

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

MARCH 26, 2010

**HOUSE RESOLUTION 50**

**H-8624**

1 Amend **House Resolution 50** as follows:  
2 1. Page 1, line 26, by striking <\$5,915,450> and  
3 inserting <\$5,866,500>  
4 2. Page 1, line 27, by striking <\$4,790,000> and  
5 inserting <\$4,111,000>  
6 3. Page 1, line 28, by striking <\$429,715> and  
7 inserting <\$324,500>  
8 4. Page 1, before line 29 by inserting:  
9 <Sec. 1A. Expenditures of the House of  
10 Representatives payable pursuant to Iowa Code sections  
11 2.10 through 2.14 for the regular legislative session  
12 and the interim period during the fiscal year beginning  
13 July 1, 2010, and ending June 30, 2011, are budgeted  
14 to be as follows:  
15 1. Members' salary, per diem, and expenses,  
16 \$5,866,500  
17 2. Staff compensation, \$4,111,000  
18 3. Operations expenses, \$324,500>  
19 5. Page 2, line 6, after <section 1> by inserting  
20 <or section 1A>  
21 6. By renumbering as necessary.

**By** WESSEL-KROESCHELL of Story

**H-8624** FILED MARCH 26, 2010

**HOUSE FILE 2525**

**H-8610**

1 Amend the Senate amendment, **H-8539**, to House File  
2 2525, as amended, passed, and reprinted by the House,  
3 as follows:  
4 1. By striking page 2, line 18, through page 3,  
5 line 13.  
6 2. By renumbering as necessary.

**By** DE BOEF of Keokuk

**H-8610** FILED MARCH 26, 2010

HOUSE FILE 2525

H-8618

1 Amend the Senate amendment, H-8539, to House File  
2 2525, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 2, line 1, after <266.39> by inserting <,  
5 in consultation with the Iowa cooperative extension  
6 service in agriculture and home economics as provided  
7 in chapter 266, at Iowa state university of science and  
8 technology>

9 2. Page 2, line 7, after <agriculture> by inserting  
10 <, in consultation with the Iowa cooperative extension  
11 service in agriculture and home economics,>

12 3. By renumbering as necessary.

**By** BAILEY of Hamilton

H-8618 FILED MARCH 26, 2010

H-8614

1 Amend the Senate amendment, H-8568, to House File  
2 2526, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 3, lines 11 and 12, by striking <low-income  
5 Iowans> and inserting <persons who are eligible for the  
6 federal low-income home energy assistance program and  
7 other low-income Iowans and of working with community  
8 action programs and other partners>

9 2. Page 7, after line 32 by inserting:

10 <\_\_\_\_. Page 113, after line 17 by inserting:

11 <Sec. \_\_\_\_ . NEW SECTION. 216A.105 Deliverable  
12 fuels -- mandatory delivery -- penalties and remedies.

13 1. A deliverable fuel vendor engaged in the  
14 business of providing deliverable fuel to customers in  
15 this state shall not withhold the sale or delivery of  
16 deliverable fuel to a customer from November 1 through  
17 April 1 annually if either of the following apply:

18 a. The customer is certified as eligible for the  
19 federal low-income home energy assistance program.

20 b. The customer is certified as eligible for the  
21 federal low-income home energy assistance program, has  
22 received the maximum amount of the annual assistance  
23 pursuant to the program, and makes a prepaid cash  
24 payment in an amount corresponding to the vendor's  
25 stated cash price of that day for two hundred gallons  
26 of deliverable fuel.

27 2. In the event that an unpaid balance is owed  
28 by a customer who is certified as eligible for the  
29 federal low-income home energy assistance program, the  
30 division may offer assistance in facilitating a payment  
31 arrangement.

32 3. a. A customer shall be responsible for the  
33 reasonable cost of system safety checks conducted  
34 by a deliverable fuel vendor, unless the customer  
35 is certified as eligible for the federal low-income  
36 home energy assistance program and the cost is paid  
37 for with program funds. System safety check payments  
38 shall be in addition to, and shall not reduce, the  
39 cash payment otherwise available for deliverable fuel  
40 sale or delivery pursuant to subsection 1, paragraph  
41 "b". A deliverable fuel vendor of propane conducting a  
42 system safety check shall inform customers certified  
43 as eligible for the low-income home energy assistance  
44 program of the existence of programs and projects  
45 developed by the Iowa propane education and research  
46 council to provide assistance to persons certified as  
47 eligible for the program, if applicable based upon the  
48 results of the safety check. A deliverable fuel vendor  
49 shall not be required to make or complete a delivery  
50 of deliverable fuel if a system safety check reveals

1 mechanical problems or defects with the system which  
2 constitute a safety hazard or concern.

3 b. A customer shall be responsible for the  
4 reasonable cost of delivering the deliverable fuel to  
5 the customer, as determined by the deliverable fuel  
6 vendor, unless the customer is certified as eligible  
7 for the federal low-income home energy assistance  
8 program and the cost is paid for with program funds.  
9 Delivery fees or charges shall be in addition to, and  
10 shall not reduce, the cash payment otherwise available  
11 for the deliverable fuel sale or delivery pursuant to  
12 subsection 1, paragraph "b".

13 4. A violation of this section is an unlawful  
14 practice pursuant to section 714.16.

15 5. For the purposes of this section, unless the  
16 context otherwise requires:

17 a. "Customer" means an existing customer of a  
18 deliverable fuel vendor or a prospective customer who  
19 is certified as eligible for the federal low-income  
20 home energy assistance program and submits an  
21 application or otherwise applies for the purchase or  
22 delivery of deliverable fuel from a deliverable fuel  
23 vendor serving the general geographic area or vicinity  
24 where the fuel will be delivered.

25 b. "Deliverable fuel" means propane or any other  
26 heating fuel sold or delivered in this state for home  
27 heating purposes, other than electricity or natural  
28 gas sold by a public utility furnishing electricity or  
29 natural gas to the public for consumption pursuant to  
30 chapter 476.

31 c. "Deliverable fuel vendor" means a retail propane  
32 marketer or a retail dispenser or marketer of a  
33 deliverable fuel other than propane for home heating  
34 purposes.

35 d. "Propane" and "retail propane marketer" mean the  
36 same as defined in section 101C.2.>>

37 3. By renumbering as necessary.

**By** SMITH of Marshall

H-8615

1 Amend the Senate amendment, H-8568, to House File  
2 2526, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 7, after line 32 by inserting:

5 <\_\_\_\_. Page 113, after line 17 by inserting:

6 <Sec. \_\_\_\_\_. NEW SECTION. 135.30B Expressing breast  
7 milk in the workplace.

8 1. For the purpose of this section, unless the  
9 context otherwise requires:

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

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

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

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

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

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

43 d. (1) An employee shall provide notice to an  
44 employer of the employee's need for time and a location  
45 to express breast milk at least sixty days prior to the  
46 anticipated date that the employee will give birth.

47 (2) If an employee gives birth more than sixty days  
48 prior to the employee's anticipated date of delivery,  
49 or the employee is hired while breast-feeding, the  
50 employee shall notify the employer within a reasonable

1 time about the employee's need for time and a location  
2 to express breast milk.

3 e. (1) At least thirty days prior to the  
4 anticipated date that the employee will give birth,  
5 the employer and employee shall establish a written  
6 agreement pursuant to the provisions of this  
7 subsection. The agreement shall be signed by the  
8 employer or the employer's designee and the employee  
9 and shall be notarized by a third party, who may  
10 be another employee of the employer. A copy of the  
11 agreement shall be given to the employee and a copy  
12 placed in the employee's personnel file.

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

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

31 3. A person who knowingly violates any provision  
32 of this section, the rules adopted to implement this  
33 section, or a lawful order, written or oral, of the  
34 department or authorized agents of the department,  
35 commits a simple misdemeanor.>

36 \_\_\_\_\_. Title page, line 3, after <appropriations> by  
37 inserting: <providing a penalty,>>

By L. MILLER of Scott

H-8615 FILED MARCH 26, 2010

HOUSE FILE 2526

H-8616

1 Amend the Senate amendment, H-8568, to House File  
2 2526, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 3, by striking lines 33 and 34.

5 2. Page 3, line 35, by striking <(c)> and inserting  
6 <(b)>

By HEATON of Henry

H-8616 FILED MARCH 26, 2010

HOUSE FILE 2526

H-8622

1 Amend the Senate amendment, H-8568, to House File  
2 2526, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 4, line 23, by striking <16,602,271> and  
5 inserting <16,102,271>

6 2. Page 4, by striking lines 25 through 34.

7 3. By renumbering as necessary.

|                             |                            |
|-----------------------------|----------------------------|
| <b>By</b> SCHULTE of Linn   | KOESTER of Polk            |
| HEATON of Henry             | LUKAN of Dubuque           |
| L. MILLER of Scott          | MAY of Dickinson           |
| RAYHONS of Hancock          | S. OLSON of Clinton        |
| UPMEYER of Hancock          | PAULSEN of Linn            |
| ALONS of Sioux              | PETTENGILL of Benton       |
| ANDERSON of Page            | RAECKER of Polk            |
| ARNOLD of Lucas             | ROBERTS of Carroll         |
| BAUDLER of Adair            | SANDS of Louisa            |
| CHAMBERS of O'Brien         | SCHULTZ of Crawford        |
| COWNIE of Polk              | SODERBERG of Plymouth      |
| DE BOEF of Keokuk           | SORENSEN of Warren         |
| DEYOE of Story              | STRUYK of Pottawattamie    |
| DOLECHECK of Ringgold       | SWEENEY of Hardin          |
| DRAKE of Cass               | TJEPKES of Webster         |
| FORRISTALL of Pottawattamie | TYMESON of Madison         |
| GRASSLEY of Butler          | VAN ENGELENHOVEN of Marion |
| HAGENOW of Polk             | WAGNER of Linn             |
| HELLAND of Polk             | WATTS of Dallas            |
| HUSEMAN of Cherokee         | WINDSCHITL of Harrison     |
| KAUFMANN of Cedar           | WORTHAN of Buena Vista     |

H-8622 FILED MARCH 26, 2010

H-8619

1 Amend House File 2528 as follows:

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

4 <Section 1. Section 80A.13, Code 2009, is amended  
5 to read as follows:

6 80A.13 Campus weapon requirements.

7 An individual employed by a college or university,  
8 or by a private security business holding a contract  
9 with a college or university, who performs private  
10 security duties on a college or university campus and  
11 who carries a weapon while performing these duties  
12 shall ~~meet all of the following requirements:~~

13 ~~1. File with the sheriff of the county in which  
14 the campus is located evidence that the individual has  
15 successfully completed an approved firearms training  
16 program under section 724.9. This requirement does not  
17 apply to armored car personnel.~~

18 ~~2. Possess a permit to carry weapons issued by the  
19 sheriff of the county in which the campus is located  
20 under sections 724.6 through 724.11. This requirement  
21 does not apply to armored car personnel.~~

22 ~~3. File file with the sheriff of the county in  
23 which the campus is located a sworn affidavit from  
24 the employer outlining the nature of the duties to be  
25 performed and justification of the need to go armed.~~

26 Sec. 2. Section 724.4, Code 2009, is amended to  
27 read as follows:

28 724.4 Carrying weapons.

29 1. Except as otherwise provided in this section, a  
30 person who goes armed with a dangerous weapon ~~concealed~~  
31 ~~on or about the person, or who, within the limits of~~  
32 ~~any city, goes armed with a pistol or revolver, or~~  
33 ~~any loaded firearm of any kind, whether concealed~~  
34 ~~or not, or who knowingly carries or transports in a~~  
35 ~~vehicle a pistol or revolver, commits an aggravated~~  
36 ~~misdemeanor with the intent to commit a crime of~~  
37 ~~violence commits a class "D" felony. This subsection~~  
38 ~~applies regardless of whether the dangerous weapon~~  
39 ~~is concealed or not concealed on or about the person~~  
40 ~~and regardless of whether the dangerous weapon is~~  
41 ~~transported in a vehicle. For purposes of this~~  
42 ~~subsection, "crime of violence" means a felony which~~  
43 ~~has, as an element of the offense, the use of physical~~  
44 ~~force by one person against another person.~~

45 2. A person who goes armed with a knife concealed  
46 on or about the person, if the person uses the knife  
47 in the commission of a crime, commits an aggravated  
48 misdemeanor.

49 3. A person who goes armed with a knife concealed  
50 on or about the person, if the person does not use the

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1 knife in the commission of a crime:

2 a. If the knife has a blade exceeding eight inches  
3 in length, commits an aggravated misdemeanor.

4 b. If the knife has a blade exceeding five inches  
5 but not exceeding eight inches in length, commits a  
6 serious misdemeanor.

7 4. Subsections 1 through 3 do not apply to any of  
8 the following:

9 a. A person who for any lawful purpose goes armed  
10 with a dangerous weapon in the person's own dwelling  
11 or place of business, or on land owned or possessed by  
12 the person.

13 b. A peace officer, when the officer's duties  
14 require the person to carry such weapons.

15 ~~c. A member of the armed forces of the United  
16 States or of the national guard or person in the  
17 service of the United States, when the weapons are  
18 carried in connection with the person's duties as such.~~

19 ~~d. A correctional officer, when the officer's  
20 duties require, serving under the authority of the Iowa  
21 department of corrections.~~

22 ~~e. c.~~ A person who for any lawful purpose carries  
23 an unloaded pistol, revolver, or other dangerous weapon  
24 inside a closed and fastened container or securely  
25 wrapped package which is too large to be concealed on  
26 the person.

27 ~~f. A person who for any lawful purpose carries or  
28 transports an unloaded pistol or revolver in a vehicle  
29 inside a closed and fastened container or securely  
30 wrapped package which is too large to be concealed on  
31 the person or inside a cargo or luggage compartment  
32 where the pistol or revolver will not be readily  
33 accessible to any person riding in the vehicle or  
34 common carrier.~~

35 ~~g. A person while the person is lawfully engaged in  
36 target practice on a range designed for that purpose or  
37 while actually engaged in lawful hunting.~~

38 ~~h. d.~~ A person who carries a knife used in hunting  
39 or fishing, while actually engaged in lawful hunting  
40 or fishing.

41 ~~i. A person who has in the person's possession  
42 and who displays to a peace officer on demand a valid  
43 permit to carry weapons which has been issued to the  
44 person, and whose conduct is within the limits of that  
45 permit. A person shall not be convicted of a violation  
46 of this section if the person produces at the person's  
47 trial a permit to carry weapons which was valid at  
48 the time of the alleged offense and which would have  
49 brought the person's conduct within this exception if  
50 the permit had been produced at the time of the alleged~~

1 ~~offense.~~

2 ~~j.~~ e. A law enforcement officer from another state  
3 when the officer's duties require the officer to carry  
4 the weapon and the officer is in this state for any of  
5 the following reasons:

6 (1) The extradition or other lawful removal of a  
7 prisoner from this state.

8 (2) Pursuit of a suspect in compliance with chapter  
9 806.

10 (3) Activities in the capacity of a law enforcement  
11 officer with the knowledge and consent of the chief  
12 of police of the city or the sheriff of the county in  
13 which the activities occur or of the commissioner of  
14 public safety.

15 ~~k.~~ f. A person engaged in the business of  
16 transporting prisoners under a contract with the  
17 Iowa department of corrections or a county sheriff,  
18 a similar agency from another state, or the federal  
19 government.

20 Sec. 3. Section 724.4B, subsection 2, paragraph a,  
21 Code 2009, is amended to read as follows:

22 a. A person listed under section 724.4, subsection  
23 4, ~~paragraphs~~ paragraph "b" through "f", "c", or  
24 ~~"j" "e".~~

25 Sec. 4. Section 724.6, subsection 1, Code  
26 Supplement 2009, is amended to read as follows:

27 1. ~~A person may be issued a permit to carry weapons~~  
28 ~~when the person's employment who is employed in a~~  
29 ~~private investigation business or private security~~  
30 ~~business licensed under chapter 80A, or a person's~~  
31 ~~employment as a peace officer, correctional officer,~~  
32 ~~security guard, bank messenger or other person~~  
33 ~~transporting property of a value requiring security, or~~  
34 ~~in police work, whose employment reasonably justifies~~  
35 ~~that person going armed, shall be issued a professional~~  
36 ~~permit to carry weapons if the person applies for~~  
37 ~~the permit and meets the requirements of sections~~  
38 ~~724.8 through 724.10.~~ The permit shall be on a form  
39 prescribed and published by the commissioner of public  
40 safety, shall identify the holder, and shall state  
41 the nature of the employment requiring the holder to  
42 go armed. A permit so issued, other than to a peace  
43 officer, shall authorize the person to whom it is  
44 issued to go armed anywhere in the state, ~~only~~ while  
45 engaged in the employment, and while going to and from  
46 the place of the employment. A permit issued to a  
47 certified peace officer shall authorize that peace  
48 officer to go armed anywhere in the state at all times.  
49 Permits shall expire ~~twelve months~~ five years after the  
50 date when issued except that permits issued to peace

1 officers and correctional officers are valid through  
2 the officer's period of employment unless otherwise  
3 canceled. When the employment is terminated, the  
4 holder of the permit shall surrender it to the issuing  
5 officer for cancellation.

6 Sec. 5. Section 724.7, Code 2009, is amended to  
7 read as follows:

8 724.7 Nonprofessional permit to carry weapons.

9 Any person ~~who can reasonably justify going armed~~  
10 may not otherwise prohibited from possessing or  
11 transporting a firearm and who meets the requirements  
12 in sections 724.8 through 724.10 shall be issued a  
13 nonprofessional permit to carry weapons if the person  
14 applies for such permit. Such permits shall be on a  
15 form prescribed and published by the commissioner of  
16 public safety, which shall be readily distinguishable  
17 from the professional permit, and shall identify the  
18 holder thereof, and state the reason for the issuance  
19 of the permit, ~~and the limits of the authority granted~~  
20 ~~by such permit.~~ All permits so issued shall be for a  
21 definite five-year period as established by the issuing  
22 officer, but in no event shall exceed a period of  
23 twelve months.

24 Sec. 6. Section 724.8, subsection 5, Code 2009, is  
25 amended to read as follows:

26 5. ~~The issuing officer reasonably determines that~~  
27 ~~the applicant does not constitute a danger to any~~  
28 person person is not otherwise prohibited by state or  
29 federal law from possessing or transporting a firearm.

30 Sec. 7. Section 724.9, Code 2009, is amended to  
31 read as follows:

32 724.9 Firearm training program.

33 A training program to qualify persons in the safe  
34 use of firearms shall be provided by the issuing  
35 officer of permits, as provided in section 724.11.  
36 ~~The commissioner of public safety shall approve~~  
37 ~~the training program, and the county sheriff or~~  
38 ~~the commissioner of public safety conducting the~~  
39 ~~training program within their respective jurisdictions~~  
40 may shall contract with a private organization or  
41 use the services of other agencies, or may use a  
42 combination of the two, to provide such training a  
43 private individual or a professional organization who  
44 shall conduct the training consistent with training  
45 standards set forth by the national rifle association.  
46 Any person eligible to be issued a permit to carry  
47 weapons may enroll in such course. A fee sufficient  
48 to cover the cost of the program may be charged each  
49 person attending. Certificates of completion, on a  
50 form prescribed and published by the commissioner

1 of public safety, shall be issued to each person who  
2 successfully completes the program. ~~No~~ A person shall  
3 not be issued either a professional or nonprofessional  
4 permit unless the person has received a certificate of  
5 completion or is a certified peace officer. ~~No peace~~  
6 ~~officer or correctional officer, except a certified~~  
7 ~~peace officer, shall go armed with a pistol or revolver~~  
8 ~~unless the officer has received a certificate of~~  
9 ~~completion, provided that this requirement shall not~~  
10 ~~apply to persons who are employed in this state as~~  
11 ~~peace officers on January 1, 1978 until July 1, 1978,~~  
12 ~~or to peace officers of other jurisdictions exercising~~  
13 ~~their legal duties within this state.~~

14 Sec. 8. Section 724.11, Code 2009, is amended to  
15 read as follows:

16 724.11 Issuance of permit to carry weapons.

17 ~~Applications for permits~~ An application for a  
18 permit to carry weapons, if made, shall be made to the  
19 sheriff of the county in which the applicant resides.  
20 Applications from persons who are nonresidents of  
21 the state, or whose need to go armed arises out  
22 of employment by the state, shall be made to the  
23 commissioner of public safety. In either case,  
24 the issuance of the permit shall be by ~~and at the~~  
25 ~~discretion of~~ the sheriff or commissioner, who  
26 shall, before issuing the permit, determine that the  
27 requirements of sections ~~724.6 to~~ 724.8 through 724.10  
28 have been satisfied and the person is not otherwise  
29 prohibited by state or federal law from possessing or  
30 transporting a firearm. ~~However, the training program~~  
31 ~~requirements in section 724.9 may be waived for renewal~~  
32 ~~permits.~~ The issuing officer shall collect a fee  
33 of ~~ten~~ fifty dollars, except from a duly appointed  
34 peace officer or correctional officer, for each permit  
35 issued. Renewal permits or duplicate permits shall be  
36 issued for a fee of five dollars. The issuing officer  
37 shall notify the commissioner of public safety of the  
38 issuance of any permit at least monthly and forward to  
39 the commissioner an amount equal to two dollars for  
40 each permit issued and one dollar for each renewal  
41 or duplicate permit issued. All such fees received  
42 by the commissioner shall be paid to the treasurer  
43 of state and deposited in the operating account of  
44 the department of public safety to offset the cost of  
45 administering this chapter. Any unspent balance as of  
46 June 30 of each year shall revert to the general fund  
47 as provided by section 8.33.

48 Sec. 9. NEW SECTION. 724.11A Reciprocity.

49 A person possessing a valid out-of-state permit to  
50 carry a weapon shall be entitled to the privileges and

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1 subject to the restrictions prescribed by this chapter  
2 provided the state that issued the license recognizes  
3 weapons permits issued in Iowa and provided the person  
4 possessing such permit is not otherwise prohibited from  
5 possessing a firearm.

6 Sec. 10. REPEAL. Section 724.5, Code 2009, is  
7 repealed.>

8 2. Title page, by striking lines 1 through 5 and  
9 inserting <An Act relating to the carrying of weapons.>

**By** ROBERTS of Carroll

H-8619 FILED MARCH 26, 2010

HOUSE FILE 2531

H-8607

1 Amend House File 2531 as follows:

2 1. Page 37, after line 14 by inserting:

3 <Sec. \_\_\_\_\_. Section 455A.13, Code 2009, is amended  
4 to read as follows:

5 455A.13 State nurseries.

6 1. Notwithstanding section 17A.2, subsection 11,  
7 paragraph "g", the department of natural resources  
8 shall adopt administrative rules establishing a range  
9 of prices of plant material grown at the state forest  
10 nurseries to cover all expenses related to the growing  
11 of the plants. The department is authorized to sell  
12 plant material in other states.

13 ~~1.~~ 2. The department shall develop programs to  
14 encourage the wise management and preservation of  
15 existing woodlands and shall continue its efforts to  
16 encourage forestation and reforestation on private and  
17 public lands in the state.

18 ~~2.~~ 3. The department shall encourage a cooperative  
19 relationship between the state forest nurseries and  
20 private nurseries in the state in order to achieve  
21 these goals.>

22 2. By renumbering as necessary.

**By** BELL of Jasper

H-8607 FILED MARCH 26, 2010

HOUSE FILE 2531

H-8608

1 Amend House File 2531 as follows:

2 1. Page 37, after line 14 by inserting:

3 <Sec. \_\_\_\_\_. 2010 Iowa Acts, Senate File 2378,

4 section 20, subsection 1, if enacted, is amended to  
5 read as follows:

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

20 2. By renumbering as necessary.

By TAYLOR of Linn

H-8608 FILED MARCH 26, 2010

HOUSE FILE 2531

H-8609

1 Amend House File 2531 as follows:

2 1. Page 42, after line 29 by inserting:

3 <DIVISION \_\_\_\_\_

4 WEAPONS \_\_\_\_\_

5 Sec. \_\_\_\_\_. Section 724.7, Code 2009, is amended to  
6 read as follows:

7 724.7 Nonprofessional permit to carry weapons.

8 Any person who ~~can reasonably justify going armed~~  
9 may is not disqualified under section 724.8, who  
10 satisfies the training requirements of section 724.9,  
11 and who files an application in accordance with  
12 section 724.10 shall be issued a nonprofessional permit  
13 to carry weapons. Such permits shall be on a form  
14 prescribed and published by the commissioner of public  
15 safety, which shall be readily distinguishable from  
16 the professional permit, and shall identify the holder  
17 thereof, and state the reason for the issuance of the  
18 permit, and the limits of the authority granted by such  
19 permit of the permit. All permits so issued shall be  
20 for a definite period as established by the issuing  
21 officer, but in no event shall exceed a period of  
22 twelve months five years and shall be valid throughout  
23 the state except where the possession or carrying of a  
24 firearm is prohibited by state or federal law.

25 Sec. \_\_\_\_\_. Section 724.8, Code 2009, is amended to  
26 read as follows:

27 724.8 Persons eligible for permit to carry weapons.

28 No ~~person shall be issued a professional or~~  
29 ~~nonprofessional permit to carry weapons unless shall~~  
30 be issued to a person who meets any of the following  
31 conditions:

32 1. ~~The person is~~ Is less than eighteen years of age  
33 ~~or older.~~

34 2. ~~The person has never been convicted of a felony.~~

35 3. ~~The person is not addicted to the use of alcohol~~  
36 ~~or any controlled substance.~~

37 4. ~~The person has no history of repeated acts of~~  
38 ~~violence.~~

39 5. ~~The issuing officer reasonably determines that~~  
40 ~~the applicant does not constitute a danger to any~~  
41 ~~person.~~

42 2. Is subject to the provisions of section 724.26.

43 6. ~~3. The person has never~~ Has, within the  
44 previous three years, been convicted of any  
45 crime serious or aggravated misdemeanor defined in  
46 chapter 708, except "assault" as defined in section  
47 708.1 and "harassment" as defined in section 708.7 not  
48 involving the use of a firearm or explosive.

49 4. Is prohibited by federal law from shipping,  
50 possessing, or receiving a firearm.

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1 5. Is a fugitive from justice as defined in 18  
2 U.S.C. { 921(a)(15), pursuant to 18 U.S.C. { 922(d)(2)  
3 or 18 U.S.C. { 922(g)(2).

4 6. Is an unlawful user of or addicted to any  
5 controlled substance pursuant to 18 U.S.C. { 922(d)(3)  
6 or 18 U.S.C. { 922(g)(3).

7 7. Has been adjudicated seriously mentally impaired  
8 or been committed to a mental institution for purposes  
9 of 18 U.S.C. { 922(d)(4) or 18 U.S.C. { 922(g)(4).

10 8. Is an alien illegally or unlawfully in the  
11 United States or admitted to the United States under  
12 a nonimmigrant visa, as those terms are used in 18  
13 U.S.C. { 922(d)(5), 18 U.S.C. { 922(g)(5), or 18 U.S.C.  
14 { 922(y).

15 9. Has been discharged from the armed forces  
16 under dishonorable conditions pursuant to 18 U.S.C. {  
17 922(d)(6) or 18 U.S.C. { 922(g)(6).

18 10. Has renounced the person's United States  
19 citizenship pursuant to 18 U.S.C. { 922(d)(7) or 18  
20 U.S.C. { 922(g)(7).

21 11. Is subject to a court order that restrains such  
22 person from harassing, stalking, or threatening an  
23 intimate partner or any child of the intimate partner,  
24 as defined in 18 U.S.C. { 921(a)(32), pursuant to 18  
25 U.S.C. { 922(d)(8) or 18 U.S.C. { 922(g)(8).

26 12. Has been convicted of a misdemeanor crime of  
27 domestic violence as defined in 18 U.S.C. { 921(a)(33),  
28 pursuant to 18 U.S.C. { 922(d)(9) or 18 U.S.C. {  
29 922(g)(9).

30 13. Is under indictment for a crime punishable by  
31 imprisonment for a term exceeding one year as defined  
32 in 18 U.S.C. { 921(a)(20), pursuant to 18 U.S.C. {  
33 922(n).

34 Sec. \_\_\_\_. Section 724.9, Code 2009, is amended by  
35 striking the section and inserting in lieu thereof the  
36 following:

37 724.9 Firearm training program.

38 1. An applicant shall demonstrate knowledge of  
39 firearm safety by any of the following means:

40 a. Completion of any national rifle association  
41 firearms safety or firearms training course.

42 b. Completion of any firearms safety or firearms  
43 training course available to the general public  
44 offered by a law enforcement agency, community  
45 college, college, private or public institution or  
46 organization, or firearms training school utilizing  
47 instructors certified by the national rifle association  
48 or the department of public safety or another state's  
49 department of public safety, state police department,  
50 or similar certifying body.



1 c. Completion of any law enforcement firearms  
2 safety or firearms training course or class offered  
3 for security guards, investigators, special deputies,  
4 or any division or subdivision of a law enforcement or  
5 security enforcement agency.

6 d. Evidence of equivalent experience with a firearm  
7 through participation in any organized shooting  
8 competition.

9 e. Completion of small arms training while serving  
10 with the armed forces of the United States as evidenced  
11 by any of the following:

12 (1) For personnel released or retired from active  
13 duty, possession of an honorable discharge or general  
14 discharge under honorable conditions.

15 (2) For personnel on active duty or serving in  
16 one of the national guard or reserve components of  
17 the armed forces of the United States, possession of  
18 a certificate of completion of basic training with a  
19 service record of successful completion of small arms  
20 training and qualification.

21 f. Previously having held a license to carry a  
22 firearm in this state, any political subdivision of  
23 this state, or in a state recognized under section  
24 724.11A, unless such license was revoked for cause.

25 g. Completion of a law enforcement agency firearms  
26 training course that qualifies a peace officer to carry  
27 a firearm in the normal course of the peace officer's  
28 duties.

29 2. Evidence of qualification under this section may  
30 be documented by any of the following:

31 a. A photocopy of a certificate of completion or  
32 any similar document indicating completion of any  
33 course or class identified in subsection 1.

34 b. An affidavit from the instructor, school,  
35 organization, or group that conducted or taught a  
36 course or class identified in subsection 1 attesting to  
37 the completion of the course or class by the applicant.

38 c. A copy of any document indicating participation  
39 in any firearms shooting competition.

40 d. A copy of a license described in subsection 1,  
41 paragraph "f".

42 3. An issuing officer shall not condition the  
43 issuance of a permit on training requirements that are  
44 not specified in or that exceed the requirements of  
45 this section.

46 Sec. \_\_\_\_\_. Section 724.10, Code 2009, is amended to  
47 read as follows:

48 724.10 Application for permit to carry weapons --  
49 ~~criminal history~~ background check required.

50 1. A person shall not be issued a permit to carry

1 weapons unless the person has completed and signed an  
2 application on a form to be prescribed and published  
3 by the commissioner of public safety. The application  
4 shall ~~state~~ require only the full name, driver's  
5 license or nonoperator's identification card number,  
6 residence, place of birth, and age of the applicant,  
7 and shall state whether the applicant ~~has ever been~~  
8 ~~convicted of a felony, whether the person is addicted~~  
9 ~~to the use of alcohol or any controlled substance, and~~  
10 ~~whether the person has any history of mental illness or~~  
11 ~~repeated acts of violence~~ meets the criteria specified  
12 in sections 724.8 and 724.9. An applicant may provide  
13 the applicant's social security number if the applicant  
14 so chooses. The applicant shall also display an  
15 identification card that bears a distinguishing number  
16 assigned to the cardholder, the full name, date of  
17 birth, sex, residence address, and a brief description  
18 and colored photograph of the cardholder.

19 2. The sheriff issuing officer, upon receipt  
20 of an initial or renewal application under this  
21 section, shall ~~conduct~~ immediately conduct a criminal  
22 history background check concerning each applicant by  
23 obtaining criminal history data from the department of  
24 public safety which shall include an inquiry of the  
25 national instant criminal background system maintained  
26 by the federal bureau of investigation or any successor  
27 agency.

28 3. A person who knowingly makes a false statement  
29 of material fact on ~~the~~ an application submitted under  
30 this section or who knowingly submits any materially  
31 falsified or forged document in connection with such  
32 application commits a class "D" felony an aggravated  
33 misdemeanor.

34 Sec. \_\_\_\_\_. Section 724.11, Code 2009, is amended to  
35 read as follows:

36 724.11 Issuance of permit to carry weapons.

37 1. Applications for permits to carry weapons shall  
38 be made to the sheriff of the county in which the  
39 applicant resides. Applications from persons who are  
40 nonresidents of the state, or whose need to go armed  
41 arises out of employment by the state, shall be made  
42 to the commissioner of public safety. In either case,  
43 ~~the issuance of the permit shall be by and at the~~  
44 ~~discretion of the sheriff or commissioner, who shall,~~  
45 before issuing the permit, shall determine that the  
46 requirements of sections 724.6 to 724.10 have been  
47 satisfied. However, the training program requirements  
48 in section 724.9 ~~may~~ shall be waived for renewal  
49 permits.

50 2. The issuing officer shall collect a fee of ten

1 dollars, except from a duly appointed peace officer  
2 or correctional officer, for each permit issued.  
3 Renewal permits or duplicate permits shall be issued  
4 for a fee of five dollars, provided the application  
5 for such renewal permit is received by the issuing  
6 officer at least thirty days prior to the expiration of  
7 the applicant's current permit. The issuing officer  
8 shall notify the commissioner of public safety of the  
9 issuance of any permit at least monthly and forward to  
10 the commissioner an amount equal to two dollars for  
11 each permit issued and one dollar for each renewal  
12 or duplicate permit issued. All such fees received  
13 by the commissioner shall be paid to the treasurer  
14 of state and deposited in the operating account of  
15 the department of public safety to offset the cost  
16 of administering this chapter. ~~Any~~ Notwithstanding  
17 section 8.33, any unspent balance as of June 30 of each  
18 year shall revert to the general fund as provided by  
19 section 8.33 of the state.

20 3. The sheriff or commissioner of public safety  
21 shall approve or deny an initial or renewal application  
22 submitted under this section within thirty days of  
23 receipt of the application. If the issuing officer  
24 has not received a response to an information request  
25 necessary to determine the applicant's eligibility at  
26 the end of the thirty-day period and the applicant is  
27 not otherwise disqualified, the issuing officer shall  
28 issue a conditional permit to the applicant. The  
29 conditional permit shall be readily distinguishable  
30 in appearance from a five-year permit and shall be  
31 immediately revoked if the information subsequently  
32 received indicates the applicant is ineligible for a  
33 permit and the application is denied. A person whose  
34 application for a permit under this chapter is denied  
35 may seek review of the denial under section 724.21A.

36 Sec. \_\_\_\_ . NEW SECTION. 724.11A Reciprocity.

37 1. The commissioner of public safety shall compare  
38 the provisions of sections 724.7 and 724.8 with similar  
39 statutes of other states to determine whether such  
40 state's laws are similar to or exceed the requirements  
41 of sections 724.7 and 724.8. The commissioner shall  
42 seek a reciprocity agreement with each state whose laws  
43 are similar to or exceed the requirements of sections  
44 724.7 and 724.8.

45 2. A valid nonprofessional permit or license to  
46 carry weapons recognized in this state pursuant to  
47 subsection 1 shall have the same legal effect as a  
48 nonprofessional permit to carry weapons issued under  
49 this chapter, except that such permit shall not be  
50 considered to be a substitute for an annual permit to

1 acquire weapons issued pursuant to section 724.15.

2 Sec. \_\_\_\_\_. Section 724.13, Code 2009, is amended by  
3 striking the section and inserting in lieu thereof the  
4 following:

5 724.13 Suspension or revocation of permit to carry  
6 weapons.

7 An issuing officer who finds that a person issued  
8 a permit to carry weapons under this chapter has  
9 been arrested for a disqualifying offense or is the  
10 subject of proceedings that could lead to the person's  
11 ineligibility for such permit may immediately suspend  
12 such permit. An issuing officer proceeding under this  
13 section shall immediately notify the permit holder of  
14 the suspension by personal service or certified mail on  
15 a form prescribed and published by the commissioner of  
16 public safety and the suspension shall become effective  
17 upon the permit holder's receipt of such notice. If  
18 the suspension is based on an arrest or a proceeding  
19 that does not result in a disqualifying conviction or  
20 finding against the permit holder, the issuing officer  
21 shall immediately reinstate the permit upon receipt of  
22 proof of the matter's final disposition. If the arrest  
23 leads to a disqualifying conviction or the proceedings  
24 to a disqualifying finding, the issuing officer shall  
25 revoke the permit. The issuing officer may also  
26 revoke the permit of a person whom the issuing officer  
27 later finds was not qualified for such a permit at the  
28 time of issuance or who the officer finds provided  
29 materially false information on the permit application.  
30 A person aggrieved by a suspension or revocation under  
31 this section may seek review of the decision pursuant  
32 to section 724.21A.

33 Sec. \_\_\_\_\_. Section 724.15, Code 2009, is amended to  
34 read as follows:

35 724.15 Annual permit to acquire pistols or  
36 revolvers.

37 1. Any person who ~~acquires~~ desires to  
38 acquire ownership of any pistol or revolver shall  
39 first obtain an annual permit. An annual permit shall  
40 ~~not be issued upon request to any person resident of~~  
41 this state unless the person is subject to any of the  
42 following:

43 a. ~~The person is~~ Is less than twenty-one years of  
44 age ~~or older.~~

45 b. ~~The person has never been convicted of a felony.~~

46 c. ~~The person is not addicted to the use of alcohol~~  
47 ~~or a controlled substance.~~

48 d. ~~The person has no history of repeated acts of~~  
49 ~~violence.~~

50 e. ~~The person has never been convicted of a crime~~

1 ~~defined in chapter 708, except "assault" as defined in~~  
2 ~~section 708.1 and "harassment" as defined in section~~  
3 ~~708.7.~~

4 ~~f. The person has never been adjudged mentally~~  
5 ~~incompetent.~~

6 b. Is subject to the provisions of section 724.26.

7 c. Is prohibited by federal law from shipping,  
8 possessing, or receiving a firearm.

9 2. Any person who acquires ownership of a pistol  
10 or revolver shall not be required to obtain an annual  
11 permit if any of the following apply:

12 a. The person transferring the pistol or revolver  
13 and the person acquiring the pistol or revolver are  
14 licensed firearms dealers under federal law~~7.~~

15 b. The pistol or revolver acquired is an antique  
16 firearm, a collector's item, a device which is not  
17 designed or redesigned for use as a weapon, a device  
18 which is designed solely for use as a signaling,  
19 pyrotechnic, line-throwing, safety, or similar device,  
20 or a firearm which is unserviceable by reason of being  
21 unable to discharge a shot by means of an explosive  
22 and is incapable of being readily restored to a firing  
23 condition~~7 or.~~

24 c. The person acquiring the pistol or revolver is  
25 authorized to do so on behalf of a law enforcement  
26 agency.

27 d. The person has obtained a valid permit to carry  
28 weapons, as provided in section 724.11.

29 e. The person transferring the pistol or revolver  
30 and the person acquiring the pistol or revolver  
31 are related to one another within the second degree  
32 of consanguinity or affinity unless the person  
33 transferring the pistol or revolver knows that the  
34 person acquiring the pistol or revolver would be  
35 ~~ineligible to obtain~~ disqualified from obtaining a  
36 permit.

37 3. The annual permit to acquire pistols or  
38 revolvers shall authorize the permit holder to acquire  
39 one or more pistols or revolvers during the period  
40 that the permit remains valid. ~~If the issuing officer~~  
41 ~~determines that the applicant has become disqualified~~  
42 ~~under the provisions of subsection 1, the issuing~~  
43 ~~officer may immediately invalidate the permit.~~

44 4. An issuing officer who finds that a person  
45 issued a permit to acquire pistols or revolvers under  
46 this chapter has been arrested for a disqualifying  
47 offense or who is the subject of proceedings that could  
48 lead to the person's ineligibility for such permit may  
49 immediately suspend such permit. An issuing officer  
50 proceeding under this subsection shall immediately

1 notify the permit holder of the suspension by personal  
2 service or certified mail on a form prescribed and  
3 published by the commissioner of public safety and  
4 the suspension shall become effective upon the permit  
5 holder's receipt of such notice. If the suspension  
6 is based on an arrest or a proceeding that does not  
7 result in a disqualifying conviction or finding against  
8 the permit holder, the commissioner shall immediately  
9 reinstate the permit upon receipt of proof of the  
10 matter's final disposition. If the arrest leads to  
11 a disqualifying conviction or the proceedings to a  
12 disqualifying finding, the issuing officer shall revoke  
13 the permit. The issuing officer may also revoke the  
14 permit of a person whom the issuing officer later finds  
15 was not qualified for such a permit at the time of  
16 issuance or who the officer finds provided materially  
17 false information on the permit application. A person  
18 aggrieved by a suspension or revocation under this  
19 subsection may seek review of the decision, pursuant  
20 to section 724.21A.

21 Sec. \_\_\_\_ . Section 724.17, Code 2009, is amended to  
22 read as follows:

23 724.17 Application for annual permit to acquire --  
24 criminal history check required.

25 The application for an annual permit to acquire  
26 pistols or revolvers may be made to the sheriff of the  
27 county of the applicant's residence and shall be on a  
28 form prescribed and published by the commissioner of  
29 public safety. The application shall ~~state~~ require  
30 only the full name of the applicant, the driver's  
31 license or nonoperator's identification card number of  
32 the applicant, the residence of the applicant, and the  
33 age and place of birth of the applicant. The applicant  
34 shall also display an identification card that bears  
35 a distinguishing number assigned to the cardholder,  
36 the full name, date of birth, sex, residence address,  
37 and brief description and colored photograph of the  
38 cardholder, or other identification as specified by  
39 rule of the department of public safety. The sheriff  
40 shall conduct a criminal history check concerning  
41 each applicant by obtaining criminal history data  
42 from the department of public safety which shall  
43 include an inquiry of the national instant criminal  
44 background system maintained by the federal bureau of  
45 investigation or any successor agency. A person who  
46 knowingly makes a false statement of material fact on  
47 the application commits a class "D" felony. A person  
48 who knowingly makes a false statement of material fact  
49 on an application submitted under this section or who  
50 knowingly submits any materially falsified or forged

1 document in connection with such application commits  
2 an aggravated misdemeanor.

3 Sec. \_\_\_\_\_. NEW SECTION. 724.21A Hearing on denial,  
4 suspension, or revocation of permit to carry weapons and  
5 permits to acquire pistols or revolvers.

6 1. In any case where the sheriff or the  
7 commissioner of public safety denies an application  
8 for or suspends or revokes a permit to carry weapons  
9 or an annual permit to acquire pistols or revolvers,  
10 the applicant or permit holder shall have the right to  
11 appeal the denial, suspension, or revocation of the  
12 permit to an administrative law judge in the department  
13 of inspections and appeals within thirty days of  
14 receiving written notice of the denial, suspension, or  
15 revocation.

16 2. The applicant or permit holder may file an  
17 appeal with an administrative law judge by filing a  
18 copy of the denial, suspension, or revocation notice  
19 with a written statement that clearly states the  
20 applicant's reasons rebutting the denial, suspension,  
21 or revocation along with a fee of ten dollars.  
22 Additional supporting information relevant to the  
23 proceedings may also be included.

24 3. The administrative law judge shall grant an  
25 aggrieved applicant an opportunity to be heard within  
26 forty-five days of receipt of the request for an  
27 appeal. The hearing may be held by telephone or video  
28 conference at the discretion of the administrative law  
29 judge. The administrative law judge shall receive  
30 witness testimony and other evidence relevant to the  
31 proceedings at the hearing.

32 4. Upon conclusion of the hearing, the  
33 administrative law judge shall order that the denial,  
34 suspension, or revocation of the permit be either  
35 rescinded or sustained. An applicant, permit holder,  
36 or issuing officer aggrieved by the final judgment of  
37 the administrative law judge shall have the right to  
38 judicial review in accordance with the terms of the  
39 Iowa administrative procedure Act, chapter 17A.

40 Sec. \_\_\_\_\_. Section 724.25, subsection 1, Code 2009,  
41 is amended to read as follows:

42 1. As used in ~~sections 724.8, subsection 2,~~  
43 ~~and section~~ 724.26, the word "felony" means any offense  
44 punishable in the jurisdiction where it occurred  
45 by imprisonment for a term exceeding one year, but  
46 does not include any offense, other than an offense  
47 involving a firearm or explosive, classified as a  
48 misdemeanor under the laws of the state and punishable  
49 by a term of imprisonment of two years or less.

50 Sec. \_\_\_\_\_. Section 724.27, Code 2009, is amended to

1 read as follows:

2 724.27 Offenders' rights restored.

3 1. The provisions of section 724.8, ~~subsection~~  
4 ~~2~~, section 724.15, subsection 1, paragraphs "b" and  
5 "e", and section 724.26 shall not apply to a person who  
6 is eligible to have the person's civil rights regarding  
7 firearms restored under section 914.7 and who is  
8 pardoned or has had the person's civil rights restored  
9 by the President of the United States or the chief  
10 executive of a state and who is expressly authorized  
11 by the President of the United States or such chief  
12 executive to receive, transport, or possess firearms or  
13 destructive devices. if any of the following occur:

14 a. The person is pardoned by the President of the  
15 United States or the chief executive of a state for a  
16 disqualifying conviction.

17 b. The person's civil rights have been restored  
18 after a disqualifying conviction, commitment, or  
19 adjudication.

20 c. The person's conviction for a disqualifying  
21 offense has been expunged.

22 2. Subsection 1 shall not apply to a person whose  
23 pardon, restoration of civil rights, or expungement of  
24 conviction expressly forbids the person to receive,  
25 transport, or possess firearms or destructive devices.>

26 2. By renumbering as necessary.

By PAULSEN of Linn

HOUSE FILE 2531

1 Amend House File 2531 as follows:

2 1. Page 38, after line 1 by inserting:

3 <DIVISION \_\_\_\_  
4 RENEWABLE FUELS AND COPRODUCTS

5 Sec. \_\_\_\_ . Section 159A.6, subsection 1, Code  
6 Supplement 2009, is amended to read as follows:

7 1. The office shall support education regarding,  
8 and promotion and advertising of, renewable fuels  
9 and coproducts. The office shall consult with the  
10 petroleum marketers and convenience stores of Iowa,  
11 the Iowa corn growers association, and the Iowa soybean  
12 association.>

13 2. By renumbering as necessary.

By S. OLSON of Clinton



HOUSE FILE 2531

H-8613

1 Amend House File 2531 as follows:

2 1. Page 38, after line 1 by inserting:

3 <DIVISION \_\_\_\_\_  
4 FIRE SUPPRESSION SYSTEMS

5 Sec. \_\_\_\_\_. Section 100.35, Code 2009, is amended to  
6 read as follows:

7 100.35 Rules of marshal.

8 1. The fire marshal shall adopt, and may amend  
9 rules under chapter 17A, which include standards  
10 relating to exits and exit lights, fire escapes,  
11 fire protection, fire safety and the elimination of  
12 fire hazards, in and for churches, schools, hotels,  
13 theaters, amphitheaters, hospitals, health care  
14 facilities as defined in section 135C.1, boarding homes  
15 or housing, rest homes, dormitories, college buildings,  
16 lodge halls, club rooms, public meeting places, places  
17 of amusement, apartment buildings, food establishments  
18 as defined in section 137F.1, and all other buildings  
19 or structures in which persons congregate from time to  
20 time, whether publicly or privately owned. Violation  
21 of a rule adopted by the fire marshal is a simple  
22 misdemeanor. However, upon proof that the fire marshal  
23 gave written notice to the defendant of the violation,  
24 and proof that the violation constituted a clear and  
25 present danger to life, and proof that the defendant  
26 failed to eliminate the condition giving rise to the  
27 violation within thirty days after receipt of notice  
28 from the fire marshal, the penalty is that provided  
29 by law for a serious misdemeanor. Each day of the  
30 continuing violation of a rule after conviction of  
31 a violation of the rule is a separate offense. A  
32 conviction is subject to appeal as in other criminal  
33 cases.

34 2. Rules by the fire marshal affecting the  
35 construction of new buildings, additions to buildings  
36 or rehabilitation of existing buildings and related to  
37 fire protection, shall be substantially in accord with  
38 the provisions of the nationally recognized building  
39 and related codes adopted as the state building code  
40 pursuant to section 103A.7 or with codes adopted by  
41 a local subdivision which are in substantial accord  
42 with the codes comprising the state building code. The  
43 rules adopted by the fire marshal shall not require  
44 the installation of fire sprinklers or a related  
45 fire suppression system in a one-family or two-family  
46 residential dwelling or a residential building that  
47 contains no more than four dwelling units.

48 3. The rules adopted by the state fire marshal  
49 under this section shall provide standards for fire  
50 resistance of cellulose insulation sold or used in this

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1 state, whether for public or private use. The rules  
2 shall provide for approval of the cellulose insulation  
3 by at least one nationally recognized independent  
4 testing laboratory.

5 Sec. \_\_\_\_\_. Section 103A.7, subsection 2, paragraph  
6 d, Code Supplement 2009, is amended to read as follows:

7 d. Protection of the health, safety, and welfare  
8 of occupants and users. The rules adopted by the  
9 state building code commissioner shall not require  
10 the installation of fire sprinklers or a related  
11 fire suppression system in a one-family or two-family  
12 residential dwelling or a residential building that  
13 contains no more than four dwelling units.

14 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
15 of this Act, being deemed of immediate importance,  
16 takes effect upon enactment.>

17 2. By renumbering as necessary.

**By** SODERBERG of Plymouth

SENATE FILE 2201

H-8625

1 Amend Senate File 2201, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 11, after line 9, by inserting:

4 <Sec. \_\_\_\_\_. NEW SECTION. 514C.26 Mental illness and  
5 substance abuse treatment coverage for veterans.

6 1. Notwithstanding the uniformity of treatment  
7 requirements of section 514C.6, a group policy  
8 or contract providing for third-party payment or  
9 prepayment of health or medical expenses issued by  
10 a carrier, as defined in section 513B.2, or by an  
11 organized delivery system authorized under 1993 Iowa  
12 Acts, chapter 158, shall provide coverage benefits to  
13 an insured who is a veteran for treatment of mental  
14 illness and substance abuse if either of the following  
15 is satisfied:

16 a. The policy or contract is issued to an employer  
17 who on at least fifty percent of the employer's working  
18 days during the preceding calendar year employed  
19 more than fifty full-time equivalent employees.  
20 In determining the number of full-time equivalent  
21 employees of an employer, employers who are affiliated  
22 or who are able to file a consolidated tax return for  
23 purposes of state taxation shall be considered one  
24 employer.

25 b. The policy or contract is issued to a small  
26 employer as defined in section 513B.2, and such  
27 policy or contract provides coverage benefits for the  
28 treatment of mental illness and substance abuse.

29 2. Notwithstanding the uniformity of treatment  
30 requirements of section 514C.6, a plan established  
31 pursuant to chapter 509A for public employees shall  
32 provide coverage benefits to an insured who is a  
33 veteran for treatment of mental illness and substance  
34 abuse as defined in subsection 3.

35 3. For purposes of this section:

36 a. "Mental illness" means mental disorders as  
37 defined by the commissioner by rule.

38 b. "Substance abuse" means a pattern of pathological  
39 use of alcohol or a drug that causes impairment in  
40 social or occupational functioning, or that produces  
41 physiological dependency evidenced by physical  
42 tolerance or by physical symptoms when the alcohol or  
43 drug is withdrawn.

44 c. "Veteran" means the same as defined in section  
45 35.1.

46 4. The commissioner, by rule, shall define "mental  
47 illness" consistent with definitions provided in  
48 the most recent edition of the American psychiatric  
49 association's diagnostic and statistical manual of  
50 mental disorders, as the definitions may be amended

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1 from time to time. The commissioner may adopt the  
2 definitions provided in such manual by reference.

3 5. This section shall not apply to accident only,  
4 specified disease, short-term hospital or medical,  
5 hospital confinement indemnity, credit, dental, vision,  
6 Medicare supplement, long-term care, basic hospital  
7 and medical-surgical expense coverage as defined  
8 by the commissioner, disability income insurance  
9 coverage, coverage issued as a supplement to liability  
10 insurance, workers' compensation or similar insurance,  
11 or automobile medical payment insurance, or individual  
12 accident and sickness policies issued to individuals or  
13 to individual members of a member association.

14 6. A carrier, organized delivery system, or plan  
15 established pursuant to chapter 509A may manage the  
16 benefits provided through common methods including  
17 but not limited to providing payment of benefits  
18 or providing care and treatment under a capitated  
19 payment system, prospective reimbursement rate system,  
20 utilization control system, incentive system for the  
21 use of least restrictive and least costly levels of  
22 care, a preferred provider contract limiting choice of  
23 specific providers, or any other system, method, or  
24 organization designed to assure services are medically  
25 necessary and clinically appropriate.

26 7. a. A group policy or contract or plan covered  
27 under this section shall not impose an aggregate annual  
28 or lifetime limit on mental illness or substance abuse  
29 coverage benefits unless the policy or contract or  
30 plan imposes an aggregate annual or lifetime limit  
31 on substantially all medical and surgical coverage  
32 benefits.

33 b. A group policy or contract or plan covered  
34 under this section that imposes an aggregate annual  
35 or lifetime limit on substantially all medical  
36 and surgical coverage benefits shall not impose an  
37 aggregate annual or lifetime limit on mental illness  
38 or substance abuse coverage benefits which is less  
39 than the aggregate annual or lifetime limit imposed  
40 on substantially all medical and surgical coverage  
41 benefits.

42 8. A group policy or contract or plan covered  
43 under this section shall at a minimum allow for  
44 thirty inpatient days and fifty-two outpatient visits  
45 annually. The policy or contract or plan may also  
46 include deductibles, coinsurance, or copayments,  
47 provided the amounts and extent of such deductibles,  
48 coinsurance, or copayments applicable to other medical  
49 or surgical services coverage under the policy or  
50 contract or plan are the same. It is not a violation

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Page 3

1 of this section if the policy or contract or plan  
2 excludes entirely from coverage benefits for the cost  
3 of providing the following:

- 4 a. Care that is substantially custodial in nature.
- 5 b. Services and supplies that are not medically  
6 necessary or clinically appropriate.
- 7 c. Experimental treatments.

8 9. This section applies to third-party payment  
9 provider policies or contracts and plans established  
10 pursuant to chapter 509A delivered, issued for  
11 delivery, continued, or renewed in this state on or  
12 after January 1, 2011.>

13 2. Title page, line 5, after <associations,> by  
14 inserting <special health and accident insurance  
15 coverages,>

16 3. By renumbering as necessary.

**By** ZIRKELBACH of Jones

H-8625 FILED MARCH 26, 2010

SENATE FILE 2201

H-8626

1 Amend the amendment, H-8578, to Senate File 2201,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 4, by striking line 44 and inserting:  
5 <<Sec. \_\_\_\_\_. 2009 Iowa Acts, chapter 118, section 1,  
6 is amended by adding the following new subsection:

7 NEW SUBSECTION. 6A. The commission shall also  
8 complete an annual review of the cost of health  
9 insurance mandates currently imposed on health  
10 insurance regulated by the state and provide  
11 projections of the cost of any mandates that the  
12 commission determines may be considered by the general  
13 assembly during the upcoming legislative session. The  
14 review and projections shall be included in the annual  
15 reports provided by the commission to the general  
16 assembly pursuant to this section.

17 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. The following>\_\_\_\_.  
18 Page 5, by striking line 3 and inserting  
19 <505.18 and 505.19.

20 \_\_\_\_\_. The section of this Act amending 2009 Iowa  
21 Acts, chapter 118, section 1.>>

22 2. By renumbering as necessary.

**By** SMITH of Marshall

H-8626 FILED MARCH 26, 2010

SENATE FILE 2201

H-8627

1 Amend the amendment, H-8578, to Senate File 2201,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 4, after line 42 by inserting:

5 <\_\_\_\_. Page 11, after line 9 by inserting:

6 <Sec. \_\_\_\_ NEW SECTION. 514C.6A Exemption from  
7 chapter requirements.

8 1. Notwithstanding any other provision of this  
9 chapter, a third-party payor as defined in section  
10 514C.6 may issue a basic policy, contract, or plan  
11 providing for third-party payment or prepayment of  
12 health or medical expenses that does not provide  
13 coverage for some or any of the special health and  
14 accident insurance coverages required by this chapter  
15 or does not meet some or any of the other requirements  
16 contained in this chapter.

17 2. This section applies to third-party payment  
18 provider policies, contracts, or plans that are  
19 delivered, issued for delivery, continued, or renewed  
20 in this state on or after January 1, 2011.>>

21 2. Page 5, after line 7 by inserting:

22 <\_\_\_\_. Title page, line 5, after <associations,>  
23 by inserting <special health and accident insurance  
24 coverages,>>

25 3. By renumbering as necessary.

By PETTENGILL of Benton

H-8627 FILED MARCH 26, 2010

SENATE FILE 2201

H-8631

1 Amend the amendment, H-8578, to Senate File 2201,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 4, line 15, after <increase> by inserting  
5 <exceeding the average annual health spending growth  
6 rate stated in the most recent national health  
7 expenditure projection published by the centers for  
8 Medicare and Medicaid services of the United States  
9 department of health and human services,>

10 2. Page 4, line 26, after <increases> by inserting  
11 <exceeding the average annual health spending growth  
12 rate as provided in subsection 1,>

13 3. Page 4, line 31, after <application> by  
14 inserting <if the increase exceeds the average annual  
15 health spending growth rate as provided in subsection  
16 1,>

By QUIRK of Chickasaw  
T. OLSON of Linn  
PETERSEN of Polk

H-8631 FILED MARCH 26, 2010

H-8611

1 Amend Senate File 2252, as amended, passed, and  
2 reprinted by the Senate, as follows:

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

4 <Sec. \_\_\_\_\_. Section 216A.132, Code 2009, is amended  
5 to read as follows:

6 216A.132 Council established -- terms --  
7 compensation.

8 1. A criminal and juvenile justice planning  
9 advisory council is established consisting of  
10 twenty-three members.

11 a. The governor shall appoint seven members each  
12 for a four-year term beginning and ending as provided  
13 in section 69.19 and subject to confirmation by the  
14 senate as follows:

15 (1) Three persons, each of whom is a county  
16 supervisor, county sheriff, mayor, ~~city chief of~~  
17 ~~police, or county attorney nonsupervisory police~~  
18 officer, or a chief of police of a department with less  
19 than eleven police officers.

20 ~~-(2) Two persons who represent the general public~~  
21 ~~and are not employed in any law enforcement, judicial,~~  
22 ~~or corrections capacity.~~

23 ~~-(3) (2) Two persons who are knowledgeable about~~  
24 ~~Iowa's juvenile justice system.~~

25 (3) person who represents the general public and  
26 is not employed in any law enforcement, judicial, or  
27 corrections capacity.

28 (4) One person who is either a crime victim, or who  
29 represents a crime victim organization.

30 b. The departments of human services, corrections,  
31 and public safety, the division on the status of  
32 African-Americans, the Iowa department of public  
33 health, the chairperson of the board of parole, the  
34 attorney general, the state public defender, and the  
35 governor's office of drug control policy, ~~and the chief~~  
36 ~~justice of the supreme court~~ shall each designate a  
37 person to serve on the council. ~~The person appointed~~  
38 ~~by the Iowa department of public health shall be from~~  
39 ~~the departmental staff who administer the comprehensive~~  
40 ~~substance abuse program under chapter 125.~~

41 c. The chief justice of the supreme court shall  
42 ~~appoint two additional members currently serving~~  
43 ~~as district judges~~ designate one member who is a  
44 district judge and one member who is either a district  
45 associate judge or associate juvenile judge. ~~Two~~  
46 ~~members of the senate and two members of the house of~~  
47 ~~representatives shall be ex officio members and shall~~  
48 ~~be appointed by the majority and minority leaders~~  
49 ~~of the senate and the speaker and minority leader~~  
50 ~~of the house of representatives pursuant to section~~

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1 ~~69.16 and shall serve terms as provided in section~~  
2 ~~69.16B. The chairperson and ranking member of the~~  
3 ~~senate committee on judiciary shall be members. In~~  
4 ~~alternating four-year intervals, the chairperson and~~  
5 ~~ranking member of the house committee on judiciary~~  
6 ~~or of the house committee on public safety shall be~~  
7 ~~members, with the chairperson and ranking member of the~~  
8 ~~house committee on public safety serving during the~~  
9 ~~initial interval. Nonlegislative members appointed~~  
10 pursuant to this paragraph shall serve for four-year  
11 terms beginning and ending as provided in section 69.19  
12 unless the member ceases to serve as a district court  
13 judge.

14 d. The Iowa county attorneys association shall  
15 designate a person to serve on the council.

16 2. Members of the council shall receive  
17 reimbursement from the state for actual and necessary  
18 expenses incurred in the performance of their official  
19 duties. Members may also be eligible to receive  
20 compensation as provided in section 7E.6.>

21 2. Page 3, after line 28 by inserting:

22 <Sec. \_\_\_\_ . APPOINTMENTS TO CRIMINAL AND JUVENILE  
23 JUSTICE PLANNING ADVISORY COUNCIL. The applicable  
24 provisions of chapter 69 shall apply to vacant  
25 positions on the criminal and juvenile justice planning  
26 advisory council occurring on or after July 1, 2010.>

27 3. By renumbering as necessary.

By SWAIM of Davis

SENATE FILE 2265

1 Amend the amendment, H-8572, to Senate File 2265,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

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

5 <\_\_\_\_. Page 1, line 4, by striking <shall consider  
6 and may> and inserting <may consider and>>

7 2. Page 1, after line 25 by inserting:

8 <\_\_\_\_. Page 3, line 17, by striking <shall> and  
9 inserting <may>>

10 3. Page 1, after line 36 by inserting:

11 <\_\_\_\_. Page 7, line 30, by striking <shall> and  
12 inserting <may>

13 \_\_\_\_\_. Page 9, line 3, by striking <shall> and  
14 inserting <may>

15 \_\_\_\_\_. Page 9, line 31, by striking <shall> and  
16 inserting <may>

17 \_\_\_\_\_. Page 11, line 30, by striking <shall> and  
18 inserting <may>>

By GRASSLEY of Butler



SENATE FILE 2265

H-8628

1 Amend the amendment, H-8572, to Senate File 2265,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 3, by striking lines 18 and 19 and  
5 inserting:

6 <12. The task force is dissolved upon submission  
7 of the report to the governor and the general assembly  
8 under subsection 11.>

By GRASSLEY of Butler

H-8628 FILED MARCH 26, 2010

SENATE FILE 2265

H-8630

1 Amend Senate File 2265, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, line 6, after <decisions> by inserting  
4 <, except that a state agency, local government, or  
5 other public entity applying any of the following  
6 principles shall not implement or undertake a planning,  
7 zoning, development, or resources management decision  
8 that involves the use of eminent domain authority under  
9 chapter 6A or 6B>

By KAUFMANN of Cedar  
TYMESON of Madison

H-8630 FILED MARCH 26, 2010

SENATE FILE 2356

H-8620

1 Amend the amendment, H-8559, to Senate File 2356,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 4, after line 50 by inserting:

5 <DIVISION \_\_\_\_\_  
6 LEGISLATIVE HEALTH CARE COVERAGE COMMISSION

7 Sec. \_\_\_\_\_. 2009 Iowa Acts, chapter 118, section 1,  
8 is amended by adding the following new subsection:

9 NEW SUBSECTION. 6A. The commission shall also  
10 complete an annual review of the cost of health  
11 insurance mandates currently imposed on health  
12 insurance regulated by the state and provide  
13 projections of the cost of any mandates that the  
14 commission determines may be considered by the general  
15 assembly during the upcoming legislative session. The  
16 review and projections shall be included in the annual  
17 reports provided by the commission to the general  
18 assembly pursuant to this section.

19 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
20 of this Act, being deemed of immediate importance,  
21 takes effect upon enactment.>

22 \_\_\_\_\_. Title page, line 4, after <exchange> by  
23 inserting <and including effective date provisions>>

24 2. By renumbering as necessary.

**By** SMITH of Marshall

H-8620 FILED MARCH 26, 2010

SENATE FILE 2356

H-8623

1 Amend Senate File 2356, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 13, after line 5 by inserting:

4 <DIVISION \_\_\_\_\_  
5 CHOICE OF HEALTH CARE

6 Sec. \_\_\_\_ . NEW SECTION. 1.19 Right to choose health  
7 care.

8 No law shall restrict a person's natural right and  
9 power to secure the blessings of liberty to choose  
10 private health care systems or private health care  
11 plans. No law shall interfere with the right of a  
12 person or entity to pay for lawful medical services  
13 to preserve life or health, and no law shall impose a  
14 penalty, tax, fee, or fine, of any type, for declining  
15 or failing to contract for health care coverage or for  
16 declining or failing to participate in any particular  
17 health care system or plan, except as required by a  
18 court of law where an individual or entity is a named  
19 party in a legal dispute. Nothing in this section  
20 shall be construed to expand, limit, or otherwise  
21 modify any determination of law regarding what  
22 constitutes lawful medical services within the state  
23 of Iowa.>

24 2. Title page, line 4, after <exchange> by  
25 inserting <, and relating to the right to choose health  
26 care>

27 3. By renumbering as necessary.

|                              |                          |
|------------------------------|--------------------------|
| <b>By</b> ROBERTS of Carroll | L. MILLER of Scott       |
| SORENSEN of Warren           | S. OLSON of Clinton      |
| ALONS of Sioux               | PAULSEN of Linn          |
| ANDERSON of Page             | PETTENGILL of Benton     |
| ARNOLD of Lucas              | RAECKER of Polk          |
| BAUDLER of Adair             | RANTS of Woodbury        |
| CHAMBERS of O'Brien          | RAYHONS of Hancock       |
| COWNIE of Polk               | SANDS of Louisa          |
| DE BOEF of Keokuk            | SCHULTE of Linn          |
| DEYOE of Story               | SCHULTZ of Crawford      |
| DOLECHECK of Ringgold        | SODERBERG of Plymouth    |
| DRAKE of Cass                | STRUYK of Pottawattamie  |
| FORRISTALL of Pottawattamie  | SWEENEY of Hardin        |
| GRASSLEY of Butler           | TJEPKES of Webster       |
| HAGENOW of Polk              | TYMESON of Madison       |
| HEATON of Henry              | UPMEYER of Hancock       |
| HELLAND of Polk              | VAN ENGELHOFEN of Marion |
| HUSEMAN of Cherokee          | WAGNER of Linn           |
| KAUFMANN of Cedar            | WATTS of Dallas          |
| KOESTER of Polk              | WINDSCHITL of Harrison   |
| LUKAN of Dubuque             | WORTHAN of Buena Vista   |
| MAY of Dickinson             |                          |

H-8623 FILED MARCH 26, 2010

SENATE FILE 2356

H-8629

1 Amend the amendment, H-8559, Senate File 2356,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 4, after line 50 by inserting:

5 <\_\_\_\_. Title page, by striking lines 1 through 4 and  
6 inserting <An Act relating to the health care including  
7 IowaCare program provisions and the creation of an Iowa  
8 insurance information exchange to promote transparency,  
9 quality, seamlessness, and informed choices relative  
10 to health care coverage.>>

**By** SMITH of Marshall  
UPMEYER of Hancock

H-8629 FILED MARCH 26, 2010

SENATE FILE 2376

H-8621

1 Amend House amendment, S-5309, to Senate File 2376,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. By striking page 2, line 29, through page 4,  
5 line 16.

6 2. Page 4, by striking lines 17 through 21.

7 3. Page 4, after line 43 by inserting:

8 <\_\_\_. Page 20, after line 15 by inserting:

9 <Sec. \_\_\_. Section 256I.7, subsection 1, paragraph  
10 a, as enacted by 2010 Iowa Acts, Senate File 2088,  
11 section 284, is amended to read as follows:

12 a. The early childhood Iowa functions for an area  
13 shall be performed under the authority of an early  
14 childhood Iowa area board. The members of an area  
15 board shall be elected officials or members of the  
16 public who are not employed by a provider of services  
17 to or for the area board. In addition, the membership  
18 of an area board shall include representation from  
19 early care, education, health, human services,  
20 business, and faith interests, and at least one parent,  
21 grandparent, or guardian of a child from zero through  
22 age five. ~~The education, health, and human services~~  
23 ~~agencies represented on an area board may receive~~  
24 ~~funding from the area board.~~

25 Sec. \_\_\_. Section 256I.11, subsection 4, paragraph  
26 d, as enacted by 2010 Iowa Acts, Senate File 2088,  
27 section 288, is amended to read as follows:

28 d. The moneys distributed from the early childhood  
29 programs grant account shall be used by early childhood  
30 Iowa areas for the purposes of enhancing quality  
31 child care capacity in support of parent capability  
32 to obtain or retain employment. The moneys shall be  
33 used with a primary emphasis on low-income families  
34 and children from zero to age five. Moneys shall be  
35 provided in a flexible manner and shall be used to  
36 implement strategies identified by the early childhood  
37 Iowa area to achieve such purposes. The department  
38 of ~~management~~ human services may use a portion of the  
39 funding appropriated to the department under this  
40 subsection for provision of technical assistance  
41 and other support to the early childhood Iowa areas  
42 developing and implementing strategies with grant  
43 moneys distributed from the account.>>

44 4. Page 4, after line 43 by inserting:

45 <\_\_\_. Page 22, after line 29 by inserting:

46 <Sec. \_\_\_. Section 261.25, Code Supplement 2009, is  
47 amended by adding the following new subsection:

48 NEW SUBSECTION. 6. In the case of a qualified  
49 student who was enrolled in an accredited private  
50 institution that was exempt from taxation under section

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1 501(c) of the Internal Revenue Code and that was  
2 purchased by a for-profit institution effective January  
3 8, 2010, and such qualified student continues to be  
4 enrolled in the eligible institution in succeeding  
5 years, the student shall continue to be eligible to  
6 receive funds under subsection 1 without a change in  
7 the student's qualification status.>>

8 5. Page 4, after line 43 by inserting:

9 <\_\_\_. Page 29, after line 12 by inserting:

10 <Sec. \_\_\_. Section 284A.2, subsection 2, Code  
11 Supplement 2009, is amended to read as follows:

12 2. "Beginning administrator" means an individual  
13 serving under an ~~initial~~ administrator license, issued  
14 by the board of educational examiners under chapter  
15 272, who is assuming a position as a school district  
16 ~~administrator~~ principal or superintendent for the first  
17 time.

18 Sec. \_\_\_. Section 284A.5, subsections 3 and 5, Code  
19 2009, are amended to read as follows:

20 3. Each school board shall establish an  
21 administrator mentoring program for all beginning  
22 administrators. The school board may adopt the  
23 model program developed by the department pursuant  
24 to subsection 2. Each school board's beginning  
25 administrator mentoring and induction program shall,  
26 at a minimum, provide for one year of programming to  
27 support the Iowa standards for school administrators  
28 adopted pursuant to section 256.7, subsection 27, and  
29 beginning administrators' professional and personal  
30 needs. Each school board shall develop ~~an initial~~ and  
31 implement a beginning administrator mentoring and  
32 induction plan. The plan shall describe the mentor  
33 selection process, describe supports for beginning  
34 administrators, describe program organizational and  
35 collaborative structures, provide a budget, provide  
36 for sustainability of the program, and provide for  
37 program evaluation. The school board employing an  
38 administrator shall determine the conditions and  
39 requirements of an administrator participating in a  
40 program established pursuant to this section. A school  
41 board shall include its plan in the school district's  
42 comprehensive school improvement plan submitted  
43 pursuant to section 256.7, subsection 21.

44 5. By the end of a beginning administrator's  
45 first year of employment, the beginning administrator  
46 may be comprehensively evaluated to determine if  
47 the administrator meets expectations to move to a  
48 ~~standard~~ professional administrator license, where  
49 appropriate. The school district or area education  
50 agency that employs a beginning administrator

1 shall recommend the beginning administrator for a  
2 ~~standard~~ professional administrator license, where  
3 appropriate, if the beginning administrator is  
4 determined through a comprehensive evaluation to  
5 demonstrate competence in the Iowa standards for school  
6 administrators adopted pursuant to section 256.7,  
7 subsection 27. A school district or area education  
8 agency may allow a beginning administrator a second  
9 year to demonstrate competence in the Iowa standards  
10 for school administrators if, after conducting a  
11 comprehensive evaluation, the school district or area  
12 education agency determines that the administrator  
13 is likely to successfully demonstrate competence in  
14 the Iowa standards for school administrators by the  
15 end of the second year. Upon notification by the  
16 school district or area education agency, the board  
17 of educational examiners shall grant a beginning  
18 administrator who has been allowed a second year  
19 to demonstrate competence a one-year extension of  
20 the beginning administrator's initial license. An  
21 administrator granted a second year to demonstrate  
22 competence shall undergo a comprehensive evaluation at  
23 the end of the second year.

24 Sec. \_\_\_\_\_. Section 284A.6, subsection 2, Code 2009,  
25 is amended to read as follows:

26 2. In cooperation with the administrator's  
27 evaluator, the administrator who has a ~~standard~~  
28 ~~administrator's~~ professional administrator license  
29 issued by the board of educational examiners pursuant  
30 to chapter 272 and is employed by a school district  
31 or area education agency in a school district  
32 administrative position, shall develop an individual  
33 administrator professional development plan. The  
34 purpose of the plan is to promote individual and group  
35 professional development. The individual plan shall be  
36 based, at a minimum, on the needs of the administrator,  
37 the Iowa standards for school administrators adopted  
38 pursuant to section 256.7, subsection 27, and the  
39 student achievement goals of the attendance center and  
40 the school district as outlined in the comprehensive  
41 school improvement plan.

42 Sec. \_\_\_\_\_. Section 284A.7, Code 2009, is amended to  
43 read as follows:

44 284A.7 Evaluation requirements for administrators.  
45 A school district shall conduct an evaluation of  
46 an administrator who holds a ~~standard~~ professional  
47 administrator license issued under chapter 272 at  
48 least once every three years for purposes of assisting  
49 the administrator in making continuous improvement,  
50 documenting continued competence in the Iowa standards

1 for school administrators adopted pursuant to section  
2 256.7, subsection 27, or to determine whether the  
3 administrator's practice meets school district  
4 expectations. The review shall include, at a minimum,  
5 an assessment of the administrator's competence in  
6 meeting the Iowa standards for school administrators  
7 and the goals of the administrator's individual  
8 professional development plan, including supporting  
9 documentation or artifacts aligned to the Iowa  
10 standards for school administrators and the individual  
11 administrator's professional development plan.

12 Sec. \_\_\_\_\_. Section 284A.8, Code Supplement 2009, is  
13 amended to read as follows:

14 284A.8 Beginning administrator mentoring and  
15 induction program -- program funds.

16 1. To the extent moneys are available, a school  
17 district shall receive one thousand five hundred  
18 dollars per beginning administrator participating in  
19 the program. ~~If the funds appropriated for the program~~  
20 ~~are insufficient to pay mentors and school districts as~~  
21 ~~provided in this section, the department shall prorate~~  
22 ~~the amount distributed to school districts based upon~~  
23 ~~the amount appropriated.~~ Moneys received by a school  
24 district pursuant to this section shall be expended  
25 to provide each mentor with an award of five hundred  
26 dollars per semester, at a minimum, for participation  
27 in the school district's beginning administrator  
28 mentoring and induction program; to implement the plan;  
29 and to pay any applicable costs of the employer's share  
30 of contributions to federal social security and the  
31 Iowa public employees' retirement system or a pension  
32 and annuity retirement system established under chapter  
33 294, for such amounts paid by the district.

34 2. If the funds appropriated for the program are  
35 insufficient to pay mentors and school districts as  
36 provided in this section, the department shall prorate  
37 the amount distributed to school districts based upon  
38 the amount appropriated. A school district shall give  
39 priority to fully funding the obligation to principal  
40 mentors. Remaining moneys, if any, shall first be  
41 used to fund superintendent mentors and then to fund  
42 other program costs and applicable costs described in  
43 subsection 1.>>

44 6. Page 4, after line 50 by inserting:

45 <\_\_\_\_. Page 31, after line 8 by inserting:

46 <Sec. \_\_\_\_\_. NONPROFIT ORGANIZATIONS -- OPEN

47 MEETINGS AND OPEN RECORDS INTERIM STUDY COMMITTEE. The  
48 legislative council is requested to establish an  
49 interim study committee to study the inclusion under  
50 the open meetings and open records laws of nonprofit



1 organizations that are supported in whole or in part  
2 with public funds or revenues derived from public fees,  
3 that were established by, or are operated by, governing  
4 boards whose memberships were or are substantially  
5 comprised of state or local elected officials or  
6 appointees of governmental bodies. The interim study  
7 committee shall report its findings and recommendations  
8 to the general assembly not later than December 15,  
9 2010.>>

10 7. Page 5, by striking lines 1 through 4.

11 8. Page 5, before line 5 by inserting:

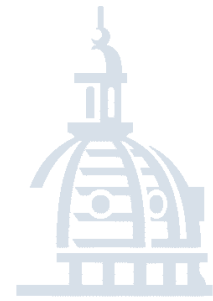
12 <\_\_\_\_. Page 31, after line 21 by inserting:

13 <\_\_\_\_. The section of this Act enacting section  
14 261.25, subsection 6, being deemed of immediate  
15 importance, takes effect upon enactment.>>

16 9. Page 5, line 6, by striking <changes to> and  
17 inserting <a study of>

18 10. By renumbering as necessary.

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**SF 2383** – Debt Collection (LSB 6250SV.2)

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Fiscal Note Version – As amended and passed by the Senate

**Description**

**Senate File 2383**, as amended and passed by the Senate, relates to the collection of debt obligations owed the State and cities and establishing the Office of the State Debt Coordinator located in the Department of Revenue, providing a fee, and including effective date provisions.

The summary chart below is an estimate of the overall fiscal impact. Not all departments and agencies have responded to the request for fiscal note information. In addition, some of the concepts contained in **SF 2383** will enhance collections; but the additional revenue cannot be estimated. The estimates also took into consideration the amount of debt that may have been collected under another Program.

Of the total revenue estimate, approximately 9.0% includes surcharges that are deposited to the General Fund as well as other funds such as the Crime Victim Compensation Fund and local governments. That amount cannot be estimated.

**Overall Fiscal Impact Summary**

| Program   | FY 2011             |                     | FY 2012           |                     |
|---|---------------------|---------------------|-------------------|---------------------|
|   | Est. Cost           | Est. Revenue        | Est. Cost         | Est. Revenue        |
| Court Debt Set Off Priority                       | \$ 10,000           | unknown             | \$ 0              | unknown             |
| County Treasurer Vehicle Registration Collections | 60,000              | unknown             | 0                 | unknown             |
| Taxpayer Public/Private Utility Customer Match    | 0                   | 0                   | 0                 | 1,700,000           |
| State Debt Coordinator                            | 290,000             | 0                   | 270,000           | 0                   |
| Liens in Civil Action                             | 0                   | unknown             | 0                 | unknown             |
| Debt Settlement Program                           | 0                   | 350,000             | 0                 | 700,000             |
| Assignment of All Debt to the CCU at 30 Days      |                     | 2,000,000           | 0                 | 2,000,000           |
| Assignment of Debt to the CCU for One Year        | 0                   | 0                   | 0                 | 0                   |
| Minimum for County Attorney Collections           | 0                   | 56,000              | 0                 | 56,000              |
| Debt to Private Debt Collector                    | 0                   | unknown             | 0                 | unknown             |
| Payment on Date of Imposition                     | 0                   | unknown             | 0                 | unknown             |
| Debt Amnesty Program                              | 750,000             | 3,200,000           | 0                 | 0                   |
|   | <u>\$ 1,110,000</u> | <u>\$ 5,606,000</u> | <u>\$ 270,000</u> | <u>\$ 4,456,000</u> |

**Section 1 – Court Debt Priority Ranking For Setoffs**

**Background**

In situations of multiple claims to payments recovered through the Income Setoff Program, after deducting any tax debt owed, priority is given in the following order:

1. Child Support Recovery Unit or Foster Care Recovery Unit
2. College Student Aid Commission
3. Department of Inspections and Appeals
4. Clerk of District Court
5. Other State Agencies

According to the Department of Revenue, this list was established in the 1980's based on the order the agencies signed up for the program. The Program is currently run by the Department of Administrative Services.

This Section moves the Clerk of Court (Judicial Branch) to second position on the priority list.

### **Assumptions**

- The Department of Administrative Services (DAS) offsets the money and returns the money back to the respective department or agency to be applied to the various funding sources.
- In FY 2009, the College Student Aid Commission collected approximately \$535,000 for the student loan program through setoff collections, the majority of which was for federal and private loans.
- In FY 2009, the Department of Inspections and Appeals collected approximately \$900,000 through setoff collections for overpayments by the Department of Human Services (DHS) and incorrect payments in DHS assistance programs.
- There will be programming costs to the Department of Administrative Services (DAS) – Information Technology Enterprise (ITE) to modify both the vendor and offset systems.

### **Fiscal Impact**

The fiscal impact to DAS is approximately \$10,000 for programming costs. This Section may result in additional receipts to the General Fund or other funds resulting from the collection of debt, but the amount cannot be estimated. The Judicial Branch has a large number of offsets of varying dollar amounts that may or may not impact the offsets of the College Student Aid Commission and the Department of Inspections and Appeals.

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## **Sections 2, 4, 5, 7, 13, 14, and 23 – County Treasurer Collection for Vehicle Registrations**

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### **Background**

County treasurers are required to refuse to renew a vehicle registration if the treasurer knows that the person has a delinquent account, charge, fee, loan, taxes, or other indebtedness owed to or being collected by the State. The debt has to be paid before the county treasurer can renew the vehicle registration. The Motor Vehicle Division of the Department of Transportation receives 96.0% of its budget from the Road Use Tax Fund (RUTF) and 4.0% from the Primary Road Fund.

The Sections specify it is the intent of the General Assembly that the county treasurers begin collecting delinquent court debt at the time a person renews a motor vehicle registration beginning January 1, 2011. A plan regarding this to be developed by the Judicial Branch and submitted to the General Assembly on or before December 1, 2010.

These Sections allow the Department of Revenue to provide the county treasurers access to confidential information required for the collection of delinquent taxes and makes the county treasurers subject to confidentiality requirements and penalties.

### **Assumptions**

- The Department of Revenue will adopt administrative rules to implement the collection program for county treasurers.
- If the person renewing their vehicle registration chooses to pay their delinquent taxes with the county treasurer, a \$5 processing fee will be charged and deposited in the county general fund.
- In FY 2008, there were approximately 4.1 million vehicles registered in the State of Iowa. This includes automobiles, trucks, motor homes, buses, multi-purpose vehicles, motorcycles, tractor/trucks, and trailers.
- The Department of Transportation information technology programming to implement the program is estimated to include 1,013 hours and totals approximately \$55,000. In addition, there is a 10.0% administrative cost of \$5,000.

### **Fiscal Impact**

The Department of Revenue cannot estimate the costs associated with changes to its information systems and collections processes. The Department of Transportation impact for programming is approximately \$60,000 and will be absorbed within the current budget. The Judicial Branch anticipates FY 2012 costs associated with changes to its computer interface but these costs cannot be estimated prior to the completion of the plan in December 2010.

These Sections may result in additional receipts to the General Fund or other funds resulting from the collection of debt, but the amount cannot be estimated. These Sections may also result in additional revenue to county treasurers as a result of the \$5 filing fee, but the amount cannot be estimated.

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## **Section 6 – Collection of Judgment Debt Owed to Cities**

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### **Background**

- Court debt owed to cities is deemed delinquent at 30 days.
- At 90 days, this Section permits the cities to contract with a private debt collector.
- Permits an add-on collection fee of up to 25.0%.

### **Fiscal Impact**

This Section may result in additional revenue to cities as a result of contracting with a private debt collector, but the amount cannot be determined.

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## **Section 8 – Taxpayer Public/Private Utility Customer Match**

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### **Background**

This Section permits the Department of Revenue to subpoena records of public and private utilities. The records that may be subpoenaed pertain to potential customers of the utility that may owe taxes, penalties, interest, and court debt to the State of Iowa.

This Section states that the public or private utility may not be held liable for good faith and reasonable actions taken when complying with the subpoena.

### **Assumptions**

- This Section is effective January 1, 2011.
- The time required to issue subpoenas, review records, identify potential State debtors, notify the debtor, and collect the debt will exceed six months.

### **Fiscal Impact**

The Department of Revenue estimates that \$1.7 million per year will be collected from State debtors through the additional subpoena powers allowed under the Bill. The first fiscal year impacted is FY 2012.

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## **Section 9 – State Debt Coordinator**

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### **Background**

- Creates the Office of the State Debt Coordinator in the Department of Revenue effective upon enactment of the Bill.
- The position will be appointed by the Governor and confirmed by the Senate for a four-year term.
- Allows the State Debt Coordinator to adopt administrative rules for the Office.
- Some of the responsibilities of the position include coordinating collection efforts between each branch of government, making recommendations to the General Assembly to improve or increase collections and efficiencies, and managing the Debt Settlement Program, county attorney collections program, and civil liens.

### **Assumptions**

- Assumes the Office will consist of the Coordinator, an administrative assistant, and a management analyst.

### **Fiscal Impact**

In FY 2011, costs for the Office of the State Debt Coordinator are estimated to be \$290,000 and 3.0 FTE positions. In FY 2012 and on-going, the costs are estimated to be \$270,000. If more staff positions are added to the Office, costs will increase. The funding for these positions is not included in this Bill.

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## **Section 10 – Notice of Lien in Civil Action**

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### **Background**

Permits the State Debt Coordinator to file a lien against a person owing a debt to the State.

### **Assumptions**

- The Judicial Branch has approximately 75,000 civil filings a year.
- The lien can be applied to any civil action where a litigant has a potential claim against a third party and who owes debt to the State.
- The lien can be applied to any judgment or negotiated settlement.

### **Fiscal Impact**

This Section may result in additional receipts to the General Fund or other funds resulting from the collection of debt, but the amount cannot be determined.

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## **Sections 11, 12, and 25 – Debt Settlement Program**

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### **Background**

- This Section is effective January 1, 2011.
- Debt must be more than four years old and person's income must be at or below 200.0% of the federal poverty level.
- Forgiveness is limited to up to 50.0% of the eligible debt owed.
- Any settlement must be made in a lump sum payment.
- The person is not eligible if another payment plan is in effect.
- The county attorneys and the Centralized Collection Unit (CCU) in the Department of Revenue can offer the Debt Settlement Program.

### **Assumptions**

- Of the \$525.3 million in total court debt, \$47.8 million is more than four years old and owed by people at or below 200.0% of the federal poverty level.
- Assumes that 1.5% of the total will be collected through this program.

### **Fiscal Impact**

The revenue generated from the Debt Settlement Program is estimated to be approximately \$350,000 in FY 2011 and approximately \$700,000 in FY 2012.

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## **Section 15 – Assignment of Debt to CCU**

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### **Background**

Under current law, court debt is owed and payable to the Clerk of District Court (except restitution) and is deemed delinquent if not paid within 30 days after being assessed or 30 days after an installment payment is missed. After 30 days, the debt (at the discretion of the clerk of court) may be assigned to the CCU in the Department of Revenue. If assigned, the debt remains at the CCU for the next 60 days (90 days from the date assessed). Court debt that is 90 days delinquent from the date assessed can be sent to the county attorneys or their designee for collection.

The most active collection period for the CCU is within the first 12 to 15 months of receiving the debt. The CCU works the debt for up to two years, at which time, it is returned back to the Judicial Branch. The CCU averages \$1.7 million per month in collections. In FY 2008, the CCU collected \$20.4 million in court debt. In FY 2009, the CCU collected \$19.8 million in court debt. The CCU charges a 10.0% add-on fee to each account and the fee is added by the Judicial Branch to the total when the account is placed with the CCU. If the debt is moved from the CCU to the county attorneys, the 10.0% add-on fee is removed. In FY 2010, account placements are approximately 73.0% of FY 2009 placements. This would suggest a 27.0% decrease in collections; however, collections are actually up 18.0% year-to-date primarily due to accounts placed with the CCU from FY 2008 and FY 2009.

At the end of FY 2009, the Judicial Branch did not send debt to the CCU from a county active in a county attorney collections program. This decision was later revised. In FY 2010, the Judicial Branch was not sending any of the debt to either the CCU or the county attorneys for 90 days from the date of assessment. This decision was also later revised.

Under current practice, debt from counties without an active county attorney collection program is sent to the CCU for collection at 31 days. At 90 days after assessment, the debt from counties with a county attorney collection program is sent to both the county attorneys and the CCU at the same time. Both entities work the debt simultaneously.

### **Assumptions**

- The Judicial Branch is required to send all debt to the CCU at 30 days.
- Debt not assigned to a county with a county attorney collection program will be worked by the CCU for a period of one year.
- The county attorneys will continue to receive the debt at 90 days from the date of assessment (current law).
- Requires a minimum collection of \$25,000 annually by a participating county attorney, including counties participating in 28E agreements.

## **Fiscal Impact**

The revenue generated by requiring all debt to go to the CCU at 30 days is estimated to increase receipts to the General Fund by approximately \$2.0 million compared to current receipts. Allowing the CCU to work debt for up to one year is estimated to maintain the current level of collections.

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## **Section 19 – Establishes a Minimum for County Attorney Collections at \$25,000**

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### **Background**

Under current law, the distribution of county attorney collections are based on a threshold formula based on the county population. County attorneys retain 40.0% of the amount collected through the county attorney collections program and the remaining 60.0% is deposited in the State General Fund. Once the county's threshold is met, the county retains an additional 12.0% (total of 52.0%) of the funds collected and the General Fund receives 48.0%. Below is a list of the thresholds:

- Population greater than 150,000 - \$500,000
- Population greater than 100,000 to 150,000 - \$400,000
- Population greater than 50,000 to 100,000 - \$250,000
- Population greater than 26,000 to 50,000 - \$100,000
- Population greater than 15,000 to 26,000 - \$50,000
- Population less than or equal to 15,000 - \$25,000

For FY 2010, there are 47 counties participating in collections. Crawford and Carroll counties and Decatur and Wayne counties have entered into 28E agreements. As of February 28, 2010, 11 counties met their required threshold amount.

Of the 45 counties that participated in FY 2009, 15 counties (33.3%) exceeded the threshold. Three counties did not collect any money, one county collected less than \$1,000, and seven counties collected more than \$1,000 but less than \$5,000.

County attorneys do not receive a portion of any amounts collected for victim restitution, the Crime Victim Compensation Fund, the Criminal Penalty Surcharge, the Drug Abuse Resistance Education (DARE) Surcharge, the Law Enforcement Initiative Surcharge, the County Enforcement Surcharge, the \$200 DOT Civil Penalty, and the setoff procedures under Code Section 8A.504 or sheriff fees.

### **Assumptions**

- In FY 2009, there were 23 counties that did not collect more than \$25,000.
- As of February 28, 2010, 19 counties have collected less than \$15,000 with four months left in the fiscal year.
- Debt will remain with the CCU to be worked for an additional 60 days rather than being sent to counties that are not collecting at least \$25,000 in court debt a year.
- Counties that fall below the threshold can re-apply with the State Debt Coordinator to re-enter the program.
- Of the current amount collected, 60.0% already is deposited in the General Fund and the remaining 40.0% is deposited in the county general fund of the collecting county.

### **Fiscal Impact**

The revenue impact is estimated to be approximately \$56,000 to the General Fund.

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## Section 20 – Private Debt Collector

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### **Background**

The Judicial Branch completed a Request for Information (RFI) to contract with a private debt collector in January 2009 and anticipates issuing a Request for Proposal (RFP) sometime in FY 2010.

### **Assumptions**

- Any debt that is deemed delinquent (30 days) and has been transferred to the CCU but is not in a payment plan with the CCU is required to be sent to a private debt collector after one year.
- The add-on collection fee for a private debt collector is up to 25.0%. This amount is in addition to the total debt owed.

### **Fiscal Impact**

This Section may result in additional receipts to the General Fund or other funds resulting from the collection of debt, but the amount cannot be determined.

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## Section 21 – Clarifies Payment of a Fine at the Date of Imposition

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### **Background**

Under current law, Code Section 909.3(1) contains language stating that all fines imposed by the Judicial Branch will be paid on the date the fine is imposed.

This Section clarifies current law by directing persons to pay court fines to the Clerk of District Court at the date of imposition.

In FY 2009, 30.0% of the fines imposed were paid within 30 days.

Under current law, Code Section 909.3(2) provides Judges discretion to allow an installment plan or to fix a date no more than 120 days into the future for payment of a fine. For good cause, the Judge may extend the payment more than 120 days.

### **Assumptions:**

- Judges will be required to instruct the debtor to go to the clerk of court office to pay the debt prior to leaving the courthouse on the day the fine is assessed.
- Judges are allowed to establish installment payment plans no later than 30 days after the fine is imposed.
- The terms and conditions of the installment payment plans will be established by Judicial Rule.

### **Fiscal Impact**

This Section may result in additional receipts to the General Fund or other funds resulting from the collection of debt, but the amount cannot be determined.

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## Section 22 – Debt Amnesty Program

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### **Background**

This Section establishes a Debt Amnesty Program in the Department of Revenue for the period of September 1, 2010, through November 30, 2010. This Section requires the Department to submit a report to the General Assembly on January 15, 2011.

This Section outlines the following eligibility requirements:

- A person confined to jail or prison, or under correctional supervision, is not eligible for the Program.
- Debt must be more than four years old.
- Forgiveness is equal to 50.0% of the eligible debt owed.
- Payment must be made in a lump sum.



- The person is not eligible if another payment plan is in effect.

### **Assumptions**

- Of the \$525.3 million in total court debt, \$216.1 million is more than four years old.
- Assumes that 1.5% of the total will be collected through this Program.
- The Iowa Lottery Authority will help advertise the Program.
- Due to the State Early Retirement Program, the Department of Revenue will be operating at a reduced staffing level compared to the staffing level in effect when the Department operated the Tax Amnesty Program.
- The Department of Revenue estimates advertising costs totaling \$400,000 and \$350,000 for additional part-time staff and programming costs to administer the Program for three months.

### **Fiscal Impact**

The one-time revenue generated from the Debt Amnesty Program is estimated to be approximately \$3.2 million for FY 2011. The cost to administer the Debt Amnesty Program is estimated at \$750,000.

### **Sources**

Departments of Revenue, Transportation, and Administrative Services  
Judicial Branch  
Criminal and Juvenile Justice Planning Division (CJJP)  
Various Executive Branch Agencies

/s/ Holly M. Lyons

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March 25, 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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