

House File 2585

H-8069

1 Amend House File 2585 as follows:

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

4 <Section 1. Section 34.2, subsection 4, Code 2020, is  
5 amended to read as follows:

6 4. A 911 system shall be capable of transmitting requests  
7 for law enforcement, fire fighting, and emergency medical  
8 and ambulance services to a public safety agency or agencies  
9 that provide the requested service at the place where the call  
10 originates. A 911 system may also provide for transmitting  
11 requests for emergency management, poison control, suicide  
12 prevention, and other emergency services. The public safety  
13 answering point shall be capable of receiving calls from deaf  
14 and hard-of-hearing persons through a telecommunications device  
15 for the deaf and hard of hearing. Conferencing capability  
16 with counseling, aid to persons with disabilities, and other  
17 services as deemed necessary for identifying appropriate  
18 emergency response services may be provided by the 911 service.

19 A public safety answering point may transmit emergency  
20 response requests to private safety entities.

21 Sec. 2. Section 34A.9, Code 2020, is amended to read as  
22 follows:

23 **34A.9 Telecommunications devices for the speech impaired and  
24 ~~hearing-impaired~~ deaf and hard of hearing.**

25 Each public safety answering point shall provide for the  
26 installation and use of telecommunications devices for the  
27 speech impaired and ~~hearing-impaired~~ deaf and hard of hearing.

28 Sec. 3. Section 135L.2, subsection 1, paragraph a,  
29 subparagraph (1), Code 2020, is amended to read as follows:

30 (1) A video, to be developed by a person selected through a  
31 request for proposals process or other contractual agreement,  
32 which provides information regarding the various options  
33 available to a pregnant minor with regard to the pregnancy,  
34 including a decision to continue the pregnancy to term and  
35 retain parental rights following the child's birth, a decision

1 to continue the pregnancy to term and place the child for  
2 adoption following the child's birth, and a decision to  
3 terminate the pregnancy through abortion. The video shall  
4 provide the information in a manner and language, including  
5 but not limited to the use of closed captioning for the  
6 ~~hearing-impaired~~ deaf and hard of hearing, which could be  
7 understood by a minor.

8 Sec. 4. Section 147.14, subsection 1, paragraph u, Code  
9 2020, is amended to read as follows:

10 u. For sign language interpreting and transliterating, four  
11 members licensed to practice interpreting and transliterating,  
12 three of whom shall be practicing interpreters and  
13 transliterators at the time of appointment to the board and  
14 at least one of whom is employed in an educational setting;  
15 and three members who are consumers of interpreting or  
16 transliterating services as defined in [section 154E.1](#), each of  
17 whom shall be deaf or hard of hearing.

18 Sec. 5. Section 216A.113, subsection 1, Code 2020, is  
19 amended to read as follows:

20 1. The commission of deaf services is established, and shall  
21 consist of seven voting members appointed by the governor,  
22 subject to confirmation by the senate pursuant to section  
23 2.32. Membership of the commission shall include at least four  
24 members who are deaf ~~and who cannot hear human speech with or~~  
25 ~~without use of amplification~~ and at least one member who is  
26 hard of hearing. All members shall reside in Iowa.

27 Sec. 6. Section 235A.15, subsection 2, paragraph c,  
28 subparagraph (5), Code 2020, is amended to read as follows:

29 (5) To the superintendent of the Iowa school for the deaf  
30 if the data concerns a person employed or being considered for  
31 employment or living in the school.

32 Sec. 7. Section 256B.3, subsection 9, Code 2020, is amended  
33 to read as follows:

34 9. To cooperate with existing agencies such as the  
35 department of human services, the Iowa department of public

1 health, the ~~state~~ Iowa school for the deaf, the Iowa braille  
2 and sight saving school, the children's hospitals, or other  
3 agencies concerned with the welfare and health of children  
4 requiring special education in the coordination of their  
5 educational activities for such children.

6 Sec. 8. Section 262.7, subsection 5, Code 2020, is amended  
7 to read as follows:

8 5. The ~~state~~ Iowa school for the deaf.

9 Sec. 9. Section 262.9, subsection 2, Code 2020, is amended  
10 to read as follows:

11 2. Elect a president of each of the institutions of higher  
12 learning; a superintendent of each of the other institutions;  
13 a treasurer and a secretarial officer for each institution  
14 annually; professors, instructors, officers, and employees;  
15 and fix their compensation. [Sections 279.12 through 279.19](#)  
16 and [section 279.27](#) apply to employees of the Iowa braille and  
17 sight saving school and the ~~state~~ Iowa school for the deaf,  
18 who are licensed pursuant to [chapter 272](#). In following those  
19 sections in [chapter 279](#), the references to boards of directors  
20 of school districts shall be interpreted to apply to the board  
21 of regents.

22 Sec. 10. Section 262.43, Code 2020, is amended to read as  
23 follows:

24 **262.43 Students residing on state-owned land.**

25 The state board of regents shall pay to the local school  
26 boards the tuition payments and transportation costs, as  
27 otherwise authorized by statutes for the elementary or high  
28 school education of students residing on land owned by the  
29 state and under the control of the state board of regents.  
30 Such payments for the three institutions of higher learning,  
31 the state university of Iowa, the Iowa state university of  
32 science and technology, and the university of northern Iowa,  
33 shall be made from the funds of the respective institutions  
34 other than state appropriations, and for the two noncollegiate  
35 institutions, the Iowa braille and sight saving school and the

1 ~~state~~ Iowa school for the deaf, the payments and costs shall be  
2 paid from moneys appropriated to the state board of regents.

3 Sec. 11. Section 263.11, subsection 2, Code 2020, is amended  
4 to read as follows:

5 2. Persons who are not eligible for admission to the schools  
6 already established for persons with an intellectual disability  
7 or epilepsy or persons who are deaf or hard of hearing or  
8 blind.

9 Sec. 12. Section 270.1, Code 2020, is amended to read as  
10 follows:

11 **270.1 Superintendent.**

12 The superintendent of the school for the deaf shall be  
13 a trained and experienced educator of the deaf and hard of  
14 hearing. The superintendent's salary may include residence in  
15 the institution, but no such allowance shall be made except by  
16 express contract in advance.

17 Sec. 13. Section 270.3, Code 2020, is amended to read as  
18 follows:

19 **270.3 Admission.**

20 Any resident of the state less than twenty-one years of  
21 age, who has a hearing loss which is too severe to acquire an  
22 education in the public schools is eligible to attend the Iowa  
23 school for the deaf. Nonresidents similarly situated may be  
24 admitted to an education therein upon such terms as may be  
25 fixed by the state board of regents. The fee for nonresidents  
26 shall be not less than the average expense of resident pupils  
27 and shall be paid in advance.

28 Sec. 14. Section 270.9, Code 2020, is amended to read as  
29 follows:

30 **270.9 ~~School~~ Iowa school for the deaf and the Iowa braille  
31 and sight saving school.**

32 Funds appropriated to the Iowa school for the deaf and  
33 the Iowa braille and sight saving school for payments to the  
34 parents or guardians of pupils in either institution shall be  
35 expended as follows:

1 1. Transportation reimbursement at a rate established  
2 annually by the state board of regents to the parents or  
3 guardians of children who do not reside in the institution, but  
4 are transported to the institution on a daily basis.

5 2. Transportation reimbursement at a rate established  
6 annually by the state board of regents to the parents or  
7 guardians for transportation from the institution to the  
8 residence of the parent or guardian and return to the  
9 institution for children who reside in the institution.

10 Sec. 15. Section 270.10, subsection 1, Code 2020, is amended  
11 to read as follows:

12 1. The state board of regents shall not merge the Iowa  
13 school for the deaf at Council Bluffs with the Iowa braille  
14 and sight saving school at Vinton or close either of those  
15 institutions until all of the following requirements have been  
16 met:

17 a. The department of management has presented to the general  
18 assembly a comprehensive plan, program, and fiscal analysis of  
19 the existing circumstances and the circumstances which would  
20 prevail upon the proposed merger or closing, together with  
21 data which would support the contention that the merger or  
22 closing will be more efficient and effective than continuation  
23 of the existing facilities. The analysis shall include a  
24 detailed study of the educational implications of the merger  
25 or closing, the impact on the students, and the opinions and  
26 research of nationally recognized experts in the field of the  
27 education of visually impaired and deaf or hard-of-hearing  
28 students. The comprehensive plan shall further include a  
29 study relating to the programming, fiscal consequences, and  
30 political implications which would result if either a merger or  
31 an agreement under chapter 28E should be implemented between  
32 the Iowa school for the deaf in Council Bluffs and comparable  
33 state programs in the state of Nebraska.

34 b. The general assembly has studied the plans, programs, and  
35 fiscal analysis and has reviewed their impact on the programs.

1 c. The general assembly has enacted legislation authorizing  
2 either the closing or the merger to take effect not sooner than  
3 two years after the enactment of the legislation.

4 Sec. 16. Section 280.16, subsection 7, Code 2020, is amended  
5 to read as follows:

6 7. The Iowa braille and sight saving school, the state Iowa  
7 school for the deaf, and the institutions under the control of  
8 the department of human services as provided in section 218.1  
9 are exempt from the provisions of this section.

10 Sec. 17. Section 299.18, Code 2020, is amended to read as  
11 follows:

12 **299.18 Education of certain children who are deaf or hard of**  
13 **hearing, blind, or have severe disabilities.**

14 Children who are of compulsory attendance age and who are  
15 so deaf or hard of hearing, or blind, or have such severe  
16 disabilities so as to be unable to obtain an education in the  
17 public or accredited nonpublic schools shall be sent to the  
18 appropriate state-operated school, or shall receive appropriate  
19 special education under chapter 256B, unless exempted, and  
20 any person having such a child under the person's control or  
21 custody shall see that the child attends the state-operated  
22 school or special education program during the scholastic year.

23 Sec. 18. Section 299.19, Code 2020, is amended to read as  
24 follows:

25 **299.19 Proceeding against parent.**

26 Upon the failure of a person having the custody and control  
27 of a child who is blind, deaf or hard of hearing, or has severe  
28 disabilities to require the child's attendance as provided in  
29 section 299.18, the state board of regents may make application  
30 to the district court or the juvenile court of the county in  
31 which the person resides for an order requiring the person to  
32 compel the attendance of the child at the proper state-operated  
33 school.

34 Sec. 19. Section 299.22, Code 2020, is amended to read as  
35 follows:

1       **299.22 When deaf or hard of hearing and blind children**  
2 **excused.**

3       Attendance at the state-operated school may be excused when  
4 the superintendent of the state-operated school certifies that  
5 an interdisciplinary staffing team has determined, pursuant to  
6 the requirements of [chapter 256B](#), that the child is efficiently  
7 taught for the scholastic year in an accredited nonpublic or  
8 other school devoted to the instruction, by a private tutor, in  
9 the public schools, or is shown to be physically or mentally  
10 unable to attend school under [section 299.5](#).

11       Sec. 20. Section 299.23, Code 2020, is amended to read as  
12 follows:

13       **299.23 Agent of state board of regents.**

14       The state board of regents may employ an agent to aid in  
15 the enforcement of law relative to the education of deaf or  
16 hard-of-hearing children and blind children. The agent shall  
17 seek out children who should be in attendance at the state  
18 schools but who are not, and require such attendance. The  
19 agent shall institute proceedings against persons who violate  
20 the provisions of said law. The agent shall be allowed  
21 compensation at a rate fixed by the board of regents, and  
22 necessary traveling and hotel expenses while away from home in  
23 the performance of duty.

24       Sec. 21. Section 331.381, subsection 9, Code 2020, is  
25 amended to read as follows:

26       9. Comply with [chapters 269](#) and [270](#) in regard to the payment  
27 of costs for pupils at the Iowa braille and sight saving school  
28 and the Iowa school for the deaf.

29       Sec. 22. Section 331.502, subsection 15, Code 2020, is  
30 amended to read as follows:

31       15. Carry out duties relating to the collection and payment  
32 of funds for educating and supporting deaf and hard-of-hearing  
33 students as provided in [sections 270.6](#) and [270.7](#).

34       Sec. 23. Section 331.552, subsection 13, Code 2020, is  
35 amended to read as follows:

1 13. Make transfer payments to the state for school expenses  
2 for blind and deaf and hard-of-hearing children and support of  
3 persons with mental illness as provided in sections 230.21,  
4 269.2, and 270.7.

5 Sec. 24. Section 477C.2, subsections 2 and 5, Code 2020, are  
6 amended to read as follows:

7 2. "*Communication impairment*" means the inability to use the  
8 telephone for communication without a telecommunications device  
9 for the deaf and hard of hearing.

10 5. "*Telecommunications device for the deaf and hard of*  
11 *hearing*" means any specialized or supplemental telephone  
12 equipment used by communication-impaired persons to provide  
13 access to the telephone system.

14 Sec. 25. Section 477C.4, Code 2020, is amended to read as  
15 follows:

16 **477C.4 Telecommunications devices for the deaf and hard of**  
17 **hearing.**

18 With the advice of the council, the board may plan,  
19 establish, administer, and promote a program to secure,  
20 finance, and distribute telecommunications devices for the  
21 deaf and hard of hearing. The board may establish eligibility  
22 criteria for persons to receive telecommunications devices  
23 for the deaf and hard of hearing, including, but not limited  
24 to, requiring certification that the recipient cannot use the  
25 telephone for communication without a telecommunications device  
26 for the deaf and hard of hearing.

27 Sec. 26. Section 483A.24, subsection 7, Code 2020, is  
28 amended to read as follows:

29 7. A license shall not be required of minor pupils of the  
30 state school for the blind, ~~state~~ Iowa school for the deaf,  
31 or of minor residents of other state institutions under the  
32 control of an administrator of a division of the department  
33 of human services. In addition, a person who is on active  
34 duty with the armed forces of the United States, on authorized  
35 leave from a duty station located outside of this state, and



1 a resident of the state of Iowa shall not be required to  
2 have a license to hunt or fish in this state. The military  
3 person shall carry the person's leave papers and a copy of  
4 the person's current earnings statement showing a deduction  
5 for Iowa income taxes while hunting or fishing. In lieu of  
6 carrying the person's earnings statement, the military person  
7 may also claim residency if the person is registered to vote  
8 in this state. If a deer or wild turkey is taken, the military  
9 person shall immediately contact a state conservation officer  
10 to obtain an appropriate tag to transport the animal. A  
11 license shall not be required of residents of county care  
12 facilities or any person who is receiving supplementary  
13 assistance under [chapter 249](#).

14 Sec. 27. CODE EDITOR'S DIRECTIVE. The Code editor  
15 shall correct and eliminate any references to the term  
16 "hearing impaired" or other forms of the term and shall  
17 update references anywhere else in the Iowa Code, in any  
18 bills awaiting codification, and in any bills enacted by the  
19 Eighty-eighth General Assembly, 2020 Regular Session, or any  
20 extraordinary session, in accordance with this Act.

21 Sec. 28. ADMINISTRATIVE CODE EDITOR DIRECTIVE. The  
22 administrative rules coordinator and the administrative rules  
23 review committee, in consultation with the administrative code  
24 editor, shall jointly develop a schedule for the necessary  
25 updating of the Iowa administrative code to update references  
26 in accordance with this Act.>

27 2. By renumbering as necessary.

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JACOBSEN of Pottawattamie