

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

**February 27, 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 2195</a> .....	<a href="#">H-8049</a> .....		WINDSCHITL of Harrison
<a href="#">HF 2259</a> .....	<a href="#">H-8046</a> .....		ISENHART of Dubuque, et al
<a href="#">HF 2270</a> .....	<a href="#">H-8041</a> .....		EHLERT of Linn
<a href="#">HF 2280</a> .....	<a href="#">H-8047</a> .....		JACOBY of Johnson
<a href="#">HF 2461</a> .....	<a href="#">H-8048</a> .....		DOLECHECK of Ringgold
<a href="#">HF 2463</a> .....	<a href="#">H-8039</a> .....		STAED of Linn
<a href="#">HF 2463</a> .....	<a href="#">H-8045</a> .....		MASCHER of Johnson
<a href="#">HF 2492</a> .....	<a href="#">H-8043</a> .....		WILBURN of Story
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<a href="#">HF 2540</a> .....	<a href="#">H-8044</a> .....		LUNDGREN of Dubuque

**Fiscal Notes**

[HF 2375](#) — [Distracted Driving](#) (LSB5086HV)

[HF 2384](#) — [Future Ready Iowa](#) (LSB5595HV)

[HF 2414](#) — [Sex Offender Registry Modifications](#) (LSB5385HV)

[HF 2424](#) — [Child Care Assistance, Graduated Phaseout](#) (LSB5587HV)

[HF 2505](#) — [Sexual Misconduct with Offenders](#) (LSB1224HZ)

[HF 2558](#) — [Interpreters, Judicial Branch](#) (LSB5325HV)

HOUSE FILE 2195

H-8049

1 Amend House File 2195 as follows:

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

4 <Section 1. Section 158.1, subsection 3, Code 2020, is  
5 amended to read as follows:

6 3. "*Barbershop*" means an establishment in a fixed location  
7 or a location that is readily movable where one or more persons  
8 engage in the practice of barbering.

9 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate  
10 importance, takes effect upon enactment.>

11 2. Title page, by striking lines 1 and 2 and inserting <An  
12 Act relating to the practice of barbering in movable locations,  
13 and including effective date provisions.>

By WINDSCHITL of Harrison

H-8049 FILED FEBRUARY 27, 2020

HOUSE FILE 2259

H-8046

1 Amend House File 2259 as follows:  
2 1. Page 3, after line 6 by inserting:  
3 <c. A poster issued by the commissioner that can be  
4 downloaded from the department's internet site that may  
5 be displayed in the front entrance and check-in area of  
6 all lodging at which a lodging provider's employees have  
7 received human trafficking prevention training and that is  
8 owned, operated, or owned and operated by a certified lodging  
9 provider. The poster shall be modifiable to indicate the month  
10 and year in which the human trafficking prevention training  
11 was completed and shall include the state human trafficking  
12 helpline or national human trafficking hotline.>

By ISENHART of Dubuque  
JAMES of Dubuque

H-8046 FILED FEBRUARY 27, 2020

HOUSE FILE 2270

H-8041

1 Amend House File 2270 as follows:

2 1. Page 1, line 6, before <market> by inserting <most  
3 recent>

4 2. Page 1, line 7, by striking <completed in December 2017>

By EHLERT of Linn

H-8041 FILED FEBRUARY 27, 2020

HOUSE FILE 2280

H-8047

- 1 Amend House File 2280 as follows:
- 2 1. Page 1, line 4, by striking <two> and inserting <five>
- 3 2. Page 1, line 16, by striking <two> and inserting <five>

By JACOBY of Johnson

H-8047 FILED FEBRUARY 27, 2020

HOUSE FILE 2461

H-8048

1 Amend House File 2461 as follows:

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

3 <Section 1. Section 261.113, subsection 5, paragraph a,  
4 Code 2020, is amended to read as follows:

5 a. The amount of loan repayment an eligible student who  
6 enters into an agreement pursuant to subsection 3 shall receive  
7 if in compliance with obligations under the agreement shall ~~not~~  
8 ~~exceed~~ be forty thousand dollars annually for an eligible loan  
9 if the total loan amount equals or exceeds two hundred thousand  
10 dollars. Payments under this section may be made for each year  
11 of eligible practice during a period of five consecutive years  
12 and shall not exceed a total of two hundred thousand dollars.  
13 If the total amount of an eligible student's eligible loan  
14 upon graduation is less than two hundred thousand dollars,  
15 the commission shall divide the total amount of the eligible  
16 student's eligible loan by five to determine the annual amount  
17 of loan repayment the loan recipient is eligible to receive.>

18 2. Page 1, after line 19 by inserting:

19 <Sec. \_\_\_\_\_. Section 261.115, Code 2020, is amended by adding  
20 the following new subsection:

21 NEW SUBSECTION. 2A. A loan repayment recipient who  
22 refinances an eligible loan by obtaining a private educational  
23 loan may continue to receive loan repayment under this section.

24 Sec. \_\_\_\_\_. Section 261.115, subsection 3, Code 2020, is  
25 amended to read as follows:

26 3. A health care professional recruitment fund is created in  
27 the state treasury as a separate fund under the control of the  
28 commission for deposit of moneys appropriated to or received  
29 by the commission for use under the program. Notwithstanding  
30 section 8.33, any balance in the fund on June 30 of any fiscal  
31 year shall not revert to the general fund of the state but  
32 shall remain in the fund and be continuously available for loan  
33 ~~forgiveness~~ repayment under the program. Notwithstanding  
34 section 12C.7, subsection 2, interest or earnings on moneys  
35 deposited in the fund shall be credited to the fund.

1     Sec. \_\_\_\_\_. Section 261.116, Code 2020, is amended by adding  
2 the following new subsection:

3     NEW SUBSECTION. 4A. *Refinanced loans.* A loan repayment  
4 recipient who refinances a qualified student loan by obtaining  
5 a private educational loan may continue to receive loan  
6 repayment under this section if the amount of loan repayment  
7 does not exceed the lesser of the amount specified in  
8 subsection 4 or the balance of the loan repayment amount  
9 the loan repayment recipient qualified to receive with the  
10 qualified student loan.

11    Sec. \_\_\_\_\_. EFFECTIVE DATE. This Act, being deemed of  
12 immediate importance, takes effect upon enactment.

13    Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. This Act applies  
14 retroactively to January 1, 2019, for recipients of loan  
15 repayment under sections 261.113, 261.115, and 261.116.>

16    3. Title page, line 1, by striking <eligible> and inserting  
17 <student>

18    4. Title page, line 2, by striking <program> and inserting  
19 <program, the health care professional recruitment program, and  
20 the health care loan repayment program, and including effective  
21 date and retroactive applicability provisions>

22    5. By renumbering as necessary.

By DOLECHECK of Ringgold

H-8048 FILED FEBRUARY 27, 2020

HOUSE FILE 2463

H-8039

- 1 Amend House File 2463 as follows:
- 2 1. Page 1, after line 33 by inserting:
- 3 <Sec. \_\_\_\_ . Section 261.115, subsection 4, paragraph b, Code
- 4 2020, is amended to read as follows:
- 5 *b. "Health care professional" means a physician, physician*
- 6 *assistant, podiatrist, ~~or~~ physical therapist, registered nurse,*
- 7 *or advanced registered nurse practitioner.*>
- 8 2. By renumbering as necessary.

By STAED of Linn

H-8039 FILED FEBRUARY 27, 2020

HOUSE FILE 2463

H-8045

- 1 Amend House File 2463 as follows:
- 2 1. Page 1, after line 33 by inserting:
- 3 <Sec. \_\_\_\_\_. Section 261.115, subsection 4, paragraph b, Code
- 4 2020, is amended to read as follows:
- 5 *b. "Health care professional" means a physician, physician*
- 6 *assistant, podiatrist, ~~or~~ physical therapist, or mental health*
- 7 *professional.*
- 8 Sec. \_\_\_\_\_. Section 261.115, subsection 4, Code 2020, is
- 9 amended by adding the following new paragraph:
- 10 NEW PARAGRAPH. *c. "Mental health professional" means the*
- 11 *same as defined in section 228.1.>*
- 12 2. By renumbering as necessary.

By MASCHER of Johnson

H-8045 FILED FEBRUARY 27, 2020

HOUSE FILE 2492

H-8043

1 Amend House File 2492 as follows:

2 1. Page 1, after line 25 by inserting:

3 <3. This section shall not apply to an Iowa health and  
4 wellness plan member who is deemed to be in substantial  
5 compliance with the healthy behaviors requirement to complete a  
6 wellness examination by providing proof of a scheduled wellness  
7 examination appointment even if the appointment is scheduled  
8 beyond the end of the applicable enrollment period.>

By WILBURN of Story

H-8043 FILED FEBRUARY 27, 2020

HOUSE FILE 2493

H-8040

1 Amend House File 2493 as follows:

2 1. Page 1, line 6, by striking <agency> and inserting  
3 <agency, except that a fire department, emergency medical  
4 services provider, or law enforcement agency shall not donate  
5 equipment containing a perfluoroalkyl or polyfluoroalkyl  
6 substance>

7 2. Page 1, line 7, after <of> by inserting <a vehicle or>

8 3. Page 1, line 20, by striking <agency> and inserting  
9 <agency, unless such equipment contains a perfluoroalkyl or  
10 polyfluoroalkyl substance>

11 4. Page 1, line 29, by striking <agency> and inserting  
12 <agency, unless such equipment contains a perfluoroalkyl or  
13 polyfluoroalkyl substance>

By ISENHART of Dubuque  
KACENA of Woodbury

H-8040 FILED FEBRUARY 27, 2020

HOUSE FILE 2511

H-8042

1 Amend House File 2511 as follows:

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

3 <Section 1. Section 68A.102, subsection 10, paragraph a,  
4 subparagraph (2), Code 2020, is amended to read as follows:

5 (2) The payment, by any person other than a candidate or  
6 political committee who receives the service, of compensation  
7 for the personal services of another person which are rendered  
8 to a candidate or political committee for any such purpose.

9 Sec. \_\_\_\_\_. Section 68A.102, subsection 10, paragraph a, Code  
10 2020, is amended by adding the following new subparagraph:

11 NEW SUBPARAGRAPH. (3) A coordinated expenditure if the  
12 expenditure must be reported pursuant to subchapter IV.

13 Sec. \_\_\_\_\_. Section 68A.102, subsections 14 and 18, Code 2020,  
14 are amended to read as follows:

15 14. a. "*Express advocacy*" or ~~to~~ "*expressly advocate*" means  
16 communication that can be characterized according to at least  
17 one of the following descriptions:

18 ~~a.~~ (1) The communication is political speech made in the  
19 form of a contribution.

20 ~~b.~~ (2) In advocating the election or defeat of one or more  
21 clearly identified candidates or the passage or defeat of one  
22 or more clearly identified ballot issues, the communication  
23 includes explicit words that unambiguously indicate that the  
24 communication is recommending or supporting a particular  
25 outcome in the election with regard to any clearly identified  
26 candidate or ballot issue.

27 b. "*Express advocacy*" or "*expressly advocate*" does not mean  
28 a communication that can be characterized according to one or  
29 more of the following descriptions:

30 (1) The communication encourages individuals to register  
31 to vote or to vote, provided that the communication does not  
32 mention or depict a candidate or ballot issue.

33 (2) The communication does not support or oppose a candidate  
34 or ballot issue.

35 (3) The communication is a bona fide news story, commentary,

1 blog, or editorial distributed through the facilities of any  
2 broadcasting station, newspaper, magazine, internet site, or  
3 other periodical publication of general circulation.

4 (4) The communication is by a membership organization or  
5 corporation to its members, stockholders, or employees.

6 (5) The board determines by rule that the communication is  
7 not express advocacy.

8 18. "*Political committee*" means any of the following:

9 a. A committee, but not a candidate's committee, that  
10 accepts contributions in excess of ~~one thousand~~ two hundred  
11 fifty dollars in the aggregate, makes expenditures in excess  
12 of ~~one thousand~~ two hundred fifty dollars in the aggregate, or  
13 incurs indebtedness in excess of ~~one thousand~~ two hundred fifty  
14 dollars in the aggregate in any one calendar year to expressly  
15 advocate the nomination, election, or defeat of a candidate  
16 for public office, make an electioneering communication, or to  
17 expressly advocate the passage or defeat of a ballot issue.

18 b. An association, lodge, society, cooperative, union,  
19 fraternity, sorority, educational institution, civic  
20 organization, labor organization, religious organization, or  
21 professional organization that accepts contributions in excess  
22 of ~~one thousand~~ two hundred fifty dollars in the aggregate,  
23 makes expenditures in excess of ~~one thousand~~ two hundred fifty  
24 dollars in the aggregate, or incurs indebtedness in excess of  
25 ~~one thousand~~ two hundred fifty dollars in the aggregate in  
26 any one calendar year to expressly advocate the nomination,  
27 election, or defeat of a candidate for public office, make an  
28 electioneering communication, or to expressly advocate the  
29 passage or defeat of a ballot issue.

30 c. A person, other than an individual, that accepts  
31 contributions in excess of ~~one thousand~~ two hundred fifty  
32 dollars in the aggregate, makes expenditures in excess of  
33 ~~one thousand~~ two hundred fifty dollars in the aggregate, or  
34 incurs indebtedness in excess of ~~one thousand~~ two hundred fifty  
35 dollars in the aggregate in any one calendar year to expressly

1 advocate that an individual should or should not seek election  
2 to a public office prior to the individual becoming a candidate  
3 as defined in subsection 4.

4 Sec. \_\_\_\_\_. Section 68A.102, Code 2020, is amended by adding  
5 the following new subsections:

6 NEW SUBSECTION. 8A. "*Communication*" means any of the  
7 following:

8 a. A paid advertisement broadcast over radio, television,  
9 cable, or satellite.

10 b. The paid placement of content on the internet or other  
11 electronic communication network.

12 c. A paid advertisement published in a newspaper or  
13 periodical or on a billboard.

14 d. A mailing.

15 e. A printed material.

16 NEW SUBSECTION. 10A. "*Coordinated expenditure*" means  
17 an expenditure made in cooperation with, in consultation  
18 with, at the request of, or with the express prior consent  
19 of a candidate or committee receiving the benefit of the  
20 expenditure.

21 NEW SUBSECTION. 13A. a. "*Electioneering communication*"  
22 means a paid communication that is publicly distributed by  
23 radio, television, cable, satellite, internet site, newspaper,  
24 periodical, billboard, mail, electronic mail, or any other  
25 distribution of materials, that is made within sixty days of  
26 the initiation of voting in an election that does not support  
27 or oppose a candidate or ballot issue, that can be received  
28 by more than one hundred persons, and that does any of the  
29 following:

30 (1) Refers to one or more clearly identified candidates in  
31 that election.

32 (2) Depicts the name, image, likeness, or voice of a clearly  
33 identified candidate in that election.

34 (3) Refers to a political party, ballot issue, or a question  
35 submitted to the voters in that election.

1     *b.* "Electioneering communication" does not include any of  
2 the following:

3     (1) A bona fide news story, commentary, blog, or editorial  
4 distributed through the facilities of any broadcasting station,  
5 newspaper, magazine, internet site, or other periodical  
6 publication of general circulation.

7     (2) A communication by a membership organization or  
8 corporation to its members, stockholders, or employees.

9     (3) A commercial communication that depicts a candidate's  
10 name, image, likeness, or voice only in the candidate's  
11 capacity as owner, operator, or employee of a business that  
12 existed prior to the organization of a candidate's committee by  
13 the candidate pursuant to section 68A.202.

14     (4) A communication that constitutes a candidate debate or  
15 forum or that solely promotes a candidate debate or forum and  
16 is made by or on behalf of the person sponsoring the debate or  
17 forum.

18     (5) A communication that the board determines by rule is not  
19 an electioneering communication.>

20     2. Page 1, after line 11 by inserting:

21     <Sec. \_\_\_\_\_. Section 68A.402, subsection 9, Code 2020, is  
22 amended to read as follows:

23     9. *a. Permanent organizations.* A permanent organization  
24 temporarily engaging in activity described in section 68A.102,  
25 subsection 18, shall organize a political committee and shall  
26 keep the funds relating to that political activity segregated  
27 from its operating funds. The political committee shall file  
28 reports on the appropriate due dates as required by this  
29 section.

30     *b.* The reports filed under this subsection shall identify  
31 ~~the~~ all of the following:

32     (1) The source of the original funds used for a contribution  
33 made to a candidate or a committee organized under this  
34 chapter.

35     (2) The aggregate amount of contributions made by each

1 person.

2 (3) Each loan received from any person during the reporting  
3 period.

4 (4) The amount and nature of debts and obligations owed to  
5 the committee.

6 (5) Proceeds that total less than thirty-five dollars  
7 per person from mass collections made at fund-raising events  
8 sponsored by the committee.

9 (6) The total sum of contributions received by the committee  
10 for a specified candidate or committee.

11 (7) The full name, mailing address, occupation, and  
12 principal place of business, if any, of each person or  
13 committee to whom an expenditure has been made during the  
14 reporting period, including the amount, date, and purpose of  
15 each expenditure and the total amount of expenditures to each  
16 person or committee.

17 (8) The full name, mailing address, occupation, and  
18 principal place of business, if any, of each person to whom an  
19 expenditure for personal services, salaries, and reimbursement  
20 of expenses has been made, including the amount, date,  
21 and purpose of that expenditure, and the total amount of  
22 expenditures made to each person.

23 (9) The total sum of expenditures made during the reporting  
24 period.

25 (10) The full name, mailing address, occupation, and  
26 principal place of business, if any, of any person to whom a  
27 loan was made, and the full name, mailing address, occupation,  
28 and principal place of business, if any, of any endorsers, and  
29 the date and amount of each loan.

30 (11) The amount and nature of debts and obligations owed by  
31 the committee.

32 (12) Other information as may be required by the board by  
33 rule.

34 (13) For reports of expenditures made to a consultant,  
35 advertising agency, polling firm, or other person that performs

1 services for the committee, the report shall be itemized  
2 and described in sufficient detail to disclose the specific  
3 services performed by the entity.

4 c. When the permanent organization ceases to be involved  
5 in the political activity, the permanent organization shall  
6 dissolve the political committee.

7 d. As used in this subsection, "*permanent organization*"  
8 means an organization that is continuing, stable, and enduring,  
9 and was originally organized for purposes other than engaging  
10 in election activities.

11 Sec. \_\_\_\_\_. Section 68A.402A, subsection 1, paragraphs f and  
12 g, Code 2020, are amended to read as follows:

13 f. The name and mailing address of each person and committee  
14 to whom disbursements, payments for personal services,  
15 salaries, reimbursement for expenses, or loan repayments  
16 have been made by the committee from contributions during  
17 the reporting period and the amount, purpose, and date of  
18 each disbursement except that disbursements of less than five  
19 dollars may be shown as miscellaneous disbursements so long as  
20 the aggregate miscellaneous disbursements to any one person  
21 during a calendar year do not exceed one hundred dollars.  
22 Reports of disbursements under this paragraph must be itemized  
23 and sufficiently detailed to disclose the specific services  
24 performed by the person to whom a disbursement was made.

25 g. Disbursements made to a consultant, advertising agency,  
26 or polling firm and disbursements made by the consultant,  
27 advertising agency, or polling firm during the reporting  
28 period disclosing the name and address of the recipient,  
29 amount, purpose, and date. Reports of disbursements under  
30 this paragraph must be itemized and sufficiently detailed to  
31 disclose the specific services performed by the entity to whom  
32 a disbursement was made.

33 Sec. \_\_\_\_\_. Section 68A.402A, subsection 1, Code 2020, is  
34 amended by adding the following new paragraph:

35 NEW PARAGRAPH. 1. The total sum of disbursements made.

1     Sec. \_\_\_\_ . NEW SECTION. 68A.404A Electioneering  
2 communications — reports.

3     1. A person making an electioneering communication shall  
4 file a report with the board, including a description of the  
5 communication, how the communication was distributed, and  
6 the amount of any expenditure made on the electioneering  
7 communication, except that a person spending less than two  
8 hundred fifty dollars on electioneering communications in a  
9 taxable year shall not be required to file a report.

10    2. The board shall adopt rules for the form and schedule of  
11 reports filed under this section.

12    Sec. \_\_\_\_ . Section 68A.405, subsection 1, paragraphs b, c, d,  
13 e, f, g, and h, Code 2020, are amended to read as follows:

14    **b.** (1) Except as set out in subsection 2, published  
15 material designed to expressly advocate the nomination,  
16 election, or defeat of a candidate for public office or  
17 the passage or defeat of a ballot issue and electioneering  
18 communications shall include on the published material  
19 or electioneering communication an attribution statement  
20 disclosing who is responsible for the published material or  
21 electioneering communication.

22    (2) The person who is responsible for the published material  
23 or electioneering communication has the sole responsibility  
24 and liability for the attribution statement required by this  
25 section.

26    **c.** If the person paying for the published material or  
27 electioneering communication is an individual, the words "paid  
28 for by" and the name and address of the person shall appear on  
29 the published material or electioneering communication.

30    **d.** If more than one individual is responsible, the words  
31 "paid for by", the names of the individuals, and either  
32 the addresses of the individuals or a statement that the  
33 addresses of the individuals are on file with the Iowa ethics  
34 and campaign disclosure board shall appear on the published  
35 material or electioneering communication.

1 e. If the person responsible is an organization, the words  
2 "paid for by", the name and address of the organization, and  
3 the name of one officer of the organization shall appear on the  
4 published material or electioneering communication.

5 f. If the person responsible is a corporation, the words  
6 "paid for by", the name and address of the corporation, and the  
7 name and title of the corporation's chief executive officer  
8 shall appear on the published material or electioneering  
9 communication.

10 g. If the person responsible is a committee that has filed  
11 a statement of organization pursuant to section 68A.201, the  
12 words "paid for by" and the name of the committee shall appear  
13 on the published material or electioneering communication.

14 h. If the published material or electioneering communication  
15 is the result of an independent expenditure subject to section  
16 68A.404, the published material or electioneering communication  
17 shall include a statement that the published material or  
18 electioneering communication was not authorized by any  
19 candidate, candidate's committee, or ballot issue committee.

20 Sec. \_\_\_\_\_. Section 68A.405, subsection 2, paragraph d, Code  
21 2020, is amended to read as follows:

22 d. Any published material or electioneering communication  
23 that is subject to federal regulations regarding an attribution  
24 requirement.

25 Sec. \_\_\_\_\_. Section 68A.405, subsection 4, Code 2020, is  
26 amended to read as follows:

27 4. The board shall adopt rules relating to the placing of an  
28 attribution statement on published materials and electioneering  
29 communication.>

30 3. Title page, line 2, after <signs,> by inserting  
31 <requirements relating to campaign expenditures, attribution  
32 statements, and reports,>

33 4. By renumbering as necessary.

By McKEAN of Jones

H-8042 (Continued)

H-8042 FILED FEBRUARY 27, 2020

H-8044

1 Amend House File 2540 as follows:

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

4 <Section 1. Section 123.32, subsection 1, paragraph b, Code  
5 2020, is amended by adding the following new subparagraph:

6 NEW SUBPARAGRAPH. (7A) A charity beer, spirits, and wine  
7 event permit as provided in section 123.173B.

8 Sec. 2. NEW SECTION. 123.173B **Charity beer, spirits, and**  
9 **wine event permit.**

10 1. For purposes of this section, "*authorized nonprofit*  
11 *entity*" includes a nonprofit entity which has a principal office  
12 in the state, a nonprofit corporation organized under chapter  
13 504, or a foreign corporation as defined in section 504.141,  
14 whose income is exempt from federal taxation under section  
15 501(c) of the Internal Revenue Code.

16 2. Upon application to the division and receipt of a charity  
17 beer, spirits, and wine event permit, an authorized nonprofit  
18 entity may conduct an event at which the entity is authorized  
19 to serve the event's attendees beer, spirits, and wine for  
20 consumption on the premises of the event, regardless of whether  
21 the entity charges an admission fee to the event or otherwise  
22 collects the cost of the beer, spirits, and wine served from  
23 the event's attendees and subject to the requirements of this  
24 section.

25 3. An application for a charity beer, spirits, and wine  
26 event permit shall include all of the following information:

27 a. The date and time when the charity beer, spirits, and  
28 wine event is to be conducted and the location of the premises  
29 in this state where the charity beer, spirits, and wine event  
30 is to be physically conducted.

31 b. The liquor control license or wine or beer permit number  
32 issued by the division for the premises where the charity beer,  
33 spirits, and wine event is to be conducted.

34 c. A certification that the objective of the charity beer,  
35 spirits, and wine event is to raise funds solely to be used for

1 educational, religious, or charitable purposes and that the  
2 entire proceeds from the charity beer, spirits, and wine event  
3 are to be expended for any of the purposes described in section  
4 423.3, subsection 78.

5 4. A charity beer, spirits, and wine event shall comply with  
6 all of the following requirements:

7 a. The event is to be conducted on a premises covered by a  
8 valid liquor control license or wine or beer permit issued by  
9 the division.

10 b. The authorized nonprofit entity shall have a written  
11 agreement with the liquor control licensee or wine or beer  
12 permittee covering the premises where the event is to be  
13 conducted specifying that that licensee or permittee shall act  
14 as the agent of the authorized nonprofit entity for the purpose  
15 of providing and serving alcoholic beverages to the attendees  
16 of the event.

17 c. The liquor control licensee or wine or beer permittee  
18 covering the premises where the event is to be conducted shall  
19 supply all alcoholic beverages served to the attendees of the  
20 event.

21 d. Only those types of alcoholic beverages as are authorized  
22 to be sold by the liquor control license or wine or beer permit  
23 covering the premises where the event is to be conducted are to  
24 be served to the attendees of the event.

25 5. An authorized nonprofit entity shall be eligible to  
26 receive no more than two charity beer, spirits, and wine event  
27 permits during a calendar year and each charity beer, spirits,  
28 and wine event permit shall be valid for a period not to exceed  
29 thirty-six consecutive hours.

30 6. Any violation of the requirements of this chapter or  
31 the rules adopted pursuant to this chapter shall subject the  
32 charity beer, spirits, and wine event permit holder to the  
33 general penalties provided in this chapter and shall constitute  
34 grounds for imposition of a civil penalty, suspension of  
35 the permit, or revocation of the permit after notice and

H-8044 (Continued)

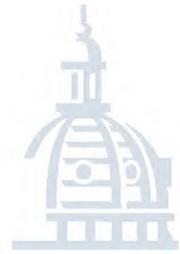
1 opportunity for a hearing pursuant to section 123.39 and  
2 chapter 17A.

3 Sec. 3. Section 123.179, Code 2020, is amended by adding the  
4 following new subsection:

5 NEW SUBSECTION. 7. The fee for a charity beer, spirits, and  
6 wine event permit is one hundred dollars.>

By LUNDGREN of Dubuque

H-8044 FILED FEBRUARY 27, 2020



[HF 2375](#) – Distracted Driving (LSB5086HV)

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 2375](#) prohibits any use of an electronic communication device while driving. The Bill increases the scheduled fine for using an electronic communication device from \$30 to \$100. Under the Bill, use of an electronic communication device would be a moving violation. A moving violation can be considered for purposes of administrative suspension of a driver’s license or to establish habitual offender status.

Single Citation – HF 2375		
Penalty	\$	100.00
Surcharge (35.0%)		35.00
Court Cost		60.00
<b>Total</b>	<b>\$</b>	<b>195.00</b>

The Bill allows use of an electronic communication device under the following circumstances:

- Use in voice-activated or hands-free mode.
- Use by members of a public safety agency performing official duties.
- Use by health care professionals in the course of emergency situations.
- Use for the purpose of receiving safety-related information.
- Use for the purpose of reporting an emergency situation.
- Use by certain radio operators.

A peace officer is required to issue a warning memorandum in lieu of a citation for violations that occur during the period of time between July 1, 2020, the effective date of the Bill, and January 1, 2021.

### Background

Current law prohibits the use of hand-held electronic communication devices to write, send, or view electronic messages while driving a motor vehicle. The fine for this violation is \$30. The violation is not considered a moving violation. Persons under the age of 18 are currently prohibited from using an electronic communication device while driving a motor vehicle (Iowa Code section [321.178](#)). For FY 2019, convictions under Iowa Code section [321.276](#) totaled 1,658, and 42 convictions were issued to individuals under age 18 for using an electronic communication device.

Single Citation – Current Law		
Penalty	\$	30.00
Surcharge (35.0%)		10.50
Court Cost		60.00
<b>Total</b>	<b>\$</b>	<b>100.50</b>

A criminal penalty surcharge is applied to the scheduled fine. Ninety-five percent of the surcharge is remitted to the State. Of the State’s share, 83.0% is deposited in the General Fund and 17.0% in the Victim Compensation Fund. The remaining 5.0% of the surcharge is remitted to the city or county where the infraction occurred.

### **Correctional Impact**

House File 2375 is estimated to have a minimal correctional impact. 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**

Convictions issued under Iowa Code section [321.276](#) are displayed in the table below. 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.

<b>Iowa Code Section 321.276 Convictions by Ethnicity</b>								
	White	Black	Hispanic	Asian	Nat. Am.	Other	Unknown	Total
2018	1,204	60	10	32	6	31	283	1,626
2019	1,225	62	20	32	3	42	274	1,658

### **Assumptions**

- The state of Utah enacted a similar law beginning in May 2014. From 2016 to 2019, the State averaged 2,667 convictions per year for operating an electronic communication device while driving. Utah has 1.9 million drivers. Utah's conviction rate was 133.7 per 100,000 licensed drivers.
- Iowa has 2.2 million drivers and it is estimated that there will be 1,700 violations of existing law in FY 2020, which assumes the same conviction rate as Utah. Convictions in FY 2021, which reflect six months of warning and six months of enforcement, will be 1,500 and will average 3,000 per year beginning in FY 2022.
- A lag time of six months is assumed from the effective date of the Bill to the date of the first violations collected. The collection rate for the scheduled violation is estimated to be 61.0%.

### **Fiscal Impact**

The table below displays the estimated fiscal impact of the changes enacted in the Bill.

<b>Estimated Revenue</b>			
	FY 2020*	FY 2021*	FY 2022
General Fund			
Penalty Revenue	\$ 31,000	\$ 16,000	\$ 183,000
Surcharge Revenue	9,000	4,000	51,000
Court Costs	62,000	31,000	110,000
Subtotal	<u>\$ 102,000</u>	<u>\$ 51,000</u>	<u>\$ 344,000</u>
Other			
Victim Comp. Fund	\$ 2,000	\$ 1,000	\$ 10,000
Local Jurisdiction	1,000	300	3,200
Grand Total	<u>\$ 105,000</u>	<u>\$ 52,300</u>	<u>\$ 357,200</u>

\*Enforcement in FY 2020 will be under existing law, and FY 2021 reflects six months of warnings and six months of enforcement.

**Sources**

LSA calculations

Criminal and Juvenile Justice Planning Division, Department of Human Rights

/s/ Holly M. Lyons

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February 27, 2020

Doc ID 1130695

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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 2384](#) – Future Ready Iowa (LSB5595HV)

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Fiscal Note Version – New

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**Description**

[House File 2384](#) adds to and modifies the Iowa Code provisions enacted by [87 Iowa Acts, chapter 1067](#) (Future Ready Iowa Act) and other efforts to strengthen Iowa's workforce, including a Child Care Challenge Program, a Workforce Diploma Pilot Program, computer science instruction, work-based learning coordinators, and a Senior Year Plus Program. This Bill is organized by divisions.

DIVISION I — Future Ready Iowa Apprenticeship Programs.

Subject to an appropriation of funds, Division I creates an Expanded Registered Apprenticeship Opportunities Program that is similar to the existing [Registered Apprenticeship Development Program](#). The purpose of the new Program is to provide financial assistance to encourage sponsors of apprenticeship programs with 20 or fewer apprentices to maintain apprenticeship programs in [high-demand occupations](#).

DIVISION II — Iowa Child Care Challenge Fund.

Division II establishes an Iowa Child Care Challenge Program under the Iowa Department of Workforce Development (IWD) and creates an Iowa Child Care Challenge Fund under the control of the IWD. The IWD must administer the Program in consultation with the Workforce Development Board. The purpose of the Program is to encourage and enable businesses, nonprofit organizations, and consortiums to establish local child care facilities and increase the availability of quality, affordable child care for working Iowans. A portion of the moneys deposited in the [Iowa Employer Innovation Fund](#) created in Iowa Code section [84A.13](#), in an amount determined annually by the IWD in consultation with the Workforce Development Board, must be transferred annually to the Iowa Child Care Challenge Fund.

DIVISION III — Workforce Diploma Pilot Program.

Subject to an appropriation of sufficient funds, Division III requires the IWD to establish a Workforce Diploma Pilot Program to qualify eligible program providers to implement programs in accordance with the Department's rules, and to assist students who are beyond school age to obtain a high school diploma while developing employability and career and technical education skills.

The IWD is required to provide payment to a qualified provider in the order in which invoices are submitted until all moneys appropriated for such purpose are exhausted. The IWD must also provide a monthly update to qualified providers, including the aggregate total of moneys paid to qualified providers to date and the estimated number of enrollments still available for the

program year. The IWD must review data to ensure the programs are achieving minimum Program performance standards and measures.

#### DIVISION IV — Computer Science Instruction — K-12.

Division IV relates to computer science instruction in kindergarten through grade 12, amending Code provisions establishing the minimum educational standards and establishing or modifying computer science instruction-related responsibilities of the Department of Education, school districts, and accredited nonpublic schools. Commencing with the 2022-2023 school year, accredited schools must offer and teach computer science instruction that incorporates the computer science education standards adopted by the State Board of Education in at least one grade at the elementary level and at the middle school level. In grades 9-12, commencing with the 2021-2022 school year, one-half unit of computer science that incorporates the computer science education standards adopted by the State Board must be offered and taught; however, the one-half unit may be offered and taught online.

Each school district and accredited nonpublic school must develop and implement a K-12 computer science plan by July 1, 2021. The Department of Education is required to develop and implement a Statewide K-12 computer science instruction plan by July 1, 2021. The Department of Education is required to convene a computer science work group to develop recommendations to strengthen computer science instruction and for the development and implementation of a Statewide campaign to promote computer science to K-12 students and to the parents and legal guardians of students. The work group is required to submit its findings to the General Assembly by December 15, 2020.

#### DIVISION V — Supplementary Weighting — Shared Operational Functions.

A work-based learning (WBL) coordinator is added to the list of eligible operational functions and positions eligible for a supplementary weighting beginning FY 2021 through FY 2025. The WBL coordinator will have a supplementary weighting of 3.0 students. For more information on operational function sharing, see [Operational Function Sharing Guidance](#).

#### DIVISION VI — Future Ready Iowa Skilled Workforce Last-Dollar Scholarship Program.

Division VI directs the State Board of Education to adopt administrative rules establishing a process by which the Department of Education must approve structured educational and training programs that include authentic worksite training for purposes of participating community colleges, then expands the definition of “eligible student” under the Future Ready Iowa Skilled Workforce Last-Dollar Scholarship Program administered by the Iowa College Student Aid Commission.

#### DIVISION VII — Senior Year Plus Program and Postsecondary Enrollment Options.

Division VII amends provisions under the [Senior Year Plus Program](#) by eliminating references and provisions relating to full-time and part-time enrollment.

### **Background**

#### DIVISION IV — Computer Science Instruction — K-12.

In 2017, [Senate File 274](#) (Computer Science Education Act) was enacted to expand computer science opportunities for students Statewide. Included in the legislation was the establishment of the Computer Science Professional Incentive Fund and a Computer Science Education Work Group. The Fund was established to provide for various forms of professional development

relating to computer science and has received an annual appropriation of \$500,000. The Work Group was convened and issued its [recommendations](#) in 2017 on how to expand and strengthen computer science education in the State.

The Department of Education recently issued the Computer Science in Iowa [report](#) that details the implementation of computer science instruction in school districts and district needs to support computer science education. It is estimated that 51.0% of elementary schools, 39.0% of middle schools, and 38.0% of high schools will need to either incorporate computer science instruction with current staff or add additional teachers to teach computer science to meet the requirements of this Bill.

A settlement of a Microsoft class-action lawsuit will provide \$4.0 million to be used for school districts to support Division IV of the Bill. The funds will be used for supporting computer science professional learning and training for teachers, virtual computer science curriculum for Iowa schools, and computer science curriculum for schools.

#### DIVISION VII — Senior Year Plus Program and Postsecondary Enrollment Options.

The Senior Year Plus Program offers a variety of options for eligible students, including concurrent enrollment and Postsecondary Enrollment Options (PSEO). A review of concurrent enrollment credits by the Department of Education completed during the 2018-2019 school year showed 819 students (1.8% of total enrollees) enrolled in 24 credit hours or more of coursework. One hundred seventeen districts (38.7%) enrolled at least one student in concurrent enrollment courses where credits associated with those courses met the definition of full-time enrollment (24 credits or more). The additional concurrent enrollment credit hours are already funded by supplementary weighting for an estimated total of \$240,000 in State aid from the General Fund.

PSEO enrollment has been declining in the last several years. During the 2018-2019 school year, total PSEO enrollment was 1,014 students, down from 5,916 students in the 2010-2011 school year.

#### **Assumptions**

DIVISION IV — Computer Science Instruction — K-12. It is unknown how many school districts will choose to hire additional computer science instruction staff.

#### DIVISION V — Supplementary Weighting — Shared Operational Functions.

- Based on supplementary weighting data for FY 2021, there are 226 school districts eligible for full or partial weightings for WBL coordinators.
- It is assumed 20.0% of the eligible districts will share a WBL coordinator with another district, area education agency, or under a [28E](#) agreement with a local authority.
- Funding for WBL coordinators will begin in FY 2022 based on school year 2020-2021 data.
- Under current law, the State cost per pupil for FY 2022 and all future years is \$6,880.

#### DIVISION VII — Senior Year Plus Program and Postsecondary Enrollment Options.

- Based on an analysis by the Department of Education of concurrent enrollment credits completed for school year 2018-2019, there may be an additional 143 students who exceed 23 credit hours during the 2020-2021 school year.
- The fiscal estimates assume each of these students will increase their total credit hours by 4.1 credits.
- The average cost per credit is estimated to be \$71.
- Under current law, the State cost per pupil for FY 2022 and all future years is \$6,880.

- PSEO costs will remain at \$250 per course.
- PSEO enrollment over the 23-hour credit limit may increase; however, the impact is expected to be minimal.

### **Fiscal Impact**

The estimated fiscal impact of [HF 2384](#), by division, is as follows:

Division I relates to an Expanded Registered Apprenticeship Opportunities Program and is subject to an appropriation of funds. Division I of the Bill does not have a fiscal impact because this Bill does not provide an appropriation.

Division II relates to the establishment of an Iowa Child Care Challenge Program and Fund. The Bill will not have a fiscal impact because this Bill authorizes the IWD to utilize a current appropriation for the new Program, and the impact on current education and training efforts supported by the Iowa Employer Innovation Fund cannot be determined because this Bill does not specify the amount of the current appropriation that will be used for the new Program.

Division III relates to a Workforce Diploma Pilot Program and is subject to an appropriation of funds. Division III of the Bill does not have a fiscal impact because this Bill does not provide an appropriation.

Division IV relates to computer science instruction. Division IV will have minimal fiscal impact to the Department of Education. However, the fiscal impact to school districts and accredited nonpublic schools cannot be determined. It is unknown how many school districts will choose to hire additional staff to meet the requirements of this Bill. School districts may choose to use current staff or incorporate computer science into current instruction. School districts may have costs for additional staff, training and professional development of current staff, and curriculum. Some of that cost may be offset by the \$4.0 million Microsoft class-action lawsuit proceeds or by funds in the Computer Science Professional Incentive Fund.

Division V of the Bill is expected to increase State school aid from the General Fund by \$1.0 million each year beginning in FY 2022 and ending in FY 2026.

Division VI relates to the Future Ready Iowa Skilled Workforce Last-Dollar Scholarship Program. The Bill will result in one-time and ongoing costs to the Iowa College Student Aid Commission in FY 2021 totaling an estimated \$32,000. The ongoing costs will total between \$5,000 and \$6,000 in subsequent years. These costs will be funded from the Commission's Strategic Reserve Fund, also known as the Operating Fund. The cost of awards under the Program is capped by an annual General Fund appropriation.

Division VII is expected to increase State school aid from the General Fund by \$42,000 beginning in FY 2022. Any increase in PSEO enrollments may increase individual school districts' costs; however, due to the recent decline in PSEO courses, the fiscal impact is expected to be minimal.

**Sources**

Iowa Department of Workforce Development  
Iowa Department of Education  
Iowa College Student Aid Commission  
Iowa Economic Development Authority

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

February 26, 2020

Doc ID 1131311

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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 2414](#) – Sex Offender Registry Modifications (LSB5385SV)  
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 2414](#) makes several changes to the requirements for a sex offender to be granted a modification of the requirements of the Sex Offender Registry pursuant to Iowa Code chapter [692A](#). The Bill proposes that any sex offender, regardless of status, be allowed to file an application for modification. For a Tier I sex offender, existing requirements for the application of a registry modification are amended to state that the offender must have initially registered at least 10 years prior to the filing of an application. If the Tier I offender was 20 years of age at the time the offender committed sexual abuse in the third degree and the parties involved are not cohabitating and the offender is four or more years older than the other party, the offender must have registered at least five years prior to applying for a modification. A Tier II or Tier III sex offender must have initially registered at least 25 years prior to the filing of the application and must have been initially required to register as a result of an adjudication for a sex offense in juvenile court in order to be granted a modification.

[House File 2414](#) strikes the existing stipulation that the Department of Corrections (DOC) must complete a risk assessment on the offender prior to the modification, and that such an assessment must characterize the offender as a low risk to reoffend. The Bill allows a court to grant a modification, including reducing the period of time under which an offender must remain registered, if the offender has successfully completed any period of probation, parole, special sentence, or other supervised release. Additionally, [HF 2414](#) provides that a Tier I offender must not have been convicted of any criminal offense other than a simple misdemeanor under Iowa Code chapter [321](#), or any violations of local traffic ordinance in the 10 years immediately prior to applying for a modification. A Tier II or Tier III offender must not have been convicted of any other criminal offense than a simple misdemeanor under Iowa Code chapter [321](#), or any violations of local traffic ordinances in 25 years immediately prior to the application for modification. [House File 2414](#) also strikes the requirement that the director of the judicial district (or designee) that currently supervises the offender must also stipulate to the modification.

## **Background**

Under current law, a sex offender who is on probation, parole, work release, serving a special sentence, or in any type of conditional release may file an application to request a modification of the registration requirements, which means removal from the registry. Prior to the granting of such a request, the following conditions must be met:

- The offense which led to the registry requirement occurred at least two years prior to the modification application for a Tier I offender, or five years prior to the modification application of a Tier II or III offender.
- The offender must have successfully completed all required sex offender treatment programs.
- The DOC must complete a valid risk assessment of the offender, and the offender must be determined to be at a low risk of reoffending.
- The offender may not be incarcerated at the time of filing the application.

- The director of the judicial district (or designee) that currently supervises the offender must also stipulate to the modification.

### **Assumptions**

It is assumed that for each year that the State does not fully implement the provisions of the federal [Sex Offender Registration and Notification Act \(SORNA\)](#), a penalty of 10.0% reduction of Byrne-JAG grant funding will apply on an annual basis until the State fully complies.

### **Fiscal Impact**

[House File 2414](#) would allow the Department of Public Safety (DPS) to fully implement the federal SORNA, which is also known as Title I of the federal Adam Walsh Child Protection and Safety Act of 2006. By allowing State law to fully mirror federal law, the DPS would successfully avoid being penalized with 10.0% reduction of the State's Byrne-JAG federal grant funding. The DPS estimates that avoiding this penalty would result in additional federal Byrne-JAG grant funding in excess of \$100,000 annually.

Additionally, the DOC estimates that the enactment of [HF 2414](#) would likely reduce the number of sex offender registration violations received by the Department in the future. However, the extent of those violation reductions and subsequent decreases in Department operating costs cannot be determined.

### **Sources**

Legislative Services Agency  
Department of Corrections  
Department of Public Safety

/s/ Holly M. Lyons

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February 26, 2020

Doc ID 1132046

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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 2424](#) – Child Care Assistance, Graduated Phaseout (LSB5587HV)  
 Staff Contact: Kenneth Ohms (515.725.2200) [kenneth.ohms@legis.iowa.gov](mailto:kenneth.ohms@legis.iowa.gov)  
 Fiscal Note Version – New

**Description**

[House File 2424](#) creates a graduated eligibility phaseout component for the Child Care Assistance (CCA) Program.

The Bill would provide that if families were previously eligible for the CCA Program, they would be eligible for a graduated eligibility phaseout program under the following conditions:

- Their income is at least 185.0% of the federal poverty level (FPL) but less than 225.0% FPL for basic care.
- Their income is at least 200.0% FPL but less than 250.0% FPL for special needs care.

Families in the income ranges specified for their service care needs will have a sliding schedule copayment established by the Department of Human Services (DHS).

The Bill specifies that families with income at 225.0% FPL for basic care or 250.0% FPL for special needs care would be required to pay a copayment of 50.0% of the cost of care currently reimbursed by the DHS.

**Background**

Iowa currently has two main components for the CCA Program. Eligibility for the CCA Program is limited to families with income no more than 145.0% FPL and is limited to a 12-month eligibility segment. The CCA Plus Program has a 12-month eligibility segment and an income limit of above 145.0% FPL up to 85.0% of the State median income (approximately \$49,800).

Final federal rules around the exit eligibility component of the CCA Program require that there be no time limit for eligibility, only an income limitation. The DHS has developed rules for new eligibility requirements to comply with federal rules that would set the income ceiling at 225.0% FPL, which is approximately \$48,000 for a family of three.

**Federal Poverty Levels (FPL)**

Family Size	100.0%	145.0%	225.0%	250.0%
Family of 2	\$ 16,910	\$24,520	\$38,048	\$42,275
Family of 3	21,330	30,929	47,993	53,325
Family of 4	25,750	37,338	57,938	64,375
Family of 5	30,170	43,747	67,883	75,425
Family of 6	34,590	50,156	77,828	86,475

Currently, a copayment for services is required if a family’s income is at or above 100.0% FPL. The copayment scale starts at 1.0% of family income and increases up to 7.0% of family income.

The DHS utilizes a provider billing portal for the CCA Program for payment of services and determination of copayment amounts.

### **Assumptions**

- The DHS Notice of Intended Action [ARC 4937C](#) brings the CCA Plus Program into federal conformity, covering families with an income not to exceed 225.0% FPL for an indefinite period of time for basic care and special needs care under the current copayment structure.
- This proposed rulemaking will be adopted and filed with an effective date no later than July 1, 2020 (FY 2021).
- A significantly new copayment schedule based on the rate that providers charge cannot be implemented until programming changes to the provider billing portal are completed.
- Programming changes will take 2,000 hours of programming time, plus part-time work from the DHS Bureau of Project Management. This will push the launch of the graduated phaseout program into FY 2022.
- Families at 225.0% FPL or at 250.0% FPL for basic care or special needs care are not eligible for services under the Bill because the Bill's eligibility provisions require a family's income to be less than those amounts.
- Once provider portal programming changes are complete, no families will be eligible under the phaseout program because they will all be eligible under the CCA Plus Program.

### **Fiscal Impact**

The proposed DHS rulemaking would make families with an income range above 145.0% FPL up to 225.0% FPL eligible for CCA Plus. Therefore, these families would not be enrolled in the phaseout proposed by the Bill. The rulemaking contains a sliding fee schedule.

Programming and project management costs for the provider billing portal in FY 2021 are estimated at \$252,000. Implementing changes will be at the discretion of the DHS if it deems its current copayment schedule adequate under the requirements of the Bill, or if it deems the copayments should change.

[House File 2424](#) will increase coverage for special needs families from 225.0% FPL to 250.0% FPL. This annual cost increase is estimated to be minimal.

### **Sources**

Department of Human Services  
LSA analysis and calculations

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/s/ Holly M. Lyons

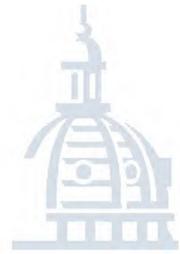
February 27, 2020

Doc ID 1130641

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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 2505](#) – Sexual Misconduct with Offenders (LSB1224HZ)  
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 2505](#) relates to the criminal elements and penalties for the commission of sexual misconduct with offenders and juveniles. The Bill raises the criminal penalty from an aggravated misdemeanor to a Class D felony for the following offenses:

- Any peace officer, or an officer, employee, contractor, vendor, volunteer, or agent of the Department of Corrections (DOC) who engages in a sex act with an individual committed to the custody of the DOC and has specific and actual knowledge the individual is committed to the custody of the DOC.
- Any officer, employee, or agent of a judicial district of the department of correctional services who engages in a sex act with an individual committed to the custody of the judicial district of the department of correctional services and has specific and actual knowledge the person is committed to the custody of the department.
- Any peace officer, employee, contractor, vendor, volunteer, or agent of a juvenile placement facility who engages in a sex act with a juvenile placed at such a facility.
- Any peace officer, or an officer, employee, contractor, vendor, volunteer, or agent of a county who engages in a sex act with a prisoner incarcerated in a county jail.

**Background**

An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least \$625 but not more than \$6,250. A Class D felony is punishable by confinement for no more than five years and a fine of at least \$750 but not more than \$7,500.

Currently, a person who violates Iowa Code section [709.16](#) is also subject to a special sentence under Iowa Code section [903B.2](#). A special sentence is a punishment in addition to the punishment for the underlying criminal offense that commits the person into the custody of the Director of the DOC for a period of 10 years. In addition, a person who commits an offense under Iowa Code section [709.16](#) is classified as a tier II sex offender under Iowa Code section [692A.102\(1\)\(b\)\(12\)](#) and is required to register as a sex offender under Iowa Code section [692A.103](#).

In 2019, the DOC had 5 sexual misconduct cases substantiated. Two of these cases were referred to the county attorney and are pending prosecution.

**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 2505](#) is estimated to be minimal. In FY 2019, there was one conviction under Iowa Code section [709.16](#). It is uncertain whether an individual who receives a Class D felony under this Bill will be incarcerated or placed under Community-Based Corrections (CBC) supervision.

**Table 1** provides estimates for sentencing to State prison, parole, probation, or CBC residential facilities; length of stay (LOS) under those supervisions; and supervision marginal costs per day for all convictions of aggravated misdemeanors and Class D felonies in crimes involving sex offenses.

**Table 1 — Sentencing Estimates and LOS**

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
Class D Felony (Sex Offense)	85.0%	27.6	\$20.38	5.0	\$6.12	44.0%	35.9	\$6.12	5.0%	\$12.58	25.0%	N/A	\$50.00
Aggravated Misdemeanor (Sex Offense)	78.0%	9.3	\$20.38	1.9	\$6.12	56.0%	22.2	\$6.12	4.0%	\$12.58	33.0%	N/A	\$50.00

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**

The minority impact of [HF 2505](#) is estimated to be minimal based on the low number of convictions of this offense. 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 2505](#) is estimated to be minimal due to the low number of convictions of this offense. **Table 2** provides estimates for the average State cost per offense class type and the estimated cost increase of raising the penalty from an aggravated misdemeanor to a Class D felony for one conviction. The estimates include operating costs incurred by the Judicial Branch, the State Public Defender, and the DOC. The cost would be incurred across multiple fiscal years for prison and parole supervision. Anticipated costs for additional supervision required under the special sentence are not included in this estimate.

**Table 2 — Estimated Cost Increase for [HF 2505](#) Conviction**

<u>Offense Class</u>	<u>Cost Increase Estimate</u>	
	<u>Minimum</u>	<u>Maximum</u>
Class D Felony	\$ 10,000	\$ 14,700
Aggravated Misdemeanor	5,600	8,000
<b>Additional Cost per Conviction</b>	<b>\$ 4,400</b>	<b>\$ 6,700</b>

**Sources**

Criminal and Juvenile Justice Planning Division, Department of Human Rights  
Department of Corrections

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/s/ Holly M. Lyons

February 26, 2020

Doc ID 1131752

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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 2558](#) – Interpreters, Judicial Branch (LSB5325SV)  
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 2558](#) relates to interpreters for limited-English-proficient (LEP) persons and sign language interpreters for deaf and hard-of-hearing persons in legal proceedings. The Bill provides that the State Court Administrator shall receive, review, and pay fee claims for interpreters from the Jury and Witness Revolving Fund established in Iowa Code section [602.1302\(3\)](#).

The Bill also provides that costs and fees associated with interpreters are not payable from the Indigent Defense Fund. The result of the Bill, in part, is that the Judicial Branch is to assume responsibility for the review and payment of interpreter and translator claims formerly paid by the Indigent Defense Fund. The Bill takes effect October 1, 2020.

### **Background**

Currently, four state agencies may pay oral language interpreters, depending on the case type and economic status of the person needing an interpreter:

- 1) State Public Defender — Pays interpreters who work on behalf of indigent parties who are LEP and who are represented by assigned counsel in criminal and juvenile cases.
- 2) Local Public Defender Field Offices — Pay interpreters who work on behalf of indigent parties represented by public defenders in criminal and juvenile cases.
- 3) Counties — Pay all sign language interpreters in court proceedings and oral language interpreters who assist LEP persons who are subjects of mental health commitment proceedings.
- 4) State Court Administrator — Pays interpreters appointed for LEP parties in all other cases.

### **Assumptions**

Oral language interpreter fees for LEP indigent persons represented by public defenders or court-appointed counsel will be the same in FY 2021 as those expenses were in FY 2019.

### **Fiscal Impact**

[House File 2558](#) is estimated to cost approximately \$500,000 in interpreter fees from the Jury and Witness Revolving Fund. Currently, the State Public Defender pays these fees from the Indigent Defense Fund. This Bill would transfer those costs to the Revolving Fund. As a result, the Indigent Defense Fund would experience a savings of approximately the same amount. The following table shows the court interpreter fees paid by local public defender (PD) field offices and the State Public Defender from the Indigent Defense Fund for the last three fiscal years.

## Court Interpreter Fees Paid by Local PD Offices and the State Public Defender

<u>Funding Source</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
PD Field Offices	\$ 126,927	\$ 91,110	\$ 115,147
State Public Defender	287,169	356,878	384,729
	<u>\$ 414,096</u>	<u>\$ 447,988</u>	<u>\$ 499,876</u>

Although a funds transfer is not authorized in this Bill, if the funds necessary to pay the interpreter fees were transferred from the Indigent Defense Fund budget to the Jury and Witness Revolving Fund beginning in FY 2021, there would be a minimal impact to the State Public Defender's operations. The amount represents approximately 1.0% of the State Public Defender's indigent defense budget, and the work of reviewing interpreter claims is spread among four employees. Given the remaining workload of these employees, the shift of interpreter claims to the Judicial Branch would not significantly reduce their workload and would not reduce or eliminate the necessity of any staff.

### **Sources**

Judicial Branch  
Office of the State Public Defender

/s/ Holly M. Lyons

February 26, 2020

Doc ID 1132057

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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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