

**EIGHTY-EIGHTH GENERAL ASSEMBLY
2019 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

April 18, 2019

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
HF 692	H-1244		RECEIVED FROM THE SENATE
HF 746	H-1253		JONES of Clay, et al
HF 748	H-1251		KAUFMANN of Cedar
HF 772	H-1246		CARLSON of Muscatine
HF 772	H-1247		CARLSON of Muscatine
HF 772	H-1248		GRASSLEY of Butler
HF 774	H-1245		KLEIN of Washington
SF 323	H-1250	Withdrawn	LUNDGREN of Dubuque
SF 447	H-1252		MASCHER of Johnson
SF 567	H-1243		RECEIVED FROM THE SENATE
SF 572	H-1249	Filed	JENEARY of Plymouth
SF 608	H-1256		COMMITTEE ON APPROPRIATIONS, et al

[SF 615](#) [H-1255](#)

COMMITTEE ON
APPROPRIATIONS,
et al

[SF 616](#) [H-1254](#)

COMMITTEE ON
APPROPRIATIONS,
et al

Fiscal Notes

[HF 748](#) — [Sports Betting and Fantasy Sports](#) (LSB2452HZ)

[HF 757](#) — [Auditor Examination Fees for Cities](#) (LSB2766HZ)

SENATE AMENDMENT TO
HOUSE FILE 692

H-1244

1 Amend House File 692, as passed by the House, as follows:

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

4 <DIVISION I

5 PROCEDURES FOR PROPOSED AMENDMENTS TO THE IOWA CONSTITUTION

6 Section 1. Section 49.43, subsection 2, Code 2019, is
7 amended to read as follows:

8 2. Constitutional amendments and other public measures ~~may~~
9 shall be summarized by the commissioner as provided in sections
10 49.44 and 52.25.

11 Sec. 2. Section 49.44, subsection 1, Code 2019, is amended
12 to read as follows:

13 1. When a proposed constitutional amendment or other public
14 measure to be decided by the voters of the entire state is to
15 be voted upon, the state commissioner shall prepare a written
16 summary of the amendment or measure including the number of
17 the amendment or statewide public measure assigned by the
18 state commissioner. The summary shall be printed immediately
19 preceding the text of the proposed amendment or measure on the
20 paper ballot or optical scan ballot referred to in section
21 49.43. If the complete text of the proposed amendment or
22 public measure will not fit on the ballot it shall be posted
23 inside the voting booth. A copy of the full text shall be
24 included with any absentee ballots.

25 Sec. 3. Section 49A.1, Code 2019, is amended to read as
26 follows:

27 **49A.1 Publication of proposed amendment.**

28 1. Whenever any proposition to amend the Constitution has
29 passed the general assembly and been referred to the next
30 succeeding legislature, the state commissioner of elections
31 shall endeavor to cause the same to be published, once each
32 month, in two newspapers of general circulation in each
33 congressional district in the state, for the time required by
34 the Constitution.

35 2. a. The legislative services agency shall maintain on

1 the internet site of the agency a list of all propositions
2 to amend the Constitution as they are filed for each general
3 assembly commencing on or after the effective date of this Act.
4 Such lists shall include links to the text of the proposed
5 amendments.

6 b. The legislative services agency shall maintain on the
7 internet site of the agency separate lists for propositions to
8 amend the Constitution that have been passed by one general
9 assembly and by two consecutive general assemblies. Such lists
10 shall include links to the text of the proposed amendments and
11 shall be updated no later than one week after the conclusion of
12 each session of the general assembly. A proposition to amend
13 the Constitution published consistent with this paragraph shall
14 be considered published as required by the Constitution.

15 Sec. 4. REPEAL. Sections 49A.10 and 49A.11, Code 2019, are
16 repealed.

17 DIVISION II

18 ISSUANCE OF BONDS

19 Sec. 5. Section 49.45, Code 2019, is amended to read as
20 follows:

21 **49.45 General form of ballot.**

22 1. Ballots referred to in section 49.43 shall be
23 substantially in the following form:

24 Shall the following amendment to the Constitution (or public
25 measure) be adopted?

26 Yes

27 No

28 (Here insert the summary, if it is for a constitutional
29 amendment or statewide public measure, and in full the proposed
30 constitutional amendment or public measure. The number
31 assigned by the state commissioner or the letter assigned
32 by the county commissioner shall be included on the ballot
33 centered above the question, "Shall the following amendment to
34 the Constitution [or public measure] be adopted?")

35 2. A public measure to approve the issuance of a bond

1 pursuant to chapter 75 or 296 shall include on the ballot the
2 current property tax levy, which shall immediately follow
3 the proposed levy, and the term of the bond. Such a public
4 measure shall also include on the ballot the average increase
5 or decrease in the property tax burden of an average home in
6 each county, as well as the average of such averages, according
7 to data provided by the United States census bureau.

8 DIVISION III

9 SELF-PROMOTION WITH TAXPAYER FUNDS

10 Sec. 6. Section 68A.405A, subsection 1, paragraph b, Code
11 2019, is amended by striking the paragraph.

12 Sec. 7. Section 68A.405A, Code 2019, is amended by adding
13 the following new subsections:

14 NEW SUBSECTION. 3. For the purposes of this section,
15 "*direct mass mailing*" means a mailing, regardless of whether
16 the mailing was sent in response to a request or due to the
17 recipient's enrollment in a program, the purpose of which is to
18 attract public attention to a person, policy, product, service,
19 program, initiative, law, legislation, event, or activity
20 promoted by the statewide elected official that is all of the
21 following:

22 a. Printed material delivered by the United States mail or
23 other delivery service.

24 b. Sent to more than two hundred physical addresses.

25 c. Substantially similar or identical as regards each
26 mailing.

27 d. Sent at the same time or within a thirty-day period.

28 NEW SUBSECTION. 4. For the purposes of this section,
29 only moneys appropriated to the offices of the governor and
30 lieutenant governor are considered under the control of the
31 governor or lieutenant governor.

32 DIVISION IV

33 HOSPITAL BOARD OF TRUSTEES ELECTIONS

34 Sec. 8. Section 347.9, subsection 1, Code 2019, is amended
35 to read as follows:

1 1. When it has been determined by the voters of a county
2 to establish a county public hospital, the board shall appoint
3 five or seven trustees chosen from among the resident citizens
4 of the county with reference to their fitness for office.
5 The appointed trustees shall hold office until the following
6 general election, at which time their successors shall be
7 elected, three for a term of four years and the remainder
8 for a term of two years, and they shall determine by lot
9 their respective terms, and thereafter their successors shall
10 be elected for regular terms of four years each, except as
11 provided in subsection 3.

12 Sec. 9. Section 347.9, Code 2019, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 3. Trustees in a county with a population
15 of at least four hundred thousand shall serve for a term of six
16 years. A trustee elected to a term of four years in or after
17 January 2018 shall instead serve a term of six years.

18 Sec. 10. Section 347.10, Code 2019, is amended to read as
19 follows:

20 **347.10 Vacancies.**

21 Vacancies on the board of trustees may, ~~until the next~~
22 ~~general election,~~ be filled by appointment by the remaining
23 members of the board of trustees or, if fewer than a
24 majority of the trustees remain on the board, by the board of
25 supervisors for the period until the vacancies are filled by
26 election. An appointment made under this section shall be for
27 the unexpired balance of the term of the preceding trustee. If
28 a board member is absent for four consecutive regular board
29 meetings, without prior excuse, or fails to comply with more
30 stringent attendance requirements for regular board meetings
31 included in the bylaws governing the board, the member's
32 position shall be declared vacant and filled as set out in this
33 section.

34 Sec. 11. HOSPITAL BOARD OF TRUSTEES ELECTIONS.

35 Notwithstanding section 347.9, for elections held pursuant to

1 section 347.9 in 2022 in which more than seventy percent of
2 trustee positions on a board are on the ballot:

3 1. If there are seven trustees on the board:

4 a. If six trustees are to be elected, the four elected who
5 receive the highest number of votes are elected for four-year
6 terms. The remainder are elected for two-year terms. In case
7 of a tie, the county auditor shall determine by lot which of
8 the trustees with the lowest number of winning votes shall
9 serve two-year terms and thereafter their successors shall be
10 elected for regular terms as provided in section 347.9.

11 b. If five trustees are to be elected, the four elected who
12 receive the highest number of votes are elected for four-year
13 terms. The remaining trustee is elected for a two-year term.
14 In case of a tie, the county auditor shall determine by lot
15 which of the trustees with the lowest number of winning votes
16 shall serve the two-year term and thereafter their successors
17 shall be elected for regular terms as provided in section
18 347.9.

19 2. If there are five trustees on the board, if four trustees
20 are to be elected, the three elected who receive the highest
21 number of votes are elected for four-year terms. The remaining
22 trustee is elected for a two-year term. In case of a tie, the
23 county auditor shall determine by lot which of the trustees
24 with the lowest number of winning votes shall serve the
25 two-year term and thereafter their successors shall be elected
26 for regular terms as provided in section 347.9.

27 DIVISION V

28 TECHNICAL CHANGES

29 Sec. 12. Section 39A.3, subsection 1, paragraph a, Code
30 2019, is amended by adding the following new subparagraph:

31 NEW SUBPARAGRAPH. (5) Falsely or fraudulently signs
32 nomination papers on behalf of another person.

33 Sec. 13. Section 39A.3, subsection 1, Code 2019, is amended
34 by adding the following new paragraph:

35 NEW PARAGRAPH. *c. Miscellaneous offenses.* Uses voter

1 registration information, including resale or redistribution
2 of the voter registration list without written permission of
3 the state registrar, for purposes other than those permitted
4 by section 48A.39.

5 Sec. 14. Section 39A.4, subsection 1, paragraph c,
6 subparagraph (5), Code 2019, is amended by striking the
7 subparagraph.

8 Sec. 15. Section 39A.6, Code 2019, is amended to read as
9 follows:

10 **39A.6 Technical infractions — notice.**

11 1. If the state commissioner or county commissioner becomes
12 aware of an apparent technical violation of a provision of
13 chapters 39 through 53, the state commissioner or county
14 commissioner may administratively provide a written notice
15 and letter of instruction to the responsible person regarding
16 proper compliance procedures.

17 2. If the state commissioner sends a notice of such a
18 technical infraction to a county commissioner, the state
19 commissioner may require a written explanation of the
20 occurrence, and measures that the person took to redress the
21 issues contained within the notice.

22 3. This notice is not a final determination of facts or law
23 in the matter, and does not entitle a person to a proceeding
24 under chapter 17A.

25 Sec. 16. Section 43.14, subsection 1, Code 2019, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. *g.* The printed name, signature, address,
28 and phone number of the person responsible for circulating the
29 petition page. The petition page shall clearly indicate that a
30 candidate circulating the page shall provide the information
31 required by this paragraph.

32 Sec. 17. Section 43.14, subsection 2, Code 2019, is amended
33 to read as follows:

34 2. a. Signatures on a petition page shall be counted only
35 if the information required in subsection 1 is written or

1 printed at the top of the page.

2 b. Nomination papers on behalf of candidates for seats in
3 the general assembly need only designate the number of the
4 senatorial or representative district, as appropriate, and
5 not the county or counties, in which the candidate and the
6 petitioners reside.

7 c. A signature line shall not be counted if the line
8 lacks the signature of the eligible elector and the signer's
9 residential address, with street and number, if any, and city.
10 A signature line shall not be counted if an eligible elector
11 supplies only a partial address or a post office box address,
12 or if the signer's address is obviously outside the boundaries
13 of the district.

14 d. A signature line shall not be counted if any of the
15 required information is crossed out or redacted at the time
16 the nomination papers are filed with the state commissioner or
17 commissioner.

18 Sec. 18. Section 43.14, subsection 4, Code 2019, is amended
19 by adding the following new paragraph:

20 NEW PARAGRAPH. f. Any other information required by section
21 43.18.

22 Sec. 19. Section 43.15, subsection 2, Code 2019, is amended
23 to read as follows:

24 2. Each signer shall add the signer's ~~residence~~ residential
25 address, with street and number, if any, and the date of
26 signing.

27 Sec. 20. Section 43.22, unnumbered paragraph 1, Code 2019,
28 is amended to read as follows:

29 The state commissioner shall, at least sixty-nine days
30 before a primary election, or as soon as practicable if an
31 objection under section 43.24 is pending, furnish to the
32 commissioner of each county a certificate under the state
33 commissioner's hand and seal, which certificate shall show:

34 Sec. 21. Section 43.24, subsection 1, paragraph b,
35 subparagraphs (1) and (2), Code 2019, are amended to read as

1 follows:

2 (1) Those filed with the state commissioner, not less than
3 seventy-four days before the date of the election, or for
4 certificates of nomination filed under section 43.23, not less
5 than sixty-nine days before the date of the election.

6 (2) Those filed with the commissioner, not less than
7 ~~sixty-four~~sixty-seven days before the date of the election, or
8 for certificates of nomination filed under section 43.23, not
9 less than sixty-two days before the date of the election.

10 Sec. 22. Section 45.5, subsection 1, Code 2019, is amended
11 by adding the following new paragraph:

12 NEW PARAGRAPH. *f.* The printed name, signature, address,
13 and phone number of the person responsible for circulating the
14 petition page.

15 Sec. 23. Section 45.5, subsection 2, Code 2019, is amended
16 to read as follows:

17 2. *a.* Signatures on a petition page shall be counted only
18 if the information required in subsection 1 is written or
19 printed at the top of the page.

20 *b.* Nomination papers on behalf of candidates for seats in
21 the general assembly need only designate the number of the
22 senatorial or representative district, as appropriate, and
23 not the county or counties, in which the candidate and the
24 petitioners reside.

25 *c.* A signature line in a nomination petition shall not be
26 counted if the line lacks the signature of the eligible elector
27 and the signer's residential address, with street and number,
28 if any, and city. A signature line shall not be counted if
29 an eligible elector supplies only a partial address or a post
30 office box address, or if the signer's address is obviously
31 outside the boundaries of the appropriate ward, city, school
32 district or school district director district, legislative
33 district, or other district.

34 *d.* A signature line shall not be counted if any of the
35 required information is crossed out or redacted at the time

1 the nomination papers are filed with the state commissioner or
2 commissioner.

3 Sec. 24. Section 45.6, subsection 2, Code 2019, is amended
4 to read as follows:

5 2. Each signer shall add the signer's ~~residence~~ residential
6 address, with street and number, if any, and city.

7 Sec. 25. Section 47.1, subsection 6, Code 2019, is amended
8 to read as follows:

9 6. The state commissioner may, at the state commissioner's
10 discretion, examine the records of a commissioner to evaluate
11 complaints and to ensure compliance with the provisions
12 of chapters 39 through 53. This examination shall include
13 assessments conducted or authorized by private or government
14 entities to evaluate a county's security readiness for
15 elections-related technology or physical facilities. The state
16 commissioner shall adopt rules pursuant to chapter 17A to
17 require a commissioner to provide written explanations related
18 to examinations conducted pursuant to this subsection. Any
19 information that is requested by or in the possession of the
20 state commissioner pursuant to this chapter shall not lose its
21 confidential status pursuant to section 22.7, subsection 50.

22 Sec. 26. Section 47.1, Code 2019, is amended by adding the
23 following new subsections:

24 NEW SUBSECTION. 7. The state commissioner may share
25 information a county provides to an appropriate government
26 agency to safeguard against cybersecurity or physical threats.

27 NEW SUBSECTION. 8. The state commissioner may adopt rules
28 pursuant to chapter 17A to create minimum security protocols
29 applicable to county commissioners of elections. If a county
30 fails to adhere to these protocols, the state commissioner may
31 limit access to the statewide voter registration system.

32 Sec. 27. Section 47.2, Code 2019, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 7. The county commissioner of elections
35 shall, to maintain election security, do all of the following:

1 *a.* When the county commissioner believes that a
2 cybersecurity incident or data breach has occurred, the county
3 commissioner shall immediately inform the state commissioner
4 of elections.

5 *b.* If the county commissioner has no reason to believe
6 that a cybersecurity incident or data breach has occurred,
7 the county commissioner shall certify that fact to the state
8 commissioner on an annual basis.

9 Sec. 28. Section 47.7, subsection 2, paragraph d, Code 2019,
10 is amended to read as follows:

11 *d.* The state registrar shall prescribe by rule the
12 procedures for access to the state voter registration file,
13 ~~security requirements, and access protocols for adding,~~
14 ~~changing, or deleting information from the state voter~~
15 ~~registration file including all of the following:~~

16 (1) Access protocols for adding, changing, or deleting
17 information from the state voter registration file.

18 (2) Training requirements for all state voter registration
19 file users.

20 (3) Technology safeguards, including county information
21 technology network requirements, necessary to access the state
22 voter registration file.

23 (4) Breach incident response requirements and protocols on
24 all matters related to elections.

25 Sec. 29. Section 47.7, subsection 2, Code 2019, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. *e.* The state registrar may rescind access to
28 the statewide voter registration file from a user who is not in
29 compliance with the prescribed rules.

30 Sec. 30. Section 48A.9, subsection 4, Code 2019, is amended
31 to read as follows:

32 4. Registration forms submitted to voter registration
33 agencies, to motor vehicle driver's license stations, and to
34 county treasurer's offices participating in county issuance of
35 driver's licenses under chapter 321M shall be considered on

1 time if they are received no later than ~~5:00~~ 11:59 p.m. on the
2 day registration closes for that election. Offices or agencies
3 other than the county commissioner's office are not required
4 to be open for voter registration purposes at times other than
5 their usual office hours.

6 Sec. 31. Section 48A.26, subsection 1, Code 2019, is amended
7 to read as follows:

8 1. *a.* Except as otherwise provided in paragraph
9 paragraphs "b" and "c" of this subsection, or section 48A.26A,
10 within seven working days of receipt of a voter registration
11 form or change of information in a voter registration record
12 the commissioner shall send an acknowledgment to the registrant
13 at the mailing address shown on the registration form. The
14 acknowledgment shall be sent by nonforwardable mail.

15 *b.* For a voter registration form or change of information
16 in a voter registration record submitted at a precinct caucus,
17 the commissioner shall send an acknowledgment within forty-five
18 days of receipt of the form or change of information.

19 *c.* For a voter registration form or change of information in
20 a voter registration record submitted within fourteen days of a
21 regularly scheduled election, the commissioner shall send an
22 acknowledgment within forty-eight hours of receipt of the form
23 or change of information.

24 Sec. 32. Section 49.11, Code 2019, is amended by adding the
25 following new subsection:

26 NEW SUBSECTION. 4. Notice of changes made pursuant to
27 subsection 3 shall be reported to the state commissioner at
28 least twenty-five days before the next election in which the
29 temporary precinct will be active, or, for elections held
30 pursuant to section 69.14 while the general assembly is in
31 session or within forty-five days of the convening of a session
32 of the general assembly, at least ten days before election day.

33 Sec. 33. Section 49.31, subsection 1, paragraph a, Code
34 2019, is amended to read as follows:

35 *a.* All ballots shall be arranged with the names of

1 candidates for each office listed below the office title.
2 For partisan elections the name of the political party or
3 organization which nominated each candidate shall be listed
4 after or below each candidate's name. The state commissioner
5 may prescribe, and a county commissioner may use, uniform
6 abbreviations for political parties and organizations.

7 Sec. 34. Section 49.57, subsection 2, Code 2019, is amended
8 to read as follows:

9 2. After the name of each candidate for a partisan office
10 the name of the candidate's political party shall be printed
11 in at least six point type. The names of political parties
12 and nonparty political organizations may be abbreviated on
13 the remainder of the ballot if both the full name and the
14 abbreviation appear in the voter instruction area of the
15 ballot.

16 Sec. 35. Section 50.51, subsection 6, Code 2019, is amended
17 to read as follows:

18 6. The state commissioner shall adopt rules, pursuant
19 to chapter 17A, to implement this section, which may include
20 the establishment of pilot programs related to post-election
21 audits.

22 Sec. 36. NEW SECTION. 53.1A Rules.

23 The state commissioner shall adopt rules pursuant to chapter
24 17A for the implementation of this chapter.

25 Sec. 37. Section 53.8, subsection 1, paragraph a,
26 unnumbered paragraph 1, Code 2019, is amended to read as
27 follows:

28 Upon receipt of an application for an absentee ballot
29 and immediately after the absentee ballots are printed,
30 but not more than twenty-nine days before the election, the
31 commissioner shall mail an absentee ballot to the applicant
32 within twenty-four hours, except as otherwise provided in
33 subsection 3. When the United States post office is closed
34 in observance of a federal holiday and is not delivering mail
35 on the twenty-ninth day before the election, the first day to

1 mail absentee ballots is the next business day on which mail
2 delivery is available. The absentee ballot shall be sent to
3 the registered voter by one of the following methods:

4 Sec. 38. EFFECTIVE DATE. This division of this Act, being
5 deemed of immediate importance, takes effect upon enactment.

6 DIVISION VI

7 MISCELLANEOUS PROVISIONS

8 Sec. 39. Section 54.9, Code 2019, is amended to read as
9 follows:

10 **54.9 Compensation.**

11 The electors shall each receive a compensation of
12 ~~five dollars~~ one-half of the federal general services
13 administration's per diem rate for the relevant date and
14 location for every day's attendance, and the same mileage as
15 members of the general assembly which shall be paid from funds
16 not otherwise appropriated from the general fund of the state.

17 Sec. 40. Section 68.9, subsection 1, Code 2019, is amended
18 to read as follows:

19 1. When an impeachment is presented, the senate shall, after
20 ~~the hour of final adjournment of the legislature~~ as soon as
21 practicable, be ~~forthwith~~ organized as a court of impeachment
22 for the trial thereof, at the capitol.

23 Sec. 41. Section 68.14, Code 2019, is amended to read as
24 follows:

25 **68.14 Compensation — fees — payment.**

26 The presiding officer and members of the senate, while
27 sitting as a court of impeachment, and the managers elected
28 by the house of representatives, shall ~~receive the sum of~~
29 ~~six dollars each per day~~ be compensated the same as for a
30 special session of the general assembly, but shall receive
31 no additional compensation during a regular session of the
32 general assembly, and shall be reimbursed for mileage expense
33 in going from and returning to their places of residence by the
34 ordinary traveled routes; the secretary, sergeant at arms, and
35 all subordinate officers, clerks, and reporters, shall receive

1 such amount as shall be determined upon by a majority vote of
2 the members of such court. The same fees shall be allowed to
3 witnesses, to officers, and to other persons serving process or
4 orders, as are allowed for like services in criminal cases, but
5 no fees can be demanded in advance. The state treasurer shall,
6 upon the presentation of certificates signed by the presiding
7 officer and secretary of the senate, pay all of the foregoing
8 compensations and the expenses of the senate incurred under the
9 provisions of this chapter.

10

DIVISION VII

11

CONDUCT OF ELECTIONS

12 Sec. 42. Section 39.2, subsection 4, paragraphs a, b, and c,
13 Code 2019, are amended to read as follows:

14 a. For a county, ~~on the day of the general election, on~~
15 ~~the day of the regular city election, on the date of a special~~
16 ~~election held to fill a vacancy in the same county, or on the~~
17 ~~first Tuesday in March~~ in an odd-numbered year, the first
18 Tuesday in ~~May~~ March, ~~or the first~~ second Tuesday in August
19 ~~of each year~~ September, ~~or the first Tuesday after the first~~
20 Monday in November. For a county, in an even-numbered year,
21 the first Tuesday in March or the second Tuesday in September.

22 b. For a city, ~~on the day of the general election, on the~~
23 ~~day of the regular city election, on the date of a special~~
24 ~~election held to fill a vacancy in the same city, or on the~~
25 ~~first Tuesday in March~~ in an odd-numbered year, the first
26 Tuesday in ~~May~~ March, ~~or the first~~ second Tuesday in August
27 ~~of each year~~ September, ~~or the first Tuesday after the first~~
28 Monday in November. For a city, in an even-numbered year, the
29 first Tuesday in March or the second Tuesday in September.

30 c. For a school district or merged area, in the odd-numbered
31 year, the first Tuesday in ~~February~~ March, ~~the first Tuesday in~~
32 ~~April~~, the ~~last~~ second Tuesday in ~~June~~ September, ~~or the second~~
33 first Tuesday after the first Monday in September November.
34 For a school district or merged area, in the even-numbered
35 year, the first Tuesday in February, ~~the first Tuesday in~~

1 ~~April March, or~~ the second Tuesday in September, ~~or the second~~
2 ~~Tuesday in December.~~

3 Sec. 43. Section 39.12, Code 2019, is amended to read as
4 follows:

5 **39.12 Failure to vacate.**

6 An elected official who has been elected to another elective
7 office to which section 39.11 applies shall choose only one
8 office in which to serve. The official shall resign from all
9 but one of the offices to which section 39.11 applies before
10 the beginning of the term of the office to which the person
11 was most recently elected. Failure to submit the required
12 resignation will result in a vacancy in all the first elective
13 ~~offices~~ office to which the person was elected.

14 Sec. 44. Section 43.11, subsection 1, Code 2019, is amended
15 to read as follows:

16 1. For an elective county office, in the office of the
17 county commissioner not earlier than ninety-two days nor later
18 than 5:00 p.m. on the ~~sixty-ninth~~ seventy-fourth day before the
19 day fixed for holding the primary election.

20 Sec. 45. Section 43.16, subsection 2, paragraph b, Code
21 2019, is amended to read as follows:

22 *b.* A person who has filed nomination papers with the
23 commissioner may withdraw as a candidate not later than the
24 ~~sixty-seventh~~ sixty-ninth day before the primary election by
25 notifying the commissioner in writing.

26 Sec. 46. Section 43.23, Code 2019, is amended to read as
27 follows:

28 **43.23 Death or withdrawal of primary candidate.**

29 1. If a person who has filed nomination papers with the
30 state commissioner as a candidate in a primary election dies
31 or withdraws up to the seventy-sixth day before the primary
32 election, the appropriate convention or central committee of
33 that person's political party may designate one ~~additional~~
34 primary election candidate for the nomination that person
35 was seeking, if the designation is submitted to the state

1 commissioner in writing by 5:00 p.m. on the seventy-first day
2 before the date of the primary election. The name of any
3 candidate so submitted shall be included in the appropriate
4 certificate or certificates furnished by the state commissioner
5 under section 43.22.

6 2. If a person who has filed nomination papers with the
7 commissioner as a candidate in a primary election dies or
8 withdraws up to the ~~sixty-seventh~~ sixty-ninth day before
9 the primary election, the appropriate convention or central
10 committee of that person's political party may designate one
11 ~~additional~~ primary election candidate for the nomination
12 that person was seeking, if the designation is submitted to
13 the commissioner in writing by 5:00 p.m. on the ~~sixty-third~~
14 sixty-fourth day before the primary election. The name of
15 any candidate so submitted shall be placed on the appropriate
16 ballot or ballots by the commissioner.

17 Sec. 47. Section 43.30, subsection 2, Code 2019, is amended
18 to read as follows:

19 2. The commissioner shall make sample ballots available to
20 the public upon request. The sample ballots shall be clearly
21 marked as sample ballots. A reasonable fee may be charged for
22 printing costs if a person requests multiple copies of sample
23 ballots. The commissioner shall not distribute sample ballots
24 except as provided in this subsection.

25 Sec. 48. Section 43.36, Code 2019, is amended to read as
26 follows:

27 **43.36 Australian ballot.**

28 The Australian ballot system as now used in this state,
29 except as herein modified, shall be used at said primary
30 election. The endorsement of the precinct election officials
31 and the ~~facsimile of the commissioner's signature~~ county
32 seal shall appear upon the ballots as provided for general
33 elections.

34 Sec. 49. Section 43.78, subsection 2, Code 2019, is amended
35 to read as follows:

1 2. The name of any candidate designated to fill a vacancy
2 on the general election ballot in accordance with subsection
3 1, paragraph "a", "b", or "c" shall be submitted in writing
4 to the state commissioner not later than 5:00 p.m. on the
5 ~~seventy-third~~ seventy-sixth day before the date of the general
6 election.

7 Sec. 50. Section 43.79, Code 2019, is amended to read as
8 follows:

9 **43.79 Death of candidate after time for withdrawal.**

10 The death of a candidate nominated as provided by law for any
11 office to be filled at a general election, during the period
12 beginning on the ~~eighty-first~~ seventy-fifth day before the
13 general election, in the case of any candidate whose nomination
14 papers were filed with the state commissioner, or beginning
15 on the seventy-third day before the general election, in the
16 case of any candidate whose nomination papers were filed with
17 the commissioner, and ending ~~on the last day before~~ at the
18 time the polls close on the day of the general election shall
19 not operate to remove the deceased candidate's name from the
20 general election ballot. If the deceased candidate was seeking
21 the office of senator or representative in the Congress of
22 the United States, governor, attorney general, senator or
23 representative in the general assembly or county supervisor,
24 section 49.58 shall control. If the deceased candidate was
25 seeking any other office, and as a result of the candidate's
26 death a vacancy is subsequently found to exist, the vacancy
27 shall be filled as provided by chapter 69.

28 Sec. 51. Section 44.1, Code 2019, is amended to read as
29 follows:

30 **44.1 ~~Political nonparty~~ Nonparty political organizations.**

31 Any convention or caucus of eligible electors representing
32 a political organization which is not a political party as
33 defined by law, may, for the state, or for any division or
34 municipality thereof, or for any county, or for any subdivision
35 thereof, for which such convention or caucus is held, make one

1 nomination of a candidate for each office to be filled therein
2 at the general election. However, in order to qualify for
3 any nomination made for a statewide elective office by such
4 a political organization there shall be in attendance at the
5 convention or caucus where the nomination is made a minimum of
6 ~~two hundred fifty~~ five hundred eligible electors including at
7 least one eligible elector from each of twenty-five counties.
8 In order to qualify for any nomination to the office of United
9 States representative there shall be in attendance at the
10 convention or caucus where the nomination is made a minimum
11 of ~~fifty two hundred~~ eligible electors who are residents of
12 the congressional district including at least one eligible
13 elector from each of at least one-half of the counties of
14 the congressional district. In order to qualify for any
15 nomination to an office to be filled by the voters of a county
16 or of a city there shall be in attendance at the convention or
17 caucus where the nomination is made a minimum of ~~ten~~ twenty
18 eligible electors who are residents of the county or city,
19 as the case may be, including at least one eligible elector
20 from at least one-half of the voting precincts in that county
21 or city. In order to qualify for any nomination made for
22 the general assembly there shall be in attendance at the
23 convention or caucus where the nomination is made a minimum
24 of ~~ten~~ twenty-five eligible electors who are residents of the
25 representative district or ~~twenty~~ fifty eligible electors who
26 are residents of the senatorial district, as the case may be,
27 with at least one eligible elector from one-half of the voting
28 precincts in the district in each case. The names of all
29 delegates in attendance at such convention or caucus and such
30 fact shall be certified to the state commissioner together with
31 the other certification requirements of this chapter.

32 Sec. 52. Section 44.4, Code 2019, is amended to read as
33 follows:

34 **44.4 Nominations and objections — time and place of filing.**

35 1. a. Nominations made pursuant to this chapter and

1 chapter 45 which are required to be filed in the office of the
2 state commissioner shall be filed in that office not more than
3 ninety-nine days nor later than 5:00 p.m. on the ~~seventy-third~~
4 eighty-first day before the ~~date of the general election to be~~
5 ~~held in November~~ first Tuesday after the first Monday in June
6 in each even-numbered year. Nominations made for a special
7 election called pursuant to section 69.14 shall be filed by
8 5:00 p.m. not less than twenty-five days before the date of
9 an election called upon at least forty days' notice and not
10 less than fourteen days before the date of an election called
11 upon at least eighteen days' notice. Nominations made for
12 a special election called pursuant to section 69.14A shall
13 be filed by 5:00 p.m. not less than twenty-five days before
14 the date of the election. Nominations made pursuant to this
15 chapter and chapter 45 which are required to be filed in the
16 office of the commissioner shall be filed in that office not
17 more than ninety-two days nor later than 5:00 p.m. on the
18 ~~sixty-ninth~~ seventy-fourth day before the ~~date of the general~~
19 ~~election~~ first Tuesday after the first Monday in June in each
20 even-numbered year. Nominations made pursuant to this chapter
21 or chapter 45 for city office shall be filed not more than
22 seventy-two days nor later than 5:00 p.m. on the forty-seventh
23 day before the city election with the county commissioner
24 of elections responsible under section 47.2 for conducting
25 elections held for the city, who shall process them as provided
26 by law.

27 b. Notwithstanding paragraph "a", nominations for president
28 and vice president of the United States shall be filed in the
29 office of the state commissioner not more than ninety-nine days
30 nor later than 5:00 p.m. on the eighty-first day before the
31 date of the general election to be held in November.

32 2. a. Objections to the legal sufficiency of a certificate
33 of nomination or nomination petition or to the eligibility
34 of a candidate may be filed by any person who would have the
35 right to vote for a candidate for the office in question.

1 The objections must be filed with the officer with whom the
2 certificate or petition is filed and within the following time:

3 (1) Those filed with the state commissioner, not less than
4 ~~sixty-eight~~ seventy-four days before the date of the election.

5 (2) Those filed with the commissioner, not less than
6 sixty-four days before the date of the election, except as
7 provided in subparagraph (3).

8 (3) Those filed with the commissioner for an elective city
9 office, at least forty-two days before the regularly scheduled
10 or special city election. However, for those cities that may
11 be required to hold a primary election, at least sixty-three
12 days before the regularly scheduled or special city election.

13 (4) In the case of nominations to fill vacancies occurring
14 after the time when an original nomination for an office is
15 required to be filed, objections shall be filed within three
16 days after the filing of the certificate.

17 *b.* Objections shall be filed no later than 5:00 p.m. on the
18 final date for filing.

19 Sec. 53. Section 44.9, subsections 1 and 2, Code 2019, are
20 amended to read as follows:

21 1. In the office of the state commissioner, ~~at least~~
22 ~~sixty-eight days before the date of the election~~ as provided
23 in section 43.76.

24 2. In the office of the appropriate commissioner, ~~at least~~
25 ~~sixty-four days before the date of the election, except as~~
26 ~~otherwise provided in subsection 6~~ as provided in section
27 43.76.

28 Sec. 54. Section 47.2, subsection 2, Code 2019, is amended
29 to read as follows:

30 2. *a.* When an election is to be held as required by law
31 or is called by a political subdivision of the state and the
32 political subdivision is located in more than one county, the
33 county commissioner of elections of the county having the
34 greatest taxable base within the political subdivision shall
35 conduct that election. The county commissioners of elections

1 of the other counties in which the political subdivision
2 is located shall cooperate with the county commissioner of
3 elections who is conducting the election.

4 b. Notwithstanding paragraph "a", for a city primary
5 election, city runoff election or a special election for
6 a city, school district, or merged area, if a political
7 subdivision is located in more than one county, the county
8 commissioner of elections of a county not having the greatest
9 taxable base within the political subdivision may designate
10 that the controlling commissioner of the political subdivision
11 shall conduct that election if fewer than one hundred and
12 twenty-five registered voters of the political subdivision
13 are located within such county commissioner's county. If the
14 controlling commissioner is so designated, section 50.24,
15 subsections 3A and 3B, as enacted by 2017 Iowa Acts, ch. 155,
16 828, shall not apply. For the purposes of this paragraph, the
17 number of registered voters shall be the number of registered
18 voters in the political subdivision of a county not having the
19 greatest taxable base on May 1 immediately preceding the first
20 day of the filing period for candidates for the election. If
21 May 1 falls on a day when the county commissioner's office is
22 closed for business, the county commissioner shall use the
23 number of registered voters on the next day that the county
24 commissioner's office is open for business to determine the
25 number of registered voters.

26 Sec. 55. Section 47.2, Code 2019, is amended by adding the
27 following new subsection:

28 NEW SUBSECTION. 7. The county commissioner shall not
29 participate in an absentee ballot drive or collection effort in
30 cooperation with a candidate, candidate's committee, political
31 party, or nonparty political organization. However, when a
32 county commissioner is a candidate for election, such a county
33 commissioner may participate in an absentee ballot drive or
34 collection effort, but shall not aid any other candidate,
35 candidate's committee, political party, or nonparty political

1 organization.

2 Sec. 56. NEW SECTION. 47.12 Electronic poll books —
3 mandatory.

4 Each county commissioner of elections shall, by February 26,
5 2020, ensure that each election precinct uses an electronic
6 poll book.

7 Sec. 57. Section 48A.9, subsection 1, Code 2019, is amended
8 to read as follows:

9 1. Registration closes at 5:00 p.m. eleven days before each
10 election ~~except general elections. For general elections,~~
11 ~~registration closes at 5:00 p.m. ten days before the election.~~
12 An eligible elector may register during the time registration
13 is closed in the elector's precinct but the registration shall
14 not become effective until registration opens again in the
15 elector's precinct, except as otherwise provided in section
16 48A.7A.

17 Sec. 58. NEW SECTION. 49.2 Oversight by the state
18 commissioner.

19 The state commissioner, or a designee of the state
20 commissioner, may, at the discretion of the state commissioner,
21 oversee the activities of a county commissioner of elections
22 during a period beginning sixty days before an election and
23 ending sixty days after an election. For the purposes of this
24 section, "oversee" means to observe election-related activity,
25 correct any activity not in accordance with law, and issue a
26 written notice and instructions pursuant to section 39A.6 for
27 any technical infractions that are observed.

28 Sec. 59. Section 49.21, Code 2019, is amended by adding the
29 following new subsection:

30 NEW SUBSECTION. 4. The commissioner shall remove or obscure
31 from the view of voters any published material displaying the
32 name of a candidate or elected official other than a ballot or
33 sample ballot or envelope.

34 Sec. 60. NEW SECTION. 49.42B Form of official ballot —
35 candidates for president and vice president.

1 When candidates for president and vice president of the
2 United States appear on the ballot, the following statement
3 shall appear directly above the section of the ballot listing
4 such candidates:

5 [A ballot cast for the named candidates for president
6 and vice president of the United States is considered to be
7 cast for the slate of presidential electors nominated by
8 the political party, nonparty political organization, or
9 independent candidate.]

10 Sec. 61. NEW SECTION. **49.49 Certain sample ballots**
11 **prohibited.**

12 The commissioner and state commissioner of elections shall
13 not distribute or authorize the distribution of sample ballots
14 to voters other than as provided in sections 49.53 and 52.29.

15 Sec. 62. Section 49.51, Code 2019, is amended to read as
16 follows:

17 **49.51 Commissioner to control printing.**

18 The commissioner shall have charge of the printing of the
19 ballots to be used for any election held in the county, unless
20 the commissioner delegates that authority as permitted by this
21 section. The commissioner may delegate this authority only
22 to another commissioner who is responsible under section 47.2
23 for conducting the elections held for a political subdivision
24 which lies in more than one county, and only with respect to
25 printing of ballots containing only public questions or the
26 names of candidates to be voted upon by the registered voters
27 of that political subdivision. Only one ~~facsimile signature~~
28 county seal, that of the county of the commissioner under
29 whose direction the ballot is printed, shall appear on the
30 ballot. It is the duty of the commissioner to insure that the
31 arrangement of any ballots printed under the commissioner's
32 direction conforms to all applicable requirements of this
33 chapter.

34 Sec. 63. Section 49.57, subsection 6, Code 2019, is amended
35 to read as follows:

1 6. A portion of the ballot shall include the words "Official
2 ballot", the unique identification number or name assigned by
3 the commissioner to the ballot style, the date of the election,
4 and ~~a facsimile of the signature~~ the county seal of the county
5 of the commissioner who has caused the ballot to be printed
6 pursuant to section 49.51.

7 Sec. 64. Section 49.58, subsection 1, Code 2019, is amended
8 to read as follows:

9 1. If any candidate nominated by a political party,
10 as defined in section 43.2, for the office of senator or
11 representative in the Congress of the United States, governor,
12 attorney general, or senator or representative in the general
13 assembly dies during the period beginning on the ~~eighty-eighth~~
14 eighty-first day and ending at the time the polls close on the
15 ~~last day before~~ of the general election, or if any candidate
16 so nominated for the office of county supervisor dies during
17 the period beginning on the ~~seventy-third~~ seventy-fourth day
18 and ending at the time the polls close on the ~~last day before~~
19 of the general election, the vote cast at the general election
20 for that office shall not be canvassed as would otherwise be
21 required by chapter 50. Instead, a special election shall be
22 held on the first Tuesday after the second Monday in December,
23 for the purpose of electing a person to fill that office.

24 Sec. 65. Section 49.73, subsection 2, Code 2019, is amended
25 to read as follows:

26 2. a. The commissioner shall not shorten voting hours for
27 any election if there is filed in the commissioner's office, at
28 least twenty-five days before the election, a petition signed
29 by at least fifty eligible electors of the school district
30 or city, as the case may be, requesting that the polls be
31 opened not later than 7:00 a.m. All polling places where the
32 candidates of or any public question submitted by any one
33 political subdivision are being voted upon shall be opened at
34 the same hour, except that this requirement shall not apply
35 to merged areas established under chapter 260C. The hours at

1 which the respective precinct polling places are to open shall
2 not be changed after publication of the notice required by
3 section 49.53. The polling places shall be closed at ~~9:00 p.m.~~
4 ~~for state primary and general elections and other partisan~~
5 ~~elections, and for any other election held concurrently~~
6 ~~therewith, and at 8:00 p.m. for all other elections.~~

7 b. The legislative services agency shall place on the
8 internet site of the agency information regarding the opening
9 and closing times of polling places until and including
10 November 7, 2023. This paragraph is repealed effective July
11 1, 2024.

12 Sec. 66. Section 49.82, Code 2019, is amended to read as
13 follows:

14 **49.82 Voter to receive one ballot — endorsement.**

15 When an empty voting booth is available, one of the precinct
16 election officials shall endorse the official's initials on
17 each ballot the voter will receive. The initials shall be
18 placed so that they may be seen when the ballot is properly
19 folded or enclosed in a secrecy folder. The name or signature
20 of the commissioner shall not appear on the ballot except as
21 part of the list of candidates when the commissioner is a
22 candidate for election. The official shall give the voter one
23 and only one of each of the ballots to be voted at that election
24 in that precinct, except as provided by section 49.100. No
25 ballot without the required official endorsement shall be
26 placed in the ballot box.

27 Sec. 67. Section 49A.6, Code 2019, is amended to read as
28 follows:

29 **49A.6 Certification — sample ballot.**

30 The state commissioner of elections shall, not less than
31 ~~sixty-nine~~ sixty-three days preceding any election at which a
32 constitutional amendment or public measure is to be submitted
33 to a vote of the entire people of the state, transmit to the
34 county commissioner of elections of each county a certified
35 copy of the amendment or measure and a sample of the ballot to

1 be used in such cases, prepared in accordance with law.

2 Sec. 68. Section 50.44, Code 2019, is amended to read as
3 follows:

4 **50.44 Tie vote.**

5 1. If Except as otherwise provided in this subsection,
6 if more than the requisite number of persons, including
7 presidential electors, are found to have an equal and the
8 highest number of votes, the election of one of them shall be
9 determined by lot. The name of each of such candidates shall
10 be written on separate pieces of paper, as nearly uniform in
11 size and material as possible, and placed in a receptacle so
12 that the names cannot be seen. In the presence of the board of
13 canvassers, one of them shall publicly draw one of such names,
14 and such person shall be declared elected. The result of such
15 drawing shall be entered upon the abstract of votes and duly
16 recorded, and a certificate of election issued to such person,
17 as provided in this chapter.

18 2. If more than the requisite number of candidates for
19 United States senator or representative to the United States
20 house of representatives are found to have an equal and highest
21 number of votes, a special election shall be held sixty-six
22 days after the final canvass or recount, whichever is later,
23 in which each such candidate shall be the only candidates on
24 the ballot.

25 3. If more than the requisite number of candidates for
26 a statewide elected office, member of the general assembly,
27 member of a board of supervisors, or a partisan office to
28 be filled by a vote of the residents of a whole county, are
29 found to have an equal and highest number of votes, a special
30 election shall be held consistent with section 69.14, in which
31 each such candidate shall be the only candidates on the ballot.

32 4. If more than the requisite number of presidential
33 electors are found to have an equal and the highest number of
34 votes, the presidential electors shall be assigned one-half
35 to each candidate. If there is an odd number of presidential

1 electors, the remaining elector shall be assigned by lot.

2 Sec. 69. Section 50.48, subsection 3, Code 2019, is amended
3 by adding the following new paragraph:

4 NEW PARAGRAPH. *c.* In addition to the persons listed in
5 paragraph "a", the candidate requesting the recount and the
6 apparent winning candidate may each submit a request to a
7 commissioner from a county other than the county conducting the
8 recount to be present at the recount. Such a commissioner may
9 report any irregularities observed by the commissioner at any
10 time after the election to the state commissioner.

11 Sec. 70. Section 50.48, subsection 4, paragraph b, Code
12 2019, is amended to read as follows:

13 *b.* Any member of the recount board may at any time during
14 the recount proceedings for an election for a statewide
15 elected official as defined in section 68B.2 or a United States
16 senator extend the recount of votes cast for the office or
17 nomination in question to any other precinct or precincts in
18 the same county, or from which the returns were reported to
19 the commissioner responsible for conducting the election,
20 without the necessity of posting additional bond. The recount
21 proceedings for an election for any other office shall include
22 all precincts in which a ballot for the election was cast.

23 Sec. 71. NEW SECTION. 50.52 Enforcement.

24 Members of local law enforcement agencies and the state
25 patrol are authorized to take all reasonable actions to prevent
26 violations of this chapter.

27 Sec. 72. Section 53.2, subsection 4, paragraph b, Code 2019,
28 is amended to read as follows:

29 *b.* If insufficient information has been provided, including
30 the absence of a voter verification number, either on the
31 prescribed form or on an application created by the applicant,
32 the commissioner shall, ~~by the best means available, obtain~~
33 the additional necessary information within twenty-four hours
34 after the receipt of the absentee ballot request, contact the
35 applicant by telephone and electronic mail, if such information

1 has been provided by the applicant. If the commissioner is
2 unable to contact the applicant by telephone or electronic
3 mail, the commissioner shall send a notice to the applicant
4 at the address where the applicant is registered to vote, or
5 to the applicant's mailing address if it is different from
6 the residence address. If the applicant has requested the
7 ballot to be sent to an address that is not the applicant's
8 residential or mailing address, the commissioner shall send an
9 additional notice to the address where the applicant requested
10 the ballot to be sent. A commissioner shall not use the voter
11 registration system to obtain additional necessary information.
12 A voter requesting or casting a ballot pursuant to section
13 53.22 shall not be required to provide a voter verification
14 number. The state commissioner shall adopt rules to implement
15 this section.

16 Sec. 73. Section 53.2, subsection 4, Code 2019, is amended
17 by adding the following new paragraph:

18 NEW PARAGRAPH. *d.* If an applicant does not have current
19 access to the applicant's voter verification number, the
20 commissioner shall verify the applicant's identity prior to
21 supplying the voter verification number by asking the applicant
22 to provide at least two of the following facts about the
23 applicant:

24 (1) Date of birth.

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

27 (3) Residential address.

28 (4) Mailing address.

29 (5) Middle name.

30 (6) Voter verification number as defined in paragraph "c".

31 Sec. 74. Section 53.10, subsection 2, paragraph a, Code
32 2019, is amended to read as follows:

33 *a.* Each person who wishes to vote by absentee ballot at
34 the commissioner's office shall first sign an application
35 for a ballot including the following information: name,

1 current address, voter verification number, and the election
2 for which the ballot is requested. The person may report a
3 change of address or other information on the person's voter
4 registration record at that time. Prior to furnishing a
5 ballot, the commissioner shall verify the person's identity
6 as provided in section 49.78. The registered voter shall
7 immediately mark the ballot; enclose the ballot in a secrecy
8 envelope, if necessary, and seal it in the envelope marked
9 with the affidavit; subscribe to the affidavit on the reverse
10 side of the envelope; and return the absentee ballot to the
11 commissioner. The commissioner shall record the numbers
12 appearing on the application and affidavit envelope along with
13 the name of the registered voter.

14 Sec. 75. Section 53.10, subsection 2, Code 2019, is amended
15 by adding the following new paragraph:

16 NEW PARAGRAPH. *c.* If an unregistered person offering to
17 vote an absentee ballot pursuant to this section prior to
18 the deadline in section 48A.9 does not have an Iowa driver's
19 license, an Iowa nonoperator's identification card, or a voter
20 identification number assigned to the voter by the state
21 commissioner pursuant to section 47.7, subsection 2, the person
22 may satisfy identity and residence requirements as provided in
23 section 49.78. This section shall also apply to a registered
24 voter casting a ballot pursuant to this section who has not yet
25 received a voter verification number.

26 Sec. 76. Section 53.11, subsection 1, paragraph a, Code
27 2019, is amended to read as follows:

28 *a.* Not more than twenty-nine days before the date of
29 an election, satellite absentee voting stations ~~may be~~
30 ~~established throughout the cities and county at the direction~~
31 ~~of the commissioner and~~ shall be established upon receipt
32 of a petition signed by not less than one hundred eligible
33 electors requesting that a satellite absentee voting station
34 be established at a location to be described on the petition.
35 However, if a special election is scheduled in the county on a

1 date that falls between the date of the regular city election
2 and the date of the city runoff election, the commissioner is
3 not required to establish a satellite absentee voting station
4 for the city runoff election.

5 Sec. 77. Section 53.11, subsection 2, paragraph e, Code
6 2019, is amended to read as follows:

7 e. For a special election, no later than ~~thirty-two~~ eighteen
8 days before the special election.

9 Sec. 78. Section 53.11, Code 2019, is amended by adding the
10 following new subsection:

11 NEW SUBSECTION. 6. The commissioner shall remove or obscure
12 from the view of voters any published material displaying the
13 name of a candidate or elected official other than a ballot or
14 sample ballot or envelope.

15 Sec. 79. Section 53.18, subsections 2 and 3, Code 2019, are
16 amended to read as follows:

17 2. a. If the commissioner receives the return envelope
18 containing the completed absentee ballot by 5:00 p.m. on the
19 Saturday before the election for general elections and by 5:00
20 p.m. on the Friday before the election for all other elections,
21 the commissioner shall review the affidavit marked on the
22 return envelope, if applicable, for completeness or shall open
23 the return envelope to review the affidavit for completeness.
24 ~~If the affidavit is incomplete, the commissioner shall, within~~
25 ~~twenty-four hours of the time the envelope was received,~~
26 ~~notify the voter of that fact and that the voter may complete~~
27 ~~the affidavit in person at the office of the commissioner by~~
28 ~~5:00 p.m. on the day before the election, vote a replacement~~
29 ~~ballot in the manner and within the time period provided in~~
30 ~~subsection 3, or appear at the voter's precinct polling place~~
31 ~~on election day and cast a ballot in accordance with section~~
32 ~~53.19, subsection 3.~~

33 (1) If the affidavit lacks the signature of the registered
34 voter, the commissioner shall, within twenty-four hours of the
35 receipt of the envelope, notify the voter of the deficiency

1 and inform the voter that the voter may vote a replacement
2 ballot as provided in subsection 3, cast a ballot as provided
3 in section 53.19, subsection 3, or complete the affidavit in
4 person at the office of the commissioner not later than noon on
5 the Monday following the election, or if the law authorizing
6 the election specifies that the votes be canvassed earlier than
7 the Monday following the election, before the canvass of the
8 election.

9 (2) If the affidavit appears to have been signed by someone
10 other than the registered voter, the commissioner shall, within
11 twenty-four hours of the receipt of the envelope, notify the
12 voter of the deficiency and inform the voter that the voter may
13 vote a replacement ballot as provided in subsection 3, cast a
14 ballot as provided in section 53.19, subsection 3, or complete
15 the affidavit in person at the office of the commissioner by
16 providing proof of identity as provided in section 49.78 not
17 later than noon on the Monday following the election, or if
18 the law authorizing the election specifies that the votes be
19 canvassed earlier than the Monday following the election,
20 before the canvass of the election.

21 b. If the commissioner receives the return envelope
22 containing the completed absentee ballot after the deadline
23 in paragraph "a", the commissioner shall submit the affidavit
24 to the absentee and special voters precinct board for review.
25 If the absentee and special voters precinct determines that
26 the affidavit is incomplete, the commissioner shall, within
27 twenty-four hours of the determination, notify the voter.

28 (1) If the affidavit lacks the signature of the registered
29 voter, the commissioner shall notify the voter that the voter
30 may complete the affidavit in person at the office of the
31 commissioner not later than noon on the Monday following the
32 election, or if the law authorizing the election specifies that
33 the votes be canvassed earlier than the Monday following the
34 election, before the canvass of the election.

35 (2) If the affidavit appears to have been signed by someone

1 other than the registered voter, the commissioner shall
2 notify the voter that the voter may complete the affidavit in
3 person at the office of the commissioner by providing proof of
4 identity as provided in section 49.78 not later than noon on
5 the Monday following the election, or if the law authorizing
6 the election specifies that the votes be canvassed earlier than
7 the Monday following the election, before the canvass of the
8 election.

9 3. If the affidavit envelope or the return envelope marked
10 with the affidavit contains a defect that would cause the
11 absentee ballot to be rejected by the absentee and special
12 voters precinct board, the commissioner shall immediately
13 notify the voter of that fact and that the voter's absentee
14 ballot shall not be counted unless the voter requests and
15 returns a replacement ballot in the time permitted under
16 section 53.17, subsection 2. ~~For the purposes of this section,~~
17 ~~a return envelope marked with the affidavit shall be considered~~
18 ~~to contain a defect if it appears to the commissioner that~~
19 ~~the signature on the envelope has been signed by someone~~
20 ~~other than the registered voter, in comparing the signature~~
21 ~~on the envelope to the signature on record of the registered~~
22 ~~voter named on the envelope. A signature or marking made~~
23 ~~in accordance with section 39.3, subsection 17, shall not~~
24 ~~be considered a defect for purposes of this section. The~~
25 voter may request a replacement ballot in person, in writing,
26 or over the telephone. The same serial number that was
27 assigned to the records of the original absentee ballot
28 application shall be used on the envelope and records of the
29 replacement ballot. The envelope marked with the affidavit and
30 containing the completed replacement ballot shall be marked
31 "Replacement ballot". The envelope marked with the affidavit
32 and containing the original ballot shall be marked "Defective"
33 and the replacement ballot shall be attached to such envelope
34 containing the original ballot and shall be stored in a secure
35 place until they are delivered to the absentee and special

1 voters precinct board, notwithstanding sections 53.26 and
2 53.27.

3 Sec. 80. Section 53.18, Code 2019, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 04. For the purposes of this section, a
6 return envelope marked with the affidavit shall be considered
7 incomplete if it lacks the registered voter's signature or it
8 appears to the commissioner that the signature on the envelope
9 has been signed by someone other than the registered voter,
10 in comparing the signature on the envelope to the signature
11 on record of the registered voter named on the envelope. A
12 signature or marking made in accordance with section 39.3,
13 subsection 17, shall not cause an affidavit to be considered
14 incomplete.

15 Sec. 81. Section 53.22, subsection 3, Code 2019, is amended
16 to read as follows:

17 3. Any registered voter who becomes a patient, tenant, or
18 resident of a hospital, assisted living program, or health care
19 facility in the county where the voter is registered to vote
20 ~~within three days prior to the date of any election~~ after the
21 deadline to make a written application for an absentee ballot
22 as provided in section 53.2 or on election day may request an
23 absentee ballot during that period or on election day. As an
24 alternative to the application procedure prescribed by section
25 53.2, the registered voter may make the request directly to
26 the officers who are delivering and returning absentee ballots
27 under this section. Alternatively, the request may be made by
28 telephone to the office of the commissioner not later than four
29 hours before the close of the polls. If the requester is found
30 to be a registered voter of that county, these officers shall
31 deliver the appropriate absentee ballot to the registered voter
32 in the manner prescribed by this section.

33 Sec. 82. Section 53.22, subsection 6, paragraph a, Code
34 2019, is amended to read as follows:

35 a. If the registered voter becomes a patient, tenant, or

1 resident of a hospital, assisted living program, or health
2 care facility outside the county where the voter is registered
3 to vote ~~within three days before the date of any election~~
4 after the deadline to make a written application for an
5 absentee ballot as provided in section 53.2 or on election
6 day, the voter may designate a person to deliver and return
7 the absentee ballot. The designee may be any person the voter
8 chooses except that no candidate for any office to be voted
9 upon for the election for which the ballot is requested may
10 deliver a ballot under this subsection. The request for an
11 absentee ballot may be made by telephone to the office of the
12 commissioner not later than four hours before the close of the
13 polls. If the requester is found to be a registered voter of
14 that county, the ballot shall be delivered by mail or by the
15 person designated by the voter. An application form shall be
16 included with the absentee ballot and shall be signed by the
17 voter and returned with the ballot.

18 Sec. 83. Section 53.22, Code 2019, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 9. A person voting pursuant to this section
21 shall not be subject to signature verification pursuant to
22 section 53.18.

23 Sec. 84. Section 58.1, Code 2019, is amended to read as
24 follows:

25 **58.1 Notice — grounds.**

26 The contestant for the office of governor shall, within
27 ~~thirty~~ fourteen days after the proclamation of the result of
28 the election, deliver to the presiding officer of each house
29 of the general assembly a notice of intent to contest, and a
30 specification of the grounds of such contest, as provided in
31 chapter 62.

32 Sec. 85. Section 58.4, subsections 1 and 2, Code 2019, are
33 amended to read as follows:

34 1. The names of members of each house, except the presiding
35 officer and the majority and minority leaders, written on

1 similar paper tickets, shall be placed in a box, the names of
2 the senators in their presence by their secretary, and the
3 names of the representatives in their presence by their clerk.

4 2. The secretary of the senate in the presence of the
5 senate, and the clerk of the house of representatives in
6 the presence of the house, shall draw from their respective
7 boxes the names of ~~seven~~ five members each. The majority and
8 minority leaders of each house shall also serve on the contest
9 court.

10 Sec. 86. Section 68A.405, subsection 1, paragraph a,
11 subparagraph (3), Code 2019, is amended to read as follows:

12 (3) "*Published material*" means any newspaper, magazine,
13 shopper, outdoor advertising facility, poster, direct mailing,
14 brochure, internet site, campaign sign, or any other form of
15 printed or electronic general public political advertising.
16 "*Published material*" includes television, video, or motion
17 picture advertising, automated telephone calls, or text
18 messages.

19 Sec. 87. Section 68A.405, subsection 1, Code 2019, is
20 amended by adding the following new paragraph:

21 NEW PARAGRAPH. *i.* An organization that sends a text message
22 described by this section may abbreviate the words "paid for
23 by" as "Pfb:". An organization may use the full name of the
24 organization or the last name of the candidate followed by
25 the organization's committee identification number. If the
26 organization is a political party, the name of the organization
27 may be abbreviated.

28 Sec. 88. NEW SECTION. **68A.507 Deceptive names prohibited.**

29 No person shall place on any published material, as defined
30 in section 68A.405, a name or abbreviation of a name intended
31 to cause a voter to believe that the person represents a
32 political party or nonparty political organization of which the
33 person is not a candidate.

34 Sec. 89. Section 69.9, Code 2019, is amended to read as
35 follows:

1 **69.9 Person removed not eligible.**

2 No person can be appointed to fill a vacancy who has been
3 removed from office ~~within one year next preceding.~~

4 Sec. 90. Section 69.14, Code 2019, is amended to read as
5 follows:

6 **69.14 Special election to fill vacancies.**

7 1. A special election to fill a vacancy shall be held for a
8 representative in Congress, when Congress is in session or will
9 convene prior to the next general election, or for a senator or
10 representative in the general assembly, when the body in which
11 such vacancy exists is in session, or the general assembly will
12 convene prior to the next general election, and the governor
13 shall order, not later than five days from the date the vacancy
14 exists, a special election, giving not less than forty days'
15 notice of such election.

16 2. In the event the special election is to fill a vacancy
17 in the general assembly while it is in session or within
18 forty-five days of the convening of any session, ~~the time limit~~
19 ~~provided in this section shall not apply and~~ the governor
20 shall order such, not later than five days after the day the
21 vacancy occurs, a special election at the earliest practical
22 time, giving at least eighteen twenty-one, but no more than
23 forty-two, days' notice of the special election. Any special
24 election called under this section must be held on a Tuesday
25 and shall not be held on the same day as a school election
26 within the district.

27 Sec. 91. Section 445.5, subsection 1, Code 2019, is amended
28 by adding the following new paragraph:

29 NEW PARAGRAPH. *i.* Until November 7, 2023, the hours during
30 which polling places are open on election days. This paragraph
31 is repealed effective July 1, 2024.

32 Sec. 92. SATELLITE ABSENTEE VOTING LOCATION REPORTS.

33 1. Each county commissioner of elections shall complete
34 a report to be submitted to the general assembly on each
35 state-owned building in the county that may be petitioned for a

1 satellite absentee voting location. The report shall address
2 all of the following:

3 a. The impact on the safety of the public, including
4 students where applicable, using the building other than for
5 satellite voting.

6 b. The impact on the function and public use of the
7 building and state-owned property caused by hosting a satellite
8 absentee voting location, including but not limited to hours of
9 operation, space removed from public use, parking, and building
10 access.

11 c. The cost of using state-owned public buildings to host
12 and operate satellite absentee voting locations.

13 d. The impact of electioneering laws on first amendment
14 rights of the Constitution of the United States in state-owned
15 buildings.

16 2. Each report shall be submitted to the general assembly by
17 December 1, 2019.

18 DIVISION VIII

19 CONFLICTS OF INTEREST

20 Sec. 93. Section 314.2, Code 2019, is amended by striking
21 the section and inserting in lieu thereof the following:

22 **314.2 Conflicts of interest.**

23 A state or county official who is a voting member of a
24 governmental entity responsible for awarding a contract
25 pursuant to section 314.1 and is the apparent low bidder for
26 the contract shall not participate in a vote to award the
27 contract and shall include an explanation of the official's
28 conflict in the resolution entered pursuant to section 26.12.

29 Sec. 94. EFFECTIVE DATE. This division of this Act takes
30 effect January 1, 2023.

31 DIVISION IX

32 VOTER REGISTRATION

33 Sec. 95. Section 47.7, Code 2019, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 3. The state registrar of voters shall use

1 information from the electronic registration information center
2 to update information in the statewide voter registration
3 system, including but not limited to the following reports:

- 4 a. In-state duplicates.
- 5 b. In-state updates.
- 6 c. Cross-state matches.
- 7 d. Deceased.
- 8 e. Eligible but unregistered.
- 9 f. National change of address.

10 Sec. 96. Section 48A.10A, subsection 1, Code 2019, is
11 amended to read as follows:

12 1. The state registrar shall compare lists of persons who
13 are registered to vote with the department of transportation's
14 driver's license and nonoperator's identification card files
15 and shall, on an initial basis, issue a voter identification
16 card to each active, registered voter whose name does not
17 appear in the department of transportation's files. The voter
18 identification card shall include the name of the registered
19 voter, a signature line above which the registered voter shall
20 sign the voter identification card, the registered voter's
21 identification number assigned to the voter pursuant to section
22 47.7, subsection 2, ~~and~~ an additional four-digit personal
23 identification number assigned by the state commissioner, and
24 the times during which polling places will be open on election
25 days.

26 Sec. 97. Section 48A.26B, Code 2019, is amended to read as
27 follows:

28 **48A.26B Form of acknowledgment.**

29 The state registrar shall adopt rules pursuant to chapter
30 17A to prescribe the form of written acknowledgments sent to
31 a registrant by a commissioner pursuant to section 48A.26 or
32 48A.26A. An acknowledgment sent after March 1, 2022, shall
33 include the times during which polling places will be open on
34 election days.

35 Sec. 98. Section 48A.27, subsection 4, paragraph c,

1 subparagraph (2), Code 2019, is amended to read as follows:

2 (2) The notice shall contain a statement in substantially
3 the following form:

4 Information received from the United States postal service
5 indicates that you are no longer a resident of, and therefore
6 not eligible to vote in (name of county) County, Iowa. If this
7 information is not correct, and you still live in (name of
8 county) County, please complete and mail the attached postage
9 paid card at least ~~ten days before the primary or general~~
10 ~~election and at least~~ eleven days before any other election at
11 which you wish to vote. If the information is correct and you
12 have moved, please contact a local official in your new area
13 for assistance in registering there. If you do not mail in
14 the card, you may be required to show identification before
15 being allowed to vote in (name of county) County. If you do not
16 return the card, and you do not vote in an election in (name
17 of county) County, Iowa, on or before (date of second general
18 election following the date of the notice) your name will be
19 removed from the list of voters in that county.

20 Sec. 99. Section 48A.28, subsections 1 and 2, Code 2019, are
21 amended to read as follows:

22 1. Each commissioner shall conduct a systematic program
23 that makes a reasonable effort to remove from the official list
24 of registered voters the names of registered voters who have
25 changed residence from their registration addresses. ~~Either or~~
26 ~~both of the methods described in this section may be used.~~

27 2. a. A commissioner ~~may~~ shall participate in the United
28 States postal service national change of address program, as
29 provided in section 48A.27. The state voter registration
30 commission shall adopt rules establishing specific requirements
31 for participation and use of the national change of address
32 program.

33 b. A commissioner participating in the national change of
34 address program, ~~in the first quarter of each calendar year~~
35 during the January immediately following each presidential

1 election, shall send a notice and preaddressed, postage paid
2 return card by forwardable mail to each registered voter
3 whose name was not reported by the national change of address
4 program and who has not voted in ~~two or more consecutive~~
5 general elections the previous presidential election and has
6 not registered again, or who has not reported a change to an
7 existing registration, ~~or who has not responded to a notice~~
8 ~~from the commissioner or registrar during the period between~~
9 ~~and following the previous two general elections.~~ Registered
10 voters receiving such notice shall be marked inactive. The
11 form and language of the notice and return card shall be
12 specified by the state voter registration commission by rule.
13 A registered voter shall not be sent a notice and return card
14 under this subsection more frequently than once in a four-year
15 period.

16 Sec. 100. Section 48A.28, subsection 3, Code 2019, is
17 amended by striking the subsection.

18 Sec. 101. Section 48A.29, subsection 1, paragraph b, Code
19 2019, is amended to read as follows:

20 *b.* The notice shall contain a statement in substantially the
21 following form:

22 Information received from the United States postal service
23 indicates that you are no longer a resident of (residence
24 address) in (name of county) County, Iowa. If this information
25 is not correct, and you still live in (name of county) County,
26 please complete and mail the attached postage paid card ~~at~~
27 ~~least ten days before the primary or general election and at~~
28 least eleven days before any ~~other~~ election at which you wish
29 to vote. If the information is correct, and you have moved,
30 please contact a local official in your new area for assistance
31 in registering there. If you do not mail in the card, you may
32 be required to show identification before being allowed to vote
33 in (name of county) County. If you do not return the card, and
34 you do not vote in some election in (name of county) County,
35 Iowa, on or before (date of second general election following

1 the date of the notice) your name will be removed from the list
2 of voters in that county.

3 Sec. 102. Section 48A.29, subsection 3, paragraph b, Code
4 2019, is amended to read as follows:

5 b. The notice shall contain a statement in substantially the
6 following form:

7 Information received by this office indicates that you are no
8 longer a resident of (residence address) in (name of county)
9 County, Iowa. If the information is not correct, and you still
10 live at that address, please complete and mail the attached
11 postage paid card ~~at least ten days before the primary or~~
12 ~~general election and~~ at least eleven days before any other
13 election at which you wish to vote. If the information is
14 correct, and you have moved within the county, you may update
15 your registration by listing your new address on the card and
16 mailing it back. If you have moved outside the county, please
17 contact a local official in your new area for assistance in
18 registering there. If you do not mail in the card, you may be
19 required to show identification before being allowed to vote in
20 (name of county) County. If you do not return the card, and you
21 do not vote in some election in (name of county) County, Iowa,
22 on or before (date of second general election following the
23 date of the notice) your name will be removed from the list of
24 registered voters in that county.

25 Sec. 103. Section 48A.30, subsection 1, paragraph g, Code
26 2019, is amended to read as follows:

27 g. The registered voter's registration record has been
28 inactive pursuant to section 48A.28 or 48A.29 for two
29 successive consecutive general elections after notice was sent.

30 Sec. 104. Section 48A.37, subsection 2, Code 2019, is
31 amended to read as follows:

32 2. Electronic records shall include a status code
33 designating whether the records are active, inactive,
34 incomplete, pending, or canceled. Inactive records are records
35 of registered voters to whom notices have been sent pursuant

1 to section 48A.28, ~~subsection 3,~~ and who have not returned
2 the card or otherwise responded to the notice, and those
3 records have been designated inactive pursuant to section
4 48A.29. Inactive records are also records of registered
5 voters to whom notices have been sent pursuant to section
6 48A.26A and who have not responded to the notice. Incomplete
7 records are records missing required information pursuant to
8 section 48A.11, subsection 8. Pending records are records of
9 applicants whose applications have not been verified pursuant
10 to section 48A.25A. Canceled records are records that have
11 been canceled pursuant to section 48A.30. All other records
12 are active records. An inactive record shall be made active
13 when the registered voter requests an absentee ballot, votes
14 at an election, registers again, or reports a change of name,
15 address, telephone number, or political party or organization
16 affiliation. An incomplete record shall be made active when
17 a completed application is received from the applicant and
18 verified pursuant to section 48A.25A. A pending record shall
19 be made active upon verification or upon the voter providing
20 identification pursuant to section 48A.8.

21 Sec. 105. NEW SECTION. **48A.39A Voter list maintenance**
22 **reports.**

23 1. The commissioner of registration shall annually
24 submit to the state registrar of voters a report regarding
25 the number of voter registration records marked inactive or
26 canceled pursuant to sections 48A.28 through 48A.30. The state
27 registrar of voters shall publish such reports on the internet
28 site of the state registrar of voters.

29 2. The state registrar of voters shall determine by rule the
30 form and submission deadline of reports submitted pursuant to
31 subsection 1.

32 DIVISION X
33 BALLOT ORDER

34 Sec. 106. Section 49.31, subsection 1, paragraph b, Code
35 2019, is amended to read as follows:

1 b. (1) The commissioner shall determine the order of
2 political parties and nonparty political organizations
3 candidates on the ballot as provided in this paragraph. The
4 sequence order shall be the same for each office on the ballot
5 and for each precinct in the county voting in the election.

6 (2) The state commissioner shall compile a list of each
7 county in the state in alphabetical order and assign a number
8 to each county such that the first county listed is number
9 one, the second county listed is number two, and continuing
10 in descending order in the same manner. The commissioner
11 shall put in alphabetical order the top two political parties
12 receiving the highest votes from the most recent election.

13 (3) The commissioner of each county assigned an even number
14 pursuant to subparagraph (2) shall arrange the ballot as
15 follows:

16 (a) The candidates of the first political party by
17 alphabetical order pursuant to subparagraph (2) shall appear
18 first on the ballot for the first general election at which the
19 president of the United States is to be elected following the
20 effective date of this Act and second on the ballot for the
21 first general election at which the governor will be elected
22 following the effective date of this Act and second on the
23 ballot for the second general election at which the president
24 of the United States is to be elected following the effective
25 date of this Act and first on the ballot for the second general
26 election at which the governor will be elected following the
27 effective date of this Act, and thereafter alternating with the
28 candidates of the second political party by alphabetical order
29 pursuant to subparagraph (2).

30 (b) The candidates of the second political party by
31 alphabetical order pursuant to subparagraph (2) shall appear
32 second on the ballot for the first general election at which
33 the president of the United States is to be elected following
34 the effective date of this Act and first on the ballot for
35 the first general election at which the governor will be

1 elected following the effective date of this Act and first
2 on the ballot for the second general election at which the
3 president of the United States is to be elected following the
4 effective date of this Act and second on the ballot for the
5 second general election at which the governor will be elected
6 following the effective date of this Act, and thereafter
7 alternating with the candidates of the first political party by
8 alphabetical order pursuant to subparagraph (2).

9 (4) The commissioner of each county assigned an odd number
10 pursuant to subparagraph (2) shall arrange the ballot as
11 follows:

12 (a) The candidates of the second political party by
13 alphabetical order pursuant to subparagraph (2) shall appear
14 first on the ballot for the first general election at which the
15 president of the United States is to be elected following the
16 effective date of this Act and second on the ballot for the
17 first general election at which the governor will be elected
18 following the effective date of this Act and second on the
19 ballot for the second general election at which the president
20 of the United States is to be elected following the effective
21 date of this Act and first on the ballot for the second general
22 election at which the governor will be elected following the
23 effective date of this Act, and thereafter alternating with the
24 candidates of the first political party by alphabetical order
25 pursuant to subparagraph (2).

26 (b) The candidates of the first political party by
27 alphabetical order pursuant to subparagraph (2) shall appear
28 second on the ballot for the first general election at which
29 the president of the United States is to be elected following
30 the effective date of this Act and first on the ballot for
31 the first general election at which the governor will be
32 elected following the effective date of this Act and first
33 on the ballot for the second general election at which the
34 president of the United States is to be elected following the
35 effective date of this Act and second on the ballot for the

1 second general election at which the governor will be elected
2 following the effective date of this Act, and thereafter
3 alternating with the candidates of the second political party
4 by alphabetical order pursuant to subparagraph (2).

5 (c) The commissioner shall determine the order of
6 candidates of nonparty political organizations on the ballot.
7 The order shall be the same for each office on the ballot and
8 for each precinct in the county voting in the election.

9 Sec. 107. Section 49.31, subsection 2, paragraph b, Code
10 2019, is amended to read as follows:

11 b. The Notwithstanding any provision of subsection 1,
12 paragraph "b", to the contrary, the commissioner shall then
13 arrange the surnames of each political party's candidates for
14 each office to which two or more persons are to be elected at
15 large alphabetically for the respective offices for the first
16 precinct on the list; thereafter, for each political party and
17 for each succeeding precinct, the names appearing first for
18 the respective offices in the last preceding precinct shall
19 be placed last, so that the names that were second before the
20 change shall be first after the change. The commissioner may
21 also rotate the names of candidates of a political party in the
22 reverse order of that provided in this subsection or alternate
23 the rotation so that the candidates of different parties shall
24 not be paired as they proceed through the rotation. The
25 procedure for arrangement of names on ballots provided in this
26 section shall likewise be substantially followed in elections
27 in political subdivisions of less than a county.

28 DIVISION XI

29 MUNICIPAL ELECTIONS

30 Sec. 108. Section 44.9, subsection 3, Code 2019, is amended
31 to read as follows:

32 3. In the office of the proper school board secretary, at
33 least ~~thirty-five~~ forty-two days before the day of a regularly
34 scheduled school election.

35 Sec. 109. Section 50.48, subsection 7, Code 2019, is amended

1 to read as follows:

2 7. If the election is ~~an election held by a city which~~
3 ~~is not the final election for the office in question~~ a city
4 primary election held pursuant to section 376.7, the recount
5 shall progress according to the times provided by this
6 subsection. If this subsection applies the canvass shall be
7 held by the second day after the election, the request for
8 a recount must be made by the third day after the election,
9 the board shall convene to conduct the recount by the sixth
10 day after the election, and the report shall be filed by the
11 ~~eleventh~~ eighth day after the election.

12 Sec. 110. Section 50.48, Code 2019, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 8. When a city council has chosen a runoff
15 election pursuant to section 376.9, the recount shall progress
16 according to the times provided by this subsection. If this
17 subsection applies, the canvass shall be conducted pursuant
18 to section 50.24. The request for a recount must be made
19 by the day after the canvass, and the board shall convene
20 for the first time not later than the first Friday following
21 the canvass. The report shall be filed not later than the
22 fourteenth day after the election.

23 Sec. 111. Section 260C.12, subsection 1, as amended by
24 2017 Iowa Acts, chapter 155, section 2, is amended to read as
25 follows:

26 1. The board of directors of the merged area shall organize
27 at the first regular meeting following the regular school
28 election or at a special meeting called by the secretary of the
29 board to organize the board in advance of the first regular
30 meeting ~~following the regular school election~~ after the canvass
31 for the regular school election. Organization of the board
32 shall be effected by the election of a president and other
33 officers from the board membership as board members determine.
34 The board of directors shall appoint a secretary and a
35 treasurer who shall each give bond as prescribed in section

1 291.2 and who shall each receive the salary determined by the
2 board. The secretary and treasurer shall perform duties under
3 chapter 291 and additional duties the board of directors deems
4 necessary. However, the board may appoint one person to serve
5 as the secretary and treasurer. If one person serves as the
6 secretary and treasurer, only one bond is necessary for that
7 person. The frequency of meetings other than organizational
8 meetings shall be as determined by the board of directors but
9 the president or a majority of the members may call a special
10 meeting at any time.

11 Sec. 112. Section 260C.15, subsection 5, as amended by
12 2017 Iowa Acts, chapter 155, section 4, is amended to read as
13 follows:

14 5. The votes cast in the election shall be canvassed and
15 abstracts of the votes cast shall be certified as required by
16 section 277.20. In each county whose commissioner of elections
17 is responsible under section 47.2 for conducting elections
18 held for a merged area, the county board of supervisors shall
19 convene ~~on the last Monday in November or at the last regular~~
20 ~~board meeting in November,~~ on the second Monday or Tuesday
21 after the day of the election to canvass the abstracts of votes
22 cast and declare the results of the voting. The commissioner
23 shall at once issue certificates of election to each person
24 declared elected, and shall certify to the merged area board in
25 substantially the manner prescribed by section 50.27 the result
26 of the voting on any public question submitted to the voters
27 of the merged area. Members elected to the board of directors
28 of a merged area shall qualify by taking the oath of office
29 prescribed in section 277.28.

30 Sec. 113. Section 277.4, subsection 3, Code 2019, is amended
31 to read as follows:

32 3. The secretary of the school board shall accept the
33 petition for filing if on its face it appears to have the
34 requisite number of signatures and if it is timely filed. The
35 secretary of the school board shall note upon each petition

1 and affidavit accepted for filing the date and time that the
2 petition was filed. The secretary of the school board shall
3 deliver all nomination petitions, together with the complete
4 text of any public measure being submitted by the board to the
5 electorate, to the county commissioner of elections on the day
6 following the last day on which nomination petitions can be
7 filed, and not later than ~~5:00 p.m.~~ 12:00 noon on that day.

8 Sec. 114. Section 279.1, subsection 1, Code 2019, is amended
9 to read as follows:

10 1. The board of directors of each school corporation shall
11 meet and organize at the first regular meeting or at a special
12 meeting called by the secretary of the board to organize the
13 board in advance of the first regular meeting after the canvass
14 for the regular school election at some suitable place to be
15 designated by the secretary. Notice of the place and hour of
16 the meeting shall be given by the secretary to each member and
17 member-elect of the board.

18 Sec. 115. Section 279.7, subsection 3, Code 2019, is amended
19 to read as follows:

20 3. In the case of a special election as provided in this
21 section to fill a vacancy occurring among the elective officers
22 or members of a school board before the expiration of a full
23 term, the person so elected shall qualify within ten days
24 ~~thereafter~~ from the final canvass of the election by the county
25 board in the manner required by section 277.28 and shall hold
26 office for the residue of the unexpired term and until a
27 successor is elected, or appointed, and qualified.

28 Sec. 116. Section 376.5, Code 2019, is amended to read as
29 follows:

30 **376.5 Publication of ballot.**

31 Notice containing a copy of the ballot for each regular,
32 special, primary, or runoff city election must be published by
33 the county commissioner of elections as provided in section
34 362.3, except that notice of a regular, primary, or runoff
35 election may be published not less than four days before the

1 date of the election. The published ~~ballot~~ notice must contain
2 the names of all candidates, and may not contain any party
3 designations. The published ~~ballot~~ notice must contain any
4 question to be submitted to the voters.

5 Sec. 117. Section 376.7, Code 2019, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 3. If the city holding a primary
8 election is located in more than one county, the controlling
9 commissioner for that city under section 47.2, subsection
10 2, shall conduct a second canvass on the first Monday or
11 Tuesday after the day of the election. However, if a recount
12 is requested pursuant to section 50.48, the controlling
13 commissioner shall conduct the second canvass within two
14 business days after the conclusion of the recount proceeding.
15 Each commissioner conducting a canvass for the city pursuant
16 to section 50.24, subsection 1, shall transmit abstracts for
17 the offices of that city to the controlling commissioner for
18 that city, along with individual tallies for each write-in
19 candidate. At the second canvass, the county board of
20 supervisors of the county of the controlling commissioner shall
21 canvass the abstracts received pursuant to this subsection and
22 shall prepare a combined city abstract stating the number of
23 votes cast in the city for each office. The combined city
24 abstract shall further indicate the name of each person who
25 received votes for each office on the ballot, and the number of
26 votes each person received for that office. The votes of all
27 write-in candidates who each received less than five percent
28 of the total votes cast in the city for an office shall be
29 reported collectively under the heading "scattering".

30 Sec. 118. Section 376.9, subsection 1, Code 2019, is amended
31 to read as follows:

32 1. A runoff election may be held only for positions unfilled
33 because of failure of a sufficient number of candidates to
34 receive a majority vote in the regular city election. When a
35 council has chosen a runoff election in lieu of a primary, the

1 county board of supervisors shall publicly canvass the tally
2 lists of the vote cast in the regular city election, following
3 the procedures prescribed in section 50.24, ~~at a meeting to be~~
4 ~~held on the second day following the regular city election, and~~
5 ~~beginning no earlier than 1:00 p.m. on that day.~~ Candidates
6 who do not receive a majority of the votes cast for an office,
7 but who receive the highest number of votes cast for that
8 office in the regular city election, to the extent of twice
9 the number of unfilled positions, are candidates in the runoff
10 election.

11 Sec. 119. 2017 Iowa Acts, chapter 155, section 45, is
12 amended to read as follows:

13 SEC. 45. TERM OF OFFICE — TRANSITION PROVISIONS.

14 1. Notwithstanding the provisions of section 260C.11
15 designating a term of four years for members of a board of
16 directors of a merged area, the term of office for a seat on a
17 board of directors filled at the regular school election held
18 on:

19 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon
20 the board's organizational meeting held pursuant to section
21 260C.12, subsection 1.

22 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
23 the board's organizational meeting held pursuant to section
24 260C.12, subsection 1.

25 2. Notwithstanding the provisions of section 273.8,
26 subsection 1, designating a term of four years for members of
27 a board of directors of an area education agency, the term of
28 office for a seat on a board of directors filled by election
29 in:

30 a. September 2015 shall expire November 30, 2019.

31 b. September 2017 shall expire November 30, 2021.

32 3. Notwithstanding the provisions of section 274.7
33 designating a term of four years for members of a board of
34 directors of a school district, the term of office for a seat
35 on a board of directors filled at the regular school election

1 held on:

2 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon the
3 board's organizational meeting held pursuant to section 279.1.

4 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
5 the board's organizational meeting held pursuant to section
6 279.1.

7 DIVISION XII

8 ABSENTEE BALLOT COUNTING

9 Sec. 120. Section 49.128, subsection 3, Code 2019, is
10 amended to read as follows:

11 3. The commissioner shall file a copy of ~~the~~ a certification
12 or report under this section with the state commissioner.

13 Sec. 121. Section 49.128, Code 2019, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 6. The commissioner shall place on
16 file in the commissioner's office a report, and shall file
17 a copy of the report with the state commissioner, regarding
18 absentee ballot tracking and counting no later than December 1
19 following each general election. The report shall be in a form
20 prescribed by the state commissioner.

21 Sec. 122. Section 53.17, subsection 1, paragraph b, Code
22 2019, is amended to read as follows:

23 b. The sealed return envelope may be mailed to the
24 commissioner by the registered voter or by the voter's
25 designee. If mailed by the voter's designee, the envelope
26 must be mailed within seventy-two hours of retrieving it from
27 the voter or within time to be postmarked or, if applicable,
28 to have the ~~intelligent mail~~ postal service barcode traced to
29 a date of entry into the federal mail system not later than
30 the day before the election, as provided in section 53.17A,
31 whichever is earlier.

32 Sec. 123. Section 53.17, subsection 2, Code 2019, is amended
33 to read as follows:

34 2. In order for the ballot to be counted, the return
35 envelope must be received in the commissioner's office before

1 the polls close on election day or be clearly postmarked by an
2 officially authorized postal service or bear ~~an intelligent~~
3 ~~mail~~ a postal service barcode traceable to a date of entry
4 into the federal mail system not later than the day before the
5 election, as provided in section 53.17A, and received by the
6 commissioner not later than noon on the Monday following the
7 election.

8 Sec. 124. Section 53.17, subsection 4, paragraph f, Code
9 2019, is amended to read as follows:

10 *f.* A statement that the completed absentee ballot will
11 be delivered to the commissioner's office within seventy-two
12 hours of retrieving it from the voter or before the closing of
13 the polls on election day, whichever is earlier, or that the
14 completed absentee ballot will be mailed to the commissioner
15 within seventy-two hours of retrieving it from the voter or
16 within time to be postmarked or, if applicable, to have the
17 ~~intelligent-mail~~ postal service barcode traced to a date of
18 entry into the federal mail system not later than the day
19 before the election, as provided in section 53.17A, whichever
20 is earlier.

21 Sec. 125. NEW SECTION. **53.17A Absentee ballot tracking.**

22 1. For the purposes of this chapter:

23 *a.* "*Postal service barcode*" means a barcode purchased by the
24 sender and supplied by the United States postal service that is
25 used to sort and track letters and flat packages and is printed
26 on an absentee ballot return envelope at the direction of the
27 commissioner before the envelope is sent to the voter.

28 *b.* "*Tracking information database*" means a database
29 administered by the United States postal service that is
30 accessible to the commissioner and contains information
31 regarding letters or flat packages.

32 2. *a.* Prior to implementing for the first time,
33 discontinuing the usage of, or reimplementing the usage
34 of a postal service barcode and tracking information, the
35 commissioner shall send notice to the state commissioner prior

1 to October 1, 2020, for an election taking place in 2020 after
2 that date, and by October 1 of each year thereafter.

3 *b.* The commissioner shall not implement or discontinue
4 the use of a postal service barcode or tracking information
5 database during an election after an absentee ballot has been
6 mailed for that election pursuant to section 53.8.

7 *c.* The state commissioner shall adopt rules regarding
8 the statewide implementation of a postal service barcode and
9 tracking information database, including procedures to be
10 followed when usage of a postal service barcode or the tracking
11 information database is negatively impacted. Each commissioner
12 shall use a postal service barcode and tracking information
13 database consistent with rules of the state commissioner.
14 Every commissioner shall send notice to the state commissioner
15 and implement the use of a postal service barcode and tracking
16 information database prior to October 1, 2020.

17 3. *a.* An absentee ballot received after the polls close
18 on election day but prior to the official canvass shall be
19 counted if the commissioner determines that the ballot entered
20 the federal mail system by the deadline specified in section
21 53.17 or 53.22. The date of entry of such an absentee ballot
22 into the federal mail system shall only be verified as provided
23 in paragraph "b".

24 *b.* (1) If the postmark indicates that the absentee ballot
25 entered the federal mail system by the deadline specified
26 in section 53.17 or 53.22, the ballot shall be included for
27 canvass by the absentee and special voters precinct board.

28 (2) If the postmark is illegible, missing, or dated on or
29 after election day, the commissioner shall attempt to verify
30 the ballot's date of entry into the federal mail system by
31 querying the postal service barcode in the tracking information
32 database. If the tracking information database indicates that
33 the absentee ballot entered the federal mail system by the
34 deadline specified in section 53.17 or 53.22, the ballot shall
35 be included for canvass by the absentee and special voters

1 precinct board. The commissioner shall provide a report to
2 the absentee and special voters precinct board regarding the
3 information available in the tracking information database.

4 (3) If there is a discrepancy between the date indicated by
5 the postmark and the postal service barcode, the earlier of the
6 two shall determine the date of entry of the absentee ballot
7 into the federal mail system.

8 (4) (a) If neither the postmark nor the postal service
9 barcode indicates that the absentee ballot entered the federal
10 mail system by the deadline specified in section 53.17 or
11 53.22, the absentee ballot shall be sent to the absentee
12 and special voters precinct board pursuant to subparagraph
13 division (b) with the numeric value assigned to the postal
14 service barcode and a full report from the tracking information
15 database.

16 (b) Up to five absentee and special voters precinct board
17 members from each political party for partisan elections,
18 or any two members of the board for nonpartisan elections,
19 shall review the postal service barcode and tracking database
20 information report of each absentee ballot submitted pursuant
21 to subparagraph division (a) and certify that the tracking
22 information database report corresponds to the absentee ballot
23 by initialing the report and the absentee ballot envelope.
24 If the board concludes that the postal service barcode and
25 tracking information database report verify that the absentee
26 ballot entered the federal mail system by the deadline
27 specified in section 53.17 or 53.22, the ballot shall be
28 counted. Otherwise, the ballot shall not be counted.

29 Sec. 126. Section 53.22, subsection 6, paragraph b, Code
30 2019, is amended to read as follows:

31 *b.* Absentee ballots voted under this subsection shall be
32 delivered to the commissioner no later than the time the polls
33 are closed on election day. If the ballot is returned by mail
34 the return envelope must be received by the time the polls
35 close, or be clearly postmarked by an officially authorized

1 postal service or bear ~~an intelligent mail~~ a postal service
2 barcode traceable to a date of entry into the federal mail
3 system not later than the day before the election, as provided
4 in section 53.17A, and received by the commissioner no later
5 than the time established for the canvass by the board of
6 supervisors for that election.

7

DIVISION XIII

8

FUTURE CHANGES TO ABSENTEE BALLOT COUNTING

9 Sec. 127. Section 53.17, subsection 1, paragraph b, Code
10 2019, as amended by this Act, is amended by striking the
11 paragraph and inserting in lieu thereof the following:

12 *b.* The sealed return envelope may be mailed to the
13 commissioner by the registered voter or by the voter's
14 designee. If mailed by the voter's designee, the envelope must
15 be mailed within seventy-two hours of retrieving it from the
16 voter.

17 Sec. 128. Section 53.17, subsection 2, Code 2019, as
18 amended by this Act, is amended by striking the subsection and
19 inserting in lieu thereof the following:

20 2. In order for the ballot to be counted, the return
21 envelope must be received in the commissioner's office before
22 the polls close on election day.

23 Sec. 129. Section 53.17, subsection 4, paragraph f, Code
24 2019, as amended by this Act, is amended by striking the
25 paragraph and inserting in lieu thereof the following:

26 *f.* A statement that the completed absentee ballot will
27 be delivered to the commissioner's office within seventy-two
28 hours of retrieving it from the voter or before the closing of
29 the polls on election day, whichever is earlier, or that the
30 completed absentee ballot will be mailed to the commissioner
31 within seventy-two hours of retrieving it from the voter.

32 Sec. 130. Section 53.22, subsection 6, paragraph b, Code
33 2019, as amended by this Act, is amended by striking the
34 paragraph and inserting in lieu thereof the following:

35 *b.* Absentee ballots voted under this subsection shall be

H-1244 (Continued)

1 delivered to the commissioner no later than the time the polls
2 are closed on election day. If the ballot is returned by mail
3 the return envelope must be received by the time the polls
4 close.

5 Sec. 131. REPEAL. Section 53.17A, as enacted by this Act,
6 is repealed.

7 Sec. 132. EFFECTIVE DATE. This division of this Act takes
8 effect May 1, 2023.>

9 2. Title page, by striking lines 1 and 2 and inserting
10 <An Act relating to the conduct of state and local elections,
11 providing penalties, and including effective date elections
12 provisions.>

H-1244 FILED APRIL 18, 2019

HOUSE FILE 746

H-1253

- 1 Amend House File 746 as follows:
- 2 1. Page 1, line 35, after <section> by inserting
3 <, including with any required redaction of personally
4 identifiable information pursuant to subsection 2, paragraph
5 "a", subparagraph (4)>
- 6 2. Page 2, line 15, after <applicant> by inserting <in
7 accordance with this section, including any required redaction
8 of personally identifiable information pursuant to subsection
9 2, paragraph "a", subparagraph (4)>
- 10 3. Page 2, line 18, after <and 3> by inserting <in
11 accordance with this section, including any required redaction
12 of personally identifiable information pursuant to subsection
13 2, paragraph "a", subparagraph (4), and subsection 3, paragraph
14 "a", subparagraph (4)>
- 15 4. Page 3, after line 7 by inserting:
16 <(4) "I do not want to be contacted. I request that my
17 personally identifiable information be redacted from the
18 noncertified copy of the original certificate of birth and
19 my contact preference form. I have completed this contact
20 preference form and am filing the form with the state
21 registrar. I may change this preference by filing a subsequent
22 contract preference form with the state registrar.>
- 23 5. Page 3, line 13, after <section> by inserting <,
24 including any required redaction of personally identifiable
25 information pursuant to subsection 2, paragraph "a",
26 subparagraph (4)>
- 27 6. Page 3, after line 29 by inserting:
28 <(4) "I wish to provide the following medical information
29 included in the attached form. However, I request that my
30 personally identifiable information be redacted from the
31 medical information form prior to its release under Iowa Code
32 section 144.24A.">
- 33 7. Page 4, line 16, by striking <establish> and inserting
34 <implement>
- 35 8. Page 4, by striking line 20 and inserting:

H-1253 (Continued)

1 <b. An application may be submitted>

2 9. Page 4, line 25, by striking <1970> and inserting <1950>

3 10. Page 4, line 26, by striking <July> and inserting
4 <January>

5 11. Page 5, line 13, after <decree> by inserting <, and any
6 contact preference form or medical history form associated with
7 the certified copy of any adoption decree for the purposes of
8 section 144.24A,>

9 12. Page 5, line 31, after <history> by inserting <form>

10 13. Page 6, by striking lines 26 through 32 and inserting:

11 <Sec. ____ . EFFECTIVE DATE. The following, being deemed of
12 immediate importance, take effect upon enactment:

13 1. The section of this Act enacting section 144.24A,
14 subsection 7, paragraph "a", requiring the department of public
15 health to implement a public awareness and notification period
16 to promote awareness and to allow time for a biological parent
17 to file contact preference and medical history forms.

18 2. The section of this Act enacting section 144.24A,
19 subsection 7, paragraph "b", providing for the submission of an
20 application by an adult adopted person or an entitled person
21 to obtain a noncertified copy of an adult adopted person's
22 original certificate of birth, if the adult adopted person who
23 is the subject of the original certificate of birth was born
24 before January 1, 1950.>

25 14. By renumbering, redesignating, and correcting internal
26 references as necessary.

By JONES of Clay
BOSSMAN of Woodbury
BERGAN of Winneshiek

[H-1253](#) FILED APRIL 18, 2019

HOUSE FILE 748

H-1251

1 Amend House File 748 as follows:

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

4 <DIVISION I

5 SPORTS WAGERING

6 Section 1. Section 99D.7, subsection 23, Code 2019, is
7 amended to read as follows:

8 23. To establish a process to allow a person to be
9 voluntarily excluded from advance deposit wagering as defined
10 in section 99D.11, from an internet fantasy sports contest
11 as defined in section 99E.1, from advance deposit sports
12 wagering as defined in section 99F.9, from the wagering area
13 of a racetrack enclosure and from the gaming floor and sports
14 wagering area, as defined in section 99F.1, of all other
15 licensed facilities under this chapter and chapter 99F as
16 provided in this subsection. The process shall provide that an
17 initial request by a person to be voluntarily excluded shall be
18 for a period of five years or life and any subsequent request
19 following any five-year period shall be for a period of five
20 years or life. The process established shall require that
21 licensees be provided electronic access to names and social
22 security numbers of persons voluntarily excluded through a
23 secured interactive internet site maintained by the commission
24 and information regarding persons voluntarily excluded shall
25 be disseminated to all licensees under this chapter, chapter
26 99E, and chapter 99F. The names, social security numbers, and
27 information regarding persons voluntarily excluded shall be
28 kept confidential unless otherwise ordered by a court or by
29 another person duly authorized to release such information.
30 The process established shall also require a person requesting
31 to be voluntarily excluded be provided information compiled
32 by the Iowa department of public health on gambling treatment
33 options. The state and any licensee under this chapter, ,
34 chapter 99E, or chapter 99F shall not be liable to any person
35 for any claim which may arise from this process. In addition

1 to any other penalty provided by law, any money or thing of
2 value that has been obtained by, or is owed to, a voluntarily
3 excluded person as a result of wagers made by the person after
4 the person has been voluntarily excluded shall be forfeited by
5 the person and shall be credited to the general fund of the
6 state.

7 Sec. 2. Section 99F.1, subsection 1, Code 2019, is amended
8 to read as follows:

9 1. "*Adjusted gross receipts*" means the gross receipts less
10 winnings paid to wagerers on gambling games. However, "*adjusted*
11 *gross receipts*" does not include promotional play receipts
12 received after the date in any fiscal year that the commission
13 determines that the wagering tax imposed pursuant to section
14 99F.11 on all licensees in that fiscal year on promotional
15 play receipts exceeds twenty-five million eight hundred twenty
16 thousand dollars.

17 Sec. 3. Section 99F.1, Code 2019, is amended by adding the
18 following new subsections:

19 NEW SUBSECTION. 2A. "*Authorized sporting event*" means
20 a professional sporting event, collegiate sporting event,
21 international sporting event, or professional motor race
22 event. "*Authorized sporting event*" does not include a race as
23 defined in section 99D.2, a fantasy sports contest as defined
24 in section 99E.1, minor league sporting event, or any athletic
25 event or competition of an interscholastic sport as defined in
26 section 9A.102.

27 NEW SUBSECTION. 4A. "*Collegiate sporting event*" means an
28 athletic event or competition of an intercollegiate sport as
29 defined in section 9A.102.

30 NEW SUBSECTION. 16A. "*International sporting event*" means
31 an international team or individual sporting event governed by
32 an international sports federation or sports governing body,
33 including sporting events governed by the international olympic
34 committee and the international federation of association
35 football.

1 NEW SUBSECTION. 18A. "*Minor league sporting event*" means
2 a sporting event conducted by a sports league which is not
3 regarded as the premier league in the sport as determined by
4 the commission.

5 NEW SUBSECTION. 19A. "*Professional sporting event*" means an
6 event, excluding a minor league sporting event, at which two
7 or more persons participate in sports or athletic events and
8 receive compensation in excess of actual expenses for their
9 participation in such event.

10 NEW SUBSECTION. 23. "*Sports wagering*" means the acceptance
11 of wagers on an authorized sporting event by any system of
12 wagering as authorized by the commission. "*Sports wagering*"
13 does not include placing a wager on the performance or
14 nonperformance of any individual athlete participating in
15 a single game or match of a collegiate sporting event in
16 which a collegiate team from this state is a participant, or
17 placing a wager on the performance of athletes in an individual
18 international sporting event governed by the international
19 olympic committee in which any participant in the international
20 sporting event is under eighteen years of age.

21 NEW SUBSECTION. 24. "*Sports wagering area*" means an area,
22 as designated by the commission, in which sports wagering is
23 conducted.

24 NEW SUBSECTION. 25. "*Sports wagering net receipts*" means
25 the gross receipts less winnings paid to wagerers on sports
26 wagering.

27 Sec. 4. Section 99F.1, subsection 17, Code 2019, is amended
28 to read as follows:

29 17. "*Licensee*" means any person licensed under section 99F.7
30 or 99F.7A.

31 Sec. 5. Section 99F.3, Code 2019, is amended to read as
32 follows:

33 **99F.3 Gambling games and sports wagering authorized.**

34 The system of wagering on a gambling game and sports wagering
35 as provided by this chapter is legal, when conducted ~~on an~~

1 ~~excursion gambling boat, gambling structure, or racetrack~~
2 ~~enclosure at authorized locations~~ by a licensee as provided in
3 this chapter.

4 Sec. 6. Section 99F.4, subsections 3 and 22, Code 2019, are
5 amended to read as follows:

6 3. To adopt standards under which all excursion gambling
7 boat operations shall be held and standards for the facilities
8 within which the gambling operations are to be held. The
9 commission may authorize the operation of gambling games on
10 an excursion gambling boat and sports wagering in a sports
11 wagering area which is also licensed to sell or serve alcoholic
12 beverages, wine, or beer as defined in section 123.3.

13 22. To establish a process to allow a person to be
14 voluntarily excluded from advance deposit wagering as defined
15 in section 99D.11, from an internet fantasy sports contest as
16 defined in section 99E.1, from advance deposit sports wagering
17 as defined in section 99F.9, from the gaming floor and sports
18 wagering area of an excursion gambling boat, from the wagering
19 area, as defined in section 99D.2, and from the gaming floor
20 and sports wagering area of all other licensed facilities under
21 this chapter and chapter 99D as provided in this subsection.
22 The process shall provide that an initial request by a person
23 to be voluntarily excluded shall be for a period of five years
24 or life and any subsequent request following any five-year
25 period shall be for a period of five years or life. The process
26 established shall require that licensees be provided electronic
27 access to names and social security numbers of persons
28 voluntarily excluded through a secured interactive internet
29 site maintained by the commission and information regarding
30 persons voluntarily excluded shall be disseminated to all
31 licensees under this chapter, and chapter 99D, and chapter 99E.
32 The names, social security numbers, and information regarding
33 persons voluntarily excluded shall be kept confidential
34 unless otherwise ordered by a court or by another person
35 duly authorized to release such information. The process

1 established shall also require a person requesting to be
2 voluntarily excluded be provided information compiled by the
3 Iowa department of public health on gambling treatment options.
4 The state and any licensee under this chapter, ~~or~~ chapter 99D ,
5 or chapter 99E shall not be liable to any person for any claim
6 which may arise from this process. In addition to any other
7 penalty provided by law, any money or thing of value that has
8 been obtained by, or is owed to, a voluntarily excluded person
9 as a result of wagers made by the person after the person has
10 been voluntarily excluded shall be forfeited by the person and
11 shall be credited to the general fund of the state.

12 Sec. 7. Section 99F.4, Code 2019, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 27. To adopt standards under which all
15 sports wagering is conducted, including the scope and type of
16 wagers allowed, to identify occupations within sports wagering
17 which require licensing, and to adopt standards for licensing
18 and background qualifications for occupations including
19 establishing fees for the occupational license. All revenue
20 received by the commission under this chapter from license fees
21 shall be deposited in the general fund of the state and shall
22 be subject to the requirements of section 8.60. All revenue
23 received by the commission from regulatory fees shall be
24 deposited into the gaming regulatory revolving fund established
25 in section 99F.20.

26 Sec. 8. Section 99F.5, subsection 1, Code 2019, is amended
27 to read as follows:

28 1. A qualified sponsoring organization may apply to the
29 commission for a license to conduct gambling games on an
30 excursion gambling boat or gambling structure as provided in
31 this chapter. A person may apply to the commission for a
32 license to operate an excursion gambling boat. An operating
33 agreement entered into on or after May 6, 2004, between
34 a qualified sponsoring organization and an operator of an
35 excursion gambling boat or gambling structure shall provide for

1 a minimum distribution by the qualified sponsoring organization
2 for educational, civic, public, charitable, patriotic, or
3 religious uses as defined in section 99B.1, that averages at
4 least three percent of the adjusted gross receipts for each
5 license year and, if applicable, three-quarters of one percent
6 of sports wagering net receipts for each license year. The
7 application shall be filed with the administrator of the
8 commission at least ninety days before the first day of the
9 next excursion season as determined by the commission, shall
10 identify the excursion gambling boat upon which gambling games
11 will be authorized, shall specify the exact location where
12 the excursion gambling boat will be docked, and shall be in
13 a form and contain information as the commission prescribes.
14 The minimum capacity of an excursion gambling boat or gambling
15 structure is two hundred fifty persons.

16 Sec. 9. Section 99F.6, subsection 4, paragraph a,
17 subparagraphs (2) and (3), Code 2019, are amended to read as
18 follows:

19 (2) A qualified sponsoring organization licensed to operate
20 gambling games under this chapter shall distribute the receipts
21 of all gambling games, less reasonable expenses, charges,
22 taxes, fees, and deductions allowed under this chapter, as
23 winnings to players or participants or shall distribute the
24 receipts for educational, civic, public, charitable, patriotic,
25 or religious uses as defined in section 99B.1. However, a
26 licensee to conduct gambling games under this chapter shall,
27 unless an operating agreement for an excursion gambling boat
28 otherwise provides, distribute at least three percent of the
29 adjusted gross receipts and, if applicable, three-quarters of
30 one percent of sports wagering net receipts for each license
31 year for educational, civic, public, charitable, patriotic,
32 or religious uses as defined in section 99B.1. However, if a
33 licensee who is also licensed to conduct pari-mutuel wagering
34 at a horse racetrack has unpaid debt from the pari-mutuel
35 racetrack operations, the first receipts of the gambling

1 games operated within the racetrack enclosure less reasonable
2 operating expenses, taxes, and fees allowed under this chapter
3 shall be first used to pay the annual indebtedness.

4 (3) The commission shall authorize, subject to the debt
5 payments for horse racetracks and the provisions of paragraph
6 "b" for dog racetracks, a licensee who is also licensed to
7 conduct pari-mutuel dog or horse racing to use receipts
8 from gambling games and sports wagering within the racetrack
9 enclosure to supplement purses for races particularly for
10 Iowa-bred horses pursuant to an agreement which shall be
11 negotiated between the licensee and representatives of the
12 dog or horse owners. For agreements subject to commission
13 approval concerning purses for horse racing beginning on or
14 after January 1, 2006, the agreements shall provide that total
15 annual purses for all horse racing shall be four percent of
16 sports wagering net receipts and no less than eleven percent of
17 the first two hundred million dollars of net receipts, and six
18 percent of net receipts above two hundred million dollars. In
19 addition, live standardbred horse racing shall not be conducted
20 at the horse racetrack in Polk county, but the purse moneys
21 designated for standardbred racing pursuant to section 99D.7,
22 subsection 5, paragraph "b", shall be included in calculating
23 the total annual purses required to be paid pursuant to this
24 subsection. Agreements that are subject to commission approval
25 concerning horse purses for a period of time beginning on
26 or after January 1, 2006, shall be jointly submitted to the
27 commission for approval.

28 Sec. 10. NEW SECTION. **99F.7A Sports wagering — license —**
29 **terms and conditions — fees.**

30 1. The commission shall, upon payment of an initial license
31 fee of forty-five thousand dollars and submission of an
32 application to the commission consistent with the requirements
33 of section 99F.6, issue a license to conduct sports wagering
34 to a licensee authorized to conduct gambling games at a
35 pari-mutuel racetrack enclosure or a licensee authorized to

1 operate an excursion gambling boat or gambling structure,
2 subject to the requirements of this chapter. The annual
3 renewal fee for a license to conduct sports wagering shall be
4 ten thousand dollars.

5 2. A licensee under this section shall do all of the
6 following:

7 a. Include on the internet site or mobile application used
8 by the licensee to conduct advance deposit sports wagering as
9 authorized in section 99F.9 the statewide telephone number
10 authorized by the Iowa department of public health to provide
11 problem gambling information and extensive responsible gaming
12 features in addition to those described in section 99F.4,
13 subsection 22.

14 b. Establish, subject to commission approval, sports
15 wagering rules that specify the amounts to be paid on winning
16 sports wagers, the effect of changes in the scheduling of an
17 authorized sporting event subject to sports wagering, and the
18 source of the information used to determine the outcome of a
19 sports wager. The sports wagering rules shall be displayed in
20 the licensee's sports wagering area, posted on the internet
21 site or mobile application used by the licensee to conduct
22 advance deposit sports wagering as authorized in section 99F.9,
23 and included in the terms and conditions of the licensee's
24 advance deposit sports wagering system.

25 3. A licensee under this section may enter into operating
26 agreements with one or two entities to have up to a total of
27 two individually branded internet sites to conduct advance
28 deposit sports wagering for the licensee, unless one additional
29 operating agreement or individually branded internet site is
30 authorized by the commission.

31 4. A licensee issued a license to conduct sports wagering
32 under this section shall employ reasonable steps to prohibit
33 coaches, athletic trainers, officials, players, or other
34 individuals who participate in an authorized sporting event
35 that is the subject of sports wagering from sports wagering

1 under this chapter. In addition, a licensee shall employ
2 reasonable steps to prohibit persons who are employed in
3 a position with direct involvement with coaches, players,
4 athletic trainers, officials, players, or participants in
5 an authorized sporting event that is the subject of sports
6 wagering from sports wagering under this chapter.

7 Sec. 11. Section 99F.8, Code 2019, is amended to read as
8 follows:

9 **99F.8 Bond of licensee.**

10 A licensee licensed under section 99F.7 shall post a bond
11 to the state of Iowa before the license is issued in a sum
12 as the commission shall fix, with sureties to be approved by
13 the commission. The bond shall be used to guarantee that the
14 licensee faithfully makes the payments, keeps its books and
15 records and makes reports, and conducts its gambling games and
16 sports wagering in conformity with this chapter and the rules
17 adopted by the commission. The bond shall not be canceled by
18 a surety on less than thirty days' notice in writing to the
19 commission. If a bond is canceled and the licensee fails to
20 file a new bond with the commission in the required amount on
21 or before the effective date of cancellation, the licensee's
22 license shall be revoked. The total and aggregate liability
23 of the surety on the bond is limited to the amount specified in
24 the bond.

25 Sec. 12. Section 99F.9, subsection 1, Code 2019, is amended
26 to read as follows:

27 1. Except as permitted in this section, the licensee shall
28 not permit ~~no~~ sports wagering or any form of wagering on
29 gambling games.

30 Sec. 13. Section 99F.9, Code 2019, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 3A. a. For the purposes of this section,
33 unless the context otherwise requires:

34 (1) "*Advance deposit sports wagering*" means a method of
35 sports wagering in which an eligible individual may, in an

1 account established with a licensee under section 99F.7A,
2 deposit moneys into the account and use the account balance to
3 pay for sports wagering. Prior to January 1, 2021, an account
4 must be established by an eligible individual in person with
5 a licensee.

6 (2) "*Advance deposit sports wagering operator*" means an
7 advance deposit sports wagering operator licensed by the
8 commission who has entered into an agreement with a licensee
9 under section 99F.7A to provide advance deposit sports
10 wagering.

11 (3) "*Eligible individual*" means an individual who is at
12 least twenty-one years of age or older who is located within
13 this state.

14 b. The commission may authorize a licensee under section
15 99F.7A to conduct advance deposit sports wagering. An advance
16 deposit sports wager may be placed in person in the sports
17 wagering area, or from any other location via a telephone-type
18 device or any other electronic means. The commission may also
19 issue an advance deposit sports wagering operator license to
20 an entity who complies with this subsection and section 99F.6
21 and may require the advance deposit sports wagering operator to
22 conduct an audit consistent with the requirements of section
23 99F.13.

24 c. An unlicensed person taking or receiving sports wagers
25 from residents of this state is guilty of a class "D" felony.

26 Sec. 14. Section 99F.9, subsection 4, Code 2019, is amended
27 to read as follows:

28 4. A person under the age of twenty-one years shall not make
29 or attempt to make a wager pursuant to subsection 3A or on an
30 excursion gambling boat, gambling structure, or in a racetrack
31 enclosure and shall not be allowed on the gaming floor of
32 an excursion gambling boat or gambling structure or in the
33 wagering area, as defined in section 99D.2, or on the gaming
34 floor of a racetrack enclosure. However, a person eighteen
35 years of age or older may be employed to work on the gaming

1 floor of an excursion gambling boat or gambling structure or
2 in the wagering area or on the gaming floor of a racetrack
3 enclosure. A person who violates this subsection with respect
4 to making or attempting to make a wager commits a scheduled
5 violation under section 805.8C, subsection 5, paragraph "a".

6 Sec. 15. Section 99F.11, subsection 3, unnumbered paragraph
7 1, Code 2019, is amended to read as follows:

8 The taxes imposed by this section on adjusted gross receipts
9 from gambling games authorized under this chapter shall be paid
10 by the licensee to the treasurer of state within ten days after
11 the close of the day when the wagers were made and shall be
12 distributed as follows:

13 Sec. 16. Section 99F.11, Code 2019, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 4. *a.* A tax is imposed on the sports
16 wagering net receipts received each fiscal year by a licensed
17 operator from sports wagering authorized under this chapter at
18 the rate of six and three-quarters percent.

19 *b.* The taxes imposed by this subsection for sports wagering
20 authorized under this chapter shall be paid by the licensed
21 operator to the treasurer of state as determined by the
22 commission and shall be credited as provided in section 8.57,
23 subsection 6.

24 Sec. 17. Section 99F.12, subsection 2, Code 2019, is amended
25 to read as follows:

26 2. *a.* The licensee shall furnish to the commission reports
27 and information as the commission may require with respect to
28 the licensee's activities.

29 *b.* A licensee under section 99F.7A shall promptly report
30 to the commission any criminal or disciplinary proceedings
31 commenced against the licensee or its employees in connection
32 with the licensee conducting sports wagering or advance
33 deposit sports wagering, any abnormal wagering activity or
34 patterns that may indicate a concern about the integrity of an
35 authorized sporting event or events, and any other conduct with

1 the potential to corrupt a wagering outcome of an authorized
2 sporting event for purposes of financial gain, including
3 but not limited to match fixing, and suspicious or illegal
4 wagering activities, including the use of funds derived from
5 illegal activity, wagers to conceal or launder funds derived
6 from illegal activity, use of agents to place wagers, or use
7 of false identification. The commission is required to share
8 any information received pursuant to this paragraph with the
9 division of criminal investigation, any other law enforcement
10 entity upon request, or any regulatory agency the commission
11 deems appropriate. The commission shall promptly report any
12 information received pursuant to this paragraph with any
13 sports team or sports governing body as the commission deems
14 appropriate, but shall not share any information that would
15 interfere with an ongoing criminal investigation.

16 c. The gross receipts and adjusted gross receipts from
17 gambling shall be separately handled and accounted for from
18 all other moneys received from operation of an excursion
19 gambling boat or from operation of a racetrack enclosure or
20 gambling structure licensed to conduct gambling games. The
21 commission may designate a representative to board a licensed
22 excursion gambling boat or to enter a racetrack enclosure or
23 gambling structure licensed to conduct gambling games. The
24 representative shall have full access to all places within the
25 enclosure of the boat, the gambling structure, or the racetrack
26 enclosure and shall directly supervise the handling and
27 accounting of all gross receipts and adjusted gross receipts
28 from gambling. The representative shall supervise and check
29 the admissions. The compensation of a representative shall be
30 fixed by the commission but shall be paid by the licensee.

31 d. With the approval of the commission, a licensee under
32 section 99F.7A shall cooperate with investigations conducted
33 by sports governing bodies, including but not limited to
34 providing or facilitating the provision of account-level
35 betting information and audio or video files relating to

1 persons placing wagers. However, a licensee shall not share
2 information that would interfere with an ongoing criminal
3 investigation.

4 Sec. 18. Section 99F.15, subsection 1, paragraph c, Code
5 2019, is amended to read as follows:

6 c. Acting, or employing a person to act, as a shill or
7 decoy to encourage participation in a gambling game or sports
8 wagering.

9 Sec. 19. Section 99F.15, subsection 4, paragraphs d, h, and
10 i, Code 2019, are amended to read as follows:

11 d. Cheats at a gambling game, including but not limited to
12 committing any act which alters the outcome of the game, or
13 cheats at sports wagering.

14 h. Claims, collects, or takes, or attempts to claim,
15 collect, or take, money or anything of value in or from the
16 gambling games or sports wagering, with intent to defraud,
17 without having made a wager contingent on winning a gambling
18 game or sports wager, or claims, collects, or takes an amount
19 of money or thing of value of greater value than the amount
20 won.

21 i. Knowingly entices or induces a person to go to any place
22 where a gambling game or sports wagering is being conducted or
23 operated in violation of the provisions of this chapter with
24 the intent that the other person plays or participates in that
25 gambling game or sports wagering.

26 Sec. 20. Section 99F.20, subsection 1, Code 2019, is amended
27 to read as follows:

28 1. A gaming regulatory revolving fund is created in
29 the state treasury under the control of the department of
30 inspections and appeals. The fund shall consist of fees
31 collected and deposited into the fund paid by licensees
32 pursuant to section 99D.14, subsection 2, paragraph "c", fees
33 paid by licensees pursuant to section 99E.5, subsection 4,
34 paragraph "c", regulatory fees paid by licensees pursuant
35 to section 99F.4, subsection 27, and fees paid by licensees

1 pursuant to section 99F.10, subsection 4, paragraph "c". All
2 costs relating to racetrack, excursion boat, and gambling
3 structure, internet fantasy sports contests as defined in
4 section 99E.1, and sports wagering regulation shall be paid
5 from the fund as provided in appropriations made for this
6 purpose by the general assembly. The department shall provide
7 quarterly reports to the department of management and the
8 legislative services agency specifying revenues billed and
9 collected and expenditures from the fund in a format as
10 determined by the department of management in consultation with
11 the legislative services agency.

12 Sec. 21. EMERGENCY RULES. The state racing and gaming
13 commission created under section 99D.5 may adopt emergency
14 rules under section 17A.4, subsection 3, and section 17A.5,
15 subsection 2, paragraph "b", to implement the provisions of
16 this division of this Act and the rules shall be effective
17 immediately upon filing unless a later date is specified in the
18 rules but in no event earlier than July 4, 2019. Any rules
19 adopted in accordance with this section shall also be published
20 as a notice of intended action as provided in section 17A.4.

21 Sec. 22. IMPLEMENTATION. The racing and gaming commission
22 shall not implement this division of this Act until the later
23 of July 4, 2019, or the date the commission has adopted rules
24 pursuant to chapter 17A providing for such implementation and
25 such rules have become effective.

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

28 DIVISION II

29 FANTASY SPORTS CONTESTS

30 Sec. 24. Section 80.25A, Code 2019, is amended to read as
31 follows:

32 **80.25A ~~Pari-mutuel and gambling game~~ Gaming operations**
33 **investigation and enforcement.**

34 The commissioner of public safety shall direct the chief
35 of the division of criminal investigation to establish a

1 subdivision to be the primary criminal investigative and
2 enforcement agency for the purpose of enforcement of chapters
3 99D, 99E, and 99F. The commissioner of public safety shall
4 appoint or assign other agents to the division as necessary to
5 enforce chapters 99D, 99E, and 99F. All enforcement officers,
6 assistants, and agents of the division are subject to section
7 80.15 except clerical workers.

8 Sec. 25. Section 80.43, subsection 1, Code 2019, is amended
9 to read as follows:

10 1. A gaming enforcement revolving fund is created in the
11 state treasury under the control of the department. The fund
12 shall consist of fees collected and deposited into the fund
13 paid by licensees pursuant to section 99D.14, subsection 2,
14 paragraph "b", fees and costs paid by applicants pursuant
15 to section 99E.4, subsection 4, and fees paid by licensees
16 pursuant to section 99F.10, subsection 4, paragraph "b". All
17 costs for agents and officers plus any direct support costs
18 for such agents and officers of the division of criminal
19 investigation's racetrack, excursion boat, ~~or~~ gambling
20 structure, and internet fantasy sports contests as defined in
21 section 99E.1 enforcement activities shall be paid from the
22 fund as provided in appropriations made for this purpose by the
23 general assembly.

24 Sec. 26. NEW SECTION. 99E.1 Definitions.

25 As used in this chapter, unless the context otherwise
26 requires:

27 1. "*Applicant*" means an internet fantasy sports contest
28 service provider applying for a license to conduct internet
29 fantasy sports contests under this chapter.

30 2. "*Commission*" means the state racing and gaming commission
31 created under section 99D.5.

32 3. "*Fantasy sports contest*" includes any fantasy or
33 simulated game or contest in which the fantasy sports contest
34 operator is not a participant in the game or contest, the value
35 of all prizes and awards offered to winning participants are

1 established and made known to the participants in advance
2 of the contest, all winning outcomes reflect the relative
3 knowledge and skill of the participants and shall be determined
4 by accumulated statistical results of the performance of
5 individuals, including athletes in the case of sporting events,
6 and no winning outcome is solely based on the score, point
7 spread, or any performance or performances of any single actual
8 team or solely on any single performance of an individual
9 athlete or player in any single actual event. However, until
10 May 1, 2020, "*fantasy sports contest*" does not include any
11 fantasy or simulated game or contest in which any winning
12 outcomes are based on statistical results from a collegiate
13 sporting event as defined in section 99F.1.

14 4. "*Internet fantasy sports contest*" means a method of
15 entering a fantasy sports contest by which a person may
16 establish an account with an internet fantasy sports contest
17 service provider, deposit money into the account, and use
18 the account balance for entering a fantasy sports contest by
19 utilizing electronic communication.

20 5. "*Internet fantasy sports contest adjusted revenues*" means,
21 for each internet fantasy sports contest, the amount equal to
22 the total charges and fees collected from all participants
23 entering the internet fantasy sports contest less winnings paid
24 to participants in the contest, multiplied by the location
25 percentage.

26 6. "*Internet fantasy sports contest player*" means a person
27 who is at least twenty-one years of age and participates in an
28 internet fantasy sports contest operated by an internet fantasy
29 sports contest service provider.

30 7. "*Internet fantasy sports contest service provider*" means
31 a person, including a licensee under chapter 99D or 99F, who
32 conducts an internet fantasy sports contest as authorized by
33 this chapter.

34 8. "*Licensee*" means any person licensed under section 99E.5
35 to conduct internet fantasy sports contests.

1 9. "*Location percentage*" means, for each internet fantasy
2 sports contest, the percentage, rounded to the nearest tenth of
3 a percent, equal to the total charges and fees collected from
4 all internet fantasy sports contest players located in this
5 state divided by the total charges and fees collected from all
6 participants in the internet fantasy sports contest.

7 Sec. 27. NEW SECTION. **99E.2 Internet fantasy sports**
8 **contests authorized.**

9 The system of entering an internet fantasy sports contest as
10 provided by this chapter is legal when conducted by a licensed
11 internet fantasy sports contest service provider as provided in
12 this chapter.

13 Sec. 28. NEW SECTION. **99E.3 Commission — powers.**

14 1. The commission shall have full jurisdiction over and
15 shall supervise internet fantasy sports contests and internet
16 fantasy sports contest service providers as governed by this
17 chapter.

18 2. The commission shall have the following powers and shall
19 adopt rules pursuant to chapter 17A to administer and implement
20 this chapter:

21 *a.* To review and investigate applicants and determine the
22 eligibility of applicants for a license to conduct internet
23 fantasy sports contests, pursuant to rules adopted by the
24 commission.

25 *b.* To license and regulate internet fantasy sports contest
26 service providers subject to the requirements of this chapter.

27 *c.* To provide for the prevention of practices detrimental to
28 the public and to provide for the best interests of internet
29 fantasy sports contests.

30 *d.* To investigate alleged violations of this chapter
31 or the commission rules, orders, or final decisions and to
32 take appropriate disciplinary action against a licensee, or
33 institute appropriate legal action for enforcement, or both.
34 Information gathered during an investigation is confidential
35 during the pendency of the investigation.

1 e. To assess fines and revoke or suspend licenses and to
2 impose penalties for violations of this chapter.

3 f. To take any other action as may be reasonable or
4 appropriate to enforce this chapter and the commission rules.

5 Sec. 29. NEW SECTION. **99E.4 Requirements of applicant —**
6 **fee.**

7 1. An applicant for a license to conduct internet fantasy
8 sports contests shall complete and sign an application on
9 the form prescribed and published by the commission. The
10 application shall include such information of the applicant
11 that the commission deems necessary for purposes of issuing a
12 license pursuant to this chapter.

13 2. An applicant shall submit fingerprints and information
14 that the commission deems necessary to the commission in the
15 manner prescribed on the application forms. The fingerprints
16 may be submitted to the federal bureau of investigation by
17 the department of public safety through the state criminal
18 history repository for the purpose of a national criminal
19 history check. The results of a criminal history record check
20 conducted pursuant to this subsection shall be considered a
21 confidential record under chapter 22.

22 3. Before a license is granted, the division of criminal
23 investigation of the department of public safety shall conduct
24 a thorough background investigation of the applicant for a
25 license to conduct internet fantasy sports contests. The
26 applicant shall provide information on a form as required by
27 the division of criminal investigation.

28 4. The commission shall charge the applicant a reasonable
29 fee set by the division of criminal investigation of the
30 department of public safety, to defray those costs associated
31 with the fingerprint and national criminal history check
32 requirements of subsection 2 and background investigations
33 conducted by agents of the division of criminal investigation
34 as provided in subsection 3. These fees and costs are in
35 addition to any other license fees and costs charged by the

1 commission. The fees and costs received by the commission
2 shall be deposited in the gaming enforcement revolving fund
3 established in section 80.43.

4 5. The commission shall not grant a license to an applicant
5 if there is substantial evidence that any of the following
6 apply:

7 a. A license issued to the applicant to conduct internet
8 fantasy sports contests in another jurisdiction has been
9 revoked, or a request for a license to conduct internet fantasy
10 sports contests in another jurisdiction has been denied, by
11 an entity licensing persons to conduct such contests in that
12 jurisdiction.

13 b. The applicant has not demonstrated financial
14 responsibility sufficient to adequately meet the requirements
15 of the enterprise proposed.

16 c. The applicant does not adequately disclose the true
17 owners of the enterprise proposed.

18 d. The applicant has knowingly made a false statement of a
19 material fact to the commission.

20 e. The applicant has failed to meet a monetary obligation in
21 connection with conducting an internet fantasy sports contest.

22 f. The applicant is not of good repute and moral character
23 or the applicant has pled guilty to, or has been convicted of,
24 a felony.

25 g. Any member of the board of directors of the applicant is
26 not twenty-one years of age or older.

27 6. A person who knowingly makes a false statement on the
28 application is guilty of an aggravated misdemeanor.

29 7. For the purposes of this section, "applicant" includes
30 each member of the board of directors of an internet fantasy
31 sports contest service provider.

32 **Sec. 30. NEW SECTION. 99E.5 Licenses — fees — terms and**
33 **conditions — revocation.**

34 1. If the commission is satisfied that the requirements
35 of this chapter and its rules adopted under this chapter

1 applicable to licensees have been or will be complied with, the
2 commission shall, upon payment of an initial license fee of
3 five thousand dollars, issue a license for a period of not more
4 than three years to an applicant to conduct internet fantasy
5 sports contests in this state.

6 2. A licensed internet fantasy sports contest service
7 provider shall use reasonable methods to comply with all of the
8 following requirements:

9 a. Prevent employees of the internet fantasy sports contest
10 service provider and relatives living in the same household of
11 such employees from competing in any internet fantasy sports
12 contest on the service provider's digital platform in which the
13 service provider offers a cash prize to the public.

14 b. Verify that an internet fantasy sports contest player
15 located in this state is twenty-one years of age or older.

16 c. Ensure that coaches, officials, players, contestants,
17 or other individuals who participate in a game or contest
18 that is the subject of an internet fantasy sports contest are
19 restricted from entering an internet fantasy sports contest in
20 which the outcome is determined, in whole or in part, by the
21 accumulated statistical results of a team of individuals in the
22 game or contest in which they participate.

23 d. Include on the internet site or mobile application used
24 by the licensee to conduct internet fantasy sports contests the
25 statewide telephone number authorized by the Iowa department
26 of public health to provide problem gambling information and
27 extensive responsible gaming features in addition to those
28 described in section 99F.4, subsection 22.

29 e. Allow individuals to establish an account with an
30 internet fantasy sports contest service provider by utilizing
31 electronic communication.

32 f. Disclose the number of entries a single internet fantasy
33 sports contest player may submit to each internet fantasy
34 sports contest and take reasonable steps to prevent players
35 from submitting more than the allowable number of entries for

1 that internet fantasy sports contest.

2 *g.* Segregate internet fantasy sports contest player funds
3 from operational funds or maintain a reserve in the form of
4 cash, cash equivalents, an irrevocable letter of credit,
5 payment processor reserves and receivables, a bond, or a
6 combination thereof in the amount of the deposits in internet
7 fantasy sports contest player accounts for the benefit and
8 protection of internet fantasy sports contest player funds held
9 in internet fantasy sports contest accounts by the internet
10 fantasy sports contest service provider.

11 *h.* Conduct an annual audit under section 99E.9.

12 *i.* Pay the tax as provided in section 99E.6.

13 3. The annual license fee to conduct internet fantasy sports
14 contests shall be one thousand dollars or, for a licensed
15 internet fantasy sports contest service provider with total
16 annual internet fantasy sports contest adjusted revenues for
17 the year prior to the annual license fee renewal date of
18 one hundred fifty thousand dollars or greater, five thousand
19 dollars. Moneys collected by the commission from the license
20 fees paid under this section shall be considered repayment
21 receipts as defined in section 8.2.

22 4. *a.* A licensed internet fantasy sports contest service
23 provider shall pay a regulatory fee to the commission. The
24 regulatory fee shall be established by the commission based on
25 the costs of administering and enforcing this chapter.

26 *b.* A licensed internet fantasy sports contest service
27 provider shall receive a credit for the amount of the
28 regulatory fee paid by the provider against the taxes to be
29 paid pursuant to section 99E.6.

30 *c.* Notwithstanding section 8.60, the portion of the fee
31 paid pursuant to paragraph "a" relating to the costs of the
32 commission shall be deposited into the gaming regulatory
33 revolving fund established in section 99F.20.

34 5. Upon a violation of any of the conditions listed in
35 section 99E.4 or this section by a licensee, the commission

1 shall immediately revoke the license.

2 Sec. 31. NEW SECTION. **99E.6 Internet fantasy sports contest**
3 **tax — rate.**

4 1. A tax is imposed on internet fantasy sports contest
5 adjusted revenues received each fiscal year by an internet
6 fantasy sports contest service provider from internet fantasy
7 sports contests authorized under this chapter at the rate of
8 six and three-quarters percent.

9 2. The taxes imposed by this section for internet fantasy
10 sports contests authorized under this chapter shall be paid by
11 the internet fantasy sports contest service provider to the
12 treasurer of state as determined by the commission and shall be
13 credited as provided in section 8.57, subsection 6.

14 Sec. 32. NEW SECTION. **99E.7 Internet fantasy sports**
15 **contests — age restrictions.**

16 A person under the age of twenty-one years shall not enter an
17 internet fantasy sports contest. A person who violates this
18 section with respect to entering an internet fantasy sports
19 contest commits a scheduled violation under section 805.8C,
20 subsection 12.

21 Sec. 33. NEW SECTION. **99E.8 Licensees — records — reports**
22 **— confidentiality.**

23 1. An internet fantasy sports contest service provider
24 shall keep its books and records so as to clearly show the
25 internet fantasy sports contest adjusted revenues for each
26 internet fantasy sports contest subject to tax in this state.

27 2. *a.* The licensee shall furnish to the commission reports
28 and information as the commission may require with respect to
29 the licensee's activities.

30 *b.* A licensee shall promptly report to the commission any
31 criminal or disciplinary proceedings commenced against the
32 licensee or its employees in connection with the licensee
33 conducting an internet fantasy sports contest, any abnormal
34 contest activity or patterns that may indicate a concern about
35 the integrity of an internet fantasy sports contest, and any

1 other conduct with the potential to corrupt an outcome of an
2 internet fantasy sports contest for purposes of financial gain,
3 including but not limited to match fixing, and suspicious or
4 illegal internet fantasy sports contest activities, including
5 the use of funds derived from illegal activity, deposits of
6 money to enter an internet fantasy sports contest to conceal
7 or launder funds derived from illegal activity, use of agents
8 to enter an internet fantasy sports contest, or use of false
9 identification. The commission is required to share any
10 information received pursuant to this paragraph with the
11 division of criminal investigation, any other law enforcement
12 entity upon request, or any regulatory agency the commission
13 deems appropriate. The commission shall promptly report any
14 information received pursuant to this paragraph with any
15 sports team or sports governing body as the commission deems
16 appropriate, but shall not share any information that would
17 interfere with an ongoing criminal investigation.

18 3. Except as provided in subsection 4, the books and records
19 kept by a licensee as provided by this section are public
20 records and the examination, publication, and dissemination of
21 the books and records are governed by the provisions of chapter
22 22.

23 4. The records of the commission shall be governed by the
24 provisions of chapter 22, provided that, in addition to records
25 that may be kept confidential pursuant to section 22.7, the
26 following records provided by a licensee to the commission
27 shall be kept confidential, unless otherwise ordered by a
28 court, by the lawful custodian of the records, or by another
29 person duly authorized to release such information:

- 30 a. Patron and customer records.
- 31 b. Security reports and network audits.
- 32 c. Internal control and compliance records.
- 33 d. Employee records.
- 34 e. Marketing expenses.
- 35 f. Supplemental schedules to the certified audit, except for

1 those books and records as described in subsection 1 of this
2 section, that are obtained by the commission in connection with
3 the annual audit under section 99E.9.

4 *g.* Any information specifically requested for inspection by
5 the commission or a representative of the commission.

6 Sec. 34. NEW SECTION. **99E.9 Annual audit of licensee**
7 **operations.**

8 Within one hundred eighty days after the end of the
9 licensee's fiscal year, the licensee shall transmit to the
10 commission an audit of the licensee's total internet fantasy
11 sports contest operations, including an itemization of all
12 expenses and subsidies. Each audit shall be conducted by a
13 certified public accountant authorized to practice in the state
14 of Iowa under chapter 542 who is selected by the licensee and
15 approved by the commission.

16 Sec. 35. NEW SECTION. **99E.10 Civil penalty.**

17 A person who willfully fails to comply with the requirements
18 of this chapter and the rules adopted pursuant to chapter 17A
19 under this chapter shall be liable for a civil penalty of not
20 more than one thousand dollars for each violation, not to
21 exceed ten thousand dollars for violations arising out of the
22 same transaction or occurrence, which shall accrue to the state
23 and may be recovered in a civil action.

24 Sec. 36. Section 99F.2, Code 2019, is amended to read as
25 follows:

26 **99F.2 Scope of provisions.**

27 This chapter does not apply to the pari-mutuel system of
28 wagering used or intended to be used in connection with the
29 horse-race or dog-race meetings as authorized under chapter
30 99D, internet fantasy sports contests authorized under chapter
31 99E, lottery or lotto games authorized under chapter 99G, or
32 bingo or games of skill or chance authorized under chapter 99B.

33 Sec. 37. Section 99F.4B, Code 2019, is amended to read as
34 follows:

35 **99F.4B Rules.**

1 The department of inspections and appeals shall cooperate
2 to the maximum extent possible with the division of criminal
3 investigation in adopting rules relating to the gaming
4 operations in this chapter and ~~chapter~~ chapters 99D and 99E.

5 Sec. 38. Section 232C.4, subsection 3, Code 2019, is amended
6 to read as follows:

7 3. An emancipated minor shall remain subject to voting
8 restrictions under chapter 48A, gambling restrictions under
9 chapter 99B, 99D, 99F, 99G, or 725, internet fantasy sports
10 contest restrictions under chapter 99E, alcohol restrictions
11 under chapter 123, compulsory attendance requirements under
12 chapter 299, and cigarette tobacco restrictions under chapter
13 453A.

14 Sec. 39. Section 714B.10, subsection 1, Code 2019, is
15 amended to read as follows:

16 1. Advertising by sponsors registered pursuant to chapter
17 557B, licensed pursuant to chapter 99B, or regulated pursuant
18 to chapter 99D, 99E, 99F, or 99G.

19 Sec. 40. Section 725.7, subsection 1, paragraph e, Code
20 2019, is amended to read as follows:

21 e. Engage in bookmaking, except as permitted in chapters 99E
22 and 99F.

23 Sec. 41. Section 725.13, Code 2019, is amended to read as
24 follows:

25 **725.13 Definition of bookmaking.**

26 "*Bookmaking*" means advancing gambling activity by accepting
27 bets upon the outcome of future contingent events as a business
28 other than as permitted in chapters 99B, 99D, 99E, and 99F.
29 These events include, but are not limited to, the results of
30 a trial or contest of skill, speed, power, or endurance of
31 a person or beast or between persons, beasts, fowl, motor
32 vehicles, or mechanical apparatus or upon the result of any
33 chance, casualty, unknown, or contingent event.

34 Sec. 42. Section 725.15, Code 2019, is amended to read as
35 follows:

1 The fund shall consist of appropriations made to the fund and
2 transfers of interest, earnings, and moneys from other funds
3 or sources as provided by law. The sports wagering receipts
4 fund shall be separate from the general fund of the state and
5 the balance in the sports wagering receipts fund shall not
6 be considered part of the balance of the general fund of the
7 state. However, the sports wagering receipts fund shall be
8 considered a special account for the purposes of section 8.53,
9 relating to generally accepted accounting principles.

10 *b.* Moneys in the sports wagering receipts fund are not
11 subject to section 8.33. Notwithstanding section 12C.7,
12 subsection 2, interest or earnings on moneys in the sports
13 wagering receipts fund shall be credited to the fund. Moneys
14 in the sports wagering receipts fund may be used for cash flow
15 purposes during a fiscal year provided that any moneys so
16 allocated are returned to the fund by the end of that fiscal
17 year.

18 *c.* Moneys in the sports wagering receipts fund in a fiscal
19 year shall be used as directed by the general assembly.

20 *d.* Annually, on or before January 15 of each year, a
21 state agency that received an appropriation from the sports
22 wagering receipts fund shall report to the legislative services
23 agency and the department of management the status of all
24 projects completed or in progress. The report shall include
25 a description of the project, the progress of work completed,
26 the total estimated cost of the project, a list of all revenue
27 sources being used to fund the project, the amount of funds
28 expended, the amount of funds obligated, and the date the
29 project was completed or an estimated completion date of the
30 project, where applicable.

31 *e.* Annually, on or before December 31 of each year, a
32 recipient of moneys from the sports wagering receipts fund
33 for any purpose shall report to the state agency to which the
34 moneys are appropriated the status of all projects completed
35 or in progress. The report shall include a description of the

1 project, the progress of work completed, the total estimated
2 cost of the project, a list of all revenue sources being used
3 to fund the project, the amount of funds expended, the amount
4 of funds obligated, and the date the project was completed or
5 an estimated completion date of the project, where applicable.

6 Sec. 48. Section 15E.311, subsection 3, paragraph a, Code
7 2019, is amended to read as follows:

8 a. At the end of each fiscal year, moneys in the fund
9 shall be transferred into separate accounts within the fund
10 and designated for use by each county in which no licensee
11 authorized to conduct gambling games under chapter 99F was
12 located during that fiscal year. Moneys transferred to
13 county accounts shall be divided equally among the counties.
14 Moneys transferred into an account for a county shall be
15 transferred by the department to an eligible county recipient
16 for that county. Of the moneys transferred, an eligible county
17 recipient shall distribute seventy-five percent of the moneys
18 as grants to charitable organizations for charitable purposes
19 in that county and shall retain twenty-five percent of the
20 moneys for use in establishing a permanent endowment fund
21 for the benefit of charitable organizations for charitable
22 purposes. In addition, of the moneys transferred from moneys
23 appropriated to the fund from the sports wagering receipts
24 fund created in section 8.57, subsection 6, and distributed,
25 eligible county recipients shall give consideration for grants,
26 upon application, to a charitable organization that operates
27 a racetrack facility that conducts automobile races in that
28 county. Of the amounts distributed, eligible county recipients
29 shall give special consideration to grants for projects that
30 include significant vertical infrastructure components designed
31 to enhance quality of life aspects within local communities.
32 In addition, as a condition of receiving a grant, the governing
33 body of a charitable organization receiving a grant shall
34 approve all expenditures of grant moneys and shall allow a
35 state audit of expenditures of all grant moneys.

1 Sec. 49. Section 99B.41, Code 2019, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 1A. *"Social fantasy sports contest"* means
4 any fantasy or simulated game or contest in which the value
5 of all prizes and awards offered to winning participants are
6 established and made known to the participants in advance of
7 the contest and do not exceed a total of one thousand dollars
8 or equivalent consideration, all winning outcomes reflect
9 the relative knowledge and skill of the participants and
10 shall be determined by accumulated statistical results of the
11 performance of individuals in events occurring over more than
12 a twenty-four-hour period, including athletes in the case of
13 sporting events, and no winning outcome is solely based on the
14 score, point spread, or any performance or performances of
15 any single actual team or solely on any single performance of
16 an individual athlete or player in any single actual event.
17 *"Social fantasy sports contest"* does not include an internet
18 fantasy sports contest as defined in section 99E.1.

19 Sec. 50. Section 99B.45, subsection 2, Code 2019, is amended
20 by adding the following new paragraph:

21 NEW PARAGRAPH. c. A social fantasy sports contest.

22 Sec. 51. Section 99F.6, Code 2019, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 9. The board of directors of a qualified
25 sponsoring organization licensed to operate gambling games
26 under this chapter shall be residents of this state and shall
27 include, as ex officio, nonvoting members of the board, a
28 member of the county board of supervisors and a member of a
29 city council for each county and city that has a licensed
30 gambling games facility operated by the qualified sponsoring
31 organization. The ex officio members shall serve terms of the
32 same duration as voting members of the board. However, this
33 subsection shall not apply to an agency, instrumentality, or
34 political subdivision of the state that is licensed to conduct
35 gambling games under this chapter.

H-1251 (Continued)

1 Sec. 52. EFFECTIVE DATE. The following, being deemed of
2 immediate importance, takes effect upon enactment:

3 The section of this division of this Act amending section
4 8.57.>

5 2. Title page, by striking lines 1 through 4 and inserting
6 <An Act relating to gambling regulation and wagering, by
7 providing for sports wagering and fantasy sports contests,
8 providing for taxes and fees, making penalties applicable, and
9 including implementation and effective date provisions.>

By KAUFMANN of Cedar

[H-1251](#) FILED APRIL 18, 2019

HOUSE FILE 772

H-1246

1 Amend House File 772 as follows:

2 1. Page 1, after line 26 by inserting:

3 <Sec. ____ . Section 8B.1, Code 2019, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 12A. "*Underserved area*" means any portion
6 of a targeted service area within which no communications
7 service provider offers or facilitates broadband service
8 meeting the download and upload speeds specified in the
9 definition of targeted service area in this section.>

10 2. Page 1, line 31, by striking <or> and inserting <~~or~~ and>

11 3. Page 2, line 4, by striking <or> and inserting <and>

12 4. By striking page 2, line 32, through page 3, line 10, and
13 inserting:

14 <3. Communications service providers may apply to
15 the office for a grant pursuant to this section for the
16 installation of broadband infrastructure that facilitates
17 broadband service ~~at or above twenty-five megabits per second~~
18 ~~of download speed and three megabits per second of upload speed~~
19 in targeted service areas at or above the download and upload
20 speeds specified in the definition of targeted service area in
21 section 8B.1. The office may, by rule, increase the minimum
22 download and upload speeds for grant eligibility pursuant to
23 this section. The office shall include representatives from
24 schools, communities, agriculture, industry, and other areas
25 as appropriate to review and recommend grant awards. The
26 office shall conduct an open application review process ~~and~~
27 include that includes the opportunity for the public to submit
28 factual information as part of a validation process to address
29 claims that a targeted service area is currently served with
30 broadband service at or above the download and upload speeds
31 specified in the definition of targeted service area in section
32 8B.1. Upon completion of the validation process, the office
33 may modify a proposed targeted service area to account for
34 information received during the validation process. The office
35 shall make available a public internet site ~~for~~ identifying all

H-1246 (Continued)

1 publicly available information contained in the applications,
2 the members of the review committee, a summary of the review
3 committee's recommended results, and any results of performance
4 testing conducted after the project is completed.>
5 5. By renumbering as necessary.

By CARLSON of Muscatine

H-1246 FILED APRIL 18, 2019

HOUSE FILE 772

H-1247

1 Amend House File 772 as follows:

2 1. Page 6, after line 24 by inserting:

3 <Sec. _____. Section 15.119, Code 2019, is amended by adding
4 the following new subsection:

5 NEW SUBSECTION. 5. Notwithstanding subsection 1, and
6 in addition to amounts allocated pursuant to subsection 2,
7 paragraph "g", the authority shall allocate ten million dollars
8 to the workforce housing tax incentives program administered
9 pursuant to sections 15.351 through 15.356, for qualified
10 housing projects located in a county that has been declared
11 a major disaster by the president of the United States on
12 or after March 12, 2019, and that is also a county in which
13 individuals are eligible for federal individual assistance.>

14 2. Page 6, after line 34 by inserting:

15 <Sec. _____. Section 15.353, subsection 2, Code 2019, is
16 amended by adding the following new paragraph:

17 NEW PARAGRAPH. f. For a housing project located in any
18 county that has been declared a major disaster by the president
19 of the United States on or after March 12, 2019, and that is
20 also a county in which individuals are eligible for federal
21 individual assistance, development at a greenfield site.>

22 3. Page 7, after line 7 by inserting:

23 <Sec. _____. Section 15.354, subsection 1, Code 2019, is
24 amended by adding the following new paragraph:

25 NEW PARAGRAPH. c. In addition to complying with all
26 applicable requirements in paragraph "b", a housing business
27 that chooses to be considered as an applicant for tax credits
28 reserved pursuant to section 15.119, subsection 5, shall also
29 submit a certification that the applicant's housing project is
30 located in a county that has been declared a major disaster by
31 the president of the United States on or after March 12, 2019,
32 and is also a county in which individuals are eligible for
33 federal individual assistance. The housing business must also
34 submit documentation that provides evidence that the qualified
35 housing project is needed due to impact of the disaster that is

1 the subject of the presidential major disaster declaration.>

2 4. Page 12, after line 34 by inserting:

3 <Sec. _____. Section 15.354, Code 2019, is amended by adding
4 the following new subsection:

5 NEW SUBSECTION. 6. *Disaster recovery housing projects.*

6 a. For purposes of this subsection, "*disaster recovery*
7 *housing project*" means a qualified housing project located in a
8 county that has been declared a major disaster by the president
9 of the United States on or after March 12, 2019, and that is
10 also a county in which individuals are eligible for federal
11 individual assistance.

12 b. Notwithstanding subsection 1, the authority may accept
13 applications for disaster recovery housing projects on a
14 continuous basis.

15 c. Notwithstanding subsection 2, paragraphs "a", "b", and
16 "d", upon review of a housing business's application, the
17 authority may make a tax incentive award to a disaster recovery
18 housing project. The tax incentive award shall represent the
19 maximum amount of tax incentives that the disaster recovery
20 housing project may qualify for under the program. In
21 determining a tax incentive award, the authority shall not use
22 an amount of project costs that exceeds the amount included in
23 the application of the housing business. Tax incentive awards
24 shall be approved by the director of the authority.

25 d. The authority shall administer tax credit allocations
26 for disaster recovery housing projects separately from the
27 general allocation and separately from the allocation reserved
28 for small cities in section 15.119, subsection 2, paragraph
29 "g". The authority shall issue tax incentives under the
30 program for disaster recovery housing projects on a first-come,
31 first-served basis until the maximum amount of tax incentives
32 allocated under section 15.119, subsection 5, is reached. The
33 authority shall maintain a list of disaster recovery housing
34 projects awarded tax incentives under the program, so that if
35 the maximum aggregate amount of tax incentives allocated for

1 disaster recovery housing projects under the program is reached
2 in a given fiscal year, such disaster recovery housing projects
3 that were completed but for which tax incentives were not
4 issued shall be placed on a wait list in the order the disaster
5 recovery housing projects were awarded tax incentives pursuant
6 to paragraph "c", and shall be given priority for receiving tax
7 incentives in succeeding fiscal years.>

8 5. Page 13, after line 20 by inserting:

9 <Sec. _____. Section 15.355, subsection 3, paragraph a, Code
10 2019, is amended by adding the following new subparagraph:

11 NEW SUBPARAGRAPH. (3) For a housing project located in a
12 county that has been declared a major disaster by the president
13 of the United States on or after March 12, 2019, and that is
14 also a county in which individuals are eligible for federal
15 individual assistance, twenty percent of the qualifying new
16 investment of a housing project.>

17 6. Page 13, after line 35 by inserting:

18 <Sec. _____. EMERGENCY RULES. The economic development
19 authority may adopt emergency 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 be effective immediately upon filing unless
23 a later date is specified in the rules. Any rules adopted
24 in accordance with this section shall also be published as a
25 notice of intended action as provided in section 17A.4.

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

28 7. Title page, line 3, before <applicability> by inserting
29 <effective date and>

30 8. By renumbering as necessary.

By CARLSON of Muscatine

HOUSE FILE 772

H-1248

1 Amend House File 772 as follows:

2 1. Page 14, after line 12 by inserting:

3 <DIVISION ____
4 RURAL ECONOMIC REVITALIZATION CENTER AND BOARD AND HIGH QUALITY
5 JOBS PROGRAM

6 Sec. _____. Section 15.102, Code 2019, is amended by adding
7 the following new subsection:

8 NEW SUBSECTION. 08. "*Rural community*" means any city
9 located in this state with a population of thirty thousand
10 or less in a county with a population of fifty thousand or
11 less. A rural community located in more than one county shall
12 be considered to be located in the county having the greatest
13 taxable base within the city.

14 Sec. _____. NEW SECTION. 15.106F Rural economic
15 revitalization center and board.

16 1. *a.* A rural economic revitalization center is established
17 within the authority. The center shall develop a separate
18 partnership program with a lead council of government in each
19 congressional district as determined under paragraph "*b*".

20 *b.* In order for the partnership program to receive funding
21 from the authority, all councils of governments located within
22 a congressional district shall enter into an agreement under
23 chapter 28E, as authorized pursuant to section 28H.5, that
24 identifies the lead council of government for the partnership
25 program with the center.

26 2. The rural economic revitalization center shall support
27 rural communities by doing all of the following:

28 *a.* Identify and study successful strategies to attract and
29 grow economic development and the workforce.

30 *b.* Identify and assist in applications for economic
31 development programs.

32 *c.* Identify and provide pathways for rural community
33 improvement.

34 *d.* Assist in and serve as a conduit for rural policy
35 development.

1 3. a. A rural economic revitalization board is established
2 and shall serve as the governing body of the rural economic
3 revitalization center. The board is located within the
4 authority for administrative purposes. The members of the
5 board are entitled to receive reimbursement for actual expenses
6 incurred while engaged in the performance of official duties.
7 The director shall budget moneys to cover the expenses of the
8 board. The board shall provide an annual report to the general
9 assembly and the governor relating to rural revitalization
10 issues and efforts by January 15, 2021, and by every January
11 15, thereafter.

12 b. The board shall consist of three voting members from each
13 congressional district appointed by the governor as follows:

14 (1) Each member shall reside or be employed in a rural
15 community.

16 (2) At least one member from each congressional district
17 shall reside or be employed in a rural community where an
18 accredited public or private postsecondary educational
19 institution is located in the rural community.

20 Sec. _____. NEW SECTION. 15.328 Program expenditures by
21 congressional district.

22 Each fiscal year, the authority shall make available in each
23 congressional district at least seven hundred fifty thousand
24 dollars of the moneys appropriated to fund the program for use
25 in a qualifying rural community.

26 Sec. _____. Section 15.329, subsection 3, paragraph a, Code
27 2019, is amended to read as follows:

28 a. The quality of the jobs to be created or retained. In
29 rating the quality of the jobs, the authority shall place
30 greater emphasis on those jobs that have a higher wage scale~~;~~
31 have a lower turnover rate~~;~~ are full-time or career-type
32 positions~~;~~ provide comprehensive health benefits~~;~~ or have
33 other related factors which could be considered to be higher
34 in quality, than to other jobs, including agricultural-related
35 or retail-related jobs in a rural community. Businesses that

1 have wage scales substantially below that of existing Iowa
2 businesses in that area should be rated as providing the lowest
3 quality of jobs and should therefore be given the lowest
4 ranking for providing such assistance.

5 Sec. _____. Section 15.329, subsection 3, paragraph c,
6 subparagraph (6), Code 2019, is amended by striking the
7 subparagraph.

8 Sec. _____. Section 15.335A, subsection 1, unnumbered
9 paragraph 1, Code 2019, is amended to read as follows:

10 ~~Tax~~ Except as provided in subsection 1A, tax incentives are
11 available to eligible businesses as provided in this ~~section~~
12 subsection. The incentives are based upon the number of jobs
13 created or retained that pay at least one hundred twenty
14 percent of the qualifying wage threshold and the amount of the
15 qualifying investment made according to the following schedule:

16 Sec. _____. Section 15.335A, Code 2019, is amended by adding
17 the following new subsection:

18 NEW SUBSECTION. 1A. Tax incentives are available to
19 eligible businesses in rural communities as provided in this
20 subsection. The incentives are based upon the number of
21 jobs created or retained that pay at least one hundred ten
22 percent of the qualifying wage threshold and the amount of the
23 qualifying investment made according to the following schedule:

24 a. The number of jobs is zero and economic activity is
25 furthered by the qualifying investment and the amount of the
26 qualifying investment is one of the following:

27 (1) Less than fifty thousand dollars, then the tax incentive
28 is the investment tax credit of up to two percent.

29 (2) At least fifty thousand dollars but less than two
30 hundred fifty thousand dollars, then the tax incentives are the
31 investment tax credit of up to two percent and the sales tax
32 refund.

33 (3) At least two hundred fifty thousand dollars, then the
34 tax incentives are the investment tax credit of up to two
35 percent, the sales tax refund, and the additional research and

1 development tax credit.

2 *b.* The number of jobs is one but not more than five and the
3 amount of the qualifying investment is one of the following:

4 (1) Less than fifty thousand dollars, then the tax incentive
5 is the investment tax credit of up to three percent.

6 (2) At least fifty thousand dollars but less than two
7 hundred fifty thousand dollars, then the tax incentives are the
8 investment tax credit of up to three percent and the sales tax
9 refund.

10 (3) At least two hundred fifty thousand dollars, then the
11 tax incentives are the investment tax credit of up to three
12 percent, the sales tax refund, and the additional research and
13 development tax credit.

14 *c.* The number of jobs is six but not more than ten and the
15 amount of the qualifying investment is one of the following:

16 (1) Less than fifty thousand dollars, then the tax incentive
17 is the investment tax credit of up to four percent.

18 (2) At least fifty thousand dollars but less than two
19 hundred fifty thousand dollars, then the tax incentives are the
20 investment tax credit of up to four percent and the sales tax
21 refund.

22 (3) At least two hundred fifty thousand dollars, then the
23 tax incentives are the investment tax credit of up to four
24 percent, the sales tax refund, and the additional research and
25 development tax credit.

26 *d.* The number of jobs is eleven but not more than fifteen
27 and the amount of the qualifying investment is one of the
28 following:

29 (1) Less than fifty thousand dollars, then the tax incentive
30 is the investment tax credit of up to five percent.

31 (2) At least fifty thousand dollars but less than two
32 hundred fifty thousand dollars, then the tax incentives are the
33 investment tax credit of up to five percent and the sales tax
34 refund.

35 (3) At least two hundred fifty thousand dollars, then the

1 tax incentives are the investment tax credit of up to five
2 percent, the sales tax refund, and the additional research and
3 development tax credit.

4 *e.* The number of jobs is sixteen or more and the amount of
5 the qualifying investment is one of the following:

6 (1) Less than fifty thousand dollars, then the tax incentive
7 is the investment tax credit of up to six percent.

8 (2) At least fifty thousand dollars but less than two
9 hundred fifty thousand dollars, then the tax incentives are the
10 investment tax credit of up to six percent and the sales tax
11 refund.

12 (3) At least two hundred fifty thousand dollars, then the
13 tax incentives are the investment tax credit of up to six
14 percent, the sales tax refund, and the additional research and
15 development tax credit.

16 *f.* The number of jobs is thirty-one but not more than forty
17 and the amount of the qualifying investment is at least two
18 million dollars, then the tax incentives are the local property
19 tax exemption, the investment tax credit of up to seven
20 percent, the sales tax refund, and the additional research and
21 development tax credit.

22 *g.* The number of jobs is forty-one but not more than sixty
23 and the amount of the qualifying investment is at least five
24 million dollars, then the tax incentives are the local property
25 tax exemption, the investment tax credit of up to eight
26 percent, the sales tax refund, and the additional research and
27 development tax credit.

28 *h.* The number of jobs is sixty-one but not more than
29 eighty and the amount of the qualifying investment is at least
30 five million dollars, then the tax incentives are the local
31 property tax exemption, the investment tax credit of up to nine
32 percent, the sales tax refund, and the additional research and
33 development tax credit.

34 *i.* The number of jobs is eighty-one but not more than one
35 hundred and the amount of the qualifying investment is at least

1 five million dollars, then the tax incentives are the local
2 property tax exemption, the investment tax credit of up to ten
3 percent, the sales tax refund, and the additional research and
4 development tax credit.

5 *j.* The number of jobs is at least one hundred one and the
6 amount of the qualifying investment is at least ten million
7 dollars, then the tax incentives are the local property
8 tax exemption, the investment tax credit of up to eleven
9 percent, the sales tax refund, and the additional research and
10 development tax credit.

11 Sec. _____. Section 15.335B, subsection 3, paragraph c, Code
12 2019, is amended to read as follows:

13 *c.* (1) Consider the amount and type of the local community
14 match. as follows:

15 (a) In a community with a population of less than five
16 thousand, a community match shall not be required.

17 (b) In a community with a population equal to or greater
18 than five thousand but less than fifteen thousand, a community
19 match of at least five percent of the projected funds to be
20 expended shall be required.

21 (c) In a community with a population equal to or greater
22 than fifteen thousand but less than thirty thousand, a
23 community match of at least ten percent of the projected funds
24 to be expended shall be required.

25 (d) In a community with a population equal to or greater
26 than thirty thousand, a community match of at least twenty
27 percent of the projected funds to be expended shall be
28 required.

29 (2) The Notwithstanding subparagraph (1), the authority may
30 provide assistance to an early-stage business in a high-growth
31 industry regardless of the amount of local match involved.

32 Sec. _____. Section 28H.3, Code 2019, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 5. Coordinate with the economic
35 development authority and other councils of government as

H-1248 (Continued)

1 provided in section 15.106F.>

2 2. Title page, line 2, by striking <and workforce housing>

3 and inserting <, workforce housing, and high quality jobs>

By GRASSLEY of Butler

H-1248 FILED APRIL 18, 2019

HOUSE FILE 774

H-1245

- 1 Amend the amendment, H-1241, to House File 774 as follows:
2 1. Page 2, line 29, by striking <thirty-four> and inserting
3 <fifty>
4 2. Page 2, line 31, by striking <sixty-six> and inserting
5 <fifty>

By KLEIN of Washington

H-1245 FILED APRIL 18, 2019

SENATE FILE 323

H-1250

- 1 Amend Senate File 323, as passed by the Senate, as follows:
- 2 1. Page 1, before line 1 by inserting:
- 3 <Section 1. Section 123.3, subsections 7 and 48, Code 2019,
- 4 are amended to read as follows:
- 5 7. "*Beer*" means any liquid, excluding wine, capable of
- 6 being used for beverage purposes made by the fermentation of
- 7 an infusion in potable water of barley, malt, and hops, with
- 8 or without unmalted grains or decorticated and degerminated
- 9 grains or made by the fermentation of or by distillation of
- 10 the fermented products of fruit, fruit extracts, or other
- 11 agricultural products, containing more than one-half of one
- 12 percent of alcohol by volume but not more than five percent of
- 13 alcohol by weight or six and twenty-five hundredths percent of
- 14 alcohol by volume but not including mixed drinks or cocktails
- 15 mixed on the premises.
- 16 48. "*Wine*" means any beverage containing more than five
- 17 one and one-half percent of alcohol by weight but not more
- 18 than seventeen percent of alcohol by weight or twenty-one and
- 19 twenty-five hundredths percent of alcohol by volume obtained
- 20 by the fermentation of the natural sugar contents of fruits
- 21 or other agricultural products but excluding any product
- 22 containing alcohol derived from malt or by the distillation
- 23 process from grain, cereal, molasses, or cactus.>
- 24 2. Title page, line 1, by striking <canned cocktails> and
- 25 inserting <alcoholic beverages>
- 26 3. By renumbering as necessary.

By LUNDGREN of Dubuque

H-1250 FILED APRIL 18, 2019

WITHDRAWN

SENATE FILE 447

H-1252

1 Amend Senate File 447, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, line 2, by striking <paragraph> and inserting
4 <paragraphs>

5 2. Page 1, line 3, by striking <A> and inserting <Except as
6 provided in paragraph "d", a>

7 3. Page 1, after line 6 by inserting:

8 <NEW PARAGRAPH. d. (1) The prohibition in paragraph "c"
9 shall not be construed to prevent a city from adopting or
10 enforcing a regulation, restriction, or other ordinance related
11 to residential property rental permit caps on single-family
12 homes or duplexes applicable to a historical site as defined in
13 section 303.2, subsection 2, paragraph "a", subparagraph (2).

14 (2) The prohibition in paragraph "c" shall not be construed
15 to prevent a city from adopting or enforcing a regulation,
16 restriction, or other ordinance related to residential property
17 rental permit caps applicable to a particular single-family
18 home or duplex if none of the following hardships apply:

19 (a) The property has been publicly listed for sale
20 for twelve consecutive months and received no offers from
21 prospective owner-occupants equal to or greater than the most
22 recent assessed value of the property.

23 (b) The property is contiguous only to properties with a
24 rental permit.

25 (c) The property will be occupied by one or more immediate
26 family members of the owner at all times.

27 (d) The owner's disability or age, or the disability or age
28 of a dependent of the owner, requires an immediate move to an
29 accessible dwelling.>

By MASCHER of Johnson

H-1252 FILED APRIL 18, 2019

SENATE AMENDMENT TO HOUSE AMENDMENT TO
TO SENATE FILE 567

H-1243

- 1 Amend the House amendment, S-3163, to Senate File 567, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. Page 1, line 19, by striking <crime> and inserting
4 <felony>
5 2. Page 2, line 2, by striking <crime> and inserting
6 <felony>
7 3. Page 2, line 20, by striking <crime> and inserting
8 <felony>
9 4. Page 3, line 3, by striking <crime> and inserting
10 <felony>
11 5. Page 3, line 21, by striking <crime> and inserting
12 <felony>
13 6. Page 4, line 4, by striking <crime> and inserting
14 <felony>
15 7. Page 5, line 6, by striking <crime> and inserting
16 <felony>

H-1243 FILED APRIL 18, 2019

SENATE FILE 572

H-1249

1 Amend Senate File 572, as passed by the Senate, as follows:

2 1. Page 1, by striking line 2 and inserting:

3 <CONTROLLED SUBSTANCES — IOWA PRESCRIPTION MONITORING PROGRAM
4 INFORMATION

5 Section 1. Section 124.201A, subsection 1, Code 2019, is
6 amended to read as follows:

7 1. If a cannabidiol or nabiximols investigational product
8 approved as a prescription drug medication by the United States
9 food and drug administration is eliminated from or revised in
10 the federal schedule of controlled substances by the federal
11 drug enforcement agency and notice of the elimination or
12 revision is given to the board, the board shall similarly
13 eliminate or revise the prescription drug medication in the
14 schedule of controlled substances under this chapter. Such
15 action by the board shall be immediately effective upon the
16 date of publication of the final regulation containing the
17 elimination or revision in the federal register.>

18 2. Page 1, by striking lines 5 through 16 and inserting:

19 <g. Including all schedule schedules II, III, and IV
20 ~~controlled substances, those substances in schedules III and IV~~
21 ~~that the advisory council and board determine can be addictive~~
22 ~~or fatal if not taken under the proper care and direction of a~~
23 ~~prescribing practitioner, and opioid antagonists.>~~

24 3. Page 5, after line 1 by inserting:

25 <DIVISION ____
26 PHARMACEUTICAL COLLECTION AND DISPOSAL PROGRAM

27 Sec. ____ . Section 155A.43, Code 2019, is amended to read as
28 follows:

29 **155A.43 Pharmaceutical collection and disposal program —**
30 **annual allocation.**

31 1. Of the fees collected by the board pursuant to sections
32 124.301 and 147.80 and this chapter, and retained by the board
33 pursuant to section 147.82, the board may annually allocate a
34 sum deemed by the board to be adequate for administering the
35 pharmaceutical collection and disposal program. The program

1 shall provide for the management and disposal of unused,
2 excess, and expired pharmaceuticals, including the management
3 and disposal of controlled substances pursuant to state and
4 federal regulations. The board may contract with one or more
5 vendors for the provision of supplies and services to manage
6 and maintain the program and to safely and appropriately
7 dispose of pharmaceuticals collected through the program.

8 2. Participation in a pharmaceutical collection and
9 disposal program shall be voluntary. No tax, fee, assessment,
10 or other charge shall be imposed for administering or
11 participating in a pharmaceutical collection and disposal
12 program.

13 DIVISION ____

14 PHARMACY PRACTICE

15 Sec. ____ . Section 155A.46, subsection 1, paragraph d, Code
16 2019, is amended to read as follows:

17 *d.* Prior to the ordering and administration of a
18 ~~vaccination or~~ an immunization or vaccination authorized by
19 this subsection, pursuant to statewide protocols, a licensed
20 pharmacist shall consult and review the statewide immunization
21 registry or health information network, except for influenza
22 immunizations or vaccinations and other emergency immunizations
23 or vaccinations administered to persons eighteen years of age
24 or older in response to a public health emergency. The board
25 shall adopt rules requiring the reporting of the administration
26 of ~~vaccines and immunizations and vaccinations~~ authorized by
27 this subsection to a patient's primary health care provider,
28 primary physician, and a statewide immunization registry or
29 health information network.

30 Sec. ____ . 2018 Iowa Acts, chapter 1142, section 8, is
31 amended to read as follows:

32 SEC. 8. FUTURE REPEAL. Section 155A.44, Code 2018, is
33 repealed effective July 1, ~~2019~~ 2020.

34 4. Title page, line 1, after <substances> by inserting <and
35 pharmacy practice>

H-1249 (Continued)

By JENEARY of Plymouth

H-1249 FILED APRIL 18, 2019

SENATE FILE 608

H-1256

1 Amend Senate File 608, as amended, passed, and reprinted by
2 the Senate, as follows:

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

5 <Section 1. DEPARTMENT OF CULTURAL AFFAIRS.

6 1. There is appropriated from the general fund of the state
7 to the department of cultural affairs for the fiscal year
8 beginning July 1, 2019, and ending June 30, 2020, the following
9 amounts, or so much thereof as is necessary, to be used for the
10 purposes designated:

11 a. ADMINISTRATION

12 For salaries, support, maintenance, and miscellaneous
13 purposes, and for not more than the following full-time
14 equivalent positions for the department:

15	\$	168,637
16	FTEs	55.22

17 The department of cultural affairs shall coordinate
18 activities with the tourism office of the economic development
19 authority to promote attendance at the state historical
20 building and at this state's historic sites.

21 Full-time equivalent positions authorized under this
22 paragraph are funded, in full or in part, using moneys
23 appropriated under this paragraph and paragraphs "c" through
24 "g".

25 b. COMMUNITY CULTURAL GRANTS

26 For planning and programming for the community cultural
27 grants program established under section 303.3:

28	\$	180,462
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29 c. HISTORICAL DIVISION

30 For the support of the historical division:

31	\$	3,250,000
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32 d. HISTORIC SITES

33 For the administration and support of historic sites:

34	\$	450,000
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35 e. ARTS DIVISION

1 For the support of the arts division:
2 \$ 1,317,188

3 Of the moneys appropriated in this paragraph, the department
4 shall allocate \$300,000 for purposes of the film office.

5 f. IOWA GREAT PLACES

6 For the Iowa great places program established under section
7 303.3C:

8 \$ 150,000

9 g. RECORDS CENTER RENT

10 For payment of rent for the state records center:

11 \$ 227,243

12 h. CULTURAL TRUST GRANTS

13 For grant programs administered by the Iowa arts
14 council including those programs supporting the long-term
15 financial stability and sustainability of nonprofit cultural
16 organizations:

17 \$ 150,000

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

23 Sec. 2. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT.

24 1. For the fiscal year beginning July 1, 2019, the goals
25 for the economic development authority shall be to expand and
26 stimulate the state economy, increase the wealth of Iowans, and
27 increase the population of the state.

28 2. To achieve the goals in subsection 1, the economic
29 development authority shall do all of the following for the
30 fiscal year beginning July 1, 2019:

31 a. Concentrate its efforts on programs and activities that
32 result in commercially viable products and services.

33 b. Adopt practices and services consistent with free
34 market, private sector philosophies.

35 c. Ensure economic growth and development throughout the

1 state.

2 d. Work with businesses and communities to continually
3 improve the economic development climate along with the
4 economic well-being and quality of life for Iowans.

5 e. Coordinate with other state agencies to ensure that they
6 are attentive to the needs of an entrepreneurial culture.

7 f. Establish a strong and aggressive marketing image to
8 showcase Iowa's workforce, existing industry, and potential.
9 A priority shall be placed on recruiting new businesses,
10 business expansion, and retaining existing Iowa businesses.
11 Emphasis shall be placed on entrepreneurial development through
12 helping entrepreneurs secure capital, and developing networks
13 and a business climate conducive to entrepreneurs and small
14 businesses.

15 g. Encourage the development of communities and quality of
16 life to foster economic growth.

17 h. Prepare communities for future growth and development
18 through development, expansion, and modernization of
19 infrastructure.

20 i. Develop public-private partnerships with Iowa businesses
21 in the tourism industry, Iowa tour groups, Iowa tourism
22 organizations, and political subdivisions in this state to
23 assist in the development of advertising efforts.

24 j. Develop, to the fullest extent possible, cooperative
25 efforts for advertising with contributions from other sources.

26 Sec. 3. ECONOMIC DEVELOPMENT AUTHORITY.

27 1. APPROPRIATION

28 a. There is appropriated from the general fund of the state
29 to the economic development authority for the fiscal year
30 beginning July 1, 2019, and ending June 30, 2020, the following
31 amount, or so much thereof as is necessary, to be used for the
32 purposes designated in this subsection, and for not more than
33 the following full-time equivalent positions:

34	\$ 13,413,379
35	FTEs 126.45

1 b. (1) For salaries, support, miscellaneous purposes,
2 programs, marketing, and the maintenance of an administration
3 division, a business development division, a community
4 development division, a small business development division,
5 and other divisions the authority may organize.

6 (2) The full-time equivalent positions authorized under
7 this section are funded, in whole or in part, by the moneys
8 appropriated under this subsection or by other moneys received
9 by the authority, including certain federal moneys.

10 (3) For business development operations and programs,
11 international trade, export assistance, workforce recruitment,
12 and the partner state program.

13 (4) For transfer to a fund created pursuant to section
14 15.313 for purposes of financing strategic infrastructure
15 projects.

16 (5) For community economic development programs, tourism
17 operations, community assistance, plans for Iowa green corps
18 and summer youth programs, the mainstreet and rural mainstreet
19 programs, the school-to-career program, the community
20 development block grant, and housing and shelter-related
21 programs.

22 (6) For achieving the goals and accountability, and
23 fulfilling the requirements and duties required under this Act.

24 c. Notwithstanding section 8.33, moneys appropriated in
25 this subsection that remain unencumbered or unobligated at the
26 close of the fiscal year shall not revert but shall remain
27 available for expenditure for the purposes designated in this
28 subsection until the close of the succeeding fiscal year.

29 2. FINANCIAL ASSISTANCE RESTRICTIONS

30 a. A business creating jobs through moneys appropriated in
31 subsection 1 shall be subject to contract provisions requiring
32 new and retained jobs to be filled by individuals who are
33 citizens of the United States who reside within the United
34 States or any person authorized to work in the United States
35 pursuant to federal law, including legal resident aliens in the

1 United States.

2 b. Any vendor who receives moneys appropriated in
3 subsection 1 shall adhere to such contract provisions and
4 provide periodic assurances as the state shall require that the
5 jobs are filled solely by citizens of the United States who
6 reside within the United States or any person authorized to
7 work in the United States pursuant to federal law, including
8 legal resident aliens in the United States.

9 c. A business that receives financial assistance from
10 the authority from moneys appropriated in subsection 1 shall
11 only employ individuals legally authorized to work in this
12 state. In addition to all other applicable penalties provided
13 by current law, all or a portion of the assistance received
14 by a business which is found to knowingly employ individuals
15 not legally authorized to work in this state is subject to
16 recapture by the authority.

17 3. USES OF APPROPRIATIONS

18 a. From the moneys appropriated in subsection 1, the
19 authority may provide financial assistance in the form of a
20 grant to a community economic development entity for conducting
21 a local workforce recruitment effort designed to recruit former
22 citizens of the state and former students at colleges and
23 universities in the state to meet the needs of local employers.

24 b. From the moneys appropriated in subsection 1, the
25 authority may provide financial assistance to early stage
26 industry companies being established by women entrepreneurs.

27 c. From the moneys appropriated in subsection 1, the
28 authority may provide financial assistance in the form of
29 grants, loans, or forgivable loans for advanced research and
30 commercialization projects involving value-added agriculture,
31 advanced technology, or biotechnology.

32 d. The authority shall not use any moneys appropriated in
33 subsection 1 for purposes of providing financial assistance for
34 the Iowa green streets pilot project or for any other program
35 or project that involves the installation of geothermal systems

1 for melting snow and ice from streets or sidewalks.

2 4. WORLD FOOD PRIZE

3 There is appropriated from the general fund of the state
4 to the economic development authority for the fiscal year
5 beginning July 1, 2019, and ending June 30, 2020, the following
6 amount for the world food prize and in lieu of the standing
7 appropriation in section 15.368:

8 \$ 300,000

9 5. IOWA COMMISSION ON VOLUNTEER SERVICE

10 There is appropriated from the general fund of the state
11 to the economic development authority for the fiscal year
12 beginning July 1, 2019, and ending June 30, 2020, the following
13 amount for allocation to the Iowa commission on volunteer
14 service for purposes of the Iowa state commission grant
15 program, the Iowa's promise and Iowa mentoring partnership
16 programs, and for not more than the following full-time
17 equivalent positions:

18 \$ 168,201

19 FTEs 8.00

20 Of the moneys appropriated in this subsection, the
21 authority shall allocate \$75,000 for purposes of the Iowa state
22 commission grant program and \$93,201 for purposes of the Iowa's
23 promise and Iowa mentoring partnership programs.

24 Notwithstanding section 8.33, moneys appropriated in this
25 subsection that remain unencumbered or unobligated at the close
26 of the fiscal year shall not revert but shall remain available
27 for expenditure for the purposes designated until the close of
28 the succeeding fiscal year.

29 6. COUNCILS OF GOVERNMENTS — ASSISTANCE

30 There is appropriated from the general fund of the state
31 to the economic development authority for the fiscal year
32 beginning July 1, 2019, and ending June 30, 2020, the following
33 amount to be used for the purposes of providing financial
34 assistance to Iowa's councils of governments:

35 \$ 300,000

1 7. REGISTERED APPRENTICESHIP PROGRAM

2 There is appropriated from the general fund of the
3 state to the economic development authority for the fiscal
4 year beginning July 1, 2019, and ending June 30, 2020, the
5 following amount to be used for the funding of a registered
6 apprenticeship development program designed to encourage
7 small to midsize businesses to start or grow registered
8 apprenticeships:

9 \$ 1,000,000

10 8. SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS
11 INTERNSHIPS

12 a. There is appropriated from the Iowa skilled worker and
13 job creation fund created in section 8.75 to the Iowa economic
14 development authority for the fiscal year beginning July 1,
15 2019, and ending June 30, 2020, the following amount, or so
16 much thereof as is necessary, for the purposes designated:

17 For the funding of internships for students studying in the
18 fields of science, technology, engineering, and mathematics
19 with eligible Iowa employers as provided in section 15.411,
20 subsection 3, paragraph "c":

21 \$ 1,000,000

22 b. No more than 3 percent of the moneys appropriated in this
23 subsection may be used by the authority for costs associated
24 with administration of the internship program.

25 c. Notwithstanding section 8.33, moneys appropriated in
26 this subsection which remain unencumbered or unobligated at
27 the end of the fiscal year shall not revert but shall remain
28 available for expenditure for the purposes designated in
29 subsequent fiscal years.

30 9. FUTURE READY IOWA — VOLUNTEER MENTORING PROGRAM

31 a. There is appropriated from the Iowa skilled worker and
32 job creation fund created in section 8.75 to the economic
33 development authority for the fiscal year beginning July 1,
34 2019, and ending June 30, 2020, the following amount, or so
35 much thereof as is necessary, for the purpose designated:

1 For allocation to the Iowa commission on volunteer services
2 to be used for establishing a volunteer mentor program to
3 support implementation of the future ready Iowa skilled
4 workforce last-dollar scholarship program in section 261.131
5 and the future ready Iowa skilled workforce grant program
6 created in section 261.132:

7 \$ 400,000

8 b. Notwithstanding section 8.33, moneys appropriated in
9 this subsection which remain unencumbered or unobligated at
10 the end of the fiscal year shall not revert but shall remain
11 available for expenditure for the purposes designated until the
12 close of the succeeding fiscal year.

13 10. EMPOWER RURAL IOWA — HOUSING NEEDS ASSESSMENT GRANT
14 PROGRAM

15 a. There is appropriated from the Iowa skilled worker and
16 job creation fund created in section 8.75 to the economic
17 development authority for the fiscal year beginning July 1,
18 2019, and ending June 30, 2020, the following amount, or so
19 much thereof as is necessary, for the purpose designated:

20 To be distributed by the executive committee of the
21 governor's empower rural Iowa initiative at the recommendation
22 of the investing in rural Iowa task force for establishing
23 a housing needs assessment grant program to provide small
24 communities with hard data and housing-related information
25 specific to the community being analyzed:

26 \$ 100,000

27 b. Notwithstanding section 8.33, moneys appropriated in
28 this subsection which remain unencumbered or unobligated at
29 the end of the fiscal year shall not revert but shall remain
30 available for expenditure for the purposes designated until the
31 close of the succeeding fiscal year.

32 11. EMPOWER RURAL IOWA — RURAL INNOVATION GRANTS

33 a. There is appropriated from the Iowa skilled worker and
34 job creation fund created in section 8.75 to the economic
35 development authority for the fiscal year beginning July 1,

1 2019, and ending June 30, 2020, the following amount, or so
2 much thereof as is necessary, for the purpose designated:

3 To be distributed by the executive committee of the
4 governor's empower rural Iowa initiative at the recommendation
5 of each of the three empower rural Iowa task forces for
6 supporting innovative rural projects:

7 \$ 300,000

8 b. Notwithstanding section 8.33, moneys appropriated in
9 this subsection which remain unencumbered or unobligated at
10 the end of the fiscal year shall not revert but shall remain
11 available for expenditure for the purposes designated until the
12 close of the succeeding fiscal year.

13 Sec. 4. LIMITATIONS OF STANDING APPROPRIATIONS — FY
14 2019-2020. Notwithstanding the standing appropriations
15 in the following designated sections for the fiscal year
16 beginning July 1, 2019, and ending June 30, 2020, the amounts
17 appropriated from the general fund of the state pursuant to
18 these sections for the following purposes shall not exceed the
19 following amounts:

20 1. For operational support grants and community cultural
21 grants under section 99F.11, subsection 3, paragraph "d",
22 subparagraph (1):

23 \$ 448,403

24 2. For the purposes of regional tourism marketing under
25 section 99F.11, subsection 3, paragraph "d", subparagraph (2):

26 \$ 900,000

27 Sec. 5. FINANCIAL ASSISTANCE REPORTING — ECONOMIC
28 DEVELOPMENT AUTHORITY. The economic development authority and
29 the department of revenue shall submit a joint annual report
30 to the general assembly no later than November 1, 2019, that
31 details the amount of every direct loan, forgivable loan,
32 tax credit, tax exemption, tax refund, grant, or any other
33 financial assistance awarded to a person during the prior
34 fiscal year by the authority under an economic development
35 program administered by the authority. The report shall

1 identify the county where the project associated with each such
2 award is located.

3 Sec. 6. INSURANCE ECONOMIC DEVELOPMENT. From the
4 moneys collected by the insurance division in excess of the
5 anticipated gross revenues under section 505.7, subsection
6 3, during the fiscal year beginning July 1, 2019, \$100,000
7 shall be transferred to the economic development authority for
8 insurance economic development and international insurance
9 economic development.

10 Sec. 7. IOWA FINANCE AUTHORITY.

11 1. There is appropriated from the general fund of the state
12 to the Iowa finance authority for the fiscal year beginning
13 July 1, 2019, and ending June 30, 2020, the following amount,
14 or so much thereof as is necessary, to be used to provide
15 reimbursement for rent expenses to eligible persons under
16 the home and community-based services rent subsidy program
17 established in section 16.55:

18 \$ 658,000

19 2. Of the moneys appropriated in this section, not more than
20 \$35,000 may be used for administrative costs.

21 Sec. 8. IOWA FINANCE AUTHORITY AUDIT. The auditor of state
22 is requested to review the audit of the Iowa finance authority
23 performed by the auditor hired by the authority.

24 Sec. 9. PUBLIC EMPLOYMENT RELATIONS BOARD.

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

30 For salaries, support, maintenance, and miscellaneous
31 purposes, and for not more than the following full-time
32 equivalent positions:

33 \$ 1,492,452

34 FTEs 11.00

35 2. Of the moneys appropriated in this section, the board

1 shall allocate \$15,000 for maintaining an internet site that
2 allows searchable access to a database of collective bargaining
3 information.

4 Sec. 10. DEPARTMENT OF WORKFORCE DEVELOPMENT. There
5 is appropriated from the general fund of the state to the
6 department of workforce development for the fiscal year
7 beginning July 1, 2019, and ending June 30, 2020, the following
8 amounts, or so much thereof as is necessary, for the purposes
9 designated:

10 1. DIVISION OF LABOR SERVICES

11 a. For the division of labor services, including salaries,
12 support, maintenance, and miscellaneous purposes, and for not
13 more than the following full-time equivalent positions:

14 \$ 3,491,252
15 FTEs 58.10

16 b. From the contractor registration fees, the division of
17 labor services shall reimburse the department of inspections
18 and appeals for all costs associated with hearings under
19 chapter 91C, relating to contractor registration.

20 2. DIVISION OF WORKERS' COMPENSATION

21 a. For the division of workers' compensation, including
22 salaries, support, maintenance, and miscellaneous purposes, and
23 for not more than the following full-time equivalent positions:

24 \$ 3,321,044
25 FTEs 26.10

26 b. The division of workers' compensation shall charge a
27 \$100 filing fee for workers' compensation cases. The filing
28 fee shall be paid by the petitioner of a claim. However, the
29 fee can be taxed as a cost and paid by the losing party, except
30 in cases where it would impose an undue hardship or be unjust
31 under the circumstances. The moneys generated by the filing
32 fee allowed under this subsection are appropriated to the
33 department of workforce development to be used for purposes of
34 administering the division of workers' compensation.

35 3. WORKFORCE DEVELOPMENT OPERATIONS

1 a. For the operation of field offices, the workforce
2 development board, and for not more than the following
3 full-time equivalent positions:

4 \$ 7,925,650
5 FTEs 185.92

6 b. Of the moneys appropriated in paragraph "a" of this
7 subsection, the department shall allocate \$150,000 to the state
8 library for the purpose of licensing an online resource which
9 prepares persons to succeed in the workplace through programs
10 which improve job skills and vocational test-taking abilities.

11 4. OFFENDER REENTRY PROGRAM

12 a. For the development and administration of an offender
13 reentry program to provide offenders with employment skills,
14 and for not more than the following full-time equivalent
15 positions:

16 \$ 387,158
17 FTEs 5.00

18 b. The department of workforce development shall partner
19 with the department of corrections to provide staff within the
20 correctional facilities to improve offenders' abilities to find
21 and retain productive employment.

22 5. INTEGRATED INFORMATION FOR IOWA SYSTEM

23 For the payment of services provided by the department of
24 administrative services related to the integrated information
25 for Iowa system:

26 \$ 228,822

27 6. SUMMER YOUTH INTERN PILOT PROGRAM

28 For the funding of a summer youth intern pilot program that
29 will help young people at risk of not graduating from high
30 school to explore and prepare for high-demand careers through
31 summer work experience, including the development of soft
32 skills:

33 \$ 250,000

34 7. FUTURE READY IOWA COORDINATOR

35 For the funding of a future ready Iowa coordinator in the

1 department, and for not more than the following full-time
2 equivalent positions:

3	\$	150,000
4	FTEs	0.50

5 8. NONREVERSION

6 Notwithstanding section 8.33, moneys appropriated in this
7 section that remain unencumbered or unobligated at the close of
8 the fiscal year shall not revert but shall remain available for
9 expenditure for the purposes designated until the close of the
10 succeeding fiscal year.

11 Sec. 11. GENERAL FUND — EMPLOYEE MISCLASSIFICATION

12 PROGRAM. There is appropriated from the general fund of the
13 state to the department of workforce development for the fiscal
14 year beginning July 1, 2019, and ending June 30, 2020, the
15 following amount, or so much thereof as is necessary, to be
16 used for the purposes designated:

17 For enhancing efforts to investigate employers that
18 misclassify workers and for not more than the following
19 full-time equivalent positions:

20	\$	379,631
21	FTEs	5.50

22 Sec. 12. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.

23 1. There is appropriated from the special employment
24 security contingency fund to the department of workforce
25 development for the fiscal year beginning July 1, 2019, and
26 ending June 30, 2020, the following amount, or so much thereof
27 as is necessary, to be used for field offices:

28	\$	1,766,084
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29 2. Any remaining additional penalty and interest revenue
30 collected by the department of workforce development is
31 appropriated to the department for the fiscal year beginning
32 July 1, 2019, and ending June 30, 2020, to accomplish the
33 mission of the department.

34 Sec. 13. FUTURE READY IOWA — IOWA EMPLOYER INNOVATION FUND.

35 1. There is appropriated from the Iowa skilled worker and

1 job creation fund created in section 8.75 to the department
2 of workforce development for the fiscal year beginning July
3 1, 2019, and ending June 30, 2020, the following amount, or
4 so much thereof as is necessary, to be used for the purposes
5 designated:

6 In consultation with the workforce development board, for
7 funding of the Iowa employer innovation program which shall
8 match eligible employer moneys to expand opportunities for
9 education and training leading to high-demand jobs and to
10 encourage Iowa employers, community leaders, and others to
11 provide leadership and support for regional workforce talent
12 pools throughout the state, and for future ready Iowa education
13 and outreach:

14 \$ 1,200,000

15 2. Notwithstanding section 8.33, moneys appropriated in
16 this section which remain unencumbered or unobligated at the
17 end of the fiscal year shall not revert but shall remain
18 available for expenditure for the purposes designated until the
19 close of the succeeding fiscal year.

20 Sec. 14. UNEMPLOYMENT COMPENSATION RESERVE FUND —
21 FIELD OFFICES. Notwithstanding section 96.9, subsection 8,
22 paragraph "e", there is appropriated from interest earned on
23 the unemployment compensation reserve fund to the department
24 of workforce development for the fiscal year beginning July 1,
25 2019, and ending June 30, 2020, the following amount, or so
26 much thereof as is necessary, for the purposes designated:

27 For the operation of field offices:

28 \$ 1,600,000

29 Sec. 15. VIRTUAL ACCESS WORKFORCE DEVELOPMENT OFFICES. The
30 department of workforce development shall require a unique
31 identification login for all users of workforce development
32 centers operated through electronic means.

33 Sec. 16. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding
34 section 96.9, subsection 4, paragraph "a", moneys credited to
35 the state by the secretary of the treasury of the United

1 States pursuant to section 903 of the Social Security
2 Act are appropriated to the department of workforce
3 development and shall be used by the department for the
4 administration of the unemployment compensation program only.
5 This appropriation shall not apply to any fiscal year
6 beginning after December 31, 2019.

7 Sec. 17. IOWA SKILLED WORKER AND JOB CREATION FUND.

8 1. There is appropriated from the Iowa skilled worker and
9 job creation fund created in section 8.75 to the following
10 departments, agencies, and institutions for the fiscal year
11 beginning July 1, 2019, and ending June 30, 2020, the following
12 amounts, or so much thereof as is necessary, to be used for the
13 purposes designated:

14 a. ECONOMIC DEVELOPMENT AUTHORITY

15 (1) For the purposes of providing assistance under the high
16 quality jobs program as described in section 15.335B:

17 \$ 11,650,000

18 (2) From the moneys appropriated in this lettered paragraph
19 "a", the economic development authority may use not more than
20 \$1,000,000 for purposes of providing infrastructure grants to
21 mainstreet communities under the main street Iowa program.

22 (3) As a condition of receiving moneys appropriated in
23 this lettered paragraph "a", an entity shall testify upon the
24 request of the joint appropriations subcommittee on economic
25 development regarding the expenditure of such moneys.

26 b. STATE BOARD OF REGENTS AND REGENTS INSTITUTIONS

27 (1) STATE BOARD OF REGENTS. For capacity building
28 infrastructure in areas related to technology
29 commercialization, marketing and business development
30 efforts in areas related to technology commercialization,
31 entrepreneurship, and business growth, and infrastructure
32 projects and programs needed to assist in implementation of
33 activities under chapter 262B:

34 \$ 3,000,000

35 (a) Of the moneys appropriated pursuant to this

1 subparagraph (1), 35 percent shall be allocated for Iowa state
2 university of science and technology, 35 percent shall be
3 allocated for the state university of Iowa, and 30 percent
4 shall be allocated for the university of northern Iowa.

5 (b) The institutions shall provide a one-to-one match
6 of additional moneys for the activities funded with moneys
7 appropriated under this subparagraph (1).

8 (c) The state board of regents shall submit a report by
9 January 15, 2020, to the governor, the general assembly, and
10 the legislative services agency regarding the activities,
11 projects, and programs funded with moneys appropriated under
12 this subparagraph (1). The report shall be provided in an
13 electronic format and shall include a list of metrics and
14 criteria mutually agreed to in advance by the board of regents
15 and the economic development authority. The metrics and
16 criteria shall allow the governor's office and the general
17 assembly to quantify and evaluate the progress of the board of
18 regents institutions with regard to their activities, projects,
19 and programs in the areas of technology commercialization,
20 entrepreneurship, regional development, and market research.

21 (2) IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY. For
22 small business development centers, the science and technology
23 research park, and the center for industrial research and
24 service, and for not more than the following full-time
25 equivalent positions:

26	\$	2,424,302
27	FTEs	56.63

28 (a) Of the moneys appropriated in this subparagraph (2),
29 Iowa state university of science and technology shall allocate
30 at least \$735,728 for purposes of funding small business
31 development centers. Iowa state university of science and
32 technology may allocate the appropriated moneys to the various
33 small business development centers in any manner necessary to
34 achieve the purposes of this subparagraph.

35 (b) Iowa state university of science and technology shall

1 do all of the following:

2 (i) Direct expenditures for research toward projects that
3 will provide economic stimulus for Iowa.

4 (ii) Provide emphasis to providing services to Iowa-based
5 companies.

6 (c) It is the intent of the general assembly that the
7 industrial incentive program focus on Iowa industrial sectors
8 and seek contributions and in-kind donations from businesses,
9 industrial foundations, and trade associations, and that moneys
10 for the center for industrial research and service industrial
11 incentive program shall be allocated only for projects which
12 are matched by private sector moneys for directed contract
13 research or for nondirected research. The match required of
14 small businesses as defined in section 15.102, subsection 8,
15 for directed contract research or for nondirected research
16 shall be \$1 for each \$3 of state funds. The match required
17 for other businesses for directed contract research or
18 for nondirected research shall be \$1 for each \$1 of state
19 funds. The match required of industrial foundations or trade
20 associations shall be \$1 for each \$1 of state funds.

21 Iowa state university of science and technology shall
22 report annually to the joint appropriations subcommittee on
23 economic development and the legislative services agency the
24 total amount of private contributions, the proportion of
25 contributions from small businesses and other businesses, and
26 the proportion for directed contract research and nondirected
27 research of benefit to Iowa businesses and industrial sectors.

28 (3) STATE UNIVERSITY OF IOWA. For the state university
29 of Iowa research park and for the advanced drug development
30 program at the Oakdale research park, including salaries,
31 support, maintenance, equipment, and miscellaneous purposes,
32 and for not more than the following full-time equivalent
33 positions:

34	\$	209,279
35	FTEs	6.00

1 The state university of Iowa shall do all of the following:

2 (a) Direct expenditures for research toward projects that
3 will provide economic stimulus for Iowa.

4 (b) Provide emphasis to providing services to Iowa-based
5 companies.

6 (4) STATE UNIVERSITY OF IOWA. For the purpose of
7 implementing the entrepreneurship and economic growth
8 initiative, and for not more than the following full-time
9 equivalent positions:

10	\$	2,000,000
11	FTEs	5.28

12 (5) UNIVERSITY OF NORTHERN IOWA. For the metal casting
13 center, the MyEntreNet internet application, and the institute
14 for decision making, including salaries, support, maintenance,
15 and miscellaneous purposes, and for not more than the following
16 full-time equivalent positions:

17	\$	1,066,419
18	FTEs	8.12

19 (a) Of the moneys appropriated pursuant to this
20 subparagraph (5), the university of northern Iowa shall
21 allocate at least \$617,638 for purposes of support of
22 entrepreneurs through the university's center for business
23 growth and innovation and advance Iowa program.

24 (b) The university of northern Iowa shall do all of the
25 following:

26 (i) Direct expenditures for research toward projects that
27 will provide economic stimulus for Iowa.

28 (ii) Provide emphasis to providing services to Iowa-based
29 companies.

30 (6) As a condition of receiving moneys appropriated in
31 this lettered paragraph "b", an entity shall testify upon the
32 request of the joint appropriations subcommittee on economic
33 development regarding the expenditure of such moneys.

34 c. DEPARTMENT OF WORKFORCE DEVELOPMENT

35 To develop a long-term sustained program to train unemployed

1 and underemployed central Iowans with skills necessary to
2 advance to higher-paying jobs with full benefits:

3 \$ 100,000

4 (1) The department of workforce development shall begin
5 a request for proposals process, issued for purposes of this
6 lettered paragraph "c", no later than September 1, 2019.

7 (2) As a condition of receiving moneys appropriated under
8 this lettered paragraph "c", an entity shall testify upon the
9 request of the joint appropriations subcommittee on economic
10 development regarding the expenditure of such moneys.

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

16 Sec. 18. GENERAL FUND — UNIVERSITY OF NORTHERN IOWA. There
17 is appropriated from the general fund of the state to the
18 university of northern Iowa for the fiscal year beginning July
19 1, 2019, and ending June 30, 2020, the following amount, or
20 so much thereof as is necessary, to be used for equipment and
21 technology to expand the university's additive manufacturing
22 capabilities related to investment castings technology
23 and industry support, including salaries, support, and
24 miscellaneous purposes, and for not more than the following
25 full-time equivalent positions:

26 \$ 400,000

27 FTEs 4.00

28 The university of northern Iowa shall make a good faith
29 effort to coordinate with private entities to seek funds to
30 supplement this appropriation to support the expansion of the
31 university's additive manufacturing capabilities.>

By COMMITTEE ON APPROPRIATIONS
GRASSLEY of Butler, Chairperson

H-1256 (Continued)

H-1256 FILED APRIL 18, 2019

SENATE FILE 615

H-1255

1 Amend Senate File 615, as amended, passed, and reprinted by
2 the Senate, as follows:

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

5 <DIVISION I
6 FY 2019-2020
7 APPROPRIATIONS

8 Section 1. DEPARTMENT OF JUSTICE.

9 1. There is appropriated from the general fund of the state
10 to the department of justice for the fiscal year beginning July
11 1, 2019, and ending June 30, 2020, the following amounts, or
12 so much thereof as is necessary, to be used for the purposes
13 designated:

14 a. For the general office of attorney general for salaries,
15 support, maintenance, and miscellaneous purposes, including
16 the prosecuting attorneys training program, matching funds
17 for federal violence against women grant programs, victim
18 assistance grants, office of drug control policy prosecuting
19 attorney program, and odometer fraud enforcement, and for not
20 more than the following full-time equivalent positions:

21 \$ 5,989,473
22 FTEs 215.00

23 As a condition of receiving the appropriation provided
24 in this lettered paragraph, the department of justice shall
25 maintain a record of the estimated time incurred representing
26 each agency or department.

27 The general office of attorney general may temporarily
28 exceed and draw more than the amount appropriated in this
29 lettered paragraph and incur a negative cash balance as long
30 as there are receivables equal to or greater than the negative
31 balances and the amount appropriated in this paragraph is not
32 exceeded at the close of the fiscal year.

33 b. For victim assistance grants:

34 \$ 5,016,708

35 The moneys appropriated in this lettered paragraph shall be

1 used to provide grants to care providers providing services to
2 crime victims of domestic abuse or to crime victims of rape and
3 sexual assault.

4 The balance of the victim compensation fund established
5 in section 915.94 may be used to provide salary and support
6 of not more than 24.00 full-time equivalent positions and to
7 provide maintenance for the victim compensation functions
8 of the department of justice. In addition to the full-time
9 equivalent positions authorized pursuant to this paragraph,
10 5.00 full-time equivalent positions are authorized and shall
11 be used by the department of justice to employ one accountant
12 and four program planners. The department of justice may
13 employ the additional 5.00 full-time equivalent positions
14 authorized pursuant to this paragraph that are in excess of the
15 number of full-time equivalent positions authorized only if
16 the department of justice receives sufficient federal moneys
17 to maintain employment for the additional full-time equivalent
18 positions during the current fiscal year. The department
19 of justice shall only employ the additional 5.00 full-time
20 equivalent positions in succeeding fiscal years if sufficient
21 federal moneys are received during each of those succeeding
22 fiscal years.

23 The department of justice shall transfer at least \$150,000
24 from the victim compensation fund established in section 915.94
25 to the victim assistance grant program.

26 Notwithstanding section 8.33, moneys appropriated in this
27 paragraph "b" that remain unencumbered or unobligated at the
28 close of the fiscal year shall not revert but shall remain
29 available for expenditure for the purposes designated until the
30 close of the succeeding fiscal year.

31 c. For legal services for persons in poverty grants as
32 provided in section 13.34:

33 \$ 2,634,601

34 2. a. The department of justice, in submitting budget
35 estimates for the fiscal year commencing July 1, 2020, pursuant

1 to section 8.23, shall include a report of funding from sources
2 other than amounts appropriated directly from the general fund
3 of the state to the department of justice or to the office of
4 consumer advocate. These funding sources shall include but
5 are not limited to reimbursements from other state agencies,
6 commissions, boards, or similar entities, and reimbursements
7 from special funds or internal accounts within the department
8 of justice. The department of justice shall also report actual
9 reimbursements for the fiscal year commencing July 1, 2018,
10 and actual and expected reimbursements for the fiscal year
11 commencing July 1, 2019.

12 b. The department of justice shall include the report
13 required under paragraph "a", as well as information regarding
14 any revisions occurring as a result of reimbursements actually
15 received or expected at a later date, in a report to the
16 co-chairpersons and ranking members of the joint appropriations
17 subcommittee on the justice system and the legislative services
18 agency. The department of justice shall submit the report on
19 or before January 15, 2020.

20 3. a. The department of justice shall fully reimburse
21 the costs and necessary related expenses incurred by the Iowa
22 law enforcement academy to continue to employ one additional
23 instructor position who shall provide training for human
24 trafficking-related issues throughout the state.

25 b. The department of justice shall obtain the moneys
26 necessary to reimburse the Iowa law enforcement academy to
27 employ such an instructor from unrestricted moneys from either
28 the victim compensation fund established in section 915.94, the
29 human trafficking victim fund established in section 915.95, or
30 the human trafficking enforcement fund established in 2015 Iowa
31 Acts, chapter 138, section 141.

32 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
33 from the department of commerce revolving fund created in
34 section 546.12 to the office of consumer advocate of the
35 department of justice for the fiscal year beginning July 1,

H-1255 (Continued)

1 2019, and ending June 30, 2020, the following amount, or so
2 much thereof as is necessary, to be used for the purposes
3 designated:

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

7 \$ 3,137,588
8 FTEs 22.00

9 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

10 1. There is appropriated from the general fund of the state
11 to the department of corrections for the fiscal year beginning
12 July 1, 2019, and ending June 30, 2020, the following amounts,
13 or so much thereof as is necessary, to be used for the purposes
14 designated:

15 a. For the operation of the Fort Madison correctional
16 facility, including salaries, support, maintenance, and
17 miscellaneous purposes:

18 \$ 41,213,841

19 b. For the operation of the Anamosa correctional facility,
20 including salaries, support, maintenance, and miscellaneous
21 purposes:

22 \$ 32,414,148

23 c. For the operation of the Oakdale correctional facility,
24 including salaries, support, maintenance, and miscellaneous
25 purposes:

26 \$ 61,812,427

27 d. For the operation of the Newton correctional facility,
28 including salaries, support, maintenance, and miscellaneous
29 purposes:

30 \$ 28,327,158

31 e. For the operation of the Mount Pleasant correctional
32 facility, including salaries, support, maintenance, and
33 miscellaneous purposes:

34 \$ 25,676,413

35 f. For the operation of the Rockwell City correctional

1 facility, including salaries, support, maintenance, and
2 miscellaneous purposes:

3 \$ 10,521,861

4 g. For the operation of the Clarinda correctional facility,
5 including salaries, support, maintenance, and miscellaneous
6 purposes:

7 \$ 24,847,950

8 Moneys received by the department of corrections as
9 reimbursement for services provided to the Clarinda youth
10 corporation are appropriated to the department and shall be
11 used for the purpose of operating the Clarinda correctional
12 facility.

13 h. For the operation of the Mitchellville correctional
14 facility, including salaries, support, maintenance, and
15 miscellaneous purposes:

16 \$ 23,294,090

17 i. For the operation of the Fort Dodge correctional
18 facility, including salaries, support, maintenance, and
19 miscellaneous purposes:

20 \$ 30,067,231

21 j. For reimbursement of counties for temporary confinement
22 of prisoners, as provided in sections 901.7, 904.908, and
23 906.17, and for offenders confined pursuant to section 904.513:

24 \$ 1,082,635

25 k. For federal prison reimbursement, reimbursements for
26 out-of-state placements, and miscellaneous contracts:

27 \$ 234,411

28 2. The department of corrections shall use moneys
29 appropriated in subsection 1 to continue to contract for the
30 services of a Muslim imam and a Native American spiritual
31 leader.

32 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

33 There is appropriated from the general fund of the state to the
34 department of corrections for the fiscal year beginning July
35 1, 2019, and ending June 30, 2020, the following amounts, or

1 so much thereof as is necessary, to be used for the purposes
2 designated:

3 1. For general administration, including salaries and the
4 adjustment of salaries throughout the department, support,
5 maintenance, employment of an education director to administer
6 a centralized education program for the correctional system,
7 and miscellaneous purposes:

8 \$ 9,866,436

9 a. It is the intent of the general assembly that each
10 lease negotiated by the department of corrections with a
11 private corporation for the purpose of providing private
12 industry employment of inmates in a correctional institution
13 shall prohibit the private corporation from utilizing inmate
14 labor for partisan political purposes for any person seeking
15 election to public office in this state and that a violation
16 of this requirement shall result in a termination of the lease
17 agreement.

18 b. It is the intent of the general assembly that as a
19 condition of receiving the appropriation provided in this
20 subsection the department of corrections shall not enter into
21 a lease or contractual agreement pursuant to section 904.809
22 with a private corporation for the use of building space for
23 the purpose of providing inmate employment without providing
24 that the terms of the lease or contract establish safeguards to
25 restrict, to the greatest extent feasible, access by inmates
26 working for the private corporation to personal identifying
27 information of citizens.

28 2. For educational programs for inmates at state penal
29 institutions:

30 \$ 2,608,109

31 a. To maximize the funding for educational programs,
32 the department shall establish guidelines and procedures to
33 prioritize the availability of educational and vocational
34 training for inmates based upon the goal of facilitating an
35 inmate's successful release from the correctional institution.

1 b. The director of the department of corrections may
2 transfer moneys from Iowa prison industries and the canteen
3 operating funds established pursuant to section 904.310, for
4 use in educational programs for inmates.

5 c. Notwithstanding section 8.33, moneys appropriated in
6 this subsection that remain unobligated or unexpended at the
7 close of the fiscal year shall not revert but shall remain
8 available to be used only for the purposes designated in this
9 subsection until the close of the succeeding fiscal year.

10 3. For the development and operation of the Iowa corrections
11 offender network (ICON) data system:

12 \$ 2,000,000

13 4. For offender mental health and substance abuse
14 treatment:

15 \$ 28,065

16 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
17 SERVICES.

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

24 a. For the first judicial district department of
25 correctional services:

26 \$ 15,069,356

27 It is the intent of the general assembly that the first
28 judicial district department of correctional services maintain
29 the drug courts operated by the district department.

30 b. For the second judicial district department of
31 correctional services:

32 \$ 11,618,090

33 It is the intent of the general assembly that the second
34 judicial district department of correctional services maintain
35 two drug courts to be operated by the district department.

1 c. For the third judicial district department of
2 correctional services:
3 \$ 7,318,308

4 d. For the fourth judicial district department of
5 correctional services:
6 \$ 5,811,273

7 e. For the fifth judicial district department of
8 correctional services, including funding for electronic
9 monitoring devices for use on a statewide basis:
10 \$ 21,986,762

11 It is the intent of the general assembly that the fifth
12 judicial district department of correctional services maintain
13 the drug court operated by the district department.

14 f. For the sixth judicial district department of
15 correctional services:
16 \$ 14,839,165

17 It is the intent of the general assembly that the sixth
18 judicial district department of correctional services maintain
19 the drug court operated by the district department.

20 g. For the seventh judicial district department of
21 correctional services:
22 \$ 7,919,692

23 It is the intent of the general assembly that the seventh
24 judicial district department of correctional services maintain
25 the drug court operated by the district department.

26 h. For the eighth judicial district department of
27 correctional services:
28 \$ 8,443,071

29 2. Each judicial district department of correctional
30 services, within the funding available, shall continue programs
31 and plans established within that district to provide for
32 intensive supervision, sex offender treatment, diversion of
33 low-risk offenders to the least restrictive sanction available,
34 job development, and expanded use of intermediate criminal
35 sanctions.

1 3. Each judicial district department of correctional
2 services shall provide alternatives to prison consistent with
3 chapter 901B. The alternatives to prison shall ensure public
4 safety while providing maximum rehabilitation to the offender.
5 A judicial district department of correctional services may
6 also establish a day program.

7 4. The governor's office of drug control policy shall
8 consider federal grants made to the department of corrections
9 for the benefit of each of the eight judicial district
10 departments of correctional services as local government
11 grants, as defined pursuant to federal regulations.

12 5. The department of corrections shall continue to contract
13 with a judicial district department of correctional services to
14 provide for the rental of electronic monitoring equipment which
15 shall be available statewide.

16 6. The public safety assessment shall not be utilized
17 in pretrial hearings when determining whether to detain or
18 release a defendant before trial, and the use of the public
19 safety assessment pilot program shall be terminated as of the
20 effective date of this subsection, until such time the use of
21 the public safety assessment has been specifically authorized
22 by the general assembly.

23 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
24 APPROPRIATIONS. Notwithstanding section 8.39, within the
25 moneys appropriated in this division of this Act to the
26 department of corrections, the department may reallocate the
27 moneys appropriated and allocated as necessary to best fulfill
28 the needs of the correctional institutions, administration
29 of the department, and the judicial district departments of
30 correctional services. However, in addition to complying with
31 the requirements of sections 904.116 and 905.8 and providing
32 notice to the legislative services agency, the department
33 of corrections shall also provide notice to the department
34 of management, prior to the effective date of the revision
35 or reallocation of an appropriation made pursuant to this

1 section. The department of corrections shall not reallocate an
2 appropriation or allocation for the purpose of eliminating any
3 program.

4 Sec. 7. INTENT — REPORTS.

5 1. The department of corrections in cooperation with
6 townships, the Iowa cemetery associations, and other nonprofit
7 or governmental entities may use inmate labor during the
8 fiscal year beginning July 1, 2019, to restore or preserve
9 rural cemeteries and historical landmarks. The department in
10 cooperation with the counties may also use inmate labor to
11 clean up roads, major water sources, and other water sources
12 around the state.

13 2. On a quarterly basis the department shall provide a
14 status report regarding private-sector employment to the
15 legislative services agency beginning on July 1, 2019. The
16 report shall include the number of offenders employed in the
17 private sector, the combined number of hours worked by the
18 offenders, the total amount of allowances, and the distribution
19 of allowances pursuant to section 904.702, including any moneys
20 deposited in the general fund of the state.

21 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
22 corrections shall submit a report on electronic monitoring to
23 the general assembly, to the co-chairpersons and the ranking
24 members of the joint appropriations subcommittee on the justice
25 system, and to the legislative services agency by January
26 15, 2020. The report shall specifically address the number
27 of persons being electronically monitored and break down the
28 number of persons being electronically monitored by offense
29 committed. The report shall also include a comparison of any
30 data from the prior fiscal year with the current year.

31 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

32 1. As used in this section, unless the context otherwise
33 requires, "state agency" means the government of the state
34 of Iowa, including but not limited to all executive branch
35 departments, agencies, boards, bureaus, and commissions, the

1 judicial branch, the general assembly and all legislative
2 agencies, institutions within the purview of the state board of
3 regents, and any corporation whose primary function is to act
4 as an instrumentality of the state.

5 2. State agencies are encouraged to purchase products from
6 Iowa state industries, as defined in section 904.802, when
7 purchases are required and the products are available from
8 Iowa state industries. State agencies shall obtain bids from
9 Iowa state industries for purchases of office furniture during
10 the fiscal year beginning July 1, 2019, exceeding \$5,000 or
11 in accordance with applicable administrative rules related to
12 purchases for the agency.

13 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

14 1. There is appropriated from the general fund of the
15 state to the Iowa law enforcement academy for the fiscal year
16 beginning July 1, 2019, and ending June 30, 2020, the following
17 amount, or so much thereof as is necessary, to be used for the
18 purposes designated:

19 a. (1) For salaries, support, maintenance, and
20 miscellaneous purposes, including jailer training and technical
21 assistance, and for not more than the following full-time
22 equivalent positions:

23	\$	980,767
24	FTEs	25.25

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

27	\$	1,015,442
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28 b. The Iowa law enforcement academy may temporarily exceed
29 and draw more than the amount appropriated in this subsection
30 and incur a negative cash balance as long as there are
31 receivables equal to or greater than the negative balance and
32 the amount appropriated in this subsection is not exceeded at
33 the close of the fiscal year.

34 2. The Iowa law enforcement academy may select at least
35 five automobiles of the department of public safety, division

1 of state patrol, prior to turning over the automobiles to
2 the department of administrative services to be disposed
3 of by public auction, and the Iowa law enforcement academy
4 may exchange any automobile owned by the academy for each
5 automobile selected if the selected automobile is used in
6 training law enforcement officers at the academy. However, any
7 automobile exchanged by the academy shall be substituted for
8 the selected vehicle of the department of public safety and
9 sold by public auction with the receipts being deposited in the
10 depreciation fund to the credit of the department of public
11 safety, division of state patrol.

12 3. The Iowa law enforcement academy shall provide training
13 for domestic abuse and human trafficking-related issues
14 throughout the state. The training shall be offered at no
15 cost to the attendees and the training shall not replace any
16 existing domestic abuse or human trafficking training offered
17 by the academy.

18 Sec. 11. STATE PUBLIC DEFENDER. There is appropriated from
19 the general fund of the state to the office of the state public
20 defender of the department of inspections and appeals for the
21 fiscal year beginning July 1, 2019, and ending June 30, 2020,
22 the following amounts, or so much thereof as is necessary, to
23 be used for the purposes designated:

24 1. For salaries, support, maintenance, and miscellaneous
25 purposes, and for not more than the following full-time
26 equivalent positions:

27 \$ 26,955,139
28 FTEs 223.00

29 2. For payments on behalf of eligible adults and juveniles
30 from the indigent defense fund, in accordance with section
31 815.11:

32 \$ 40,895,448

33 Sec. 12. BOARD OF PAROLE. There is appropriated from the
34 general fund of the state to the board of parole for the fiscal
35 year beginning July 1, 2019, and ending June 30, 2020, the

H-1255 (Continued)

1 following amount, or so much thereof as is necessary, to be
2 used for the purposes designated:

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

6 \$ 1,234,687
7 FTEs 10.50

8 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE.

9 1. There is appropriated from the general fund of the
10 state to the department of public defense, for the fiscal year
11 beginning July 1, 2019, and ending June 30, 2020, the following
12 amounts, or so much thereof as is necessary, to be used for the
13 purposes designated:

14 For salaries, support, maintenance, and miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:

17 \$ 6,405,545
18 FTEs 249.00

19 2. The department of public defense may temporarily exceed
20 and draw more than the amount appropriated in this section and
21 incur a negative cash balance as long as there are receivables
22 of federal funds equal to or greater than the negative balance
23 and the amount appropriated in this section is not exceeded at
24 the close of the fiscal year.

25 Sec. 14. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
26 MANAGEMENT.

27 1. There is appropriated from the general fund of the state
28 to the department of homeland security and emergency management
29 for the fiscal year beginning July 1, 2019, and ending June
30 30, 2020, the following amounts, or so much thereof as is
31 necessary, to be used for the purposes designated:

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

35 \$ 2,124,877

1 FTEs 31.03

2 2. The department of homeland security and emergency
3 management may temporarily exceed and draw more than the amount
4 appropriated in this section and incur a negative cash balance
5 as long as there are receivables of federal funds equal to or
6 greater than the negative balance and the amount appropriated
7 in this section is not exceeded at the close of the fiscal
8 year.

9 Sec. 15. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
10 from the general fund of the state to the department of public
11 safety for the fiscal year beginning July 1, 2019, and ending
12 June 30, 2020, the following amounts, or so much thereof as is
13 necessary, to be used for the purposes designated:

14 1. For administrative functions, including salaries and the
15 adjustment of salaries throughout the department, the criminal
16 justice information system, and for not more than the following
17 full-time equivalent positions:

18 \$ 4,734,703
19 FTEs 37.00

20 2. For the division of criminal investigation, including
21 the state's contribution to the peace officers' retirement,
22 accident, and disability system provided in chapter 97A in the
23 amount of the state's normal contribution rate, as defined in
24 section 97A.8, multiplied by the salaries for which the moneys
25 are appropriated, to meet federal fund matching requirements,
26 and for not more than the following full-time equivalent
27 positions:

28 \$ 15,013,083
29 FTEs 162.00

30 3. For the criminalistics laboratory fund created in
31 section 691.9:

32 \$ 650,000

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

1 for expenditure for the purposes designated until the close of
2 the succeeding fiscal year.

3 4. a. For the division of narcotics enforcement, including
4 the state's contribution to the peace officers' retirement,
5 accident, and disability system provided in chapter 97A in the
6 amount of the state's normal contribution rate, as defined in
7 section 97A.8, multiplied by the salaries for which the moneys
8 are appropriated, to meet federal fund matching requirements,
9 and for not more than the following full-time equivalent
10 positions:

11	\$	7,985,873
12	FTEs	65.00

13 The division of narcotics enforcement is authorized an
14 additional 1.00 full-time equivalent position pursuant to
15 this lettered paragraph that is in excess of the number of
16 full-time equivalent positions authorized for the previous
17 fiscal year only if the division of narcotics enforcement
18 receives sufficient federal moneys to maintain employment
19 for the additional full-time equivalent position during the
20 current fiscal year. The division of narcotics enforcement
21 shall only employ the additional full-time equivalent position
22 in succeeding fiscal years if sufficient federal moneys are
23 received during each of those succeeding fiscal years.

24 b. For the division of narcotics enforcement for undercover
25 purchases:

26	\$	209,042
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27 5. For the division of state fire marshal, for fire
28 protection services as provided through the state fire service
29 and emergency response council as created in the department,
30 and for the state's contribution to the peace officers'
31 retirement, accident, and disability system provided in chapter
32 97A in the amount of the state's normal contribution rate,
33 as defined in section 97A.8, multiplied by the salaries for
34 which the moneys are appropriated, and for not more than the
35 following full-time equivalent positions:

H-1255 (Continued)

1 \$ 4,965,056

2 FTEs 49.00

3 As a condition of receiving the appropriation in this
4 subsection, the commissioner of the department of public safety
5 shall appoint the administrator of the fire service training
6 bureau of the division of state fire marshal as provided in
7 section 100B.7.

8 6. For the division of state patrol, for salaries, support,
9 maintenance, workers' compensation costs, and miscellaneous
10 purposes, including the state's contribution to the peace
11 officers' retirement, accident, and disability system provided
12 in chapter 97A in the amount of the state's normal contribution
13 rate, as defined in section 97A.8, multiplied by the salaries
14 for which the moneys are appropriated, and for not more than
15 the following full-time equivalent positions:

16 \$ 65,626,287

17 FTEs 512.00

18 It is the intent of the general assembly that members of the
19 state patrol be assigned to patrol the highways and roads in
20 lieu of assignments for inspecting school buses for the school
21 districts.

22 7. For deposit in the sick leave benefits fund established
23 under section 80.42 for all departmental employees eligible to
24 receive benefits for accrued sick leave under the collective
25 bargaining agreement:

26 \$ 279,517

27 8. For costs associated with the training and equipment
28 needs of volunteer fire fighters:

29 \$ 825,520

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

35 b. Notwithstanding section 8.39, the department of public

H-1255 (Continued)

1 safety may reallocate moneys appropriated in this section
2 as necessary to best fulfill the needs provided for in the
3 appropriation. However, the department shall not reallocate
4 moneys appropriated to the department in this section unless
5 notice of the reallocation is given to the legislative services
6 agency and the department of management prior to the effective
7 date of the reallocation. The notice shall include information
8 regarding the rationale for reallocating the moneys. The
9 department shall not reallocate moneys appropriated in this
10 section for the purpose of eliminating any program.

11 9. For the public safety interoperable and broadband
12 communications fund established in section 80.44:

13 \$ 115,661

14 10. For the office to combat human trafficking established
15 pursuant to section 80.45, including salaries, support,
16 maintenance, miscellaneous purposes, and for not more than the
17 following full-time equivalent positions:

18 \$ 150,000

19 FTEs 1.00

20 11. For department-wide duties, including operations,
21 costs, and miscellaneous purposes:

22 \$ 1,597,834

23 Sec. 16. GAMING ENFORCEMENT.

24 1. There is appropriated from the gaming enforcement
25 revolving fund created in section 80.43 to the department of
26 public safety for the fiscal year beginning July 1, 2019, and
27 ending June 30, 2020, the following amount, or so much thereof
28 as is necessary, to be used for the purposes designated:

29 For any direct support costs for agents and officers of
30 the division of criminal investigation's excursion gambling
31 boat, gambling structure, and racetrack enclosure enforcement
32 activities, including salaries, support, maintenance, and
33 miscellaneous purposes, and for not more than the following
34 full-time equivalent positions:

35 \$ 10,469,077

1 FTEs 73.00

2 2. For each additional license to conduct gambling games on
3 an excursion gambling boat, gambling structure, or racetrack
4 enclosure issued during the fiscal year beginning July 1, 2019,
5 there is appropriated from the gaming enforcement fund to the
6 department of public safety for the fiscal year beginning July
7 1, 2019, and ending June 30, 2020, an additional amount of
8 not more than \$300,000 to be used for full-time equivalent
9 positions.

10 3. The department of public safety, with the approval of the
11 department of management, may employ no more than three special
12 agents for each additional riverboat or gambling structure
13 regulated after July 1, 2020, and three special agents for
14 each racing facility which becomes operational during the
15 fiscal year which begins July 1, 2020. Positions authorized
16 in this subsection are in addition to the full-time equivalent
17 positions otherwise authorized in this section.

18 Sec. 17. CIVIL RIGHTS COMMISSION.

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

24 For salaries, support, maintenance, and miscellaneous
25 purposes, and for not more than the following full-time
26 equivalent positions:

27 \$ 1,237,756

28 FTEs 26.00

29 2. The Iowa state civil rights commission may enter into
30 a contract with a nonprofit organization to provide legal
31 assistance to resolve civil rights complaints.

32 Sec. 18. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.

33 1. There is appropriated from the general fund of the state
34 to the criminal and juvenile justice planning division of the
35 department of human rights for the fiscal year beginning July

H-1255 (Continued)

1 1, 2019, and ending June 30, 2020, the following amount or
2 so much thereof as is necessary, to be used for the purposes
3 designated:

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

7	\$	1,226,399
8	FTEs	8.99

9 2. The criminal and juvenile justice planning advisory
10 council and the juvenile justice advisory council shall
11 coordinate their efforts in carrying out their respective
12 duties relative to juvenile justice.

13 Sec. 19. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
14 MANAGEMENT. There is appropriated from the 911 emergency
15 communications fund created in section 34A.7A to the department
16 of homeland security and emergency management for the fiscal
17 year beginning July 1, 2019, and ending June 30, 2020, the
18 following amount, or so much thereof as is necessary, to be
19 used for the purposes designated:

20 For implementation, support, and maintenance of the
21 functions of the administrator and program manager under
22 chapter 34A and to employ the auditor of the state to perform
23 an annual audit of the 911 emergency communications fund:

24 \$ 250,000

25 Sec. 20. CONSUMER EDUCATION AND LITIGATION — FARM
26 MEDIATION AND PROSECUTIONS, APPEALS, AND CLAIMS.

27 Notwithstanding section 714.16C, there is appropriated from the
28 consumer education and litigation fund to the department of
29 justice for the fiscal year beginning July 1, 2019, and ending
30 June 30, 2020, the following amount, or so much thereof as is
31 necessary, to be used for the purposes designated:

32 a. For farm mediation services as specified in section
33 13.13, subsection 2:

34 \$ 300,000

35 b. For salaries, support, maintenance, and miscellaneous

1 purposes for criminal prosecutions, criminal appeals, and
2 performing duties pursuant to chapter 669:
3 \$ 1,500,000

4 DIVISION II

5 SUPPLEMENTAL AND MISCELLANEOUS APPROPRIATIONS

6 Sec. 21. IOWA LAW ENFORCEMENT ACADEMY. There is
7 appropriated from the general fund of the state to the Iowa
8 law enforcement academy for the fiscal year beginning July
9 1, 2018, and ending June 30, 2019, the following amount, or
10 so much thereof as is necessary, to be used for the purposes
11 designated:

12 For relocation costs, including salaries, support,
13 maintenance, and miscellaneous purposes:
14 \$ 285,982

15 Sec. 22. 2017 Iowa Acts, chapter 167, section 37, subsection
16 2, as amended by 2018 Iowa Acts, chapter 1168, section 7, is
17 amended to read as follows:

18 2. For payments on behalf of eligible adults and juveniles
19 from the indigent defense fund, in accordance with section
20 815.11:

21 \$ ~~35,144,448~~
22 37,644,448

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

25 DIVISION III

26 ATTORNEY GENERAL

27 Sec. 24. Section 13.2, subsection 1, paragraph b, Code 2019,
28 is amended to read as follows:

29 b. (1) Prosecute and defend in any other Iowa court or
30 tribunal, all actions and proceedings, civil or criminal, in
31 which the state may be a party or interested, when, in the
32 attorney general's judgment, the interest of the state requires
33 such action, or when requested to do so by the governor,
34 executive council, or general assembly.

35 (2) (a) Prosecute in any other court or tribunal other than

1 an Iowa court or tribunal, all actions or proceedings, civil
2 or criminal, in which the state may be a party or interested,
3 when requested to do so by the governor, executive council, or
4 general assembly.

5 (b) Defend in any other court or tribunal other than an
6 Iowa court or tribunal, all actions or proceedings, civil or
7 criminal, in which the state may be a party or interested,
8 when, in the attorney general's judgment, the interest of the
9 state requires such action, or when requested to do so by the
10 governor, executive council, or general assembly.

11 Sec. 25. NEW SECTION. 13.12 Report of money awards.

12 The attorney general shall report to the legislative
13 services agency and the department of management all money
14 settlement awards and court money awards which were awarded to
15 the state of Iowa. The attorney general shall report which
16 funds are designated to receive the moneys and under what legal
17 authority the designation is being made.

18 Sec. 26. 2014 Iowa Acts, chapter 1138, section 21, as
19 amended by 2016 Iowa Acts, chapter 1137, section 18, and 2017
20 Iowa Acts, chapter 167, section 24, is amended to read as
21 follows:

22 SEC. 21. CONSUMER EDUCATION AND LITIGATION
23 FUND. Notwithstanding section 714.16C, for each fiscal
24 year of the period beginning July 1, 2014, and ending June
25 30, ~~2019~~ 2021, the annual appropriations in section 714.16C,
26 are increased from \$1,125,000 to \$1,875,000, and \$75,000 to
27 \$125,000 respectively.

28 DIVISION IV

29 FIRE SERVICE TRAINING REVOLVING FUND

30 Sec. 27. Section 100B.4, Code 2019, is amended to read as
31 follows:

32 100B.4 Fees — retention — use — fund.

33 1. Fees assessed pursuant to this chapter shall be retained
34 by the division of state fire marshal and such repayments
35 received shall be used exclusively to offset the cost of

1 fire service training. Fees charged by regional emergency
2 response training centers for fire service training programs as
3 described in section 100B.6 shall not be greater than the fee
4 schedule established by rule by the state fire marshal.

5 2. Notwithstanding section 8.33, repayment receipts
6 collected by the division of state fire marshal for the fire
7 service training bureau that remain unencumbered or unobligated
8 at the close of the fiscal year shall not revert but shall
9 remain available for expenditure for the purposes designated
10 until the close of the succeeding fiscal year.

11 3. A fire service training revolving fund is created in the
12 state treasury under the control of the department of public
13 safety. The fund shall consist of fees assessed pursuant to
14 this section, and deposited into the fire service training
15 revolving fund. All moneys in the fund are appropriated to
16 the department of public safety for purposes of fire service
17 training and shall be under the control of the state fire
18 marshal. Notwithstanding section 8.33, moneys in the fund
19 that remain unencumbered or unobligated at the close of a
20 fiscal year shall not revert but shall remain available for
21 expenditures for the purposes designated until the close of
22 the succeeding fiscal year. Notwithstanding section 12C.7,
23 subsection 2, interest or earnings on moneys in the fund shall
24 be credited to the fund.

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

27 Sec. 29. RETROACTIVE APPLICABILITY. This division of this
28 Act applies retroactively to July 1, 2018.

29 DIVISION V

30 DEPARTMENT OF CORRECTIONS

31 Sec. 30. DEPARTMENT OF CORRECTIONS. Notwithstanding
32 sections 8.33 and 8.39, the department of corrections may use
33 any general fund resources appropriated to the department
34 for the fiscal year beginning July 1, 2018, and ending June
35 30, 2019, for the resolution of the settlement agreement

1 with the division of labor services to the amended citation
2 P1582-1281728 dated October 18, 2018; requiring the department
3 to remedy citation 1(a) by providing adequate means of
4 communication for employees to summon assistance during violent
5 attacks, which must be abated by March 1, 2019.

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

8 DIVISION VI

9 INDIGENT DEFENSE

10 Sec. 32. Section 815.7, subsection 4, Code 2019, is amended
11 to read as follows:

12 4. For appointments made on or after July 1, 2007, through
13 June 30, 2019, the reasonable compensation shall be calculated
14 on the basis of seventy dollars per hour for class "A"
15 felonies, sixty-five dollars per hour for class "B" felonies,
16 and sixty dollars per hour for all other cases.

17 Sec. 33. Section 815.7, Code 2019, is amended by adding the
18 following new subsection:

19 NEW SUBSECTION. 4A. For appointments made on or after July
20 1, 2019, the reasonable compensation shall be calculated on the
21 basis of seventy-three dollars and twenty-five cents per hour
22 for class "A" felonies, sixty-eight dollars and twenty-five
23 cents per hour for class "B" felonies, and sixty-three dollars
24 and twenty-five cents per hour for all other cases.

25 Sec. 34. 2016 Iowa Acts, chapter 1137, section 21,
26 subsection 1, is amended to read as follows:

27 1. Notwithstanding any other provision of the law to the
28 contrary, for each fiscal year for the period beginning July 1,
29 2016, and ending June 30, ~~2019~~ 2022, the state public defender
30 may establish a pilot project allowing an indigent person to
31 choose an eligible attorney to represent the person in the
32 person's case that requires such representation. The state
33 public defender shall have sole discretion to establish the
34 pilot project in no more than four counties throughout the
35 state. The state public defender may coordinate with other

1 agencies and organizations in order to seek grant funding and
2 to measure the results of the pilot project.

3 Sec. 35. EFFECTIVE DATE. The following, being deemed of
4 immediate importance, takes effect upon enactment:

5 The section of this division of this Act amending 2016 Iowa
6 Acts, Chapter 1137, section 21, subsection 1.

7 DIVISION VII

8 PUBLIC SAFETY SURVIVOR BENEFITS FUND

9 Sec. 36. NEW SECTION. 80.47 Public safety survivor benefits
10 fund.

11 1. A public safety survivor benefits fund is established in
12 the state treasury under the control of the department. The
13 fund shall consist of moneys transferred to the fund pursuant
14 to section 99G.39 and any other moneys appropriated to or
15 deposited in the fund. Moneys in the fund are appropriated to
16 the department for the purposes set forth in subsection 2.

17 2. a. Of the moneys credited to the fund in a fiscal year,
18 the department shall distribute fifty percent in the form of
19 grants to nonprofit organizations that provide resources to
20 assist surviving families of eligible peace officers killed in
21 the line of duty in paying costs associated with accident or
22 health care coverage pursuant to section 509A.13C. In awarding
23 such grants, the department shall give first consideration
24 to concerns of police survivors, inc., and similar nonprofit
25 organizations providing such resources.

26 b. Of the moneys credited to the fund in a fiscal year,
27 the department shall distribute fifty percent in the form of
28 grants to nonprofit organizations that provide resources to
29 assist surviving families of eligible fire fighters killed in
30 the line of duty in paying costs associated with accident or
31 health care coverage pursuant to section 509A.13C. In awarding
32 such grants, the department shall give first consideration to
33 Iowa professional fire fighters, inc., and similar nonprofit
34 organizations providing such resources.

35 3. Notwithstanding section 8.33, moneys in the fund

1 that remain unencumbered or unobligated at the close of a
2 fiscal year shall not revert but shall remain available for
3 expenditure for the purposes designated. Notwithstanding
4 section 12C.7, subsection 2, interest or earnings on moneys in
5 the fund shall be credited to the fund.

6 Sec. 37. Section 99G.39, Code 2019, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 3A. One hundred thousand dollars in lottery
9 revenues shall be transferred each fiscal year to the public
10 safety survivor benefits fund established pursuant to section
11 80.47 prior to deposit of the lottery revenues in the general
12 fund pursuant to section 99G.40.

13 Sec. 38. Section 99G.39, subsection 4, paragraph a, Code
14 2019, is amended to read as follows:

15 a. Notwithstanding subsection 1, if gaming revenues under
16 sections 99D.17 and 99F.11 are insufficient in a fiscal year to
17 meet the total amount of such revenues directed to be deposited
18 in the vision Iowa fund during the fiscal year pursuant to
19 section 8.57, subsection 5, paragraph "e", the difference shall
20 be paid from lottery revenues prior to deposit of the lottery
21 revenues in the general fund, and transfer of lottery revenues
22 to the veterans trust fund as provided in subsection 3, and
23 the transfer of lottery revenues to the public safety survivor
24 benefits fund as provided in subsection 3A. If lottery
25 revenues are insufficient during the fiscal year to pay the
26 difference, the remaining difference shall be paid from lottery
27 revenues prior to deposit of lottery revenues in the general
28 fund, and the transfer of lottery revenues to the veterans
29 trust fund as provided in subsection 3, and the transfer of
30 lottery revenues to the public safety survivor benefits fund as
31 provided in subsection 3A in subsequent fiscal years as such
32 revenues become available.>

By COMMITTEE ON APPROPRIATIONS

GRASSLEY of Butler, Chairperson

H-1255 (Continued)

H-1255 FILED APRIL 18, 2019

SENATE FILE 616

H-1254

1 Amend Senate File 616, as passed by the Senate, as follows:

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

4 <DIVISION I

5 FY 2019-2020 APPROPRIATIONS

6 Section 1. JUDICIAL BRANCH.

7 1. There is appropriated from the general fund of the state
8 to the judicial branch for the fiscal year beginning July 1,
9 2019, and ending June 30, 2020, the following amounts, or so
10 much thereof as is necessary, to be used for the purposes
11 designated:

12 a. For salaries of supreme court justices, appellate court
13 judges, district court judges, district associate judges,
14 associate juvenile judges, associate probate judges, judicial
15 magistrates and staff, state court administrator, clerk of the
16 supreme court, district court administrators, clerks of the
17 district court, juvenile court officers, board of law examiners
18 and board of examiners of shorthand reporters and judicial
19 qualifications commission; receipt and disbursement of child
20 support payments; reimbursement of the auditor of state for
21 expenses incurred in completing audits of the offices of the
22 clerks of the district court during the fiscal year beginning
23 July 1, 2019; and maintenance, equipment, and miscellaneous
24 purposes:

25 \$182,390,991

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

31 \$ 3,100,000

32 2. The judicial branch, except for purposes of internal
33 processing, shall use the current state budget system, the
34 state payroll system, and the Iowa finance and accounting
35 system in administration of programs and payments for services,

1 and shall not duplicate the state payroll, accounting, and
2 budgeting systems.

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

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

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

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 division of this Act, unless notice of the
25 revisions is given to the legislative services agency prior
26 to the effective date. The notice shall include information
27 on the branch's rationale for making the changes and details
28 concerning the workload and performance measures upon which the
29 changes are based.

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

1 and governmental agencies involved in the criminal justice
2 system through the Iowa court information system.

3 8. The judicial branch shall provide a report to the general
4 assembly by January 1, 2020, concerning the amounts received
5 and expended from the enhanced court collections fund created
6 in section 602.1304 and the court technology and modernization
7 fund created in section 602.8108, subsection 9, during the
8 fiscal year beginning July 1, 2018, and ending June 30, 2019,
9 and the plans for expenditures from each fund during the fiscal
10 year beginning July 1, 2019, and ending June 30, 2020. A copy
11 of the report shall be provided to the legislative services
12 agency.

13 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any
14 provision to the contrary, for the fiscal year beginning July
15 1, 2019, and ending June 30, 2020, if all parties in a case
16 agree, a civil trial including a jury trial may take place in a
17 county contiguous to the county with proper jurisdiction, even
18 if the contiguous county is located in an adjacent judicial
19 district or judicial election district. If the trial is moved
20 pursuant to this section, court personnel shall treat the case
21 as if a change of venue occurred. However, if a trial is moved
22 to an adjacent judicial district or judicial election district,
23 the judicial officers serving in the judicial district or
24 judicial election district receiving the case shall preside
25 over the case.

26 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
27 602.1509, for the fiscal year beginning July 1, 2019, and
28 ending June 30, 2020, a judicial officer may waive travel
29 reimbursement for any travel outside the judicial officer's
30 county of residence to conduct official judicial business.

31 Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
32 the annual salary rates for judicial officers established by
33 2013 Iowa Acts, chapter 140, section 40, for the fiscal year
34 beginning July 1, 2019, and ending June 30, 2020, the supreme
35 court may by order place all judicial officers on unpaid leave

1 status on any day employees of the judicial branch are placed
2 on temporary layoff status. The biweekly pay of the judicial
3 officers shall be reduced accordingly for the pay period in
4 which the unpaid leave date occurred in the same manner as
5 for noncontract employees of the judicial branch. Through
6 the course of the fiscal year, the judicial branch may use an
7 amount equal to the aggregate amount of salary reductions due
8 to the judicial officer unpaid leave days for any purpose other
9 than for judicial salaries.

10 Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent
11 of the general assembly that the judicial branch utilize
12 the Iowa communications network or other secure electronic
13 communications in lieu of traveling for the fiscal year
14 beginning July 1, 2019, and ending June 30, 2020.

15 DIVISION II

16 JUDICIAL SALARIES

17 Sec. 6. Section 602.1501, Code 2019, is amended to read as
18 follows:

19 **602.1501 Judicial salaries.**

20 1. a. The following persons shall receive the salary set
21 by the general assembly:

22 (1) The chief justice and each justice of the supreme court
23 shall receive the salary set by the general assembly.

24 ~~2.~~ (2) The chief judge and each judge of the court of
25 appeals shall receive the salary set by the general assembly.

26 ~~3.~~ (3) The chief judge of each judicial district and each
27 district judge shall receive the salary set by the general
28 assembly.

29 ~~4.~~ (4) District associate judges shall receive the salary
30 set by the general assembly.

31 ~~5.~~ (5) Full-time associate juvenile judges and full-time
32 associate probate judges shall receive the salary set by the
33 general assembly.

34 ~~6.~~ b. Magistrates Subject to section 602.6402, magistrates
35 shall receive the salary set by the general assembly, subject

1 any requirements that apply to a state agency, department, or
2 administrative unit and shall not exercise any sovereign power
3 of the state.

4 *d.* The corporation does not have authority to pledge the
5 credit of the state, and the state shall not be liable for
6 the debts or obligations of the corporation. All debts and
7 obligations of the corporation shall be payable solely from the
8 corporation's funds.

9 3. If the learning center museum corporation is established
10 in subsection 1, the corporation shall be established so that
11 donations and bequests to it qualify as tax deductible under
12 state income tax laws and under section 501(c)(3) of the
13 Internal Revenue Code.

14 4. If the learning center museum corporation is established
15 in subsection 1, the articles of the corporation shall provide
16 for its governance and its efficient management. In providing
17 for its governance, the articles of the corporation shall
18 address the following:

19 *a.* A board of directors to govern the corporation.

20 (1) The board of directors shall initially be comprised
21 of seven members appointed by the chief justice to concurrent
22 terms of four years. Two of such members shall be subject to
23 confirmation by the senate.

24 (2) For appointments subsequent to the initial appointments
25 pursuant to subparagraph (1), two of the members shall be
26 appointed by the chief justice, subject to confirmation by
27 the senate, to staggered terms of four years each, and the
28 remaining five members shall be selected by a majority vote of
29 the board of directors of the corporation for terms the length
30 of which shall be provided in the articles of the corporation.

31 (3) The chief justice and the board of directors of the
32 corporation shall not appoint or select any person who is
33 either the spouse or a relative within the first degree of
34 consanguinity of a serving member of the board of directors or
35 of the supreme court.

H-1254 (Continued)

1 *b.* The appointment of a chief executive officer by the board
2 to manage the corporation's daily operations.

3 *c.* The delegation of such powers and responsibilities
4 to the chief executive officer as may be necessary for the
5 corporation's efficient operation.

6 *d.* The employment of personnel necessary for the efficient
7 performance of the duties assigned to the corporation. All
8 such personnel shall be considered employees of a private,
9 nonprofit corporation and shall be exempt from the personnel
10 requirements imposed on state agencies, departments, and
11 administrative units.

12 *e.* The financial operations of the corporation including the
13 authority to receive and expend funds from public and private
14 sources and to use its property, money, or other resources for
15 the purpose of the corporation.

16 5. If the learning center museum is established, the board
17 of directors of the corporation and the chief executive officer
18 shall act to ensure all of the following:

19 *a.* That the corporation reviews and, at the board's
20 direction, implements the applicable portions of the strategic
21 plan developed by the judicial branch.

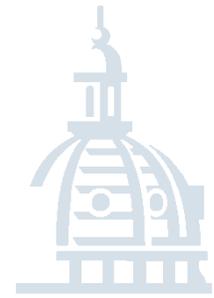
22 *b.* That the corporation prepares an annual budget that
23 includes funding levels for the corporation's activities and
24 that shows sufficient moneys are available to support those
25 activities.

26 *c.* That the corporation annually completes and files an
27 information return as described in section 422.15 and that the
28 information return is submitted to the general assembly.>

By COMMITTEE ON APPROPRIATIONS

GRASSLEY of Butler, Chairperson

[H-1254](#) FILED APRIL 18, 2019



[HF 748](#) – Sports Betting and Fantasy Sports (LSB2452HZ)
Analyst: Christin Mechler (515.250.0458) christin.mechler@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 748](#) authorizes sports gambling and betting, including sports betting and fantasy sports contests in the State of Iowa; provides for taxes and fees; and establishes penalties.

Division I

Division I of [HF 748](#) relates to the authorization and licensing of sports betting and advance deposit sports betting wagering. The Bill defines “sports betting” as the acceptance of wagers on an authorized sporting event by any system of betting as authorized by the Iowa Racing and Gaming Commission (IRGC), and defines “advance deposit sports betting wagering” as a method of sports betting in which an eligible individual may deposit moneys into an established account and use the account balance for sports betting. An “authorized sporting event” includes a professional or collegiate sporting event, or an international team or individual sporting event governed by the International Olympic Committee (IOC). Internet fantasy sports contests and dog and horse racing are explicitly excluded from the definition of “authorized sporting event.” Sports betting also excludes placing a wager on the performance or nonperformance of an individual athlete participating in a single game or match of a collegiate sporting event in which a collegiate team from this State is participating, and excludes placing a wager on the performance of athletes in an international individual sporting event governed by the IOC in which any participant is under the age of 18.

The IRGC is tasked with adopting rules, including emergency rules if necessary, and standards under which sports betting may occur, including identifying the scope and type of wagers allowed, identifying occupations within sports betting that require licensing, and adopting standards for licensing and background qualifications for occupations including establishing fees for an occupational license. All revenue received by the IRGC from regulatory fees is deposited in the Gaming Regulatory Revolving Fund. The IRGC is also tasked with reviewing licensee reports on any criminal or disciplinary proceedings commenced against the licensee or its employees. The IRGC is required to share any information received regarding criminal behavior commenced in connection with sports betting activity to the Division of Criminal Investigation (DCI) of the Department of Public Safety (DPS). The IRGC may also share such information with any sports team or sports governing body as the IRGC deems appropriate, provided the sharing of such information does not interfere with an ongoing investigation.

Under current Iowa law, individuals under the age of 21 are prohibited from participating in gaming activity but may work as employees of a licensed gaming entity at the age of 18. [House File 748](#) conforms sports betting and Internet fantasy sports contest participant rules to current law.

Division I of [HF 748](#) establishes an initial licensing fee of \$15,000 and annual licensing renewal fee of \$15,000 for any gaming entity wishing to conduct sports betting and advance deposit sports betting wagering on a telephone-type device or by any other electronic means. License

fees are deposited into the General Fund. The Division requires a licensee to include the statewide telephone number authorized by the Iowa Department of Public Health (DPH) to provide problem gambling information to be listed on the advance deposit sports betting wagering Internet site or mobile application. Sports betting rules must be clearly displaying the area of a gaming entity where sports betting occurs. An individual wishing to participate in advance deposit sports betting wagering may establish an account with a licensee. Until January 1, 2021, all such applications to establish an account must occur in person at a licensed gaming entity. All licensees that have been granted a license to conduct sports betting are required to take reasonable steps to prohibit coaches, athletic trainers, officials, players, or other individuals who participate in authorized sporting events subject to sports betting from participating in such wagers.

[House File 748](#) amends the definition of “adjusted gross receipts” to include gross receipts less winnings paid to wagerers on gambling games. “Sports betting net receipts” are defined as gross receipts less winnings paid to wagerers on sports betting. The Bill establishes a 6.75% tax rate on net receipts in new Iowa Code section 99F.11(4). Of this percentage, 0.25% of sports betting net receipts will be appropriated to the DPH for purposes of the Iowa Gambling Treatment Program. The remaining revenue collected from the wagering tax on sports betting net receipts will be deposited in the Rebuild Iowa Infrastructure Fund (RIIF).

The Bill also requires a licensee who conducts pari-mutuel dog or horse racing to use receipts from gambling games and sports betting to support the horse racing industry and to supplement purses for races, particularly for Iowa-bred horses subject to agreements between a licensee and representatives of dog or horse owners. Current law provides that agreements concerning purses for horse racing must provide that total annual purses for all horse racing must be no less than 11.0% of the first \$200 million net receipts, and 6.0% of net receipts above \$200 million.

[House File 748](#) allows individuals to voluntarily exclude themselves from advance deposit wagering, from advance deposit sports betting wagering, and from the gaming floor and sports betting wagering area of a licensed gambling facility.

Division II

[House File 748](#) allows the addition of “fantasy sports contests” and “Internet fantasy sports contests” as legally recognized forms of gaming activity. “Fantasy sports contests” are defined as any fantasy or simulated games or contests in which the following apply:

- The fantasy sports contest operator is not a participant in the game or contest.
- The value of all prizes and awards offered are known to contest participants in advance.
- All winning outcomes reflect the relative knowledge and skill of participants and are determined by statistical results of the performance of individuals, including athletes in the case of sporting events.
- No winning outcome is based solely on the score, point spread, or any performance(s) of any single actual team or solely on any single performance of an individual athlete or player in any single actual event.

“Internet fantasy sports contests” are defined as a method of entering a fantasy sports contest by which a person may establish an account with an Internet fantasy sports contest service provider, deposit money into the account, and use the account balance for entering a fantasy sports contest by utilizing electronic communication. “Internet fantasy sports contest service provider” means an individual, including a licensee under Iowa Code chapter [99D](#) or [99E](#), who conducts Internet fantasy sports contests.

The Bill grants the IRGC the authority to supervise and have full jurisdiction over all Internet fantasy sports contests and Internet fantasy sports contest service providers, including establishing rules. An applicant for an Internet fantasy sports contest service provider license who knowingly submits an application containing false statements commits an aggravated misdemeanor. The IRGC may deny an application for a license based on criteria specified in the Bill.

Division II of [HF 748](#) establishes an initial licensing fee of \$5,000 and licensing renewal fee of \$5,000 for any gaming entity wishing to conduct Internet fantasy sports contests. The initial license is valid for no more than three years. Licensing fees will be deposited into the Gaming Regulatory Fund. Moneys collected by the IRGC for Internet fantasy sports contest service provider renewal fees are considered repayment receipts pursuant to Iowa Code section [8.2](#).

[House File 748](#) also establishes a transitional license for an individual or entity that has been granted a license or registration by two or more states to conduct Internet fantasy sports contests, subject to the requirements of new Iowa Code chapter 99E. The transitional license will be valid until the earlier date of when the IRGC grants or denies an Internet fantasy sports contest service provider application, or 12 months after the date the IRGC accepts issuances of licenses to conduct Internet fantasy sports contests under new Iowa Code section 99E.5.

[House File 748](#) also requires the IRGC to request a background check and fingerprints to be submitted to the Federal Bureau of Investigation by the DPS. The IRGC may charge a license applicant a fee set by the DCI of the DPS to recover costs related to fingerprints and background check requirements. If an additional investigation is required, the IRGC may charge the license applicant with the associated costs. These costs and fees are considered to be repayment receipts and may be retained by the DCI. Regulatory fees will be deposited in the Gaming Regulatory Revolving Fund. A licensed Internet fantasy sports contest service provider will receive a credit for the amount of the license and regulatory fees paid by the service provider against the taxes to be paid as required by the Bill.

Upon approval of a license application, an Internet fantasy sports contest service provider must meet the following requirements:

- Prevent employees of the Internet fantasy sports contest service provider and relatives living in the same household of such employees from competing in any Internet fantasy sports contest on the service provider's digital platform in which a cash prize is offered.
- Verify that participants in Internet fantasy sports contests in the State of Iowa are age 21 or over.
- Ensure that coaches, officials, players, contestants, or other participants in a contest that is the subject of an Internet fantasy sports contest are restricted from entering into an Internet fantasy sports contest in which the outcome is determined, in whole or part, by accumulated statistical results of a team of individuals in a game or contest in which they participate.
- Allow individuals to voluntarily restrict and exclude themselves from entering into an Internet fantasy sports contest upon request and with support from the Internet fantasy sports contest service provider.
- Allow individuals to establish an electronic account with an Internet fantasy sports contest service provider.
- Disclose the number of entries an individual Internet fantasy sports contest player may submit for each contest and take reasonable steps to prevent players from submitting more than the allowable number of entries for a single contest.

- Segregate Internet fantasy sports contest player funds from operational funds or maintain a reserve in the amount of the deposits in individual player accounts for the benefit and protection of Internet fantasy sports contest player funds.
- Conduct an annual audit.
- Pay the required tax.

The Bill establishes a civil penalty for any individual who willfully fails to comply with the above requirements or any other rules established by the IRGC. The civil penalty charged totals \$1,000 per individual violation but is not to exceed \$10,000 for violations arising out of the same transaction. Additionally, for violations relating to entering an Internet fantasy sports contest under the age of 21, a scheduled fine of \$500 is charged. Finally, the IRGC is authorized to revoke the license of any individual who fails to comply with new Iowa Code section 99E.4.

Division II of [HF 748](#) also establishes the definition of “Internet fantasy sports contest adjusted revenues” as the amount equal to the total charges and fees collected from all participants entering into an Internet fantasy sports contest less the winnings paid to participants in the contest, multiplied by a location percentage. The location percentage is defined as the percentage, rounded to the nearest tenth of a percent, equal to the total charges and fees collected from all Internet fantasy sports contest players located in the State of Iowa divided by the total charges and fees collected from all participants in the Internet fantasy sports contest.

The Bill establishes a 6.75% tax rate on Internet fantasy sports contest adjusted revenues. Of this percentage, 0.25% of Internet fantasy sports contest adjusted revenues will be allocated to the DPH for purposes of the Iowa Gambling Treatment Program. The remainder of Internet fantasy sports contest adjusted revenues will be deposited in the RIIF.

[House File 748](#) allows individuals to voluntarily exclude themselves from Internet fantasy sports contests as defined in the Bill, including from the gaming floor.

Division III

Division III of [House File 748](#) amends existing Code language to include a definition of “social fantasy sports contests” to mean any fantasy or simulated game or contest in which the following apply:

- The value of all prizes and awards offered are known to contest participants in advance and do not exceed a total of \$1,000 or equivalent consideration.
- All winning outcomes reflect the relative knowledge and skill of participants and are determined by the accumulated statistical results of the performance of individuals in events occurring over more than a 24-hour period, including athletes in the case of sporting events.
- No winning outcome is based on the score, point spread, or any performance(s) of any single actual team or solely on any single performance of an individual athlete or player in any single actual event.

“Social fantasy sports contests” do not include Internet fantasy sports contests as defined in Division II of the Bill.

Additionally, Division III amends the distribution of purse moneys designated for live thoroughbred and quarter horse racing pursuant to Iowa Code section [99D.7](#). Two percent of these purse moneys will be distributed to an organization representing owners of thoroughbred and quarter race horses for the purposes of paying annual operations, promotion and marketing of Iowa-bred horses, benevolence, horse aftercare, breeder promotions and awards, and improvements to the horse racetrack in Polk County.

Background

The State of Iowa permits individuals 21 years of age or older to take part in gambling games and related activities. Each gambling licensee must collect debts owed to the State from persons participating in gambling activity. Under current law, a single occurrence win equal to or greater than \$1,200 is considered a taxable event and subject to outstanding debt collection. The amount of the debt constitutes a valid lien against the winnings of the person and is collected from the winnings. Each licensee is provided electronic access to the names of persons indebted to the State for purposes of this setoff procedure. The setoff procedure is conducted by the Department of Administrative Services (DAS). The DAS also charges a \$7 administrative fee for the setoff procedure. Delinquent debt and past due taxes are deposited in the General Fund in the fiscal year collected.

The IRGC currently regulates and supervises all gaming institutions in the State of Iowa, investigating any violations of current law or the Commission's rules. The IRGC also acts as the primary licensing entity for such institutions. Under [HF 748](#), the IRGC will have full jurisdiction over and will supervise sports betting activity and sports betting license holders, and Internet fantasy sports contests and Internet fantasy sports contest service providers. The IRGC will also establish administrative rules related to both sports betting and Internet fantasy sports contests.

An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least \$625 but no more than \$6,250.

Assumptions

Division I

- According to a 2017 study completed by Global Market Advisors, approximately 28.0% of all U.S. adults (individuals over the age of 18) participate in sports betting. [House File 748](#) only authorizes sports betting to be available to individuals 21 years of age or older.
- Iowa has a population of approximately 3.16 million people. According to the most recent census data, 72.7% of Iowans are age 21 or over. Extrapolating this data leads to the assumption that approximately 2.3 million Iowans are eligible to participate in sports betting.
- Using national data provided by Ernst and Young, an individual participant 18 years of age or older spends an annual average amount of approximately \$1,626 on sports betting.¹ This estimate is based on the most recent data available and is adjusted for inflation.
- On average, 95.0% of a sports betting handle (the total amount wagered by all participants) is paid out to winners. The remaining 5.0% of the handle is retained by the authorized sports betting licensee and subject to taxation.
- [House File 748](#) requires all tax revenue received from participation in sports betting activity to be deposited in the RIIF.
- Requires an amount equal to 0.25% of sports betting net receipts to be allocated to the DPH for purposes of the Iowa Gambling Treatment Program.
- The IRGC will charge an initial fee of \$15,000 per license to conduct sports betting. A licensee may renew the license at a renewal fee of \$15,000. These fees would be deposited into the General Fund.
- The DPS charges a deposit fee to any company pursuing a gambling license in the State of Iowa. This deposit fee covers travel and accommodations for an investigator and may

¹ www.americangaming.org/wp-content/uploads/2018/12/AGA-Oxford-Sports-Betting-Economic-Impact-Report1-1.pdf

range up to \$5,000 depending on the location of the applicant. An authorized sports betting licensee will be subject to the same investigation.

Division II

- According to national data provided by the Bloomberg Bureau of National Affairs, an individual participant 18 years of age or older spends an annual average amount of approximately \$333 on Internet fantasy sports contests. This estimate is based on the most recent data available and is adjusted for inflation.²
- Iowa has a population of approximately 3.16 million people. According to the most recent census data, 72.7% of Iowans are age 21 or over. Extrapolating this data leads to the assumption that approximately 2.3 million Iowans are eligible to participate in Internet fantasy sports contests.
- Total annual gross receipts as collected by an Internet fantasy sports contest service provider are comprised of all entry fees and charges collected annually. On average, 88.0% to 90.0% of this revenue is paid out as prizes and winnings. The remaining 10.0% to 12.0% of revenue is retained by the Internet fantasy sports contest service provider.
- Moneys that are held by the Internet fantasy sports contest service provider as winnings to contest participants will be adjusted by a location percentage (multiplier) based on the total number of Iowa residents participating in the Internet fantasy sports contest.
- The Bill requires all tax revenue received from participation in Internet fantasy sports contests and adjusted for location percentage to be deposited in the RIIF.
- Requires an amount equal to 0.25% of Internet fantasy sports contest adjusted revenues to be allocated to the DPH for purposes of the Iowa Gambling Treatment Program.
- The IRGC will charge an initial fee of \$5,000 per license to conduct Internet fantasy sports contests. The license is valid for an initial period of three years. A licensee will renew the license at a renewal fee of \$5,000. The fees will be deposited into the Gaming Regulatory Revolving Fund.
- The DPS charges a deposit fee to any company pursuing a gambling license in the State of Iowa. This deposit fee covers travel and accommodations for an investigator and may range up to \$5,000 depending on the location of the applicant. An Internet fantasy sports contest service provider will be subject to the same investigation.

Correctional Impact

- [House File 748](#) establishes the willful failure to comply with the Internet fantasy sports contest service provider license requirements set forth in the Bill as an aggravated misdemeanor.
- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay; revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A lag effect of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.

² www.bna.com/extras-excise-four-b57982087887

Effective Dates

Divisions I and II are effective upon enactment. Division III is effective on July 1, 2019.

Summary of Impacts

Correctional Impact

The correctional impact of [HF 748](#) cannot be determined. The Bill establishes a new criminal offense, and the number of convictions cannot be estimated. **Table 1** below shows estimates for sentencing to State prison, parole, probation, or community-based corrections (CBC) residential facilities; length of stay (LOS) under those supervisors; and supervision marginal costs per day for convictions of aggravated misdemeanors. Please refer to the Legislative Services Agency memo addressed to the General Assembly, [Correctional Impact Memo](#), dated January 8, 2019, for information related to the correctional system.

Table 1 — Sentencing Estimates and LOS

Conviction Offense Class	Percent to Prison	FY 18 Avg Length of Stay Prison (months)	FY 18 Marginal Cost/Day Prison	Percent to Probation	FY 18 Avg Length of Stay Probation (months)	FY 18 Avg Cost/Day Probation	Percent to CBC	FY 18 Marginal Cost/Day CBC	FY 18 Avg Length of Stay Parole (months)	FY 18 Marginal Cost/Day Parole	Percent to County Jail	Marginal Cost/Day
Aggravated Misdemeanor (Non-Persons)	34.0%	6.7	\$19.93	53.0%	20	\$5.38	4.0%	\$11.85	5.9	\$5.38	68.0%	\$50.00

The fiscal impact associated with the newly established criminal offense and the resulting cost to the justice system cannot be estimated. **Table 2** shows estimates for the average State cost for an aggravated misdemeanor. The estimates include operating costs incurred by the Judicial Branch, the State Public Defender, and the Department of Corrections for one additional conviction. The cost would be incurred across multiple fiscal years for prison and parole supervision.

Table 2 — Average State Cost Per Offense Type

Offense Class	Total Minimum Cost	Total Maximum Cost
Aggravated Misdemeanor (Non-Persons)	\$4,700	\$7,500

It is likely that some revenue may be generated from the criminal fines associated with the conviction of an aggravated misdemeanor, as mentioned in the Background section of this Fiscal Note, but such fiscal impact is expected to be minimal.

Minority Impact

The minority impact of [HF 748](#) is unknown. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 7, 2019, for information related to minorities in the criminal justice system.

Fiscal Impact

Iowa Racing and Gaming Commission

In order to fulfill the regulatory and licensing requirements established in [HF 748](#) for both sports betting and Internet fantasy sports contests, the IRGC estimates that it will need to hire 3.0 additional full-time equivalent (FTE) positions to accommodate the increase in supervisory

duties resulting from authorizing entities to participate in such gaming activity. The IRGC will need to hire one management position to act as a public service executive, one auditor position, and one administrative assistant position. Cost estimates for these positions are displayed in **Table 3** below. Additionally, the IRGC states that it will likely see an increase in training costs.

Table 3 — Regulatory and Licensing Related Estimated Costs, IRGC

Position	FTEs	Cost
Management Position	1.0	\$ 200,000
Auditor	1.0	107,000
Administrative Assistant	1.0	85,000
	Subtotal	\$ 392,000
Existing Budget		-117,000
	Total	\$ 275,000

The IRGC estimates that \$117,000 is available in its existing budget to cover part of the total cost related to implementing [HF 748](#), including the increase in training costs. The IRGC estimates an increase in expenses of \$275,000 for FY 2020. The increase in expenses will be funded by IRGC billings to the gaming industry. These billings, or regulatory fees, are deposited in the Gaming Regulatory Revolving Fund.

Licensing Revenue

It is difficult to estimate the number of applicants that may attempt to obtain a sports betting or Internet fantasy sports contest service provider license as a result of the authorization of such gaming activity by [HF 748](#). The IRGC estimates that all of the 19 gaming entities existing in Iowa will apply for a sports betting license, and that approximately 5 to 15 licensees will apply to conduct Internet fantasy sports contests.

Should all 19 applicants be authorized to conduct sports betting in the State of Iowa, a total of approximately \$285,000 (19 licenses at \$15,000 each) in initial license fees would be collected and deposited in the General Fund. Licensing renewal fees would be collected in future years at a total of \$15,000 per licensee. If 5 to 15 applicants are approved to conduct Internet fantasy sports contests in the State, a total of approximately \$25,000 to \$75,000 in licensing fees would be collected (5 to 15 licenses at \$5,000 each). The annual licensing fees for Internet fantasy sports contest service providers will be deposited into the Gaming Regulatory Revolving Fund. An Internet fantasy sports contest service provider license is valid for up to three years, at which time a renewal fee of \$5,000 will be charged. Moneys collected by the IRGC for Internet fantasy sports contest provider renewal fees are considered repayment receipts pursuant to Iowa Code section [8.2](#).

Department of Public Safety (DPS)

The DPS estimates that in order to fulfill the regulatory and investigative requirements set out in [HF 748](#) for both sports betting and Internet fantasy sports contests, it would need to hire 5.0 additional FTE positions, including one special agent in charge, three special agent 2s, and one financial analyst with accounting experience. Additionally, the DPS estimates that each special agent position would incur equipment costs of \$43,902 per position. The DPS also estimates that at least \$50,000 would need to be appropriated toward updating existing training procedures to accommodate changes to investigative procedures. The estimated costs of all positions and training are displayed in **Table 4** below.

Table 4 — Regulatory and Investigation-Related Estimated Costs, DPS

Position	FTEs	Cost Per FTE	Equipment Cost	Total
Special Agent in Charge	1.0	\$ 126,755	\$ 43,902	\$ 170,657
Special Agent 2	3.0	\$ 91,974	\$ 131,706	\$ 407,628
Financial Analyst	1.0	\$ 90,000	—	\$ 90,000
Other				
Training Costs				\$ 50,000
			Total Cost	\$ 718,285

For FY 2020, the DPS estimates an increased need of funding from the Gaming Enforcement Revolving Fund to cover the expenses associated with [HF 748](#).

Department of Public Health (DPH)

As a result of the authorization of both sports betting and Internet fantasy sports contests, the DPH estimates it will see an increase in gambling addiction treatment program admissions. For FY 2020, the DPH estimates an increase of 13 admissions to the Iowa Gambling Treatment Program, which reflects an increase of 50.0% in admissions compared to FY 2018. The DPH also states that it will need to update existing training materials, public service announcement campaigns, and the problem gambling survey to accommodate the addition of sports betting and Internet fantasy sports contests as legal forms of gaming in Iowa. A summary of the costs arising out of these changes is displayed in **Table 5** below.

Table 5 — Treatment Program and Related Update Estimated Costs, DPH

FY 2020 Costs	Cost Per Admission	New Admissions (Est.)	Total Cost
Treatment Program	\$ 1,010	13	\$ 13,130
Training/Materials			\$ 10,000
Public Service Announcement Campaign Update			75,000
Internal Data System Update			30,000
Problem Gambling Survey Update			5,000
		Total	\$ 133,130

According to the DPH, these costs can be absorbed by its existing budget and will not have a fiscal impact on the State General Fund in FY 2020.

State Tax Revenue, Sports Betting

Table 6 shows potential tax revenue estimates resulting from authorizing sports betting in the State of Iowa, based on percentages of potential participation.

Table 6 — State Tax Revenue Estimates, Sports Betting

Total Eligible Population Participation Assumption	Total Players	Average Amount Wagered Annually	Total Wagered	5.0% Payout (Casino Revenue)	Tax Rate	Tax Revenue	Revenue to Department of Public Health	Revenue to RIF
5.0%	114,726	\$ 1,626	\$ 186,544,476	\$ 9,327,224	6.75%	\$ 629,588	\$ 23,318	\$ 606,270
7.0%	160,616	\$ 1,626	\$ 261,161,616	\$ 13,058,081	6.75%	\$ 881,420	\$ 32,645	\$ 848,775
10.0%	229,452	\$ 1,626	\$ 373,088,952	\$ 18,654,448	6.75%	\$ 1,259,175	\$ 46,636	\$ 1,212,539
12.0%	275,342	\$ 1,626	\$ 447,706,092	\$ 22,385,305	6.75%	\$ 1,511,008	\$ 55,963	\$ 1,455,045
15.0%	344,178	\$ 1,626	\$ 559,633,428	\$ 27,981,671	6.75%	\$ 1,888,763	\$ 69,954	\$ 1,818,809

The revenue estimate includes the 6.75% gaming revenue tax rate established in [HF 748](#), as well as the allocation of 0.25% to the DPH. Depending on the level of participation of sports betting, the revenue increase to the RIF is estimated to range from \$606,000 to \$1.8 million. In addition, the estimated revenues allocated to the DPH for gambling treatment will range from \$23,000 to \$70,000.

Additionally, licensed gaming entities that offer sports betting are required to pay a federal excise tax of 0.25%. **Table 7** below shows the amount of excise tax that would be paid based on the above participation rates. It should be noted that the excise tax would be applied to the entire amount of casino or gaming entity revenue.

Table 7 — Estimated Excise Tax Calculations, Sports Betting

Total Eligible Population Participation Assumption	Total Handle	Federal Excise Tax	Payment to Federal Government
5.0%	\$ 186,544,476	0.25%	\$ 466,361
7.0%	\$ 261,161,616	0.25%	\$ 652,904
10.0%	\$ 373,088,952	0.25%	\$ 932,722
12.0%	\$ 447,706,092	0.25%	\$ 1,119,265
15.0%	\$ 559,633,428	0.25%	\$ 1,399,084

State Tax Revenue, Internet Fantasy Sports Contests

Table 8 displays potential tax revenue estimates resulting from authorizing Internet fantasy sports contests in the State of Iowa, based on percentages of potential participation. Please note that the data in **Table 8** has already been adjusted by the location multiplier as is required in Division II of [HF 748](#). The location multiplier is incorporated into the participation percentage assumptions listed in **Table 8**.

Table 8 — State Tax Revenue Estimates, Internet Fantasy Sports Contests

Total Eligible Population Participation Assumption	Total Participants	Average Annual Entry Fee Per Contest	Total Entry Fees Collected	Total Taxable Amount	Tax Rate	Tax Revenue	Revenue to Department of Public Health	Revenue to RIIF
5.0%	114,726	\$333	\$ 38,203,758	\$ 3,820,376	6.75%	\$257,875	\$ 9,551	\$248,324
7.0%	160,616	\$333	\$ 53,485,128	\$ 5,348,513	6.75%	\$361,025	\$ 13,371	\$347,653
10.0%	229,452	\$333	\$ 76,407,516	\$ 7,640,752	6.75%	\$515,751	\$ 19,102	\$496,649
12.0%	275,342	\$333	\$ 91,688,886	\$ 9,168,889	6.75%	\$618,900	\$ 22,922	\$595,978
15.0%	344,178	\$333	\$ 114,611,274	\$ 11,461,127	6.75%	\$773,626	\$ 28,653	\$744,973

The revenue estimate includes the 6.75% gaming revenue tax rate established in [HF 748](#), as well as the allocation of 0.25% of adjusted revenue to the DPH. Depending on the level of participation of Internet fantasy sports contests, the revenue increase to the RIIF is estimated to range from \$248,000 to \$745,000. In addition, the estimated revenues allocated to the DPH for gambling treatment will range from \$10,000 to \$29,000. These funds will be deposited into the RIIF.

Depending on the level of participation, the fiscal impact of [HF 748](#) may range from \$1.2 million to \$3.0 million annually. **Table 9** displays the revenue impact on the RIIF, the General Fund, the Gaming Regulatory Revolving Fund, and the Department of Public Health. Note that the tax revenue generated from Internet fantasy sports contests will be reduced by the tax credit an entity receives for license and regulatory fees. However, the amount of the tax credit cannot be estimated at this time.

Table 9 — Summary of [HF 748](#) State Tax Revenue Estimates

	Sports Wagering		Fantasy Sports		License Fees		Total Revenue	
	Low	High	Low	High	Low	High	Low	High
RIIF	\$606,000	\$1,800,000	\$248,000	\$745,000	\$ 0	\$ 0	\$ 854,000	\$2,545,000
General Fund	0	0	0	0	285,000	285,000	285,000	285,000
Gaming Revolving Fund	0	0	0	0	25,000	75,000	0	0
DPH	23,000	70,000	10,000	28,700	0	0	33,000	98,700
Total Revenue	\$629,000	\$1,870,000	\$258,000	\$773,700	\$ 310,000	\$ 360,000	\$1,172,000	\$2,928,700

Offset Revenue

Several factors must be considered to estimate potential General Fund revenue resulting from DAS setoff procedures. Beginning in FY 2020, participants in sports betting and Internet fantasy sports contests who attempt to draw winnings of \$1,200 or more out of the individual's electronic account would be eligible to be referenced against the existing database of names of individuals who owe the State of Iowa money for various reasons, including unpaid income tax, child support, or other State debts. Should a participant owe a debt to the State, the total amount owed would be withdrawn from any winnings prior to any payout. Moneys collected through this setoff procedure are deposited into the General Fund. According to the DAS, it is not possible to estimate the fiscal impact of revenue collected from offset procedures as a result of authorizing sports betting and Internet fantasy sports contests.

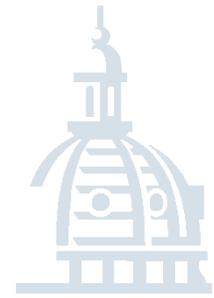
Sources

Iowa Racing and Gaming Commission, Department of Inspections and Appeals
Division of Criminal and Juvenile Justice Planning, Department of Human Rights
Department of Revenue
Department of Public Safety
Department of Administrative Services
Department of Public Health
LSA analysis and calculations

/s/ Holly M. Lyons

April 18, 2019

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



HF 757 – Auditor Examination Fees for Cities (LSB2766HZ)
Analyst: Christopher Ubben (515.725.0134) chris.ubben@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 757](#) raises the \$375,000 cap on total periodic examination fees collected by the Auditor of State to \$550,000.

Background

Iowa Code section [11.6\(1\)\(a\)](#) requires the Auditor of State to examine the financial condition and transactions of every Iowa city “having a population of less than two thousand and budgeted gross expenditures of less than \$1.9 million in a fiscal year” at least once during an eight-year period at a time determined by the Auditor of State. Fees to perform the examinations are set in [81 IAC 21.2\(2\)](#) and are based on a sliding scale dependent on the city’s budgeted gross expenditures. The periodic fee schedule was created based on an estimate that each examination would cost approximately \$3,000. **Table 1** below shows the current fee schedule and revenue collected from the current program.

Table 1
HF 757 — Current Fees Collected Under 81 IAC 21.2(2)

Budgeted Expenditures	Number of Cities	Fee	Total Collected
Under \$50,000	120	\$ 100	\$ 12,000
At least \$50,000 but less than \$300,000	241	\$ 475	\$ 114,475
At least \$300,000 but less than \$600,000	121	\$ 900	\$ 108,900
\$600,000 or more	120	\$ 1,200	\$ 144,000
Total Fees Collected		\$	\$ 379,375

Assumptions

The current average cost of an examination is approximately \$3,900, and 53.0% of cities have required a follow-up examination within two years of the original examination to ensure cities are able to implement changes recommended in the examination. The average cost of a follow-up examination is \$1,900. The total projected cost of the program for FY 2019 is \$505,000 and is expected to increase in subsequent fiscal years.

Fiscal Impact

[House File 757](#) does not have an inherent fiscal impact, but instead raises the cap on total fees collected under [81 IAC 21.2\(2\)](#). Under this Bill, the administrative rules could be changed to allow an increase of no more than \$175,000 in the fees collected from small cities in Iowa.

Sources

Office of the Auditor of State

/s/ Holly M. Lyons

April 18, 2019

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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