

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

APRIL 7, 2016

**Senate Amendment to  
HOUSE FILE 493**

**H-8170**

1 Amend House File 493, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. By striking everything after the enacting clause  
4 and inserting:  
5 <Section 1. Section 331.304, Code 2016, is amended  
6 by adding the following new subsection:  
7 NEW SUBSECTION. 11. A county shall not adopt or  
8 enforce any ordinance or regulation in violation of  
9 section 562A.27B or 562B.25B.  
10 Sec. 2. Section 364.3, Code 2016, is amended by  
11 adding the following new subsection:  
12 NEW SUBSECTION. 11. A city shall not adopt or  
13 enforce any ordinance or regulation in violation of  
14 section 562A.27B or 562B.25B.  
15 Sec. 3. NEW SECTION. 562A.27B Right to summon  
16 emergency assistance ---- waiver of rights.  
17 1. a. A landlord shall not prohibit or limit a  
18 resident's or tenant's rights to summon law enforcement  
19 assistance or other emergency assistance by or on  
20 behalf of a victim of abuse, a victim of a crime, or an  
21 individual in an emergency.  
22 b. A landlord shall not impose monetary or other  
23 penalties on a resident or tenant who exercises the  
24 resident's or tenant's right to summon law enforcement  
25 assistance or other emergency assistance.  
26 c. Penalties prohibited by this subsection include  
27 all of the following:  
28 (1) The actual or threatened assessment of  
29 penalties, fines, or fees.  
30 (2) The actual or threatened eviction, or causing  
31 the actual or threatened eviction, from the premises.  
32 d. Any waiver of the provisions of this  
33 subsection is contrary to public policy and is void,  
34 unenforceable, and of no force or effect.  
35 e. This subsection shall not be construed to

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1 prohibit a landlord from recovering from a resident  
2 or tenant an amount equal to the costs incurred to  
3 repair property damage if the damage is caused by law  
4 enforcement or other emergency personnel summoned by  
5 the resident or tenant.

6 f. This section does not prohibit a landlord from  
7 terminating, evicting, or refusing to renew a tenancy  
8 or rental agreement when such action is premised upon  
9 grounds other than the resident's or tenant's exercise  
10 of the right to summon law enforcement assistance or  
11 other emergency assistance by or on behalf of a victim  
12 of abuse, a victim of a crime, or an individual in an  
13 emergency.

14 2. a. An ordinance, rule, or regulation of a  
15 city, county, or other governmental entity shall not  
16 authorize imposition of a penalty against a resident,  
17 owner, tenant, or landlord because the resident, owner,  
18 tenant, or landlord was a victim of abuse or crime.

19 b. An ordinance, rule, or regulation of a city,  
20 county, or other governmental entity shall not  
21 authorize imposition of a penalty against a resident,  
22 owner, tenant, or landlord because the resident, owner,  
23 tenant, or landlord sought law enforcement assistance  
24 or other emergency assistance for a victim of abuse, a  
25 victim of a crime, or an individual in an emergency, if  
26 either of the following is established:

27 (1) The resident, owner, tenant, or landlord  
28 seeking assistance had a reasonable belief that the  
29 emergency assistance was necessary to prevent the  
30 perpetration or escalation of the abuse, crime, or  
31 emergency.

32 (2) In the event of abuse, crime, or other  
33 emergency, the emergency assistance was actually  
34 needed.

35 c. Penalties prohibited by this subsection include

1 all of the following:

2 (1) The actual or threatened assessment of  
3 penalties, fines, or fees.

4 (2) The actual or threatened eviction, or causing  
5 the actual or threatened eviction, from the premises.

6 (3) The actual or threatened revocation,  
7 suspension, or nonrenewal of a rental certificate,  
8 license, or permit.

9 d. This subsection does not prohibit a city,  
10 county, or other governmental entity from enforcing any  
11 ordinance, rule, or regulation premised upon grounds  
12 other than a request for law enforcement assistance  
13 or other emergency assistance by a resident, owner,  
14 tenant, or landlord, or the fact that the resident,  
15 owner, tenant, or landlord was a victim of crime or  
16 abuse.

17 e. This subsection does not prohibit a city,  
18 county, or other governmental entity from collecting  
19 penalties, fines, or fees for services provided  
20 which are necessitated by the cleanup of hazardous  
21 materials, the cleanup of vandalism, or a response  
22 to a false alarm call, which are incurred by the  
23 provision of emergency medical services, or which  
24 reflect other costs incurred by the city, county, or  
25 other governmental entity unrelated to responding to a  
26 call for law enforcement assistance or other emergency  
27 assistance.

28 3. In addition to other remedies provided by law,  
29 if an owner or landlord violates the provisions of this  
30 section, a resident or tenant is entitled to recover  
31 from the owner or landlord any of the following:

32 a. A civil penalty in an amount equal to one  
33 month's rent.

34 b. Actual damages.

35 c. Reasonable attorney fees the tenant or resident

1 incurs in seeking enforcement of this section.

2 d. Court costs.

3 e. Injunctive relief.

4 4. In addition to other remedies provided by  
5 law, if a city, county, or other governmental entity  
6 violates the provisions of this section, a resident,  
7 owner, tenant, or landlord is entitled to recover from  
8 the city, county, or other governmental entity any of  
9 the following:

10 a. An order requiring the city, county, or other  
11 governmental entity to cease and desist the unlawful  
12 practice.

13 b. Other equitable relief, including reinstatement  
14 of a rental certificate, license, or permit, as the  
15 court may deem appropriate.

16 c. Actual damages.

17 d. In a case brought by a resident or tenant, the  
18 reasonable attorney fees the resident or tenant incurs  
19 in seeking enforcement of this section.

20 e. Court costs.

21 5. For purposes of this section, "resident" means  
22 a member of a tenant's family and any other person  
23 occupying the dwelling unit with the consent of the  
24 tenant.

25 Sec. 4. NEW SECTION. 562B.25B Right to summon  
26 emergency assistance ---- waiver of rights.

27 1. a. A landlord shall not prohibit or limit a  
28 resident's or tenant's rights to summon law enforcement  
29 assistance or other emergency assistance by or on  
30 behalf of a victim of abuse, a victim of a crime, or an  
31 individual in an emergency.

32 b. A landlord shall not impose monetary or other  
33 penalties on a resident or tenant who exercises the  
34 resident's or tenant's right to summon law enforcement  
35 assistance or other emergency assistance.

1 c. Penalties prohibited by this subsection include  
2 all of the following:

3 (1) The actual or threatened assessment of  
4 penalties, fines, or fees.

5 (2) The actual or threatened eviction, or causing  
6 the actual or threatened eviction, from the premises.

7 d. Any waiver of the provisions of this  
8 subsection is contrary to public policy and is void,  
9 unenforceable, and of no force or effect.

10 e. This subsection shall not be construed to  
11 prohibit a landlord from recovering from a resident  
12 or tenant an amount equal to the costs incurred to  
13 repair property damage if the damage is caused by law  
14 enforcement or other emergency personnel summoned by  
15 the resident or tenant.

16 f. This section does not prohibit a landlord from  
17 terminating, evicting, or refusing to renew a tenancy  
18 or rental agreement when such action is premised upon  
19 grounds other than the resident's or tenant's exercise  
20 of the right to summon law enforcement assistance or  
21 other emergency assistance by or on behalf of a victim  
22 of abuse, a victim of a crime, or an individual in an  
23 emergency.

24 2. a. An ordinance, rule, or regulation of a  
25 city, county, or other governmental entity shall not  
26 authorize imposition of a penalty against a resident,  
27 owner, tenant, or landlord because the resident, owner,  
28 tenant, or landlord was a victim of abuse or crime.

29 b. An ordinance, rule, or regulation of a city,  
30 county, or other governmental entity shall not  
31 authorize imposition of a penalty against a resident,  
32 owner, tenant, or landlord because the resident, owner,  
33 tenant, or landlord sought law enforcement assistance  
34 or other emergency assistance for a victim of abuse, a  
35 victim of a crime, or an individual in an emergency, if

1 either of the following is established:

2 (1) The resident, owner, tenant, or landlord  
3 seeking assistance had a reasonable belief that the  
4 emergency assistance was necessary to prevent the  
5 perpetration or escalation of the abuse, crime, or  
6 emergency.

7 (2) In the event of abuse, crime, or other  
8 emergency, the emergency assistance was actually  
9 needed.

10 c. Penalties prohibited by this subsection include  
11 all of the following:

12 (1) The actual or threatened assessment of  
13 penalties, fines, or fees.

14 (2) The actual or threatened eviction, or causing  
15 the actual or threatened eviction, from the premises.

16 (3) The actual or threatened revocation,  
17 suspension, or nonrenewal of a rental certificate,  
18 license, or permit.

19 d. This subsection does not prohibit a city,  
20 county, or other governmental entity from enforcing any  
21 ordinance, rule, or regulation premised upon grounds  
22 other than a request for law enforcement assistance  
23 or other emergency assistance by a resident, owner,  
24 tenant, or landlord, or the fact that the resident,  
25 owner, tenant, or landlord was a victim of crime or  
26 abuse.

27 e. This subsection does not prohibit a city,  
28 county, or other governmental entity from collecting  
29 penalties, fines, or fees for services provided  
30 which are necessitated by the cleanup of hazardous  
31 materials, the cleanup of vandalism, or a response  
32 to a false alarm call, which are incurred by the  
33 provision of emergency medical services, or which  
34 reflect other costs incurred by the city, county, or  
35 other governmental entity unrelated to responding to a

1 call for law enforcement assistance or other emergency  
2 assistance.

3 3. In addition to other remedies provided by law,  
4 if an owner or landlord violates the provisions of this  
5 section, a resident or tenant is entitled to recover  
6 from the owner or landlord any of the following:

7 a. A civil penalty in an amount equal to one  
8 month's rent.

9 b. Actual damages.

10 c. Reasonable attorney fees the tenant or resident  
11 incurs in seeking enforcement of this section.

12 d. Court costs.

13 e. Injunctive relief.

14 4. In addition to other remedies provided by  
15 law, if a city, county, or other governmental entity  
16 violates the provisions of this section, a resident,  
17 owner, tenant, or landlord is entitled to recover from  
18 the city, county, or other governmental entity any of  
19 the following:

20 a. An order requiring the city, county, or other  
21 governmental entity to cease and desist the unlawful  
22 practice.

23 b. Other equitable relief, including reinstatement  
24 of a rental certificate, license, or permit, as the  
25 court may deem appropriate.

26 c. Actual damages.

27 d. In a case brought by a resident or tenant, the  
28 reasonable attorney fees the resident or tenant incurs  
29 in seeking enforcement of this section.

30 e. Court costs.

31 5. For purposes of this section, "resident" means  
32 a member of a tenant's family and any other person  
33 occupying the dwelling unit with the consent of the  
34 tenant.>

RECEIVED FROM THE SENATE

H-8170 FILED APRIL 6, 2016

**Senate Amendment to  
HOUSE FILE 2373**

H-8171

1 Amend House File 2373, as passed by the House, as  
2 follows:

3 1. Page 8, by striking lines 20 through 27 and  
4 inserting:

5 <f. If the foreign limited liability company is  
6 member-managed, the name and street and mailing address  
7 of at least one member; or if the foreign limited  
8 liability company is manager-managed, the name and  
9 street and mailing address of at least one manager.>

RECEIVED FROM THE SENATE

H-8171 FILED APRIL 6, 2016

Senate Amendment to  
HOUSE FILE 2399

H-8174

1 Amend House File 2399, as amended, passed, and  
2 reprinted by the House, as follows:

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

5 <Section 1. Section 664A.7, subsection 5, Code  
6 2016, is amended to read as follows:

7 5. a. Violation of a no-contact order entered  
8 for the offense or alleged offense of domestic abuse  
9 assault in violation of section 708.2A or a violation  
10 of a protective order issued pursuant to chapter 232,  
11 235F, 236, 598, or 915 constitutes a public offense and  
12 is punishable as a simple misdemeanor. Alternatively,  
13 the court may hold a person in contempt of court for  
14 such a violation, as provided in subsection 3.

15 b. If a person is convicted of a violation of a  
16 no-contact order or a protective order under this  
17 subsection, or alternatively if the person is held in  
18 contempt of court for such a violation, as provided  
19 in subsection 3, the court shall order the person to  
20 submit to a risk assessment pursuant to section 901.5C.

21 Sec. 2. Section 708.2A, subsection 1, Code 2016, is  
22 amended to read as follows:

23 1. For the purposes of this chapter, "domestic  
24 abuse assault" means an assault, as defined in section  
25 708.1, which is domestic abuse as defined in section  
26 236.2, subsection 2, paragraph "a", "b", "c", ~~"d"~~, or  
27 "e".

28 Sec. 3. Section 708.2A, subsection 7, paragraph b,  
29 Code 2016, is amended by striking the paragraph and  
30 inserting in lieu thereof the following:

31 b. A person convicted of a violation referred to  
32 in subsection 4 shall be sentenced as provided under  
33 section 902.13.

34 Sec. 4. Section 708.2B, Code 2016, is amended to  
35 read as follows:

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1 708.2B Treatment of domestic abuse offenders.  
2 1. As used in this section, "district department"  
3 means a judicial district department of correctional  
4 services, established pursuant to section 905.2. A  
5 person convicted of, or receiving a deferred judgment  
6 for, domestic abuse assault as defined in section  
7 708.2A, shall report to the district department  
8 in order to participate in a batterers' treatment  
9 program for domestic abuse offenders. In addition, a  
10 person convicted of, or receiving a deferred judgment  
11 for, an assault, as defined in section 708.1, which  
12 is domestic abuse, as defined in section 236.2,  
13 subsection 2, paragraph "e", may be ordered by the  
14 court to participate in a batterers' treatment program.  
15 Participation in the batterers' treatment program shall  
16 not require a person to be placed on probation, but  
17 a person on probation may participate in the program.  
18 The district departments may contract for services  
19 in completing the duties relating to the batterers'  
20 treatment programs. The district departments shall  
21 assess the fees for participation in the program, and  
22 shall either collect or contract for the collection  
23 of the fees to recoup the costs of treatment, but  
24 may waive the fee or collect a lesser amount upon a  
25 showing of cause. The fees shall be used by each of  
26 the district departments or contract service providers  
27 for the establishment, administration, coordination,  
28 and provision of direct services of the batterers'  
29 treatment programs.

30 2. In addition to the requirements of subsection 1,  
31 the court shall order a person convicted of domestic  
32 abuse assault in violation of section 708.2A to submit  
33 to a risk assessment pursuant to section 901.5C.

34 3. District departments or contract service  
35 providers shall receive upon request peace officers'

1 investigative reports regarding persons participating  
2 in programs under this section. The receipt of reports  
3 under this section shall not waive the confidentiality  
4 of the reports under section 22.7.

5 Sec. 5. Section 708.7, subsection 2, Code 2016, is  
6 amended by adding the following new paragraph:

7 NEW PARAGRAPH. c. A person convicted of harassment  
8 in the first degree shall be sentenced under section  
9 902.13 if the offense involved a domestic relationship  
10 and the sentence exceeds one year.

11 Sec. 6. Section 708.11, subsection 1, paragraph b,  
12 Code 2016, is amended to read as follows:

13 b. "Course of conduct" means repeatedly  
14 maintaining a visual or physical proximity to a person  
15 without legitimate purpose, repeatedly utilizing a  
16 technological device to locate, listen to, or watch  
17 a person without legitimate purpose, or repeatedly  
18 conveying oral or written threats, threats implied  
19 by conduct, or a combination thereof, directed at or  
20 toward a person.

21 Sec. 7. Section 708.11, subsection 2, Code 2016, is  
22 amended to read as follows:

23 2. A person commits stalking when all of the  
24 following occur:

25 a. The person purposefully engages in a course of  
26 conduct directed at a specific person that would cause  
27 a reasonable person to feel terrorized, frightened,  
28 intimidated, or threatened or to fear that the person  
29 intends to cause bodily injury to, or the death of,  
30 that specific person or a member of the specific  
31 person's immediate family.

32 b. The person has knowledge or should have  
33 knowledge that ~~the specific person will be placed in~~  
34 ~~reasonable fear of a reasonable person would feel~~  
35 terrorized, frightened, intimidated, or threatened or

1 fear that the person intends to cause bodily injury to,  
2 or the death of, that specific person or a member of  
3 the specific person's immediate family by the course  
4 of conduct.

5 ~~e. The person's course of conduct induces fear in~~  
6 ~~the specific person of bodily injury to, or the death~~  
7 ~~of, the specific person or a member of the specific~~  
8 ~~person's immediate family.~~

9 Sec. 8. Section 708.11, Code 2016, is amended by  
10 adding the following new subsection:

11 NEW SUBSECTION. 3A. A person convicted under  
12 subsection 3, paragraph "a", or subsection 3, paragraph  
13 "b", subparagraph (1), shall be sentenced under section  
14 902.13 if the offense involved a domestic relationship.

15 Sec. 9. NEW SECTION. 708.11A Unauthorized  
16 placement of global positioning device.

17 1. A person commits unauthorized placement of  
18 a global positioning device, when, with intent to  
19 intimidate, annoy, or alarm another person, the person,  
20 without the consent of the other person, places a  
21 global positioning device on the other person or an  
22 object in order to track the movements of the other  
23 person without a legitimate purpose.

24 2. A person who commits a violation of this section  
25 commits a serious misdemeanor.

26 Sec. 10. NEW SECTION. 901.5C Domestic abuse  
27 assault ---- no-contact order or protective order  
28 violations ---- risk assessment.

29 1. If a person is convicted of domestic abuse  
30 assault in violation of section 708.2A, a violation of  
31 a no-contact order or a protective order under section  
32 664A.7, subsection 5, or alternatively the person  
33 is held in contempt of court for such a violation,  
34 as provided in section 664A.7, subsection 3, while  
35 under supervision by a judicial district department of

1 correctional services, the court shall order the person  
2 to submit to a risk assessment.

3 2. The risk assessment shall be performed by  
4 the judicial district department of correctional  
5 services or a contract service provider of a batterers'  
6 treatment program for domestic abuse offenders, using  
7 a validated risk assessment developed by the board of  
8 parole and approved by the department of corrections.  
9 The court shall consider the risk assessment in  
10 determining the appropriate conditions for release.  
11 In determining whether to release a defendant, the  
12 court shall determine whether sufficient conditions  
13 for release are available that are designed to reduce  
14 the risk to another individual, detect threatening  
15 or criminal behavior, and increase the safety of  
16 individuals and the general public, and balance those  
17 determinations with the potential risk of harm if the  
18 defendant is released.

19 3. The court may order the defendant to participate  
20 in a program that includes the use of an electronic  
21 tracking and monitoring system as a condition of  
22 release. When ordering the use of an electronic  
23 tracking and monitoring system the court shall consider  
24 the safety of the victim and other legitimate factors  
25 that may impact all of the parties. If an electronic  
26 tracking and monitoring system is ordered, the court  
27 shall order the defendant to pay the costs associated  
28 with the imposition of the system. If the defendant  
29 fails to pay the fees of the electronic tracking and  
30 monitoring system in a timely manner, the court may  
31 impose garnishment of the defendant's wages in order to  
32 meet the payment obligation.

33 Sec. 11. NEW SECTION. 902.13 Minimum sentence for  
34 certain domestic abuse assault, harassment, and stalking  
35 offenses.

1 1. As used in this section, unless the context  
2 otherwise requires:

3 a. (1) "Family or household members" means spouses,  
4 persons cohabiting, parents, or other persons related  
5 by consanguinity or affinity.

6 (2) "Family or household members" does not include  
7 children under age eighteen of persons listed in  
8 subparagraph (1).

9 b. "Intimate relationship" means a significant  
10 romantic involvement that need not include sexual  
11 involvement. An intimate relationship does not include  
12 casual social relationships or associations in a  
13 business or professional capacity.

14 c. "Offense involving a domestic relationship"  
15 means an offense involving any of the following  
16 circumstances:

17 (1) The offense is between family or household  
18 members who resided together at the time of the  
19 offense.

20 (2) The offense is between separated spouses or  
21 persons divorced from each other and not residing  
22 together at the time of the offense.

23 (3) The offense is between persons who are parents  
24 of the same minor child, regardless of whether they  
25 have been married or have lived together at any time.

26 (4) The offense is between persons who have been  
27 family or household members residing together within  
28 the past year and are not residing together at the time  
29 of the offense.

30 (5) (a) The offense is between persons who are in  
31 an intimate relationship or have been in an intimate  
32 relationship and have had contact with one another  
33 within the past year immediately preceding the time of  
34 the offense. In determining whether persons are or  
35 have been in an intimate relationship, the court may

1 consider the following nonexclusive list of factors:

- 2 (i) The duration of the relationship.
- 3 (ii) The frequency of interaction.
- 4 (iii) Whether the relationship has been terminated.
- 5 (iv) The nature of the relationship, characterized
- 6 by either party's expectation of sexual or romantic
- 7 involvement.

8 (b) A person may be involved in an intimate

9 relationship with more than one person at a time.

10 2. a. A person who has been convicted of a third

11 or subsequent offense of domestic abuse assault under

12 section 708.2A, subsection 4, shall be denied parole

13 or work release until the person has served between

14 one-fifth of the maximum term and the maximum term of

15 the person's sentence as provided in subsection 3.

16 b. A person who has been convicted of the offense

17 of harassment in the first degree under section 708.7,

18 subsection 2, and the offense involved a domestic

19 relationship, shall be denied parole or work release

20 until the person has served between one-half of the

21 maximum term and the maximum term of the person's

22 sentence as provided in subsection 3, if the person

23 is committed to the custody of the director of the

24 department of corrections.

25 c. A person who has been convicted of a third or

26 subsequent offense of stalking under section 708.11,

27 subsection 3, paragraph "a", and the offense involved a

28 domestic relationship, shall be denied parole or work

29 release until the person has served between one-fifth

30 of the maximum term and the maximum term of the

31 person's sentence as provided in subsection 3.

32 d. A person who has been convicted of the offense

33 of stalking under section 708.11, subsection 3,

34 paragraph "b", subparagraph (1), and the offense

35 involved a domestic relationship, shall be denied

1 parole or work release until the person has served  
2 between one-fifth of the maximum term and the maximum  
3 term of the person's sentence as provided in subsection  
4 3.

5 3. The sentencing court shall determine, after  
6 receiving and examining all pertinent information  
7 referred to in section 901.5, the minimum term of  
8 confinement, within the parameters set forth in  
9 subsection 2, required to be served before a person may  
10 be paroled or placed on work release.

11 Sec. 12. Section 903A.2, subsection 1, paragraph a,  
12 unnumbered paragraph 1, Code 2016, is amended to read  
13 as follows:

14 Category "A" sentences are those sentences which  
15 are not subject to a maximum accumulation of earned  
16 time of fifteen percent of the total sentence of  
17 confinement under section 902.12 or 902.13. To the  
18 extent provided in subsection 5, category "A" sentences  
19 also include life sentences imposed under section  
20 902.1. An inmate of an institution under the control  
21 of the department of corrections who is serving a  
22 category "A" sentence is eligible for a reduction of  
23 sentence equal to one and two-tenths days for each day  
24 the inmate demonstrates good conduct and satisfactorily  
25 participates in any program or placement status  
26 identified by the director to earn the reduction. The  
27 programs include but are not limited to the following:

28 Sec. 13. Section 903A.2, subsection 1, paragraph b,  
29 Code 2016, is amended to read as follows:

30 b. (1) Category "B" sentences are those sentences  
31 which are subject to a maximum accumulation of earned  
32 time of fifteen percent of the total sentence of  
33 confinement under section 902.12 or 902.13. An inmate  
34 of an institution under the control of the department  
35 of corrections who is serving a category "B" sentence

1 is eligible for a reduction of sentence equal to  
2 fifteen eighty-fifths of a day for each day of good  
3 conduct by the inmate.

4 (2) An inmate required to participate in a domestic  
5 abuse treatment program shall not be eligible for a  
6 reduction of sentence unless the inmate participates  
7 in and completes a domestic abuse treatment program  
8 established by the director.

9 Sec. 14. Section 904A.4, subsection 8, Code 2016,  
10 is amended to read as follows:

11 8. a. The board of parole shall implement a risk  
12 assessment program which shall provide risk assessment  
13 analysis for the board.

14 b. The board of parole shall also develop a risk  
15 assessment validated for domestic abuse-related  
16 offenses in consultation with the department of  
17 corrections. The board may adopt rules pursuant to  
18 chapter 17A relating to the use of the domestic abuse  
19 risk assessment.

20 Sec. 15. NEW SECTION. 905.16 Electronic tracking  
21 and monitoring system.

22 1. A person placed on probation, parole, work  
23 release, special sentence, or any other type of  
24 conditional release for any of the following offenses  
25 may be supervised by an electronic tracking and  
26 monitoring system in addition to any other conditions  
27 of supervision:

28 a. Domestic abuse assault in violation of section  
29 708.2A, subsection 4.

30 b. Harassment in the first degree in violation of  
31 section 708.7, subsection 2, if the offense involved a  
32 domestic relationship as defined in section 902.13.

33 c. Stalking under section 708.11, subsection 3,  
34 paragraph "a", if the offense involved a domestic  
35 relationship as defined in section 902.13.



1 d. Stalking under section 708.11, subsection  
2 3, paragraph "b", subparagraph (1), if the offense  
3 involved a domestic relationship as defined in section  
4 902.13.

5 2. When considering whether to order the use of an  
6 electronic tracking and monitoring system the court  
7 shall consider the safety of the victim and other  
8 legitimate factors that may impact all of the parties.

9 Sec. 16. Section 907.3, subsection 1, paragraph  
10 a, Code 2016, is amended by adding the following new  
11 subparagraphs:

12 NEW SUBPARAGRAPH. (013) The offense is a violation  
13 referred to in section 708.2A, subsection 4.

14 NEW SUBPARAGRAPH. (0013) The offense is a  
15 violation of section 708.7, subsection 2, and the  
16 offense involved a domestic relationship as defined in  
17 section 902.13.

18 NEW SUBPARAGRAPH. (00013) The offense is a  
19 violation referred to in section 708.11, subsection  
20 3, paragraph "a", and the offense involved a domestic  
21 relationship as defined in section 902.13.

22 NEW SUBPARAGRAPH. (000013) The offense is a  
23 violation of section 708.11, subsection 3, paragraph  
24 "b", subparagraph (1), and the offense involved a  
25 domestic relationship as defined in section 902.13.

26 Sec. 17. Section 907.3, subsection 2, paragraph  
27 a, Code 2016, is amended by adding the following new  
28 subparagraphs:

29 NEW SUBPARAGRAPH. (8) The offense is a violation  
30 referred to in section 708.2A, subsection 4.

31 NEW SUBPARAGRAPH. (9) The offense is a violation  
32 of section 708.7, subsection 2, and the offense  
33 involved a domestic relationship as defined in section  
34 902.13.

35 NEW SUBPARAGRAPH. (10) The offense is a violation

1 of section 708.11, subsection 3, paragraph "a", and the  
2 offense involved a domestic relationship as defined in  
3 section 902.13.

4 NEW SUBPARAGRAPH. (11) The offense is a violation  
5 of section 708.11, subsection 3, paragraph "b",  
6 subparagraph (1), and the offense involved a domestic  
7 relationship as defined in section 902.13.

8 Sec. 18. Section 907.3, subsection 3, Code 2016, is  
9 amended by adding the following new paragraph:

10 NEW PARAGRAPH. 0a. The sentence imposed under  
11 section 902.13 for a violation referred to in section  
12 708.2A, subsection 4.>

13 2. Title page, by striking lines 1 and 2 and  
14 inserting <An Act relating to the criminal offenses  
15 of stalking, harassment, unauthorized placement of a  
16 global positioning device, and domestic abuse, and  
17 providing penalties.>

RECEIVED FROM THE SENATE

HOUSE FILE 2435

H-8166

1 Amend House File 2435 as follows:

2 1. By striking page 2, line 24, through page 3,  
3 line 25, and inserting:

4 <(1) (a) Prior to its approval of an urban renewal  
5 plan which provides for a division of revenue pursuant  
6 to section 403.19, the municipality shall mail the  
7 proposed plan by regular mail to the affected taxing  
8 entities. The municipality shall include with the  
9 proposed plan notification of a consultation to be held  
10 between the municipality and affected taxing entities  
11 prior to the public hearing on the urban renewal plan.

12 (b) ~~If~~ Except as prohibited under subparagraph  
13 division (c), if the proposed urban renewal plan  
14 or proposed urban renewal project within the urban  
15 renewal area includes the use of taxes resulting  
16 from a division of revenue under section 403.19 for  
17 a public building, including but not limited to a  
18 police station, fire station, administration building,  
19 swimming pool, hospital, library, recreational  
20 building, city hall, or other public building that is  
21 exempt from taxation, including the grounds of, and the  
22 erection, equipment, remodeling, maintenance, repair,  
23 or reconstruction of, and additions or extensions  
24 to, such a building, the municipality shall include  
25 with the proposed plan notification an analysis of  
26 alternative development options and funding for the  
27 urban renewal area or urban renewal project and the  
28 reasons such options would be less feasible than the  
29 proposed urban renewal plan or proposed urban renewal  
30 project. A copy of the analysis required in this  
31 subparagraph shall be included with the urban renewal  
32 report required under section 331.403 or 384.22, as  
33 applicable, and filed by December 1 following adoption  
34 of the urban renewal plan or project.

35 (c) Urban renewal plans and urban renewal projects

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1 approved on or after the effective date of this Act  
2 shall not include the use of taxes resulting from  
3 a division of revenue under section 403.19 for a  
4 public building, including but not limited to an  
5 administration building, swimming pool, hospital,  
6 library, recreational building, city hall, or  
7 other public building that is exempt from taxation,  
8 including the grounds of, and the erection, equipment,  
9 remodeling, maintenance, repair, or reconstruction  
10 of, and additions or extensions to, such a building.  
11 The prohibition under this subparagraph division (c)  
12 against the use of taxes resulting from a division of  
13 revenue for a public building shall not apply to a  
14 public building that is a police station, fire station,  
15 or a public building used for public safety services,  
16 including but not limited to emergency medical service  
17 or hazardous materials response.>

By R. TAYLOR of Dallas

H-8166 FILED APRIL 6, 2016

HOUSE FILE 2443

H-8168

1 Amend House File 2443 as follows:  
2 1. Page 16, after line 3 by inserting:  
3 <Sec. \_\_\_\_ . IMPLEMENTATION ---- COSTS. For the fiscal  
4 year beginning July 1, 2016, the department of revenue  
5 and the economic development authority shall agree on  
6 the total cost of implementing this division of this  
7 Act, and the economic development authority shall pay  
8 those costs from fees charged by and deposited with  
9 the authority pursuant to section 404A.3, subsection  
10 1, paragraph "e". If the department of revenue and  
11 the economic development authority fail to come to an  
12 agreement, the department of management shall determine  
13 the costs to be paid by the economic development  
14 authority under this subsection.>  
15 2. By renumbering as necessary.

By NUNN of Polk

H-8168 FILED APRIL 6, 2016

HOUSE FILE 2443

H-8169

1 Amend the amendment, H-8153, to House File 2443 as  
2 follows:

3 1. Page 1, after line 19 by inserting:

4 <\_\_\_\_. Page 15, after line 10 by inserting:

5 <Sec. \_\_\_\_\_. Section 404A.4, subsection 2, paragraphs  
6 b and c, Code 2016, are amended to read as follows:

7 b. The amount of a tax credit that was reserved  
8 prior to July 1, 2014, under section 404A.4, Code 2014,  
9 for use in a fiscal year beginning before July 1, 2016,  
10 that is irrevocably declined or revoked on or after  
11 July 1, 2014, but before July 1, ~~2016~~ 2019, may be  
12 awarded under section 404A.3 during the fiscal year in  
13 which such declination or revocation occurs. Such tax  
14 credits awarded shall not be claimed by a taxpayer in a  
15 fiscal year that is earlier than the fiscal year for  
16 which the tax credits were originally reserved.

17 c. The amount of a tax credit that was available  
18 for approval by the state historical preservation  
19 office of the department under section 404A.4, Code  
20 2014, in a fiscal year beginning on or after July 1,  
21 2010, but before July 1, 2014, that was required to  
22 be allocated to new projects with final qualified  
23 rehabilitation costs of five hundred thousand dollars  
24 or less, or seven hundred fifty thousand dollars or  
25 less, as the case may be, and that was not finally  
26 approved by the state historical preservation office,  
27 may be awarded under section 404A.3 during the fiscal  
28 years beginning on or after July 1, 2014, but before  
29 July 1, ~~2016~~ 2019.>

30 \_\_\_\_\_. By renumbering as necessary.>

**By** NUNN of Polk

H-8169 FILED APRIL 6, 2016

H-8165

1 Amend House File 2446 as follows:

2 1. Page 1, after line 32 by inserting:

3 <Sec. \_\_\_\_\_. Section 331.802, subsection 2, paragraph  
4 c, Code 2016, is amended to read as follows:

5 c. (1) The fee and expenses of the county medical  
6 examiner who performs an autopsy or conducts an  
7 investigation of a any of the following persons shall  
8 be paid by the state:

9 (a) A person who dies after being brought into this  
10 state for emergency medical treatment by or at the  
11 direction of an out-of-state law enforcement officer or  
12 public authority shall be paid by the state.

13 (b) A person to whom subparagraph division (a) does  
14 not apply, who dies after entering the state and who is  
15 an out-of-state resident.

16 (2) A claim for payment under this paragraph "c"  
17 shall be filed with the state appeal board and, if. If  
18 the claim filed meets the criterion of involvement of  
19 a person specified in subparagraph (1), subparagraph  
20 division (a) or (b), the claim shall be authorized  
21 by the board, shall be and paid out of moneys in the  
22 general fund of the state not otherwise appropriated.

23 (3) A claim for payment under this paragraph "c"  
24 shall not affect or delay payment of the state medical  
25 examiner or other personnel of the office of the state  
26 medical examiner or of the county medical examiner or  
27 other personnel of the office of the county medical  
28 examiner, as otherwise prescribed by rule.

29 (4) For the purposes of this paragraph "c":

30 (a) "County medical examiner" includes the state  
31 medical examiner, deputy state medical examiner,  
32 associate state medical examiner, or deputy county  
33 medical examiner when acting as the county medical  
34 examiner, or a county medical examiner investigator.

35 (b) "Out-of-state resident" means an individual who

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1 is not a resident of the state of Iowa and includes an  
2 individual who is not a citizen of the United States  
3 nor lawfully admitted into the United States for  
4 permanent residence by the United States immigration  
5 and naturalization service.

6 Sec. \_\_\_\_\_. ADOPTION OF RULES. The state medical  
7 examiner, subject to the approval of the director  
8 of public health pursuant to section 691.6, shall  
9 adopt administrative rules pursuant to chapter 17A to  
10 implement this Act.>

By HEDDENS of Story

H-8165 FILED APRIL 6, 2016

HOUSE FILE 2449

H-8164

1 Amend House File 2449 as follows:

2 1. Page 1, line 3, by striking <a.>

3 2. By striking page 1, line 6, through page 2, line  
4 11, and inserting <general assembly, the agency shall  
5 make one of the following submissions regarding such  
6 rulemaking within one hundred eighty days of the date  
7 on which the provision becomes effective:

8 a. Submit a notice of intended action to the  
9 administrative rules coordinator and the administrative  
10 code editor pursuant to subsection 1.

11 b. Submit written notification to the  
12 administrative rules review committee that the agency  
13 has not submitted a notice of intended action to the  
14 administrative rules coordinator and the administrative  
15 code editor pursuant to subsection 1. The notification  
16 shall include the provision of the Act of the general  
17 assembly for which rulemaking is required or necessary,  
18 the subject matter of the provision, an explanation of  
19 the delay in the submission of a notice of intended  
20 action, and an estimated timeline for submission of a  
21 notice of intended action.>

22 3. Page 2, by striking lines 14 through 16 and  
23 inserting:

24 <Sec. \_\_\_\_ . APPLICABILITY. This Act applies to any  
25 provisions of Acts enacted on or after the effective>

26 4. Title page, by striking lines 1 through 2 and  
27 inserting <An Act concerning the implementation and  
28 administration of Acts of the general assembly through  
29 administrative rulemakings and including>

30 5. By renumbering as necessary.

**By** JONES of Clay

PETTENGILL of Benton

H-8164 FILED APRIL 6, 2016

HOUSE FILE 2451

H-8172

1 Amend House File 2451 as follows:

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

3 <Sec. \_\_\_\_\_. NEW SECTION. 161A.55 Qualifying  
4 practices ---- eligibility for cost-share moneys.

5 1. A landowner may submit a design to the district  
6 for a voluntary qualifying permanent soil and water  
7 conservation practice to be established on the  
8 landowner's land for approval by the district.

9 2. The division shall adopt rules as necessary to  
10 administer this section, which shall include at least  
11 all of the following:

12 a. Design standards and specifications. The  
13 division shall adopt in whole or in part the standards  
14 and specifications of the United States department of  
15 agriculture, natural resources conservation service.

16 b. A process to approve designs for qualifying  
17 practices, which may be established by a person having  
18 a practical knowledge of land use and row crop farming,  
19 that are relatively inexpensive to establish and  
20 maintain, and that remain highly effective for a long  
21 period of time.

22 c. A schedule of amounts of cost-share moneys or  
23 other financing available under this chapter that may  
24 be used to finance specific qualifying practices.

25 3. The commissioners are not required to provide  
26 for the submission of bids to establish a qualifying  
27 practice, unless otherwise provided in rules adopted  
28 by the division.

29 4. A landowner shall not receive cost-share moneys  
30 for preparing or submitting a design to a district.

31 Sec. \_\_\_\_\_. Section 542B.2, subsection 9, Code 2016,  
32 is amended by adding the following new paragraph:

33 NEW PARAGRAPH. c. Notwithstanding paragraphs "a"  
34 and "b", a person shall not be construed to be engaged  
35 in the practice of engineering if the person constructs

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1 or establishes a qualifying permanent soil and water  
2 conservation practice pursuant to section 161A.55.>

3 2. Title page, line 2, after <program,> by  
4 inserting <providing for the design of certain soil and  
5 water conservation practices,>

6 3. By renumbering as necessary.

**By** WILLS of Dickinson

H-8172 FILED APRIL 6, 2016



HOUSE FILE 2451

H-8173

1 Amend House File 2451 as follows:

2 1. Page 6, after line 16 by inserting:

3 <Sec. \_\_\_\_\_. Section 456A.33A, Code 2016, is amended  
4 to read as follows:

5 456A.33A Watershed priority.

6 1. a. The commission shall ~~each year~~ establish  
7 and maintain a priority list of watersheds which are  
8 of highest importance based on soil loss to be used  
9 for the allocation of moneys set aside in annual  
10 appropriations from the general fund to the department  
11 of agriculture and land stewardship for permanent soil  
12 conservation practices under chapter 161A on watersheds  
13 above publicly owned lakes.

14 b. The commission may consider factors that  
15 contribute to the watershed's comparative value to the  
16 state and local communities located in the watershed,  
17 including the populations served by the watershed, the  
18 use of the watershed as a source of drinking water,  
19 the existence of a rare or valuable ecological system,  
20 and recreational opportunities associated with the  
21 watershed.

22 2. Chapter 17A does not apply to this section.

23 Sec. \_\_\_\_\_. Section 466B.3, subsection 6, paragraph  
24 b, subparagraph (8), Code 2016, is amended to read as  
25 follows:

26 (8) Develop a protocol which identifies  
27 high-priority watersheds, including local and  
28 community-based subwatersheds, and which appropriately  
29 directs resources to those watersheds. The council may  
30 consider factors that contribute to the watershed's  
31 comparative value to the state and local communities  
32 located in the watershed, including the population  
33 served by the watershed, the use of the watershed  
34 as a source of drinking water, the existence of a  
35 rare or valuable ecological system, and recreational

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1 opportunities associated with the watershed.>

2 2. Title page, line 3, after <exemption,> by  
3 inserting <prioritizing watersheds receiving state  
4 assistance,>

5 3. By renumbering as necessary.

**By** WILLS of Dickinson

H-8173 FILED APRIL 6, 2016

Senate Amendment to  
House Amendment to  
SENATE FILE 2061

H-8167

1 Amend the House amendment, S-5093, to Senate File  
2 2061, as passed by the Senate, as follows:  
3 1. Page 1, before line 3 by inserting:  
4 <\_\_\_\_. Page 1, after line 18 by inserting:  
5 <Sec. \_\_\_\_\_. Section 331.322, subsection 16, Code  
6 2016, is amended by striking the subsection.  
7 Sec. \_\_\_\_\_. Section 331.502, subsection 34, Code  
8 2016, is amended by striking the subsection.  
9 Sec. \_\_\_\_\_. Section 331.653, subsection 43, Code  
10 2016, is amended by striking the subsection.  
11 Sec. \_\_\_\_\_. Section 602.1209, Code 2016, is amended  
12 by adding the following new subsection:  
13 NEW SUBSECTION. 16A. Carry out duties relating to  
14 the selection of jurors as provided in chapter 607A.  
15 Sec. \_\_\_\_\_. Section 602.1303, subsection 3, Code  
16 2016, is amended by striking the subsection.  
17 Sec. \_\_\_\_\_. Section 602.8102, subsection 91, Code  
18 2016, is amended by striking the subsection.  
19 Sec. \_\_\_\_\_. Section 607A.3, Code 2016, is amended by  
20 adding the following new subsections:  
21 NEW SUBSECTION. 2A. "Electronic data processing  
22 system" means an electronic jury management system as  
23 designated by the state court administrator.  
24 NEW SUBSECTION. 3A. "Jury pool" means the sum  
25 total of prospective jurors reporting for service and  
26 not drawn or assigned to a courtroom, judge, or trial.  
27 Sec. \_\_\_\_\_. Section 607A.3, subsections 5, 6, 10, 11,  
28 and 13, Code 2016, are amended to read as follows:  
29 5. "Master jury list" means the list of names taken  
30 from the source lists for possible jury service.  
31 6. "Motor vehicle operators list and nonoperators  
32 identification list" means the official records  
33 maintained by the state of the names and addresses of  
34 those individuals in the respective counties retaining  
35 valid motor vehicle ~~operator's~~ driver's licenses

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1 ~~on or before March 15 of each odd-numbered year or~~  
2 ~~nonoperator's identification cards.~~

3 10. "Random selection identification" means the  
4 selection of names in a manner immune to any subjective  
5 bias so that no recognizable class of the population  
6 from which names are being selected can be purposefully  
7 included or excluded.

8 11. "Source lists" means the voter registration  
9 list, the motor vehicle operators list, the  
10 nonoperators identification list, and other  
11 comprehensive lists of persons residing in a county as  
12 identified pursuant to section 607A.22.

13 13. "Voter registration list" means the official  
14 records maintained by the state of names and addresses  
15 of persons registered to vote ~~on or before March 15 of~~  
16 ~~each odd-numbered year.~~

17 Sec. \_\_\_\_\_. Section 607A.3, subsection 9, Code 2016,  
18 is amended by striking the subsection.

19 Sec. \_\_\_\_\_. Section 607A.20, Code 2016, is amended to  
20 read as follows:

21 607A.20 Jury manager.

22 ~~If the chief judge of the judicial district uses~~  
23 ~~electronic data processing techniques and equipment for~~  
24 ~~the drawing of jurors in lieu of a jury commission,~~  
25 ~~the~~ The chief judge of the judicial district shall,  
26 ~~after consultation with the clerk, district court~~  
27 ~~administrator and county auditor,~~ appoint an individual  
28 to serve as the jury manager for ~~the each~~ county in  
29 that district. ~~The~~ A jury manager shall be responsible  
30 for the implementation of this chapter for the jury  
31 manager's county and shall assist the state court  
32 administrator in implementing this chapter. ~~The~~ A  
33 jury manager shall ~~update the master list from the~~  
34 ~~source lists at least once every two years beginning~~  
35 ~~January 1 after the general election is held~~ retain

1 proper records to document, as directed by the chief  
2 judge or state court administrator, that the procedures  
3 used to randomly identify prospective jurors meet the  
4 requirements of this chapter.

5 Sec. \_\_\_\_\_. Section 607A.21, Code 2016, is amended by  
6 striking the section and inserting in lieu thereof the  
7 following:

8 607A.21 Master jury list.

9 The electronic data processing system shall create a  
10 master jury list by merging all of the names from the  
11 source lists and removing duplicative entries. The  
12 state court administrator shall ensure the electronic  
13 data processing system updates the master jury lists  
14 from the source list at least once every year. The  
15 names entered in the master jury lists constitute the  
16 grand and petit master jury lists, from which grand and  
17 petit jurors shall be drawn.

18 Sec. \_\_\_\_\_. Section 607A.22, Code 2016, is amended to  
19 read as follows:

20 607A.22 Use of source lists ---- information provided.

21 1. ~~The appointive jury commission or the jury~~  
22 ~~manager~~ state court administrator shall use both of  
23 ensure the following source lists ~~in~~ are merged in the  
24 electronic data processing system when preparing grand  
25 and petit master jury lists:

- 26 a. The current voter registration list.
- 27 b. The current motor vehicle operators list and  
28 nonoperators identification list.

29 2. ~~The appointive jury commission or the A jury~~  
30 ~~manager~~ may use any other current comprehensive list  
31 of persons residing in the county, ~~including but not~~  
32 ~~limited to the lists of public utility customers,~~  
33 which the ~~appointive jury commission or jury manager~~  
34 determines are useable for the purpose of a juror  
35 source list.

1 3. The applicable state and local government  
2 officials shall furnish, upon request, the appointive  
3 ~~jury commission or state court administrator or~~  
4 ~~the jury manager with copies of lists necessary for~~  
5 ~~the formulation of source lists at no cost to the~~  
6 ~~commission, manager, or county.~~

7 ~~4. The jury manager or jury commission may~~  
8 ~~request a consolidated source list. A consolidated~~  
9 ~~source list contains all the names and addresses~~  
10 ~~found in either the voter registration list or the~~  
11 ~~motor vehicle operators list, but does not duplicate~~  
12 ~~an individual's name within the consolidated list.~~  
13 ~~State officials shall cooperate with one another to~~  
14 ~~prepare consolidated lists. The jury manager or jury~~  
15 ~~commission may further request that only a randomly~~  
16 ~~chosen portion of the consolidated list be prepared~~  
17 ~~which may consist of either a certain number of~~  
18 ~~names or a certain percentage of all the names in the~~  
19 ~~consolidated list, as specified by the jury manager or~~  
20 ~~jury commission.~~

21 Sec. \_\_\_\_\_. Section 607A.25, Code 2016, is amended by  
22 striking the section and inserting in lieu thereof the  
23 following:

24 607A.25 Storing and security of master jury lists.

25 The master jury lists shall be stored in the  
26 electronic data processing system, and shall be  
27 accessible to only the state court administrator or  
28 state court administrator's designee, or the jury  
29 manager or jury manager's designee.

30 Sec. \_\_\_\_\_. Section 607A.26, Code 2016, is amended to  
31 read as follows:

32 607A.26 Preservation of records.

33 The clerk or jury manager shall preserve all records  
34 and lists compiled and maintained in connection with  
35 the ~~selection~~ identification and service of jurors

1 for four years, or for any longer period ordered by  
2 the state court administrator or chief judge of the  
3 judicial district.

4 Sec. \_\_\_\_\_. Section 607A.30, Code 2016, is amended to  
5 read as follows:

6 607A.30 ~~Time of drawing~~ Drawing of jury pools.

7 ~~In counties using an ex officio jury commission,~~  
8 ~~the required number of jurors shall be drawn by the~~  
9 ~~commission, or a majority of its members, at the office~~  
10 ~~of the clerk at a time agreed to by the commissioners.~~

11 1. ~~In counties using a jury manager, the~~ At times  
12 necessary for drawing grand and petit jurors, the jury  
13 manager shall arrange for the selection of the required  
14 electronic data processing system to draw the necessary  
15 number of grand and petit jurors at a time and place  
16 chosen by the manager from the master jury list.

17 2. The chief judge of the judicial district may  
18 by order prescribe the time for the drawing by ~~the ex~~  
19 ~~officio commission or the~~ jury manager.

20 3. The jurors ~~thus selected~~ identified constitute  
21 the jury pool and shall be notified by the clerk or  
22 jury manager by regular mail when called.

23 Sec. \_\_\_\_\_. Section 607A.33, Code 2016, is amended by  
24 striking the section and inserting in lieu thereof the  
25 following:

26 607A.33 Electronic data processing ---- identifying  
27 jurors.

28 The designated electronic data processing system  
29 shall be used for the random drawing of the number of  
30 jurors needed.

31 Sec. \_\_\_\_\_. Section 607A.35, Code 2016, is amended to  
32 read as follows:

33 607A.35 ~~Filing list~~ ~~notice~~ Notice to report.

34 After the list or lists have been drawn in the  
35 manner provided in section 607A.33, ~~the list or lists~~

1 ~~shall be filed in the office of the clerk or jury~~  
2 ~~manager~~ and immediately upon the request of the court,  
3 the clerk ~~or manager~~ shall issue a notice to report,  
4 by regular mail, to the persons so drawn to appear at  
5 the courthouse at times as the court prescribes, for  
6 service as petit or grand jurors.

7 Sec. \_\_\_\_\_. Section 607A.37, Code 2016, is amended to  
8 read as follows:

9 607A.37 Cancellation for illegality.

10 If the court determines that the petit or grand  
11 jurors have been illegally selected, drawn, or notified  
12 to report, the court may set aside the order under  
13 which the jurors were notified and direct that a new  
14 drawing, selection and notification of a sufficient  
15 number of replacement jurors take place. ~~In that~~  
16 ~~case, the ex officio jury commission shall meet at the~~  
17 ~~office of the clerk, at the time the court directs,~~  
18 ~~and proceed in the manner provided for the drawing of~~  
19 ~~the original panel, to draw the required number of~~  
20 ~~replacement jurors.~~

21 Sec. \_\_\_\_\_. Section 607A.39, Code 2016, is amended to  
22 read as follows:

23 607A.39 Additional jurors.

24 The court may order as many additional jurors drawn  
25 for a jury pool or panel as the court deems necessary.

26 Sec. \_\_\_\_\_. Section 607A.41, Code 2016, is amended to  
27 read as follows:

28 607A.41 Method of subsequent drawing.

29 The names of the jurors drawn under sections 607A.39  
30 and 607A.40 shall be drawn by the ~~ex officio commission~~  
31 ~~or the jury manager in the manner provided for the~~  
32 ~~drawing of an original pool or panel~~ electronic data  
33 processing system that was used to draw the original  
34 jury pool or panel.

35 Sec. \_\_\_\_\_. Section 607A.43, Code 2016, is amended to

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1 read as follows:

2 607A.43 Correcting illegality in original lists.

3 If the court for any reason determines that there  
4 has been such substantial failure to comply with  
5 the law relative to ~~selection~~ jury identification,  
6 preparation, or return of grand or petit lists that  
7 lawful grand or petit jurors cannot be drawn, or that  
8 the lists are exhausted or insufficient for the needs  
9 of the court, the court shall order ~~the ex officio~~  
10 ~~jury commission or~~ the jury manager or state court  
11 administrator to convene at a fixed time and place  
12 use electronic data processing techniques to prepare  
13 lists in lieu of the lists which have been found to be  
14 illegal, or an additional list or lists as the court  
15 deems necessary.>>

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

17 <Sec. \_\_\_\_ REPEAL. Sections 607A.9, 607A.10,  
18 607A.11, 607A.12, 607A.13, 607A.14, 607A.15, 607A.16,  
19 607A.17, 607A.18, 607A.19, 607A.24, 607A.27, 607A.28,  
20 607A.31, 607A.32, 607A.34, 607A.42, and 607A.44, Code  
21 2016, are repealed.

22 \_\_\_\_ Title page, line 2, after <proceedings> by  
23 inserting <, the updating of the master list for juror  
24 service, and the elimination of jury commissions>>

25 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8167 FILED APRIL 6, 2016

SENATE FILE 2304

H-8162

1 Amend the amendment, H-8154, to Senate File 2304, as  
2 passed by the Senate, as follows:

3 1. Page 4, after line 28 by inserting:

4 <4. Submit to inspections by the state fire marshal  
5 or the state fire marshal's designee for compliance  
6 with rules relating to fire safety promulgated under  
7 section 237C.4.

8 5. Meet the sanitation, water, and waste disposal  
9 standards for children's residential facilities adopted  
10 by rule by the department of public health under  
11 section 237C.4.>

12 2. By renumbering as necessary.

By GAINES of Polk  
KAUFMANN of Cedar

H-8162 FILED APRIL 6, 2016



SENATE FILE 2304

H-8163

1 Amend the amendment, H-8154, to Senate File 2304, as  
2 passed by the Senate, as follows:

3 1. Page 2, by striking lines 15 and 16.

4 2. Page 3, line 13, after <provider.> by inserting  
5 <Certification standards established by the department  
6 of human services under this section shall not address  
7 educational religious programming at children's  
8 residential facilities.>

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

10 <6. Rules adopted or promulgated under this section  
11 shall be restricted to protecting the health and  
12 safety of children placed in children's residential  
13 facilities, and shall not regulate educational  
14 religious programming at children's residential  
15 facilities.>

16 4. Page 4, by striking lines 9 through 28.

17 5. Page 9, by striking lines 2 through 11.

18 6. By renumbering, redesignating, and correcting  
19 internal references as necessary.

**By** GAINES of Polk  
LENSING of Johnson

H-8163 FILED APRIL 6, 2016