

Senate Amendment to
House File 2643

H-8317

1 Amend House File 2643, as amended, passed, and reprinted by
2 the House, as follows:

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

5 <DIVISION I

6 CONTINUING APPROPRIATIONS

7 Section 1. CONTINUING APPROPRIATIONS — FY 2020-2021.

8 1. APPROPRIATIONS DETERMINED FROM FY 2019-2020 LINE ITEM
9 AND LIMITED STANDING APPROPRIATIONS.

10 a. For all line item appropriations, standing limited
11 appropriations, and standing unlimited appropriations otherwise
12 limited by law, including appropriations from federal and
13 nonstate funds, the department of management, in consultation
14 with the legislative services agency, shall determine the
15 amount of such line item appropriations, standing limited
16 appropriations, and standing unlimited appropriations otherwise
17 limited by law, including appropriations from federal and
18 nonstate funds, made for the fiscal year beginning July 1,
19 2019, and ending June 30, 2020, by taking into consideration
20 all of the following:

21 (1) 2020 Iowa Acts, Senate Files 2144 and 2408, and other
22 2020 Iowa Acts.

23 (2) 2019 Iowa Acts.

24 (3) All interdepartmental and intradepartmental transfers
25 made pursuant to [section 8.39](#) and other provisions of law.

26 (4) Other provisions of law.

27 b. The department of management, in consultation with the
28 legislative services agency, shall also identify the entities
29 to which such appropriations were made, or the entities'
30 successors.

31 2. CONTINUING APPROPRIATIONS. There is appropriated
32 from the appropriate state fund or account to the entities
33 identified pursuant to subsection 1, for the fiscal year
34 beginning July 1, 2020, and ending June 30, 2021, amounts, or
35 so much thereof as is necessary, equal to the amounts of all

1 line item appropriations, standing limited appropriations, and
2 standing unlimited appropriations otherwise limited by law,
3 including federal and nonstate funds, made for the fiscal year
4 beginning July 1, 2019, and ending June 30, 2020, as determined
5 pursuant to subsection 1, to be used for the same designated
6 purposes.

7 3. DUPLICATIVE STANDING APPROPRIATIONS SUPPLANTED. The
8 amounts appropriated under subsection 2 shall supplant
9 any duplicative standing appropriation for the fiscal year
10 beginning July 1, 2020, and ending June 30, 2021.

11 4. MISCELLANEOUS PROVISIONS APPLICABLE TO FY 2020-2021.
12 Any powers, duties, limitations, or requirements, including
13 reporting requirements, set forth in 2019 Iowa Acts, chapters
14 85, 89, 131, 135, 136, 154, 155, and 163, for the fiscal
15 year beginning July 1, 2019, and ending June 30, 2020, are
16 applicable for the fiscal year beginning July 1, 2020, and
17 ending June 30, 2021, and any specified date contained therein
18 shall apply one year later than specified in such chapters.

19 5. ALLOCATION AMOUNTS. For any line item appropriation,
20 standing limited appropriation, or standing unlimited
21 appropriation otherwise limited by law identified pursuant
22 to subsection 1 which is subject to an allocation amount for
23 the fiscal year beginning July 1, 2019, and ending June 30,
24 2020, the amount appropriated under subsection 2 based on such
25 appropriation shall be subject to the same allocation amount
26 for the fiscal year beginning July 1, 2020, and ending June 30,
27 2021.

28 6. NONREVERSION PROVISIONS. For any line item
29 appropriation, standing limited appropriation, or standing
30 unlimited appropriation otherwise limited by law identified
31 pursuant to subsection 1 that is subject to a specified
32 nonreversion provision, whether for a limited or unlimited
33 period, the amount appropriated under subsection 2 based on
34 such appropriation shall be subject to the same specified
35 nonreversion provision, and in the case of a specified

1 nonreversion provision for a limited period, the period shall
2 be considered to be one fiscal year longer than specified for
3 the appropriation identified pursuant to subsection 1.

4 7. FULL-TIME EQUIVALENT POSITIONS. The amounts
5 appropriated under subsection 2 to an entity identified
6 pursuant to subsection 1 may be used by the entity for a number
7 of full-time equivalent positions for the fiscal year beginning
8 July 1, 2020, and ending June 30, 2021, equal to the number of
9 full-time equivalent positions authorized for the entity for
10 the fiscal year beginning July 1, 2019, and ending June 30,
11 2020.

12 8. EXCLUSIONS. This section does not apply to any of the
13 following:

14 a. Appropriations made from the rebuild Iowa infrastructure
15 fund and the technology reinvestment fund pursuant to 2019 Iowa
16 Acts, chapter 137.

17 b. Appropriations made to the department of transportation
18 from the road use tax fund and the primary road fund pursuant
19 to 2019 Iowa Acts, chapter 52.

20 c. The appropriation made to the department of
21 administrative services from the general fund of the state for
22 establishing a listing of real property owned or leased by
23 the state pursuant to 2019 Iowa Acts, chapter 136, section 1,
24 subsection 1, paragraph "d".

25 d. The appropriation made to the department of cultural
26 affairs from the general fund of the state for payment of
27 rent for the state records center pursuant to 2019 Iowa Acts,
28 chapter 154, section 1, subsection 1, paragraph "g".

29 e. The appropriation made to the Iowa law enforcement
30 academy from the general fund of the state for costs associated
31 with temporary relocation of the Iowa law enforcement academy
32 pursuant to 2019 Iowa Acts, chapter 163, section 10, subsection
33 1, paragraph "a", subparagraph (2), as amended in this Act.

34 f. The appropriation made to the department of homeland
35 security and emergency management from the general fund of the

1 state for flood recovery pursuant to 2020 Iowa Acts, Senate
2 File 2144, section 3.

3 g. The appropriation made to the department of management
4 for distribution of moneys to other governmental entities for
5 the payment of rate adjustments established by the office of
6 the chief information officer pursuant to 2019 Iowa Acts,
7 chapter 136, section 16, subsection 2.

8 h. The appropriation made to the department of revenue from
9 the general fund of the state for technology upgrades pursuant
10 to 2019 Iowa Acts, chapter 136, section 19, subsection 1,
11 paragraph "b".

12 i. Any line item appropriation, standing limited
13 appropriation, or standing unlimited appropriation otherwise
14 limited by law that is otherwise provided for in this Act.

15 Sec. 2. REPEAL. 2020 Iowa Acts, Senate File 2408, sections
16 7 and 8, are repealed.

17 DIVISION II

18 GENERAL ASSEMBLY

19 Sec. 3. GENERAL ASSEMBLY.

20 1. The appropriations made pursuant to [section 2.12](#) for the
21 expenses of the general assembly and legislative agencies for
22 the fiscal year beginning July 1, 2020, and ending June 30,
23 2021, are reduced by the following amount:

24 \$ 1,000,000

25 2. The budgeted amounts for the general assembly and
26 legislative agencies for the fiscal year beginning July 1,
27 2020, may be adjusted to reflect the unexpended budgeted
28 amounts from the previous fiscal year.

29 DIVISION III

30 ADMINISTRATION AND REGULATION APPROPRIATIONS — FY 2020-2021

31 Sec. 4. DEPARTMENT OF ADMINISTRATIVE SERVICES. There
32 is appropriated from the general fund of the state to the
33 department of administrative services for the fiscal year
34 beginning July 1, 2020, and ending June 30, 2021, the following
35 amount, or so much thereof as is necessary, to be used for the

1 purposes designated:

2 For the payment of utility costs, and for not more than the
3 following full-time equivalent positions:

4	\$	3,882,948
5	FTEs	1.00

6 Notwithstanding [section 8.33](#), any excess moneys appropriated
7 for utility costs in this section shall not revert to the
8 general fund of the state at the end of the fiscal year but
9 shall remain available for expenditure for the purposes
10 designated during the succeeding fiscal year.

11 Sec. 5. SECRETARY OF STATE — ADMINISTRATION AND
12 ELECTIONS. There is appropriated from the general fund of the
13 state to the office of the secretary of state for the fiscal
14 year beginning July 1, 2020, and ending June 30, 2021, the
15 following amount, or so much thereof as is necessary, to be
16 used for the purposes designated:

17 For salaries, support, maintenance, and miscellaneous
18 purposes, and for not more than the following full-time
19 equivalent positions:

20	\$	1,874,870
21	FTEs	16.00

22 The state department or agency that provides data processing
23 services to support voter registration file maintenance and
24 storage shall provide those services without charge.

25 DIVISION IV

26 EDUCATION APPROPRIATIONS — FY 2020-2021

27 Sec. 6. STATE BOARD OF REGENTS. There is appropriated from
28 the general fund of the state to the state board of regents
29 for the fiscal year beginning July 1, 2020, and ending June
30 30, 2021, the following amounts, or so much thereof as is
31 necessary, to be used for the purposes designated:

32 1. STATE SCHOOL FOR THE DEAF

33 For salaries, support, maintenance, and miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

1 \$ 10,536,171
2 FTEs 101.84

3 2. IOWA BRAILLE AND SIGHT SAVING SCHOOL

4 For salaries, support, maintenance, and miscellaneous
5 purposes, and for not more than the following full-time
6 equivalent positions:

7 \$ 4,434,459
8 FTEs 58.00

9 Sec. 7. BOARD OF REGENTS — REDUCTION. The appropriations
10 made to the state board of regents for the fiscal year
11 beginning July 1, 2020, and ending June 30, 2021, pursuant to
12 section 1 of this Act, shall be collectively reduced by the
13 following amount:

14 \$ 8,000,000

15 The reduction set forth in this section shall be distributed
16 among the appropriations made to the state board of regents for
17 the fiscal year beginning July 1, 2020, and ending June 30,
18 2021, pursuant to section 1 of this Act as determined by the
19 state board of regents.

20 Sec. 8. Section 261.20, subsection 2, Code 2020, is amended
21 to read as follows:

22 2. The maximum balance of the scholarship and tuition
23 grant reserve fund is an amount equal to ~~one~~ two percent of
24 the funds appropriated to the scholarship and tuition grant
25 programs under [section 261.25](#) during the preceding fiscal year.
26 The moneys in the fund shall be placed in separate accounts
27 within the fund, according to the source and purpose of the
28 original appropriation. Moneys in the various accounts shall
29 only be used to alleviate a current fiscal year shortfall in
30 appropriations for scholarship or tuition grant programs that
31 have the same nature as the programs for which the moneys
32 were originally appropriated. At the conclusion of a fiscal
33 year, any surplus appropriations made to the commission for
34 scholarship or tuition grant programs are appropriated to the
35 scholarship and grant reserve fund in an amount equal to the

1 amount of the surplus or the amount necessary to achieve the
2 maximum balance, whichever amount is less.

3 DIVISION V

4 JUDICIAL APPROPRIATIONS — FY 2020-2021

5 Sec. 9. JUDICIAL BRANCH.

6 1. There is appropriated from the general fund of the state
7 to the judicial branch for the fiscal year beginning July 1,
8 2020, and ending June 30, 2021, the following amounts, or so
9 much thereof as is necessary, to be used for the purposes
10 designated:

11 a. For salaries of supreme court justices, appellate court
12 judges, district court judges, district associate judges,
13 associate juvenile judges, associate probate judges, judicial
14 magistrates and staff, state court administrator, clerk of
15 the supreme court, district court administrators, clerks of
16 the district court, juvenile court officers, board of law
17 examiners, board of examiners of shorthand reporters, and
18 commission on judicial qualifications; receipt and disbursement
19 of child support payments; reimbursement of the auditor
20 of state for expenses incurred in completing audits of the
21 offices of the clerks of the district court during the fiscal
22 year beginning July 1, 2020; and maintenance, equipment, and
23 miscellaneous purposes:

24 \$181,023,737

25 b. For deposit in the revolving fund created pursuant to
26 section 602.1302, subsection 3, for jury and witness fees,
27 mileage, costs related to summoning jurors, costs and fees for
28 interpreters and translators, and reimbursement of attorney
29 fees paid by the state public defender:

30 \$ 3,100,000

31 2. The judicial branch, except for purposes of internal
32 processing, shall use the current state budget system, the
33 state payroll system, and the Iowa finance and accounting
34 system in administration of programs and payments for services,
35 and shall not duplicate the state payroll, accounting, and

1 budgeting systems.

2 3. The judicial branch shall submit monthly financial
3 statements to the legislative services agency and the
4 department of management containing all appropriated accounts
5 in the same manner as provided in the monthly financial status
6 reports and personal services usage reports of the department
7 of administrative services. The monthly financial statements
8 shall include a comparison of the dollars and percentage
9 spent of budgeted versus actual revenues and expenditures on
10 a cumulative basis for full-time equivalent positions and
11 dollars.

12 4. The judicial branch shall focus efforts on the collection
13 of delinquent fines, penalties, court costs, fees, surcharges,
14 or similar amounts.

15 5. It is the intent of the general assembly that the offices
16 of the clerks of the district court operate in all 99 counties
17 and be accessible to the public as much as is reasonably
18 possible in order to address the relative needs of the citizens
19 of each county. An office of the clerk of the district court
20 shall be open regular courthouse hours.

21 6. In addition to the requirements for transfers under
22 section 8.39, the judicial branch shall not change the
23 appropriations from the amounts appropriated to the judicial
24 branch in this Act, unless notice of the revisions is given to
25 the legislative services agency prior to the effective date.
26 The notice shall include information on the branch's rationale
27 for making the changes and details concerning the workload and
28 performance measures upon which the changes are based.

29 7. The judicial branch shall submit a semiannual update
30 to the legislative services agency specifying the amounts of
31 fines, surcharges, and court costs collected using the Iowa
32 court information system since the last report. The judicial
33 branch shall continue to facilitate the sharing of vital
34 sentencing and other information with other state departments
35 and governmental agencies involved in the criminal justice

1 system through the Iowa court information system.

2 8. The judicial branch shall provide a report to the general
3 assembly by January 1, 2021, concerning the amounts received
4 and expended from the enhanced court collections fund created
5 in section 602.1304 and the court technology and modernization
6 fund created in section 602.8108, subsection 9, during the
7 fiscal year beginning July 1, 2019, and ending June 30, 2020,
8 and the plans for expenditures from each fund during the fiscal
9 year beginning July 1, 2020, and ending June 30, 2021. A copy
10 of the report shall be provided to the legislative services
11 agency.

12 Sec. 10. CIVIL TRIALS — LOCATION. Notwithstanding any
13 provision to the contrary, for the fiscal year beginning July
14 1, 2020, and ending June 30, 2021, if all parties in a case
15 agree, a civil trial including a jury trial may take place in a
16 county contiguous to the county with proper jurisdiction, even
17 if the contiguous county is located in an adjacent judicial
18 district or judicial election district. If the trial is moved
19 pursuant to this section, court personnel shall treat the case
20 as if a change of venue occurred.

21 DIVISION VI

22 HEALTH AND HUMAN SERVICES APPROPRIATIONS — FY 2020-2021

23 Sec. 11. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
24 GRANT. There is appropriated from the fund created in section
25 8.41 to the department of human services for the fiscal year
26 beginning July 1, 2020, and ending June 30, 2021, from moneys
27 received under the federal temporary assistance for needy
28 families (TANF) block grant pursuant to the federal Personal
29 Responsibility and Work Opportunity Reconciliation Act of 1996,
30 Pub. L. No. 104-193, and successor legislation, the following
31 amount, or so much thereof as is necessary, to be used for the
32 purposes designated:

33 To be credited to the family investment program account and
34 used for assistance under the family investment program under
35 chapter 239B:

1 \$ 5,002,006

2 Sec. 12. MEDICAL ASSISTANCE. There is appropriated from the
3 general fund of the state to the department of human services
4 for the fiscal year beginning July 1, 2020, and ending June 30,
5 2021, the following amount, or so much thereof as is necessary,
6 to be used for the purpose designated:

7 For medical assistance program reimbursement and associated
8 costs as specifically provided in the reimbursement
9 methodologies in effect on June 30, 2020, except as otherwise
10 expressly authorized by law, consistent with options under
11 federal law and regulations, and contingent upon receipt of
12 approval from the office of the governor of reimbursement for
13 each abortion performed under the program:

14 \$ 1,459,599,409

15 The prohibitions, limitations, transfers, authorizations,
16 requirements applicable to state and private entities, and
17 requirements applicable to the use of appropriated moneys,
18 including allocation amounts, set forth in 2019 Iowa Acts,
19 chapter 85, section 13, subsections 1 through 20, apply to
20 the moneys appropriated in this section for the fiscal year
21 beginning July 1, 2020, and ending June 30, 2021.

22 Sec. 13. STATE SUPPLEMENTARY ASSISTANCE.

23 1. There is appropriated from the general fund of the
24 state to the department of human services for the fiscal year
25 beginning July 1, 2020, and ending June 30, 2021, the following
26 amount, or so much thereof as is necessary, to be used for the
27 purpose designated:

28 For the state supplementary assistance program:

29 \$ 7,349,002

30 2. The department shall increase the personal needs
31 allowance for residents of residential care facilities by the
32 same percentage and at the same time as federal supplemental
33 security income and federal social security benefits are
34 increased due to a recognized increase in the cost of living.
35 The department may adopt emergency rules to implement this

1 subsection.

2 3. If during the fiscal year beginning July 1, 2020,
3 the department projects that state supplementary assistance
4 expenditures for a calendar year will not meet the federal
5 pass-through requirement specified in Tit. XVI of the federal
6 Social Security Act, section 1618, as codified in 42 U.S.C.
7 §1382g, the department may take actions including but not
8 limited to increasing the personal needs allowance for
9 residential care facility residents and making programmatic
10 adjustments or upward adjustments of the prescribed residential
11 care facility or in-home health-related care reimbursement
12 rates to ensure that federal requirements are met. In
13 addition, the department may make other programmatic and rate
14 adjustments necessary to remain within the amount appropriated
15 in this section while ensuring compliance with federal
16 requirements. The department may adopt emergency rules to
17 implement the provisions of this subsection.

18 4. Notwithstanding [section 8.33](#), moneys appropriated
19 in this section that remain unencumbered or unobligated
20 at the close of the fiscal year shall not revert but
21 shall remain available for expenditure for the purposes
22 designated, including for liability amounts associated with the
23 supplemental nutrition assistance program payment error rate,
24 until the close of the succeeding fiscal year.

25 Sec. 14. CHILDREN'S HEALTH INSURANCE PROGRAM.

26 1. There is appropriated from the general fund of the
27 state to the department of human services for the fiscal year
28 beginning July 1, 2020, and ending June 30, 2021, the following
29 amount, or so much thereof as is necessary, to be used for the
30 purpose designated:

31 For maintenance of the healthy and well kids in Iowa (hawk-i)
32 program pursuant to [chapter 514I](#), including supplemental dental
33 services, for receipt of federal financial participation under
34 Tit. XXI of the federal Social Security Act, which creates the
35 children's health insurance program:

1 \$ 37,598,984

2 2. Of the funds appropriated in this section, \$146,682 is
3 allocated for continuation of the contract for outreach with
4 the department of public health.

5 3. A portion of the funds appropriated in this section may
6 be transferred to the appropriations made for field operations
7 or medical contracts to be used for the integration of hawk-i
8 program eligibility, payment, and administrative functions
9 under the purview of the department of human services,
10 including for the Medicaid management information system
11 upgrade.

12 Sec. 15. STATE RESOURCE CENTERS.

13 1. There is appropriated from the general fund of the
14 state to the department of human services for the fiscal year
15 beginning July 1, 2020, and ending June 30, 2021, the following
16 amounts, or so much thereof as is necessary, to be used for the
17 purposes designated:

18 a. For the state resource center at Glenwood for salaries,
19 support, maintenance, and miscellaneous purposes:

20 \$ 16,700,867

21 b. For the state resource center at Woodward for salaries,
22 support, maintenance, and miscellaneous purposes:

23 \$ 10,913,360

24 2. The department may continue to bill for state resource
25 center services utilizing a scope of services approach used for
26 private providers of intermediate care facilities for persons
27 with an intellectual disability services, in a manner which
28 does not shift costs between the medical assistance program,
29 counties, or other sources of funding for the state resource
30 centers.

31 3. The state resource centers may expand the time-limited
32 assessment and respite services during the fiscal year.

33 4. If the department's administration and the department
34 of management concur with a finding by a state resource
35 center's superintendent that projected revenues can reasonably

1 be expected to pay the salary and support costs for a new
2 employee position, or that such costs for adding a particular
3 number of new positions for the fiscal year would be less
4 than the overtime costs if new positions would not be added,
5 the superintendent may add the new position or positions. If
6 the vacant positions available to a resource center do not
7 include the position classification desired to be filled, the
8 state resource center's superintendent may reclassify any
9 vacant position as necessary to fill the desired position. The
10 superintendents of the state resource centers may, by mutual
11 agreement, pool vacant positions and position classifications
12 during the course of the fiscal year in order to assist one
13 another in filling necessary positions.

14 5. If existing capacity limitations are reached in
15 operating units, a waiting list is in effect for a service or
16 a special need for which a payment source or other funding
17 is available for the service or to address the special need,
18 and facilities for the service or to address the special need
19 can be provided within the available payment source or other
20 funding, the superintendent of a state resource center may
21 authorize opening not more than two units or other facilities
22 and begin implementing the service or addressing the special
23 need during fiscal year 2020-2021.

24 6. Notwithstanding [section 8.33](#), and notwithstanding
25 the amount limitation specified in [section 222.92](#), moneys
26 appropriated in this section that remain unencumbered or
27 unobligated at the close of the fiscal year shall not revert
28 but shall remain available for expenditure for the purposes
29 designated until the close of the succeeding fiscal year.

30 Sec. 16. JUVENILE INSTITUTION. There is appropriated
31 from the general fund of the state to the department of human
32 services for the fiscal year beginning July 1, 2020, and ending
33 June 30, 2021, the following amounts, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 1. a. For operation of the state training school at Eldora

1 and for salaries, support, maintenance, and miscellaneous
2 purposes, and for not more than the following full-time
3 equivalent positions:

4 \$ 16,029,488
5 FTEs 207.00

6 b. Of the funds appropriated in this subsection, \$91,000
7 shall be used for distribution to licensed classroom teachers
8 at this and other institutions under the control of the
9 department of human services based upon the average student
10 yearly enrollment at each institution as determined by the
11 department.

12 2. A portion of the moneys appropriated in this section
13 shall be used by the state training school at Eldora for
14 grants for adolescent pregnancy prevention activities at the
15 institution in the fiscal year beginning July 1, 2020.

16 3. Of the funds appropriated in this subsection, \$212,000
17 shall be used by the state training school at Eldora for a
18 substance use disorder treatment program at the institution for
19 the fiscal year beginning July 1, 2020.

20 4. Notwithstanding [section 8.33](#), moneys appropriated in
21 this section that remain unencumbered or unobligated at the
22 close of the fiscal year shall not revert but shall remain
23 available for expenditure for the purposes designated until the
24 close of the succeeding fiscal year.

25 Sec. 17. DEPARTMENT OF PUBLIC HEALTH — ADDICTIVE
26 DISORDERS. There is appropriated from the general fund of the
27 state to the department of public health for the fiscal year
28 beginning July 1, 2020, and ending June 30, 2021, the following
29 amount, or so much thereof as is necessary, to be used for the
30 purposes designated:

31 1. For reducing the prevalence of the use of tobacco,
32 alcohol, and other drugs, and treating individuals affected by
33 addictive behaviors, including gambling, and for not more than
34 the following full-time equivalent positions:

35 \$ 23,659,379

1 FTEs 12.00

2 2. a. Of the funds appropriated in this section, \$4,021,000
3 shall be used for the tobacco use prevention and control
4 initiative, including efforts at the state and local levels,
5 as provided in chapter 142A. The commission on tobacco use
6 prevention and control established pursuant to section 142A.3
7 shall advise the director of public health in prioritizing
8 funding needs and the allocation of moneys appropriated for
9 the programs and initiatives. Activities of the programs
10 and initiatives shall be in alignment with the United States
11 centers for disease control and prevention best practices
12 for comprehensive tobacco control programs that include
13 the goals of preventing youth initiation of tobacco usage,
14 reducing exposure to secondhand smoke, and promotion of
15 tobacco cessation. To maximize resources, the department
16 shall determine if third-party sources are available to
17 instead provide nicotine replacement products to an applicant
18 prior to provision of such products to an applicant under
19 the initiative. The department shall track and report to
20 the individuals specified in this section, any reduction in
21 the provision of nicotine replacement products realized by
22 the initiative through implementation of the prerequisite
23 screening.

24 b. (1) The department shall collaborate with the
25 alcoholic beverages division of the department of commerce for
26 enforcement of tobacco laws, regulations, and ordinances and to
27 engage in tobacco control activities approved by the division
28 of tobacco use prevention and control of the department of
29 public health as specified in the memorandum of understanding
30 entered into between the divisions.

31 (2) For the fiscal year beginning July 1, 2020, and ending
32 June 30, 2021, the terms of the memorandum of understanding,
33 entered into between the division of tobacco use prevention
34 and control of the department of public health and the
35 alcoholic beverages division of the department of commerce,

1 governing compliance checks conducted to ensure licensed retail
2 tobacco outlet conformity with tobacco laws, regulations, and
3 ordinances relating to persons under 18 years of age, shall
4 continue to restrict the number of such checks to one check per
5 retail outlet, and one additional check for any retail outlet
6 found to be in violation during the first check.

7 3. a. Of the funds appropriated in this section,
8 \$19,639,000 shall be used for problem gambling and
9 substance-related disorder prevention, treatment, and recovery
10 services, including a 24-hour helpline, public information
11 resources, professional training, youth prevention, and program
12 evaluation.

13 b. Of the amount allocated under this subsection, \$306,000
14 shall be utilized by the department of public health, in
15 collaboration with the department of human services, to support
16 establishment and maintenance of a single statewide 24-hour
17 crisis hotline for the Iowa children's behavioral health system
18 that incorporates warmline services which may be provided
19 through expansion of existing capabilities maintained by the
20 department of public health as required pursuant to 2018 Iowa
21 Acts, chapter 1056, section 16.

22 4. The requirement of [section 123.17, subsection 5](#), is met
23 by the appropriations and allocations made in this section
24 and section 1 of this Act for purposes of substance-related
25 disorder treatment and addictive disorders for the fiscal year
26 beginning July 1, 2020.

27 Sec. 18. DEPARTMENT OF PUBLIC HEALTH — SPORTS WAGERING
28 RECEIPTS FUND. There is appropriated from the sports wagering
29 receipts fund created in section 8.57, subsection 6, to the
30 department of public health for the fiscal year beginning July
31 1, 2020, and ending June 30, 2021, the following amount, or
32 so much thereof as is necessary, to be used for the purposes
33 designated:

34 For problem gambling and substance-related disorder
35 prevention, treatment, and recovery services, including a

1 24-hour helpline, public information resources, professional
2 training, youth prevention, and program evaluation:
3 \$ 1,450,000

4 The appropriation made in this section shall not supplant
5 the appropriation made to the department of public health from
6 the sports wagering receipts fund pursuant to section 1 of this
7 Act, based on the appropriation made in 2019 Iowa Acts, chapter
8 133.

9 DIVISION VII

10 HEALTH AND HUMAN SERVICES — PRIOR APPROPRIATIONS AND OTHER
11 PROVISIONS

12 RURAL PSYCHIATRIC RESIDENCIES

13 Sec. 19. 2019 Iowa Acts, chapter 85, section 3, subsection
14 4, paragraph j, is amended to read as follows:

15 j. Of the funds appropriated in this subsection, \$400,000
16 shall be used for rural psychiatric residencies to support the
17 annual creation and training of four psychiatric residents who
18 will provide mental health services in underserved areas of
19 the state. Notwithstanding section 8.33, moneys that remain
20 unencumbered or unobligated at the close of the fiscal year
21 shall not revert but shall remain available for expenditure for
22 the purposes designated for subsequent fiscal years.

23 FAMILY INVESTMENT PROGRAM ACCOUNT

24 Sec. 20. 2019 Iowa Acts, chapter 85, section 9, is amended
25 by adding the following new subsection:

26 NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys
27 appropriated in this section that remain unencumbered or
28 unobligated at the close of the fiscal year shall not revert
29 but shall remain available for expenditure for the purposes
30 designated, and may be transferred to the appropriations made
31 in this division of this Act for general administration and
32 field operations for technology needs including the eligibility
33 integrated applications solutions (ELIAS) project, until the
34 close of the succeeding fiscal year.

35 STATE SUPPLEMENTARY ASSISTANCE

1 Cherokee or the state mental health institute at Independence
2 pursuant to [42 C.F.R §438.6\(e\)](#) may be retained and expended by
3 the mental health institute.

4 b. Notwithstanding sections 218.78 and 249A.11, any
5 COVID-19 related funding received through federal funding
6 sources by the state mental health institute at Cherokee or the
7 state mental health institute at Independence may be retained
8 and expended by the mental health institute.

9 FIELD OPERATIONS

10 Sec. 25. 2019 Iowa Acts, chapter 85, section 27, is amended
11 by adding the following new subsection:

12 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys
13 appropriated in this section that remain unencumbered or
14 unobligated at the close of the fiscal year shall not revert
15 but shall remain available for expenditure for the purposes
16 designated until the close of the succeeding fiscal year.

17 GENERAL ADMINISTRATION

18 Sec. 26. 2019 Iowa Acts, chapter 85, section 28, is amended
19 by adding the following new subsection:

20 NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys
21 appropriated in this section that remain unencumbered or
22 unobligated at the close of the fiscal year shall not revert
23 but shall remain available for expenditure for the purposes
24 designated until the close of the succeeding fiscal year.

25 DECATEGORIZATION FY 2018 CARRYOVER FUNDING

26 Sec. 27. DECATEGORIZATION CARRYOVER FUNDING FY 2018 —
27 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,
28 subsection 5, paragraph “b”, any state-appropriated moneys in
29 the funding pool that remained unencumbered or unobligated
30 at the close of the fiscal year beginning July 1, 2017, and
31 were deemed carryover funding to remain available for the two
32 succeeding fiscal years that still remain unencumbered or
33 unobligated at the close of the fiscal year beginning July 1,
34 2019, shall not revert but shall be transferred to the medical
35 assistance program for the fiscal year beginning July 1, 2020.

1 appropriations made for the fiscal year beginning July 1, 2020,
2 and ending June 30, 2021, notwithstanding section 1 of this
3 Act:

4 1. 2019 Iowa Acts, chapter 85, section 3, subsection 2,
5 paragraph "a".

6 2. 2019 Iowa Acts, chapter 85, section 3, subsection 7,
7 paragraph "b".

8 3. 2019 Iowa Acts, chapter 85, section 3, subsection 9,
9 paragraph "b".

10 4. 2019 Iowa Acts, chapter 85, section 4, subsection 1.

11 5. 2019 Iowa Acts, chapter 85, section 9, subsection 4.

12 6. 2019 Iowa Acts, chapter 85, section 13, subsections 21,
13 22, 23, and 24.

14 7. 2019 Iowa Acts, chapter 85, section 18, subsection 1,
15 paragraph "c".

16 8. 2019 Iowa Acts, chapter 85, section 22, subsection 2.

17 9. 2019 Iowa Acts, chapter 85, section 24, subsection 1,
18 paragraph "a", subparagraph (2).

19 10. 2019 Iowa Acts, chapter 85, section 24, subsection 1,
20 paragraph "b", subparagraph (2).

21 11. 2019 Iowa Acts, chapter 85, section 26, subsection 1,
22 paragraph "b".

23 12. 2019 Iowa Acts, chapter 85, section 27, subsection 2.

24 13. 2019 Iowa Acts, chapter 85, section 32, subsection 1.

25 14. 2019 Iowa Acts, chapter 85, section 33.

26 15. 2019 Iowa Acts, chapter 85, divisions VII, VIII, XI,
27 XII, XIV, XVI, XIX, and XXVII.

28 DIVISION IX

29 HEALTH AND HUMAN SERVICES — NEW PROVISIONS APPLICABLE FOR FY

30 2020-2021

31 STATE MEDICAL EXAMINER

32 Sec. 33. STATE MEDICAL EXAMINER — USE OF MONEYS. For
33 the fiscal year beginning July 1, 2020, and ending June 30,
34 2021, a portion of the moneys appropriated from the general
35 fund of the state to the department of public health for

1 public protection shall be used to support the office of the
2 state medical examiner and to address the growth in demand
3 for services. The office of the state medical examiner shall
4 enter into a memorandum of understanding with the university
5 of Iowa hospitals and clinics to coordinate the completion of
6 forensic autopsies to address increased caseloads and prolonged
7 backlogs, and to promote regional efficiencies.

8 HOPES — HFI

9 Sec. 34. HEALTHY OPPORTUNITIES FOR PARENTS TO EXPERIENCE
10 SUCCESS (HOPES) — HEALTHY FAMILIES IOWA (HFI) PROGRAM. For
11 the fiscal year beginning July 1, 2020, and ending June 30,
12 2021, of the funds appropriated from the general fund of the
13 state to the department of public health for healthy children
14 and families, not more than \$734,000 shall be used for the
15 healthy opportunities for parents to experience success (HOPES)
16 — healthy families Iowa (HFI) program established pursuant to
17 section 135.106.

18 SEXUAL VIOLENCE PREVENTION PROGRAMMING

19 Sec. 35. SEXUAL VIOLENCE PREVENTION PROGRAMMING. For
20 the fiscal year beginning July 1, 2020, and ending June
21 30, 2021, of the moneys appropriated from the general fund
22 of the state to the department of public health for public
23 protection, up to \$243,000 shall be used for sexual violence
24 prevention programming through a statewide organization
25 representing programs serving victims of sexual violence
26 through the department's sexual violence prevention program,
27 and for continuation of a training program for sexual assault
28 response team (SART) members, including representatives of
29 law enforcement, victim advocates, prosecutors, and certified
30 medical personnel. The amount allocated in this section shall
31 not be used to supplant funding administered for other sexual
32 violence prevention or victims assistance programs.

33 TAX PREPARATION ASSISTANCE

34 Sec. 36. DEPARTMENT OF HUMAN SERVICES — TAX PREPARATION
35 ASSISTANCE. For the fiscal year beginning July 1, 2020, and

1 ending June 30, 2021, of the moneys appropriated from the
2 general fund of the state to the department of human services
3 to be credited to the family investment program account and
4 used for family investment assistance under chapter 239B,
5 \$195,000 shall be used for a contract executed in accordance
6 with 2019 Iowa Acts, chapter 85, section 9, subsection 4,
7 with an Iowa-based nonprofit organization with a history of
8 providing tax preparation assistance to low-income Iowans in
9 order to expand the usage of the earned income tax credit.
10 The purpose of the contract is to supply this assistance to
11 underserved areas of the state.

12 HEALTH PROGRAM OPERATIONS

13 Sec. 37. HEALTH PROGRAM OPERATIONS. There is appropriated
14 from the general fund of the state to the department of human
15 services for the fiscal year beginning July 1, 2020, and ending
16 June 30, 2021, the following amount or so much thereof as is
17 necessary, to be used for the purposes designated:

18 For health program operations:

19 \$ 17,831,343

20 1. The department of inspections and appeals shall provide
21 all state matching moneys for survey and certification
22 activities performed by the department of inspections
23 and appeals. The department of human services is solely
24 responsible for distributing the federal matching moneys for
25 such activities.

26 2. Of the moneys appropriated in this section, \$50,000 shall
27 be used for continuation of home and community-based services
28 waiver quality assurance programs, including the review and
29 streamlining of processes and policies related to oversight and
30 quality management to meet state and federal requirements.

31 3. Of the amount appropriated in this section, up to
32 \$200,000 may be transferred to the appropriation for general
33 administration to be used for additional full-time equivalent
34 positions in the development of key health initiatives such
35 as development and oversight of managed care programs and

1 development of health strategies targeted toward improved
2 quality and reduced costs in the Medicaid program.

3 4. Of the moneys appropriated in this section, \$1,000,000
4 shall be used for planning and development, in cooperation with
5 the department of public health, of a phased-in program to
6 provide a dental home for children.

7 5. a. Of the moneys appropriated in this section, \$573,000
8 shall be credited to the autism support program fund created
9 in section 225D.2 to be used for the autism support program
10 created in chapter 225D, with the exception of the following
11 amount of this allocation which shall be used as follows:

12 b. Of the moneys allocated in this subsection, \$25,000 shall
13 be used for the public purpose of continuation of a grant to a
14 nonprofit provider of child welfare services that has been in
15 existence for more than 115 years, is located in a county with
16 a population between 200,000 and 220,000 according to the most
17 recent federal decennial census, is licensed as a psychiatric
18 medical institution for children, and provides school-based
19 programming, to be used for support services for children with
20 autism spectrum disorder and their families.

21 Sec. 38. REFERENCES TO MEDICAL CONTRACTS — REPLACED. For
22 the fiscal year beginning July 1, 2020, and ending June 30,
23 2021, all references in 2019 Iowa Acts, chapter 85, division V,
24 to "medical contracts" shall be replaced with the term "health
25 program operations" and all transfers of funds made to or from
26 the appropriation for medical contracts shall instead be made
27 to or from the appropriation for health program operations.

28 CHILD AND FAMILY SERVICES

29 Sec. 39. CHILD AND FAMILY SERVICES — GROUP FOSTER
30 CARE. For the fiscal year beginning July 1, 2020, and ending
31 June 30, 2021, of the funds appropriated from the general fund
32 of the state to the department of human services for child and
33 family services, \$26,025,000 is allocated as the statewide
34 expenditure target under section 232.143 for group foster care
35 maintenance and services. If the department projects that such

1 adjustment of reimbursement rates under this subparagraph shall
2 be budget neutral to the state budget.

3 (3) Medicaid managed care organizations shall adjust
4 facility-specific rates based upon payment rate listings issued
5 by the department. The rate adjustments shall be applied
6 prospectively from the effective date of the rate letter issued
7 by the department.

8 b. For the fiscal year beginning July 1, 2020, reimbursement
9 rates for outpatient hospital services shall be rebased
10 effective January 1, 2021, subject to Medicaid program upper
11 payment limit rules, and adjusted as necessary to maintain
12 expenditures within the amount appropriated to the department
13 for this purpose for the fiscal year.

14 c. For the fiscal year beginning July 1, 2020, under
15 both fee-for-service and managed care administration of
16 the Medicaid program, critical access hospitals shall be
17 reimbursed for inpatient and outpatient services based on the
18 hospital-specific critical access hospital cost adjustment
19 factor methodology utilizing the most recent and complete cost
20 reporting period as applied prospectively within the funds
21 appropriated for such purpose for the fiscal year.

22 d. For the fiscal year beginning July 1, 2020, assertive
23 community treatment per diem rates shall remain at the rates in
24 effect on June 30, 2020.

25 e. Notwithstanding section 234.38, for the fiscal
26 year beginning July 1, 2020, the foster family basic daily
27 maintenance rate and the maximum adoption subsidy rate for
28 children ages 0 through 5 years shall be \$16.78, the rate for
29 children ages 6 through 11 years shall be \$17.45, the rate for
30 children ages 12 through 15 years shall be \$19.10, and the
31 rate for children and young adults ages 16 and older shall be
32 \$19.35. For youth ages 18 up to 23 who have exited foster
33 care, the preparation for adult living program maintenance rate
34 shall be \$602.70 per month. The maximum payment for adoption
35 subsidy nonrecurring expenses shall be limited to \$500 and the

1 disallowance of additional amounts for court costs and other
2 related legal expenses implemented pursuant to 2010 Iowa Acts,
3 chapter 1031, section 408, shall be continued.

4 f. For the fiscal year beginning July 1, 2020, the
5 reimbursement rate for family-centered services providers shall
6 be established by contract.

7 2. With the exception of the providers and services
8 specified in subsection 1, all other provider and service
9 reimbursement rates and methodologies specified in 2019 Iowa
10 Acts, chapter 85, section 31, shall continue to be applicable
11 for the fiscal year beginning July 1, 2020, and ending June 30,
12 2021.

13 EMERGENCY RULES

14 Sec. 42. EMERGENCY RULES.

15 1. If necessary to comply with federal requirements
16 including time frames, or if specifically authorized by a
17 provision of this division of this Act, the department of
18 human services or the mental health and disability services
19 commission may adopt administrative rules under section 17A.4,
20 subsection 3, and section 17A.5, subsection 2, paragraph "b",
21 to implement the provisions of this division of this Act and
22 the rules shall become effective immediately upon filing or
23 on a later effective date specified in the rules, unless the
24 effective date of the rules is delayed or the applicability
25 of the rules is suspended by the administrative rules review
26 committee. Any rules adopted in accordance with this section
27 shall not take effect before the rules are reviewed by the
28 administrative rules review committee. The delay authority
29 provided to the administrative rules review committee under
30 section 17A.4, subsection 7, and section 17A.8, subsection 9,
31 shall be applicable to a delay imposed under this section,
32 notwithstanding a provision in those sections making them
33 inapplicable to section 17A.5, subsection 2, paragraph "b".
34 Any rules adopted in accordance with the provisions of this
35 section shall also be published as a notice of intended action

1 as provided in section 17A.4.

2 2. If during a fiscal year, the department of human
3 services is adopting rules in accordance with this section
4 or as otherwise directed or authorized by state law, and the
5 rules will result in an expenditure increase beyond the amount
6 anticipated in the budget process or if the expenditure was
7 not addressed in the budget process for the fiscal year, the
8 department shall notify the persons designated by this division
9 of this Act for submission of reports, the chairpersons and
10 ranking members of the committees on appropriations, and
11 the department of management concerning the rules and the
12 expenditure increase. The notification shall be provided at
13 least 30 calendar days prior to the date notice of the rules
14 is submitted to the administrative rules coordinator and the
15 administrative code editor.

16 REPORT ON NONREVERSION OF FUNDS

17 Sec. 43. REPORT ON NONREVERSION OF FUNDS. The department
18 of human services shall report the expenditure of any moneys
19 for which nonreversion authorization was provided for the
20 fiscal year beginning July 1, 2019, and ending June 30, 2020,
21 for the family investment program account, state supplementary
22 assistance, child and family services, the mental health
23 institutes, field operations, or general administration to the
24 chairpersons and ranking members of the joint appropriations
25 subcommittee on health and human services, the legislative
26 services agency, and the four legislative caucus staffs on a
27 quarterly basis beginning October 1, 2020.

28 CHILD AND FAMILY SERVICES

29 Sec. 44. CHILD AND FAMILY SERVICES APPROPRIATION. For the
30 fiscal year beginning July 1, 2020, and ending June 30, 2021, a
31 portion of the funds appropriated from the general fund of the
32 state to the department of human services for child and family
33 services may be used for family-centered services for purposes
34 of complying with the federal Family First Prevention Services
35 Act of 2018, Pub. L. No. 115-123, and successor legislation.

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DIVISION X

PUBLIC HEALTH EMERGENCY PROVISIONS

COVID-19 REGULATIONS

Sec. 45. COVID-19 FEDERAL REGULATIONS. For the time period beginning on the effective date of this division of this Act, and ending June 30, 2021, notwithstanding state administrative rules to the contrary, to the extent federal regulations relating to the COVID-19 pandemic differ from state administrative rules, including applicable federal waivers, the federal regulations are controlling during the pendency of the federally declared state of emergency.

COUNTY HOSPITAL FUNDING

Sec. 46. COUNTY HOSPITAL FUNDING — SUSTAINING OF HOSPITAL OPERATIONS. For the time period beginning on the effective date of this division of this Act, and ending June 30, 2021, notwithstanding any provision of section 347.14, subsection 4, to the contrary, a board of trustees of a county hospital may borrow moneys secured solely by hospital revenues for the purpose of providing working capital or for general financing needs to sustain hospital operations.

Sec. 47. COUNTY HOSPITAL FUNDING — NONCURRENT DEBT ISSUANCE. For the time period beginning on the effective date of this division of this Act, and ending June 30, 2021, notwithstanding any provision of section 331.478, subsections 2 and 3, to the contrary, a board of trustees of a county hospital may authorize noncurrent debt for the purpose of providing working capital or for general financing needs to sustain a county hospital's operations including in the form of natural disaster loans from the state or federal government.

Sec. 48. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XI

MENTAL HEALTH AND DISABILITY SERVICES

Sec. 49. Section 331.389, subsection 4, paragraph c, Code 2020, is amended to read as follows:

1 c. The department shall work with any county that has not
2 agreed to be part of a region in accordance with paragraph
3 "a" and with the regions forming around the county to resolve
4 issues preventing the county from joining a region. In
5 addition to the regional governance agreement requirements
6 in section 331.392, the department may compel the county and
7 region to engage in mediation for resolution of a dispute.
8 The costs incurred for mediation shall be paid by the county
9 and the region in dispute according to their governance
10 agreement. A county that has not agreed to be part of a
11 region in accordance with paragraph "a" shall be assigned by
12 the department to a region, unless exempted prior to July 1,
13 2014. A county assigned by the department to a region shall
14 be included in that region's amended governance agreement
15 pursuant to this section as of an effective date designated by
16 the department. The assigned county and region shall operate
17 according to the region's existing governance agreement until
18 the regional governance agreement is amended.

19 Sec. 50. Section 331.389, subsection 5, Code 2020, is
20 amended to read as follows:

21 5. a. If the department determines that a region or an
22 exempted county is not adequately fulfilling the requirements
23 under [this chapter](#) for a regional service system, the
24 department shall address the region or county in the following
25 order:

26 ~~a.~~ (1) Require compliance with a corrective action plan.
27 ~~b.~~ (2) Reduce the amount of the annual state funding
28 provided for the regional service system, not to exceed fifteen
29 percent of the amount.

30 ~~c.~~ (3) Withdraw approval for the region or for the county
31 exemption, as applicable.

32 b. The department shall rely on all information available,
33 including annual audits submitted under section 331.391,
34 regional governance agreements submitted under section 331.392,
35 and annual service and budget plans submitted under section

1 331.393 in determining whether a region or an exempted county
2 is adequately fulfilling the requirements for a regional
3 service system. The department may request and review
4 financial documents, contracts, and other audits, and may
5 perform on-site reviews and interviews to gather information.

6 Sec. 51. Section 331.392, subsection 4, Code 2020, is
7 amended to read as follows:

8 4. The financial provisions of the agreement shall include
9 all of the following:

10 a. Methods for pooling, management, and expenditure of the
11 funding under the control of the regional administrator. If
12 the agreement does not provide for pooling of the participating
13 county moneys in a single fund, the agreement shall specify how
14 the participating county moneys will be subject to the control
15 of the regional administrator.

16 b. (1) Methods for allocating administrative funding and
17 resources.

18 (2) Methods for allocating a region's cash flow amount in
19 the event a county leaves the region. A region's cash flow
20 amount shall be divided by the percentage of each county's
21 population according to the region's population indicated
22 in the region's annual service and budget plan and shall be
23 allocated to the counties. This subparagraph shall apply to
24 all agreements in existence or entered into on or after July
25 1, 2020.

26 c. Contributions and uses of initial funding or related
27 contributions made by the counties participating in the
28 region for purposes of commencing operations by the regional
29 administrator.

30 d. Methods for acquiring or disposing of real property.

31 e. A process for determining the use of savings for
32 reinvestment.

33 f. A process for performance of an annual independent audit
34 of the regional administrator. The annual independent audit
35 prepared by the regional administrator shall be submitted to

1 the department upon completion of the audit.

2 Sec. 52. Section 331.392, Code 2020, is amended by adding
3 the following new subsection:

4 NEW SUBSECTION. 6. All agreements shall be submitted to the
5 department. The department shall approve the agreement if the
6 agreement complies with the requirements of this section.

7 Sec. 53. MENTAL HEALTH AND DISABILITY SERVICES —
8 REGIONALIZATION AUTHORIZATION.

9 1. The department of human services shall facilitate the
10 county social services mental health and disability services
11 region dividing into two separate regions. All member
12 counties shall participate in the planning as required by the
13 department. Counties in the western portion of the region may
14 form a new region if the counties meet the requirements of
15 this section. Counties in the eastern portion of the region
16 shall retain the name county social services if a new region is
17 formed by the counties in the western portion of the region.

18 2. County formation of a proposed new mental health and
19 disability services region pursuant to this section is subject
20 to all of the following:

21 a. The aggregate population of all counties forming
22 the region is at least 50,000 and includes at least one
23 incorporated city with a population of more than 24,000. For
24 purposes of this subparagraph, "population" means the same as
25 defined in section 331.388, subsection 4, Code 2020.

26 b. Notwithstanding section 331.389, subsection 4, on or
27 before February 1, 2021, the counties forming the region have
28 complied with section 331.389, subsection 3, and all of the
29 following additional requirements:

30 (1) The board of supervisors of each county forming the
31 region has voted to approve a chapter 28E agreement.

32 (2) The duly authorized representatives of all the counties
33 forming the region have signed a chapter 28E agreement that is
34 in compliance with section 331.392 and 441 IAC 25.14.

35 (3) The county board of supervisors' or supervisors'

1 designee members and other members of the region's governing
2 board are appointed in accordance with section 331.390.

3 (4) Executive staff for the region's regional administrator
4 are identified or engaged.

5 (5) The regional service management plan is developed in
6 accordance with section 331.393 and 441 IAC 25.18 and 441 IAC
7 25.21 and is submitted to the department.

8 (6) The initial regional service management plan shall
9 identify the service provider network for the region, identify
10 the information technology and data management capacity to be
11 employed to support regional functions, and establish business
12 functions, accounting procedures, and other administrative
13 processes.

14 c. Each county forming the region shall submit the
15 compliance information required in paragraph "b" to the
16 director of human services on or before February 1, 2021.
17 Within forty-five days of receipt of such information, the
18 director of human services shall determine if the region is in
19 full compliance and shall approve the region if the region has
20 met all of the requirements of this section.

21 d. The director of human services shall work with a county
22 making a request under this section that has not agreed or
23 is unable to join the proposed new region to resolve issues
24 preventing the county from joining the proposed new region.

25 e. By February 1, 2021, the director of human services
26 shall assign a county, making a request under this section
27 that has not reached an agreement to be part of the proposed
28 new region, to an existing region or to another new proposed
29 region, consistent with this section.

30 3. If approved by the department, the region shall commence
31 full operations no later than July 1, 2021.

32 Sec. 54. MENTAL HEALTH AND DISABILITY SERVICES — TRANSFER
33 OF FUNDS. Notwithstanding section 331.432, a county with a
34 population of over 300,000 based on the most recent federal
35 decennial census may transfer funds from any other fund

1 of the county to the mental health and disability regional
2 services fund for the purposes of providing mental health and
3 disability services for the fiscal year beginning July 1,
4 2020, and ending June 30, 2021. The county shall submit a
5 report to the governor and the general assembly by September
6 1, 2021, including the source of any funds transferred, the
7 amount of the funds transferred, and the mental health and
8 disability services provided with the transferred funds. The
9 county shall work with the department to maximize the use of
10 the medical assistance program and other third-party payment
11 sources, including but not limited to identifying individuals
12 enrolled with or eligible for Medicaid whose Medicaid-covered
13 services are being paid by the county or could be converted to
14 Medicaid-covered services.

15 Sec. 55. MENTAL HEALTH AND DISABILITY SERVICES REGIONS —
16 FUNDING.

17 1. There is appropriated from the grow Iowa values fund
18 created in section 15G.108, Code 2009, to the department of
19 human services for the fiscal year beginning July 1, 2020, and
20 ending June 30, 2021, the following amount, or so much thereof
21 as is necessary, to be used for the purpose designated:

22 For a grant to a single-county mental health and disability
23 services region with a population of over 350,000 as determined
24 by the latest federal decennial census, for the provision of
25 mental health and disability services within the region:
26 \$ 5,000,000

27 The department and the region shall enter into a memorandum
28 of understanding regarding the use of the moneys and detailing
29 the provisions of the plan prior to the region's receipt of
30 moneys under this subsection.

31 2. The department shall distribute moneys appropriated
32 in this section within 60 days of the date of signing of the
33 memorandum of understanding between the department and each
34 region.

35 3. Moneys awarded under this section shall be used by the

1 regions consistent with each region's service system management
2 plan as approved by the department.

3 DIVISION XII

4 FOSTER HOME INSURANCE FUND

5 Sec. 56. Section 237.13, Code 2020, is amended by striking
6 the section and inserting in lieu thereof the following:

7 **237.13 Foster home insurance fund.**

8 1. For the purposes of this section, "*foster home*" means an
9 individual, as defined in section 237.1, subsection 7, who is
10 licensed to provide child foster care and shall also be known
11 as a "*licensed foster home*".

12 2. The foster home insurance fund shall be administered by
13 the department of human services. The fund shall consist of
14 all moneys appropriated by the general assembly for deposit
15 in the fund. The department shall use moneys in the fund to
16 reimburse foster parents for the cost of purchasing foster care
17 liability insurance and to perform the administrative functions
18 necessary to carry out this section.

19 3. The department of human services shall adopt rules,
20 pursuant to chapter 17A, to carry out the provisions of this
21 section.

22 DIVISION XIII

23 VETERANS HOME CARRYFORWARD

24 Sec. 57. Section 35D.18, subsection 5, Code 2020, is amended
25 to read as follows:

26 5. Notwithstanding [section 8.33](#), any up to eight hundred
27 thousand dollars of the balance in the Iowa veterans home
28 annual appropriation or revenues that remains unencumbered or
29 unobligated at the close of the fiscal year shall not revert
30 but shall remain available for expenditure for specified
31 purposes of the Iowa veterans home until the close of the
32 succeeding fiscal year.

33 DIVISION XIV

34 PROPERTY TAX CREDITS

35 Sec. 58. PROPERTY TAX CREDITS.

1 1. In lieu of the standing appropriations in the following
2 designated sections, for the fiscal year beginning July 1,
3 2020, and ending June 30, 2021, there is appropriated from
4 the general fund of the state the following amounts for the
5 following designated purposes:

6 a. For reimbursement for the homestead property tax credit
7 under section 425.1:
8 \$139,984,518

9 b. For implementing the elderly and disabled tax credit and
10 reimbursement pursuant to sections 425.16 through 425.40:
11 \$ 20,500,000

12 2. If the director of revenue determines that the amount of
13 claims for credit for property taxes due pursuant to paragraphs
14 "a" and "b", plus the amount of claims for reimbursement for
15 rent constituting property taxes paid which are to be paid
16 during a fiscal year may exceed the total amount appropriated
17 for that fiscal year, the director shall estimate the
18 percentage of the credits and reimbursements which will be
19 funded by the appropriation. The county treasurer shall notify
20 the director of the amount of property tax credits claimed by
21 June 26, 2020. The director shall estimate the percentage of
22 the property tax credits and rent reimbursement claims that
23 will be funded by the appropriation and notify the county
24 treasurer of the percentage estimate by June 30, 2020. The
25 estimated percentage shall be used in computing for each claim
26 the amount of property tax credit and reimbursement for rent
27 constituting property taxes paid for that fiscal year. If
28 the director overestimates the percentage of funding, claims
29 for reimbursement for rent constituting property taxes paid
30 shall be paid until they can no longer be paid at the estimated
31 percentage of funding. Rent reimbursement claims filed after
32 that point in time shall receive priority and shall be paid in
33 the following fiscal year.

34 Sec. 59. TAXPAYER RELIEF FUND — APPROPRIATION. There
35 is appropriated from the taxpayer relief fund created in

1 section 8.57E to the department of revenue for the fiscal year
2 beginning July 1, 2020, and ending June 30, 2021, the following
3 amounts, or so much thereof as is necessary, to be used for the
4 purposes designated:

5 1. For reimbursement for the homestead property tax credit
6 under section 425.1:

7 \$ 2,799,690

8 2. For implementing the elderly and disabled tax credit and
9 reimbursement pursuant to sections 425.16 through 425.40:

10 \$ 2,460,000

11 Sec. 60. RETROACTIVE APPLICABILITY. This division of this
12 Act, if approved by the governor after June 26, 2020, applies
13 retroactively to June 26, 2020.

14 DIVISION XV

15 CORRECTIVE PROVISIONS

16 Sec. 61. Section 100B.41, as enacted by 2020 Iowa Acts,
17 Senate File 2259, section 1, is amended to read as follows:

18 **100B.41 Donation of fire fighting, emergency medical
19 response, and law enforcement equipment.**

20 A fire department, emergency medical services provider, or
21 law enforcement agency may donate used vehicles or equipment
22 to an organization that provides fire response or emergency
23 medical services, or to a law enforcement agency. An entity
24 making a good faith donation of equipment pursuant to this
25 ~~subsection~~ section shall be immune from civil liability from
26 any claim arising from the performance, failure to perform,
27 nature, age, condition, or packaging of any vehicle or
28 equipment used in fire fighting, emergency medical response,
29 or law enforcement.

30 Sec. 62. Section 124E.9, subsection 15, if enacted by 2020
31 Iowa Acts, House File 2589, section 20, is amended to read as
32 follows:

33 15. A medical cannabidiol dispensary may dispense more
34 than a combined total of four and one-half grams of total
35 tetrahydrocannabinol to a patient and the patient's primary

1 caregiver in a ninety-day period if any of the following apply:

2 a. The health care practitioner who certified the patient to
3 receive a medical cannabidiol registration card certifies that
4 patient's debilitating medical condition is a terminal illness
5 with a life expectancy of less than one year. A certification
6 issued pursuant to this paragraph shall include a total
7 tetrahydrocannabinol cap deemed appropriate by the patient's
8 health care practitioner.

9 b. The health care practitioner who certified the patient
10 to receive a medical cannabidiol registration card certifies
11 that the patient has participated in the medical cannabidiol
12 program and that the health care practitioner has determined
13 that four and one-half grams of total tetrahydrocannabinol
14 in a ninety-day period is insufficient to treat the
15 patient's debilitating medical condition. A certification
16 issued pursuant to this paragraph shall include a total
17 tetrahydrocannabinol cap deemed appropriate by the patient's
18 health care practitioner.

19 Sec. 63. Section 218.70, Code 2020, as amended by 2020 Iowa
20 Acts, House File 2536, section 78, if enacted, is amended to
21 read as follows:

22 **218.70 Payment to party entitled.**

23 Moneys transmitted to the treasurer ~~or~~ of state under
24 section 218.68 shall be paid, at any time within ten years
25 from the death of the intestate, to any person who is shown
26 to be entitled thereto. Payment shall be made from the state
27 treasury out of the support fund of such institution in the
28 manner provided for the payment of other claims from that fund.

29 Sec. 64. Section 260C.48, subsection 1, paragraph a,
30 subparagraph (2), Code 2020, as enacted by 2020 Iowa Acts,
31 House File 2454, section 1, is amended to read as follows:

32 (2) For purposes of subparagraph (1), subparagraph
33 divisions (b) and (c), if the instructor is a licensed
34 practitioner who holds a career and technical endorsement under
35 chapter 272, relevant work experience in the occupational area

1 includes but is not limited to classroom instruction in a
2 career and technical education subject area offered by a school
3 district or accredited nonpublic school.

4 Sec. 65. Section 321.279, subsection 2, paragraph b, as
5 enacted by 2020 Iowa Acts, Senate File 2275, section 1, is
6 amended to read as follows:

7 b. The driver of a motor vehicle who commits a violation
8 under this ~~section~~ subsection and who has previously committed
9 a violation under this ~~section~~ subsection or subsection 3 is,
10 upon conviction, guilty of a class "D" felony.

11 Sec. 66. Section 514C.35, subsection 4, paragraph d,
12 subparagraph (1), if enacted by 2020 Iowa Acts, Senate File
13 2261, section 5, is amended to read as follows:

14 (1) ~~A any~~ Any school, other than a public school, that is
15 accredited pursuant to section 256.11 for any and all levels
16 for grades one through twelve.

17 Sec. 67. Section 709.23, subsection 2, if enacted by 2020
18 Iowa Acts, House File 2554, section 4, is amended to read as
19 follows:

20 2. A person who commits continuous sexual abuse of a
21 child is, upon conviction, guilty of a class "B" felony.
22 Notwithstanding section 902.9, subsection 1, paragraph "b",
23 a person convicted of a violation of this ~~subsection~~ section
24 involving any combination of three or more acts of sexual abuse
25 that includes a violation of section 709.3 or 709.4 shall be
26 confined for no more than fifty years.

27 Sec. 68. 2020 Iowa Acts, Senate File 2357, section 9,
28 subsection 2, paragraph b, subparagraph (1), subparagraph
29 division (a), is amended to read as follows:

30 (a) Review of requirements. The supervising physician and
31 the physician assistant shall review all of the requirements
32 of physician assistant licensure, practice, supervision, and
33 delegation of medical services as set forth in section 148.13
34 and chapter 148C, the Iowa administrative code ~~chapter~~ chapters
35 under 653 IAC, and 645 IAC chapters 326 to 329.

1 available for expenditure for the purposes designated until the
2 close of the fiscal year that begins July 1, 2020.

3 Sec. 74. EFFECTIVE DATE. This division of this Act, being
4 deemed of immediate importance, takes effect upon enactment.

5 Sec. 75. RETROACTIVE APPLICABILITY. This division of this
6 Act, if approved by the governor on or after July 1, 2020,
7 applies retroactively to June 30, 2020.

8 DIVISION XVIII

9 NONPUBLIC SCHOOL CONCURRENT ENROLLMENT

10 Sec. 76. 2019 Iowa Acts, chapter 135, section 5, subsection
11 27, is amended to read as follows:

12 27. NONPUBLIC SCHOOL CONCURRENT ENROLLMENT PAYMENTS TO
13 COMMUNITY COLLEGES

14 For payments to community colleges for the concurrent
15 enrollment of accredited nonpublic students under section
16 261E.8, subsection 2, paragraph "b", if enacted by 2019 Iowa
17 Acts, Senate File 603:

18 \$ 1,000,000

19 Notwithstanding section 8.33, moneys appropriated in this
20 subsection that remain unencumbered or unobligated at the close
21 of the fiscal year shall not revert but shall remain available
22 for expenditure for the purposes designated until the close of
23 the fiscal year that begins July 1, 2020.

24 Sec. 77. NONREVERSION NOT APPLICABLE TO FY 2020-2021. The
25 specified nonreversion provision set forth in 2019 Iowa Acts,
26 chapter 135, section 5, subsection 27, as amended in this
27 division of this Act, is not applicable to the associated
28 appropriation made for the fiscal year beginning July 1, 2020,
29 and ending June 30, 2021, notwithstanding section 1 of this
30 Act.

31 Sec. 78. EFFECTIVE DATE. This division of this Act, being
32 deemed of immediate importance, takes effect upon enactment.

33 Sec. 79. RETROACTIVE APPLICABILITY. This division of this
34 Act, if approved by the governor on or after July 1, 2020,
35 applies retroactively to June 30, 2020.

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DIVISION XIX

RESOURCE ENHANCEMENT AND PROTECTION

Sec. 80. Section 455A.18, subsection 3, paragraph a, Code 2020, is amended to read as follows:

a. For each fiscal year of the fiscal period beginning July 1, 1997, and ending June 30, ~~2021~~ 2023, there is appropriated from the general fund, to the Iowa resources enhancement and protection fund, the amount of twenty million dollars, to be used as provided in [this chapter](#). However, in any fiscal year of the fiscal period, if moneys from the lottery are appropriated by the state to the fund, the amount appropriated under [this subsection](#) shall be reduced by the amount appropriated from the lottery.

DIVISION XX

CLERKS OF THE DISTRICT COURT

Sec. 81. Section 602.1215, subsection 1, Code 2020, is amended to read as follows:

1. Subject to the provisions of section 602.1209, subsection 3, the district judges of each judicial election district shall by majority vote appoint persons to serve as clerks of the district court within the judicial election district. The district judges of a judicial election district may appoint a person to serve as clerk of the district court for more than one ~~but not more than four contiguous counties~~ county in the same judicial district. A person does not qualify for appointment to the office of clerk of the district court unless the person is at the time of application a resident of the state. A clerk of the district court may be removed from office for cause by the chief judge of the judicial district, after consultation with the district judges of the judicial election district. Prior to removal, the clerk of the district court shall be notified of the cause for removal.

DIVISION XXI

DEPARTMENT OF PUBLIC SAFETY APPROPRIATION — FY 2019-2020

1 Sec. 88. NEW SECTION. 100C.11 Alarm systems — fees or
2 fines — limitations.

3 A political subdivision shall not adopt or enforce an
4 ordinance, resolution, rule, or other measure requiring an
5 alarm system contractor to pay a fee or fine associated with
6 any of the following:

7 1. False alarms.

8 2. Emergency response to false alarms.

9 3. Permits associated with placing or keeping an alarm
10 system in service, not including any installation permits
11 required by the political subdivision's building code.

12 Sec. 89. NEW SECTION. 100C.12 Collection of fees.

13 1. If, prior to the effective date of this division of this
14 Act, an alarm system contractor charged its customers an amount
15 equal to the costs the political subdivision of the state
16 imposed on the alarm system contractor for permits associated
17 with placing or keeping an alarm in service, as shown on a
18 separate line item on the customer's invoice, the alarm system
19 contractor may continue to collect from its customers such fees
20 until December 31, 2020. The alarm system contractor shall
21 pay to the political subdivision of the state or its designee
22 the fees collected under this section in accordance with the
23 instructions of the political subdivision or the political
24 subdivision's designee.

25 2. Fees collected by an alarm system contractor under
26 this section shall not be subject to audit by a political
27 subdivision or the political subdivision's designee.

28 Sec. 90. EFFECTIVE DATE. This division of this Act, being
29 deemed of immediate importance, takes effect upon enactment.

30 DIVISION XXIII

31 ECONOMIC DEVELOPMENT AUTHORITY

32 Sec. 91. 2019 Iowa Acts, chapter 154, section 3, subsection
33 1, paragraph b, is amended by adding the following new
34 subparagraph:

35 NEW SUBPARAGRAPH. (7) For technical assistance to

1 communications service providers in completing applications for
2 federal funds, or any other funds from any public or private
3 sources, related to improving broadband infrastructure.

4 Sec. 92. POWERS APPLICABLE TO FY 2020-2021. The powers set
5 forth in 2019 Iowa Acts, chapter 154, section 3, subsection
6 1, paragraph b, as amended in this division of this Act, are
7 applicable to the associated appropriation made for the fiscal
8 year beginning July 1, 2020, and ending June 30, 2021, pursuant
9 to section 1 of this Act.

10 Sec. 93. INSURANCE ECONOMIC DEVELOPMENT. From the
11 moneys collected by the insurance division in excess of the
12 anticipated gross revenues under section 505.7, subsection
13 3, during the fiscal year beginning July 1, 2020, \$100,000
14 shall be transferred to the economic development authority for
15 insurance economic development and international insurance
16 economic development.

17 Sec. 94. UNEMPLOYMENT COMPENSATION
18 PROGRAM. Notwithstanding section 96.9, subsection 4, paragraph
19 "a", moneys credited to the state by the secretary of the
20 treasury of the United States pursuant to section 903 of the
21 Social Security Act are appropriated to the department of
22 workforce development and shall be used by the department for
23 the administration of the unemployment compensation program
24 only. This appropriation shall not apply to any fiscal year
25 beginning after December 31, 2020.

26 Sec. 95. EFFECTIVE DATE. This division of this Act, being
27 deemed of immediate importance, takes effect upon enactment.

28 Sec. 96. RETROACTIVE APPLICABILITY. The following applies
29 retroactively to July 1, 2019:

30 The section of this division of this Act enacting 2019
31 Iowa Acts, chapter 154, section 3, subsection 1, paragraph b,
32 subparagraph (7).

33 DIVISION XXIV

34 CONTINGENT APPROPRIATIONS — FY 2020-2021

35 Sec. 97. COLLEGE STUDENT AID COMMISSION. There is

1 appropriated from the general fund of the state to the college
2 student aid commission for the fiscal year beginning July 1,
3 2020, and ending June 30, 2021, the following amount, or so
4 much thereof as is necessary, to be used for the purposes
5 designated:

6 For implementation of 2020 Iowa Acts, House File 2629,
7 if enacted, including salaries, support, maintenance, and
8 miscellaneous purposes:

9 \$ 32,000

10 Sec. 98. COLLEGE STUDENT AID COMMISSION. There is
11 appropriated from the general fund of the state to the college
12 student aid commission for the fiscal year beginning July 1,
13 2020, and ending June 30, 2021, the following amount, or so
14 much thereof as is necessary, to be used for the purposes
15 designated:

16 For implementation of 2020 Iowa Acts, Senate File 2398,
17 if enacted, including salaries, support, maintenance, and
18 miscellaneous purposes:

19 \$ 300,000

20 Sec. 99. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
21 from the general fund of the state to the department of public
22 safety for the fiscal year beginning July 1, 2020, and ending
23 June 30, 2021, the following amount, or so much thereof as is
24 necessary, to be used for the purposes designated:

25 For implementation of 2020 Iowa Acts, House File 2581, as
26 amended in this Act, if enacted, including salaries, support,
27 maintenance, and miscellaneous purposes:

28 \$ 411,000

29 Sec. 100. IOWA LAW ENFORCEMENT ACADEMY. There is
30 appropriated from the general fund of the state to the Iowa
31 law enforcement academy for the fiscal year beginning July
32 1, 2020, and ending June 30, 2021, the following amount, or
33 so much thereof as is necessary, to be used for the purposes
34 designated:

35 For implementation of 2020 Iowa Acts, House File 2647,

1 if enacted, including salaries, support, maintenance, and
2 miscellaneous purposes:
3 \$ 140,000

4 Sec. 101. CONTINGENT REPEAL. The section of this division
5 of this Act appropriating moneys to the college student aid
6 commission for implementation of 2020 Iowa Acts, House File
7 2629, is repealed if 2020 Iowa Acts, House File 2629, is not
8 enacted.

9 Sec. 102. CONTINGENT EFFECTIVE DATE. The following takes
10 effect on the effective date of 2020 Iowa Acts, Senate File
11 2398, if enacted:

12 The section of this division of this Act appropriating
13 moneys to the college student aid commission for implementation
14 of 2020 Iowa Acts, Senate File 2398.

15 Sec. 103. CONTINGENT EFFECTIVE DATE. The following takes
16 effect on the effective date of 2020 Iowa Acts, House File
17 2581, as amended in this Act, if enacted:

18 The section of this division of this Act appropriating
19 moneys to the department of public safety.

20 Sec. 104. CONTINGENT EFFECTIVE DATE. The following takes
21 effect on the effective date of 2020 Iowa Acts, House File
22 2647, if enacted:

23 The section of this division of this Act appropriating
24 moneys to the Iowa law enforcement academy.

25 DIVISION XXV

26 ADJUSTMENT TO SCHOOL FOUNDATION AID

27 Sec. 105. ADJUSTMENT TO STATE FOUNDATION AID FOR SCHOOL
28 BUDGET YEAR 2020-2021.

29 1. If a school district was required to repay property
30 taxes paid or had a reduction in property taxes due for school
31 taxes levied for the school budget year beginning July 1, 2019,
32 on a property that received an assessed value reduction for
33 the assessment year beginning January 1, 2018, by action of
34 the board of review or property assessment appeal board, or
35 by judicial action, and the amount of the reduction for the

1 property exceeded \$47,000,000, the school district is eligible
2 for an adjustment in state foundation aid for the budget year
3 beginning July 1, 2020.

4 2. To receive the adjustment in state foundation aid, the
5 school district shall apply to the department of management
6 within thirty days following the effective date of this
7 division of this Act and section 257.12, subsection 3, shall
8 not apply. The department of management shall determine the
9 amount of adjustment in state foundation aid pursuant to
10 subsection 3.

11 3. The department of management shall determine the amount
12 of state foundation aid which the school district would
13 have received under section 257.1 for the school budget year
14 beginning July 1, 2019, in the manner provided in section
15 257.12, subsection 2. The adjustment in state foundation aid
16 under this section shall be paid as provided in section 257.16.

17 Sec. 106. EFFECTIVE DATE. This division of this Act, being
18 deemed of immediate importance, takes effect upon enactment.

19 DIVISION XXVI

20 HEMP REGULATION

21 Sec. 107. REPEAL. 2020 Iowa Acts, House File 2581, section
22 19, if enacted, is repealed.

23 Sec. 108. 2020 Iowa Acts, House File 2581, if enacted, is
24 amended by adding the following new section:

25 NEW SECTION. 19A. EFFECTIVE DATE. This Act, being deemed
26 of immediate importance, takes effect upon enactment.

27 Sec. 109. RETROACTIVE APPLICABILITY. The following applies
28 retroactively to the effective date of 2020 Iowa Acts, House
29 File 2581, as amended in this division of this Act, if enacted:

30 The section of this division of this Act repealing 2020 Iowa
31 Acts, House File 2581, section 19.

32 DIVISION XXVII

33 GRAIN REGULATION

34 Sec. 110. APPROPRIATION. There is appropriated from the
35 general fund of the state to the department of agriculture

1 and land stewardship for the fiscal year beginning July 1,
2 2020, and ending June 30, 2021, the following amount, or so
3 much thereof as is necessary, to be used for the purposes
4 designated:

5 For the administration and enforcement of chapters 203
6 and 203C, including salaries, support, maintenance, and
7 miscellaneous purposes:

8 \$ 350,000

9 Sec. 111. SUSPENSION. Notwithstanding section 203D.5,
10 the fees described in that section shall not be assessable or
11 owing.

12 Sec. 112. REPEAL. The section of this division of this Act
13 suspending fees under section 203D.5 is repealed on March 1,
14 2021.

15 Sec. 113. EFFECTIVE DATE. This division of this Act, being
16 deemed of immediate importance, takes effect upon enactment.

17 DIVISION XXVIII

18 RETURNS ON SEARCH WARRANTS

19 Sec. 114. Section 808.8, subsection 2, Code 2020, is amended
20 to read as follows:

21 2. The officer must file, with the officer's return, a
22 complete inventory of the property taken, ~~and state under oath~~
23 including a sworn statement that it is accurate to the best of
24 the officer's knowledge. The magistrate must, if requested,
25 deliver a copy of the inventory of seized property to the
26 person from whose possession it was taken and to the applicant
27 for the warrant.

28 Sec. 115. CONTINGENT EFFECTIVE DATE. This division of this
29 Act takes effect on the effective date of rules prescribed by
30 the supreme court and submitted to the legislative council
31 pursuant to section 602.4202, that establish processes and
32 procedures for the application and issuance of a search warrant
33 by electronic means to implement 2017 Iowa Acts, chapter 37.

34 DIVISION XXIX

35 COUNTY ZONING

1 Sec. 116. Section 335.8, subsection 1, Code 2020, as amended
2 by 2020 Iowa Acts, House File 2512, section 3, is amended to
3 read as follows:

4 1. In order to avail itself of the powers conferred by this
5 chapter, the board of supervisors shall appoint a commission
6 consisting of eligible electors, as defined in section 39.3,
7 who reside within the ~~area regulated by the county zoning~~
8 ordinance county, but outside the corporate limits of any city,
9 to be known as the county zoning commission. The commission
10 may recommend the boundaries of the various districts and
11 appropriate regulations and restrictions to be enforced in
12 the districts. The commission shall, with due diligence,
13 prepare a preliminary report and hold public hearings on the
14 preliminary report before submitting the commission's final
15 report. The board of supervisors shall not hold its public
16 hearings or take action until it has received the final report
17 of the commission. After the adoption of the regulations,
18 restrictions, and boundaries of districts, the zoning
19 commission may, from time to time, recommend to the board of
20 supervisors amendments, supplements, changes, or modifications.
21 The commission's report and any recommendations may include a
22 proposed ordinance or amendments to an ordinance.

23 Sec. 117. Section 335.11, Code 2020, as amended by 2020
24 Iowa Acts, House File 2512, section 4, is amended to read as
25 follows:

26 **335.11 Membership of board.**

27 The board of adjustment shall consist of five members who
28 are eligible electors, as defined in section 39.3, and who
29 reside within the ~~area regulated by the county zoning ordinance~~
30 county, but outside the corporate limits of any city, each to
31 be appointed for a term of five years, excepting that when the
32 board shall first be created one member shall be appointed for
33 a term of five years, one for a term of four years, one for a
34 term of three years, one for a term of two years, and one for
35 a term of one year. Members shall be removable for cause by

1 the appointing authority upon written charges and after public
2 hearing. Vacancies shall be filled for the unexpired term of
3 any member whose term becomes vacant.

4 Sec. 118. EFFECTIVE DATE. This division of this Act, being
5 deemed of immediate importance, takes effect upon enactment.

6 Sec. 119. RETROACTIVE APPLICABILITY. This division of this
7 Act applies retroactively to June 1, 2020, to members of county
8 zoning commissions and county boards of adjustment holding
9 office on or after that date.

10 DIVISION XXX

11 COLLEGE STUDENT AID COMMISSION

12 Sec. 120. 2019 Iowa Acts, chapter 154, section 17,
13 subsection 1, paragraph d, is amended to read as follows:

14 d. COLLEGE STUDENT AID COMMISSION

15 For deposit in the future ready Iowa skilled workforce grant
16 fund established pursuant to [section 261.132](#), as enacted by
17 2018 Iowa Acts, chapter 1067, section 13:

18 \$ 1,000,000

19 Of the moneys appropriated in this lettered paragraph,
20 \$600,000 shall be transferred to the future ready Iowa skilled
21 workforce last-dollar scholarship fund created in section
22 261.131.

23 Sec. 121. EFFECTIVE DATE. This division of this Act, being
24 deemed of immediate importance, takes effect upon enactment.

25 Sec. 122. RETROACTIVE APPLICABILITY. This division of this
26 Act applies retroactively to July 1, 2019.

27 DIVISION XXXI

28 VOTING

29 Sec. 123. Section 53.2, subsection 4, paragraph a,
30 unnumbered paragraph 1, Code 2020, is amended to read as
31 follows:

32 ~~Each application shall contain the following information To~~
33 request an absentee ballot, a registered voter shall provide:

34 Sec. 124. Section 53.2, subsection 4, paragraph b, Code
35 2020, is amended to read as follows:

1 *b.* If insufficient information has been provided, including
2 the absence of a voter verification number, either on the
3 prescribed form or on an application created by the applicant,
4 the commissioner shall, ~~by the best means available, obtain~~
5 ~~the additional necessary information~~ within twenty-four hours
6 after the receipt of the absentee ballot request, contact the
7 applicant by telephone and electronic mail, if such information
8 has been provided by the applicant. If the commissioner is
9 unable to contact the applicant by telephone or electronic
10 mail, the commissioner shall send a notice to the applicant
11 at the address where the applicant is registered to vote, or
12 to the applicant's mailing address if it is different from
13 the residential address. If the applicant has requested the
14 ballot to be sent to an address that is not the applicant's
15 residential or mailing address, the commissioner shall send an
16 additional notice to the address where the applicant requested
17 the ballot to be sent. A commissioner shall not use the voter
18 registration system to obtain additional necessary information.
19 A voter requesting or casting a ballot pursuant to section
20 53.22 shall not be required to provide a voter verification
21 number.

22 Sec. 125. Section 53.2, subsection 4, Code 2020, is amended
23 by adding the following new paragraph:

24 NEW PARAGRAPH. *d.* If an applicant does not have current
25 access to the applicant's voter verification number, the
26 commissioner shall verify the applicant's identity prior to
27 supplying the voter verification number by asking the applicant
28 to provide at least two of the following facts about the
29 applicant:

30 (1) Date of birth.

31 (2) The last four digits of the applicant's social security
32 number, if applicable.

33 (3) Residential address.

34 (4) Mailing address.

35 (5) Middle name.

1 (6) Voter verification number as defined in paragraph "c".
2 Sec. 126. Section 53.10, subsection 2, paragraph a, Code
3 2020, is amended to read as follows:

4 a. Each person who wishes to vote by absentee ballot at
5 the commissioner's office shall first sign an application
6 for a ballot including the following information: name,
7 current address, voter verification number, and the election
8 for which the ballot is requested. The person may report a
9 change of address or other information on the person's voter
10 registration record at that time. Prior to furnishing a
11 ballot, the commissioner shall verify the person's identity
12 as provided in section 49.78. The registered voter shall
13 immediately mark the ballot; enclose the ballot in a secrecy
14 envelope, if necessary, and seal it in the envelope marked
15 with the affidavit; subscribe to the affidavit on the reverse
16 side of the envelope; and return the absentee ballot to the
17 commissioner. The commissioner shall record the numbers
18 appearing on the application and affidavit envelope along with
19 the name of the registered voter.

20 DIVISION XXXII

21 BOARD OF REGENTS — ATTORNEYS

22 Sec. 127. Section 262.9, subsection 16, Code 2020, is
23 amended to read as follows:

24 16. In its discretion, employ or retain attorneys or
25 counselors when acting as a public employer for the purpose of
26 carrying out collective bargaining and related responsibilities
27 provided for under chapter 20. This subsection shall supersede
28 the provisions of section 13.7 to provide legal counsel or
29 legal advice, notwithstanding section 13.7, provided that
30 the provisions of section 13.7 shall govern the retention of
31 attorneys in any action or proceeding that is brought in any
32 court or tribunal.

33 DIVISION XXXIII

34 ELECTRIC TRANSMISSION LINES

35 Sec. 128. NEW SECTION. 478.16 Electric transmission lines

1 — **federally registered planning authority transmission plans.**

2 1. As used in this section, unless the context otherwise
3 requires:

4 *a. "Electric transmission line"* means a high-voltage
5 electric transmission line with a capacity of one hundred
6 kilovolts or more and any associated electric transmission
7 facility, including any substation or other equipment.

8 *b. "Electric transmission owner"* means an individual or
9 entity who, as of the effective date of this Act, owns and
10 maintains an electric transmission line that is required
11 for rate-regulated electric utilities, municipal electric
12 utilities, and rural electric cooperatives in this state to
13 provide electric service to the public for compensation.

14 *c. "Incumbent electric transmission owner"* means any of the
15 following:

16 (1) A public utility or a municipally owned utility that
17 owns, operates, and maintains an electric transmission line in
18 this state.

19 (2) An electric cooperative corporation or association or
20 municipally owned utility that owns an electric transmission
21 facility in this state and has turned over the functional
22 control of such facility to a federally approved authority.

23 (3) An *"electric transmission owner"* as defined in paragraph
24 *"b"*.

25 *d. "Landowner"* means the same as defined in section 478.2.

26 *e. "Municipally owned utility"* means a *"city utility"* as
27 defined in section 362.2, or an *"electric power agency"* as
28 defined in section 390.9 which is comprised solely of cities or
29 solely of cities and other political subdivisions.

30 2. An incumbent electric transmission owner has the right to
31 construct, own, and maintain an electric transmission line that
32 has been approved for construction in a federally registered
33 planning authority transmission plan and which connects to an
34 electric transmission facility owned by the incumbent electric
35 transmission owner. Where a proposed electric transmission

1 line would connect to electric transmission facilities owned
2 by two or more incumbent electric transmission owners, each
3 incumbent electric transmission owner whose facility connects
4 to the electric transmission line has the right to construct,
5 own, and maintain the electric transmission line individually
6 and equally. If an incumbent electric transmission owner
7 declines to construct, own, and maintain its portion of an
8 electric transmission line that would connect to electric
9 transmission facilities owned by two or more incumbent
10 electric transmission owners, then the other incumbent electric
11 transmission owner or owners that own an electric transmission
12 facility to which the electric transmission line connects
13 has the right to construct, own, and maintain the electric
14 transmission line individually.

15 3. If an electric transmission line has been approved for
16 construction in a federally registered planning authority
17 transmission plan, and the electric transmission line is
18 not subject to a right of first refusal in accordance with
19 the tariff of a federally registered planning authority,
20 then within ninety days of approval for construction, an
21 incumbent electric transmission owner, or owners if there
22 is more than one owner, that owns a connecting electric
23 transmission facility shall give written notice to the board
24 regarding whether the incumbent electric transmission owner
25 or owners intend to construct, own, and maintain the electric
26 transmission line. If the incumbent electric transmission
27 owner or owners give notice of intent to construct the electric
28 transmission line, the incumbent electric transmission owner
29 or owners shall follow the applicable franchise requirements
30 pursuant to this chapter. If the incumbent electric
31 transmission owner or owners give notice declining to construct
32 the electric transmission line, the board may determine whether
33 another person may construct the electric transmission line.

34 4. For projects where an election to construct an electric
35 transmission line has been made under this section, all of the

