

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

**June 10, 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 2365</a> .....	<a href="#">H-8251</a> .....		RECEIVED FROM THE SENATE
<a href="#">HF 2418</a> .....	<a href="#">H-8254</a> .....		RECEIVED FROM THE SENATE
<a href="#">HF 2443</a> .....	<a href="#">H-8255</a> .....		RECEIVED FROM THE SENATE
<a href="#">HF 2486</a> .....	<a href="#">H-8256</a> .....		RECEIVED FROM THE SENATE
<a href="#">HF 2486</a> .....	<a href="#">H-8260</a> .....		KAUFMANN of Cedar, et al
<a href="#">HF 2627</a> .....	<a href="#">H-8250</a> .....		LUNDGREN of Dubuque
<a href="#">HF 2641</a> .....	<a href="#">H-8257</a> .....		HITE of Mahaska
<a href="#">HF 2641</a> .....	<a href="#">H-8261</a> .....		NIELSEN of Johnson
<a href="#">HF 2642</a> .....	<a href="#">H-8249</a> .....		BENNETT of Linn
<a href="#">HF 2643</a> .....	<a href="#">H-8258</a> .....		ISENHART of Dubuque
<a href="#">HF 2643</a> .....	<a href="#">H-8259</a> .....		ISENHART of Dubuque
<a href="#">SF 457</a> .....	<a href="#">H-8248</a> .....		HEIN of Jones
<a href="#">SF 2310</a> .....	<a href="#">H-8245</a> .....		MOORE of Cass
<a href="#">SF 2310</a> .....	<a href="#">H-8246</a> .....		MOORE of Cass
<a href="#">SF 2310</a> .....	<a href="#">H-8247</a> .....		MOORE of Cass

[SF 2310](#) ..... [H-8252](#) .....  
[SF 2410](#) ..... [H-8253](#) .....

MOORE of Cass  
RUNNING-MARQUARDT  
of Linn

**Fiscal Notes**

[SF 2364](#) — [Public Improvements, Guaranteed Maximum Price Contracts](#)  
(LSB5829SV.1)

[HF 2639](#) — [Speeding Fines, Rural Emergency Services Funding](#) (LSB2337HZ)

SENATE AMENDMENT TO  
HOUSE FILE 2365

H-8251

1 Amend House File 2365, as passed by the House, as follows:

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

3 <Sec. \_\_\_\_\_. Section 96.40, subsection 2, paragraph e, Code  
4 2020, is amended to read as follows:

5 e. The reduction in hours and corresponding reduction in  
6 wages must be applied equally to all employees in the affected  
7 unit for each week reported.

8 Sec. \_\_\_\_\_. Section 96.40, Code 2020, is amended by adding the  
9 following new subsection:

10 NEW SUBSECTION. 4A. An employer may file an appeal in  
11 writing of a denial or approval of a plan or revocation of an  
12 approved plan by the department within thirty days from the  
13 date of the decision.

14 Sec. \_\_\_\_\_. Section 96.40, subsection 9, paragraph b, Code  
15 2020, is amended to read as follows:

16 b. An employer may provide as part of the plan a training  
17 program the employees may attend during the hours that  
18 have been reduced. Such a training program may include a  
19 training program funded under the federal Workforce Investment  
20 Innovation and Opportunity Act, of 1998, Pub. L. No. 105-220  
21 113-128. If the employer is able to show that the training  
22 program will provide a substantive increase in the workplace  
23 and employability skills of the employee so as to reduce the  
24 potential for future periods of unemployment, the department  
25 shall relieve the employer of charges for benefits paid to the  
26 individual attending training under the plan. The employee  
27 may attend the training at the work site utilizing internal  
28 resources, provided the training is outside of the normal  
29 course of employment, or in conjunction with an educational  
30 institution.

31 Sec. \_\_\_\_\_. APPLICABILITY. The sections of this Act amending  
32 section 96.40 apply to all voluntary shared work plans approved  
33 by the department of workforce development on or after the  
34 effective date of this Act.>

35 2. Title page, line 3, after <benefits> by inserting <and

H-8251 (Continued)

1 the voluntary shared work program, and including applicability  
2 provisions>

[H-8251](#) FILED JUNE 10, 2020

**SENATE AMENDMENT TO  
HOUSE FILE 2418**

**H-8254**

1     Amend House File 2418, as passed by the House, as follows:

2     1. Page 1, after line 13 by inserting:

3     <Sec. \_\_\_\_\_. Section 257.40, Code 2020, is amended to read as  
4 follows:

5     **257.40 Approval of requests for modified supplement amounts**  
6 **for adopted program plans.**

7     1. The board of directors of a school district requesting  
8 to use a modified supplemental amount for costs in excess of  
9 the funding received under section 257.11, subsection 4, for  
10 programs for at-risk students, secondary students who attend  
11 alternative programs and alternative schools, or returning  
12 dropouts and dropout prevention shall submit requests for a  
13 modified supplemental amount, including budget costs, to the  
14 school budget review committee not later than January 15 of the  
15 budget year preceding the budget year during which the program  
16 will be offered. The school budget review committee shall  
17 review the request and shall grant approval for the request if  
18 the amount requested does not exceed an amount equal to the  
19 limitation of section 257.41, subsection 3, minus any funds for  
20 the adopted program carried forward from the year prior to the  
21 base year. The board of directors shall certify by resolution  
22 that the request complies with the school district's adopted  
23 program plan. If the amount requested exceeds an amount equal  
24 to the limitation of section 257.41, subsection 3, minus any  
25 funds for the adopted program carried forward from the year  
26 prior to the base year, the amount approved by the school  
27 budget review committee shall equal the limitation amount  
28 minus any funds for the adopted program carried forward from  
29 the year prior to the base year. Not later than March 15, the  
30 school budget review committee shall notify the department  
31 of management of the names of the school districts for which  
32 programs using a modified supplemental amount for funding have  
33 been approved and the approved budget of each program listed  
34 separately for each school district having an approved request.  
35 If requested, the board of directors shall provide the adopted

H-8254 (Continued)

1 program plan for any audit performed under chapter 11 or other  
2 provision of law.

3 2. If a school district submits a request after January 15  
4 but before March 1 of the budget year preceding the budget year  
5 during which the program will be offered, the school budget  
6 review committee may grant the modified supplemental amount  
7 request based on the specifications under subsection 1.>

8 2. Page 1, after line 27 by inserting:

9 <Sec. \_\_\_\_ . EFFECTIVE DATE. This Act, being deemed of  
10 immediate importance, takes effect upon enactment.

11 Sec. \_\_\_\_ . RETROACTIVE APPLICABILITY. The following applies  
12 retroactively to January 1, 2020, for requests for modified  
13 supplemental amounts filed on or after that date:

14 The section of this Act amending section 257.40.>

15 3. Title page, line 3, by striking <examiners> and inserting  
16 <examiners, certain requests made to the school budget review  
17 committee, and including effective date and retroactive  
18 applicability provisions>

19 4. By renumbering as necessary.

H-8254 FILED JUNE 10, 2020

SENATE AMENDMENT TO  
HOUSE FILE 2443

H-8255

1 Amend House File 2443, as passed by the House, as follows:

2 1. Page 1, by striking lines 1 through 14 and inserting:

3 <Sec. \_\_\_\_ . Section 261E.3, subsection 1, paragraph e, Code  
4 2020, is amended to read as follows:

5 e. (1) The student, except as otherwise provided in this  
6 paragraph "e", shall have demonstrated proficiency in reading,  
7 mathematics, and science as evidenced by achievement any of the  
8 following:

9 (a) Achievement scores on the latest administration of the  
10 state assessment for which scores are available and as defined  
11 by the department. ~~However, a~~

12 (b) If the student is receiving competent private  
13 instruction under chapter 299A, may demonstrate proficiency  
14 by submitting the written recommendation of the licensed  
15 practitioner providing supervision to the student in accordance  
16 with section 299A.2+. Such student may also demonstrate  
17 proficiency as evidenced by achievement scores on the annual  
18 achievement evaluation required under section 299A.4; or may  
19 demonstrate proficiency as evidenced by a selection index,  
20 which is the sum of the critical reading, mathematics, and  
21 writing skills assessments, of at least one hundred forty-one  
22 on the preliminary scholastic aptitude test administered by  
23 the college board; a composite score of at least twenty-one on  
24 the college readiness assessment administered by ACT, inc.;  
25 or a sum of the critical reading and mathematics scores of at  
26 least nine hundred ninety on the college readiness assessment  
27 administered by the college board.

28 (2) (a) If a student is not proficient in one or more of  
29 the content areas listed in this paragraph, has not taken the  
30 college readiness assessments identified in this paragraph,  
31 or has not achieved the scores specified in this paragraph,  
32 the subparagraph (1), the student may demonstrate proficiency  
33 through measures of college readiness jointly agreed upon by  
34 the school board and the eligible postsecondary institution.

35 (b) The school board may establish alternative but

H-8255 (Continued)

1 equivalent qualifying performance measures including but not  
2 limited to additional administrations of the state assessment,  
3 portfolios of student work, student performance rubric, or  
4 end-of-course assessments.>

5 2. Page 1, after line 16 by inserting:

6 <Sec. \_\_\_\_ . APPLICABILITY. Notwithstanding section 261E.3,  
7 subsection 1, paragraph "e", subparagraph (1), subparagraph  
8 division (a), as enacted by this Act, for the school year  
9 beginning July 1, 2020, the achievement scores from the state  
10 assessment administered during the school year beginning July  
11 1, 2018, shall be considered the latest available scores.>

12 3. Title page, line 1, by striking <and assessments>

13 4. Title page, line 3, after <date> by inserting <and  
14 applicability>

15 5. By renumbering as necessary.

H-8255 FILED JUNE 10, 2020

SENATE AMENDMENT TO  
HOUSE FILE 2486

H-8256

1 Amend House File 2486, as passed by the House, as follows:

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

4 <DIVISION I

5 SECRETARY OF STATE EMERGENCY POWERS

6 Section 1. Section 47.1, subsection 2, Code 2020, is amended  
7 to read as follows:

8 2. The state commissioner of elections may exercise  
9 emergency powers over any election being held in a district in  
10 which either a natural or other disaster or extremely inclement  
11 weather has occurred within twenty-one days of the election.  
12 The state commissioner of elections may also exercise emergency  
13 powers during an armed conflict involving United States armed  
14 forces, or mobilization of those forces, or if an election  
15 contest court finds that there were errors in the conduct of  
16 an election making it impossible to determine the result. The  
17 state commissioner of elections shall exercise emergency powers  
18 as provided in section 47.12.

19 Sec. 2. Section 47.1, Code 2020, is amended by adding the  
20 following new subsection:

21 NEW SUBSECTION. 2A. The general assembly may, by concurrent  
22 resolution, rescind an emergency declaratory order. If the  
23 general assembly is not in session, the legislative council  
24 may, by a majority vote, rescind the emergency declaration  
25 order. Rescission shall be effective upon filing of the  
26 concurrent resolution or vote of the legislative council with  
27 the secretary of state.

28 Sec. 3. Section 47.1, subsection 4, Code 2020, is amended by  
29 striking the subsection.

30 Sec. 4. NEW SECTION. 47.12 **Emergency election procedures.**

31 1. For purposes of this section:

32 *a. "Election contest court"* means any of the courts  
33 specified in sections 57.1, 58.4, 61.1, 62.1A, and 376.10.

34 *b. "Extremely inclement weather"* means a natural occurrence,  
35 such as a rainstorm, windstorm, ice storm, blizzard, tornado,

1 or other weather conditions, that makes travel extremely  
2 dangerous, that threatens the public health and safety, or that  
3 damages and destroys public and private property.

4 *c. "Natural disaster"* means a natural occurrence, such  
5 as a fire, flood, blizzard, earthquake, tornado, windstorm,  
6 ice storm, or other events, that threatens the public health  
7 and safety or that damages and destroys public and private  
8 property.

9 *d. "Other disaster"* means an occurrence caused by machines  
10 or people, such as fire, hazardous substance, or nuclear power  
11 plant accident or incident, that threatens the public health  
12 and safety or that damages and destroys public and private  
13 property.

14 2. The county commissioner of elections, or the county  
15 commissioner's designee, may notify the state commissioner  
16 that due to a natural or other disaster or extremely inclement  
17 weather an election cannot safely be conducted in the time  
18 or place for which the election is scheduled to be held. If  
19 the county commissioner or the county commissioner's designee  
20 is unable to transmit notice of the hazardous conditions,  
21 the notice may be given by any elected county official.  
22 Verification of the county commissioner's agreement with the  
23 severity of the conditions and the danger to the election  
24 process shall be transmitted to the state commissioner as soon  
25 as possible. Notice may be given by telephone, electronic  
26 mail, or by facsimile machine, but a signed notice shall also  
27 be delivered to the state commissioner.

28 3. After receiving notice of hazardous conditions, the  
29 state commissioner, or the state commissioner's designee, may  
30 declare that an emergency exists in the affected precinct or  
31 precincts. A copy of the declaration of the emergency shall  
32 be provided to the county commissioner and posted on the  
33 internet site for both the state commissioner and the county  
34 commissioner.

35 4. *a.* When the state commissioner has declared that an

1 emergency exists due to a natural or other disaster or to  
2 extremely inclement weather, the county commissioner, or the  
3 county commissioner's designee, shall consult with the state  
4 commissioner to develop a plan to conduct the election under  
5 the emergency conditions.

6     *b.* Modifications may be made to the method for conducting  
7 the election including relocation of polling places,  
8 postponement of the hour of opening the polls, postponement of  
9 the date of the election if no candidates for federal offices  
10 are on the ballot, reduction in the number of precinct election  
11 officials in nonpartisan elections, or other reasonable and  
12 prudent modifications that will permit the election to be  
13 conducted, but no modifications shall be made to requirements  
14 for voter identification and absentee ballot request  
15 and delivery. All modifications to the usual method for  
16 conducting elections shall be approved in advance by the state  
17 commissioner unless prior approval is impossible to obtain.

18     *c.* If an emergency exists in all precincts of a county,  
19 the number of polling places shall not be reduced by more than  
20 thirty-five percent. The polling places allowed to open shall  
21 be equitably distributed in the county based on the ratio of  
22 regular polling places located in unincorporated areas in the  
23 county to regular polling places in incorporated areas in the  
24 county.

25     5. *a.* A substitute polling place shall be as close as  
26 possible to the originally designated polling place and shall  
27 be within the same precinct if possible. Preference shall  
28 be given to buildings that are accessible to the elderly and  
29 disabled. Public buildings shall be made available without  
30 charge by the authorities responsible for their administration.  
31 If necessary, more than one precinct may be located in the same  
32 room.

33     *b.* A notice of the location of the substitute polling place  
34 shall be posted on the door of the former polling place not  
35 later than one hour before the scheduled time for opening the

1 polls or as soon as possible. If it is unsafe or impossible  
2 to post the sign on the door of the former polling place, the  
3 notice shall be posted in some other visible place at or near  
4 the site of the former polling place. If time permits, notice  
5 of the relocation of the polling place shall be published in  
6 the same newspaper in which notice of election was published,  
7 otherwise notice of relocation may be published in any  
8 newspaper of general circulation in the political subdivision  
9 that will appear on or before election day. The county  
10 commissioner shall inform all broadcast media and print news  
11 organizations serving the jurisdiction of the modifications and  
12 publish a notice on the county commissioner's internet site.

13 6. An election, other than an election at which a federal  
14 office appears on the ballot, may be postponed until the  
15 following Tuesday. If the election involves more than one  
16 precinct, the postponement must include all precincts within  
17 the political subdivision. If the election is postponed,  
18 ballots shall not be reprinted to reflect the modification in  
19 the election date. The date of the close of voter registration  
20 by mail for the election shall not be extended. Precinct  
21 election registers prepared for the original election date may  
22 be used or reprinted at the commissioner's discretion. Except  
23 as provided in this section, a postponed election shall be  
24 conducted in the same manner as an election taking place on the  
25 regularly scheduled election day.

26 7. a. Absentee ballots shall be delivered to voters  
27 pursuant to section 53.22 until the date the election is  
28 actually held. Absentee ballots shall be accepted at the  
29 commissioner's office until the hour the polls close on  
30 the date the election is held. Absentee ballots that are  
31 postmarked no later than the day before the election is  
32 actually held or that bear a barcode traceable to a date of  
33 entry into the federal mail system no later than the day before  
34 the election is actually held shall be accepted if received no  
35 later than the length of time prescribed for the usual conduct

1 of the election. The time shall be calculated from the date on  
2 which the election is held, not the date for which the election  
3 was originally scheduled.

4 *b.* If absentee ballots have been tabulated before the  
5 election is postponed, the absentee ballots shall be sealed in  
6 an envelope by the absentee and special voters precinct board  
7 and stored securely until the date the election is actually  
8 held. The sealed envelopes shall be opened by the absentee  
9 and special voters precinct board on the date the election is  
10 actually held, counters on the tabulating equipment, if any,  
11 shall be reset to zero, and all absentee ballots tabulated on  
12 the original election date shall be retabulated.

13 8. The absentee and special voters precinct board shall  
14 meet to consider provisional ballots at the times specified in  
15 sections 50.22 and 52.23, calculated from the date the election  
16 is held. No absentee ballots shall be counted until the date  
17 the election is held.

18 9. The canvass of votes shall be rescheduled for one week  
19 after the originally scheduled canvass date.

20 10. *a.* If the emergency is declared while the polls are  
21 open and the decision is made to postpone the election, each  
22 precinct polling place in the political subdivision shall be  
23 notified to close its doors and to halt all voting immediately.  
24 People present in the polling place who are waiting to vote  
25 shall not be given ballots. People who have received and  
26 marked their ballots shall deposit them in the ballot box.  
27 Unmarked ballots shall be returned to the precinct election  
28 officials.

29 *b.* The precinct election officials shall seal all ballots  
30 that were cast before the declaration of the emergency in  
31 secure containers. The containers shall be clearly marked as  
32 ballots from the postponed election. If it is safe to do so,  
33 the ballot containers, election register, and other election  
34 supplies shall be transported to the county commissioner's  
35 office. The ballots shall be stored in a secure place. If

1 it is unsafe to travel to the county commissioner's office,  
2 the chairperson of the precinct election board shall securely  
3 store the ballots and the election register until it is safe  
4 to return the ballots and election register to the county  
5 commissioner. If no contest is pending six months after the  
6 canvass for the election is completed, the unopened, sealed  
7 ballot containers shall be destroyed.

8     *c.* If automatic tabulating equipment is used, the automatic  
9 tabulating equipment shall be closed and sealed without  
10 printing the results. Before the date the election is held,  
11 the automatic tabulating equipment shall be reset to zero.  
12 Documents showing the progress of the count, if any, shall be  
13 sealed in an envelope and stored. No person shall reveal the  
14 progress of the count. After six months, the sealed envelope  
15 containing the vote totals shall be destroyed if no contest is  
16 pending.

17     11. The state commissioner shall maintain records of each  
18 emergency declaration. The records of emergency declarations  
19 for federal elections shall be kept for twenty-two months  
20 and records for all other elections shall be kept for six  
21 months following the election. The records shall include the  
22 following information:

23     *a.* The county in which the emergency occurred.

24     *b.* The date and time the emergency declaration was  
25 requested.

26     *c.* The name and title of the person making the request.

27     *d.* The name and date of the election affected.

28     *e.* The jurisdiction for which the election is to be  
29 conducted.

30     *f.* The number of precincts in the jurisdiction.

31     *g.* The number of precincts affected by the emergency.

32     *h.* The nature of the emergency.

33     *i.* The date or dates of the occurrence of the natural or  
34 other disaster or extremely inclement weather.

35     *j.* The conditions affecting the conduct of the election.

1     *k.* Whether the polling places may safely be opened on time.

2     *l.* Any action taken such as but not limited to moving the  
3 polling place, changing the voting system, or postponing the  
4 election until the following Tuesday.

5     *m.* The method to be used to inform the public of changes  
6 made in the election procedure.

7     *n.* The signature of the state commissioner or the state  
8 commissioner's designee who was responsible for declaring the  
9 emergency.

10    12. *a.* (1) If an emergency occurs that will adversely  
11 affect the conduct of an election at which candidates for  
12 federal office will appear on the ballot, the election shall  
13 not be postponed or delayed. Emergency measures shall be  
14 limited to relocation of polling places, modification of  
15 the method of voting not including requirements for voter  
16 identification and absentee ballot request and delivery,  
17 reduction of the number of precinct election officials at  
18 a precinct, and other modifications of prescribed election  
19 procedures that will enable the election to be conducted on the  
20 date and during the hours required by law.

21    (2) The primary election held in June of even-numbered years  
22 and the general election held in November of even-numbered  
23 years shall not be postponed. Special elections called by  
24 the governor pursuant to section 69.14 shall not be postponed  
25 unless no federal office appears on the ballot.

26    *b.* If a federal or state court order extends the time  
27 established for closing the polls pursuant to section 49.73,  
28 any person who votes after the statutory hour for closing the  
29 polls shall vote only by casting a provisional ballot pursuant  
30 to section 49.81. Provisional ballots cast after the statutory  
31 hour for closing the polls shall be sealed in a separate  
32 envelope from provisional ballots cast during the statutory  
33 polling hours. The absentee and special voters precinct board  
34 shall tabulate and report the results of the two sets of  
35 provisional ballots separately.

1 13. A voter who is entitled to vote by absentee ballot under  
2 the federal Uniformed and Overseas Citizens Absentee Voting  
3 Act, 42 U.S.C. §1973ff et seq., and the provisions set forth  
4 in chapter 53, subchapter II, may return an absentee ballot  
5 via electronic transmission only if the voter is located in an  
6 area designated by the federal department of defense to be an  
7 imminent danger pay area or if the voter is an active member of  
8 the army, navy, marine corps, merchant marine, coast guard, air  
9 force, or Iowa national guard and is located outside the United  
10 States or any of its territories. Procedures for the return of  
11 absentee ballots by electronic transmission shall be determined  
12 by the state commissioner by rule.

13 14. *a.* If an election contest court finds that there were  
14 errors in the conduct of an election that make it impossible  
15 to determine the result of the election, the contest court  
16 shall notify the state commissioner of its finding. The state  
17 commissioner shall order a repeat election to be held. The  
18 repeat election date shall be set by the state commissioner.  
19 The repeat election shall be conducted under the state  
20 commissioner's supervision.

21 *b.* The repeat election shall be held at the earliest  
22 possible time, but it shall not be held earlier than fourteen  
23 days after the date the election was set aside. Voter  
24 registration, publication, equipment testing, and other  
25 applicable deadlines shall be calculated from the date of the  
26 repeat election.

27 *c.* The repeat election shall be conducted under the same  
28 procedures required for the election that was set aside,  
29 except that all known errors in preparation and procedure  
30 shall be corrected. The nominations from the initial election  
31 shall be used in the repeat election unless the contest court  
32 specifically rejects the initial nomination process in its  
33 findings. Precinct election officials for the repeat election  
34 may be replaced at the discretion of the auditor.

35 *d.* The following materials prepared for the original

1 election shall be used or reconstructed for the repeat  
2 election:

3 (1) Ballots showing the date of repeat election, which may  
4 be stamped on ballots printed for the original election.

5 (2) Notice of election showing the date of repeat election.

6 DIVISION II

7 COUNTY SEALS

8 Sec. 5. Section 331.552, subsection 4, Code 2020, is amended  
9 to read as follows:

10 4. a. Keep the official county seal provided by the county.  
11 The official seal shall be an impression seal on the face of  
12 which shall appear the name of the county, the word "county"  
13 which may be abbreviated, ~~the word "treasurer" which may be~~  
14 ~~abbreviated,~~ and the word "Iowa". A county shall have only one  
15 official county seal.

16 b. Notwithstanding paragraph "a", the county commissioner  
17 of elections may use a facsimile of the official county seal  
18 or a modified facsimile of the official county seal for the  
19 purposes of election duties set forth in sections 43.36 and  
20 49.51, and section 49.57, subsection 6. If modified, the  
21 county seal shall contain the name of the county, the word  
22 "county", which may be abbreviated, the word "auditor", which  
23 may be abbreviated, and the word "Iowa".

24 DIVISION III

25 VOTER IDENTIFICATION

26 Sec. 6. Section 53.2, subsection 4, paragraph a, unnumbered  
27 paragraph 1, Code 2020, is amended to read as follows:

28 ~~Each application shall contain the following information To~~  
29 request an absentee ballot, a registered voter shall provide:

30 Sec. 7. Section 53.2, subsection 4, paragraph b, Code 2020,  
31 is amended to read as follows:

32 b. If insufficient information has been provided, including  
33 the absence of a voter verification number, either on the  
34 prescribed form or on an application created by the applicant,  
35 the commissioner shall, ~~by the best means available, obtain~~

1 ~~the additional necessary information~~ within twenty-four hours  
2 after the receipt of the absentee ballot request, contact the  
3 applicant by telephone and electronic mail, if such information  
4 has been provided by the applicant. If the commissioner is  
5 unable to contact the applicant by telephone or electronic  
6 mail, the commissioner shall send a notice to the applicant  
7 at the address where the applicant is registered to vote, or  
8 to the applicant's mailing address if it is different from  
9 the residential address. If the applicant has requested the  
10 ballot to be sent to an address that is not the applicant's  
11 residential or mailing address, the commissioner shall send an  
12 additional notice to the address where the applicant requested  
13 the ballot to be sent. A commissioner shall not use the voter  
14 registration system to obtain additional necessary information.  
15 A voter requesting or casting a ballot pursuant to section  
16 53.22 shall not be required to provide a voter verification  
17 number.

18 Sec. 8. Section 53.2, subsection 4, Code 2020, is amended by  
19 adding the following new paragraph:

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

26 (1) Date of birth.

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

29 (3) Residential address.

30 (4) Mailing address.

31 (5) Middle name.

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

33 Sec. 9. Section 53.10, subsection 2, paragraph a, Code 2020,  
34 is amended to read as follows:

35 *a.* Each person who wishes to vote by absentee ballot at

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

16 Sec. 10. Section 53.10, subsection 2, Code 2020, is amended  
17 by adding the following new paragraph:

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

28 Sec. 11. Section 53.18, subsections 2 and 3, Code 2020, are  
29 amended to read as follows:

30 2. a. If the commissioner receives the return envelope  
31 containing the completed absentee ballot by 5:00 p.m. on the  
32 Saturday before the election for general elections and by 5:00  
33 p.m. on the Friday before the election for all other elections,  
34 the commissioner shall review the affidavit marked on the  
35 return envelope, if applicable, for completeness or shall open

1 the return envelope to review the affidavit for completeness.  
2 ~~If the affidavit is incomplete, the commissioner shall, within~~  
3 ~~twenty-four hours of the time the envelope was received, notify~~  
4 ~~the voter of that fact and that the voter may complete the~~  
5 ~~affidavit in person at the office of the commissioner by 5:00~~  
6 ~~p.m. on the day before the election, vote a replacement ballot~~  
7 ~~in the manner and within the time period provided in subsection~~  
8 ~~3, or appear at the voter's precinct polling place on election~~  
9 ~~day and cast a ballot in accordance with section 53.19,~~  
10 subsection 3. If the affidavit lacks the signature of the  
11 registered voter, the commissioner shall, within twenty-four  
12 hours of the receipt of the envelope, notify the voter of the  
13 deficiency and inform the voter that the voter may vote a  
14 replacement ballot as provided in subsection 3, cast a ballot  
15 as provided in section 53.19, subsection 3, or complete the  
16 affidavit in person at the office of the commissioner not later  
17 than noon on the Monday following the election, or if the law  
18 authorizing the election specifies that the votes be canvassed  
19 earlier than the Monday following the election, before the  
20 canvass of the election.

21 b. If the commissioner receives the return envelope  
22 containing the completed absentee ballot after the deadline  
23 in paragraph "a", the commissioner shall submit the affidavit  
24 to the absentee and special voters precinct board for review.  
25 If the absentee and special voters precinct determines that  
26 the affidavit is incomplete, the commissioner shall, within  
27 twenty-four hours of the determination, notify the voter. If  
28 the affidavit lacks the signature of the registered voter, the  
29 commissioner shall notify the voter that the voter may complete  
30 the affidavit in person at the office of the commissioner  
31 not later than noon on the Monday following the election, or  
32 if the law authorizing the election specifies that the votes  
33 be canvassed earlier than the Monday following the election,  
34 before the canvass of the election.

35 3. If the affidavit envelope or the return envelope marked

1 with the affidavit contains a defect that would cause the  
2 absentee ballot to be rejected by the absentee and special  
3 voters precinct board, the commissioner shall immediately  
4 notify the voter of that fact and that the voter's absentee  
5 ballot shall not be counted unless the voter requests and  
6 returns a replacement ballot in the time permitted under  
7 section 53.17, subsection 2. ~~For the purposes of this section,~~  
8 ~~a return envelope marked with the affidavit shall be considered~~  
9 ~~to contain a defect if it appears to the commissioner that~~  
10 ~~the signature on the envelope has been signed by someone~~  
11 ~~other than the registered voter, in comparing the signature~~  
12 ~~on the envelope to the signature on record of the registered~~  
13 ~~voter named on the envelope. A signature or marking made~~  
14 ~~in accordance with section 39.3, subsection 17, shall not~~  
15 ~~be considered a defect for purposes of this section.~~ The  
16 voter may request a replacement ballot in person, in writing,  
17 or over the telephone. The same serial number that was  
18 assigned to the records of the original absentee ballot  
19 application shall be used on the envelope and records of the  
20 replacement ballot. The envelope marked with the affidavit and  
21 containing the completed replacement ballot shall be marked  
22 "Replacement ballot". The envelope marked with the affidavit  
23 and containing the original ballot shall be marked "Defective"  
24 and the replacement ballot shall be attached to such envelope  
25 containing the original ballot and shall be stored in a secure  
26 place until they are delivered to the absentee and special  
27 voters precinct board, notwithstanding sections 53.26 and  
28 53.27.

29 Sec. 12. Section 53.18, Code 2020, is amended by adding the  
30 following new subsection:

31 NEW SUBSECTION. 04. For the purposes of this section, a  
32 return envelope marked with the affidavit shall be considered  
33 incomplete if the affidavit lacks the registered voter's  
34 signature. A signature or marking made in accordance with  
35 section 39.3, subsection 17, shall not cause an affidavit to be

1 considered incomplete.

2 Sec. 13. Section 53.22, subsection 3, Code 2020, is amended  
3 to read as follows:

4 3. Any registered voter who becomes a patient, tenant, or  
5 resident of a hospital, assisted living program, or health care  
6 facility in the county where the voter is registered to vote  
7 ~~within three days prior to the date of any election~~ after the  
8 deadline to make a written application for an absentee ballot  
9 as provided in section 53.2 or on election day may request an  
10 absentee ballot during that period or on election day. As an  
11 alternative to the application procedure prescribed by section  
12 53.2, the registered voter may make the request directly to  
13 the officers who are delivering and returning absentee ballots  
14 under this section. Alternatively, the request may be made by  
15 telephone to the office of the commissioner not later than four  
16 hours before the close of the polls. If the requester is found  
17 to be a registered voter of that county, these officers shall  
18 deliver the appropriate absentee ballot to the registered voter  
19 in the manner prescribed by this section.

20 Sec. 14. Section 53.22, subsection 6, paragraph a, Code  
21 2020, is amended to read as follows:

22 a. If the registered voter becomes a patient, tenant, or  
23 resident of a hospital, assisted living program, or health  
24 care facility outside the county where the voter is registered  
25 to vote ~~within three days before the date of any election~~  
26 after the deadline to make a written application for an  
27 absentee ballot as provided in section 53.2 or on election  
28 day, the voter may designate a person to deliver and return  
29 the absentee ballot. The designee may be any person the voter  
30 chooses except that no candidate for any office to be voted  
31 upon for the election for which the ballot is requested may  
32 deliver a ballot under this subsection. The request for an  
33 absentee ballot may be made by telephone to the office of the  
34 commissioner not later than four hours before the close of the  
35 polls. If the requester is found to be a registered voter of

1 that county, the ballot shall be delivered by mail or by the  
2 person designated by the voter. An application form shall be  
3 included with the absentee ballot and shall be signed by the  
4 voter and returned with the ballot.

5 DIVISION IV

6 CONDUCT OF ELECTIONS

7 Sec. 15. Section 43.14, subsection 1, paragraph g, Code  
8 2020, is amended by striking the paragraph.

9 Sec. 16. Section 43.24, subsection 1, paragraph a, Code  
10 2020, is amended to read as follows:

11 a. Objections to the legal sufficiency of a nomination  
12 petition or certificate of nomination filed or issued under  
13 this chapter or to the eligibility of a candidate may be filed  
14 in writing by any person who would have the right to vote for  
15 the candidate for the office in question. Objections relating  
16 to incorrect or incomplete information for information that is  
17 required under section 43.14 or 43.18 shall be sustained.

18 Sec. 17. Section 44.6, Code 2020, is amended to read as  
19 follows:

20 **44.6 Hearing before state commissioner.**

21 Objections filed with the state commissioner shall be  
22 considered by the secretary of state and auditor of state and  
23 attorney general, and a majority decision shall be final; but  
24 if the objection is to the certificate of nomination of one  
25 or more of the above named officers, said officer or officers  
26 so objected to shall not pass upon the same, but their places  
27 shall be filled, respectively, by the treasurer of state,  
28 the governor, and the secretary of agriculture. Objections  
29 relating to incorrect or incomplete information for information  
30 that is required under section 44.3 shall be sustained.

31 Sec. 18. Section 44.7, Code 2020, is amended to read as  
32 follows:

33 **44.7 Hearing before commissioner.**

34 Except as otherwise provided in section 44.8, objections  
35 filed with the commissioner shall be considered by the county

1 auditor, county treasurer, and county attorney, and a majority  
2 decision shall be final. However, if the objection is to the  
3 certificate of nomination of one or more of the above named  
4 county officers, the officer or officers objected to shall not  
5 pass upon the objection, but their places shall be filled,  
6 respectively, by the chairperson of the board of supervisors,  
7 the sheriff, and the county recorder. Objections relating to  
8 incorrect or incomplete information for information that is  
9 required under section 44.3 shall be sustained.

10 Sec. 19. Section 44.8, Code 2020, is amended by adding the  
11 following new subsection:

12 NEW SUBSECTION. 3. Objections relating to incorrect or  
13 incomplete information for information that is required under  
14 section 44.3 shall be sustained.

15 Sec. 20. Section 45.5, subsection 1, paragraph f, Code 2020,  
16 is amended by striking the paragraph.

17 Sec. 21. Section 47.7, Code 2020, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 3. The state registrar of voters shall use  
20 information from the electronic registration information center  
21 to update information in the statewide voter registration  
22 system, including but not limited to the following reports:

- 23 a. In-state duplicates.
- 24 b. In-state updates.
- 25 c. Cross-state matches.
- 26 d. Deceased.
- 27 e. Eligible but unregistered.
- 28 f. National change of address.

29 Sec. 22. Section 48A.10A, subsection 1, Code 2020, is  
30 amended to read as follows:

31 1. The state registrar shall compare lists of persons who  
32 are registered to vote with the department of transportation's  
33 driver's license and nonoperator's identification card files  
34 and shall, on an initial basis, issue a voter identification  
35 card to each active, registered voter whose name does not

1 appear in the department of transportation's files or upon the  
2 request of the registered voter. The voter identification  
3 card shall include the name of the registered voter, a  
4 signature line above which the registered voter shall  
5 sign the voter identification card, the registered voter's  
6 identification number assigned to the voter pursuant to section  
7 47.7, subsection 2, and an additional four-digit personal  
8 identification number assigned by the state commissioner.

9     Sec. 23. NEW SECTION. 49.42B Form of official ballot —  
10 candidates for president and vice president.

11     When candidates for president and vice president of the  
12 United States appear on the ballot, the following statement  
13 shall appear directly above the section of the ballot listing  
14 such candidates:

15 [A ballot cast for the named candidates for president and vice  
16 president of the United States is considered to be cast for  
17 the slate of presidential electors nominated by the political  
18 party, nonparty political organization, or independent  
19 candidate.]

20     Sec. 24. Section 50.48, subsection 3, Code 2020, is amended  
21 by adding the following new paragraph:

22     NEW PARAGRAPH. c. In addition to the persons listed in  
23 paragraph "a", the candidate requesting the recount and the  
24 apparent winning candidate may each submit a request to a  
25 commissioner from a county other than the county conducting the  
26 recount to be present at the recount. Such a commissioner may  
27 report any irregularities observed by the commissioner at any  
28 time after the election to the state commissioner.

29     Sec. 25. Section 53.8, Code 2020, is amended by adding the  
30 following new subsection:

31     NEW SUBSECTION. 4. a. The state commissioner shall not  
32 mail an application for an absentee ballot to a person who has  
33 not requested such application.

34     **b.** The commissioner and the state commissioner shall not  
35 mail an absentee ballot to a person who has not submitted an

1 application for an absentee ballot.

2 Sec. 26. Section 53.30, Code 2020, is amended to read as  
3 follows:

4 **53.30 Ballots, ballot envelopes, and other information**  
5 **preserved.**

6 1. At the conclusion of each meeting of the absentee and  
7 special voter precinct board, the board shall reconcile the  
8 number of signed affidavits provided to the board by the  
9 commissioner and the number of ballots that were counted and  
10 tabulated. The board shall record the number of ballots that  
11 were rejected prior to opening the affidavit envelope, the  
12 number of absentee ballots that have been challenged and are  
13 currently unopened, and the number of absentee ballots that  
14 were accepted for counting and tabulation. The board shall  
15 also reconcile the number of provisional ballots provided  
16 to the board by the commissioner, the number of provisional  
17 ballots that were accepted for counting and tabulation, and the  
18 number of provisional ballots that were rejected.

19 2. At the conclusion of each meeting of the absentee and  
20 special voters precinct board, the board shall securely seal  
21 all ballots counted by them in the manner prescribed in section  
22 50.12. The ballot envelopes, including the affidavit envelope  
23 if an affidavit envelope was provided, the return envelope, and  
24 secrecy envelope bearing the signatures of precinct election  
25 officials, as required by section 53.23, shall be preserved.  
26 All applications for absentee ballots, ballots rejected without  
27 being opened, absentee ballot logs, and any other documents  
28 pertaining to the absentee ballot process shall be preserved  
29 until such time as the documents may be destroyed pursuant to  
30 section 50.19.

31 3. Following each primary and general election,  
32 commissioners shall report to the state commissioner the  
33 number of voted absentee ballots received by the commissioner,  
34 the total number of absentee ballots counted and tabulated  
35 by the board, and the number of absentee ballots rejected by

1 the board. The commissioner shall also provide the number of  
2 provisional ballots cast, the number of provisional ballots  
3 rejected, and the number of provisional ballots that were  
4 counted and tabulated by the board.

5 Sec. 27. Section 54.5, subsection 2, Code 2020, is amended  
6 to read as follows:

7 2. The state central committee shall also file a list of  
8 the names and addresses of the party's presidential electors  
9 and alternate electors, one from each congressional district  
10 and two from the state at large, not later than 5:00 p.m.  
11 on the eighty-first day before the general election. A  
12 political party may elect up to two alternate electors at the  
13 party's state convention. Additionally, the party's state  
14 central committee may nominate one alternate elector for each  
15 congressional district.

16 Sec. 28. Section 54.5, Code 2020, is amended by adding the  
17 following new subsection:

18 NEW SUBSECTION. 2A. Each elector nominee and alternate  
19 elector nominee of a political party or group of petitioners  
20 shall execute the following pledge, which shall accompany  
21 the submission of the corresponding names to the state  
22 commissioner:

23 If selected for the position of elector, I agree to serve  
24 and to mark my ballots for president and vice president for  
25 the nominees for those offices of the party (or group of  
26 petitioners) that nominated me.

27 Sec. 29. Section 54.7, Code 2020, is amended to read as  
28 follows:

29 **54.7 Meeting — certificate.**

30 1. The presidential electors and alternate electors shall  
31 meet in the capitol, at the seat of government, on the first  
32 Monday after the second Wednesday in December next following  
33 their election.

34 2. If, at the time of such meeting, any elector for any  
35 cause is absent, ~~those present shall at once proceed to~~

1 ~~elect, from the citizens of the state, a substitute elector or~~  
2 ~~electors, and certify the choice so made to the governor, and~~  
3 ~~the governor shall immediately cause the person or persons so~~  
4 ~~selected to be notified thereof~~ the state commissioner shall  
5 appoint an individual to substitute for the elector as follows:

6 a. If the alternate elector is present to vote, by  
7 appointing the alternate elector for the vacant position.

8 b. If the alternate elector is not present to vote, by  
9 appointing an elector chosen by lot from among the other  
10 alternate electors present to vote who were nominated by the  
11 same political party or group of petitioners.

12 c. If the number of alternate electors present to vote is  
13 insufficient to fill a vacant position pursuant to paragraphs  
14 "a" and "b", by appointing any immediately available citizen  
15 of the state who is qualified to serve as an elector and  
16 chosen through nomination by a plurality vote of the remaining  
17 electors, including nomination and vote by a single elector if  
18 only one remains.

19 d. If there is a tie between at least two nominees to  
20 substitute as an elector in a vote conducted under paragraph  
21 "c", by appointing an elector chosen by lot from among those  
22 nominees.

23 e. If all elector positions are vacant and cannot be filled  
24 through the processes set forth in paragraphs "a", "b", "c", and  
25 "d", by appointing a single presidential elector with remaining  
26 vacant positions filled pursuant to the method set forth in  
27 paragraph "c" and, if necessary, paragraph "d".

28 3. To qualify to substitute for an elector under subsection  
29 2, an individual who has not executed the pledge required for  
30 elector nominees and alternate elector nominees under section  
31 54.5 shall execute the following pledge:

32 I agree to serve and to mark my ballots for president and vice  
33 president consistent with the pledge of the individual whose  
34 elector position I have succeeded.

35 Sec. 30. Section 54.8, Code 2020, is amended by striking the

1 section and inserting in lieu thereof the following:

2 **54.8 Elector voting — certificate of governor.**

3 1. At the time designated for elector voting and after all  
4 vacant positions have been filled under section 54.7, the state  
5 commissioner shall provide each elector with a presidential  
6 and a vice presidential ballot. The elector shall mark the  
7 elector's presidential and vice presidential ballots with  
8 the elector's votes for the offices of president and vice  
9 president, respectively, along with the elector's signature and  
10 the elector's legibly printed name.

11 2. Except as otherwise provided by law of this state outside  
12 of this chapter, each elector shall present both completed  
13 ballots to the state commissioner who shall examine the ballots  
14 and accept and cast all ballots of electors whose votes are  
15 consistent with their pledges executed under section 54.5  
16 or 54.7. Except as otherwise provided by law of this state  
17 outside of this chapter, the state commissioner shall not  
18 accept and shall not count an elector's presidential and vice  
19 presidential ballots if the elector has not marked both ballots  
20 or has marked one ballot in violation of the elector's pledge.

21 3. An elector who refuses to present a ballot, presents  
22 an unmarked ballot, or presents a ballot marked in violation  
23 of the elector's pledge executed under section 54.5 or 54.7  
24 vacates the office of elector. The state commissioner shall  
25 declare the creation of the vacancy and fill the vacancy  
26 pursuant to section 54.7.

27 4. The state commissioner shall distribute ballots to  
28 and collect ballots from a substitute elector and repeat the  
29 process set forth in this section for examining ballots,  
30 declaring and filling vacant positions as required, and  
31 recording appropriately completed ballots from the substituted  
32 electors until all of the state's electoral votes have been  
33 cast and recorded.

34 5. The governor shall duly certify the results, under the  
35 seal of the state, to the United States secretary of state, and

1 as required by Act of Congress related to such elections.

2 Sec. 31. NEW SECTION. **54.8A Elector replacement —**  
3 **associated certificates.**

4 1. After the vote of this state's electors is completed,  
5 if the final list of electors differs from any list that the  
6 governor previously included on a certificate of ascertainment  
7 prepared and transmitted under 3 U.S.C. §6, the state  
8 commissioner shall immediately prepare an amended certificate  
9 of ascertainment and transmit the amended certificate to the  
10 governor for the governor's signature.

11 2. The governor shall immediately deliver the signed  
12 amended certificate of ascertainment to the state commissioner  
13 and a signed duplicate original of the amended certificate  
14 of ascertainment to all individuals entitled to receive this  
15 state's certificate of ascertainment, indicating that the  
16 amended certificate of ascertainment is to be substituted for  
17 the certificate of ascertainment previously submitted.

18 3. The state commissioner shall prepare a certificate  
19 of vote. The electors on the final list shall sign the  
20 certificate. The state commissioner shall process and  
21 transmit the signed certificate with the amended certificate of  
22 ascertainment under 3 U.S.C. §§9 through 11.

23 Sec. 32. Section 54.9, Code 2020, is amended to read as  
24 follows:

25 **54.9 Compensation.**

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

32 Sec. 33. Section 68A.406, subsection 1, paragraph f, Code  
33 2020, is amended to read as follows:

34 f. Property Notwithstanding paragraphs "d" and "e",  
35 property leased by a candidate, committee, or an organization

1 established to advocate the nomination, election, or defeat of  
2 a candidate or the passage or defeat of a ballot issue that  
3 has not yet registered pursuant to section 68A.201, when ~~the~~  
4 ~~property is used as campaign headquarters or a campaign office~~  
5 and the placement of the sign is limited to the space that is  
6 actually leased.

7 Sec. 34. REPEAL. Section 43.80, Code 2020, is repealed.

8 Sec. 35. EFFECTIVE DATE. The following takes effect January  
9 1, 2021:

10 The section of this division of this Act repealing section  
11 43.80.

12 DIVISION V

13 NOMINATIONS BY PETITION

14 Sec. 36. Section 43.20, subsection 1, Code 2020, is amended  
15 by striking the subsection and inserting in lieu thereof the  
16 following:

17 1. Nomination papers shall be signed by eligible electors as  
18 provided in section 45.1.

19 Sec. 37. Section 43.20, subsection 2, Code 2020, is amended  
20 by striking the subsection.

21 Sec. 38. Section 45.1, Code 2020, is amended to read as  
22 follows:

23 **45.1 Nominations by petition.**

24 1. Nominations for candidates for president and vice  
25 president, governor and lieutenant governor, and ~~for other~~  
26 ~~statewide elected offices~~ United States senator may be made  
27 by nomination petitions signed by not less than ~~one thousand~~  
28 ~~five hundred eligible electors residing in not less than~~  
29 ~~ten counties of the state~~ four thousand eligible electors,  
30 including at least two hundred eligible electors each from at  
31 least ten counties of the state.

32 2. Nominations for candidates for statewide offices other  
33 than those listed in subsection 1 may be made by nomination  
34 petitions signed by not less than two thousand five hundred  
35 eligible electors, including at least one hundred twenty-five

1 eligible electors from not less than ten counties of the state.

2 ~~2.~~ 3. Nominations for candidates for a representative  
3 in the United States house of representatives may be made by  
4 nomination petitions signed by not less than ~~the number of~~  
5 ~~eligible electors equal to the number of signatures required in~~  
6 ~~subsection 1 divided by the number of congressional districts.~~  
7 ~~Signers of the petition shall be eligible electors who are~~  
8 ~~residents of the congressional district~~ two thousand eligible  
9 electors who are residents of the congressional district,  
10 including at least seventy-seven eligible electors each from at  
11 least one-half of the counties in the congressional district.

12 ~~3.~~ 4. Nominations for candidates for the state senate  
13 may be made by nomination petitions signed by not less than  
14 one hundred eligible electors who are residents of the senate  
15 district.

16 ~~4.~~ 5. Nominations for candidates for the state house of  
17 representatives may be made by nomination petitions signed by  
18 not less than fifty eligible electors who are residents of the  
19 representative district.

20 ~~5.~~ 6. Nominations for candidates for offices filled by the  
21 voters of a whole county may be made by nomination petitions  
22 signed by not less than two hundred eligible electors who are  
23 residents of the county ~~equal in number to at least one percent~~  
24 ~~of the number of registered voters in the county on July 1 in~~  
25 ~~the year preceding the year in which the office will appear on~~  
26 ~~the ballot, or by at least two hundred fifty eligible electors~~  
27 ~~who are residents of the county, whichever is less.~~

28 ~~6.~~ 7. Nominations for candidates for the office of county  
29 supervisor elected by the voters of a supervisor district may  
30 be made by nomination petitions signed by not less than two  
31 hundred eligible electors who are residents of the supervisor  
32 district ~~equal in number to at least one percent of the number~~  
33 ~~of registered voters in the supervisor district on July 1 in~~  
34 ~~the year preceding the year in which the office will appear on~~  
35 ~~the ballot, or by at least one hundred fifty eligible electors~~

1 ~~who are residents of the supervisor district, whichever is~~  
2 ~~less.~~

3 ~~7.~~ 8. *a.* Nomination papers for the offices of president  
4 and vice president shall include the names of the candidates  
5 for both offices on each page of the petition. A certificate  
6 listing the names of the candidates for presidential electors,  
7 one from each congressional district and two from the state at  
8 large, shall be filed in the state commissioner's office at the  
9 same time the nomination papers are filed.

10 *b.* Nomination papers for the offices of governor and  
11 lieutenant governor shall include the names of candidates for  
12 both offices on each page of the petition. Nomination papers  
13 for other statewide elected offices and all other offices shall  
14 include the name of the candidate on each page of the petition.

15 ~~8.~~ 9. Nominations for candidates for elective offices in  
16 cities where the council has adopted nominations under this  
17 chapter may be submitted as follows:

18 *a.* Except as otherwise provided in subsection 9 10, in  
19 cities having a population of ~~three thousand five hundred~~  
20 twenty thousand or greater according to the most recent federal  
21 decennial census, nominations may be made by nomination papers  
22 signed by not less than ~~twenty-five~~ one hundred eligible  
23 electors who are residents of the city or ward.

24 *b.* In cities having a population of ~~one hundred five~~  
25 thousand or greater, but less than ~~three thousand five hundred~~  
26 twenty thousand, according to the most recent federal decennial  
27 census, nominations may be made by nomination papers signed by  
28 not less than ~~ten~~ fifty eligible electors who are residents of  
29 the city or ward.

30 *c.* In cities having a population ~~less than one hundred of~~  
31 one thousand or greater, but less than five thousand, according  
32 to the most recent federal decennial census, nominations may  
33 be made by nomination papers signed by not less than ~~five~~  
34 twenty-five eligible electors who are residents of the city.

35 *d.* In cities having a population less than one thousand

1 according to the most recent decennial census, nominations  
2 may be made by nomination papers signed by not less than ten  
3 eligible electors who are residents of the city.

4 ~~9. 10. Nominations for candidates, other than partisan~~  
5 ~~candidates, for elective offices in special charter cities~~  
6 ~~subject to section 43.112 may be submitted as follows:~~

7 ~~a. For the office of mayor, and alderman at large,~~  
8 ~~nominations and ward alderman in special charter cities subject~~  
9 ~~to the provisions of section 43.112 may be made by nomination~~  
10 ~~papers signed by not less than one hundred eligible electors~~  
11 ~~residing in the city equal in number to at least two percent of~~  
12 ~~the total vote received by all candidates for mayor at the last~~  
13 ~~preceding city election.~~

14 ~~b. For the office of ward alderman, nominations may be made~~  
15 ~~by nomination papers signed by eligible electors residing in~~  
16 ~~the ward equal in number to at least two percent of the total~~  
17 ~~vote received by all candidates for ward alderman in that ward~~  
18 ~~at the last preceding city election.~~

19 Sec. 39. EFFECTIVE DATE. This division of this Act takes  
20 effect January 1, 2021.

21 DIVISION VI

22 AFFIDAVIT OF CANDIDACY

23 Sec. 40. AFFIDAVIT OF CANDIDACY — 2020 GENERAL ELECTION  
24 NOMINEES. For the 2020 general election, a candidate nominated  
25 for county hospital trustee or township trustee shall file  
26 with the county commissioner a signed, notarized affidavit of  
27 candidacy and nomination petition, if applicable, by 5:00 p.m.  
28 not less than sixty-nine days before the general election. An  
29 affidavit of candidacy shall include the information required  
30 under section 44.3.>

31 2. Title page, by striking line 1 and inserting <An Act  
32 relating to the conduct of elections, including the use of  
33 emergency powers during elections, nomination procedures,  
34 issuance of bonds, voter registration, absentee ballots,  
35 campaign finance, and the use of a county seal on materials

H-8256 (Continued)

1 related to elections, and including effective date provisions.>

[H-8256](#) FILED JUNE 10, 2020

HOUSE FILE 2486

H-8260

1 Amend the amendment, H-8256, to House File 2486, as passed by  
2 the House, as follows:

3 1. By striking page 1, line 4, through page 27, line 1, and  
4 inserting:

5 <Sec. \_\_\_\_\_. Section 43.14, subsection 1, paragraph g, Code  
6 2020, is amended by striking the paragraph.

7 Sec. \_\_\_\_\_. Section 45.5, subsection 1, paragraph f, Code  
8 2020, is amended by striking the paragraph.

9 Sec. \_\_\_\_\_. Section 47.1, subsection 2, Code 2020, is amended  
10 to read as follows:

11 2. a. The state commissioner of elections may exercise  
12 emergency powers over any election being held in a district  
13 in which either a natural or other disaster or extremely  
14 inclement weather has occurred. The state commissioner's  
15 decision to alter any conduct for an election using emergency  
16 powers must be approved by the legislative council. If the  
17 legislative council does not approve the secretary of state's  
18 use of emergency powers to conduct an election, the legislative  
19 council may choose to present and approve its own election  
20 procedures or choose to take no further action. The state  
21 commissioner of elections may also exercise emergency powers  
22 during an armed conflict involving United States armed forces,  
23 or mobilization of those forces, or if an election contest  
24 court finds that there were errors in the conduct of an  
25 election making it impossible to determine the result.

26 b. If an emergency exists in all precincts of a county,  
27 the number of polling places shall not be reduced by more than  
28 thirty-five percent. The polling places allowed to open shall  
29 be equitably distributed in the county based on the ratio of  
30 regular polling places located in unincorporated areas in the  
31 county to regular polling places in incorporated areas in the  
32 county.

33 Sec. \_\_\_\_\_. Section 49.57, subsection 6, Code 2020, is amended  
34 to read as follows:

35 6. A portion of the ballot shall include the words "Official

1 ballot", the unique identification number or name assigned by  
2 the commissioner to the ballot style, the date of the election,  
3 and the impression or likeness of the county seal of the county  
4 of the commissioner who has caused the ballot to be printed  
5 pursuant to section 49.51.

6 Sec. \_\_\_\_\_. Section 54.5, subsection 2, Code 2020, is amended  
7 to read as follows:

8 2. The state central committee shall also file a list of  
9 the names and addresses of the party's presidential electors  
10 and alternate electors, one from each congressional district  
11 and two from the state at large, not later than 5:00 p.m.  
12 on the eighty-first day before the general election. A  
13 political party may elect up to two alternate electors at the  
14 party's state convention. Additionally, the party's state  
15 central committee may nominate one alternate elector for each  
16 congressional district.

17 Sec. \_\_\_\_\_. Section 54.5, Code 2020, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 2A. Each elector nominee and alternate  
20 elector nominee of a political party or group of petitioners  
21 shall execute the following pledge, which shall accompany  
22 the submission of the corresponding names to the state  
23 commissioner:

24 If selected for the position of elector, I agree to serve  
25 and to mark my ballots for president and vice president for  
26 the nominees for those offices of the party (or group of  
27 petitioners) that nominated me.

28 Sec. \_\_\_\_\_. Section 54.7, Code 2020, is amended to read as  
29 follows:

30 **54.7 Meeting — certificate.**

31 1. The presidential electors and alternate electors shall  
32 meet in the capitol, at the seat of government, on the first  
33 Monday after the second Wednesday in December next following  
34 their election.

35 2. If, at the time of such meeting, any elector for any

1 ~~cause is absent, those present shall at once proceed to~~  
2 ~~elect, from the citizens of the state, a substitute elector or~~  
3 ~~electors, and certify the choice so made to the governor, and~~  
4 ~~the governor shall immediately cause the person or persons so~~  
5 ~~selected to be notified thereof~~ the state commissioner shall  
6 appoint an individual to substitute for the elector as follows:

7 a. If the alternate elector is present to vote, by  
8 appointing the alternate elector for the vacant position.

9 b. If the alternate elector is not present to vote, by  
10 appointing an elector chosen by lot from among the other  
11 alternate electors present to vote who were nominated by the  
12 same political party or group of petitioners.

13 c. If the number of alternate electors present to vote is  
14 insufficient to fill a vacant position pursuant to paragraphs  
15 "a" and "b", by appointing any immediately available citizen  
16 of the state who is qualified to serve as an elector and  
17 chosen through nomination by a plurality vote of the remaining  
18 electors, including nomination and vote by a single elector if  
19 only one remains.

20 d. If there is a tie between at least two nominees to  
21 substitute as an elector in a vote conducted under paragraph  
22 "c", by appointing an elector chosen by lot from among those  
23 nominees.

24 e. If all elector positions are vacant and cannot be filled  
25 through the processes set forth in paragraphs "a", "b", "c", and  
26 "d", by appointing a single presidential elector with remaining  
27 vacant positions filled pursuant to the method set forth in  
28 paragraph "c" and, if necessary, paragraph "d".

29 3. To qualify to substitute for an elector under subsection  
30 2, an individual who has not executed the pledge required for  
31 elector nominees and alternate elector nominees under section  
32 54.5 shall execute the following pledge:

33 I agree to serve and to mark my ballots for president and vice  
34 president consistent with the pledge of the individual whose  
35 elector position I have succeeded.

1     Sec. \_\_\_\_\_. Section 54.8, Code 2020, is amended by striking  
2 the section and inserting in lieu thereof the following:

3     **54.8 Elector voting — certificate of governor.**

4     1. At the time designated for elector voting and after all  
5 vacant positions have been filled under section 54.7, the state  
6 commissioner shall provide each elector with a presidential  
7 and a vice presidential ballot. The elector shall mark the  
8 elector's presidential and vice presidential ballots with  
9 the elector's votes for the offices of president and vice  
10 president, respectively, along with the elector's signature and  
11 the elector's legibly printed name.

12     2. Except as otherwise provided by law of this state outside  
13 of this chapter, each elector shall present both completed  
14 ballots to the state commissioner who shall examine the ballots  
15 and accept and cast all ballots of electors whose votes are  
16 consistent with their pledges executed under section 54.5  
17 or 54.7. Except as otherwise provided by law of this state  
18 outside of this chapter, the state commissioner shall not  
19 accept and shall not count an elector's presidential and vice  
20 presidential ballots if the elector has not marked both ballots  
21 or has marked one ballot in violation of the elector's pledge.

22     3. An elector who refuses to present a ballot, presents  
23 an unmarked ballot, or presents a ballot marked in violation  
24 of the elector's pledge executed under section 54.5 or 54.7  
25 vacates the office of elector. The state commissioner shall  
26 declare the creation of the vacancy and fill the vacancy  
27 pursuant to section 54.7.

28     4. The state commissioner shall distribute ballots to  
29 and collect ballots from a substitute elector and repeat the  
30 process set forth in this section for examining ballots,  
31 declaring and filling vacant positions as required, and  
32 recording appropriately completed ballots from the substituted  
33 electors until all of the state's electoral votes have been  
34 cast and recorded.

35     5. The governor shall duly certify the results, under the

1 seal of the state, to the United States secretary of state, and  
2 as required by Act of Congress related to such elections.

3 Sec. \_\_\_\_\_. NEW SECTION. 54.8A **Elector replacement —**  
4 **associated certificates.**

5 1. After the vote of this state's electors is completed,  
6 if the final list of electors differs from any list that the  
7 governor previously included on a certificate of ascertainment  
8 prepared and transmitted under 3 U.S.C. §6, the state  
9 commissioner shall immediately prepare an amended certificate  
10 of ascertainment and transmit the amended certificate to the  
11 governor for the governor's signature.

12 2. The governor shall immediately deliver the signed  
13 amended certificate of ascertainment to the state commissioner  
14 and a signed duplicate original of the amended certificate  
15 of ascertainment to all individuals entitled to receive this  
16 state's certificate of ascertainment, indicating that the  
17 amended certificate of ascertainment is to be substituted for  
18 the certificate of ascertainment previously submitted.

19 3. The state commissioner shall prepare a certificate  
20 of vote. The electors on the final list shall sign the  
21 certificate. The state commissioner shall process and  
22 transmit the signed certificate with the amended certificate of  
23 ascertainment under 3 U.S.C. §§9 through 11.

24 Sec. \_\_\_\_\_. Section 331.552, subsection 4, Code 2020, is  
25 amended to read as follows:

26 4. Keep the official county seal provided by the county.  
27 The official seal shall be an impression seal on the face of  
28 which shall appear the name of the county, the word "county",  
29 which may be abbreviated, ~~the word "treasurer" which may be~~  
30 ~~abbreviated,~~ and the word "Iowa".

31 Sec. \_\_\_\_\_. **AFFIDAVIT OF CANDIDACY — 2020 GENERAL ELECTION**  
32 **NOMINEES.** For the 2020 general election, a candidate nominated  
33 for county hospital trustee or township trustee shall file  
34 with the county commissioner a signed, notarized affidavit of  
35 candidacy and nomination petition, if applicable, by 5:00 p.m.

H-8260 (Continued)

1 not less than sixty-nine days before the general election. An  
2 affidavit of candidacy shall include the information required  
3 under section 44.3.>

4 2. Title page, by striking line 1 and inserting <An Act  
5 relating to the conduct of elections, including emergency  
6 powers, procedures relating to electors, and the use of a  
7 county seal on materials related to elections.>

8 3. By renumbering as necessary.>

By KAUFMANN of Cedar  
HUNTER of Polk

H-8260 FILED JUNE 10, 2020

HOUSE FILE 2627

H-8250

1 Amend House File 2627 as follows:

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

4 <DIVISION I

5 PROFESSIONAL LICENSING

6 Section 1. Section 103.6, subsection 1, paragraph e, Code  
7 2020, is amended by striking the paragraph.

8 Sec. 2. Section 103.9, subsection 3, Code 2020, is amended  
9 by striking the subsection.

10 Sec. 3. Section 103.10, subsection 6, Code 2020, is amended  
11 by striking the subsection.

12 Sec. 4. Section 103.12, subsection 6, Code 2020, is amended  
13 by striking the subsection.

14 Sec. 5. Section 103.12A, subsection 4, Code 2020, is amended  
15 by striking the subsection.

16 Sec. 6. Section 103.13, subsection 4, Code 2020, is amended  
17 by striking the subsection.

18 Sec. 7. Section 103.15, subsection 7, Code 2020, is amended  
19 by striking the subsection.

20 Sec. 8. Section 105.10, subsection 5, Code 2020, is amended  
21 by striking the subsection.

22 Sec. 9. Section 105.22, subsection 4, Code 2020, is amended  
23 by striking the subsection.

24 Sec. 10. Section 135.105A, subsection 5, Code 2020, is  
25 amended to read as follows:

26 5. The department shall adopt rules regarding minimum  
27 requirements for lead inspector, lead abater, and lead-safe  
28 renovator training programs, certification, work practice  
29 standards, and suspension and revocation requirements, and  
30 shall implement the training and certification programs. Rules  
31 adopted pursuant to this subsection shall comply with chapter  
32 272C. The department shall seek federal funding and shall  
33 establish fees in amounts sufficient to defray the cost of the  
34 programs. The fees shall be used for any of the department's  
35 duties under this subchapter, including but not limited

1 to the costs of full-time equivalent positions for program  
2 services and investigations. Fees received shall be considered  
3 repayment receipts as defined in section 8.2.

4 Sec. 11. Section 147.3, Code 2020, is amended to read as  
5 follows:

6 **147.3 Qualifications.**

7 An applicant for a license to practice a profession under  
8 this subtitle is not ineligible because of age, citizenship,  
9 sex, race, religion, marital status, or national origin,  
10 although the application form may require citizenship  
11 information. ~~A board may consider the past criminal record of  
12 an applicant only if the conviction relates to the practice of  
13 the profession for which the applicant requests to be licensed.~~

14 Sec. 12. Section 147.55, subsection 5, Code 2020, is amended  
15 by striking the subsection.

16 Sec. 13. Section 147A.7, subsection 1, paragraph j, Code  
17 2020, is amended by striking the paragraph.

18 Sec. 14. Section 148.6, subsection 2, paragraph b, Code  
19 2020, is amended by striking the paragraph.

20 Sec. 15. Section 148H.7, subsection 1, paragraph a, Code  
21 2020, is amended by striking the paragraph.

22 Sec. 16. Section 151.9, subsection 5, Code 2020, is amended  
23 by striking the subsection.

24 Sec. 17. Section 152.10, subsection 2, paragraph c, Code  
25 2020, is amended by striking the paragraph.

26 Sec. 18. Section 153.34, subsection 9, Code 2020, is amended  
27 by striking the subsection.

28 Sec. 19. Section 154A.24, subsection 1, Code 2020, is  
29 amended by striking the subsection.

30 Sec. 20. Section 156.9, subsection 2, paragraph e, Code  
31 2020, is amended by striking the paragraph.

32 Sec. 21. Section 272.1, Code 2020, is amended by adding the  
33 following new subsection:

34 NEW SUBSECTION. 5A. *"Offense directly relates"* refers to  
35 either of the following:

1     a. The actions taken in furtherance of an offense are  
2 actions customarily performed within the scope of practice of  
3 a licensed profession.

4     b. The circumstances under which an offense was committed  
5 are circumstances customary to a licensed profession.

6     Sec. 22. Section 272.2, subsection 14, paragraph a, Code  
7 2020, is amended to read as follows:

8     a. The board may deny a license to or revoke the license  
9 of a person upon the board's finding by a preponderance of  
10 evidence that either the person has been convicted of a ~~crime~~  
11 an offense and the offense directly relates to the duties and  
12 responsibilities of the profession or that there has been  
13 a founded report of child abuse against the person. Rules  
14 adopted in accordance with this paragraph shall provide that  
15 in determining whether a person should be denied a license or  
16 that a practitioner's license should be revoked, the board  
17 shall consider the nature and seriousness of the founded abuse  
18 or crime in relation to the position sought, the time elapsed  
19 since the crime was committed, the degree of rehabilitation  
20 which has taken place since the incidence of founded abuse or  
21 the commission of the crime, the likelihood that the person  
22 will commit the same abuse or crime again, and the number of  
23 founded abuses committed by or criminal convictions of the  
24 person involved.

25     Sec. 23. Section 272C.1, Code 2020, is amended by adding the  
26 following new subsection:

27     NEW SUBSECTION. 7A. "*Offense directly relates*" refers to  
28 either of the following:

29     a. The actions taken in furtherance of an offense are  
30 actions customarily performed within the scope of practice of  
31 a licensed profession.

32     b. The circumstances under which an offense was committed  
33 are circumstances customary to a licensed profession.

34     Sec. 24. Section 272C.4, subsection 13, Code 2020, is  
35 amended by striking the subsection.

1     Sec. 25. Section 272C.10, subsection 5, Code 2020, is  
2 amended by striking the subsection and inserting in lieu  
3 thereof the following:

4     5. Conviction of a felony offense, if the offense directly  
5 relates to the profession or occupation of the licensee, in the  
6 courts of this state or another state, territory, or country.  
7 Conviction as used in this subsection includes a conviction of  
8 an offense which if committed in this state would be a felony  
9 without regard to its designation elsewhere, and includes a  
10 finding or verdict of guilt made or returned in a criminal  
11 proceeding even if the adjudication of guilt is withheld or not  
12 entered. A certified copy of the final order or judgment of  
13 conviction or plea of guilty in this state or in another state  
14 constitutes conclusive evidence of the conviction.

15     Sec. 26. NEW SECTION. **272C.12 Licensure of persons licensed**  
16 **in other jurisdictions.**

17     1. Notwithstanding any other provision of law, an  
18 occupational or professional license, certificate, or  
19 registration, including a license, certificate, or registration  
20 issued by the board of educational examiners, shall be issued  
21 without an examination to a person who establishes residency  
22 in this state or to a person who is married to an active duty  
23 member of the military forces of the United States and who is  
24 accompanying the member on an official permanent change of  
25 station to a military installation located in this state if all  
26 of the following conditions are met:

27     a. The person is currently licensed, certified, or  
28 registered by at least one other issuing jurisdiction in the  
29 occupation or profession applied for with a substantially  
30 similar scope of practice and the license, certificate, or  
31 registration is in good standing in all issuing jurisdictions  
32 in which the person holds a license, certificate, or  
33 registration.

34     b. The person has been licensed, certified, or registered by  
35 another issuing jurisdiction for at least one year.

1     *c.* When the person was licensed by the issuing jurisdiction,  
2 the issuing jurisdiction imposed minimum educational  
3 requirements and, if applicable, work experience and clinical  
4 supervision requirements, and the issuing jurisdiction verifies  
5 that the person met those requirements in order to be licensed  
6 in that issuing jurisdiction.

7     *d.* The person previously passed an examination required by  
8 the other issuing jurisdiction for licensure, certification,  
9 or registration, if applicable.

10    *e.* The person has not had a license, certificate, or  
11 registration revoked and has not voluntarily surrendered a  
12 license, certificate, or registration in any other issuing  
13 jurisdiction or country while under investigation for  
14 unprofessional conduct.

15    *f.* The person has not had discipline imposed by any other  
16 regulating entity in this state or another issuing jurisdiction  
17 or country. If another jurisdiction has taken disciplinary  
18 action against the person, the appropriate licensing board  
19 shall determine if the cause for the action was corrected and  
20 the matter resolved. If the licensing board determines that  
21 the matter has not been resolved by the jurisdiction imposing  
22 discipline, the licensing board shall not issue or deny a  
23 license, certificate, or registration to the person until the  
24 matter is resolved.

25    *g.* The person does not have a complaint, allegation, or  
26 investigation pending before any regulating entity in another  
27 issuing jurisdiction or country that relates to unprofessional  
28 conduct. If the person has any complaints, allegations, or  
29 investigations pending, the appropriate licensing board shall  
30 not issue or deny a license, certificate, or registration to  
31 the person until the complaint, allegation, or investigation  
32 is resolved.

33    *h.* The person pays all applicable fees.

34    *i.* The person does not have a criminal history that would  
35 prevent the person from holding the license, certificate, or

1 registration applied for in this state.

2 2. A person licensed pursuant to this section is subject to  
3 the laws regulating the person's practice in this state and is  
4 subject to the jurisdiction of the appropriate licensing board.

5 3. This section does not apply to any of the following:

6 a. The ability of a licensing board, agency, or department  
7 to require the submission of fingerprints or completion of a  
8 criminal history check.

9 b. Criteria for a license, certificate, or registration that  
10 is established by an interstate compact.

11 c. The ability of a licensing board, agency, or department  
12 to require a person to take and pass an examination specific to  
13 the laws of this state prior to issuing a license. A licensing  
14 board, agency, or department that requires an applicant to take  
15 and pass an examination specific to the laws of this state  
16 shall issue an applicant a temporary license that is valid  
17 for a period of three months and may be renewed once for an  
18 additional period of three months.

19 d. A license issued by the department of transportation.

20 e. A person who is licensed by another issuing jurisdiction  
21 and is granted a privilege to practice in this state by another  
22 provision of law without receiving a license in this state.

23 f. A person applying for a license through a national  
24 licensing organization.

25 4. A license, certificate, or registration issued  
26 pursuant to this section does not grant the person receiving  
27 the license, certificate, or registration eligibility to  
28 practice pursuant to an interstate compact. A licensing  
29 board shall determine eligibility for a person to hold a  
30 license, certificate, or registration pursuant to this section  
31 regardless of the person's eligibility to practice pursuant to  
32 an interstate compact.

33 5. For the purposes of this section, "issuing jurisdiction"  
34 means the duly constituted authority in another state that has  
35 issued a professional license, certificate, or registration to

1 a person.

2 Sec. 27. NEW SECTION. 272C.13 Educational requirements —  
3 work experience.

4 1. Except as provided in subsection 2, a person applying  
5 for a professional or occupational license, certificate, or  
6 registration in this state who is not licensed, certified, or  
7 registered in another state shall be considered to have met any  
8 education, training, or work experience requirements imposed  
9 by a licensing board in this state if the person has three or  
10 more years of related work experience within the four years  
11 preceding the date of application.

12 2. This section does not apply to a license, certificate,  
13 or registration issued by the board of medicine, the board of  
14 nursing, the dental board, or the board of pharmacy.

15 Sec. 28. NEW SECTION. 272C.14 Waiver of fees.

16 A licensing board, agency, or department shall waive any  
17 fee charged to an applicant for a license if the applicant's  
18 household income does not exceed two hundred percent of the  
19 federal poverty income guidelines and the applicant is applying  
20 for the license for the first time in this state.

21 Sec. 29. NEW SECTION. 272C.15 Disqualifications for  
22 criminal convictions limited.

23 1. Notwithstanding any other provision of law to the  
24 contrary, except for chapter 272, a person's conviction of a  
25 crime may be grounds for the denial, revocation, or suspension  
26 of a license only if an unreasonable risk to public safety  
27 exists because the offense directly relates to the duties  
28 and responsibilities of the profession and the appropriate  
29 licensing board, agency, or department does not grant an  
30 exception pursuant to subsection 4.

31 2. A licensing board, agency, or department that may deny a  
32 license on the basis of an applicant's conviction record shall  
33 provide a list of the specific convictions that may disqualify  
34 an applicant from receiving a license. Any such offense  
35 shall be an offense that directly relates to the duties and

1 responsibilities of the profession.

2 3. A licensing board, agency, or department shall not deny  
3 an application for a license on the basis of an arrest that  
4 was not followed by a conviction or based on a finding that an  
5 applicant lacks good character, suffers from moral turpitude,  
6 or on other similar basis.

7 4. A licensing board, agency, or department shall grant  
8 an exception to an applicant who would otherwise be denied a  
9 license due to a criminal conviction if the following factors  
10 establish by clear and convincing evidence that the applicant  
11 is rehabilitated and an appropriate candidate for licensure:

12 a. The nature and seriousness of the crime for which the  
13 applicant was convicted.

14 b. The amount of time that has passed since the commission  
15 of the crime. There is a rebuttable presumption that an  
16 applicant is rehabilitated and an appropriate candidate  
17 for licensure five years after the date of the applicant's  
18 release from incarceration, provided that the applicant was  
19 not convicted of sexual abuse in violation of section 709.4,  
20 a sexually violent offense as defined in section 229A.2,  
21 dependent adult abuse in violation of section 235B.20, a  
22 forcible felony as defined in section 702.11, or domestic abuse  
23 assault in violation of section 708.2A, and the applicant  
24 has not been convicted of another crime after release from  
25 incarceration.

26 c. The circumstances relative to the offense, including any  
27 aggravating and mitigating circumstances or social conditions  
28 surrounding the commission of the offense.

29 d. The age of the applicant at the time the offense was  
30 committed.

31 e. Any treatment undertaken by the applicant.

32 f. Whether a certification of employability has been issued  
33 to the applicant pursuant to section 906.19.

34 g. Any letters of reference submitted on behalf of the  
35 applicant.

1     *h.* All other relevant evidence of rehabilitation and present  
2 fitness of the applicant.

3     5. An applicant may petition the relevant licensing board,  
4 agency, or department, in a form prescribed by the board,  
5 agency, or department, for a determination as to whether the  
6 applicant's criminal record will prevent the applicant from  
7 receiving a license. The board, agency, or department shall  
8 issue such a determination at the next regularly scheduled  
9 meeting of the board, agency, or department or within thirty  
10 days of receiving the petition, whichever is later. The  
11 board, agency, or department shall hold a closed session  
12 while determining whether an applicant's criminal record will  
13 prevent the applicant from receiving a license and while  
14 determining whether to deny an applicant's application on  
15 the basis of an applicant's criminal conviction. A board,  
16 agency, or department may charge a fee to recoup the costs of  
17 such a determination, provided that such fee shall not exceed  
18 twenty-five dollars.

19     6. *a.* A licensing board, agency, or department that  
20 denies an applicant a license solely or partly because of  
21 the applicant's prior conviction of a crime shall notify the  
22 applicant in writing of all of the following:

23         (1) The grounds for the denial or disqualification.

24         (2) That the applicant has the right to a hearing to  
25 challenge the licensing authority's decision.

26         (3) The earliest date the applicant may submit a new  
27 application.

28         (4) That evidence of rehabilitation of the applicant may be  
29 considered upon reapplication.

30     *b.* A determination by a licensing board, agency, or  
31 department that an applicant's criminal conviction is  
32 specifically listed as a disqualifying conviction and the  
33 offense directly relates to the duties and responsibilities  
34 of the applicant's profession must be documented in written  
35 findings for each factor specified in subsection 5 sufficient

1 for a review by a court.

2     *c.* In any administrative or civil hearing authorized by  
3 this section or chapter 17A, a licensing board, agency, or  
4 department shall carry the burden of proof on the question of  
5 whether the applicant's criminal offense directly relates to  
6 the duties and responsibilities of the profession for which the  
7 license is sought.

8     7. A board, agency, or department may require an applicant  
9 with a criminal record to submit the applicant's complete  
10 criminal record detailing an applicant's offenses with an  
11 application. A board, agency, or department may also require  
12 an applicant with a criminal record to submit a personal  
13 statement regarding whether each offense directly relates to  
14 the duties and performance of the applicant's occupation. For  
15 the purposes of this subsection, "*complete criminal record*"  
16 includes the complaint and judgment of conviction for each  
17 offense of which the applicant has been convicted.

18     Sec. 30. RULEMAKING PROCEDURES AND APPLICABILITY.

19     1. The boards designated in section 147.13 other than the  
20 board of medicine, the board of nursing, the dental board, and  
21 the board of pharmacy, when carrying out rulemaking pursuant to  
22 chapter 17A to implement the provisions of this Act, shall each  
23 adopt the same rules, which shall be applicable to all such  
24 boards. The bureau of professional licensure of the department  
25 of public health shall assist the boards in carrying out such  
26 rulemaking.

27     2. The accountancy examining board, the architectural  
28 examining board, the engineering and land surveying examining  
29 board, the interior design examining board, the landscape  
30 architectural examining board, and the real estate commission,  
31 when carrying out rulemaking pursuant to chapter 17A to  
32 implement the provisions of this Act, shall each adopt the same  
33 rules, which shall be applicable to all such boards and the  
34 real estate commission. The professional licensing bureau of  
35 the department of commerce shall assist the boards and the real

1 estate commission in carrying out such rulemaking.

2 3. This section shall not apply to any rulemaking pursuant  
3 to chapter 17A by a board or commission to implement the  
4 provisions of this Act that the board or commission determines  
5 is necessary to address circumstances or legal requirements  
6 uniquely applicable to the board or commission.

7 Sec. 31. EFFECTIVE DATE. This division of this Act takes  
8 effect January 1, 2021.

9 DIVISION II

10 MISCELLANEOUS CHANGES

11 Sec. 32. Section 22.2, Code 2020, is amended by adding the  
12 following new subsection:

13 NEW SUBSECTION. 2A. If feasible, the custodian of a public  
14 record may provide for the electronic examination and copying  
15 of a public record in lieu of requiring in-person examination  
16 and copying of a public record. This subsection does not apply  
17 to searches of all indexes, general and specific, of public  
18 records relating to documents, instruments, and muniments of  
19 title, for the purpose of performing title searches, real  
20 property searches, or creating real property abstracts.

21 Sec. 33. Section 22.4, Code 2020, is amended to read as  
22 follows:

23 **22.4 ~~Hours when available~~ Public records requests.**

24 The rights of persons under this chapter may be exercised  
25 under any of the following circumstances:

26 1. In person, at any time during the customary office hours  
27 of the lawful custodian of the records. However, if the lawful  
28 custodian does not have customary office hours of at least  
29 thirty hours per week, such right may be exercised at any time  
30 from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m. Monday  
31 through Friday, excluding legal holidays, unless the person  
32 exercising such right and the lawful custodian agree on a  
33 different time.

34 2. In writing, by telephone, or by electronic means. The  
35 lawful custodian of the records shall post information for

1 making such requests in a manner reasonably calculated to  
2 apprise the public of that information.

3 Sec. 34. Section 80A.1, subsection 12, Code 2020, is amended  
4 to read as follows:

5 12. "*Private security business*" means a business of  
6 furnishing, for hire or reward, guards, watch personnel,  
7 armored car personnel, patrol personnel, or other persons to  
8 protect persons or property, to prevent the unlawful taking of  
9 goods and merchandise, or to prevent the misappropriation or  
10 concealment of goods, merchandise, money, securities, or other  
11 valuable documents or papers, and includes an individual who  
12 for hire patrols, watches, or guards a residential, industrial,  
13 or business property or district. "*Private security business*"  
14 does not include a business for debt collection as defined in  
15 section 537.7102.

16 Sec. 35. Section 89A.3, subsection 2, paragraph i, Code  
17 2020, is amended to read as follows:

18 *i.* The amount of fees charged and collected for inspection,  
19 permits, and commissions. Fees shall be set at an amount  
20 sufficient to cover costs as determined from consideration  
21 of the reasonable time required to conduct an inspection,  
22 reasonable hourly wages paid to inspectors, and reasonable  
23 transportation and similar expenses. The safety board shall  
24 also be authorized to consider setting reduced fees for  
25 nonprofit associations and nonprofit corporations, as described  
26 in chapters 501B and 504.

27 Sec. 36. Section 125.38, subsection 1, Code 2020, is amended  
28 to read as follows:

29 1. Subject to reasonable rules regarding hours of  
30 visitation which the department may adopt, a patient in  
31 a facility shall be granted an opportunity for adequate  
32 consultation with counsel, and for continuing contact with  
33 family and friends consistent with an effective treatment  
34 program, provided that such consultation and contact may be  
35 provided telephonically or electronically.

1     Sec. 37. Section 135B.5, subsection 1, Code 2020, is amended  
2 to read as follows:

3     1. Upon receipt of an application for license and the  
4 license fee, the department shall issue a license if the  
5 applicant and hospital facilities comply with this chapter,  
6 chapter 135, and the rules of the department. Each licensee  
7 shall receive annual reapproval upon payment of five hundred  
8 dollars and upon filing of an application form which is  
9 available from the department. The annual licensure fee shall  
10 be dedicated to support and provide educational programs on  
11 regulatory issues for hospitals licensed under this chapter ~~in~~  
12 ~~consultation with the hospital licensing board.~~ Licenses shall  
13 be either general or restricted in form. Each license shall be  
14 issued only for the premises and persons or governmental units  
15 named in the application and is not transferable or assignable  
16 except with the written approval of the department. Licenses  
17 shall be posted in a conspicuous place on the licensed premises  
18 as prescribed by rule of the department.

19     Sec. 38. Section 135B.7, subsection 1, paragraph a, Code  
20 2020, is amended to read as follows:

21     a. The department, with the ~~advice and approval of the~~  
22 ~~hospital licensing board and~~ approval of the state board of  
23 health, shall adopt rules setting out the standards for the  
24 different types of hospitals to be licensed under this chapter.  
25 The department shall enforce the rules.

26     Sec. 39. Section 272.2, subsection 1, paragraph a, Code  
27 2020, is amended to read as follows:

28     a. License practitioners, which includes the authority to  
29 establish criteria for the licenses; establish issuance and  
30 renewal requirements, provided that a continuing education  
31 requirement may be completed by electronic means; create  
32 application and renewal forms; create licenses that authorize  
33 different instructional functions or specialties; develop a  
34 code of professional rights and responsibilities, practices,  
35 and ethics, which shall, among other things, address the

1 failure of a practitioner to fulfill contractual obligations  
2 under section 279.13; and develop any other classifications,  
3 distinctions, and procedures which may be necessary to exercise  
4 licensing duties. In addressing the failure of a practitioner  
5 to fulfill contractual obligations, the board shall consider  
6 factors beyond the practitioner's control.

7 Sec. 40. Section 483A.24, subsection 3, paragraph a, Code  
8 2020, is amended to read as follows:

9 a. Fifty of the nonresident deer hunting licenses shall  
10 be allocated as ~~requested by a majority of a committee~~  
11 ~~consisting of the majority leader of the senate, speaker of~~  
12 ~~the house of representatives, and director of the economic~~  
13 ~~development authority, or their designees~~ determined by the  
14 department. The licenses provided pursuant to this subsection  
15 shall be in addition to the number of nonresident licenses  
16 authorized pursuant to section 483A.8. The purpose of the  
17 special nonresident licenses is to allow state officials and  
18 local development groups to promote the state and its natural  
19 resources to nonresident guests and dignitaries. Photographs,  
20 videotapes, or any other form of media resulting from the  
21 hunting visitation shall not be used for political campaign  
22 purposes. The nonresident licenses shall be issued without  
23 application upon purchase of a nonresident annual hunting  
24 license that includes the wildlife habitat fee and the purchase  
25 of a nonresident deer hunting license. The licenses are valid  
26 in all zones open to deer hunting. The hunter education  
27 certificate requirement pursuant to section 483A.27 is waived  
28 for a nonresident issued a license pursuant to this subsection.

29 Sec. 41. Section 483A.24, subsection 4, paragraph a, Code  
30 2020, is amended to read as follows:

31 a. Fifty of the nonresident wild turkey hunting licenses  
32 shall be allocated as ~~requested by a majority of a committee~~  
33 ~~consisting of the majority leader of the senate, speaker of~~  
34 ~~the house of representatives, and director of the economic~~  
35 ~~development authority, or their designees~~ determined by the

1 department. The licenses provided pursuant to this subsection  
2 shall be in addition to the number of nonresident licenses  
3 authorized pursuant to section 483A.7. The purpose of the  
4 special nonresident licenses is to allow state officials and  
5 local development groups to promote the state and its natural  
6 resources to nonresident guests and dignitaries. Photographs,  
7 videotapes, or any other form of media resulting from the  
8 hunting visitation shall not be used for political campaign  
9 purposes. The nonresident licenses shall be issued without  
10 application upon purchase of a nonresident annual hunting  
11 license that includes the wildlife habitat fee and the purchase  
12 of a nonresident wild turkey hunting license. The licenses are  
13 valid in all zones open to wild turkey hunting. The hunter  
14 education certificate requirement pursuant to section 483A.27  
15 is waived for a nonresident issued a license pursuant to this  
16 subsection.

17 Sec. 42. Section 543D.9, Code 2020, is amended to read as  
18 follows:

19 **543D.9 Education and experience requirement.**

20 The board shall determine what real estate appraisal or  
21 real estate appraisal review experience and what education  
22 shall be required to provide appropriate assurance that  
23 an applicant for certification is competent to perform the  
24 certified appraisal work which is within the scope of practice  
25 defined by the board. All experience required for initial  
26 certification shall be performed as a registered associate  
27 real estate appraiser acting under the direct supervision of  
28 a certified real estate appraiser who meets the supervisory  
29 requirements established by applicable federal authorities or  
30 federal law, rule, or policy in effect at the time the hours  
31 of experience are claimed, except as the board may provide by  
32 rule. Subject to requirements or limitations established by  
33 applicable federal authorities or federal law, rule, or policy,  
34 hours qualifying for experience in a bordering state will  
35 be considered qualifying hours for experience in this state

1 without requiring a waiver or authorization from the board in  
2 accordance with rules and standards adopted by the board, as  
3 long as a majority of qualifying hours are completed in this  
4 state. Qualifying hours completed in a bordering state shall  
5 be under the direct supervision of a certified real estate  
6 appraiser with active certification in that bordering state.  
7 The board shall prescribe a required minimum number of tested  
8 hours of education relating to the provisions of this chapter,  
9 the uniform appraisal standards, and other rules issued in  
10 accordance with this chapter.

11 Sec. 43. Section 544A.8, Code 2020, is amended by adding the  
12 following new subsection:

13 NEW SUBSECTION. 5. A person applying to the board for  
14 licensure who has passed a module of the architect registration  
15 examination but failed to pass the exam shall not be required  
16 to retake the module that the applicant previously passed in  
17 subsequent examinations.

18 Sec. 44. REPEAL. Chapter 9D, Code 2020, is repealed.

19 Sec. 45. REPEAL. Sections 135B.10 and 135B.11, Code 2020,  
20 are repealed.

21 Sec. 46. 2018 Iowa Acts, chapter 1142, section 8, as amended  
22 by 2019 Iowa Acts, chapter 85, section 118, is amended to read  
23 as follows:

24 SEC. 8. FUTURE REPEAL. Section 155A.44, Code 2018, is  
25 repealed effective July 1, ~~2020~~ 2021.

26 Sec. 47. CONTINUING EDUCATION REQUIREMENTS. The boards  
27 designated in section 147.13 shall require licensees required  
28 to complete continuing education credits prior to the renewal  
29 of a license set to expire in 2020 to complete such continuing  
30 education credits by June 30, 2021. A license set to expire in  
31 2020 shall not expire until June 30, 2021.

32 Sec. 48. CONTINUING EDUCATION — ELECTRONIC MEANS. For the  
33 period beginning on the effective date of this Act through June  
34 30, 2021, notwithstanding any provision of law to the contrary,  
35 each licensing board, as defined in section 272C.1, shall allow

1 licensees to satisfy continuing education requirements by  
2 electronic means.

3 Sec. 49. TELEHEALTH SERVICES — TEMPORARY PROVISIONS.

4 1. For the period beginning on the effective date of this  
5 Act through June 30, 2021, notwithstanding section 514C.34,  
6 subsection 1, paragraph "c", the definition of "telehealth"  
7 shall include the delivery of health care services through  
8 an audio-only telephone transmission. The commissioner of  
9 insurance shall ensure that any health carrier, as defined in  
10 section 514J.102, shall reimburse a health care professional,  
11 as defined in section 514J.102, for medically necessary,  
12 clinically appropriate covered services for telehealth services  
13 provided to a covered person, as defined in section 514J.102,  
14 on the same basis and at the same rate as the health carrier  
15 would apply to the same health care services provided to a  
16 covered person by the health care professional in person.

17 2. For the period beginning on the effective date of this  
18 Act through June 30, 2021, notwithstanding section 147.137, 653  
19 IAC 13.11, 641 IAC 155.2, and other implementing administrative  
20 rules establishing preconditions, limitations, or restrictions  
21 on the provision of telehealth or telemedicine services,  
22 telehealth and telemedicine services may be provided without  
23 such preconditions, limitations, or restrictions.

24 3. For the period beginning on the effective date of this  
25 Act through June 30, 2021, notwithstanding 641 IAC 155.21(19),  
26 641 IAC 155.23(4), and other administrative rules which require  
27 in-person interactions with health care providers and allow  
28 in-person visitation in inpatient treatment programs, such  
29 interactions and visitations may occur by electronic means.

30 Sec. 50. TELEHEALTH SERVICES — REPORTS.

31 1. The three largest private health care systems in  
32 the state, the university of Iowa health care system, and  
33 associations representing carriers and health care providers,  
34 as defined in section 514C.13, shall, by March 15, 2021, submit  
35 reports to the general assembly that include the following

1 data:

2 a. The overhead and administrative cost savings for  
3 telehealth services as compared to in-person health care  
4 services, specified by covered service.

5 b. Investments made in telehealth services.

6 c. The number of telehealth services that are followed by  
7 in-person health care visits.

8 d. The rate of potentially preventable events for  
9 individuals utilizing in-person health care services as  
10 compared to telehealth services, including but not limited  
11 to hospital admissions, hospital readmissions, and hospital  
12 emergency department use.

13 e. The rate of medication adherence for individuals  
14 utilizing in-person health care services as compared to  
15 telehealth services.

16 f. The utilization of telehealth services as compared  
17 to in-person health care services, specified by both the  
18 percentage of dollars spent and claims.

19 g. Any incidences of fraud, waste, or abuse identified by  
20 the carrier.

21 2. Each report under subsection 1 shall present data  
22 separately based on whether the patient received telehealth  
23 services in a health care facility or in another location.  
24 If available, each report shall also include information on  
25 whether a patient is a resident of a rural area of Iowa.

26 Sec. 51. SCHOOL PHYSICALS — TEMPORARY PROVISIONS. For  
27 the period beginning on the effective date of this Act through  
28 December 31, 2020, a student participating in interscholastic  
29 athletics who presents to the student's superintendent a  
30 certificate signed on or after July 1, 2019, by a licensed  
31 physician or surgeon, osteopathic physician or surgeon,  
32 chiropractor, physician assistant, or advanced registered nurse  
33 practitioner, to the effect that the student has been examined  
34 and may safely engage in athletic competition, shall be deemed  
35 to have complied with the regulatory provisions of 281 IAC

1 36.14(1).

2 Sec. 52. SHAREHOLDER MEETINGS — TEMPORARY PROVISIONS. For  
3 the period beginning on the effective date of this Act  
4 through December 31, 2020, notwithstanding the provisions of  
5 chapters 490, 491, 499, and 501A requiring an in-person meeting  
6 of shareholders, policyholders, or members, an in-person  
7 meeting of shareholders, policyholders, or members shall  
8 not be required if the meeting is held by means of remote  
9 communication and provides shareholders, policyholders, or  
10 members a reasonable opportunity to participate in the meeting  
11 and to vote on matters submitted for action at such meeting,  
12 including an opportunity to communicate and to read or hear the  
13 proceedings of the meeting, substantially concurrent with the  
14 occurrence of such meeting.

15 Sec. 53. EFFECTIVE DATE. This division of this Act, being  
16 deemed of immediate importance, takes effect upon enactment.>

17 2. Title page, by striking lines 1 through 6 and inserting  
18 <An Act relating to governmental and regulatory matters  
19 including the granting and renewal of licenses, certificates,  
20 and registrations, and including effective date provisions.>

By LUNDGREN of Dubuque

H-8250 FILED JUNE 10, 2020

HOUSE FILE 2641

H-8257

- 1 Amend House File 2641 as follows:
- 2 1. Page 29, line 31, by striking <423.3A> and inserting  
3 <423.3, subsection 3A>
- 4 2. Page 30, line 3, by striking <423.3A> and inserting  
5 <423.3, subsection 3A>
- 6 3. Page 31, line 19, after <beginning> by inserting <on or>
- 7 4. Page 31, line 20, by striking <claimed> and inserting  
8 <awarded>
- 9 5. Page 31, line 22, before <calendar> by inserting  
10 <current>
- 11 6. Page 31, line 23, before <calendar> by inserting  
12 <current>
- 13 7. Page 31, line 25, before <calendar> by inserting  
14 <current>
- 15 8. Page 31, line 26, before <calendar> by inserting  
16 <current>

By HITE of Mahaska

H-8257 FILED JUNE 10, 2020

HOUSE FILE 2641

H-8261

1 Amend House File 2641 as follows:

2 1. Page 23, after line 26 by inserting:

3 <Section 1. Section 423.3, Code 2020, is amended by adding  
4 the following new subsection:

5 NEW SUBSECTION. 107. The sales price from the sale of  
6 feminine hygiene products. For purposes of this subsection,  
7 "*feminine hygiene products*" means sanitary napkins, tampons, or  
8 other similar items used for feminine hygiene.>

9 2. By renumbering as necessary.

By NIELSEN of Johnson

H-8261 FILED JUNE 10, 2020

HOUSE FILE 2642

H-8249

- 1 Amend House File 2642 as follows:
- 2 1. Page 5, by striking line 1 and inserting:
- 3 <..... \$ 130,000>
- 4 2. Page 6, after line 25 by inserting:
- 5 <e. To the fire service training bureau for costs associated
- 6 with moving the fire safety training bureau, notwithstanding
- 7 section 8.57, subsection 5, paragraph "c":
- 8 FY 2020-2021:
- 9 ..... \$ 150,000>
- 10 3. By renumbering as necessary.

By BENNETT of Linn

H-8249 FILED JUNE 10, 2020

HOUSE FILE 2643

H-8258

1 Amend House File 2643 as follows:

2 1. Page 11, after line 19 by inserting:

3 <Sec. \_\_\_\_ . Section 455A.18, subsection 3, paragraph a, Code  
4 2020, is amended by striking the paragraph and inserting in  
5 lieu thereof the following:

6 a. For each fiscal year there is appropriated, from the  
7 general fund to the Iowa resources enhancement and protection  
8 fund, twenty million dollars to be used as provided in this  
9 chapter. However, in any fiscal year, if moneys from the  
10 lottery are appropriated to the Iowa resources enhancement and  
11 protection fund, the amount appropriated under this subsection  
12 to that fund shall be reduced by the amount appropriated from  
13 the lottery.>

By ISENHART of Dubuque

H-8258 FILED JUNE 10, 2020

HOUSE FILE 2643

H-8259

- 1 Amend House File 2643 as follows:
- 2 1. Page 11, after line 19 by inserting:
- 3 <DIVISION \_\_\_\_
- 4 GROUNDWATER PROTECTION FUND
- 5 Sec. \_\_\_\_ . BULK TRANSPORT OF WATER. Of moneys available for
- 6 use by the department of natural resources from the groundwater
- 7 protection fund created in section 455E.11 for the fiscal year
- 8 beginning July 1, 2020, and ending June 30, 2021, which are
- 9 not allocated pursuant to that section, the department shall
- 10 support the protection of the state's groundwater, including by
- 11 providing for administration; the prevention of the groundwater
- 12 extracted for bulk transport to another state for any purpose;
- 13 regulation and programs; salaries, support, maintenance,
- 14 equipment; and miscellaneous purposes.>
- 15 2. By renumbering as necessary.

By ISENHART of Dubuque

H-8259 FILED JUNE 10, 2020

SENATE FILE 457

H-8248

1 Amend Senate File 457, as amended, passed, and reprinted by  
2 the Senate, as follows:

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

5 <DIVISION I

6 SURCHARGES ADDED TO CRIMINAL PENALTIES AND DISTRIBUTION OF  
7 SURCHARGE MONEYS

8 Section 1. Section 331.301, subsection 16, Code 2020, is  
9 amended by striking the subsection.

10 Sec. 2. Section 331.302, subsection 2, Code 2020, is amended  
11 to read as follows:

12 2. For a violation of an ordinance a county shall not  
13 provide a penalty in excess of the maximum fine and term of  
14 imprisonment for a simple misdemeanor under section 903.1,  
15 subsection 1, paragraph "a". The ~~criminal penalty crime~~  
16 services surcharge required by section 911.1 shall be added to  
17 a county fine and is not a part of the county's penalty.

18 Sec. 3. Section 356.7, subsection 5, paragraph a, Code 2020,  
19 is amended to read as follows:

20 a. Of the moneys collected and credited to the county  
21 general fund as provided in this section and section 602.8106,  
22 subsection 4, paragraph "b", subparagraph (2), sixty percent of  
23 the moneys collected shall be used for the following purposes:

24 (1) Courthouse security equipment and law enforcement  
25 personnel costs.

26 (2) Infrastructure improvements of a jail, including new or  
27 remodeling costs.

28 (3) Infrastructure improvements of juvenile detention  
29 facilities, including new or remodeling costs.

30 (4) Medical and prescription drug costs of inmates in jail.

31 Sec. 4. Section 364.3, subsection 2, Code 2020, is amended  
32 to read as follows:

33 2. For a violation of an ordinance a city shall not  
34 provide a penalty in excess of the maximum fine and term of  
35 imprisonment for a simple misdemeanor under section 903.1,

1 subsection 1, paragraph "a". An amount equal to ~~ten~~ twenty  
2 percent of all fines collected by cities shall be deposited  
3 in the account established in section 602.8108. However, one  
4 hundred percent of all fines collected by a city pursuant to  
5 section 321.236, subsection 1, shall be retained by the city.  
6 ~~The criminal penalty~~ crime services surcharge required by  
7 section 911.1 shall be added to a city fine and is not a part  
8 of the city's penalty.

9 Sec. 5. Section 602.8102, subsection 135A, Code 2020, is  
10 amended to read as follows:

11 135A. Assess the surcharges provided by sections 911.1,  
12 ~~911.2, 911.2A, 911.2B, 911.2C, 911.3, and 911.4~~ and 911.5.

13 Sec. 6. Section 602.8106, subsection 1, paragraphs d and e,  
14 Code 2020, are amended to read as follows:

15 *d.* For court costs in scheduled violation cases where a  
16 court appearance is required, ~~sixty~~ fifty-five dollars.

17 *e.* For court costs in scheduled violation cases where a  
18 court appearance is not required, ~~sixty~~ fifty-five dollars.

19 Sec. 7. Section 602.8106, subsections 2, 3, and 4, Code  
20 2020, are amended to read as follows:

21 2. The clerk of the district court shall remit ~~ninety~~ eighty  
22 percent of all fines and forfeited bail to the city that was  
23 the plaintiff in any action, and shall provide that city with a  
24 statement showing the total number of cases, the total of all  
25 fines and forfeited bail collected, and the total of all cases  
26 dismissed. The remaining ~~ten~~ twenty percent shall be submitted  
27 to the state court administrator.

28 3. The clerk of the district court shall remit all fines  
29 and forfeited bail for violation of a county ordinance, ~~except~~  
30 ~~an ordinance relating to vehicle speed or weight restrictions,~~  
31 to the county treasurer of the county that was the plaintiff  
32 in the action, and shall provide that county with a statement  
33 showing the total number of cases, the total of all fines and  
34 forfeited bail collected, and the total of all cases dismissed,  
35 except all fines and forfeited bail for violation of a county

1 ordinance relating to vehicle speed or weight restrictions  
2 shall be distributed pursuant to subsection 4, paragraph  
3 "b". ~~However, if~~ If a county ordinance provides a penalty  
4 for a violation which is also penalized under state law, the  
5 fines and forfeited bail collected for the violation shall be  
6 ~~submitted to the state court administrator~~ distributed pursuant  
7 to subsection 4, paragraph "b".

8 4. a. ~~The~~ Except as provided in paragraph "b", the clerk of  
9 the district court shall submit all other fines, fees, costs,  
10 and forfeited bail received from a magistrate to the state  
11 court administrator.

12 b. The fine amount for a violation that occurred within the  
13 boundaries of the county shall be distributed as follows:

14 (1) Ninety-one percent to the state court administrator.

15 (2) Nine percent to the county treasurer for deposit in the  
16 county general fund where the violation occurred.

17 Sec. 8. Section 602.8107, subsection 2, paragraph c,  
18 subparagraph (2), Code 2020, is amended to read as follows:

19 (2) Fines or penalties and ~~criminal penalty and law~~  
20 ~~enforcement initiative surcharges~~ the crime services surcharge.

21 Sec. 9. Section 602.8107, subsection 4, paragraph a, Code  
22 2020, is amended to read as follows:

23 a. This subsection does not apply to amounts collected  
24 for victim restitution, the victim compensation fund, the  
25 ~~criminal penalty~~ crime services surcharge, sex offender civil  
26 penalty, ~~drug abuse resistance education surcharge, the law~~  
27 ~~enforcement initiative surcharge, county enforcement surcharge,~~  
28 agricultural theft surcharge, amounts collected as a result  
29 of procedures initiated under subsection 5 or under section  
30 8A.504, or fees charged pursuant to section 356.7.

31 Sec. 10. Section 602.8108, subsections 3 and 7, Code 2020,  
32 are amended to read as follows:

33 3. The clerk of the district court shall remit to the state  
34 court administrator, not later than the fifteenth day of each  
35 month, ~~ninety-five percent of~~ all moneys collected from the

1 ~~criminal penalty~~ surcharge provided in section 911.1 during the  
2 preceding calendar month. ~~The clerk shall remit the remainder~~  
3 ~~to the county treasurer of the county that was the plaintiff~~  
4 ~~in the action or to the city that was the plaintiff in the~~  
5 ~~action. Of the amount received from the clerk, the state~~  
6 court administrator shall allocate seventeen and deposit each  
7 month forty-six percent in the juvenile detention home fund  
8 in section 232.142, thirty-two percent to be deposited in the  
9 victim compensation fund established in section 915.94, and  
10 eighty-three percent to be deposited in the general fund twenty  
11 percent in the criminalistics laboratory fund established in  
12 section 691.9, and two percent in the drug abuse resistance  
13 education fund established in section 80E.4.

14 7. The clerk of the district court shall remit all moneys  
15 collected from the assessment of the surcharges surcharge  
16 provided in ~~sections~~ section 911.2B and ~~911.2C~~ to the state  
17 court administrator for deposit in the address confidentiality  
18 program revolving fund created in section 9.8.

19 Sec. 11. Section 602.8108, subsection 4, Code 2020, is  
20 amended by striking the subsection and inserting in lieu  
21 thereof the following:

22 4. The clerk of the district court shall remit to the  
23 state court administrator, not later than the fifteenth day of  
24 each month, ninety-one percent of all moneys collected from  
25 county enforcement as provided section 602.8106, subsection 4,  
26 paragraph "b", subparagraph (1), during the preceding calendar  
27 month. Of the amount received from the clerk, the state court  
28 administrator shall allocate and deposit one and three-tenths  
29 percent in the emergency medical services fund in section  
30 135.25, and shall allocate and deposit the remainder in the  
31 general fund of the state.

32 Sec. 12. Section 602.8108, subsections 5 and 8, Code 2020,  
33 are amended by striking the subsections.

34 Sec. 13. Section 602.8108, Code 2020, is amended by adding  
35 the following new subsection:

1     NEW SUBSECTION. 13. The clerk of the district court  
2 shall remit all moneys collected from the agricultural  
3 theft surcharge provided in section 911.5 to the state court  
4 administrator no later than the fifteenth day of each month for  
5 deposit in the general fund of the state.

6     Sec. 14. Section 805.8, subsection 1, Code 2020, is amended  
7 to read as follows:

8     1. *Application.* Except as otherwise indicated, violations  
9 of sections of the Code specified in sections 805.8A, 805.8B,  
10 and 805.8C are scheduled violations, and the scheduled fine  
11 for each of those violations is as provided in those sections,  
12 whether the violation is of state law or of a county or city  
13 ordinance. The ~~criminal penalty~~ crime services surcharge  
14 required by section 911.1 and the ~~county enforcement surcharge~~  
15 ~~required by section 911.4, if applicable,~~ shall be added to the  
16 scheduled fine.

17     Sec. 15. Section 902.9, subsection 2, Code 2020, is amended  
18 to read as follows:

19     2. The surcharges required by sections 911.1, ~~911.2,~~  
20 911.2A, and ~~911.3~~ 911.5 shall be added to a fine imposed on a  
21 class "C" or class "D" felon, as provided by those sections,  
22 and are not a part of or subject to the maximums set in this  
23 section.

24     Sec. 16. Section 903.1, subsection 4, Code 2020, is amended  
25 to read as follows:

26     4. The surcharges required by sections 911.1, ~~911.2,~~  
27 911.2A, ~~911.3,~~ and ~~911.4~~ and 911.5 shall be added to a fine  
28 imposed on a misdemeanor as provided in those sections,  
29 and are not a part of or subject to the maximums set in this  
30 section.

31     Sec. 17. Section 911.1, Code 2020, is amended to read as  
32 follows:

33     **911.1 ~~Criminal penalty~~ Crime services surcharge.**

34     1. A ~~criminal penalty~~ crime services surcharge shall be  
35 levied against law violators as provided in this section.

1 When a court imposes a fine or forfeiture for a violation of  
2 state law, or a city or county ordinance, except an ordinance  
3 regulating the parking of motor vehicles, the court ~~or the~~  
4 ~~clerk of the district court~~ shall assess an additional penalty  
5 in the form of a ~~criminal penalty~~ crime services surcharge  
6 equal to ~~thirty-five~~ fifteen percent of the fine or forfeiture  
7 imposed.

8 2. In the event of multiple offenses, the surcharge shall  
9 be based upon the total amount of fines or forfeitures imposed  
10 for all offenses.

11 3. When a fine or forfeiture is suspended in whole or in  
12 part, the court shall reduce the surcharge in proportion to the  
13 amount suspended.

14 4. The surcharge is subject to the provisions of chapter  
15 909 governing the payment and collection of fines, as provided  
16 in section 909.8.

17 5. The surcharge shall be remitted by the clerk of court as  
18 provided in section 602.8108, subsection 3.

19 Sec. 18. Section 911.2A, subsection 1, Code 2020, is amended  
20 to read as follows:

21 1. In addition to any other surcharge, the court ~~or clerk~~  
22 ~~of the district court~~ shall assess a human trafficking victim  
23 surcharge of one thousand dollars if an adjudication of  
24 guilt or a deferred judgment has been entered for a criminal  
25 violation of section 725.1, subsection 2, or section 710A.2,  
26 725.2, or 725.3.

27 Sec. 19. Section 911.2B, Code 2020, is amended to read as  
28 follows:

29 **911.2B Domestic abuse assault, or sexual abuse, stalking, and**  
30 **human trafficking victim related crimes surcharge.**

31 1. In addition to any other surcharge, the court ~~or clerk~~  
32 ~~of the district court~~ shall assess a domestic abuse assault,  
33 domestic abuse protective order contempt, sexual abuse,  
34 stalking, and human trafficking victim surcharge of ~~one hundred~~  
35 ninety dollars if an adjudication of guilt or a deferred

1 judgment has been entered for a violation of section 708.2A,  
2 708.11, or 710A.2, or chapter 709, or if a defendant is held  
3 in contempt of court for violating a domestic abuse protective  
4 order issued pursuant to chapter 236.

5 2. In the event of multiple offenses, the surcharge shall be  
6 imposed for each applicable offense.

7 3. The surcharge shall be remitted by the clerk of court as  
8 provided in section 602.8108, subsection 7.

9 Sec. 20. NEW SECTION. 911.5 **Agricultural theft surcharge.**

10 1. In addition to any other surcharge, the court or clerk of  
11 the district court shall assess an agricultural theft surcharge  
12 equal to five hundred dollars, if an adjudication of guilt or  
13 a deferred judgment has been entered for a criminal violation  
14 involving any of the following:

15 a. Theft of agricultural property under section 714.2,  
16 subsection 1, 2, or 3.

17 b. Criminal mischief under section 716.3, 716.4, or 716.5,  
18 by damaging, defacing, altering, or destroying agricultural  
19 property.

20 2. As used in this section, agricultural property means any  
21 of the following:

22 a. A crop as defined in section 717A.1.

23 b. Livestock as defined in section 717.1.

24 c. (1) A colony or package as defined in section 160.1A,  
25 or a hive where bees are kept as described in section 160.5,  
26 if the department of agriculture and land stewardship is  
27 authorized by that chapter to inspect the colony, package, or  
28 hive or to regulate the movement of the colony, package, or  
29 hive.

30 (2) A queen bee that is part of a colony or is being moved  
31 to be part of a colony as described in subparagraph (1).

32 3. The surcharge shall be remitted by the clerk of the  
33 district court as provided in section 602.8108, subsection 13.

34 Sec. 21. REPEAL. Sections 911.2, 911.2C, 911.3, and 911.4,  
35 Code 2020, are repealed.

1 DIVISION II  
2 COURT FUNDS

3 Sec. 22. Section 602.1302, subsection 1, Code 2020, is  
4 amended to read as follows:

5 1. Except as otherwise provided by sections 602.1303,  
6 ~~602.1304~~, and 602.8108 or other applicable law, the expenses of  
7 operating and maintaining the judicial branch shall be paid out  
8 of the general fund of the state from funds appropriated by the  
9 general assembly for the judicial branch. State funding shall  
10 be phased in as provided in section 602.11101.

11 Sec. 23. Section 602.1304, subsection 1, Code 2020, is  
12 amended to read as follows:

13 1. Except as provided in article 8 ~~and subsection 2 of this~~  
14 ~~section~~, all fees and other revenues collected by judicial  
15 officers and court employees shall be paid into the general  
16 fund of the state.

17 Sec. 24. Section 602.1304, subsection 2, Code 2020, is  
18 amended by striking the subsection.

19 Sec. 25. Section 602.8108, subsection 9, Code 2020, is  
20 amended by striking the subsection and inserting in lieu  
21 thereof the following:

22 9. a. A court technology and modernization fund is  
23 established as a separate fund in the state treasury. The  
24 state court administrator shall allocate seven million dollars  
25 of the moneys received under subsection 2 to be deposited in  
26 the fund, which shall be administered by the judicial branch.

27 b. The moneys in the fund shall be used to enhance the  
28 ability of the judicial branch to process cases more quickly  
29 and efficiently, to electronically transmit information to  
30 state government, local governments, law enforcement agencies,  
31 and the public, and to improve public access to the court  
32 system. The moneys in the collection fund may also be used for  
33 any the following:

34 (1) The Iowa court information system.

35 (2) Records management, equipment, services, and projects.

1 (3) Other technological improvements approved by the  
2 judicial branch.

3 (4) Electronic legal research equipment, systems, and  
4 projects.

5 (5) The study, development, and implementation of other  
6 innovations and projects that would improve the administration  
7 of justice.

8 (6) Capital improvements necessitated by the installation  
9 of or connection with the Iowa court information system, the  
10 Iowa communications network, or other like networks.

11 c. The fund shall be separate from the general fund of  
12 the state and the balance in the fund shall not be considered  
13 part of the balance of the general fund of the state.

14 Notwithstanding section 8.33, moneys in the fund shall not  
15 revert to the general fund. Notwithstanding section 12C.7,  
16 subsection 2, interest or earnings on moneys in the court  
17 technology and modernization fund shall remain in the court  
18 technology and modernization fund and any interest and earnings  
19 shall be in addition to the maximum annual deposit amount.

20 Sec. 26. TRANSFER OF REMAINING FUNDS. Any unobligated  
21 or unencumbered moneys remaining in the enhanced court  
22 collections fund in section 602.1304 at the end of the fiscal  
23 year beginning July 1, 2019, and ending June 30, 2020, shall be  
24 transferred to the court technology and modernization fund.

25 DIVISION III

26 CIVIL FEES AND COURT COSTS

27 Sec. 27. Section 602.8105, subsections 1 and 2, Code 2020,  
28 are amended to read as follows:

29 1. The clerk of the district court shall collect the  
30 following fees:

31 a. Except as otherwise provided in this subsection, for  
32 filing and docketing a petition, one hundred ~~eighty-five~~  
33 ninety-five dollars. In counties having a population of  
34 ninety-eight thousand or over, an additional five dollars shall  
35 be charged and collected to be known as the journal publication

1 fee and used for the purposes provided for in section 618.13.

2 Ob. For filing and docketing a petition for dissolution  
3 of marriage, which includes the docketing of any dissolution  
4 decree, two hundred sixty-five dollars. It is the intent of  
5 the general assembly that twenty percent of the funds generated  
6 from these fees be appropriated and used for sexual assault  
7 and domestic violence centers and eighty percent of the funds  
8 generated from these fees be appropriated to the general fund  
9 of the state.

10 b. For filing and docketing a petition pursuant to chapter  
11 598 other than a dissolution of marriage petition, one hundred  
12 ten dollars.

13 c. For filing and docketing an application for modification  
14 of a dissolution decree to which a written stipulation is  
15 attached at the time of filing containing the agreement of the  
16 parties to the terms of modification, one hundred ten dollars.

17 ~~d. For entering a final decree of dissolution of marriage,~~  
18 ~~fifty dollars. It is the intent of the general assembly that~~  
19 ~~the funds generated from the dissolution fees be appropriated~~  
20 ~~and used for sexual assault and domestic violence centers.~~

21 ~~e. d. For filing and docketing a petition for adoption~~  
22 ~~pursuant to chapter 600, one hundred zero dollars. For~~  
23 ~~multiple adoption petitions filed at the same time by the same~~  
24 ~~petitioner under section 600.3, the filing fee and any court~~  
25 ~~costs for any petition filed in addition to the first petition~~  
26 ~~filed are waived.~~

27 ~~f. e. For filing and docketing a small claims action, the~~  
28 ~~amounts specified in section 631.6.~~

29 ~~g. f. For an appeal from a judgment in small claims or for~~  
30 ~~filing and docketing a writ of error, one hundred ~~eighty-five~~~~  
31 ~~ninety-five dollars.~~

32 ~~h. g. For a motion to show cause in a civil case, ~~fifty~~~~  
33 ~~sixty dollars.~~

34 ~~i. h. For filing and docketing a transcript of the judgment~~  
35 ~~in a civil case, ~~fifty~~ sixty dollars.~~

- 1     ~~*f.*~~ *i.* For filing a tribal judgment, one hundred ten  
2 dollars.
- 3     2. The clerk of the district court shall collect the  
4 following fees for miscellaneous services:
- 5     *a.* For filing and entering any other statutory lien, ~~fifty~~  
6 sixty dollars.
- 7     *b.* For a certificate and seal, ~~twenty~~ thirty dollars.  
8 However, there shall be no charge for a certificate and seal to  
9 an application to procure a pension, bounty, or back pay for a  
10 member of the armed services or other person.
- 11    *c.* For certifying a change in title of real estate, ~~fifty~~  
12 sixty dollars.
- 13    *d.* For filing a praecipe to issue execution under chapter  
14 626, ~~twenty-five~~ thirty-five dollars. The fee shall be  
15 recoverable by the creditor from the debtor against whom the  
16 execution is issued. A fee payable by a political subdivision  
17 of the state under this paragraph shall be collected by the  
18 clerk of the district court as provided in section 602.8109.  
19 However, the fee shall be waived and shall not be collected  
20 from a political subdivision of the state if a county attorney  
21 or county attorney's designee is collecting a delinquent  
22 judgment pursuant to section 602.8107, subsection 4.
- 23    *e.* For filing a praecipe to issue execution under chapter  
24 654, ~~fifty~~ sixty dollars.
- 25    *f.* For filing a confession of judgment under chapter 676,  
26 ~~fifty~~ sixty dollars if the judgment is five thousand dollars or  
27 less, and one hundred ten dollars if the judgment exceeds five  
28 thousand dollars.
- 29    *g.* For filing a lis pendens, ~~fifty~~ sixty dollars.
- 30    *h.* For applicable convictions under section 692A.110 prior  
31 to July 1, 2009, a civil penalty of two hundred ten dollars,  
32 and for applicable convictions under section 692A.110 on or  
33 after July 1, 2009, a civil penalty of two hundred ~~fifty~~ sixty  
34 dollars.
- 35    *i.* Other fees provided by law.

1 Sec. 28. Section 602.8106, subsection 1, paragraph d, Code  
2 2020, is amended to read as follows:

3 d. For court costs in scheduled violation cases where a  
4 court appearance is required, ~~sixty~~ fifty-five dollars.

5 Sec. 29. Section 631.6, subsection 1, paragraphs a and c,  
6 Code 2020, are amended to read as follows:

7 a. Fees for filing and docketing shall be ~~eighty-five~~  
8 ninety-five dollars.

9 c. Postage charged for the mailing of original notice shall  
10 be ~~ten~~ twenty dollars.

11 DIVISION IV

12 SCHEDULED VIOLATIONS

13 Sec. 30. Section 321.24, subsection 12, Code 2020, is  
14 amended to read as follows:

15 12. A person who violates this section commits a simple  
16 misdemeanor punishable as a scheduled violation under section  
17 805.8A, subsection 2, paragraph "b".

18 Sec. 31. Section 321.260, subsection 2, Code 2020, is  
19 amended to read as follows:

20 2. It shall be unlawful for any person to have in the  
21 person's possession any official traffic-control device  
22 except by legal right or authority. Any person convicted  
23 of unauthorized possession of any official traffic-control  
24 device shall upon conviction be guilty of a simple misdemeanor  
25 punishable as a scheduled violation under section 805.8A,  
26 subsection 8, paragraph "c". ~~In addition to any other~~  
27 ~~penalties, the punishment imposed for a violation of this~~  
28 ~~subsection shall include assessment of a fine of not less than~~  
29 ~~two hundred fifty dollars.~~

30 Sec. 32. Section 321.262, subsection 2, Code 2020, is  
31 amended to read as follows:

32 2. The driver shall remain at the scene of the accident  
33 until the driver has fulfilled the requirements of section  
34 321.263. Any person failing to remain at the scene of the  
35 accident or fulfill the requirements of section 321.263 under

1 such circumstances shall be guilty of a simple misdemeanor  
2 ~~and punished as provided in section 321.482~~ punishable as  
3 a scheduled violation under section 805.8A, subsection 14,  
4 paragraph "m".

5 Sec. 33. Section 321.264, Code 2020, is amended to read as  
6 follows:

7 **321.264 Striking unattended vehicle.**

8 The driver of any vehicle which collides with any vehicle  
9 which is unattended shall immediately stop and shall then and  
10 there either locate and notify the operator or owner of such  
11 vehicle of the name and address of the driver and owner of the  
12 vehicle striking the unattended vehicle or shall leave in a  
13 conspicuous place in the vehicle struck a written notice giving  
14 the name and address of the driver and of the owner of the  
15 vehicle doing the striking and a statement of the circumstances  
16 thereof. A person who violates this section commits a simple  
17 misdemeanor punishable as a scheduled violation under section  
18 805.8A, subsection 14, paragraph "n".

19 Sec. 34. Section 321.265, Code 2020, is amended to read as  
20 follows:

21 **321.265 Striking fixtures upon a highway.**

22 The driver of a vehicle involved in an accident resulting  
23 in damage to property legally upon or adjacent to a highway  
24 shall take reasonable steps to locate and notify the owner,  
25 a peace officer, or person in charge of the damaged property  
26 of the damage and shall inform the person of the driver's name  
27 and address and the registration number of the vehicle causing  
28 the damage and shall, upon request and if available, exhibit  
29 the driver's license of the driver of the vehicle and shall  
30 report the accident when and as required in section 321.266. A  
31 person who violates this section commits a simple misdemeanor  
32 punishable as a scheduled violation under section 805.8A,  
33 subsection 14, paragraph "o".

34 Sec. 35. Section 321.324A, Code 2020, is amended by adding  
35 the following new subsection:

1     NEW SUBSECTION. 4. A person who violates this section  
2 commits a simple misdemeanor punishable as a scheduled  
3 violation under section 805.8A, subsection 6, paragraph "Os".

4     Sec. 36. Section 321.371, subsection 2, Code 2020, is  
5 amended to read as follows:

6     2. A person who violates this section commits a simple  
7 misdemeanor punishable as a scheduled violation under section  
8 805.8A, subsection 14, paragraph "p".

9     Sec. 37. Section 321.372, subsection 5, paragraph b,  
10 subparagraph (1), Code 2020, is amended to read as follows:

11     (1) For a first offense under subsection 3, the person is  
12 guilty of a simple misdemeanor punishable by a fine of at least  
13 ~~two hundred fifty~~ three hundred forty-five dollars but not more  
14 than ~~six hundred seventy-five~~ nine hundred thirty dollars or  
15 by imprisonment for not more than thirty days, or by both. The  
16 department may require the person to attend and successfully  
17 complete, at the person's own expense, a driver improvement  
18 program approved by the department in lieu of driver's license  
19 suspension for the offense pursuant to section 321.210.

20     Sec. 38. Section 321.383, subsection 4, Code 2020, is  
21 amended to read as follows:

22     4. Any Except as provided in subsection 5, any person  
23 who violates any provision of this section ~~shall be fined~~  
24 ~~as provided in~~ commits a simple misdemeanor punishable as a  
25 scheduled violation under section 805.8A, subsection 3.

26     Sec. 39. Section 321.383, Code 2020, is amended by adding  
27 the following new subsection:

28     NEW SUBSECTION. 5. A person who operates a self-propelled  
29 implement of husbandry at a speed which exceeds the limit  
30 of thirty-five miles per hour commits a simple misdemeanor  
31 punishable as a scheduled violation under section 805.8A,  
32 subsection 5.

33     Sec. 40. Section 321.431, subsection 6, Code 2020, is  
34 amended to read as follows:

35     6. A person who violates this section commits a simple

1 misdemeanor punishable as a scheduled violation under section  
2 805.8A, subsection 3, paragraph "ad".

3 Sec. 41. Section 805.8A, Code 2020, is amended to read as  
4 follows:

5 **805.8A Motor vehicle and transportation scheduled violations.**

6 1. *Parking violations.*

7 a. For parking violations under sections 321.236, 321.239,  
8 321.358, 321.360, and 321.361, the scheduled fine is five  
9 dollars, except if the local authority has established the  
10 fine by ordinance. The scheduled fine for a parking violation  
11 pursuant to section 321.236 increases by five dollars if  
12 authorized by ordinance and if the parking violation is not  
13 paid within thirty days of the date upon which the violation  
14 occurred. For purposes of calculating the unsecured appearance  
15 bond required under section 805.6, the scheduled fine shall  
16 be five dollars, or if the amount of the fine is greater than  
17 five dollars, the unsecured appearance bond shall be the amount  
18 of the fine established by the local authority. However,  
19 violations charged by a city or county upon simple notice of a  
20 fine instead of a uniform citation and complaint required by  
21 section 321.236, subsection 1, paragraph "b", are not scheduled  
22 violations, and this section shall not apply to any offense  
23 charged in that manner. For a parking violation under section  
24 461A.38, the scheduled fine is ten dollars. For a parking  
25 violation under section 321.362, the scheduled fine is twenty  
26 dollars.

27 b. For a parking violation under section 321L.2A, subsection  
28 2, the scheduled fine is twenty dollars.

29 c. For violations under section 321L.2A, subsection 3,  
30 sections 321L.3, 321L.4, subsection 2, and section 321L.7, the  
31 scheduled fine is two hundred dollars.

32 2. *Title and registration violations.* For title or  
33 registration violations under the following sections, the  
34 scheduled fine is as follows:

35 a. Section 321.17.....~~\$ 50~~ \$ 70.

H-8248 (Continued)

1	<i>b.</i>	Section 321.24.....	\$135.	
2	<del><i>b.</i></del> <i>c.</i>	Section 321.25.....	<del>\$100</del>	\$135.
3	<del><i>e.</i></del> <i>d.</i>	Section 321.32.....	<del>\$ 20</del>	\$ 30.
4	<del><i>d.</i></del> <i>e.</i>	Section 321.34.....	<del>\$ 20</del>	\$ 30.
5	<del><i>e.</i></del> <i>f.</i>	Section 321.37.....	<del>\$ 20</del>	\$ 30.
6	<del><i>f.</i></del> <i>g.</i>	Section 321.38.....	<del>\$ 20</del>	\$ 30.
7	<del><i>g.</i></del> <i>h.</i>	Section 321.41.....	<del>\$ 20</del>	\$ 30.
8	<del><i>h.</i></del> <i>i.</i>	Section 321.45.....	\$100	\$135.
9	<del><i>i.</i></del> <i>j.</i>	Section 321.46.....	\$100	\$135.
10	<del><i>j.</i></del> <i>k.</i>	Section 321.47.....	\$100	\$135.
11	<del><i>k.</i></del> <i>l.</i>	Section 321.48.....	\$100	\$135.
12	<del><i>l.</i></del> <i>m.</i>	Section 321.52.....	\$100	\$135.
13	<del><i>m.</i></del> <i>n.</i>	Section 321.55.....	<del>\$ 50</del>	\$ 70.
14	<del><i>n.</i></del> <i>o.</i>	Section 321.57.....	\$100	\$135.
15	<del><i>o.</i></del> <i>p.</i>	Section 321.62.....	\$100	\$135.
16	<del><i>p.</i></del> <i>q.</i>	Section 321.67.....	\$100	\$135.
17	<del><i>q.</i></del> <i>r.</i>	Section 321.98.....	<del>\$ 50</del>	\$ 70.
18	<del><i>r.</i></del> <i>s.</i>	Section 321.99.....	\$200	\$260.
19	<del><i>s.</i></del> <i>t.</i>	Section 321.104.....	\$100	\$135.
20	<del><i>t.</i></del> <i>u.</i>	Section 321.115.....	<del>\$ 30</del>	\$ 45.
21	<del><i>u.</i></del> <i>v.</i>	Section 321.115A.....	<del>\$ 30</del>	\$ 45.
22	3.	<i>Equipment violations.</i> For equipment violations under the		
23		following sections, the scheduled fine is as follows:		
24	<i>a.</i>	Section 321.234A.....	<del>\$ 50</del>	\$ 70.
25	<i>b.</i>	Section 321.247.....	\$100	\$135.
26	<i>c.</i>	Section 321.317.....	<del>\$ 20</del>	\$ 30.
27	<i>d.</i>	Section 321.381.....	\$100	\$135.
28	<i>e.</i>	Section 321.381A.....	\$100	\$135.
29	<i>f.</i>	Section 321.382.....	<del>\$ 25</del>	\$ 35.
30	<i>g.</i>	Section 321.383, subsection 4.....	<del>\$ 30</del>	\$ 45.
31	<i>h.</i>	Section 321.384.....	<del>\$ 30</del>	\$ 45.
32	<i>i.</i>	Section 321.385.....	<del>\$ 30</del>	\$ 45.
33	<i>j.</i>	Section 321.386.....	<del>\$ 30</del>	\$ 45.
34	<i>k.</i>	Section 321.387.....	<del>\$ 20</del>	\$ 30.
35	<i>l.</i>	Section 321.388.....	<del>\$ 20</del>	\$ 30.

H-8248 (Continued)

1	<i>m.</i>	Section 321.389.....	<del>\$ 20</del>	<u>\$ 30.</u>
2	<i>n.</i>	Section 321.390.....	<del>\$ 20</del>	<u>\$ 30.</u>
3	<i>o.</i>	Section 321.392.....	<del>\$ 20</del>	<u>\$ 30.</u>
4	<i>p.</i>	Section 321.393.....	<del>\$ 20</del>	<u>\$ 30.</u>
5	<i>q.</i>	Section 321.398.....	<del>\$ 30</del>	<u>\$ 45.</u>
6	<i>r.</i>	Section 321.402.....	<del>\$ 30</del>	<u>\$ 45.</u>
7	<i>s.</i>	Section 321.403.....	<del>\$ 30</del>	<u>\$ 45.</u>
8	<i>t.</i>	Section 321.404.....	<del>\$ 30</del>	<u>\$ 45.</u>
9	<i>u.</i>	Section 321.404A.....	<del>\$ 25</del>	<u>\$ 35.</u>
10	<i>v.</i>	Section 321.409.....	<del>\$ 30</del>	<u>\$ 45.</u>
11	<i>w.</i>	Section 321.415.....	<del>\$ 30</del>	<u>\$ 45.</u>
12	<i>x.</i>	Section 321.419.....	<del>\$ 30</del>	<u>\$ 45.</u>
13	<i>y.</i>	Section 321.420.....	<del>\$ 30</del>	<u>\$ 45.</u>
14	<i>z.</i>	Section 321.421.....	<del>\$ 30</del>	<u>\$ 45.</u>
15	<i>aa.</i>	Section 321.422.....	<del>\$ 20</del>	<u>\$ 30.</u>
16	<i>ab.</i>	Section 321.423.....	<del>\$ 30</del>	<u>\$ 45.</u>
17	<i>ac.</i>	Section 321.430.....	<del>\$100</del>	<u>\$135.</u>
18	<i>ad.</i>	Section 321.431.....		<u>\$135.</u>
19	<del><i>ad.</i></del> <u><i>ae.</i></u>	Section 321.432.....	<del>\$ 20</del>	<u>\$ 30.</u>
20	<del><i>ae.</i></del> <u><i>af.</i></u>	Section 321.433.....	<del>\$ 30</del>	<u>\$ 45.</u>
21	<del><i>af.</i></del> <u><i>ag.</i></u>	Section 321.436.....	<del>\$ 20</del>	<u>\$ 30.</u>
22	<del><i>ag.</i></del> <u><i>ah.</i></u>	Section 321.438.....	<del>\$ 50</del>	<u>\$ 70.</u>
23	<del><i>ah.</i></del> <u><i>ai.</i></u>	Section 321.439.....	<del>\$ 20</del>	<u>\$ 30.</u>
24	<del><i>ai.</i></del> <u><i>aj.</i></u>	Section 321.440.....	<del>\$ 20</del>	<u>\$ 30.</u>
25	<del><i>aj.</i></del> <u><i>ak.</i></u>	Section 321.441.....	<del>\$ 20</del>	<u>\$ 30.</u>
26	<del><i>ak.</i></del> <u><i>al.</i></u>	Section 321.442.....	<del>\$ 20</del>	<u>\$ 30.</u>
27	<del><i>al.</i></del> <u><i>am.</i></u>	Section 321.444.....	<del>\$ 20</del>	<u>\$ 30.</u>
28	4. <i>Driver's license violations.</i> For driver's license			
29	violations under the following sections, the scheduled fine is			
30	as follows:			
31	<i>a.</i>	Section 321.174.....	<del>\$ 200</del>	<u>\$ 260.</u>
32	<i>b.</i>	Section 321.174A.....	<del>\$ 50</del>	<u>\$ 70.</u>
33	<i>c.</i>	Section 321.178, subsection 2,		
34		paragraph "a", subparagraph (2).....	<del>\$ 30</del>	<u>\$ 45.</u>
35	<i>d.</i>	Section 321.180.....	<del>\$ 50</del>	<u>\$ 70.</u>

H-8248 (Continued)

- 1 e. Section 321.180B.....~~\$ 50~~ \$ 70.  
2 f. Section 321.193.....~~\$ 50~~ \$ 70.  
3 g. Section 321.194.....~~\$ 50~~ \$ 70.  
4 h. Section 321.216.....~~\$ 100~~ \$ 135.  
5 i. Section 321.216B.....~~\$ 200~~ \$ 260.  
6 j. Section 321.216C.....~~\$ 200~~ \$ 260.  
7 k. Section 321.219.....~~\$ 200~~ \$ 260.  
8 l. Section 321.220.....~~\$ 200~~ \$ 260.  
9 5. *Speed violations.*  
10 a. For excessive speed violations in excess of the limit  
11 under section 321.236, subsections 5 and 11, ~~sections~~ section  
12 321.285, section 321.383, subsection 5, and section 461A.36,  
13 the scheduled fine shall be the following:  
14 (1) ~~Twenty~~ thirty dollars for speed not more than five miles  
15 per hour in excess of the limit.  
16 (2) ~~Forty~~ fifty-five dollars for speed greater than five but  
17 not more than ten miles per hour in excess of the limit.  
18 (3) ~~Eighty~~ One hundred five dollars for speed greater than  
19 ten but not more than fifteen miles per hour in excess of the  
20 limit.  
21 (4) ~~Ninety~~ One hundred twenty dollars for speed greater  
22 than fifteen but not more than twenty miles per hour in excess  
23 of the limit.  
24 (5) One hundred thirty-five dollars plus five dollars for  
25 each mile per hour of excessive speed over twenty miles per  
26 hour over the limit.  
27 b. Excessive speed by a school bus is punishable as provided  
28 in subsection 10.  
29 c. Excessive speed in conjunction with a violation of  
30 section 321.278 is not a scheduled violation, whatever the  
31 amount of excess speed.  
32 d. For a violation under section 321.295, the scheduled fine  
33 is ~~fifty~~ seventy dollars.  
34 6. *Operating violations.* For operating violations under the  
35 following sections, the scheduled fine is as follows:

H-8248 (Continued)

1	<i>a.</i>	Section 321.236, subsections 3, 4, 9,		
2		and 12.....	<del>\$ 20</del>	<u>\$ 30.</u>
3	<i>b.</i>	Section 321.275, subsections 1		
4		through 7.....	<del>\$ 35</del>	<u>\$ 50.</u>
5	<i>c.</i>	Section 321.277A.....	<del>\$ 35</del>	<u>\$ 50.</u>
6	<i>d.</i>	Section 321.288.....	<del>\$100</del>	<u>\$135.</u>
7	<i>e.</i>	Section 321.297.....	<del>\$100</del>	<u>\$135.</u>
8	<i>f.</i>	Section 321.299.....	<del>\$100</del>	<u>\$135.</u>
9	<i>g.</i>	Section 321.302.....	<del>\$100</del>	<u>\$135.</u>
10	<i>h.</i>	Section 321.303.....	<del>\$100</del>	<u>\$135.</u>
11	<i>i.</i>	Section 321.304, subsections 1		
12		and 2.....	<del>\$100</del>	<u>\$135.</u>
13	<i>j.</i>	Section 321.305.....	<del>\$100</del>	<u>\$135.</u>
14	<i>k.</i>	Section 321.306.....	<del>\$100</del>	<u>\$135.</u>
15	<i>l.</i>	Section 321.311.....	<del>\$100</del>	<u>\$135.</u>
16	<i>m.</i>	Section 321.312.....	<del>\$100</del>	<u>\$135.</u>
17	<i>n.</i>	Section 321.314.....	<del>\$100</del>	<u>\$135.</u>
18	<i>o.</i>	Section 321.315.....	<del>\$ 35</del>	<u>\$ 50.</u>
19	<i>p.</i>	Section 321.316.....	<del>\$ 35</del>	<u>\$ 50.</u>
20	<i>q.</i>	Section 321.318.....	<del>\$ 35</del>	<u>\$ 50.</u>
21	<i>r.</i>	Section 321.323.....	<del>\$100</del>	<u>\$135.</u>
22	<u><i>os.</i></u>	<u>Section 321.324A.....</u>	<u>\$135.</u>	
23	<i>s.</i>	Section 321.340.....	<del>\$100</del>	<u>\$135.</u>
24	<i>t.</i>	Section 321.353.....	<del>\$100</del>	<u>\$135.</u>
25	<i>u.</i>	Section 321.354.....	<del>\$100</del>	<u>\$135.</u>
26	<i>v.</i>	Section 321.363.....	<del>\$ 35</del>	<u>\$ 50.</u>
27	<i>w.</i>	Section 321.365.....	<del>\$ 35</del>	<u>\$ 50.</u>
28	<i>x.</i>	Section 321.366.....	<del>\$100</del>	<u>\$135.</u>
29	<i>y.</i>	Section 321.395.....	<del>\$100</del>	<u>\$135.</u>
30	7.	<i>Failure to yield or obey violations.</i>		For failure to yield
31		or obey violations under the following sections, the scheduled		
32		fine is as follows:		
33	<i>a.</i>	Section 321.257, subsection 2, for a violation by an		
34		operator of a motor vehicle.....	<del>\$100</del>	<u>\$135.</u>
35	<i>b.</i>	Section 321.298.....	<del>\$100</del>	<u>\$135.</u>

H-8248 (Continued)

- 1     *c.* Section 321.307.....~~\$100~~ \$135.  
2     *d.* Section 321.313.....~~\$100~~ \$135.  
3     *e.* Section 321.319.....~~\$100~~ \$135.  
4     *f.* Section 321.320.....~~\$100~~ \$135.  
5     *g.* Section 321.321.....~~\$100~~ \$135.  
6     *h.* Section 321.327.....~~\$100~~ \$135.  
7     *i.* Section 321.329.....~~\$100~~ \$135.  
8     *j.* Section 321.333.....~~\$100~~ \$135.  
9     8. *Traffic sign or signal violations.* For traffic sign or  
10 signal violations under the following sections, the scheduled  
11 fine is as follows:  
12     *a.* Section 321.236, subsections 2 and 6.~~\$ 35~~ \$ 50.  
13     *b.* Section 321.256.....~~\$100~~ \$135.  
14     *c.* Section 321.260, subsection 2.....\$455.  
15     ~~*e.*~~ *d.* Section 321.294.....~~\$100~~ \$135.  
16     ~~*d.*~~ *e.* Section 321.304, subsection 3...~~\$100~~ \$135.  
17     ~~*e.*~~ *f.* Section 321.322.....~~\$100~~ \$135.  
18     9. *Bicycle or pedestrian violations.* For bicycle or  
19 pedestrian violations under the following sections, the  
20 scheduled fine for a pedestrian or bicyclist is as follows:  
21     *a.* Section 321.234, subsections 3 and 4.~~\$ 25~~ \$ 35.  
22     *b.* Section 321.236, subsection 10.....~~\$ 15~~ \$ 25.  
23     *c.* Section 321.257, subsection 2.....~~\$ 25~~ \$ 35.  
24     *d.* Section 321.275, subsection 8.....~~\$ 25~~ \$ 35.  
25     *e.* Section 321.325.....~~\$ 25~~ \$ 35.  
26     *f.* Section 321.326.....~~\$ 25~~ \$ 35.  
27     *g.* Section 321.328.....~~\$ 25~~ \$ 35.  
28     *h.* Section 321.331.....~~\$ 25~~ \$ 35.  
29     *i.* Section 321.332.....~~\$ 25~~ \$ 35.  
30     *j.* Section 321.397.....~~\$ 25~~ \$ 35.  
31     *k.* Section 321.434.....~~\$ 25~~ \$ 35.  
32     9A. *Electric personal assistive mobility device*  
33 *violations.* For violations under section 321.235A, the  
34 scheduled fine is ~~fifteen~~ twenty-five dollars.  
35     10. *School bus violations.* For violations by an operator of

1 a school bus under sections 321.285 and 321.372, subsections 1  
2 and 2, the scheduled fine is one hundred thirty-five dollars.  
3 However, an excessive speed violation by a school bus of  
4 more than ten miles per hour in excess of the limit is not a  
5 scheduled violation.

6 11. *a. Emergency vehicle and equipment-related*  
7 *violations.* For violations relating to authorized emergency  
8 vehicles, fire apparatus and equipment, and police bicycles  
9 under the following sections, the scheduled fine is as follows:

- 10 (1) Section 321.231.....~~\$100~~ \$135.  
11 (2) Section 321.323A, subsection 1....~~\$100~~ \$135.  
12 (3) Section 321.324.....~~\$100~~ \$135.  
13 (4) Section 321.367.....~~\$100~~ \$135.  
14 (5) Section 321.368.....~~\$100~~ \$135.

15 *b. Violations relating to stationary nonemergency vehicles.*  
16 For violations relating to the approach of certain stationary  
17 nonemergency vehicles under section 321.323A, subsections 2 and  
18 3, the scheduled fine is one hundred thirty-five dollars.

19 12. *Restrictions on vehicles.*

20 *a.* For violations under sections 321.309, 321.310, 321.394,  
21 321.461, and 321.462, the scheduled fine is ~~thirty-five~~ fifty  
22 dollars.

23 *b.* For violations under section 321.437, the scheduled fine  
24 is ~~thirty-five~~ fifty dollars.

25 *c.* For height, length, width, and load violations under  
26 sections 321.454, 321.455, 321.456, 321.457, and 321.458, the  
27 scheduled fine is two hundred sixty dollars.

28 *d.* For violations under section 321.466, the scheduled fine  
29 is ~~twenty~~ twenty-five dollars for each two thousand pounds or  
30 fraction thereof of overweight.

31 *e.* (1) Violations of the schedule of axle and tandem axle  
32 and gross or group of axle weight violations in section 321.463  
33 shall be scheduled violations subject to the provisions,  
34 procedures, and exceptions contained in sections 805.6 through  
35 805.11, irrespective of the amount of the fine under that

1 schedule.

2 (a) Violations of the schedule of weight violations shall be  
3 chargeable, where the fine charged does not exceed one thousand  
4 dollars, only by uniform citation and complaint.

5 (b) Violations of the schedule of weight violations, where  
6 the fine charged exceeds one thousand dollars shall, when the  
7 violation is admitted and section 805.9 applies, be chargeable  
8 upon uniform citation and complaint, indictment, or county  
9 attorney's information, but otherwise shall be chargeable only  
10 upon indictment or county attorney's information.

11 (2) In all cases of charges under the schedule of weight  
12 violations, the charge shall specify the amount of fine charged  
13 under the schedule. Where a defendant is convicted and the  
14 fine under the foregoing schedule of weight violations exceeds  
15 one thousand dollars, the conviction shall be of an indictable  
16 offense although section 805.9 is employed and whether the  
17 violation is charged upon uniform citation and complaint,  
18 indictment, or county attorney's information.

19 *f.* For a violation under section 321E.16, other than the  
20 provisions relating to weight, the scheduled fine is two  
21 hundred sixty dollars.

22 13. *Motor carrier and other operator violations.*

23 *a.* (1) For a violation under section 321.54, the scheduled  
24 fine is ~~thirty~~ forty-five dollars.

25 (2) For violations under sections 326.22 and 326.23, the  
26 scheduled fine is ~~fifty~~ seventy dollars.

27 *b.* For a violation under section 321.449, 321.449A, or  
28 321.449B, the scheduled fine is ~~fifty~~ seventy dollars.

29 *c.* For violations under sections 321.364, 321.450, 321.460,  
30 and 452A.52, the scheduled fine is two hundred sixty dollars.

31 *d.* For violations of section 325A.3, subsection 6, or  
32 section 325A.8, the scheduled fine is one hundred thirty-five  
33 dollars.

34 *e.* For violations of chapter 325A, other than a violation of  
35 section 325A.3, subsection 6, or section 325A.8, the scheduled

1 fine is ~~two~~ three hundred fifty twenty-five dollars.

2 *f.* For violations of section 327B.1, subsection 1 or 3, the  
3 scheduled fine is ~~two~~ three hundred fifty twenty-five dollars.

4 14. *Miscellaneous violations.*

5 *a. Failure to obey a peace officer.* For a violation under  
6 section 321.229, the scheduled fine is one hundred thirty-five  
7 dollars.

8 *b. Abandoning a motor vehicle.* For a violation under  
9 section 321.91, the scheduled fine is two hundred sixty  
10 dollars.

11 *c. Seat belt or restraint violations.*

12 (1) For a violation under section 321.445, the scheduled  
13 fine is fifty seventy dollars.

14 (2) For a violation under section 321.446, the scheduled  
15 fine is one hundred thirty-five dollars.

16 *d. Litter and debris violations.* For violations under  
17 sections 321.369 and 321.370, the scheduled fine is ~~seventy~~  
18 ninety dollars.

19 *e. Open container violations.* For violations under sections  
20 321.284 and 321.284A, the scheduled fine is two hundred sixty  
21 dollars.

22 *f. Proof of financial responsibility.* If, in connection  
23 with a motor vehicle accident, a person is charged and found  
24 guilty of a violation of section 321.20B, subsection 1,  
25 the scheduled fine is ~~five~~ six hundred forty-five dollars;  
26 otherwise, the scheduled fine for a violation of section  
27 321.20B, subsection 1, is ~~two~~ three hundred fifty twenty-five  
28 dollars. Notwithstanding section 805.12, fines collected  
29 pursuant to this paragraph shall be submitted to the state  
30 court administrator and distributed fifty percent to the victim  
31 compensation fund established in section 915.94, twenty-five  
32 percent to the county in which such fine is imposed, and  
33 twenty-five percent to the general fund of the state.

34 *g. Speed detection jamming devices.* For a violation under  
35 section 321.232, the scheduled fine is one hundred thirty-five

1 dollars.

2 *h. Railroad crossing violations.* For violations under  
3 sections 321.341, 321.342, 321.343, and 321.344, and 321.344B,  
4 the scheduled fine is two hundred sixty dollars.

5 *i. Road work zone violations.* The scheduled fine for any  
6 moving traffic violation under chapter 321, as provided in  
7 this section, shall be doubled if the violation occurs within  
8 any road work zone, as defined in section 321.1. However,  
9 notwithstanding subsection 5, the scheduled fine for violating  
10 the speed limit in a road work zone is as follows:

11 (1) One hundred ~~five~~ ninety-five dollars for speed not more  
12 than ten miles per hour over the posted speed limit.

13 (2) Three hundred ninety dollars for speed greater than ten  
14 but not more than twenty miles per hour over the posted speed  
15 limit.

16 (3) ~~Five~~ Six hundred forty-five dollars for speed greater  
17 than twenty but not more than twenty-five miles per hour over  
18 the posted speed limit.

19 (4) One thousand two hundred eighty-five dollars for speed  
20 greater than twenty-five miles per hour over the posted speed  
21 limit.

22 *j. Vehicle component parts records violations.* For  
23 violations under section 321.95, the scheduled fine is ~~five~~  
24 seventy dollars.

25 *k. Actions against a person on a bicycle.* For violations  
26 under section 321.281, the scheduled fine is ~~two~~ three hundred  
27 ~~five~~ twenty-five dollars.

28 *l. Writing, sending, or viewing an electronic message while*  
29 *driving violations.* For violations under section 321.276, the  
30 scheduled fine is ~~thirty~~ forty-five dollars.

31 *m. Leaving scene of traffic accident.* For violations under  
32 section 321.262, the scheduled fine is one hundred thirty-five  
33 dollars.

34 *n. Striking unattended vehicle.* For violations under  
35 section 321.264, the scheduled fine is one hundred thirty-five

1 dollars.

2 *o. Striking fixtures upon highway.* For violations under  
3 section 321.265, the scheduled fine is one hundred thirty-five  
4 dollars.

5 *p. Clearing up wrecks.* For violations under section  
6 321.371, the scheduled fine is thirty-five dollars.

7 Sec. 42. Section 805.8B, Code 2020, is amended to read as  
8 follows:

9 **805.8B Navigation, recreation, hunting, and fishing scheduled**  
10 **violations.**

11 1. *Navigation violations.*

12 a. For violations of registration, inspections,  
13 identification, and record provisions under sections 462A.5,  
14 462A.35, and 462A.37, and for unused or improper or defective  
15 lights and warning devices under section 462A.9, subsections 3,  
16 4, 5, 9, and 10, the scheduled fine is ~~ten~~ twenty dollars.

17 b. For violations of registration, identification, and  
18 record provisions under sections 462A.4 and 462A.10, and for  
19 unused or improper or defective equipment under section 462A.9,  
20 subsections 2, 6, 7, 8, 13, and 14, and section 462A.11, and  
21 for operation violations under sections 462A.26, 462A.31, and  
22 462A.33, the scheduled fine is ~~twenty~~ thirty dollars.

23 c. For operating violations under sections 462A.12, 462A.15,  
24 subsection 1, sections 462A.24, and 462A.34, the scheduled fine  
25 is ~~twenty-five~~ thirty-five dollars. However, a violation of  
26 section 462A.12, subsection 2, is not a scheduled violation.

27 d. For violations of use, location, and storage of vessels,  
28 devices, and structures under sections 462A.27, 462A.28, and  
29 462A.32, the scheduled fine is ~~fifteen~~ twenty-five dollars.

30 e. For violations of all subdivision ordinances under  
31 section 462A.17, subsection 2, except those relating to  
32 matters subject to regulation by authority of section 462A.31,  
33 subsection 5, the scheduled fine is the same as prescribed for  
34 similar violations of state law. For violations of subdivision  
35 ordinances for which there is no comparable state law, the

1 scheduled fine is ~~ten~~ twenty dollars.

2 2. *Snowmobile violations.*

3 a. For registration or user permit violations under section  
4 321G.3, subsection 1, or section 321G.4B, the scheduled fine is  
5 fifty sixty-five dollars.

6 b. (1) For operating violations under section 321G.9, the  
7 scheduled fine is fifty seventy dollars.

8 (2) For operating violations under sections 321G.11 and  
9 321G.13, subsection 1, paragraph "d", the scheduled fine is  
10 twenty thirty dollars.

11 (3) For operating violations under section 321G.13,  
12 subsection 1, paragraphs "a", "b", "e", "f", "g", "h", and "i",  
13 and section 321G.13, subsections 2 and 3, the scheduled fine is  
14 one hundred thirty-five dollars.

15 c. For improper or defective equipment under section  
16 321G.12, the scheduled fine is twenty thirty dollars.

17 d. For violations of section 321G.19, the scheduled fine is  
18 twenty thirty dollars.

19 e. For decal violations under section 321G.5, the scheduled  
20 fine is twenty thirty dollars.

21 f. For stop signal violations under section 321G.17, the  
22 scheduled fine is one hundred thirty-five dollars.

23 g. For violations of section 321G.20 and for education  
24 certificate violations under section 321G.24, subsection 1, the  
25 scheduled fine is fifty seventy dollars.

26 h. For violations of section 321G.21, the scheduled fine is  
27 one hundred thirty-five dollars.

28 2A. *All-terrain vehicle violations.*

29 a. For registration or user permit violations under section  
30 321I.3, subsection 1, the scheduled fine is fifty seventy  
31 dollars.

32 b. (1) For operating violations under sections 321I.12 and  
33 321I.14, subsection 1, paragraph "d", the scheduled fine is  
34 twenty thirty dollars.

35 (2) For operating violations under section 321I.10,

1 subsections 1 and 4, the scheduled fine is fifty seventy  
2 dollars.

3 (3) For operating violations under section 321I.14,  
4 subsection 1, paragraphs "a", "e", "f", "g", and "h", and  
5 section 321I.14, subsections 2, 3, 4, and 5, the scheduled fine  
6 is one hundred thirty-five dollars.

7 c. For improper or defective equipment under section  
8 321I.13, the scheduled fine is twenty thirty dollars.

9 d. For violations of section 321I.20, the scheduled fine is  
10 twenty thirty dollars.

11 e. For decal violations under section 321I.6, the scheduled  
12 fine is twenty thirty dollars.

13 f. For stop signal violations under section 321I.18, the  
14 scheduled fine is one hundred thirty-five dollars.

15 g. For violations of section 321I.21 and for education  
16 certificate violations under section 321I.26, subsection 1, the  
17 scheduled fine is fifty seventy dollars.

18 h. For violations of section 321I.22, the scheduled fine is  
19 one hundred thirty-five dollars.

20 3. *Hunting and fishing violations.*

21 a. For violations of section 484A.2, the scheduled fine is  
22 ~~ten~~ twenty dollars.

23 b. For violations of sections 481A.54, 481A.69, 481A.71,  
24 481A.72, 482.6, 483A.3, 483A.6, 483A.8A, 483A.19, 483A.27, and  
25 483A.27A, the scheduled fine is twenty thirty dollars.

26 c. For violations of sections 481A.6, 481A.21, 481A.22,  
27 481A.26, 481A.50, 481A.56, 481A.60 through 481A.62, 481A.83,  
28 481A.84, 481A.92, 481A.123, 481A.145, subsection 3, sections  
29 483A.6A, 483A.7, 483A.8, 483A.23, 483A.24, and 483A.28, the  
30 scheduled fine is ~~twenty-five~~ thirty-five dollars.

31 d. For violations of sections 481A.7, 481A.24, 481A.47,  
32 481A.52, 481A.53, 481A.55, 481A.58, 481A.76, 481A.90, 481A.91,  
33 481A.97, 481A.122, 481A.126, 481A.142, 481A.145, subsection  
34 2, sections 482.5, 482.7, 482.8, 482.10, and 483A.37, the  
35 scheduled fine is fifty seventy dollars.

H-8248 (Continued)

1 e. For violations of sections 481A.57, 481A.85, 481A.93,  
2 481A.95, 481A.120, 481A.137, 481B.5, 482.3, 482.9, 482.15, and  
3 483A.42, the scheduled fine is one hundred thirty-five dollars.

4 f. For violations of section 481A.38 relating to the taking,  
5 pursuing, killing, trapping or ensnaring, buying, selling,  
6 possessing, or transporting any game, protected nongame  
7 animals, fur-bearing animals, or fur or skin of the animals,  
8 mussels, frogs, or fish or part of them, the scheduled fines  
9 are as follows:

10 (1) For deer or turkey, the scheduled fine is one hundred  
11 thirty-five dollars.

12 (2) For protected nongame, the scheduled fine is one hundred  
13 thirty-five dollars.

14 (3) For mussels, frogs, spawn, or fish, the scheduled fine  
15 is ~~twenty-five~~ thirty-five dollars.

16 (4) For other game, the scheduled fine is ~~fifty~~ seventy  
17 dollars.

18 (5) For fur-bearing animals, the scheduled fine is  
19 ~~seventy-five~~ one hundred dollars.

20 g. For violations of section 481A.38 relating to an attempt  
21 to take, pursue, kill, trap, buy, sell, possess, or transport  
22 any game, protected nongame animals, fur-bearing animals, or  
23 fur or skin of the animals, mussels, frogs, or fish or part of  
24 them, the scheduled fines are as follows:

25 (1) For game or fur-bearing animals, the scheduled fine is  
26 ~~fifty~~ seventy dollars.

27 (2) For protected nongame, the scheduled fine is ~~fifty~~  
28 seventy dollars.

29 (3) For mussels, frogs, spawn, or fish, the scheduled fine  
30 is ~~ten~~ twenty dollars.

31 h. For violations of section 481A.48 relating to  
32 restrictions on game birds and animals, the scheduled fines are  
33 as follows:

34 (1) For out-of-season, the scheduled fine is one hundred  
35 thirty-five dollars.

H-8248 (Continued)

- 1       (2) For over limit, the scheduled fine is one hundred  
2 thirty-five dollars.
- 3       (3) For attempt to take, the scheduled fine is  ~~fifty~~ seventy  
4 dollars.
- 5       (4) For general waterfowl restrictions, the scheduled fine  
6 is  ~~fifty~~ seventy dollars.
- 7       (a) For no federal stamp, the scheduled fine is  ~~fifty~~  
8 seventy dollars.
- 9       (b) For unplugged shotgun, the scheduled fine is  ~~ten~~ twenty  
10 dollars.
- 11       (c) For possession of other than steel shot, the scheduled  
12 fine is  ~~twenty-five~~ thirty-five dollars.
- 13       (d) For early or late shooting, the scheduled fine is  
14  ~~twenty-five~~ thirty-five dollars.
- 15       (5) For possession of a prohibited pistol or revolver while  
16 hunting deer, the scheduled fine is one hundred thirty-five  
17 dollars.
- 18       (6) For possession of a prohibited rifle while hunting  
19 deer, the scheduled fine is  ~~two~~ three hundred  ~~fifty~~ twenty-five  
20 dollars.
- 21       *i.* For violations of section 481A.67 relating to general  
22 violations of fishing laws, the scheduled fine is  ~~twenty-five~~  
23 thirty-five dollars.
- 24       (1) For over limit catch, the scheduled fine is  ~~thirty~~  
25 forty-five dollars.
- 26       (2) For under minimum length or weight, the scheduled fine  
27 is  ~~twenty~~ thirty dollars.
- 28       (3) For out-of-season fishing, the scheduled fine is  ~~fifty~~  
29 seventy dollars.
- 30       *j.* For violations of section 481A.73 relating to trotlines  
31 and throwlines:
- 32       (1) For trotline or throwline violations in legal waters,  
33 the scheduled fine is  ~~twenty-five~~ thirty-five dollars.
- 34       (2) For trotline or throwline violations in illegal waters,  
35 the scheduled fine is  ~~fifty~~ seventy dollars.

H-8248 (Continued)

1     *k.* For violations of section 481A.144, subsection 4, or  
2 section 481A.145, subsections 4, 5, and 6, relating to minnows:

3       (1) For general minnow violations, the scheduled fine is  
4 ~~twenty-five~~ thirty-five dollars.

5       (2) For commercial purposes, the scheduled fine is ~~forty~~  
6 seventy dollars.

7     *l.* For violations of section 481A.87 relating to the taking  
8 or possessing of fur-bearing animals out of season:

9       (1) For red fox, gray fox, or mink, the scheduled fine is  
10 one hundred thirty-five dollars.

11       (2) For all other furbearers, the scheduled fine is ~~forty~~  
12 seventy dollars.

13     *m.* For violations of section 482.4 relating to gear tags:

14       (1) For commercial license violations, the scheduled fine  
15 is one hundred thirty-five dollars.

16       (2) For no gear tags, the scheduled fine is ~~twenty-five~~  
17 thirty-five dollars.

18     *n.* For violations of section 482.11, the scheduled fine is  
19 one hundred thirty-five dollars.

20     *o.* For violations of rules adopted pursuant to section  
21 483A.1 relating to licenses and permits, the scheduled fines  
22 are as follows:

23       (1) For a license or permit costing ten dollars or less, the  
24 scheduled fine is ~~twenty~~ thirty dollars.

25       (2) For a license or permit costing more than ten dollars  
26 but not more than twenty dollars, the scheduled fine is ~~thirty~~  
27 forty-five dollars.

28       (3) For a license or permit costing more than twenty dollars  
29 but not more than forty dollars, the scheduled fine is ~~forty~~  
30 seventy dollars.

31       (4) For a license or permit costing more than forty dollars  
32 but not more than fifty dollars, the scheduled fine is ~~seventy~~  
33 ninety-five dollars.

34       (5) For a license or permit costing more than fifty dollars  
35 but less than one hundred dollars, the scheduled fine is one

1 hundred thirty-five dollars.

2 (6) For a license or permit costing one hundred dollars or  
3 more, the scheduled fine is two times the cost of the original  
4 license or permit.

5 *p.* For violations of section 483A.26 relating to false  
6 claims for licenses:

7 (1) For making a false claim for a license by a resident,  
8 the scheduled fine is ~~five~~ seventy dollars.

9 (2) For making a false claim for a license by a nonresident,  
10 the scheduled fine is one hundred thirty-five dollars.

11 *q.* For violations of section 483A.36 relating to the  
12 conveyance of guns:

13 (1) For conveying an assembled, unloaded gun, the scheduled  
14 fine is ~~twenty-five~~ thirty-five dollars.

15 (2) For conveying a loaded gun, the scheduled fine is ~~five~~  
16 seventy dollars.

17 4. *Ginseng violations.* For a violation of section 456A.24,  
18 subsection 11, the scheduled fine is one hundred thirty-five  
19 dollars.

20 5. *Aquatic invasive species violations.* For violations  
21 of section 456A.37, subsection 3, the scheduled fine is as  
22 follows:

23 *a.* For violations of section 456A.37, subsection 3,  
24 paragraph "a", the scheduled fine is ~~five~~ six hundred forty-five  
25 dollars.

26 *b.* For violations of section 456A.37, subsection 3,  
27 paragraph "b", the scheduled fine is ~~seventy-five~~ one hundred  
28 dollars.

29 *c.* For repeat violations of section 456A.37, subsection 3,  
30 paragraph "a" or "b", within the same twelve-month period, the  
31 scheduled fine shall include an additional fine of ~~five~~ six  
32 hundred forty-five dollars for each violation.

33 6. *Misuse of parks and preserves.*

34 *a.* For violations under sections 461A.39, 461A.45, and  
35 461A.50, the scheduled fine is ~~ten~~ twenty dollars.

1     *b.* For violations under sections 461A.40, 461A.46, and  
2 461A.49, the scheduled fine is ~~fifteen~~ twenty-five dollars.

3     *c.* For violations of sections 461A.35, 461A.42, and 461A.44,  
4 the scheduled fine is ~~fifty~~ seventy dollars.

5     *d.* For violations of section 461A.48, the scheduled fine is  
6 ~~twenty-five~~ thirty-five dollars.

7     *e.* For violations under section 461A.43, the scheduled fine  
8 is ~~thirty~~ forty-five dollars.

9     Sec. 43. Section 805.8C, Code 2020, is amended to read as  
10 follows:

11     **805.8C Miscellaneous scheduled violations.**

12     1. *Energy emergency violations.* For violations of an  
13 executive order issued by the governor under the provisions of  
14 section 473.8, the scheduled fine is ~~fifty~~ seventy dollars.

15     2. *Alcoholic beverage violations.* For violations of section  
16 123.49, subsection 2, paragraph "h", the scheduled fine for  
17 a licensee or permittee is one thousand ~~five~~ nine hundred  
18 twenty-five dollars, and the scheduled fine for a person who  
19 is employed by a licensee or permittee is ~~five~~ six hundred  
20 forty-five dollars.

21     3. *Violations related to smoking, tobacco, tobacco products,*  
22 *alternative nicotine products, vapor products, and cigarettes.*

23     *a.* For violations described in section 142D.9, subsection 1,  
24 the scheduled fine is fifty dollars, and is a civil penalty,  
25 and the ~~criminal penalty~~ crime services surcharge under section  
26 911.1 shall not be added to the penalty, and the court costs  
27 pursuant to section 805.9, subsection 6, shall not be imposed.  
28 If the civil penalty assessed for a violation described in  
29 section 142D.9, subsection 1, is not paid in a timely manner,  
30 a citation shall be issued for the violation in the manner  
31 provided in section 804.1. However, a person under age  
32 eighteen shall not be detained in a secure facility for failure  
33 to pay the civil penalty. The complainant shall not be charged  
34 a filing fee.

35     *b.* For violations of section 453A.2, subsection 1, by an

1 employee of a retailer, the scheduled fine is as follows:

2 (1) If the violation is a first offense, the scheduled fine  
3 is one hundred thirty-five dollars.

4 (2) If the violation is a second offense, the scheduled fine  
5 is ~~two~~ three hundred fifty twenty-five dollars.

6 (3) If the violation is a third or subsequent offense, the  
7 scheduled fine is ~~five~~ six hundred forty-five dollars.

8 c. For violations of section 453A.2, subsection 2, the  
9 scheduled fine is as follows and is a civil penalty, and the  
10 ~~criminal penalty crime services~~ surcharge under section 911.1  
11 shall not be added to the penalty, and the court costs pursuant  
12 to section 805.9, subsection 6, shall not be imposed:

13 (1) If the violation is a first offense, the scheduled fine  
14 is ~~fifty~~ seventy dollars.

15 (2) If the violation is a second offense, the scheduled fine  
16 is one hundred thirty-five dollars.

17 (3) If the violation is a third or subsequent offense, the  
18 scheduled fine is ~~two~~ three hundred fifty twenty-five dollars.

19 4. *Electrical or mechanical amusement device violations.*

20 a. For violations of legal age for operating an electrical  
21 or mechanical amusement device required to be registered  
22 as provided in section 99B.53, pursuant to section 99B.57,  
23 subsection 1, the scheduled fine is ~~two~~ three hundred fifty  
24 twenty-five dollars. Failure to pay the fine by a person  
25 under the age of eighteen shall not result in the person being  
26 detained in a secure facility.

27 b. For first offense violations concerning electrical or  
28 mechanical amusement devices as provided in section 99B.54,  
29 subsection 2, the scheduled fine is ~~two~~ three hundred fifty  
30 twenty-five dollars.

31 5. *Gambling violations.*

32 a. For violations of legal age for gambling wagering under  
33 section 99D.11, subsection 7, section 99F.9, subsection 5,  
34 and section 725.19, subsection 1, the scheduled fine is ~~five~~  
35 six hundred forty-five dollars. Failure to pay the fine by a

1 person under the age of eighteen shall not result in the person  
2 being detained in a secure facility.

3     *b.* For legal age violations for entering or attempting  
4 to enter a facility under section 99F.9, subsection 6, the  
5 scheduled fine is ~~five~~ six hundred forty-five dollars. Failure  
6 to pay the fine by a person under the age of eighteen shall not  
7 result in the person being detained in a secure facility.

8     6. *Pseudoephedrine sales violations.* For violations of  
9 section 126.23A, subsection 1, by an employee of a retailer, or  
10 for violations of section 126.23A, subsection 2, paragraph "a",  
11 by a purchaser, the scheduled fine is as follows:

12     *a.* If the violation is a first offense, the scheduled fine  
13 is two hundred sixty dollars.

14     *b.* If the violation is a second offense, the scheduled fine  
15 is ~~two~~ three hundred fifty twenty-five dollars.

16     *c.* If the violation is a third or subsequent offense, the  
17 scheduled fine is ~~five~~ six hundred forty-five dollars.

18     7. *Alcoholic beverage violations by persons eighteen,*  
19 *nineteen, or twenty years of age.* For first offense violations  
20 of section 123.47, subsection 4, the scheduled fine is two  
21 hundred sixty dollars.

22     8. *Unlicensed premises owner — under eighteen years of age*  
23 *consumption or possession.* For first offense violations of  
24 section 123.47, subsection 2, the scheduled fine is two hundred  
25 sixty dollars.

26     9. *Notification violations.* For violations of section  
27 229.22, subsection 6, the scheduled fine is one thousand  
28 dollars for a first violation and two thousand dollars for a  
29 second or subsequent violation. The scheduled fine under this  
30 subsection is a civil penalty, and the ~~criminal penalty~~ crime  
31 services surcharge under section 911.1 shall not be added to  
32 the penalty.

33     10. *Scrap metal transaction violations.* For violations  
34 of section 714.27, the scheduled fine is one hundred dollars  
35 for a first violation, five hundred dollars for a second

1 violation within two years, and one thousand dollars for a  
2 third or subsequent violation within two years. The scheduled  
3 fine under this subsection is a civil penalty which shall  
4 be deposited into the general fund of the county or city if  
5 imposed by a designated officer or employee of a county or  
6 city, or deposited in the general fund of the state if imposed  
7 by a state agency, and the ~~criminal penalty~~ crime services  
8 surcharge under section 911.1 shall not be added to the  
9 penalty.

10 11. *Trespassing violations.* For trespasses punishable under  
11 section 716.8, subsection 1 or 5, the scheduled fine is two  
12 hundred sixty dollars for a first violation, ~~five~~ six hundred  
13 forty-five dollars for a second violation, and one thousand  
14 two hundred eighty-five dollars for a third or subsequent  
15 violation.

16 12. *Internet fantasy sports contest violations.* For  
17 violations of legal age for entering an internet fantasy sports  
18 contest under section 99E.7, the scheduled fine is five hundred  
19 dollars. Failure to pay the fine by a person under the age  
20 of eighteen shall not result in the person being detained in  
21 a secure facility.

22 DIVISION V

23 MISDEMEANOR AND FELONY FINES

24 Sec. 44. Section 902.9, subsection 1, paragraphs d and e,  
25 Code 2020, are amended to read as follows:

26 *d.* A class "C" felon, not an habitual offender, shall be  
27 confined for no more than ten years, and in addition shall be  
28 sentenced to a fine of at least one thousand three hundred  
29 seventy dollars but not more than ~~ten~~ thirteen thousand six  
30 hundred sixty dollars.

31 *e.* A class "D" felon, not an habitual offender, shall be  
32 confined for no more than five years, and in addition shall  
33 be sentenced to a fine of at least ~~seven hundred fifty one~~  
34 thousand twenty-five dollars but not more than ~~seven~~ ten  
35 thousand five two hundred forty-five dollars.

1     Sec. 45. Section 903.1, subsections 1 and 2, Code 2020, are  
2 amended to read as follows:

3     1. If a person eighteen years of age or older is convicted  
4 of a simple or serious misdemeanor and a specific penalty is  
5 not provided for or if a person under eighteen years of age  
6 has been waived to adult court pursuant to section 232.45 on  
7 a felony charge and is subsequently convicted of a simple,  
8 serious, or aggravated misdemeanor, the court shall determine  
9 the sentence, and shall fix the period of confinement or the  
10 amount of fine, which fine shall not be suspended by the court,  
11 within the following limits:

12     a. For a simple misdemeanor, there shall be a fine of at  
13 least ~~sixty-five~~ one hundred five dollars but not to exceed ~~six~~  
14 eight hundred ~~twenty-five~~ fifty-five dollars. The court may  
15 order imprisonment not to exceed thirty days in lieu of a fine  
16 or in addition to a fine.

17     b. For a serious misdemeanor, there shall be a fine of at  
18 least ~~three~~ four hundred ~~fifteen~~ thirty dollars but not to  
19 exceed ~~one~~ two thousand ~~eight~~ five hundred ~~seventy-five~~ sixty  
20 dollars. In addition, the court may also order imprisonment  
21 not to exceed one year.

22     2. When a person is convicted of an aggravated misdemeanor,  
23 and a specific penalty is not provided for, the maximum penalty  
24 shall be imprisonment not to exceed two years. There shall be  
25 a fine of at least ~~six~~ eight hundred ~~twenty-five~~ fifty-five  
26 dollars but not to exceed ~~six~~ eight thousand ~~two~~ five hundred  
27 ~~fifty~~ forty dollars. When a judgment of conviction of an  
28 aggravated misdemeanor is entered against any person and the  
29 court imposes a sentence of confinement for a period of more  
30 than one year the term shall be an indeterminate term.

31                                   DIVISION VI

32                                   CRIMINALISTICS LABORATORY FUND

33     Sec. 46. Section 691.9, Code 2020, is amended to read as  
34 follows:

35     **691.9 Criminalistics laboratory fund.**

1 A criminalistics laboratory fund is created as a separate  
2 fund in the state treasury under the control of the department  
3 of public safety. The fund shall consist of appropriations  
4 made to the fund and transfers of interest, moneys collected  
5 from the crime services surcharge established in section 911.1,  
6 and earnings. All moneys in the fund are appropriated to  
7 the department of public safety for use by the department in  
8 criminalistics laboratory equipment and supply purchasing,  
9 maintenance, depreciation, ~~and~~ training, and payments of the  
10 fees charged by the department of administrative services for  
11 the criminalistics laboratory facility in Ankeny. Any balance  
12 in the fund on June 30 of any fiscal year shall not revert to  
13 any other fund of the state but shall remain available for the  
14 purposes described in this section.

15 DIVISION VII

16 DRUG ABUSE RESISTANCE EDUCATION FUND

17 Sec. 47. NEW SECTION. 80E.4 Drug abuse resistance education  
18 fund.

19 A drug abuse resistance education fund is created as a  
20 separate fund in the state treasury under the control of the  
21 governor's office of drug control policy for use by the drug  
22 abuse resistance education program and other programs with a  
23 similar purpose. The fund shall consist of appropriations made  
24 to the fund and transfers of interest, moneys collected from  
25 the crime services surcharge established in section 911.1,  
26 and earnings. All moneys in the fund are appropriated to the  
27 governor's office of drug control policy. Notwithstanding  
28 section 8.33, any balance in the fund on June 30 of any fiscal  
29 year shall not revert to any other fund of the state but shall  
30 remain available for the purposes described in this section.

31 DIVISION VIII

32 EMERGENCY MEDICAL SERVICES FUND

33 Sec. 48. Section 135.25, Code 2020, is amended to read as  
34 follows:

35 135.25 Emergency medical services fund.

1 An emergency medical services fund is created in the state  
2 treasury under the control of the department. The fund  
3 includes, but is not limited to, amounts appropriated by the  
4 general assembly, amounts transferred pursuant to section  
5 602.8108, subsection 4, and other moneys available from  
6 federal or private sources which are to be used for purposes  
7 of this section. Funds remaining in the fund at the end of  
8 each fiscal year shall not revert to the general fund of the  
9 state but shall remain in the emergency medical services fund,  
10 notwithstanding section 8.33. The fund is established to  
11 assist counties by matching, on a dollar-for-dollar basis,  
12 moneys spent by a county for the acquisition of equipment for  
13 the provision of emergency medical services and by providing  
14 grants to counties for education and training in the delivery  
15 of emergency medical services, as provided in this section and  
16 section 422D.6. A county seeking matching funds under this  
17 section shall apply to the emergency medical services division  
18 of the department. The department shall adopt rules concerning  
19 the application and awarding process for the matching funds and  
20 the criteria for the allocation of moneys in the fund if the  
21 moneys are insufficient to meet the emergency medical services  
22 needs of the counties. Moneys allocated by the department to a  
23 county for emergency medical services purposes may be used for  
24 equipment or training and education as determined by the board  
25 of supervisors pursuant to section 422D.6.

26 DIVISION IX

27 FUNDING FOR JUVENILE DETENTION HOME FUND

28 Sec. 49. Section 232.142, subsection 6, Code 2020, is  
29 amended to read as follows:

30 6. A juvenile detention home fund is created in the state  
31 treasury under the authority of the department. The fund shall  
32 consist of moneys deposited in the fund pursuant to ~~sections~~  
33 ~~321.218A and 321A.32A~~ section 602.8108. The moneys in the fund  
34 shall be used for the costs of the establishment, improvement,  
35 operation, and maintenance of county or multicounty juvenile

1 detention homes in accordance with annual appropriations made  
2 by the general assembly from the fund for these purposes.

3 Sec. 50. Section 321.210B, subsection 7, Code 2020, is  
4 amended to read as follows:

5 7. *a.* A civil penalty assessed pursuant to section  
6 ~~321.218A, 321A.32A, or 321J.17~~ shall be added to the amount  
7 owing under the installment agreement.

8 ~~*b.* The clerk of the district court shall transmit to the~~  
9 ~~department, from the first moneys collected, an amount equal to~~  
10 ~~the amount of any civil penalty assessed pursuant to section~~  
11 ~~321.218A or 321A.32A and added to the installment agreement.~~  
12 ~~The department shall transmit the money received from the~~  
13 ~~clerk of the district court pursuant to this paragraph to the~~  
14 ~~treasurer of state for deposit in the juvenile detention home~~  
15 ~~fund created in section 232.142.~~

16 ~~*e.*~~ *b.* The clerk of the district court shall transmit to the  
17 department, from the first moneys collected, an amount equal to  
18 the amount of any civil penalty assessed pursuant to section  
19 321J.17 and added to the installment agreement. The department  
20 shall transmit the money received from the clerk of the  
21 district court pursuant to this paragraph to the treasurer of  
22 state who shall deposit one-half of the money in the separate  
23 fund established in section 915.94 and one-half of the money in  
24 the general fund of the state.

25 Sec. 51. Section 321M.9, subsection 1, Code 2020, is amended  
26 to read as follows:

27 1. *Fees to counties.* Notwithstanding any other provision  
28 in the Code to the contrary, the county treasurer of a county  
29 authorized to issue driver's licenses under this chapter shall  
30 retain for deposit in the county general fund seven dollars of  
31 fees received for each issuance or renewal of driver's licenses  
32 and nonoperator's identification cards, but shall not retain  
33 any moneys for the issuance of any persons with disabilities  
34 identification devices. The five dollar processing fee charged  
35 by a county treasurer for collection of a civil penalty under

1 section ~~321.218A, 321A.32A,~~ or 321J.17 shall be retained for  
2 deposit in the county general fund. The county treasurer  
3 shall remit the balance of fees and all civil penalties to the  
4 department.

5 Sec. 52. Section 331.557A, subsection 4, Code 2020, is  
6 amended to read as follows:

7 4. Accept payment of the civil penalties penalty assessed  
8 pursuant to ~~sections 321.218A, 321A.32A,~~ and section 321J.17  
9 and remit the penalties penalty to the state department of  
10 transportation.

11 Sec. 53. REPEAL. Sections 321.218A and 321A.32A, Code 2020,  
12 are repealed.

13 DIVISION X

14 NONRESIDENT STATE PARK USER FEE PILOT PROGRAM

15 Sec. 54. Section 455A.14A, subsection 1, paragraph a, Code  
16 2020, is amended to read as follows:

17 a. The department shall charge an entrance fee of five  
18 dollars per vehicle ~~for a~~ if the vehicle is operated by a  
19 nonresident of the state, which the nonresident operator shall  
20 pay.

21 Sec. 55. Section 455A.14B, subsection 1, paragraph a, Code  
22 2020, is amended to read as follows:

23 a. The department shall charge an entrance fee of five  
24 dollars per vehicle ~~for a~~ if the vehicle is operated by a  
25 nonresident of the state, which the nonresident operator shall  
26 pay.

27 Sec. 56. Section 805.8C, Code 2020, is amended by adding the  
28 following new subsection:

29 NEW SUBSECTION. 13. *State park user fee violations.* For  
30 failure to pay the entrance fee by a nonresident operator of a  
31 vehicle under section 455A.14A, subsection 1, paragraph "a",  
32 or under section 455A.14B, subsection 1, paragraph "a", the  
33 scheduled fine is fifteen dollars.

34 DIVISION XI

35 EFFECTIVE DATE

H-8248 (Continued)

1     Sec. 57. EFFECTIVE DATE. This Act takes effect July 15,  
2 2020.>

3     2. Title page, by striking lines 1 through 3 and inserting  
4 <An Act relating to the criminal and juvenile justice system  
5 by modifying criminal penalties, surcharges, fines, fees, and  
6 costs, creating and modifying funds, making appropriations and  
7 allocating revenues, modifying installment agreements, and  
8 providing effective date provisions.>

By HEIN of Jones

[H-8248](#) FILED JUNE 10, 2020

SENATE FILE 2310

H-8245

1 Amend the amendment, H-8240, to Senate File 2310, as  
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 9, before line 21 by inserting:

4 <\_\_\_. Page 5, after line 26 by inserting:

5 <DIVISION \_\_\_\_

6 SCHOOL DISTRICT SAVINGS REPORT

7 Sec. \_\_\_\_. SCHOOL DISTRICT COVID-19 SAVINGS REPORT FOR  
8 BUDGET YEAR 2019-2020. Each school district shall submit a  
9 report to the department of education, in a format and by a  
10 date as determined by the department, detailing the beginning  
11 fund balances for the budget year beginning July 1, 2020, and  
12 any savings to the school district resulting from the closure  
13 of schools due to the COVID-19 pandemic during the school  
14 budget year beginning July 1, 2019, and ending June 30, 2020,  
15 including but not limited to savings from transportation, the  
16 number of employees laid off by the school district listed  
17 by staff position and whether such employees were reported  
18 to receive unemployment compensation benefits, and spring or  
19 summer programs canceled or otherwise impacted.>>

20 2. By renumbering as necessary.

By MOORE of Cass

H-8245 FILED JUNE 10, 2020

SENATE FILE 2310

H-8246

1 Amend the amendment, H-8240, to Senate File 2310, as  
2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 3, through page 9, line 20, and  
4 inserting:

5 <\_\_\_. Page 1, before line 1 by inserting:

6 DIVISION I

7 ONLINE LEARNING PROGRAM AND COURSEWORK REQUIREMENTS>

8 \_\_\_. Page 2, line 4, by striking <a.>

9 \_\_\_. Page 2, by striking lines 20 through 28.

10 \_\_\_. Page 2, line 31, by striking <The provisions of  
11 subsection 5> and inserting:

12 <(1) The offer and teach requirements of subsection 5,  
13 paragraphs "a" through "e" and "g" through "j",>

14 \_\_\_. Page 2, line 35, by striking <(1)> and inserting <(a)>

15 \_\_\_. Page 3, line 4, by striking <(2)> and inserting <(b)>

16 \_\_\_. Page 3, after line 6 by inserting:

17 <(2) Notwithstanding subparagraph (1), unnumbered paragraph  
18 1, if either subparagraph (1), subparagraph division (a) or  
19 (b), apply, a school district or accredited nonpublic school  
20 may exceed the limitation specified in subparagraph (1),  
21 unnumbered paragraph 1, to provide world language, personal  
22 finance literacy, and computer science coursework online  
23 in accordance with paragraph "c" and the offer and teach  
24 requirements of subsection 5, paragraphs "f" and "k", and any  
25 such requirement as may be established under subsection 5 for  
26 computer science, shall not apply.>

27 \_\_\_. Page 3, line 7, after <may> by inserting <at the  
28 discretion of the department>

29 \_\_\_. Page 3, line 8, by striking <5> and inserting <5,  
30 paragraphs "a" through "e" and "g" through "j",>

31 \_\_\_. Page 3, line 12, by striking <the requirements of  
32 subsection 5> and inserting <such requirements>

33 \_\_\_. Page 3, line 15, by striking <5> and inserting <5,  
34 paragraphs "a" through "e" and "g" through "j",>

35 \_\_\_. Page 3, line 20, by striking <(1) or (2)> and inserting

1 <(1), (2), or (3)>

2 \_\_\_\_\_. Page 3, line 27, by striking <either> and inserting  
3 <any>

4 \_\_\_\_\_. Page 4, after line 6 by inserting:

5 <(3) An online learning platform offered, subject to the  
6 initial availability of federal funds, by the department in  
7 collaboration with one or more area education agencies or in  
8 partnership with school districts and accredited nonpublic  
9 schools. The online learning platform may deliver distance  
10 education to secondary students, including students receiving  
11 independent private instruction as defined in section 299A.1,  
12 subsection 2, paragraph "b", competent private instruction  
13 under section 299A.2, or private instruction by a nonlicensed  
14 person under section 299A.3, provided the coursework offered  
15 by the online learning platform is taught and supervised by  
16 a teacher licensed under chapter 272 who has online learning  
17 experience and the course content meets the requirements  
18 established by rule pursuant to section 256.7, subsection 32,  
19 paragraph "c". The department and the area education agencies  
20 operating online learning programs pursuant to section 273.16  
21 shall coordinate to ensure the most effective use of resources  
22 and delivery of services. Federal funds, if available, may  
23 be used to offset what would otherwise be costs to school  
24 districts for participation in the program.>

25 \_\_\_\_\_. Page 4, by striking line 11 and inserting:

26 <c. ~~Private providers utilized to provide courses by~~ Courses  
27 provided by private providers to a school>

28 \_\_\_\_\_. Page 5, after line 25 by inserting:

29 <Sec. \_\_\_\_\_. Section 279.10, Code 2020, is amended by adding  
30 the following new subsection:

31 NEW SUBSECTION. 3. a. For the school year beginning July  
32 1, 2020, and ending June 30, 2021, any instruction provided in  
33 accordance with a return-to-learn plan submitted by a school  
34 district or accredited nonpublic school to the department of  
35 education in response to a proclamation of a public health

1 disaster emergency, issued by the governor pursuant to section  
2 29C.6 and related to COVID-19, shall be deemed to meet the  
3 requirements of subsection 1, regardless of the nature,  
4 location, or medium of instruction if the return-to-learn plan  
5 contains the minimum number of days or hours as required by  
6 subsection 1.

7 *b.* This subsection is repealed on July 1, 2021.>

8 \_\_\_\_\_. Page 5, after line 26 by inserting:

9

<DIVISION \_\_\_\_

10 TEMPORARY FLEXIBILITY FOR USE OF CERTAIN MONEYS BY SCHOOL

11 DISTRICTS TO PROVIDE ADDITIONAL INSTRUCTIONAL TIME

12 Sec. \_\_\_\_\_. PROFESSIONAL DEVELOPMENT MONEYS AND HOURS

13 REQUIREMENTS FOR ADDITIONAL INSTRUCTIONAL TIME FOR THE

14 2020-2021 SCHOOL YEAR. Notwithstanding section 257.10,

15 subsection 10, and the professional development requirements

16 of chapter 284, for the school year beginning July 1, 2020,

17 and ending June 30, 2021, the moneys calculated and paid to

18 the school district for professional development pursuant to

19 section 257.10, subsection 10, or section 257.37A, subsection

20 2, to provide thirty-six hours of professional development

21 opportunities held outside of the minimum school day, may

22 instead be used by a school district to provide instructional

23 time to the school calendar in addition to the amount of

24 instructional time required under section 279.10, subsection 1,

25 and the thirty-six-hour professional development requirement

26 of chapter 284 shall be reduced by such number of hours of

27 additional instructional time.

28 Sec. \_\_\_\_\_. DISTRICT MANAGEMENT LEVY FUND — PERMISSIBLE USES

29 BUDGET YEAR 2020-2021.

30 1. For the school budget year beginning July 1, 2020, and

31 ending June 30, 2021, unencumbered moneys remaining in the

32 district management levy fund under section 298A.3 at the

33 end of the budget year beginning July 1, 2019, and ending

34 June 30, 2020, and the taxes certified for levy before the

35 effective date of this Act under section 298.4 and deposited in

1 the district management levy fund for the school budget year  
2 beginning July 1, 2020, and ending June 30, 2021, in addition  
3 to the purposes authorized under section 298.4, may be expended  
4 by a school district to provide additional instructional time  
5 to the school calendar in excess of the amount of instructional  
6 time required under section 279.10, subsection 1, during the  
7 school year beginning July 1, 2020, and ending June 30, 2021.

8 2. The board of directors of a school district,  
9 notwithstanding the budget amendment requirements of chapters  
10 24 and 257, may authorize the expenditure of specified district  
11 management levy funds for purposes specified in subsection 1  
12 by resolution of the board specifying the amount to be used  
13 and the purposes from which the funds will be reallocated, if  
14 the resolution of the board is approved and filed with the  
15 department of education on or before June 30, 2021.

16 DIVISION \_\_\_\_  
17 TEMPORARY FLEXIBILITY FOR CERTAIN EDUCATIONAL INSTRUCTIONAL AND  
18 POLICY REQUIREMENTS

19 Sec. \_\_\_\_ . OPEN ENROLLMENT — EXTENSION OF NOTIFICATION  
20 DEADLINE FOR THE 2020-2021 SCHOOL YEAR. Notwithstanding  
21 section 282.18, subsection 2, paragraph "a", for the school  
22 year commencing July 1, 2020, a parent or guardian shall have  
23 until July 15, 2020, to notify to the district of residence and  
24 the receiving district, on forms prescribed by the department  
25 of education, that the parent or guardian intends to enroll  
26 the parent's or guardian's child in an online public school  
27 in another school district, if the child, another resident of  
28 the child's residence, or a regular caretaker of the child  
29 has a significant health condition that increases the risk  
30 of COVID-19. The notification shall include the name of the  
31 person with the health condition, specify the person's health  
32 condition, include written verification of the health condition  
33 from the person's physician or licensed health care provider  
34 and, for persons other than the child, whether the person with  
35 the health condition is a resident of the child's residence

1 or the child's regular caretaker. Section 282.18, subsection  
2 3, shall not apply to a notification submitted in accordance  
3 with this section. Notwithstanding section 282.18, subsection  
4 2, paragraph "b", the superintendent of the receiving school  
5 district is authorized to approve a notification received  
6 under this section. Within fourteen days of receipt of such  
7 notification, the superintendent shall notify the parent or  
8 guardian and the school district of residence that the request  
9 has been approved or denied. If the notification has been  
10 denied or if further review is required, the superintendent  
11 shall provide the parent or guardian with an explanation of  
12 the approval process and expected timeline for the review. A  
13 decision to deny a request submitted under this section is  
14 subject to appeal under section 290.1. The state board shall  
15 exercise broad discretion to achieve just and equitable results  
16 that are in the best interest of the affected child. This  
17 section is not intended to extend the provisions of section  
18 282.18, subsection 2, paragraph "a", for enrollment in a  
19 physical school district.

20 Sec. \_\_\_\_\_. SCHOOL DISTRICT DUTIES RELATING TO PRIVATE  
21 INSTRUCTION AND AN ONLINE LEARNING PROGRAM FOR THE 2020-2021  
22 SCHOOL YEAR.

23 1. For the school year commencing July 1, 2020, all of the  
24 following shall apply:

25 a. Each school district shall provide to children receiving  
26 competent private instruction available texts or supplementary  
27 materials on the same basis as they are provided to enrolled  
28 students and shall provide available texts or supplemental  
29 instructional materials on the same basis as they are provided  
30 to enrolled students when a child is under dual enrollment or  
31 in a home school assistance program.

32 b. Each school district shall offer an assistance program  
33 for parents, guardians, or legal or actual custodians providing  
34 private instruction to a child of compulsory attendance age.

35 2. The provisions of this section shall only apply to

1 children who are enrolled in a school district's home school  
2 assistance program by the child's parent, guardian, or legal or  
3 actual custodian.

4 Sec. \_\_\_\_\_. SCHOOL DISTRICT CLOSURES DURING THE 2020-2021  
5 SCHOOL YEAR. For the school year beginning July 1, 2020, and  
6 ending June 30, 2021, if the governor proclaims a public health  
7 disaster pursuant to section 29C.6, the board of directors of a  
8 school district may authorize closure of the school district  
9 or any school district attendance center due to an outbreak  
10 of COVID-19 in the school district or any school district  
11 attendance center. School districts are encouraged to follow  
12 guidelines issued by the centers for disease control and  
13 prevention of the United States department of health and human  
14 services and may consult with the local board of health when  
15 determining social distancing measures or authorizing a school  
16 closure.

17 Sec. \_\_\_\_\_. INSTRUCTIONAL TIME PROVISIONS FOR SCHOOL  
18 DISTRICTS AND ACCREDITED NONPUBLIC SCHOOLS FOR THE 2020-2021  
19 SCHOOL YEAR.

20 1. Notwithstanding any other provision of law to the  
21 contrary, the instructional time requirements of section  
22 279.10, subsection 1, and the minimum school day requirements  
23 of section 256.7, subsection 19, shall not be waived any time  
24 during the school year beginning July 1, 2020, and ending June  
25 30, 2021, for school closure due to the COVID-19 pandemic  
26 unless the school district or the authorities in charge of the  
27 accredited nonpublic school, as appropriate, provide compulsory  
28 remote learning, including online learning, electronic  
29 learning, distance learning, or virtual learning.

30 2. If the board of directors of a school district or  
31 the authorities in charge of an accredited nonpublic school  
32 determines any time during the school year beginning July  
33 1, 2020, and ending June 30, 2021, that a remote-learning  
34 period is necessary, the school board or the authorities, as  
35 appropriate, shall ensure that teachers and other necessary

1 school staff are available during the remote-learning period to  
2 support students, to participate in professional development  
3 opportunities, and to perform other job-related functions  
4 during the regular, required contract hours, even if the  
5 accessibility to or by the teachers and other necessary school  
6 staff is offered remotely through electronic means.

7 Sec. \_\_\_\_\_. TRUANCY REQUIREMENTS FOR THE 2020-2021 SCHOOL  
8 YEAR. In addition to the provisions of chapter 299, a  
9 child who is enrolled in a school district or accredited  
10 nonpublic school but who does not participate in compulsory  
11 remote-learning opportunities, including online learning,  
12 electronic learning, distance learning, or virtual learning,  
13 offered by the school district or accredited nonpublic school  
14 of enrollment during a period of school closure implemented any  
15 time during the school year beginning July 1, 2020, and ending  
16 June 30, 2021, due to the COVID-19 pandemic shall be considered  
17 truant. This section is not applicable to a child who was  
18 receiving competent private instruction or independent private  
19 instruction in accordance with the requirements of chapter  
20 299A, whose parent, guardian, or legal custodian notified the  
21 school district prior to July 1, 2019. Any child who was  
22 enrolled in a public school or accredited nonpublic school  
23 prior to July 1, 2019, may be subject to the provisions of  
24 chapter 299 if the child's parent, guardian, or legal custodian  
25 did not, for the school year beginning July 1, 2020, complete  
26 and send the report required under section 299.4 to the school  
27 district of residence of the child in a timely manner.

28 Sec. \_\_\_\_\_. TEACHER ENDORSEMENT WAIVER FOR THE 2020-2021  
29 SCHOOL YEAR. For the school year beginning July 1, 2020, and  
30 ending June 30, 2021, notwithstanding any provision to the  
31 contrary, if a school district or accredited nonpublic school  
32 has made every reasonable and good-faith effort to employ a  
33 teacher licensed under chapter 272 who holds an endorsement for  
34 a specified grade level or subject area and is unable to employ  
35 a teacher with the appropriate endorsement, and the school

1 district or accredited nonpublic school is also unable to  
2 develop, or use a private provider to provide, an online course  
3 that meets the requirements of chapter 256, the director of  
4 the department of education may waive the teacher-endorsement  
5 requirements for the specified grade level or subject area for  
6 the school district or accredited nonpublic school, and the  
7 provisions of section 256.9, subsection 48, and section 272.15,  
8 subsection 4, shall not apply.

9       Sec. \_\_\_\_\_. MISCELLANEOUS POLICY PROVISIONS FOR SCHOOLS  
10 FOR THE 2020-2021 SCHOOL YEAR. The following provisions are  
11 applicable for the school year beginning July 1, 2020, and  
12 ending June 30, 2021:

13       1. SOCIAL DISTANCING. In implementing social distancing  
14 policies, the board of directors of each school district and  
15 the authorities in charge of each accredited nonpublic school  
16 shall prioritize core academic subjects.

17       2. STATEWIDE ASSESSMENTS. The provisions of section 256.7,  
18 subsection 21, paragraph "b", relating to the administration  
19 of statewide summative assessment of student progress, and the  
20 assessments administered in accordance with sections 279.60  
21 and 279.68, shall not be waived, and such assessments shall be  
22 administered to students as required by those sections.

23       3. CPR CERTIFICATION — EXCEPTION FOR GRADUATION. If a  
24 school district or accredited nonpublic school closes on the  
25 advice of a local board of health, the department of public  
26 health, or because the governor proclaims a public health  
27 disaster pursuant to section 29C.6, a student who meets the  
28 graduation requirements of section 256.7, subsection 26,  
29 paragraph "a", the requirements of section 280.9A, and the  
30 school district's or accredited nonpublic school's graduation  
31 requirements may graduate without meeting the cardiopulmonary  
32 resuscitation certification requirements of section 256.11,  
33 section 6, paragraph "c".

34       4. NOTIFICATION OF SIGNIFICANT HEALTH CONDITION —  
35 COMPULSORY REMOTE LEARNING. If a parent or guardian of a

1 student enrolled in a school district or accredited nonpublic  
2 school notifies the school district or accredited nonpublic  
3 school in writing that the student, another resident of the  
4 student's residence, or a regular caretaker of the student  
5 has a significant health condition that increases the risk of  
6 COVID-19, the school district or accredited nonpublic school  
7 shall make reasonable accommodations for the student, on a  
8 case-by-case basis, to attend school through remote learning.  
9 The provision of special education and accommodations for  
10 students who have individualized education programs or  
11 section 504 plans in compliance with the requirements of  
12 section 504 of the Rehabilitation Act, 29 U.S.C. §794, and  
13 with Tit. II of the Americans with Disabilities Act, 42  
14 U.S.C. §12131-12165, will be determined by each respective  
15 individualized education program team or section 504 team.  
16 The notification shall include the name of the person with  
17 the health condition, specify the person's health condition,  
18 include written verification of the health condition from the  
19 person's physician or licensed health care provider and, for  
20 persons other than the student, whether the person with the  
21 health condition is a resident of the student's residence  
22 or the student's regular caretaker. A school district or  
23 an accredited nonpublic school may collaborate with an area  
24 education agency or another school district or accredited  
25 nonpublic school to provide remote learning opportunities to a  
26 student who meets the requirements of this section.

27 5. Notwithstanding section 256.7, subsection 32; section  
28 256.9, subsection 55; section 256.43; or any other provision to  
29 the contrary, a school district or accredited nonpublic school  
30 may provide instruction primarily over the internet if such  
31 instruction is provided in accordance with a return-to-learn  
32 plan submitted by the school district or school to the  
33 department of education in response to a proclamation of a  
34 public health disaster emergency, issued by the governor  
35 pursuant to section 29C.6 and related to COVID-19, without

H-8246 (Continued)

1 regard to whether the school or school district is approved to  
2 provide instruction primarily over the internet. Instruction  
3 provided pursuant to this section shall be provided by teachers  
4 licensed pursuant to chapter 272 and shall assure and maintain  
5 evidence of alignment of the courses with the Iowa core and  
6 core content requirements and standards.>

7 \_\_\_\_\_. Title page, by striking lines 1 through 4 and inserting  
8 <An Act relating to educational instructional requirements and  
9 funding flexibility.>>

10 2. By renumbering as necessary.

By MOORE of Cass

H-8246 FILED JUNE 10, 2020

SENATE FILE 2310

H-8247

1 Amend the amendment, H-8240, to Senate File 2310, as  
2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 3, through page 9, line 20, and  
4 inserting:

5 <\_\_\_. Page 1, before line 1 by inserting:

6 DIVISION I

7 ONLINE LEARNING PROGRAM AND COURSEWORK REQUIREMENTS>

8 \_\_\_. Page 2, line 4, by striking <a.>

9 \_\_\_. Page 2, by striking lines 20 through 28.

10 \_\_\_. Page 2, line 31, by striking <The provisions of  
11 subsection 5> and inserting:

12 <(1) The offer and teach requirements of subsection 5,  
13 paragraphs "a" through "e" and "g" through "j",>

14 \_\_\_. Page 2, line 35, by striking <(1)> and inserting <(a)>

15 \_\_\_. Page 3, line 4, by striking <(2)> and inserting <(b)>

16 \_\_\_. Page 3, after line 6 by inserting:

17 <(2) Notwithstanding subparagraph (1), unnumbered paragraph  
18 1, if either subparagraph (1), subparagraph division (a) or  
19 (b), apply, a school district or accredited nonpublic school  
20 may exceed the limitation specified in subparagraph (1),  
21 unnumbered paragraph 1, to provide world language, personal  
22 finance literacy, and computer science coursework online  
23 in accordance with paragraph "c" and the offer and teach  
24 requirements of subsection 5, paragraphs "f" and "k", and any  
25 such requirement as may be established under subsection 5 for  
26 computer science, shall not apply.>

27 \_\_\_. Page 3, line 7, after <may> by inserting <at the  
28 discretion of the department>

29 \_\_\_. Page 3, line 8, by striking <5> and inserting <5,  
30 paragraphs "a" through "e" and "g" through "j",>

31 \_\_\_. Page 3, line 12, by striking <the requirements of  
32 subsection 5> and inserting <such requirements>

33 \_\_\_. Page 3, line 15, by striking <5> and inserting <5,  
34 paragraphs "a" through "e" and "g" through "j",>

35 \_\_\_. Page 3, line 20, by striking <(1) or (2)> and inserting

1 <(1), (2), or (3)>

2 \_\_\_\_\_. Page 3, line 27, by striking <either> and inserting  
3 <any>

4 \_\_\_\_\_. Page 4, after line 6 by inserting:

5 <(3) An online learning platform offered, subject to the  
6 initial availability of federal funds, by the department in  
7 collaboration with one or more area education agencies or in  
8 partnership with school districts and accredited nonpublic  
9 schools. The online learning platform may deliver distance  
10 education to secondary students, including students receiving  
11 independent private instruction as defined in section 299A.1,  
12 subsection 2, paragraph "b", competent private instruction  
13 under section 299A.2, or private instruction by a nonlicensed  
14 person under section 299A.3, provided the coursework offered  
15 by the online learning platform is taught and supervised by  
16 a teacher licensed under chapter 272 who has online learning  
17 experience and the course content meets the requirements  
18 established by rule pursuant to section 256.7, subsection 32,  
19 paragraph "c". The department and the area education agencies  
20 operating online learning programs pursuant to section 273.16  
21 shall coordinate to ensure the most effective use of resources  
22 and delivery of services. Federal funds, if available, may  
23 be used to offset what would otherwise be costs to school  
24 districts for participation in the program.>

25 \_\_\_\_\_. Page 4, by striking line 11 and inserting:

26 <~~c. Private providers utilized to provide courses by~~ Courses  
27 provided by private providers to a school>

28 \_\_\_\_\_. Page 5, after line 25 by inserting:

29 <Sec. \_\_\_\_\_. Section 279.10, Code 2020, is amended by adding  
30 the following new subsection:

31 NEW SUBSECTION. 3. a. For the school year beginning July  
32 1, 2020, and ending June 30, 2021, any instruction provided in  
33 accordance with a return-to-learn plan submitted by a school  
34 district or accredited nonpublic school to the department of  
35 education in response to a proclamation of a public health

1 disaster emergency, issued by the governor pursuant to section  
2 29C.6 and related to COVID-19, shall be deemed to meet the  
3 requirements of subsection 1, regardless of the nature,  
4 location, or medium of instruction if the return-to-learn plan  
5 contains the minimum number of days or hours as required by  
6 subsection 1.

7 *b.* This subsection is repealed on July 1, 2021.>

8 \_\_\_\_\_. Page 5, after line 26 by inserting:

9

<DIVISION \_\_\_\_

10 TEMPORARY FLEXIBILITY FOR USE OF CERTAIN MONEYS BY SCHOOL

11 DISTRICTS TO PROVIDE ADDITIONAL INSTRUCTIONAL TIME

12 Sec. \_\_\_\_\_. PROFESSIONAL DEVELOPMENT MONEYS AND HOURS

13 REQUIREMENTS FOR ADDITIONAL INSTRUCTIONAL TIME FOR THE

14 2020-2021 SCHOOL YEAR. Notwithstanding section 257.10,

15 subsection 10, and the professional development requirements

16 of chapter 284, for the school year beginning July 1, 2020,

17 and ending June 30, 2021, the moneys calculated and paid to

18 the school district for professional development pursuant to

19 section 257.10, subsection 10, or section 257.37A, subsection

20 2, to provide thirty-six hours of professional development

21 opportunities held outside of the minimum school day, may

22 instead be used by a school district to provide instructional

23 time to the school calendar in addition to the amount of

24 instructional time required under section 279.10, subsection 1,

25 and the thirty-six-hour professional development requirement

26 of chapter 284 shall be reduced by such number of hours of

27 additional instructional time.

28 Sec. \_\_\_\_\_. DISTRICT MANAGEMENT LEVY FUND — PERMISSIBLE USES

29 BUDGET YEAR 2020-2021.

30 1. For the school budget year beginning July 1, 2020, and

31 ending June 30, 2021, unencumbered moneys remaining in the

32 district management levy fund under section 298A.3 at the

33 end of the budget year beginning July 1, 2019, and ending

34 June 30, 2020, and the taxes certified for levy before the

35 effective date of this Act under section 298.4 and deposited in

1 the district management levy fund for the school budget year  
2 beginning July 1, 2020, and ending June 30, 2021, in addition  
3 to the purposes authorized under section 298.4, may be expended  
4 by a school district to provide additional instructional time  
5 to the school calendar in excess of the amount of instructional  
6 time required under section 279.10, subsection 1, during the  
7 school year beginning July 1, 2020, and ending June 30, 2021.

8 2. The board of directors of a school district,  
9 notwithstanding the budget amendment requirements of chapters  
10 24 and 257, may authorize the expenditure of specified district  
11 management levy funds for purposes specified in subsection 1  
12 by resolution of the board specifying the amount to be used  
13 and the purposes from which the funds will be reallocated, if  
14 the resolution of the board is approved and filed with the  
15 department of education on or before June 30, 2021.

16 DIVISION \_\_\_\_

17 TEMPORARY FLEXIBILITY FOR CERTAIN EDUCATIONAL INSTRUCTIONAL AND  
18 POLICY REQUIREMENTS

19 Sec. \_\_\_\_ . OPEN ENROLLMENT — EXTENSION OF NOTIFICATION  
20 DEADLINE FOR THE 2020-2021 SCHOOL YEAR. Notwithstanding  
21 section 282.18, subsection 2, paragraph "a", for the school  
22 year commencing July 1, 2020, a parent or guardian shall have  
23 until July 15, 2020, to notify to the district of residence and  
24 the receiving district, on forms prescribed by the department  
25 of education, that the parent or guardian intends to enroll  
26 the parent's or guardian's child in an online public school  
27 in another school district, if the child, another resident of  
28 the child's residence, or a regular caretaker of the child  
29 has a significant health condition that increases the risk  
30 of COVID-19. The notification shall include the name of the  
31 person with the health condition, specify the person's health  
32 condition, include written verification of the health condition  
33 from the person's physician or licensed health care provider  
34 and, for persons other than the child, whether the person with  
35 the health condition is a resident of the child's residence

1 or the child's regular caretaker. Section 282.18, subsection  
2 3, shall not apply to a notification submitted in accordance  
3 with this section. Notwithstanding section 282.18, subsection  
4 2, paragraph "b", the superintendent of the receiving school  
5 district is authorized to approve a notification received  
6 under this section. Within fourteen days of receipt of such  
7 notification, the superintendent shall notify the parent or  
8 guardian and the school district of residence that the request  
9 has been approved or denied. If the notification has been  
10 denied or if further review is required, the superintendent  
11 shall provide the parent or guardian with an explanation of  
12 the approval process and expected timeline for the review. A  
13 decision to deny a request submitted under this section is  
14 subject to appeal under section 290.1. The state board shall  
15 exercise broad discretion to achieve just and equitable results  
16 that are in the best interest of the affected child. This  
17 section is not intended to extend the provisions of section  
18 282.18, subsection 2, paragraph "a", for enrollment in a  
19 physical school district.

20 Sec. \_\_\_\_\_. SCHOOL DISTRICT DUTIES RELATING TO PRIVATE  
21 INSTRUCTION AND AN ONLINE LEARNING PROGRAM FOR THE 2020-2021  
22 SCHOOL YEAR.

23 For the school year commencing July 1, 2020, all of the  
24 following shall apply:

25 1. Each school district shall provide to children receiving  
26 competent private instruction available texts or supplementary  
27 materials on the same basis as they are provided to enrolled  
28 students and shall provide available texts or supplemental  
29 instructional materials on the same basis as they are provided  
30 to enrolled students when a child is under dual enrollment or  
31 in a home school assistance program.

32 2. Each school district shall offer an assistance program  
33 for parents, guardians, or legal or actual custodians providing  
34 competent private instruction to a child of compulsory  
35 attendance age.

1       Sec. \_\_\_\_\_. SCHOOL DISTRICT CLOSURES DURING THE 2020-2021  
2 SCHOOL YEAR. For the school year beginning July 1, 2020, and  
3 ending June 30, 2021, if the governor proclaims a public health  
4 disaster pursuant to section 29C.6, the board of directors of a  
5 school district may authorize closure of the school district  
6 or any school district attendance center due to an outbreak  
7 of COVID-19 in the school district or any school district  
8 attendance center. School districts are encouraged to follow  
9 guidelines issued by the centers for disease control and  
10 prevention of the United States department of health and human  
11 services and may consult with the local board of health when  
12 determining social distancing measures or authorizing a school  
13 closure.

14       Sec. \_\_\_\_\_. INSTRUCTIONAL TIME PROVISIONS FOR SCHOOL  
15 DISTRICTS AND ACCREDITED NONPUBLIC SCHOOLS FOR THE 2020-2021  
16 SCHOOL YEAR.

17       1. Notwithstanding any other provision of law to the  
18 contrary, the instructional time requirements of section  
19 279.10, subsection 1, and the minimum school day requirements  
20 of section 256.7, subsection 19, shall not be waived any time  
21 during the school year beginning July 1, 2020, and ending June  
22 30, 2021, for school closure due to the COVID-19 pandemic  
23 unless the school district or the authorities in charge of the  
24 accredited nonpublic school, as appropriate, provide compulsory  
25 remote learning, including online learning, electronic  
26 learning, distance learning, or virtual learning.

27       2. If the board of directors of a school district or  
28 the authorities in charge of an accredited nonpublic school  
29 determines any time during the school year beginning July  
30 1, 2020, and ending June 30, 2021, that a remote-learning  
31 period is necessary, the school board or the authorities, as  
32 appropriate, shall ensure that teachers and other necessary  
33 school staff are available during the remote-learning period to  
34 support students, to participate in professional development  
35 opportunities, and to perform other job-related functions

1 during the regular, required contract hours, even if the  
2 accessibility to or by the teachers and other necessary school  
3 staff is offered remotely through electronic means.

4 Sec. \_\_\_\_\_. TRUANCY REQUIREMENTS FOR THE 2020-2021 SCHOOL  
5 YEAR. In addition to the provisions of chapter 299, a  
6 child who is enrolled in a school district or accredited  
7 nonpublic school but who does not participate in compulsory  
8 remote-learning opportunities, including online learning,  
9 electronic learning, distance learning, or virtual learning,  
10 offered by the school district or accredited nonpublic school  
11 of enrollment during a period of school closure implemented any  
12 time during the school year beginning July 1, 2020, and ending  
13 June 30, 2021, due to the COVID-19 pandemic shall be considered  
14 truant. This section is not applicable to a child who was  
15 receiving competent private instruction or independent private  
16 instruction in accordance with the requirements of chapter  
17 299A, whose parent, guardian, or legal custodian notified the  
18 school district prior to July 1, 2019. Any child who was  
19 enrolled in a public school or accredited nonpublic school  
20 prior to July 1, 2019, may be subject to the provisions of  
21 chapter 299 if the child's parent, guardian, or legal custodian  
22 did not, for the school year beginning July 1, 2020, complete  
23 and send the report required under section 299.4 to the school  
24 district of residence of the child in a timely manner.

25 Sec. \_\_\_\_\_. TEACHER ENDORSEMENT WAIVER FOR THE 2020-2021  
26 SCHOOL YEAR. For the school year beginning July 1, 2020, and  
27 ending June 30, 2021, notwithstanding any provision to the  
28 contrary, if a school district or accredited nonpublic school  
29 has made every reasonable and good-faith effort to employ a  
30 teacher licensed under chapter 272 who holds an endorsement for  
31 a specified grade level or subject area and is unable to employ  
32 a teacher with the appropriate endorsement, and the school  
33 district or accredited nonpublic school is also unable to  
34 develop, or use a private provider to provide, an online course  
35 that meets the requirements of chapter 256, the director of

1 the department of education may waive the teacher-endorsement  
2 requirements for the specified grade level or subject area for  
3 the school district or accredited nonpublic school, and the  
4 provisions of section 256.9, subsection 48, and section 272.15,  
5 subsection 4, shall not apply.

6 Sec. \_\_\_\_\_. MISCELLANEOUS POLICY PROVISIONS FOR SCHOOLS  
7 FOR THE 2020-2021 SCHOOL YEAR. The following provisions are  
8 applicable for the school year beginning July 1, 2020, and  
9 ending June 30, 2021:

10 1. SOCIAL DISTANCING. In implementing social distancing  
11 policies, the board of directors of each school district and  
12 the authorities in charge of each accredited nonpublic school  
13 shall prioritize core academic subjects.

14 2. STATEWIDE ASSESSMENTS. The provisions of section 256.7,  
15 subsection 21, paragraph "b", relating to the administration  
16 of statewide summative assessment of student progress, and the  
17 assessments administered in accordance with sections 279.60  
18 and 279.68, shall not be waived, and such assessments shall be  
19 administered to students as required by those sections.

20 3. CPR CERTIFICATION — EXCEPTION FOR GRADUATION. If a  
21 school district or accredited nonpublic school closes on the  
22 advice of a local board of health, the department of public  
23 health, or because the governor proclaims a public health  
24 disaster pursuant to section 29C.6, a student who meets the  
25 graduation requirements of section 256.7, subsection 26,  
26 paragraph "a", the requirements of section 280.9A, and the  
27 school district's or accredited nonpublic school's graduation  
28 requirements may graduate without meeting the cardiopulmonary  
29 resuscitation certification requirements of section 256.11,  
30 section 6, paragraph "c".

31 4. NOTIFICATION OF SIGNIFICANT HEALTH CONDITION —  
32 COMPULSORY REMOTE LEARNING. If a parent or guardian of a  
33 student enrolled in a school district or accredited nonpublic  
34 school notifies the school district or accredited nonpublic  
35 school in writing that the student, another resident of the

1 student's residence, or a regular caretaker of the student  
2 has a significant health condition that increases the risk of  
3 COVID-19, the school district or accredited nonpublic school  
4 shall make reasonable accommodations for the student, on a  
5 case-by-case basis, to attend school through remote learning.  
6 The provision of special education and accommodations for  
7 students who have individualized education programs or  
8 section 504 plans in compliance with the requirements of  
9 section 504 of the Rehabilitation Act, 29 U.S.C. §794, and  
10 with Tit. II of the Americans with Disabilities Act, 42  
11 U.S.C. §12131-12165, will be determined by each respective  
12 individualized education program team or section 504 team.  
13 The notification shall include the name of the person with  
14 the health condition, specify the person's health condition,  
15 include written verification of the health condition from the  
16 person's physician or licensed health care provider and, for  
17 persons other than the student, whether the person with the  
18 health condition is a resident of the student's residence  
19 or the student's regular caretaker. A school district or  
20 an accredited nonpublic school may collaborate with an area  
21 education agency or another school district or accredited  
22 nonpublic school to provide remote learning opportunities to a  
23 student who meets the requirements of this section.

24 5. Notwithstanding section 256.7, subsection 32; section  
25 256.9, subsection 55; section 256.43; or any other provision to  
26 the contrary, a school district or accredited nonpublic school  
27 may provide instruction primarily over the internet if such  
28 instruction is provided in accordance with a return-to-learn  
29 plan submitted by the school district or school to the  
30 department of education in response to a proclamation of a  
31 public health disaster emergency, issued by the governor  
32 pursuant to section 29C.6 and related to COVID-19, without  
33 regard to whether the school or school district is approved to  
34 provide instruction primarily over the internet. Instruction  
35 provided pursuant to this section shall be provided by teachers

H-8247 (Continued)

1 licensed pursuant to chapter 272 and shall assure and maintain  
2 evidence of alignment of the courses with the Iowa core and  
3 core content requirements and standards.>

4 \_\_\_\_\_. Title page, by striking lines 1 through 4 and inserting  
5 <An Act relating to educational instructional requirements and  
6 funding flexibility.>>

7 2. By renumbering as necessary.

By MOORE of Cass

H-8247 FILED JUNE 10, 2020

SENATE FILE 2310

H-8252

1 Amend the amendment, H-8240, to Senate File 2310, as  
2 amended, passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 3, through page 9, line 20, and  
4 inserting:

5 <\_\_\_. Page 1, before line 1 by inserting:

6 DIVISION I

7 ONLINE LEARNING PROGRAM AND COURSEWORK REQUIREMENTS>

8 \_\_\_. Page 2, line 4, by striking <a.>

9 \_\_\_. Page 2, by striking lines 20 through 28.

10 \_\_\_. Page 2, line 31, by striking <The provisions of  
11 subsection 5> and inserting:

12 <(1) The offer and teach requirements of subsection 5,  
13 paragraphs "a" through "e" and "g" through "j",>

14 \_\_\_. Page 2, line 35, by striking <(1)> and inserting <(a)>

15 \_\_\_. Page 3, line 4, by striking <(2)> and inserting <(b)>

16 \_\_\_. Page 3, after line 6 by inserting:

17 <(2) Notwithstanding subparagraph (1), unnumbered paragraph  
18 1, if either subparagraph (1), subparagraph division (a) or  
19 (b), apply, a school district or accredited nonpublic school  
20 may exceed the limitation specified in subparagraph (1),  
21 unnumbered paragraph 1, to provide world language, personal  
22 finance literacy, and computer science coursework online  
23 in accordance with paragraph "c" and the offer and teach  
24 requirements of subsection 5, paragraphs "f" and "k", and any  
25 such requirement as may be established under subsection 5 for  
26 computer science, shall not apply.>

27 \_\_\_. Page 3, line 7, after <may> by inserting <at the  
28 discretion of the department>

29 \_\_\_. Page 3, line 8, by striking <5> and inserting <5,  
30 paragraphs "a" through "e" and "g" through "j",>

31 \_\_\_. Page 3, line 12, by striking <the requirements of  
32 subsection 5> and inserting <such requirements>

33 \_\_\_. Page 3, line 15, by striking <5> and inserting <5,  
34 paragraphs "a" through "e" and "g" through "j",>

35 \_\_\_. Page 3, line 20, by striking <(1) or (2)> and inserting

1 <(1), (2), or (3)>

2 \_\_\_\_\_. Page 3, line 27, by striking <either> and inserting  
3 <any>

4 \_\_\_\_\_. Page 4, after line 6 by inserting:

5 <(3) An online learning platform offered, subject to the  
6 initial availability of federal funds, by the department in  
7 collaboration with one or more area education agencies or in  
8 partnership with school districts and accredited nonpublic  
9 schools. The online learning platform may deliver distance  
10 education to secondary students, including students receiving  
11 independent private instruction as defined in section 299A.1,  
12 subsection 2, paragraph "b", competent private instruction  
13 under section 299A.2, or private instruction by a nonlicensed  
14 person under section 299A.3, provided the coursework offered  
15 by the online learning platform is taught and supervised by  
16 a teacher licensed under chapter 272 who has online learning  
17 experience and the course content meets the requirements  
18 established by rule pursuant to section 256.7, subsection 32,  
19 paragraph "c". The department and the area education agencies  
20 operating online learning programs pursuant to section 273.16  
21 shall coordinate to ensure the most effective use of resources  
22 and delivery of services. Federal funds, if available, may  
23 be used to offset what would otherwise be costs to school  
24 districts for participation in the program.>

25 \_\_\_\_\_. Page 4, by striking line 11 and inserting:

26 <~~c. Private providers utilized to provide courses by~~ Courses  
27 provided by private providers to a school>

28 \_\_\_\_\_. Page 5, after line 25 by inserting:

29 <Sec. \_\_\_\_\_. Section 279.10, Code 2020, is amended by adding  
30 the following new subsection:

31 NEW SUBSECTION. 3. a. For the school year beginning July  
32 1, 2020, and ending June 30, 2021, any instruction provided in  
33 accordance with a return-to-learn plan submitted by a school  
34 district or accredited nonpublic school to the department of  
35 education in response to a proclamation of a public health

1 disaster emergency, issued by the governor pursuant to section  
2 29C.6 and related to COVID-19, shall be deemed to meet the  
3 requirements of subsection 1, regardless of the nature,  
4 location, or medium of instruction if the return-to-learn plan  
5 contains the minimum number of days or hours as required by  
6 subsection 1.

7 *b.* This subsection is repealed on July 1, 2021.>

8 \_\_\_\_\_. Page 5, after line 26 by inserting:

9

<DIVISION \_\_\_\_

10 TEMPORARY FLEXIBILITY FOR USE OF CERTAIN MONEYS BY SCHOOL

11 DISTRICTS TO PROVIDE ADDITIONAL INSTRUCTIONAL TIME

12 Sec. \_\_\_\_\_. PROFESSIONAL DEVELOPMENT MONEYS AND HOURS

13 REQUIREMENTS FOR ADDITIONAL INSTRUCTIONAL TIME FOR THE

14 2020-2021 SCHOOL YEAR. Notwithstanding section 257.10,

15 subsection 10, and the professional development requirements

16 of chapter 284, for the school year beginning July 1, 2020,

17 and ending June 30, 2021, the moneys calculated and paid to

18 the school district for professional development pursuant to

19 section 257.10, subsection 10, or section 257.37A, subsection

20 2, to provide thirty-six hours of professional development

21 opportunities held outside of the minimum school day, may

22 instead be used by a school district to provide instructional

23 time to the school calendar in addition to the amount of

24 instructional time required under section 279.10, subsection 1,

25 and the thirty-six-hour professional development requirement

26 of chapter 284 shall be reduced by such number of hours of

27 additional instructional time.

28 Sec. \_\_\_\_\_. DISTRICT MANAGEMENT LEVY FUND — PERMISSIBLE USES

29 BUDGET YEAR 2020-2021.

30 1. For the school budget year beginning July 1, 2020, and

31 ending June 30, 2021, unencumbered moneys remaining in the

32 district management levy fund under section 298A.3 at the

33 end of the budget year beginning July 1, 2019, and ending

34 June 30, 2020, and the taxes certified for levy before the

35 effective date of this Act under section 298.4 and deposited in

1 the district management levy fund for the school budget year  
2 beginning July 1, 2020, and ending June 30, 2021, in addition  
3 to the purposes authorized under section 298.4, may be expended  
4 by a school district to provide additional instructional time  
5 to the school calendar in excess of the amount of instructional  
6 time required under section 279.10, subsection 1, during the  
7 school year beginning July 1, 2020, and ending June 30, 2021.

8 2. The board of directors of a school district,  
9 notwithstanding the budget amendment requirements of chapters  
10 24 and 257, may authorize the expenditure of specified district  
11 management levy funds for purposes specified in subsection 1  
12 by resolution of the board specifying the amount to be used  
13 and the purposes from which the funds will be reallocated, if  
14 the resolution of the board is approved and filed with the  
15 department of education on or before June 30, 2021.

16

DIVISION \_\_\_\_

17 TEMPORARY FLEXIBILITY FOR CERTAIN EDUCATIONAL INSTRUCTIONAL AND  
18 POLICY REQUIREMENTS

19 Sec. \_\_\_\_ . OPEN ENROLLMENT — EXTENSION OF NOTIFICATION  
20 DEADLINE FOR THE 2020-2021 SCHOOL YEAR. Notwithstanding  
21 section 282.18, subsection 2, paragraph "a", for the school  
22 year commencing July 1, 2020, a parent or guardian shall have  
23 until July 15, 2020, to notify to the district of residence and  
24 the receiving district, on forms prescribed by the department  
25 of education, that the parent or guardian intends to enroll  
26 the parent's or guardian's child in an online public school  
27 in another school district, if the child, another resident of  
28 the child's residence, or a regular caretaker of the child  
29 has a significant health condition that increases the risk  
30 of COVID-19. The notification shall include the name of the  
31 person with the health condition, specify the person's health  
32 condition, include written verification of the health condition  
33 from the person's physician or licensed health care provider  
34 and, for persons other than the child, whether the person with  
35 the health condition is a resident of the child's residence

1 or the child's regular caretaker. Section 282.18, subsection  
2 3, shall not apply to a notification submitted in accordance  
3 with this section. Notwithstanding section 282.18, subsection  
4 2, paragraph "b", the superintendent of the receiving school  
5 district is authorized to approve a notification received  
6 under this section. Within fourteen days of receipt of such  
7 notification, the superintendent shall notify the parent or  
8 guardian and the school district of residence that the request  
9 has been approved or denied. If the notification has been  
10 denied or if further review is required, the superintendent  
11 shall provide the parent or guardian with an explanation of  
12 the approval process and expected timeline for the review. A  
13 decision to deny a request submitted under this section is  
14 subject to appeal under section 290.1. The state board shall  
15 exercise broad discretion to achieve just and equitable results  
16 that are in the best interest of the affected child. This  
17 section is not intended to extend the provisions of section  
18 282.18, subsection 2, paragraph "a", for enrollment in a  
19 physical school district.

20 Sec. \_\_\_\_\_. SCHOOL DISTRICT DUTIES RELATING TO COMPETENT  
21 PRIVATE INSTRUCTION FOR THE 2020-2021 SCHOOL YEAR. For the  
22 school year commencing July 1, 2020, each school district shall  
23 provide to children receiving competent private instruction  
24 available texts or supplementary materials on the same basis  
25 as they are provided to enrolled students and shall provide  
26 available texts or supplemental instructional materials on the  
27 same basis as they are provided to enrolled students when a  
28 child is under dual enrollment or in a home school assistance  
29 program.

30 Sec. \_\_\_\_\_. SCHOOL DISTRICT CLOSURES DURING THE 2020-2021  
31 SCHOOL YEAR. For the school year beginning July 1, 2020, and  
32 ending June 30, 2021, if the governor proclaims a public health  
33 disaster pursuant to section 29C.6, the board of directors of a  
34 school district may authorize closure of the school district  
35 or any school district attendance center due to an outbreak

1 of COVID-19 in the school district or any school district  
2 attendance center. School districts are encouraged to follow  
3 guidelines issued by the centers for disease control and  
4 prevention of the United States department of health and human  
5 services and may consult with the local board of health when  
6 determining social distancing measures or authorizing a school  
7 closure.

8 Sec. \_\_\_\_\_. INSTRUCTIONAL TIME PROVISIONS FOR SCHOOL  
9 DISTRICTS AND ACCREDITED NONPUBLIC SCHOOLS FOR THE 2020-2021  
10 SCHOOL YEAR.

11 1. Notwithstanding any other provision of law to the  
12 contrary, the instructional time requirements of section  
13 279.10, subsection 1, and the minimum school day requirements  
14 of section 256.7, subsection 19, shall not be waived any time  
15 during the school year beginning July 1, 2020, and ending June  
16 30, 2021, for school closure due to the COVID-19 pandemic  
17 unless the school district or the authorities in charge of the  
18 accredited nonpublic school, as appropriate, provide compulsory  
19 remote learning, including online learning, electronic  
20 learning, distance learning, or virtual learning.

21 2. If the board of directors of a school district or  
22 the authorities in charge of an accredited nonpublic school  
23 determines any time during the school year beginning July  
24 1, 2020, and ending June 30, 2021, that a remote-learning  
25 period is necessary, the school board or the authorities, as  
26 appropriate, shall ensure that teachers and other necessary  
27 school staff are available during the remote-learning period to  
28 support students, to participate in professional development  
29 opportunities, and to perform other job-related functions  
30 during the regular, required contract hours, even if the  
31 accessibility to or by the teachers and other necessary school  
32 staff is offered remotely through electronic means.

33 Sec. \_\_\_\_\_. TRUANCY REQUIREMENTS FOR THE 2020-2021 SCHOOL  
34 YEAR. In addition to the provisions of chapter 299, a  
35 child who is enrolled in a school district or accredited

H-8252 (Continued)

1 nonpublic school but who does not participate in compulsory  
2 remote-learning opportunities, including online learning,  
3 electronic learning, distance learning, or virtual learning,  
4 offered by the school district or accredited nonpublic school  
5 of enrollment during a period of school closure implemented any  
6 time during the school year beginning July 1, 2020, and ending  
7 June 30, 2021, due to the COVID-19 pandemic shall be considered  
8 truant. This section is not applicable to a child who was  
9 receiving competent private instruction or independent private  
10 instruction in accordance with the requirements of chapter  
11 299A, whose parent, guardian, or legal custodian notified the  
12 school district prior to July 1, 2019. Any child who was  
13 enrolled in a public school or accredited nonpublic school  
14 prior to July 1, 2019, may be subject to the provisions of  
15 chapter 299 if the child's parent, guardian, or legal custodian  
16 did not, for the school year beginning July 1, 2020, complete  
17 and send the report required under section 299.4 to the school  
18 district of residence of the child in a timely manner.

19 Sec. \_\_\_\_ . TEACHER ENDORSEMENT WAIVER FOR THE 2020-2021  
20 SCHOOL YEAR. For the school year beginning July 1, 2020, and  
21 ending June 30, 2021, notwithstanding any provision to the  
22 contrary, if a school district or accredited nonpublic school  
23 has made every reasonable and good-faith effort to employ a  
24 teacher licensed under chapter 272 who holds an endorsement for  
25 a specified grade level or subject area and is unable to employ  
26 a teacher with the appropriate endorsement, and the school  
27 district or accredited nonpublic school is also unable to  
28 develop, or use a private provider to provide, an online course  
29 that meets the requirements of chapter 256, the director of  
30 the department of education may waive the teacher-endorsement  
31 requirements for the specified grade level or subject area for  
32 the school district or accredited nonpublic school, and the  
33 provisions of section 256.9, subsection 48, and section 272.15,  
34 subsection 4, shall not apply.

35 Sec. \_\_\_\_ . MISCELLANEOUS POLICY PROVISIONS FOR SCHOOLS

1 FOR THE 2020-2021 SCHOOL YEAR. The following provisions are  
2 applicable for the school year beginning July 1, 2020, and  
3 ending June 30, 2021:

4 1. SOCIAL DISTANCING. In implementing social distancing  
5 policies, the board of directors of each school district and  
6 the authorities in charge of each accredited nonpublic school  
7 shall prioritize core academic subjects.

8 2. STATEWIDE ASSESSMENTS. The provisions of section 256.7,  
9 subsection 21, paragraph "b", relating to the administration  
10 of statewide summative assessment of student progress, and the  
11 assessments administered in accordance with sections 279.60  
12 and 279.68, shall not be waived, and such assessments shall be  
13 administered to students as required by those sections.

14 3. CPR CERTIFICATION — EXCEPTION FOR GRADUATION. If a  
15 school district or accredited nonpublic school closes on the  
16 advice of a local board of health, the department of public  
17 health, or because the governor proclaims a public health  
18 disaster pursuant to section 29C.6, a student who meets the  
19 graduation requirements of section 256.7, subsection 26,  
20 paragraph "a", the requirements of section 280.9A, and the  
21 school district's or accredited nonpublic school's graduation  
22 requirements may graduate without meeting the cardiopulmonary  
23 resuscitation certification requirements of section 256.11,  
24 section 6, paragraph "c".

25 4. NOTIFICATION OF SIGNIFICANT HEALTH CONDITION —  
26 COMPULSORY REMOTE LEARNING. If a parent or guardian of a  
27 student enrolled in a school district or accredited nonpublic  
28 school notifies the school district or accredited nonpublic  
29 school in writing that the student, another resident of the  
30 student's residence, or a regular caretaker of the student  
31 has a significant health condition that increases the risk of  
32 COVID-19, the school district or accredited nonpublic school  
33 shall make reasonable accommodations for the student, on a  
34 case-by-case basis, to attend school through remote learning.  
35 The provision of special education and accommodations for

1 students who have individualized education programs or  
2 section 504 plans in compliance with the requirements of  
3 section 504 of the Rehabilitation Act, 29 U.S.C. §794, and  
4 with Tit. II of the Americans with Disabilities Act, 42  
5 U.S.C. §12131-12165, will be determined by each respective  
6 individualized education program team or section 504 team.  
7 The notification shall include the name of the person with  
8 the health condition, specify the person's health condition,  
9 include written verification of the health condition from the  
10 person's physician or licensed health care provider and, for  
11 persons other than the student, whether the person with the  
12 health condition is a resident of the student's residence  
13 or the student's regular caretaker. A school district or  
14 an accredited nonpublic school may collaborate with an area  
15 education agency or another school district or accredited  
16 nonpublic school to provide remote learning opportunities to a  
17 student who meets the requirements of this section.

18 5. Notwithstanding section 256.7, subsection 32; section  
19 256.9, subsection 55; section 256.43; or any other provision to  
20 the contrary, a school district or accredited nonpublic school  
21 may provide instruction primarily over the internet if such  
22 instruction is provided in accordance with a return-to-learn  
23 plan submitted by the school district or school to the  
24 department of education in response to a proclamation of a  
25 public health disaster emergency, issued by the governor  
26 pursuant to section 29C.6 and related to COVID-19, without  
27 regard to whether the school or school district is approved to  
28 provide instruction primarily over the internet. Instruction  
29 provided pursuant to this section shall be provided by teachers  
30 licensed pursuant to chapter 272 and shall assure and maintain  
31 evidence of alignment of the courses with the Iowa core and  
32 core content requirements and standards.>

33 \_\_\_\_\_. Title page, by striking lines 1 through 4 and inserting  
34 <An Act relating to educational instructional requirements and  
35 funding flexibility.>>

H-8252 (Continued)

1     2. By renumbering as necessary.

By MOORE of Cass

H-8252 FILED JUNE 10, 2020

SENATE FILE 2410

H-8253

1 Amend the amendment, H-8244, to Senate File 2410, as  
2 amended, passed, and reprinted by the Senate, as follows:

- 3 1. Page 1, by striking lines 30 through 34 and inserting  
4 <"c". The petition must be signed by eligible electors equal in  
5 number to ~~not less than one hundred~~ the lesser of one thousand  
6 or thirty percent of the number of voters who cast a vote for  
7 the board of directors of the school district at the last  
8 preceding election of school officials under section 277.1,  
9 ~~whichever is greater~~ but not less than one hundred. If a>
- 10 2. Page 2, by striking lines 24 through 28 and inserting  
11 <"c". The petition must be signed by eligible electors equal in  
12 number to ~~not less than one hundred~~ the lesser of one thousand  
13 or thirty percent of the number of voters who cast a vote for  
14 the board of directors of the school district at the last  
15 preceding election of school officials under section 277.1,  
16 ~~whichever is greater~~ but not less than one hundred. If the>

By RUNNING-MARQUARDT of Linn

H-8253 FILED JUNE 10, 2020



---

[SF 2364](#) – Public Improvements, Guaranteed Maximum Price Contracts (LSB5829SVV.1)  
Staff Contact: Adam Broich (515.281.8223) [adam.broich@legis.iowa.gov](mailto:adam.broich@legis.iowa.gov)  
Fiscal Note Version – As amended and passed by the Senate

---

## **Description**

[Senate File 2364](#) as amended and passed by the Senate, does the following:

### **Division I**

- The Bill amends the definition of “public improvement” in Iowa Code section [26.2\(3\)](#).
- Prohibits the Iowa Board of Regents from entering into a design-build contract to construct, repair, or improve buildings or grounds. This prohibition does not apply to projects that are currently under contract. Provisions of Division I that amend Iowa Code section [262.34](#) are effective immediately.
- Prohibits governmental entities from the fee-based selection of an architect, landscape architect, or engineer for a public improvement.

### **Division II**

- The Bill adopts new definitions for “construction manager-at-risk,” “governmental entity,” and “guaranteed maximum price contract,” and other terms.
- Authorizes a governmental entity to enter into a guaranteed maximum price contract.
- Adopts procedures and requirements for public entities that are pursuing a guaranteed maximum price contract. These procedures include public disclosures, a request for qualifications, a request for proposal, and the selection of bid winners.
- Prohibits all other governmental entities from entering into a design-build contract.
- Prohibits governmental entities from entering into a guaranteed maximum price contract for highway or bridge construction.

## **Background**

With the exception of the Board of Regents, all current public improvement projects are completed using a process that requires governmental entities to bid projects using a design-bid-build contract.

The Board of Regents currently uses design-bid-build and design-build contracts. The Board has completed or initiated a total of 14 contracts using design-build to develop projects. As of February 2020, the Board had completed seven projects using design-build. These projects are listed in the table below.

### Board of Regents Projects Completed Under Design-Build

Institution	Project	Completion	Budget
Iowa	Hawkeye Tennis and Recreation Complex	Dec. 2014	\$15,000,000
Iowa	Biomedical Research Support Facility	Dec. 2015	33,868,000
Iowa	Elizabeth Catlett Residence Hall	Jun. 2017	95,000,000
Iowa	Chilled Water Plant 2 (West)	Jul. 2018	5,200,000
Iowa	Hancher Footbridge	Aug. 2018	3,200,000
Iowa State	Gregory L. Geoffroy Hall	Dec. 2016	49,500,000
Northern Iowa	McElroy Hall	Aug. 2001	2,000,000

The Board is also planning or currently working on seven additional projects that will use design-build. These projects are reflected in the table below.

### Ongoing Board of Regents Projects Under Design-Build (DB)

Institution	Project	Scheduled Completion	Phase	Budget
Iowa	Oakdale Studio	Dec. 2021	Construction	\$ 2,500,000
Iowa State	Poultry Farm	Spring 2020	Construction	5,750,000
Iowa State	Gerdin Business Building	Fall 2020	Construction	28,000,000
Iowa State	Curtiss Farm-Feed Mill and Grain Science	Summer 2021	Select DB	21,200,000
Iowa State	Veterinary Diagnostic Lab	Summer 2023	RPF for DB	75,000,000
Iowa State	Industrial and Manufacturing Sys. Engin.	Fall 2022	Programming	40,000,000
Iowa State	LeBaron Hall	Summer 2024	Programming	55,000,000

### Assumptions

- Allowing public entities to enter into guaranteed maximum price contracts may allow additional flexibility when designing public improvement projects. The extent to which governmental entities may use these agreements and the impact of them is unknown.
- Prohibiting the use of design-build may increase expenses for future Regents projects by an unknown amount. The extent to which the Board of Regents may use guaranteed maximum price contracts and the impact of them is unknown.

### Fiscal Impact

Prohibiting the use of design-build will have an unknown impact on Board of Regents building projects. The fiscal impact of allowing all public entities to enter into guaranteed maximum price contracts cannot be determined at this time.

**Sources**

Iowa Board of Regents  
Legislative Services Agency

/s/ Holly M. Lyons

---

June 10, 2020

Doc ID 1136823

---

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



---

[HF 2639](#) – Speeding Fines, Rural Emergency Services Funding (LSB2337HZ)  
Analyst: Adam Broich (515.281.8223) [adam.broich@legis.iowa.gov](mailto:adam.broich@legis.iowa.gov)  
Fiscal Note Version – New

---

### **Description**

[House File 2639](#) increases the fines for speeding in certain situations. The Bill increases the fine for each mile per hour of excessive speed over 20 miles per hour (mph) over the limit from \$5 to \$10. The mile-per-hour fine is in addition to the \$100 base fine. The Bill also increases the fine for speeding more than 25 mph over the limit in a road work zone from \$1,000 to \$1,500. The additional revenue will be remitted to the Emergency Medical Services (EMS) Fund established in Iowa Code section [135.25](#) and directed toward providing emergency medical services in rural, underserved areas of the State.

### **Background**

Under current law, driving in excess of 20 mph over the speed limit incurs a \$100 fine plus an additional \$5 for each mph over 20 mph. The current fine for driving in excess of 25 mph over the speed limit in a road work zone is \$1,000. Convictions for driving over 20 mph over the limit totaled 8,104 in FY 2018 and 7,341 in FY 2019. Convictions for driving over 25 mph over the limit in a road work zone totaled 20 in FY 2018 and 24 in FY 2019.

A 35.0% Criminal Penalty Surcharge is applied to each fine, 95.0% of which is remitted to the State. Of the State's share, 83.0% is remitted to the General Fund while 17.0% goes to the Victim Compensation Fund. The remaining 5.0% is allocated to the county or city where the violation occurred. Court costs are estimated to be \$60 per violation.

### **Assumptions**

- In FY 2021 there will be approximately 7,700 convictions for speeding in excess of 20 mph over the limit.
- In FY 2021 there will be approximately 22 convictions for speeding in excess of 25 mph over the limit in a road work zone.
- A lag time of six months is assumed from the effective date of the Bill to the date of the first fines collected. The collection rate for the scheduled violation is estimated to be 61.0%.

### **Correctional Impact**

[House File 2639](#) 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 [321.285](#) 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. Race and ethnicity data collected on scheduled traffic violations is determined by the officer when the citation is issued.

<b>Convictions by Ethnicity, Penalties Amended by HF 658</b>								
	White	Black	Asian	Hispanic	Nat. Am.	Other	Unknown	Total
2018	5,096	1,301	232	75	33	386	1,001	8,124
2019	4,504	1,174	205	63	23	353	1,043	7,365

### **Fiscal Impact**

Revenue from the increased fines in [House File 2639](#) will be deposited in the EMS Fund. While the number of mph increments of excess speed over 20 mph over the limit is unknown, the tables below provide revenue estimates from the increased fines for two scenarios:

- Scenario 1: For 7,700 convictions of 1 mph over the 20-mph threshold, and 22 convictions for excessive speed over 25 mph over the limit in a road work zone.
- Scenario 2: For 7,700 convictions of 5 mph over the 20-mph threshold, and 22 convictions for excessive speed over 25 mph over the limit in a road work zone.

#### **Scenario 1 – Revenue Compared to Current Law Assumes 7,700 Violations for Speeding 21 MPH Over the Limit**

	Current Law	FY 2021	Increase	FY 2022	Increase
EMS Fund Revenue	\$ 506,600	\$ 521,700	\$ 15,100	\$ 536,800	\$ 30,200
Surcharge Distribution					
General Fund	139,800	143,950	4,150	148,100	8,300
Victim Comp. Fund	28,600	29,450	850	30,300	1,700
Local Jurisdiction	8,900	9,150	250	9,400	500
Surcharge Total	177,300	182,550	5,250	187,800	10,500
Grand Total	\$ 683,900	\$ 704,250	\$ 20,350	\$ 724,600	\$ 40,700

#### **Scenario 2 – Revenue Compared to Current Law Assumes 7,700 Violations for Speeding 25 MPH Over the Limit**

	Current Law	FY 2021	Increase	FY 2022	Increase
EMS Fund Revenue	\$ 600,500	\$ 662,600	\$ 62,100	\$ 724,700	\$ 124,200
Surcharge Distribution					
General Fund	165,700	182,850	17,150	200,000	34,300
Victim Comp. Fund	33,900	37,450	3,550	41,000	7,100
Local Jurisdiction	10,500	11,600	1,100	12,700	2,200
Surcharge Total	210,100	231,900	21,800	253,700	43,600
Grand Total	\$ 810,600	\$ 894,500	\$ 83,900	\$ 978,400	\$ 167,800

**Sources**

Criminal and Juvenile Justice Planning Division, Department of Human Rights  
LSA calculations

Doc ID 1133296

/s/ Holly M. Lyons

---

June 10, 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.

---