

**EIGHTY-THIRD GENERAL ASSEMBLY  
2010 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

MARCH 18, 2010

HOUSE FILE 2473

H-8445

1 Amend House File 2473, as passed by the House, as  
2 follows:  
3 1. Page 1, line 9, by striking <marker> and  
4 inserting <monument, as defined in section 355.1,>  
5 2. Page 1, line 12, by striking <marker> and  
6 inserting <monument>  
7 3. Page 1, line 19, by striking <marker> and  
8 inserting <monument>  
9 4. Page 1, line 20, by striking <marker> and  
10 inserting <monument>

RECEIVED FROM THE SENATE

H-8445 FILED MARCH 17, 2010

HOUSE FILE 2512

H-8438

1 Amend House File 2512 as follows:

2 1. Page 2, after line 5 by inserting:

3 <Sec. \_\_\_\_\_. Section 321.463, subsection 10,  
4 paragraph a, Code Supplement 2009, is amended to read  
5 as follows:

6 a. A person who operates a vehicle in violation  
7 of this section, and an owner, or any other person,  
8 employing or otherwise directing the operator of  
9 a vehicle, who requires or knowingly permits the  
10 operation of a vehicle in violation of this section  
11 shall be fined according to the following schedule:

12 AXLE, TANDEM AXLE, 13 AND GROUP OF AXLES 14 WEIGHT VIOLATIONS	Amount of Fine\$YUL
15 Pounds Overloaded	
17 Up to and including	
18 1,000 pounds	<del>-\$12</del>
19 <u>\$24</u>	
20 Over 1,000 pounds up to and	
21 including 2,000 pounds	<del>-\$22</del>
22 <u>\$44</u>	
23 Over 2,000 pounds up to and	
24 including 3,000 pounds	<del>-\$155</del>
25 <u>\$310</u>	
26 Over 3,000 pounds up to and	
27 including 4,000 pounds	<del>-\$240</del>
28 <u>\$480</u>	
29 Over 4,000 pounds up to and	
30 including 5,000 pounds	<del>-\$375</del>
31 <u>\$750</u>	
32 Over 5,000 pounds up to and	
33 including 6,000 pounds	<del>-\$585</del>
34 <u>\$1,170</u>	
35 Over 6,000 pounds up to and	
36 including 7,000 pounds	<del>-\$850</del>
37 <u>\$1,700</u>	
38 Over 7,000 pounds up to and	
39 including 8,000 pounds	<del>-\$950</del>
40 <u>\$1,900</u>	
41 Over 8,000 pounds up to and	
42 including 9,000 pounds	<del>-\$1,050</del>
43 <u>\$2,100</u>	
44 Over 9,000 pounds up to and	
45 including 10,000 pounds	<del>-\$1,150</del>
46 <u>\$2,300</u>	
47 Over 10,000 pounds up to and	
48 including 11,000 pounds	<del>-\$1,300</del>
49 <u>\$2,600</u>	
50 Over 11,000 pounds up to and	

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1	including 12,000 pounds	<del>-\$1,400</del>
2		<u>\$2,800</u>
3	Over 12,000 pounds up to and	
4	including 13,000 pounds	<del>-\$1,500</del>
5		<u>\$3,000</u>
6	Over 13,000 pounds up to and	
7	including 14,000 pounds	<del>-\$1,600</del>
8		<u>\$3,200</u>
9	Over 14,000 pounds up to and	
10	including 15,000 pounds	<del>-\$1,700</del>
11		<u>\$3,400</u>
12	Over 15,000 pounds up to and	
13	including 16,000 pounds	<del>-\$1,800</del>
14		<u>\$3,600</u>
15	Over 16,000 pounds up to and	
16	including 17,000 pounds	<del>-\$1,900</del>
17		<u>\$3,800</u>
18	Over 17,000 pounds up to and	
19	including 18,000 pounds	<del>-\$2,000</del>
20		<u>\$4,000</u>
21	Over 18,000 pounds up to and	
22	including 19,000 pounds	<del>-\$2,100</del>
23		<u>\$4,200</u>
24	Over 19,000 pounds up to and	
25	including 20,000 pounds	<del>-\$2,200</del>
26		<u>\$4,400</u>
27	Over 20,000 pounds	<del>-\$2,200</del> <u>\$4,400</u>
28	plus <del>ten</del> <u>twenty</u>	
29	cents per pound	
30	in excess of	
31	20,000 pounds>	
32	2. Title page line 2, after <highways> by inserting	
33	<and containing penalty provisions>	
34	3. By renumbering as necessary.	

By SCHUELLER of Jackson

HOUSE FILE 2512

H-8450

1 Amend House File 2512 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 321.176A, subsection 1, Code  
4 2009, is amended to read as follows:

5 1. a. A farmer or a person working for a farmer  
6 while operating a commercial motor vehicle controlled  
7 by the farmer within one hundred fifty air miles  
8 of the farmer's farm to transport the farmer's own  
9 agricultural products, farm machinery, or farm supplies  
10 to or from the farm. The exemption provided in this  
11 subsection shall apply to farmers who assist each other  
12 through an exchange of services and shall include  
13 operation of a commercial motor vehicle between the  
14 farms of the farmers who are exchanging services.

15 b. A person who claims an exemption from commercial  
16 driver's license requirements under this subsection and  
17 who operates a commercial motor vehicle in violation of  
18 the restrictions applicable to the exemption commits a  
19 simple misdemeanor punishable by a fine of one thousand  
20 eight hundred dollars.>

21 2. Title page, line 2, after <highways> by  
22 inserting <and containing penalty provisions>

23 3. By renumbering as necessary.

**By S. OLSON of Clinton**

H-8450 FILED MARCH 17, 2010

HOUSE FILE 2512

H-8453

1 Amend House File 2512 as follows:

2 1. Page 1, line 3, after < (1)> by inserting < (a)>

3 2. Page 1, after line 33 by inserting:

4 < (b) A vehicle shall not be operated with a maximum  
5 gross weight exceeding ninety-five thousand five  
6 hundred pounds pursuant to this subparagraph (1) unless  
7 the vehicle is equipped with an engine compression  
8 braking system.>

9 3. By renumbering as necessary.

**By HUSER of Polk**

H-8453 FILED MARCH 17, 2010



HOUSE FILE 2523

H-8442

1 Amend House File 2523 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <DIVISION I  
5 APPROPRIATIONS

6 Section 1. DEPARTMENT OF JUSTICE.

7 1. There is appropriated from the general fund  
8 of the state to the department of justice for the  
9 fiscal year beginning July 1, 2010, and ending June 30,  
10 2011, the following amounts, or so much thereof as is  
11 necessary, to be used for the purposes designated:

12 a. For the general office of attorney general for  
13 salaries, support, maintenance, and miscellaneous  
14 purposes, including the prosecuting attorneys training  
15 program, victim assistance grants, office of drug  
16 control policy prosecuting attorney program, and  
17 odometer fraud enforcement, and for not more than the  
18 following full-time equivalent positions:

19 ..... \$ 7,732,930  
20 ..... FTEs 232.50

21 It is the intent of the general assembly that as  
22 a condition of receiving the appropriation provided  
23 in this lettered paragraph, the department of justice  
24 shall maintain a record of the estimated time incurred  
25 representing each agency or department.

26 b. For victim assistance grants:

27 ..... \$ 3,060,000

28 The funds appropriated in this lettered paragraph  
29 shall be used to provide grants to care providers  
30 providing services to crime victims of domestic abuse  
31 or to crime victims of rape and sexual assault.

32 The balance of the victim compensation fund  
33 established in section 915.94 may be used to provide  
34 salary and support of not more than 22 FTEs and  
35 to provide maintenance for the victim compensation  
36 functions of the department of justice.

37 The department of justice may transfer moneys from  
38 the victim compensation fund established in section  
39 915.94 to the victim assistance grant program.

40 c. For legal services for persons in poverty grants  
41 as provided in section 13.34:

42 ..... \$ 1,930,671

43 2. a. The department of justice, in submitting  
44 budget estimates for the fiscal year commencing July  
45 1, 2011, pursuant to section 8.23, shall include a  
46 report of funding from sources other than amounts  
47 appropriated directly from the general fund of the  
48 state to the department of justice or to the office of  
49 consumer advocate. These funding sources shall include  
50 but are not limited to reimbursements from other state

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1 agencies, commissions, boards, or similar entities, and  
2 reimbursements from special funds or internal accounts  
3 within the department of justice. The department of  
4 justice shall also report actual reimbursements for the  
5 fiscal year commencing July 1, 2009, and actual and  
6 expected reimbursements for the fiscal year commencing  
7 July 1, 2010.

8 b. The department of justice shall include the  
9 report required under paragraph "a", as well as  
10 information regarding any revisions occurring as a  
11 result of reimbursements actually received or expected  
12 at a later date, in a report to the co-chairpersons  
13 and ranking members of the joint appropriations  
14 subcommittee on the justice system and the legislative  
15 services agency. The department of justice shall  
16 submit the report on or before January 15, 2011.

17 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is  
18 appropriated from the department of commerce revolving  
19 fund created in section 546.12 to the office of  
20 consumer advocate of the department of justice for the  
21 fiscal year beginning July 1, 2010, and ending June 30,  
22 2011, the following amount, or so much thereof as is  
23 necessary, to be used for the purposes designated:

24 For salaries, support, maintenance, miscellaneous  
25 purposes, and for not more than the following full-time  
26 equivalent positions:

27 .....	\$	3,336,344
28 .....	FTEs	27.00

29 Sec. 3. DEPARTMENT OF CORRECTIONS -- FACILITIES.

30 1. There is appropriated from the general fund of  
31 the state to the department of corrections for the  
32 fiscal year beginning July 1, 2010, and ending June 30,  
33 2011, the following amounts, or so much thereof as is  
34 necessary, to be used for the purposes designated:

35 For the operation of adult correctional  
36 institutions, reimbursement of counties for certain  
37 confinement costs, and federal prison reimbursement,  
38 to be allocated as follows:

39 a. For the operation of the Fort Madison  
40 correctional facility, including salaries, support,  
41 maintenance, and miscellaneous purposes:

42 .....	\$	39,991,374
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43 As a condition of receiving an appropriation in  
44 this lettered paragraph, the department of corrections  
45 shall operate the John Bennett facility either as an  
46 institution of the department or a community-based  
47 correctional facility.

48 b. For the operation of the Anamosa correctional  
49 facility, including salaries, support, maintenance, and  
50 miscellaneous purposes:

1 ..... \$ 30,416,461

2 As a condition of receiving the appropriation in  
3 this lettered paragraph, the department of corrections  
4 shall employ two part-time registered nurses at the  
5 Luster Heights facility, and shall seek volunteer  
6 licensed medical personnel to serve at the facility.

7 It is the intent of the general assembly that the  
8 department of corrections fully operate the Luster  
9 Heights facility at the facility's 88-bed capacity.

10 As a condition of the moneys appropriated in this  
11 lettered paragraph, the department of corrections shall  
12 replace expired federal funding by expending at least  
13 \$238,252 for continuation of a treatment program that  
14 prepares offenders for ongoing therapeutic treatment  
15 programs offered by the department and maintaining at  
16 least 4.75 FTEs for the program.

17 Moneys appropriated in this lettered paragraph shall  
18 provide for one full-time substance abuse counselor  
19 for the Luster Heights facility for the purpose of  
20 certification of a substance abuse program at that  
21 facility.

22 c. For the operation of the Oakdale correctional  
23 facility, including salaries, support, maintenance, and  
24 miscellaneous purposes:

25 ..... \$ 55,755,246

26 d. For the operation of the Newton correctional  
27 facility, including salaries, support, maintenance, and  
28 miscellaneous purposes:

29 ..... \$ 26,452,257

30 e. For the operation of the Mt. Pleasant  
31 correctional facility, including salaries, support,  
32 maintenance, and miscellaneous purposes:

33 ..... \$ 26,265,257

34 f. For the operation of the Rockwell City  
35 correctional facility, including salaries, support,  
36 maintenance, and miscellaneous purposes:

37 ..... \$ 9,324,565

38 g. For the operation of the Clarinda correctional  
39 facility, including salaries, support, maintenance, and  
40 miscellaneous purposes:

41 ..... \$ 23,645,033

42 Moneys received by the department of corrections as  
43 reimbursement for services provided to the Clarinda  
44 youth corporation are appropriated to the department  
45 and shall be used for the purpose of operating the  
46 Clarinda correctional facility.

47 h. For the operation of the Mitchellville  
48 correctional facility, including salaries, support,  
49 maintenance, and miscellaneous purposes:

50 ..... \$ 15,486,586

1 i. For the operation of the Fort Dodge correctional  
2 facility, including salaries, support, maintenance, and  
3 miscellaneous purposes:

4 ..... \$ 29,020,235

5 j. For reimbursement of counties for temporary  
6 confinement of work release and parole violators, as  
7 provided in sections 901.7, 904.908, and 906.17, and  
8 for offenders confined pursuant to section 904.513:

9 ..... \$ 775,092

10 k. For federal prison reimbursement, reimbursements  
11 for out-of-state placements, and miscellaneous  
12 contracts:

13 ..... \$ 239,411

14 2. The department of corrections shall use moneys  
15 appropriated in subsection 1 to continue to contract  
16 for the services of a Muslim imam.

17 Sec. 4. DEPARTMENT OF CORRECTIONS --  
18 ADMINISTRATION.

19 1. There is appropriated from the general fund of  
20 the state to the department of corrections for the  
21 fiscal year beginning July 1, 2010, and ending June 30,  
22 2011, the following amounts, or so much thereof as is  
23 necessary, to be used for the purposes designated:

24 a. For general administration, including salaries,  
25 support, maintenance, employment of an education  
26 director to administer a centralized education  
27 program for the correctional system, and miscellaneous  
28 purposes:  
29 ..... \$ 4,254,068

30 (1) It is the intent of the general assembly  
31 that as a condition of receiving the appropriation  
32 provided in this lettered paragraph the department of  
33 corrections shall not, except as otherwise provided in  
34 subparagraph (3), enter into a new contract, unless  
35 the contract is a renewal of an existing contract,  
36 for the expenditure of moneys in excess of \$100,000  
37 during the fiscal year beginning July 1, 2010, for the  
38 privatization of services performed by the department  
39 using state employees as of July 1, 2010, or for the  
40 privatization of new services by the department without  
41 prior consultation with any applicable state employee  
42 organization affected by the proposed new contract and  
43 prior notification of the co-chairpersons and ranking  
44 members of the joint appropriations subcommittee on the  
45 justice system.

46 (2) It is the intent of the general assembly  
47 that each lease negotiated by the department of  
48 corrections with a private corporation for the purpose  
49 of providing private industry employment of inmates in  
50 a correctional institution shall prohibit the private

1 corporation from utilizing inmate labor for partisan  
2 political purposes for any person seeking election to  
3 public office in this state and that a violation of  
4 this requirement shall result in a termination of the  
5 lease agreement.

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

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

20 ..... \$ 1,558,109

21 As a condition of receiving the appropriation in  
22 this lettered paragraph, the department of corrections  
23 shall transfer at least \$300,000 from the canteen  
24 operating funds established pursuant to section 904.310  
25 to be used for correctional educational programs funded  
26 in this lettered paragraph.

27 It is the intent of the general assembly that moneys  
28 appropriated in this lettered paragraph shall be used  
29 solely for the purpose indicated and that the moneys  
30 shall not be transferred for any other purpose. In  
31 addition, it is the intent of the general assembly  
32 that the department shall consult with the community  
33 colleges in the areas in which the institutions are  
34 located to utilize moneys appropriated in this lettered  
35 paragraph to fund the high school completion, high  
36 school equivalency diploma, adult literacy, and adult  
37 basic education programs in a manner so as to maintain  
38 these programs at the institutions.

39 To maximize the funding for educational programs,  
40 the department shall establish guidelines and  
41 procedures to prioritize the availability of  
42 educational and vocational training for inmates based  
43 upon the goal of facilitating an inmate's successful  
44 release from the correctional institution.

45 The director of the department of corrections may  
46 transfer moneys from Iowa prison industries for use in  
47 educational programs for inmates.

48 Notwithstanding section 8.33, moneys appropriated  
49 in this lettered paragraph that remain unobligated or  
50 unexpended at the close of the fiscal year shall not

1 revert but shall remain available for expenditure only  
2 for the purpose designated in this lettered paragraph  
3 until the close of the succeeding fiscal year.

4 c. For the development of the Iowa corrections  
5 offender network (ICON) data system:

6 ..... \$ 424,364

7 d. For offender mental health and substance abuse  
8 treatment:

9 ..... \$ 22,319

10 e. For viral hepatitis prevention and treatment:

11 ..... \$ 167,881

12 2. It is the intent of the general assembly  
13 that the department of corrections shall continue  
14 to operate the correctional farms under the control  
15 of the department at the same or greater level  
16 of participation and involvement as existed as  
17 of June 30, 2011; shall not enter into any rental  
18 agreement or contract concerning any farmland under  
19 the control of the department that is not subject  
20 to a rental agreement or contract as of January 1,  
21 2010, without prior legislative approval; and shall  
22 further attempt to provide job opportunities at the  
23 farms for inmates. The department shall attempt to  
24 provide job opportunities at the farms for inmates  
25 by encouraging labor-intensive farming or gardening  
26 where appropriate; using inmates to grow produce  
27 and meat for institutional consumption; researching  
28 the possibility of instituting food canning and  
29 cook-and-chill operations; and exploring opportunities  
30 for organic farming and gardening, livestock ventures,  
31 horticulture, and specialized crops.

32 3. The department of corrections shall provide a  
33 smoking cessation program to offenders committed to the  
34 custody of the director or who are otherwise detained  
35 by the department, that complies with legislation  
36 enacted restricting or prohibiting smoking on the  
37 grounds of correctional institutions.

38 4. As a condition of receiving the appropriations  
39 made in this section, the department of corrections  
40 shall develop and implement offender reentry programs  
41 in Black Hawk and Polk counties to provide transitional  
42 planning and release primarily for offenders released  
43 from the Iowa correctional institution for women  
44 at Mitchellville and the Fort Dodge correctional  
45 facility. Programming shall include minority and  
46 gender-specific responsivity, employment, substance  
47 abuse treatment, mental health services, housing, and  
48 family reintegration. The department of corrections  
49 shall collaborate with the first and fifth judicial  
50 district departments of correctional services, the Iowa

1 department of workforce development, the department  
2 of human services, community-based providers and  
3 faith-based organizations, and local law enforcement.

4 5. The chief security officer position within the  
5 department of corrections shall be eliminated by the  
6 effective date of this subsection.

7 6. The department shall place inmates at the Luster  
8 Heights facility who have been approved by the board  
9 of parole for work release but who are expected to be  
10 waiting in prison for at least four months for a bed  
11 to become available at a community-based correctional  
12 facility, unless the placement would dislodge an inmate  
13 receiving substance abuse treatment.

14 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF  
15 CORRECTIONAL SERVICES.

16 1. There is appropriated from the general fund of  
17 the state to the department of corrections for the  
18 fiscal year beginning July 1, 2010, and ending June  
19 30, 2011, for salaries, support, maintenance, and  
20 miscellaneous purposes, the following amounts, or  
21 so much thereof as is necessary, to be allocated as  
22 follows:

23 a. For the first judicial district department of  
24 correctional services:  
25 ..... \$ 12,453,082

26 As a condition of the moneys appropriated in this  
27 lettered paragraph, the department of corrections shall  
28 replace expired federal funding by expending at least  
29 \$140,000 for the dual diagnosis program and maintaining  
30 1.25 FTEs for the program.

31 b. For the second judicial district department of  
32 correctional services:  
33 ..... \$ 10,770,616

34 c. For the third judicial district department of  
35 correctional services:  
36 ..... \$ 5,715,578

37 d. For the fourth judicial district department of  
38 correctional services:  
39 ..... \$ 5,522,416

40 e. For the fifth judicial district department of  
41 correctional services, including funding for electronic  
42 monitoring devices for use on a statewide basis:  
43 ..... \$ 18,938,081

44 As a condition of receiving the appropriation in  
45 this lettered paragraph, the fifth judicial district  
46 department of correctional services shall reinstate  
47 67 beds in buildings 65 and 66 at the Fort Des Moines  
48 facility and resume operating the buildings, in  
49 addition to maintaining the 199 beds in buildings 68  
50 and 70 at the Fort Des Moines facility. The district

1 department may use inmate labor to upgrade and renovate  
2 the buildings, if renovation and updating are required.

3 f. For the sixth judicial district department of  
4 correctional services:

5 ..... \$ 13,030,356

6 g. For the seventh judicial district department of  
7 correctional services:

8 ..... \$ 6,846,560

9 h. For the eighth judicial district department of  
10 correctional services:

11 ..... \$ 6,935,622

12 2. Each judicial district department of  
13 correctional services, within the funding available,  
14 shall continue programs and plans established within  
15 that district to provide for intensive supervision, sex  
16 offender treatment, diversion of low-risk offenders  
17 to the least restrictive sanction available, job  
18 development, and expanded use of intermediate criminal  
19 sanctions.

20 3. Each judicial district department of  
21 correctional services shall provide alternatives to  
22 prison consistent with chapter 901B. The alternatives  
23 to prison shall ensure public safety while providing  
24 maximum rehabilitation to the offender. A judicial  
25 district department of correctional services may also  
26 establish a day program.

27 4. The governor's office of drug control policy  
28 shall consider federal grants made to the department  
29 of corrections for the benefit of each of the eight  
30 judicial district departments of correctional services  
31 as local government grants, as defined pursuant to  
32 federal regulations.

33 5. The department of corrections shall continue  
34 to contract with a judicial district department  
35 of correctional services to provide for the rental  
36 of electronic monitoring equipment which shall be  
37 available statewide.

38 6. A judicial district department of correctional  
39 services shall accept into the facilities of the  
40 district department, offenders assigned from other  
41 judicial district departments of correctional services.

42 Sec. 6. DEPARTMENT OF CORRECTIONS -- REALLOCATION  
43 OF APPROPRIATIONS. Notwithstanding section 8.39,  
44 within the moneys appropriated in this Act to the  
45 department of corrections, the department may  
46 reallocate the moneys appropriated and allocated as  
47 necessary to best fulfill the needs of the correctional  
48 institutions, administration of the department, and the  
49 judicial district departments of correctional services.  
50 However, in addition to complying with the requirements

1 of sections 904.116 and 905.8 and providing notice to  
2 the legislative services agency, the department of  
3 corrections shall also provide notice to the department  
4 of management, prior to the effective date of the  
5 revision or reallocation of an appropriation made  
6 pursuant to this section. The department shall not  
7 reallocate an appropriation or allocation for the  
8 purpose of eliminating any program.

9 Sec. 7. INTENT -- REPORTS.

10 1. The department in cooperation with townships,  
11 the Iowa cemetery associations, and other nonprofit  
12 or governmental entities may use inmate labor during  
13 the fiscal year beginning July 1, 2010, to restore or  
14 preserve rural cemeteries and historical landmarks.  
15 The department in cooperation with the counties may  
16 also use inmate labor to clean up roads, major water  
17 sources, and other water sources around the state.

18 2. Each month the department shall provide a  
19 status report regarding private-sector employment to  
20 the legislative services agency beginning on July 1,  
21 2010. The report shall include the number of offenders  
22 employed in the private sector, the combined number of  
23 hours worked by the offenders, and the total amount of  
24 allowances, and the distribution of allowances pursuant  
25 to section 904.702, including any moneys deposited in  
26 the general fund of the state.

27 Sec. 8. ELECTRONIC MONITORING REPORT. The  
28 department of corrections shall submit a report on  
29 electronic monitoring to the general assembly, to the  
30 co-chairpersons and the ranking members of the joint  
31 appropriations subcommittee on the justice system, and  
32 to the legislative services agency by January 15, 2011.  
33 The report shall specifically address the number of  
34 persons being electronically monitored and break down  
35 the number of persons being electronically monitored  
36 by offense committed. The report shall also include a  
37 comparison of any data from the prior fiscal year with  
38 the current year.

39 Sec. 9. STATE AGENCY PURCHASES FROM PRISON  
40 INDUSTRIES.

41 1. As used in this section, unless the context  
42 otherwise requires, "state agency" means the government  
43 of the state of Iowa, including but not limited to  
44 all executive branch departments, agencies, boards,  
45 bureaus, and commissions, the judicial branch,  
46 the general assembly and all legislative agencies,  
47 institutions within the purview of the state board of  
48 regents, and any corporation whose primary function is  
49 to act as an instrumentality of the state.

50 2. State agencies are hereby encouraged to purchase

1 products from Iowa state industries, as defined in  
2 section 904.802, when purchases are required and the  
3 products are available from Iowa state industries.  
4 State agencies shall obtain bids from Iowa state  
5 industries for purchases of office furniture during the  
6 fiscal year beginning July 1, 2010, exceeding \$5,000  
7 or in accordance with applicable administrative rules  
8 related to purchases for the agency.

9 Sec. 10. STATE PUBLIC DEFENDER. There is  
10 appropriated from the general fund of the state to the  
11 office of the state public defender of the department  
12 of inspections and appeals for the fiscal year  
13 beginning July 1, 2010, and ending June 30, 2011, the  
14 following amounts, or so much thereof as is necessary,  
15 to be allocated as follows for the purposes designated:

16 1. For salaries, support, maintenance,  
17 miscellaneous purposes, and for not more than the  
18 following full-time equivalent positions:

19 ..... \$ 21,743,182  
20 ..... FTEs 203.00

21 2. For the fees of court-appointed attorneys for  
22 indigent adults and juveniles, in accordance with  
23 section 232.141 and chapter 815:

24 ..... \$ 15,680,929

25 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

26 1. There is appropriated from the general fund of  
27 the state to the Iowa law enforcement academy for the  
28 fiscal year beginning July 1, 2010, and ending June 30,  
29 2011, the following amount, or so much thereof as is  
30 necessary, to be used for the purposes designated:

31 For salaries, support, maintenance, miscellaneous  
32 purposes, including jailer training and technical  
33 assistance, and for not more than the following  
34 full-time equivalent positions:

35 ..... \$ 1,049,430  
36 ..... FTEs 30.55

37 It is the intent of the general assembly that the  
38 Iowa law enforcement academy may provide training of  
39 state and local law enforcement personnel concerning  
40 the recognition of and response to persons with  
41 Alzheimer's disease.

42 The Iowa law enforcement academy may temporarily  
43 exceed and draw more than the amount appropriated and  
44 incur a negative cash balance as long as there are  
45 receivables equal to or greater than the negative  
46 balance and the amount appropriated in this subsection  
47 is not exceeded at the close of the fiscal year.

48 2. The Iowa law enforcement academy may select  
49 at least five automobiles of the department of public  
50 safety, division of state patrol, prior to turning over

1 the automobiles to the department of administrative  
2 services to be disposed of by public auction, and  
3 the Iowa law enforcement academy may exchange any  
4 automobile owned by the academy for each automobile  
5 selected if the selected automobile is used in training  
6 law enforcement officers at the academy. However,  
7 any automobile exchanged by the academy shall be  
8 substituted for the selected vehicle of the department  
9 of public safety and sold by public auction with the  
10 receipts being deposited in the depreciation fund to  
11 the credit of the department of public safety, division  
12 of state patrol.

13 Sec. 12. BOARD OF PAROLE. There is appropriated  
14 from the general fund of the state to the board of  
15 parole for the fiscal year beginning July 1, 2010, and  
16 ending June 30, 2011, the following amount, or so much  
17 thereof as is necessary, to be used for the purposes  
18 designated:

19 For salaries, support, maintenance, miscellaneous  
20 purposes, and for not more than the following full-time  
21 equivalent positions:  
22 ..... \$ 1,045,259  
23 ..... FTEs 13.50

24 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is  
25 appropriated from the general fund of the state to  
26 the department of public defense for the fiscal year  
27 beginning July 1, 2010, and ending June 30, 2011, the  
28 following amounts, or so much thereof as is necessary,  
29 to be used for the purposes designated:

30 1. MILITARY DIVISION

31 For salaries, support, maintenance, miscellaneous  
32 purposes, and for not more than the following full-time  
33 equivalent positions:  
34 ..... \$ 6,249,201  
35 ..... FTEs 324.00

36 The military division may temporarily exceed and  
37 draw more than the amount appropriated and incur a  
38 negative cash balance as long as there are receivables  
39 of federal funds equal to or greater than the negative  
40 balance and the amount appropriated in this subsection  
41 is not exceeded at the close of the fiscal year.

42 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
43 DIVISION

44 For salaries, support, maintenance, miscellaneous  
45 purposes, and for not more than the following full-time  
46 equivalent positions:  
47 ..... \$ 2,038,119  
48 ..... FTEs 33.00

49 The homeland security and emergency management  
50 division may temporarily exceed and draw more than the

1 amount appropriated and incur a negative cash balance  
2 as long as there are receivables of federal funds equal  
3 to or greater than the negative balance and the amount  
4 appropriated in this subsection is not exceeded at the  
5 close of the fiscal year.

6 It is the intent of the general assembly that the  
7 homeland security and emergency management division  
8 work in conjunction with the department of public  
9 safety, to the extent possible, when gathering and  
10 analyzing information related to potential domestic  
11 or foreign security threats, and when monitoring such  
12 threats.

13 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is  
14 appropriated from the general fund of the state to  
15 the department of public safety for the fiscal year  
16 beginning July 1, 2010, and ending June 30, 2011, the  
17 following amounts, or so much thereof as is necessary,  
18 to be used for the purposes designated:

19	1. For the department's administrative functions,	
20	including the criminal justice information system, and	
21	for not more than the following full-time equivalent	
22	positions:	
23	.....	\$ 4,134,461
24	..... FTEs	36.00

25	2. For the division of criminal investigation,	
26	including the state's contribution to the peace	
27	officers' retirement, accident, and disability system	
28	provided in chapter 97A in the amount of the state's	
29	normal contribution rate, as defined in section	
30	97A.8, multiplied by the salaries for which the	
31	funds are appropriated, to meet federal fund matching	
32	requirements, and for not more than the following	
33	full-time equivalent positions:	
34	.....	\$ 12,861,710
35	..... FTEs	162.10

36 If any of the Indian tribes fail to pay for 1.00 FTE  
37 pursuant to the agreements or compacts entered into  
38 between the state and the Indian tribes pursuant to  
39 section 10A.104, subsection 10, the number of full-time  
40 equivalent positions authorized under this subsection  
41 is reduced by 1.00 FTE.

42 The department shall employ one additional special  
43 agent and one additional criminalist for the purpose  
44 of investigating cold cases. Prior to employing the  
45 additional special agent and criminalist authorized  
46 in this paragraph, the department shall provide a  
47 written statement to prospective employees that states  
48 to the effect that the positions are being funded by  
49 a temporary federal grant and there are no assurances  
50 that funds from other sources will be available after

1 the federal funding expires. If the federal funding  
2 for the additional positions expires during the fiscal  
3 year, the number of full-time equivalent positions  
4 authorized in this subsection is reduced by 2.00 FTEs.

5 The department of public safety, with the approval  
6 of the department of management, may employ no more  
7 than two special agents and four gaming enforcement  
8 officers for each additional riverboat or gambling  
9 structure regulated after July 1, 2010, and one  
10 special agent for each racing facility which becomes  
11 operational during the fiscal year which begins July  
12 1, 2010. One additional gaming enforcement officer,  
13 up to a total of four per riverboat or gambling  
14 structure, may be employed for each riverboat or  
15 gambling structure that has extended operations to 24  
16 hours and has not previously operated with a 24-hour  
17 schedule. Positions authorized in this paragraph are  
18 in addition to the full-time equivalent positions  
19 otherwise authorized in this subsection.

20 3. For the criminalistics laboratory fund created  
21 in section 691.9:

22 ..... \$ 302,345

23 4. a. For the division of narcotics enforcement,  
24 including the state's contribution to the peace  
25 officers' retirement, accident, and disability system  
26 provided in chapter 97A in the amount of the state's  
27 normal contribution rate, as defined in section  
28 97A.8, multiplied by the salaries for which the  
29 funds are appropriated, to meet federal fund matching  
30 requirements, and for not more than the following  
31 full-time equivalent positions:

32 ..... \$ 6,507,048  
33 ..... FTEs 75.00

34 b. For the division of narcotics enforcement for  
35 undercover purchases:

36 ..... \$ 109,042

37 5. For the division of state fire marshal, for fire  
38 protection services as provided through the state fire  
39 service and emergency response council as created in  
40 the department, and for the state's contribution to the  
41 peace officers' retirement, accident, and disability  
42 system provided in chapter 97A in the amount of the  
43 state's normal contribution rate, as defined in section  
44 97A.8, multiplied by the salaries for which the funds  
45 are appropriated, and for not more than the following  
46 full-time equivalent positions:

47 ..... \$ 4,343,896  
48 ..... FTEs 57.00

49 6. For the division of state patrol, for salaries,  
50 support, maintenance, workers' compensation costs,

1 and miscellaneous purposes, including the state's  
2 contribution to the peace officers' retirement,  
3 accident, and disability system provided in chapter 97A  
4 in the amount of the state's normal contribution rate,  
5 as defined in section 97A.8, multiplied by the salaries  
6 for which the funds are appropriated, and for not more  
7 than the following full-time equivalent positions:

8 .....	\$ 48,984,147
9 .....	FTEs 503.00

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

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

18 .....	\$ 279,517
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19 8. For costs associated with the training and  
20 equipment needs of volunteer fire fighters:

21 .....	\$ 612,255
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22 Notwithstanding section 8.33, moneys appropriated in  
23 this subsection that remain unencumbered or unobligated  
24 at the close of the fiscal year shall not revert but  
25 shall remain available for expenditure only for the  
26 purpose designated in this subsection until the close  
27 of the succeeding fiscal year.

28 Notwithstanding section 8.39, within the moneys  
29 appropriated in this section the department of public  
30 safety may reallocate moneys as necessary to best  
31 fulfill the needs provided for in the appropriation.  
32 However, the department shall not reallocate an  
33 appropriation made to the department in this section  
34 unless notice of the reallocation is given to the  
35 legislative services agency and the department  
36 of management prior to the effective date of the  
37 reallocation. The notice shall include information  
38 about the rationale for reallocating the appropriation.  
39 The department shall not reallocate an appropriation  
40 made in this section for the purpose of eliminating any  
41 program.

42 Sec. 15. GAMING ENFORCEMENT. There is appropriated  
43 from the gaming enforcement revolving fund created in  
44 section 80.43 to the department of public safety for  
45 the fiscal year beginning July 1, 2010, and ending June  
46 30, 2011, the following amount, or so much thereof as  
47 is necessary, to be used for the purposes designated:

48 For any direct and indirect support costs for  
49 agents and officers of the division of criminal  
50 investigation's excursion gambling boat, gambling

1 structure, and racetrack enclosure enforcement  
 2 activities, including salaries, support, maintenance,  
 3 miscellaneous purposes, and for not more than the  
 4 following full-time equivalent positions:  
 5 ..... \$ 8,851,775  
 6 ..... FTEs 115.00

7 However, for each additional license to conduct  
 8 gambling games on an excursion gambling boat, gambling  
 9 structure, or racetrack enclosure issued during the  
 10 period beginning July 1, 2009, through June 30, 2011,  
 11 there is appropriated from the gaming enforcement fund  
 12 to the department of public safety for the fiscal year  
 13 beginning July 1, 2010, and ending June 30, 2011, an  
 14 additional amount of not more than \$521,000 to be used  
 15 for not more than 6.00 additional full-time equivalent  
 16 positions.

17 Sec. 16. CIVIL RIGHTS COMMISSION. There is  
 18 appropriated from the general fund of the state to the  
 19 Iowa state civil rights commission for the fiscal year  
 20 beginning July 1, 2010, and ending June 30, 2011, the  
 21 following amount, or so much thereof as is necessary,  
 22 to be used for the purposes designated:

23 For salaries, support, maintenance, miscellaneous  
 24 purposes, and for not more than the following full-time  
 25 equivalent positions:  
 26 ..... \$ 1,379,861  
 27 ..... FTEs 29.50

28 The Iowa state civil rights commission may enter  
 29 into a contract with a nonprofit organization to  
 30 provide legal assistance to resolve civil rights  
 31 complaints.

32 Sec. 17. EFFECTIVE UPON ENACTMENT. The provision  
 33 of this division of this Act eliminating the chief  
 34 security officer position within the department of  
 35 corrections, being deemed of immediate importance,  
 36 takes effect upon enactment.

37 DIVISION II

38 COURT COSTS -- FINES

39 Sec. 18. Section 602.8106, subsection 1, paragraphs  
 40 a, b, d, and e, Code Supplement 2009, are amended to  
 41 read as follows:

42 a. Except as otherwise provided in paragraphs "b"  
 43 and "c", for filing and docketing a criminal case to  
 44 be paid by the county or city which has the duty to  
 45 prosecute the criminal action, payable as provided  
 46 in section 602.8109, one hundred twenty dollars.  
 47 When judgment is rendered against the defendant,  
 48 costs collected from the defendant shall be paid to  
 49 the county or city which has the duty to prosecute  
 50 the criminal action to the extent necessary for

1 reimbursement for fees paid. However, the fees which  
2 are payable by the county to the clerk of the district  
3 court for services rendered in criminal actions  
4 prosecuted under state law and the court costs taxed in  
5 connection with the trial of those actions or appeals  
6 from the judgments in those actions are waived.

7 b. For filing and docketing of a complaint or  
8 information for a simple misdemeanor and a complaint or  
9 information for a nonscheduled simple misdemeanor under  
10 chapter 321, ~~sixty~~ seventy dollars.

11 d. The court costs in scheduled violation cases  
12 where a court appearance is required, ~~sixty~~  
13 seventy dollars.

14 e. For court costs in scheduled violation cases  
15 where a court appearance is not required, ~~sixty~~  
16 seventy dollars.

17 Sec. 19. Section 805.8A, Code Supplement 2009, is  
18 amended to read as follows:

19 805.8A Motor vehicle and transportation scheduled  
20 violations.

21 1. Parking violations.

22 a. For parking violations under sections 321.236,  
23 321.239, 321.358, 321.360, and 321.361, the scheduled  
24 fine is five dollars, except if the local authority has  
25 established the fine by ordinance. The scheduled fine  
26 for a parking violation pursuant to section 321.236  
27 increases by five dollars, if authorized by ordinance  
28 and if the parking violation is not paid within thirty  
29 days of the date upon which the violation occurred.  
30 For purposes of calculating the unsecured appearance  
31 bond required under section 805.6, the scheduled fine  
32 shall be five dollars, or if the amount of the fine is  
33 greater than five dollars, the unsecured appearance  
34 bond shall be the amount of the fine established by  
35 the local authority. However, violations charged  
36 by a city or county upon simple notice of a fine  
37 instead of a uniform citation and complaint required  
38 by section 321.236, subsection 1, paragraph "b", are  
39 not scheduled violations, and this section shall not  
40 apply to any offense charged in that manner. For a  
41 parking violation under section ~~321.362~~ or 461A.38, the  
42 scheduled fine is ten dollars. For parking violations  
43 under section 321.362, the scheduled fine is twenty  
44 dollars.

45 b. For a parking violation under section 321L.2A,  
46 subsection 2, the scheduled fine is twenty dollars.

47 c. For violations under section 321L.2A, subsection  
48 3, sections 321L.3, 321L.4, subsection 2, and section  
49 321L.7, the scheduled fine is one hundred ten dollars.

50 2. Title or registration violations.

1 a. For violations under sections 321.32, 321.34,  
2 321.37, 321.38, and 321.41, the scheduled fine is  
3 ~~ten~~ twenty dollars.

4 b. (1) For violations under sections 321.115 and  
5 321.115A, the scheduled fine is thirty dollars.

6 (2) For violations under sections 321.17, 321.47,  
7 321.55, and 321.98, ~~321.115, and 321.115A,~~ the  
8 scheduled fine is ~~thirty~~ forty dollars.

9 c. For violations under sections 321.25, 321.45,  
10 321.46, 321.48, 321.52, 321.57, 321.62, 321.67, and  
11 321.104, the scheduled fine is ~~fifty~~ sixty dollars.

12 d. For a violation under section 321.99, the  
13 scheduled fine is one hundred ten dollars.

14 3. Equipment violations.

15 a. For violations under sections 321.317,  
16 321.386, 321.387, 321.388, 321.389, 321.390, 321.392,  
17 321.393, 321.422, 321.432, 321.436, 321.439, 321.440,  
18 321.441, 321.442, and 321.444, the scheduled fine is  
19 ~~ten~~ twenty dollars.

20 b. For improperly used or nonused, or defective or  
21 improper equipment, other than brakes, driving lights  
22 and brake lights, under section 321.437, the scheduled  
23 fine is ~~ten~~ twenty dollars.

24 c. For violations under sections 321.382, and  
25 321.404A, and ~~321.438,~~ the scheduled fine is  
26 fifteen twenty-five dollars.

27 d. For violations of sections 321.383, 321.384,  
28 321.385, 321.398, 321.402, 321.403, 321.404, 321.409,  
29 321.415, 321.419, 321.420, 321.421, 321.423, and  
30 321.433, the scheduled fine is ~~twenty~~ thirty dollars.

31 e. For a violation of section 321.430, the  
32 scheduled fine is ~~thirty-five~~ forty-five dollars.

33 f. (1) For violations under section 321.234A and  
34 321.438, the scheduled fine is fifty dollars.

35 (2) For violations under sections  
36 ~~321.234A,~~ 321.247, 321.381, and 321.381A, the scheduled  
37 fine is ~~fifty~~ sixty dollars.

38 4. Driver's license violations.

39 a. For violations under sections 321.174A, 321.180,  
40 321.180B, 321.193, and 321.194, the scheduled fine is  
41 ~~thirty~~ forty dollars.

42 b. For a violation of section 321.216, the  
43 scheduled fine is ~~seventy-five~~ eighty-five dollars.

44 c. For violations under sections 321.174, 321.216B,  
45 321.216C, 321.219, and 321.220, the scheduled fine is  
46 one hundred ten dollars.

47 5. Speed violations.

48 a. For excessive speed violations in excess of the  
49 limit under section 321.236, subsections 5 and 11,  
50 sections 321.285, and 461A.36, the scheduled fine shall

1 be the following:

2 (1) ~~Ten~~ Twenty dollars for speed not more than five  
3 miles per hour in excess of the limit.

4 (2) ~~Twenty~~ Forty dollars for speed greater than  
5 five but not more than ten miles per hour in excess of  
6 the limit.

7 (3) ~~Thirty~~ Fifty dollars for speed greater than ten  
8 but not more than fifteen miles per hour in excess of  
9 the limit.

10 (4) ~~Forty~~ Sixty dollars for speed greater than  
11 fifteen but not more than twenty miles per hour in  
12 excess of the limit.

13 (5) ~~Forty~~ Sixty dollars plus two dollars for each  
14 mile per hour of excessive speed over twenty miles per  
15 hour over the limit.

16 b. Notwithstanding paragraph "a", for excessive  
17 speed violations in speed zones greater than fifty-five  
18 miles per hour, the scheduled fine shall be:

19 (1) ~~Twenty~~ Thirty dollars for speed not more than  
20 five miles per hour in excess of the limit.

21 (2) ~~Forty~~ Sixty dollars for speed greater than five  
22 but not more than ten miles per hour in excess of the  
23 limit.

24 (3) ~~Sixty~~ Eighty dollars for speed greater than ten  
25 but not more than fifteen miles per hour in excess of  
26 the limit.

27 (4) ~~Eighty~~ One hundred dollars for speed greater  
28 than fifteen but not more than twenty miles per hour in  
29 excess of the limit.

30 (5) ~~Ninety~~ One hundred ten dollars plus five  
31 dollars for each mile per hour of excessive speed over  
32 twenty miles per hour over the limit.

33 c. Excessive speed in whatever amount by a school  
34 bus is not a scheduled violation under any section  
35 listed in this subsection.

36 d. Excessive speed in conjunction with a violation  
37 of section 321.278 is not a scheduled violation,  
38 whatever the amount of excess speed.

39 e. For a violation under section 321.295, the  
40 scheduled fine is ~~thirty~~ forty dollars.

41 6. Operating violations.

42 a. For a violation under section 321.236,  
43 subsections 3, 4, 9, and 12, the scheduled fine is  
44 twenty dollars.

45 b. For violations under section 321.275,  
46 subsections 1 through 7, sections ~~321.277A~~, 321.315,  
47 321.316, 321.318, 321.363, and 321.365, the scheduled  
48 fine is ~~twenty five~~ thirty-five dollars.

49 c. (1) For violations under sections ~~321.288~~,  
50 ~~321.297~~, ~~321.299~~, ~~321.303~~, ~~321.304~~, subsections

1 ~~1 and 2, sections 321.305, 321.306, 321.311,~~  
2 ~~321.312, 321.314, 321.323, 321.340, 321.353,~~  
3 ~~321.354, and 321.395, the scheduled fine is~~  
4 ~~thirty-five~~ forty-five dollars.

5 (2) For violations under sections 321.277A,  
6 321.297, 321.299, 321.303, 321.304, subsections 1 and  
7 2, 321.305, 321.312, and 321.320, the scheduled fine is  
8 seventy-five dollars.

9 (3) For violations under section 321.288, the  
10 scheduled fine is one hundred dollars.

11 d. For violations under sections 321.302 and  
12 321.366, the scheduled fine is ~~fifty~~ sixty dollars.

13 7. Failure to yield or obey violations.

14 a. ~~For a violation by an operator of a motor~~  
15 ~~vehicle under section 321.257, subsection 2, the~~  
16 ~~scheduled fine is thirty-five dollars.~~

17 ~~b.~~ a. For violations under sections  
18 321.298, 321.307, 321.308, 321.313, 321.319, 321.320,  
19 321.321, 321.327, 321.329, and 321.333, the scheduled  
20 fine is thirty-five forty-five dollars.

21 b. For a violation under section 321.321, the  
22 scheduled fine is fifty dollars.

23 c. For violations under sections 321.298 and  
24 321.320, the scheduled fine is seventy-five dollars.

25 d. For a violation by an operator of a motor  
26 vehicle under section 321.257, subsection 2, the  
27 scheduled fine is seventy-five dollars.

28 8. Traffic sign or signal violations.

29 a. For violations under section 321.236,  
30 subsections 2 and 6, ~~sections 321.256, 321.294,~~  
31 ~~321.304, subsection 3, and section 321.322, the~~  
32 ~~scheduled fine is thirty-five dollars.~~

33 b. For a violation under section 321.294, the  
34 scheduled fine is forty-five dollars.

35 c. For violations of sections 321.256, 321.304,  
36 subsection 3, and 321.322, the scheduled fine is  
37 seventy-five dollars.

38 9. Bicycle or pedestrian violations.

39 a. For violations by a pedestrian or a bicyclist  
40 under ~~section 321.234, subsections 3 and 4, section~~  
41 ~~321.236, subsection 10, section 321.257, subsection~~  
42 ~~2, section 321.275, subsection 8, section 321.325,~~  
43 ~~321.326, 321.328, 321.331, 321.332, 321.397, or and~~  
44 ~~section 321.434, the scheduled fine is fifteen dollars.~~

45 b. For violations by a pedestrian or bicyclist  
46 under section 321.234, subsections 3 and 4, section  
47 321.257, subsection 2, section 321.275, subsection  
48 8, and sections 321.325, 321.326, 321.328, 321.331,  
49 321.332, and 321.397, the scheduled fine is twenty-five  
50 dollars.

1 9A. Electric personal assistive mobility device  
2 violations. For violations under section 321.235A, the  
3 scheduled fine is fifteen dollars.

4 10. School bus violations.  
5 a. For violations by an operator of a  
6 school bus under sections 321.285 and 321.372,  
7 subsections 1 and 2, the scheduled fine is  
8 ~~thirty-five~~ forty-five dollars. However, an excessive  
9 speed violation by a school bus of more than ten miles  
10 per hour in excess of the limit is not a scheduled  
11 violation.

12 b. For a violation under section 321.372,  
13 subsection 3, the scheduled fine is one hundred  
14 ten dollars.

15 11. Emergency vehicle violations.  
16 a. For violations under sections 321.231,  
17 321.367, and 321.368, the scheduled fine is  
18 ~~thirty-five~~ forty-five dollars.

19 b. For a violation under section 321.323A or  
20 321.324, the scheduled fine is ~~fifty~~ sixty dollars.

21 12. Restrictions on vehicles.  
22 a. For violations under sections 321.309, 321.310,  
23 321.394, 321.461, and 321.462, the scheduled fine is  
24 ~~twenty-five~~ thirty-five dollars.

25 b. For violations under section 321.437, the  
26 scheduled fine is ~~twenty-five~~ thirty-five dollars.

27 c. For height, length, width, and load violations  
28 under sections 321.454, 321.455, 321.456, 321.457, and  
29 321.458, the scheduled fine is one hundred ten dollars.

30 d. For violations under section 321.466, the  
31 scheduled fine is twenty dollars for each two thousand  
32 pounds or fraction thereof of overweight.

33 e. (1) Violations of the schedule of axle  
34 and tandem axle and gross or group of axle weight  
35 violations in section 321.463 shall be scheduled  
36 violations subject to the provisions, procedures, and  
37 exceptions contained in sections 805.6 through 805.11,  
38 irrespective of the amount of the fine under that  
39 schedule.

40 (a) Violations of the schedule of weight violations  
41 shall be chargeable, where the fine charged does not  
42 exceed one thousand dollars, only by uniform citation  
43 and complaint.

44 (b) Violations of the schedule of weight  
45 violations, where the fine charged exceeds one  
46 thousand dollars shall, when the violation is  
47 admitted and section 805.9 applies, be chargeable  
48 upon uniform citation and complaint, indictment, or  
49 county attorney's information, but otherwise shall be  
50 chargeable only upon indictment or county attorney's

1 information.

2 (2) In all cases of charges under the schedule of  
3 weight violations, the charge shall specify the amount  
4 of fine charged under the schedule. Where a defendant  
5 is convicted and the fine under the foregoing schedule  
6 of weight violations exceeds one thousand dollars, the  
7 conviction shall be of an indictable offense although  
8 section 805.9 is employed and whether the violation  
9 is charged upon uniform citation and complaint,  
10 indictment, or county attorney's information.

11 f. For a violation under section 321E.16, other  
12 than the provisions relating to weight, the scheduled  
13 fine is one hundred ten dollars.

14 13. Motor carrier violations.

15 a. (1) For violations under sections  
16 ~~321.54~~, 326.22, and 326.23, the scheduled fine  
17 is twenty dollars.

18 (2) For a violation under section 321.54, the  
19 scheduled fine is thirty dollars.

20 b. For a violation under section 321.449, the  
21 scheduled fine is ~~twenty five~~ fifty dollars.

22 c. (1) For violations under sections 321.364  
23 ~~321.450~~, ~~321.460~~, and 452A.52, the scheduled fine is  
24 one hundred dollars.

25 (2) For violations under sections 321.450 and  
26 321.460, the scheduled fine is one hundred ten dollars.

27 d. For violations of section 325A.3, subsection  
28 5, or section 325A.8, the scheduled fine is  
29 ~~fifty~~ sixty dollars.

30 e. For violations of chapter 325A, other than a  
31 violation of section 325A.3, subsection 5, or section  
32 325A.8, the scheduled fine is two hundred fifty  
33 dollars.

34 f. For failure to have proper carrier  
35 identification markings under section 327B.1, the  
36 scheduled fine is ~~fifty~~ sixty dollars.

37 g. For failure to have proper evidence of  
38 interstate authority carried or displayed under section  
39 327B.1, and for failure to register, carry, or display  
40 evidence that interstate authority is not required  
41 under section 327B.1, the scheduled fine is two hundred  
42 ~~fifty~~ sixty dollars.

43 14. Miscellaneous violations.

44 a. Failure to obey a peace officer. For a  
45 violation under section 321.229, the scheduled fine is  
46 ~~thirty five~~ forty-five dollars.

47 b. Abandoning a motor vehicle. For a violation  
48 under section 321.91, the scheduled fine is one hundred  
49 ten dollars.

50 c. Seat belt or restraint violations. For

1 violations under sections 321.445 and 321.446, the  
2 scheduled fine is ~~twenty-five~~ seventy-five dollars.

3 d. Litter and debris violations. For violations  
4 under sections 321.369 and 321.370, the scheduled fine  
5 is ~~seventy~~ eighty dollars.

6 e. Open container violations. For violations under  
7 sections 321.284 and 321.284A, the scheduled fine is  
8 one hundred fifty dollars.

9 f. Proof of financial responsibility. If, in  
10 connection with a motor vehicle accident, a person is  
11 charged and found guilty of a violation of section  
12 321.20B, subsection 1, the scheduled fine is five  
13 hundred dollars; otherwise, the scheduled fine for  
14 a violation of section 321.20B, subsection 1, is  
15 two hundred fifty dollars. Notwithstanding section  
16 805.12, fines collected pursuant to this paragraph  
17 shall be submitted to the state court administrator and  
18 distributed fifty percent to the victim compensation  
19 fund established in section 915.94, twenty-five percent  
20 to the county in which such fine is imposed, and  
21 twenty-five percent to the general fund of the state.

22 g. Radar-jamming devices. For a violation  
23 under section 321.232, the scheduled fine is  
24 ~~fifty~~ sixty dollars.

25 h. Railroad crossing violations.

26 (1) For violations under sections 321.341, 321.342,  
27 321.343, and 321.344, the scheduled fine is one hundred  
28 ten dollars.

29 (2) For a violation under section 321.344B, the  
30 scheduled fine is two hundred dollars.

31 i. Road work zone violations. The scheduled fine  
32 for any moving traffic violation under chapter 321,  
33 as provided in this section, shall be doubled if the  
34 violation occurs within any road work zone, as defined  
35 in section 321.1. However, notwithstanding subsection  
36 5, the scheduled fine for violating the speed limit in  
37 a road work zone is as follows:

38 (1) One hundred fifty dollars for speed not more  
39 than ten miles per hour over the posted speed limit.

40 (2) Three hundred dollars for speed greater than  
41 ten but not more than twenty miles per hour over the  
42 posted speed limit.

43 (3) Five hundred dollars for speed greater than  
44 twenty but not more than twenty-five miles per hour  
45 over the posted speed limit.

46 (4) One thousand dollars for speed greater than  
47 twenty-five miles per hour over the posted speed limit.

48 j. Vehicle component parts records violations. For  
49 violations under section 321.95, the scheduled fine is  
50 fifty dollars.

1 Sec. 20. Section 805.8C, subsection 6, paragraph a,  
2 Code Supplement 2009, is amended to read as follows:

3 a. If the violation is a first offense, the  
4 scheduled fine is one hundred ten dollars.

5 DIVISION III

6 PUBLIC SAFETY ENFORCEMENT FUND

7 Sec. 21. PUBLIC SAFETY ENFORCEMENT FUND ESTABLISHED  
8 -- TEMPORARY ALLOCATION OF FINES AND FEES.

9 1. A public safety enforcement fund is created in  
10 the state treasury under the control of the treasurer  
11 of state. Notwithstanding section 602.8108, the state  
12 court administrator shall allocate to the treasurer  
13 of state for deposit in the public safety enforcement  
14 fund the first eight million eight hundred thousand  
15 dollars of the moneys received under section 602.8108,  
16 subsection 2, during the fiscal year beginning July 1,  
17 2010, and ending June 30, 2011. Moneys deposited into  
18 the fund are appropriated to the treasurer of state for  
19 allocation as provided in subsection 2.

20 2. The treasurer of state shall allocate to the  
21 following entities the following amounts from the  
22 public safety enforcement fund for the fiscal year  
23 beginning July 1, 2010, and ending June 30, 2011:

24 a. To the department of corrections, \$502,810 and  
25 of the amount allocated in this paragraph, \$402,810  
26 shall be allocated by the department of corrections  
27 to the sixth judicial district of department of  
28 correctional services, and \$100,000 shall be  
29 allocated to the first judicial district department of  
30 correctional services.

31 b. To the department of corrections, \$2,497,190 and  
32 of the amount allocated in this paragraph, \$1,451,000  
33 shall be allocated by the department of corrections  
34 for the operation of the Fort Madison correctional  
35 facility, \$846,190 shall be allocated for the operation  
36 of the Luster Heights facility, and \$200,000 shall be  
37 allocated for the operation of the Anamosa correctional  
38 facility.

39 c. To the department of public safety, \$150,000 for  
40 costs associated with the training and equipment needs  
41 of volunteer fire fighters.

42 d. To the department of public safety, \$250,000.

43 e. To the Iowa civil rights commission, \$100,000.

44 f. To the judicial branch, \$5,300,000.

45 3. Moneys remaining in the fund at or after the  
46 close of the fiscal year shall revert to the general  
47 fund of the state.

48 4. This section is repealed June 30, 2011.

49 DIVISION IV

50 GAMING ENFORCEMENT FUND AND MISCELLANEOUS PROVISIONS

1 Sec. 22. 2010 Iowa Acts, Senate File 2088, section  
2 62, is amended to read as follows:

3 SEC. 62. COMMUNITY-BASED CORRECTIONS -- STATE  
4 ~~ACCOUNTING BUDGETING~~ SYSTEM. Each judicial district  
5 department of correctional services shall utilize the  
6 state ~~accounting budgeting~~ system for purposes of  
7 tracking both appropriations and expenditures. Each  
8 judicial district department shall coordinate its  
9 ~~accounting budgeting~~ activities with the department  
10 of management for purposes of implementing the  
11 requirements of this section.

12 Sec. 23. Section 8A.302, subsection 1, as amended  
13 by 2010 Iowa Acts, Senate File 2088, section 71, is  
14 amended to read as follows:

15 1. Providing a system of uniform standards and  
16 specifications for purchasing. When the system is  
17 developed, all items of general use shall be purchased  
18 by state agencies through the department, except items  
19 provided for under section 904.808 or items used by  
20 the state board of regents and institutions under  
21 the control of the state board of regents. However,  
22 the department may authorize the department of  
23 transportation, the department for the blind, and  
24 any other agencies otherwise exempted by law from  
25 centralized purchasing, to directly purchase items used  
26 by those agencies without going through the department,  
27 if the department of administrative services determines  
28 such purchasing is in the best interests of the state.  
29 However, items of general use may be purchased through  
30 the department by any governmental entity.

31 Sec. 24. NEW SECTION. 80.43 Gaming enforcement --  
32 revolving fund.

33 1. A gaming enforcement revolving fund is created  
34 in the state treasury under the control of the  
35 department. The fund shall consist of fees collected  
36 and deposited into the fund paid by licensees pursuant  
37 to section 99D.14, subsection 2, paragraph "b", and  
38 fees paid by licensees pursuant to section 99F.10,  
39 subsection 4, paragraph "b". All costs for agents and  
40 officers plus any direct and indirect support costs for  
41 such agents and officers of the division of criminal  
42 investigation's racetrack, excursion boat, or gambling  
43 structure enforcement activities shall be paid from  
44 the fund as provided in appropriations made for this  
45 purpose by the general assembly.

46 2. To meet the department's cash flow needs, the  
47 department may temporarily use funds from the general  
48 fund of the state to pay expenses in excess of moneys  
49 available in the revolving fund if those additional  
50 expenditures are fully reimbursable and the department

1 reimburses the general fund of the state and ensures  
2 all moneys are repaid in full by the close of the  
3 fiscal year. Because any general fund moneys used  
4 shall be fully reimbursed, such temporary use of funds  
5 from the general fund of the state shall not constitute  
6 an appropriation for purposes of calculating the state  
7 general fund expenditure limitation pursuant to section  
8 8.54.

9 3. Section 8.33 does not apply to any moneys  
10 credited or appropriated to the revolving fund from  
11 any other fund and, notwithstanding section 12C.7,  
12 subsection 2, earnings or interest on moneys deposited  
13 in the revolving fund shall be credited to the  
14 revolving fund.

15 Sec. 25. Section 99D.14, subsection 2, Code 2009,  
16 is amended to read as follows:

17 2. a. A licensee shall pay a regulatory fee to be  
18 charged as provided in this section. In determining  
19 the regulatory fee to be charged as provided under  
20 this section, the commission shall use the amount  
21 appropriated to the commission plus the cost of  
22 salaries for no more than two special agents for  
23 each racetrack that has not been issued a table games  
24 license under chapter 99F or no more than three special  
25 agents for each racetrack that has been issued a table  
26 games license under chapter 99F, plus any direct and  
27 indirect support costs for the agents, for the division  
28 of criminal investigation's racetrack activities, as  
29 the basis for determining the amount of revenue to be  
30 raised from the regulatory fee.

31 b. Notwithstanding sections 8.60 and 99D.17,  
32 the portion of the fee paid pursuant to paragraph  
33 "a" relating to the costs of special agents plus any  
34 direct and indirect support costs for the agents, for  
35 the division of criminal investigation's racetrack  
36 activities, shall not be deposited in the general  
37 fund of the state but instead shall be deposited into  
38 the gaming enforcement revolving fund established in  
39 section 80.43.

40 Sec. 26. Section 99F.10, subsection 4, Code 2009,  
41 is amended to read as follows:

42 4. a. In determining the license fees and state  
43 regulatory fees to be charged as provided under section  
44 99F.4 and this section, the commission shall use as  
45 the basis for determining the amount of revenue to be  
46 raised from the license fees and regulatory fees the  
47 amount appropriated to the commission plus the cost of  
48 salaries for no more than two special agents for each  
49 excursion gambling boat or gambling structure and no  
50 more than four gaming enforcement officers for each

1 excursion gambling boat or gambling structure with a  
2 patron capacity of less than two thousand persons or  
3 no more than five gaming enforcement officers for each  
4 excursion gambling boat or gambling structure with  
5 a patron capacity of at least two thousand persons,  
6 plus any direct and indirect support costs for the  
7 agents and officers, for the division of criminal  
8 investigation's excursion gambling boat or gambling  
9 structure activities.

10 b. Notwithstanding sections 8.60 and 99F.4,  
11 the portion of the fee paid pursuant to paragraph  
12 "a" relating to the costs of special agents and  
13 officers plus any direct and indirect support costs  
14 for the agents and officers, for the division of  
15 criminal investigation's excursion gambling boat or  
16 gambling structure activities, shall not be deposited  
17 in the general fund of the state but instead shall be  
18 deposited into the gaming enforcement revolving fund  
19 established in section 80.43.

20 Sec. 27. Section 809A.17, subsection 5, Code 2009,  
21 is amended by adding the following new paragraph:

22 NEW PARAGRAPH. e. If the forfeited property is  
23 cash or proceeds from the sale of real property the  
24 distribution of the forfeited property shall be as  
25 follows:

26 (1) The department of justice shall not retain more  
27 than ten percent of the gross sale of any forfeited  
28 real property. The balance of the proceeds shall be  
29 distributed to the seizing agency for use by the agency  
30 or for division among law enforcement agencies and  
31 county attorneys pursuant to any agreement entered into  
32 by the seizing agency.

33 (2) The department of justice shall not retain more  
34 than ten percent of any forfeited cash. The balance  
35 shall be distributed to the seizing agency for use  
36 by the agency or for division among law enforcement  
37 agencies and county attorneys pursuant to any agreement  
38 entered into by the seizing agency.

39 (3) In the event of a cash forfeiture in excess  
40 of four hundred thousand dollars the distribution of  
41 forfeited cash shall be as follows:

42 (a) Forty-five percent shall be retained by the  
43 seizing agency.

44 (b) Forty-five percent shall be distributed to  
45 other law enforcement agencies within the region of the  
46 seizing agency.

47 (c) Ten percent shall be retained by the department  
48 of justice.

49 Sec. 28. Section 904.315, subsection 2, Code  
50 Supplement 2009, is amended to read as follows:

1 2. A contract is not required for improvements at  
2 a state institution where the labor of inmates is to  
3 be used if the contract is not for a construction,  
4 reconstruction, demolition, or repair project or  
5 improvement with an estimated cost in excess of  
6 ~~fifty one hundred~~ thousand dollars.

7 Sec. 29. Section 904A.4B, Code 2009, is amended to  
8 read as follows:

9 904A.4B Executive director of the board of parole --  
10 duties.

11 1. The chief administrative officer of the board  
12 of parole shall be the executive director, except as  
13 provided in subsection 2. The executive director  
14 shall be appointed by the chairperson, subject to the  
15 approval of the board and shall serve at the pleasure  
16 of the board. The executive director shall do all of  
17 the following:

18 ~~1.~~ a. Advise the board on matters relating to  
19 parole, work release, and executive clemency, and  
20 advise the board on matters involving automation and  
21 word processing.

22 ~~2.~~ b. Carry out all directives of the board.

23 ~~3.~~ c. Hire and supervise all of the board's staff  
24 pursuant to the provisions of chapter 8A, subchapter  
25 IV.

26 ~~4.~~ d. Act as the board's liaison with the general  
27 assembly.

28 ~~5.~~ e. Prepare a budget for the board, subject  
29 to the approval of the board, and prepare all other  
30 reports required by law.

31 ~~6.~~ f. Develop long-range parole and work release  
32 planning, in cooperation with the department of  
33 corrections.

34 2. If an executive director is not appointed  
35 as provided in subsection 1, the chairperson shall  
36 serve as acting executive director and perform the  
37 administrative duties under subsection 1.

38 Sec. 30. IOWA COMMUNICATIONS NETWORK. It is the  
39 intent of the general assembly that the executive  
40 branch agencies receiving an appropriation in this Act  
41 utilize the Iowa communications network or secure other  
42 electronic communications in lieu of traveling for the  
43 fiscal year addressed by the appropriations.

44 Sec. 31. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
45 DIVISION. There is appropriated from the wireless  
46 E911 emergency communications fund created in section  
47 34A.7A to the administrator of the homeland security  
48 and emergency management division of the department of  
49 public defense for the fiscal year beginning July 1,  
50 2010, and ending June 30, 2011, an amount not exceeding

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1 \$200,000 to be used for implementation, support, and  
2 maintenance of the functions of the administrator and  
3 program manager under chapter 34A and to employ the  
4 auditor of the state to perform an annual audit of the  
5 wireless E911 emergency communications fund.

6 Sec. 32. CORRECTIONAL OFFICER AND PEACE OFFICER --  
7 PRIORITY. As a condition of receiving an appropriation  
8 in this Act, the department of corrections and the  
9 department of public safety shall make every effort  
10 to preserve correctional officer and peace officer  
11 positions through the reduction of administrative and  
12 related overhead costs.>

13 2. Title page, line 2, after <system,> by inserting  
14 <providing for fees and fines,>

By TAYLOR of Linn

H-8442 FILED MARCH 17, 2010

HOUSE FILE 2526

H-8455

1 Amend House File 2526 as follows:

2 1. Page 103, after line 14 by inserting:

3 <Sec. \_\_\_\_ . Section 237A.3A, subsection 3, Code  
4 Supplement 2009, is amended by adding the following new  
5 paragraph:

6 NEW PARAGRAPH. e. If the department adopts rules  
7 establishing a limitation on the number of hours for  
8 which substitute care may be utilized by the provider,  
9 such a limitation shall not apply to or incorporate  
10 substitute care utilized when the provider is engaged  
11 in jury duty or in official duties connected with the  
12 provider's membership on a state board, committee, or  
13 other policy-related body.>

14 2. By renumbering as necessary.

By SMITH of Marshall

MASCHER of Johnson

H-8455 FILED MARCH 17, 2010

HOUSE FILE 2526

H-8456

1 Amend House File 2526 as follows:  
2 1. Page 25, after line 14, by inserting:  
3 <\_\_\_. Before a medically necessary abortion is  
4 performed all of the following conditions shall be met:  
5 a. The pregnant woman is referred to a nonprofit  
6 agency providing a comprehensive range of free services  
7 including options counseling.  
8 b. The woman is provided an ultrasound exam.  
9 c. The woman is provided information that the  
10 right to life is the paramount and most fundamental  
11 right of every person, irrespective of age, health,  
12 function, physical or mental dependency, and this right  
13 applies to all human beings from the beginning of their  
14 biological development.>  
15 2. Page 63, after line 12 by inserting:  
16 <1A. Before a medically necessary abortion is  
17 performed all of the following conditions shall be met:  
18 a. The pregnant woman is referred to a nonprofit  
19 agency providing a comprehensive range of free services  
20 including options counseling.  
21 b. The woman is provided an ultrasound exam.  
22 c. The woman is provided information that the  
23 right to life is the paramount and most fundamental  
24 right of every person, irrespective of age, health,  
25 function, physical or mental dependency, and this right  
26 applies to all human beings from the beginning of their  
27 biological development.>  
28 3. By renumbering as necessary.

**By** ALONS of Sioux WINDSCHITL of Harrison  
DE BOEF of Keokuk MERTZ of Kossuth  
SCHULTZ of Crawford SODERBERG of Plymouth  
KOESTER of Polk BAUDLER of Adair  
DOLECHECK of Ringgold HAGENOW of Polk  
CHAMBERS of O'Brien WATTS of Dallas  
SORENSEN of Warren ANDERSON of Page  
ROBERTS of Carroll HUSEMAN of Cherokee  
TYMESON of Madison SANDS of Louisa

H-8456 FILED MARCH 17, 2010

HOUSE FILE 2527

H-8451

1 Amend House File 2527 as follows:  
2 1. Page 10, line 7, by striking <two> and inserting  
3 <three>

**By** SHOMSHOR of Pottawattamie

H-8451 FILED MARCH 17, 2010

SENATE FILE 2200

H-8444

1 Amend the House amendment, S-5222, to Senate File  
2 2200, as amended, passed, and reprinted by the Senate,  
3 as follows:

4 1. Page 1, after line 2 by inserting:

5 <\_\_\_. Page 1, by striking lines 20 through 22  
6 and inserting <probate court. The court shall inform  
7 the proposed guardian of the guardian's reporting  
8 duties under section 633.669 and other duties under  
9 the probate code. Upon transferring jurisdiction, the  
10 court shall direct the probate clerk, once the proposed  
11 guardian has filed an oath of office and identification  
12 in accordance with section 602.6111, to issue letters  
13 of appointment for guardianship and docket the case in  
14 probate. Records contained in the probate case file  
15 that were copied or transferred from the juvenile court  
16 file concerning the case shall be subject to section  
17 232.147 and other confidentiality provisions of this  
18 chapter for cases not involving juvenile delinquency.>>

19 2. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8444 FILED MARCH 17, 2010

H-8443

1 Amend Senate File 2270, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <Section 1. NEW SECTION. 91F.1 Short title.

6 This chapter shall be known and may be cited as the  
7 "Family Friendly Workplace Act".

8 Sec. 2. NEW SECTION. 91F.2 Definitions.

9 1. "Employer" means a person engaged in a business  
10 that has one or more employees and also includes the  
11 state of Iowa, a department or agency thereof, and any  
12 political subdivision of the state.

13 2. "Reasonable efforts" means any effort that would  
14 not impose an undue hardship on the operation of the  
15 employer's business.

16 3. "Undue hardship" means any action that requires  
17 significant difficulty, compromises the safety of other  
18 employees, requires temporary facility closure, or  
19 results in expenditures exceeding five hundred dollars,  
20 exclusive of the costs of additional labor or unpaid  
21 leave costs.

22 Sec. 3. NEW SECTION. 91F.3 Right to express breast  
23 milk in workplace -- private location.

24 1. An employer shall provide reasonable unpaid  
25 break time or permit an employee to use paid break  
26 time, meal time, or both, each day, to allow the  
27 employee to express breast milk for the employee's  
28 nursing child for up to two years after the child's  
29 birth.

30 2. The employer shall make reasonable efforts  
31 to provide a place, other than a toilet stall, which  
32 is shielded from view and free from intrusion from  
33 coworkers and the public, that may be used by an  
34 employee to express breast milk in privacy.

35 3. The department of workforce development shall  
36 provide on its internet site information and links  
37 to other internet sites where employers can access  
38 information regarding methods to accommodate employees  
39 who express breast milk in the workplace. The  
40 department shall consult with appropriate organizations  
41 or associations to determine the appropriate  
42 information and internet site links so as to provide  
43 employers with the most accurate and useful information  
44 available.

45 4. a. An employee shall provide notice to an  
46 employer of the employee's need for time and a location  
47 to express breast milk at least sixty days prior to the  
48 anticipated date that the employee will give birth.

49 b. If an employee gives birth more than sixty days  
50 prior to the employee's anticipated date of delivery,

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1 or the employee is hired while breast-feeding, the  
2 employee shall notify the employer within a reasonable  
3 time about the employee's need for time and a location  
4 to express breast milk.

5 5. a. At least thirty days prior to the  
6 anticipated date that the employee will give birth,  
7 the employer and employee shall establish a written  
8 agreement pursuant to the provisions in this section.  
9 The agreement shall be signed by the employer or  
10 the employer's designee and the employee and shall  
11 be notarized by a third party, who may be another  
12 employee of the employer. A copy of the agreement  
13 shall be given to the employee and a copy placed in the  
14 employee's personnel file.

15 b. If an employee gives birth more than thirty days  
16 prior to the employee's anticipated date of delivery,  
17 or the employee is hired while breast-feeding, the  
18 employer and employee shall establish a written  
19 agreement pursuant to the provisions of this section  
20 as soon as practicable. The agreement shall be signed  
21 by the employer or the employer's designee and the  
22 employee and shall be notarized by a third party, who  
23 may be another employee of the employer. A copy of the  
24 agreement shall be given to the employee and a copy  
25 placed in the employee's personnel file.

26 c. If an employer and employee are unable to agree  
27 on the amount of time, the location, or both for the  
28 employee to express breast milk, the employee may file  
29 a written or electronic complaint using a form provided  
30 by the Iowa civil rights commission on its internet  
31 site.

32 Sec. 4. NEW SECTION. 216.6B Employment  
33 accommodation -- expressing breast milk.

34 1. It shall be the responsibility of the commission  
35 to investigate and issue civil penalties and remedies,  
36 relating to the provisions of section 91F.3 pertaining  
37 to the right of an employee to express breast milk  
38 in the workplace, as appropriate pursuant to section  
39 216.15C.

40 2. The commission shall develop a complaint form  
41 to be available on the commission's internet site that  
42 pertains to the right of an employee to express breast  
43 milk in the workplace, pursuant to section 91F.3.

44 Sec. 5. NEW SECTION. 216.15C Investigation and  
45 hearing -- expressing breast milk in the workplace.

46 1. Upon receipt by the commission of a completed  
47 and signed complaint form from an aggrieved employee  
48 pursuant to section 216.6B, an authorized member of  
49 the commission shall commence an investigation within  
50 five days of receiving the complaint. The commission's

1 investigation is not to be construed as a contested  
2 case as defined in section 17A.2.

3 2. The investigating member of the commission shall  
4 provide notice in writing using regular or electronic  
5 mail to the employer of the allegations contained in  
6 the complaint and shall request a response from the  
7 employer within ten days from the date of notice. This  
8 period may be extended by the investigating member of  
9 the commission for good cause.

10 3. If the employer fails to respond to the  
11 investigating member of the commission's request for  
12 response within the established time, the investigating  
13 member of the commission may determine the employee's  
14 claim to be enforceable.

15 4. If the employer answers the investigating  
16 member of the commission's request for response  
17 within the established time, the investigating  
18 member of the commission shall notify the aggrieved  
19 employee in writing using regular or electronic mail  
20 of the employer's response and afford the employee  
21 an opportunity to present additional information  
22 in support of the employee's complaint pursuant to  
23 section 91F.3. The employee shall submit the requested  
24 additional information within ten days from the  
25 date of notice. This period may be extended by the  
26 investigating member of the commission for good cause.

27 5. Upon receipt of the requested additional  
28 information from the employee, the commission may  
29 determine additional information is required from the  
30 employer and shall provide notice in writing using  
31 regular or electronic mail to the employer of the  
32 request and require a response within ten days from the  
33 date of notice.

34 6. The members of the commission and its staff  
35 shall not disclose the filing of a complaint or the  
36 information gathered during the investigation, unless  
37 such disclosure is made in connection with the conduct  
38 of such investigation.

39 7. a. Within five days upon receipt of all  
40 requested information, the investigating member of  
41 the commission may determine the employee's complaint  
42 to be enforceable and the commission shall notify  
43 the employer in writing using regular or electronic  
44 mail of that determination. Should the investigating  
45 member of the commission determine that the complaint  
46 is unenforceable, the commission shall so notify the  
47 employee in writing using regular or electronic mail.  
48 The determination constitutes final agency action.

49 b. Upon determination that a complaint pursuant  
50 to section 91F.3 is enforceable, the commission

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Page 4

1 shall notify the employer in writing using regular or  
2 electronic mail of that determination and afford the  
3 employer an opportunity to comply with the provisions  
4 of section 91F.3 within ten days of the date of notice  
5 prior to initiating judicial proceedings.

6 c. After the employer has received notice of the  
7 decision and the ten-day compliance period has expired,  
8 the commission may also impose a minimum civil penalty  
9 of one hundred dollars and a maximum civil penalty of  
10 five hundred dollars for each day that the respondent  
11 was not in compliance with section 91F.3 and each day  
12 the respondent remains out of compliance with section  
13 91F.3 as ordered by the commission. The maximum  
14 civil penalty shall be assessed only if the commission  
15 determines that the respondent has been found in  
16 violation of section 91F.3, subsections 1 and 2. The  
17 aggregate civil penalty assessed shall not exceed five  
18 thousand dollars. Civil penalties collected pursuant  
19 to this paragraph shall be deposited in the general  
20 fund of the state.

21 8. The commission shall establish rules to govern,  
22 expedite, and effectuate the procedures established by  
23 this section and its own actions thereunder.>

24 2. Title page, line 3, after <milk> by inserting <,  
25 and providing penalties and remedies>

By WILLEMS of Linn

H-8443 FILED MARCH 17, 2010

SENATE FILE 2270

H-8448

1 Amend the amendment, H-8443, to Senate File 2270, as  
2 passed by the Senate, as follows:

3 1. Page 3, line 43, by striking <or electronic>

4 2. Page 3, line 47, by striking <or electronic>

5 3. Page 4, lines 1 and 2, by striking <or  
6 electronic>

7 4. Page 4, by striking lines 6 and 7.

8 5. Page 4, line 8, by striking <the commission may  
9 also impose> and inserting:

10 c. The commission may impose>

11 6. Page 4, by striking lines 11 through 13 and  
12 inserting <remains out of compliance with section 91F.3  
13 only after the employer has received notice of the  
14 decision and the ten-day compliance period has expired.  
15 The maximum>

16 7. By renumbering as necessary.

By STRUYK of Pottawattamie

H-8448 FILED MARCH 17, 2010

SENATE FILE 2310

H-8447

1 Amend the amendment, H-8360, to Senate File 2310, as  
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 39 through 44.

4 2. Page 1, before line 45 by inserting:

5 <\_\_\_\_. Page 5, by striking line 1 and inserting  
6 <parks, state preserves, state forests, wildlife areas,  
7 wildlife habitats,>>

8 3. By renumbering as necessary.

By BELL of Jasper

H-8447 FILED MARCH 17, 2010

SENATE FILE 2324

H-8446

1 Amend Senate File 2324, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, line 22, by striking <thirty business>  
4 and inserting <business thirty calendar>

5 2. Page 3, by striking lines 4 and 5 and inserting  
6 <of the requirements specified in subsection 1 have  
7 been met.>

8 3. Page 3, line 6, after <sixty> by inserting  
9 <calendar>

10 4. Page 3, by striking lines 13 through 25 and  
11 inserting:

12 <c. The board may assess its costs associated with  
13 an application or a certificate of franchise authority  
14 pursuant to the assessment authority contained in  
15 section 476.10, subsection 1, paragraph "a".

16 2. ~~The failure of the board to notify the applicant~~  
17 ~~of the completeness of the applicant's affidavit or~~  
18 ~~issue a certificate of franchise authority before the~~  
19 ~~fifteenth business day after receipt of a completed~~  
20 ~~affidavit shall constitute issuance of the certificate~~  
21 ~~of franchise authority applied for by the applicant~~  
22 ~~without further action by the applicant.>~~

23 5. Page 4, line 17, after <for the> by inserting  
24 <remaining>

25 6. Page 4, line 35, after <for the> by inserting  
26 <remaining>

27 7. By renumbering, redesignating, and correcting  
28 internal references as necessary.

By QUIRK of Chickasaw

H-8446 FILED MARCH 17, 2010

SENATE FILE 2356

H-8441

1 Amend Senate File 2356, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 2, by striking lines 30 through 32 and  
4 inserting <such hospital has reached service capacity,  
5 the hospital and the>

By HUNTER of Polk

H-8441 FILED MARCH 17, 2010

SENATE FILE 2367

H-8439

1 Amend Senate File 2367, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 14, by striking lines 6 through 12.  
4 2. By renumbering as necessary.

By WATTS of Dallas

H-8439 FILED MARCH 17, 2010

SENATE FILE 2367

H-8440

1 Amend Senate File 2367, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 14, line 6, after <CONTINUATION> by  
4 inserting <AND EXTENSION>  
5 2. Page 14, line 12, after <force> by inserting  
6 <, and shall be extended and applied to other food  
7 establishments in existence as of June 15, 2006, that  
8 use a similar cooking apparatus for ground meat,>

By GASKILL of Wapello

H-8440 FILED MARCH 17, 2010

H-8452

1 Amend Senate File 2367, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 26, after line 17 by inserting:

4 <DIVISION \_\_\_\_\_  
5 REVENUE COLLECTIONS BY COUNTY TREASURERS

6 Sec. \_\_\_\_\_. Section 321.40, subsection 6, Code  
7 Supplement 2009, is amended to read as follows:

8 6. a. The department or the county treasurer  
9 shall refuse to renew the registration of a vehicle  
10 registered to the applicant if the department or  
11 the county treasurer knows that the applicant has a  
12 delinquent account, charge, fee, loan, taxes, or other  
13 indebtedness owed to or being collected by the state,  
14 from information provided pursuant to sections 8A.504  
15 and 421.17. An applicant may contest this action by  
16 requesting a contested case proceeding from the agency  
17 that referred the debt for collection pursuant to  
18 section 8A.504. The department of revenue and the  
19 department of transportation shall notify the county  
20 treasurers through the distributed teleprocessing  
21 network of persons who owe such a charge, fee, loan,  
22 taxes, or other indebtedness.

23 b. The county treasurer of the county of the  
24 person's residence and in which the person's vehicle  
25 is registered, in cooperation with the department  
26 of revenue, may collect delinquent taxes including  
27 penalties and interest owed to the state from a person  
28 applying for renewal of a vehicle registration. The  
29 applicant may remit full payment of the taxes including  
30 applicable penalties and interest, along with a  
31 processing fee of five dollars, to the county treasurer  
32 at the time of registration renewal. Upon full payment  
33 of the required taxes including applicable penalties  
34 and interest, the processing fee, and the vehicle  
35 registration fee, the county treasurer shall issue  
36 the registration to the person. A county treasurer  
37 collecting on behalf of the department of revenue shall  
38 update the vehicle registration records through the  
39 distributed teleprocessing network on a daily basis  
40 for all persons who have paid taxes pursuant to this  
41 subsection. A county treasurer shall forward all  
42 funds collected for the department of revenue to the  
43 department of revenue.

44 Sec. \_\_\_\_\_. Section 321.152, Code 2009, is amended by  
45 adding the following new subsection:

46 NEW SUBSECTION. 2A. The five dollar processing  
47 fee charged by a county treasurer for collection of  
48 tax debt owed to the department of revenue pursuant to  
49 section 321.40, subsection 6, shall be retained for  
50 deposit in the county general fund.

H-8452

1 Sec. \_\_\_\_\_. Section 321.153, Code 2009, is amended to  
2 read as follows:

3 321.153 Treasurer's report to department.

4 1. The county treasurer on the tenth day of each  
5 month shall certify to the department a full and  
6 complete statement of all fees and penalties received  
7 by the county treasurer during the preceding calendar  
8 month and shall remit all moneys not retained for  
9 deposit under section 321.152 to the treasurer of  
10 state.

11 2. The distributed teleprocessing network shall be  
12 used in the collection, receipting, accounting, and  
13 reporting of any fee collected through the registration  
14 renewal or title process, with sufficient time and  
15 financial resources provided for implementation.

16 3. This section does not apply to fees collected  
17 or retained by a county treasurer pursuant to  
18 participation in county issuance of driver's licenses  
19 under chapter 321M.

20 4. This section does not apply to processing fees  
21 charged by a county treasurer for the collection of  
22 tax debt owed to the department of revenue pursuant to  
23 section 321.40.

24 Sec. \_\_\_\_\_. Section 421.17, subsection 27, Code 2009,  
25 is amended by adding the following new paragraph:

26 NEW PARAGRAPH. k. A county treasurer may collect  
27 delinquent taxes, including penalties and interest,  
28 administered by the department in conjunction with  
29 renewal of a vehicle registration as provided in  
30 section 321.40, subsection 6, paragraph "b", and rules  
31 adopted pursuant to this paragraph. County treasurers  
32 shall be given access to information required for the  
33 collection of delinquent taxes, including penalties  
34 and interest, as necessary to accomplish the purposes  
35 of section 321.40, subsection 6, paragraph "b". The  
36 confidentiality provisions of sections 422.20 and  
37 422.72 do not apply to information provided to a  
38 county treasurer pursuant to this paragraph. A county  
39 treasurer collecting taxes, penalties, and interest  
40 administered by the department is subject to the  
41 requirements and penalties of the confidentiality  
42 laws of this state regarding tax or indebtedness  
43 information. The director shall adopt rules to  
44 implement the collection of tax debt as authorized in  
45 section 321.40 and this paragraph.

46 Sec. \_\_\_\_\_. Section 422.20, subsection 3, paragraph  
47 a, Code 2009, is amended to read as follows:

48 a. Unless otherwise expressly permitted by  
49 section 8A.504, section 421.17, subsections 22, 23,  
50 and 26, ~~sections~~ and subsection 27, paragraph "k",

1 section 252B.9, section 321.40, subsection 6, paragraph  
2 "b", sections 321.120, 421.19, 421.28, 422.72, and  
3 452A.63, and this section, a tax return, return  
4 information, or investigative or audit information  
5 shall not be divulged to any person or entity,  
6 other than the taxpayer, the department, or internal  
7 revenue service for use in a matter unrelated to tax  
8 administration.

9 Sec. \_\_\_\_\_. Section 422.72, subsection 3, paragraph  
10 a, Code 2009, is amended to read as follows:

11 a. Unless otherwise expressly permitted by  
12 section 8A.504, section 421.17, subsections 22, 23,  
13 and 26, ~~sections~~ and subsection 27, paragraph "k",  
14 section 252B.9, section 321.40, subsection 6, paragraph  
15 "b", sections 321.120, 421.19, 421.28, 422.20, and  
16 452A.63, and this section, a tax return, return  
17 information, or investigative or audit information  
18 shall not be divulged to any person or entity,  
19 other than the taxpayer, the department, or internal  
20 revenue service for use in a matter unrelated to tax  
21 administration.

22 Sec. \_\_\_\_\_. INTENT -- COLLECTION OF COURT DEBT BY  
23 COUNTY TREASURERS -- STUDY.

24 1. It is the intent of the general assembly to  
25 implement the collection of court debt on behalf of the  
26 clerk of the district court at the time a person renews  
27 a motor vehicle registration beginning July 1, 2011.

28 2. The state court administrator, or the state  
29 court administrator's designee, in cooperation with  
30 the Iowa state county treasurers association shall  
31 develop a plan to allow county treasurers to collect  
32 restitution and delinquent court debt on behalf of  
33 the clerk of the district court at the time a person  
34 appears before the county treasurer to renew a vehicle  
35 registration. The state court administrator shall  
36 submit a report of the plan to the general assembly on  
37 or before December 1, 2010.>

38 2. By renumbering as necessary.

**By GASKILL of Wapello**

H-8452 FILED MARCH 17, 2010

SENATE FILE 2367

H-8454

1 Amend Senate File 2367, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 14, by striking lines 6 through 12.

4 2. By striking page 19, line 35, through page 20,  
5 line 5.

6 3. By renumbering as necessary.

**By WATTS of Dallas**

H-8454 FILED MARCH 17, 2010



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**HF 2527** – Tax Credit Reductions and Review (LSB 5795HV)  
Analyst: Jeff Robinson (Phone: 515-281-4614) (jeff.robinson@legis.state.ia.us)  
Fiscal Note Version – New

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**House File 2527:**

- Creates a Legislative Tax Expenditure Committee of the Legislative Council and establishes the membership and duties of the Committee, including a five-year schedule for reviewing existing tax credits and the schedule starts in 2011.
- Reduces the annual limit on specific tax credit programs administered by the Department of Economic Development from the current \$185.0 million to \$120.0 million. The change is effective FY 2010.
- Suspends the Film Tax Credit Program by prohibiting the registration of new projects until July 1, 2012.
- Alters the Supplemental Research Activities Credit by increasing the current 6.5% maximum credit to 10.0% for companies with gross annual sales of less than \$20.0 million. For companies with higher gross annual sales, the tax credit is reduced from 6.5% to 3.0%. The change impacts only future awards.
- Lowers the annual cap for some tax credit programs and discontinues other tax credit programs. Impacted tax credit programs include:
  - Accelerated Career Education (ACE) Withholding Tax Credit
  - Agriculture Asset Transfer Tax Credit
  - Economic Development Region Revolving Loan Fund Tax Credit
  - Endow Iowa Tax Credit
  - School Tuition Organization Tax Credit
  - Iowa Fund of Funds Tax Credit
  - Venture Capital Investment Tax Credit
  - Value-added Agricultural Products Refundable Tax Credit
  - Historic Preservation and Cultural & Entertainment District Tax Credit
- Reenacts the Estate Tax to the extent a federal pick-up tax is allowed in the future.
- Requests that the Legislative Council establish 2010 interim committees to study the Enterprise Zone Program and the Industrial New Jobs Training Program (260E) with reports due to the General Assembly by January 15, 2011.

**Assumptions**

- Division II – Legislative Tax Expenditure Committee – The creation of a Legislative committee will have per diem and other minor administrative costs. It can also be assumed that although the Bill does not appropriate any funds for technical assistance to the Committee, the review work of the Committee will require significant staff time by the Departments of Revenue and Economic Development, as well as legislative staff. Additional reporting requirements may also be expected of other agencies and local governments. If the review identifies inefficient or ineffective tax preferences and those items are improved or ended, the review could substantially improve the economic efficacy of the State's overall tax incentive policy.
- Division III – Reduction in the Aggregate Annual Allowable Tax Credit Cap – The Bill reduces the current annual cap for three major Department of Economic Development

(DED) business subsidy programs, Enterprise Zones, High Quality Jobs, and Film Tax Credits. The current annual tax credit cap is \$185.0 million and the Bill reduces the cap to \$120.0 million effective FY 2010. With suspension of the Film Tax Credit program and given the present economic environment, it is assumed for this fiscal impact estimate that the lower cap will have no effect on tax credit awards in FY 2010 or FY 2011, but will reduce overall awards made in FY 2012 and for the foreseeable future by \$65.0 million per year. Since tax credit redemptions are spread over several years after they are awarded, the impact on net General Fund revenue in the initial years is projected to be low.

- Division IV – Suspension of the Film Tax Credit Program – This projection assumes that without Legislative action to suspend the Film Tax Credit program and/or lower the current \$185.0 million aggregate tax credit cap, the DED will begin to approve additional film projects in calendar year 2011. This projection further assumes that if a \$120.0 million aggregate cap is enacted, the DED will not resume approving film projects in the foreseeable future.
- Division V – Supplemental Research Activities Credit – The Bill enhances the supplemental credit for companies with annual gross sales under \$20.0 million and reduces the supplemental credit for companies with higher gross sales. The changes would not impact tax credit agreements already in place and there is often a lag between when a project is approved for the supplemental credit and when the credit is actually redeemed. Therefore, the impact on net General Fund revenue is expected to be low in the initial years.
- Division VI – Accelerated Career Education (ACE) Withholding Tax Credit – The maximum annual cap is reduced from \$6.0 million to \$5.4 million. The ACE program is currently not operating at its full \$6.0 million cap and the impact of the lower cap is calculated from projected usage, not from the current cap.
- Division VII – Agricultural Asset Transfer Tax Credit – The maximum annual cap is reduced from \$6.0 million to \$2.0 million. The program is currently not operating at its full \$6.0 million cap and the impact of the lower cap is calculated from projected usage, not from the current cap.
- Division VIII – Economic Development Region Revolving Loan Fund Tax Credit – The Bill repeals this tax credit.
- Division IX – Endow Iowa Tax Credit – The maximum annual cap is reduced from \$3.0 million to \$2.7 million.
- Division X – School Tuition Organization Tax Credit – The maximum annual cap is reduced from \$7.5 million to \$6.75 million.
- Division XI – Fund of Funds Tax Credit – This tax credit ensures that investors in the Fund of Funds will receive their entire investment back, along with an agreed to rate of return when their specified investment in the Fund of Funds is liquidated. If the returns received after the specified investment is liquidated are insufficient to cover the investment, contingent tax credits sufficient to make the investor whole are activated. Since the first investment is not scheduled to be liquidated for several years, the actual amount of tax contingent tax credits that will be necessary is not known. Without the language in the Bill, the maximum liability to the State General Fund is \$100.0 million, with a maximum annual redemption of \$20.0 million per year. With the language in the Bill, the maximum liability to the State General Fund is \$60.0 million, and the maximum annual redemption remains at \$20 million per year.
- Division XII – Venture Capital Investment Tax Credit – The Bill repeals this tax credit.
- Division XIII – Refundable Value-Added Agriculture Tax Credits – Iowa Code Section 15.333(3) allows certain projects approved under the High Quality Jobs Creation Act to receive a portion of their tax credits as refundable tax credits. The maximum annual amount of refundable credits the DED may approve is \$4.0 million. The \$4.0 million awarded by the DED is part of the aggregate tax credit cap (see Division III above). This fiscal estimate assumes that under current law, a sufficient volume of qualified projects will occur each year to fully utilize the refundable \$4.0 million and the refunds will impact the State General Fund in the fiscal year following the award.
- Division XIV – Historic Preservation and Cultural & Entertainment District Tax Credit – The maximum annual amount of Historic Preservation Tax Credits that may be awarded for one

tax year is reduced from \$50.0 million to \$45.0 million. The change first impacts FY 2013 and the first full year of impact is FY 2014. The tax credits are refundable so the impact of the lower credit limit is immediate.

- Division XV – Iowa Estate Tax Reenactment – Former federal estate tax law allowed states to impose a tax against an estate, with the dollar amount of the state tax reducing the federal estate tax due dollar-for-dollar. This was commonly referred to as the “pick-up tax”. The federal government rescinded the pick-up tax provision in the mid-2000’s as part of a total phase-out of the federal estate tax. The federal estate tax and the corresponding pick-up tax provision are scheduled to return after December 31, 2010. Should this occur, Division XV would allow the State of Iowa to receive revenue from the pick-up tax without increasing the overall tax on an estate.
- Divisions XVI and XVII – Interim Study Committees – Requests that the Legislative Council create two interim study committees, one to evaluate the Enterprise Zone Program and one to evaluate the Industrial New Jobs Training Program (260E).

### **Fiscal Impact**

The following table provides the projected direct impact on net General Fund revenue associated with the tax credit changes contained in the Bill.

Estimate of Reduction in Tax Credit Redemptions & Increase in Estate Pick-up Tax Collections - Net General Fund Revenue Increase by Fiscal Year (\$ in millions)					
Bill Division		FY 2011	FY 2012	FY 2013	FY 2014
III	Aggregate Cap at \$120.0 million	\$ 0.0	\$ 0.0	\$ 3.0	\$ 5.4
IV	Film Suspension	0.0	19.0	23.4	14.0
V	Research Activities	0.0	0.0	0.3	1.0
VI	Accelerated Career Education	0.4	0.4	0.4	0.4
VII	Agriculture Asset Transfer	0.4	0.9	1.6	2.3
VIII	Econ. Develop. Region	0.0	0.0	0.0	0.0
IX	Endow Iowa	0.1	0.2	0.2	0.2
X	School Tuition Organization	0.5	0.7	0.7	0.7
XI	Fund of Funds	0.0	0.0	0.0	0.0
XII	Venture Capital Investment	0.0	0.0	0.0	0.0
XIII	Value-added Ag Refundable	4.0	4.0	4.0	4.0
XIV	Historic Preservation	0.0	0.0	2.3	5.0
XV	Estate Pick-up Tax	0.0	28.5	46.2	46.9
		<u>\$ 5.4</u>	<u>\$ 53.7</u>	<u>\$ 82.1</u>	<u>\$ 79.9</u>

Longer term, the Bill lowers annual tax credit awards and redemptions by approximately \$75.7 million and increases potential annual estate tax revenue by \$47.0 million through reenactment of the estate pick-up tax. The Bill also lowers the potential program lifetime liability of the Fund of Funds Tax Credit by \$40.0 million, although that amount is not included in the table below.

Estimate of Reduction in Tax Credit Redemptions &  
 Increase in Estate Pick-up Tax Collections -  
 Net General Fund Revenue Increase  
 (\$ in millions)

	Max Impact Per FY
Aggregate Cap at \$120.0 million, Value-Added Ag Refundable, and Research Activities Credit Changes	\$ 65.0
Accelerated Career Education	0.6
Agriculture Asset Transfer	4.0
Endow Iowa	0.3
School Tuition Organization	0.8
Historic Preservation	5.0
Estate Pick-up Tax	47.0
	\$ 122.7

In addition, the Bill will require a projected \$200,000 to \$300,000 annually in State agency staff time (primarily the Departments of Revenue and Economic Development as well as the Legislative staff) to provide assistance to the Legislative Tax Expenditure Committee. The Bill does not provide funding so the expenditures are assumed to require the utilization of existing agency resources.

**Sources**

Department of Revenue  
 Legislative Services Agency Analysis

/s/ Holly M. Lyons

March 17, 2010

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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