

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

**February 24, 2020**

**Clip Sheet Summary**

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

<b>Bill</b>	<b>Amendment</b>	<b>Action</b>	<b>Sponsor</b>
<a href="#">HF 2192</a> .....	<a href="#">H-8028</a> .....		FRY of Clarke
<a href="#">HF 2340</a> .....	<a href="#">H-8029</a> .....		STECKMAN of Cerro Gordo, et al
<a href="#">HF 2463</a> .....	<a href="#">H-8025</a> .....		WINCKLER of Scott
<a href="#">HF 2482</a> .....	<a href="#">H-8027</a> .....		WHEELER of Sioux
<a href="#">HF 2483</a> .....	<a href="#">H-8026</a> .....		LOHSE of Polk

**Fiscal Notes**

[HF 2079](#) — [License Plates, Flying Our Colors](#) (LSB5105YH)

[HF 2237](#) — [Smokable Hemp, Ban](#) (LSB5208HV)

[HF 2444](#) — [Disorderly Conduct](#) (LSB5879HV)

[HF 2473](#) — [Prohibition of Synthetic Urine, Misuse of Urine in Drug Testing](#)  
(LSB5169HV)

[HF 2479](#) — [Vehicles, Owner Definition](#) (LSB6305HV)

HOUSE FILE 2192

H-8028

- 1 Amend House File 2192 as follows:
- 2 1. Page 1, line 12, after <of> by inserting <real-time>
- 3 2. Page 1, line 13, after <other> by inserting <real-time>
- 4 3. Page 1, line 20, before <A> by inserting <a.>
- 5 4. Page 1, line 22, by striking <to a covered person by
- 6 telehealth> and inserting <by telehealth to a covered person
- 7 located at a facility>
- 8 5. Page 1, before line 26 by inserting:
- 9 <b. As a condition of reimbursement pursuant to paragraph
- 10 "a", a health carrier shall not require that an additional
- 11 health care professional be located in the same room as a
- 12 covered person while health care services for a mental health
- 13 condition, illness, injury, or disease are delivered via
- 14 telehealth by another health care professional to the covered
- 15 person.>

By FRY of Clarke

H-8028 FILED FEBRUARY 24, 2020

HOUSE FILE 2340

H-8029

- 1 Amend House File 2340 as follows:
- 2 1. Page 1, before line 1 by inserting:
- 3 <Section 1. Section 422.7, subsection 32, paragraph c,
- 4 subparagraph (1), Code 2020, is amended by adding the following
- 5 new subparagraph division:
- 6 NEW SUBPARAGRAPH DIVISION. (d) The payment of qualified
- 7 education loan payments.>
- 8 2. By renumbering as necessary.

By STECKMAN of Cerro Gordo  
STAED of Linn

H-8029 FILED FEBRUARY 24, 2020

HOUSE FILE 2463

H-8025

- 1 Amend House File 2463 as follows:
- 2 1. Page 1, after line 33 by inserting:
- 3 <Sec. \_\_\_\_ . JOINT HEALTH CARE-RELATED POSTSECONDARY
- 4 EDUCATIONAL AND RESIDENCY ASSISTANCE PROGRAMS — REVIEW.
- 5 1. The college student aid commission and the department
- 6 of public health shall jointly conduct a review of all health
- 7 care-related postsecondary education assistance programs
- 8 established in statute and administered by the college
- 9 student aid commission or by the department of public health,
- 10 including but not limited to programs established under section
- 11 135.107, subsection 3, and sections 135.175, 135.176, 135.178,
- 12 135.179, 135.181, 261.113, 261.114, 261.115, and 261.116. The
- 13 commission and the department shall do all of the following:
- 14 a. Identify issues relating to the advantages and
- 15 disadvantages of combining grant, loan, or other financial
- 16 assistance programs or application processes relating to such
- 17 health care-related programs.
- 18 b. Identify any duplication in programming.
- 19 c. Explore consolidation and expansion of state-funded loan
- 20 repayment programs for health care providers.
- 21 d. Evaluate options for additional health care provider
- 22 retention incentive programs.
- 23 e. Consider length and duration of residency programs for
- 24 future investments.
- 25 f. Consider community health professional needs surveys
- 26 conducted in this state.
- 27 2. The commission and the department shall jointly
- 28 report the results of the review, including any findings and
- 29 recommendations, to the general assembly by November 1, 2020.>
- 30 2. Title page, line 2, after <program> by inserting <and
- 31 providing for a joint review of health care-related assistance
- 32 programs>
- 33 3. By renumbering as necessary.

By WINCKLER of Scott

H-8025 (Continued)

H-8025 FILED FEBRUARY 24, 2020

HOUSE FILE 2482

H-8027

- 1 Amend House File 2482 as follows:
- 2 1. Page 1, by striking lines 19 and 20.

By WHEELER of Sioux

H-8027 FILED FEBRUARY 24, 2020

HOUSE FILE 2483

H-8026

1 Amend House File 2483 as follows:

2 1. Page 1, line 3, by striking <Iowa finance authority and  
3 the Iowa>

4 2. Page 1, line 6, by striking <areas> and inserting <areas,  
5 a cost-benefit analysis regarding the necessity of existing  
6 rest areas,>

7 3. Page 1, line 9, by striking <Iowa finance authority and  
8 the Iowa>

By LOHSE of Polk

H-8026 FILED FEBRUARY 24, 2020



**HF 2079** – License Plates, Flying Our Colors (LSB5105YH)  
 Staff Contact: Adam Broich (515.281.8223) [adam.broich@legis.iowa.gov](mailto:adam.broich@legis.iowa.gov)  
 Fiscal Note Version – New

**Description**

**House File 2079** creates a “Flying Our Colors” license plate and requires the Department of Transportation (DOT) to design the plate. The plate requires two fees, an initial special fee of \$35 and an annual special fee of \$10. These fees are deposited in the Road Use Tax Fund (RUTF). At the end of each month, the Treasurer of State is required to credit the amount equal to the special fees deposited in the RUTF from the Statutory Allocations Fund (SAF) to the Flood Mitigation Fund. The image to the right is a mockup of the proposed plate provided by the DOT. The Bill also specifies that the initial fee for a personalized plate is \$25 and the annual renewal fee for such plate is \$5. The fees for personalized plates are not subject to deposit in the Flood Mitigation Fund.



**Background**

The State of Iowa currently has over 70 types of specialty license plates that citizens may select. Over 221,000 of the 4.5 million vehicles registered in Iowa have specialty plates. The top 16 plate types account for 86.1% of all specialty plates issued in Iowa. The top 16 license plates in Iowa are as listed below. However, there are over 50 types not represented in the data below that have far fewer plates issued.

Top 16 Iowa Specialty Plates			
Blackout	93,634	Business Trade	4,258
University of Iowa	25,617	DNR Pheasant	3,738
Iowa State University	16,740	DNR Deer	3,532
DNR Goldfinch	13,133	God Bless America	3,465
Fire Fighter	11,860	Fallen Peace Officer	2,957
Veteran	9,505	Univ. of Northern Iowa	2,219
Cattleman's	6,426	Breast Cancer	1,463
DNR Eagle	4,600	Share the Road	1,449

Note: Through December 2019.

## **Assumptions**

- An estimated 3,500 “Flying Our Colors” license plates will be issued within two years.
- This would make the plate as popular as the “God Bless America” plate currently issued by the DOT. It is estimated that 1,750 plates will be issued in FY 2021 and 1,750 plates will be issued in FY 2022. Approximately 30.0% of the “Flying Our Colors” plates will be personalized. This is similar to the percentage of other special plates that are personalized.

## **Fiscal Impact**

[House File 2079](#) is estimated to increase revenue to the Flood Mitigation Fund by \$61,250 in FY 2021, \$70,000 in FY 2022, and \$17,500 each year thereafter. The RUTF will fund plate production costs (Iowa Code section [312.2\(3\)](#)), but expenditure on these plates is expected to be minimal and can only be attributed to implementation of the Bill when individuals prematurely replace a license plate in order to replace it with the new plate.

<b>Estimated Fiscal Impact</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Existing Plates	-	1,750	3,500
New Plates Issued	1,750	1,750	-
Initial Special Fee	\$ 61,250	\$ 61,250	\$ -
Annual Fee	-	17,500	35,000
RUTF Revenue	\$ 61,250	\$ 78,750	\$ 35,000
SAF Transfer to Flood Mitig.	\$ 61,250	\$ 78,750	\$ 35,000

Revenues to the RUTF and transfers from the SAF to the Flood Mitigation Fund will offset at the end of the fiscal year.

The cost to produce the new plates is estimated to be \$7,400 per year in FY 2021 and FY 2022. The costs will be funded from the RUTF.

Assuming 30.0% of the new plates are personalized, the RUTF will receive an increase in revenue of \$13,100 per year in FY 2021 and FY 2022, and \$17,500 each year thereafter.

## **Sources**

Iowa Department of Transportation  
LSA calculations

/s/ Holly M. Lyons

February 24, 2020

Doc ID 1128819

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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[HF 2237](#) – Smokable Hemp, Ban (LSB5208HV)  
Staff Contact: Christin Mechler (515.250.0458) [christin.mechler@legis.iowa.gov](mailto:christin.mechler@legis.iowa.gov)  
Fiscal Note Version – New

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### **Description**

[House File 2237](#) relates to the prohibition of possessing, using, manufacturing, marketing, transporting, delivering, or distributing harvested hemp or a hemp product if the intended use of such harvested hemp or hemp product is introduction into the body of a human or animal through any method of inhalation. This includes methods using cigarettes, cigars, cigarillos, and pipes, and smoke from combustion and vapor devices. Prohibition of such activity is not applicable to any extent that the federal government, including the federal Food, Drug, and Cosmetic Act, allows for the use of harvested hemp or a hemp product by method of inhalation.

[House File 2237](#) also provides that a person who violates the prohibition of ingesting harvested hemp or a hemp product through the methods mentioned above is guilty of a serious misdemeanor and is subject to a civil penalty of not less than \$500 and not more than \$2,500, as imposed, assessed, and collected by the Department of Agriculture and Land Stewardship (DALIS).

[House File 2237](#) is to be implemented on the same date as 2019 Iowa Acts, [ch. 130](#) (Iowa Hemp Act) and is effective upon enactment.

### **Background**

[House File 2237](#) amends provisions of [Senate File 599](#) (Iowa Hemp Act), as enacted in 2019, including associated provisions of new Iowa Code chapter [204](#). [Senate File 599](#) authorized the production of *sativa L.*, a certain type of cannabis, as well as the manufacture, sale, and transportation of hemp products if such products contain no more than 0.3% of a delta-9 tetrahydrocannabinol (THC).

The [federal Agriculture Improvement Act of 2018](#), commonly known as the 2018 Farm Bill, included provisions authorizing the production of hemp, allowing states and tribes to assume primary regulatory authority over the production of hemp by submitting a plan of approval by the United States Department of Agriculture (USDA). At this time, the USDA has not approved or denied Iowa's state plan. The Iowa Hemp Act is to be implemented on the publication date of the Iowa Administrative Bulletin that includes an approval statement of Iowa's state plan from the USDA.

A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least \$315 but not more than \$1,875.

### **Assumptions**

- 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.

**Correctional Impact**

The correctional impact of [HF 2237](#) cannot be determined. The Bill establishes a new offense, and the number of convictions cannot be estimated.

The table below shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; length of stay (LOS) under those supervisions; and supervision marginal costs per day for all convictions of a serious misdemeanor. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2020, for information related to the correctional system.

Sentencing Estimates

Conviction Offense Class	Percent to Prison	FY 19 Avg Length of Stay Prison (months)	FY 19 Marginal Cost/Day Prison	FY 19 Avg Length of Stay Probation (months)	FY 19 Avg Cost/Day Probation	Percent to CBC	FY 19 Avg Length of Stay Parole (months)	FY 19 Marginal Cost/Day Parole	Percent to County Jail	Marginal Cost/Day
Serious Misdemeanor	2.0%	5	\$20.38	13.4	\$6.12	1.0%	2.4	6.12	69.0%	\$50.00

**Minority Impact**

The minority impact of [HF 2237](#) is unknown. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 15, 2020, for information related to minorities in the criminal justice system.

**Fiscal Impact**

[House File 2237](#) establishes a new criminal offense, and the resulting cost to the Justice System cannot be estimated. The average State cost for one serious misdemeanor conviction ranges from \$410 to \$4,900. This estimate includes operating costs incurred by the Judicial Branch, the State Public Defender, and the Department of Corrections for one conviction. The cost would be incurred across multiple fiscal years for prison and parole supervision.

Any revenue collected as a result of the civil penalty established by [HF 2237](#) will be deposited in the General Fund, but is expected to be minimal.

**Sources**

Legislative Services Agency  
Criminal and Juvenile Justice Planning Division, Department of Human Rights  
Department of Agriculture and Land Stewardship  
Department of Corrections  
Department of Public Safety

/s/ Holly M. Lyons

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February 24, 2020

Doc ID 1129651

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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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[HF 2444](#) – Disorderly Conduct (LSB5879HV)  
Staff Contact: Laura Book (515.205.9275) [laura.book@legis.iowa.gov](mailto:laura.book@legis.iowa.gov)  
Fiscal Note Version – New

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### **Description**

[House File 2444](#) adds to the definition of disorderly conduct the requirement that a person intentionally or recklessly cause unreasonable distress when the person engages in loud and raucous noise in the vicinity of any residence or public building in order to be guilty of disorderly conduct. A person who violates this Bill commits a simple misdemeanor.

### **Background**

Under current law, a person engages in disorderly conduct when the person makes loud and raucous noise in the vicinity of any residence or public building which causes unreasonable distress to the occupants thereof.

A simple misdemeanor is punishable by confinement for no more than 30 days or a fine of at least \$65 but no more than \$625.

### **Assumptions**

- 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.

### **Correctional Impact**

[House File 2444](#) adds the requirement of reckless or intentional behavior to the definition of offense of disorderly conduct. Since [HF 2444](#) would restrict the definition of disorderly conduct in a way that cannot be accounted for with current data, the correctional impact cannot be estimated. In FY 2019, there were approximately 1,415 disorderly conduct convictions. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2020, for information related to the correctional system.

### **Minority Impact**

[House File 2444](#) would restrict the definition of disorderly conduct in a way that cannot be accounted for with current data, and the minority impact of this legislation cannot be estimated. In FY 2019, African Americans made up 3.6% of the adult population of the State of Iowa and approximately 21.4% of disorderly conduct convictions. According to the Criminal and Juvenile Justice Planning Division, this exceeds the population proportion of the State, which would lead to a racial impact if the proportion remains constant. Due to the low numbers in other minority categories, the impact on those populations cannot be assessed. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 15, 2020, for information related to minorities in the criminal justice system.

**Fiscal Impact**

The fiscal impact of [HF 2444](#) is unknown due to the unknown correctional impact of the Bill. The average State cost for one simple misdemeanor conviction ranges from \$40 to \$350. The minimum cost includes court time for a magistrate or district associate judge, court reporter, judicial specialist, and clerk of court staff. The maximum cost includes court time and the costs of indigent defense. The new definition of disorderly conduct under [House File 2444](#) may also affect fine and surcharge revenue, but the impact is unknown.

**Source**

Criminal and Juvenile Justice Planning Division, Department of Human Rights

\_\_\_\_\_  
/s/ Holly M. Lyons

February 24, 2020

Doc ID 1131392

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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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[www.legis.iowa.gov](http://www.legis.iowa.gov)



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[HF 2473](#) – Prohibition of Synthetic Urine, Misuse of Urine in Drug Testing (LSB5169HV)  
Staff Contact: Laura Book (515.205.9275) [laura.book@legis.iowa.gov](mailto:laura.book@legis.iowa.gov)  
Fiscal Note Version – New

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### **Description**

[House File 2473](#) creates the criminal offense of defrauding a drug or alcohol test. The Bill prohibits a person from:

- Manufacturing, marketing, selling, distributing, using, or possessing synthetic urine or a urine additive for the purpose of defrauding a drug or alcohol test.
- Knowingly using a person's own urine expelled or withdrawn prior to the collection of urine for the purpose of defrauding a drug or alcohol test.
- Knowingly using the urine of another person for the purpose of defrauding a drug or alcohol test

A person who violates the Bill commits a simple misdemeanor for a first offense and a serious misdemeanor for all subsequent offenses. The Bill allows a person who collects a urine sample from another person for a drug or alcohol test, having knowledge or a reasonable suspicion that the other person has used synthetic urine or a urine additive in violation of the Bill, to report such information to law enforcement authorities. The Bill applies to both public and private sector workplaces.

### **Background**

A simple misdemeanor is punishable by confinement for no more than 30 days or a fine of at least \$65 but not more than \$625 or by both. A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least \$315 but not more than \$1,875.

### **Assumptions**

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay (LOS); 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.

### **Correctional Impact**

The correctional impact of [HF 2473](#) cannot be estimated. 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; LOS under those supervisions; and supervision marginal costs per day for all convictions of serious misdemeanors. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2020, for information related to the correctional system.

**Table 1 — Sentencing Estimates**

Conviction Offense Class	Percent to Prison	FY 19 Avg Length of Stay Prison (months)	FY 19 Marginal Cost/Day Prison	FY 19 Avg Length of Stay Parole (months)	FY 19 Marginal Cost/Day Parole	Percent to Probation	FY 19 Avg Length of Stay Probation (months)	FY 19 Avg Cost/Day Probation	Percent to CBC Residential Facility	FY 19 CBC Marginal Cost/Day	Percent to County Jail	Avg Length of Stay in County Jail	Marginal Cost/Day
Serious Misdemeanor	2.0%	5	\$20.38	2.4	\$6.12	56.0%	13.4	\$6.12	1.0%	\$12.58	69.0%	N/A	\$50.00

**Minority Impact**

[House File 2473](#) establishes a new criminal offense, and a minority impact cannot be estimated due to a lack of data. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 15, 2020, for information related to minorities in the criminal justice system.

**Fiscal Impact**

The fiscal impact of [HF 2473](#) cannot be estimated due to the lack of data regarding convictions. **Table 2** contains cost estimates for the average State cost per offense class type for one simple misdemeanor or serious misdemeanor conviction. The cost estimate includes operating costs incurred by the Judicial Branch, the State Public Defender, and the Department of Corrections for one conviction. The cost would be incurred across multiple fiscal years for prison and parole supervision.

**Table 2 — Average State Cost per Offense Class Type**

Offense Class	Total Minimum Cost	Total Maximum Cost
Simple Misdemeanor	\$40	\$350
Serious Misdemeanor	\$410	\$4,900

The new offense established by [HF 2473](#) may also result in an increase in fine and surcharge revenue, but the impact is unknown.

**Source**

Criminal and Juvenile Justice Planning Division, Department of Human Rights

/s/ Holly M. Lyons

February 21, 2020

Doc ID 1131157

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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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[HF 2479](#) – Vehicles, Owner Definition (LSB6305HV)  
Staff Contact: Ron Robinson (515.281.6256) [ron.robinson@legis.iowa.gov](mailto:ron.robinson@legis.iowa.gov)  
Fiscal Note Version – New

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### **Description**

[House File 2479](#) automatically classifies owner-operators of specified vehicles as independent contractors when performing services while operating the vehicle.

### **Background**

While the total number of owner-operators is not known, the Iowa Department of Workforce Development (IWD), through the work of the Audits and Misclassification Units, identified 745 individuals in FY 2018 and 149 individuals in FY 2019 for a total of 894 individuals as owner-operators who are classified as employees and not independent contractors under current law. The employers of those individuals contribute approximately \$300,000 annually to the Unemployment Insurance Trust Fund.

Independent contractors are exempt from unemployment insurance requirements under Iowa Code chapter [96](#).

### **Assumptions**

- Information is not available on the total number of owner-operators in Iowa.
- Information is not available on the amount of unemployment insurance benefits that is paid to owner-operators each year.
- Wage and benefit modifications for individuals resulting from the change cannot be estimated.

### **Fiscal Impact**

The net fiscal impact of [HF 2479](#) on the Unemployment Insurance Trust Fund cannot be determined since the number of owner-operators is unknown and the amount of unemployment insurance benefits paid to owner-operators is also unknown. Because wage and benefit modifications for individuals resulting from the change cannot be estimated, the fiscal impact of possible wage and benefit changes cannot be determined. The Bill would not have a significant fiscal impact on the operations of the IWD.

### **Source**

Iowa Department of Workforce Development

/s/ Holly M. Lyons

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February 24, 2020

Doc ID 1131309

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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.

