

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

APRIL 29, 2016

**Senate Amendment to  
HOUSE FILE 2468**

**H-8307**

1 Amend [House File 2468](#), as amended, passed, and  
2 reprinted by the House, as follows:

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

4 <Sec. \_\_\_\_ NEW SECTION. 422.10A Geothermal tax  
5 credit.

6 1. For purposes of this section, unless the context  
7 otherwise requires:

8 a. "Qualified geothermal heat pump property" means  
9 any equipment that uses the ground or groundwater as  
10 a thermal energy source to heat the dwelling unit of  
11 the taxpayer or as a thermal energy sink to cool such  
12 dwelling unit, which equipment meets the requirements  
13 of the federal energy star program in effect at the  
14 time that the expenditure for such equipment is made.

15 b. "Qualified geothermal heat pump property  
16 expenditures" means an expenditure for qualified  
17 geothermal heat pump property installed on or in  
18 connection with a dwelling unit located in Iowa and  
19 used as a residence by the taxpayer.

20 2. Except as provided in subsection 6, the taxes  
21 imposed under this division, less the credits allowed  
22 under section 422.12, shall be reduced by a geothermal  
23 tax credit equal to ten percent of the qualified  
24 geothermal heat pump property expenditures made by the  
25 taxpayer during the tax year.

26 3. Qualified geothermal heat pump property  
27 expenditures shall be deemed to have been made on the  
28 date the installation is complete or, in the case  
29 of new construction or reconstruction, the date the  
30 original use of the structure by the taxpayer begins.

31 4. In the case of a taxpayer whose dwelling unit  
32 is part of a multiple housing cooperative organized  
33 under chapter 499A or a horizontal property regime  
34 under chapter 499B, the taxpayer shall be treated as  
35 having made the taxpayer's proportionate share of any

**H-8307**

1 qualified geothermal heat pump property expenditures  
2 made by the cooperative or the regime.

3 5. Any credit in excess of the tax liability is  
4 not refundable but the excess for the tax year may be  
5 credited to the tax liability for the following ten  
6 years or until depleted, whichever is earlier.

7 6. The credit provided in this section shall not  
8 be available during any tax year in which the federal  
9 residential energy efficient property tax credit for  
10 geothermal heat pumps provided in section 25D(a)(5) of  
11 the Internal Revenue Code is available. Any amount  
12 of expenditures used to calculate the credit provided  
13 in section 25D(a)(5) of the Internal Revenue Code  
14 shall not be considered qualified geothermal heat pump  
15 property expenditures for purposes of this section.>

16 2. Page 4, after line 26 by inserting:

17 <Sec. \_\_\_\_ . Section 476C.1, subsection 6, paragraph  
18 d, Code 2016, is amended to read as follows:

19 d. Was initially placed into service on or after  
20 July 1, 2005, and before January 1, ~~2017~~ 2018.>

21 3. Page 5, after line 28 by inserting:

22 <Sec. \_\_\_\_ . Section 476C.5, Code 2016, is amended to  
23 read as follows:

24 476C.5 Certificate issuance period.

25 A producer or purchaser of renewable energy shall  
26 receive renewable energy tax credit certificates for  
27 a ten-year period for each eligible renewable energy  
28 facility under this chapter. The ten-year period for  
29 issuance of the tax credit certificates begins with the  
30 date the purchaser of renewable energy first purchases  
31 electricity, hydrogen fuel, methane gas or other biogas  
32 used to generate electricity, or heat for commercial  
33 purposes from the eligible renewable energy facility  
34 for which a tax credit is issued under this chapter,  
35 or the date the producer of the renewable energy first

1 uses the energy produced by the eligible renewable  
2 energy facility for on-site consumption. Renewable  
3 energy tax credit certificates shall not be issued for  
4 renewable energy purchased or produced for on-site  
5 consumption after December 31, ~~2026~~ 2027.>

6 4. Page 6, after line 30 by inserting:

7 <\_\_\_\_. The section of this Act amending section  
8 476C.1.>

9 5. Page 6, after line 31 by inserting:

10 <\_\_\_\_. The section of this Act amending section  
11 476C.5.>

12 6. Page 6, after line 31 by inserting:

13 <Sec. \_\_\_\_ . EFFECTIVE DATE. The section of this Act  
14 enacting section 422.10A takes effect January 1, 2017.>

15 7. Page 7, after line 12 by inserting:

16 <Sec. \_\_\_\_ . RETROACTIVE APPLICABILITY. The  
17 following provision or provisions of this Act apply  
18 retroactively to January 1, 2016, for tax years  
19 beginning on or after that date:

20 1. The section of this Act amending section 476C.1.

21 2. The section of this Act amending section  
22 476C.5.>

23 8. Page 7, after line 25 by inserting:

24 <Sec. \_\_\_\_ . APPLICABILITY. The section of this  
25 Act enacting section 422.10A applies to qualified  
26 geothermal heat pump property expenditures incurred on  
27 or after January 1, 2017.>

28 9. Title page, line 9, after <entities,> by  
29 inserting <a geothermal tax credit,>

30 10. By renumbering as necessary.

RECEIVED FROM THE SENATE

REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 2304

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

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 2304, a bill for an Act relating to standards for and certification and inspection of children's residential facilities, respectfully make the following report:

1. That the House recedes from its amendment, S-5125.

2. That Senate File 2304, as passed by the Senate, is amended to read as follows:

1. Page 2, after line 32 by inserting:

<3. Standards established by the department under this chapter shall not regulate religious education curricula at children's residential facilities.>

2. Page 2, line 33, after <Rules> by inserting <and standards — requirements>

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

<2. Before the administrator issues or reissues a certificate of approval to a children's residential facility under section 237C.6, the facility shall comply with standards adopted by the state fire marshal under chapter 100.

3. Rules governing sanitation, water, and waste disposal standards for children's residential facilities shall be adopted by the department of human services in consultation with the director of public health.>

4. Page 3, line 19, after <rules> by inserting <and standards>

5. Page 3, line 20, after <rules> by inserting <and standards>

6. Page 3, after line 21 by inserting:

<6. Rules adopted under this section shall not regulate

CCS-2304

religious education curricula at children's residential facilities.

7. Prior to establishing, proposing, adopting, or modifying a standard or rule under section 237C.3, this section, or section 282.34, the department of human services or the department of education, as applicable, shall, at a minimum, do all of the following:

a. Publish the entire text of the proposed standard, rule, or modification on its internet site.

b. Make every reasonable effort to notify the children's residential facilities in this state of the proposed standard, rule, or modification.

c. Allow and invite any and all persons interested in the proposed standard, rule, or modification to submit written data, facts, opinions, comments, and arguments, which information shall be made publicly available and shall be filed with and maintained by the applicable department for at least five years from the date of submission to the applicable department.>

7. Page 5, line 23, after <state,> by inserting <the department of education,>

8. Page 5, line 27, after <violation.> by inserting <A civil action brought by the department of education under this subsection shall be limited to seeking relief from conduct constituting a violation of section 282.34.>

9. Page 6, line 25, after <fees.> by inserting <This paragraph shall not apply to sponsorship by a children's residential facility of public radio or public television broadcasts.>

10. Page 6, after line 33 by inserting:

<2A. The department of education shall comply with the requirements of section 237C.4, subsection 7, regarding standards, rules, and modifications, and the responsibilities set forth for publication, notification, and receipt and

CCS-2304

maintenance of information filed with the department.>

11. Page 7, after line 1 by inserting:

<4. Rules adopted under this section shall not regulate religious education curricula at children's residential facilities.>

12. Page 7, by striking lines 4 and 5 and inserting <department of human services and the department of education shall>

13. By renumbering, redesignating, and correcting internal references as necessary.

ON THE PART OF THE SENATE:

ON THE PART OF THE HOUSE:

---

ROBERT M. HOGG, CHAIRPERSON

---

BOBBY KAUFMANN, CHAIRPERSON

---

JOE BOLKCOM

---

RUTH ANN GAINES

---

TIM KRAAYENBRINK

---

GREG HEARTSILL

---

HERMAN C. QUIRMBACH

---

JAKE HIGHFILL

---

AMY SINCLAIR

---

VICKI LENSING



---

**HF 2421** – School Resuscitation Training and Brain Injury Policies (LSB 5378HV.2)  
Analyst: Tim Crellin (Phone: 515-725-1286) ([timothy.crellin@legis.iowa.gov](mailto:timothy.crellin@legis.iowa.gov))  
Fiscal Note Version – As amended and passed by the Senate

---

**Description**

**House File 2421**, as amended and passed by the Senate, requires a licensed health care provider or emergency medical care provider to be present and available to assess athletic injuries at high school contests for collision sports. The bill also requires that an applicant for a coaching authorization issued by the Board of Educational Examiners and a person employed by a school district as a coach must successfully complete training in the areas of cardiopulmonary resuscitation and automated external defibrillator use.

**Background**

**Division I:** The bill requires an applicant for a coaching authorization issued by the Board of Educational Examiners and a person employed by a school district as a coach to successfully complete training in the areas of cardiopulmonary resuscitation and automated external defibrillator use. A person that possesses a coaching authorization issued by the Board prior to July 1, 2016, has until July 1, 2017, to meet the requirements of this division.

**Division II:** The bill requires the home team in a high school extracurricular interscholastic contest in a collision sport, defined as football, soccer, or wrestling, to ensure that a health care professional is present and available to assess athletic injuries. The bill defines a health care professional as a licensed health care provider or an emergency medical care provider. A licensed health care provider means a physician, physician assistant, chiropractor, advanced registered nurse practitioner, nurse, physical therapist, or athletic trainer. An emergency medical care provider includes emergency medical responders, emergency medical technicians, and paramedics. The health care professional is required to notify the visiting team's athletic director within 48 hours after the contest occurs if a member of the visiting team shows signs, symptoms, or behaviors consistent with a concussion or brain injury.

**Assumptions**

- Athletic trainers hired as a result of this bill will be paid between \$17 and \$26 per hour.
- Emergency medical care providers will be paid between \$13 and \$21 per hour.
- Other health care professionals will be paid between \$35 and \$45 per hour.
- Athletic trainers will represent 50.0% of the health care professionals hired. Emergency medical providers will represent 40.0%, and other health care professionals will represent 10.0%.
- Health care professionals will be reimbursed for mileage, and these costs are estimated at 15.0% of the hourly wage.
- Health care professionals will work 25,065 hours annually for extracurricular interscholastic contests in collision sports; schools are assumed to currently have health care professionals for between 38.0% and 75.0% of these hours.

**Fiscal Impact**

There is no fiscal impact to the State General Fund. The statewide total cost to local school districts in Iowa is estimated to range between \$124,000 and \$463,000 per year in FY 2017 and FY 2018.

**Sources**

Iowa Athletic Trainers' Society  
Iowa Department of Education  
U.S. Bureau of Labor Statistics

/s/ Holly M. Lyons

---

April 27, 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.

---



---

**HF 2468** – Revenue Department Miscellaneous Changes (LSB6087HV)  
Analyst: Jeff Robinson (Phone: 515-281-4614) ([jeff.robinson@legis.iowa.gov](mailto:jeff.robinson@legis.iowa.gov))  
Fiscal Note Version – Corrected - incorrect Code citation

---

### **Description**

**House File 2468** pertains to the tax and related laws of Iowa. The bill:

- Requires that the Department of Revenue subject job applicants, contractors, vendors, employees, and others performing work for the Department to a national criminal history check through the Federal Bureau of Investigation and requires the Department to provide fingerprints of the individuals to the Iowa Department of Public Safety. With the exception of job applicants, the requirements must be met at least once every 10 years. The bill also requires the investigated individuals to authorize the release of the results to the Department of Revenue. In addition, the bill specifies that the results of the investigation are not a public record and any cost is to be borne by the Department of Revenue. The change is effective on enactment.
- Specifies the procedure the Department of Revenue must use in instances where applications for the **Solar Energy System Tax Credit** exceed the total available credit amount for a year. The change is retroactive to January 1, 2014.
- Modifies an existing sales tax exemption available for construction project contracts involving a designated exempt entity. Under current law, designated exempt entities generally include governmental entities and instrumentalities of state, federal, county, or municipal governments. The bill expands the definition of “designated exempt entity” to include the agent of an instrumentality of a county or municipal government if the instrumentality was created for the purpose of owning real property within a reinvestment district established under Iowa Code chapter **15J**. The change is retroactive to January 1, 2015, and applies to purchases made on or after the date of enactment.
- Requires the Director of the Department of Revenue to consider evidence from both the taxpayer and the Department during a property tax appeal on the assessment of certain centrally assessed property. The provision is effective retroactively to May 22, 2015.
- Extends the Utility Replacement Task Force three years, to January 1, 2019. This provision is effective retroactively to January 1, 2016.
- Removes certain ownership restrictions for small solar projects eligible for Renewable Energy Tax Credits under Iowa Code section **476C.3(4)(b)(3)**. The change applies retroactively to January 1, 2015, and to applications for the tax credit made on or after June 26, 2015.

### **Background**

#### **Section 3 – Sales Tax Exemption**

Construction contracts for buildings constructed for governmental entities and the instrumentalities of governmental entities are generally eligible for a sales tax refund under Iowa Code section **423.4(1)**. To be eligible for the sales tax refund, the purchased property must become an integral part of the building and upon completion, the project must become public property. While the refund provision includes instrumentalities of governments, the refund language does not mention specifically the agents of instrumentalities.

Under current law, Iowa Code section **423.3(80)** provides a sales tax exemption for the purchase of materials by contractors for the construction of a building for a designated exempt

entity. That section adopts by reference the same definition for “designated exempt entity” as is used in the sales tax refund provision discussed in the above paragraph. The change contained in the bill keeps the existing definition of a “designated exempt entity” eligible for the sales tax exemption and adds the agent of an instrumentality of a county or municipal government, but only in certain circumstances related to a reinvestment district.

### **Sections 7 and 8 – Small Solar Projects**

To qualify for an existing Renewable Energy Tax Credit reserved for small solar projects, a solar energy project must have a nameplate generating capacity of 1.5 megawatts or less and be owned by an electric cooperative association, municipally-owned city utility, or a rate-regulated public utility. The project must also meet the eligible renewable energy facility definitional requirements of Iowa Code section [476C.1\(6\)](#). The change in the bill removes some of the small solar project ownership restrictions associated with the definition of an eligible renewable energy facility.

Current statute allows a total of 10.0 megawatts of projects to be approved for tax credits under the small solar portion of the Renewable Energy Tax Credit Program. The Iowa Utilities Board tax credit project application tracking system indicates that applications have been received for 9.5 megawatts of the totaled allowed 10.0 megawatts. It is assumed that one or two of these projects totaling no more than three megawatts do not meet the current ownership requirements, and those projects will not be approved for tax credits in their current form. The deadline for a project to become operational and therefore eligible to earn Renewable Energy Tax Credits going forward is January 1, 2017.

### **Assumptions**

- An analysis by the Department of Revenue and the Office of Attorney General concluded that the impacted projects within Reinvestment Zones qualify for an existing sales tax refund process and that the change in the bill making those projects also eligible for a sales tax exemption does not provide any additional financial benefit to the projects. If there is no financial benefit to the project, then there is no fiscal impact to state revenue.
- The placed-in-service deadline for the Renewable Energy Tax Credit is January 1, 2017. For the purposes of this fiscal estimate, it is assumed that the full 10.0 megawatts of allowed approved projects will become operational by that deadline, with or without the changes in the bill.

### **Fiscal Impact**

Section 3, dealing with a sales tax exemption for entities involved in projects within a Reinvestment District, is deemed to have no identifiable fiscal impact, as the sales in question are assumed to be eligible for a sales tax refund under current law.

Sections 7 and 8, dealing with the ownership requirements for tax credits available for small solar projects, are assumed to have no identifiable fiscal impact as it is assumed that even if a project on the current application list is found to be an ineligible project, new projects will be added to the list and will become operational by the January 1, 2017, deadline.

The remaining provisions of the bill do not have a significant fiscal impact.

**Sources**

Iowa Department of Revenue  
Iowa Attorney General  
Iowa Utilities Board

/s/ Holly M. Lyons

---

April 28, 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.

---