

**EIGHTY-SIXTH GENERAL ASSEMBLY
2016 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

MARCH 1, 2016

HOUSE FILE 2269

H-8045

1 Amend House File 2269 as follows:

2 1. Page 2, by striking lines 24 through 30 and
3 inserting:

4 <4. a. A member who is a producer or livestock
5 market representative described in subsection 1,
6 paragraphs "a" through "c", shall serve a three-year
7 term. The member shall not serve more than two
8 consecutive full terms.

9 b. Except for an ex officio ~~members~~ member,
10 ~~vacancies~~ a vacancy in the ~~council~~ executive committee
11 resulting from death, inability or refusal to serve,
12 or failure to meet the qualifications of this chapter
13 shall be filled by the ~~council~~ executive committee.
14 If the ~~council~~ executive committee fails to fill
15 a vacancy, the secretary shall fill it. ~~Vacancy~~
16 ~~appointments~~ A vacancy appointment shall be filled only
17 for the remainder of the unexpired term.>

By SEXTON of Calhoun

H-8045 FILED FEBRUARY 29, 2016

HOUSE FILE 2324

H-8041

1 Amend House File 2324 as follows:

2 1. Page 1, line 7, by striking <2018> and inserting
3 <2019>

4 2. Page 1, line 14, by striking <2017> and
5 inserting <2018>

6 3. Page 1, line 31, by striking <2018> and
7 inserting <2019>

8 4. Page 1, after line 34 by inserting:

9 <g. An estimate of the cost of implementation
10 of requirements described in this section that, by
11 the school year beginning July 1, 2018, one unit of
12 high-quality computer science education be added to the
13 minimum educational program to be offered and taught
14 for grades nine through twelve and that the technology
15 education component of the minimum educational program
16 to be offered and taught for grades seven and eight
17 include one unit on computer coding. The estimate
18 shall include an estimate of the current capacity of
19 computer science teachers in Iowa for those grades,
20 including how many more computer science teachers will
21 be necessary in Iowa and how many school districts are
22 currently offering such courses.>

23 5. Page 2, line 28, by striking <2018> and
24 inserting <2019>

By GAINES of Polk

H-8041 FILED FEBRUARY 29, 2016

HOUSE FILE 2329

H-8043

1 Amend House File 2329 as follows:

2 1. Page 1, line 4, after <part> by inserting
3 <or fetus for purposes of animal or human research,
4 experimentation, or study, or for transplantation>

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

6 <2. A person shall not experiment upon a fetus
7 intended to be aborted unless the experimentation is
8 therapeutic to the fetus.

9 3. A person shall not aid or abet any prohibited
10 action specified in subsection 1 or 2.>

11 3. Page 1, by striking line 7 and inserting:

12 <4. Subsections 1, 2, and 3 shall not apply to any
13 of the following:>

14 4. Page 1, after line 15 by inserting:

15 <5. In addition to other remedies available,
16 failure to comply with the requirements of this section
17 shall provide a basis for recovery for the pregnant
18 woman, or the parent or guardian of the pregnant woman
19 if the pregnant woman is a minor, for a violation of
20 this section. Such relief may include all of the
21 following:

22 a. Monetary damages for all psychological injuries
23 occasioned by such violation.

24 b. Statutory damages equal to three times the cost
25 of the pregnant woman's delivery or abortion.

26 c. A basis for professional disciplinary action
27 under chapter 148.

28 6. State funding shall not be appropriated to
29 or expended by any state agency, state institution,
30 or program administered by the state including but
31 not limited to the medical assistance program if
32 such entity or program is found in violation of this
33 section.>

34 5. Page 1, line 16, by striking <3.> and inserting
35 <7.>

H-8043

H-8043

Page 2

1 6. Page 1, line 18, by striking <4.> and inserting
2 <8.>

3 7. Page 1, after line 19 by inserting:
4 <___. "Experiment" or "experimentation" means the
5 use of fetal body parts or a fetus in any trial, test,
6 procedure, or observation carried out with the goal
7 of verifying, refuting, or establishing the validity
8 of a hypothesis, but does not include diagnostic or
9 remedial tests, procedures, or observations which have
10 the purpose of determining the life or health of the
11 fetus, preserving the life or health of the fetus or
12 the pregnant woman, or pathological study.>

13 8. Page 1, after line 24 by inserting:
14 <___. "Pathological study" means the examination of
15 body tissue for diagnostic purposes.

16 _____. "Therapeutic" means intended to treat or cure
17 a disease or disorder by remedial agents or methods.>

18 9. Page 1, after line 28 by inserting:

19 <Sec. _____. STATUTORY CONSTRUCTION.

20 1. Nothing in this Act shall be construed to affect
21 existing federal or state law regarding abortion.

22 2. Nothing in this Act shall be construed as
23 creating or recognizing a right to abortion.

24 3. Nothing in this Act shall be construed to alter
25 generally accepted medical standards.

26 Sec. _____. SEVERABILITY. If any provision of
27 this Act or the application thereof to any person or
28 circumstances is held invalid, the invalidity shall
29 not affect other provisions or applications of the
30 Act which can be given effect without the invalid
31 provisions or application and, to this end, the
32 provisions of this Act are severable.

33 Sec. _____. RIGHT OF INTERVENTION. The general
34 assembly, by joint resolution, may appoint one or more
35 of its members, who sponsored or cosponsored this

H-8043

-2-

H-8043

Page 3

1 Act in the member's official capacity to intervene
2 as a matter of right in any case in which the
3 constitutionality of this Act is challenged.>

4 10. By renumbering as necessary.

By SALMON of Black Hawk

H-8043

FILED FEBRUARY 29, 2016

HOUSE FILE 2385

H-8042

1 Amend House File 2385 as follows:

2 1. Page 1, by striking lines 3 through 5 and
3 inserting:

4 <3. A person who violates this section is subject
5 to a civil penalty not to exceed ~~one~~ three thousand
6 dollars for each violation.>

7 2. By striking page 1, line 28, through page 2,
8 line 9.

9 3. By renumbering as necessary.

By LENSING of Johnson
WESSEL-KROESCHELL of Story
BENNETT of Linn

H-8042 FILED FEBRUARY 29, 2016

HOUSE FILE 2396

H-8044

1 Amend House File 2396 as follows:

2 1. Page 1, line 19, after <location> by inserting
3 <for the authority's programs>

By LANDON of Polk

H-8044 FILED FEBRUARY 29, 2016

HOUSE FILE 2407

H-8039

1 Amend House File 2407 as follows:

2 1. Page 7, line 3, after <dismissed> by inserting
3 <without any adjudication of delinquency>

4 2. Page 7, line 4, after <court> by inserting <in
5 the matter>

6 3. Title page, line 2, after <records> by inserting
7 <in delinquency proceedings>

By ROGERS of Black Hawk

H-8039 FILED FEBRUARY 29, 2016

HOUSE FILE 2413

H-8040

1 Amend House File 2413 as follows:

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

3 <Section 1. Section 256.7, subsection 21, paragraph
4 b, subparagraph (2), Code 2016, is amended to read as
5 follows:

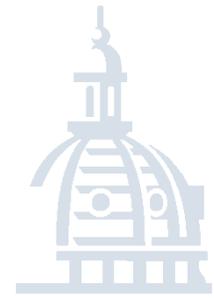
6 (2) Notwithstanding subparagraph (1), for the
7 school year beginning July 1, 2016, and each succeeding
8 school year, the rules shall provide that all students
9 enrolled in school districts in grades three through
10 eleven shall be administered an assessment during
11 the last quarter of the school year that at a minimum
12 assesses the core academic indicators identified in
13 this paragraph "b"; is aligned with the Iowa common
14 core standards in both content and rigor; accurately
15 describes student achievement and growth for purposes
16 of the school, the school district, and state
17 accountability systems; and provides valid, reliable,
18 and fair measures of student progress toward college or
19 career readiness. However, if the state board proposes
20 rules providing for a statewide assessment other than
21 the assessment approved pursuant to subparagraph (1),
22 the state board shall submit its proposed rules to the
23 general assembly and shall not adopt such rules unless
24 the proposed rules are specifically authorized by a
25 constitutional majority of each house of the general
26 assembly and approved by the governor.>

27 2. Title page, line 1, by striking <reading
28 proficiency>

29 3. By renumbering as necessary.

By SALMON of Black Hawk

H-8040 FILED FEBRUARY 29, 2016



HF 2379 – Driving Without a License, Vehicle Impoundment (LSB5119HV)
Analyst: Adam Broich (Phone: 515-281-8223) (adam.broich@legis.iowa.gov)
Fiscal Note Version – New

Description

Under [House File 2379](#), a law enforcement agency may impound a motor vehicle operated by an individual with a driver's license or operating privilege that has been denied, canceled, suspended, or revoked (Iowa Code section [321.218](#)). The period of impoundment for the initial offense will be seven days. The period of impoundment for each offense will double. At the end of the period of impoundment, the vehicle owner must pay the cost of the impoundment, not to exceed \$25 per day. Law enforcement agencies may also charge an additional fee for an individual to retrieve the vehicle.

Additional provisions:

- After the period of impoundment, the owner has 30 days to claim the vehicle and pay the cost of impoundment. If the cost of impoundment is unpaid 30 days after the end of the impoundment period the vehicle is subject to forfeiture.
- Upon conviction, the court may order the continued impoundment of the vehicle.
- Upon the receipt of a court order to impound a vehicle, the impounding authority will determine if the costs of impoundment exceed the actual wholesale value of the vehicle. If the impoundment cost exceeds the value of the vehicle, the agency may treat the vehicle as abandoned (Iowa Code section [321.89](#)). Abandoned vehicles may be subject to auction.
- During the period of impoundment, the owner of the vehicle may not transfer title or sell the vehicle.
- Provides for the return of the motor vehicle without payment of the impoundment costs under certain circumstances.

New crimes:

- An individual that sells or transfers title of an impounded vehicle is guilty of a serious misdemeanor.
- A vehicle owner that allows an individual with a denied, canceled, suspended, or revoked license to operate a vehicle is guilty of a simple misdemeanor, if the owner is aware or should be aware of the suspended license.
- Operating a vehicle that is subject to an impoundment order is a serious misdemeanor. Vehicles that are operated while subject to an impoundment order will be seized and forfeited.

Background

Current law has provisions that allow for the impoundment of vehicles related to operating while intoxicated offenses. Provisions outlining existing impoundment procedures related to operating while intoxicated are contained in Iowa Code section [321J.4B](#). Typically, a law enforcement agency will contract with a local business to store impounded vehicles. Costs associated with the vehicle impoundment are paid to the business that held the vehicle in addition to any fees that may be due to the law enforcement agency to release the vehicle. However, not all law enforcement agencies charge a fee to release a vehicle from impoundment. In FY 2015, 11,689 convictions for driving with a suspended or revoked license that had a safety-related suspension were issued to 10,719 individuals. Therefore, 970 convictions were for repeat offenders.

Table 1 displays the top 10 agencies that issue tickets under Iowa Code section [321.218](#). **Table 1** also displays administrative fees charged by the agency to release the vehicle that are in addition to fees owed to the impoundment lot, and the agency's share of all tickets issued in Iowa.

Table 1

Top Ten Law Enforcement Agencies Issuing Convictions Under Iowa Code section 321.218				
Arresting Agency Name	Convicted	Agency Admin. Fee	Statewide Share	
Des Moines Police Department	875	\$ 20	7.5%	
Iowa State Patrol District 1	464	-	4.0%	
Polk County Sheriff	445	20	3.8%	
Cedar Rapids Police Department	392	500	3.4%	
Davenport Police Department	365	20	3.1%	
Iowa State Patrol	356	-	3.0%	
Iowa City Police Department	295	-	2.5%	
Dubuque Police Department	261	20	2.2%	
Burlington Police Department	254	-	2.2%	
Sioux City Police Department	243	35	2.1%	
Urbandale Police Department	243	20	2.1%	

Minority Impact

This bill creates new penalties in addition to existing violations of Iowa Code section [321.218](#). **Table 2** shows FY 2015 offender-based convictions for violation of this Iowa Code section.

Table 2

	Convictions	Percent
Caucasian	6,687	62.4%
African American	2,018	18.8%
Hispanic	423	3.9%
Native American	51	0.5%
Asian	79	0.7%
Other	120	1.1%
Unknown	1341	12.5%

Corrections Information

This bill creates new offenses subject to serious misdemeanor penalties. These are nonviolent crimes. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Correctional Impact Statements](#) for estimates of criminal justice system costs for criminal penalties.

Assumptions

- An additional 11,689 vehicles per year will be eligible for impoundment due to [HF 2379](#). The number of additional vehicles that will be impounded is unknown.
- Law enforcement agencies will collect additional administrative fees associated with releasing impounded vehicles, however, not all agencies charge administrative fees, the fees collected are not centrally reported, and fee amounts vary. The number of fees paid and the average fee amount are unknown.

- The number of vehicles that may be forfeited or abandoned due to changes in [HF 2379](#) is unknown.
- Vehicle forfeitures may increase, but the number is unknown.
- The Department of Transportation (DOT) may receive additional impoundment orders from the Judicial Branch, but that number is unknown.
- Offenders convicted of a serious misdemeanor will not be supervised at a high level.
- Impacts on minority groups will match violations of Iowa Code section [321.218](#) outlined in **Table 2**.

Summary of Impacts

Correctional Impact

The correctional impact cannot be determined because this bill creates new crimes. The average state cost for one simple misdemeanor conviction ranges from \$30 to \$330. The average state cost for one serious misdemeanor conviction ranges from \$220 to \$5,800.

Minority impact

The bill is expected to have a minority impact. African Americans represent 3.3% of Iowa's population and 18.8% of convictions for violation of Iowa Code section [321.218](#).

Fiscal Impact

The fiscal impact for state agencies is expected to be minimal. However, the DOT may be required to dedicate additional staff to process impoundment orders issued by the court.

The amount of fees collected by law enforcement agencies is unknown. The top 10 agencies that issued citations under Iowa Code section [321.218](#) accounted for 35.9% of all convictions. These agencies will level an additional \$248,000 in impoundment administrative fees, but will not collect 100.0% of fees. The number of unpaid fees and revenues that may result from the forfeiture and abandonment of vehicles is unknown. The amount of fees assessed by the remaining state law enforcement agencies is unknown, but will account for 64.1% of vehicles that will be subject to impoundment under [HF 2379](#).

Sources

Criminal and Juvenile Justice Planning
Department of Corrections
Department of Transportation

/s/ Holly M. Lyons

February 29, 2016

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 LSA upon request.



HF 2422 – Literacy Requirements in Teacher Preparation (LSB5207HV)
Analyst: Tim Crellin (Phone: 515-725-1286) (timothy.crellin@legis.iowa.gov)
Fiscal Note Version – New

Description

House File 2422 modifies the reading and literacy requirements for teacher preparation programs.

Background

The bill requires teacher preparation programs in reading and literacy to address all students, including but not limited to students with disabilities, students at risk of academic failure, students identified as gifted and talented, students identified as limited English proficient, and students with dyslexia. The bill also modifies teacher preparation programs by replacing language for preparation in reading recovery with preparation in reading theory, knowledge, strategies, and approaches, and integrating literacy instruction into content areas.

Assumptions

- Iowa State University, the University of Iowa, and the University of Northern Iowa will need to develop new courses and hire professors to teach the courses and conduct research in literacy.
- The University of Iowa will hire two full-time assistant professors. Each position will include a start-up package that includes a research assistant, computer/software, relocation costs for the professor, course release, travel funds, and start-up funds.
- Iowa State University will hire three full-time assistant professors. Each position will include a start-up package that includes a graduate assistant, summer salary, technology expenses, relocation expenses, travel funds, and course release.
- The University of Northern Iowa will hire one full-time assistant professor.

Fiscal Impact

The fiscal impact to the Board of Regents is estimated to range between \$744,000 and \$774,000 in FY 2017 and between \$688,000 and \$718,000 in FY 2018. The chart below details the costs for the three universities:

Boards of Regents Estimated Costs – HF 2422

		University of Iowa	Iowa State	Northern Iowa
FY 2017	Salaries	\$ 140,000	\$ 210,000	\$70,000 - \$100,000
	Benefits	40,100	60,150	* included in salary
	Start-up Package	88,400	135,000	0
	Total	\$ 268,500	\$ 405,150	\$70,000 - \$100,000
FY 2018	Salaries	\$ 142,800	\$ 210,000	\$70,000 - \$100,000
	Benefits	40,902	60,150	* included in salary
	Start-up Package	29,200	135,000	0
	Total	\$ 212,902	\$ 405,150	\$70,000 - \$100,000

Sources

Board of Regents
Legislative Services Agency

/s/ Holly M. Lyons

February 29, 2016

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.
