

**EIGHTY-FIFTH GENERAL ASSEMBLY  
2014 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

APRIL 3, 2014

**HOUSE RESOLUTION 118**

**H-8211**

1 Amend House Resolution 118 as follows:

2 1. Page 1, after line 9 by inserting:

3 <WHEREAS, as part of that comprehensive energy

4 strategy, Iowa has been a wind industry leader,

5 and Iowa's economy and environment have benefited

6 tremendously from that leadership position; and

7 WHEREAS, Iowa also ranks 16th among U.S. states in

8 the potential for solar energy production, putting Iowa

9 ahead of states such as Florida, Georgia, Missouri,

10 North Carolina, and South Carolina, with the potential

11 to build enough solar photovoltaic material to meet

12 annual electric needs by more than 150 times over; and>

13 2. Page 3, line 4, after <mix,> by inserting <value

14 of renewable energy and its delivery, generation

15 capacity, transmission capacity, transmission and

16 distribution line losses, environmental value,>

**By** ISENHART of Dubuque

**H-8211** FILED APRIL 2, 2014

Senate Amendment to  
HOUSE FILE 2417

H-8208

1 Amend House File 2417, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. By striking page 3, line 2, through page 4, line  
4 33, and inserting:

5 <Sec. \_\_\_\_\_. Section 222.13, Code 2014, is amended to  
6 read as follows:

7 222.13 Voluntary admissions.

8 1. If an adult person is believed to be a person  
9 with an intellectual disability, the adult person or  
10 the adult person's guardian may ~~submit a request in~~  
11 ~~writing through the central point of coordination~~  
12 ~~process for the county board of supervisors of the~~  
13 ~~adult person's county of residence to apply to the~~  
14 department and the superintendent of any state resource  
15 center for the voluntary admission of the adult person  
16 either as an inpatient or an outpatient of the resource  
17 center. The board of supervisors shall, on forms  
18 prescribed by the department's administrator, apply  
19 to the superintendent of the resource center in the  
20 district for the admission of the adult person to the  
21 resource center. If the expenses of the person's  
22 admission or placement are payable in whole or in  
23 part by the person's county of residence, application  
24 for the admission shall be made through the regional  
25 administrator for the county. An application for  
26 admission to a special unit of any adult person  
27 believed to be in need of any of the services provided  
28 by the special unit under section 222.88 may be made in  
29 the same manner, upon request of the adult person or  
30 the adult person's guardian. The superintendent shall  
31 accept the application if a preadmission diagnostic  
32 evaluation, performed through the central point of  
33 coordination process, confirms or establishes the need  
34 for admission, except that an application shall not  
35 be accepted if the institution does not have adequate  
36 facilities available or if the acceptance will result  
37 in an overcrowded condition.

38 2. If the resource center ~~has no~~ does not have an  
39 appropriate program for the treatment of an adult or  
40 minor person with an intellectual disability applying  
41 under this section or section 222.13A, the board of  
42 supervisors regional administrator for the person's  
43 county of residence or the department, as applicable,  
44 shall arrange for the placement of the person in any  
45 public or private facility within or without the state,  
46 approved by the director of the department of human  
47 services, which offers appropriate services for the  
48 person, as determined through the central point of  
49 coordination process. If the expenses of the placement  
50 are payable in whole or in part by a county, the

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1 placement shall be made by the regional administrator  
2 for the county.  
3 ~~3. Upon applying for admission~~ If the expenses of  
4 an admission of an adult or minor person to a resource  
5 center, or a special unit, or upon arranging for of  
6 the placement of the person in a public or private  
7 facility are payable in whole or in part by a county,  
8 ~~the board of supervisors regional administrator for~~  
9 the county shall make a full investigation into the  
10 financial circumstances of that the person and those  
11 liable for that the person's support under section  
12 222.78 to determine whether or not any of them are able  
13 to pay the expenses arising out of the admission of the  
14 person to a resource center, special treatment unit,  
15 or public or private facility. If the board regional  
16 administrator finds that the person or those legally  
17 responsible for the person are presently unable to pay  
18 the expenses, the board shall direct that regional  
19 administrator shall pay the expenses be paid by  
20 payable by a county on behalf of the county. The board  
21 regional administrator may review its such a finding  
22 at any subsequent time while the person remains at the  
23 resource center, or is otherwise receiving care or  
24 treatment for which this chapter obligates the county  
25 to pay. If the board regional administrator finds upon  
26 review that the person or those legally responsible  
27 for the person are presently able to pay the expenses,  
28 the finding shall apply only to the charges incurred  
29 during the period beginning on the date of the review  
30 and continuing thereafter, unless and until the  
31 ~~board regional administrator~~ again changes its such a  
32 finding. If the board regional administrator finds  
33 that the person or those legally responsible for the  
34 person are able to pay the expenses, the board shall  
35 direct that regional administrator shall collect the  
36 charges be so paid to the extent required by section  
37 222.78, and the county auditor regional administrator  
38 shall be responsible for the collection payment of the  
39 remaining charges.>

40 2. Page 25, by striking lines 10 through 14 and  
41 inserting:

42 <a. ~~A county may split the~~ The charges payable  
43 by a county may be split between the county's mental  
44 health, intellectual disability, and developmental and  
45 disabilities services fund created pursuant to section  
46 331.424A and the county's budget for substance abuse  
47 substance related disorder expenditures.>

48 3. Page 44, after line 27 by inserting:

49 <Sec. \_\_\_\_ . 2013 Iowa Acts, chapter 138, section  
50 29, subsection 1, paragraph n, is amended to read as

1 follows:

2 n. For the fiscal year beginning July 1, 2013,  
3 the reimbursement rates for inpatient mental health  
4 services provided at hospitals shall be increased  
5 by 1 percent over the rates in effect on June 30,  
6 2013, subject to Medicaid program upper payment  
7 limit rules; ~~community mental health centers and~~  
8 ~~providers of mental health services to county residents~~  
9 ~~pursuant to a waiver approved under section 225C.7,~~  
10 ~~subsection 3, shall be reimbursed at 100 percent of~~  
11 ~~the reasonable costs for the provision of services to~~  
12 ~~recipients of medical assistance;~~ and psychiatrists  
13 shall be reimbursed at the medical assistance program  
14 fee-for-service rate.

15 Sec. \_\_\_\_\_. 2013 Iowa Acts, chapter 138, section 29,  
16 subsection 1, is amended by adding the following new  
17 paragraph:

18 NEW PARAGRAPH. 0o. For the fiscal year beginning  
19 July 1, 2013, community mental health centers may  
20 choose to be reimbursed for the services provided to  
21 recipients of medical assistance through either of the  
22 following options:

23 (1) For 100 percent of the reasonable costs of the  
24 services.

25 (2) In accordance with the alternative  
26 reimbursement rate methodology established by the  
27 medical assistance program's managed care contractor  
28 for mental health services and approved by the  
29 department of human services.>

30 4. Page 44, after line 29 by inserting:

31 <Sec. \_\_\_\_\_. EMERGENCY RULES. The department of  
32 human services may adopt emergency rules under section  
33 17A.4, subsection 3, and section 17A.5, subsection 2,  
34 paragraph "b", to implement the provisions of this Act  
35 amending 2013 Iowa Acts, chapter 138, and the rules  
36 shall be effective immediately upon filing unless  
37 a later date is specified in the rules. Any rules  
38 adopted in accordance with this section shall also be  
39 published as a notice of intended action as provided  
40 in section 17A.4.

41 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. The sections  
42 of this Act amending 2013 Iowa Acts, chapter 138, and  
43 relating to the amendments, being deemed of immediate  
44 importance, take effect upon enactment.

45 Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. The sections  
46 of this Act amending 2013 Iowa Acts, chapter 138, and  
47 relating to the amendments, apply retroactively to July  
48 1, 2013.>

49 5. Title page, line 3, after <counties> by  
50 inserting <, including reimbursement of community

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1 mental health centers under the medical assistance  
2 program for the fiscal year beginning July 1, 2013, and  
3 including effective date and retroactive applicability  
4 provisions.>  
5 6. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8208 FILED APRIL 2, 2014

HOUSE FILE 2445

H-8207

1 Amend House File 2445 as follows:

2 1. Page 5, line 18, by striking <investment> and  
3 inserting <investment infrastructure>  
4 2. Page 8, after line 12 by inserting:

5 <DIVISION \_\_\_\_\_

6 ECONOMIC DEVELOPMENT REGIONS

7 Sec. \_\_\_\_\_. Section 15E.231, unnumbered paragraph 1,  
8 Code 2014, is amended to read as follows:

9 In order for an economic development region to  
10 receive assistance pursuant to section 15.335B, an  
11 economic development region's regional development  
12 plan must be approved by the authority. An economic  
13 development region shall consist of ~~not less than~~  
14 ~~three counties, unless two contiguous counties have a~~  
15 ~~combined population of at least three hundred thousand~~  
16 ~~based on the most recent federal decennial census~~  
17 two or more public or private, nonprofit entities  
18 that have entered into an agreement to pursue mutual  
19 economic development goals with a regional focus. An  
20 economic development region shall establish a focused  
21 economic development effort that shall include a  
22 regional development plan relating to one or more of  
23 the following areas:

24 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
25 of this Act, being deemed of immediate importance,  
26 takes effect upon enactment.>

27 3. By renumbering, redesignating, and correcting  
28 internal references as necessary.

By BALTIMORE of Boone

H-8207 FILED APRIL 2, 2014

HOUSE FILE 2458

H-8210

1 Amend the amendment, H-8184, to House File 2458 as  
2 follows:

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

4 <2. Page 24, after line 26 by inserting:

5 <DIVISION \_\_\_\_\_

6 PERSONAL SETTLEMENT AGREEMENT PAYMENTS

7 Sec. \_\_\_\_ PERSONNEL SETTLEMENT AGREEMENT

8 PAYMENTS. As a condition made to any appropriation to  
9 the department of agriculture and land stewardship,  
10 the department of natural resources, or Iowa state  
11 university as provided in this Act, moneys appropriated  
12 and any other moneys available for use by that entity  
13 under this Act shall not be used for the payment of  
14 a personnel settlement agreement between that entity  
15 and a state employee that contains a confidentiality  
16 provision intended to prevent public disclosure of the  
17 agreement or any terms of the agreement.>>

**By** HALL of Woodbury

H-8210 FILED APRIL 2, 2014

Senate Amendment to  
House Amendment to  
SENATE FILE 2311

H-8209

1 Amend the House amendment, S-5086, to Senate File  
2 2311, as passed by the Senate, as follows:

3 1. By striking page 1, line 5, through page 3, line  
4 6, and inserting:

5 <Section 1. Section 80B.10, Code 2014, is amended  
6 to read as follows:

7 80B.10 Annual report.

8 The council shall make an annual report to the  
9 governor, the attorney general, and the commissioner  
10 of public safety which shall include pertinent data  
11 regarding the standards established and the degree of  
12 participation of agencies in the training program. The  
13 report required by this section shall specifically  
14 include data regarding academy resources devoted to  
15 training relating to human trafficking.

16 Sec. 2. Section 602.8102, subsection 135A, Code  
17 2014, is amended to read as follows:

18 135A. Assess the surcharges provided by sections  
19 911.1, 911.2, 911.2A, 911.3, and 911.4.

20 Sec. 3. Section 602.8108, subsection 2, Code 2014,  
21 is amended to read as follows:

22 2. Except as otherwise provided, the clerk of the  
23 district court shall report and submit to the state  
24 court administrator, not later than the fifteenth  
25 day of each month, the fines and fees received during  
26 the preceding calendar month. Except as provided in  
27 subsections 3, 4, 5, 5A, 7, 8, 9, and 10, the state  
28 court administrator shall deposit the amounts received  
29 with the treasurer of state for deposit in the general  
30 fund of the state. The state court administrator shall  
31 report to the legislative services agency within thirty  
32 days of the beginning of each fiscal quarter the amount  
33 received during the previous quarter in the account  
34 established under this section.

35 Sec. 4. Section 602.8108, Code 2014, is amended by  
36 adding the following new subsection:

37 NEW SUBSECTION. 5A. The clerk of the district  
38 court shall remit all moneys collected from the  
39 assessment of the human trafficking victim surcharge  
40 provided in section 911.2A to the state court  
41 administrator no later than the fifteenth day of each  
42 month for deposit in the human trafficking victim fund  
43 created in section 915.95.

44 Sec. 5. Section 710.10, Code 2014, is amended by  
45 adding the following new subsection:

46 NEW SUBSECTION. 7. For purposes of this section,  
47 methods of enticement include but are not limited  
48 to personal contact and communication by any means  
49 including through the mail, telephone, internet, or  
50 any social media, and include text messages, instant

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1 messages, and electronic mail.

2 Sec. 6. Section 725.1, Code 2014, is amended to  
3 read as follows:

4 725.1 Prostitution.

5 1. a. Except as provided in paragraph "b",  
6 a person who sells or offers for sale the person's  
7 services as a partner in a sex act commits an  
8 aggravated misdemeanor. ~~or~~

9 b. If the person who sells or offers for sale the  
10 person's services as a partner in a sex act is under  
11 the age of eighteen, the county attorney may elect, in  
12 lieu of filing a petition alleging that the person has  
13 committed a delinquent act, to refer that person to the  
14 department of human services for the possible filing  
15 of a petition alleging that the person is a child in  
16 need of assistance.

17 c. If the person who sells or offers for sale the  
18 person's services as a partner in a sex act is under  
19 the age of eighteen, upon the expiration of two years  
20 following the person's conviction for a violation  
21 of paragraph "a" or of a similar local ordinance,  
22 the person may petition the court to expunge the  
23 conviction, and if the person has had no other criminal  
24 convictions, other than local traffic violations or  
25 simple misdemeanor violations of chapter 321 during the  
26 two-year period, the conviction shall be expunged as  
27 a matter of law. The court shall enter an order that  
28 the record of the conviction be expunged by the clerk  
29 of the district court. Notwithstanding section 692.2,  
30 after receipt of notice from the clerk of the district  
31 court that a record of conviction has been expunged for  
32 a violation of paragraph "a", the record of conviction  
33 shall be removed from the criminal history data files  
34 maintained by the department of public safety.

35 2. a. Except as provided in paragraph "b", a  
36 person who purchases or offers to purchase such another  
37 person's services, as a partner in a sex act commits  
38 an aggravated misdemeanor.

39 b. A person who purchases or offers to purchase  
40 services as a partner in a sex act from a person who is  
41 under the age of eighteen commits a class "D" felony.

42 Sec. 7. Section 725.2, Code 2014, is amended to  
43 read as follows:

44 725.2 Pimping.

45 1. A person who solicits a patron for a prostitute,  
46 or who knowingly takes or shares in the earnings of  
47 a prostitute, or who knowingly furnishes a room or  
48 other place to be used for the purpose of prostitution,  
49 whether for compensation or not, commits a class "D"  
50 felony.

1     2. A person who solicits a patron for a prostitute  
2 who is under the age of eighteen, or who knowingly  
3 takes or shares in the earnings of a prostitute who is  
4 under the age of eighteen, or who knowingly furnishes  
5 a room or other place to be used for the purposes of  
6 prostitution of a prostitute who is under the age of  
7 eighteen, whether for compensation or not, commits a  
8 class "C" felony.

9     3. It shall be an affirmative defense to a  
10 prosecution of a person under the age of twenty-one  
11 for a violation of this section that the person was  
12 allowed, permitted, or encouraged by an adult having  
13 influence or control of the person to engage in acts  
14 prohibited pursuant to section 725.1, subsection 1,  
15 while the person was under the age of eighteen.

16     Sec. 8. NEW SECTION. 802.2B Other sexual offenses.

17     An information or indictment for the following  
18 offenses committed on or with a person who is under the  
19 age of eighteen years shall be found within ten years  
20 after the person upon whom the offense is committed  
21 attains eighteen years of age, or if the person  
22 against whom the information or indictment is sought  
23 is identified through the use of a DNA profile, an  
24 information or indictment shall be found within three  
25 years from the date the person is identified by the  
26 person's DNA profile, whichever is later:

27     1. Lascivious acts with a child in violation of  
28 section 709.8.

29     2. Assault with intent to commit sexual abuse in  
30 violation of section 709.11.

31     3. Indecent contact with a child in violation of  
32 section 709.12.

33     4. Lascivious conduct with a minor in violation of  
34 section 709.14.

35     5. Sexual misconduct with a juvenile in violation  
36 of section 709.16, subsection 2.

37     6. Sexual exploitation of a minor in violation of  
38 section 728.12.

39     Sec. 9. Section 802.3, Code 2014, is amended to  
40 read as follows:

41     802.3 Felony ---- aggravated or serious misdemeanor.

42     In all cases, except those enumerated in section  
43 802.1, 802.2, 802.2A, 802.2B, or 802.10, an indictment  
44 or information for a felony or aggravated or serious  
45 misdemeanor shall be found within three years after its  
46 commission.

47     Sec. 10. Section 802.10, subsection 3, Code 2014,  
48 is amended to read as follows:

49     3. However, notwithstanding subsection 2, an  
50 indictment or information shall be found against a

1 person within three years from the date the person is  
2 identified by the person's DNA profile. If the action  
3 involves sexual abuse, or another sexual offense the  
4 indictment or information shall be found as provided in  
5 section 802.2 or 802.2B, if the person is identified by  
6 the person's DNA profile.

7 Sec. 11. Section 808B.3, Code 2014, is amended by  
8 adding the following new subsection:

9 NEW SUBSECTION. 6. A felony offense involving  
10 human trafficking in violation of chapter 710A.

11 Sec. 12. Section 902.9, subsection 2, Code 2014, is  
12 amended to read as follows:

13 2. The surcharges required by sections 911.1,  
14 911.2, 911.2A, and 911.3 shall be added to a fine  
15 imposed on a class "C" or class "D" felon, as provided  
16 by those sections, and are not a part of or subject to  
17 the maximums set in this section.

18 Sec. 13. Section 903.1, subsection 4, Code 2014, is  
19 amended to read as follows:

20 4. The surcharges required by sections 911.1,  
21 911.2, 911.2A, 911.3, and 911.4 shall be added to a  
22 fine imposed on a misdemeanor as provided in those  
23 sections, and are not a part of or subject to the  
24 maximums set in this section.

25 Sec. 14. NEW SECTION. 911.2A Human trafficking  
26 victim surcharge.

27 1. In addition to any other surcharge, the court  
28 or clerk of the district court shall assess a human  
29 trafficking victim surcharge of one thousand dollars  
30 if an adjudication of guilt or a deferred judgment has  
31 been entered for a criminal violation of section 725.1,  
32 subsection 2, or section 710A.2, 725.2, or 725.3.

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

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

37 Sec. 15. NEW SECTION. 915.95 Human trafficking  
38 victim fund.

39 A fund is created as a separate fund in the state  
40 treasury. Moneys deposited in the fund shall be  
41 administered by the department and dedicated to and  
42 used for awarding moneys to programs that provide  
43 services and support to victims of human trafficking  
44 under section 710A.2, including public outreach and  
45 awareness programs and service provider training  
46 programs. Notwithstanding section 8.33, any balance in  
47 the fund on June 30 of any fiscal year shall not revert  
48 to the general fund of the state.

49 Sec. 16. EFFECTIVE DATE. The section of this Act  
50 enacting section 911.2A takes effect January 1, 2015.

1 Sec. 17. APPLICABILITY. The section of this Act  
2 enacting section 911.2A applies to an adjudication of  
3 guilt or a deferred judgment entered for a violation of  
4 section 725.1, subsection 2, or section 710A.2, 725.2,  
5 or 725.3 on or after January 1, 2015.

6 2. Title page, by striking lines 1 through 4 and  
7 inserting <An Act relating to sexual and criminal  
8 offenses involving minors and others, including  
9 prostitution, pimping, and human trafficking, providing  
10 for a fee, and including penalties and effective date  
11 and applicability provisions.>>

RECEIVED FROM THE SENATE