

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

APRIL 25, 2014

HOUSE FILE 2472

H-8303

1 Amend House File 2472 as follows:

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

4 <Section 1. CELL SITING REQUIREMENTS AND
5 REGULATIONS ---- INTERIM STUDY.

6 1. The legislative council is requested to
7 establish an interim study committee relating to cell
8 siting requirements and regulations. The objective
9 of the study shall be to examine current cell siting
10 requirements and regulations adopted by the state,
11 political subdivisions of the state, and any other
12 agencies, entities, associations, and organizations
13 authorized by law to make decisions relative to the
14 construction, installation, modification, or siting
15 of wireless communications facilities and structures,
16 and determine and analyze issues associated with those
17 regulations including but not limited to uniformity,
18 approval and denial rates, application delays and
19 requests for application modification, application fee
20 levels, siting of wireless communications facilities
21 and structures in rural areas of the state consisting
22 primarily of cropland, and requirements and regulations
23 relating to wireless communications facility or
24 structure placement.

25 2. The committee shall be composed of eight members
26 of the general assembly. Four members shall be members
27 of the senate, two of whom shall be appointed by
28 the majority leader of the senate, and two of whom
29 shall be appointed by the minority leader of the
30 senate. Four members shall be members of the house of
31 representatives, two of whom shall be appointed by the
32 speaker of the house of representatives, and two of
33 whom shall be appointed by the minority leader of the
34 house of representatives. The interim study committee
35 shall be scheduled for two meeting days.

36 3. The committee shall submit recommendations for
37 modifications to existing requirements and regulations,
38 implementation of new requirements and regulations,
39 and the achievement of increased uniformity in such
40 requirements and regulations, in a report to the
41 general assembly by January 1, 2015.>

42 2. Title page, by striking lines 1 through 4 and
43 inserting <An Act relating to the study of cell siting
44 requirements and regulations.>

By PRICHARD of Floyd

H-8303 FILED APRIL 24, 2014

HOUSE FILE 2472

H-8304

1 Amend House File 2472 as follows:

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

4 <Section 1. BROADBAND EXPANSION AND RETENTION ----
5 INTERIM STUDY.

6 1. The legislative council is requested to
7 establish an interim study committee relating to the
8 expansion and retention of broadband and broadband
9 infrastructure in targeted underserved areas of
10 the state. Aspects of the study shall include but
11 are not limited to reviewing broadband availability
12 maps or data sources and identifying and evaluating
13 financial and tax-related incentives to encourage and
14 facilitate broadband infrastructure installation.
15 The committee shall obtain input from a variety of
16 stakeholders including but not limited to urban and
17 rural communications services providers, businesses
18 and residents located in or doing business in targeted
19 underserved service areas, federations or organizations
20 primarily focused on rural Iowa, school districts, and
21 state, county, or municipal governing bodies, boards,
22 agencies, offices, and commissions.

23 2. The committee shall be composed of eight members
24 of the general assembly. Four members shall be members
25 of the senate, two of whom shall be appointed by
26 the majority leader of the senate, and two of whom
27 shall be appointed by the minority leader of the
28 senate. Four members shall be members of the house of
29 representatives, two of whom shall be appointed by the
30 speaker of the house of representatives, and two of
31 whom shall be appointed by the minority leader of the
32 house of representatives. The interim study committee
33 shall be scheduled for two meeting days.

34 3. The committee shall issue a report to the
35 general assembly containing its findings and
36 recommendations by January 1, 2015.

37 4. For the purposes of this section, unless the
38 context otherwise requires:

39 a. "Broadband" means a high-speed, high-capacity
40 electronic transmission medium that can carry data
41 signals from multiple independent network sources by
42 establishing different bandwidth channels and that
43 is commonly used to deliver internet services to the
44 public.

45 b. "Broadband infrastructure" means the physical
46 infrastructure used for the transmission of data
47 via broadband, including but not limited to any
48 equipment, systems, switches, routers, wire, cable,
49 satellite, conduits, servers, software, technology,
50 base transceiver station sites, or other means

1 of transmission or communication. "Broadband
2 infrastructure" does not include land, buildings,
3 structures, improvements, or equipment not directly
4 used in the transmission of data.

5 c. "Targeted underserved service area" means
6 a United States census bureau census block located
7 in this state, including any crop operation located
8 within the census block, within which no communications
9 service provider offers or facilitates broadband
10 service at or above twenty-five megabits per second of
11 download speed and three megabits per second of upload
12 speed.>

13 2. Title page, by striking lines 1 through 4 and
14 inserting <An Act providing for the establishment of
15 a broadband expansion and retention interim study
16 committee.>

By PRICHARD of Floyd

HOUSE FILE 2472

H-8305

1 Amend House File 2472 as follows:

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

4 <DIVISION I

5 LEGISLATIVE INTENT

6 Section 1. SHORT TITLE. This Act shall be known
7 and may be cited as the "Statewide Broadband Expansion
8 Act".

9 Sec. 2. LEGISLATIVE INTENT. The general assembly
10 finds that the availability of broadband access,
11 and the infrastructure necessary to facilitate that
12 access, varies to a significant extent from one area
13 of the state to another, and that increasing access
14 to broadband throughout the state is vital so that
15 every citizen, business entity or organization, and
16 community in this state can be afforded the opportunity
17 to fully integrate with and utilize modern technology
18 for educational, economic development and job training,
19 health care, and other purposes.

20 DIVISION II

21 STATEWIDE BROADBAND COORDINATION

22 Sec. 3. Section 8B.1, Code 2014, is amended by
23 adding the following new subsections:

24 NEW SUBSECTION. 01. "Broadband" means a
25 high-speed, high-capacity electronic transmission
26 medium that can carry data signals from multiple
27 independent network sources by establishing different
28 bandwidth channels and that is commonly used to deliver
29 internet services to the public.

30 NEW SUBSECTION. 001. "Broadband infrastructure"
31 means the physical infrastructure used for the
32 transmission of data via broadband, including but not
33 limited to any equipment, systems, switches, routers,
34 wire, cable, satellite, conduits, servers, software,
35 technology, base transceiver station sites, or other
36 means of transmission or communication. "Broadband
37 infrastructure" does not include land, buildings,
38 structures, improvements, or equipment not directly
39 used in the transmission of data.

40 NEW SUBSECTION. 0001. "Communications service
41 provider" means a service provider that provides
42 broadband service.

43 NEW SUBSECTION. 00001. "Crop operation" means the
44 same as defined in section 717A.1.

45 Sec. 4. Section 8B.1, subsection 1, Code 2014, is
46 amended to read as follows:

47 1. "Information technology" means computing and
48 electronics applications used to process and distribute
49 information in digital and other forms and includes
50 information technology devices, information technology

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1 services, infrastructure services, broadband and
2 broadband infrastructure, and value-added services.

3 Sec. 5. Section 8B.1, Code 2014, is amended by
4 adding the following new subsections:

5 NEW SUBSECTION. 7A. "Targeted underserved service
6 area" means a United States census bureau census
7 block located in this state, including any crop
8 operation located within the census block, within
9 which communications service providers do not offer or
10 facilitate broadband service at or above twenty-five
11 megabits per second of download speed or three megabits
12 per second of upload speed. This definition may be
13 adjusted by the office by rule pursuant to section
14 8B.10.

15 NEW SUBSECTION. 7B. "Targeted unserved service
16 area" means a United States census bureau census
17 block located in this state, including any crop
18 operation located within the census block, within
19 which communications service providers do not offer or
20 facilitate broadband service at or above four megabits
21 per second of download speed or one megabit per second
22 of upload speed. This definition may be adjusted by
23 the office by rule pursuant to section 8B.10.

24 Sec. 6. Section 8B.3, subsection 1, Code 2014, is
25 amended to read as follows:

26 1. The office is created for the purpose of
27 leading, directing, managing, coordinating, and
28 providing accountability for the information technology
29 resources of state government and for coordinating
30 statewide broadband availability and access.

31 Sec. 7. Section 8B.4, Code 2014, is amended by
32 adding the following new subsection:

33 NEW SUBSECTION. 14A. Streamline, consolidate,
34 and coordinate the access to and availability of
35 broadband and broadband infrastructure throughout
36 the state, including but not limited to the
37 facilitation of public-private partnerships, ensuring
38 that all state agencies' broadband and broadband
39 infrastructure policies and procedures are aligned,
40 promoting accountability regarding broadband and
41 broadband infrastructure availability and access,
42 integrating broadband with cyber security standards
43 and rules, resolving issues which arise with regard
44 to implementation efforts, collecting data and
45 developing metrics or standards against which the data
46 may be measured and evaluated regarding broadband
47 infrastructure installation and deployment, and
48 identifying options regarding the creation of standing
49 resources for stakeholders such as a fiberoptic
50 database or a fiberoptic network conduit installation

1 coordination effort for state-funded construction
2 projects.

3 Sec. 8. Section 8B.9, Code 2014, is amended by
4 adding the following new subsection:

5 NEW SUBSECTION. 5. An annual report regarding the
6 status of broadband expansion and coordination.

7 Sec. 9. NEW SECTION. 8B.10 Targeted unserved and
8 underserved service areas ---- determination ---- criteria
9 ---- subdivision.

10 1. The office may periodically adjust the
11 definitions of targeted unserved service area and
12 targeted underserved service area contained in
13 section 8B.1 by rule. The determination of whether a
14 communications service provider offers or facilitates
15 broadband service meeting the download or upload speeds
16 specified in such definitions shall be determined or
17 ascertained by reference to broadband availability maps
18 or data sources that are widely accepted for accuracy
19 and available for public review and comment and that
20 are identified by the office by rule.

21 2. The office shall establish procedures to allow
22 challenges to claims that an area meets the definition
23 of a targeted unserved service area or targeted
24 underserved service area.

25 3. Service areas that have more than one
26 communications service provider shall be subdivided
27 based on incumbent local telephone exchange areas
28 that have been established by the utilities board of
29 the utilities division of the department of commerce
30 pursuant to section 476.29.

31 Sec. 10. Section 8D.3, subsection 2, paragraph a,
32 Code 2014, is amended to read as follows:

33 a. The commission is composed of the chief
34 information officer appointed pursuant to section 8B.2
35 or the chief information officer's designee and five
36 other members who shall be appointed by the governor
37 and subject to confirmation by the senate. ~~Members~~
38 Appointed members of the commission shall not serve in
39 any manner or be employed by an authorized user of the
40 network or by an entity seeking to do or doing business
41 with the network.

42 (1) The governor shall appoint a member as the
43 chairperson of the commission from the five members
44 appointed by the governor, subject to confirmation by
45 the senate.

46 (2) ~~Members~~ Appointed members of the commission
47 shall serve six-year staggered terms as designated by
48 the governor and appointments to the commission are
49 subject to the requirements of sections 69.16, 69.16A,
50 and 69.19. Vacancies shall be filled by the governor

1 for the duration of the unexpired term.

2 (3) The salary of the appointed members of the
3 commission shall be twelve thousand dollars per year,
4 except that the salary of the chairperson shall be
5 seventeen thousand dollars per year. ~~Members~~ Appointed
6 members of the commission shall also be reimbursed
7 for all actual and necessary expenses incurred in the
8 performance of duties as members. The benefits and
9 salary paid to the appointed members of the commission
10 shall be adjusted annually equal to the average of the
11 annual pay adjustments, expense reimbursements, and
12 related benefits provided under collective bargaining
13 agreements negotiated pursuant to chapter 20.

14 Sec. 11. Section 8D.3, subsection 2, paragraph b,
15 Code 2014, is amended to read as follows:

16 b. ~~In addition to the members appointed by the~~
17 ~~governor, the~~ The auditor of state or the auditor's
18 designee shall serve as a nonvoting, ex officio member
19 of the commission.

20 Sec. 12. Section 8D.4, Code 2014, is amended to
21 read as follows:

22 8D.4 Executive director appointed.

23 The commission, in consultation with the director
24 of the department of administrative services ~~and the~~
25 ~~chief information officer~~, shall appoint an executive
26 director of the commission, subject to confirmation
27 by the senate. Such individual shall not serve as a
28 member of the commission. The executive director shall
29 serve at the pleasure of the commission. The executive
30 director shall be selected primarily for administrative
31 ability and knowledge in the field, without regard to
32 political affiliation. The governor shall establish
33 the salary of the executive director within range nine
34 as established by the general assembly. The salary
35 and support of the executive director shall be paid
36 from funds deposited in the Iowa communications network
37 fund.

38 Sec. 13. Section 80.28, subsection 2, Code 2014, is
39 amended to read as follows:

40 2. The board shall consist of ~~fifteen~~ seventeen
41 voting members, as follows:

42 a. The following members representing state
43 agencies:

44 (1) One member representing the department of
45 public safety.

46 (2) One member representing the state department of
47 transportation.

48 (3) One member representing the department of
49 homeland security and emergency management.

50 (4) One member representing the department of

1 corrections.

2 (5) One member representing the department of
3 natural resources.

4 (6) One member representing the Iowa department of
5 public health.

6 (7) One member representing the office of the chief
7 information officer.

8 b. The governor shall solicit and consider
9 recommendations from professional or volunteer
10 organizations in appointing the following members:

11 (1) Two members who are representatives from
12 municipal police departments.

13 (2) Two members who are representatives of
14 sheriff's offices.

15 (3) Two members who are representatives from fire
16 departments. One of the members shall be a volunteer
17 fire fighter and the other member shall be a paid fire
18 fighter.

19 (4) Two members who are law communication center
20 managers employed by state or local government
21 agencies.

22 (05) One member who is an emergency medical care
23 provider as defined in section 147A.1.

24 (5) One at-large member.

25

DIVISION III

26

INCOME TAX INCENTIVES

27

Sec. 14. NEW SECTION. 422.11C Broadband

28

infrastructure tax credit.

29

1. For purposes of this section, "broadband
30 infrastructure", "communications service provider",
31 "targeted unserved service area", and "targeted
32 underserved service area" mean the same as defined in
33 section 8B.1.

34

2. The taxes imposed under this division, less the
35 credits allowed under section 422.12, shall be reduced
36 by a broadband infrastructure tax credit equal to seven
37 percent of the amount expended by a communications
38 service provider for a new installation of broadband
39 infrastructure completed on or after July 1, 2014, with
40 such reduction not to exceed a maximum of two hundred
41 fifty thousand dollars per United States census bureau
42 census block or three million dollars per installation.
43 A taxpayer claiming a credit under this section shall
44 certify prior to commencement of the installation
45 that the broadband infrastructure installation will
46 take place within a targeted unserved service area or
47 a targeted underserved service area. Any credit in
48 excess of the tax liability for the tax year shall not
49 be refunded, but may be credited to the tax liability
50 for the following ten tax years or until depleted,

1 whichever is earlier.

2 3. An individual may claim the tax credit allowed a
3 partnership, limited liability company, S corporation,
4 estate, or trust electing to have the income taxed
5 directly to the individual. The amount claimed by the
6 individual shall be based upon the pro rata share of
7 the individual's earnings of a partnership, limited
8 liability company, S corporation, estate, or trust.

9 4. The director of revenue may adopt rules pursuant
10 to chapter 17A for the interpretation and proper
11 administration of the credit provided in this section.

12 Sec. 15. Section 422.33, Code 2014, is amended by
13 adding the following new subsection:

14 NEW SUBSECTION. 31. The taxes imposed under this
15 division shall be reduced by a broadband infrastructure
16 tax credit allowed under section 422.11C.

17 Sec. 16. RETROACTIVE APPLICABILITY. This division
18 of this Act applies retroactively to January 1, 2014,
19 for tax years beginning on or after that date.

20 DIVISION IV

21 PROPERTY TAX INCENTIVES

22 Sec. 17. Section 427.1, Code 2014, is amended by
23 adding the following new subsection:

24 NEW SUBSECTION. 40. Broadband infrastructure.

25 a. Broadband infrastructure shall be entitled
26 to an exemption from taxation to the extent provided
27 in this section based upon the actual value added
28 by broadband infrastructure that is newly installed
29 and completed. For the purposes of this subsection,
30 "broadband infrastructure", "targeted unserved service
31 area", and "targeted underserved service area" mean the
32 same as defined in section 8B.1.

33 b. The exemption shall apply to the new
34 installation of broadband infrastructure completed on
35 or after July 1, 2014, in a targeted unserved service
36 area or a targeted underserved service area. A person
37 claiming an exemption under this subsection shall
38 certify prior to commencement of the installation
39 that the broadband installation will take place
40 within a targeted unserved service area or a targeted
41 underserved service area.

42 c. If the broadband infrastructure is assessed with
43 other property as a unit by the department of revenue
44 pursuant to sections 428.24 through 428.29 or chapter
45 433, this exemption shall be limited to the value added
46 by the broadband infrastructure as determined as of
47 the assessment date and the exemption shall be applied
48 prior to any other exemption applicable to the unit
49 value.

50 d. The tax exemption shall be a one hundred percent

1 exemption from taxation on the actual value added by
2 the improvements for a period of ten years.

3 e. (1) A person may submit a proposal to the
4 governing body of the city or county within which
5 a broadband infrastructure installation project is
6 proposed to receive prior approval for eligibility
7 for a tax exemption for the project pursuant to this
8 section. The governing body shall, by resolution, give
9 its prior approval if the project is in conformance
10 with the requirements of this subsection. Such prior
11 approval shall not entitle the owner to exemption from
12 taxation until the improvements have been completed
13 and found to be qualified real estate. However, if
14 the proposal is not approved, the person may submit an
15 amended proposal for the governing body to approve or
16 reject.

17 (2) The application for an exemption shall be filed
18 by the owner of the property with the governing body
19 of the city or county in which the property is located
20 by February 1 of the assessment year for which the
21 exemption is first claimed, but not later than the
22 year in which the value added pursuant to the project
23 is first assessed for taxation, or the following
24 two assessment years, in which case the exemption is
25 allowed for the total number of years in the exemption
26 schedule. However, upon the request of the owner at
27 any time, the governing body of the city or county
28 may provide by resolution that the owner may file an
29 application by February 1 of any other assessment
30 year selected by the governing body in which case the
31 exemption is allowed for the number of years remaining
32 in the exemption schedule selected. The application
33 shall contain but not be limited to the following
34 information:

35 (a) The nature of the improvement.

36 (b) The estimated cost of the improvement.

37 (c) The estimated or actual date of project
38 completion.

39 (d) Certification that the installation was
40 completed in a targeted unserved service area or a
41 targeted underserved service area.

42 (3) The governing body of the city or county shall
43 forward for review all approved applications to the
44 appropriate local assessor by March 1 annually. The
45 assessor shall proceed to determine the actual value
46 of the newly installed broadband infrastructure and
47 shall certify the valuation determined to the county
48 auditor at the time of transmitting the assessment
49 rolls. After the tax exemption is granted, the local
50 assessor shall continue to grant the tax exemption

1 for the remainder of the time period in the exemption
2 schedule, and applications for exemption for succeeding
3 years shall not be required.

4 f. The director of revenue may adopt rules pursuant
5 to chapter 17A for the interpretation and proper
6 administration of the exemption provided in this
7 subsection.

8 DIVISION V

9 SCHOOL INFORMATION TECHNOLOGY INFRASTRUCTURE

10 Sec. 18. Section 423F.3, subsection 6, Code 2014,
11 is amended to read as follows:

12 6. a. For purposes of this chapter, "school
13 infrastructure" means those activities authorized in
14 section 423E.1, subsection 3, Code 2007.

15 b. Additionally, "school infrastructure" includes
16 the payment or retirement of outstanding bonds
17 previously issued for school infrastructure purposes
18 as defined in this subsection, and the payment or
19 retirement of bonds issued under sections 423E.5 and
20 423F.4.

21 c. Additionally, "school infrastructure" includes
22 the acquisition or installation of information
23 technology infrastructure. "Information technology
24 infrastructure" means the basic, underlying physical
25 framework or system necessary to deliver technology
26 connectivity to a school district and to network school
27 buildings within a school district.

28 ~~e.~~ d. A school district that uses secure an
29 advanced vision for education fund moneys for school
30 infrastructure shall comply with the state building
31 code in the absence of a local building code.

32 DIVISION VI

33 STEM INTERNSHIPS

34 Sec. 19. Section 15.411, subsection 3, Code 2014,
35 is amended to read as follows:

36 3. a. The authority shall establish and administer
37 an innovative businesses internship program with two
38 components for Iowa students. For purposes of this
39 subsection, "Iowa student" means a student of an Iowa
40 community college, private college, or institution of
41 higher learning under the control of the state board of
42 regents, or a student who graduated from high school in
43 Iowa but now attends an institution of higher learning
44 outside the state of Iowa.

45 b. The purpose of the first component of the
46 program is to link Iowa students to small and medium
47 sized Iowa firms through internship opportunities. An
48 Iowa employer may receive financial assistance in an
49 amount of one dollar for every two dollars paid by
50 the employer to an intern. The amount of financial

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1 assistance shall not exceed three thousand one hundred
2 dollars for any single internship, or nine thousand
3 three hundred dollars for any single employer. In
4 order to be eligible to receive financial assistance
5 under this ~~subsection~~ paragraph, the employer must
6 have five hundred or fewer employees and must be an
7 innovative business. The authority shall encourage
8 youth who reside in economically distressed areas,
9 youth adjudicated to have committed a delinquent
10 act, and youth transitioning out of foster care to
11 participate in the first component of the internship
12 program.

13 c. (1) The purpose of the second component of the
14 program is to assist in placing Iowa students studying
15 in the fields of science, technology, engineering, and
16 mathematics into internships that lead to permanent
17 positions with Iowa employers. The authority shall
18 collaborate with eligible employers, including but not
19 limited to innovative businesses, to ensure that the
20 interns hired are studying in such fields. An Iowa
21 employer may receive financial assistance in an amount
22 of one dollar for every dollar paid by the employer to
23 an intern. The amount of financial assistance shall
24 not exceed five thousand dollars per internship. The
25 authority may adopt rules to administer this component.

26 (2) The requirement to administer this component of
27 the internship program is contingent upon the provision
28 of funding for such purposes by the general assembly.>

29 2. Title page, by striking lines 1 through 4
30 and inserting <An Act providing for the expansion
31 of the availability of broadband access across the
32 state, including income tax credits and property tax
33 exemptions for broadband infrastructure installations,
34 and including retroactive applicability provisions.>

By PRICHARD of Floyd

H-8305 FILED APRIL 24, 2014

HOUSE FILE 2472

H-8309

1 Amend House File 2472 as follows:

2 1. Page 24, by striking lines 14 through 16 and
3 inserting <equal to fifty percent of the amount paid by
4 the employer to an intern, not to exceed five thousand
5 dollars in assistance per intern. The authority may
6 adopt>

By ISENHART of Dubuque

H-8309 FILED APRIL 24, 2014

HOUSE FILE 2472

H-8310

1 Amend House File 2472 as follows:

2 1. Page 8, line 10, by striking <The amount of a
3 reduction> and inserting <A credit claimed>

4 2. By striking page 13, line 13, through page 23,
5 line 13.

6 3. By renumbering, redesignating, and correcting
7 internal references as necessary.

By COWNIE of Polk

H-8310 FILED APRIL 24, 2014

SENATE FILE 2340

H-8306

1 Amend Senate File 2340, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 3, by striking <~~Fifty~~ Sixty> and
4 inserting <Fifty>

5 2. Page 1, line 5, by striking <25D> and inserting
6 <~~25D~~ 25D(a)(1) and section 25D(a)(2)>

7 3. Page 1, line 6, by striking <~~three~~ five> and
8 inserting <three>

9 4. Page 1, line 7, by striking <~~Fifty~~ Sixty> and
10 inserting <Fifty>

11 5. Page 1, line 8, by striking <48> and inserting
12 <~~48~~ 48(a)(2)(A)(i)(II) and section 48(a)(2)(A)(i)(III)>

13 6. Page 1, line 9, by striking <~~fifteen~~ twenty> and
14 inserting <fifteen>

15 7. Page 1, by striking line 27 and inserting
16 <three million five hundred thousand dollars. Of this
17 amount,>

18 8. Page 2, after line 6 by inserting:
19 <Sec. ____ . Section 422.33, subsection 29, paragraph
20 a, Code 2014, is amended to read as follows:

21 a. The taxes imposed under this division shall
22 be reduced by a solar energy system tax credit
23 equal to fifty percent of the federal energy credit
24 related to solar energy systems provided in section
25 48 48(a)(2)(A)(i)(II) and section 48(a)(2)(A)(i)(III)
26 of the Internal Revenue Code, not to exceed fifteen
27 thousand dollars.

28 Sec. ____ . Section 422.60, subsection 12, paragraph
29 a, as enacted by 2014 Iowa Acts, House File 2438,
30 section 27, is amended to read as follows:

31 a. The taxes imposed under this division shall
32 be reduced by a solar energy system tax credit
33 equal to fifty percent of the federal energy credit
34 related to solar energy systems provided in section
35 48 48(a)(2)(A)(i)(II) and section 48(a)(2)(A)(i)(III)
36 of the Internal Revenue Code, not to exceed fifteen
37 thousand dollars.>

38 9. By renumbering as necessary.

By FORRISTALL of Pottawattamie

H-8306 FILED APRIL 24, 2014

SENATE FILE 2318

H-8307

1 Amend Senate File 2318, as amended, passed, and
2 reprinted by the Senate, as follows:

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

5 <Section 1. Section 256.7, Code 2014, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 33. Adopt rules incorporating the
8 training required by section 272.2, subsection 19, into
9 the standards for school district or attendance center
10 teacher professional development plans in accordance
11 with section 284.6 and school district or attendance
12 center administrator professional development plans in
13 accordance with section 284A.6.

14 Sec. 2. Section 272.2, Code 2014, is amended by
15 adding the following new subsection:

16 NEW SUBSECTION. 19. a. Adopt rules requiring
17 all teachers who have regular and substantial contact
18 with students to complete training on harassment and
19 bullying prevention and response as part of their
20 professional development and training plans.

21 b. Adopt rules requiring all individuals applying
22 for or renewing a license, certificate, authorization,
23 or statement of recognition issued by the board who
24 are responsible for conducting investigations of
25 complaints of incidents of harassment or bullying to
26 complete training on the provisions of section 280.28,
27 conducting impartial investigations with transparency,
28 collecting evidence, following up on previous
29 investigations, and reporting founded and unfounded
30 incidents of harassment and bullying to the department.

31 c. Adopt rules requiring all individuals applying
32 for or renewing an administrator license to complete
33 training on implementation of school-wide policies and
34 procedures for harassment and bullying identification,
35 reporting, response, and prevention.

36 Sec. 3. Section 280.28, subsection 2, paragraph a,
37 Code 2014, is amended to read as follows:

38 a. "Electronic" means any communication involving
39 the transmission of information by wire, radio,
40 optical cable, electromagnetic, or other similar
41 means. "Electronic" includes but is not limited to
42 communication via electronic mail, internet-based
43 communications including social networking sites
44 and applications, pager service, cell phones, ~~and~~
45 electronic text messaging, or any other electronic
46 communication site, device, or means.

47 Sec. 4. Section 280.28, subsection 5, Code 2014, is
48 amended to read as follows:

49 5. Immunity.

50 a. A school employee, volunteer, or student, or a

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1 student's parent or guardian who promptly, reasonably,
2 and in good faith reports an incident of harassment
3 or bullying, in compliance with the procedures in
4 the policy adopted pursuant to this section, to the
5 appropriate school official designated by the school
6 district or accredited nonpublic school, shall be
7 immune from civil or criminal liability relating to
8 such report and to participation in any administrative
9 or judicial proceeding resulting from or relating to
10 the report.

11 b. A school district, school, or employee thereof
12 who reasonably and in good faith follows notification
13 procedures established as provided in subsection
14 9 shall be immune from civil or criminal liability
15 relating to such notification procedures and to
16 participation in any administrative or judicial
17 proceeding resulting from or relating to such
18 notification procedures.

19 Sec. 5. Section 280.28, Code 2014, is amended by
20 adding the following new subsection:

21 NEW SUBSECTION. 9. Parental notification.

22 a. Each school district and accredited nonpublic
23 school shall establish notification procedures for
24 incidents of harassment or bullying in accordance
25 with this subsection. The procedures shall include
26 notification of the custodial parent or guardian of any
27 student directly involved in any incident of harassment
28 or bullying, upon investigation and determination that
29 harassment or bullying has occurred, consistent with a
30 notification plan made in consultation with the student
31 and school guidance staff. The notification shall
32 include information on the action that school officials
33 have taken regarding the incident and the actions
34 school officials will take to prevent further acts
35 of harassment or bullying. If such notification is
36 delayed, the school district or school shall document
37 the reasons for the delay. This paragraph does not
38 prohibit a school official from contacting a parent
39 or guardian about a report of harassment or bullying
40 prior to a determination that harassment or bullying
41 has occurred.

42 b. The requirements of this subsection shall
43 not apply if a school official reasonably believes
44 notification would subject a student to abuse, neglect,
45 or other physical or mental harm.

46 c. Notification pursuant to this subsection
47 shall comply with state and federal privacy laws,
48 regulations, and rules.>

49 2. Title page, by striking lines 2 through 6 and
50 inserting <antibullying policies and providing for

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Page 3

1 training on harassment and bullying prevention and
2 response.>

COMMITTEE ON APPROPRIATIONS

SODERBERG of Plymouth, Chairperson

H-8307 FILED APRIL 24, 2014

SENATE FILE 2318

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1 Amend the amendment, H-8307, to Senate File 2318,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 1, line 1, through page 3, line
5 2, and inserting:

6 <Amend Senate File 2318, as amended, passed, and
7 reprinted by the Senate, as follows:

8 _____. By striking everything after the enacting
9 clause and inserting:

10 <Section 1. Section 256.7, Code 2014, is amended by
11 adding the following new subsection:

12 NEW SUBSECTION. 33. Adopt rules incorporating the
13 training required by section 272.2, subsection 19, into
14 the standards for school district or attendance center
15 teacher professional development plans in accordance
16 with section 284.6 and school district or attendance
17 center administrator professional development plans in
18 accordance with section 284A.6.

19 Sec. 2. Section 272.2, Code 2014, is amended by
20 adding the following new subsection:

21 NEW SUBSECTION. 19. a. Adopt rules requiring
22 all teachers who have regular and substantial contact
23 with students to complete training on harassment and
24 bullying prevention and response as part of their
25 professional development and training plans, to the
26 extent such training is made available by the state
27 of Iowa at no charge to trainees, schools, or school
28 districts.

29 b. Adopt rules requiring all individuals applying
30 for or renewing a license, certificate, authorization,
31 or statement of recognition issued by the board who
32 are responsible for conducting investigations of
33 complaints of incidents of harassment or bullying to
34 complete training on the provisions of section 280.28;
35 conducting impartial investigations with transparency;
36 collecting evidence; following up on previous
37 investigations; and reporting founded and unfounded
38 incidents of harassment and bullying to the department;
39 to the extent such training is made available by the
40 state of Iowa at no charge to trainees, schools, or
41 school districts.

42 c. Adopt rules requiring all individuals applying
43 for or renewing an administrator license to complete
44 training on implementation of school-wide policies and
45 procedures for harassment and bullying identification,
46 reporting, response, and prevention, to the extent such
47 training is made available by the state of Iowa at no
48 charge to trainees, schools, or school districts.

49 Sec. 3. Section 280.28, subsection 2, paragraph a,
50 Code 2014, is amended to read as follows:

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1 a. "Electronic" means any communication involving
2 the transmission of information by wire, radio,
3 optical cable, electromagnetic, or other similar
4 means. "Electronic" includes but is not limited to
5 communication via electronic mail, internet-based
6 communications including social networking sites
7 and applications, pager service, cell phones, and
8 electronic text messaging, or any other electronic
9 communication site, device, or means.

10 Sec. 4. Section 280.28, subsection 5, Code 2014, is
11 amended to read as follows:

12 5. Immunity.

13 a. A school employee, volunteer, or student, or a
14 student's parent or guardian who promptly, reasonably,
15 and in good faith reports an incident of harassment
16 or bullying, in compliance with the procedures in
17 the policy adopted pursuant to this section, to the
18 appropriate school official designated by the school
19 district or accredited nonpublic school, shall be
20 immune from civil or criminal liability relating to
21 such report and to participation in any administrative
22 or judicial proceeding resulting from or relating to
23 the report.

24 b. A school district, school, or employee thereof
25 who reasonably and in good faith follows notification
26 procedures established as provided in subsection
27 9 shall be immune from civil or criminal liability
28 relating to such notification procedures and to
29 participation in any administrative or judicial
30 proceeding resulting from or relating to such
31 notification procedures.

32 Sec. 5. Section 280.28, Code 2014, is amended by
33 adding the following new subsection:

34 NEW SUBSECTION. 9. Parental notification.

35 a. Each school district and accredited nonpublic
36 school shall establish notification procedures for
37 incidents of harassment or bullying in accordance
38 with this subsection. The procedures shall include
39 notification of the custodial parent or guardian of any
40 student directly involved in any incident of harassment
41 or bullying, upon investigation and determination that
42 harassment or bullying has occurred, consistent with a
43 notification plan made in consultation with the student
44 and school guidance staff. The notification shall
45 include information on the action that school officials
46 have taken regarding the incident and the actions
47 school officials will take to prevent further acts
48 of harassment or bullying. If such notification is
49 delayed, the school district or school shall document
50 the reasons for the delay. This paragraph does not

1 prohibit a school official from contacting a parent
2 or guardian about a report of harassment or bullying
3 prior to a determination that harassment or bullying
4 has occurred.

5 b. The requirements of this subsection shall
6 not apply if a school official reasonably believes
7 notification would subject a student to abuse, neglect,
8 or other physical or mental harm.

9 c. Notification pursuant to this subsection
10 shall comply with state and federal privacy laws,
11 regulations, and rules.

12 Sec. 6. Section 282.18, subsection 11, Code 2014,
13 is amended to read as follows:

14 11. A pupil who participates in open enrollment
15 for purposes of attending a grade in grades nine
16 through twelve in a school district other than the
17 district of residence is ineligible to participate
18 in varsity interscholastic athletic contests and
19 athletic competitions during the pupil's first ninety
20 school days of enrollment in the district except that
21 the pupil may participate immediately in a varsity
22 interscholastic sport if the pupil is entering grade
23 nine for the first time and did not participate in
24 an interscholastic athletic competition for another
25 school or school district during the summer immediately
26 following eighth grade, if the district of residence
27 and the other school district jointly participate
28 in the sport, if the sport in which the pupil wishes
29 to participate is not offered in the district of
30 residence, if the pupil chooses to use open enrollment
31 to attend school in another school district because
32 the district in which the student previously attended
33 school was dissolved and merged with one or more
34 contiguous school districts under section 256.11,
35 subsection 12, if the pupil participates in open
36 enrollment because the pupil's district of residence
37 has entered into a whole grade sharing agreement
38 with another district for the pupil's grade, ~~or~~ if
39 the parent or guardian of the pupil participating
40 in open enrollment is an active member of the armed
41 forces and resides in permanent housing on government
42 property provided by a branch of the armed services,
43 or if the district of residence determines that the
44 pupil was previously subject to a founded incident of
45 harassment or bullying as defined in section 280.28
46 while attending school in the district of residence.
47 A pupil who has paid tuition and attended school, or
48 has attended school pursuant to a mutual agreement
49 between the two districts, in a district other than
50 the pupil's district of residence for at least one

1 school year is also eligible to participate immediately
2 in interscholastic athletic contests and athletic
3 competitions under this section, but only as a member
4 of a team from the district that pupil had attended.

5 For purposes of this subsection, "school days of
6 enrollment" does not include enrollment in summer
7 school. For purposes of this subsection, "varsity"
8 means the same as defined in section 256.46.>

9 _____. Title page, by striking lines 2 through 6 and
10 inserting <antibullying policies and providing for
11 training on harassment and bullying prevention and
12 response.>>

13 2. By renumbering as necessary.

By STANERSON of Linn
OURTH of Warren

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 2450

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2450, a bill for an Act relating to appropriations to the justice system and including effective date provisions, respectfully make the following report:

1. That the Senate recedes from its amendment, H-8277.

2. That House File 2450, as amended, passed, and reprinted by the House, is amended to read as follows:

1. Page 2, line 14, by striking <6,337,024> and inserting <6,734,400>

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2. Page 2, after line 25 by inserting:

<Notwithstanding section 8.33, moneys appropriated in this paragraph "b" that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.>

3. Page 4, line 10, by striking <42,655,684> and inserting <43,021,602>

4. Page 4, line 15, by striking <33,344,253> and inserting <33,668,253>

5. Page 4, line 23, by striking <59,132,786> and inserting <59,408,092>

6. Page 4, line 28, by striking <27,464,108> and inserting <27,572,108>

7. Page 4, line 33, by striking <24,982,135> and inserting <25,360,135>

8. Page 5, line 3, by striking <9,728,353> and inserting <9,836,353>

9. Page 5, line 8, by striking <25,717,430> and inserting <25,933,430>

10. Page 5, line 18, by striking <21,937,970> and inserting <22,045,970>

11. Page 5, line 23, by striking <29,989,648> and inserting <30,097,648>

12. Page 6, after line 35 by inserting:

<c. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection the department of corrections shall not, except as otherwise provided in paragraph "b", enter into a new contract, unless the contract is a renewal of an existing contract, for the expenditure of moneys in excess of \$100,000 during the fiscal year beginning July 1, 2014, for the privatization of services performed by the department using state employees as of July 1, 2014, or for the privatization of new services by

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the department without prior consultation with any applicable state employee organization affected by the proposed new contract and prior notification of the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system.

d. It is the intent of the general assembly that the department of corrections add additional correctional officer positions to the current number of correctional officer positions as of July 1, 2014.>

13. Page 8, line 26, by striking <14,653,677> and inserting <14,753,977>

14. Page 8, after line 26 by inserting:

<It is the intent of the general assembly that the first judicial district department of correctional services maintain the drug courts operated by the district department.>

15. Page 8, line 30, by striking <11,098,361> and inserting <11,500,661>

16. Page 8, after line 30 by inserting:

<It is the intent of the general assembly that the second judicial district department of correctional services establish and maintain two drug courts to be operated by the district department.>

17. Page 9, line 8, by striking <19,817,516> and inserting <20,304,616>

18. Page 9, after line 8 by inserting:

<It is the intent of the general assembly that the fifth judicial district department of correctional services maintain the drug court operated by the district department.>

19. Page 9, after line 12 by inserting:

<It is the intent of the general assembly that the sixth judicial district department of correctional services maintain the drug court operated by the district department.>

20. Page 9, line 16, by striking <7,745,173> and inserting <7,856,873>

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21. Page 9, after line 16 by inserting:

<It is the intent of the general assembly that the seventh judicial district department of correctional services maintain the drug court operated by the district department.>

22. Page 13, line 4, by striking <2,629,623> and inserting <2,229,623>

23. Page 15, line 17, by striking <61,645,291> and inserting <60,920,291>

24. Page 15, after line 23 by inserting:

<It is the intent of the general assembly that the division of state patrol implement the endangered persons advisory alert system.>

25. Page 16, by striking lines 24 through 27.

26. Page 18, line 22, by striking <1,100,105> and inserting <1,260,105>

27. By striking page 19, line 9, through page 21, line 16, and inserting:

<Sec. _____. Section 13.2, subsection 1, Code 2014, is amended by adding the following new paragraph:

NEW PARAGRAPH. o. Submit a report by January 15 of each year to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system, to the executive council, and to the legislative services agency detailing the amount of annual money receipts generated by each settlement or judgment in excess of two hundred fifty thousand dollars collected pursuant to legal proceedings under chapters 455B, 553, and 714. The report shall include the name of the civil or criminal case involved, the court of jurisdiction, the settlement amount including the state's share of the settlement, the name of the fund in which the receipts were deposited, and the planned use of the moneys.

Sec. _____. NEW SECTION. 13.32 **Victim assistance grant programs — annual report.**

1. a. The department of justice shall compile an annual

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report relating to the victim assistance grant programs administered under section 13.31, subsections 1, 3, 4, and 6, which shall include all of the following:

(1) A mission statement and table of organization of the department of justice relating to the victim assistance grant programs, a program summary and statistics, including but not limited to sources and uses of funds and the numbers of victims served.

(2) An itemization of out-of-state travel expenses incurred by an employee of the department of justice and an itemization of such travel paid to a contractor.

(3) An itemization of overtime paid to an employee of the department or a contractor.

(4) An itemization of any bonuses paid to an employee of the department or a contractor.

(5) A summary of expenditures reimbursed through the programs including but not limited to compensation paid to nonprofit organizations for travel and training expenses, utilities, payroll, benefits, equipment repairs and maintenance, rent, communications, advertising, supplies, insurance, and other direct expenses.

b. The report shall be provided to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system, the governor, and the legislative services agency by January 15, 2015, and each January 15 thereafter.

2. The department of justice shall adopt rules to administer claims for victim assistance grants described in subsection 1. The rules shall standardize the claim forms for contractors including designating a place on the form for an itemization of services provided, mileage incurred, and expenses incurred. The rules shall further specify that the department of justice shall process the claims through the grants enterprise management office.

Sec. ____ . Section 80B.5, Code 2014, is amended to read as

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follows:

80B.5 Administration — director — deputy director.

1. The administration of this chapter shall be vested in the office of the governor. A Except for the director and deputy director of the academy and such, the staff as may be necessary for it to function shall be employed pursuant to the Iowa merit system.

2. The director of the academy shall be appointed by the governor, subject to confirmation by the senate, to serve at the pleasure of the governor, and the director may employ a deputy director.

Sec. _____. Section 97B.49B, subsection 1, paragraph e, Code 2014, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (13) An employee of a judicial district department of correctional services whose condition of employment requires the employee to be certified by the Iowa law enforcement academy and who is required to perform the duties of a parole officer as provided in section 906.2.

Sec. _____. CONSUMER EDUCATION AND LITIGATION FUND. Notwithstanding section 714.16C, for each fiscal year of the period beginning July 1, 2014, and ending June 30, 2016, the annual appropriations in section 714.16C, are increased from \$1,125,000 to \$1,875,000, and \$75,000 to \$125,000 respectively.

Sec. _____. PERSONNEL SETTLEMENT AGREEMENT PAYMENTS. As a condition made to any appropriation provided in this Act, moneys appropriated and any other moneys available for use by the entity to which the appropriation is made under this Act shall not be used for the payment of a personnel settlement agreement between that entity and a state employee that contains a confidentiality provision intended to prevent public disclosure of the agreement or any terms of the agreement.

Sec. _____. EFFECTIVE DATE. The following provision of this division of this Act takes effect January 1, 2015:

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1. The section enacting new section 13.32.

Sec. ____ . EFFECTIVE UPON ENACTMENT. The following provision of this division of this Act, being deemed of immediate importance, takes effect upon enactment:

1. The section amending section 80B.5.>

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

GARY WORTHAN, CHAIRPERSON

THOMAS G. COURTNEY,
CHAIRPERSON

MARTI ANDERSON

JULIAN GARRETT

STAN GUSTAFSON

ROBERT M. HOGG

MEGAN HESS

RICH TAYLOR

TODD TAYLOR