

**EIGHTY-EIGHTH GENERAL ASSEMBLY
2020 REGULAR SESSION
DAILY
HOUSE CLIP SHEET
February 17, 2020**

Clip Sheet Summary

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

Bill	Amendment	Action	Sponsor
HF 2097	H-8017		STAED of Linn
HF 2138	H-8016		MEYER of Webster
HF 2213	H-8018	Filed	SHIPLEY of Van Buren
HF 2213	H-8019	Filed	SHIPLEY of Van Buren
HF 2213	H-8020	Filed	SHIPLEY of Van Buren

Fiscal Notes

[HF 2065](#) — [Rural Economic Development](#) (LSB5580YH)

[HF 2363](#) — [Unemployment Insurance Program, Landscaping Contributory Employer](#) (LSB5401HV)

[HF 2383](#) — [Residency Enrollment Requirements, Medical and Dental Schools](#) (LSB5838HV)

HOUSE FILE 2097

H-8017

- 1 Amend House File 2097 as follows:
- 2 1. Page 1, before line 1 by inserting:
- 3 <Section 1. SHORT TITLE. This Act shall be known as
- 4 *"Adalynn's Law".>*
- 5 2. By renumbering as necessary.

By STAED of Linn

H-8017 FILED FEBRUARY 17, 2020

HOUSE FILE 2138

H-8016

1 Amend House File 2138 as follows:

2 1. Page 1, line 26, after <pay> by inserting <per
3 prescription filled>

4 2. Page 1, line 27, by striking <for a thirty-day> and
5 inserting <for up to a thirty-one day>

By MEYER of Webster

H-8016 FILED FEBRUARY 17, 2020

HOUSE FILE 2213

H-8018

1 Amend House File 2213 as follows:

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

4 <Section 1. INTERIM STUDY COMMITTEE — EVALUATION OF FIFTH
5 GENERATION WIRELESS NETWORK TECHNOLOGY. The legislative
6 council is requested to establish an interim study committee
7 during the 2020 legislative interim to evaluate and discuss
8 issues relating to the safety of fifth generation wireless
9 network technology. The committee shall review the issues
10 related to and make recommendations regarding whether and to
11 what extent fifth generation wireless network technology can
12 be safely incorporated into Iowa's wireless network technology
13 infrastructure. The committee shall consider testimony from
14 interested stakeholders, including but not limited to medical
15 professionals, representatives from wireless network technology
16 companies, and representatives from agencies responsible
17 for regulating wireless network technology companies. The
18 committee shall submit its findings and recommendations to the
19 general assembly by December 31, 2020.>

20 2. Title page, by striking lines 1 and 2 and inserting <An
21 Act requesting the establishment of an interim study committee
22 relating to evaluating the safety of fifth generation wireless
23 network technology.>

By SHIPLEY of Van Buren

H-8018 FILED FEBRUARY 17, 2020

HOUSE FILE 2213

H-8019

1 Amend House File 2213 as follows:

2 1. Page 1, after line 4 by inserting:

3 <Sec. _____. NEW SECTION. 364.10 Utility meters — equipment
4 **used to facilitate telecommunications service — city authority.**

5 Notwithstanding any other provision of law to the contrary,
6 an ordinance, motion, resolution, or amendment adopted by
7 a city regarding the type or location of utility meters
8 or equipment used to facilitate telecommunications service
9 in relation to residential real property shall govern the
10 installation of such meters or equipment and shall not be
11 subject to preemption by any other regulatory authority or
12 interconnection agreement.

13 Sec. _____. NEW SECTION. 557.21A Utility meters — equipment
14 **used to facilitate telecommunications service — declaration of**
15 **covenants.**

16 1. In this section, unless the context requires otherwise:

17 *a. "Association"* means an Iowa corporation responsible for
18 the operation of a community in which the voting membership
19 is made up of parcel owners or their agents, or a combination
20 thereof, and in which membership is a mandatory condition of
21 parcel ownership, and which is authorized to impose assessments
22 that, if unpaid, may become a lien on the parcel.

23 *b. "Community"* means the real property that is or will be
24 subject to a declaration of covenants that is recorded in the
25 county where the property is located.

26 *c. "Declaration of covenants"* means a recorded written
27 instrument in the nature of covenants running with the
28 land subjecting the land comprising the community to the
29 jurisdiction and control of an association in which the parcel
30 owners, or their association representatives, must be members.

31 *d. "Member"* means a member of an association and may
32 include but is not limited to a parcel owner or an association
33 representing parcel owners or a combination of each.

34 *e. "Parcel"* means a platted or unplatted lot, tract, unit,
35 or other subdivision of residential real property within a

1 community, as described in the declaration of covenants and to
2 which the following apply:

3 (1) Is capable of separate conveyance.

4 (2) The parcel owner or an association in which the parcel
5 owner must be a member is obligated as follows:

6 (a) By the governing documents to be a member of an
7 association that serves the community.

8 (b) To pay to the association assessments that, if not paid,
9 may result in a lien.

10 *f. "Parcel owner"* means the record owner of legal title to a
11 parcel.

12 2. Notwithstanding any other provision of law to the
13 contrary, but subject to section 364.10, the declaration of
14 covenants shall govern the type or location of utility meters
15 and equipment used to facilitate telecommunications service
16 installed on a parcel.>

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

18 <Sec. ____ . RETROACTIVE APPLICABILITY. The following
19 apply retroactively to utility meters and equipment used to
20 facilitate telecommunications service installed prior to and on
21 or after the effective date of this Act:

22 1. The section of this Act enacting section 364.10.

23 2. The section of this Act enacting section 557.21A.>

24 3. Title page, by striking lines 1 and 2 and inserting
25 <An Act relating to public utilities, including extending
26 the repeal date of the Iowa cell siting Act and the
27 regulation of utility meters and equipment used to facilitate
28 telecommunications service, and including effective date and
29 retroactive applicability provisions.>

30 4. By renumbering as necessary.

By SHIPLEY of Van Buren

HOUSE FILE 2213

H-8020

1 Amend House File 2213 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. NEW SECTION. 8C.8A Applicability to certain
4 political subdivisions.

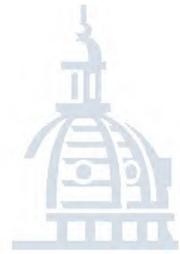
5 Notwithstanding any provision in this chapter to the
6 contrary, a city or county may, by ordinance, initiative, or
7 referendum, elect to not be governed by the terms of this
8 chapter. Such election shall be effective until the earlier
9 of the date specified in section 8C.9 or the date ten years
10 following the date of election.>

11 2. Title page, by striking lines 1 and 2 and inserting
12 <An Act relating to the Iowa cell siting Act and including
13 effective date provisions.>

14 3. By renumbering as necessary.

By SHIPLEY of Van Buren

H-8020 FILED FEBRUARY 17, 2020



[HF 2065](#) – Rural Economic Development (LSB5580YH)
Staff Contact: Jeff Robinson (515.281.4614) jeff.robinson@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2065](#) creates enhanced tax incentives under the High Quality Jobs Program (HQJP) for eligible projects located in rural communities. A rural community is defined in the Bill as any city with a population of 30,000 or less located in a county with a population of 50,000 or less. Provisions are made for cities that are located in more than one county. The Bill provides maximum HQJP Investment Tax Credit levels for projects in rural communities that are higher than the current HQJP incentive maximums.

The Bill also establishes population criteria for the determination of the amount of local community matching funds required for a project to receive assistance under a number of assistance programs offered by the Economic Development Authority (EDA). Under current law, the EDA is directed to consider the amount and type of local government match provided in each application for assistance, but no specifics as to the evaluation criteria are provided. Under the Bill, a criterium is added for community match funding that must equal at least the specified percentage of an eligible business's project expenditures. The community match criteria established in the Bill include:

- A city with a population of less than 5,000, 0.0%.
- A city with a population between 5,000 and 14,999, 5.0%.
- A city with a population between 15,000 and 29,999, 10.0%.
- A city with a population of 30,000 or more, 20.0%.

The changes take effect upon enactment.

Background

The HQJP provides three significant State financial assistance mechanisms for qualified businesses. The maximum level of incentives a business may be awarded for a qualified project depends on the level of investment, the number of employees, and the employee wage level. The ultimate level of incentive awarded to a particular project is negotiated between the qualified business and the EDA. The State incentive mechanisms include:

- An Investment Tax Credit of up to 10.0% of a business's investment in the project.
- A sales/use tax refund for construction materials.
- A Supplemental Research Activities Tax Credit.

Iowa Code section [15.119](#) limits the dollar amount of tax incentives that the EDA may award for a fiscal year under several of the State's economic development programs. However, the total amount awarded in any fiscal year has not reached the annual limit since FY 2013. For FY 2014 through FY 2019, the average annual aggregate amount awarded under the HQJP was \$72.0 million, well below the average \$115.0 million limit for those same fiscal years.

All Iowa cities with a current population in excess of 30,000 are located in counties with a population in excess of 50,000. Therefore, the HQJP population thresholds effectively limit the enhanced incentives to locations not within the 10 most populous counties in Iowa. Those 10 counties are:

- Black Hawk
- Dallas
- Dubuque
- Johnson
- Linn
- Polk
- Pottawattamie
- Scott
- Story
- Woodbury

Assumptions

- Incentive awards under the HQJP have not reached the annual limits specified in the Iowa Code since FY 2013. It is assumed that for the foreseeable future, this situation will continue, and it is further assumed that the addition of enhanced tax incentives for projects in rural communities will not result in the HQJP reaching the current annual limits specified in the Iowa Code.
- Over the past five completed fiscal years, incentives awarded under the HQJP have averaged \$72.0 million, and the Department of Revenue estimates that 44.1% of awards under the HQJP are for projects in Iowa counties with a population of less than 50,000. It is assumed that future fiscal years will experience the same \$72.0 million and 44.1% statistics under current law.
- The Department of Revenue calculates that the average tax incentive package awarded under the HQJP equals 8.0% of the project amount financed by the owners. The Department estimates that the average tax incentive package under the proposed rural community incentive enhancements will average 9.0%.
- Citing research completed by Devereux, Griffith, and Simpson, the Department of Revenue estimates that the increased incentive percentage will result in a 0.5% increase in project incentives awarded in rural areas.
- Combining the previous assumptions, the Legislative Services Agency projects that the enhanced tax incentives for rural communities will increase tax incentive awards under the HQJP by \$4.1 million each fiscal year.
- The Department of Revenue estimates that based on historical awards under the HQJP, future incentive packages awarded by the EDA will be distributed as follows:
 - Investment Tax Credits = 55.0%
 - Sales/use tax refunds = 35.0%
 - Supplemental Research Activities Credits = 10.0%
- Not all projects that receive awards are completed, and not all completed projects receive the full benefit of the original award. The Department of Revenue estimates that awarded benefits will be redeemed in the following percentages:
 - Investment Tax Credits = 68.0%
 - Sales/use tax refunds = 57.0%
 - Supplemental Research Activities Credits = 100.0%
- The actual redemption of tax incentives depends on the length of time between the award of the incentives, the time needed to complete the project, and the tax liability of the entity benefiting from the tax incentives. The average length of time it takes all the incentives to be awarded and redeemed for a particular completed project is assumed to be:

- Investment Tax Credits = Nine years
- Sales/use tax refunds = Six years
- Supplemental Research Activities Credits = Three years

Fiscal Impact

The combination of assumptions involving awards, project completions, and actual tax incentive redemptions results in a projected increase in tax credits awarded of \$4.1 million each fiscal year, and those annual awards are projected to result in redemptions over a number of years totaling \$2.4 million. The projected reduction in net General Fund revenue that is the result of the increased tax incentive awards is presented in the following table.

Projected Net General Fund Revenue Change	
In Millions	
	<u>Amount</u>
FY 2021	\$ 0.0
FY 2022	-0.1
FY 2023	-0.5
FY 2024	-0.8
FY 2025	-1.1
FY 2026	-1.4
FY 2027	-1.8
FY 2028	-2.0
FY 2029	-2.1
FY 2030	-2.3
FY 2031 and after	-2.4

Sources

Department of Revenue
 Economic Development Authority Board monthly reports
[Devereux, Griffith, and Simpson \(2007\)](#)
 Legislative Services Agency analysis

/s/ Holly M. Lyons

February 17, 2020

Doc ID 1130155

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 2363](#) – Unemployment Insurance Program, Landscaping Contributory Employer (LSB5401HV)
Staff Contact: Ron Robinson (515.281.6256) ron.robinson@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2363](#) relates to unemployment insurance under Iowa Code chapter [96](#) and provides that effective July 1, 2020, landscaping employers will contribute to the Unemployment Insurance Trust Fund at the same rate as construction employers.

Fiscal Impact

Requiring landscaping employers to contribute to the Unemployment Insurance Trust Fund at the same rate as construction employers is estimated to increase contributions to the Trust Fund by approximately \$683,000 annually.

Source

Iowa Department of Workforce Development

/s/ Holly M. Lyons

February 17, 2020

Doc ID 1130272

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 2383](#) – Residency Enrollment Requirements, Medical and Dental Schools (LSB5838HV)
Staff Contact: Robin Madison (515.281.5270) robin.madison@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2383](#) requires the Board of Regents to adopt a policy requiring that not less than 75.0% of students accepted at the University of Iowa's College of Medicine and College of Dentistry be either residents of Iowa or enrolled in an eligible postsecondary institution prior to enrolling in the College of Medicine or the College of Dentistry. Iowa Code section [261E.2](#) defines an eligible postsecondary institution as a public university under the control of the Board of Regents, an Iowa community college, or an accredited private college or university in Iowa.

Background

The base graduate tuition rates at the University of Iowa (UI) for FY 2020 are \$10,079 for resident students and \$29,026 for nonresidents, a differential of \$18,947 for nonresident graduate students. Tuition rates for graduate students at the UI may vary beyond the base rate depending on the program of study, with higher rates for certain programs.

According to the Board of Regents' Fall 2018 Enrollment Report, resident students represented 66.3% of graduate and postgraduate enrollment in the College of Dentistry and 63.6% in the College of Medicine.

Assumptions

If [HF 2383](#) is enacted, the Board of Regents anticipates a resulting reduction in nonresident tuition revenue of \$400,000 to \$500,000 per year for each of the two colleges. Based on the latest data available to the LSA regarding enrollments and tuition rates, this estimate seems to be reasonable and may be conservative.

Fiscal Impact

[HF 2383](#) is estimated to reduce tuition revenue to the University of Iowa Colleges of Medicine and Dentistry by \$800,000 to \$1.0 million annually.

Sources

Board of Regents

/s/ Holly M. Lyons

February 17, 2020

Doc ID 1130437

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.
