

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

March 3, 2020

Clip Sheet Summary

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

Bill	Amendment	Action	Sponsor
HF 310	H-8065		RECEIVED FROM THE SENATE
HF 2309	H-8059		HOLT of Crawford
HF 2455	H-8060		HOLT of Crawford
HF 2457	H-8062		MEYER of Webster
HF 2472	H-8061		LENSING of Johnson
HF 2527	H-8070		BEARINGER of Fayette, et al
HF 2539	H-8067		SALMON of Black Hawk, et al
HF 2552	H-8066		MAXWELL of Poweshiek
HF 2554	H-8068		HITE of Mahaska
HF 2563	H-8063		SALMON of Black Hawk
HF 2585	H-8069		JACOBSEN of Pottawattamie
SF 537	H-8064		JENEARY of Plymouth
SF 583	H-8058		CARLSON of Muscatine

Fiscal Notes

[HF 2388](#) — [Insurance, Cemetery and Preneed Omnibus](#) (LSB5362HV)

[HF 2460](#) — [Statewide Preschool Program](#) (LSB5788HV)

[HF 2517](#) — [Nonresident Hunting License Allotment, Hunting Guides](#)
(LSB5330HV)

[HF 2526](#) — [Achieving a Better Life Experience \(ABLE\) Accounts](#) (LSB5223HV)

[HF 2539](#) — [Deaf Children, Language and Literacy Development](#) (LSB6308HV)

Senate Amendment to

HOUSE FILE 310

H-8065

1 Amend House File 310, as passed by the House, as follows:

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

4 <Section 1. Section 154.1, subsection 3, Code 2020, is
5 amended to read as follows:

6 3. a. An optometrist licensed under this chapter may
7 employ all diagnostic and therapeutic pharmaceutical agents for
8 the purpose of diagnosis and treatment of conditions of the
9 human eye and adnexa pursuant to this subsection, ~~excluding~~
10 ~~the use of injections other than to counteract an anaphylactic~~
11 ~~reaction,~~ and notwithstanding section 147.107, may without
12 charge supply any of the above pharmaceuticals to commence a
13 course of therapy. A licensed optometrist may perform minor
14 surgical procedures and use medications for the diagnosis and
15 treatment of diseases, disorders, and conditions of the eye and
16 adnexa. A license to practice optometry under this chapter
17 does not authorize the performance of surgical procedures which
18 require the use of injectable or general anesthesia, moderate
19 sedation, penetration of the globe, or the use of ophthalmic
20 lasers for the purpose of ophthalmic surgery within or upon
21 the globe. The removal of pterygia and Salzmann's nodules,
22 incisional corneal refractive surgery, and strabismus surgery
23 are prohibited.

24 b. (1) A licensed optometrist may administer only the
25 following injections:

26 (a) Sub-conjunctival injections for the medical treatment
27 of the eye.

28 (b) Intra-lesional injections for the treatment of
29 chalazia.

30 (c) Botulinum toxin to the muscles of facial expression
31 innervated by the facial nerve, including for cosmetic
32 purposes.

33 (d) Injections to counteract an anaphylactic reaction.

34 (2) A licensed optometrist shall not administer any
35 injection prior to receiving approval from the board.

1 (3) The board shall not approve the use of injections other
2 than to counteract an anaphylactic reaction unless the licensed
3 optometrist demonstrates to the board sufficient educational
4 or clinical training from a college or university accredited
5 by a regional or professional accreditation organization which
6 is recognized or approved by the council for higher education
7 accreditation or by the United States department of education,
8 or clinical training equivalent to clinical training offered
9 by such an institution. Training for the administration
10 and side effects of injection treatment for chalazia and of
11 botulinum toxin shall be required before a licensed optometrist
12 may administer such injections. The board shall adopt rules
13 regarding training required pursuant to this subparagraph and
14 approve training providers.

15 c. A licensed optometrist may employ and, notwithstanding
16 section 147.107, supply pharmaceutical-delivering contact
17 lenses for the purpose of treatment of conditions of the
18 human eye and adnexa. For purposes of this paragraph,
19 "*pharmaceutical-delivering contact lenses*" means contact lenses
20 that contain one or more therapeutic pharmaceutical agents
21 authorized for employment by this section for the purpose of
22 treatment of conditions of the human eye and adnexa and that
23 deliver such agents into the wearer's eye.

24 ~~e.~~ d. A licensed optometrist may prescribe oral steroids
25 for a period not to exceed fourteen days without consultation
26 with a physician.

27 ~~d.~~ e. A licensed optometrist may be authorized, where
28 reasonable and appropriate, by rule of the board, to employ new
29 diagnostic and therapeutic pharmaceutical agents approved by
30 the United States food and drug administration on or after July
31 1, 2002, for the diagnosis and treatment of the human eye and
32 adnexa.

33 ~~e.~~ f. The board is not required to adopt rules relating to
34 topical pharmaceutical agents, oral antimicrobial agents, oral
35 antihistamines, oral antiglaucoma agents, and oral analgesic

H-8065 (Continued)

1 agents. A licensed optometrist may remove superficial foreign
2 bodies from the human eye and adnexa.

3 ~~f.~~ g. The therapeutic efforts of a licensed optometrist
4 are intended for the purpose of examination, diagnosis, and
5 treatment of visual defects, abnormal conditions, and diseases
6 of the human eye and adnexa, for proper optometric practice
7 or referral for consultation or treatment to persons licensed
8 under chapter 148.

9 ~~g.~~ h. A licensed optometrist is an optometrist who is
10 licensed to practice optometry in this state and who is
11 certified by the board to use the agents and procedures
12 authorized pursuant to this subsection.

H-8065 FILED MARCH 3, 2020

HOUSE FILE 2309

H-8059

- 1 Amend House File 2309 as follows:
- 2 1. Page 1, line 8, after <award> by inserting <reasonable>
- 3 2. Page 1, line 18, after <award> by inserting <reasonable>

By HOLT of Crawford

H-8059 FILED MARCH 3, 2020

HOUSE FILE 2455

H-8060

1 Amend House File 2455 as follows:

2 1. Page 1, by striking lines 17 through 22 and inserting
3 <any hour with consent of the property owner. A person using
4 a dog>

By HOLT of Crawford

H-8060 FILED MARCH 3, 2020

HOUSE FILE 2457

H-8062

1 Amend House File 2457 as follows:

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

4 <Section 1. Section 256.11, subsection 6, Code 2020, is
5 amended by adding the following new paragraph:

6 NEW PARAGRAPH. *d.* Commencing with the school year beginning
7 July 1, 2021, and each succeeding school year, each school
8 district and accredited nonpublic school shall provide bleeding
9 control training as a component of a physical education or
10 health course at the secondary level. Such training may be
11 taught by qualified volunteers, including but not limited to
12 those volunteers approved by the American college of surgeons,
13 and by qualified employees of the school district or accredited
14 nonpublic school. The administrator of a school may exempt a
15 student from such training if the student is not physically
16 able to successfully complete the training.>

17 2. Title page, by striking lines 1 through 3 and inserting
18 <An Act providing for bleeding control training requirements
19 for school districts and accredited nonpublic schools.>

By MEYER of Webster

H-8062 FILED MARCH 3, 2020

HOUSE FILE 2472

H-8061

1 Amend House File 2472 as follows:

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

4 <Section 1. Section 144.1, Code 2020, is amended by adding
5 the following new subsections:

6 NEW SUBSECTION. 3A. "*Cremated remains*" means all the
7 remains of the cremated human body recovered after the
8 completion of the cremation process, including pulverization
9 which leaves only bone fragments reduced to unidentifiable
10 dimensions, and may include the residue of any foreign matter
11 including casket material, bridgework, or eyeglasses that were
12 cremated with the human remains.

13 NEW SUBSECTION. 3B. "*Cremation*" means the technical
14 process, using heat and flame, that reduces human remains to
15 bone fragments, with the reduction taking place through heat
16 and evaporation. Cremation shall include the processing, and
17 may include the pulverization, of the bone fragments.

18 Sec. 2. Section 144.34, Code 2020, is amended to read as
19 follows:

20 **144.34 Disinterment — permit.**

21 1. a. Disinterment of a dead body or fetus, without a court
22 order, shall be allowed for the purpose of autopsy or reburial
23 only, and then only if accomplished supervised by a funeral
24 director. ~~A permit for such disinterment and, thereafter,~~
25 ~~reinterment shall be issued by the state registrar according to~~
26 ~~rules adopted pursuant to chapter 17A or when ordered by the~~
27 ~~district court of the county in which such body is buried.~~

28 b. Disinterment of cremated remains, without a court order,
29 shall be allowed, but only if supervised by a funeral director.

30 c. The state registrar, without a court order, shall not
31 issue a permit without the consent of the person authorized to
32 control the decedent's remains under section 144C.5.

33 2. a. Disinterment of a dead body or fetus for the
34 purpose of reburial may be allowed by court order only upon a
35 showing of substantial benefit to the public, and then only if

1 supervised by a funeral director.

2 b. Disinterment of a dead body or fetus for the purpose of
3 autopsy or reburial by court order shall be allowed only when
4 reasonable cause is shown that someone is criminally or civilly
5 responsible for such death, after hearing, upon reasonable
6 notice prescribed by the court to the person authorized to
7 control the decedent's remains under section 144C.5, and then
8 only if supervised by a funeral director.

9 c. Disinterment of a dead body or fetus for the purpose of
10 cremation may be allowed by court order only if supervised by a
11 funeral director. Subsequent to the disinterment, cremation
12 of the body shall only be allowed upon a determination by the
13 state or county medical examiner that the death was due to
14 natural causes.

15 3. A permit for disinterment shall be issued by the state
16 registrar according to rules adopted pursuant to chapter 17A
17 or when ordered by the district court of the county in which
18 such body is buried. A person authorized to control final
19 disposition of a decedent's remains under section 144C.5 is an
20 interested person and shall be entitled to notice prior to the
21 obtaining of a court order.

22 4. Due consideration under this section shall be given to
23 the public health, the dead, and the feelings of relatives
24 preferences of a person authorized to control final disposition
25 of a decedent's remains under section 144C.5, and any court
26 order.

27 Sec. 3. Section 144C.3, subsection 4, Code 2020, is amended
28 to read as follows:

29 4. A funeral director, an attorney, or any agent, owner, or
30 employee of a funeral establishment, cremation establishment,
31 cemetery, elder group home, assisted living program, adult day
32 services program, or licensed hospice program shall not serve
33 as a designee unless married to the declarant or related to the
34 declarant within the third degree of consanguinity.>

H-8061 (Continued)

By LENSING of Johnson

H-8061 FILED MARCH 3, 2020

HOUSE FILE 2527

H-8070

1 Amend House File 2527 as follows:

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

3 <Section 1. Section 549.3, subsection 1, Code 2020, is
4 amended to read as follows:

5 1. A performing rights society shall not enter onto the
6 business premises of a proprietor for the purpose of discussing
7 a contract for the payment of royalties by the proprietor,
8 unless the ~~performing rights society identifies itself to~~
9 ~~the proprietor and describes to the proprietor the purpose~~
10 ~~for entering onto the proprietor's business premises the~~
11 performing rights society first makes an appointment to meet
12 with the proprietor at the business premises during normal
13 business hours. Upon entering onto the business premises, the
14 performing rights society shall clearly identify itself to
15 the proprietor and describe to the proprietor the purpose for
16 entering onto the business premises.

17 Sec. _____. Section 549.5, Code 2020, is amended to read as
18 follows:

19 **549.5 Improper licensing practices.**

20 A performing rights society shall not do any of the
21 following:

22 1. A performing rights society shall not collect, Collect
23 or attempt to collect, from a proprietor licensed by that
24 performing rights society, a royalty payment except as provided
25 in a contract executed pursuant to the provisions of this
26 chapter.

27 2. Make a misleading or threatening verbal or written
28 communication to a proprietor in connection with a contract for
29 the payment of royalties or an attempt to collect royalties.

30 3. State or imply in a verbal or written communication with
31 a proprietor that the performing rights society is an agent
32 or representative of a public body, regulatory agency, or law
33 enforcement agency.>

34 2. Title page, by striking lines 1 through 3 and inserting
35 <An Act relating to the exhibition of music, including the

H-8070 (Continued)

1 practices of performing rights societies and the advertising,
2 promoting, and conducting of certain live musical performances,
3 and making penalties applicable.>
4 3. By renumbering as necessary.

By BEARINGER of Fayette
LUNDGREN of Dubuque
McKEAN of Jones

H-8070 FILED MARCH 3, 2020

H-8067

1 Amend House File 2539 as follows:

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

4 <Section 1. NEW SECTION. 256B.10 Deaf and hard-of-hearing
5 children — language developmental milestones.

6 1. *Language developmental milestones — selection.*

7 a. The director of the department of education shall appoint
8 an early language development consultant to work with the
9 state school for the deaf, the area education agencies, school
10 districts, and the early hearing detection and intervention
11 program in the department of public health, and shall select
12 language developmental milestones from existing standardized
13 norms for purposes of developing a resource for use by parents
14 or guardians to monitor and track deaf and hard-of-hearing
15 children's expressive and receptive language acquisition and
16 developmental stages toward American sign language and English
17 literacy. In selecting the language developmental milestones,
18 the early language development consultant shall consider
19 recommendations from the advisory committee established under
20 subsection 5.

21 b. The duties of the early language development consultant
22 appointed by the director pursuant to paragraph "a" shall, at a
23 minimum, include all of the following:

24 (1) Developing and managing language milestones for each
25 age, from birth through age eight, in American sign language
26 and English pursuant to subsection 3.

27 (2) Staffing the advisory committee established pursuant
28 to subsection 5, including but not limited to organizing and
29 facilitating the advisory committee meetings.

30 (3) Developing and distributing resources for parents
31 pertaining to language development pursuant to subsection 4.

32 (4) Developing and distributing resources for early
33 interventionists, educators, hospitals, and health care
34 providers pertaining to language development.

35 (5) Exercising general supervision over follow-up contacts

1 with parents and guardians regarding the need for valid and
2 reliable language assessments and distribution of resources
3 toward language development in American sign language and
4 English.

5 (6) Planning a parent-friendly procedure for outreach and
6 follow-up.

7 (7) Exercising general supervision over annual or biannual,
8 at the consultant's discretion, milestone assessments for deaf
9 and hard-of-hearing children.

10 (8) Managing and summarizing data outcomes for parents,
11 guardians, and partner agencies to use, including the annual
12 report published pursuant to subsection 7.

13 (9) Arranging for and exercising general supervision over
14 the appropriate training for language assessment personnel.

15 (10) Maintaining valid and reliable two-fold language
16 assessment approach, utilizing both American sign language and
17 English, in selecting milestones, compiling data, employing
18 qualified personnel, and distributing resources.

19 2. *Parent resource.* The parent resource developed pursuant
20 to subsection 1 shall meet all of the following requirements:

21 a. Include American sign language and English language
22 developmental milestones selected under subsection 1.

23 b. Be appropriate for use, in both content and
24 administration, with deaf and hard-of-hearing children from
25 birth to eight years of age, inclusive, who use American sign
26 language or English, or both.

27 c. Present the language developmental milestones in terms of
28 typical development of all children from birth to eight years
29 of age, by age range.

30 d. Be written for clarity and ease of use by parents and
31 guardians.

32 e. Be aligned to the department of education's existing
33 infant, toddler, and preschool guidelines, standards for
34 evaluating eligibility and progress for early intervention or
35 special education under federal law, and state standards in

1 English language arts.

2 *f.* Clearly specify that the parent resource is not a
3 formal assessment of language and literacy development, and
4 that the observations of a child by the child's parent or
5 guardian may differ from formal assessment data presented at an
6 individualized family service plan or individualized education
7 program meeting.

8 *g.* Clearly specify that a parent or guardian may bring
9 the parent resource to an individualized family service plan
10 or individualized education program meeting for purposes of
11 sharing the parent's or guardian's observations regarding the
12 child's development.

13 3. *Selection of tools or assessments.* The early language
14 development consultant, in consultation with the state school
15 for the deaf, the area education agencies, school districts,
16 and the early hearing detection and intervention program in the
17 department of public health, shall select existing tools or
18 assessments for educators that can be used to assess American
19 sign language and English language and literacy development of
20 deaf and hard-of-hearing children from birth to eight years of
21 age, inclusive.

22 *a.* Educator tools or assessments selected under this
23 subsection shall meet the following criteria:

24 (1) Be in a format that shows stages of language
25 development.

26 (2) Be selected for use by educators to track the
27 development of deaf and hard-of-hearing children's expressive
28 and receptive language acquisition and developmental stages
29 toward American sign language and English literacy.

30 (3) Be appropriate in both content and administration for
31 use with deaf and hard-of-hearing children.

32 *b.* Educator tools or assessments selected under this
33 subsection may do either of the following:

34 (1) Be used, in addition to any assessment required by
35 federal law, by the child's individualized family service plan

1 or individualized education program team, as applicable, to
2 track deaf and hard-of-hearing children's progress in improving
3 expressive and receptive language skills, and to establish or
4 modify individualized family service plans or individualized
5 education programs.

6 (2) Reflect the recommendations of the advisory committee
7 convened under subsection 5.

8 4. *Dissemination.* The early language development
9 consultant shall disseminate the parent resource developed
10 pursuant to this section to parents and guardians of deaf and
11 hard-of-hearing children and, consistent with federal law,
12 shall disseminate the educator tools and assessments selected
13 pursuant to subsection 3 to early hearing detection and
14 invention programs, area education agencies, school districts,
15 accredited nonpublic schools, and the state school for the deaf
16 for use in the development and modification of individualized
17 family service or individualized education program plans,
18 and shall provide materials and training on the use of such
19 materials to assist deaf and hard-of-hearing children in
20 kindergarten readiness using American sign language or English,
21 or both, from birth through age eight.

22 5. *Advisory committee.*

23 a. The department of education shall establish and consult
24 with an advisory committee for purposes of soliciting input,
25 including input from experts on the selection of language
26 developmental milestones for children who are deaf or
27 hard-of-hearing that are equivalent to those for children who
28 are not deaf or hard-of-hearing, for inclusion in the parent
29 resource developed and disseminated to parents and guardians
30 pursuant to this section. The early language development
31 consultant shall provide staffing and administrative support
32 to the advisory committee and shall provide the committee
33 with a list of existing language developmental milestones
34 from existing standardized norms, along with any relevant
35 information held by the department regarding those language

1 developmental milestones for possible inclusion in the parent
2 resource developed pursuant to this section.

3 *b.* The advisory committee shall do all of the following:

4 (1) Make recommendations on the selection and use of the
5 educator tools or assessments selected pursuant to subsection
6 3.

7 (2) Advise the department or its consultants on the content
8 and administration of existing evaluation and assessment tools,
9 instruments, and procedures used to assess the development
10 of children with disabilities pursuant to federal law, and
11 to assess deaf and hard-of-hearing children's language and
12 literacy development to ensure the appropriate use of such
13 tools, instruments, and procedures with such children, and may
14 make recommendations regarding future research to improve the
15 measurement of progress of deaf and hard-of-hearing children in
16 language and literacy development.

17 (3) Develop a process in compliance with federal law for
18 plan modifications if a deaf or hard-of-hearing child does not
19 demonstrate adequate yearly progress in improving expressive
20 and receptive language skills, as measured by an educator tool
21 or assessment selected pursuant to subsection 3.

22 (4) The advisory committee shall consist of seven
23 volunteers, the majority of whom shall be deaf or
24 hard-of-hearing, and all of whom shall have experience
25 or involvement within the field of education for the
26 deaf and hard-of-hearing or relating directly to deaf and
27 hard-of-hearing children. The advisory committee shall include
28 all of the following members:

29 (a) One parent or guardian of a child who is deaf or
30 hard-of-hearing and who uses both American sign language and
31 English or who uses spoken English.

32 (b) One licensed teacher who uses American sign language and
33 English.

34 (c) One licensed teacher who uses spoken English.

35 (d) One person who shall be the parent or guardian of a deaf

1 or hard-of-hearing child or an interpreter, speech pathologist,
2 teacher of the deaf, human rights advocate, child advocate, or
3 licensed education administrator.

4 (e) One advocate for the deaf or an advocate of American
5 sign language.

6 (f) One American sign language specialist, American sign
7 language professor, or native signer recommended by the Iowa
8 association of the deaf and the office of deaf services of the
9 department of human rights.

10 (g) One speech pathologist whose expertise is in spoken
11 English, or an early interventionist who uses spoken English.

12 c. The early language development consultant shall
13 convene the advisory committee by March 1, 2021, and as
14 frequently thereafter as the consultant deems necessary
15 for purposes of this section. The advisory committee shall
16 submit recommendations to the state board of education by
17 July 1, 2021, shall submit recommendations relating to plan
18 modifications developed pursuant to paragraph "b", subparagraph
19 (3), to the state board of education and to the general
20 assembly by December 1, 2021, and shall submit recommendations
21 thereafter as the consultant deems necessary.

22 6. *Activities — consistent with federal law.* All activities
23 of the department of education in implementing this section
24 shall be consistent with federal law for the education of
25 children from birth to eight years of age, inclusive.

26 7. *Annual report.* The department of education shall
27 annually compile, and publish on the department's internet
28 site, a report using existing data reported in compliance
29 with the state performance plan on pupils with disabilities,
30 required under federal law, that is specific to language and
31 literacy development in deaf and hard-of-hearing children
32 from birth to eight years of age, inclusive, including those
33 children who are deaf or hard-of-hearing and have other
34 disabilities, relative to the children's peers who are not deaf
35 or hard-of-hearing.

H-8067 (Continued)

1 8. *Definitions.* For purposes of this section, unless the
2 context otherwise requires:

3 a. "*English*" includes spoken English, written English, or
4 English with the use of visual supplements.

5 b. "*Federal law*" means the federal Individuals with
6 Disabilities Education Act, as amended by the federal
7 Individuals with Disabilities Improvement Act, Pub. L. No.
8 108-446, 20 U.S.C. §1400 et seq., as amended.>

By SALMON of Black Hawk
GASSMAN of Winnebago
HANUSA of Pottawattamie
JACOBSEN of Pottawattamie

[H-8067](#) FILED MARCH 3, 2020

HOUSE FILE 2552

H-8066

- 1 Amend House File 2552 as follows:
- 2 1. Page 1, after line 24 by inserting:
- 3 <Sec. ____ . Section 468.126, subsection 1, paragraph d, Code
- 4 2020, is amended to read as follows:
- 5 ~~d. If a hearing is required under~~ Notwithstanding paragraph
- 6 ~~"e" "b",~~ if the estimated cost of the repair exceeds fifty
- 7 thousand dollars or the adjusted competitive bid threshold,
- 8 whichever is more, the board shall order an engineer's report
- 9 or a report from the soil and water conservation district
- 10 conservationist regarding the matter ~~to~~ which shall be
- 11 presented at the hearing provided in paragraph "c". The board
- 12 may waive the report requirement if a prior report on the
- 13 repair exists and that report is less than ten years old. At
- 14 the hearing, the board shall hear objections to the feasibility
- 15 of making the proposed repair.>
- 16 2. Title page, by striking lines 1 through 3 and inserting:
- 17 <An Act relating to drainage and levee districts, by
- 18 providing for notice of hearing on reports of commissioners,
- 19 and for repairs that require a report by an engineer or soil
- 20 and water conservation district conservationist.>
- 21 3. By renumbering as necessary.

By MAXWELL of Poweshiek

H-8066 FILED MARCH 3, 2020

HOUSE FILE 2554

H-8068

1 Amend House File 2554 as follows:

2 1. Page 1, line 6, by striking <709.8, or 709.12,> and
3 inserting <or 709.8,>

4 2. Page 1, line 18, by striking <709.8, or 709.12> and
5 inserting <or 709.8>

6 3. Page 1, line 34, by striking <709.8, or 709.12> and
7 inserting <or 709.8>

By HITE of Mahaska

H-8068 FILED MARCH 3, 2020

HOUSE FILE 2563

H-8063

1 Amend House File 2563 as follows:

2 1. Page 1, by striking lines 26 through 28 and inserting:

3 <*e.* Any interview by law enforcement or the department or an
4 agent of the department of a minor child who is a witness to a
5 child death shall be conducted in a>

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

7 <*d.* A county attorney.

8 *e.* A representative from the office of the state medical
9 examiner.>

By SALMON of Black Hawk

H-8063 FILED MARCH 3, 2020

HOUSE FILE 2585

H-8069

1 Amend House File 2585 as follows:

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

4 <Section 1. Section 34.2, subsection 4, Code 2020, is
5 amended to read as follows:

6 4. A 911 system shall be capable of transmitting requests
7 for law enforcement, fire fighting, and emergency medical
8 and ambulance services to a public safety agency or agencies
9 that provide the requested service at the place where the call
10 originates. A 911 system may also provide for transmitting
11 requests for emergency management, poison control, suicide
12 prevention, and other emergency services. The public safety
13 answering point shall be capable of receiving calls from deaf
14 and hard-of-hearing persons through a telecommunications device
15 for the deaf and hard of hearing. Conferencing capability
16 with counseling, aid to persons with disabilities, and other
17 services as deemed necessary for identifying appropriate
18 emergency response services may be provided by the 911 service.

19 A public safety answering point may transmit emergency
20 response requests to private safety entities.

21 Sec. 2. Section 34A.9, Code 2020, is amended to read as
22 follows:

23 **34A.9 Telecommunications devices for the speech impaired and**
24 **~~hearing-impaired~~ deaf and hard of hearing.**

25 Each public safety answering point shall provide for the
26 installation and use of telecommunications devices for the
27 speech impaired and ~~hearing-impaired~~ deaf and hard of hearing.

28 Sec. 3. Section 135L.2, subsection 1, paragraph a,
29 subparagraph (1), Code 2020, is amended to read as follows:

30 (1) A video, to be developed by a person selected through a
31 request for proposals process or other contractual agreement,
32 which provides information regarding the various options
33 available to a pregnant minor with regard to the pregnancy,
34 including a decision to continue the pregnancy to term and
35 retain parental rights following the child's birth, a decision

1 to continue the pregnancy to term and place the child for
2 adoption following the child's birth, and a decision to
3 terminate the pregnancy through abortion. The video shall
4 provide the information in a manner and language, including
5 but not limited to the use of closed captioning for the
6 ~~hearing-impaired~~ deaf and hard of hearing, which could be
7 understood by a minor.

8 Sec. 4. Section 147.14, subsection 1, paragraph u, Code
9 2020, is amended to read as follows:

10 u. For sign language interpreting and transliterating, four
11 members licensed to practice interpreting and transliterating,
12 three of whom shall be practicing interpreters and
13 transliterators at the time of appointment to the board and
14 at least one of whom is employed in an educational setting;
15 and three members who are consumers of interpreting or
16 transliterating services as defined in section 154E.1, each of
17 whom shall be deaf or hard of hearing.

18 Sec. 5. Section 216A.113, subsection 1, Code 2020, is
19 amended to read as follows:

20 1. The commission of deaf services is established, and shall
21 consist of seven voting members appointed by the governor,
22 subject to confirmation by the senate pursuant to section
23 2.32. Membership of the commission shall include at least four
24 members who are deaf ~~and who cannot hear human speech with or~~
25 ~~without use of amplification~~ and at least one member who is
26 hard of hearing. All members shall reside in Iowa.

27 Sec. 6. Section 235A.15, subsection 2, paragraph c,
28 subparagraph (5), Code 2020, is amended to read as follows:

29 (5) To the superintendent of the Iowa school for the deaf
30 if the data concerns a person employed or being considered for
31 employment or living in the school.

32 Sec. 7. Section 256B.3, subsection 9, Code 2020, is amended
33 to read as follows:

34 9. To cooperate with existing agencies such as the
35 department of human services, the Iowa department of public

1 health, the ~~state~~ Iowa school for the deaf, the Iowa braille
2 and sight saving school, the children's hospitals, or other
3 agencies concerned with the welfare and health of children
4 requiring special education in the coordination of their
5 educational activities for such children.

6 Sec. 8. Section 262.7, subsection 5, Code 2020, is amended
7 to read as follows:

8 5. The ~~state~~ Iowa school for the deaf.

9 Sec. 9. Section 262.9, subsection 2, Code 2020, is amended
10 to read as follows:

11 2. Elect a president of each of the institutions of higher
12 learning; a superintendent of each of the other institutions;
13 a treasurer and a secretarial officer for each institution
14 annually; professors, instructors, officers, and employees;
15 and fix their compensation. Sections 279.12 through 279.19
16 and section 279.27 apply to employees of the Iowa braille and
17 sight saving school and the ~~state~~ Iowa school for the deaf,
18 who are licensed pursuant to chapter 272. In following those
19 sections in chapter 279, the references to boards of directors
20 of school districts shall be interpreted to apply to the board
21 of regents.

22 Sec. 10. Section 262.43, Code 2020, is amended to read as
23 follows:

24 **262.43 Students residing on state-owned land.**

25 The state board of regents shall pay to the local school
26 boards the tuition payments and transportation costs, as
27 otherwise authorized by statutes for the elementary or high
28 school education of students residing on land owned by the
29 state and under the control of the state board of regents.
30 Such payments for the three institutions of higher learning,
31 the state university of Iowa, the Iowa state university of
32 science and technology, and the university of northern Iowa,
33 shall be made from the funds of the respective institutions
34 other than state appropriations, and for the two noncollegiate
35 institutions, the Iowa braille and sight saving school and the

1 ~~state~~ Iowa school for the deaf, the payments and costs shall be
2 paid from moneys appropriated to the state board of regents.

3 Sec. 11. Section 263.11, subsection 2, Code 2020, is amended
4 to read as follows:

5 2. Persons who are not eligible for admission to the schools
6 already established for persons with an intellectual disability
7 or epilepsy or persons who are deaf or hard of hearing or
8 blind.

9 Sec. 12. Section 270.1, Code 2020, is amended to read as
10 follows:

11 **270.1 Superintendent.**

12 The superintendent of the school for the deaf shall be
13 a trained and experienced educator of the deaf and hard of
14 hearing. The superintendent's salary may include residence in
15 the institution, but no such allowance shall be made except by
16 express contract in advance.

17 Sec. 13. Section 270.3, Code 2020, is amended to read as
18 follows:

19 **270.3 Admission.**

20 Any resident of the state less than twenty-one years of
21 age, who has a hearing loss which is too severe to acquire an
22 education in the public schools is eligible to attend the Iowa
23 school for the deaf. Nonresidents similarly situated may be
24 admitted to an education therein upon such terms as may be
25 fixed by the state board of regents. The fee for nonresidents
26 shall be not less than the average expense of resident pupils
27 and shall be paid in advance.

28 Sec. 14. Section 270.9, Code 2020, is amended to read as
29 follows:

30 **270.9 ~~School~~ Iowa school for the deaf and the Iowa braille
31 and sight saving school.**

32 Funds appropriated to the Iowa school for the deaf and
33 the Iowa braille and sight saving school for payments to the
34 parents or guardians of pupils in either institution shall be
35 expended as follows:

1 1. Transportation reimbursement at a rate established
2 annually by the state board of regents to the parents or
3 guardians of children who do not reside in the institution, but
4 are transported to the institution on a daily basis.

5 2. Transportation reimbursement at a rate established
6 annually by the state board of regents to the parents or
7 guardians for transportation from the institution to the
8 residence of the parent or guardian and return to the
9 institution for children who reside in the institution.

10 Sec. 15. Section 270.10, subsection 1, Code 2020, is amended
11 to read as follows:

12 1. The state board of regents shall not merge the Iowa
13 school for the deaf at Council Bluffs with the Iowa braille
14 and sight saving school at Vinton or close either of those
15 institutions until all of the following requirements have been
16 met:

17 a. The department of management has presented to the general
18 assembly a comprehensive plan, program, and fiscal analysis of
19 the existing circumstances and the circumstances which would
20 prevail upon the proposed merger or closing, together with
21 data which would support the contention that the merger or
22 closing will be more efficient and effective than continuation
23 of the existing facilities. The analysis shall include a
24 detailed study of the educational implications of the merger
25 or closing, the impact on the students, and the opinions and
26 research of nationally recognized experts in the field of the
27 education of visually impaired and deaf or hard-of-hearing
28 students. The comprehensive plan shall further include a
29 study relating to the programming, fiscal consequences, and
30 political implications which would result if either a merger or
31 an agreement under chapter 28E should be implemented between
32 the Iowa school for the deaf in Council Bluffs and comparable
33 state programs in the state of Nebraska.

34 b. The general assembly has studied the plans, programs, and
35 fiscal analysis and has reviewed their impact on the programs.

1 c. The general assembly has enacted legislation authorizing
2 either the closing or the merger to take effect not sooner than
3 two years after the enactment of the legislation.

4 Sec. 16. Section 280.16, subsection 7, Code 2020, is amended
5 to read as follows:

6 7. The Iowa braille and sight saving school, the state Iowa
7 school for the deaf, and the institutions under the control of
8 the department of human services as provided in section 218.1
9 are exempt from the provisions of this section.

10 Sec. 17. Section 299.18, Code 2020, is amended to read as
11 follows:

12 **299.18 Education of certain children who are deaf or hard of**
13 **hearing, blind, or have severe disabilities.**

14 Children who are of compulsory attendance age and who are
15 so deaf or hard of hearing, or blind, or have such severe
16 disabilities so as to be unable to obtain an education in the
17 public or accredited nonpublic schools shall be sent to the
18 appropriate state-operated school, or shall receive appropriate
19 special education under chapter 256B, unless exempted, and
20 any person having such a child under the person's control or
21 custody shall see that the child attends the state-operated
22 school or special education program during the scholastic year.

23 Sec. 18. Section 299.19, Code 2020, is amended to read as
24 follows:

25 **299.19 Proceeding against parent.**

26 Upon the failure of a person having the custody and control
27 of a child who is blind, deaf or hard of hearing, or has severe
28 disabilities to require the child's attendance as provided in
29 section 299.18, the state board of regents may make application
30 to the district court or the juvenile court of the county in
31 which the person resides for an order requiring the person to
32 compel the attendance of the child at the proper state-operated
33 school.

34 Sec. 19. Section 299.22, Code 2020, is amended to read as
35 follows:

1 **299.22** **When deaf or hard of hearing and blind children**
2 **excused.**

3 Attendance at the state-operated school may be excused when
4 the superintendent of the state-operated school certifies that
5 an interdisciplinary staffing team has determined, pursuant to
6 the requirements of chapter 256B, that the child is efficiently
7 taught for the scholastic year in an accredited nonpublic or
8 other school devoted to the instruction, by a private tutor, in
9 the public schools, or is shown to be physically or mentally
10 unable to attend school under section 299.5.

11 Sec. 20. Section 299.23, Code 2020, is amended to read as
12 follows:

13 **299.23** **Agent of state board of regents.**

14 The state board of regents may employ an agent to aid in
15 the enforcement of law relative to the education of deaf or
16 hard-of-hearing children and blind children. The agent shall
17 seek out children who should be in attendance at the state
18 schools but who are not, and require such attendance. The
19 agent shall institute proceedings against persons who violate
20 the provisions of said law. The agent shall be allowed
21 compensation at a rate fixed by the board of regents, and
22 necessary traveling and hotel expenses while away from home in
23 the performance of duty.

24 Sec. 21. Section 331.381, subsection 9, Code 2020, is
25 amended to read as follows:

26 9. Comply with chapters 269 and 270 in regard to the payment
27 of costs for pupils at the Iowa braille and sight saving school
28 and the Iowa school for the deaf.

29 Sec. 22. Section 331.502, subsection 15, Code 2020, is
30 amended to read as follows:

31 15. Carry out duties relating to the collection and payment
32 of funds for educating and supporting deaf and hard-of-hearing
33 students as provided in sections 270.6 and 270.7.

34 Sec. 23. Section 331.552, subsection 13, Code 2020, is
35 amended to read as follows:

1 13. Make transfer payments to the state for school expenses
2 for blind and deaf and hard-of-hearing children and support of
3 persons with mental illness as provided in sections 230.21,
4 269.2, and 270.7.

5 Sec. 24. Section 477C.2, subsections 2 and 5, Code 2020, are
6 amended to read as follows:

7 2. "*Communication impairment*" means the inability to use the
8 telephone for communication without a telecommunications device
9 for the deaf and hard of hearing.

10 5. "*Telecommunications device for the deaf and hard of*
11 *hearing*" means any specialized or supplemental telephone
12 equipment used by communication-impaired persons to provide
13 access to the telephone system.

14 Sec. 25. Section 477C.4, Code 2020, is amended to read as
15 follows:

16 **477C.4 Telecommunications devices for the deaf and hard of**
17 **hearing.**

18 With the advice of the council, the board may plan,
19 establish, administer, and promote a program to secure,
20 finance, and distribute telecommunications devices for the
21 deaf and hard of hearing. The board may establish eligibility
22 criteria for persons to receive telecommunications devices
23 for the deaf and hard of hearing, including, but not limited
24 to, requiring certification that the recipient cannot use the
25 telephone for communication without a telecommunications device
26 for the deaf and hard of hearing.

27 Sec. 26. Section 483A.24, subsection 7, Code 2020, is
28 amended to read as follows:

29 7. A license shall not be required of minor pupils of the
30 state school for the blind, ~~state~~ Iowa school for the deaf,
31 or of minor residents of other state institutions under the
32 control of an administrator of a division of the department
33 of human services. In addition, a person who is on active
34 duty with the armed forces of the United States, on authorized
35 leave from a duty station located outside of this state, and

1 a resident of the state of Iowa shall not be required to
2 have a license to hunt or fish in this state. The military
3 person shall carry the person's leave papers and a copy of
4 the person's current earnings statement showing a deduction
5 for Iowa income taxes while hunting or fishing. In lieu of
6 carrying the person's earnings statement, the military person
7 may also claim residency if the person is registered to vote
8 in this state. If a deer or wild turkey is taken, the military
9 person shall immediately contact a state conservation officer
10 to obtain an appropriate tag to transport the animal. A
11 license shall not be required of residents of county care
12 facilities or any person who is receiving supplementary
13 assistance under chapter 249.

14 Sec. 27. CODE EDITOR'S DIRECTIVE. The Code editor
15 shall correct and eliminate any references to the term
16 "hearing impaired" or other forms of the term and shall
17 update references anywhere else in the Iowa Code, in any
18 bills awaiting codification, and in any bills enacted by the
19 Eighty-eighth General Assembly, 2020 Regular Session, or any
20 extraordinary session, in accordance with this Act.

21 Sec. 28. ADMINISTRATIVE CODE EDITOR DIRECTIVE. The
22 administrative rules coordinator and the administrative rules
23 review committee, in consultation with the administrative code
24 editor, shall jointly develop a schedule for the necessary
25 updating of the Iowa administrative code to update references
26 in accordance with this Act.>

27 2. By renumbering as necessary.

By JACOBSEN of Pottawattamie

SENATE FILE 537

H-8064

1 Amend the amendment, H-8051, to Senate File 537, as amended,
2 passed, and reprinted by the Senate, as follows:

3 1. Page 1, line 4, by striking <muzzleloader> and inserting
4 <muzzleloader>

5 2. Page 1, line 4, by striking <muzzleloader, bow,> and
6 inserting <muzzleloader, bow,>

By JENEARY of Plymouth

H-8064 FILED MARCH 3, 2020

SENATE FILE 583

H-8058

1 Amend the amendment, H-8033, to Senate File 583, as amended,
2 passed, and reprinted by the Senate, as follows:

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

4 <(3) Inflow-outflow billing shall not be limited in any way
5 based on a customer's peak demand.>

6 2. Page 4, line 2, by striking <(3)> and inserting <(4)>

7 3. Page 4, line 5, by striking <(4)> and inserting <(5)>

8 4. By renumbering, redesignating, and correcting internal
9 references as necessary.

By CARLSON of Muscatine

H-8058 FILED MARCH 3, 2020



[HF 2388](#) – Insurance, Cemetery, and Preneed Omnibus (LSB5362HV)
Staff Contact: Angel Banks-Adams (515.281.6301) angel.banks-adams@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2388](#) provides for the following significant fiscal changes:

- Imposes a monetary penalty on and the suspension or revocation of the license of a person who violates any order of the Insurance Commissioner, rather than limiting the penalty and suspension or revocation to those violating cease and desist orders.
- Allows the Insurance Commissioner to deposit penalties that have been collected due to insurers' failure to file a timely own risk and solvency assessment report into the Department of Commerce Revolving Fund and into the Insurance Division Regulatory Fund. Under current law, these penalties are to be transferred to the State General Fund.
- Adds a new late fee of \$5 per day (not to exceed \$500) when a preneed seller, preneed sales agent, and a perpetual care cemetery is at least 15 days late in the filing of its annual preneed sales report.
- Eliminates the \$500,000 cap for funds that may be retained in the Insurance Division Regulatory Fund.
- Eliminates the \$50,000 cap for funds that may be retained in the Insurance Division Enforcement Fund.
- Increases the examination fee that is deposited into the Insurance Division Enforcement Fund from \$5 to \$10.

Background

The monetary penalty of individuals violating cease and desist orders is a maximum of \$1,000 for each offense and an aggregate penalty of no more than \$10,000 per individual, or, if the individual committed the offense knowingly, \$5,000 for each offense and an aggregate penalty of no more than \$50,000. Under the Bill, the same penalty will be imposed for an individual's violation of any order issued by the Division. To date, this penalty has not been assessed. The Bill allows the Insurance Commissioner to deposit penalties that have been collected due to insurers' failure to file a timely own risk and solvency assessment report into the Department of Commerce Revolving Fund instead of transferring collected funds to the General Fund. To date, this penalty has not been assessed.

Beginning in 2005, the Insurance Division's Regulatory Fund has used industry fees to cover the expenses of receiverships, or arrangements for managing the finances and groundskeeping for cemeteries that have become insolvent. In 2007, the amount that could be retained in the Insurance Division's Regulatory Fund was increased from \$200,000 to \$500,000. Approximately \$160,000 is deposited into the Regulatory Fund annually. The Division currently operates four receiverships: Fairmount in Davenport, Springdale in Clinton, Fort Dodge Memorial Park in Fort Dodge, and Joyce Funeral Home in Emmetsburg.

Cemeteries that do not sell preneed products cannot receive transfers from the Regulatory Fund, and are limited to funds from the Enforcement Fund, which includes fees collected from the purchase of burial plots, to cover costs. The Enforcement Fund receives approximately \$23,000 annually in revenues.

The Division indicated that imposing the new assessment of late filing fees specified in the Bill on preneed sellers, preneed sales agents, and perpetual care cemeteries that are at least 15 days late in filing preneed sales reports could have resulted in an increase in Division Enforcement Fund revenue of approximately \$5,000 to \$20,000 in fiscal years 2017 to 2019, if the maximum late fee of \$500 was assessed on the late filers for those fiscal years.

Assumptions

- The number of late filers of annual preneed sales reports has increased, with 40 late-filers in FY 2019, compared to 10 late-filers in FY 2017.
- Approximately 50 filers will be charged a late fee of \$5 per day for 50 days.
- The number of receiverships being operated by the Division has increased as more cemeteries across the State have become insolvent. Currently, approximately 55.0% of deceased individuals are cremated, which is a positive trend when compared to previous years.

Fiscal Impact

The fiscal impact cannot be determined for the assessment of a monetary penalty on an individual violating any order from the Division, or for the deposit of penalties into the Department of Commerce Revolving Fund instead of the General Fund. These would include penalties assessed on insurers for failure to file a timely own risk and solvency assessment report.

The fiscal impact of increasing the examination fee that is deposited into the Insurance Division Enforcement Fund from \$5 to \$10 could result in an additional \$23,000 in revenue to be deposited into the Fund. Cemeteries that do not sell preneed products would use the additional fee revenue.

The fiscal impact of the late filing fee on preneed sellers, preneed sales agents, and perpetual care cemeteries is estimated to be minimal at \$12,500.

Source

Insurance Division

/s/ Holly M. Lyons

March 2, 2020

Doc ID 1132221221

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



[HF 2460](#) – Statewide Preschool Program (LSB5788HV)
Staff Contact: Michael Guanci (515.725.1286) michael.guanci@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2460](#) allows school districts to expand the eligibility and funding provisions for the Statewide Voluntary Preschool Program (SWVPP) to select five-year-old children depending on birthdate (March 15 through September 15 of the school year):

- Beginning in school year 2021-2022 (FY 2023 funding).
- Ending in school year 2023-2024 (FY 2025 funding).

The Bill allows for more than one year of State funding for the same cohort of five-year-old children; however, a school district must give priority to four-year-old children born on or before September 15 of the school year.

The Bill further directs school districts to provide consultation services for the parents or guardians of children enrolled or eligible to enroll in the SWVPP in assessing a child's readiness for enrollment in either the SWVPP or kindergarten.

Background

Under current law, the SWVPP provides funding to school districts for eligible preschool-age children (four years old) and programs. A child is only eligible for one year of State funding. Five-year-old children may attend a preschool through the SWVPP if space is available; however, five-year-old children are not eligible for State funding. Districts have the option of using any remaining funds in their preschool program fund or flexibility fund, or charging tuition for children who are not four years of age by September 15 of the current school year.

There are 321 school districts that participate in the SWVPP. Eligible and certified enrolled children are funded through the State school aid formula solely from the General Fund at half the State cost per pupil (SCPP) multiplied by the enrollment counts from the previous school year. In FY 2020, this amounts to \$3,440 (0.5 of the SCPP) per pupil multiplied by a certified enrollment of 24,998 in the 2018-2019 school year. The total General Fund appropriation in estimated FY 2020 is \$86.2 million, which includes any audit adjustments.

The Department of Education estimates that under the provisions of this Bill, up to 14,149 five-year-old children may be eligible to be added to the certified enrollment count in October 2021 for SWVPP funding in FY 2023. However, it is not known which school districts will have the capacity to accept eligible five-year-old students or which districts currently maintain a waiting list for eligible four-year-old children.

Assumptions

- Enrollment for eligible five-year-old children will begin in school year 2021-2022 and end in school year 2023-2024.
- State funding for the SWVPP each fiscal year will be based on certified enrollment of eligible four- and five-year-old children on October 1 of the previous school year.
- State school aid funding for eligible five-year-old children will begin in FY 2023 and end in FY 2025.

- Under current law, the SCPP will remain at the current level of \$6,880 for FY 2023 through FY 2025.
- Allowing select five-year-old children to be eligible for the SWVPP will increase the number of State-funded preschool children.
- Allowing select five-year-old children to be eligible for a second year of funding for the SWVPP will increase the number of State-funded preschool children.
- It is not known how many eligible five-year-old children will enroll in the SWVPP.
- It is not known how many school districts will receive additional funding for enrolled eligible five-year-old children in the SWVPP.
- Additional eligible five-year-old children may increase the number of licensed teachers.
- Consultation services as described in Section 7 of the Bill will be funded from SWVPP funds, and not from a school district's general operating fund.
- Consultation services will continue after FY 2025.

Fiscal Impact

The extent of the fiscal impact for [HF 2460](#) cannot be determined. Starting in FY 2023 and ending in FY 2025, any previous year's enrollment of eligible five-year-old students would increase State school aid from the General Fund.

As a point of reference, the following table shows the increase in state school aid by additional enrollment.

**Estimated Fiscal Impact of HF 2460
Based on Additional Enrollment in
the SWVPP (in millions of dollars)**

Number of Students	Additional State School Aid
500	\$ 1.7
1,000	3.4
2,000	6.9
2,500	8.6
5,000	17.2

School districts may see an increase in staff costs. According to the Department of Education, an average teacher FTE is \$58,765.

Consultation services may increase a school district's expenses from its SWVPP fund. The extent of the fiscal impact on a district's SWVPP fund is not known and is expected to vary by program.

Sources

Department of Education
Department of Management, school aid and levy files
LSA calculations

/s/ Holly M. Lyons

March 2, 2020

Doc ID 1131128

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.

www.legis.iowa.gov



HF 2517 – Nonresident Hunting License Allotment, Hunting Guides (LSB5330HV)
 Staff Contact: Debra Kozel (515.281.6767) deb.kozel@legis.iowa.gov
 Fiscal Note Version – New

Description

[House File 2517](#) allows the Natural Resource Commission (NRC) to issue 6,000 to 8,000 nonresident antlered or any sex deer hunting licenses each year. The Bill further specifies that only 35.0% of the licenses can be issued for bow hunting season. The Commission will base its decision with deer herd information received from the Department of Natural Resources (DNR). The Bill also requires the DNR to adopt emergency rules for the change to be effective for the next hunting season.

Background

Each year, the 6,000 nonresident antlered or any sex deer hunting licenses available per hunting season are sold out.

Assumptions

- The total cost for a nonresident antlered or any sex deer hunting license is \$644 (plus taxes and fees). This includes the purchase of an antlerless deer license (\$498), a hunting license (\$131), and the payment of the wildlife habitat fee (\$15).
- It is unknown how many nonresident deer licenses will be issued each year but the minimum number is 6,000 and the maximum number is 8,000.
- The DNR will incur some additional expense; however, it is expected to be minimal.

Fiscal Impact

[House File 2517](#) will increase the revenue to the Fish and Game Trust Fund; however, the exact amount is unknown. The table below compares the fee revenue collected with the sale of 6,000 nonresident antlered or any sex deer hunting licenses to the sale of 8,000 such licenses.

House File 2517 Nonresident Deer Licenses

License Type	Nonresident Licenses			
	Fee	6,000	8,000	Difference
Antlerless Deer License	\$ 498.00	\$ 2,988,000	\$ 3,984,000	\$ 996,000
Hunting License	131.00	786,000	1,048,000	262,000
Habitat Stamp	15.00	90,000	120,000	30,000
Total Revenue to Fish and Game Trust Fund	\$ 644.00	\$ 3,864,000	\$ 5,152,000	\$ 1,288,000

Sources

Department of Natural Resources
LSA Calculations

/s/ Holly M. Lyons

March 2, 2020

Doc ID 1131858

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.

www.legis.iowa.gov



[HF 2526](#) – Achieving a Better Life Experience (ABLE) Accounts (LSB5223HV)
Staff Contact: Jess Benson (515.281.4611) jess.benson@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2526](#) allows any funds retained in a Medicaid Special Needs Trust or in a Supplemental Needs Trust of a beneficiary with a disability who is also a designated beneficiary of an Iowa ABLE (Achieving a Better Life Experience) savings plan trust account to be transferred to the Iowa ABLE account of the designated beneficiary.

Background

ABLE accounts allow individuals and families to save for qualified disability expenses without losing eligibility for certain assistance programs, like Supplemental Security Income (SSI) and Medicaid. The earnings on investments are federally tax-deferred and tax-free if used for qualified disability expenses. ABLE accounts are limited to \$100,000 without affecting Medicaid eligibility. In addition, ABLE accounts may be canceled at will, with the account owner receiving the account balance.

Assumptions

- As of January 24, 2020, there were 364 Medicaid Special Needs Trusts monitored by the Department of Human Services (DHS), with a total of \$50.1 million invested.
 - 265 accounts have less than \$100,000, for a total of \$6.3 million.
 - 99 accounts have over \$100,000, of which \$100,000 may be available to move to ABLE accounts under this Bill, for a total of \$9.9 million.
- Supplemental Needs Trusts may also be impacted. The DHS does not have data on the number of Supplemental Needs Trusts or monitor their account balances.

Fiscal Impact

The fiscal impact of this Bill cannot be determined. If all Special Needs Trust beneficiaries qualify for an ABLE account, up to \$16.2 million could be transferred, in addition to the unknown impact from the Supplemental Needs Trusts. This could result in fewer potential Medicaid recoveries due to less rigid guidelines to withdraw funds from an ABLE account or to cancel the account and receive the balance. Special Needs Trusts have increased annually, so the impact may increase over time. Medicaid costs may also increase as individuals who are currently ineligible for Medicaid transfer their assets between beneficiaries and trusts in order to qualify for Medicaid.

Source

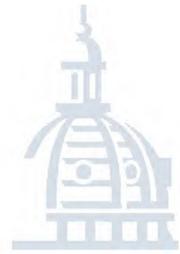
Department of Human Services

/s/ Holly M. Lyons

March 3, 2020

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.

www.legis.iowa.gov



[HF 2539](#) – Deaf Children, Language and Literacy Development (LSB6308HV)
Staff Contact: Lora Vargason (515.725.2249) lora.vargason@legis.iowa.gov
Fiscal Note Version – New

Description

[House File 2539](#) directs the Department of Education (DE) to appoint an Early Language Development Coordinator and assign duties to the Coordinator including the development and dissemination of resources to parents and educators. The Bill establishes a language assessment program with the purposes of assessing, monitoring, and tracking the language development milestones of children who are deaf or hard-of-hearing and then, if needed, modifying learning plans to achieve English literacy proficiency. The DE is directed to establish an advisory committee, and membership is detailed in the Bill. The DE is required to publish an annual report regarding language and literacy development for deaf and hard-of-hearing children from birth to eight years of age.

Background

Deaf or hard-of-hearing children and students are covered under the federal Individuals with Disabilities Education [Act](#) (IDEA), which defines and regulates special education. Iowa's area education agencies (AEAs) are responsible for administration of the [Early ACCESS](#) program, which provides services for infants and toddlers covered under IDEA Part C. Early ACCESS provides early intervention services for children ages birth through two who have a health or physical condition that may affect their growth and development or have developmental delays. The services to be provided to a child covered under IDEA Part C are detailed in an Individualized Family Service Plan (IFSP), and the plan is reviewed every six months to determine whether updates are needed. Under IDEA Part B, public schools are required to provide special education to students ages 3 to 21 who meet specified criteria. Individualized Education Programs (IEPs) detail how the school will support students needing special education.

In Iowa, deaf or hard-of-hearing students have options for what setting would best serve their educational needs. The Iowa School for the Deaf (ISD) operates under the Board of Regents to provide educational services to deaf or hard-of-hearing students from preschool through age 21. The school is located in Council Bluffs. The ISD provides on-site direct instruction to students and has maintained a steady enrollment of about 110 students on campus. The ISD also offers online sign language development courses for students, parents, and school staff. The AEAs provide educational support for deaf and hard-of-hearing students attending other schools across the State.

The DE issued a [report](#) in January 2018 to provide information regarding students who were deaf or hard-of-hearing in Iowa for the 2016-2017 school year. The report identified 2,775 Iowa residents ranging from ages birth to 21 who were deaf or hard-of-hearing. The report details student demographics, school district assessment data, and proficiency levels for deaf and hard-of-hearing students.

Language Equality and Acquisition for Deaf Kids (LEAD-K) is a nationwide initiative to raise awareness of deaf or hard-of-hearing children's experiences in language learning and to work

towards school readiness and sufficient language skills by promoting state legislation that allows deaf children to have access to both American Sign Language and English. This Bill is similar to versions of proposed LEAD-K legislation that have passed in California, Hawaii, Kansas, Oregon, South Dakota, Georgia, and Louisiana.

Assumptions

- The guidance provided in the Bill will not hinder established protocols for IFSPs and IEPs that are required under IDEA.
- The Bill will only apply to infants, toddlers, and students who are IDEA-eligible. It is estimated that half of the children or students identified with hearing loss have established IFSPs or IEPs.
- The DE’s estimates for the parent and educator resources are based on past experiences of developing similar materials.
- The DE would need 0.5 additional full-time equivalent (FTE) position to meet the required duties of the Bill for the Early Language Development Coordinator.
- Advisory Committee meeting costs will not include expense reimbursement for members but will include costs for interpreters and closed captioners.

Fiscal Impact

[House File 2539](#) is estimated to increase DE costs by \$379,000 in FY 2021, as detailed in the table below.

Estimated Impact of HF 2539	
	<u>FY 2021</u>
DE Early Language Coordinator Position (0.5 FTE)	\$ 54,000
DE Reporting Database	100,000
Task Force Meeting Costs	25,000
Development of Parent Resources	75,000
Development of Educator Resources	75,000
Dissemination of Parent Resources	25,000
Dissemination of Educator Resources	25,000
Grand Total	<u>\$ 379,000</u>

The Department also estimates an additional minimum cost of \$40,000 for the assessment program, which would be administered through the AEAs, school districts, and the Iowa School for the Deaf.

Source

Department of Education

/s/ Holly M. Lyons

March 2, 2020

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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.
