

Senate File 638

H-1326

1 Amend the amendment, H-1325, to Senate File 638, as amended,
2 passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 1, through page 19, line 19, and
4 inserting:

5 <Amend Senate File 638, as amended, passed, and reprinted by
6 the Senate, as follows:

7 1. By striking everything after the enacting clause and
8 inserting:

9 <DIVISION I

10 STANDING APPROPRIATIONS AND RELATED MATTERS

11 Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY
12 2019-2020. Notwithstanding the standing appropriation in the
13 following designated section for the fiscal year beginning July
14 1, 2019, and ending June 30, 2020, the amount appropriated from
15 the general fund of the state pursuant to that section for the
16 following designated purpose shall not exceed the following
17 amount:

18 For payment of claims for nonpublic school transportation
19 under section 285.2:

20 \$ 8,197,091

21 If total approved claims for reimbursement for nonpublic
22 school pupil transportation exceed the amount appropriated in
23 accordance with this section, the department of education shall
24 prorate the amount of each approved claim.

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

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

33 NEW SUBSECTION. 13A. Notwithstanding subsection 1, and in
34 addition to the reduction applicable pursuant to subsection
35 2, the state aid for area education agencies and the portion

1 of the combined district cost calculated for these agencies
2 for the fiscal year beginning July 1, 2019, and ending June
3 30, 2020, shall be reduced by the department of management by
4 fifteen million dollars. The reduction for each area education
5 agency shall be prorated based on the reduction that the agency
6 received in the fiscal year beginning July 1, 2003.

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

21 DIVISION II

22 MISCELLANEOUS APPROPRIATIONS

23 Sec. 5. DEPARTMENT OF PUBLIC SAFETY.

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

29 For costs associated with the training and equipment needs
30 of volunteer fire fighters:

31 \$ 50,000

32 2. Notwithstanding section 8.33, moneys appropriated in
33 this section that remain unencumbered or unobligated at the
34 close of the fiscal year shall not revert but shall remain
35 available for expenditure only for the purpose designated in

1 this section until the close of the succeeding fiscal year.
2 3. Notwithstanding section 8.39, the department of public
3 safety may reallocate moneys appropriated in this section
4 and moneys appropriated in 2019 Iowa Acts, Senate File 615,
5 section 15, if enacted, as necessary to best fulfill the needs
6 provided for in the appropriation. However, the department
7 shall not reallocate moneys appropriated to the department
8 in this section and moneys appropriated in 2019 Iowa Acts,
9 Senate File 615, section 15, if enacted, unless notice of the
10 reallocation is given to the legislative services agency and
11 the department of management prior to the effective date of the
12 reallocation. The notice shall include information regarding
13 the rationale for reallocating the moneys. The department
14 shall not reallocate moneys appropriated in this section and
15 moneys appropriated in 2019 Iowa Acts, Senate File 615, section
16 15, if enacted, for the purpose of eliminating any program.

17 DIVISION III

18 MISCELLANEOUS PROVISIONS

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

21 **2C.18 Report to general assembly.**

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

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

34 NEW SUBSECTION. 9. Notwithstanding section 331.604 or any
35 other provision of law to the contrary, the county recorder

1 shall not charge or collect a fee for the submission or filing
2 of a groundwater hazard statement.

3 DIVISION IV

4 CORRECTIVE PROVISIONS

5 Sec. 8. Section 29C.20C, if enacted by 2019 Iowa Acts,
6 Senate File 570, section 1, is amended to read as follows:

7 **29C.20C Immunity — licensed architects and professional**
8 **engineers.**

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

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

31 1. Recommending to the ~~board~~ department the adoption of
32 rules pursuant to chapter 17A as it deems necessary for the
33 board and division.

34 Sec. 10. Section 225C.51, subsection 1, paragraph a, if
35 enacted by 2019 Iowa Acts, House File 690, section 8, is

1 amended to read as follows:

2 a. The director of the department of human services or the
3 director's designee.

4 Sec. 11. Section 225C.51, subsection 3, if enacted by 2019
5 Iowa Acts, House File 690, section 8, is amended to read as
6 follows:

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

13 Sec. 12. Section 261H.3, subsections 1 and 2, as enacted by
14 2019 Iowa Acts, Senate File 274, section 3, are amended to read
15 as follows:

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

25 2. A member of the campus community who wishes to engage in
26 noncommercial expressive activity in outdoor areas of campus
27 shall be permitted to do so freely, subject to reasonable
28 time, place, and manner restrictions, and as long as the
29 member's conduct is not unlawful, does not impede others'
30 access to a facility or use of walkways, and does not disrupt
31 the functioning of the public institution of higher education,
32 subject to the protections of subsection 1. The public
33 institution of higher education may designate other areas of
34 campus available for use by the campus community according to
35 institutional policy, but in all cases access to designated

1 areas of campus must be granted on a viewpoint-neutral basis
2 within the bounds of established principles of the first
3 amendment principles to the Constitution of the United States.

4 Sec. 13. Section 322C.2, subsection 20, if enacted by 2019
5 Iowa Acts, Senate File 435, section 2, is amended to read as
6 follows:

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

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

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

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

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

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

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

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

1 c. The board of directors of the insurer has passed a
2 resolution seeking approval as a domestic surplus lines insurer
3 in this state and stating that the insurer shall only write
4 surplus ~~line~~ lines business. The resolution shall not be
5 amended without approval of the commissioner.

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

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

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

28 **633.648 Appointment of attorney in compromise of personal**
29 **injury settlements.**

30 Notwithstanding the provisions of [section 633.642](#) prior to
31 authorizing a compromise of a claim for damages on account
32 of personal injuries to the ~~ward~~ protected person, the court
33 may order an independent investigation by an attorney other
34 than by the attorney for the conservator. The cost of such
35 investigation, including a reasonable attorney fee, shall be

1 taxed as part of the cost of the conservatorship.

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

5 a. *“Covered individual”* means an individual who has, seeks
6 to have, or may have access to children, the elderly, or
7 individuals with disabilities served by a qualified entity and
8 who is employed by, volunteers with, or seeks to volunteer with
9 a qualified entity; or owns or operates or seeks to own or
10 operate, a qualified entity.

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

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

1 1; 249K.2, subsection 6; 490.120, subsection 12, paragraph "c",
2 subparagraph (1); 490.140, subsection 29; 490.640, subsection
3 8; 490.809, subsection 2; 490.858, subsection 2; 490.1101,
4 unnumbered paragraph 1; 490.1105, subsection 3; 490.1107,
5 subsection 1, paragraph "h"; 490.1107, subsection 2; 490.1107,
6 subsection 4, paragraph "b"; 490.1108, subsection 1; 490.1114,
7 subsection 1; 490.1114, subsection 2, paragraph "g"; 490.1202,
8 subsection 7; 490.1301, unnumbered paragraph 1; 490.1320,
9 subsection 1; 490.1320, subsection 3, paragraphs "a" and "b";
10 490.1322, subsection 2, paragraph "c"; 490.1323, subsection
11 3; 490.1331, subsection 1; 490.1340, subsection 2, paragraph
12 "a", subparagraph (1); 490.1403, subsection 3; 490.1405,
13 subsection 2, paragraph "c"; 499.69A, subsection 6; 524.1309,
14 subsection 8; 524.1406, subsection 1; 524.1417, subsection 1;
15 and 524.1805, subsection 6, Code 2019, are amended by striking
16 the word "division" and inserting in lieu thereof the word
17 "subchapter".

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

20 1. The section of this division of this Act amending section
21 29C.20.

22 2. The section of this division of this Act amending section
23 261H.3, subsections 1 and 2.

24 Sec. 23. EFFECTIVE DATE. The following takes effect January
25 1, 2020:

26 The section of this division of this Act amending section
27 633.648.

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

31 The section of this division of this Act amending section
32 29C.20.

33 Sec. 25. RETROACTIVE APPLICABILITY. The following applies
34 retroactively to March 27, 2019:

35 The section of this division of this Act amending section

1 261H.3, subsections 1 and 2.

2 Sec. 26. APPLICABILITY. The following applies to
3 guardianships and guardianship proceedings for adults and
4 conservatorships and conservatorship proceedings for adults and
5 minors established or pending before, on, or after January 1,
6 2020:

7 The section of this division of this Act amending section
8 633.648.

9

DIVISION V

10

FLOOD RECOVERY

11

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

12

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

20

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

27

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

32

a. A description of the project and the manner in which
33 the project supports flood response, flood recovery, or flood
34 mitigation activities.

35

b. A description of the financial assistance needed from the

1 fund.

2 *c.* Details on any additional moneys to be applied to the
3 project.

4 4. *a.* The board shall review all project applications.
5 During the review of a project application, the board shall
6 consider, at a minimum, all of the following:

7 (1) Whether the project supports flood response, flood
8 recovery, or flood mitigation activities.

9 (2) Whether moneys from the fund are essential to meet
10 the necessary expenses or serious needs of the political
11 subdivision related to flood response, flood recovery, or flood
12 mitigation.

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

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

28 Sec. 28. FLOOD RECOVERY APPROPRIATION. There is
29 appropriated from the general fund of the state to the
30 department of homeland security and emergency management, for
31 the fiscal year beginning July 1, 2018, and ending June 30,
32 2019, the following amount, or so much thereof as is necessary,
33 to be credited to the flood recovery fund created in section
34 418.16, as enacted by this Act, and used for the purposes
35 designated in section 418.16, as enacted by this Act:

1 \$ 15,000,000

2 Sec. 29. EMERGENCY RULES. The department of homeland
3 security and emergency management may adopt emergency
4 rules under section 17A.4, subsection 3, and section 17A.5,
5 subsection 2, paragraph "b", to implement the provisions of
6 this division of this Act and the rules shall be effective
7 immediately upon filing unless a later date is specified in the
8 rules. Any rules adopted in accordance with this section shall
9 also be published as a notice of intended action as provided
10 in section 17A.4.

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

13 DIVISION VI

14 STATE BUDGET PROCESS

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

17 NEW SUBSECTION. 16. *Salary model administrator.* To
18 designate a position within the department to serve as the
19 salary model administrator.

20 a. The salary model administrator shall work in conjunction
21 with the legislative services agency to maintain the state's
22 salary model used for analyzing, comparing, and projecting
23 state employee salary and benefit information, including
24 information relating to employees of the state board of
25 regents.

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

35 c. The information shall be used in collective bargaining

1 processes under chapter 20 and in calculating the funding needs
2 contained within any annual salary adjustment legislation.
3 A state employee organization as defined in section 20.3,
4 subsection 4, may request information produced by the model,
5 but the information provided shall not contain information
6 attributable to individual employees.

7 Sec. 32. Section 8.23, subsection 1, unnumbered paragraph
8 1, Code 2019, is amended to read as follows:

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

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

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

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

1 As early as possible, but not later than December 1, the
2 supreme court shall submit to the legislative services agency
3 the annual budget request and detailed supporting information
4 for the judicial branch. The submission shall be designed
5 to assist the legislative services agency in its preparation
6 for legislative consideration of the budget request. The
7 information submitted shall contain and be arranged in a format
8 substantially similar to the format specified by the director
9 of the department of management and used by all departments
10 and establishments in transmitting to the director estimates
11 of their expenditure requirements pursuant to [section 8.23](#),
12 ~~except the estimates of expenditure requirements shall be based~~
13 ~~upon one hundred percent of funding for the current fiscal~~
14 ~~year accounted for by program, and using the same line item~~
15 ~~definitions of expenditures as used for the current fiscal~~
16 ~~year's budget request, and the remainder of the estimate of~~
17 ~~expenditure requirements prioritized by program.~~ The supreme
18 court shall also make use of the department of management's
19 automated budget system when submitting information to the
20 director of the department of management to assist the director
21 in the transmittal of information as required under section
22 8.35A. The supreme court shall budget and track expenditures
23 by the following separate organization codes:

24 DIVISION VII

25 BLACKOUT SPECIAL REGISTRATION PLATES

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

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

29 *a.* Upon application and payment of the proper fees,
30 the director may issue blackout plates to the owner of a
31 motor vehicle subject to registration under section 321.109,
32 subsection 1, autocycle, motor truck, motor home, multipurpose
33 vehicle, motorcycle, trailer, or travel trailer.

34 *b.* Blackout plates shall be designed by the department. A
35 blackout plate's background shall be black, and the plate's

1 letters and numbers shall be white.

2 *c.* The special blackout fee for letter-number designated
3 blackout plates is thirty-five dollars. An applicant may
4 obtain personalized blackout plates upon payment of the fee for
5 personalized plates as provided in subsection 5, which is in
6 addition to the special blackout fee. The fees collected by
7 the director under this subsection shall be paid monthly to the
8 treasurer of state and deposited in the road use tax fund.

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

21 *e.* The department shall not condition the issuance of
22 blackout plates on the receipt of any number of orders for
23 blackout plates.

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

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

1 with the section authorizing a particular special vehicle
2 registration plate.

3 DIVISION VIII

4 GAMBLING REGULATION

5 Sec. 37. Section 99F.7A, subsection 3, if enacted by 2019
6 Iowa Acts, Senate File 617, section 10, is amended to read as
7 follows:

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

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

23 **99F.13 Annual audit of licensee operations.**

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

34 DIVISION IX

35 PUBLIC UTILITIES

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

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

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

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DIVISION X

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BOARD OF REGENTS CAPITAL PROJECTS

Sec. 40. BOARD OF REGENTS CAPITAL PROJECTS REPORT.

1. The state board of regents shall submit a written report, including such information and recommendations as required by this section, to the general assembly by December 13, 2019, regarding the financing of capital projects at institutions under the control of the state board of regents.

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

a. Total cost of each project.

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

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

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

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

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

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

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

4. The written report shall include information regarding how the state board of regents defines new construction and renovations, a list of capital projects initiated due to extraordinary circumstances, and the current method used by

1 the state board of regents and institutions under the control
2 of the state board of regents to develop financing plans for
3 capital projects.

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

6 a. The type of capital projects that should be eligible for
7 state funding.

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

10 c. How the fundraising plan will be developed for
11 state-funded projects.

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

14 DIVISION XI

15 WATERSHED MANAGEMENT AUTHORITIES

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

18 NEW SUBSECTION. 5. If a portion of a United States
19 geological survey hydrologic unit code 8 watershed is located
20 outside of this state, any political subdivision in such a
21 watershed may participate in any watershed management authority
22 which includes the county in which the political subdivision
23 is located.>>

HALL of Woodbury