

House File 786

H-1315

1 Amend House File 786 as follows:

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

4 <DIVISION I

5 STANDING APPROPRIATIONS AND RELATED MATTERS

6 Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY
7 2019-2020. Notwithstanding the standing appropriation in the
8 following designated section for the fiscal year beginning July
9 1, 2019, and ending June 30, 2020, the amount appropriated from
10 the general fund of the state pursuant to that section for the
11 following designated purpose shall not exceed the following
12 amount:

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

15 \$ 8,197,091

16 If total approved claims for reimbursement for nonpublic
17 school pupil transportation exceed the amount appropriated in
18 accordance with this section, the department of education shall
19 prorate the amount of each approved claim.

20 Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2019-2020. In
21 lieu of the appropriation provided in section 257.20,
22 subsection 2, the appropriation for the fiscal year
23 beginning July 1, 2019, and ending June 30, 2020, for paying
24 instructional support state aid under section 257.20 for such
25 fiscal year is zero.

26 Sec. 3. Section 257.35, Code 2019, is amended by adding the
27 following new subsection:

28 NEW SUBSECTION. 13A. Notwithstanding subsection 1, and in
29 addition to the reduction applicable pursuant to subsection
30 2, the state aid for area education agencies and the portion
31 of the combined district cost calculated for these agencies
32 for the fiscal year beginning July 1, 2019, and ending June
33 30, 2020, shall be reduced by the department of management by
34 fifteen million dollars. The reduction for each area education
35 agency shall be prorated based on the reduction that the agency

1 received in the fiscal year beginning July 1, 2003.

2 Sec. 4. SPECIAL FUNDS — SALARY ADJUSTMENTS —
3 UNAPPROPRIATED MONEYS — FY 2019-2020 — FY 2020-2021. For the
4 fiscal year beginning July 1, 2019, and ending June 30, 2020,
5 and for the fiscal year beginning July 1, 2020, and ending June
6 30, 2021, salary adjustments otherwise provided may be funded
7 as determined by the department of management, subject to any
8 applicable constitutional limitation, using unappropriated
9 moneys remaining in the department of commerce revolving
10 fund, the gaming enforcement revolving fund, the gaming
11 regulatory revolving fund, the primary road fund, the road
12 use tax fund, the fish and game protection fund, and the Iowa
13 public employees' retirement fund, and in other departmental
14 revolving, trust, or special funds for which the general
15 assembly has not made an operating budget appropriation.

16 DIVISION II

17 MISCELLANEOUS APPROPRIATIONS

18 Sec. 5. DEPARTMENT OF PUBLIC SAFETY.

19 1. There is appropriated from the general fund of the
20 state to the department of public safety for the fiscal year
21 beginning July 1, 2019, and ending June 30, 2020, the following
22 amount, or so much thereof as is necessary, to be used for the
23 purposes designated:

24 For costs associated with the training and equipment needs
25 of volunteer fire fighters:

26 \$ 50,000

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

32 3. Notwithstanding section 8.39, the department of public
33 safety may reallocate moneys appropriated in this section
34 and moneys appropriated in 2019 Iowa Acts, Senate File 615,
35 section 15, if enacted, as necessary to best fulfill the needs

1 provided for in the appropriation. However, the department
2 shall not reallocate moneys appropriated to the department
3 in this section and moneys appropriated in 2019 Iowa Acts,
4 Senate File 615, section 15, if enacted, unless notice of the
5 reallocation is given to the legislative services agency and
6 the department of management prior to the effective date of the
7 reallocation. The notice shall include information regarding
8 the rationale for reallocating the moneys. The department
9 shall not reallocate moneys appropriated in this section and
10 moneys appropriated in 2019 Iowa Acts, Senate File 615, section
11 15, if enacted, for the purpose of eliminating any program.

12 DIVISION III

13 MISCELLANEOUS PROVISIONS

14 Sec. 6. Section 2C.18, Code 2019, is amended to read as
15 follows:

16 **2C.18 Report to general assembly.**

17 The ombudsman shall by ~~April 1~~ December 31 of each year
18 submit an economically designed and reproduced report to the
19 general assembly and to the governor concerning the exercise of
20 the ombudsman's functions during the preceding ~~calendar~~ fiscal
21 year. In discussing matters with which the ombudsman has been
22 concerned, the ombudsman shall not identify specific persons
23 if to do so would cause needless hardship. If the annual
24 report criticizes a named agency or official, it shall also
25 include unedited replies made by the agency or official to the
26 criticism, unless excused by the agency or official affected.

27 Sec. 7. Section 558.69, Code 2019, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 9. Notwithstanding section 331.604 or any
30 other provision of law to the contrary, the county recorder
31 shall not charge or collect a fee for the submission or filing
32 of a groundwater hazard statement.

33 DIVISION IV

34 CORRECTIVE PROVISIONS

35 Sec. 8. Section 29C.20C, if enacted by 2019 Iowa Acts,

1 Senate File 570, section 1, is amended to read as follows:

2 **29C.20C Immunity — licensed architects and professional**
3 **engineers.**

4 An architect licensed pursuant to chapter 544A or a
5 professional engineer licensed pursuant to chapter 542B who,
6 during a disaster emergency as proclaimed by the governor or
7 a major disaster as declared by the president of the United
8 States, in good faith and at the request of or with the
9 approval of a national, state, or local public official, law
10 enforcement official, public safety official, or building
11 inspection official believed by the licensed architect or
12 professional engineer to be acting in an official capacity,
13 voluntarily and without compensation provides architectural,
14 engineering, structural, electrical, mechanical, or other
15 design professional services related to the disaster emergency
16 or major disaster shall not be liable for civil damages for any
17 acts or omissions resulting from the services provided, unless
18 such acts or omissions constitute recklessness or willful
19 and wanton misconduct. A licensed architect or professional
20 engineer who receives expense reimbursement for the performance
21 of services described in this section shall not be considered
22 to have received compensation for such services.

23 Sec. 9. Section 216A.133, subsection 3, paragraph 1, if
24 enacted by 2019 Iowa Acts, House File 634, section 5, is
25 amended to read as follows:

26 1. Recommending to the ~~board~~ department the adoption of
27 rules pursuant to chapter 17A as it deems necessary for the
28 board and division.

29 Sec. 10. Section 225C.51, subsection 1, paragraph a, if
30 enacted by 2019 Iowa Acts, House File 690, section 8, is
31 amended to read as follows:

32 a. The director of the department of human services or the
33 director's designee.

34 Sec. 11. Section 225C.51, subsection 3, if enacted by 2019
35 Iowa Acts, House File 690, section 8, is amended to read as

1 follows:

2 3. The director of the department of human services and the
3 director of the department of education, or their designees,
4 shall serve as co-chairpersons of the state board. Board
5 members shall not be entitled to a per diem as specified in
6 section 7E.6 and shall not be entitled to actual and necessary
7 expenses incurred while engaged in their official duties.

8 Sec. 12. Section 261H.3, subsections 1 and 2, as enacted by
9 2019 Iowa Acts, Senate File 274, section 3, are amended to read
10 as follows:

11 1. Noncommercial expressive activities protected under the
12 provisions of this chapter include but are not limited to any
13 lawful oral or written means by which members of the campus
14 community may communicate ideas to one another, including
15 but not limited to all forms of peaceful assembly, protests,
16 speeches including by invited speakers, distribution of
17 literature, circulating petitions, and publishing, including
18 publishing or streaming on an internet site, or audio or video
19 recorded in outdoor areas of campus.

20 2. A member of the campus community who wishes to engage in
21 noncommercial expressive activity in outdoor areas of campus
22 shall be permitted to do so freely, subject to reasonable
23 time, place, and manner restrictions, and as long as the
24 member's conduct is not unlawful, does not impede others'
25 access to a facility or use of walkways, and does not disrupt
26 the functioning of the public institution of higher education,
27 subject to the protections of subsection 1. The public
28 institution of higher education may designate other areas of
29 campus available for use by the campus community according to
30 institutional policy, but in all cases access to designated
31 areas of campus must be granted on a viewpoint-neutral basis
32 within the bounds of established principles of the first
33 amendment principles to the Constitution of the United States.

34 Sec. 13. Section 322C.2, subsection 20, if enacted by 2019
35 Iowa Acts, Senate File 435, section 2, is amended to read as

1 follows:

2 20. *"Towable recreational vehicle dealer"* or *"dealer"* means
3 a person required to be licensed under this chapter who is
4 authorized to sell and service towable recreational vehicles.

5 Sec. 14. Section 322C.15, subsection 2, paragraph b, if
6 enacted by 2019 Iowa Acts, Senate File 435, section 12, is
7 amended to read as follows:

8 *b.* The manufacturer's or distributor's business operations
9 have been abandoned or caused the dealer's business operations
10 to close for ten consecutive business days. This ~~subparagraph~~
11 paragraph does not apply if the closing is due to a normal
12 seasonal closing and the manufacturer or distributor notifies
13 the dealer of the planned closing, an act of God, a strike,
14 a labor difficulty, or any other cause over which the
15 manufacturer or distributor has no control.

16 Sec. 15. Section 456A.33C, subsection 1, unnumbered
17 paragraph 1, if enacted by 2019 Iowa Acts, House File 765,
18 section 18, is amended to read as follows:

19 For purposes of this section, unless the context otherwise
20 requires, *"eligible water body"* means a body of water that ~~meet~~
21 meets all of the following criteria:

22 Sec. 16. Section 513D.2, subsection 2, Code 2019, as amended
23 by 2019 Iowa Acts, House File 679, section 184, if enacted, is
24 amended to read as follows:

25 2. The commissioner ~~or~~ of insurance may take any enforcement
26 action under the commissioner's authority to enforce compliance
27 with this chapter.

28 Sec. 17. Section 515I.4A, subsection 1, paragraph c, as
29 enacted by 2019 Iowa Acts, Senate File 558, section 4, is
30 amended to read as follows:

31 *c.* The board of directors of the insurer has passed a
32 resolution seeking approval as a domestic surplus lines insurer
33 in this state and stating that the insurer shall only write
34 surplus ~~line~~ lines business. The resolution shall not be
35 amended without approval of the commissioner.

1 Sec. 18. Section 522E.13, subsection 6, Code 2019, as
2 amended by 2019 Iowa Acts, Senate File 559, section 6, is
3 amended to read as follows:

4 6. Whenever notice or correspondence with respect to a
5 policy of portable electronics insurance is required pursuant
6 to [this section](#), it shall be in writing and sent within the
7 notice period required pursuant to [this section](#). Notices
8 and correspondence shall be sent to the licensed portable
9 electronics vendor that is the policyholder at the portable
10 electronics vendor's mailing or electronic mail address
11 specified for that purpose and to its affected enrolled
12 consumers' last known mailing or electronic mail addresses on
13 file with the insurer or the portable electronics vendor. All
14 notices and documents that are delivered by electronic means
15 shall comply with section 505B.1, except for the provisions
16 in [section 505B.1](#), subsection 4. The insurer or portable
17 electronics vendor shall maintain proof that the notice or
18 correspondence was sent for not less than three years after
19 that notice or correspondence was sent.

20 Sec. 19. Section 633.648, Code 2019, as amended by 2019
21 Iowa Acts, House File 610, section 34, if enacted, is amended
22 to read as follows:

23 **633.648 Appointment of attorney in compromise of personal**
24 **injury settlements.**

25 Notwithstanding the provisions of [section 633.642](#) prior to
26 authorizing a compromise of a claim for damages on account
27 of personal injuries to the ~~ward~~ [protected person](#), the court
28 may order an independent investigation by an attorney other
29 than by the attorney for the conservator. The cost of such
30 investigation, including a reasonable attorney fee, shall be
31 taxed as part of the cost of the conservatorship.

32 Sec. 20. Section 692C.1, subsection 1, paragraph a, if
33 enacted by 2019 Iowa Acts, House File 681, section 1, is
34 amended to read as follows:

35 a. *"Covered individual"* means an individual who has, seeks

1 to have, or may have access to children, the elderly, or
2 individuals with disabilities served by a qualified entity and
3 who is employed by, volunteers with, or seeks to volunteer with
4 a qualified entity; or owns or operates or seeks to own or
5 operate, a qualified entity.

6 Sec. 21. 2019 Iowa Acts, Senate File 333, section 104,
7 subsection 6, is amended to read as follows:

8 6. Sections 15E.206, subsection 3, paragraph "a";
9 15E.207, subsection 2, paragraph "b", subparagraph (2),
10 subparagraph division (c); 15E.208, subsection 5, paragraph
11 "g", subparagraphs (1) and (2); 15E.208, subsection 6,
12 paragraph "d", subparagraph (1), subparagraph division
13 (a); 135.61, unnumbered paragraph 1; 135.61, subsection
14 1, paragraph "d"; 135.61, subsection 4; 135.62, subsection
15 1; 135.62, subsection 2, paragraph "f", subparagraphs (2),
16 (4), and (5); 135.63, subsection 1; 135.63, subsection 2,
17 unnumbered paragraph 1; 135.63, subsection 2, paragraph "f";
18 135.63, subsection 2, paragraph "g", subparagraph (1); 135.63,
19 subsection 2, paragraph "h", subparagraph (1), unnumbered
20 paragraph 1; 135.63, subsection 2, paragraph "j"; 135.63,
21 subsection 2, paragraph "k", subparagraph (1), unnumbered
22 paragraph 1; 135.63, subsection 2, paragraph "l", unnumbered
23 paragraph 1; 135.63, subsection 2, paragraphs "m" and "n";
24 135.63, subsection 2, paragraph "p", unnumbered paragraph 1;
25 135.63, subsection 3; 135.64, subsection 3; 135.72, unnumbered
26 paragraph 1; 135.73, subsection 1; 135.73, subsection
27 2, unnumbered paragraph 1; 135.73, subsection 3; 135.74,
28 subsections 1 and 3; 135.75, subsection 2; 135.76, subsection
29 1; 135.100, unnumbered paragraph 1; 135.105A, subsection 5;
30 135.108, unnumbered paragraph 1; 135.140, unnumbered paragraph
31 1; 249K.2, subsection 6; 490.120, subsection 12, paragraph "c",
32 subparagraph (1); 490.140, subsection 29; 490.640, subsection
33 8; 490.809, subsection 2; 490.858, subsection 2; 490.1101,
34 unnumbered paragraph 1; 490.1105, subsection 3; 490.1107,
35 subsection 1, paragraph "h"; 490.1107, subsection 2; 490.1107,

1 subsection 4, paragraph "b"; 490.1108, subsection 1; 490.1114,
2 subsection 1; 490.1114, subsection 2, paragraph "g"; 490.1202,
3 subsection 7; 490.1301, unnumbered paragraph 1; 490.1320,
4 subsection 1; 490.1320, subsection 3, paragraphs "a" and "b";
5 490.1322, subsection 2, paragraph "c"; 490.1323, subsection
6 3; 490.1331, subsection 1; 490.1340, subsection 2, paragraph
7 "a", subparagraph (1); 490.1403, subsection 3; 490.1405,
8 subsection 2, paragraph "c"; 499.69A, subsection 6; 524.1309,
9 subsection 8; 524.1406, subsection 1; 524.1417, subsection 1;
10 and 524.1805, subsection 6, Code 2019, are amended by striking
11 the word "division" and inserting in lieu thereof the word
12 "subchapter".

13 Sec. 22. EFFECTIVE DATE. The following, being deemed of
14 immediate importance, take effect upon enactment:

15 1. The section of this division of this Act amending section
16 29C.20.

17 2. The section of this division of this Act amending section
18 261H.3, subsections 1 and 2.

19 Sec. 23. EFFECTIVE DATE. The following takes effect January
20 1, 2020:

21 The section of this division of this Act amending section
22 633.648.

23 Sec. 24. RETROACTIVE APPLICABILITY. The following applies
24 retroactively to the effective date of 2019 Iowa Acts, Senate
25 File 570, if enacted:

26 The section of this division of this Act amending section
27 29C.20.

28 Sec. 25. RETROACTIVE APPLICABILITY. The following applies
29 retroactively to March 27, 2019:

30 The section of this division of this Act amending section
31 261H.3, subsections 1 and 2.

32 Sec. 26. APPLICABILITY. The following applies to
33 guardianships and guardianship proceedings for adults and
34 conservatorships and conservatorship proceedings for adults and
35 minors established or pending before, on, or after January 1,

1 2020:

2 The section of this division of this Act amending section
3 633.648.

4 DIVISION V
5 FLOOD RECOVERY

6 Sec. 27. NEW SECTION. **418.16 Flood recovery fund.**

7 1. A flood recovery fund is established in the state
8 treasury under the control of the board. The fund shall
9 consist of moneys appropriated to the fund by the general
10 assembly and any other moneys available to, obtained by, or
11 accepted by the board for deposit in the fund. Moneys in the
12 fund are appropriated to the department and shall be used for
13 the purposes designated in this section. Moneys in the fund
14 shall not supplant any federal disaster recovery moneys.

15 2. The board may award moneys from the fund to eligible
16 political subdivisions of the state. A political subdivision
17 of the state is eligible to receive moneys from the fund if
18 the political subdivision is located in a county designated
19 under presidential disaster declaration DR-4421-IA and is also
20 located in a county where the federal emergency management
21 agency's individual assistance program has been activated.

22 3. In order to be awarded moneys from the fund, a political
23 subdivision of the state shall submit a project application
24 to the department for consideration by the board. The board
25 shall prescribe application forms and application instructions.
26 Project applications shall include all of the following:

27 a. A description of the project and the manner in which
28 the project supports flood response, flood recovery, or flood
29 mitigation activities.

30 b. A description of the financial assistance needed from the
31 fund.

32 c. Details on any additional moneys to be applied to the
33 project.

34 4. a. The board shall review all project applications.
35 During the review of a project application, the board shall

1 consider, at a minimum, all of the following:

2 (1) Whether the project supports flood response, flood
3 recovery, or flood mitigation activities.

4 (2) Whether moneys from the fund are essential to meet
5 the necessary expenses or serious needs of the political
6 subdivision related to flood response, flood recovery, or flood
7 mitigation.

8 b. Upon review of a project application, the board shall
9 approve, defer, or deny the application. If a project
10 application is approved, the board shall specify the amount of
11 moneys from the fund awarded to the political subdivision. The
12 board shall negotiate and execute on behalf of the department
13 all necessary agreements to provide the moneys. If a project
14 application is deferred or denied, the board shall state the
15 reasons for such deferral or denial.

16 5. Notwithstanding section 8.33, moneys in the fund
17 that remain unencumbered or unobligated at the close of a
18 fiscal year shall not revert but shall remain available for
19 expenditure for the purposes designated in this section.
20 Notwithstanding section 12C.7, subsection 2, interest or
21 earnings on moneys deposited in the fund shall be credited to
22 the fund.

23 Sec. 28. FLOOD RECOVERY APPROPRIATION. There is
24 appropriated from the general fund of the state to the
25 department of homeland security and emergency management, for
26 the fiscal year beginning July 1, 2018, and ending June 30,
27 2019, the following amount, or so much thereof as is necessary,
28 to be credited to the flood recovery fund created in section
29 418.16, as enacted by this Act, and used for the purposes
30 designated in section 418.16, as enacted by this Act:

31 \$ 15,000,000

32 Sec. 29. EMERGENCY RULES. The department of homeland
33 security and emergency management may adopt emergency
34 rules under section 17A.4, subsection 3, and section 17A.5,
35 subsection 2, paragraph "b", to implement the provisions of

1 this division of this Act and the rules shall be effective
2 immediately upon filing unless a later date is specified in the
3 rules. Any rules adopted in accordance with this section shall
4 also be published as a notice of intended action as provided
5 in section 17A.4.

6 Sec. 30. EFFECTIVE DATE. This division of this Act, being
7 deemed of immediate importance, takes effect upon enactment.

8 DIVISION VI

9 STATE BUDGET PROCESS

10 Sec. 31. Section 8.6, Code 2019, is amended by adding the
11 following new subsection:

12 NEW SUBSECTION. 16. *Salary model administrator.* To
13 designate a position within the department to serve as the
14 salary model administrator.

15 a. The salary model administrator shall work in conjunction
16 with the legislative services agency to maintain the state's
17 salary model used for analyzing, comparing, and projecting
18 state employee salary and benefit information, including
19 information relating to employees of the state board of
20 regents.

21 b. The department of revenue, the department of
22 administrative services, the institutions governed by the state
23 board of regents pursuant to section 262.7, each judicial
24 district's department of correctional services, and the state
25 department of transportation shall provide salary data to the
26 department of management and the legislative services agency
27 to operate the state's salary model. The format and frequency
28 of provision of the salary data shall be determined by the
29 department of management and the legislative services agency.

30 c. The information shall be used in collective bargaining
31 processes under chapter 20 and in calculating the funding needs
32 contained within any annual salary adjustment legislation.
33 A state employee organization as defined in section 20.3,
34 subsection 4, may request information produced by the model,
35 but the information provided shall not contain information

1 attributable to individual employees.

2 Sec. 32. Section 8.23, subsection 1, unnumbered paragraph
3 1, Code 2019, is amended to read as follows:

4 On or before October 1, prior to each legislative session,
5 all departments and establishments of the government shall
6 transmit to the director, on blanks to be furnished by the
7 director, estimates of their expenditure requirements,
8 including every proposed expenditure, for the ensuing fiscal
9 year, ~~classified so as to distinguish between expenditures~~
10 ~~estimated for administration, operation, and maintenance, and~~
11 ~~the cost of each project involving the purchase of land or the~~
12 ~~making of a public improvement or capital outlay of a permanent~~
13 ~~character,~~ together with supporting data and explanations
14 as called for by the director after consultation with the
15 legislative services agency.

16 Sec. 33. Section 8.23, subsection 1, paragraph a, Code 2019,
17 is amended to read as follows:

18 a. The estimates of expenditure requirements shall be
19 ~~based upon seventy-five percent of the funding provided for~~
20 ~~the current fiscal year accounted for by program reduced by~~
21 ~~the historical employee vacancy factor in a form specified by~~
22 ~~the director,~~ and the remainder of the estimate of expenditure
23 requirements shall include all proposed expenditures and shall
24 be prioritized by program or the results to be achieved. The
25 estimates shall be accompanied with by performance measures
26 for evaluating the effectiveness of the ~~program~~ programs or
27 results.

28 Sec. 34. Section 602.1301, subsection 2, paragraph a,
29 unnumbered paragraph 1, Code 2019, is amended to read as
30 follows:

31 As early as possible, but not later than December 1, the
32 supreme court shall submit to the legislative services agency
33 the annual budget request and detailed supporting information
34 for the judicial branch. The submission shall be designed
35 to assist the legislative services agency in its preparation

1 for legislative consideration of the budget request. The
2 information submitted shall contain and be arranged in a format
3 substantially similar to the format specified by the director
4 of the department of management and used by all departments
5 and establishments in transmitting to the director estimates
6 of their expenditure requirements pursuant to [section 8.23](#),
7 ~~except the estimates of expenditure requirements shall be based~~
8 ~~upon one hundred percent of funding for the current fiscal~~
9 ~~year accounted for by program, and using the same line item~~
10 ~~definitions of expenditures as used for the current fiscal~~
11 ~~year's budget request, and the remainder of the estimate of~~
12 ~~expenditure requirements prioritized by program.~~ The supreme
13 court shall also make use of the department of management's
14 automated budget system when submitting information to the
15 director of the department of management to assist the director
16 in the transmittal of information as required under section
17 8.35A. The supreme court shall budget and track expenditures
18 by the following separate organization codes:

19 DIVISION VII

20 BLACKOUT SPECIAL REGISTRATION PLATES

21 Sec. 35. Section 321.34, Code 2019, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 11C. *Blackout plates.*

24 *a.* Upon application and payment of the proper fees,
25 the director may issue blackout plates to the owner of a
26 motor vehicle subject to registration under section 321.109,
27 subsection 1, autocycle, motor truck, motor home, multipurpose
28 vehicle, motorcycle, trailer, or travel trailer.

29 *b.* Blackout plates shall be designed by the department. A
30 blackout plate's background shall be black, and the plate's
31 letters and numbers shall be white.

32 *c.* The special blackout fee for letter-number designated
33 blackout plates is thirty-five dollars. An applicant may
34 obtain personalized blackout plates upon payment of the fee for
35 personalized plates as provided in subsection 5, which is in

1 addition to the special blackout fee. The fees collected by
2 the director under this subsection shall be paid monthly to the
3 treasurer of state and deposited in the road use tax fund.

4 d. Upon receipt of the special registration plates, the
5 applicant shall surrender the current registration plates to
6 the county treasurer. The county treasurer shall validate
7 the special registration plates in the same manner as regular
8 registration plates are validated under this section. The
9 annual special blackout fee for letter-number designated plates
10 is ten dollars which shall be paid in addition to the regular
11 annual registration fee. The annual fee for personalized
12 blackout plates is five dollars which shall be paid in addition
13 to the annual special blackout fee and the regular annual
14 registration fee. The annual special blackout fee shall be
15 credited as provided under paragraph "c".

16 e. The department shall not condition the issuance of
17 blackout plates on the receipt of any number of orders for
18 blackout plates.

19 Sec. 36. Section 321.166, subsection 9, Code 2019, is
20 amended to read as follows:

21 9. Special registration plates issued pursuant to section
22 321.34, other than gold star, medal of honor, collegiate, fire
23 fighter, ~~and~~ natural resources, and blackout registration
24 plates, shall be consistent with the design and color of
25 regular registration plates but shall provide a space on a
26 portion of the plate for the purpose of allowing the placement
27 of a distinguishing processed emblem or an organization
28 decal. Special registration plates shall also comply with
29 the requirements for regular registration plates as provided
30 in [this section](#) to the extent the requirements are consistent
31 with the section authorizing a particular special vehicle
32 registration plate.

33 DIVISION VIII
34 GAMBLING REGULATION

35 Sec. 37. Section 99F.7A, subsection 3, if enacted by 2019

1 Iowa Acts, Senate File 617, section 10, is amended to read as
2 follows:

3 3. A licensee under this section may enter into operating
4 agreements with one or two entities to have up to a total of
5 two individually branded internet sites to conduct advance
6 deposit sports wagering for the licensee, unless one additional
7 operating agreement or individually branded internet site
8 is authorized by the commission. However, a person shall
9 not sell, grant, assign, or turn over to another person the
10 operation of an individually branded internet site to conduct
11 advance deposit wagering for the licensee without the approval
12 of the commission. This section does not prohibit an agreement
13 entered into between a licensee under this section and an
14 advanced deposit sports wagering operator as approved by the
15 commission.

16 Sec. 38. Section 99F.13, Code 2019, is amended to read as
17 follows:

18 **99F.13 Annual audit of licensee operations.**

19 Within ninety days after the end of the licensee's fiscal
20 year, the licensee shall transmit to the commission an audit
21 of the licensee's total gambling operations, including an
22 itemization of all expenses and subsidies. For a licensed
23 subsidiary of a parent company, an audit of the parent company
24 meets the requirements of this section. All audits shall
25 be conducted by certified public accountants authorized
26 to practice in the state of Iowa under **chapter 542** ~~who are~~
27 ~~selected by the board of supervisors of the county in which the~~
28 ~~licensee operates.~~

29 DIVISION IX

30 PUBLIC UTILITIES

31 Sec. 39. Section 476.6, subsection 15, paragraph c,
32 subparagraphs (2) and (4), Code 2019, are amended to read as
33 follows:

34 (2) Notwithstanding the goals developed pursuant to
35 paragraph "b", the board shall not require or allow a gas

1 utility to adopt an energy efficiency plan that results in
2 projected cumulative average annual costs that exceed one
3 and one-half percent of the gas utility's expected annual
4 Iowa retail rate revenue from retail customers in the state,
5 shall not require or allow an electric utility to adopt an
6 energy efficiency plan that results in projected cumulative
7 average annual costs that exceed two percent of the electric
8 utility's expected annual Iowa retail rate revenue from retail
9 customers in the state, and shall not require or allow an
10 electric utility to adopt a demand response plan that results
11 in projected cumulative average annual costs that exceed two
12 percent of the electric utility's expected annual Iowa retail
13 rate revenue from retail customers in the state. For purposes
14 of determining the two percent threshold amount, the board
15 shall exclude from an electric utility's expected annual Iowa
16 retail rate revenue the revenues expected from customers that
17 have received exemptions from energy efficiency plans pursuant
18 to paragraph "a". This subparagraph shall apply to energy
19 efficiency plans and demand response plans that are effective
20 on or after January 1, 2019.

21 (4) The board shall approve, reject, or modify a plan filed
22 pursuant to [this subsection](#) no later than March 31, 2019. If
23 the board fails to approve, reject, or modify a plan filed by a
24 gas or electric utility on or before such date, any plan filed
25 by the gas or electric utility that was approved by the board
26 prior to May 4, 2018, shall be terminated. The board shall
27 not require or allow a gas or electric utility to implement an
28 energy efficiency plan or demand response plan that does not
29 meet the requirements of [this subsection](#).

30 DIVISION X

31 BOARD OF REGENTS CAPITAL PROJECTS

32 Sec. 40. BOARD OF REGENTS CAPITAL PROJECTS REPORT.

33 1. The state board of regents shall submit a written report,
34 including such information and recommendations as required by
35 this section, to the general assembly by December 13, 2019,

1 regarding the financing of capital projects at institutions
2 under the control of the state board of regents.

3 2. The written report shall include a list of all capital
4 projects initiated by an institution under the control of the
5 state board of regents since January 1, 2004, in which the
6 state provided at least a part of the financing for the project
7 from an appropriation from the rebuild Iowa infrastructure fund
8 created in section 8.57. For each project listed, the report
9 shall include all of the following information:

10 a. Total cost of each project.

11 b. The amount and percentage of each project financed
12 through donations and gifts from private sources.

13 c. The amount and percentage of each project financed
14 through funding from the federal government.

15 d. The amount and percentage of each project financed
16 through institution sources.

17 e. The amount and percentage of each project financed
18 through state dollars.

19 f. The amount and percentage of each project financed
20 through other sources.

21 g. Whether each project was considered a renovation or new
22 construction.

23 3. The written report shall include, for each year since
24 January 1, 2004, the percentage of capital project costs that
25 were covered by donations and gifts from private sources for
26 capital projects that did not receive state funding.

27 4. The written report shall include information regarding
28 how the state board of regents defines new construction and
29 renovations, a list of capital projects initiated due to
30 extraordinary circumstances, and the current method used by
31 the state board of regents and institutions under the control
32 of the state board of regents to develop financing plans for
33 capital projects.

34 5. The written report shall also include recommendations to
35 the general assembly regarding the following:

1 a. The type of capital projects that should be eligible for
2 state funding.

3 b. The share of state-funded capital projects that should be
4 funded with non-state dollars.

5 c. How the fundraising plan will be developed for
6 state-funded projects.

7 Sec. 41. REPEAL. Section 262.67, if enacted by 2019 Iowa
8 Acts, House File 765, section 16, is repealed.

9 DIVISION XI

10 WATERSHED MANAGEMENT AUTHORITIES

11 Sec. 42. Section 466B.22, Code 2019, is amended by adding
12 the following new subsection:

13 NEW SUBSECTION. 5. If a portion of a United States
14 geological survey hydrologic unit code 8 watershed is located
15 outside of this state, any political subdivision in such a
16 watershed may participate in any watershed management authority
17 which includes the county in which the political subdivision
18 is located.>

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