

Standing Appropriations Bill

Senate File 510

As amended by S-3202

(Strike everything after the enacting clause)

Last Action:

House Floor

May 20, 2015

An Act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for regulatory, taxation, and properly related matters, and including penalties and effective date and retroactive and other applicability provisions.

Fiscal Services Division
Legislative Services Agency

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available online at: <http://www.legis.iowa.gov/LSAReports/noba.aspx>

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FUNDING SUMMARY

Senate File 510 as amended by S-3202 makes adjustments to General Fund standing appropriations currently in statute resulting in a net decrease of \$45.1 million for FY 2016 and \$16.5 million for FY 2017. The amendment also appropriates \$9.2 million from the Technology Reinvestment Fund (TRF) for FY 2016, and a supplemental appropriation from the Mortgage Servicing Settlement Fund of \$626,000 for FY 2015.

Page 1, Line 3

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

Limits the General Fund appropriations to the Department of Cultural Affairs (DCA) for operational support grants and community cultural grants to \$417,000 for FY 2016 and \$208,000 for FY 2017.

Page 1, Line 38

Limits the General Fund appropriations to the Department of Education for nonpublic school transportation to \$8.6 million for FY 2016 and FY 2017.

Page 1, Line 42

Limits the General Fund appropriations to the Department of Revenue for tobacco reporting enforcement to \$18,000 for FY 2016 and \$9,000 for FY 2017.

Page 1, Line 50

Suspends the General Fund standing appropriation of \$14.8 million for the Instructional Support Program for FY 2016 and FY 2017.

Page 2, Line 26

Reduces the FY 2016 standing appropriation for the Legislative Branch by \$5.8 million.

Page 2, Line 33

Reduces the General Fund standing appropriation to the Technology Reinvestment Fund from \$17.5 million to \$9.0 million for FY 2016.

Page 2, Line 50

Reduces the FY 2016 State school aid funding to area education agencies (AEAs) by \$15.0 million.

Page 3, Line 29

Appropriates \$500,000 from the General Fund for FY 2016 to the Executive Council for payment of organizational dues of Executive Branch agencies.

Page 3, Line 46

Appropriates \$450,000 to the Secretary of State (SOS) for FY 2016 from the TRF to update voting and business registration systems.

Page 36, Line 25

Appropriates \$234,000 for FY 2016 from the TRF to the SOS for maintenance of the voter registration system.

Page 36, Line 30

EXECUTIVE SUMMARY

S3202

STANDING APPROPRIATIONS BILL - AS AMENDED

Appropriates \$600,000 for FY 2016 from the TRF to the Department of Education for the statewide education data warehouse.	Page 36, Line 34
Appropriates \$2.7 million for FY 2016 from the TRF to the Department of Education for the costs of maintenance and leases associated with Part III fiber connections for the Iowa Communications Network (ICN).	Page 36, Line 45
Appropriates \$2.2 million for FY 2016 from the TRF to the Iowa Telecommunications and Technology Commission for replacement of equipment for the ICN.	Page 36, Line 49
Appropriates \$159,000 from the TRF for FY 2016 to the Department of Human Rights for the justice data warehouse.	Page 37, Line 18
Appropriates \$45,000 from the TRF for FY 2016 to the Department of Management (DOM) for continued development and implementation of a searchable online database.	Page 37, Line 23
Appropriates \$50,000 from the TRF for FY 2016 to the DOM for a comprehensive electronic grant management system.	Page 37, Line 27
Appropriates \$400,000 from the TRF for FY 2016 to the Department of Public Health (DPH) to fund a professional review of data and technology systems.	Page 37, Line 31
Appropriates \$36,000 from the TRF for FY 2016 to the DPH to acquire licensure software.	Page 37, Line 35
Appropriates \$1.9 million from the TRF for FY 2016 to the Department of Public Safety (DPS) to purchase radio equipment.	Page 37, Line 39
Appropriates \$400,000 from the TRF for FY 2016 to the Department of Homeland Security and Emergency Management for a statewide mass notification and emergency messaging system.	Page 37, Line 45
Transfers \$626,000 in FY 2015 from the Mortgage Servicing Settlement Fund to the DPS for a statewide public safety radio network and purchase of compatible radio communication equipment.	Page 38, Line 14

STUDIES AND INTENT

Permits a community college to enter into a new jobs training agreement with an employer that had an agreement in effect in April 2012 with a base of 2,125 employees.	Page 4, Line 17
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EXECUTIVE SUMMARY

S3202

STANDING APPROPRIATIONS BILL - AS AMENDED

FISCAL IMPACT: This provision will decrease General Fund revenue by \$364,000 in FY 2016, \$437,000 per year in FY 2017 through FY 2021, and \$266,000 in FY 2022.

Requires the salary model administrator to work with the Legislative Services Agency (LSA) to maintain the State's salary model. Requires various departments to submit salary data to the DOM and the LSA.

Page 9, Line 48

SIGNIFICANT CODE CHANGES

Requires State agencies to submit FY 2017 and FY 2018 budget information to the DOM and include all proposed expenditures, supporting data, and explanations. Requires the Director of the DOM to consult with the LSA concerning the provision of support data. Requires budgeted expenditures to be prioritized by program or by expected results, and requires performance measures to be included with the budget information.

Page 1, Line 7

Permits any unobligated funds in the Anatomical Gift Public Awareness Fund to be used for grants to recipients of organ transplants.

Page 3, Line 9

Increases the amount that may be annually transferred from the Economic Emergency Fund to the Taxpayers Trust Fund from \$60.0 million to \$90.0 million, if certain conditions are met.

Page 4, Line 30

Requires the publishing of contact information for public officials within 30 days of being sworn into office.

Page 5, Line 14

Decreases the minimum standard permitted for private employers when testing employees for alcohol from 0.04 to 0.02 expressed in terms of grams of alcohol per 210 liters of breath, or its equivalent.

Page 9, Line 37

Defines limitations on controlled substances, enhances penalties, and updates the current list of controlled substances to include new synthetic drug products, lengthening the time of temporary designation prior to legislative action.

Page 19, Line 21

Directs the Department of Human Services (DHS) to contract with a third-party vendor to implement a computerized asset, income, and identity eligibility verification system.

Page 30, Line 26

Eliminates the requirements that the DOM assist the Director of the Economic Development Authority with the Iowa Targeted Small Business Procurement Act and that the DOM perform oversight and impose sanctions in connection with State programs emphasizing equal opportunity through affirmative action, contract compliance policies, and procurement set-aside requirements.

Page 31, Line 5

EXECUTIVE SUMMARY

STANDING APPROPRIATIONS BILL - AS AMENDED

S3202

Establishes rules adopted by the Environmental Protection Commission regarding small animal truck wash facilities.	Page 31, Line 47
Removes the requirement that court be held in Avoca in Pottawattamie County.	Page 35, Line 36
Extends the contribution deadline of the Iowa Educational Savings Plan Trust (College Savings Iowa) from December 31 to April 30 of the respective tax year.	Page 35, Line 46
FISCAL IMPACT: It is estimated that the College Savings Iowa Plan impact on the State General Fund is currently a cost of \$7.5 million per year. This provision is estimated to increase that impact by an additional \$488,000 (6.5%) for tax year 2015 and \$112,000 (1.5%) for each of the following fiscal years. This change applies retroactively to January 1, 2015.	
Legalizes the possession of a firearm suppressor and defines what the application process will be. Makes changes to current permit to carry a weapon laws including training and the actual appearance of the permit. Makes changes to the permit to acquire a weapon timelines. Allows minors of any age to possess a pistol or revolver and the ammunition when allowed by a parent, guardian, spouse, or instructor that is at least 21.	Page 38, Line 34
Reduces the period of the statute-of-repose for cases relating to nonresidential construction from 15 to 10 years.	Page 52, Line 7
Requires the Revenue Estimating Conference (REC) to hold one of its three meetings in March of each year and to provide revenue estimates for two years beyond the current fiscal year in progress.	Page 53, Line 2
Requires the State percent of growth and categorical State percent of growth for FY 2018 and beyond to be established by statute during the regular legislative session beginning in the same calendar year during which the base year begins.	Page 53, Line 28
Requires a health insurance carrier to provide prospective and current enrollees, licensed insurance producers, and the general public, clear and understandable information regarding matters of coverage, coinsurance, prescription drugs, physician network, and out-of-pocket costs.	Page 54, Line 30
Requires a health insurance carrier that provides small group or individual health coverage that offers benefits pursuant to the federal Patient Protection and Affordable Care Act to implement and maintain procedures for carrying out and documenting the internal claims and appeals process.	Page 56, Line 34
Prohibits a State agency from beginning a project using condemned land without approval of the preliminary or final route or project site by the governing body.	Page 56, Line 38

EXECUTIVE SUMMARY

STANDING APPROPRIATIONS BILL - AS AMENDED

S3202

Requires alternative sources of water to be reviewed prior to the condemnation of property for the purpose of creating a lake that will be used as a surface drinking water source. Page 59, Line 21

Creates a new refundable Renewable Chemical Production Tax Credit. The credit is equal to 5.0 cents per pound and is available for eligible renewable chemicals produced from January 1, 2016, through December 31, 2026. The Division is effective on enactment. Page 61, Line 47

FISCAL IMPACT: General Fund revenue will be reduced by \$14.5 million per year in FY 2018 and FY 2019.

Amends Angel Investor Tax Credit Programs. This includes the Venture Capital Tax Credit and the Qualifying Business or Community-Based Seed Capital Fund Tax Credit. Page 67, Line 33

FISCAL IMPACT: These changes will reduce General Fund revenue by \$200,000 per year in FY 2018 through FY 2020 and by \$300,000 in FY 2021.

Extends the Entrepreneur Investment Awards Program. The Program is internally financed by the Iowa Economic Development Authority (IEDA) from the High Quality Jobs Creation Fund. Moneys credited to the Fund are to be used to provide financial assistance under the Program. Page 72, Line 39

Modifies the tax credit calculation and approval process for the Workforce Housing Tax Incentives Program. This Division is effective on enactment. Page 75, Line 6

FISCAL IMPACT: The changes to the Program are not expected to have a significant fiscal impact.

Removes a 12-month maximum extension for projects under the Redevelopment Tax Credit Program and replaces it with a project extension of unspecified length that is subject to approval of the Brownfield Redevelopment Advisory Council and the Economic Development Authority Board. Page 76, Line 31

FISCAL IMPACT: The changes to the Redevelopment Tax Credit Programs are not expected to have a significant fiscal impact.

Permits the IEDA to enter into an agreement for a Housing Enterprise Tax Credit for certain housing businesses. The Division related to a Housing Enterprise Tax Credit takes effect upon enactment and applies retroactively to July 1, 2014. Page 77, Line 10

EXECUTIVE SUMMARY

S3202

STANDING APPROPRIATIONS BILL - AS AMENDED

Amends the powers and duties of the Director of the Department of Revenue by adding the duty to identify and prevent the issuance of fraudulent and erroneous tax refunds. Page 78, Line 45

FISCAL IMPACT: This language is expected to result in a vendor contract at an estimated cost of \$1,100,000 million per year, beginning in FY 2016. The contract will be paid through a standing unlimited appropriation from the State General Fund that is used to finance tax collection activities. The cost of the vendor contract could be partially or fully offset by reduced tax refunds if the contract is successful in reducing the amount of fraudulent refunds issued and never recovered. Improved fraud detection procedures could result in a reduction in fraudulent refund payments by an estimated \$3,400,000 million for a net General Fund benefit of \$2,300,000 million annually, beginning with FY 2016.

Requires the DHS to ensure that the Medicaid eligibility system, Eligibility Integrated Application Solution (ELIAS), is capable of accurately verifying the identity of individuals beginning in FY 2016. Page 79, Line 34

Requires any agreement for payments in lieu of taxes (PILOT) between the Board of Regents or a Regents institution and a city or other political subdivision to be approved by the Board at a regular meeting in open session prior to execution of the agreement. Page 81, Line 8

EFFECTIVE DATE

The Division related to establishment of an asset verification system for the Medicaid Program is effective on enactment. Page 30, Line 43

The Division related to the Iowa Education Savings Plan Trust is retroactive to January 1, 2015. Page 36, Line 12

The Division related to radio communications upgrade is effective on enactment. Page 38, Line 31

This Division related to condemnation for lake creation is effective on enactment. Page 59, Line 18

This Division related to the disposition of condemned property is effective on enactment. Page 60, Line 38

This Division related to renewable chemical production tax credit is effective on enactment. Page 67, Line 27

The Division related to angel investor tax credits is effective on enactment. Page 72, Line 16

The Division related to the housing enterprise tax credit is effective on enactment and retroactive to July 1, 2014. Page 77, Line 48

S3202 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
3	9	7	Amend	142C.15.4.c
3	29	8	Add	257.35.9A
4	30	11	Amend	8.55.2.a
4	37	12	Add	8A.311.23
4	46	13	Amend	8D.4
5	14	14	New	70A.40
5	39	15	Amend	123.132.3
5	50	16	Amend	256.7.32.c
8	13	17	New	274.3
8	31	18	Amend	279.50.3,5
9	10	19	Amend	284.13.1.e.(2).(a)
9	37	20	Amend	730.5.9.e
10	25	22	Amend	123.122
10	36	23	Amend	227.10
11	14	24	Amend	227.14
11	27	25	Amend	229.1B
11	37	26	Amend	229.2.1.b.(3)
12	4	27	Amend	229.8.1
12	22	28	Amend	229.10.1.a
12	42	29	Amend	229.11.1
13	26	30	Amend	229.13.1.a
13	35	31	Amend	229.14.2.a
13	45	32	Amend	229.14A.7
14	5	33	Amend	229.42.1
14	40	34	Amend	230.1.3
15	1	35	Amend	230.20.2.b
15	15	36	Amend	279.10.1
15	47	37	Amend	426B.5.2.c
16	26	38	Amend	459A.404.3.b,c
16	45	39	Amend	459A.411
17	7	40	Amend	476.53.3.a.(1)
18	1	41	Amend	602.3205.3.b
18	8	42	Amend	602.11113
18	18	43	Amend	714.23.4A.a
18	33	44	Amend	902.1.2.a
18	42	45	Amend	916.1.1
19	21	48	Add	124.101.15A
19	35	49	New	124.101B
20	7	50	Amend	124.201.4
20	47	51	Strike	124.204.4.ai.(3),(4),(5)
20	50	52	Strike and Replace	124.204.4.aj
21	6	53	Strike and Replace	124.204.4.ak
21	11	54	Add	124.204.4.al,am,an,ao,ap,aq,ar,as
21	29	55	Strike and Replace	124.204.6.i.(3)
21	35	56	Strike and Replace	124.204.6.i.(18),(19),(20),(21),(22)
22	2	57	Strike	124.204.6.i.(23),(24),(25),(26)
22	5	58	Add	124.204.9.0a,00a,000a,0d,00d,000d,0000d,00000d,000000d,0000000d
24	7	59	Strike	124.208.5.a.(3),(4)
24	10	60	Add	124.210.2.c

S3202 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
24	16	61	Add	124.210.3.bb,bc
24	20	62	Amend	124.401.1
24	34	63	Amend	124.401.1.a
24	45	64	Add	124.401.1.a.(8)
25	2	65	Amend	124.401.1.b
25	13	66	Add	124.401.1.b.(9)
25	20	67	Amend	124.401.1.c
25	31	68	Add	124.401.1.c.(8)
25	38	69	Amend	124.401.1.c.(8)
25	46	70	Amend	124.401.1.d
26	8	71	Amend	124.401.2
26	20	72	Amend	124.401.5
26	39	73	Amend	124.401A
27	8	74	Amend	124.401B
27	27	75	Amend	124.406.2
28	7	76	Amend	124.415
28	34	77	New	124.417
28	45	78	Amend	124.502.1.a
29	11	79	Amend	155A.6.3
29	22	80	Amend	155A.6A.5
29	32	81	Amend	155A.6B.5
29	43	82	Amend	155A.13A.3
30	1	83	Amend	155A.17.2
30	12	84	Amend	155A.42.4
30	22	85	Repeal	124A
30	48	88	Strike	8.6.12,13
30	50	89	Add	8A.111.11
31	5	90	Amend	19B.6
31	22	91	Amend	19B.7.1
31	33	92	Amend	19B.8
31	47	93	Amend	459A.105.2.b
32	15	94	Amend	459A.206.1
32	24	95	Amend	459A.206.2.c
32	47	96	Amend	459A.207.1.a
33	7	97	Amend	459A.302
33	15	98	Amend	459A.302.1.a
33	30	99	Amend	459A.302.1.a.(1),(2)
33	50	100	Amend	459A.302.2,3,4,5
35	9	101	Amend	459A.302.6
35	16	102	Amend	459A.302.7
35	29	103	Add	459A.404.1.0e
35	36	104	Amend	602.6105.2
35	46	106	Amend	422.7.32.a
38	36	112	Strike	724.1.1.h
38	38	113	New	724.1A
40	26	114	New	724.1B
40	33	115	Amend	724.4.4.i
41	4	116	Amend	724.4B.2.a
41	10	117	Amend	724.5

S3202 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
41	26	118	Amend	724.6.1
42	4	119	Amend	724.7.1
42	23	120	Add	724.9.1A
42	30	121	Amend	724.11.1,3
44	29	122	Add	724.11.5
44	42	123	Amend	724.11A
45	2	124	Amend	724.15.1,2,3
45	50	125	Amend	724.16
46	16	126	Amend	724.17
47	12	127	Amend	724.18
47	29	128	Amend	724.19
47	48	129	Amend	724.20
48	6	130	Amend	724.21A.1,7
48	32	131	Add	724.11.5
48	46	132	Amend	724.22.5
49	9	133	Amend	724.23
50	34	134	Amend	724.27.1
50	41	135	New	724.29A
51	23	136	New	724.32
51	26	137	Add	805.8C.11,12
52	9	140	Amend	614.1.11
53	2	142	Amend	8.22A.2
53	28	143	Amend	257.8.1,2
54	32	144	New	514K.2
55	29	145	New	514K.3
56	41	147	Amend	6B.2C
57	3	148	Amend	6B.56.1
57	23	149	Amend	6B.56.2.a
57	49	150	Amend	6B.56A.1
58	28	153	Amend	6A.22.2.c.(1).(b)
59	23	155	Add	6A.22.2.c.(1).(0b)
60	18	156	Amend	6A.24.3
60	47	159	Amend	6B.56A.4
61	4	160	New	6B.56B
61	47	163	Add	15.119.2.h
62	5	164	New	15.315
62	8	165	New	15.316
63	24	166	New	15.317
63	47	167	New	15.318
66	2	168	New	15.319
67	5	169	New	15.320
67	9	170	New	422.10A
67	15	171	Add	422.33.22
67	35	175	Amend	2.48.3.d.(1)
67	41	176	Amend	15.119.2.d
67	50	177	Strike and Replace	15E.41
68	9	178	Add	15E.42.2A
68	17	179	Amend	15E.42.3
68	25	180	Strike	15E.42.4

S3202 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
68	27	181	Amend	15E.43.1,2
70	3	182	Amend	15E.43.5,7
70	18	183	Strike	15E.43.6,8
70	20	184	Strike and Replace	15E.44.2.c
70	32	185	Amend	15E.44.2.e,f
70	46	186	Amend	15E.46
71	23	187	Amend	15E.52.4
71	33	188	Amend	422.11F.1
71	40	189	Amend	422.33.12.a
71	46	190	Amend	422.60.5.a
72	2	191	Amend	432.12C.1
72	8	192	Repeal	15E.45
72	41	197	Strike and Replace	15E.362
74	49	198	Amend	15E.363.3
75	8	199	Amend	15.354.3.e
76	5	200	Amend	15.355.2
76	29	203	Amend	15.293B.4
78	5	211	New	96.55
78	47	213	Amend	421.17.23
80	2	216	Amend	364.2.4.f.(2)
80	31	217	Add	364.2.4.f.(4)
81	8	219	New	262.9D

S3202 House Amendment to

1 1 Amend Senate File 510, as amended, passed, and
1 2 reprinted by the Senate, as follows:

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

1 5 #L.

1 6 STANDING APPROPRIATIONS AND RELATED MATTERS

1 7 #1. BUDGET PROCESS FOR FISCAL YEAR 2016-2017
1 8 AND FISCAL YEAR 2017-2018.

1 9 1. For the budget process applicable to the fiscal
1 10 year beginning July 1, 2016, on or before October 1,
1 11 2015, in lieu of the information specified in section
1 12 8.23, subsection 1, unnumbered paragraph 1, and
1 13 paragraph "a", all departments and establishments of
1 14 the government shall transmit to the director of the
1 15 department of management, on blanks to be furnished
1 16 by the director, estimates of their expenditure
1 17 requirements, including every proposed expenditure, for
1 18 the ensuing fiscal year, together with supporting data
1 19 and explanations as called for by the director of the
1 20 department of management after consultation with the
1 21 legislative services agency.

1 22 2. The estimates of expenditure requirements
1 23 shall be in a form specified by the director of
1 24 the department of management, and the expenditure
1 25 requirements shall include all proposed expenditures
1 26 and shall be prioritized by program or the results to
1 27 be achieved. The estimates shall be accompanied by
1 28 performance measures for evaluating the effectiveness
1 29 of the programs or results.

1 30 #2. LIMITATIONS OF STANDING APPROPRIATIONS

1 31 — FY 2015-2016. Notwithstanding the standing
1 32 appropriations in the following designated sections for
1 33 the fiscal year beginning July 1, 2015, and ending June
1 34 30, 2016, the amounts appropriated from the general
1 35 fund of the state pursuant to these sections for the
1 36 following designated purposes shall not exceed the
1 37 following amounts:

1 38 1. For operational support grants and community
1 39 cultural grants under section 99F.11, subsection 3,
1 40 paragraph "d", subparagraph (1):
1 41 \$ 416,702

CODE: Requires State agencies to submit FY 2017 and FY 2018 budget information to the Department of Management (DOM) and include all proposed expenditures, supporting data, and explanations. Requires the Director of the DOM to consult with the Legislative Services Agency (LSA) concerning the provision of support data.

DETAIL: The budget information specified in this Bill is in lieu of the budget requirements specified in Iowa Code chapter 8.

CODE: Limits the FY 2016 General Fund appropriation to the Department of Cultural Affairs (DCA) for operational support grants and community cultural grants to \$416,702.

DETAIL: This maintains the current level of funding as FY 2015, but represents a decrease of \$103,298 compared to the standing appropriation of \$520,000 specified in statute. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the DCA.

1 42 2. For payment for nonpublic school transportation
1 43 under section 285.2:
1 44 \$ 8,560,931
1 45 If total approved claims for reimbursement for
1 46 nonpublic school pupil transportation exceed the amount
1 47 appropriated in accordance with this subsection, the
1 48 department of education shall prorate the amount of
1 49 each approved claim.

CODE: Limits the FY 2016 General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,560,931. Requires the appropriation to be prorated if the claims exceed the appropriation.

DETAIL: This maintains the same level of funding as FY 2015, but represents a decrease of \$1,400,000 compared to the estimated standing appropriation of \$9,960,931 specified in current law.

1 50 3. For the enforcement of chapter 453D relating to
2 1 tobacco product manufacturers under section 453D.8:
2 2 \$ 18,416

CODE: Limits the General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$18,416 for FY 2016.

DETAIL: This maintains the same level of funding as FY 2015, but represents a decrease of \$6,584 compared to the standing appropriation of \$25,000 specified in statute.

2 3 #3. LIMITATIONS OF STANDING APPROPRIATIONS
2 4 — FY 2016-2017. Notwithstanding the standing
2 5 appropriations in the following designated sections for
2 6 the fiscal year beginning July 1, 2016, and ending June
2 7 30, 2017, the amounts appropriated from the general
2 8 fund of the state pursuant to these sections for the
2 9 following designated purposes shall not exceed the
2 10 following amounts:

2 11 1. For operational support grants and community
2 12 cultural grants under section 99F.11, subsection 3,
2 13 paragraph "d", subparagraph (1):
2 14 \$ 208,351

CODE: Limits the FY 2017 General Fund appropriation to the Department of Cultural Affairs (DCA) for operational support grants and community cultural grants to \$208,351.

DETAIL: This is a decrease of \$311,649 compared to the estimated standing appropriation of \$520,000 and represents 50.00% of the amount appropriated for FY 2016. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the DCA.

2 15 2. For payment for nonpublic school transportation
2 16 under section 285.2:
2 17 \$ 8,560,931
2 18 If total approved claims for reimbursement for
2 19 nonpublic school pupil transportation exceed the amount

CODE: Limits the FY 2017 General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,560,931. Requires the appropriation to be prorated if the claims exceed the appropriation.

2 20 appropriated in accordance with this subsection, the
 2 21 department of education shall prorate the amount of
 2 22 each approved claim.

DETAIL: This maintains the same level of funding as provided in FY 2016. This represents a decrease of \$1,400,000 compared to the estimated standing appropriation of \$9,960,931 specified in current law.

2 23 3. For the enforcement of chapter 453D relating to
 2 24 tobacco product manufacturers under section 453D.8:
 2 25 \$ 9,208

Limits the FY 2017 General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$9,208.

DETAIL: This is a decrease of \$9,208 compared to the FY 2016 appropriation, and a decrease of \$15,792 compared to the \$25,000 standing appropriation specified in statute.

2 26 #4. INSTRUCTIONAL SUPPORT STATE AID —
 2 27 FY 2015-2016 — FY 2016-2017. In lieu of the
 2 28 appropriation provided in section 257.20, subsection 2,
 2 29 the appropriation for the fiscal years beginning July
 2 30 1, 2015, and July 1, 2016, for paying instructional
 2 31 support state aid under section 257.20 for such fiscal
 2 32 years is zero.

CODE: Suspends the General Fund standing appropriation of \$14,800,000 for the Instructional Support Program for FY 2016 and FY 2017.

DETAIL: The Program also received no funding in FY 2015. Although no State funding will be provided for the Program, school districts that implement the Program will use local property tax and income surtax to fund their portion of the Program. In FY 2015, 328 districts (97.00%) implemented the Program and generated \$211,456,000 in local taxes (\$91,988,000 in income surtax and \$119,468,000 in property taxes) to fund the Program.

2 33 #5. GENERAL ASSEMBLY.
 2 34 1. The appropriations made pursuant to section
 2 35 2.12 for the expenses of the general assembly and
 2 36 legislative agencies for the fiscal year beginning July
 2 37 1, 2015, and ending June 30, 2016, are reduced by the
 2 38 following amount:

CODE: Reduces the FY 2016 standing appropriation for the Legislative Branch by \$5,750,000 and permits unexpended funds budgeted during FY 2015 to carry forward to FY 2016.

2 39 \$ 5,750,000
 2 40 2. The budgeted amounts for the general assembly
 2 41 and legislative agencies for the fiscal year beginning
 2 42 July 1, 2015, may be adjusted to reflect the unexpended
 2 43 budgeted amounts from the previous fiscal year.

DETAIL: The FY 2016 Legislative Branch budget is estimated at \$38,250,000. This requirement reduces the budget to \$32,500,000 and represents a decrease of \$1,526,548 compared to the amount budgeted for FY 2015.

2 44 3. Annual membership dues for organizations,
 2 45 associations, and conferences shall not be paid from
 2 46 moneys appropriated pursuant to section 2.12.
 2 47 4. Costs for out-of-state travel and per diems
 2 48 for out-of-state travel shall not be paid from moneys
 2 49 appropriated pursuant to section 2.12.

Prohibits the Legislative Branch from expending funds from the standing unlimited appropriation for annual membership dues to organizations and costs associated with out-of-state travel.

2 50 #6. TECHNOLOGY REINVESTMENT FUND APPROPRIATION
 3 1 — LIMITATION. Notwithstanding the standing
 3 2 appropriation in section 8.57C, subsection 3, paragraph

CODE: Reduces the General Fund standing appropriation to the Technology Reinvestment Fund from \$17,500,000 to \$9,000,000 for FY 2016.

3 3 "a", for the fiscal year beginning July 1, 2015,
 3 4 and ending June 30, 2016, the amount appropriated
 3 5 from the general fund of the state to the technology
 3 6 reinvestment fund shall not exceed the following
 3 7 amount:
 3 8 \$ 9,000,000

DETAIL: This is a decrease of \$8,500,000 compared to the FY 2015 appropriation.

3 9 #7. Section 142C.15, subsection 4, paragraph c,
 3 10 unnumbered paragraph 1, Code 2015, is amended to read
 3 11 as follows:
 3 12 ~~—Not more than fifty percent of the~~ Any unobligated
 3 13 moneys in the fund annually may be expended in
 3 14 the form of grants to transplant recipients,
 3 15 transplant candidates, living organ donors, or
 3 16 to legal representatives on behalf of transplant
 3 17 recipients, transplant candidates, or living organ
 3 18 donors. Transplant recipients, transplant candidates,
 3 19 living organ donors, or the legal representatives
 3 20 of transplant recipients, transplant candidates, or
 3 21 living organ donors shall submit grant applications
 3 22 with supporting documentation provided by a hospital
 3 23 that performs transplants, verifying that the person
 3 24 by or for whom the application is submitted requires a
 3 25 transplant or is a living organ donor and specifying
 3 26 the amount of the costs associated with the following,
 3 27 if funds are not available from any other third-party
 3 28 payor:

CODE: Permits any unobligated funds in the Anatomical Gift Public Awareness Fund to be used for grants to recipients of organ transplants.

DETAIL: Awards for this category are currently limited to 50.00% of funds available. This change will allow any unexpended funds to carry forward to the next fiscal year.

3 29 #8. Section 257.35, Code 2015, is amended by
 3 30 adding the following new subsection:
 3 31 NEW SUBSECTION 9A. Notwithstanding subsection 1,
 3 32 and in addition to the reduction applicable pursuant
 3 33 to subsection 2, the state aid for area education
 3 34 agencies and the portion of the combined district cost
 3 35 calculated for these agencies for the fiscal year
 3 36 beginning July 1, 2015, and ending June 30, 2016, shall
 3 37 be reduced by the department of management by fifteen
 3 38 million dollars. The reduction for each area education
 3 39 agency shall be prorated based on the reduction that
 3 40 the agency received in the fiscal year beginning July
 3 41 1, 2003.

CODE: Reduces the FY 2016 State school aid funding to area education agencies (AEAs) by \$15,000,000.

DETAIL: In addition to the \$15,000,000 State aid reduction for FY 2016, the AEAs have an annual statutory reduction of \$7,500,000. The State aid reduction to the AEAs will total \$22,500,000 for FY 2016.

3 42 #11.
 3 43 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS
 3 44 #9. EXECUTIVE COUNCIL — APPROPRIATION —
 3 45 ORGANIZATIONAL MEMBERSHIP DUES.

3 46 1. There is appropriated from the general fund of

General Fund appropriation for FY 2016 to the Executive Council for

3 47 the state to the executive council for the fiscal year
 3 48 beginning July 1, 2015, and ending June 30, 2016, the
 3 49 following amount, or so much thereof as is necessary,
 3 50 to be used for the purposes designated:
 4 1 For annual membership dues for organizations,
 4 2 associations, and conferences paid by an executive
 4 3 branch department or agency:
 4 4 \$ 500,000

4 5 2. An executive branch department or agency must
 4 6 apply to the executive council for approval prior to
 4 7 beginning a new membership or renewing a membership
 4 8 in an organization, association, or conference.
 4 9 Upon approval of a new membership or renewal of a
 4 10 membership, the executive council may transfer moneys
 4 11 appropriated pursuant to this section to the applicant
 4 12 executive branch department or agency for purposes of
 4 13 paying membership dues. This subsection shall not
 4 14 apply to institutions of higher learning under the
 4 15 control of the state board of regents or to the state
 4 16 board of regents.

4 17 #10. IOWA NEW JOBS TRAINING AGREEMENTS. An
 4 18 Iowa community college that entered into a new jobs
 4 19 training agreement pursuant to chapter 260E, which was
 4 20 effective in April 2012, with an Iowa employer may
 4 21 enter into a new agreement with such employer pursuant
 4 22 to chapter 260E, which will be effective September
 4 23 2015, and may use the base employment determined in
 4 24 April 2012 as the base employment for determining
 4 25 the new jobs eligible under the new agreement if the
 4 26 base employment determined in April 2012 was 2,125
 4 27 employees. The new agreement under chapter 260E shall
 4 28 be limited to seven years from the effective date of
 4 29 the agreement.

4 30 #11. Section 8.55, subsection 2, paragraph a,
 4 31 Code 2015, is amended to read as follows:
 4 32 a. The first ~~sixty~~ ninety million dollars of the
 4 33 difference between the actual net revenue for the
 4 34 general fund of the state for the fiscal year and the
 4 35 adjusted revenue estimate for the fiscal year shall be
 4 36 transferred to the taxpayers trust fund.

payment of organizational dues of Executive Branch agencies.

DETAIL: In FY 2014, state agencies paid a total \$2,509,000 in organization and membership dues. Of this amount, \$1,571,000 was paid from General Fund appropriations.

Requires Executive Branch agencies to apply to the Executive Council for approval and funding of organizational and membership dues. If the Executive Council approves the expenditure, funds will be transferred from the appropriation in this Bill to the extent funds are available. This change does not apply to the Board of Regents.

Permits a community college that has a new jobs training agreement, under Iowa Code chapter 260E, that was effective April 2012, with a base employment of 2,125, to enter a new agreement with the employer, effective September 2015, with the same base employment of 2,125. The agreement is limited to seven years from the effective date of the new agreement.

FISCAL IMPACT: This provision will decrease General Fund revenue by \$364,000 in FY 2016, \$437,000 per year in FY 2017 through FY 2021, and \$266,000 in FY 2022.

CODE: Increases the amount that may be annually transferred from the Economic Emergency Fund to the Taxpayers Trust Fund from \$60,000,000 to \$90,000,000, if certain conditions are met.

DETAIL: The Taxpayers Trust Fund was created for the purpose of providing tax relief to lowans from the General Fund surplus that exceeds the amount necessary to "fill up" the State's Cash Reserve and Economic Emergency Funds. The statute requires the moneys in the Trust Fund be used to provide a nonrefundable tax credit to qualified individuals. Under current law, the amount that the Taxpayers Trust Fund can receive in a given fiscal year is limited to \$60,000,000 or the difference between the actual net General Fund revenue for the

preceding fiscal year and the adjusted revenue estimate used in establishing the budget for that fiscal year, whichever is less. The funds are transferred from the Economic Emergency Fund after the Cash Reserve Fund and the Economic Emergency Fund reach the maximum balances of 7.50% and 2.50% of the adjusted revenue estimate, respectively. This law change increases the amount that can be transferred to a maximum of \$90,000,000.

FISCAL IMPACT: This law change is not anticipated to have an impact on the General Fund for FY 2016 because the current estimate for net General Fund receipts in FY 2015 is not expected to exceed the adjusted revenue estimate used to establish the FY 2015 budget. The current net General Fund revenue estimate set by the Revenue Estimating Conference for FY 2015 is \$6,767,400, which is \$196,200,000 less than the adjusted revenue estimate of \$6,963,600 used to establish the FY 2015 budget. In order for this law change to have an impact on the General Fund in FY 2016, actual year-end revenues for FY 2015 must exceed the REC estimate by \$256,200,000.

4 37 ~~#12.~~ Section 8A.311, Code 2015, is amended by
 4 38 adding the following new subsection:
 4 39 NEW SUBSECTION 23. Notwithstanding sections
 4 40 904.807 and 904.808, the director of the department of
 4 41 administrative services shall furnish state parks with
 4 42 equipment deemed necessary by the department of natural
 4 43 resources and the director of the department of natural
 4 44 resources under a competitive bid process as described
 4 45 in this chapter.

CODE: Notwithstands the exceptions process for the State purchasing requirement to buy products from Iowa Prison Industries. Requires the Department of Administrative Services (DAS) will purchase equipment for State Parks operated by the Department of Natural Resources (DNR) using a competitive bid process.

4 46 ~~#13.~~ Section 8D.4, Code 2015, is amended to
 4 47 read as follows:
 4 48 8D.4 EXECUTIVE DIRECTOR APPOINTED.
 4 49 The commission, in consultation with the director
 4 50 of the department of administrative services and the
 5 1 chief information officer, shall appoint an executive
 5 2 director of the commission, subject to confirmation
 5 3 by the senate. Such individual shall not serve as
 5 4 a member of the commission. The executive director
 5 5 shall serve at the pleasure of the commission. The
 5 6 executive director shall be selected primarily for
 5 7 administrative ability and knowledge in the field,
 5 8 without regard to political affiliation. The governor
 5 9 shall establish the salary of the executive director
 5 10 within the applicable salary range ~~nine as~~ established
 5 11 by the general assembly. The salary and support of the
 5 12 executive director shall be paid from funds deposited

CODE: Technical correction to eliminate an outdated salary range for the Executive Director of the Iowa Communications Network (ICN).

5 13 in the Iowa communications network fund.

5 14 ~~#14.~~NEW SECTION 70A.40 ELECTIVE PUBLIC
5 15 OFFICER CONTACT INFORMATION.

5 16 1. Within thirty days of an elective public officer
5 17 swearing to an oath of office, the governmental entity
5 18 the officer serves shall provide the officer with
5 19 designated contact information with the governmental
5 20 entity. A governmental entity that maintains an
5 21 internet site shall cause to be published the contact
5 22 information for each of the entity's elective public
5 23 officers on the internet site maintained by the entity.
5 24 An elective public officer shall provide additional
5 25 contact information that would normally be used to make
5 26 contact with the officer to the governmental entity to
5 27 be published as provided in this section for designated
5 28 contact information.

5 29 2. a. For the purposes of this section, "contact
5 30 information" means a telephone number and an electronic
5 31 mail address.

5 32 b. For the purposes of this section, "elective
5 33 public officer" or "officer" means all of the following:

5 34 (1) Members of the general assembly.

5 35 (2) Members of a county board of supervisors.

5 36 (3) Members of a city council.

5 37 (4) Members of a board of directors of a school
5 38 district.

5 39 ~~#15.~~ Section 123.132, subsection 3, as enacted
5 40 by 2015 Iowa Acts, Senate File 456, section 1, is
5 41 amended to read as follows:

5 42 3. A container of beer other than the original
5 43 container that is sold and sealed in compliance with
5 44 the requirements of subsection 2 and the division's
5 45 rules shall not be deemed an open container subject to
5 46 the requirements of sections 321.284 and 321.284A if
5 47 the sealed container is unopened and the seal has not
5 48 been tampered with, and the contents of the container
5 49 have not been partially removed.

5 50 ~~#16.~~ Section 256.7, subsection 32, paragraph c,
6 1 Code 2015, is amended to read as follows:
6 2 c. Adopt rules that limit the statewide enrollment
6 3 of pupils in educational instruction and course content
6 4 that are delivered primarily over the internet to
6 5 not more than eighteen one-hundredths of one percent
6 6 of the statewide enrollment of all pupils, and that
6 7 limit the number of pupils participating in open

CODE: Provides that within 30 days of swearing into office, public officers including members of the General Assembly, county Board of Supervisors, city council, and Board of Directors of a school district must provide contact information to the appropriate governmental entity. Contact information including a telephone number and electronic mail address will be published on the internet website.

CODE: Makes a clarification regarding contents of an alcoholic beverage container.

CODE: Removes the expiration of the limitation of open enrollment to the CAM or Clayton Ridge Community School Districts. Limitations on how many students may be enrolled statewide or per districts do not apply if the limitations prevent siblings from enrolling in the same school district or if a sending district determines that the educational needs of physically or emotionally fragile students are best served by educational instruction and course content that are delivered primarily over the internet.

6 8 enrollment for purposes of receiving educational
 6 9 instruction and course content that are delivered
 6 10 primarily over the internet to no more than one percent
 6 11 of a sending district's enrollment. ~~Until June 30,~~
 6 12 ~~2015, students~~ Such limitations shall not apply if
 6 13 the limitations would prevent siblings from enrolling
 6 14 in the same school district or if a sending district
 6 15 determines that the educational needs of a physically
 6 16 or emotionally fragile student would be best served
 6 17 by educational instruction and course content that
 6 18 are delivered primarily over the internet. Students
 6 19 who meet the requirements of section 282.18 may
 6 20 participate in open enrollment under this paragraph "c"
 6 21 for purposes of enrolling only in the CAM community
 6 22 school district or the Clayton Ridge community school
 6 23 district.

DETAIL: Under current law, the provisions regarding enrollment in educational instruction and course content delivered primarily over the internet were scheduled to sunset on July 1, 2015.

6 24 (01) The department, in collaboration with the
 6 25 international association for K-12 online learning,
 6 26 shall annually collect data on student performance in
 6 27 educational instruction and course content that are
 6 28 delivered primarily over the internet pursuant to this
 6 29 paragraph "c". The department shall include such data
 6 30 in its annual report to the general assembly pursuant
 6 31 to subparagraph (3) and shall post the data on the
 6 32 department's internet site.

CODE: Requires the Department of Education to work with the International Association for K-12 Online Learning to annually collect data on student performance in educational instruction and course content delivered primarily over the internet. The Department of Education is required to include the data in its annual Online Learning Report to the General Assembly.

6 33 (1) School districts providing educational
 6 34 instruction and course content that are delivered
 6 35 primarily over the internet pursuant to this paragraph
 6 36 "c" shall annually submit to the department, in the
 6 37 manner prescribed by the department, data that includes
 6 38 but is not limited to ~~student~~ the following:
 6 39 (a) Student achievement and demographic
 6 40 characteristics, ~~retention,~~
 6 41 (b) ~~Retention rates, and the,~~
 6 42 (c) ~~The~~percentage of enrolled students' active
 6 43 participation in extracurricular activities.
 6 44 (d) Academic proficiency levels, consistent with
 6 45 requirements applicable to all school districts and
 6 46 accredited nonpublic schools in this state.
 6 47 (e) Academic growth measures, which shall include
 6 48 either of the following:
 6 49 (i) Entry and exit assessments in, at a minimum,
 6 50 math and English for elementary and middle school
 7 1 students, and additional subjects, including science,
 7 2 for high school students.
 7 3 (ii) State-required assessments that track

CODE: Requires school districts providing educational instruction and course content delivered primarily over the internet to submit a certain set of information annually to the Department of Education.

7 4 year-over-year improvements in academic proficiency.
 7 5 _(f) Academic mobility. To facilitate the tracking
 7 6 of academic mobility, school districts shall request
 7 7 the following information from the parent or guardian
 7 8 of a student enrolled in educational instruction and
 7 9 course content that are delivered primarily over the
 7 10 internet pursuant to this paragraph "c":
 7 11 _(i) For a student newly enrolling, the reasons for
 7 12 choosing such enrollment.
 7 13 _(ii) For a student terminating enrollment, the
 7 14 reasons for terminating such enrollment.
 7 15 _(g) Student progress toward graduation.
 7 16 Measurement of such progress shall account for specific
 7 17 characteristics of each enrolled student, including
 7 18 but not limited to age and course credit accrued prior
 7 19 to enrollment in educational instruction and course
 7 20 content that are delivered primarily over the internet
 7 21 pursuant to this paragraph "c", and shall be consistent
 7 22 with evidence-based best practices.

7 23 (2) The department shall conduct annually a survey
 7 24 of not less than ten percent of the total number of
 7 25 students enrolled as authorized under this paragraph
 7 26 "c" and section 282.18, ~~and not less than one hundred~~
 7 27 ~~percent of the students in those districts who are~~
 7 28 ~~enrolled as authorized under this paragraph "c" and~~
 7 29 ~~section 282.18 and who are eligible for free or reduced~~
 7 30 ~~price meals under the federal National School Lunch~~
 7 31 ~~Act and the federal Child Nutrition Act of 1966, 42~~
 7 32 ~~U.S.C. §§1751-1785, to determine whether students are~~
 7 33 ~~enrolled under this paragraph "c" and section 282.18~~
 7 34 ~~to receive educational instruction and course content~~
 7 35 ~~primarily over the internet or are students who are~~
 7 36 ~~receiving competent private instruction from a licensed~~
 7 37 ~~practitioner provided through a school district~~
 7 38 ~~pursuant to chapter 299A.~~

7 39 (3) The department shall compile and review the
 7 40 data collected pursuant to this paragraph "c" and
 7 41 shall submit its findings and recommendations for the
 7 42 continued delivery of instruction and course content by
 7 43 school districts pursuant to this paragraph "c", in a
 7 44 report to the general assembly by January 15 annually.

7 45 (4) ~~This paragraph "c" is repealed July 1, 2015.~~
 7 46 School districts providing educational instruction
 7 47 and course content that are delivered primarily over
 7 48 the internet pursuant to this paragraph "c" shall
 7 49 comply with the following requirements relating to such

CODE: Removes the requirement that the Department of Education conduct a survey of the students that participate in open enrollment and are eligible for free or reduced price school meals under federal law.

CODE: Removes the repeal allowing for the open enrollment in schools with instruction delivered primarily over the internet and the reporting requirements. Requires school districts providing education instruction and course content delivered primarily over the internet to comply with the following:

7 50 instruction and content:

8 1 __ (a) Monitoring and verifying full-time student

8 2 enrollment, timely completion of graduation

8 3 requirements, course credit accrual, and course

8 4 completion.

8 5 __ (b) Monitoring and verifying student progress and

8 6 performance in each course through a school-based

8 7 assessment plan that includes submission of coursework

8 8 and security and validity of testing.

8 9 __ (c) Conducting parent-teacher conferences.

8 10 __ (d) Administering assessments required by the state

8 11 to all students in a proctored setting and pursuant to

8 12 state law.

- Monitoring and verifying full-time student enrollment, timely completion of graduation requirements, course credit accrual, and course completion.
- Monitoring and verifying student progress and performance in each course through a school-based assessment plan that includes submission of coursework, security, and validity of testing.
- Conducting parent-teacher conferences.
- Administering assessments required by the State to all students in a proctored setting and pursuant to State law.

8 13 ~~#17.~~NEW SECTION 274.3 EXERCISE OF POWERS —

8 14 CONSTRUCTION.

8 15 1. The board of directors of a school district

8 16 shall operate, control, and supervise all public

8 17 schools located within its district boundaries and may

8 18 exercise any broad and implied power, not inconsistent

8 19 with the laws of the general assembly, related to the

8 20 operation, control, and supervision of those public

8 21 schools.

8 22 2. Notwithstanding subsection 1, the board of

8 23 directors of a school district shall not have power to

8 24 levy any tax unless expressly authorized by the general

8 25 assembly.

8 26 3. This chapter, chapter 257 and chapters 275

8 27 through 301, and other statutes relating to the

8 28 boards of directors of school districts and to school

8 29 districts shall be liberally construed to effectuate

8 30 the purposes of subsection 1.

CODE: Requires the Board of Directors of a school district to operate, control, and supervise public schools within the boundaries of the district and do so consistently with the laws of the General Assembly.

8 31 ~~#18.~~ Section 279.50, subsections 3 and 5, Code

8 32 2015, are amended to read as follows:

8 33 3. Each school board shall annually provide to

8 34 a parent or guardian of any pupil enrolled in the

8 35 school district, information about the human growth and

8 36 development curriculum used in the pupil's grade level,

8 37 as well as information on human growth and development

8 38 that is provided to the pupil at any educational

8 39 conference or seminar for which the school district

8 40 facilitates pupil participation, and the procedure for

8 41 inspecting the instructional materials prior to their

8 42 use in the classroom or at the educational conference

8 43 or seminar.

8 44 5.—A Except with the written consent of a pupil's

8 45 parent or guardian, which shall be filed with the

CODE: Requires all local school boards to annually provide to a parent or guardian of any student, information on human growth and development that is provided to the student at any school-sponsored educational conference or seminar, and the procedure for inspecting the instructional materials prior to use at the educational conference or seminar. No student will be enrolled in a course of instruction in human growth and development nor attend a school-sponsored educational conference or seminar that includes information on human growth and development, unless the student's parent or guardian gives written consent to the school. Notification that written consent is required prior to a student's enrollment or attendance must be included in the information on human growth and development provided to the student's parent or guardian.

8 46 ~~appropriate school principal, a pupil shall not neither~~
 8 47 ~~be required to take enrolled in a course of instruction~~
 8 48 ~~in human growth and development if the pupil's parent~~
 8 49 ~~or guardian files with the appropriate principal a~~
 8 50 ~~written request that the pupil be excused from the~~
 9 1 ~~instruction nor attend an educational conference or~~
 9 2 ~~seminar for which the school district facilitates pupil~~
 9 3 ~~participation if the educational conference or seminar~~
 9 4 ~~includes information on human growth and development.~~
 9 5 Notification that ~~the written request may be made~~
 9 6 consent is required prior to a pupil's enrollment or
 9 7 attendance as provided in this subsection shall be
 9 8 included in the information provided by the school
 9 9 district under subsection 3.

9 10 #19. Section 284.13, subsection 1, paragraph e,
 9 11 subparagraph (2), subparagraph division (a), Code 2015,
 9 12 is amended to read as follows:
 9 13 (a) For the initial school year for which a
 9 14 school district receives department approval for
 9 15 and implements a framework or comparable system in
 9 16 accordance with section 284.15, teacher leadership
 9 17 supplement foundation aid payable to that school
 9 18 district shall be paid from the allocation made in
 9 19 subparagraph (1) for that school year. For that school
 9 20 year beginning July 1, 2014, the teacher leadership
 9 21 supplement foundation aid payable to the school
 9 22 district is the product of the teacher leadership
 9 23 district cost per pupil for the school year multiplied
 9 24 by the school district's budget enrollment. For that
 9 25 school year beginning July 1, 2015, or beginning July
 9 26 1, 2016, the teacher leadership supplement foundation
 9 27 aid payable to the school district is the product
 9 28 of three hundred eight dollars and eighty-two cents
 9 29 multiplied by the school district's budget enrollment.
 9 30 The board of directors of the district of residence
 9 31 shall pay to the receiving district any moneys received
 9 32 for a pupil under subparagraph (1) if the pupil is
 9 33 participating in open enrollment under section 282.18
 9 34 and both the district of residence and the receiving
 9 35 district are receiving an allocation under subparagraph
 9 36 (1).

9 37 #20. Section 730.5, subsection 9, paragraph e,
 9 38 Code 2015, is amended to read as follows:
 9 39 e. If the written policy provides for alcohol
 9 40 testing, the employer shall establish in the written
 9 41 policy a standard for alcohol concentration which shall

CODE: Specifies for FY 2015, the Teacher Leadership Supplement Foundation Aid is the product of the teacher leadership district cost per pupil for the school year multiplied by the school district's budget enrollment. Specifies that for FY 2016 and FY 2017, the Teacher Leadership Supplement Foundation Aid payable to the school district is the product of \$308.82 multiplied by the school district's budget enrollment.

DETAIL: The amount per pupil paid to school districts in FY 2015 was \$308.82. This keeps the amount for the teacher leadership grants for the initial year a school district is approved at \$308.82 instead of being associated with the teacher leadership supplement state cost per pupil.

CODE: Decreases the minimum standard permitted for private employers when testing employees for alcohol from 0.04 to 0.02 expressed in terms of grams of alcohol per 210 liters of breath, or its equivalent.

9 42 be deemed to violate the policy. The standard for
 9 43 alcohol concentration shall not be less than ~~.04~~ .02,
 9 44 expressed in terms of grams of alcohol per two hundred
 9 45 ten liters of breath, or its equivalent.

9 46 #III.

9 47 SALARIES, COMPENSATION, AND RELATED MATTERS

9 48 #21. SALARY MODEL ADMINISTRATOR. The salary
 9 49 model administrator shall work in conjunction with
 9 50 the legislative services agency to maintain the
 10 1 state's salary model used for analyzing, comparing,
 10 2 and projecting state employee salary and benefit
 10 3 information, including information relating to
 10 4 employees of the state board of regents. The
 10 5 department of revenue, the department of administrative
 10 6 services, the five institutions under the jurisdiction
 10 7 of the state board of regents, the judicial district
 10 8 departments of correctional services, and the state
 10 9 department of transportation shall provide salary data
 10 10 to the department of management and the legislative
 10 11 services agency to operate the state's salary
 10 12 model. The format and frequency of provision of the
 10 13 salary data shall be determined by the department of
 10 14 management and the legislative services agency. The
 10 15 information shall be used in collective bargaining
 10 16 processes under chapter 20 and in calculating the
 10 17 funding needs contained within the annual salary
 10 18 adjustment legislation. A state employee organization
 10 19 as defined in section 20.3, subsection 4, may request
 10 20 information produced by the model, but the information
 10 21 provided shall not contain information attributable to
 10 22 individual employees.

Requires the salary model administrator to work with the Legislative Services Agency (LSA) to maintain the State's salary model. Requires various departments to submit salary data to the DOM and the LSA.

10 23 #IV.

10 24 CORRECTIVE PROVISIONS

10 25 #22. Section 123.122, Code 2015, as amended by
 10 26 2015 Iowa Acts, House File 536, section 48, is amended
 10 27 to read as follows:

CODE: Corrective provision for HF 536 (Substantive Code Editor's Act).

10 28 123.122 PERMIT OR LICENSE REQUIRED.
 10 29 A person shall not manufacture for sale or sell
 10 30 beer at wholesale or retail unless a permit is first
 10 31 obtained as provided in this subchapter or, a liquor
 10 32 control license authorizing the retail sale of beer is
 10 33 first obtained as provided in ~~division~~ subchapter I of
 10 34 this chapter. A liquor control license holder is not
 10 35 required to hold a separate class "B" beer permit.

DETAIL: This Act was approved by the General Assembly on April 7, 2015, and signed by the Governor on April 8, 2015.

10 36 ~~#23.~~ Section 227.10, Code 2015, as amended by
10 37 2015 Iowa Acts, Senate File 463, section 53, is amended
10 38 to read as follows:
10 39 227.10 TRANSFERS FROM COUNTY OR PRIVATE
10 40 INSTITUTIONS.
10 41 Patients who have been admitted at public expense
10 42 to any institution to which this chapter is applicable
10 43 may be involuntarily transferred to the proper
10 44 state hospital for persons with mental illness in
10 45 the manner prescribed by sections 229.6 to 229.13.
10 46 The application required by section 229.6 may be
10 47 filed by the administrator of the division or the
10 48 administrator's designee, or by the administrator
10 49 of the institution where the patient is then being
10 50 maintained or treated. If the patient was admitted to
11 1 that institution involuntarily, the administrator of
11 2 the division may arrange and complete the transfer, and
11 3 shall report it as required of a chief medical officer
11 4 under section 229.15, subsection 5. The transfer
11 5 shall be made at the mental health and ~~disabilities~~
11 6 disability services region's expense, and the expense
11 7 recovered, as provided in section 227.7. However,
11 8 transfer under this section of a patient whose expenses
11 9 are payable in whole or in part by ~~a~~ the mental health
11 10 and ~~disabilities~~ disability services region is subject
11 11 to an authorization for the transfer through the
11 12 regional administrator for the patient's county of
11 13 residence.
11 14 ~~#24.~~ Section 227.14, Code 2015, as amended by
11 15 2015 Iowa Acts, Senate File 463, section 56, is amended
11 16 to read as follows:
11 17 227.14 CARING FOR PERSONS WITH MENTAL ILLNESS FROM
11 18 OTHER COUNTIES.
11 19 The regional administrator for a county that does
11 20 not have proper facilities for caring for persons
11 21 with mental illness may, with the consent of the
11 22 administrator of the division, provide for such care
11 23 at the expense of the mental health and ~~disabilities~~
11 24 disability services region in any convenient and proper
11 25 county or private institution for persons with mental
11 26 illness which is willing to receive the persons.
11 27 ~~#25.~~ Section 229.1B, Code 2015, as amended by
11 28 2015 Iowa Acts, Senate File 463, section 59, is amended
11 29 to read as follows:
11 30 229.1B REGIONAL ADMINISTRATOR.
11 31 Notwithstanding any provision of this chapter to the
11 32 contrary, any person whose hospitalization expenses

CODE: Corrective provisions for SF 463 (Mental Health Disability Services Redesign, Cleanup Act).

DETAIL: This Act was approved by the General Assembly on April 21, 2015, and signed by the Governor on April 24, 2015.

11 33 are payable in whole or in part by a mental health
11 34 and ~~disabilities~~ disability services region shall be
11 35 subject to all administrative requirements of the
11 36 regional administrator for the county.
11 37 #26. Section 229.2, subsection 1, paragraph b,
11 38 subparagraph (3), Code 2015, as amended by 2015 Iowa
11 39 Acts, Senate File 463, section 60, is amended to read
11 40 as follows:

11 41 (3) As soon as is practicable after the filing of a
11 42 petition for juvenile court approval of the admission
11 43 of the minor, the juvenile court shall determine
11 44 whether the minor has an attorney to represent the
11 45 minor in the hospitalization proceeding, and if not,
11 46 the court shall assign to the minor an attorney. If
11 47 the minor is financially unable to pay for an attorney,
11 48 the attorney shall be compensated by the mental
11 49 health and ~~disabilities~~ disability services region
11 50 at an hourly rate to be established by the regional
12 1 administrator for the county in which the proceeding
12 2 is held in substantially the same manner as provided
12 3 in section 815.7.

12 4 #27. Section 229.8, subsection 1, Code 2015, as
12 5 amended by 2015 Iowa Acts, Senate File 463, section 61,
12 6 is amended to read as follows:

12 7 1. Determine whether the respondent has an attorney
12 8 who is able and willing to represent the respondent in
12 9 the hospitalization proceeding, and if not, whether the
12 10 respondent is financially able to employ an attorney
12 11 and capable of meaningfully assisting in selecting one.
12 12 In accordance with those determinations, the court
12 13 shall if necessary allow the respondent to select, or
12 14 shall assign to the respondent, an attorney. If the
12 15 respondent is financially unable to pay an attorney,
12 16 the attorney shall be compensated by the mental
12 17 health and ~~disabilities~~ disability services region
12 18 at an hourly rate to be established by the regional
12 19 administrator for the county in which the proceeding
12 20 is held in substantially the same manner as provided
12 21 in section 815.7.

12 22 #28. Section 229.10, subsection 1, paragraph a,
12 23 Code 2015, as amended by 2015 Iowa Acts, Senate File
12 24 463, section 62, is amended to read as follows:

12 25 a. An examination of the respondent shall be
12 26 conducted by one or more licensed physicians, as
12 27 required by the court's order, within a reasonable
12 28 time. If the respondent is detained pursuant to
12 29 section 229.11, subsection 1, paragraph "b", the
12 30 examination shall be conducted within twenty-four

12 31 hours. If the respondent is detained pursuant to
12 32 section 229.11, subsection 1, paragraph "a" or "c",
12 33 the examination shall be conducted within forty-eight
12 34 hours. If the respondent so desires, the respondent
12 35 shall be entitled to a separate examination by a
12 36 licensed physician of the respondent's own choice.
12 37 The reasonable cost of the examinations shall, if the
12 38 respondent lacks sufficient funds to pay the cost, be
12 39 paid by the regional administrator from mental health
12 40 and ~~disabilities~~ disability services region funds upon
12 41 order of the court.

12 42 ~~#29.~~ Section 229.11, subsection 1, unnumbered
12 43 paragraph 1, Code 2015, as amended by 2015 Iowa Acts,
12 44 Senate File 463, section 63, is amended to read as
12 45 follows:

12 46 If the applicant requests that the respondent
12 47 be taken into immediate custody and the judge,
12 48 upon reviewing the application and accompanying
12 49 documentation, finds probable cause to believe that
12 50 the respondent has a serious mental impairment and is
13 1 likely to injure the respondent or other persons if
13 2 allowed to remain at liberty, the judge may enter a
13 3 written order directing that the respondent be taken
13 4 into immediate custody by the sheriff or the sheriff's
13 5 deputy and be detained until the hospitalization
13 6 hearing. The hospitalization hearing shall be held no
13 7 more than five days after the date of the order, except
13 8 that if the fifth day after the date of the order is a
13 9 Saturday, Sunday, or a holiday, the hearing may be held
13 10 on the next succeeding business day. If the expenses
13 11 of a respondent are payable in whole or in part by
13 12 a mental health and ~~disabilities~~ disability services
13 13 region, for a placement in accordance with paragraph
13 14 "a", the judge shall give notice of the placement to
13 15 the regional administrator for the county in which the
13 16 court is located, and for a placement in accordance
13 17 with paragraph "b" or "c", the judge shall order the
13 18 placement in a hospital or facility designated through
13 19 the regional administrator. The judge may order
13 20 the respondent detained for the period of time until
13 21 the hearing is held, and no longer, in accordance
13 22 with paragraph "a", if possible, and if not then in
13 23 accordance with paragraph "b", or, only if neither of
13 24 these alternatives is available, in accordance with
13 25 paragraph "c". Detention may be:

13 26 ~~#30.~~ Section 229.13, subsection 1, paragraph a,
13 27 Code 2015, as amended by 2015 Iowa Acts, Senate File
13 28 463, section 64, is amended to read as follows:

13 29 a. The court shall order a respondent whose
13 30 expenses are payable in whole or in part by a mental
13 31 health and ~~disabilities~~ disability services region
13 32 placed under the care of an appropriate hospital or
13 33 facility designated through the county's regional
13 34 administrator on an inpatient or outpatient basis.

13 35 #31. Section 229.14, subsection 2, paragraph a,
13 36 Code 2015, as amended by 2015 Iowa Acts, Senate File
13 37 463, section 65, is amended to read as follows:

13 38 a. For a respondent whose expenses are payable in
13 39 whole or in part by a mental health and ~~disabilities~~
13 40 disability services region, placement as designated
13 41 through the county's regional administrator in the care
13 42 of an appropriate hospital or facility on an inpatient
13 43 or outpatient basis, or other appropriate treatment, or
13 44 in an appropriate alternative placement.

13 45 #32. Section 229.14A, subsection 7, Code 2015,
13 46 as amended by 2015 Iowa Acts, Senate File 463, section
13 47 66, is amended to read as follows:

13 48 7. If a respondent's expenses are payable in
13 49 whole or in part by a mental health and ~~disabilities~~
13 50 disability services region through the county's
14 1 regional administrator, notice of a placement hearing
14 2 shall be provided to the county attorney and the
14 3 regional administrator. At the hearing, the county may
14 4 present evidence regarding appropriate placement.

14 5 #33. Section 229.42, subsection 1, Code 2015,
14 6 as amended by 2015 Iowa Acts, Senate File 463, section
14 7 68, is amended to read as follows:

14 8 1. If a person wishing to make application for
14 9 voluntary admission to a mental hospital established
14 10 by chapter 226 is unable to pay the costs of
14 11 hospitalization or those responsible for the person are
14 12 unable to pay the costs, application for authorization
14 13 of voluntary admission must be made through a regional
14 14 administrator before application for admission
14 15 is made to the hospital. The person's county of
14 16 residence shall be determined through the regional
14 17 administrator and if the admission is approved through
14 18 the regional administrator, the person's admission
14 19 to a mental health hospital shall be authorized as a
14 20 voluntary case. The authorization shall be issued on
14 21 forms provided by the department of human services'
14 22 administrator. The costs of the hospitalization shall
14 23 be paid by the county of residence through the regional
14 24 administrator to the department of human services and
14 25 credited to the general fund of the state, provided
14 26 that the mental health hospital rendering the services

14 27 has certified to the county auditor of the county of
 14 28 residence and the regional administrator the amount
 14 29 chargeable to the mental health and ~~disabilities~~
 14 30 ~~disability~~ services region and has sent a duplicate
 14 31 statement of the charges to the department of human
 14 32 services. A mental health and ~~disabilities~~ ~~disability~~
 14 33 services region shall not be billed for the cost of a
 14 34 patient unless the patient's admission is authorized
 14 35 through the regional administrator. The mental health
 14 36 institute and the regional administrator shall work
 14 37 together to locate appropriate alternative placements
 14 38 and services, and to educate patients and family
 14 39 members of patients regarding such alternatives.

14 40 ~~#34.~~ Section 230.1, subsection 3, Code 2015, as
 14 41 amended by 2015 Iowa Acts, Senate File 463, section 69,
 14 42 is amended to read as follows:

14 43 3. A mental health and ~~disabilities~~ ~~disability~~
 14 44 services region or county of residence is not liable
 14 45 for costs and expenses associated with a person with
 14 46 mental illness unless the costs and expenses are for
 14 47 services and other support authorized for the person
 14 48 through the county's regional administrator. For the
 14 49 purposes of this chapter, "regional administrator" means
 14 50 the same as defined in section 331.388.

15 1 ~~#35.~~ Section 230.20, subsection 2, paragraph b,
 15 2 Code 2015, as amended by 2015 Iowa Acts, Senate File
 15 3 463, section 71, is amended to read as follows:

15 4 b. The per diem costs billed to each mental health
 15 5 and ~~disabilities~~ ~~disability~~ services region shall
 15 6 not exceed the per diem costs billed to the county
 15 7 in the fiscal year beginning July 1, 1996. However,
 15 8 the per diem costs billed to a mental health and
 15 9 ~~disabilities~~ ~~disability~~ services region may be adjusted
 15 10 annually to reflect increased costs, to the extent of
 15 11 the percentage increase in the statewide per capita
 15 12 expenditure target amount, if any per capita growth
 15 13 amount is authorized by the general assembly for the
 15 14 fiscal year in accordance with section 426B.3.

15 15 ~~#36.~~ Section 279.10, subsection 1, Code 2015,
 15 16 as amended by 2015 Iowa Acts, Senate File 227, section
 15 17 2, is amended to read as follows:

15 18 1. The school year for each school district and
 15 19 accredited nonpublic school shall begin on July 1 and
 15 20 the school calendar shall begin no sooner than August
 15 21 23 and no later than the first Monday in December.
 15 22 The school calendar shall include not less than one
 15 23 hundred eighty days, ~~except as provided in subsection~~

CODE: Corrective provision for SF 227 (School Start Date Act).

DETAIL: This Act was approved by the General Assembly on April 7, 2015, and signed by the Governor on April 10, 2015. This section is retroactive to April 10, 2015.

15 24 3, or one thousand eighty hours of instruction during
 15 25 the calendar year. The board of directors of a school
 15 26 district and the authorities in charge of an accredited
 15 27 nonpublic school shall determine the school start
 15 28 date for the school calendar in accordance with this
 15 29 subsection and shall set the number of days or hours of
 15 30 required attendance for the school year as provided in
 15 31 section 299.1, subsection 2, but the board of directors
 15 32 of a school district shall hold a public hearing on
 15 33 any proposed school calendar prior to adopting the
 15 34 school calendar. If the board of directors of a
 15 35 district or the authorities in charge of an accredited
 15 36 nonpublic school extends the school calendar because
 15 37 inclement weather caused the school district or
 15 38 accredited nonpublic school to temporarily close during
 15 39 the regular school calendar, the school district or
 15 40 accredited nonpublic school may excuse a graduating
 15 41 senior who has met district or school requirements for
 15 42 graduation from attendance during the extended school
 15 43 calendar. A school corporation may begin employment
 15 44 of personnel for in-service training and development
 15 45 purposes before the date to begin elementary and
 15 46 secondary school.

15 47 #37. Section 426B.5, subsection 2, paragraph c,
 15 48 Code 2015, as amended by 2015 Iowa Acts, Senate File
 15 49 463, section 78, is amended to read as follows:
 15 50 c. A risk pool board is created. The board
 16 1 shall consist of two county supervisors, two county
 16 2 auditors, a member of the mental health and disability
 16 3 services commission who is not a member of a county
 16 4 board of supervisors, a member of the county finance
 16 5 committee created in chapter 333A who is not an elected
 16 6 official, a representative of a provider of mental
 16 7 health or developmental disabilities services selected
 16 8 from nominees submitted by the Iowa association of
 16 9 community providers, and two staff members of regional
 16 10 administrators of county mental health and disability
 16 11 services regions, all appointed by the governor, and
 16 12 one member appointed by the director of human services.
 16 13 All members appointed by the governor shall be subject
 16 14 to confirmation by the senate. Members shall serve for
 16 15 three-year terms. A vacancy shall be filled in the
 16 16 same manner as the original appointment. Expenses and
 16 17 other costs of the risk pool board members representing
 16 18 counties shall be paid by the county of origin.
 16 19 Expenses and other costs of risk pool board members
 16 20 who do not represent counties shall be paid from a

CODE: Corrective provision for SF 463 (Mental Health Disability Services Redesign, Cleanup Act).

DETAIL: This Act was approved by the General Assembly on April 21, 2015, and signed by the Governor on April 24, 2015.

16 21 source determined by the governor. Staff assistance
 16 22 to the board shall be provided by the department of
 16 23 human services and counties. Actuarial expenses and
 16 24 other direct administrative costs shall be charged to
 16 25 the pool.

16 26 ~~#38.~~ Section 459A.404, subsection 3, paragraphs
 16 27 b and c, if enacted by 2015 Iowa Acts, House File 583,
 16 28 section 41, are amended to read as follows:
 16 29 b. For purposes of section 459.310, subsection 4,
 16 30 the provisions relating to an unformed manure storage
 16 31 structure shall apply to an unformed animal truck wash
 16 32 effluent structure and the provisions relating to a
 16 33 formed manure storage structure shall apply to a formed
 16 34 animal truck wash effluent structure. ~~However, the~~
 16 35 ~~—c. Notwithstanding section 459.310, subsection~~
 16 36 ~~4, a requirement in section 459.310, subsection 4,~~
 16 37 ~~paragraph “a”, relating to animal weight capacity or~~
 16 38 ~~animal unit capacity shall not apply to the replacement~~
 16 39 ~~of an unformed animal truck wash effluent structure~~
 16 40 ~~with a formed animal truck wash effluent structure.~~ In
 16 41 addition, the capacity of a replacement animal truck
 16 42 wash effluent structure shall not exceed the amount
 16 43 required to store animal truck wash effluent for any
 16 44 eighteen-month period.

CODE: Technical correction to HF 583 (Animal Truck Wash Act) that specifies the animal weight capacity or animal unit capacity does not apply to the replacement of an unformed animal truck wash effluent structure with a formed animal truck wash effluent structure.

DETAIL: This Act was approved by the General Assembly on April 28, 2015, and signed by the Governor on May 1, 2015.

16 45 ~~#39.~~ Section 459A.411, Code 2015, as amended by
 16 46 2015 Iowa Acts, House File 583, section 43, if enacted,
 16 47 is amended to read as follows:
 16 48 459A.411 DISCONTINUANCE OF OPERATIONS.
 16 49 The owner of an open feedlot operation or animal
 16 50 truck wash facility who discontinues its operation
 17 1 shall remove all effluent from related open feedlot
 17 2 operation structures or animal truck wash effluent
 17 3 structures used to store effluent, as soon as practical
 17 4 but not later than six months following the date the
 17 5 operations of the open feedlot operation or animal
 17 6 truck wash facility ~~is~~ are discontinued.

CODE: Technical correction to HF 583 (Animal Truck Wash Act).

DETAIL: This Act was approved by the General Assembly on April 28, 2015, and signed by the Governor on May 1, 2015.

17 7 ~~#40.~~ Section 476.53, subsection 3, paragraph a,
 17 8 subparagraph (1), Code 2015, as amended by 2015 Iowa
 17 9 Acts, House File 535, section 61, is amended to read
 17 10 as follows:
 17 11 (1) (a) Files an application pursuant to section
 17 12 476A.3 to construct in Iowa a baseload electric
 17 13 power generating facility with a nameplate generating
 17 14 capacity equal to or greater than three hundred
 17 15 megawatts or a combined-cycle electric power generating

CODE: Corrective provision for HF 535 (Nonsubstantive Code Editor's Act).

DETAIL: This Act was approved by the General Assembly on April 7, 2015, and signed by the Governor on April 8, 2015.

17 16 facility, or an alternate energy production facility as
 17 17 defined in section 476.42, or to significantly alter
 17 18 an existing generating facility. For purposes of this
 17 19 subparagraph, a significant alteration of an existing
 17 20 generating facility must, in order to qualify for
 17 21 establishment of ratemaking principles, fall into one
 17 22 of the following categories:

17 23 (i) Conversion of a coal fueled facility into a gas
 17 24 fueled facility.

17 25 (ii) Addition of carbon capture and storage
 17 26 facilities at a coal fueled facility.

17 27 (iii) Addition of gas fueled capability to a coal
 17 28 fueled facility, in order to convert the facility
 17 29 to one that will rely primarily on gas for future
 17 30 generation.

17 31 (iv) Addition of a biomass fueled capability to a
 17 32 coal fueled facility.

17 33 (b) With respect to a significant alteration of
 17 34 an existing generating facility, an original facility
 17 35 shall not be required to be either a baseload or
 17 36 a combined-cycle facility. Only the incremental
 17 37 investment undertaken by a utility under subparagraph
 17 38 division (a), subparagraph subdivision (i), (ii),
 17 39 (iii), or (iv) shall be eligible to apply the
 17 40 ratemaking principles established by the order issued
 17 41 pursuant to paragraph "e". Facilities for which
 17 42 advanced ratemaking principles are obtained pursuant
 17 43 to this section shall not be subject to a subsequent
 17 44 board review pursuant to section 476.6, subsection 20,
 17 45 to the extent that the investment has been considered
 17 46 by the board under this section. To the extent an
 17 47 eligible utility has been authorized to make capital
 17 48 investments subject to section 476.6, subsection 20,
 17 49 such investments shall not be eligible for ratemaking
 17 50 principles pursuant to this section.

18 1 #41. Section 602.3205, subsection 3, paragraph
 18 2 b, if enacted by 2015 Iowa Acts, Senate File 404,
 18 3 section 5, is amended to read as follows:
 18 4 b. The audio recordings provided ~~in~~ to the board
 18 5 pursuant to this subsection shall be kept confidential
 18 6 by the board in a manner as provided in section 272C.6,
 18 7 subsection 4.

CODE: Corrective provision to SF 404 (Shorthand Reporters
 Certification and Regulation Act).

DETAIL: This Act was approved by the General Assembly on April 28,
 2015, and signed by the Governor on May 1, 2015.

18 8 #42. Section 602.11113, Code 2015, as amended
 18 9 by 2015 Iowa Acts, House File 536, section 177, is
 18 10 amended to read as follows:
 18 11 602.11113 BAILIFFS EMPLOYED AS COURT ATTENDANTS.

CODE: Corrective provision for HF 536 (Substantive Code Editor's
 Act).

DETAIL: This Act was approved by the General Assembly on March

18 12 Persons who were employed as bailiffs and who
18 13 were performing services for the court, other than
18 14 law enforcement services, immediately prior to July
18 15 1, 1983, shall be employed by the district court
18 16 administrators as court attendants under section
18 17 602.6601 on July 1, 1983.

23, 2015, and signed by the Governor on April 8, 2015.

18 18 ~~#43.~~ Section 714.23, subsection 4A, paragraph
18 19 a, if enacted by 2015 Iowa Acts, Senate File 501,
18 20 section 2, or 2015 Iowa Acts, House File 663, section
18 21 2, is amended to read as follows:
18 22 a. A student who does not receive a tuition refund
18 23 up to the full refund of tuition charges due to the
18 24 effect of an interstate reciprocity agreement under
18 25 ~~section~~ 261G.4, subsection 1, may apply to the attorney
18 26 general for a refund in a sum that represents the
18 27 difference between any tuition refund received from the
18 28 school and the full refund of tuition charges. For
18 29 purposes of this subsection, "full refund of tuition
18 30 charges" means the monetary sum of the refund for
18 31 which the student would be eligible pursuant to the
18 32 application of this section.

CODE: Corrective provision to SF 501 (State Authorization Reciprocity Agreements Act).

DETAIL: This Act was approved by the General Assembly on May 12, 2015, and signed by the Governor on May 22, 2015.

18 33 ~~#44.~~ Section 902.1, subsection 2, paragraph
18 34 a, unnumbered paragraph 1, as enacted by 2015 Iowa
18 35 Acts, Senate File 448, section 1, is amended to read
18 36 as follows:
18 37 Notwithstanding subsection 1, a defendant convicted
18 38 of murder in the first degree in violation of section
18 39 707.2, and who was under the age of eighteen at the
18 40 time the offense was committed shall receive one of the
18 41 following sentences:

CODE: Corrective change to SF 448 (Juveniles Sentenced in Adult Court for Class A Felonies Act).

DETAIL: This Act was approved by the General Assembly on April 8, 2015, and signed by the Governor on April 24, 2015. This section is retroactive to April 24, 2015.

18 42 ~~#45.~~ Section 916.1, subsection 1, as enacted by
18 43 2015 Iowa Acts, House File 496, section 1, is amended
18 44 to read as follows:
18 45 1. "Confidential communication" means confidential
18 46 information shared between a victim and a military
18 47 victim advocate within the advocacy relationship, and
18 48 includes all information received by the advocate
18 49 and any advice, report, or working paper given to
18 50 or prepared by the advocate in the course of the
19 1 advocacy relationship with the victim. "Confidential
19 2 information" is ~~confidential~~ information which, so
19 3 far as the victim is aware, is not disclosed to a
19 4 third party with the exception of a person present
19 5 in the consultation for the purpose of furthering the
19 6 interest of the victim, a person to whom disclosure

CODE: Corrective change to HF 496 (Military Victim Advocate Act).

DETAIL: The Act was approved by the General Assembly on April 7, 2015, and signed by the Governor on April 8, 2015.

19 7 is reasonably necessary for the transmission of the
 19 8 information, or a person with whom disclosure is
 19 9 necessary for accomplishment of the purpose for which
 19 10 the advocate is consulted by the victim.

19 11 #46. APPLICABILITY. The section of this
 19 12 division of this Act amending section 279.10,
 19 13 subsection 1, applies retroactively to April 10, 2015.

The corrective provision related to the school start date is retroactive to April 10, 2015.

19 14 #47. APPLICABILITY. The section of this
 19 15 division of this Act amending section 902.1, subsection
 19 16 2, paragraph "a", unnumbered paragraph 1, applies
 19 17 retroactively to the effective date of 2015 Iowa Acts,
 19 18 Senate File 448.

The corrective provision to SF 448 (Juveniles Sentenced in Adult Court for Class A Felonies Act) is retroactive to April 24, 2015.

19 19 #V.

19 20 CONTROLLED SUBSTANCES

19 21 #48. Section 124.101, Code 2015, is amended by
 19 22 adding the following new subsection:
 19 23 NEW SUBSECTION 15A. "Imitation controlled
 19 24 substance" means a substance which is not a controlled
 19 25 substance but which by color, shape, size, markings,
 19 26 and other aspects of dosage unit appearance, and
 19 27 packaging or other factors, appears to be or resembles
 19 28 a controlled substance. The board of pharmacy may
 19 29 designate a substance as an imitation controlled
 19 30 substance pursuant to the board's rulemaking authority
 19 31 and in accordance with chapter 17A. "Imitation
 19 32 controlled substance" also means any substance
 19 33 determined to be an imitation controlled substance
 19 34 pursuant to section 124.101B.

CODE: This Division defines imitation controlled substances and enhances penalties, modifies the controlled substances lists to include new synthetic drug products, and lengthens the time the Pharmacy Board is allowed to temporarily designate substances as controlled substances before the General Assembly must take action to codify the changes.

19 35 #49. NEW SECTION 124.101B FACTORS INDICATING
 19 36 AN IMITATION CONTROLLED SUBSTANCE.

FISCAL IMPACT: The additional cost for enforcement and regulation by law enforcement agencies at the State and local level is expected to be minimal. Additional costs to the Judicial Branch for the enhanced penalties in this Division are expected to be minimal. The cost to the General Fund at the most will be \$72,000 in FY 2016 and \$144,000 in FY 2017. Approximately four convictions annually are anticipated under the provisions of this Division. The correctional impact is expected to be minimal due to the low number of convictions under current law. However, enhancing the penalties will increase the incarceration rate and lengthen the terms of supervision, and this may increase costs in future fiscal years.

19 37 If a substance has not been designated as an
 19 38 imitation controlled substance by the board of pharmacy
 19 39 and if dosage unit appearance alone does not establish
 19 40 that a substance is an imitation controlled substance,
 19 41 the following factors may be considered in determining
 19 42 whether the substance is an imitation controlled
 19 43 substance:

19 44 1. The person in control of the substance expressly
 19 45 or impliedly represents that the substance has the
 19 46 effect of a controlled substance.

19 47 2. The person in control of the substance expressly
 19 48 or impliedly represents that the substance because
 19 49 of its nature or appearance can be sold or delivered
 19 50 as a controlled substance or as a substitute for a

20 1 controlled substance.

20 2 3. The person in control of the substance either

20 3 demands or receives money or other property having a

20 4 value substantially greater than the actual value of

20 5 the substance as consideration for delivery of the

20 6 substance.

20 7 ~~#50.~~ Section 124.201, subsection 4, Code 2015,

20 8 is amended to read as follows:

20 9 4. If any new substance is designated as a

20 10 controlled substance under federal law and notice of

20 11 the designation is given to the board, the board shall

20 12 similarly designate as controlled the new substance

20 13 under this chapter after the expiration of thirty days

20 14 from publication in the federal register of a final

20 15 order designating a new substance as a controlled

20 16 substance, unless within that thirty-day period the

20 17 board objects to the new designation. In that case

20 18 the board shall publish the reasons for objection and

20 19 afford all interested parties an opportunity to be

20 20 heard. At the conclusion of the hearing the board

20 21 shall announce its decision. Upon publication of

20 22 objection to a new substance being designated as a

20 23 controlled substance under this chapter by the board,

20 24 control under this chapter is stayed until the board

20 25 publishes its decision. If a substance is designated

20 26 as controlled by the board under this subsection the

20 27 control shall be considered a temporary ~~and if, within~~

20 28 ~~sixty days after the next regular session of the~~

20 29 ~~general assembly convenes, the general assembly has not~~

20 30 ~~made the corresponding changes in this chapter, the~~

20 31 ~~temporary designation of control of the substance by~~

20 32 ~~the board shall be nullified~~ amendment to the schedules

20 33 of controlled substances in this chapter. If the

20 34 board so designates a substance as controlled, which

20 35 is considered a temporary amendment to the schedules

20 36 of controlled substances in this chapter, and if

20 37 the general assembly does not amend this chapter to

20 38 enact the temporary amendment and make the enactment

20 39 effective within two years from the date the temporary

20 40 amendment first became effective, the temporary

20 41 amendment is repealed by operation of law two years

20 42 from the effective date of the temporary amendment. A

20 43 temporary amendment repealed by operation of law is

20 44 subject to section 4.13 relating to the construction

20 45 of statutes and the application of a general savings

20 46 provision.

20 47 ~~#51.~~ Section 124.204, subsection 4, paragraph

20 48 ai, subparagraphs (3), (4), and (5), Code 2015, are

20 49 amended by striking the subparagraphs.
20 50 ~~#52.~~ Section 124.204, subsection 4, paragraph
21 1 aj, Code 2015, is amended by striking the paragraph and
21 2 inserting in lieu thereof the following:
21 3 aj. 5-methoxy-N,N-dimethyltryptamine.
21 4 Some trade or other names:
21 5 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT.
21 6 ~~#53.~~ Section 124.204, subsection 4, paragraph
21 7 ak, Code 2015, is amended by striking the paragraph and
21 8 inserting in lieu thereof the following:
21 9 ak. 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine
21 10 (2C-E).
21 11 ~~#54.~~ Section 124.204, subsection 4, Code 2015,
21 12 is amended by adding the following new paragraphs:
21 13 NEW PARAGRAPH al. 2-(2,5-Dimethoxy-4-
21 14 methylphenyl)ethanamine (2C-D).
21 15 NEW PARAGRAPH am. 2-(4-Chloro-2,5-
21 16 dimethoxyphenyl)ethanamine (2C-C).
21 17 NEW PARAGRAPH an. 2-(4-Iodo-2,5-
21 18 dimethoxyphenyl)ethanamine (2C-I).
21 19 NEW PARAGRAPH ao. 2-[4-(Ethylthio)-2,5-
21 20 dimethoxyphenyl]ethanamine (2C-T-2).
21 21 NEW PARAGRAPH ap. 2-[4-(Isopropylthio)-2,5-
21 22 dimethoxyphenyl]ethanamine (2C-T-4).
21 23 NEW PARAGRAPH aq. 2-(2,5-Dimethoxyphenyl)
21 24 ethanamine (2C-H).
21 25 NEW PARAGRAPH ar. 2-(2,5-Dimethoxy-4-
21 26 nitrophenyl)ethanamine (2C-N).
21 27 NEW PARAGRAPH as. 2-(2,5-Dimethoxy-4-(n)-
21 28 propylphenyl)ethanamine (2C-P).
21 29 ~~#55.~~ Section 124.204, subsection 6, paragraph
21 30 i, subparagraph (3), Code 2015, is amended by striking
21 31 the subparagraph and inserting in lieu thereof the
21 32 following:
21 33 (3) 3,4-Methylenedioxy-N-methylcathinone
21 34 (methylone).
21 35 ~~#56.~~ Section 124.204, subsection 6, paragraph
21 36 i, subparagraphs (18), (19), (20), (21), and (22), Code
21 37 2015, are amended by striking the subparagraphs and
21 38 inserting in lieu thereof the following:
21 39 (18) 4-methyl-N-ethylcathinone. Other names:
21 40 4-MEC, 2-(ethylamino)-1-(4-methylphenyl)propan-1-one.
21 41 (19) 4-methyl-alpha6 pyrrolidinopropiophenone.
21 42 Other names: 4-MePPP, MePPP,
21 43 4-methyl-[alpha]-pyrrolidinopropiophenone, 8
21 44 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)propan-1-one.
21 45 (20) Pentedrone. Other names:
21 46 [alpha]-methylaminovalerophenone,

21 47 2-(methylamino)-1-phenylpentan-1-one.
21 48 (21) Pentylone. Other names: bk-MBDP,
21 49 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one.
21 50 (22) Alpha-pyrrolidinobutiophenone. Other names:
22 1 [alpha]-PBP, 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one.
22 2 ~~#57.~~ Section 124.204, subsection 6, paragraph
22 3 i, subparagraphs (23), (24), (25), and (26), Code 2015,
22 4 are amended by striking the subparagraphs.
22 5 ~~#58.~~ Section 124.204, subsection 9, Code 2015,
22 6 is amended by adding the following new paragraphs:
22 7 NEW PARAGRAPH 0a. HU-210.
22 8 [(6aR,10aR)-9-(hydroxymethyl)-
22 9 6,6-dimethyl-3-(2-methyloctan-2-yl) 6a,7,10,10a-
22 10 tetrahydrobenzo[c] chromen-1-ol].
22 11 NEW PARAGRAPH 00a. HU-211(dexanabinol,
22 12 (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
22 13 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]
22 14 chromen-1-ol).
22 15 NEW PARAGRAPH 000a. Unless specifically exempted
22 16 or unless listed in another schedule, any material,
22 17 compound, mixture, or preparation which contains any
22 18 quantity of cannabimimetic agents, or which contains
22 19 their salts, isomers, and salts of isomers whenever the
22 20 existence of such salts, isomers, and salts of isomers
22 21 is possible within the specific chemical designation.
22 22 (1) The term “cannabimimetic agents” means any
22 23 substance that is a cannabinoid receptor type 1 (CB1
22 24 receptor) agonist as demonstrated by binding studies
22 25 and functional assays within any of the following
22 26 structural classes:
22 27 (a) 2-(3-hydroxycyclohexyl)phenol with substitution
22 28 at the 5-position of the phenolic ring by alkyl or
22 29 alkenyl, whether or not substituted on the cyclohexyl
22 30 ring to any extent.
22 31 (b) 3-(1-naphthoyl)indole or
22 32 3-(1-naphthylmethane)indole by substitution at the
22 33 nitrogen atom of the indole ring, whether or not
22 34 further substituted on the indole ring to any extent,
22 35 whether or not substituted on the naphthoyl or naphthyl
22 36 ring to any extent.
22 37 (c) 3-(1-naphthoyl)pyrrole by substitution at the
22 38 nitrogen atom of the pyrrole ring, whether or not
22 39 further substituted in the pyrrole ring to any extent,
22 40 whether or not substituted on the naphthoyl ring to any
22 41 extent.
22 42 (d) 1-(1-naphthylmethylene)indene by substitution
22 43 of the 3-position of the indene ring, whether or not
22 44 further substituted in the indene ring to any extent,

22 45 whether or not substituted on the naphthyl ring to any
22 46 extent.
22 47 (e) 3-phenylacetylindole or 3-benzoylindole by
22 48 substitution at the nitrogen atom of the indole ring,
22 49 whether or not further substituted in the indole ring
22 50 to any extent, whether or not substituted on the phenyl
23 1 ring to any extent.
23 2 (2) Such terms include:
23 3 (a) CP 47,497 and homologues
23 4 5-(1,1-dimethylheptyl)-2-
23 5 [(1R,3S)-3-hydroxycyclohexyl]phenol.
23 6 (b) JWH-018 and AM678
23 7 1-Pentyl-3-(1-naphthoyl)indole.
23 8 (c) JWH-073 1-Butyl-3-(1-naphthoyl)indole.
23 9 (d) JWH-200[1-[2-(4-morpholinyl)ethyl]-1H-
23 10 indol-3-yl]-1-naphthalenyl-methanone.
23 11 (e) JWH-19 1-hexyl-3-(1-naphthoyl)indole.
23 12 (f) JWH-81
23 13 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole.
23 14 (g) JWH-122
23 15 1-pentyl-3-(4-methyl-1-naphthoyl)indole.
23 16 (h) JWH-250
23 17 1-pentyl-3-(2-methoxyphenylacetyl)indole.
23 18 (i) RCS-4 and SR-19
23 19 1-pentyl-3-[(4methoxy)-benzoyl]indole.
23 20 (j) RCS-8 and SR 18 1-cyclohexylethyl-3-
23 21 (2-methoxyphenylacetyl)indole.
23 22 (k) AM2201
23 23 1-(5-fluoropentyl)-3-(1-naphthoyl)indole.
23 24 (l) JWH-203
23 25 1-pentyl-3-(2-chlorophenylacetyl)indole.
23 26 (m) JWH-398
23 27 1-pentyl-3-(4-chloro-1-naphthoyl)indole.
23 28 (n) AM694
23 29 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole.
23 30 (o) Cannabicyclohexanol or CP-47,497 C8-homolog 5-
23 31 (1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol.
23 32 NEW
23 33 PARAGRAPH 0d. N-(1-amino-3-methyl-1-oxobutan-2-
23 34 yl)-1-(4- fluorobenzyl)-1H-indazole-3-carboxamide.
23 35 Other names: AB-FUBINACA.
23 36 NEW PARAGRAPH 00d. N-(1-amino-
23 37 3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-
23 38 1 H-indazole-3-carboxamide. Other names: ADB-PINACA.
23 39 NEW PARAGRAPH 000d. Quinolin-8-yl
23 40 1-pentyl-1H-indole-3-carboxylate.
23 41 Other names: PB-22, QUPIC.
23 42 NEW PARAGRAPH 0000d. Quinolin-8-yl

23 43 1-(5-fluoropentyl)-1H-indole-3-carboxylate. Other
23 44 names: 5-fluoro-PB-22, 5F-PB-22.
23 45 NEW
23 46 PARAGRAPH 00000d. N-(1-amino-3-methyl-1-oxobutan-
23 47 2-yl)-1-pentyl-1H-indazole-3-carboxamide. Other names:
23 48 AB-PINACA.
23 49 NEW
23 50 PARAGRAPH 000000d. N-(1-amino-3-methyl-1-oxobutan-
24 1 2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide.
24 2 Other names: AB-CHMINACA.
24 3 NEW
24 4 PARAGRAPH 0000000d. [1-(5-fluoropentyl)-1H-indazol-
24 5 3-yl](naphthalen-1-yl)methanone. Other names:
24 6 THJ-2201.
24 7 #59. Section 124.208, subsection 5, paragraph
24 8 a, subparagraphs (3) and (4), Code 2015, are amended by
24 9 striking the subparagraphs.
24 10 #60. Section 124.210, subsection 2, Code 2015,
24 11 is amended by adding the following new paragraph:
24 12 NEW PARAGRAPH c. 2-[(dimethylamino)methyl]-1-
24 13 (3-methoxyphenyl)cyclohexanol, its salts, optical
24 14 and geometric isomers, and salts of these isomers
24 15 (including tramadol).
24 16 #61. Section 124.210, subsection 3, Code 2015,
24 17 is amended by adding the following new paragraphs:
24 18 NEW PARAGRAPH bb. Alfaxalone.
24 19 NEW PARAGRAPH bc. Suvorexant.
24 20 #62. Section 124.401, subsection 1, unnumbered
24 21 paragraph 1, Code 2015, is amended to read as follows:
24 22 Except as authorized by this chapter, it is unlawful
24 23 for any person to manufacture, deliver, or possess with
24 24 the intent to manufacture or deliver, a controlled
24 25 substance, a counterfeit substance, ~~or~~ a simulated
24 26 controlled substance, or an imitation controlled
24 27 substance, or to act with, enter into a common scheme
24 28 or design with, or conspire with one or more other
24 29 persons to manufacture, deliver, or possess with
24 30 the intent to manufacture or deliver a controlled
24 31 substance, a counterfeit substance, ~~or~~ a simulated
24 32 controlled substance, or an imitation controlled
24 33 substance.
24 34 #63. Section 124.401, subsection 1, paragraph
24 35 a, unnumbered paragraph 1, Code 2015, is amended to
24 36 read as follows:
24 37 Violation of this subsection, with respect to
24 38 the following controlled substances, counterfeit
24 39 substances, ~~or~~ simulated controlled substances, or
24 40 imitation controlled substances, is a class "B" felony,

24 41 and notwithstanding section 902.9, subsection 1,
24 42 paragraph "b", shall be punished by confinement for no
24 43 more than fifty years and a fine of not more than one
24 44 million dollars:
24 45 #64. Section 124.401, subsection 1, paragraph
24 46 a, Code 2015, is amended by adding the following new
24 47 subparagraph:
24 48 NEW SUBPARAGRAPH (8) More than ten kilograms of a
24 49 mixture or substance containing any detectable amount
24 50 of those substances identified in section 124.204,
25 1 subsection 9.
25 2 #65. Section 124.401, subsection 1, paragraph
25 3 b, unnumbered paragraph 1, Code 2015, is amended to
25 4 read as follows:
25 5 Violation of this subsection with respect to
25 6 the following controlled substances, counterfeit
25 7 substances, ~~or simulated controlled substances,~~ or
25 8 imitation controlled substances is a class "B" felony,
25 9 and in addition to the provisions of section 902.9,
25 10 subsection 1, paragraph "b", shall be punished by a
25 11 fine of not less than five thousand dollars nor more
25 12 than one hundred thousand dollars:
25 13 #66. Section 124.401, subsection 1, paragraph
25 14 b, Code 2015, is amended by adding the following new
25 15 subparagraph:
25 16 NEW SUBPARAGRAPH (9) More than five kilograms but
25 17 not more than ten kilograms of a mixture or substance
25 18 containing any detectable amount of those substances
25 19 identified in section 124.204, subsection 9.
25 20 #67. Section 124.401, subsection 1, paragraph
25 21 c, unnumbered paragraph 1, Code 2015, is amended to
25 22 read as follows:
25 23 Violation of this subsection with respect to
25 24 the following controlled substances, counterfeit
25 25 substances, ~~or simulated controlled substances,~~ or
25 26 imitation controlled substances is a class "C" felony,
25 27 and in addition to the provisions of section 902.9,
25 28 subsection 1, paragraph "d", shall be punished by a
25 29 fine of not less than one thousand dollars nor more
25 30 than fifty thousand dollars:
25 31 #68. Section 124.401, subsection 1, paragraph
25 32 c, Code 2015, is amended by adding the following new
25 33 subparagraph:
25 34 NEW SUBPARAGRAPH (8) Five kilograms or less of a
25 35 mixture or substance containing any detectable amount
25 36 of those substances identified in section 124.204,
25 37 subsection 9.
25 38 #69. Section 124.401, subsection 1, paragraph

25 39 c, subparagraph (8), Code 2015, is amended to read as
25 40 follows:

25 41 ~~—(8) —~~(9) Any other controlled substance,
25 42 counterfeit substance, ~~or simulated controlled~~
25 43 ~~substance, or imitation substance~~ classified in
25 44 schedule I, II, or III, except as provided in paragraph
25 45 "d".

25 46 #70. Section 124.401, subsection 1, paragraph
25 47 d, Code 2015, is amended to read as follows:

25 48 d. Violation of this subsection, with respect
25 49 to any other controlled substances, counterfeit
25 50 substances, ~~or simulated controlled substances~~
26 1 ~~classified in section 124.204, subsection 4, paragraph~~
26 2 ~~"a", or section 124.204, subsection 6, paragraph "i",~~
26 3 ~~or, or imitation controlled substances~~ classified
26 4 in schedule IV or V is an aggravated misdemeanor.
26 5 However, violation of this subsection involving
26 6 fifty kilograms or less of marijuana or involving
26 7 flunitrazepam is a class "D" felony.

26 8 #71. Section 124.401, subsection 2, Code 2015,
26 9 is amended to read as follows:

26 10 2. If the same person commits two or more acts
26 11 which are in violation of subsection 1 and the acts
26 12 occur in approximately the same location or time
26 13 period so that the acts can be attributed to a single
26 14 scheme, plan, or conspiracy, the acts may be considered
26 15 a single violation and the weight of the controlled
26 16 substances, counterfeit substances, ~~or simulated~~
26 17 ~~controlled substances, or imitation controlled~~
26 18 ~~substances~~ involved may be combined for purposes of
26 19 charging the offender.

26 20 #72. Section 124.401, subsection 5, unnumbered
26 21 paragraph 1, Code 2015, is amended to read as follows:

26 22 It is unlawful for any person knowingly or
26 23 intentionally to possess a controlled substance unless
26 24 such substance was obtained directly from, or pursuant
26 25 to, a valid prescription or order of a practitioner
26 26 while acting in the course of the practitioner's
26 27 professional practice, or except as otherwise
26 28 authorized by this chapter. Any person who violates
26 29 this subsection is guilty of a serious misdemeanor for
26 30 a first offense. A person who commits a violation of
26 31 this subsection and who has previously been convicted
26 32 of violating this chapter or chapter ~~424A, 124B,~~ or
26 33 ~~453B, or chapter 124A as it existed prior to July~~
26 34 ~~1, 2015.~~ is guilty of an aggravated misdemeanor. A
26 35 person who commits a violation of this subsection and
26 36 has previously been convicted two or more times of

26 37 violating this chapter or chapter ~~124A~~,124B; or 453B is
26 38 guilty of a class “D” felony.

26 39 ~~#73.~~ Section 124.401A, Code 2015, is amended to
26 40 read as follows:

26 41 124.401A ENHANCED PENALTY FOR MANUFACTURE OR
26 42 DISTRIBUTION TO PERSONS ON CERTAIN REAL PROPERTY.

26 43 In addition to any other penalties provided in
26 44 this chapter, a person who is eighteen years of age
26 45 or older who unlawfully manufactures with intent to
26 46 distribute, distributes, or possesses with intent to
26 47 distribute a substance or counterfeit substance listed
26 48 in schedule I, II, or III, or a simulated or imitation
26 49 controlled substance represented to be a controlled
26 50 substance classified in schedule I, II, or III, to
27 1 another person who is eighteen years of age or older in
27 2 or on, or within one thousand feet of the real property
27 3 comprising a public or private elementary or secondary
27 4 school, public park, public swimming pool, public
27 5 recreation center, or on a marked school bus, may be
27 6 sentenced up to an additional term of confinement of
27 7 five years.

27 8 ~~#74.~~ Section 124.401B, Code 2015, is amended to
27 9 read as follows:

27 10 124.401B POSSESSION OF CONTROLLED SUBSTANCES ON
27 11 CERTAIN REAL PROPERTY — ADDITIONAL PENALTY.

27 12 In addition to any other penalties provided in this
27 13 chapter or another chapter, a person who unlawfully
27 14 possesses a substance listed in schedule I, II, or
27 15 III, or a simulated or imitation controlled substance
27 16 represented to be a controlled substance classified
27 17 in schedule I, II, or III, in or on, or within one
27 18 thousand feet of the real property comprising a public
27 19 or private elementary or secondary school, public park,
27 20 public swimming pool, public recreation center, or on
27 21 a marked school bus, may be sentenced to one hundred
27 22 hours of community service work for a public agency
27 23 or a nonprofit charitable organization. The court
27 24 shall provide the offender with a written statement of
27 25 the terms and monitoring provisions of the community
27 26 service.

27 27 ~~#75.~~ Section 124.406, subsection 2, Code 2015,
27 28 is amended to read as follows:

27 29 2. A person who is eighteen years of age or older
27 30 who:

27 31 a. Unlawfully distributes or possesses with the
27 32 intent to distribute a counterfeit substance listed
27 33 in schedule I or II, or a simulated or imitation
27 34 controlled substance represented to be a substance

27 35 classified in schedule I or II, to a person under
27 36 eighteen years of age commits a class "B" felony.
27 37 However, if the substance was distributed in or on,
27 38 or within one thousand feet of, the real property
27 39 comprising a public or private elementary or secondary
27 40 school, public park, public swimming pool, public
27 41 recreation center, or on a marked school bus, the
27 42 person shall serve a minimum term of confinement of ten
27 43 years.

27 44 b. Unlawfully distributes or possesses with intent
27 45 to distribute a counterfeit substance listed in
27 46 schedule III, or a simulated or imitation controlled
27 47 substance represented to be any substance listed in
27 48 schedule III, to a person under eighteen years of age
27 49 who is at least three years younger than the violator
27 50 commits a class "C" felony.

28 1 c. Unlawfully distributes a counterfeit substance
28 2 listed in schedule IV or V, or a simulated or imitation
28 3 controlled substance represented to be a substance
28 4 listed in schedule IV or V, to a person under eighteen
28 5 years of age who is at least three years younger than
28 6 the violator commits an aggravated misdemeanor.
28 7 #76. Section 124.415, Code 2015, is amended to
28 8 read as follows:

28 9 124.415 PARENTAL AND SCHOOL NOTIFICATION — PERSONS
28 10 UNDER EIGHTEEN YEARS OF AGE.

28 11 A peace officer shall make a reasonable effort to
28 12 identify a person under the age of eighteen discovered
28 13 to be in possession of a controlled substance,
28 14 counterfeit substance, ~~or simulated controlled~~
28 15 substance, or imitation controlled substance in
28 16 violation of this chapter, and if the person is not
28 17 referred to juvenile court, the law enforcement agency
28 18 of which the peace officer is an employee shall make
28 19 a reasonable attempt to notify the person's custodial
28 20 parent or legal guardian of such possession, whether
28 21 or not the person is arrested, unless the officer has
28 22 reasonable grounds to believe that such notification
28 23 is not in the best interests of the person or will
28 24 endanger that person. If the person is taken into
28 25 custody, the peace officer shall notify a juvenile
28 26 court officer who shall make a reasonable effort to
28 27 identify the elementary or secondary school the person
28 28 attends, if any, and to notify the superintendent of
28 29 the school district, the superintendent's designee,
28 30 or the authorities in charge of the nonpublic school
28 31 of the taking into custody. A reasonable attempt to
28 32 notify the person includes but is not limited to a

28 33 telephone call or notice by first-class mail.
28 34 ~~#77.~~NEW SECTION 124.417 IMITATION CONTROLLED
28 35 SUBSTANCES — EXCEPTIONS.
28 36 It is not unlawful under this chapter for a person
28 37 registered under section 124.302, to manufacture,
28 38 deliver, or possess with the intent to manufacture or
28 39 deliver, or to act with, one or more other persons
28 40 to manufacture, deliver, or possess with the intent
28 41 to manufacture or deliver an imitation controlled
28 42 substance for use as a placebo by a registered
28 43 practitioner in the course of professional practice or
28 44 research.
28 45 ~~#78.~~ Section 124.502, subsection 1, paragraph
28 46 a, Code 2015, is amended to read as follows:
28 47 a. A district judge or district associate judge,
28 48 within the court's jurisdiction, and upon proper
28 49 oath or affirmation showing probable cause, may issue
28 50 warrants for the purpose of conducting administrative
29 1 inspections under this chapter or a related rule
29 2 ~~or under chapter 124A.~~ The warrant may also permit
29 3 seizures of property appropriate to the inspections.
29 4 For purposes of the issuance of administrative
29 5 inspection warrants, probable cause exists upon showing
29 6 a valid public interest in the effective enforcement
29 7 of the statute or related rules, sufficient to justify
29 8 administrative inspection of the area, premises,
29 9 building, or conveyance in the circumstances specified
29 10 in the application for the warrant.
29 11 ~~#79.~~ Section 155A.6, subsection 3, Code 2015,
29 12 is amended to read as follows:
29 13 3. The board shall establish standards for
29 14 pharmacist-intern registration and may deny, suspend,
29 15 or revoke a pharmacist-intern registration for failure
29 16 to meet the standards or for any violation of the laws
29 17 of this state, another state, or the United States
29 18 relating to prescription drugs, controlled substances,
29 19 or nonprescription drugs, or for any violation of this
29 20 chapter or chapter 124, ~~124A,~~124B, 126, 147, or 205,
29 21 or any rule of the board.
29 22 ~~#80.~~ Section 155A.6A, subsection 5, Code 2015,
29 23 is amended to read as follows:
29 24 5. The board may deny, suspend, or revoke the
29 25 registration of, or otherwise discipline, a registered
29 26 pharmacy technician for any violation of the laws
29 27 of this state, another state, or the United States
29 28 relating to prescription drugs, controlled substances,
29 29 or nonprescription drugs, or for any violation of this
29 30 chapter or chapter 124, ~~124A,~~124B, 126, 147, 205, or

29 31 272C, or any rule of the board.
 29 32 ~~#81.~~ Section 155A.6B, subsection 5, Code 2015,
 29 33 is amended to read as follows:
 29 34 5. The board may deny, suspend, or revoke the
 29 35 registration of a pharmacy support person or otherwise
 29 36 discipline the pharmacy support person for any
 29 37 violation of the laws of this state, another state,
 29 38 or the United States relating to prescription drugs,
 29 39 controlled substances, or nonprescription drugs, or
 29 40 for any violation of this chapter or chapter 124,
 29 41 ~~124A, 124B, 126, 147, 205, or 272C,~~ or any rule of the
 29 42 board.
 29 43 ~~#82.~~ Section 155A.13A, subsection 3, Code 2015,
 29 44 is amended to read as follows:
 29 45 3. DISCIPLINE. The board may deny, suspend, or
 29 46 revoke a nonresident pharmacy license for any violation
 29 47 of this section, section 155A.15, subsection 2,
 29 48 paragraph “a”, “b”, “d”, “e”, “f”, “g”, “h”, or “i”,
 29 49 chapter 124, ~~124A, 124B, 126, or 205,~~ or a rule of the
 29 50 board.
 30 1 ~~#83.~~ Section 155A.17, subsection 2, Code 2015,
 30 2 is amended to read as follows:
 30 3 2. The board shall establish standards for drug
 30 4 wholesaler licensure and may define specific types of
 30 5 wholesaler licenses. The board may deny, suspend, or
 30 6 revoke a drug wholesale license for failure to meet the
 30 7 applicable standards or for a violation of the laws
 30 8 of this state, another state, or the United States
 30 9 relating to prescription drugs, devices, or controlled
 30 10 substances, or for a violation of this chapter, chapter
 30 11 124, ~~124A, 124B, 126, or 205,~~ or a rule of the board.
 30 12 ~~#84.~~ Section 155A.42, subsection 4, Code 2015,
 30 13 is amended to read as follows:
 30 14 4. The board may deny, suspend, or revoke a limited
 30 15 drug and device distributor’s license for failure to
 30 16 meet the applicable standards or for a violation of
 30 17 the laws of this state, another state, or the United
 30 18 States relating to prescription drugs or controlled
 30 19 substances, or for a violation of this chapter, chapter
 30 20 124, ~~124A, 124B, 126, 205, or 272C,~~ or a rule of the
 30 21 board.

30 22 ~~#85.~~ REPEAL. Chapter 124A, Code 2015, is
 30 23 repealed.

CODE: Repeals Iowa Code chapter 124 that deal with imitation controlled substances.

30 24 ~~#VI.~~
 30 25

30 26 #86. MEDICAID PROGRAM — ASSET, INCOME, AND
 30 27 IDENTITY VERIFICATION. The department of human
 30 28 services shall issue a request for proposals to
 30 29 contract with a third-party vendor to establish an
 30 30 electronic asset, income, and identity eligibility
 30 31 verification system for the purposes of compliance
 30 32 with 42 U.S.C. §1396w requiring determination or
 30 33 redetermination of the eligibility of an individual who
 30 34 is an applicant for or recipient of medical assistance
 30 35 under the Medicaid state plan on the basis of being
 30 36 aged, blind, or disabled in accordance with 42 U.S.C.
 30 37 §1396w. The third-party vendor selected shall be able
 30 38 to demonstrate in writing its current relationships or
 30 39 contracts with financial institutions in the state and
 30 40 nationally. Participation by financial institutions in
 30 41 providing account balances for asset verification shall
 30 42 remain voluntary.

Directs the Department of Human Services (DHS) to contract with a third-party vendor to implement a computerized asset, income, and identity eligibility verification system. The vendor system will contact financial institutions in the State and nationally to verify income for individuals that apply for Medicaid based on the applicant's age, blindness, or disability.

30 43 #87. EFFECTIVE UPON ENACTMENT. This division
 30 44 of this Act, being deemed of immediate importance,
 30 45 takes effect upon enactment.

This Division is effective on enactment.

30 46 #VII.
 30 47 DEPARTMENT OF MANAGEMENT — DUTIES

30 48 #88. Section 8.6, subsections 12 and 13, Code
 30 49 2015, are amended by striking the subsections.

CODE: Eliminates the requirements that the DOM assist the Director of the Economic Development Authority with the Iowa Targeted Small Business Procurement Act and that the DOM perform oversight and impose sanctions in connection with State programs emphasizing equal opportunity through affirmative action, contract compliance policies, and procurement set-aside requirements.

30 50 #89. Section 8A.111, Code 2015, is amended by
 31 1 adding the following new subsection:
 31 2 NEW SUBSECTION 11. An annual report on the
 31 3 administration and promotion of equal opportunity in
 31 4 state contracts and services under section 19B.7.

CODE: Requires the Department of Administrative Services (DAS) to submit an annual report regarding the administration and promotion of equal opportunity in state contracts and services by the State Board of Regents.

31 5 #90. Section 19B.6, Code 2015, is amended to
 31 6 read as follows:
 31 7 19B.6 RESPONSIBILITIES OF DEPARTMENT OF
 31 8 ADMINISTRATIVE SERVICES —~~AND DEPARTMENT OF MANAGEMENT~~ —
 31 9 AFFIRMATIVE ACTION.
 31 10 The department of administrative services shall
 31 11 oversee the implementation of sections 19B.1 through
 31 12 19B.5 and shall work with the governor to ensure
 31 13 compliance with those sections, including the

CODE: Removes the DOM from responsibility for implementing equal opportunity and affirmative action and leaves those duties under the DAS.

31 14 attainment of affirmative action goals and timetables,
 31 15 by all state agencies, excluding the state board
 31 16 of regents and its institutions. ~~The department of~~
 31 17 ~~management shall oversee the implementation of sections~~
 31 18 ~~49B.1 through 19B.5 and shall work with the governor to~~
 31 19 ~~ensure compliance with those sections, including the~~
 31 20 ~~attainment of affirmative action goals and timetables,~~
 31 21 ~~by the state board of regents and its institutions.~~

31 22 #91. Section 19B.7, subsection 1, unnumbered
 31 23 paragraph 1, Code 2015, is amended to read as follows:
 31 24 Except as otherwise provided in subsection 2, the
 31 25 department of ~~management~~ administrative services is
 31 26 responsible for the administration and promotion of
 31 27 equal opportunity in all state contracts and services
 31 28 and the prohibition of discriminatory and unfair
 31 29 practices within any program receiving or benefiting
 31 30 from state financial assistance in whole or in part.
 31 31 In carrying out these responsibilities the department
 31 32 of ~~management~~ administrative services shall:

CODE: Transfers responsibility for the administration and promotion of equal opportunity in all State contracts and services and prohibiting discriminatory and unfair practices from the DOM to the DAS.

31 33 #92. Section 19B.8, Code 2015, is amended to
 31 34 read as follows:
 31 35 19B.8 SANCTIONS.
 31 36 The department of ~~management~~ administrative services
 31 37 may impose appropriate sanctions on individual state
 31 38 agencies, including the state board of regents and
 31 39 its institutions, and upon a community college, area
 31 40 education agency, or school district, in order to
 31 41 ensure compliance with state programs emphasizing
 31 42 equal opportunity through affirmative action, contract
 31 43 compliance policies, and requirements for procurement
 31 44 goals for targeted small businesses.

CODE: Replaces the DOM with the DAS as the agency that will impose appropriate sanctions on State agencies, Board of Regents, community colleges, area education agencies, and school districts to ensure compliance with State programs emphasizing equal opportunity through affirmative action, contract compliance policies, and requirements for procurement goals for targeted small businesses.

31 45 #VIII.
 31 46 ANIMAL TRUCK WASH FACILITIES

31 47 #93. Section 459A.105, subsection 2, paragraph
 31 48 b, as enacted by 2015 Iowa Acts, House File 583,
 31 49 section 10, is amended to read as follows:
 31 50 b. (1) The requirements of section 459A.205,
 32 1 including rules adopted by the commission pursuant
 32 2 to that section shall apply to a small animal truck
 32 3 wash facility only to the extent required by section
 32 4 459A.205, subsection 4A.
 32 5 (2) The requirements of ~~sections~~
 32 6 section 459A.404, and including rules adopted by the
 32 7 commission pursuant to that section, shall apply to a

CODE: The rules adopted by the Environmental Protection Commission will apply only to small animal truck wash facilities.

32 8 small animal truck wash facility. However, 459A.404,
 32 9 subsection 1, shall only apply to a small animal truck
 32 10 wash facility as provided in that subsection.
 32 11 (3) The requirements of section 459A.410, including
 32 12 rules adopted by the commission under those provisions
 32 13 that section, shall apply to a small animal truck wash
 32 14 facility.

CODE: Requires an unformed animal truck wash effluent structure to meet design standards as required by a soils and hydrogeologic report.

32 15 #94. Section 459A.206, subsection 1, Code 2015,
 32 16 as amended by 2015 Iowa Acts, House File 583, section
 32 17 25, is amended to read as follows:
 32 18 1. A settled open feedlot effluent basin or an
 32 19 unformed animal truck wash effluent structure required
 32 20 to be constructed pursuant to a construction permit
 32 21 issued pursuant to section 459A.205 shall meet design
 32 22 standards as required by a soils and hydrogeologic
 32 23 report.

CODE: Details the information in the soils and hydrogeologic report to be submitted by an unformed animal truck wash effluent structure.

32 24 #95. Section 459A.206, subsection 2, paragraph
 32 25 c, Code 2015, is amended to read as follows:
 32 26 c. The results of at least three soil corings
 32 27 reflecting the continuous soil profile taken for
 32 28 each settled open feed lot effluent basin or unformed
 32 29 animal truck wash effluent structure. The soil corings
 32 30 shall be taken and used in determining subsurface soil
 32 31 characteristics and groundwater elevation and direction
 32 32 of flow of the proposed site for construction. The
 32 33 soil corings shall be taken as follows:
 32 34 (1) By a qualified person ordinarily engaged in the
 32 35 practice of taking soil cores and in performing soil
 32 36 testing.
 32 37 (2) At locations that reflect the continuous
 32 38 soil profile conditions existing within the area of
 32 39 the proposed basin or unformed structure, including
 32 40 conditions found near the corners and the deepest point
 32 41 of the proposed basin. The soil corings shall be
 32 42 taken to a minimum depth of ten feet below the bottom
 32 43 elevation of the basin.
 32 44 (3) By a method such as hollow stem auger or other
 32 45 method that identifies the continuous soil profile and
 32 46 does not result in the mixing of soil layers.

CODE: Requires the owner of an unformed structure to submit a construction certificate from a licensed professional engineer.

32 47 #96. Section 459A.207, subsection 1, paragraph
 32 48 a, Code 2015, is amended to read as follows:
 32 49 a. The basin or structure was constructed in
 32 50 accordance with the design plans submitted to the
 33 1 department as part of an application for a construction
 33 2 permit pursuant to section 459A.205. If the actual

33 3 construction deviates from the approved design plans,
 33 4 the construction certification shall identify all
 33 5 changes and certify that the changes were consistent
 33 6 with all applicable standards of this section.

33 7 #97. Section 459A.302, unnumbered paragraph 1,
 33 8 Code 2015, as amended by 2015 Iowa Acts, House File
 33 9 583, section 32, is amended to read as follows:
 33 10 A settled open feedlot effluent basin or an unformed
 33 11 animal truck wash effluent structure required to be
 33 12 constructed pursuant to a construction permit issued
 33 13 pursuant to section 459A.205 shall meet all of the
 33 14 following requirements:

CODE: Specifies the requirements for the construction of an unformed animal truck wash.

33 15 #98. Section 459A.302, subsection 1, paragraph
 33 16 a, unnumbered paragraph 1, Code 2015, as amended by
 33 17 2015 Iowa Acts, House File 583, section 33, is amended
 33 18 to read as follows:
 33 19 Prior to constructing a settled open feedlot
 33 20 effluent basin or an unformed animal truck wash
 33 21 effluent structure, the site for the basin shall be
 33 22 investigated for a drainage tile line by the owner
 33 23 of the open feedlot operation or animal truck wash
 33 24 facility. The investigation shall be made by digging
 33 25 a core trench to a depth of at least six feet deep from
 33 26 ground level at the projected center of the berm of the
 33 27 basin or unformed structure. If a drainage tile line
 33 28 is discovered, one of the following solutions shall be
 33 29 implemented:

CODE: Requires the site for the construction of an unformed animal truck wash to be investigated for tile drainage and provides procedural details if a drainage tile line is discovered.

33 30 #99. Section 459A.302, subsection 1, paragraph
 33 31 a, subparagraphs (1) and (2), Code 2015, are amended
 33 32 to read as follows:
 33 33 (1) The drainage tile line shall be rerouted
 33 34 around the perimeter of the basin or unformed animal
 33 35 truck wash effluent structure at a distance of at
 33 36 least twenty-five feet horizontally separated from
 33 37 the outside edge of the berm of the basin or unformed
 33 38 structure. For an area of the basin or unformed
 33 39 structure where there is not a berm, the drainage tile
 33 40 line shall be rerouted at least fifty feet horizontally
 33 41 separated from the edge of the basin or unformed
 33 42 structure.
 33 43 (2) The drainage tile line shall be replaced with a
 33 44 nonperforated tile line under the ~~basin~~ floor of the
 33 45 basin or unformed animal truck wash effluent structure.
 33 46 The nonperforated tile line shall be continuous and
 33 47 without connecting joints. There must be a minimum of

CODE: Specifies the requirements to reroute a drainage tile line for an unformed animal truck wash effluent structure.

33 48 three feet between the nonperforated tile line and the
33 49 ~~basin~~ floor of the basin or unformed structure.

33 50 #100. Section 459A.302, subsections 2, 3, 4,
34 1 and 5 Code 2015, as amended by 2015 Iowa Acts, House

34 2 File 583, section 34, is amended to read as follows:

34 3 2. a. The settled open feedlot effluent basin or
34 4 an unformed animal truck wash effluent structure shall
34 5 be constructed with a minimum separation of two feet
34 6 between the top of the liner of the basin or unformed
34 7 structure and the seasonal high-water table.

34 8 b. If a drainage tile line around the perimeter of
34 9 the settled open feedlot effluent basin or unformed
34 10 animal truck wash effluent structure is installed
34 11 a minimum of two feet below the top of the basin's
34 12 or unformed structure's liner to artificially lower
34 13 the seasonal high-water table, the top of the liner
34 14 may be a maximum of four feet below the seasonal
34 15 high-water table. The seasonal high-water table may
34 16 be artificially lowered by gravity flow tile lines or
34 17 other similar system. However, the following shall
34 18 apply:

34 19 (1) Except as provided in subparagraph (2), an
34 20 open feedlot operation or animal truck wash facility
34 21 shall not use a nongravity mechanical system that uses
34 22 pumping equipment.

34 23 (2) If the open feedlot operation was constructed
34 24 before July 1, 2005, the operation may continue to use
34 25 its existing nongravity mechanical system that uses
34 26 pumping equipment or it may construct a new nongravity
34 27 mechanical system that uses pumping equipment.
34 28 However, an open feedlot operation that expands the
34 29 area of its open feedlot on or after April 1, 2011,
34 30 shall not use a nongravity mechanical system that uses
34 31 pumping equipment.

34 32 3. Drainage tile lines may be installed to
34 33 artificially lower the seasonal high-water table at
34 34 a settled open feedlot effluent basin or an unformed
34 35 animal truck wash effluent structure, if all of the
34 36 following conditions are satisfied:

34 37 a. A device to allow monitoring of the water in the
34 38 drainage tile lines and a device to allow shutoff of
34 39 the flow in the drainage tile lines are installed, if
34 40 the drainage tile lines do not have a surface outlet
34 41 accessible on the property where the basin or unformed
34 42 structure is located.

34 43 b. Drainage tile lines are installed horizontally
34 44 at least twenty-five feet away from the basin or

CODE: Specifies the construction requirements for an unformed animal truck wash effluent structure.

34 45 unformed structure. Drainage tile lines shall be
 34 46 placed in a vertical trench and encased in granular
 34 47 material which extends upward to the level of the
 34 48 seasonal high-water table.

34 49 4. A settled open feedlot effluent basin or an
 34 50 unformed animal truck wash effluent structure shall
 35 1 be constructed with at least four feet between the
 35 2 bottom of the basin or unformed structure and a bedrock
 35 3 formation.

35 4 5. A settled open feedlot effluent basin or
 35 5 an unformed animal truck wash effluent structure
 35 6 constructed on a floodplain or within a floodway of a
 35 7 river or stream shall comply with rules adopted by the
 35 8 commission.

35 9 #101. Section 459A.302, subsection 6,
 35 10 unnumbered paragraph 1, Code 2015, as amended by 2015
 35 11 Iowa Acts, House File 583, section 35, is amended to
 35 12 read as follows:

35 13 The liner of a settled open feedlot effluent basin
 35 14 or unformed animal truck wash effluent structure shall
 35 15 comply with all of the following:

35 16 #102. Section 459A.302, subsection 7, Code
 35 17 2015, as amended by 2015 Iowa Acts, House File 583,
 35 18 section 36, is amended to read as follows:

35 19 7. The owner of an open feedlot operation using
 35 20 a settled open feedlot effluent basin or animal truck
 35 21 wash facility using an unformed animal truck wash
 35 22 effluent structure shall inspect the berms of the
 35 23 basin or unformed structure at least semiannually for
 35 24 evidence of erosion. If the inspection reveals erosion
 35 25 which may impact the basin's or unformed structure's
 35 26 structural stability or the integrity of the basin's
 35 27 or unformed structure's liner, the owner shall repair
 35 28 the berms.

35 29 #103. Section 459A.404, subsection 1, as
 35 30 enacted by 2015 Iowa Acts, House File 583, section 41,
 35 31 is amended by adding the following new paragraph:
 35 32 NEW PARAGRAPH 0e. Paragraph "a" or "b" does not
 35 33 apply to a small animal truck wash facility.

35 34 #IX.

35 35 COUNTY COURTHOUSES

35 36 #104. Section 602.6105, subsection 2, Code
 35 37 2015, is amended to read as follows:

CODE: Specifies the requirements of a liner for an unformed animal truck wash effluent structure.

CODE: Requires the owner of an unformed animal truck wash effluent structure to inspect the berms at least twice a year for erosion and provides procedural details if erosion is found.

CODE: Specifies that the distance limits for constructing an animal truck wash effluent structure do not apply to a small animal truck wash facility.

CODE: Removes the requirement that court be held in Avoca in Pottawattamie County.

35 38 2. In any county having two county seats,
 35 39 court shall be held at each, ~~and, in the county of~~
 35 40 ~~Pottawattamie, court shall be held at Avoca, as well as~~
 35 41 ~~at the county seat.~~

35 42 #105. REPEAL. 1884 Iowa Acts, chapter 198, is
 35 43 repealed.

CODE: Repeals 1884 Iowa Acts, chapter 198. This is a conforming change to eliminate the requirement that court be held in Avoca in Pottawattamie County.

35 44 #X.

35 45 IOWA EDUCATION SAVINGS PLAN TRUST

35 46 #106. Section 422.7, subsection 32, paragraph
 35 47 a, Code 2015, is amended to read as follows:
 35 48 a. Subtract the maximum contribution that may be
 35 49 deducted for Iowa income tax purposes as a participant
 35 50 in the Iowa educational savings plan trust pursuant
 36 1 to section 12D.3, subsection 1, paragraph "a". For
 36 2 purposes of this paragraph, a participant who makes
 36 3 a contribution on or before the date prescribed in
 36 4 section 422.21 for making and filing an individual
 36 5 income tax return, excluding extensions, may elect to
 36 6 be deemed to have made the contribution on the last
 36 7 day of the preceding calendar year. The director,
 36 8 after consultation with the treasurer of state, shall
 36 9 prescribe by rule the manner and method by which a
 36 10 participant may make an election authorized by the
 36 11 preceding sentence.

CODE: Extends the deadline for contributions to the Iowa Educational Savings Plan Trust (College Savings Iowa). Currently, contributions must be made by December 31 to allow deductions from Iowa-based income during that tax year. This amendment extends the deadline to April 30 of the following year (also the filing deadline for Iowa income tax returns). The change is retroactive to January 1, 2015, for the 2015 tax year.

FISCAL IMPACT: It is estimated that the College Savings Iowa Plan currently reduces State General Fund revenue by \$7,500,000 per year. This provision is estimated to increase that impact by an additional \$488,000 (6.5%) for tax year 2015 and \$112,000 (1.5%) for each of the following fiscal years.

36 12 #107. RETROACTIVE APPLICABILITY. This division
 36 13 of this Act applies retroactively to January 1, 2015,
 36 14 for tax years beginning on or after that date.

This Division is retroactive to January 1, 2015.

36 15 #XI.

36 16 TECHNOLOGY REINVESTMENT FUND

36 17 #108. TECHNOLOGY REINVESTMENT FUND —
 36 18 APPROPRIATIONS. There is appropriated from the
 36 19 technology reinvestment fund created in section 8.57C
 36 20 to the following entities for the fiscal year beginning
 36 21 July 1, 2015, and ending June 30, 2016, the following
 36 22 amounts, or so much thereof as is necessary, to be used
 36 23 for the purposes designated:

36 24 1. SECRETARY OF STATE

36 25 a. For the updating and upgrading capabilities of
 36 26 aging voter registration systems and business services

Technology Reinvestment Fund appropriation for FY 2016 to the Secretary of State to update voter and business registration systems.

36 27 data systems to meet current and future expectations of
 36 28 open and transparent elections:
 36 29 \$ 450,000

DETAIL: This will fund an upgrade to systems that register voter and business registration records maintained by the Secretary of State. Specific systems that will be addressed include the corporate filing and reports, signature verification, polling applications, data collection, cloud-based storage, and the business services registry systems for Uniform Commercial Code filings.

36 30 b. For data processing services to support voter
 36 31 registration file maintenance and storage:
 36 32 \$ 234,000

Technology Reinvestment Fund appropriation for FY 2016 to the Secretary of State to support data processing services for voter registration.

DETAIL: This appropriation will fund ongoing vendor costs for reporting and maintenance of the IVoter System (Statewide Voter Registration System). These costs had been supported by one-time money in the State Election Fund in prior years.

36 33 2. DEPARTMENT OF EDUCATION

36 34 a. For the continued development and implementation
 36 35 of an educational data warehouse that will be utilized
 36 36 by teachers, parents, school district administrators,
 36 37 area education agency staff, department of education
 36 38 staff, and policymakers:
 36 39 \$ 600,000

Technology Reinvestment Fund appropriation for FY 2016 to the Department of Education for development and implementation of a statewide education data warehouse.

DETAIL: The funds will support the statewide education data warehouse that is used in conjunction with systemwide improvements for education resources and accessibility of the resources. The data warehouse, known as EdInsight, is intended to create a combined education information system for teachers, parents, administrators, area education agency (AEA) staff, policymakers, and other staff. The purpose is to facilitate the flow of student transcript data between Iowa high schools and postsecondary institutions nationally, postsecondary institutions across the country, and to facilitate flow of student records among Iowa school districts. EdInsight is designed to provide tools to evaluate individual student and group performance over time. In addition, funds are used for the e-Transcript data system and for the development of a permanent repository for the records.

36 40 The department may use a portion of the moneys
 36 41 appropriated in this lettered paragraph for an
 36 42 e-transcript data system capable of tracking students
 36 43 throughout their education via interconnectivity with
 36 44 multiple schools.

36 45 b. For maintenance and lease costs associated with
 36 46 connections for part III of the Iowa communications
 36 47 network:
 36 48 \$ 2,727,000

Technology Reinvestment Fund appropriation for FY 2016 to the Department of Education to pay the costs of maintenance and leases associated with Part III fiber connections for the Iowa Communications Network (ICN).

DETAIL: The fiber optic cable for Part III sites is leased from the private sector vendors that installed the cable. The ICN administers leased digital data circuits to approximately 442 K-12 facilities and districts, libraries, and AEAs. According to the ICN, 82.90% of the total

usage of video hours by K-12 facilities, AEAs, and libraries was provided through Part III sites. These leases and maintenance costs are a continuation of the Part III build-out project authorized during the 1995 Legislative Session. The funding is used for the leases and maintenance expenses. State funding draws down federal Universal Service Fund E-rate moneys that pay for the additional cost of leasing the data circuits.

Technology Reinvestment Fund appropriation for FY 2016 to the Iowa Telecommunication and Technology Commission (ITTC) for the replacement of equipment for the ICN.

DETAIL: This maintains the same level of funding compared to FY 2015. Funds are used for upgrading to Internet Protocol (IP) video technology and offering better quality video via an IP option to existing educational users.

Technology Reinvestment Fund appropriation for FY 2016 to the Department of Human Rights (DHR) for the Justice Data Warehouse.

DETAIL: This appropriation will support the maintenance and hosting costs of the Teredata platform shared by the Division of Criminal and Juvenile Justice Planning (CJJP) and the Department of Revenue (IDR). The two entities have shared the platform since 1999 as the Enterprise Data Warehouse (EDW). Through the application, the IDR operates the Tax Gap Analysis, a database that has generated millions of dollars in General Fund revenue. The CJJP and Department of Corrections (DOC) rely on the Justice Data Warehouse (JDW) for core data functions and daily processes to generate reports and statistics. The IDR purchased a new server in June 2013, and the CJJP will be paying the expense of maintenance and hosting.

36 49 3. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
36 50 COMMISSION
37 1 For replacement of equipment for the Iowa
37 2 communications network:
37 3 \$ 2,248,653
37 4 The commission may continue to enter into contracts
37 5 pursuant to section 8D.13 for the replacement of
37 6 equipment and for operations and maintenance costs of
37 7 the network.
37 8 In addition to moneys appropriated in this
37 9 subsection, the commission may use a financing
37 10 agreement entered into by the treasurer of state in
37 11 accordance with section 12.28 for the replacement
37 12 of equipment for the network. For purposes of this
37 13 subsection, the treasurer of state is not subject to
37 14 the maximum principal limitation contained in section
37 15 12.28, subsection 6. Repayment of any amounts financed
37 16 shall be made from receipts associated with fees
37 17 charged for use of the network.

37 18 4. DEPARTMENT OF HUMAN RIGHTS
37 19 For the costs associated with the justice enterprise
37 20 data warehouse:
37 21 \$ 159,474

37 22 5. DEPARTMENT OF MANAGEMENT

37 23 a. For the continued development and implementation
37 24 of a searchable database that can be placed on the

Technology Reinvestment Fund appropriation for FY 2016 to the DOM for an online searchable budget and financial information database.

37 25 internet for budget and financial information:
 37 26 \$ 45,000

DETAIL: This appropriation received funding of \$45,000 in FY 2014. During the 2011 Legislative Session, HF 45 (Appropriations Adjustments Act) included a requirement that the DOM develop, and make available to the public, online searchable databases for budget and tax rate information with specified information included. The databases are being developed in coordination with the Department of Administrative Services and the Department of Revenue. The DOM received a total of \$169,453 from the lowAccess Revolving Fund and used a portion of funding from the DOM operating budget, in addition to the prior TRF appropriations, to implement the project. Funding will be used to continue development of the website and databases.

37 27 b. For completion of the comprehensive electronic
 37 28 grant management system:
 37 29 \$ 50,000

Technology Reinvestment Fund appropriation for FY 2016 to the DOM for a comprehensive electronic grant management system.

DETAIL: Maintains current level of funding compared to FY 2015. An appropriation of \$125,000 from the TRF was provided in FY 2013 for the expansion of the IowaGrants.gov portal to additional State agencies for compliance with Iowa Code section 8.9. IowaGrants.gov provides a single portal for potential applicants to search for open solicitations for ongoing grant programs offered by State agencies. The portal tracks all grants applied for and received by State agencies. The IowaGrants.gov project received an FY 2009 grant from pooled technology funds (through the DAS) of \$455,000 and an FY 2011 grant of \$414,000 to implement the System.

37 30 6. DEPARTMENT OF PUBLIC HEALTH

37 31 a. For the costs associated with the review of all
 37 32 department of public health databases applications and
 37 33 systems in use to identify efficiencies:
 37 34 \$ 400,000

Technology Reinvestment Fund appropriation for FY 2016 to the Department of Public Health (DPH) to fund a professional review of data and technology systems.

DETAIL: The Department will contract with a national firm that specializes in public health and information technology to develop common data systems. The DPH intends to consolidate its existing data systems to reduce data duplication and improve customer service. The appropriation will not be used to procure new systems.

37 35 b. For acquisition of software relating to
 37 36 the licensure and regulation of the practice of
 37 37 polysomnography:
 37 38 \$ 36,000

Technology Reinvestment Fund appropriation for FY 2016 to the DPH to acquire licensure software.

DETAIL: These funds will be used for the purchase of software to support the licensure and regulation of polysomnography, a test that diagnoses sleep disorders, for implementing requirements enacted in HF 203 (Licensing of Polysomnography Practitioners Act).

37 39 7. DEPARTMENT OF PUBLIC SAFETY
 37 40 For the provision of the purchase of compatible
 37 41 radio communications equipment with the goal of
 37 42 achieving compliance with the federal communications
 37 43 commission's narrowband mandate deadline:
 37 44 \$ 1,874,000

Technology Reinvestment Fund appropriation for FY 2016 to the Department of Public Safety (DPS) to purchase radio equipment.

DETAIL: These funds will allow the DPS to purchase radio equipment for State Trooper vehicles for compliance with a federal requirement that all emergency vehicles comply with a narrowband mandate. The federal narrowband mandate is from the Federal Communications Commission (FCC). The mandate requires all Public Safety and Industrial/Business licensees in the 150-174 MHz and 421-512 MHz bands to either migrate to 12.5 kHz technology or utilize a technology that achieves equivalent efficiency by May 31, 2015. The DPS has been granted several waivers and extensions to comply with the mandate.

Narrowbanding channels from 25.0 kHz (wideband mode) to 12.5 kHz (narrowband) allows additional channels to exist within the same limited radio spectrum. The federal narrowband mandate does not specifically require digital technology, so licensees may continue to use analog equipment. The purpose of the mandate is to ensure a more efficient use of the spectrum and greater spectrum access for public safety users and other users.

37 45 8. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
 37 46 MANAGEMENT
 37 47 For the implementation of a statewide mass
 37 48 notification and emergency messaging system:
 37 49 \$ 400,000

Technology Reinvestment Fund appropriation for FY 2016 to the Iowa Department of Homeland Security and Emergency Management for a statewide mass notification and emergency messaging system.

DETAIL: Funding is provided to implement the statewide mass notification and emergency messaging system. The funds will be used to purchase and maintain the operation of the system. Interest earned on the Fund balance remains in the Fund. The system can be used by state and local authorities to quickly disseminate emergency information to residents in counties that utilize the system. The system is available, free of charge, to all counties. Approximately 85.00% of Iowa's counties have now signed up to use the Alert Iowa system.

37 50 #109. REVERSION. For purposes of section 8.33,
 38 1 unless specifically provided otherwise, unencumbered
 38 2 or unobligated moneys made from an appropriation in
 38 3 this division of this Act shall not revert but shall
 38 4 remain available for expenditure for the purposes
 38 5 designated until the close of the fiscal year that ends
 38 6 three years after the end of the fiscal year for which
 38 7 the appropriation is made. However, if the project
 38 8 or projects for which such appropriation was made are
 38 9 completed in an earlier fiscal year, unencumbered or
 38 10 unobligated moneys shall revert at the close of that

CODE: Permits unexpended funds appropriated from the TRF to remain available for expenditure until the close of FY 2019.

38 11 same fiscal year.

38 12 #XII.

38 13 RADIO COMMUNICATIONS UPGRADE

38 14 #110. MORTGAGE SERVICING SETTLEMENT FUND —

38 15 DEPARTMENT OF PUBLIC SAFETY.

38 16 1. There is transferred from the mortgage servicing
38 17 settlement fund created in 2012 Iowa Acts, chapter
38 18 1138, section 7, subsection 1, to the department of
38 19 public safety for the fiscal year beginning July 1,
38 20 2014, and ending June 30, 2015, the amount of \$626,000
38 21 for the provision of the purchase of compatible radio
38 22 communications equipment with the goal of achieving
38 23 compliance with the federal communications commission's
38 24 narrowband mandate deadline.

38 25 2. Notwithstanding section 8.33, moneys
38 26 appropriated in this section that remain unencumbered
38 27 or unobligated at the close of the fiscal year shall
38 28 not revert but shall remain available for expenditure
38 29 for the purposes designated until the close of the
38 30 succeeding fiscal year.

CODE: Transfers \$626,000 in FY 2015 from the Mortgage Servicing Settlement Fund to the DPS for the purchase of radio equipment. Allows any unexpended funds to remain available for expenditure in FY 2016.

DETAIL: The Mortgage Servicing Settlement Fund was created by the 2012 General Assembly under the control of the Department of Justice (Office of the Attorney General). The source of funds was Iowa's share of the federal consent decree dated February 9, 2012, Joint State-Federal Mortgage Servicing Settlement. The Office of the Attorney General estimates the FY 2015 ending balance in the Fund is approximately \$726,000. Current law states that the FY 2015 ending balance will be transferred to the General Fund. Senate File 501, State Authorization Reciprocity Agreements (SARA) Act, permits the Office of the Attorney General to transfer \$100,000 from the Mortgage Servicing Settlement Fund to the Tuition Refund Fund for student tuition refunds. Senate File 501 was approved by the General Assembly on May 12, 2015, and signed by the Governor on May 22, 2015.

38 31 #111. EFFECTIVE UPON ENACTMENT. This division
38 32 of this Act, being deemed of immediate importance,
38 33 takes effect upon enactment.

This Division is effective on enactment.

38 34 #XIII.

38 35 FIREARMS

38 36 #112. Section 724.1, subsection 1, paragraph h,
38 37 Code 2015, is amended by striking the paragraph.

38 38 #113. NEW SECTION 724.1A FIREARM SUPPRESSORS
38 39 — CERTIFICATION.

38 40 1. As used in this section, unless the context
38 41 otherwise requires:

38 42 a. "Certification" means the participation and
38 43 assent of the chief law enforcement officer of the
38 44 jurisdiction where the applicant resides or maintains
38 45 an address of record, that is necessary under federal
38 46 law for the approval of an application to make or
38 47 transfer a firearm suppressor.

38 48 b. "Chief law enforcement officer" means the county
38 49 sheriff, chief of police, or the designee of such
38 50 official, that the federal bureau of alcohol, tobacco,
39 1 firearms and explosives, or any successor agency, has
39 2 identified by regulation or has determined is otherwise

Contains language relating to the acquisition, sale, and use of firearms including:

- Makes it a simple misdemeanor punishable by a \$10 fine if a person does not possess a permit to carry a weapon or fails to produce the permit on the request of a peace officer.
- Permits a certified peace officer with a professional permit to carry to possess a weapon on school grounds even when not performing official duties.
- Provides that the handgun safety training course necessary to obtain a permit to carry may be conducted over the internet in a live or web-based format.
- Specifies that training requirements to obtain a permit to carry do not apply to an applicant that demonstrates the ability to complete small arms training. For all other applicants, training program requirements must be satisfied within 24 months prior to application (current law is 12 months) for the issuance of a

39 3 eligible to provide any required certification for
 39 4 making or transferring a firearm suppressor.
 39 5 c. "Firearm suppressor" means a mechanical device
 39 6 specifically constructed and designed so that when
 39 7 attached to a firearm silences, muffles, or suppresses
 39 8 the sound when fired that is considered a "firearm
 39 9 silencer" or "firearm muffler" as defined in 18 U.S.C.
 39 10 §921.
 39 11 2. a. A chief law enforcement officer is not
 39 12 required to make any certification under this section
 39 13 the chief law enforcement officer knows to be false,
 39 14 but the chief law enforcement officer shall not
 39 15 refuse, based on a generalized objection, to issue a
 39 16 certification to make or transfer a firearm suppressor.
 39 17 b. When the certification of the chief law
 39 18 enforcement officer is required by federal law or
 39 19 regulation for making or transferring a firearm
 39 20 suppressor, the chief law enforcement officer
 39 21 shall, within thirty days of receipt of a request
 39 22 for certification, issue such certification if the
 39 23 applicant is not prohibited by law from making or
 39 24 transferring a firearm suppressor or is not the subject
 39 25 of a proceeding that could result in the applicant
 39 26 being prohibited by law from making or transferring
 39 27 the firearm suppressor. If the chief law enforcement
 39 28 officer does not issue a certification as required by
 39 29 this section, the chief law enforcement officer shall
 39 30 provide the applicant with a written notification of
 39 31 the denial and the reason for the denial.
 39 32 c. A certification that has been approved under
 39 33 this section grants the person the authority to make
 39 34 or transfer a firearm suppressor as provided by state
 39 35 and federal law.
 39 36 3. An applicant whose request for certification
 39 37 is denied may appeal the decision of the chief law
 39 38 enforcement officer to the district court for the
 39 39 county in which the applicant resides or maintains
 39 40 an address of record. The court shall review the
 39 41 decision of the chief law enforcement officer to deny
 39 42 the certification de novo. If the court finds that
 39 43 the applicant is not prohibited by law from making
 39 44 or transferring the firearm suppressor, or is not the
 39 45 subject of a proceeding that could result in such
 39 46 prohibition, or that no substantial evidence supports
 39 47 the decision of the chief law enforcement officer, the
 39 48 court shall order the chief law enforcement officer
 39 49 to issue the certification and award court costs and

- permit.
- Contains several provisions regarding the issuance of a renewal of a permit to carry a weapon that the County Sheriff or Department of Public Safety Commissioner must comply with.
 - Requires the initial or renewal permit to have a uniform appearance, size, and content as determined by the DPS Commissioner and specifies the data to be included on the permit.
 - Prohibits the sale or lending of a pistol or revolver to another person that does not possess a permit to carry if the seller knows, or should reasonably know, that the buyer is prohibited from receiving or possessing a firearm under State or federal law.
 - Eliminates the mandate of acquiring an annual permit before purchasing a pistol or revolver and provides for an optional permit to acquire firearms from a federally licensed firearms dealer if the person currently possesses a valid permit to carry issued under Iowa law or has otherwise completed a satisfactory instant criminal background check.
 - Permits an optional permit to acquire a firearm to be valid five years from the date of the issuance of the permit. Current law states the optional permit is valid three days from the issuance and up to one year.
 - Permits a parent, guardian, spouse, or instructor that is 21 years of age or older to allow a minor of any age to possess a pistol or revolver and the ammunition to be lawfully used.
 - Specifies that a person that knowingly requests a licensed firearms dealer or private seller of firearms or ammunition to transfer a firearm or ammunition illegally may be charged with a Class D felony.

39 50 reasonable attorney fees to the applicant. If the
40 1 court determines the applicant is not eligible to be
40 2 issued a certification, the court shall award court
40 3 costs and reasonable attorney fees to the political
40 4 subdivision of the state representing the chief law
40 5 enforcement officer.

40 6 4. In making a determination about whether to
40 7 issue a certification under subsection 2, a chief law
40 8 enforcement officer may conduct a criminal background
40 9 check, including an inquiry of the national instant
40 10 criminal background check system maintained by the
40 11 federal bureau of investigation or any successor
40 12 agency, but shall only require the applicant provide
40 13 as much information as is necessary to identify
40 14 the applicant for this purpose or to determine the
40 15 disposition of an arrest or proceeding relevant to the
40 16 eligibility of the applicant to lawfully possess or
40 17 receive a firearm suppressor. A chief law enforcement
40 18 officer shall not require access to or consent
40 19 to inspect any private premises as a condition of
40 20 providing a certification under this section.

40 21 5. A chief law enforcement officer and employees
40 22 of the chief law enforcement officer who act in good
40 23 faith are immune from liability arising from any act or
40 24 omission in making a certification as required by this
40 25 section.

40 26 ~~#114.~~NEW SECTION 724.1B FIREARM SUPPRESSORS
40 27 — PENALTY.

40 28 1. A person shall not possess a firearm suppressor
40 29 in this state if such possession is knowingly in
40 30 violation of federal law.

40 31 2. A person who possesses a firearm suppressor in
40 32 violation of subsection 1 commits a class “D” felony.

40 33 ~~#115.~~ Section 724.4, subsection 4, paragraph i,
40 34 Code 2015, is amended to read as follows:

40 35 i. ~~(1)~~ A person who has in the person’s immediate
40 36 possession and who displays to a peace officer on
40 37 demand a valid permit to carry weapons which has been
40 38 issued to the person, and whose conduct is within the
40 39 limits of that permit. A peace officer shall verify
40 40 through electronic means, if possible, the validity of
40 41 the person’s permit to carry weapons.

40 42 ~~(2)~~ A person commits a simple misdemeanor
40 43 punishable as a scheduled violation pursuant to section
40 44 805.8C, subsection 11, if the person does not have in
40 45 the person’s immediate possession a valid permit to
40 46 carry weapons which has been issued to the person.

40 47 ~~(3)~~—A Except as provided subparagraph (2), a

40 48 person shall not be convicted of a violation of this
40 49 section if the person produces at the person's trial a
40 50 permit to carry weapons which was valid at the time of
41 1 the alleged offense and which would have brought the
41 2 person's conduct within this exception if the permit
41 3 had been produced at the time of the alleged offense.
41 4 #116. Section 724.4B, subsection 2, paragraph
41 5 a, Code 2015, is amended to read as follows:
41 6 a. A person listed under section 724.4, subsection
41 7 4, paragraphs "b" through "f" or "j", or a certified
41 8 peace officer as specified in section 724.6, subsection
41 9 1.
41 10 #117. Section 724.5, Code 2015, is amended to
41 11 read as follows:
41 12 724.5 DUTY TO CARRY OR VERIFY PERMIT TO CARRY
41 13 WEAPONS.
41 14 1. A person armed with a revolver, pistol, or
41 15 pocket billy concealed upon the person shall have in
41 16 the person's immediate possession the permit provided
41 17 for in section 724.4, subsection 4, paragraph "i", and
41 18 shall produce the permit for inspection at the request
41 19 of a peace officer.
41 20 2. A peace officer shall verify through electronic
41 21 means, if possible, the validity of the person's permit
41 22 to carry weapons.
41 23 3. Failure to so produce a permit is a simple
41 24 misdemeanor, punishable as a scheduled violation
41 25 pursuant to section 805.8C, subsection 12.
41 26 #118. Section 724.6, subsection 1, Code 2015,
41 27 is amended to read as follows:
41 28 1. A person may be issued a permit to carry weapons
41 29 when the person's employment in a private investigation
41 30 business or private security business licensed under
41 31 chapter 80A, or a person's employment as a peace
41 32 officer, correctional officer, security guard, bank
41 33 messenger or other person transporting property of a
41 34 value requiring security, or in police work, reasonably
41 35 justifies that person going armed. The permit shall be
41 36 on a form prescribed and published by the commissioner
41 37 of public safety, shall identify the holder, and
41 38 shall state the nature of the employment requiring the
41 39 holder to go armed. A permit so issued, other than to
41 40 a peace officer, shall authorize the person to whom
41 41 it is issued to go armed anywhere in the state, only
41 42 while engaged in the employment, and while going to and
41 43 from the place of the employment. A permit issued to
41 44 a certified peace officer shall authorize that peace
41 45 officer to go armed anywhere in the state, including

41 46 a school as provided in section 724.4B, at all times.
41 47 Permits shall expire twelve months after the date when
41 48 issued except that permits issued to peace officers and
41 49 correctional officers are valid through the officer's
41 50 period of employment unless otherwise canceled. When
42 1 the employment is terminated, the holder of the
42 2 permit shall surrender it to the issuing officer for
42 3 cancellation.
42 4 #119. Section 724.7, subsection 1, Code 2015,
42 5 is amended to read as follows:
42 6 1. Any person who is not disqualified under
42 7 section 724.8, who satisfies the training requirements
42 8 of section 724.9, if applicable, and who files an
42 9 application in accordance with section 724.10 shall be
42 10 issued a nonprofessional permit to carry weapons. Such
42 11 permits shall be on a form prescribed and published
42 12 by the commissioner of public safety, which shall be
42 13 readily distinguishable from the professional permit,
42 14 and shall identify the holder of the permit. Such
42 15 permits shall not be issued for a particular weapon
42 16 and shall not contain information about a particular
42 17 weapon including the make, model, or serial number of
42 18 the weapon or any ammunition used in that weapon. All
42 19 permits so issued shall be for a period of five years
42 20 and shall be valid throughout the state except where
42 21 the possession or carrying of a firearm is prohibited
42 22 by state or federal law.
42 23 #120. Section 724.9, Code 2015, is amended by
42 24 adding the following new subsection:
42 25 NEW SUBSECTION 1A. The handgun safety training
42 26 course required in subsection 1 may be conducted
42 27 over the internet in a live or web-based format, if
42 28 completion of the course is verified by the instructor
42 29 or provider of the course.
42 30 #121. Section 724.11, subsections 1 and 3, Code
42 31 2015, are amended to read as follows:
42 32 1.a. Applications for permits to carry weapons
42 33 shall be made to the sheriff of the county in which
42 34 the applicant resides. Applications for professional
42 35 permits to carry weapons for persons who are
42 36 nonresidents of the state, or whose need to go armed
42 37 arises out of employment by the state, shall be made
42 38 to the commissioner of public safety. In either case,
42 39 the sheriff or commissioner, before issuing the permit,
42 40 shall determine that the requirements of sections 724.6
42 41 to 724.10 have been satisfied. However, ~~for renewal of~~
42 42 ~~a permit the training program requirements in section~~
42 43 724.9, subsection 1, do not apply to an applicant

42 44 who is able to demonstrate completion of small arms
42 45 training as specified in section 724.9, subsection 1,
42 46 paragraph "d". For all other applicants the training
42 47 program requirements of section 724.9, subsection 1,
42 48 must be satisfied within the twenty-four-month period
42 49 prior to the date of the application for the issuance
42 50 of a permit.

43 1 b. (1) Prior to issuing a renewal, the sheriff
43 2 or commissioner shall determine the requirements of
43 3 sections 724.6, 724.7, 724.8, and 724.10 and either of
43 4 the following, as applicable, have been satisfied:

43 5 (a) Beginning with the first renewal of a permit
43 6 issued after the calendar year 2010, and alternating
43 7 renewals thereafter, if a renewal applicant applies
43 8 within thirty days prior to the expiration of the
43 9 permit or within thirty days after expiration of the
43 10 permit, the training program requirements of section
43 11 724.9, subsection 1, do not apply.

43 12 (b) Beginning with the second renewal of a permit
43 13 issued after the calendar year 2010, and alternating
43 14 renewals thereafter, if a renewal applicant applies
43 15 within thirty days prior to the expiration of the
43 16 permit or within thirty days after expiration of the
43 17 permit, a renewal applicant shall qualify for renewal
43 18 by taking an online training course certified by the
43 19 national rifle association or the Iowa law enforcement
43 20 academy, and the training program requirements of
43 21 section 724.9, subsection 1, do not apply.

43 22 (2) If any renewal applicant applies more than
43 23 thirty days after the expiration of the permit, the
43 24 permit requirements of paragraph "a" apply to the
43 25 applicant, and any subsequent renewal of this permit
43 26 shall be considered a first renewal for purposes
43 27 of subparagraph (1). However, the training program
43 28 requirements of section 724.9, subsection 1, do not
43 29 apply to an applicant who is able to demonstrate
43 30 completion of small arms training as specified in
43 31 section 724.9, subsection 1, paragraph "d". For all
43 32 other applicants, in lieu of the training program
43 33 requirements of section 724.9, subsection 1, the
43 34 renewal applicant may choose to qualify on a firing
43 35 range under the supervision of an instructor certified
43 36 by the national rifle association or the department of
43 37 public safety or another state's department of public
43 38 safety, state police department, or similar certifying
43 39 body.

43 40 (3) As an alternative to subparagraph (1), and if
43 41 the requirements of sections 724.6, 724.7, 724.8, and

43 42 724.10 have been satisfied, a renewal applicant may
43 43 choose to qualify, at any renewal, under the training
43 44 program requirements in section 724.9, subsection 1,
43 45 shall apply or the renewal applicant may choose to
43 46 qualify on a firing range under the supervision of an
43 47 instructor certified by the national rifle association
43 48 or the department of public safety or another
43 49 state's department of public safety, state police
43 50 department, or similar certifying body. Such training
44 1 or qualification must occur within the ~~twelve-month~~
44 2 twenty-four-month period prior to the expiration
44 3 of the applicant's current permit, except that the
44 4 twenty-four-month time period limitation for training
44 5 or qualification does not apply to an applicant who is
44 6 able to demonstrate completion of small arms training
44 7 as specified in section 724.9, subsection 1, paragraph
44 8 "d".

44 9 3. The issuing officer shall collect a fee of fifty
44 10 dollars, except from a duly appointed peace officer or
44 11 correctional officer, for each permit issued. Renewal
44 12 permits or duplicate permits shall be issued for a fee
44 13 of twenty-five dollars, provided the application for
44 14 such renewal permit is received by the issuing officer
44 15 at least within thirty days prior to the expiration
44 16 of the applicant's current permit or within thirty
44 17 days after such expiration. The issuing officer
44 18 shall notify the commissioner of public safety of the
44 19 issuance of any permit at least monthly and forward to
44 20 the commissioner an amount equal to ten dollars for
44 21 each permit issued and five dollars for each renewal
44 22 or duplicate permit issued. All such fees received
44 23 by the commissioner shall be paid to the treasurer
44 24 of state and deposited in the operating account of
44 25 the department of public safety to offset the cost of
44 26 administering this chapter. Notwithstanding section
44 27 8.33, any unspent balance as of June 30 of each year
44 28 shall not revert to the general fund of the state.
44 29 #122. Section 724.11, Code 2015, is amended by
44 30 adding the following new subsection:
44 31 NEW SUBSECTION 5. The initial or renewal permit
44 32 shall have a uniform appearance, size, and content
44 33 prescribed and published by the commissioner of public
44 34 safety. The permit shall contain the name of the
44 35 permittee and the effective date of the permit, but
44 36 shall not contain the permittee's social security
44 37 number. Such a permit shall not be issued for a
44 38 particular weapon and shall not contain information
44 39 about a particular weapon including the make, model,

44 40 or serial number of the weapon, or any ammunition used
44 41 in that weapon.
44 42 ~~#123.~~ Section 724.11A, Code 2015, is amended to
44 43 read as follows:
44 44 724.11A RECOGNITION.
44 45 A valid permit or license issued by another state to
44 46 any nonresident of this state shall be considered to
44 47 be a valid permit or license to carry weapons issued
44 48 pursuant to this chapter, except that such permit or
44 49 license shall not be considered to be a substitute for
44 50 ~~an annual a permit to acquire pistols or revolvers~~
45 1 issued pursuant to ~~section 724.15~~ this chapter.
45 2 ~~#124.~~ Section 724.15, subsections 1, 2, and 3,
45 3 Code 2015, are amended to read as follows:
45 4 1. Any person who desires to acquire ownership of
45 5 any pistol or revolver shall first obtain ~~an annual~~
45 6 a permit. ~~An annual A~~ permit shall be issued upon
45 7 request to any resident of this state unless the person
45 8 is subject to any of the following:
45 9 a. Is less than twenty-one years of age.
45 10 b. Is subject to the provisions of section 724.26.
45 11 c. Is prohibited by federal law from shipping,
45 12 transporting, possessing, or receiving a firearm.
45 13 2. Any person who acquires ownership of a pistol or
45 14 revolver shall not be required to obtain ~~an annual a~~
45 15 permit if any of the following apply:
45 16 a. The person transferring the pistol or revolver
45 17 and the person acquiring the pistol or revolver are
45 18 licensed firearms dealers under federal law.
45 19 b. The pistol or revolver acquired is an antique
45 20 firearm, a collector's item, a device which is not
45 21 designed or redesigned for use as a weapon, a device
45 22 which is designed solely for use as a signaling,
45 23 pyrotechnic, line-throwing, safety, or similar device,
45 24 or a firearm which is unserviceable by reason of being
45 25 unable to discharge a shot by means of an explosive
45 26 and is incapable of being readily restored to a firing
45 27 condition.
45 28 c. The person acquiring the pistol or revolver is
45 29 authorized to do so on behalf of a law enforcement
45 30 agency.
45 31 d. The person has obtained a valid permit to carry
45 32 weapons, as provided in section 724.11.
45 33 e. The person transferring the pistol or revolver
45 34 and the person acquiring the pistol or revolver
45 35 are related to one another within the second degree
45 36 of consanguinity or affinity unless the person
45 37 transferring the pistol or revolver knows that the

45 38 person acquiring the pistol or revolver would be
45 39 disqualified from obtaining a permit.

45 40 3. The ~~annual~~ permit to acquire pistols or
45 41 revolvers shall authorize the permit holder to acquire
45 42 one or more pistols or revolvers during the period
45 43 that the permit remains valid. If the issuing officer
45 44 determines that the applicant has become disqualified
45 45 under the provisions of subsection 1, the issuing
45 46 officer may immediately revoke the permit and shall
45 47 provide a written statement of the reasons for
45 48 revocation, and the applicant shall have the right to
45 49 appeal the revocation as provided in section 724.21A.

45 50 #125. Section 724.16, Code 2015, is amended to
46 1 read as follows:
46 2 724.16 ~~ANNUAL PERMIT~~ PERMIT TO ACQUIRE REQUIRED —
46 3 TRANSFER PROHIBITED.

46 4 1. Except as otherwise provided in section 724.15,
46 5 subsection 2, a person who acquires ownership of a
46 6 pistol or revolver without a valid ~~annual~~ permit to
46 7 acquire pistols or revolvers or a person who transfers
46 8 ownership of a pistol or revolver to a person who does
46 9 not have in the person's possession a valid ~~annual~~
46 10 permit to acquire pistols or revolvers is guilty of an
46 11 aggravated misdemeanor.

46 12 2. A person who transfers ownership of a pistol
46 13 or revolver to a person that the transferor knows is
46 14 prohibited by section 724.15 from acquiring ownership
46 15 of a pistol or revolver commits a class "D" felony.

46 16 #126. Section 724.17, Code 2015, is amended to
46 17 read as follows:
46 18 724.17 APPLICATION FOR ~~ANNUAL~~ PERMIT TO ACQUIRE —
46 19 CRIMINAL HISTORY CHECK REQUIRED.

46 20 1. The application for ~~an annual~~ a permit to
46 21 acquire pistols or revolvers may be made to the sheriff
46 22 of the county of the applicant's residence and shall be
46 23 on a form prescribed and published by the commissioner
46 24 of public safety.

46 25 a.—The If an applicant is a United States citizen,
46 26 the application shall require only the full name of
46 27 the applicant, the driver's license or nonoperator's
46 28 identification card number of the applicant, the
46 29 residence of the applicant, and the date and place of
46 30 birth of the applicant.

46 31 b. If the applicant is not a United States citizen,
46 32 the application shall, in addition to the information
46 33 specified in paragraph "a", require the applicant's
46 34 country of citizenship, any alien or admission
46 35 number issued by the United States immigration and

46 36 customs enforcement or any successor agency, and,
46 37 if applicable, the basis for any exception claimed
46 38 pursuant to 18 U.S.C. §922(y).
46 39 c. The applicant shall also display an
46 40 identification card that bears a distinguishing number
46 41 assigned to the cardholder, the full name, date of
46 42 birth, sex, residence address, and brief description
46 43 and ~~colored~~ photograph of the cardholder, or other
46 44 identification as specified by rule of the department
46 45 of public safety.
46 46 2. The sheriff shall conduct a criminal history
46 47 check concerning each applicant by obtaining criminal
46 48 history data from the department of public safety
46 49 which shall include an inquiry of the national instant
46 50 criminal background check system maintained by the
47 1 federal bureau of investigation or any successor agency
47 2 and an immigration alien query through a database
47 3 maintained by the United States immigration and customs
47 4 enforcement or any successor agency if the applicant is
47 5 not a United States citizen.
47 6 3. A person who makes what the person knows to be
47 7 a false statement of material fact on an application
47 8 submitted under this section or who submits what the
47 9 person knows to be any materially falsified or forged
47 10 documentation in connection with such an application
47 11 commits a class "D" felony.
47 12 #127. Section 724.18, Code 2015, is amended to
47 13 read as follows:
47 14 724.18 PROCEDURE FOR MAKING APPLICATION FOR ~~ANNUAL~~
47 15 PERMIT TO ACQUIRE.
47 16 A person may personally request the sheriff to
47 17 mail an application for ~~an annual~~ a permit to acquire
47 18 pistols or revolvers, and the sheriff shall immediately
47 19 forward to such person an application for ~~an annual~~
47 20 a permit to acquire pistols or revolvers. A person
47 21 shall upon completion of the application ~~personally~~
47 22 deliver file such application to with the sheriff who
47 23 shall note the period of validity on the application
47 24 and shall immediately issue the ~~annual~~ permit to
47 25 acquire pistols or revolvers to the applicant. For the
47 26 purposes of this section the date of application shall
47 27 be the date on which the sheriff received the completed
47 28 application.
47 29 #128. Section 724.19, Code 2015, is amended to
47 30 read as follows:
47 31 724.19 ISSUANCE OF ~~ANNUAL~~ PERMIT TO ACQUIRE.
47 32 The ~~annual~~ permit to acquire pistols or revolvers
47 33 shall be issued to the applicant immediately upon

47 34 completion of the application unless the applicant is
47 35 disqualified under the provisions of section 724.15~~and~~
47 36 ~~or 724.17. The permit shall be on a form have a~~
47 37 ~~uniform appearance, size, and content~~ prescribed and
47 38 published by the commissioner of public safety. The
47 39 permit shall contain the name of the permittee, ~~the~~
47 40 ~~residence of the permittee,~~ and the effective date
47 41 of the permit, ~~but shall not contain the permittee's~~
47 42 ~~social security number. Such a permit shall not be~~
47 43 ~~issued for a particular pistol or revolver and shall~~
47 44 ~~not contain information about a particular pistol or~~
47 45 ~~revolver including the make, model, or serial number of~~
47 46 ~~the pistol or revolver, or any ammunition used in such~~
47 47 ~~a pistol or revolver.~~

47 48 ~~#129.~~ Section 724.20, Code 2015, is amended to
47 49 read as follows:

47 50 724.20 VALIDITY OF ~~ANNUAL~~ PERMIT TO ACQUIRE PISTOLS
48 1 OR REVOLVERS.

48 2 The permit shall be valid throughout the state and
48 3 shall be valid three days after the date of application
48 4 and shall be invalid ~~one year~~ five years after the date
48 5 of application.

48 6 ~~#130.~~ Section 724.21A, subsections 1 and 7,
48 7 Code 2015, are amended to read as follows:

48 8 1. In any case where the sheriff or the
48 9 commissioner of public safety denies an application
48 10 for or suspends or revokes a permit to carry weapons
48 11 or ~~an annual~~ a permit to acquire pistols or revolvers,
48 12 the sheriff or commissioner shall provide a written
48 13 statement of the reasons for the denial, suspension,
48 14 or revocation and the applicant or permit holder
48 15 shall have the right to appeal the denial, suspension,
48 16 or revocation to an administrative law judge in the
48 17 department of inspections and appeals within thirty
48 18 days of receiving written notice of the denial,
48 19 suspension, or revocation.

48 20 7. In any case where the issuing officer denies an
48 21 application for, or suspends or revokes a permit to
48 22 carry weapons or ~~an annual~~ a permit to acquire pistols
48 23 or revolvers solely because of an adverse determination
48 24 by the national instant criminal background check
48 25 system, the applicant or permit holder shall not seek
48 26 relief under this section but may pursue relief of
48 27 the national instant criminal background check system
48 28 determination pursuant to Pub.L. No.103-159, sections
48 29 103(f) and (g) and 104 and 28 C.F.R. §25.10, or other
48 30 applicable law. The outcome of such proceedings shall
48 31 be binding on the issuing officer.

48 32 #131. Section 724.21A, Code 2015, is amended by
48 33 adding the following new subsection:
48 34 NEW SUBSECTION 8. If an applicant appeals the
48 35 decision by the sheriff or commissioner to deny an
48 36 application, or suspend or revoke a permit to carry
48 37 weapons or a permit to acquire, and it is later
48 38 determined the applicant is eligible to be issued or
48 39 possess such a permit, the applicant shall be awarded
48 40 court costs and reasonable attorney fees. If the
48 41 decision of the sheriff or commission to deny the
48 42 application, or suspend or revoke the permit is upheld
48 43 on appeal, the political subdivision of the state
48 44 representing the sheriff or the commissioner shall be
48 45 awarded court costs and reasonable attorney fees.

48 46 #132. Section 724.22, subsection 5, Code 2015,
48 47 is amended to read as follows:
48 48 5. A parent or guardian or spouse who is twenty-one
48 49 years of age or older, of a person ~~fourteen years of~~
48 50 ~~age but less than~~ below the age of twenty-one may
49 1 allow the person to possess a pistol or revolver or
49 2 the ammunition therefor for any lawful purpose while
49 3 under the direct supervision of the parent or guardian
49 4 or spouse who is twenty-one years of age or older, or
49 5 while the person receives instruction in the proper use
49 6 thereof from an instructor twenty-one years of age or
49 7 older, with the consent of such parent, guardian or
49 8 spouse.

49 9 #133. Section 724.23, Code 2015, is amended to
49 10 read as follows:
49 11 724.23 RECORDS KEPT BY COMMISSIONER AND ISSUING
49 12 OFFICERS .
49 13 1. a. The commissioner of public safety shall
49 14 maintain a permanent record of all valid permits to
49 15 carry weapons and of current permit revocations.
49 16 b. The permanent record shall be kept in a
49 17 searchable database that is accessible on a statewide
49 18 basis for the circumstances described in subsection 2,
49 19 paragraph "b", "c", "d", or "e".

49 20 2. a. Notwithstanding any other law or rule to
49 21 the contrary, the commissioner of public safety and
49 22 any issuing officer shall keep confidential personally
49 23 identifiable information of holders of permits to
49 24 carry weapons and permits to acquire, including but not
49 25 limited to the name, social security number, date of
49 26 birth, residential or business address, and driver's
49 27 license or other identification number of the applicant
49 28 or permit holder.

49 29 b. This subsection shall not prohibit the

49 30 release of statistical information relating to the
49 31 issuance, denial, revocation, or administration of
49 32 nonprofessional permits to carry weapons and permits to
49 33 acquire, provided that the release of such information
49 34 does not reveal the identity of any individual permit
49 35 holder.

49 36 c. This subsection shall not prohibit the release
49 37 of information to any law enforcement agency or any
49 38 employee or agent thereof when necessary for the
49 39 purpose of investigating a possible violation of law
49 40 and when probable cause exists, or to determine the
49 41 validity of a permit, or for conducting a lawfully
49 42 authorized background investigation.

49 43 d. This subsection shall not prohibit the
49 44 release of information relating to the validity of a
49 45 professional permit to carry weapons to an employer who
49 46 requires an employee or an agent of the employer to
49 47 possess a professional permit to carry weapons as part
49 48 of the duties of the employee or agent.

49 49 e. (1) This subsection shall not prohibit the
49 50 release of the information described in subparagraph
50 1 (3) to a member of the public if the person, in writing
50 2 or in person, requests whether another person has a
50 3 professional or nonprofessional permit to carry weapons
50 4 or a permit to acquire. The request must include
50 5 the name of the other person and at least one of the
50 6 following identifiers pertaining to the other person:

50 7 (a) The date of birth of the person.
50 8 (b) The address of the person.
50 9 (c) The telephone number of the person, including
50 10 any landline or wireless numbers.

50 11 (2) Prior to the release of information under this
50 12 paragraph "e", the member of the public requesting the
50 13 information shall provide the department of public
50 14 safety or issuing officer with the name of the person
50 15 requesting the information and the reason for the
50 16 request in writing even if the person appears in person
50 17 to request such information. The department or issuing
50 18 officer shall keep a record of the person making the
50 19 request and the reason for such a request.

50 20 (3) The information released by the department
50 21 of public safety or issuing officer shall be limited
50 22 to an acknowledgment as to whether or not the person
50 23 currently possesses a valid permit to carry weapons or
50 24 a permit to acquire, the date such permit was issued,
50 25 and whether the person has ever possessed such a permit
50 26 that has been revoked or has expired and the date the
50 27 permit was revoked or expired. No other information

50 28 shall be released under this paragraph "e".
 50 29 f. Except as provided in paragraphs "b", "c", "d",
 50 30 or "e", the release of any confidential information
 50 31 under this section shall require a court order or the
 50 32 consent of the person whose personally identifiable
 50 33 information is the subject of the information request.
 50 34 #134. Section 724.27, subsection 1, unnumbered
 50 35 paragraph 1, Code 2015, is amended to read as follows:
 50 36 The provisions of section 724.8, section 724.15,
 50 37 subsection 4 2, and section 724.26 shall not apply to
 50 38 a person who is eligible to have the person's civil
 50 39 rights regarding firearms restored under section 914.7
 50 40 if any of the following occur:
 50 41 #135.NEW SECTION 724.29A FRAUDULENT PURCHASE
 50 42 OF FIREARMS OR AMMUNITION.
 50 43 1. For purposes of this section:
 50 44 a. "Ammunition" means any cartridge, shell, or
 50 45 projectile designed for use in a firearm.
 50 46 b. "Licensed firearms dealer" means a person who is
 50 47 licensed pursuant to 18 U.S.C. §923 to engage in the
 50 48 business of dealing in firearms.
 50 49 c. "Materially false information" means information
 50 50 that portrays an illegal transaction as legal or a
 51 1 legal transaction as illegal.
 51 2 d. "Private seller" means a person who sells or
 51 3 offers for sale any firearm or ammunition.
 51 4 2. A person who knowingly solicits, persuades,
 51 5 encourages, or entices a licensed firearms dealer or
 51 6 private seller of firearms or ammunition to transfer
 51 7 a firearm or ammunition under circumstances that the
 51 8 person knows would violate the laws of this state or of
 51 9 the United States commits a class "D" felony.
 51 10 3. A person who knowingly provides materially
 51 11 false information to a licensed firearms dealer or
 51 12 private seller of firearms or ammunition with the
 51 13 intent to deceive the firearms dealer or seller about
 51 14 the legality of a transfer of a firearm or ammunition
 51 15 commits a class "D" felony.
 51 16 4. Any person who willfully procures another to
 51 17 engage in conduct prohibited by this section shall be
 51 18 held accountable as a principal.
 51 19 5. This section does not apply to a law enforcement
 51 20 officer acting in the officer's official capacity
 51 21 or to a person acting at the direction of such law
 51 22 enforcement officer.

51 23 #136.NEW SECTION 724.32 RULES.
 51 24 The department of public safety shall adopt rules

Requires the Department of Public Safety to adopt administrative rules to administer this chapter.

51 25 pursuant to chapter 17A to administer this chapter.
 51 26 #137. Section 805.8C, Code 2015, is amended by
 51 27 adding the following new subsections:
 51 28 NEW SUBSECTION 11. DUTY TO POSSESS PERMIT TO CARRY
 51 29 WEAPONS. For violations of section 724.4, subsection
 51 30 4, paragraph "i", subparagraph (2), the scheduled fine
 51 31 is ten dollars.
 51 32 NEW SUBSECTION 12. FAILURE TO PRODUCE PERMIT TO
 51 33 CARRY. For violations of section 724.5, the scheduled
 51 34 fine is ten dollars.

51 35 #138. EFFECTIVE UPON ENACTMENT. The following
 51 36 provision or provisions of this division of this Act,
 51 37 being deemed of immediate importance, take effect upon
 51 38 enactment:
 51 39 1. The section of this division amending section
 51 40 724.1, subsection 1, paragraph "h".
 51 41 2. The section of this division enacting new
 51 42 section 724.1A.
 51 43 3. The section of this division amending section
 51 44 724.22.
 51 45 4. The section of this division amending section
 51 46 724.23, subsection 2.
 51 47 5. The section of this division amending section
 51 48 724.29A.
 51 49 6. The applicability section of this division.

51 50 #139. APPLICABILITY. The section of this
 52 1 division of this Act amending section 724.23 applies
 52 2 to holders of nonprofessional permits to carry weapons
 52 3 and permits to acquire firearms and to applicants for
 52 4 nonprofessional permits to carry weapons and permits to
 52 5 acquire firearms on or after the effective date of that
 52 6 section of this division of this Act.

52 7 #XIV.
 52 8 STATUTE-OF-REPOSE

52 9 #140. Section 614.1, subsection 11, Code 2015,
 52 10 is amended to read as follows:
 52 11 11. IMPROVEMENTS TO REAL PROPERTY.
 52 12 a. RESIDENTIAL CONSTRUCTION. In addition to
 52 13 limitations contained elsewhere in this section, an
 52 14 action arising out of the unsafe or defective condition
 52 15 of an improvement to ~~real property~~ residential
 52 16 construction based on tort and implied warranty and
 52 17 for contribution and indemnity, and founded on injury
 52 18 to property, real or personal, or injury to the person

The sections of this Division that amend the following take effect on enactment:

- Firearm suppressors and firearm suppressor certification.
- Permitting a person under the age of 21 to possess a pistol, revolver, or ammunition as long as they are supervised by a parent, guardian, or spouse age 21 or older.
- Requiring the DPS Commissioner and the issuing officer to keep confidential any personal identifying information of holders of permits to carry and permits to acquire.
- Fraudulent purchase of firearms or ammunition.

The section of the Division that requires records be kept confidential by the DPS Commissioner and issuing officer applies to holders of nonprofessional permits to carry and permits to acquire and to applicants of nonprofessional permits to carry and permits to acquire.

CODE: Reduces the period of the statute-of-repose for cases relating to nonresidential construction from 15 to 10 years. The statute-of-repose for cases relating to residential construction will remain at 15 years. Statute-of-repose establishes a time limit for filing a lawsuit based on negligence in an improvement to real property, regardless of whether an injury to a person or to property has incurred.

52 19 or wrongful death, shall not be brought more than
 52 20 fifteen years after the date on which occurred the act
 52 21 or omission of the defendant alleged in the action to
 52 22 have been the cause of the injury or death. However,
 52 23 this ~~subsection~~ paragraph does not bar an action
 52 24 against a person solely in the person's capacity as an
 52 25 owner, occupant, or operator of an improvement to real
 52 26 property.

52 27 b. NONRESIDENTIAL CONSTRUCTION. In addition to
 52 28 limitations contained elsewhere in this section, an
 52 29 action arising out of the unsafe or defective condition
 52 30 of an improvement to nonresidential construction based
 52 31 on tort and implied warranty and for contribution and
 52 32 indemnity, and founded on injury to property, real or
 52 33 personal, or injury to the person or wrongful death,
 52 34 shall not be brought more than ten years after the date
 52 35 on which occurred the act or omission of the defendant
 52 36 alleged in the action to have been the cause of the
 52 37 injury or death. However, this paragraph does not
 52 38 bar an action against a person solely in the person's
 52 39 capacity as an owner, occupant, or operator of an
 52 40 improvement to real property.

52 41 c. DEFINITIONS. For purposes of this subsection,
 52 42 "residential construction" means the same as defined
 52 43 in section 572.1. "Nonresidential construction"
 52 44 means all other construction that is not residential
 52 45 construction.

52 46 #141. APPLICABILITY. This division of this
 52 47 Act does not apply to residential-construction or
 52 48 nonresidential-construction projects in existence prior
 52 49 to the effective date of this division of this Act.

52 50 #XV.

53 1 EDUCATION BUDGETING MATTERS

53 2 #142. Section 8.22A, subsection 2, Code 2015,
 53 3 is amended to read as follows:
 53 4 2. The conference shall meet as often as deemed
 53 5 necessary, but shall meet at least three times per year
 53 6 with at least one meeting taking place each year in
 53 7 March. The conference may use sources of information
 53 8 deemed appropriate. At each meeting, the conference
 53 9 shall agree to estimates for the current fiscal year
 53 10 and the following fiscal year for the general fund
 53 11 of the state, lottery revenues to be available for
 53 12 disbursement, and from gambling revenues and from
 53 13 interest earned on the cash reserve fund and the

CODE: Requires the Revenue Estimating Conference (REC) to hold one of its three meetings in March of each year and to provide revenue estimates for two years beyond the current fiscal year in progress.

DETAIL: Under current law, the REC is only required to provide a revenue estimate for one year beyond the current fiscal year in progress.

53 14 economic emergency fund to be deposited in the rebuild
 53 15 Iowa infrastructure fund. At the meeting taking
 53 16 place each year in March, in addition to agreeing to
 53 17 estimates for the current fiscal year and the following
 53 18 fiscal year, the conference shall agree to estimates
 53 19 for the fiscal year beginning July 1 of the following
 53 20 calendar year. Only an estimate for the following
 53 21 fiscal year agreed to by the conference pursuant to
 53 22 subsection 3, 4, or 5, shall be used for purposes
 53 23 of calculating the state general fund expenditure
 53 24 limitation under section 8.54, and any other estimate
 53 25 agreed to shall be considered a preliminary estimate
 53 26 that shall not be used for purposes of calculating the
 53 27 state general fund expenditure limitation.

53 28 #143. Section 257.8, subsections 1 and 2, Code
 53 29 2015, are amended to read as follows:
 53 30 1. STATE PERCENT OF GROWTH.
 53 31 a. The state percent of growth for the budget year
 53 32 beginning July 1, 2012, is two percent. The state
 53 33 percent of growth for the budget year beginning July
 53 34 1, 2013, is two percent. The state percent of growth
 53 35 for the budget year beginning July 1, 2014, is four
 53 36 percent.
 53 37 b. (1) The state percent of growth for each
 53 38 subsequent budget year beginning before July 1, 2017,
 53 39 shall be established by statute which shall be enacted
 53 40 within thirty days of the submission in the year
 53 41 preceding the base year of the governor's budget under
 53 42 section 8.21.
 53 43 (2) The state percent of growth for each subsequent
 53 44 budget year beginning on or after July 1, 2017, shall
 53 45 be established by statute which shall be enacted during
 53 46 the regular legislative session beginning in the same
 53 47 calendar year during which the base year begins.
 53 48 c. The establishment of the state percent of growth
 53 49 for a budget year shall be the only subject matter of
 53 50 the bill which enacts the state percent of growth for a
 54 1 budget year.
 54 2 2. CATEGORICAL STATE PERCENT OF GROWTH.
 54 3 a. The categorical state percent of growth for the
 54 4 budget year beginning July 1, 2012, is two percent.
 54 5 The categorical state percent of growth for the budget
 54 6 year beginning July 1, 2013, is two percent. The
 54 7 categorical state percent of growth for the budget year
 54 8 beginning July 1, 2014, is four percent.
 54 9 b. (1) The categorical state percent of growth
 54 10 for each subsequent budget year beginning before July

CODE: Requires the State percent of growth and categorical State percent of growth for FY 2018 and beyond to be established by statute during the regular legislative session beginning in the same calendar year during which the base year begins.

DETAIL: This will require the General Assembly to establish the State percent of growth and categorical State percent of growth for FY 2018 during the 2017 regular Legislative Session. Subsequent fiscal years will have the same requirement to be established during the regular legislative session in the same calendar year in which the base year begins.

54 11 1, 2017, shall be established by statute which shall
 54 12 be enacted within thirty days of the submission in the
 54 13 year preceding the base year of the governor's budget
 54 14 under section 8.21.

54 15 (2) The categorical state percent of growth for
 54 16 each subsequent budget year beginning on or after July
 54 17 1, 2017, shall be established by statute which shall
 54 18 be enacted during the regular legislative session
 54 19 beginning in the same calendar year during which the
 54 20 base year begins.

54 21 c. The establishment of the categorical state
 54 22 percent of growth for a budget year shall be the only
 54 23 subject matter of the bill which enacts the categorical
 54 24 state percent of growth for a budget year.

54 25 d. The categorical state percent of growth may
 54 26 include state percents of growth for the teacher salary
 54 27 supplement, the professional development supplement,
 54 28 the early intervention supplement, and the teacher
 54 29 leadership supplement.

54 30 #XVI.

54 31 HEALTH CARRIER DISCLOSURES

54 32 #144.NEW SECTION 514K.2 HEALTH CARRIER
 54 33 DISCLOSURES — PUBLIC INTERNET SITES.

54 34 1. A carrier that provides small group health
 54 35 coverage pursuant to chapter 513B or individual health
 54 36 coverage pursuant to chapter 513C and that offers
 54 37 for sale a policy, contract, or plan that covers the
 54 38 essential health benefits required pursuant to section
 54 39 1302 of the federal Patient Protection and Affordable
 54 40 Care Act, Pub.L. No.111-148, and its implementing
 54 41 regulations, shall provide to each of its enrollees
 54 42 at the time of enrollment, and shall make available
 54 43 to prospective enrollees and enrollees, insurance
 54 44 producers licensed under chapter 522B, and the general
 54 45 public, on the carrier's internet site, all of the
 54 46 following information in a clear and understandable
 54 47 form for use in comparing policies, contracts, and
 54 48 plans, and coverage and premiums:

54 49 a. Any exclusions from coverage and any
 54 50 restrictions on the use or quantity of covered items
 55 1 and services in each category of benefits, including
 55 2 prescription drugs and drugs administered by a
 55 3 physician or clinic.

55 4 b. Any items or services, including prescription
 55 5 drugs, that have a coinsurance requirement where the

CODE: Requires a health insurance carrier that provides small group or individual health coverage pursuant to the federal Patient Protection and Affordable Care Act to provide prospective enrollees and current enrollees, licensed insurance producers, and the general public with the following information in a clear and understandable form:

- Coverage exclusions and restrictions, including those pertaining to prescription drugs.
- Coinsurance requirements for any service or prescription drug.
- A list of available prescription drugs available and covered by a carrier, physician, or clinic and requirements or prerequisites prior to authorization of use.
- A list of specialists and physicians serving in the carrier's network.
- The appeal process for the denial of coverage.
- Specific guidelines for medications subject to deductible exclusions and out-of-pocket costs.

55 6 cost-sharing required depends on the cost of the item
55 7 or service.

55 8 c. The specific prescription drugs available on
55 9 the carrier's formulary, the specific prescription
55 10 drugs covered when furnished by a physician or clinic,
55 11 and any clinical prerequisites or prior authorization
55 12 requirements for coverage of the drugs.

55 13 d. The specific types of specialists available
55 14 in the carrier's network and the specific physicians
55 15 included in the carrier's network.

55 16 e. The process for an enrollee to appeal a
55 17 carrier's denial of coverage of an item or service
55 18 prescribed or ordered by the enrollee's treating
55 19 physician.

55 20 f. How medications will specifically be included
55 21 in or excluded from the deductible, including a
55 22 description of all out-of-pocket costs that may not
55 23 apply to the deductible for a prescription drug.

55 24 2. The commissioner may adopt rules pursuant to
55 25 chapter 17A to administer this section.

CODE: Permits the Insurance Commissioner to adopt additional rules to administer the previous section.

55 26 3. The commissioner may impose any of the sanctions
55 27 provided under chapter 507B for a violation of this
55 28 section.

CODE: Allows the Insurance Commissioner to administer sanctions as a result of violations of the provisions of the section.

55 29 #145.NEW SECTION 514K.3 HEALTH CARE PLAN
55 30 INTERNAL APPEALS PROCESS — DISCLOSURE REQUIREMENTS.

CODE: Requires a health insurance carrier that provides small group or individual health coverage pursuant to the federal Patient Protection and Affordable Care Act to implement and maintain procedures for carrying out an internal claims and appeals process. These procedures include:

55 31 1. A carrier that provides small group health
55 32 coverage pursuant to chapter 513B or individual
55 33 health coverage pursuant to chapter 513C through the
55 34 issuance of nongrandfathered health plans as defined
55 35 in section 1251 of the federal Patient Protection
55 36 and Affordable Care Act, Pub.L. No.111-148, and
55 37 in 45 C.F.R. §147.140, shall implement and maintain
55 38 procedures for carrying out an effective internal
55 39 claims and appeals process that meets the requirements
55 40 established pursuant to section 2719 of the federal
55 41 Public Health Service Act, 42 U.S.C. §300gg-19, and 45
55 42 C.F.R. §147.136. The procedures shall include but are
55 43 not limited to all of the following:

55 44 a. Expedited notification to enrollees of benefit
55 45 determinations involving urgent care.
55 46 b. Full and fair internal review of claims and
55 47 appeals.
55 48 c. Avoidance of conflicts of interest.
55 49 d. Sufficient notice to enrollees, including a

- Expedited notification of enrollee benefits under circumstances of urgent care.
- Full and fair review of internal claims and appeals.
- Avoidance of conflict of interest.
- Sufficient information on how an enrollee can begin the appeals process, including help of the internet.

55 50 description of available internal claims and appeals
 56 1 procedures, as well as information about how to
 56 2 initiate an appeal of a denial of coverage.

56 3 2. a. A carrier that provides health coverage
 56 4 as described in subsection 1 shall maintain written
 56 5 records of all requests for internal claims and appeals
 56 6 that are received and for which internal review was
 56 7 performed during each calendar year. Such records
 56 8 shall be maintained for at least three years.

CODE: Requires the aforementioned carrier to maintain written records of claims and appeals requests received as well as those for an internal review was completed during the respective calendar year. Requires records to be kept for at least three years.

56 9 b. A carrier that provides health coverage
 56 10 as described in subsection 1 shall submit to the
 56 11 commissioner, upon request, a report that includes all
 56 12 of the following:

CODE: Requires the aforementioned health insurance carrier to submit a report to the Insurance Commissioner, upon request, that includes the following information:

56 13 (1) The total number of requests for internal
 56 14 review of claims and appeals that are received by the
 56 15 carrier each year.

56 16 (2) The average length of time for resolution of
 56 17 each request for internal review of a claim or appeal.

56 18 (3) A summary of the types of coverage or cases
 56 19 for which internal review of a claim or appeal was
 56 20 requested.

56 21 (4) Any other information required by the
 56 22 commissioner in a format specified by rule.

- Total number of requests for internal review of claims and appeals per calendar year.
- Average length of time to resolution.
- Summary of the types of coverages and cases for which internal review was requested.
- Any other information deemed necessary.

56 23 3. A carrier that provides health coverage as
 56 24 described in subsection 1 shall make available to
 56 25 consumers written notice of the carrier's internal
 56 26 claims and appeals and internal review procedures
 56 27 and shall maintain a toll-free consumer-assistance
 56 28 telephone helpline that offers consumers assistance
 56 29 with the carrier's internal claims and appeals and
 56 30 internal review procedures, including how to initiate,
 56 31 complete, or submit a claim or appeal.

CODE: Requires the aforementioned health insurance carrier to provide the general public with a written notice regarding the following information:

- The internal review of claims and appeals procedure.
- A toll-free telephone number for consumer assistance helpline regarding internal review procedures, including how to initiate, submit, and complete the process.

56 32 4. The commissioner may adopt rules pursuant to
 56 33 chapter 17A to administer this section.

CODE: Permits the Insurance Commissioner to adopt additional rules to administer the above section.

56 34 ~~#146~~. APPLICABILITY. This division of this Act
 56 35 is applicable to health insurance policies, contracts,
 56 36 or plans that are delivered, issued for delivery,
 56 37 continued, or renewed on or after January 1, 2016.

This Division applies to all health insurance policies, contracts, or plans active, continued, or renewed on or after January 1, 2016.

56 38 ~~#XVII~~.

56 39 PUBLIC IMPROVEMENT LOCATION AND UNUSED PORTION OF
 56 40 CONDEMNED PROPERTY

56 41 #147. Section 6B.2C, Code 2015, is amended to
 56 42 read as follows:
 56 43 6B.2C APPROVAL OF THE PUBLIC IMPROVEMENT.
 56 44 The authority to condemn is not conferred, and the
 56 45 condemnation proceedings shall not commence, unless
 56 46 the governing body for the acquiring agency approves
 56 47 a preliminary or final route or site location of
 56 48 the proposed public improvement. approves the use of
 56 49 condemnation, and finds that there is a reasonable
 56 50 expectation the applicant will be able to achieve its
 57 1 public purpose, comply with all applicable standards,
 57 2 and obtain the necessary permits.

CODE: Specifies that a State agency cannot begin a project using condemned land unless a preliminary or final route or site location of the proposed public improvement approved by the governing body.

57 3 #148. Section 6B.56, subsection 1, Code 2015,
 57 4 is amended to read as follows:
 57 5 1. If all or a portion of real property condemned
 57 6 pursuant to this chapter is not used for the purpose
 57 7 stated in the application filed pursuant to section
 57 8 6B.3 and the acquiring agency seeks to dispose of
 57 9 the unused real property, the acquiring agency shall
 57 10 first offer the unused real property for sale to the
 57 11 prior owner of the condemned property as provided in
 57 12 this section. If real property condemned pursuant to
 57 13 this chapter is used for the purpose stated in the
 57 14 application filed pursuant to section 6B.3 and the
 57 15 acquiring agency seeks to dispose of the real property
 57 16 by sale to a private person or entity within five years
 57 17 after acquisition of the property, the acquiring agency
 57 18 shall first offer the property for sale to the prior
 57 19 owner of the condemned property as provided in this
 57 20 section. For purposes of this section, the prior owner
 57 21 of the real property includes the successor in interest
 57 22 of the real property.

CODE: Specifies that any unused land in a project using land condemnation will first be offered for sale to the original owner.

57 23 #149. Section 6B.56, subsection 2, paragraph a,
 57 24 Code 2015, is amended to read as follows:
 57 25 a. Before the real property described in subsection
 57 26 1 may be offered for sale to the general public,
 57 27 the acquiring agency shall notify the prior owner
 57 28 of the such real property ~~condemned~~ in writing of
 57 29 the acquiring agency's intent to dispose of the real
 57 30 property, of the current appraised value of the real
 57 31 property to be offered for sale, and of the prior
 57 32 owner's right to purchase the real property to be
 57 33 offered for sale within sixty days from the date
 57 34 the notice is served at a price equal to the current
 57 35 appraised value of the real property to be offered for
 57 36 sale or the fair market value of the property to be

CODE: Details the process the State agency will use to notify the original landowner of unused property that will become available for sale.

57 37 offered for sale at the time it was acquired by the
 57 38 acquiring agency from the prior owner plus cleanup
 57 39 costs incurred by the acquiring agency for the property
 57 40 to be offered for sale, whichever is less. However,
 57 41 the current appraised value of the real property to be
 57 42 offered for sale shall be the purchase price to be paid
 57 43 by the previous owner if any other amount would result
 57 44 in a loss of federal funding for projects funded in
 57 45 whole or in part with federal funds. The notice sent
 57 46 by the acquiring agency as provided in this subsection
 57 47 shall be filed with the office of the recorder in the
 57 48 county in which the real property is located.

57 49 #150. Section 6B.56A, subsection 1, Code 2015,
 57 50 is amended to read as follows:
 58 1 1. When five years have elapsed since property was
 58 2 condemned and all or a portion of the property has not
 58 3 been used for the purpose stated in the application
 58 4 filed pursuant to section 6B.3, and the acquiring
 58 5 agency has not taken action to dispose of the unused
 58 6 property pursuant to section 6B.56, the acquiring
 58 7 agency shall, within sixty days, adopt a resolution
 58 8 reaffirming the purpose for which the property will be
 58 9 used or offering the property for sale to the prior
 58 10 owner at a price as provided in section 6B.56. If the
 58 11 resolution adopted approves an offer of sale to the
 58 12 prior owner, the offer shall be made in writing and
 58 13 mailed by certified mail to the prior owner. The prior
 58 14 owner has one hundred eighty days after the offer is
 58 15 mailed to purchase the property from the acquiring
 58 16 agency.

CODE: Details the process for a State agency that has not used all or a portion of condemned land in a five-year period.

58 17 #151. APPLICABILITY. The section of this
 58 18 division of this Act amending section 6B.2C applies to
 58 19 public improvement projects for which an application
 58 20 under section 6B.3 is filed on or after July 1, 2015.

The Section regarding governing body approval for land condemnation projects applies to projects filed after July 1, 2015.

58 21 #152. APPLICABILITY. The sections of this
 58 22 division of this Act amending sections 6B.56 and 6B.56A
 58 23 apply to public improvement projects for which an
 58 24 application under section 6B.3 is filed before, on, or
 58 25 after July 1, 2015.

The Sections regarding changes to land condemnation projects apply to projects filed before, on, or after July 1, 2015.

58 26 #XVIII.
 58 27 CONDEMNATION FOR CREATION OF A LAKE — NUMBER OF ACRES

58 28 #153. Section 6A.22, subsection 2, paragraph c,
 58 29 subparagraph (1), subparagraph division (b), Code 2015,

CODE: Specifies the guidelines for determining the number of acres needed for the creation of a lake that will be used as a surface

58 30 is amended to read as follows:

58 31 (b) (i) For purposes of this subparagraph (1),
 58 32 “number of acres justified as necessary for a surface
 58 33 drinking water source” means according to guidelines of
 58 34 the United States natural resource conservation service
 58 35 and according to analyses of surface drinking water
 58 36 capacity needs conducted by one or more registered
 58 37 professional engineers.

58 38 (ii) For condemnation proceedings for which the
 58 39 application pursuant to section 6B.3 was filed after
 58 40 January 1, 2013, for condemnation of property located
 58 41 in a county with a population of greater than nine
 58 42 thousand two hundred fifty but less than nine thousand
 58 43 three hundred, according to the 2010 federal decennial
 58 44 census, which property was in whole or in part subject
 58 45 to an action under section 6A.24 for which the petition
 58 46 under section 6A.24 was filed after January 1, 2013,
 58 47 but before January 1, 2014, “number of acres justified
 58 48 as necessary for a surface drinking water source”, as
 58 49 determined under subparagraph subdivision (i) shall
 58 50 not exceed the number of acres that would be necessary
 59 1 to provide the amount of drinking water to meet the
 59 2 needs of a population equal to the population of the
 59 3 county where the lake is to be developed or created,
 59 4 according to the most recent federal decennial census.
 59 5 However, if the population of the county where the
 59 6 lake is to be developed or created increased from the
 59 7 federal decennial census immediately preceding the
 59 8 most recent federal decennial census, the “number of
 59 9 acres justified as necessary for a surface drinking
 59 10 water source” shall not exceed the number of acres that
 59 11 would be necessary to provide the amount of drinking
 59 12 water to meet the needs of a population equal to the
 59 13 product of one plus the percentage increase in the
 59 14 population of the county between the two most recent
 59 15 federal decennial censuses multiplied by the county’s
 59 16 population according to the most recent federal
 59 17 decennial census.

59 18 ~~#154.~~ EFFECTIVE UPON ENACTMENT. This division
 59 19 of this Act, being deemed of immediate importance,
 59 20 takes effect upon enactment.

59 21 ~~#XIX.~~

59 22 CONDEMNATION FOR CREATION OF A LAKE — EXISTING SOURCES

59 23 ~~#155.~~ Section 6A.22, subsection 2, paragraph c,
 59 24 subparagraph (1), Code 2015, is amended by adding the

drinking water source during condemnation proceedings.

This Division is effective on enactment.

CODE: Requires alternative sources of water to be reviewed prior to the condemnation of property for the purpose of creating a lake that

59 25 following new subparagraph division:
59 26 NEW SUBPARAGRAPH DIVISION (0b) For condemnation
59 27 of property located in a county with a population
59 28 of greater than nine thousand two hundred fifty but
59 29 less than nine thousand three hundred, according to
59 30 the 2010 federal decennial census, prior to making
59 31 a determination that development or creation of a
59 32 lake as a surface drinking water source is reasonable
59 33 and necessary, the acquiring agency shall conduct a
59 34 review of feasible alternatives to development or
59 35 creation of a lake as a surface drinking water source.
59 36 An acquiring agency shall not have the authority
59 37 to condemn private property for the development or
59 38 creation of a lake as a surface drinking water source
59 39 if one or more feasible alternatives to provision of
59 40 a drinking water source exist. An alternative that
59 41 results in the physical expansion of an existing
59 42 drinking water source is presumed to be a feasible
59 43 alternative to development or creation of a lake as
59 44 a surface drinking water source. An alternative that
59 45 supplies drinking water by pipeline or other method of
59 46 transportation or transmission from an existing source
59 47 located within or outside this state at a reasonable
59 48 cost is a feasible alternative to development or
59 49 creation of a lake as a surface drinking water source.
59 50 If private property is to be condemned for development
60 1 or creation of a lake, only that number of acres
60 2 justified as necessary for a surface drinking water
60 3 source, and not otherwise acquired, may be condemned.
60 4 Development or creation of a lake as a surface drinking
60 5 water source includes all of the following:
60 6 (i) Construction of the dam, including sites for
60 7 suitable borrow material and the auxiliary spillway.
60 8 (ii) The water supply pool.
60 9 (iii) The sediment pool.
60 10 (iv) The flood control pool.
60 11 (v) The floodwater retarding pool.
60 12 (vi) The surrounding area upstream of the dam
60 13 no higher in elevation than the top of the dam's
60 14 elevation.
60 15 (vii) The appropriate setback distance required
60 16 by state or federal laws and regulations to protect
60 17 drinking water supply.

will be used as a surface drinking water source in a county with a population of 9,250 to 9,300. Also, details the construction requirements of a new lake that will be used as a surface water drinking source.

60 18 #156. Section 6A.24, subsection 3, Code 2015,
60 19 is amended to read as follows:
60 20 3. For any action brought under this section,
60 21 the burden of proof shall be on the acquiring agency

CODE: Requires the State agency using condemnation to create a lake that will be used as a surface drinking water source to provide proof and evidence that no feasible alternatives exist.

60 22 to prove by a preponderance of the evidence that
 60 23 the finding of public use, public purpose, or public
 60 24 improvement meets the definition of those terms.
 60 25 However, for any action brought under this section
 60 26 that involves property described in section 6A.22,
 60 27 subsection 2, paragraph "c", subparagraph (1),
 60 28 subparagraph division (0b), the burden of proof shall
 60 29 be on the acquiring agency to prove by clear and
 60 30 convincing evidence that no feasible alternatives
 60 31 to provision of a drinking water source exist. If a
 60 32 property owner or a contract purchaser of record or a
 60 33 tenant occupying the property under a recorded lease
 60 34 prevails in an action brought under this section, the
 60 35 acquiring agency shall be required to pay the costs,
 60 36 including reasonable attorney fees, of the adverse
 60 37 party.

60 38 #157. EFFECTIVE UPON ENACTMENT. This division
 60 39 of this Act, being deemed of immediate importance,
 60 40 takes effect upon enactment.

This Division is effective on enactment.

60 41 #158. APPLICABILITY. This division of this Act
 60 42 applies to projects or condemnation proceedings pending
 60 43 or commenced on or after the effective date of this
 60 44 division of this Act.

This Division applies to projects pending or commenced on or after the effective date.

60 45 #XX.
 60 46 DISPOSITION OF CONDEMNED PROPERTY

60 47 #159. Section 6B.56A, subsection 4, Code 2015,
 60 48 is amended to read as follows:

60 49 4. This section does not apply to property acquired
 60 50 for street and highway projects undertaken by the
 61 1 state, a county, or a city or to property that is
 61 2 subject to the disposition of property requirements
 61 3 under section 6B.56B.

61 4 #160. NEW SECTION 6B.56B DISPOSITION OF
 61 5 CONDEMNED PROPERTY — LAKE CREATION.

61 6 1. When two years have elapsed since property was
 61 7 condemned for the creation of a lake according to the
 61 8 requirements of section 6A.22, subsection 2, paragraph
 61 9 "c", subparagraph (1), subparagraph division (0b), and
 61 10 the property has not been used for the purpose stated
 61 11 in the application filed pursuant to section 6B.3, and
 61 12 the acquiring agency has not taken action to dispose of
 61 13 the property pursuant to section 6B.56, the acquiring
 61 14 agency shall, within sixty days, adopt a resolution
 61 15 offering the property for sale to the prior owner at a

CODE: Requires land acquired using condemnation for the creation of a lake that is not used within a two-year period to be made available for sale to the original owner and details the notification process the State agency will use.

61 16 price as provided in section 6B.56. If the resolution
 61 17 adopted approves an offer of sale to the prior owner,
 61 18 the offer shall be made in writing and mailed by
 61 19 certified mail to the prior owner. The prior owner has
 61 20 one hundred eighty days after the offer is mailed to
 61 21 purchase the property from the acquiring agency.
 61 22 2. If the acquiring agency has not adopted a
 61 23 resolution described in subsection 1 within the
 61 24 sixty-day time period, the prior owner may, in writing,
 61 25 petition the acquiring agency to offer the property
 61 26 for sale to the prior owner at a price as provided in
 61 27 section 6B.56. Within sixty days after receipt of
 61 28 such a petition, the acquiring agency shall adopt a
 61 29 resolution described in subsection 1. If the acquiring
 61 30 agency does not adopt such a resolution within sixty
 61 31 days after receipt of the petition, the acquiring
 61 32 agency is deemed to have offered the property for sale
 61 33 to the prior owner.
 61 34 3. The acquiring agency shall give written notice
 61 35 to the owner of the right to purchase the property
 61 36 under this section at the time damages are paid to the
 61 37 owner.

61 38 ~~#161~~. EFFECTIVE UPON ENACTMENT. This division
 61 39 of this Act, being deemed of immediate importance,
 61 40 takes effect upon enactment.

This Division is effective on enactment.

61 41 ~~#162~~. APPLICABILITY. This division of this Act
 61 42 applies to projects or condemnation proceedings pending
 61 43 or commenced on or after the effective date of this
 61 44 division of this Act.

This Division applies to projects or condemnation proceedings pending or commenced on or after the effective date.

61 45 ~~#XXI~~.
 61 46 RENEWABLE CHEMICAL PRODUCTION TAX CREDIT

61 47 ~~#163~~. Section 15.119, subsection 2, Code 2015,
 61 48 is amended by adding the following new paragraph:
 61 49 NEW PARAGRAPH h. The renewable chemical
 61 50 production tax credit program administered pursuant
 62 1 to sections 15.315 through 15.320. In allocating tax
 62 2 credits pursuant to this subsection, the authority
 62 3 shall not allocate more than fifteen million dollars
 62 4 for purposes of this paragraph.
 62 5 ~~#164~~.NEW SECTION 15.315 SHORT TITLE.
 62 6 This part shall be known and may be cited as the
 62 7 "Renewable Chemical Production Tax Credit Program".
 62 8 ~~#165~~.NEW SECTION 15.316 DEFINITIONS.
 62 9 As used in this part, unless the context otherwise

CODE: Creates a new Renewable Chemical Production Tax Credit. The credit is equal to 5.0 cents per pound and is available for eligible renewable chemicals produced from January 1, 2016, through December 31, 2026. The Economic Development Authority will allocate no more than \$15,000,000. The tax credit is refundable.

FISCAL IMPACT: The fiscal impact of this Division is the result of changing from a tax credit program (High Quality Jobs) that is not refundable to a tax credit program that is refundable. Refundable tax credits are redeemed more quickly, and at a much higher rate, than nonrefundable tax credits. While the changes to the tax credits contained in this Division fall under the overall \$170,000,000 million annual aggregate tax credit cap for EDA programs, the changes will

62 10 requires:

62 11 1. "Biobased content percentage" means, with respect

62 12 to any renewable chemical, the amount, expressed as a

62 13 percentage, of renewable organic material present as

62 14 determined by testing representative samples using the

62 15 American society for testing and materials standard

62 16 D6866.

62 17 2. "Biomass feedstock" means sugar, polysaccharide,

62 18 glycerin, lignin, fat, grease, or oil derived from

62 19 a plant or animal, or a protein capable of being

62 20 converted to a building block chemical by means of a

62 21 biological or chemical conversion process.

62 22 3. "Building block chemical" means a molecule

62 23 converted from biomass feedstock as a first product

62 24 or a secondarily derived product that can be further

62 25 refined into a higher-value chemical, material, or

62 26 consumer product. "Building block chemical" includes

62 27 but is not limited to glycerol, methanoic or formic

62 28 acid, arabonic acid, erythronic acid, glyceric acid,

62 29 glycolic acid, lactic acid, 3-hydroxypropionate,

62 30 propionic acid, malonic acid, serine, succinic

62 31 acid, fumaric acid, malic acid, aspartic acid,

62 32 3-hydroxybutyrolactone, acetoin, threonine, itaconic

62 33 acid, furfural, levulinic acid, glutamic acid, xylonic

62 34 acid, xylaric acid, xylitol, arabitol, citric acid,

62 35 aconitic acid, 5-hydroxymethylfurfural, lysine,

62 36 gluconic acid, glucaric acid, sorbitol, gallic acid,

62 37 ferulic acid, nonfuel butanol, nonfuel ethanol, a

62 38 polymer or gum that can be produced directly from a

62 39 protein-based biomass feedstock, or such additional

62 40 molecules as may be included by the authority by rule.

62 41 4. "Eligible business" means a business meeting the

62 42 requirements of section 15.317.

62 43 5. "Food additive" means a building block chemical

62 44 that is not primarily consumed as food but which, when

62 45 combined with other components, improves the taste,

62 46 appearance, odor, texture, or nutritional content

62 47 of food. The authority, in its discretion, shall

62 48 determine whether or not a building block chemical is

62 49 primarily consumed as food.

62 50 6. "Program" means the renewable chemical

63 1 production tax credit program administered pursuant to

63 2 this part.

63 3 7. "Renewable chemical" means a building block

63 4 chemical with a biobased content percentage of at least

63 5 fifty percent. "Renewable chemical" does not include a

63 6 chemical sold or used for the production of food, feed,

63 7 or fuel. "Renewable chemical" includes cellulosic

result in redemption of a much higher percentage of the awarded tax credits. This change in the redemption pattern reduces net General Fund revenue and impacts the State General Fund balance sheet. General Fund revenue will be reduced by \$14,500,000 per year in FY 2018 and FY 2019.

63 8 ethanol, starch ethanol, or other ethanol derived
63 9 from biomass feedstock, fatty acid methyl esters, or
63 10 butanol, but only to the extent that such molecules
63 11 are produced and sold for uses other than food,
63 12 feed, or fuel. "Renewable chemical" also includes a
63 13 building block chemical that can be a food additive as
63 14 long as the building block chemical is not primarily
63 15 consumed as food and is also sold for uses other than
63 16 food. "Renewable chemical" also includes supplements,
63 17 vitamins, nutraceuticals, and pharmaceuticals, but
63 18 only to the extent that such molecules do not provide
63 19 caloric value so as to be considered sustenance as food
63 20 or feed.

63 21 8. "Sugar" means the organic compound glucose,
63 22 fructose, xylose, arabinose, lactose, sucrose, starch,
63 23 cellulose, or hemicellulose.

63 24 ~~#166~~.NEW SECTION 15.317 ELIGIBILITY
63 25 REQUIREMENTS.

63 26 To be eligible to receive the renewable chemical
63 27 production tax credit pursuant to the program, a
63 28 business shall meet all of the following requirements:

63 29 1. The business is physically located in this
63 30 state.

63 31 2. The business is operated for profit and under
63 32 single management.

63 33 3. The business is not an entity providing
63 34 professional services, health care services, or medical
63 35 treatments or an entity engaged primarily in retail
63 36 operations.

63 37 4. The business organized, expanded, or located
63 38 in the state on or after the effective date of this
63 39 division of this Act.

63 40 5. The business shall not be relocating or
63 41 reducing operations as described in section 15.329,
63 42 subsection 1, paragraph "b", and as determined under
63 43 the discretion of the authority.

63 44 6. The business is in compliance with all
63 45 agreements entered into under this program or other
63 46 programs administered by the authority.

63 47 ~~#167~~.NEW SECTION 15.318 ELIGIBLE BUSINESS
63 48 APPLICATION AND AGREEMENT — MAXIMUM TAX CREDITS.

63 49 1. APPLICATION.

63 50 a. An eligible business that produces a renewable
64 1 chemical in this state from biomass feedstock during
64 2 a calendar year may apply to the authority for the
64 3 renewable chemical production tax credit provided in
64 4 section 15.319.

64 5 b. The application shall be made to the authority

64 6 in the manner prescribed by the authority.

64 7 c. The application shall be made during the
64 8 calendar year following the calendar year in which the
64 9 renewable chemicals are produced.

64 10 d. The authority may accept applications on a
64 11 continuous basis or may establish, by rule, an annual
64 12 application deadline.

64 13 e. The application shall include all of the
64 14 following information:

64 15 (1) The amount of renewable chemicals produced
64 16 in the state from biomass feedstock by the eligible
64 17 business during the calendar year, measured in pounds.

64 18 (2) Any other information reasonably required
64 19 by the authority in order to establish and verify
64 20 eligibility under the program.

64 21 2. AGREEMENT AND FEES.

64 22 a. Before being issued a tax credit under section
64 23 15.319, an eligible business shall enter into an
64 24 agreement with the authority for the successful
64 25 completion of all requirements of the program.

64 26 b. The compliance cost fees authorized in section
64 27 15.330, subsection 12, shall apply to all agreements
64 28 entered into under this program and shall be collected
64 29 by the authority in the same manner and to the same
64 30 extent as described in that subsection.

64 31 c. An eligible business shall fulfill all the
64 32 requirements of the program and the agreement before
64 33 receiving a tax credit or entering into a subsequent
64 34 agreement under this section. The authority may
64 35 decline to enter into a subsequent agreement under this
64 36 section or issue a tax credit if an agreement is not
64 37 successfully fulfilled.

64 38 d. Upon establishing that all requirements of the
64 39 program and the agreement have been fulfilled, the
64 40 authority shall issue a tax credit and related tax
64 41 credit certificate to the eligible business stating
64 42 the amount of renewable chemical production tax credit
64 43 under section 15.319 the eligible business may claim.

64 44 3. MAXIMUM TAX CREDIT AMOUNT.

64 45 a. The maximum amount of tax credit that may be
64 46 issued under section 15.319 to an eligible business for
64 47 the production of renewable chemicals in a calendar
64 48 year shall not exceed the following:

64 49 (1) In the case of an eligible business that has
64 50 been in operation in the state for five years or less
65 1 at the time of the application, one million dollars.

65 2 (2) In the case of an eligible business that has
65 3 been in operation in the state for more than five years

65 4 at the time of the application, five hundred thousand
65 5 dollars.

65 6 b. An eligible business shall not receive a tax
65 7 credit for renewable chemicals produced before the date
65 8 the business first qualified as an eligible business
65 9 pursuant to section 15.317.

65 10 c. An eligible business shall not receive more than
65 11 five tax credits under the program.

65 12 d. The authority shall issue tax credits under
65 13 the program on a first-come, first-served basis until
65 14 the maximum amount of tax credits allocated pursuant
65 15 to section 15.119, subsection 2, paragraph "h", is
65 16 reached. The authority shall maintain a list of
65 17 successful applicants under the program, so that if
65 18 the maximum aggregate amount of tax credits is reached
65 19 in a given fiscal year, eligible businesses that
65 20 successfully applied but for which tax credits were not
65 21 issued shall be placed on a wait list in the order the
65 22 eligible businesses applied and shall be given priority
65 23 for receiving tax credits in succeeding fiscal years.
65 24 Placement on a wait list pursuant to this paragraph
65 25 shall not constitute a promise binding the state. The
65 26 availability of a tax credit and issuance of a tax
65 27 credit certificate pursuant to this subsection in a
65 28 future fiscal year is contingent upon the availability
65 29 of tax credits in that particular fiscal year.

65 30 4. TERMINATION AND REPAYMENT. The failure by an
65 31 eligible business in fulfilling any requirement of
65 32 the program or any of the terms and obligations of an
65 33 agreement entered into pursuant to this section may
65 34 result in the reduction, termination, or rescission of
65 35 the tax credits under section 15.319 and may subject
65 36 the eligible business to the repayment or recapture
65 37 of tax credits claimed. The repayment or recapture
65 38 of tax credits pursuant to this subsection shall be
65 39 accomplished in the same manner as provided in section
65 40 15.330, subsection 2.

65 41 5. CONFIDENTIALITY.

65 42 a. Except as provided in paragraph "b", any
65 43 information or record in the possession of the
65 44 authority with respect to the program shall be presumed
65 45 by the authority to be a trade secret protected
65 46 under chapter 550 or common law and shall be kept
65 47 confidential by the authority unless otherwise ordered
65 48 by a court.

65 49 b. The identity of a tax credit recipient and the
65 50 amount of the tax credit shall be considered public
66 1 information under chapter 22.

66 2 #168.NEW SECTION 15.319 RENEWABLE CHEMICAL
66 3 PRODUCTION TAX CREDIT.

66 4 1. An eligible business that has entered into an
66 5 agreement pursuant to section 15.318 may claim a tax
66 6 credit equal to the product of five cents multiplied by
66 7 the number of pounds of renewable chemicals produced
66 8 in this state from biomass feedstock by the eligible
66 9 business during the calendar year. However, an
66 10 eligible business shall not receive a tax credit for
66 11 the production of a secondarily derived building block
66 12 chemical if that chemical is also the subject of a
66 13 credit at the time of production as a first product.
66 14 The renewable chemical production tax credit shall not
66 15 be available for any renewable chemical produced before
66 16 the 2016 calendar year, or after the 2026 calendar
66 17 year.

66 18 2. The tax credit shall be allowed against taxes
66 19 imposed under chapter 422, division II or III.

66 20 3. The tax credit shall be claimed for the tax year
66 21 during which the eligible business was issued the tax
66 22 credit.

66 23 4. An individual may claim a tax credit under this
66 24 section of a partnership, limited liability company, S
66 25 corporation, cooperative organized under chapter 501
66 26 and filing as a partnership for federal tax purposes,
66 27 estate, or trust electing to have income taxed
66 28 directly to the individual. The amount claimed by the
66 29 individual shall be based upon the pro rata share of
66 30 the individual's earnings from the partnership, limited
66 31 liability company, S corporation, cooperative, estate,
66 32 or trust.

66 33 5. Any tax credit in excess of the tax liability
66 34 is refundable. In lieu of claiming a refund, the
66 35 taxpayer may elect to have the overpayment shown on the
66 36 taxpayer's final, completed return credited to the tax
66 37 liability for the following tax year.

66 38 6. a. To claim a tax credit under this section,
66 39 a taxpayer shall include one or more tax credit
66 40 certificates with the taxpayer's tax return.

66 41 b. The tax credit certificate shall contain the
66 42 taxpayer's name, address, tax identification number,
66 43 the amount of the credit, the name of the eligible
66 44 business, and any other information required by the
66 45 department of revenue.

66 46 c. The tax credit certificate, unless rescinded
66 47 by the authority, shall be accepted by the department
66 48 of revenue as payment for taxes imposed pursuant to
66 49 chapter 422, divisions II and III, subject to any

66 50 conditions or restrictions placed by the authority upon
 67 1 the face of the tax credit certificate and subject to
 67 2 the limitations of the program.
 67 3 d. Tax credit certificates issued pursuant to this
 67 4 section shall not be transferred to any other person.
 67 5 ~~#169.~~NEW SECTION 15.320 RULES.
 67 6 The authority and the department of revenue shall
 67 7 each adopt rules as necessary for the implementation
 67 8 and administration of this part.
 67 9 ~~#170.~~NEW SECTION 422.10A RENEWABLE CHEMICAL
 67 10 PRODUCTION TAX CREDIT.
 67 11 The taxes imposed under this division, less the
 67 12 credits allowed under section 422.12, shall be reduced
 67 13 by a renewable chemical production tax credit allowed
 67 14 under section 15.319.
 67 15 ~~#171.~~ Section 422.33, Code 2015, is amended by
 67 16 adding the following new subsection:
 67 17 NEW SUBSECTION 22. The taxes imposed under this
 67 18 division shall be reduced by a renewable chemical
 67 19 production tax credit allowed under section 15.319.
 67 20 ~~#172.~~ TAX CREDIT CLAIMS. Renewable chemical
 67 21 production tax credits issued pursuant to the renewable
 67 22 chemical production tax credit program enacted in
 67 23 this division of this Act shall not be issued by
 67 24 the economic development authority prior to July 1,
 67 25 2017, and shall not be claimed by a taxpayer prior to
 67 26 September 1, 2017.

67 27 ~~#173.~~ EFFECTIVE UPON ENACTMENT. This division
 67 28 of this Act, being deemed of immediate importance,
 67 29 takes effect upon enactment.

67 30 ~~#174.~~ APPLICABILITY. This division of this Act
 67 31 applies to renewable chemicals produced in the state
 67 32 from biomass feedstock on or after January 1, 2016.

67 33 ~~#XXII.~~
 67 34 ANGEL INVESTOR TAX CREDITS

67 35 ~~#175.~~ Section 2.48, subsection 3, paragraph
 67 36 d, subparagraph (1), Code 2015, is amended to read as
 67 37 follows:
 67 38 (1) Tax credits for investments in qualifying
 67 39 businesses ~~and community-based seed capital funds~~ under
 67 40 chapter 15E, division V.
 67 41 ~~#176.~~ Section 15.119, subsection 2, paragraph
 67 42 d, Code 2015, is amended to read as follows:
 67 43 d. The tax credits for investments in qualifying

This Division is effective on enactment.

This Division applies to renewable chemicals produced in the State from biomass feedstock on or after January 1, 2016.

CODE: Amends the Angel Investor Tax Credits. This includes the Venture Capital Tax Credit and the Qualifying Business or Community-Based Seed Capital Fund Tax Credit.

DETAIL: The fiscal impact of the changes is the result of making the tax credits refundable for individual taxpayers. The total amount of tax credits that may be awarded in a year does not change. Tax credit redemptions are assumed to increase from the current level of 81.5% of awarded credits to 95.0%.

67 44 ~~businesses and community-based seed capital funds~~
67 45 issued pursuant to section 15E.43. In allocating tax
67 46 credits pursuant to this subsection, the authority
67 47 shall allocate two million dollars for purposes of this
67 48 paragraph, unless the authority determines that the tax
67 49 credits awarded will be less than that amount.
67 50 #177. Section 15E.41, Code 2015, is amended by
68 1 striking the section and inserting in lieu thereof the
68 2 following:
68 3 15E.41 PURPOSE.
68 4 The purpose of this division is to stimulate job
68 5 growth, create wealth, and accelerate the creation
68 6 of new ventures by using investment tax credits to
68 7 incentivize the transfer of capital from investors to
68 8 entrepreneurs, particularly during early-stage growth.
68 9 #178. Section 15E.42, Code 2015, is amended by
68 10 adding the following new subsection:
68 11 NEW SUBSECTION 2A. "Entrepreneurial assistance
68 12 program" includes the entrepreneur investment awards
68 13 program administered under section 15E.362, the receipt
68 14 of services from a service provider engaged pursuant
68 15 to section 15.411, subsection 1, or the program
68 16 administered under section 15.411, subsection 2.
68 17 #179. Section 15E.42, subsection 3, Code 2015,
68 18 is amended to read as follows:
68 19 3. "Investor" means a person making a cash
68 20 investment in a qualifying business ~~or in a~~
68 21 ~~community-based seed capital fund.~~ "Investor" does not
68 22 include a person that holds at least a seventy percent
68 23 ownership interest as an owner, member, or shareholder
68 24 in a qualifying business.
68 25 #180. Section 15E.42, subsection 4, Code 2015,
68 26 is amended by striking the subsection.
68 27 #181. Section 15E.43, subsections 1 and 2, Code
68 28 2015, are amended to read as follows:
68 29 1. a. For tax years beginning on or after January
68 30 1, ~~2002~~ 2015, a tax credit shall be allowed against the
68 31 taxes imposed in chapter 422, divisions II, III, and V,
68 32 and in chapter 432, and against the moneys and credits
68 33 tax imposed in section 533.329, for a portion of a
68 34 taxpayer's equity investment, as provided in subsection
68 35 2, in a qualifying business ~~or a community-based seed~~
68 36 ~~capital fund.~~
68 37 b. An individual may claim a tax credit under this
68 38 ~~paragraph~~ section of a partnership, limited liability
68 39 company, S corporation, estate, or trust electing
68 40 to have income taxed directly to the individual.
68 41 The amount claimed by the individual shall be based

FISCAL IMPACT: The fiscal impact of this Division is the result of changing a nonrefundable tax credit program to a refundable program. Refundable tax credits are redeemed more quickly, and at a much higher rate, than nonrefundable tax credits. This change in the redemption pattern reduces net General Fund revenue and impacts the State General Fund balance sheet. It is estimated that this change will reduce General Fund revenue by \$200,000 per year in FY 2018-FY 2020, and by \$300,000 in FY 2021.

68 42 upon the pro rata share of the individual's earnings
68 43 from the partnership, limited liability company, S
68 44 corporation, estate, or trust.

68 45 ~~—b.~~ c. A tax credit shall be allowed only for an
68 46 investment made in the form of cash to purchase equity
68 47 in a qualifying business ~~or in a community-based seed~~
68 48 ~~capital fund. A taxpayer that has received a tax~~
68 49 ~~credit for an investment in a community-based seed~~
68 50 ~~capital fund shall not claim the tax credit prior to~~
69 1 ~~the third tax year following the tax year in which the~~
69 2 ~~investment is made. Any tax credit in excess of the~~
69 3 ~~taxpayer's liability for the tax year may be credited~~
69 4 ~~to the tax liability for the following five years or~~
69 5 ~~until depleted, whichever is earlier. A tax credit~~
69 6 ~~shall not be carried back to a tax year prior to the~~
69 7 ~~tax year in which the taxpayer redeems the tax credit.~~

69 8 ~~—c.~~ In the case of a tax credit allowed against the
69 9 taxes imposed in chapter 422, division II, where the
69 10 taxpayer died prior to redeeming the entire tax credit,
69 11 the remaining credit can be redeemed on the decedent's
69 12 final income tax return.

69 13 d. For a tax credit claimed against the taxes
69 14 imposed in chapter 422, division II, any tax credit in
69 15 excess of the tax liability is refundable. In lieu of
69 16 claiming a refund, the taxpayer may elect to have the
69 17 overpayment shown on the taxpayer's final, completed
69 18 return credited to the tax liability for the following
69 19 tax year. For a tax credit claimed against the taxes
69 20 imposed in chapter 422, divisions III and V, and in
69 21 chapter 432, and against the moneys and credits tax
69 22 imposed in section 533.329, any tax credit in excess
69 23 of the taxpayer's liability for the tax year may be
69 24 credited to the tax liability for the following three
69 25 years or until depleted, whichever is earlier. A tax
69 26 credit shall not be carried back to a tax year prior
69 27 to the tax year in which the taxpayer redeems the tax
69 28 credit.

69 29 2. a. The amount of the tax credit shall equal
69 30 ~~twenty~~ twenty-five percent of the taxpayer's equity
69 31 investment.

69 32 b. ~~The maximum amount of a tax credit for an~~
69 33 ~~investment by an investor in any one qualifying~~
69 34 ~~business shall be fifty thousand dollars. Each year,~~
69 35 ~~an investor and all affiliates of the investor shall~~
69 36 ~~not claim tax credits under this section for more~~
69 37 ~~than five different investments in five different~~
69 38 ~~qualifying businesses that may be issued per calendar~~
69 39 ~~year to a natural person and the person's spouse or~~

69 40 dependent shall not exceed one hundred thousand dollars
69 41 combined. For purposes of this paragraph, a tax credit
69 42 issued to a partnership, limited liability company, S
69 43 corporation, estate, or trust electing to have income
69 44 taxed directly to the individual shall be deemed to be
69 45 issued to the individual owners based upon the pro rata
69 46 share of the individual's earnings from the entity.

69 47 For purposes of this paragraph, "dependent" has the
69 48 same meaning as provided by the Internal Revenue Code.
69 49 c. The maximum amount of tax credits that may be
69 50 issued per calendar year for equity investments in any
70 1 one qualifying business shall not exceed five hundred
70 2 thousand dollars.

70 3 #182. Section 15E.43, subsections 5 and 7, Code
70 4 2015, are amended to read as follows:

70 5 5. A tax credit shall not be ~~transferable~~
70 6 transferred to any other ~~taxpayer person~~.

70 7 7. The authority shall develop a system for
70 8 registration and ~~authorization~~ issuance of tax credits
70 9 authorized pursuant to this division and shall control
70 10 distribution of all tax ~~credits distributed~~ credit
70 11 certificates to investors pursuant to this division.

70 12 The authority shall develop rules for the qualification
70 13 and administration of qualifying businesses ~~and~~
70 14 ~~community-based seed capital funds~~. The department of
70 15 revenue shall adopt ~~these criteria as administrative~~
70 16 ~~rules and any other~~ rules pursuant to chapter 17A as
70 17 necessary for the administration of this division.

70 18 #183. Section 15E.43, subsections 6 and 8, Code
70 19 2015, are amended by striking the subsections.

70 20 #184. Section 15E.44, subsection 2, paragraph
70 21 c, Code 2015, is amended by striking the paragraph and
70 22 inserting in lieu thereof the following:

70 23 c. The business is participating in an
70 24 entrepreneurial assistance program. The authority may
70 25 waive this requirement if a business establishes that
70 26 its owners, directors, officers, and employees have an
70 27 appropriate level of experience such that participation
70 28 in an entrepreneurial assistance program would not
70 29 materially change the prospects of the business. The
70 30 authority may consult with outside service providers in
70 31 consideration of such a waiver.

70 32 #185. Section 15E.44, subsection 2, paragraphs
70 33 e and f, Code 2015, are amended to read as follows:

70 34 e. The business shall not have a net worth that
70 35 exceeds ~~five ten~~ million dollars.

70 36 f. The business shall have secured all of the
70 37 following at the time of application for tax credits:

70 38 (1) At least two investors.
70 39 ~~(2) Total equity financing, near equity~~
70 40 ~~financing, binding investment commitments, or some~~
70 41 ~~combination thereof, equal to at least two hundred~~
70 42 ~~thirty five hundred thousand dollars, from investors.~~
70 43 For purposes of this subparagraph, "investor" includes
70 44 a person who executes a binding investment commitment
70 45 to a business.
70 46 ~~#186.~~ Section 15E.46, Code 2015, is amended to
70 47 read as follows:
70 48 15E.46—REPORTS CONFIDENTIALITY — REPORTS .
70 49 1. Except as provided in subsection 2, all
70 50 information or records in the possession of the
71 1 authority with respect to this division shall be
71 2 presumed by the authority to be a trade secret
71 3 protected under chapter 550 or common law and shall be
71 4 kept confidential by the authority unless otherwise
71 5 ordered by a court.
71 6 2. All of the following shall be considered public
71 7 information under chapter 22:
71 8 a. The identity of a qualifying business.
71 9 b. The identity of an investor and the qualifying
71 10 business in which the investor made an equity
71 11 investment.
71 12 c. The number of tax credit certificates issued by
71 13 the authority.
71 14 d. The total dollar amount of tax credits issued by
71 15 the authority.
71 16 3. The authority shall publish an annual report
71 17 of the activities conducted pursuant to this division
71 18 and shall submit the report to the governor and the
71 19 general assembly. The report shall include a listing
71 20 of eligible qualifying businesses and the number of
71 21 tax credit certificates and the amount of tax credits
71 22 issued by the authority.
71 23 ~~#187.~~ Section 15E.52, subsection 4, Code 2015,
71 24 is amended to read as follows:
71 25 4. A taxpayer shall not claim a tax credit under
71 26 this section if the taxpayer is a venture capital
71 27 investment fund allocation manager for the Iowa fund
71 28 of funds created in section 15E.65 or an investor that
71 29 receives a tax credit for the same investment in a
71 30 qualifying business as described in section 15E.44 or
71 31 in a community-based seed capital fund as described in
71 32 section 15E.45, Code 2015.
71 33 ~~#188.~~ Section 422.11F, subsection 1, Code 2015,
71 34 is amended to read as follows:
71 35 1. The taxes imposed under this division, less

71 36 the credits allowed under section 422.12, shall be
 71 37 reduced by an investment tax credit authorized pursuant
 71 38 to section 15E.43 for an investment in a qualifying
 71 39 business ~~or a community-based seed capital fund.~~

71 40 ~~#189.~~ Section 422.33, subsection 12, paragraph

71 41 a, Code 2015, is amended to read as follows:

71 42 a. The taxes imposed under this division shall be
 71 43 reduced by an investment tax credit authorized pursuant
 71 44 to section 15E.43 for an investment in a qualifying
 71 45 business ~~or a community-based seed capital fund.~~

71 46 ~~#190.~~ Section 422.60, subsection 5, paragraph

71 47 a, Code 2015, is amended to read as follows:

71 48 a. The taxes imposed under this division shall be
 71 49 reduced by an investment tax credit authorized pursuant
 71 50 to section 15E.43 for an investment in a qualifying
 72 1 business ~~or a community-based seed capital fund.~~

72 2 ~~#191.~~ Section 432.12C, subsection 1, Code 2015,

72 3 is amended to read as follows:

72 4 1. The tax imposed under this chapter shall be
 72 5 reduced by an investment tax credit authorized pursuant
 72 6 to section 15E.43 for an investment in a qualifying
 72 7 business ~~or a community-based seed capital fund.~~

72 8 ~~#192.~~ REPEAL. Section 15E.45, Code 2015, is
 72 9 repealed.

72 10 ~~#193.~~ TAX CREDIT CLAIMS. Tax credits for
 72 11 equity investments in qualifying businesses made on
 72 12 or after the effective date of this division of this
 72 13 Act shall not be issued by the economic development
 72 14 authority prior to July 1, 2016, and shall not be
 72 15 claimed by a taxpayer prior to September 1, 2016.

72 16 ~~#194.~~ EFFECTIVE UPON ENACTMENT. This division
 72 17 of this Act, being deemed of immediate importance,
 72 18 takes effect upon enactment.

This Division is effective on enactment

72 19 ~~#195.~~ APPLICABILITY. Unless otherwise provided
 72 20 in this division of this Act, this division of this Act
 72 21 applies to equity investments in a qualifying business
 72 22 made on or after the effective date of this division of
 72 23 this Act, and equity investments made in a qualifying
 72 24 business or community-based seed capital fund prior to
 72 25 the effective date of this division of this Act shall
 72 26 be governed by sections 15E.41 through 15E.46, 422.11F,
 72 27 422.33, 422.60, 432.12C, and 533.329, Code 2015.

This Division applies to equity investments in a qualifying business made on or after the effective date of this Division. The provisions also apply to equity investments made in a qualifying business or community-based seed capital fund prior to the effective date of this Division.

72 28 ~~#196.~~ APPLICABILITY. The sections of this
 72 29 division of this Act amending section 15E.44,
 72 30 subsection 2, apply to businesses that submit an

This Division applies to businesses that submit an application to the Iowa Economic Development Authority (IEDA) to be registered as a qualifying business on or after the effective of this Division. The same

72 31 application to the economic development authority to
 72 32 be registered as a qualifying business on or after
 72 33 the effective date of this division of this Act, and
 72 34 businesses that submit an application to the economic
 72 35 development authority to be registered as a qualifying
 72 36 business before the effective date of this division
 72 37 of this Act shall be governed by section 15E.44,
 72 38 subsection 2, Code 2015.

provisions are applied to businesses that submit an application to the IEDA before the effective date of this Division.

72 39 #XXIII.

72 40 ENTREPRENEUR INVESTMENT AWARDS PROGRAM

72 41 #197. Section 15E.362, Code 2015, is amended by
 72 42 striking the section and inserting in lieu thereof the
 72 43 following:

CODE: Extends the Entrepreneur Investment Awards Program. Under current law, grants under the Program ceased on June 30, 2014.

72 44 15E.362 ENTREPRENEUR INVESTMENT AWARDS PROGRAM.

DETAIL: The Program is financed by the IEDA from the High Quality Jobs Creation Fund.

72 45 1. For purposes of this division, unless the
 72 46 context otherwise requires:

72 47 a. "Business development services" includes but
 72 48 is not limited to corporate development services,
 72 49 business model development services, business planning
 72 50 services, marketing services, financial strategies and
 73 1 management services, mentoring and management coaching,
 73 2 and networking services.

73 3 b. "Eligible entrepreneurial assistance provider"
 73 4 means a person meeting the requirements of subsection
 73 5 3.

73 6 c. "Financial assistance" means the same as defined
 73 7 in section 15.327.

73 8 d. "Program" means the entrepreneur investment
 73 9 awards program administered pursuant to this division.

73 10 2. The authority shall establish and administer
 73 11 an entrepreneur investment awards program for
 73 12 purposes of providing financial assistance to eligible
 73 13 entrepreneurial assistance providers that provide
 73 14 technical and financial assistance to entrepreneurs and
 73 15 start-up companies seeking to create, locate, or expand
 73 16 a business in the state. Financial assistance under
 73 17 the program shall be provided from the entrepreneur
 73 18 investment awards program fund created in section
 73 19 15E.363.

73 20 3. In order to be eligible for financial assistance
 73 21 under the program an entrepreneurial assistance
 73 22 provider must meet all of the following requirements:

73 23 a. The provider must have its principal place of
 73 24 operations located in this state.

73 25 b. The provider must offer a comprehensive set
 73 26 of business development services to emerging and

73 27 early-stage innovation companies to assist in the
73 28 creation, location, growth, and long-term success of
73 29 the company in this state.

73 30 c. The business development services may be
73 31 performed at the physical location of the provider or
73 32 the company.

73 33 d. The business development services may be
73 34 provided in consideration of equity participation in
73 35 the company, a fee for services, a membership agreement
73 36 with the company, or any combination thereof.

73 37 4. Entrepreneurial assistance providers may apply
73 38 for financial assistance under the program in the
73 39 manner and form prescribed by the authority.

73 40 5. The economic development authority board in its
73 41 discretion may approve, deny, or defer each application
73 42 for financial assistance under the program from
73 43 persons it determines to be an eligible entrepreneurial
73 44 assistance provider.

73 45 6. Subject to subsection 7, the amount of financial
73 46 assistance awarded to an eligible entrepreneurial
73 47 assistance provider shall be within the discretion of
73 48 the authority.

73 49 7. a. The maximum amount of financial assistance
73 50 awarded to an eligible entrepreneurial assistance
74 1 provider shall not exceed two hundred thousand dollars.

74 2 b. The maximum amount of financial assistance
74 3 provided under the program shall not exceed one million
74 4 dollars in a fiscal year.

74 5 8. The authority shall award financial assistance
74 6 on a competitive basis. In making awards of financial
74 7 assistance, the authority may develop scoring criteria
74 8 and establish minimum requirements for the receipt of
74 9 financial assistance under the program. In making
74 10 awards of financial assistance, the authority may
74 11 consider all of the following:

74 12 a. The business experience of the professional
74 13 staff employed or retained by the eligible
74 14 entrepreneurial assistance provider.

74 15 b. The business plan review capacity of the
74 16 professional staff of the eligible entrepreneurial
74 17 assistance provider.

74 18 c. The expertise in all aspects of business
74 19 disciplines of the professional staff of the eligible
74 20 entrepreneurial assistance provider.

74 21 d. The access of the eligible entrepreneurial
74 22 assistance provider to external service providers,
74 23 including legal, accounting, marketing, and financial
74 24 services.

74 25 e. The service model and likelihood of success of
 74 26 the eligible entrepreneurial assistance provider and
 74 27 its similarity to other successful entrepreneurial
 74 28 assistance providers in the country.

74 29 f. The financial need of the eligible
 74 30 entrepreneurial assistance provider.

74 31 9. Financial assistance awarded to an eligible
 74 32 entrepreneurial assistance provider shall only be
 74 33 used for the purpose of operating costs incurred by
 74 34 the eligible entrepreneurial assistance provider in
 74 35 providing business development services to emerging
 74 36 and early-stage innovation companies in this state.
 74 37 Such financial assistance shall not be distributed to
 74 38 owners or investors of the company to which business
 74 39 development services are provided and shall not
 74 40 be distributed to other persons assisting with the
 74 41 provision of business development services to the
 74 42 company.

74 43 10. The authority may contract with outside service
 74 44 providers for assistance with the program or may
 74 45 delegate the administration of the program to the Iowa
 74 46 innovation corporation pursuant to section 15.106B.

74 47 11. The authority may make client referrals to
 74 48 eligible entrepreneurial assistance providers.
 74 49 ~~#198.~~ Section 15E.363, subsection 3, Code 2015,
 74 50 is amended to read as follows:

75 1 3.—~~The Moneys credited to the fund are appropriated~~
 75 2 ~~to the authority and shall be used to provide grants~~
 75 3 ~~under the entrepreneur investment awards program~~
 75 4 ~~established in section 15E.362 financial assistance~~
 75 5 ~~under the program.~~

75 6 ~~#XXIV.~~

75 7 WORKFORCE HOUSING TAX INCENTIVES PROGRAM

75 8 ~~#199.~~ Section 15.354, subsection 3, paragraph
 75 9 e, Code 2015, is amended to read as follows:
 75 10 e. (1) Upon review of the examination and
 75 11 verification of the amount of the qualifying new
 75 12 investment, the authority may issue a tax credit
 75 13 certificate to the housing business stating the amount
 75 14 of workforce housing investment tax credits under
 75 15 section 15.355 the eligible housing business may claim.

75 16 (2) ~~If upon review of the examination in~~
 75 17 ~~subparagraph (1) the authority determines that a~~
 75 18 ~~housing project has incurred project costs in excess of~~
 75 19 ~~the amount submitted in the application made pursuant~~
 75 20 ~~to subsection 1, the authority shall do one of the~~

CODE: Modifies the tax credit calculation and approval process for the Workforce Housing Tax Incentives Program. The change specifies how the tax credit will be calculated in instances where the average dwelling unit cost exceeds the maximum allowed dwelling unit cost. This Division also modifies the sales tax refund requirements for housing businesses qualifying under the Program by changing the definition of "project completion" to the date when the Economic Development Authority notifies the Department of Revenue that all the requirements under Iowa Code section 15.354 have been met. Under current requirements, "project completion" is defined under Iowa Code section 15.331A(2c). This provision is effective on enactment and applies retroactively to May 30, 2014.

75 21 following:
 75 22 _(a) If the project costs do not cause the housing
 75 23 project's average dwelling unit cost to exceed the
 75 24 applicable maximum amount authorized in section 15.353,
 75 25 subsection 3, the authority may consider the agreement
 75 26 fulfilled and may issue a tax credit certificate.
 75 27 _(b) If the project costs cause the housing
 75 28 project's average dwelling unit cost to exceed the
 75 29 applicable maximum amount authorized in section
 75 30 15.353, subsection 3, but does not cause the average
 75 31 dwelling unit cost to exceed one hundred ten percent
 75 32 of such applicable maximum amount, the authority
 75 33 may consider the agreement fulfilled and may issue a
 75 34 tax credit certificate. In such case, the authority
 75 35 shall reduce the amount of tax incentives the eligible
 75 36 housing project may claim under section 15.355,
 75 37 subsections 2 and 3, by the same percentage that the
 75 38 housing project's average dwelling unit cost exceeds
 75 39 the applicable maximum amount under section 15.353,
 75 40 subsection 3, and such tax incentive reduction shall
 75 41 be reflected on the tax credit certificate. If
 75 42 the authority issues a certificate pursuant to this
 75 43 subparagraph division, the department of revenue shall
 75 44 accept the certificate notwithstanding that the housing
 75 45 project's average dwelling unit costs exceeds the
 75 46 maximum amount specified in section 15.353, subsection
 75 47 3.
 75 48 _(c) If the project costs cause the housing
 75 49 project's average dwelling unit cost to exceed one
 75 50 hundred ten percent of the applicable maximum amount
 76 1 authorized in 15.353, subsection 3, the authority
 76 2 shall determine the eligible housing business to be in
 76 3 default under the agreement and shall not issue a tax
 76 4 credit certificate.
 76 5 #200. Section 15.355, subsection 2, Code 2015,
 76 6 is amended to read as follows:
 76 7 2. A housing business may claim a refund of the
 76 8 sales and use taxes paid under chapter 423 that are
 76 9 directly related to a housing project. The refund
 76 10 available pursuant to this subsection shall be as
 76 11 provided in section 15.331A to the extent applicable
 76 12 for purposes of this program, excluding subsection
 76 13 2, paragraph "c", of that section. For purposes of
 76 14 the program, the term "project completion", as used
 76 15 in section 15.331A, shall mean the date on which the
 76 16 authority notifies the department of revenue that all
 76 17 applicable requirements of an agreement entered into
 76 18 pursuant to section 15.354 are satisfied.

FISCAL IMPACT: The changes to the Program are not expected to have a significant fiscal impact. While the changes potentially allow projects to receive tax credits the projects might not otherwise qualify for, the tax credits involved are part of programs under the Iowa Economic Development Authority (IEDA) aggregate tax credit cap and the credit type (refundable, transferable, nonrefundable) is not changed.

76 19 #201. EFFECTIVE UPON ENACTMENT. This division
 76 20 of this Act, being deemed of immediate importance,
 76 21 takes effect upon enactment.

This Division is effective on enactment.

76 22 #202. RETROACTIVE APPLICABILITY. This division
 76 23 of this Act applies retroactively to May 30, 2014, for
 76 24 all agreements entered into pursuant to Code section
 76 25 15.354 on or after that date.

This Division applies retroactively to May 30, 2014, for all agreements entered into on or after that date.

76 26 #XXV.
 76 27 MISCELLANEOUS CHANGES TO ECONOMIC DEVELOPMENT AUTHORITY
 76 28 PROGRAMS

76 29 #203. Section 15.293B, subsection 4, Code 2015,
 76 30 is amended to read as follows:
 76 31 4. A registered project shall be completed within
 76 32 thirty months of the date the project was registered
 76 33 unless the authority, upon recommendation of the
 76 34 council and approval of the board, provides additional
 76 35 time to complete the project. ~~A project shall not be~~
 76 36 ~~provided more than twelve months of additional time.~~
 76 37 If the registered project is not completed within the
 76 38 time required, the project is not eligible to claim a
 76 39 tax credit provided in section 15.293A.

CODE: Requires the Brownfield Redevelopment Advisory Council to recommend and the Iowa Economic Development Authority (IEDA) Board to provide approval before an IEDA deadline extension can be granted for Redevelopment Tax Credit projects and eliminates a restriction on the length of an extension.

Permits the IEDA to extend the project completion date for a project awarded tax incentives under both the Redevelopment Tax Credit Program and the Housing Enterprise Zone Tax Incentives Program for a project if the project suffered a catastrophic fire during calendar year 2014.

76 40 #204. SPECIAL PROJECT EXTENSION.
 76 41 Notwithstanding any other provision of law to the
 76 42 contrary, the economic development authority may extend
 76 43 the project completion date for a project awarded tax
 76 44 incentives under both the redevelopment tax credit
 76 45 program in sections 15.293A and 15.293B and the housing
 76 46 enterprise zone tax incentives program in section
 76 47 15E.193B, Code 2014, if the property that is the
 76 48 subject of the project suffered a catastrophic fire
 76 49 during the 2014 calendar year.

76 50 #205. EFFECTIVE UPON ENACTMENT. This division
 77 1 of this Act, being deemed of immediate importance,
 77 2 takes effect upon enactment.

This Division is effective on enactment.

77 3 #206. RETROACTIVE APPLICABILITY. The
 77 4 section of this division of this Act amending Code
 77 5 section 15.293B applies retroactively to qualifying
 77 6 redevelopment project agreements entered into on or
 77 7 after July 1, 2010, for which a request for a project
 77 8 extension is submitted to the economic development
 77 9 authority on or after January 1, 2015.

The Section modifying project deadline obligations for IEDA Redevelopment Tax Credits applies retroactively to qualifying agreements entered into on or after July 1, 2010, if a request for a deadline extension is submitted to the IEDA on or after January 1, 2015.

77 10 #XXVI.

77 11 HOUSING ENTERPRISE TAX CREDIT

77 12 #207. 2014 Iowa Acts, chapter 1130, is amended

77 13 by adding the following new section:

77 14 NEW SECTION SEC. 41A. Notwithstanding the section

77 15 of this Act repealing section 15E.193B, the economic

77 16 development authority may enter into an agreement

77 17 and issue housing enterprise tax credits to a housing

77 18 business if all the following conditions are met:

77 19 1. The city or county in which the enterprise

77 20 zone is located mailed, or caused to be mailed, the

77 21 necessary program application forms on or after June 1,

77 22 2014, and prior to July 1, 2014, but the applications

77 23 were not received by the economic development

77 24 authority. The economic development authority may

77 25 accept an affidavit by a city to confirm timely mailing

77 26 of the application forms, notwithstanding section

77 27 622.105.

77 28 2. The application forms submitted pursuant to

77 29 subsection 1 were approved by all necessary governing

77 30 bodies and commissions of the city or county as

77 31 required by chapter 15E, division XVIII, Code 2014.

77 32 3. The economic development authority determines

77 33 the housing business would otherwise be eligible under

77 34 section 15E.193B, Code 2014.

77 35 4. The city or county and the eligible housing

77 36 business meet all other requirements of the housing

77 37 enterprise tax credit program under chapter 15E,

77 38 division XVIII, Code 2014, and the agreement to be

77 39 entered into pursuant to this section.

77 40 #208. 2014 Iowa Acts, chapter 1130, section 43,

77 41 subsection 1, is amended to read as follows:

77 42 1. On or after the effective date of this division

77 43 of this Act, a city or county shall not create an

77 44 enterprise zone under chapter 15E, division XVIII,

77 45 or enter into a new agreement or amend an existing

77 46 agreement under chapter 15E, division XVIII, unless

77 47 otherwise authorized in this Act.

77 48 #209. EFFECTIVE UPON ENACTMENT. This division

77 49 of this Act, being deemed of immediate importance,

77 50 takes effect upon enactment.

78 1 #210. RETROACTIVE APPLICABILITY. This division

78 2 of this Act applies retroactively to July 1, 2014.

CODE: Permits the IEDA to enter into an agreement for a Housing Enterprise Tax Credit for certain housing businesses that mailed applications to the IEDA prior to the July 1, 2014. Repeals the Housing Enterprise Tax Credit in Iowa Code section 15E.193B.

This Division is effective on enactment and applies retroactively to July 1, 2014.

78 3 #XXVII.

78 4 ELIGIBILITY VERIFICATION — UNEMPLOYMENT INSURANCE

78 5 ~~#211~~.NEW SECTION 96.55 ELIGIBILITY
78 6 VERIFICATION PROCEDURES.
78 7 1. The department shall establish procedures to
78 8 accurately verify the eligibility to receive benefits
78 9 of each individual filing a claim for benefits in order
78 10 to prevent payment of fraudulent or erroneous benefits.
78 11 The procedures shall include but not be limited to the
78 12 following components:
78 13 a. A requirement that each individual filing
78 14 a claim for benefits provide correct answers to
78 15 randomized questions relating to the individual's
78 16 identity.
78 17 b. A process to prevent an individual who is
78 18 ineligible for benefits due to the individual's
78 19 incarceration in a jail, prison, or other correctional
78 20 institution or facility from filing a claim for
78 21 benefits or receiving benefits. The department shall
78 22 coordinate the administration of this process with
78 23 the department of corrections and federal, state,
78 24 and local law enforcement agencies. The department
78 25 of corrections and state and local law enforcement
78 26 agencies shall cooperate with the department in the
78 27 administration of this process.
78 28 2. The department may utilize one or more requests
78 29 for proposals to administer this section. The
78 30 department may enter into agreements pursuant to
78 31 chapter 28E to administer this section. The department
78 32 shall utilize existing information technology resources
78 33 of state and local government to administer this
78 34 section where practicable.
78 35 ~~#212~~. IMPLEMENTATION — REPORT. The department
78 36 of workforce development shall implement the procedures
78 37 required by this division of this Act no later than
78 38 June 30, 2016. The department shall submit a report
78 39 on the department's progress in implementing the
78 40 procedures required by this division of this Act to
78 41 the general assembly by December 15, 2015. The report
78 42 shall include any statutory changes necessary to
78 43 facilitate the implementation of this division of this
78 44 Act.

78 45 ~~#XXVIII~~.
78 46 REFUND FRAUD — INCOME TAXES

CODE: Requires the Department of Workforce Development (IWD) to establish procedures no later than June 30, 2016, to accurately verify the eligibility of each individual that applies for unemployment insurance benefits. The procedures are to include a requirement that each individual filing a claim for benefits provide correct answers to random questions relating to the individual's identity.

The procedures must include a process to prevent individuals incarcerated in a jail, prison, or other correctional institution or facility from filing a claim for benefits or receiving benefits.

Permits the IWD to utilize one or more requests for proposals or enter into agreements pursuant to Iowa Code chapter 28E relating to the joint exercise of governmental powers to administer the requirements. Requires the IWD to utilize existing information technology resources of State and local government to administer the provisions where practicable.

Requires the IWD to submit a progress report to the General Assembly by December 15, 2015. The report is required to include any statutory changes necessary to facilitate implementation of the requirements.

FISCAL IMPACT: The required procedures will result in an estimated \$393,000 less being paid annually from the Unemployment Insurance Trust Fund beginning in FY 2016. The required procedures will reallocate an estimated \$206,000 in FY 2016 and \$136,000 in FY 2017 and each subsequent year from available federal fraud detection funds.

78 47 ~~#213~~. Section 421.17, subsection 23, Code 2015,
78 48 is amended to read as follows:
78 49 23. To develop, modify, or contract with vendors to

CODE: Amends the powers and duties of the Director of the Department of Revenue by adding the duty to identify and prevent the issuance of fraudulent and erroneous tax refunds. The Director is

78 50 create or administer systems or programs which identify
 79 1 nonfilers of returns or nonpayers of taxes administered
 79 2 by the department and to identify and prevent the
 79 3 issuance of fraudulent or erroneous refunds. Fees
 79 4 for services, reimbursements, costs incurred by the
 79 5 department, or other remuneration may be funded from
 79 6 the amount of tax, penalty, or interest actually
 79 7 collected and shall be paid only after the amount is
 79 8 collected. An amount is appropriated from the amount
 79 9 of tax, penalty, and interest actually collected, not
 79 10 to exceed the amount collected, which is sufficient
 79 11 to pay for services, reimbursement, costs incurred by
 79 12 the department, or other remuneration pursuant to this
 79 13 subsection. Vendors entering into a contract with the
 79 14 department pursuant to this subsection are subject to
 79 15 the requirements and penalties of the confidentiality
 79 16 laws of this state regarding tax information. The
 79 17 director shall report annually to the legislative
 79 18 services agency and the chairpersons and ranking
 79 19 members of the ways and means committees on the amount
 79 20 of costs incurred and paid during the previous fiscal
 79 21 year pursuant to this subsection and the incidence
 79 22 of refund fraud and the costs incurred and amounts
 79 23 prevented from issuance during the previous fiscal year
 79 24 pursuant to this subsection.

79 25 #214. IMPLEMENTATION — REPORT. The director
 79 26 of revenue shall implement the procedures required
 79 27 by this division of this Act no later than January
 79 28 1, 2016. The director shall submit a report on the
 79 29 director's progress in implementing the procedures
 79 30 required by this division of this Act to the general
 79 31 assembly by October 3, 2016. The report shall include
 79 32 any statutory changes necessary to facilitate the
 79 33 implementation of this division of this Act.

79 34 #XXIX.

79 35 ELIGIBILITY VERIFICATION — MEDICAID

79 36 #215. MEDICAID PROGRAM — ELIGIBILITY
 79 37 VERIFICATION SYSTEM. The department of human services
 79 38 shall ensure during the fiscal year beginning July
 79 39 1, 2015, that the department's Medicaid program
 79 40 eligibility system, the eligibility integrated
 79 41 application solution (ELIAS), is capable of accurately
 79 42 verifying the identity of individuals for the purposes
 79 43 of initial eligibility and redetermination of
 79 44 eligibility for the Medicaid program. The department

authorized to develop, modify, or contract with vendors to address the new duty. Any new expenditure, including contracts with vendors, will be paid through a standing unlimited appropriation used to finance tax collection activities. The required procedures must be in place by January 1, 2016, and the Director must submit a report on this activity to the General Assembly by October 3, 2016.

FISCAL IMPACT: This language is estimated to result in a vendor contract in the amount of \$1.1 million per year, beginning in FY 2016. The contract will be paid through a standing unlimited appropriation from the State General Fund that is used to finance tax collecting activities. The cost of the vendor contract could be partially or fully offset by reduced tax refunds if the contract is successful in reducing the amount of fraudulent refunds issued and never recovered. Improved fraud detection procedures could result in a reduction in fraudulent refund payments by an estimated \$3.4 million for a net General Fund benefit of \$2.3 million annually, beginning with FY 2016.

Requires the Director to file a progress report with the General Assembly by October 3, 2016.

Requires the DHS to ensure that the Medicaid eligibility system, Eligibility Integrated Application Solution (ELIAS), is capable of accurately verifying the identity of individuals beginning in FY 2016. The DHS is required to submit a report on the progress of implementation to the General Assembly by December 15, 2015.

79 45 shall submit a report on the department's progress
 79 46 in implementing this section to the general assembly
 79 47 by December 15, 2015. The report shall include
 79 48 any statutory changes necessary to facilitate the
 79 49 implementation of this section.

79 50 #XXX.

80 1 EXEMPTION FROM FRANCHISE FEES — STATE AGENCIES

80 2 #216. Section 364.2, subsection 4, paragraph
 80 3 f, subparagraph (2), Code 2015, is amended to read as
 80 4 follows:

80 5 (2) Franchise fees collected pursuant to an
 80 6 ordinance in effect on May 26, 2009, shall be deposited
 80 7 in the city's general fund and such fees collected in
 80 8 excess of the amounts necessary to inspect, supervise,
 80 9 and otherwise regulate the franchise may be used by
 80 10 the city for any other purpose authorized by law.

80 11 Franchise fees collected pursuant to an ordinance
 80 12 that is adopted or amended on or after May 26, 2009,
 80 13 to increase the percentage rate at which franchise
 80 14 fees are assessed shall be credited to the franchise
 80 15 fee account within the city's general fund and used
 80 16 pursuant to section 384.3A. ~~If a city franchise fee is~~
 80 17 ~~assessed to customers of a franchise, the fee shall~~
 80 18 ~~not be assessed to the city as a customer.~~ Before a
 80 19 city adopts or amends a franchise fee rate ordinance
 80 20 or franchise ordinance to increase the percentage
 80 21 rate at which franchise fees are assessed, a revenue
 80 22 purpose statement shall be prepared specifying the
 80 23 purpose or purposes for which the revenue collected
 80 24 from the increased rate will be expended. If property
 80 25 tax relief is listed as a purpose, the revenue purpose
 80 26 statement shall also include information regarding the
 80 27 amount of the property tax relief to be provided with
 80 28 revenue collected from the increased rate. The revenue
 80 29 purpose statement shall be published as provided in
 80 30 section 362.3.

80 31 #217. Section 364.2, subsection 4, paragraph
 80 32 f, Code 2015, is amended by adding the following new
 80 33 subparagraph:

80 34 NEW SUBPARAGRAPH (4) (a) If a city franchise
 80 35 fee is assessed to customers of a franchise or if a
 80 36 franchise fee or substantially similar fee is assessed
 80 37 by the franchisee to customers of the franchise for the
 80 38 payment of a franchise fee assessed by the city to the
 80 39 franchisee, the fee shall not be assessed to the city

CODE: Removes a requirement that specifies a city franchise fee assessed to customers of a franchise cannot be assessed to the city as a customer.

CODE: Specifies that a city franchise fee assessed to franchise customers or a fee assessed by a franchise to its customers for payment of a city franchise fee cannot be assessed to the city or to a State agency as a customer.

80 40 or to a state agency as a customer.
 80 41 (b) For purposes of this subparagraph, "state
 80 42 agency" means any executive, judicial, or legislative
 80 43 department, commission, board, institution, division,
 80 44 bureau, office, agency, or other entity of state
 80 45 government.

80 46 #218. APPLICABILITY. This division of this
 80 47 Act applies to franchise fees assessed by a city to
 80 48 a customer on or after July 1, 2015, pursuant to an
 80 49 ordinance adopted before, on, or after that date.
 80 50 This division of this Act also applies to franchise
 81 1 fees or other substantially similar fees assessed
 81 2 by a franchisee to a customer on or after July 1,
 81 3 2015, to pay a franchise fee assessed by the city to
 81 4 the franchisee pursuant to an ordinance or franchise
 81 5 agreement adopted before, on, or after July 1, 2015.

This Division is applicable to franchise fees or fees for payment of franchise fees that are assessed by a city or franchise on or after July 1, 2015.

81 6 #XXXI.

81 7 PAYMENTS IN LIEU OF TAXES AGREEMENTS

81 8 #219.NEW SECTION 262.9D AGREEMENTS FOR
 81 9 PAYMENTS IN LIEU OF TAXES.
 81 10 1. For purposes of this section:
 81 11 a. "Payments in lieu of taxes" are payments made
 81 12 as a substitute for property taxes not levied on real
 81 13 property as a result of a property tax exemption, which
 81 14 payments are made by an institution under the control
 81 15 of the board to a political subdivision in which the
 81 16 institution is located pursuant to an agreement entered
 81 17 into by the board or an institution under the control
 81 18 of the board and the political subdivision. Payments
 81 19 in lieu of taxes are not payments made in accordance
 81 20 with a contract for services under section 364.19 or
 81 21 other service agreements authorized in statute.
 81 22 b. "Political subdivision" means a city, county,
 81 23 school district, or any other public body or
 81 24 corporation of this state that has power to levy
 81 25 or certify a tax or sum of money to be collected by
 81 26 taxation or otherwise derives funds from a property tax
 81 27 levied against taxable property situated within the
 81 28 political subdivision.
 81 29 2. Any agreement providing for payments in lieu of
 81 30 taxes between the board or an institution under the
 81 31 control of the board and a political subdivision shall
 81 32 be approved by the board at a regular meeting in open
 81 33 session prior to the execution of such an agreement.
 81 34 A request for board approval of an agreement for

CODE: Requires that any agreement for payments in lieu of taxes (PILOT) between the Board of Regents or a Regents institution and a city or other political subdivision must be approved by the Board at a regular meeting in open session prior to execution of the agreement. Specifies that the agenda item must include a detailed explanation of the need for the agreement and the calculation of payments, as well as confirmation from the local assessor that the calculation of payments is correct. Specifies that the agreement must include a termination date and ensure that payments are apportioned in the same manner as property taxes among the political subdivisions in which the property is located.

81 35 payments in lieu of taxes shall include a detailed
81 36 explanation of the need for the agreement, the manner
81 37 in which payments are calculated, and concurrence from
81 38 the appropriate local assessor as to the assessment
81 39 calculation for establishing the amount of each payment
81 40 under the agreement. The agreement shall also include
81 41 a termination date for the agreement and shall ensure,
81 42 to the extent permitted by law, that the payments made
81 43 under the agreement are apportioned in the same manner
81 44 as property taxes are apportioned among the political
81 45 subdivisions in which the property is located.

81 46 #220. APPLICABILITY. This division of this Act
81 47 applies to any agreement for payments in lieu of taxes
81 48 entered into on or after July 1, 2015.
81 49 #2. By renumbering as necessary.

This Division applies to any PILOT agreement entered into on or after
July 1, 2015.

Standing Appropriations Bill

General Fund

	FY 2015	FY 2016					FY 2017				
	Senate - Supp SF 510	Current Law	House SF 510	House Total	Senate SF 510	Senate Total	Current Law	House SF 510	House Total	Senate SF 510	Senate Total
AGRICULTURE AND NATURAL RESOURCES											
<u>Natural Resources, Dept. of</u>											
DNR Appropriation Reduction	\$ 0	\$ 0	\$ 0	\$ 0	\$ -132,000	\$ -132,000	\$ 0	\$ 0	\$ 0	\$ -66,000	\$ -66,000
<u>Regents, Board of</u>											
State Geological Survey	\$ 0	\$ 0	\$ 0	\$ 0	\$ 132,000	\$ 132,000	\$ 0	\$ 0	\$ 0	\$ 66,000	\$ 66,000
Total Agriculture and Natural Resources	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
HEALTH AND HUMAN SERVICES											
<u>Public Health, Dept. of</u>											
Substance Treatment Providers	\$ 2,800,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Heart Attack Treatment	1,500,000	0	0	0	0	0	0	0	0	0	0
Total Public Health, Dept. of	\$ 4,300,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
<u>Human Services, Dept. of</u>											
Refugee Support Pilot	\$ 750,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Health and Human Services	\$ 5,050,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
JUSTICE SYSTEMS											
<u>Corrections, Dept. of</u>											
Corrections Operations	\$ 1,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Justice System	\$ 1,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
UNASSIGNED STANDING											
<u>Administrative Services, Dept. of</u>											
Federal Cash Management - Standing	\$ 0	\$ 356,587	\$ 0	\$ 356,587	\$ 0	\$ 356,587	\$ 356,587	\$ 0	\$ 356,587	\$ 0	\$ 356,587
Unemployment Compensation - Standing	0	440,371	0	440,371	0	440,371	440,371	0	440,371	0	440,371
Total Administrative Services, Dept. of	\$ 0	\$ 796,958	\$ 0	\$ 796,958	\$ 0	\$ 796,958	\$ 796,958	\$ 0	\$ 796,958	\$ 0	\$ 796,958
<u>Corrections, Dept. of</u>											
State Cases Court Costs	\$ 0	\$ 59,733	\$ 0	\$ 59,733	\$ 0	\$ 59,733	\$ 59,733	\$ 0	\$ 59,733	\$ 0	\$ 59,733
<u>Cultural Affairs, Dept. of</u>											
County Endowment Funding - DCA Grants	\$ 0	\$ 520,000	\$ -103,298	\$ 416,702	\$ -103,298	\$ 416,702	\$ 520,000	\$ -311,649	\$ 208,351	\$ -311,649	\$ 208,351
<u>Economic Development Authority</u>											
Tourism Marketing - Adjusted Gross Receipts	\$ 0	\$ 1,124,000	\$ 0	\$ 1,124,000	\$ 0	\$ 1,124,000	\$ 1,124,000	\$ 0	\$ 1,124,000	\$ 0	\$ 1,124,000
<u>Education, Dept. of</u>											
Child Development	\$ 0	\$ 12,606,196	\$ 0	\$ 12,606,196	\$ 0	\$ 12,606,196	\$ 12,606,196	\$ 0	\$ 12,606,196	\$ 0	\$ 12,606,196
Instructional Support	0	14,800,000	-14,800,000	0	-14,800,000	0	14,800,000	-14,800,000	0	-14,800,000	0
Nonpublic School Transportation	0	9,960,931	-1,400,000	8,560,931	-1,400,000	8,560,931	9,960,931	-1,400,000	8,560,931	-1,400,000	8,560,931
Sac Fox Settlement Education	0	100,000	0	100,000	0	100,000	100,000	0	100,000	0	100,000
State Foundation School Aid	0	0	0	0	3,021,100,000	3,021,100,000	0	0	0	3,234,300,000	3,234,300,000
AEA State Aid Reduction	0	0	-15,000,000	-15,000,000	0	0	0	0	0	0	0
Total Education, Dept. of	\$ 0	\$ 37,467,127	\$ -31,200,000	\$ 6,267,127	\$ 3,004,900,000	\$ 3,042,367,127	\$ 37,467,127	\$ -16,200,000	\$ 21,267,127	\$ 3,218,100,000	\$ 3,255,567,127

Standing Appropriations Bill General Fund

	FY 2015	FY 2016					FY 2017				
	Senate - Supp SF 510	Current Law	House SF 510	House Total	Senate SF 510	Senate Total	Current Law	House SF 510	House Total	Senate SF 510	Senate Total
Executive Council											
Court Costs	\$ 0	\$ 59,772	\$ 0	\$ 59,772	\$ 0	\$ 59,772	\$ 59,772	\$ 0	\$ 59,772	\$ 0	\$ 59,772
Public Improvements	0	39,848	0	39,848	0	39,848	39,848	0	39,848	0	39,848
Organizational Dues	0	0	500,000	500,000	0	0	0	0	0	0	0
Drainage Assessment	0	20,227	0	20,227	0	20,227	20,227	0	20,227	0	20,227
Total Executive Council	\$ 0	\$ 119,847	\$ 500,000	\$ 619,847	\$ 0	\$ 119,847	\$ 119,847	\$ 0	\$ 119,847	\$ 0	\$ 119,847
Legislative Branch											
Legislative Branch	\$ 0	\$ 38,250,000	\$ -5,750,000	\$ 32,500,000	\$ -4,223,452	\$ 34,026,548	\$ 38,250,000	\$ 0	\$ 38,250,000	\$ 0	\$ 38,250,000
Governor											
Interstate Extradition	\$ 0	\$ 3,032	\$ 0	\$ 3,032	\$ 0	\$ 3,032	\$ 3,032	\$ 0	\$ 3,032	\$ 0	\$ 3,032
Public Health, Dept. of											
Congenital & Inherited Disorders Registry	\$ 0	\$ 232,500	\$ 0	\$ 232,500	\$ 0	\$ 232,500	\$ 232,500	\$ 0	\$ 232,500	\$ 0	\$ 232,500
Human Services, Dept. of											
Commission of Inquiry	\$ 0	\$ 1,394	\$ 0	\$ 1,394	\$ 0	\$ 1,394	\$ 1,394	\$ 0	\$ 1,394	\$ 0	\$ 1,394
Nonresident Transfers	0	67	0	67	0	67	67	0	67	0	67
Nonresident Commitment Mental Illness	0	142,802	0	142,802	0	142,802	142,802	0	142,802	0	142,802
Child Abuse Prevention	0	232,570	0	232,570	0	232,570	232,570	0	232,570	0	232,570
Total Human Services, Dept. of	\$ 0	\$ 376,833	\$ 0	\$ 376,833	\$ 0	\$ 376,833	\$ 376,833	\$ 0	\$ 376,833	\$ 0	\$ 376,833
Management, Dept. of											
Technology Reinvestment Fund	\$ 0	\$ 17,500,000	\$ -8,500,000	\$ 9,000,000	\$ 0	\$ 17,500,000	\$ 17,500,000	\$ 0	\$ 17,500,000	\$ 0	\$ 17,500,000
Special Olympics Fund	0	100,000	0	100,000	0	100,000	100,000	0	100,000	0	100,000
Appeal Board Claims	0	3,000,000	0	3,000,000	-3,000,000	0	3,000,000	0	3,000,000	-3,000,000	0
Early Retirement Program Savings	16,130,000	0	0	0	-4,700,000	-4,700,000	0	0	0	0	0
Total Management, Dept. of	\$ 16,130,000	\$ 20,600,000	\$ -8,500,000	\$ 12,100,000	\$ -7,700,000	\$ 12,900,000	\$ 20,600,000	\$ 0	\$ 20,600,000	\$ -3,000,000	\$ 17,600,000
Public Defense, Dept. of											
Compensation and Expense	\$ 0	\$ 344,644	\$ 0	\$ 344,644	\$ 0	\$ 344,644	\$ 344,644	\$ 0	\$ 344,644	\$ 0	\$ 344,644
Public Safety, Department of											
DPS-POR Unfunded Liabilities	\$ 0	\$ 5,000,000	\$ 0	\$ 5,000,000	\$ 0	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000	\$ 0	\$ 5,000,000
Revenue, Dept. of											
Ag Land Tax Credit - GF	\$ 0	\$ 39,100,000	\$ 0	\$ 39,100,000	\$ 0	\$ 39,100,000	\$ 39,100,000	\$ 0	\$ 39,100,000	\$ 0	\$ 39,100,000
Homestead Tax Credit Aid - GF	0	130,800,000	0	130,800,000	0	130,800,000	130,800,000	0	130,800,000	0	130,800,000
Homestead Tax Credit Aid - HF 166	0	600,000	0	600,000	0	600,000	2,400,000	0	2,400,000	0	2,400,000
Homestead-Disabled Vets - HF 653	0	0	0	0	0	0	0	0	0	0	0
Elderly & Disabled Tax Credit - GF	0	24,000,000	0	24,000,000	0	24,000,000	24,000,000	0	24,000,000	0	24,000,000
Printing Cigarette Stamps	0	124,652	0	124,652	0	124,652	124,652	0	124,652	0	124,652
Military Service Tax Refunds	0	2,100,000	0	2,100,000	0	2,100,000	2,100,000	0	2,100,000	0	2,100,000
Comm/Industrial Prop Tax Replacement	0	162,056,468	0	162,056,468	0	162,056,468	152,556,727	0	152,556,727	0	152,556,727
Business Property Tax Credit	0	100,000,000	0	100,000,000	0	100,000,000	125,000,000	0	125,000,000	0	125,000,000
Tobacco Reporting Requirements	0	25,000	-6,584	18,416	-6,584	18,416	25,000	-15,792	9,208	-15,792	9,208
Total Revenue, Dept. of	\$ 0	\$ 458,806,120	\$ -6,584	\$ 458,799,536	\$ -6,584	\$ 458,799,536	\$ 476,106,379	\$ -15,792	\$ 476,090,587	\$ -15,792	\$ 476,090,587
Total Unassigned Standings	\$ 16,130,000	\$ 563,700,794	\$ -45,059,882	\$ 518,640,912	\$ 2,992,866,666	\$ 3,556,567,460	\$ 581,001,053	\$ -16,527,441	\$ 564,473,612	\$ 3,214,772,559	\$ 3,795,773,612
GRAND TOTAL	\$ 22,180,000	\$ 563,700,794	\$ -45,059,882	\$ 518,640,912	\$ 2,992,866,666	\$ 3,556,567,460	\$ 581,001,053	\$ -16,527,441	\$ 564,473,612	\$ 3,214,772,559	\$ 3,795,773,612

Summary Data

Other Funds

	Supp-Senate Action FY 2015 (1)	House Action FY 2016 (2)	Senate Action FY 2016 (3)	House Flr Yr2 FY 2017 (4)	Senate Flr Yr2 FY 2017 (5)
Agriculture and Natural Resources	\$ 0	\$ 0	\$ 300,000	\$ 0	\$ 0
Transportation, Infrastructure, and Capitals	626,000	9,224,127	250,000	0	0
Unassigned Standings	0	0	3,000,000	0	3,000,000
Grand Total	\$ 626,000	\$ 9,224,127	\$ 3,550,000	\$ 0	\$ 3,000,000

Agriculture and Natural Resources

Other Funds

	Supp-Senate Action FY 2015 <u>(1)</u>	House Action FY 2016 <u>(2)</u>	Senate Action FY 2016 <u>(3)</u>	House Flr Yr2 FY 2017 <u>(4)</u>	Senate Flr Yr2 FY 2017 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Natural Resources, Dept. of</u>						
Natural Resources						
Water Quantity Reduction - EFF	\$ 0	\$ 0	\$ -495,000	\$ 0	\$ -247,500	SF510
Geological & Water Survey Reduction - EFF	0	0	-200,000	0	-100,000	SF510
Total Natural Resources, Dept. of	\$ 0	\$ 0	\$ -695,000	\$ 0	\$ -347,500	
<u>Regents, Board of</u>						
Regents, Board of						
SUI State Geological Survey - RIF	\$ 0	\$ 0	\$ 300,000	\$ 0	\$ 0	SF510
State Geological Survey - EFF	0	0	695,000	0	347,500	SF510
Total Regents, Board of	\$ 0	\$ 0	\$ 995,000	\$ 0	\$ 347,500	
Total Agriculture and Natural Resources	\$ 0	\$ 0	\$ 300,000	\$ 0	\$ 0	

Transportation, Infrastructure, and Capitals

Other Funds

	Supp-Senate Action FY 2015 (1)	House Action FY 2016 (2)	Senate Action FY 2016 (3)	House Flr Yr2 FY 2017 (4)	Senate Flr Yr2 FY 2017 (5)	Bill Number (6)
<u>Agriculture and Land Stewardship</u>						
Agriculture and Land Stewardship						
Silos And Smokestacks - SBRF	\$ 0	\$ 0	\$ 250,000	\$ 0	\$ 0	SF510
Total Agriculture and Land Stewardship	\$ 0	\$ 0	\$ 250,000	\$ 0	\$ 0	
<u>Chief Information Officer, Office of the</u>						
Chief Information Officer, Office of the						
Voting Equipment - TRF	\$ 0	\$ 450,000	\$ 0	\$ 0	\$ 0	SF510
Voter Reg Data Processing - TRF	0	234,000	0	0	0	SF510
Total Chief Information Officer, Office of the	\$ 0	\$ 684,000	\$ 0	\$ 0	\$ 0	
<u>Education, Dept. of</u>						
Education, Dept. of						
ICN Part III Leases & Maintenance - TRF	\$ 0	\$ 2,727,000	\$ 0	\$ 0	\$ 0	SF510
Statewide Ed Data Warehouse - TRF	0	600,000	0	0	0	SF510
Total Education, Dept. of	\$ 0	\$ 3,327,000	\$ 0	\$ 0	\$ 0	
<u>Human Rights, Dept. of</u>						
Human Rights, Department of						
Justice Enterprise Data Warehouse - TRF	\$ 0	\$ 159,474	\$ 0	\$ 0	\$ 0	SF510
Total Human Rights, Dept. of	\$ 0	\$ 159,474	\$ 0	\$ 0	\$ 0	
<u>Iowa Tele & Tech Commission</u>						
Iowa Communications Network						
ICN Equipment Replacement - TRF	\$ 0	\$ 2,248,653	\$ 0	\$ 0	\$ 0	SF510
Total Iowa Tele & Tech Commission	\$ 0	\$ 2,248,653	\$ 0	\$ 0	\$ 0	
<u>Management, Dept. of</u>						
Management, Dept. of						
Searchable Online Databases - TRF	\$ 0	\$ 45,000	\$ 0	\$ 0	\$ 0	SF510
Iowa Grants Mgmt Implementation - TRF	0	50,000	0	0	0	SF510
Total Management, Dept. of	\$ 0	\$ 95,000	\$ 0	\$ 0	\$ 0	

Transportation, Infrastructure, and Capitals

Other Funds

	Supp-Senate Action FY 2015 <u>(1)</u>	House Action FY 2016 <u>(2)</u>	Senate Action FY 2016 <u>(3)</u>	House Flr Yr2 FY 2017 <u>(4)</u>	Senate Flr Yr2 FY 2017 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Public Health, Dept. of</u>						
<u>Public Health, Dept. of</u>						
IDPH Database Integ Review - TRF	\$ 0	\$ 400,000	\$ 0	\$ 0	\$ 0	SF510
Polysomnography Software - TRF	0	36,000	0	0	0	SF510
Total Public Health, Dept. of	\$ 0	\$ 436,000	\$ 0	\$ 0	\$ 0	
<u>Public Safety Capital</u>						
<u>Public Safety Capital</u>						
Radio Communication Upgrades - TRF	\$ 0	\$ 1,874,000	\$ 0	\$ 0	\$ 0	SF510
DPS Radio Upgrades - MSSF	626,000	0	0	0	0	SF510
Total Public Safety Capital	\$ 626,000	\$ 1,874,000	\$ 0	\$ 0	\$ 0	
<u>Homeland Security and Emergency Management</u>						
<u>Homeland Security and Emergency Management</u>						
Mass Notification & Emer Messaging - TRF	\$ 0	\$ 400,000	\$ 0	\$ 0	\$ 0	SF510
Total Homeland Security and Emergency Management	\$ 0	\$ 400,000	\$ 0	\$ 0	\$ 0	
Total Transportation, Infrastructure, and Capitals	\$ 626,000	\$ 9,224,127	\$ 250,000	\$ 0	\$ 0	

Unassigned Standings

Other Funds

	Supp-Senate Action FY 2015 <u>(1)</u>	House Action FY 2016 <u>(2)</u>	Senate Action FY 2016 <u>(3)</u>	House Flr Yr2 FY 2017 <u>(4)</u>	Senate Flr Yr2 FY 2017 <u>(5)</u>	Bill Number <u>(6)</u>
<u>Management, Dept. of</u>						
Management, Dept. of						
Appeal Board Claims - EEF	\$ 0	\$ 0	\$ 3,000,000	\$ 0	\$ 3,000,000	SF510
Total Management, Dept. of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 3,000,000</u>	<u>\$ 0</u>	<u>\$ 3,000,000</u>	
Total Unassigned Standings	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 3,000,000</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 3,000,000</u></u>	