.2](#), unnumbered paragraph 1, Code 2019, is amended to read as follows:

On or before October 31 each year, the department of revenue shall assess all of the property of each railway corporation in the state, excepting the lands, lots, and other real estate ~~belonging thereto to the railway corporation and~~ not used in the operation of any railway, ~~and excepting railway bridges across the Mississippi and Missouri rivers, and excepting grain elevators; and for~~. For the purpose of making such the assessment ~~its, the~~ president, vice president, general manager, general superintendent, receiver, or such other officer ~~of the railway corporation~~ as the department of revenue may designate, shall, on or before the first day of April in each year, furnish to the department of revenue a verified statement showing in detail for the year ended December 31 next preceding:

Sec. 131. [Section 435.33](#), Code 2019, is amended to read as follows:

**435.33 Rent reimbursement.**

A home owner who qualifies for a reduced tax rate provided in [section 435.22](#) and who rents a space upon which to set the home shall be entitled to the protections provided in [sections 425.33 to through 425.36](#) and if the home owner who qualifies for a reduced tax rate believes that a landlord has increased the home owner's rent because the home owner is eligible for a reduced tax rate, the provisions of [sections 425.33](#) and [425.36](#) shall be applicable.

Sec. 132. [Section 441.9](#), Code 2019, is amended to read as follows:

**441.9 Removal of assessor.**

The assessor may be removed by a majority vote of the conference board, after charges of misconduct, nonfeasance, malfeasance, or misfeasance in office ~~shall have been~~ are substantiated at a public hearing, if ~~same a~~ hearing is demanded by the assessor by written notice served upon the chairperson of the conference board. For purposes of [this section](#),

“misconduct” includes but is not limited to knowingly engaging in assessment methods, practices, or conduct that contravene any applicable law, administrative rule, or order of any court or other government authority.

Sec. 133. [Section 441.37, subsection 1](#), paragraph a, Code 2019, is amended to read as follows:

a. (1) Any property owner or aggrieved taxpayer who is dissatisfied with the owner’s or taxpayer’s assessment may file a protest against such assessment with the board of review on or after April 2, to and including April 30, of the year of the assessment. In any county which has been declared to be a disaster area by proper federal authorities after March 1 and prior to May 20 of said year of assessment, the board of review shall be authorized to remain in session until June 15 and the time for filing a protest shall be extended to and include the period from May 25 to June 5 of such year. The protest shall be in writing on forms prescribed by the director of revenue and, except as provided in [subsection 3](#), signed by the one protesting or by the protester’s duly authorized agent. The taxpayer may have an oral hearing on the protest if the request for the oral hearing is made in writing at the time of filing the protest. The protest must be confined to one or more of the following grounds:

(1) (a) That said assessment is not equitable as compared with assessments of other like property in the taxing district.

(2) (b) That the property is assessed for more than the value authorized by law.

(3) (c) That the property is not assessable, is exempt from taxes, or is misclassified.

(4) (d) That there is an error in the assessment.

(5) (e) That there is fraud or misconduct in the assessment which shall be specifically stated. ~~For purposes of this section, “misconduct” means the same as defined in section 441.9. If the local board of review, property assessment appeal board, or district court decides in favor of the property owner or aggrieved taxpayer and finds that there was fraud or misconduct in the assessment, the property owner’s or aggrieved taxpayer’s reasonable costs incurred in bringing the protest or appeal shall be paid from the assessment expense fund under section 441.16. For purposes of this section, costs include but are not limited to legal fees, appraisal fees, and witness fees.~~

(2) If the local board of review, property assessment appeal board, or district court decides in favor of the property owner or aggrieved taxpayer and finds that there was fraud or misconduct in the assessment, the property owner’s or aggrieved taxpayer’s reasonable costs incurred in bringing the protest or appeal shall be paid from the assessment expense fund under [section 441.16](#).

(3) For purposes of [this section](#), “costs” include but are not limited to legal fees, appraisal fees, and witness fees.

(4) For purposes of [this section](#), “misconduct” means the same as defined in [section 441.9](#).

Sec. 134. [Section 441.40](#), Code 2019, is amended to read as follows:

**441.40 Costs, fees, and expenses apportioned.**

The clerk of the court shall likewise certify to the county treasurer the costs assessed by the court on any appeal from a board of review to the district court, in all cases where the costs are taxed against the board of review or any taxing district. Thereupon the county treasurer shall compute and apportion the costs between the various taxing districts participating in the proceeds of the collection of the taxes involved in any such appeal, and the treasurer shall so compute and apportion the various amounts which the taxing districts are required to pay in proportion to the amount of taxes each of the taxing districts is entitled to receive from the whole amount of taxes involved in each of such appeals. The county treasurer shall deduct from the proceeds of all general taxes collected the amount of costs so computed and apportioned by the treasurer from the moneys due to each taxing district from general taxes collected. The amount deducted shall be certified to each taxing district in lieu of moneys collected. The county treasurer shall pay to the clerk of the district court the amount of the costs so computed, apportioned, and collected by the treasurer in all cases ~~now on file or hereafter filed~~ in which the costs have not been paid.

Sec. 135. [Section 450.3](#), unnumbered paragraph 1, Code 2019, is amended to read as follows:

The tax hereby imposed under [this chapter](#) shall be collected upon the net market value, and shall go into the general fund of the state, to be determined as herein provided in [this chapter](#), of any property passing as follows:

Sec. 136. [Section 450.48, subsection 1](#), Code 2019, is amended to read as follows:

1. Except as provided in [subsection 2](#), when in case of deferred estates or remainder interests in personal property or in the proceeds of any real estate that may be sold during the time of a life, term, or prior estate, the persons interested who may desire to defer the payment of the tax until the determination of the prior estate, shall file with the clerk of the proper district court a bond as provided herein in [this chapter](#) in other cases, ~~such~~. The bond ~~to~~ shall be renewed every two years until the tax upon ~~such~~ the deferred estate is paid. If at the end of any two-year period the bond is not promptly renewed as herein provided in [this section](#) and the tax has not been paid, the bond shall be declared forfeited, and the amount thereof of the bond forthwith collected.

Sec. 137. [Section 452A.54, subsection 3](#), Code 2019, is amended to read as follows:

3. Application for a refund of fuel tax under [this subchapter](#) must be made for each quarter in which the excess payment was reported, and will not be allowed unless the amount of fuel tax paid on the fuel purchased in this state, in excess of that consumed for highway operation in this state in the quarter applied for, is in an amount exceeding ten dollars. An application for a refund of excess Iowa fuel tax paid under [this subchapter](#) which is filed for any period or in any manner other than herein as set out in [this section](#) shall not be allowed.

Sec. 138. [Section 455C.6, subsection 3](#), Code 2019, is amended to read as follows:

3. The department shall approve a redemption center if it finds that the redemption center will provide a convenient service to consumers for the return of empty beverage containers. The order of the department approving a redemption center shall state the dealers to be served by the redemption center and the kind and brand names of empty beverage containers which the redemption center must accept. The order may contain such other provisions to ~~insure~~ ensure that the redemption center will provide a convenient service to the public as the director may determine.

Sec. 139. [Section 455D.4A, subsection 2](#), unnumbered paragraph 1, Code 2019, is amended to read as follows:

Recycling of materials for the purpose of being excluded from the solid waste provisions of [chapter 455B, division IV, part 1](#), must be legitimate. A material that is not legitimately recycled is discarded material and is a solid waste. In determining if recycling is legitimate, a recycling ~~facilities~~ facility must establish all of the following:

Sec. 140. [Section 455D.4A, subsection 2](#), paragraph b, Code 2019, is amended to read as follows:

b. The material is being managed as a valuable commodity while under ~~their~~ the facility's control.

Sec. 141. [Section 455D.4A, subsections 6 and 9](#), Code 2019, are amended to read as follows:

6. To establish that a material is being managed as a valuable commodity while under ~~their~~ the facility's control, a recycling facility owner or operator shall ensure that stockpiled material is not speculatively accumulated by maintaining current inventory records and is managed in a manner consistent with comparable recyclable materials or products in an equally protective manner.

9. Scrap metal as defined in [section 455D.1](#) is not subject to the provisions of [this section](#).

Sec. 142. [Section 455D.16, subsection 7](#), paragraph a, Code 2019, is amended to read as follows:

a. Review and grant approval of, deny, or approve with modifications a manufacturer plan required under [this section](#). The department shall not approve a plan unless all elements of [subsection 4](#), paragraph “a”, are adequately addressed and the program outlined in the plan will assure a maximum rate of collection of mercury-added thermostats. In reviewing a plan the department may consider consistency of the plan with collection requirements in other states and consider consistency between thermostat manufacturer collection programs. In reviewing plans, the agency department shall ensure that education and outreach programs are uniform and consistent to ensure ease of implementation by thermostat wholesalers and thermostat retailers.

Sec. 143. [Section 455G.3, subsection 6](#), Code 2019, is amended by striking the subsection.

Sec. 144. [Section 461A.9](#), Code 2019, is amended to read as follows:

**461A.9 Condemnation statutes.**

All the provisions of the law relating to the condemnation of lands for public state purposes shall apply to the provisions hereof of [this chapter](#) in and so far as applicable.

Sec. 145. [Section 461A.10](#), Code 2019, is amended to read as follows:

**461A.10 Title to lands.**

The title to all lands purchased, condemned, or donated, ~~hereunder~~ under [this chapter](#), for park or highway purposes, shall be taken in the name of the state and if thereafter it shall be deemed advisable to sell any portion of the land so purchased or condemned, the proceeds of ~~such~~ the sale shall be placed to the credit of the ~~said~~ public state parks fund to be used for such park purposes.

Sec. 146. [Section 461A.16](#), Code 2019, is amended to read as follows:

**461A.16 Landscape architect.**

The commission may call upon the Iowa state university of science and technology for the services of at least one competent landscape architect, engineer, or gardener, who shall, under the direction of the commission, proceed to work with ~~it~~ the commission in the improvement of the state property under the control of ~~said~~ the commission. The president of ~~said~~ the Iowa state university of science and technology shall, when called upon, designate the landscape architect, engineer, or gardener, as the case may be, who shall work with ~~said~~ the commission.

Sec. 147. [Section 461A.20](#), Code 2019, is amended to read as follows:

**461A.20 State department of transportation — duties.**

The commission may call upon the state department of transportation for the services of at least one competent engineer, who shall, under the direction of the commission, proceed to work in conjunction with ~~it~~ the commission in carrying out the true spirit and purpose of [this chapter](#).

Sec. 148. [Section 462A.2, subsection 43](#), Code 2019, is amended to read as follows:

43. “*Watercraft*” means any vessel which through the ~~buoyance~~ buoyant force of water floats upon the water and is capable of carrying one or more persons.

Sec. 149. [Section 462A.39](#), Code 2019, is amended to read as follows:

**462A.39 Expiration date.**

Each special certificate issued ~~hereunder~~ under [this chapter](#) shall expire at midnight on April 30 of the last calendar year of the registration period, and a new special certificate for the ensuing registration period may be obtained upon application to the commission and payment of the fee provided by law.

Sec. 150. [Section 468.11](#), Code 2019, is amended to read as follows:

**468.11 Survey.**



1. The engineer shall examine the lands described in the petition and any other lands which would be benefited by said improvement or necessary in carrying out the same purposes of the petition.

2. The engineer shall locate and survey such ditches, drains, levees, settling basins, pumping stations, and other improvements as will be necessary, practicable, and feasible in carrying out the purposes of the petition and which will be of public benefit or utility, or conducive to public health, convenience, or welfare.

Sec. 151. [Section 468.16](#), Code 2019, is amended to read as follows:

**468.16 Service on agent.**

1. If any person, corporation, or company owning or having interest in any land or other property affected by any proposed improvement under [this chapter](#) shall file with the auditor files an instrument in writing with the auditor designating the name and post office address of the agent of the person, corporation, or company upon whom service of notice of ~~said the~~ proceeding shall be made, the auditor shall, not less than twenty days prior to the date set for hearing upon ~~said the~~ petition, send a copy of ~~said the~~ notice by certified mail addressed to the agent so designated. Proof of ~~such~~ service shall be made by affidavit of the auditor filed in ~~said the~~ proceeding at or before the date of the hearing upon the petition, and such service shall be in lieu of all other service of notice to such persons, corporations, or companies.

2. This designation when filed shall be in force for a period of five years thereafter and shall apply to all proceedings under ~~said chapters~~ [this chapter](#) during such period. The person, company, or corporation making such designation shall have the right to change the agent appointed ~~therein in the designation~~ or to amend ~~it the designation~~ in any other particular.

Sec. 152. [Section 468.27](#), Code 2019, is amended to read as follows:

**468.27 Dismissal or establishment — permanent easement.**

1. The board shall at the meeting, or at an adjourned session of the meeting, consider the costs of construction of the improvement as shown by the reports of the engineer and the amount of damages and compensation awarded to all claimants, ~~and if. If, in its the board's~~ opinion, the costs of construction and amount of damages awarded create a greater burden than should justly be borne by the lands benefited by the improvement, ~~it the board shall then~~ dismiss the petition and assess the costs and expenses to the petitioners and their sureties, ~~but if it. However, if the board finds that the cost and expense is not a greater burden than~~ should be justly borne by the land benefited by the improvement, ~~it then the board shall finally~~ and permanently locate and establish the district and improvement.

2. Following ~~its the~~ establishment of the district, the drainage district is deemed to have acquired by permanent easement all ~~right-of-way rights-of-way~~ for drainage district ditches, tile lines, settling basins and other improvements, unless ~~they the~~ rights-of-way are acquired by fee simple, in the dimensions shown on the survey and report made in compliance with [sections 468.11](#) and [468.12](#) or as shown on the permanent survey, plat, and profile, if one is made. Upon the establishment of the district, the petitioners shall file with the county auditor the survey and report or permanent survey, plat, and profile, as set forth in [sections 468.172](#) and [468.173](#). This filing constitutes constructive notice to all persons of the rights conferred by [this section](#). The permanent easement includes the right of ingress and egress across adjoining land and the right of access for maintenance, repair, improvement, and inspection. The owner or lessee shall be reimbursed for any crop damages incurred in the maintenance, repair, improvement, and inspection except within the right-of-way of the drainage district.

Sec. 153. [Section 468.70](#), Code 2019, is amended to read as follows:

**468.70 Installment assessments — interest-bearing warrants — improvement certificates.**

1. The board may provide by resolution for the payment of assessments in not more than twenty annual installments with interest at a rate determined by the board, notwithstanding [chapter 74A](#). The board may issue warrants bearing interest at the same rate, which warrants shall be numbered and state a maturity date, in which event ~~they the~~ warrants shall bear interest from the date of issuance without being presented for payment and marked unpaid

for want of funds. The warrants may be sold by the board for cash in an amount not less than their face value, together with any accrued interest.

2. The board may provide by resolution for the issuance of improvement certificates payable to bearer or to the contractors, naming them, who have constructed the said improvement or completed any part thereof of the improvement, in payment or part payment of such work.

Sec. 154. [Section 468.74](#), Code 2019, is amended to read as follows:

**468.74 Drainage bonds.**

1. When a drainage district has been established or the making of any subsequent repair or improvement determined upon, if the board of supervisors shall find that the cost of such improvement will create assessments against the land included ~~therein in the district~~ that are greater than should be levied in a single year upon the lands benefited by such the improvement, then, instead of issuing improvement certificates, as provided in [sections 468.70 through 468.73](#), the board may fix the amount that shall be levied and collected each year until such cost and expenses are paid, and may issue drainage bonds of the county covering all assessments exclusive of assessments of one hundred dollars and less.

2. Before ~~such drainage~~ bonds shall be issued, the governing body of the district shall cause an action for declaratory judgment to be brought in the district court of the county in which the bonds are to be issued, asking that their legality be confirmed. The court shall fix a date for hearing ~~thereon on the legality of the bonds~~ and notice ~~thereof of hearing~~ shall be given to the owners of each lot or tract of land within the district, which shall be affected by an assessment to pay the proposed bonds, as shown by the transfer books in the auditor's office; ~~also~~. Notice shall also be given to the holders of liens of record upon said the affected lands; and to all persons to whom it may concern without naming them specifically. ~~Such~~ The notice shall be given by publication and by mailing for the same time in advance of hearing and in the same manner prescribed in [section 468.15](#). After the entry of the declaratory judgment adjudicating the validity of such bonds, the approval of the district court shall be endorsed on the bonds before ~~their~~ issuance.

Sec. 155. [Section 468.108](#), Code 2019, is amended to read as follows:

**468.108 Bridges.**

1. When a levee, ditch, drain, or change of any natural watercourse crosses a public highway, necessitating moving or building or rebuilding any secondary road bridge upon, or ditch or drain crossing the road, the board of supervisors shall move, build, or rebuild ~~it the~~ the bridge, ditch, or drain, paying the costs and expenses, including construction, maintenance, repair and improvement costs, from county funds.

2. If the bridge or crossing ~~be is~~ upon or across a primary or interstate road, the moving, building, or rebuilding work ~~aforsaid~~ shall be done by the state department of transportation and paid for out of the primary road fund.

Sec. 156. [Section 468.118](#), Code 2019, is amended to read as follows:

**468.118 Abandoned right-of-way.**

1. If a railroad or other utility has abandoned the use of its right-of-way for the purpose it was originally acquired or has sold its right-of-way to a person who will use ~~it the~~ the right-of-way for a purpose other than for which it was originally acquired, the prior right or privilege of the drainage district to pass through the right-of-way of the railroad or utility shall become a permanent easement in favor of the drainage district for drainage purposes including the right of ingress and egress through adjacent property and the right of access for maintenance, repair, improvement and inspection. The permanent easement has the same dimensions as originally specified in the engineer's report and survey, or as acquired by use or as subsequently acquired.

2. If a railroad or other utility has abandoned the use of its right-of-way for the purpose it was originally acquired or has sold its right-of-way to a person who will use ~~it the~~ the right-of-way for a purpose other than for which it was originally acquired in segments, each segment shall be assessed for benefits in the same proportion as the area of the segment bears to the area of the right-of-way through the forty-acre tract.

Sec. 157. [Section 468.127](#), Code 2019, is amended to read as follows:

**468.127 Payment.**

1. The costs of the repair or improvements provided for in [section 468.126](#) shall be paid for out of the funds of the levee or drainage district. If the funds on hand are not sufficient to pay such expenses, the board within two years shall levy an assessment sufficient to pay the outstanding indebtedness and leave the balance which the board determines is desirable as a sinking fund to pay maintenance and repair expenses. Any assessment made under [this section](#) on any tract, parcel or lot within the district which is computed at less than five dollars shall be fixed at the sum of five dollars.

2. If the board deems that the costs of the repairs or improvements will create assessments against the lands in the district greater than should be borne in one year, ~~if the board~~ may levy the ~~same~~ assessment at one time and provide for the payment of ~~said~~ the costs and assessments in the manner provided in [sections 468.57 through 468.61](#); provided that assessments may be collected in not more than twenty installments as the board may determine.

Sec. 158. [Section 468.133](#), Code 2019, is amended to read as follows:

**468.133 Commissioners to apportion benefits — interest prohibited.**

1. For the purpose of ascertaining the proportionate benefits, the board shall appoint commissioners having the qualifications of benefit commissioners, one of whom shall be an engineer. ~~Such~~ The commissioners who are appointed shall not be residents of any of the districts affected, nor shall any member thereof of the commission have any interest in land in any districts affected by the contemplated work. ~~Such~~ The commission shall determine the percentage of benefits and the sum total to be assessed to each district for the improvement.

2. In the event that one of the districts to be assessed under [this statute section](#) shall have any improvement such as a settling basin which reduces the quality and quantity of flow or sediment, such commission may give consideration to the existence of such an improvement when they determine the percentage of benefits and the sum total to be assessed to each district for the improvement.

Sec. 159. [Section 468.135](#), Code 2019, is amended to read as follows:

**468.135 Report and review — appeal.**

1. The commissioners shall file with the board a detailed report of their findings. ~~Said~~ The board shall review ~~said~~ the report and may, by proper order, increase or decrease the amount which shall be charged to each district. After the final order of the board ~~herein~~ has been made, ~~said~~ the board shall notify the county auditor, in the time and manner as provided in [sections 468.133 and 468.134](#), of ~~said~~ the order, ~~and said~~. The county auditor shall notify by certified mail the board of supervisors, and ~~said~~ the board or boards of trustees, of ~~said~~ the final order. ~~Said~~ The board of supervisors and ~~said~~ the board or boards of trustees, if aggrieved by ~~said~~ the final order, may appeal ~~therefrom~~ from the order to the district court of the county in which any of the improvement proposed or done is located.

2. Any such appeal shall be taken, perfected, and conducted in the time and manner provided in [section 468.83, subsection 1](#), and [sections 468.84 through 468.88](#), for appeals contemplated by ~~said~~ those sections.

Sec. 160. [Section 468.151](#), Code 2019, is amended to read as follows:

**468.151 Actions — settlement — counsel.**

1. Levee or drainage districts through their governing bodies are authorized to maintain actions in law or equity for the purposes of preventing or recovering damages that may accrue to ~~such~~ the districts on account of the impairment of their functions, or the increase in the cost of maintenance or operation of ~~such~~ the districts, or on account of damages to property owned by ~~such~~ the districts, resulting from the construction or operation of locks, dams, and pools in the Mississippi or Missouri rivers; ~~they river~~. Levee or drainage districts may make settlements and adjustments of such damages and written contracts with relation ~~thereto~~ to such damages, and receive any appropriations that may be made by the Congress of the United States for the increased cost to drainage or levee districts

and may agree to the construction and maintenance of present equipment and of new or remedial works, improvements and equipment as a part of such damages, or as a means of lessening the damages which will be suffered by the said districts. ~~Said~~ The districts are further authorized to employ legal and engineering counsel for such purposes and to pay for the ~~same cost of employing legal and engineering counsel~~ out of the award of damages or out of the maintenance funds of the district.

2. If a lump sum settlement is made between the United States and the district to provide an annual payment of income ~~therefrom~~ from the lump sum settlement, the county treasurer of the county in which the greater portion of the district is situated shall be custodian of ~~such the~~ principal fund. The governing body of the district shall apply to the district court for authority to invest ~~said the~~ fund as provided by [section 636.23](#), and, in addition to the investments ~~therein~~ approved, the court may authorize investment of ~~said the~~ fund in interest-bearing bonds or warrants of ~~said the~~ district. The income from ~~said the~~ fund shall be disbursed by direction of the governing body of the district.

Sec. 161. [Section 468.159, subsection 2](#), Code 2019, is amended to read as follows:

2. The board of trustees may also lease or sell and convey such other property of the district, both real and personal, as is no longer needed for the purposes for which the district was established, and any such leases, ~~or~~ sales and conveyances prior to July 1, 1970, are hereby legalized and declared to be valid and binding.

Sec. 162. [Section 468.356](#), Code 2019, is amended to read as follows:

**468.356 Petition — procedure — emergency pumping station.**

1. ~~Such~~ A pumping station shall not be established or maintained unless a petition ~~therefor~~ shall be presented to the board signed by not less than one-third of the owners of lands benefited ~~thereby~~ by the establishment of a pumping station. The lands benefited by ~~such~~ a pumping station shall be determined by the board on ~~said the~~ petition and report of the engineer, and such other evidence as ~~it~~ the board may hear. No additional land shall be taken into any such drainage district after the improvements ~~therein~~ in the district have been substantially completed, unless one-third of the owners of the land proposed to be annexed have petitioned ~~therefor~~ or consented in writing ~~thereto~~ to the annexation.

2. However, the board of supervisors may install a temporary portable pumping station to remove flood waters in an emergency. The board of supervisors shall levy and collect the cost of the purchase, operation, and maintenance of the pumping station from the lands in the district benefited by the pumping station in the same manner as provided for in the construction and maintenance of a drainage or levee district. For the purpose of [this paragraph subsection](#), an emergency occurs when ponded or standing water does not freely flow to the outlet ditch and the capacity of the outlet ditch is not fully used.

Sec. 163. [Section 468.376](#), Code 2019, is amended to read as follows:

**468.376 Funds available to pay bonds.**

1. When refunding bonds shall be issued to pay for drainage improvements under the provisions of [this part](#), all special assessments, taxes, and sinking funds applicable to the payment of such bonds previously issued shall be applicable in the same manner and the same extent to the payment of the refunding bonds issued ~~hereunder~~ under this part, and all the powers and duties to levy and collect special assessments and taxes or create liens upon property shall continue until all refunding bonds shall be paid.

2. The drainage district shall collect the special assessments out of which the said bonds are payable and hold the ~~same~~ special assessments separate and apart in trust for the payment of ~~said the~~ refunding bonds but the provisions of [this part](#) shall not apply to assessments or bonds adjudicated to be void.

Sec. 164. [Section 468.533](#), Code 2019, is amended to read as follows:

**468.533 Petition — canvass.**

1. ~~For such purposes a~~ A petition requesting that a district placed under the management of trustees be placed back under the management of a board or boards of supervisors, that is signed by a majority of persons, including corporations, owning land within the district assessed for benefits and who in the aggregate own more than one-half the acreage of such

lands, may be filed in the office of the auditor and, if the district is situated in more than one county, then a duplicate shall be filed in the office of the auditor of each county.

2. The trustees shall fix a date not less than ten nor more than thirty days from the date such the petition is filed for the canvass of such petition, and the trustees and auditor or auditors shall canvass said the petition and certify and record in the drainage record the result.

Sec. 165. [Section 468.543](#), Code 2019, is amended to read as follows:

**468.543 Notice.**

The board shall give ten days' notice of said the meeting described under [section 468.542](#) in the same manner as required in relation to the issuance of bonds under [chapter 73A](#).

Sec. 166. [Section 468.559](#), Code 2019, is amended to read as follows:

**468.559 Applicability of funds.**

All special assessments, taxes, and sinking funds applicable to the payment of the indebtedness refunded by said drainage bonds shall be applicable in the same manner and to the same extent to the payment of such refunding bonds issued hereunder under [this part](#), and the powers, rights, and duties to levy and collect special assessments or taxes, or create liens upon property shall continue until all refunding bonds shall be paid.

Sec. 167. [Section 468.561](#), Code 2019, is amended to read as follows:

**468.561 Liens unimpaired.**

When drainage refunding bonds are issued hereunder, nothing in [this part](#) shall be construed as impairing the lien of any unpaid drainage assessments or installments in such the drainage district, the time of payment of which is not extended, nor shall [this part](#) be construed as impairing the priority of the lien thereof of any unpaid drainage assessments or installments nor the right, duty, and power of the officers authorized by law to levy, collect, and apply the proceeds thereof of the assessments or installments to the payment of outstanding drainage bonds issued in anticipation of the collection thereof of the assessments or installments.

Sec. 168. [Section 468.566](#), Code 2019, is amended to read as follows:

**468.566 Refinancing powers.**

1. In order to effect such a loan under [section 468.565](#), the governing body of such a district, or board of supervisors, is authorized to execute such agreements and contracts, and to fulfill such requirements of the loaning agency as are not inconsistent with [this part](#); and to issue, and pledge or sell such the bonds at their face value to the said reconstruction finance corporation, or other loaning agency, furnishing the funds for such the debt readjustment, in the amount required for such the adjustment.

2. The governing body, or board of supervisors, shall also have the authority as a part of such the plan of refinancing, adjusting, composing, and refunding its of the district's indebtedness, to cancel the old assessments collectible against the land within the district, pledged to the payment of its the district's outstanding indebtedness and proportionately and equitably to relevy the same assessments, with interest, over the period covered by the new bonds, in an amount sufficient to pay said the new bonds and interest thereon, provided, however, that on the bonds. However, the new assessments thereby created against any tract of land within the district shall not be in excess of the unpaid assessments against such the tract before the readjustment or composition is made, and provided further, that such the new and extended assessment against such the tract shall fully replace the old assessment.

Sec. 169. [Section 468.579](#), Code 2019, is amended to read as follows:

**468.579 Lien.**

When conservator's drainage district bonds are issued hereunder under [this part](#), nothing herein in [this part](#) shall be construed as impairing the lien of all unpaid assessments upon the real estate within said the drainage district, nor shall [this part](#) be construed as impairing the priority of the lien thereof of the unpaid assessments, nor the right, duty and power of the officer authorized by law, to levy, collect and apply the proceeds thereof of the assessments, to the payment of outstanding drainage bonds issued in anticipation of the collection thereof of the assessments.



Sec. 170. [Section 468.622](#), Code 2019, is amended to read as follows:

**468.622 Drainage connection with highway.**

1. When the course of natural drainage of any land runs to a public highway, the owner of such land shall have the right to enter upon ~~such the~~ highway for the purpose of connecting the owner's drain or ditch with any drain or ditch constructed along or across the said highway, ~~but in~~. In making ~~such the~~ connections, the owner shall do so in accordance with specifications furnished by the highway authorities having jurisdiction ~~thereof~~ over the highway, which specifications shall be furnished to the owner on application. The owner shall leave the highway in as good condition in every way as it was before the ~~said~~ work was done.

2. If a tile line or drainage ditch must be projected across the right-of-way to a suitable outlet, the expense of both material and labor used in installing the tile line or drainage ditch across the highway and any subsequent repair ~~thereof~~ of the tile line or drainage ditch shall be paid from funds available for the highways affected.

Sec. 171. [Section 476.15](#), Code 2019, is amended to read as follows:

**476.15 Extent of jurisdiction.**

The jurisdiction and powers of the board shall extend as ~~hereinbefore~~ provided in this chapter to the utility business of public utilities operating within this state to the full extent permitted by the Constitution and laws of the United States.

Sec. 172. [Section 476.19](#), Code 2019, is amended to read as follows:

**476.19 Construction of statutes.**

Nothing ~~herein~~ contained in this chapter shall be construed to invalidate any proceedings under statutes existing prior to the enactment of this chapter; nor shall any action, litigation or appeal pending prior to the effective date of rate regulation of this chapter be affected ~~hereby~~.

Sec. 173. [Section 476.46, subsection 2](#), paragraph b, Code 2019, is amended to read as follows:

b. The fund shall include moneys ~~remitted to the fund pursuant to~~ [subsection 3](#) and any other moneys appropriated or otherwise directed to the fund.

Sec. 174. [Section 490.803, subsection 3](#), paragraph b, subparagraph (2), Code 2019, is amended to read as follows:

(2) This ~~subparagraph~~ paragraph "b" is repealed on January 1, 2022.

Sec. 175. [Section 502.202, subsection 2](#), paragraph c, Code 2019, is amended to read as follows:

c. The security does not constitute the whole or part of an unsold allotment to, or a subscription or participation by, the broker-dealer as an underwriter of the security, or a redistribution.

Sec. 176. [Section 502.406, subsection 5](#), Code 2019, is amended to read as follows:

5. *Additional conditions or waivers.* A rule adopted or order issued under this chapter may impose such other conditions, not inconsistent with the National Securities Markets Improvement Act of 1996. ~~An order or~~ A rule adopted or order issued under this chapter may waive, in whole or in part, specific requirements in connection with registration as are in the public interest and for the protection of investors.

Sec. 177. [Section 505.27, subsection 3](#), Code 2019, is amended to read as follows:

3. The commissioner shall compile annually the data included in reports filed by insurers pursuant to this section into an aggregate form by insurer, except that such data shall not include information that directly or indirectly identifies any individual, including a patient, an insured, or a health care provider. The commissioner shall submit a written report summarizing such data along with any recommendations to the general assembly and the governor annually by December 1, 2007, with subsequent reports submitted to the general assembly and the governor ~~annually thereafter~~.

Sec. 178. [Section 506.10, subsection 4](#), Code 2019, is amended to read as follows:

4. Nothing herein contained in [this section](#) shall impair or affect in any manner any such contracts issued or made as an inducement to insurance prior to the enactment of [this section](#) April 16, 1921, or prevent the payment of the dividends or returns therein stipulated to be paid.

Sec. 179. [Section 507A.2](#), Code 2019, is amended to read as follows:

**507A.2 Purpose.**

1. The purpose of [this chapter](#) is to subject certain persons and insurers to the jurisdiction of the insurance commissioner and the courts of this state in suits by or on behalf of the state and insureds or beneficiaries under insurance contracts. The general assembly hereby declares that it is a subject of concern that many residents of this state hold policies of insurance issued by persons and insurers not authorized to do insurance business in this state, thus presenting to such residents the often insuperable obstacle of asserting their legal rights under such policies in forums foreign to them under laws and rules of practice with which they are not familiar. The general assembly further declares that it is also concerned with the protection of residents of this state against acts by persons and insurers not authorized to do an insurance business in this state, by the maintenance of fair and honest insurance markets, by protecting the premium tax revenues of this state, by protecting authorized persons and insurers which are subject to regulation from unfair competition by unauthorized persons and insurers, and by protecting against the evasion of the insurance regulatory laws of this state.

2. In furtherance of such state interest, in [this chapter](#) the general assembly herein provides methods for substituted service of process upon such persons or insurers in any proceeding, suit or action in any court and substitute service of any notice, order, pleading, or process upon such persons or insurers in any proceeding before the commissioner of insurance to enforce or effect full compliance with the insurance and tax laws of this state. In so doing, the state exercises its powers to protect residents of this state and to define what constitutes doing an insurance business in this state, and also exercises powers and privileges available to this state by virtue of Pub. L. No. 79-15, 79th Congress of the United States, Ch. 20, 1st Sess., S. 340, 59 Stat. 33, codified at 15 U.S.C. §1011 – 1015, which declares that the business of insurance and every person engaged therein shall be subject to the laws of the several states.

Sec. 180. [Section 507A.3, subsection 1](#), unnumbered paragraph 1, Code 2019, is amended to read as follows:

Unless otherwise indicated, “insurer” as used in [this section chapter](#) includes all corporations, associations, partnerships and individuals engaged in the business of insurance. Any of the following acts in this state, effected by mail or otherwise, by an unauthorized insurer is defined to be doing an insurance business in this state:

Sec. 181. [Section 508.4, subsection 1](#), Code 2019, is amended to read as follows:

1. All amendments to the articles of incorporation of companies already organized under the laws of this state shall be approved in ~~like~~ the same manner as provided in [section 508.2](#).

Sec. 182. [Section 511.23](#), Code 2019, is amended to read as follows:

**511.23 Penalties.**

Any person, firm, or corporation violating any of the provisions of [section 511.22](#), or [sections 515.8 to through 515.10](#) and [section 515.23](#) or failing to comply with any of the provisions ~~therein~~ in those sections, shall be subjected to the penalties provided in [sections 507.10](#) and [507.12](#).

Sec. 183. [Section 513D.1](#), Code 2019, is amended to read as follows:

**513D.1 Association health plans.**

The commissioner of insurance shall adopt rules that allow for the creation of association health plans that are consistent with the United States department of labor’s regulations in [29 C.F.R. pt. 2510](#). A multiple employer welfare arrangement that is recognized as tax-exempt under Internal Revenue Code section 501(c)(9) and that is registered with the commissioner

prior to January 1, 2018, shall not be considered an association health plan unless the multiple employer welfare arrangement affirmatively elects to be treated as an association health plan.

Sec. 184. **Section 513D.2**, Code 2019, is amended to read as follows:

**513D.2 Rules and enforcement.**

1. The commissioner of insurance shall adopt rules, as necessary, pursuant to [chapter 17A](#) to administer [this chapter](#).

2. The commissioner or<sup>1</sup> insurance may take any enforcement action under the commissioner's authority to enforce compliance with [this chapter](#).

Sec. 185. **Section 514A.4, subsection 1**, Code 2019, is amended to read as follows:

1. *Other policy provisions.* No A policy provision which is not subject to [section 514A.3](#) shall not make a policy, or any portion ~~thereof~~ of a policy, less favorable in any respect to the insured or the beneficiary than the provisions ~~thereof~~ of the policy which are subject to [this chapter](#).

Sec. 186. **Section 514B.13, subsection 1**, Code 2019, is amended to read as follows:

1. After a health maintenance organization has been in operation twenty-four months, it shall have an annual open enrollment period of at least one month during which it accepts enrollees up to the limits of its capacity, as determined by the health maintenance organization, in the order in which ~~they~~ the prospective enrollees apply for enrollment. A health maintenance organization may apply to the commissioner for authorization to impose such underwriting restrictions upon enrollment as are necessary to preserve its financial stability, to prevent excessive adverse selection by prospective enrollees, or to avoid unreasonably high or unmarketable charges for enrollee coverage for health care services. The commissioner shall approve or deny the application made pursuant to [this section](#) within a reasonable period of time from the receipt of the application.

Sec. 187. **Section 515.32**, Code 2019, is amended to read as follows:

**515.32 Bylaws.**

~~It~~ The company may adopt such bylaws and regulations not inconsistent with law as shall appear to ~~them~~ it to be necessary for the regulation and conduct of the business.

Sec. 188. **Section 515.109, subsection 6**, paragraph a, Code 2019, is amended to read as follows:

a. The form of the standard policy (with permission to substitute for the word "company" a more accurate descriptive term for the type of insurer) shall be as follows:

FIRST PAGE OF STANDARD FIRE POLICY

No. ....

(Space for insertion of name of company or companies issuing the policy and other matter permitted to be stated at the head of the policy.)

(Space for listing amounts of insurance, rates and premiums for the basic coverages insured under the standard form of policy and for additional coverages or perils insured under endorsements attached.)

IN CONSIDERATION OF THE PROVISIONS AND STIPULATIONS HEREIN OR ADDED HERETO AND OF ..... DOLLARS PREMIUM this company, for the term of ..... from the ..... day of ..... (month), ..... (year), to the ..... day of ..... (month), ..... (year), at noon, Standard Time, at location of property involved, to an amount not exceeding ..... Dollars, does insure ..... and legal representatives, to the extent of the actual cash value of the property at the time of loss, but not exceeding the amount

<sup>1</sup> See chapter 89, §16 herein

which it would cost to repair or replace the property with material of like kind and quality within a reasonable time after such loss, without allowance for any increased cost of repair or reconstruction by reason of any ordinance or law regulating construction or repair, and without compensation for loss resulting from interruption of business or manufacture, nor in any event for more than the interest of the insured, against all DIRECT LOSS BY FIRE, LIGHTNING AND BY REMOVAL FROM PREMISES ENDANGERED BY THE PERILS INSURED AGAINST IN THIS POLICY, EXCEPT AS HEREINAFTER PROVIDED, to the property described hereinafter while located or contained as described in this policy, or pro rata for five days at each proper place to which any of the property shall necessarily be removed for preservation from the perils insured against in this policy, but not elsewhere.

Assignment of this policy shall not be valid except with the written consent of this company. This policy is made and accepted subject to the foregoing provisions and stipulations and those hereinafter stated, which are hereby made a part of this policy, together with such other provisions, stipulations and agreements as may be added hereto, as provided in this policy.

IN WITNESS WHEREOF, this company has executed and attested these presents; ~~but this policy shall not be valid unless countersigned by the duly authorized agent of this company at~~

.....  
 Secretary. President.  
 Countersigned this .....  
 day of ..... (month), ..... (year).  
 \_\_\_\_\_  
 Agent.

SECOND PAGE OF STANDARD FIRE POLICY

*Concealment — fraud.* This entire policy shall be void if, whether before or after a loss, an insured has willfully concealed or misrepresented any material fact or circumstance concerning this insurance or the subject thereof, or the interest of an insured therein, or in case of any fraud or false swearing by an insured relating thereto.

*Uninsurable and excepted property.* This policy shall not cover accounts, bills, currency, deeds, evidences of debt, money or securities; nor, unless specifically named hereon in writing, bullion or manuscripts.

*Perils not included.* This company shall not be liable for loss by fire or other perils insured against in this policy caused, directly or indirectly, by: (a) Enemy attack by armed forces, including action taken by military, naval or air forces in resisting an actual or an immediately impending enemy attack; (b) invasion; (c) insurrection; (d) rebellion; (e) revolution; (f) civil war; (g) usurped power; (h) order of any civil authority except acts of destruction at the time of and for the purpose of preventing the spread of fire, provided that such fire did not originate from any of the perils excluded by this policy; (i) neglect of an insured to use all reasonable means to save and preserve the property at and after a loss, or when the property is endangered by fire in neighboring premises; (j) nor shall this company be liable for loss by theft.

*Other insurance.* Other insurance may be prohibited or the amount of insurance may be limited by endorsement attached hereto.

*Conditions suspending or restricting insurance.* Unless otherwise provided in writing added hereto this company shall not be liable for loss occurring under any of the following circumstances:

[a] While the hazard is created or increased by any means within the control or knowledge of an insured.

[b] While a described building, whether intended for occupancy by owner or tenant, is vacant or unoccupied beyond a period of sixty consecutive days.

[c] As a result of explosion or riot, unless fire ensue, and in that event for loss by fire only.

*Other perils or subjects.* Any other peril to be insured against or subject of insurance to be covered in this policy shall be by endorsement in writing hereon or added hereto.

*Added provisions.* The extent of the application of insurance under this policy and of the contribution to be made by this company in case of loss, and any other provision or agreement not inconsistent with the provisions of this policy, may be provided for in writing added hereto, but no provision may be waived except such as by the terms of this policy is subject to change.

*Waiver provisions.* No permission affecting this insurance shall exist, or waiver of any provision be valid, unless granted herein or expressed in writing added hereto. No provision, stipulation or forfeiture shall be held to be waived by any requirement or proceeding on the part of this company relating to appraisal or to any examination provided for herein.

*Cancellation of policy.* This policy shall be canceled at any time at the request of the insured, in which case this company shall, upon demand and surrender of this policy, refund the excess of paid premium above the customary short rates for the expired time. This policy may be canceled at any time by this company by giving to the insured a five days' written notice of cancellation with or without tender of the excess of paid premium above the pro rata premium for the expired time, which excess, if not tendered, shall be refunded on demand. Notice of cancellation shall state that said excess premium (if not tendered) will be refunded on demand.

*Mortgagee interests and obligations.* If loss hereunder is made payable, in whole or in part, to a designated mortgagee not named herein as the insured, such interest in this policy may be canceled by giving to such mortgagee a ten days' written notice of cancellation.

If the insured fails to render proof of loss such mortgagee, upon notice, shall render proof of loss in the form herein specified within sixty days thereafter and shall be subject to the provisions hereof relating to appraisal and time of payment and of bringing suit. If this company shall claim that no liability existed as to the mortgagor or owner, it shall, to the extent of payment of loss to the mortgagee, be subrogated to all the mortgagee's rights of recovery, but without impairing mortgagee's right to sue; or it may pay off the mortgage debt and require an assignment thereof and of the mortgage. Other provisions relating to the interests and obligations of such mortgagee may be added hereto by agreement in writing.

*Pro rata liability.* This company shall not be liable for a greater proportion of any loss than the amount hereby insured shall bear to the whole insurance covering the property against the peril involved, whether collectible or not.

*Requirements in case loss occurs.* The insured shall give immediate written notice to this company of any loss, protect the



property from further damage, forthwith separate the damaged and undamaged personal property, put it in the best possible order, furnish a complete inventory of the destroyed, damaged and undamaged property, showing in detail quantities, costs, actual cash value and amounts of loss claimed; AND WITHIN SIXTY DAYS AFTER THE LOSS, UNLESS SUCH TIME IS EXTENDED IN WRITING BY THIS COMPANY, THE INSURED SHALL RENDER TO THIS COMPANY A PROOF OF LOSS, signed and sworn to by the insured, stating the knowledge and belief of the insured as to the following: The time and origin of the loss, the interest of the insured and of all others in the property, the actual cash value of each item thereof and the amount of loss thereto, all encumbrances thereon, all other contracts of insurance, whether valid or not, covering any of said property, any changes in the title, use, occupation, location, possession or exposures of said property since the issuing of this policy, by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of loss and whether or not it then stood on leased ground, and shall furnish a copy of all the descriptions and schedules in all policies and, if required, verified plans and specifications of any building, fixtures or machinery destroyed or damaged. The insured, as often as may be reasonably required, shall exhibit to any person designated by this company all that remains of any property herein described, and submit to examinations under oath by any person named by this company, and subscribe the same; and, as often as may be reasonably required, shall produce for examination all books of account, bills, invoices and other vouchers, or certified copies thereof if originals be lost, at such reasonable time and place as may be designated by this company or its representative, and shall permit extracts and copies thereof to be made.

*Appraisal.* In case the insured and this company shall fail to agree as to the actual cash value or the amount of loss, then, on the written demand of either, each shall select a competent and disinterested appraiser and notify the other of the appraiser selected within twenty days of such demand. The appraisers shall first select a competent and disinterested umpire; and failing for fifteen days to agree upon such umpire, then, on request of the insured or this company, such umpire shall be selected by a judge of a court of record in the state in which the property covered is located. The appraisers shall then appraise the loss, stating separately actual cash value and loss to each item; and, failing to agree, shall submit their differences, only, to the umpire. An award in writing, so itemized, of any two when filed with this company shall determine the amount of actual cash value and loss. Each appraiser shall be paid by the party selecting the appraiser and the expenses of appraisal and umpire shall be paid by the parties equally.

*Company's options.* It shall be optional with this company to take all, or any part, of the property at the agreed or appraised value, and also to repair, rebuild or replace the property destroyed or damaged with other of like kind and quality within a reasonable time, on giving notice of its intention so to do within thirty days after the receipt of the proof of loss herein required.

*Abandonment.* There can be no abandonment to this company of any property.

*When loss payable.* The amount of loss for which this company

may be liable shall be payable sixty days after proof of loss, as herein provided, is received by this company and ascertainment of the loss is made either by agreement between the insured and this company expressed in writing or by the filing with this company of an award as herein provided.

*Suit.* No suit or action on this policy for the recovery of any claim shall be sustainable in any court of law or equity unless all the requirements of this policy shall have been complied with, and unless commenced within twelve months next after inception of the loss.

*Subrogation.* This company may require from the insured an assignment of all right of recovery against any party for loss to the extent that payment therefor is made by this company.

THIRD PAGE OF STANDARD FIRE POLICY  
ATTACH FORM BELOW THIS LINE  
FOURTH PAGE OF STANDARD FIRE POLICY  
STANDARD FIRE INSURANCE POLICY

Expires	.....	
Property	.....	
Amount \$	.....	Total
		Premium \$
Insured	.....	

SEE INSIDE OF POLICY FOR PERILS COVERED  
NO.

(Space of approximately two (2) inches for use of Agent or Insurer.)  
(Space of approximately two (2) inches for use of Agent or Insurer.)

Sec. 189. [Section 515G.9](#), Code 2019, is amended to read as follows:

**515G.9 Act of conversion — continuation of company.**

1. When the commissioner and the policyholders approve the conversion plan as provided in [this chapter](#), the commissioner shall issue a new certificate of authority to the successor stock company effective on the date specified in the plan. The successor stock company is a continuation of the mutual insurer and the conversion does not annul or modify any of the mutual insurer’s existing suits, contracts, or liabilities except as provided in the approved conversion plan. All rights, franchises, and interests of the mutual insurer in and to property, assets, and other interests shall be transferred to and shall vest in the successor stock company and the successor stock company shall assume all obligations and liabilities of the mutual insurer.

2. The successor stock company shall exercise all rights and powers and perform all duties conferred or imposed by law on insurance companies writing the classes of insurance written by ~~it~~ the company, and shall retain the rights and contracts existing before conversion, subject to provisions of the plan.

Sec. 190. [Section 520.7](#), Code 2019, is amended to read as follows:

**520.7 Judgment — satisfaction.**

A judgment rendered in any such case where service of process has been ~~so had made~~ under [section 520.6](#) upon the commissioner of insurance, shall be valid and binding against any and all such subscribers as their interests appear and such judgment may be satisfied out of the funds in the possession of the attorney belonging to such subscribers.

Sec. 191. [Section 533.106, subsection 5](#), Code 2019, is amended to read as follows:

5. A person who violates ~~this section subsections 1 through 4~~ shall be permanently disqualified from acting as an officer, director, or employee of a state credit union and permanently disqualified from acting as superintendent or an employee of the credit union division.

Sec. 192. [Section 537.2301, subsection 2](#), Code 2019, is amended to read as follows:

2. A person who is not authorized to make supervised loans as provided herein in [this section](#) shall not engage in the business of making supervised loans or undertaking direct collection of payments from or enforcement of rights against consumers arising from supervised loans, but the person may collect and enforce for three months without a license if the person promptly applies for a license and the person's application has not been denied.

Sec. 193. [Section 543B.40](#), Code 2019, is amended to read as follows:

**543B.40 Depositions.**

The testimony may be taken by deposition as in civil cases, and any person may be compelled to appear and depose in the same manner as witnesses may be compelled to appear and testify as ~~hereinbefore~~ provided in [this chapter](#).

Sec. 194. [Section 543C.6](#), Code 2019, is amended to read as follows:

**543C.6 Sales by brokers.**

It shall be unlawful for any subdivider to sell or lease, or offer for sale or lease, any subdivided land located without this state except through a real estate broker or salesperson duly licensed in this state. The provision of [section 543B.7, subsection 1](#), exempting regular employees of the owner of real estate from the licensing requirements of [chapter 543B](#), shall not in any way apply to the sale of any subdivided land regulated by [this chapter](#) and subdividers covered by [this chapter](#) may not avail themselves of the provisions of [section 543B.7, subsection 1](#), but must pursuant to [this subsection section](#) sell only through licensed Iowa brokers and licensed salespersons.

Sec. 195. [Section 546.10, subsection 10](#), Code 2019, is amended to read as follows:

10. Notwithstanding [section 17A.6, subsection 2](#), the licensing boards included within the bureau pursuant to [subsection 1](#) may adopt standards by reference to another publication without providing a copy of the publication to the administrative ~~rules coordinator~~ ~~code editor~~ if the publication containing the standards is readily accessible on the internet at no cost and the internet site at which the publication may be found is included in the administrative rules that adopt the standard.

Sec. 196. [Section 573.1, subsection 4](#), Code 2019, is amended to read as follows:

4. "*Public improvement*" is ~~one~~ ~~an~~ an improvement, the cost of which is payable from taxes or other funds under the control of the public corporation, except ~~that~~ in cases of public improvement for drainage or levee purposes the provisions of the drainage law in cases of conflict shall govern.

Sec. 197. [Section 573.8](#), Code 2019, is amended to read as follows:

**573.8 Highway improvements.**

1. In case of highway improvements by the county, claims shall be filed with the county auditor of the county letting the contract. In case of contracts for improvements on the farm-to-market highway system paid from farm-to-market funds, claims shall be filed with the auditor of the state department of transportation.

2. ~~But no claims~~ Claims filed for credit extended for the personal expenses or personal purchases of employees for their individual use shall not cause any part of the unpaid funds of the contractor to be withheld.

Sec. 198. [Section 602.9110](#), Code 2019, is amended to read as follows:

**602.9110 Other public employment prohibited.**

~~No~~ An annuity shall not be paid to any person, except a survivor, entitled to receive an annuity ~~hereunder~~ under this article while the person is serving as a state officer or employee. However, this section does not prohibit the payment of an annuity to a senior judge while serving as provided in [section 602.9206](#).

~~However, this section does not prohibit the payment of an annuity to a senior judge while serving as provided in [section 602.9206](#).~~

Sec. 199. [Section 613.8](#), Code 2019, is amended to read as follows:

**613.8 Actions against state.**

Upon the conditions herein provided in [this chapter](#) for the protection of the state, the consent of the state be and it is hereby given, to be made a party in any suit or action which is now pending or which may hereafter be brought in any of the district courts of Iowa, any of the United States district courts within the state or in any other court of or in Iowa having jurisdiction of the subject matter, involving the title to real estate, the partition of real estate, the foreclosure of liens or mortgages against real estate, or the determination of the priorities of liens or claims against real estate, for the purpose of obtaining an adjudication touching or pertaining to any mortgage or other lien or claim which the state may have or claim to the real estate involved. The petition in such the action shall specifically allege the interest or apparent interest of the state and the specific facts upon which the claim against the state is based and it shall be legally insufficient to allege said the claim in general terms.

Sec. 200. [Section 614.1](#), unnumbered paragraph 1, Code 2019, is amended to read as follows:

Actions may be brought within the times herein limited as follows, respectively, after their causes accrue, and not afterwards, except when otherwise specially declared:

Sec. 201. [Section 614.9](#), Code 2019, is amended to read as follows:

**614.9 Exception in case of death.**

If the person having a cause of action dies within one year next previous to the expiration of the limitation above provided for, such the limitation shall not apply until one year after such the person's death.

Sec. 202. [Section 622.2](#), Code 2019, is amended to read as follows:

**622.2 Credibility.**

Facts which have heretofore caused the exclusion of testimony may still be shown for the purpose of lessening its the credibility of the testimony.

Sec. 203. [Section 622.80](#), Code 2019, is amended to read as follows:

**622.80 Pleading taken true.**

~~Or if~~ If the delinquent party shows by the party's own testimony, or otherwise, that the party could not have a full personal knowledge of the transaction, the court may order the party's pleading to be taken as true; subject to be reconsidered by the court within a reasonable time thereafter, upon satisfactory reasons being shown for the delinquency.

Sec. 204. [Section 622.86](#), Code 2019, is amended to read as follows:

**622.86 Foreign affidavits.**

Those ~~An~~ affidavits taken out of the state before any judge or clerk of a court of record, or before a notarial officer as provided in [chapter 9B](#), or a commissioner appointed by the governor of this state to take acknowledgment of deeds in the state where such the affidavit is taken, are of the same credibility as if taken within the this state.

Sec. 205. [Section 628.2](#), Code 2019, is amended to read as follows:

**628.2 When sale absolute.**

When real property has been levied upon, if the estate is less than a leasehold having two years of an unexpired term, the sale is absolute, but if of a larger amount, it is redeemable as hereinafter prescribed in [this chapter](#).

Sec. 206. [Section 628.5](#), Code 2019, is amended to read as follows:

**628.5 Redemption by creditors.**

If no redemption is not made by the debtor as above provided in [section 628.3](#), thereafter, and at any time within nine months from the day of sale, said redemption may be made by a mortgagee before or after the debt secured by the mortgage falls due, or by any creditor whose claim becomes a lien prior to the expiration of the time allowed for such redemption.

Sec. 207. [Section 628.8](#), Code 2019, is amended to read as follows:

**628.8 Redemption by creditors from each other.**

Creditors having the right of redemption may redeem from each other within the time ~~above limited~~, and in the manner herein provided in [this chapter](#).

Sec. 208. [Section 628.13](#), Code 2019, is amended to read as follows:

**628.13 By holder of title.**

1. The terms of redemption, when made by the titleholder, shall be the payment into the clerk's office of the amount of the certificate, and all sums paid by the holder thereof in effecting redemptions, added to the amount of the holder's own lien, or the amount the holder has credited ~~thereon~~ on the lien, if less than the whole, with interest at contract rate on the certificate of sale from its date, and upon sums so paid by way of redemption from date of payment, and upon the amount credited on the holder's own judgment from the time of ~~said~~ the credit, in each case including costs.

2. Redemption may also be made by the titleholder presenting to the clerk of the district court the sheriff's certificate of sale properly assigned to the titleholder, whereupon the clerk of the district court shall cancel the certificate.

Sec. 209. [Section 628.15](#), Code 2019, is amended to read as follows:

**628.15 After nine months.**

After the expiration of nine months from the day of sale, the creditors can no longer redeem from each other, except as ~~hereinafter~~ provided in the chapter.

Sec. 210. [Section 628.16](#), Code 2019, is amended to read as follows:

**628.16 Who gets property.**

Unless the defendant redeems, the purchaser, or the creditor who has last redeemed prior to the expiration of the nine months ~~aforsaid~~ from the day of sale, will hold the property absolutely.

Sec. 211. [Section 628.17](#), Code 2019, is amended to read as follows:

**628.17 Claim extinguished.**

~~In case it~~ If the property is thus held by a redeeming creditor, the redeeming creditor's lien, and the claim out of which it the lien arose, will be held to be extinguished, unless the redeeming creditor pursues the course pointed out in [sections 628.18 to through 628.20](#), inclusive.

Sec. 212. [Section 628.22](#), Code 2019, is amended to read as follows:

**628.22 Assignment of certificate.**

A creditor redeeming ~~as above contemplated~~ pursuant to [this chapter](#) is entitled to receive an assignment of the certificate issued by the sheriff to the original purchaser ~~as hereinbefore directed~~.

Sec. 213. [Section 631.12](#), Code 2019, is amended to read as follows:

**631.12 Entry of judgment — setting aside default judgment.**

1. The clerk shall immediately enter the judgment in the small claims docket and district court lien book, without recording. ~~Such relief~~ Relief shall be granted as is appropriate. Upon entering judgment, the party may provide for installment payments to be made directly by the party obligated to the party entitled thereto; ~~and in such event. If installment payments are ordered, execution shall not issue as long as such the payments are made, but execution shall issue for the full unpaid balance of the judgment upon the filing of an affidavit of default. When entered on the small claims docket and district court lien book, a small claims judgment shall constitute a lien to the same extent as regular judgments entered on the district court judgment docket and lien book; but. However,~~ if a small claims judgment requires installment payments, ~~it the judgment~~ shall not be enforceable until an affidavit of default is filed.

2. A defendant may move to set aside a default judgment in the manner provided for doing so in district court by [rule of civil procedure 1.977](#).

Sec. 214. [Section 633.25](#), Code 2019, is amended to read as follows:

**633.25 Validity of clerk's orders.**

~~The records~~ Records, orders, and judgments made and entered by the clerk under [section 633.22](#), as ~~hereinbefore provided, and which have not been reversed,~~ set aside, or modified by the court, shall stand, and shall be of the same force, validity, and effect, and be entitled to the same faith and credit, as if they had been made by the court.

Sec. 215. [Section 633.417](#), Code 2019, is amended to read as follows:

**633.417 Separate action in lieu of proceeding on claims.**

The provisions of [sections 633.438 to through 633.448](#) are not applicable to actions continued or commenced under [section 633.415](#).

Sec. 216. [Section 633.432, subsection 2](#), Code 2019, is amended to read as follows:

2. Unless the court allows the claim, the claim shall be disposed of as a contested claim in accordance with the provisions of [sections 633.439 to through 633.448](#).

Sec. 217. [Section 633.447](#), Code 2019, is amended to read as follows:

**633.447 Trial and hearing.**

The trial of a claim and the offsets or counterclaims, if any, shall be to the court without a jury; ~~provided, however. However, that~~ the court may, in its discretion, either on its own motion or upon the motion of any party, submit the same matter to a jury; ~~and provided further, that in. In~~ the event that the amount of the claim or a counterclaim exceeds the sum of three hundred dollars, either party shall be entitled to a jury trial, if a written demand ~~therefor~~ is made as provided in the rules of civil procedure in relation to the trial of ordinary actions.

Sec. 218. [Section 633.469](#), Code 2019, is amended to read as follows:

**633.469 Interlocutory report.**

1. The personal representative may at any time file an interlocutory accounting to the court showing the condition of the estate, ~~its~~ the estate's debts and property, the amount of money received, and the disposition made of any of the assets of the estate.

2. The court may on application of any interested party, or on its own motion, order ~~such an~~ interlocutory accounting at any time. Such an accounting shall embrace all matters directed by the court. The court may order such further accountings from time to time as ~~it~~ the court may determine to be to the best interests of the estate.

Sec. 219. [Section 633.479](#), Code 2019, is amended to read as follows:

**633.479 Discharge.**

1. Upon final settlement of an estate, an order shall be entered discharging the personal representative from further duties and responsibilities. The order approving the final report shall constitute a waiver of the omission from the final report of any of the recitals required in [section 633.477](#).

2. *a.* An order approving the final report and discharging the personal representative shall not be required if all of the following apply:

(1) All distributees otherwise entitled to notice are adults, and are under no legal disability, have,

(2) All distributees have signed waivers of notice as provided in [section 633.478](#), have,

(3) All distributees have signed statements of consent agreeing that the prayer of the final report shall constitute an order approving the final report and discharging the personal representative, and if the,

(4) All of the statements of consent are dated not more than thirty days prior to the date of the final report, and if compliance,

(5) Compliance with [sections 422.27](#) and [450.58](#) have been fulfilled and receipts,

(6) Any required receipts, sworn statements, and certificates, as any of these that are required, are on file. In those instances

*b.* If the requirements of paragraph "a" have been met, final order shall not be required and the prayer of the final report shall be considered as granted and shall have the same force



and effect as an order of discharge of the personal representative and an order approving the final report.

Sec. 220. [Section 633.641](#), Code 2019, is amended to read as follows:

**633.641 Duties of conservator.**

1. It is the duty of the conservator of the estate to protect and preserve ~~it~~ the estate, to invest ~~it~~ the assets prudently, to account for ~~it~~ the assets, receipts, and disbursements as ~~herein~~ provided in [this chapter](#), and to perform all other duties required of the conservator by law, and at the termination of the conservatorship, to deliver the assets of the ward to the person entitled thereto.

2. The conservator shall report to the department of human services the assets and income of any ward receiving medical assistance under [chapter 249A](#). Reports shall be made upon establishment of a conservatorship for an individual applying for or receiving medical assistance, upon application for benefits on behalf of the ward, upon annual or semiannual review of continued medical assistance eligibility, when any significant change in principal or income occurs in the conservatorship account, or as otherwise requested by the department of human services. Written reports shall be provided to the department of human services county office for the county in which the ward resides or the county office in which the ward's medical assistance is administered.

Sec. 221. [Section 633.666](#), Code 2019, is amended to read as follows:

**633.666 Denial and contest of claims.**

The provisions of [sections 633.438 to through 633.448](#) shall be applicable to the denial and contest of claims against conservatorships, but shall not be applicable to actions continued or commenced under [section 633.665](#).

Sec. 222. [Section 636.18](#), Code 2019, is amended to read as follows:

**636.18 Criminal bonds.**

Nothing contained in [sections 636.14 to through 636.17](#) shall apply to bonds in criminal cases.

Sec. 223. [Section 657.6](#), Code 2019, is amended to read as follows:

**657.6 Stay of execution.**

Instead of issuing ~~such a~~ warrant, the court may order the ~~same warrant~~ to be stayed upon motion of the defendant, ~~and upon the defendant's entering if the defendant enters~~ into an undertaking to the state, in such sum and with such surety as the court may direct, ~~conditioned under the condition that either that the defendant will discontinue said the~~ nuisance, or that, within a time limited by the court, and not exceeding six months, the defendant will cause the ~~same nuisance~~ to be abated and removed, as either is directed by the court; ~~and, upon.~~ Upon the defendant's failure to perform the condition of the defendant's undertaking, the ~~same surety~~ shall be forfeited, and the court, upon being satisfied of ~~such a~~ default, may order ~~such the~~ warrant forthwith to issue, and action may be brought on ~~such the~~ undertaking.

Sec. 224. [Section 669.14](#), unnumbered paragraph 1, Code 2019, is amended to read as follows:

The provisions of [this chapter](#) shall not apply, with respect to any claim against the state, to:

Sec. 225. [Section 709.15, subsection 2](#), paragraph a, subparagraph (2), unnumbered paragraph 1, Code 2019, is amended to read as follows:

Any sexual conduct with an emotionally dependent patient or client or emotionally dependent former patient or client for the purpose of arousing or satisfying the sexual desires of the counselor or therapist or the emotionally dependent patient or client or emotionally dependent former patient or client, ~~which.~~ Sexual conduct includes but is not limited to the following:

Sec. 226. [Section 709.15, subsection 2](#), paragraph a, subparagraph (3), unnumbered paragraph 1, Code 2019, is amended to read as follows:

Any sexual conduct with a patient or client or former patient or client within one year of the termination of the provision of mental health services by the counselor or therapist for the purpose of arousing or satisfying the sexual desires of the counselor or therapist or the patient or client or former patient or client, ~~which~~. Sexual conduct includes but is not limited to the following:

Sec. 227. [Section 715A.10, subsection 4](#), paragraph b, Code 2019, is amended to read as follows:

b. “*Merchant*” means an owner or operator of a retail mercantile establishment or an agent, employee, lessee, consignee, officer, director, franchisee, or independent contractor of such owner or operator. A “*merchant*” also includes an establishing financial institution referred to in [section 527.5](#), or a person who receives from an authorized user of a payment card, or someone the person believes to be an authorized user, a payment card or information from a payment card, or what the person believes to be a payment card or information from a payment card, as the instrument for obtaining, purchasing, or receiving goods, services, money, or anything else of value from the person.

Sec. 228. [Section 716.7, subsection 2](#), paragraph a, subparagraph (2), unnumbered paragraph 1, Code 2019, is amended to read as follows:

Entering or remaining upon or in property without justification after being notified or requested to abstain from entering or to remove or vacate therefrom by the owner, lessee, or person in lawful possession, or the agent or employee of the owner, lessee, or person in lawful possession, or by any peace officer, magistrate, or public employee whose duty it is to supervise the use or maintenance of the property. A person has been notified or requested to abstain from entering or remaining upon or in property within the meaning of this subparagraph (2) if any of the following is applicable:

Sec. 229. [Section 726.5](#), Code 2019, is amended to read as follows:

**726.5 Nonsupport.**

1. a. A person, who being able to do so, fails or refuses to provide support for the person’s child or ward under the age of eighteen years for a period longer than one year or in an amount greater than five thousand dollars commits the offense of nonsupport; ~~provided that no~~.

b. A person shall not be held to have violated [this section](#) ~~who~~ if the person fails to support any child or ward under the age of eighteen who has left the home of the parent or other person having legal custody of the child or ward without the consent of that parent or person having legal custody of the child or ward.

2. “*Support*”, for the purposes of [this section](#), means any support which has been fixed by court order, or, in the absence of any such order or decree, the minimal requirements of food, clothing or shelter.

3. Nonsupport is a class “D” felony.

Sec. 230. [Section 809A.3, subsection 2](#), Code 2019, is amended to read as follows:

2. Notwithstanding [subsection 1](#), violations of [chapter 321](#) or [321J](#) shall not be considered conduct giving rise to forfeiture, except for violations of the following:

a. [Section 321.232](#).

~~b. A second or subsequent violation of [section 321J.4B, subsection 2](#), paragraph “a”, subparagraph (2).~~

e. b. [Section 321J.4B, subsection 6, 9, or 10](#).

Sec. 231. [Section 901A.2, subsection 1](#), Code 2019, is amended to read as follows:

1. A person convicted of a sexually predatory offense which is a serious or aggravated misdemeanor, who has a prior conviction for a sexually predatory offense, shall be sentenced to and shall serve twice the maximum period of incarceration for the offense, notwithstanding any other provision of the Code to the contrary, prior to being eligible for parole or work

release. ~~However,~~ a person sentenced under [this subsection](#) shall not have the person's sentence reduced under [chapter 903A](#) or otherwise by more than fifteen percent.

Sec. 232. [Section 910.2](#), Code 2019, is amended to read as follows:

**910.2 Restitution or community service to be ordered by sentencing court.**

1. a. In all criminal cases in which there is a plea of guilty, verdict of guilty, or special verdict upon which a judgment of conviction is rendered, the sentencing court shall order that restitution be made by each offender to the victims of the offender's criminal activities, to the clerk of court for fines, penalties, surcharges, and, to the extent that the offender is reasonably able to pay, for ~~crime~~ the following:

(1) Crime victim assistance reimbursement, ~~restitution.~~

(2) Restitution to public agencies pursuant to [section 321J.2, subsection 13](#), paragraph "b", ~~court.~~

(3) Court costs including correctional fees approved pursuant to [section 356.7](#), ~~court-appointed.~~

(4) Court-appointed attorney fees ordered pursuant to [section 815.9](#), including the expense of a public defender, when applicable, ~~contribution.~~

(5) Contribution to a local anticrime organization, ~~or restitution.~~

(6) Restitution to the medical assistance program pursuant to [chapter 249A](#).

b. However, victims shall be paid in full before fines, penalties, and surcharges, crime victim compensation program reimbursement, public agencies, court costs including correctional fees approved pursuant to [section 356.7](#), court-appointed attorney fees ordered pursuant to [section 815.9](#), including the expenses of a public defender, contributions to a local anticrime organization, or the medical assistance program are paid.

c. In structuring a plan of restitution, the court shall provide for payments in the following order of priority: ~~victim, fines,~~

(1) Victim.

(2) Fines, penalties, and surcharges, ~~crime.~~

(3) Crime victim compensation program reimbursement, ~~public.~~

(4) Public agencies, ~~court.~~

(5) Court costs including correctional fees approved pursuant to [section 356.7](#), ~~court-appointed.~~

(6) Court-appointed attorney fees ordered pursuant to [section 815.9](#), including the expense of a public defender, ~~contribution.~~

(7) Contribution to a local anticrime organization, ~~and the.~~

(8) The medical assistance program.

2. a. When the offender is not reasonably able to pay all or a part of the crime victim compensation program reimbursement, public agency restitution, court costs including correctional fees approved pursuant to [section 356.7](#), court-appointed attorney fees ordered pursuant to [section 815.9](#), including the expense of a public defender, contribution to a local anticrime organization, or medical assistance program restitution, the court may require the offender in lieu of that portion of the crime victim compensation program reimbursement, public agency restitution, court costs including correctional fees approved pursuant to [section 356.7](#), court-appointed attorney fees ordered pursuant to [section 815.9](#), including the expense of a public defender, contribution to a local anticrime organization, or medical assistance program restitution for which the offender is not reasonably able to pay, to perform a needed public service for a governmental agency or for a private nonprofit agency which provides a service to the youth, elderly, or poor of the community.

b. When community service is ordered, the court shall set a specific number of hours of service to be performed by the offender which, for payment of court-appointed attorney fees ordered pursuant to [section 815.9](#), including the expenses of a public defender, shall be approximately equivalent in value to those costs. The judicial district department of correctional services shall provide for the assignment of the offender to a public agency or private nonprofit agency to perform the required service.

Sec. 233. [Section 915.86, subsection 14](#), Code 2019, is amended to read as follows:

14. Reasonable crime-related expenses incurred by a victim, the victim's parent or caretaker, or a survivor of a deceased victim to replace inadequate or damaged ~~or install new locks, windows, and other residential security items~~ or install new locks, windows, and other residential security items, not to exceed five hundred dollars per residence.

Sec. 234. [2018 Iowa Acts, chapter 1158, section 11](#), is amended to read as follows:

SEC. 11. [Section 427A.1, Code 2018](#), is amended by adding the following new subsection:

**NEW SUBSECTION.** 6A. a. For purposes of [this section](#), "transmission property" means cable and wire facilities, poles, aerial cable, underground cable, buried cable, intrabuilding network cable, or aerial wire within the meaning of and for purposes of the uniform system of accounts for telecommunication companies in [47 C.F.R. pt. 32](#), in effect on the effective date of [this section of this Act](#). "Transmission property" also includes lines, electronic equipment, headend electronics, poles, aerial cable, cable drops, lasers, fiber optics, underground cable, and any electronics attached thereto used to provide telecommunications service, cable television signals, or internet service to subscribers. "Transmission property" does not include a tower as defined in [section 8C.2](#).

b. Transmission property that is not subject to assessment and taxation under [chapter 433](#), shall be subject to assessment and taxation as follows:

(1) For the assessment year beginning January 1, 2019, at seventy-five percent of the transmission property's actual value.

(2) For the assessment year beginning January 1, 2020, at fifty percent of the transmission property's actual value.

(3) For the assessment year beginning January 1, 2021, at thirty percent of the transmission property's actual value.

(4) For the assessment year beginning January 1, 2022, and each subsequent assessment year, transmission property shall not be assessed and taxed as real property.

Sec. 235. [Section 514C.32, subsection 3](#), as enacted by [2018 Iowa Acts, chapter 1165, section 137](#), is amended to read as follows:

3. The requirements of [this section](#) apply to and supersede any conflicting requirements regarding services provided under a policy or contract, which is delivered, issued for delivery, continued, or renewed in this state on or after the effective date of [this division of this Act](#), and apply to and supersede any conflicting requirements regarding services contained in an existing policy or contract on the policy's or contract's anniversary or renewal date, whichever is later.

Sec. 236. [Section 514C.33, subsection 3](#), as enacted by [2018 Iowa Acts, chapter 1165, section 138](#), is amended to read as follows:

3. The requirements of [this section](#) apply to and supersede any conflicting requirements regarding services provided under a policy or contract which is delivered, issued for delivery, continued, or renewed in this state on or after the effective date of [this division of this Act](#), and apply to and supersede any conflicting requirements regarding services contained in an existing policy or contract on the policy's or contract's anniversary or renewal date, whichever is later.

Sec. 237. [2018 Iowa Acts, chapter 1172, section 89](#),<sup>2</sup> is amended to read as follows:

**NEW SUBSECTION.** 3. The parent or guardian of a child who meets the requirements of [subsection 2](#), paragraph "b", ~~paragraph~~ may enroll the child in a school district in a county in this state that is located contiguous to the out-of-state federal military installation. Notwithstanding [section 285.1](#) relating to transportation of resident pupils, the parent or guardian is responsible for transporting the child without reimbursement to and from a point on a regular school bus route of the district of enrollment.

Sec. 238. REPEAL. [Sections 13.20, 13.21, 13.22, 13.23, 13.24, 126.26, 325A.25, and 453B.16](#), Code 2019, are repealed.

<sup>2</sup> According to Act; "enacting section 282.1, subsection 3" probably intended

DIVISION II  
APPLICABILITY PROVISIONS

Sec. 239. RETROACTIVE APPLICABILITY. The following apply retroactively to July 1, 2018:

1. The section of this Act amending [2018 Iowa Acts, chapter 1158, section 11](#).
2. The section of this Act amending [2018 Iowa Acts, chapter 1172, section 89](#).

Sec. 240. RETROACTIVE APPLICABILITY. The following apply retroactively to June 1, 2018:

1. The section of this Act amending [2018 Iowa Acts, chapter 1165, section 137](#).
2. The section of this Act amending [2018 Iowa Acts, chapter 1165, section 138](#).

Approved May 1, 2019