

House File 2643

S-5163

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     Sec. 21. 2019 Iowa Acts, chapter 85, section 15, subsection  
2 4, is amended to read as follows:

3     4. Notwithstanding [section 8.33](#), moneys appropriated  
4 in this section that remain unencumbered or unobligated  
5 at the close of the fiscal year shall not revert but  
6 shall remain available for expenditure for the purposes  
7 designated, including for liability amounts associated with the  
8 supplemental nutrition assistance program payment error rate,  
9 until the close of the succeeding fiscal year.

10                                   CHILD AND FAMILY SERVICES

11     Sec. 22. 2019 Iowa Acts, chapter 85, section 19, subsection  
12 18, is amended to read as follows:

13     18. Of the funds appropriated in this section, at least  
14 \$147,000 shall be used for the continuation of the child  
15 welfare provider training academy, a collaboration between the  
16 coalition for family and children's services in Iowa and the  
17 department. Notwithstanding section 8.33, moneys allocated  
18 under this subsection that remain unencumbered or unobligated  
19 at the close of the fiscal year shall not revert but shall  
20 remain available for expenditure for the purposes designated  
21 until the close of the succeeding fiscal year.

22     Sec. 23. 2019 Iowa Acts, chapter 85, section 19, is amended  
23 by adding the following new subsection:

24     NEW SUBSECTION. 24. Notwithstanding section 8.33, moneys  
25 appropriated in this section that remain unencumbered or  
26 unobligated at the close of the fiscal year shall not revert  
27 but shall remain available for expenditure for the purposes  
28 designated, and including services implemented to meet the  
29 requirements of the federal Family First Prevention Services  
30 Act, until the close of the succeeding fiscal year.

31                                   MENTAL HEALTH INSTITUTES

32     Sec. 24. 2019 Iowa Acts, chapter 85, section 24, subsection  
33 2, is amended to read as follows:

34     2. a. Notwithstanding [sections 218.78](#) and [249A.11](#), any  
35 revenue received from the state mental health institute at

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 DECATEGORYIZATION FY 2018 CARRYOVER FUNDING

26 Sec. 27. DECATEGORYIZATION 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       Sec. 28. PROVISIONS NOT APPLICABLE TO FY 2020-2021. All  
2 of the following amendments to 2019 Iowa Acts, chapter 85, are  
3 not applicable to the associated appropriations made for the  
4 fiscal year beginning July 1, 2020, and ending June 30, 2021,  
5 notwithstanding section 1 of this Act:

6       1. 2019 Iowa Acts, chapter 85, section 9, as amended in this  
7 division of this Act.

8       2. 2019 Iowa Acts, chapter 85, section 19, subsection 18, as  
9 amended in this division of this Act.

10      3. 2019 Iowa Acts, chapter 85, section 19, subsection 24, if  
11 enacted by this division of this Act.

12      4. 2019 Iowa Acts, chapter 85, section 27, as amended in  
13 this division of this Act.

14      5. 2019 Iowa Acts, chapter 85, section 28, as amended in  
15 this division of this Act.

16       Sec. 29. PROVISIONS APPLICABLE TO FY 2020-2021. All of  
17 the following amendments to 2019 Iowa Acts, chapter 85, are  
18 applicable to the associated appropriations made for the fiscal  
19 year beginning July 1, 2020, and ending June 30, 2021, pursuant  
20 to section 1 of this Act:

21      1. 2019 Iowa Acts, chapter 85, section 3, subsection 4,  
22 paragraph "j".

23      2. 2019 Iowa Acts, chapter 85, section 15, subsection 4.

24      3. 2019 Iowa Acts, chapter 85, section 24, subsection 2, as  
25 amended in this division of this Act.

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

28       Sec. 31. RETROACTIVE APPLICABILITY. This division of this  
29 Act applies retroactively to July 1, 2019.

30   DIVISION VIII

31       HEALTH AND HUMAN SERVICES — FY 2019-2020 PROVISIONS NOT  
32   APPLICABLE FOR FY 2020-2021

33       Sec. 32. HEALTH AND HUMAN SERVICES PROVISIONS NOT  
34 APPLICABLE TO FY 2020-2021. The following provisions of 2019  
35 Iowa Acts, chapter 85, are not applicable to the associated

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 expenditures for the fiscal year will be less than the target  
2 amount allocated in this paragraph "a", the department may  
3 reallocate the excess to provide additional funding for family  
4 foster care, independent living, family-centered services,  
5 shelter care, or the child welfare emergency services addressed  
6 with the allocation for shelter care.

7                                   FAMILY SUPPORT SUBSIDY PROGRAM

8       Sec. 40. FAMILY SUPPORT SUBSIDY PROGRAM. For the fiscal  
9 year beginning July 1, 2020, and ending June 30, 2021, of the  
10 moneys appropriated from the general fund of the state to the  
11 department of human services for the family support subsidy  
12 program, at least \$875,195 is transferred to the department  
13 of public health for the family support center component of  
14 the comprehensive family support program under chapter 225C,  
15 subchapter V.

16                                   DEPARTMENT OF HUMAN SERVICES PROVIDER REIMBURSEMENTS

17       Sec. 41. PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN  
18 SERVICES.

19       1. For the fiscal year beginning July 1, 2020, and  
20 ending June 30, 2021, the following reimbursement rates and  
21 methodologies shall apply:

22       a. (1) For the fiscal year beginning July 1, 2020,  
23 case-mix, non-case-mix, and special population nursing  
24 facilities shall be reimbursed in accordance with the  
25 methodology in effect on June 30, 2020.

26       (2) For managed care claims, the department of human  
27 services shall adjust the payment rate floor for nursing  
28 facilities, annually, to maintain a rate floor that is no  
29 lower than the Medicaid fee-for-service case-mix adjusted  
30 rate calculated in accordance with subparagraph (1) and  
31 441 IAC 81.6. The department shall then calculate adjusted  
32 reimbursement rates, including but not limited to add-on  
33 payments, annually, and shall notify Medicaid managed care  
34 organizations of the adjusted reimbursement rates within 30  
35 days of determining the adjusted reimbursement rates. Any

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     Sec. 69. 2020 Iowa Acts, Senate File 2357, section 10,  
2 subsection 1, unnumbered paragraph 1, is amended to read as  
3 follows:

4     ~~The~~ Notwithstanding section 148C.5, the board of physician  
5 assistants shall rescind all of the following:

6     Sec. 70. EFFECTIVE DATE. This division of this Act, being  
7 deemed of immediate importance, takes effect upon enactment.

8     Sec. 71. RETROACTIVE APPLICABILITY. The following apply  
9 retroactively to March 18, 2020:

10    1. The section of this division of this Act amending 2020  
11 Iowa Acts, Senate File 2357, section 9.

12    2. The section of this division of this Act amending 2020  
13 Iowa Acts, Senate File 2357, section 10.

14                                   DIVISION XVI

15                   IOWA STATE FAIR BOARD — BOND AUTHORIZATION

16    Sec. 72. IOWA STATE FAIR BOARD — BOND AUTHORIZATION. If  
17 the Iowa state fair board decides not to hold the Iowa state  
18 fair for the fiscal year beginning July 1, 2020, and ending  
19 June 30, 2021, the Iowa state fair board is authorized to  
20 issue and sell negotiable revenue bonds of the Iowa state fair  
21 authority pursuant to section 173.14B during the fiscal year  
22 for purposes of providing sufficient funds for the advancement  
23 of any of its corporate purposes, including salaries, support,  
24 maintenance, and miscellaneous purposes.

25                                   DIVISION XVII

26                   IOWA LAW ENFORCEMENT ACADEMY — RELOCATION

27    Sec. 73. 2019 Iowa Acts, chapter 163, section 10, subsection  
28 1, paragraph a, subparagraph (2), is amended to read as  
29 follows:

30    (2) For the costs associated with temporary relocation of  
31 the Iowa law enforcement academy:

32    ..... \$ 1,015,442

33    Notwithstanding section 8.33, moneys appropriated in this  
34 subparagraph that remain unencumbered or unobligated at the  
35 close of the fiscal year shall not revert but shall remain



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. 82. DEPARTMENT OF PUBLIC SAFETY. There is appropriated  
2 from the general fund of the state to the department of public  
3 safety for the fiscal year beginning July 1, 2019, and ending  
4 June 30, 2020, the following amount, or so much thereof as is  
5 necessary, to be used for the purposes designated:

6     For overtime expenses, including salaries, support,  
7 maintenance, and miscellaneous purposes:  
8 ..... \$ 2,400,000

9     Notwithstanding section 8.33, moneys appropriated in this  
10 section that remain unencumbered or unobligated at the close of  
11 the fiscal year shall not revert but shall remain available for  
12 expenditure for the purposes designated until the close of the  
13 fiscal year that begins July 1, 2020.

14     Sec. 83. APPROPRIATION NOT APPLICABLE TO FY 2020-2021. The  
15 appropriation set forth in this division of this Act shall not  
16 be made for the fiscal year beginning July 1, 2020, and ending  
17 June 30, 2021, notwithstanding section 1 of this Act.

18     Sec. 84. EFFECTIVE DATE. This division of this Act, being  
19 deemed of immediate importance, takes effect upon enactment.

20     Sec. 85. RETROACTIVE APPLICABILITY. This division of this  
21 Act, if approved by the governor on or after July 1, 2020,  
22 applies retroactively to June 30, 2020.

23                                   DIVISION XXII

24                   ALARM SYSTEM CONTRACTORS — FEES AND FINES

25     Sec. 86. Section 100C.1, Code 2020, is amended by adding the  
26 following new subsection:

27     NEW SUBSECTION. 8A. "*False alarm*" means the activation of  
28 an alarm system when a situation requiring emergency response  
29 does not actually exist. For purposes of this chapter, "*false*  
30 *alarm*" does not include the activation of an alarm system as a  
31 result of weather conditions.

32     Sec. 87. Section 100C.6, subsection 1, Code 2020, is amended  
33 to read as follows:

34     1. Relieve any person from payment of any local permit or  
35 building fee, except as provided in section 100C.11.



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

1 following cost accountability measures shall apply:

2 a. Within thirty days after the issuance of a franchise  
3 pursuant to this chapter for the electric transmission line,  
4 the incumbent electric transmission owner or owners shall  
5 provide to the board an estimate of the cost to construct the  
6 electric transmission line.

7 b. Until construction of the electric transmission line  
8 is complete, the incumbent electric transmission owner or  
9 owners shall provide a quarterly report to the board, which  
10 shall include an updated estimate of the cost to construct the  
11 electric transmission line and an explanation of changes in the  
12 cost estimate from the prior cost estimate.

13 5. This section shall not modify the authority of the  
14 board under this chapter, the rights of landowners under this  
15 chapter, or the requirements, rights, and obligations relating  
16 to the construction, maintenance, and operation of electric  
17 transmission lines pursuant to this chapter.

18 6. This section shall not apply to an electric transmission  
19 line to be placed underground that has not been approved for  
20 construction in a federally registered planning authority  
21 transmission plan.

22 7. The board shall adopt rules pursuant to chapter 17A to  
23 administer this section.

24

#### DIVISION XXXIV

25

#### CONTINGENT EFFECTIVE DATE AND RETROACTIVE APPLICABILITY

26

Sec. 129. EFFECTIVE UPON ENACTMENT. Unless otherwise

27

provided, this Act, if approved by the governor on or after  
28 July 1, 2020, takes effect upon enactment.

29

Sec. 130. RETROACTIVE APPLICABILITY. Unless otherwise

30

provided, this Act, if approved by the governor on or after  
31 July 1, 2020, applies retroactively to July 1, 2020.>

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MICHAEL BREITBACH