

Senate File 405 - Enrolled

Senate File 405

AN ACT

RELATING TO STATUTORY CORRECTIONS WHICH MAY ADJUST LANGUAGE TO REFLECT CURRENT PRACTICES, INSERT EARLIER OMISSIONS, DELETE REDUNDANCIES AND INACCURACIES, DELETE TEMPORARY LANGUAGE, RESOLVE INCONSISTENCIES AND CONFLICTS, UPDATE ONGOING PROVISIONS, OR REMOVE AMBIGUITIES, AND INCLUDING EFFECTIVE DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

MISCELLANEOUS CHANGES

Section 1. Section 2.48, subsection 3, paragraph d, subparagraph (2), Code 2017, is amended to read as follows:

(2) Historic preservation ~~and cultural and entertainment district~~ tax credits under [chapter 404A](#).

Sec. 2. Section 2.48, subsection 3, paragraph h, Code 2017, is amended by striking the paragraph.

Sec. 3. Section 7A.1, Code 2017, is amended to read as follows:

7A.1 Official reports — preparation.

1. State officials, boards, commissions, and heads of departments shall prepare and file written official reports, in simple language and in the most concise form consistent with clearness and comprehensiveness of matter, required by law or by the governor.

2. Before filing any report ~~its~~, the author shall carefully edit ~~the same and~~ the report. The author shall

strike ~~therefrom~~ from the report all minutes of proceedings, and all correspondence, petitions, orders, and other matter which can be briefly stated, or which is not important information concerning public affairs, and consolidate so far as practicable all statistical tables.

3. Any report failing to comply substantially with this section shall be returned to its author for correction, and until made so to comply shall not be printed.

4. This section shall not be construed as depriving the director of the department of administrative services of the right to edit and revise ~~said~~ the report.

Sec. 4. Section 7E.3, subsection 5, Code 2017, is amended to read as follows:

5. ~~Adults~~ Persons not lawfully present. Unless expressly authorized by federal or state law, ensure that the public benefits administered by the department or independent agency are not provided to persons who are not lawfully present in the United States.

Sec. 5. Section 9C.1, Code 2017, is amended to read as follows:

9C.1 Definitions — presumption — applicability.

1. ~~The~~ As used in this chapter, the term "*transient merchant*" ~~as used herein~~ shall mean and include every merchant, whether an individual person, a firm, corporation, partnership or association, and whether owner, agent, bailee, consignee or employee, who shall bring or cause to be brought within the state of Iowa any goods, wares or merchandise of any kind, nature or description, with the intention of temporarily or intermittently selling or offering to sell at retail such goods, wares or merchandise within the state of Iowa. The term "*transient merchant*" shall also mean and include every merchant, whether an individual person, a firm, corporation, partnership or an association, who shall by itself, or by agent, consignee or employee temporarily or intermittently engage in or conduct at one or more locations a business within the state of Iowa for the sale at retail of any goods, wares or merchandise of any nature or description.

2. A merchant engaging in business shall be presumed to be temporarily or intermittently in business unless it is the

intention of such merchant to remain continuously in business at each location where the merchant is engaged in business within the state of Iowa as a merchant for a period of more than sixty days.

3. The provisions of **this chapter** shall not be construed to apply to persons selling at wholesale to merchants, nor to transient vendors of drugs, nor to persons running a huckster wagon, or selling or distributing livestock feeds, fresh meats, fish, fruit, or vegetables, nor to persons selling their own work or production either by themselves or employees.

Sec. 6. Section 9C.2, Code 2017, is amended to read as follows:

9C.2 License required.

It shall be unlawful for any transient merchant ~~as herein defined~~, to sell, dispose of, or offer for sale any goods, wares or merchandise of any kind, nature or description, at any time or place within the state of Iowa, outside the limits of any city in the state of Iowa, or within the limits of any city in the state of Iowa that has not by ordinance provided for the licensing of transient merchants, unless such transient merchant, ~~as herein defined, shall have~~ has a valid license as ~~herein provided in this chapter and shall have~~ has complied with the regulations ~~herein~~ set forth in this chapter.

Sec. 7. Section 9C.3, unnumbered paragraph 1, Code 2017, is amended to read as follows:

Any transient merchant ~~as defined herein~~, desiring a transient merchant's license shall at least ten days prior to the first day any sale is made, file with the secretary of state of the state of Iowa an application in writing duly verified by the person, firm, corporation, partnership or association proposing to sell or offer to sell at retail any goods, wares or merchandise, or to engage in or conduct a temporary or intermittent business for the sale at retail of any goods, wares or merchandise, ~~which~~. The application shall state the following facts:

Sec. 8. Section 9C.4, Code 2017, is amended to read as follows:

9C.4 Bond required — applicability — forfeiture.

1. At the time and as part of filing ~~said~~ the application

~~and as a part thereof,~~ the applicant shall file with the secretary of state a bond, with sureties to be approved by the secretary of state, in a penal sum two times the value of the goods, wares or merchandise to be sold or offered for sale or the average inventory to be carried by such transient merchant engaged in or conducting an intermittent or temporary business as the case may be as shown by the application, running to the state of Iowa, for the use and benefit of any purchaser of any merchandise from such transient merchant who might have a cause of action of any nature arising from or out of such sale against the applicant or the owner of such merchandise if other than the applicant;~~the.~~ The bond to shall be further conditioned on the payment by the applicant of all taxes that may be payable by, or due from, the applicant to the state of Iowa or any subdivision thereof, ~~the bond to~~ and shall be further conditioned for the payment of any fines that may be assessed by any court against the applicant for violation of the provision of [this chapter](#), ~~and further conditioned as well as~~ as for the payment and satisfaction of any and all causes of action against the applicant commenced within one year from the date of sale thereof, and arising from such sale, ~~provided, however, that.~~ However, the aggregate liability of the surety for all such taxes, fines, and causes of action shall in no event exceed the principal sum of such bond.

2. In such bond the applicant and surety shall appoint the secretary of state, the agent of the applicant and surety for the service of process. In the event of such service, the agent upon whom such service is made shall within five days after the date of service, mail by ordinary mail a true copy of the process served upon the agent to each party for whom the agent is served, addressed to the last known address of such party. Failure to ~~so~~ mail ~~said~~ the copy shall not, however, affect the jurisdiction of the court.

3. Such bond shall contain the consent of the applicant and surety that the district court of the county in which the plaintiff may reside or Polk county, Iowa, shall have jurisdiction of all actions against the applicant or surety, or both, arising out of the sale. The state of Iowa, or any subdivision thereof, or any person having a cause of action

against the applicant or surety arising out of said sale may join the applicant and surety on such bond in the same action, or may in such action sue either the applicant or the surety alone.

4. The requirements of [this section](#) also apply to transient merchants who are licensed in accordance with an ordinance of a city in the state of Iowa.

5. Notwithstanding ~~the above provisions~~ subsections 1 through 4, the bond provided for in [this section](#) shall be forfeited to the state of Iowa upon the applicant's failure to pay the total of all taxes payable by or due from the applicant to the state which taxes are administered by the department of revenue. The department shall adopt administrative rules for the collection of the forfeiture. Notice shall be provided to the surety and to the applicant. Notice to the applicant shall be mailed to the applicant's last known address. The applicant or the surety shall have the opportunity to apply to the director of revenue for a hearing within thirty days after the giving of such notice. Upon the failure to timely request a hearing, the bond shall be forfeited. If, after the hearing upon timely request, the director finds that the applicant has failed to pay the total of all taxes payable and the bond is forfeited, the director shall order the bond forfeited. The amount of the forfeiture shall be the amount of taxes payable or the amount of the bond. The surety shall not have standing to contest the amount of any taxes payable. For purposes of [this section](#), "*taxes payable*" means all tax, penalties, interest, and fees that the department has previously determined to be due by assessment or in an appeal of an assessment.

Sec. 9. Section 9E.3, subsection 1, paragraph b, unnumbered paragraph 1, Code 2017, is amended to read as follows:

A statement by the applicant that the applicant has good reason to believe ~~any of~~ the following:

Sec. 10. Section 9E.3, subsection 3, Code 2017, is amended to read as follows:

3. *Certification.* Upon the filing of a complete application, the secretary shall certify the eligible person as a program participant. A program participant shall be

certified for four years following the date the application is certified by the secretary unless the certification is canceled, withdrawn, or invalidated. The secretary shall establish by rule a renewal procedure for recertification.

Sec. 11. Section 12.8, subsection 1, Code 2017, is amended to read as follows:

1. The treasurer of state shall invest or deposit, subject to [chapters 12F, and 12H, and 12J](#) and as provided by law, any of the public funds not currently needed for operating expenses and shall do so upon receipt of monthly notice from the director of the department of administrative services of the amount not so needed. In the event of loss on redemption or sale of securities invested as prescribed by law, and if the transaction is reported to the executive council, neither the treasurer nor director of the department of administrative services is personally liable but the loss shall be charged against the funds which would have received the profits or interest of the investment and there is appropriated from the funds the amount so required.

Sec. 12. Section 12.71, subsection 1, Code 2017, is amended to read as follows:

1. The treasurer of state may issue bonds upon the request of the vision Iowa board created in [section 15F.102, Code 2016,](#) and do all things necessary with respect to the purposes of the vision Iowa fund. The treasurer of state shall have all of the powers which are necessary to issue and secure bonds and carry out the purposes of the fund. The treasurer of state may issue bonds in principal amounts which, in the opinion of the board, are necessary to provide sufficient funds for the vision Iowa fund created in [section 12.72,](#) the payment of interest on the bonds, the establishment of reserves to secure the bonds, the costs of issuance of the bonds, other expenditures of the treasurer of state incident to and necessary or convenient to carry out the bond issue for the fund, and all other expenditures of the board necessary or convenient to administer the fund; provided, however, excluding the issuance of refunding bonds, bonds issued pursuant to [this section](#) shall not be issued in an aggregate principal amount which exceeds three hundred million dollars. The bonds are investment

securities and negotiable instruments within the meaning of and for purposes of the uniform commercial code, [chapter 554](#).

Sec. 13. Section 12B.10, subsection 5, paragraph a, subparagraph (7), subparagraph division (a), unnumbered paragraph 1, Code 2017, is amended to read as follows:

A joint investment trust organized pursuant to [chapter 28E](#) ~~prior to and existing in good standing on the effective date of this Act or a joint investment trust organized pursuant to [chapter 28E](#) after April 28, 1992,~~ provided that the joint investment trust shall be one of the following:

Sec. 14. Section 12B.12, Code 2017, is amended to read as follows:

12B.12 Duty of examining officer.

It shall be the duty of the officer or officers making ~~such~~ a settlement described under section 12B.11 to see that the amount of securities and money produced and counted, together with the amounts so certified by the legally designated depositories, agrees with the balance with which such treasurer should be charged, and the officer shall make a report in writing of any such settlement or examination, and attach thereto the certified statement of all such depositories.

Sec. 15. Section 12B.13, Code 2017, is amended to read as follows:

12B.13 Report of settlement filed.

The report of any ~~such~~ settlement under section 12B.11 with the treasurer of state shall be filed in the office of the director of the department of management, ~~and the~~ The report of a settlement under section 12B.11 with a county treasurer shall be filed with the auditor of the county.

Sec. 16. Section 15F.103, subsection 6, Code 2017, is amended by striking the subsection.

Sec. 17. Section 16.28, subsection 2, paragraph b, Code 2017, is amended to read as follows:

b. The bondholders or noteholders, to the extent provided in the resolution by which the bonds or notes were issued or in their agreement with the authority, may enforce any of the remedies in paragraph "a", subparagraphs (1) ~~to~~ through (5) or the remedies provided in those agreements for and on their own behalf.

Sec. 18. Section 16.50, subsection 3, paragraph b, subparagraph (1), Code 2017, is amended to read as follows:

(1) Projects that are eligible for historic preservation ~~and cultural and entertainment district~~ tax credits under chapter 404A.

Sec. 19. Section 17A.6A, subsection 2, paragraph c, Code 2017, is amended to read as follows:

c. Process forms and instructions for filing a petition for rulemaking pursuant to section 17A.7, a petition for a declaratory order pursuant to section 17A.9, or a ~~request~~ petition for a waiver or variance of an administrative rule pursuant to section 17A.9A.

Sec. 20. Section 22.1, Code 2017, is amended to read as follows:

22.1 Definitions.

As used in this chapter:

1. ~~The term "government body"~~ "Government body" means this state, or any county, city, township, school corporation, political subdivision, tax-supported district, nonprofit corporation other than a fair conducting a fair event as provided in [chapter 174](#), whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to chapter 99D; the governing body of a drainage or levee district as provided in [chapter 468](#), including a board as defined in section 468.3, regardless of how the district is organized; or other entity of this state, or any branch, department, board, bureau, commission, council, committee, official, or officer of any of the foregoing or any employee delegated the responsibility for implementing the requirements of this chapter.

2. ~~The term "lawful custodian"~~ "Lawful custodian" means the government body currently in physical possession of the public record. The custodian of a public record in the physical possession of persons outside a government body is the government body owning that record. The records relating to the investment of public funds are the property of the public body responsible for the public funds. Each government body shall delegate to particular officials or employees of

that government body the responsibility for implementing the requirements of [this chapter](#) and shall publicly announce the particular officials or employees to whom responsibility for implementing the requirements of [this chapter](#) has been delegated. *“Lawful custodian”* does not mean an automated data processing unit of a public body if the data processing unit holds the records solely as the agent of another public body, nor does it mean a unit which holds the records of other public bodies solely for storage.

3. *a.* ~~As used in [this chapter](#), “public records”~~ “Public records” includes all records, documents, tape, or other information, stored or preserved in any medium, of or belonging to this state or any county, city, township, school corporation, political subdivision, nonprofit corporation other than a fair conducting a fair event as provided in [chapter 174](#), whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to [chapter 99D](#), or tax-supported district in this state, or any branch, department, board, bureau, commission, council, or committee of any of the foregoing.

b. *“Public records”* also includes all records relating to the investment of public funds including but not limited to investment policies, instructions, trading orders, or contracts, whether in the custody of the public body responsible for the public funds or a fiduciary or other third party.

Sec. 21. Section 28F.5, Code 2017, is amended to read as follows:

28F.5 Source of payment — rates and charges, pledge of revenues.

1. ~~Such an~~ An entity shall have the power to pledge all or part of the net revenues of a project or projects to the payment of the principal of and interest on the bonds issued pursuant to [this chapter](#) and shall provide by resolution authorizing the issuance of said bonds that such net revenues of the project or projects shall be set apart in a sinking fund for that purpose and kept separate and distinct from all other revenues of the entity. The principal of and interest

on the bonds so issued shall be secured by a pledge of such net revenues of the project or projects in the manner and to the extent provided in the resolution authorizing the issuance of said bonds.

2. ~~Such an~~ An entity shall have the power to fix, establish and maintain such rates, tolls, fees, rentals or other charges and collect the same from the public agencies participating in the agreement or from private agencies or persons for the payment of the services and facilities provided by said project or projects. Such rates, tolls, fees, rentals or other charges shall be so fixed, established and maintained and revised from time to time whenever necessary as will always provide revenues sufficient to pay the cost of maintaining, repairing and operating the project or projects, to pay the principal of and interest on the bonds then outstanding which are payable therefrom as the same become due and payable, to provide adequate and sufficient reserves therefor, to provide for replacements, depreciations and necessary extensions and enlargements and to provide a margin of safety for the making of such payments and providing such reserves. Notwithstanding the foregoing such an entity shall have the further right to pledge to the payment of the bonds issued pursuant to this chapter, in addition to the net revenues of the project or projects pledged therefor, such other moneys that it may have and which are lawfully available therefor.

3. In order to pay the rates, tolls, fees, rentals or other charges levied against a public agency by an entity for the payment of the services and facilities provided by a project or projects authorized by [this chapter](#), public agencies participating in such an agreement shall have the power by ordinance to fix, establish and maintain, rates or other charges for the use of and the services and facilities rendered by said project or projects. Such rates or charges may be so fixed, established and maintained and revised from time to time whenever necessary as will always provide such public agencies with sufficient revenue to pay the rates, tolls, fees, rentals or other charges levied against it by the entity for the payments of the services and facilities provided by said project or projects. All such rates or charges to be

paid by the owners of real property, if not paid as by the ordinance provided, when due, shall constitute a lien upon such real property served by such project or projects, and shall be collected in the same manner as general taxes.

Sec. 22. Section 28F.10, Code 2017, is amended to read as follows:

28F.10 Refunding bonds.

Refunding bonds may be issued by an entity in a principal amount sufficient to provide funds for the payment, including premium, if any, of bonds issued by ~~said~~ the entity pursuant to the provisions of this chapter to be refunded thereby and the interest thereon and in addition for the payment of all expenses incident to the calling, retiring, or paying of such outstanding bonds to be refunded, ~~such refunding.~~ Refunding bonds may also finance the construction of a project or projects authorized by this chapter or the improvement, addition, betterment or extension of an existing project or projects so authorized. ~~Said refunding~~ Refunding bonds shall not be issued to refund the principal of and interest on any bonds to be refunded unless such bonds mature or are redeemable under their terms within ten years from the date of delivery of the refunding bonds. The proceeds of ~~said~~ the refunding bonds to be used for the payment of the principal of, interest on and redemption premiums, if any, on ~~said~~ the bonds to be refunded which will not be due and payable immediately shall be deposited in trust for the sole purpose of making such payments in a bank or trust company within the state. Any moneys in such trust fund, prior to the date such funds will be needed for the payment of such principal of, interest on and redemption premiums, if any, of such outstanding bonds to be refunded, may be invested or reinvested as provided in the resolution authorizing ~~said~~ the refunding bonds. Refunding bonds shall be issued in the same manner and detail as revenue bonds herein authorized.

Sec. 23. Section 29C.24, subsection 2, paragraph e, subparagraph (1), subparagraph divisions (b) and (c), Code 2017, are amended to read as follows:

(b) Except for disaster ~~and~~ or emergency-related work, the business entity has no presence in the state and conducts no

business in the state.

(c) Except for disaster ~~and~~ or emergency-related work, the business entity had no registrations, tax filings, or nexus in the state for the tax year immediately preceding the year in which the relevant declared state disaster or emergency occurs.

Sec. 24. Section 29C.24, subsection 5, paragraph a, unnumbered paragraph 1, Code 2017, is amended to read as follows:

An out-of-state business that enters the state to perform disaster ~~and~~ or emergency-related work during a disaster response period shall provide notification to the secretary of state, which notification shall contain all the following information related to the out-of-state business:

Sec. 25. Section 29C.24, subsection 5, paragraphs b and c, Code 2017, are amended to read as follows:

b. For an out-of-state business that enters this state to perform disaster ~~and~~ or emergency-related work during a disaster response period as an affiliate of a registered business, the registered business shall provide, on behalf of the affiliate out-of-state business, the notification required in paragraph "a", which notification shall also include contact information for the registered business.

c. Upon request of the secretary of state, an out-of-state business that enters the state to perform disaster ~~and~~ or emergency-related work during a disaster response period shall provide proof of workers' compensation insurance coverage and liability insurance coverage, if any. Such proof shall be provided within ten days of the request.

Sec. 26. Section 35C.2, Code 2017, is amended to read as follows:

35C.2 Physical disability.

The persons thus preferred shall not be disqualified from holding any position ~~hereinbefore~~ mentioned in section 35C.1 on account of age or by reason of any physical disability, provided such age or disability does not render such person incompetent to perform properly the duties of the position applied for.

Sec. 27. Section 35C.6, Code 2017, is amended to read as follows:

35C.6 Removal — certiorari — judicial review.

No person holding a public position by appointment or employment, and belonging to any of the classes of persons to whom a preference is ~~herein granted~~ under this chapter, shall be removed from such position or employment except for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, and with the right of such employee or appointee to a review by a writ of certiorari or at such person's election, to judicial review in accordance with the terms of the Iowa administrative procedure Act, chapter 17A, if that is otherwise applicable to their case.

Sec. 28. Section 43.2, Code 2017, is amended to read as follows:

43.2 Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Book", "list", "record", or "schedule" kept by a county auditor, assessor, treasurer, recorder, sheriff, or other county officer means the county system as defined in section 445.1.

2. a. The term ~~"political party"~~ "Political party" shall mean a party which, at the last preceding general election, cast for its candidate for president of the United States or for governor, as the case may be, at least two percent of the total vote cast for all candidates for that office at that election. It shall be the responsibility of the state commissioner to determine whether any organization claiming to be a political party qualifies as such under the foregoing definition.

b. A political organization which is not a "political party" within the meaning of ~~this section subsection~~ may nominate candidates and have the names of such candidates placed upon the official ballot by proceeding under ~~chapters 44 and 45.~~

~~As used in this chapter, unless the context otherwise requires, "book", "list", "record", or "schedule" kept by a county auditor, assessor, treasurer, recorder, sheriff, or other county officer means the county system as defined in section 445.1.~~

Sec. 29. Section 48A.7A, subsection 1, paragraph b,

subparagraph (1), unnumbered paragraph 1, Code 2017, is amended to read as follows:

For purposes of [this section](#), a person may establish identity and residence by presenting to the appropriate precinct election official a current and valid Iowa driver's license or Iowa nonoperator's identification card or by presenting any of the following current and valid forms of identification if such identification contains the person's photograph and a ~~validity~~ valid expiration date:

Sec. 30. Section 80.45, subsection 3, paragraph a, Code 2017, is amended to read as follows:

a. Serve as a point of contact for ~~anti-human~~ activities to combat human trafficking activity in this state.

Sec. 31. Section 92.3, Code 2017, is amended to read as follows:

92.3 Under fourteen — permitted occupations.

No person under fourteen years of age shall be employed or permitted to work with or without compensation in any occupation, except in the street ~~trade~~ occupations or migratory labor occupations specified in [section 92.1](#). Any migratory laborer twelve to fourteen years of age may not work prior to or during the regular school hours of any day of any private or public school which teaches general education subjects and which is available to such child.

Sec. 32. Section 92.9, unnumbered paragraph 1, Code 2017, is amended to read as follows:

The provisions of [sections 92.8](#) and [92.10](#) shall not apply to pupils working under an instructor in a career and technical education department in a school district or under an instructor in a career and technical education classroom or laboratory, or industrial plant, or in a course of career and technical education approved by the state board for career and technical education, or to apprentices provided they are employed under all of the following conditions:

Sec. 33. Section 92.23, Code 2017, is amended to read as follows:

92.23 Group insurance.

Anyone under the age of eighteen and subject to [this chapter](#) employed in the street ~~trades~~ occupations who sells or delivers

the product or service of another and who is designated in such capacity as an independent contractor shall be provided participation, if the person under the age of eighteen desires it at group rate cost, in group insurance for medical, hospital, nursing, and doctor expenses incurred as a result of injuries sustained arising out of and in the course of selling or delivering such product or service by the person, firm, or corporation whose product or service is so delivered.

Sec. 34. Section 96.29, subsection 2, paragraph c, Code 2017, is amended to read as follows:

c. ~~This subsection shall not apply to claims for extended benefits for weeks of unemployment beginning March 6, 1993, and ending before January 1, 1995, or if otherwise prohibited by federal law.~~

Sec. 35. Section 97A.7, subsection 1, Code 2017, is amended to read as follows:

1. The board of trustees shall be the trustees of the retirement fund created by this chapter as provided in section 97A.8 and shall have full power to invest and reinvest funds subject to the terms, conditions, limitations, and restrictions imposed by subsection 2 of this section and chapters 12F, and 12H, and 12J and subject to like terms, conditions, limitations, and restrictions said trustees shall have full power to hold, purchase, sell, assign, transfer, or dispose of any of the securities and investments of the retirement fund which have been invested, as well as of the proceeds of said investments and any moneys belonging to the retirement fund. The board of trustees may authorize the treasurer of state to exercise any of the duties of this section. When so authorized the treasurer of state shall report any transactions to the board of trustees at its next monthly meeting.

Sec. 36. Section 97B.4, subsection 5, Code 2017, is amended to read as follows:

5. *Investments.* The system, through the chief investment officer, shall invest, subject to chapters 12F, and 12H, and 12J and in accordance with the investment policy and goal statement established by the board, the portion of the retirement fund which, in the judgment of the system, is not needed for current payment of benefits under this chapter

subject to the requirements of [section 97B.7A](#).

Sec. 37. Section 101.26, subsection 1, Code 2017, is amended to read as follows:

1. A person who violates [this subchapter](#) or a rule adopted or order ~~adoption~~ issued pursuant to [this subchapter](#) is subject to a civil penalty not to exceed one hundred dollars for each day during which the violation continues, up to a maximum of one thousand dollars; however, if the tank is registered within thirty days after the state fire marshal issues a cease and desist order pursuant to [section 101.25, subsection 1](#), the civil penalty under [this section](#) shall not accrue. The civil penalty is an alternative to a criminal penalty provided under this subchapter.

Sec. 38. Section 123.30, subsection 3, paragraph c, subparagraph (2), Code 2017, is amended to read as follows:

(2) A special class "C" liquor control license may be issued and shall authorize the holder to purchase wine from class "A" wine permittees or class "B" wine permittees who also hold class "E" liquor control licenses only, and to sell wine and beer to patrons by the individual drink for consumption on the premises only. However, beer may also be sold for consumption off the premises. The license issued to holders of a special class "C" liquor control license shall clearly state on its face that the license is limited.

Sec. 39. Section 123.30, subsection 3, paragraph e, subparagraph (2), Code 2017, is amended to read as follows:

(2) The division may issue a class "E" liquor control license for premises covered by a liquor control license or wine or beer permit for on-premises consumption, if the premises are in a county having a population under nine thousand five hundred in which no other class "E" liquor control license has been issued by the division, and no other application for a class "E" liquor control license has been made within the previous twelve consecutive months.

Sec. 40. Section 123.141, Code 2017, is amended to read as follows:

123.141 Keeping liquor where beer is sold.

No alcoholic liquor for beverage purposes shall be used, or kept for any purpose in the place of business of class "B"

beer permittees, or on the premises of such class "B" beer permittees, at any time. A violation of any provision of this section shall be grounds for suspension or revocation of the beer permit pursuant to [section 123.50, subsection 3](#). This section shall not apply in any manner or in any way to the premises of any hotel or motel for which a class "B" beer permit has been issued, other than that part of such premises regularly used by the hotel or motel for the principal purpose of selling beer or food to the general public, ~~or to drug stores regularly and continuously employing a registered pharmacist,~~ keep a pharmacy from having alcohol in stock for medicinal and compounding purposes.

Sec. 41. Section 139A.8, subsection 2, paragraph e, Code 2017, is amended to read as follows:

e. A person shall not be enrolled in school in the seventh grade or twelfth grade in Iowa without evidence of adequate immunization against meningococcal disease in accordance with standards approved by the United States public health service of the United States department of health and human services for such biological products and ~~is~~ in accordance with immunization practices recommended by the advisory committee on immunization practices of the centers for disease control and prevention.

Sec. 42. Section 144.18, Code 2017, is amended to read as follows:

144.18 Court hearing.

1. The court shall fix a time and place for hearing the petition and shall give the registration official who refused to register the petitioner's delayed certificate of birth at least ten days' notice of such hearing. If both persons to be named as parents are not a party to the petition, such person or persons, if living, shall also be given at least ten days' notice of the hearing. The court shall prescribe the manner of such notice. Such official, or the official's authorized representative, may appear and testify in the proceeding.

2. If the court from the evidence presented finds that the person for whom a delayed certificate of birth is sought was born in this state, it shall make findings as the case may require and shall issue an order on a form prescribed

and furnished by the state registrar to establish a record of birth. The order shall include the birth data to be registered, a description of the evidence presented, and the date of the court's action.

3. The clerks of the district court shall forward each order to the state registrar not later than the tenth day of the calendar month following the month in which it was entered. The order shall be registered by the state registrar and shall constitute the record of birth, from which copies may be issued in accordance with [sections 144.42 to through 144.46](#), inclusive.

Sec. 43. Section 153.33, subsection 3, paragraph g, Code 2017, is amended to read as follows:

g. The findings of fact made by the board acting within its power shall, in the absence of fraud, be conclusive, but the district court shall have power to review questions of law involved in any final decision or determination of the board, ~~provided, that~~ if application is made by the aggrieved party within thirty days after such determination by certiorari, mandamus, or such other method of review or appeal permitted under the laws of this state, and to make such further orders in respect thereto as justice may require.

Sec. 44. Section 154B.1, subsections 2 and 6, Code 2017, are amended to read as follows:

2. "*Collaborative practice agreement*" means a written agreement between a prescribing psychologist and a licensed physician that establishes clinical protocols, practice guidelines, and care plans relevant to the scope of the collaborative practice. The practice guidelines may include limitations on the prescribing of psychotropic medications by psychologists and protocols for prescribing to special populations, including patients who are less than seventeen years of age or over sixty-five years of age, patients who are pregnant, and patients with serious medical conditions including but not limited to heart disease, cancer, stroke, seizures, and patients with developmental disabilities and intellectual disabilities.

6. "*Practice of psychology*" means the application of established principles of learning, motivation, perception,

thinking, and emotional relations to problems of behavior adjustment, group relations, and behavior modification, by persons trained in psychology for compensation or other personal gain. The application of principles includes but is not limited to:—~~Counseling~~ counseling and the use of psychological remedial measures with persons, in groups or individually, with adjustment or emotional problems in the areas of work, family, school, and personal relationships; measuring and testing personality, intelligence, aptitudes, public opinion, attitudes, and skills; and the teaching of such subject matter, and the conducting of research on the problems relating to human behavior.

Sec. 45. Section 155A.6A, subsection 3, Code 2017, is amended by striking the subsection.

Sec. 46. Section 161A.20, subsections 1, 3, and 4, Code 2017, are amended to read as follows:

1. After obtaining agreements to carry out recommended soil conservation measures and proper farm plans from owners of not less than fifty percent of the lands situated in the subdistrict, a subdistrict shall have the authority to impose a special annual tax, the proceeds of which shall be used for the repayment of actual and necessary expenses incurred to organize the subdistrict; to acquire land or rights or interests therein by purchase or condemnation; and to repair, alteration ~~alter, maintenance maintain, and operation of operate~~ the present and future works of improvement within its boundaries.

3. If portions of the subdistrict are in more than one county, then the governing body, as ~~hereinbefore~~ designated in section 161A.19 in such event, after arriving at the estimate in dollars deemed necessary for the entire subdistrict shall ratably apportion such amount between the counties and transmit and certify the prorated portion to the respective boards of supervisors of each of the counties.

4. The board or boards of supervisors shall upon receipt of certification from the governing body of the ~~district~~ subdistrict make the necessary levy on the assessed valuation of all real estate within the boundaries of the subdistrict lying within their respective county to raise said amounts, but in no event to exceed one dollar and eight cents per thousand

dollars of assessed value.

Sec. 47. Section 168.8, Code 2017, is amended to read as follows:

168.8 Penalty.

Any person, ~~partnership, corporation, company, firm, society, or association~~ who violates any provision of this chapter shall be guilty of a simple misdemeanor.

Sec. 48. Section 177A.12, subsection 2, Code 2017, is amended to read as follows:

2. The state entomologist, the entomologist's inspectors or duly authorized agents are authorized to seize, destroy, or return to the point of origin any material received in this state in violation of any state quarantine established under the authority of [subsection 1](#), or in violation of any federal quarantine established under the authority of the ~~Act of August 20, 1912, 37 Stat. ch 308~~ federal Plant Protection Act, 7 U.S.C. §7701 et seq., or any amendment to that Act.

Sec. 49. Section 179.13, Code 2017, is amended to read as follows:

179.13 Referendum.

1. At a time designated by the commission within eighteen months after termination of the national promotional order made pursuant to the Dairy ~~Product~~ Production Stabilization Act of 1983, 7 U.S.C. §4501 et seq., the commission shall conduct a referendum under administrative procedures prescribed by the department.

2. Upon signing a statement certifying to the department that the person is a bona fide producer as defined in this chapter, each producer is entitled to one vote in each referendum. When the secretary is required to determine the approval or disapproval of producers under [this section](#), the secretary shall consider the approval or disapproval of a cooperative association of producers, engaged in a bona fide manner in marketing milk, as the approval or disapproval of the producers who are members of or contract with the cooperative association of producers. If a cooperative association elects to vote on behalf of its members, the cooperative association shall provide each producer on whose behalf the cooperative association is expressing approval or

disapproval with a description of the question presented in the referendum together with a statement of the manner in which the cooperative association intends to cast its vote on behalf of the membership. The information shall inform the producer of procedures to follow to cast an individual ballot if the producer chooses to do so within the period of time established by the secretary for casting ballots. The notification shall be made at least thirty days prior to the referendum and shall include an official ballot. The ballots shall be tabulated by the secretary and the vote of the cooperative association shall be adjusted to reflect the individual votes.

3. The department shall count and tabulate the ballots filed during the referendum within thirty days of the close of the referendum. If from the tabulation the department determines that a majority of the total number of producers voting in the referendum favors the proposal, the excise tax provided for in this chapter shall be continued. The ballots cast pursuant to [this section](#) constitute complete and conclusive evidence for use in determinations made by the department under this chapter.

4. The secretary may conduct a referendum at any time after the Iowa dairy industry commission is reactivated, and shall hold a referendum on request of a representative group comprising ten percent or more of the number of producers eligible to vote, to determine whether the producers favor the termination or suspension of the excise tax. The secretary shall suspend or terminate collection of the excise tax within six months after the secretary determines that suspension or termination of the excise tax is favored by a majority of the producers voting in the referendum, and shall terminate the excise tax in an orderly manner as soon as practicable after the determination.

Sec. 50. Section 181.3, subsection 4, paragraph b, Code 2017, is amended to read as follows:

b. Except for an ex officio member, a vacancy in the executive committee resulting from death, inability or refusal to serve, or failure to meet the qualifications of [this chapter](#) shall be filled by the executive committee. If the executive committee fails to fill a vacancy, the secretary shall appoint

a person to fill it the vacancy. A vacancy appointment shall be filled only for the remainder of the unexpired term.

Sec. 51. Section 198.7, subsection 1, paragraphs b, c, d, e, and f, Code 2017, are amended to read as follows:

b. If it bears or contains any added poisonous, added deleterious, or added nonnutritive substance which is unsafe within the meaning of section 406 of the ~~federal~~ Federal Food, Drug, and Cosmetic Act, codified at 21 U.S.C. §346, other than one which is a pesticide chemical in or on a raw agricultural commodity or a food additive.

c. If it is, or it bears or contains any food additive which is unsafe within the meaning of section 409 of the ~~federal~~ Federal Food, Drug, and Cosmetic Act, codified at 21 U.S.C. §348.

d. If it is a raw agricultural commodity and it bears or contains a pesticide chemical which is unsafe within the meaning of section 408, subparagraph "a" of the ~~federal~~ Federal Food, Drug, and Cosmetic Act, codified at 21 U.S.C. §346a, provided, that where a pesticide chemical has been used in or on a raw agricultural commodity in conformity with an exemption granted or a tolerance prescribed under section 408 of the ~~federal~~ Federal Food, Drug, and Cosmetic Act, codified at 21 U.S.C. §346a, and such raw agricultural commodity has been subjected to processing such as canning, cooking, freezing, dehydrating or milling, the residue of such pesticide chemical remaining in or on such processed feed shall not be deemed unsafe if such residue in or on the raw agricultural commodity has been removed to the extent possible in good manufacturing practice and the concentration of such residue in the processed feed is not greater than the tolerance prescribed for the raw agriculture commodity unless the feeding of such processed feed will result or is likely to result in a pesticide residue in the edible product of the animal, which is unsafe within the meaning of section 408, subparagraph "a" of the ~~federal~~ Federal Food, Drug, and Cosmetic Act, codified at 21 U.S.C. §346a.

e. If it is, or it bears or contains any color additive which is unsafe within the meaning of section 706 of the ~~federal~~ Federal Food, Drug, and Cosmetic Act, codified at 21 U.S.C. §379e.

f. If it is, or it bears or contains a new animal drug which is unsafe within the meaning of the ~~federal~~ Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §360b ~~et seq.~~

Sec. 52. Section 218.48, Code 2017, is amended to read as follows:

218.48 Annual reports.

The superintendent or business manager of each institution shall make an annual report to the administrator in control of the particular institution and include in the report a detailed and accurate inventory of the stock and supplies on hand, and their amount and value, under the following headings: ~~livestock, farm~~

1. Livestock.
2. Farm produce on hand, ~~vehicles, agricultural.~~
3. Vehicles.
4. Agricultural implements, ~~machinery, mechanical.~~
5. Machinery.
6. Mechanical fixtures, ~~real.~~
7. Real estate, ~~furniture, and bedding.~~
8. Furniture.
9. Bedding in residents' department, ~~state.~~
10. State property in superintendent's department, ~~clothing, dry.~~
11. Clothing.
12. Dry goods, ~~provisions.~~
13. Provisions and groceries, ~~drugs.~~
14. Drugs and medicine, ~~fuel, library, and all.~~
15. Fuel.
16. Library.
17. All other state property under appropriate headings to be determined by the particular administrator involved.

Sec. 53. Section 232.114, subsection 4, Code 2017, is amended to read as follows:

4. The county attorney and attorney general shall comply with the requirements of [chapter 232B](#) and the federal Indian Child Welfare Act, Pub. L. No. 95-608, when either [chapter 232B](#) or the federal Indian Child Welfare Act is determined to be applicable in any proceeding under [this division](#).

Sec. 54. Section 232.188, subsection 5, paragraph e, Code

2017, is amended to read as follows:

e. The annual child welfare and juvenile justice decategorization services plan developed for use of the funding pool by a decategorization governance board shall be submitted to the department administrator of child welfare services and the early childhood Iowa empowerment state board. In addition, the decategorization governance board shall submit an annual progress report to the department administrator and the early childhood Iowa empowerment state board which summarizes the progress made toward attaining the objectives contained in the plan. The progress report shall serve as an opportunity for information sharing and feedback.

Sec. 55. Section 234.6, subsection 1, unnumbered paragraph 1, Code 2017, is amended to read as follows:

The administrator shall be vested with the authority to administer the family investment program, state supplementary assistance, food programs, child welfare, and emergency relief, family and adult service programs, and any other form of public welfare assistance and institutions that are placed under the administrator's administration. The administrator shall perform duties, shall formulate and adopt rules as may be necessary, and shall outline policies, dictate procedure, and delegate such powers as may be necessary for competent and efficient administration. Subject to restrictions that may be imposed by the director of human services and the council on human services, the administrator may abolish, alter, consolidate, or establish subdivisions and may abolish or change offices previously created. The administrator may employ necessary personnel and fix their compensation; may allocate or reallocate functions and duties among any subdivisions now existing or later established; and may adopt rules relating to the employment of personnel and the allocation of their functions and duties among the various subdivisions as competent and efficient administration may require. The administrator shall:

Sec. 56. Section 234.6, subsection 1, paragraph f, Code 2017, is amended to read as follows:

f. Administer the food programs authorized by federal law, and recommend rules necessary in the administration of those

programs to the director for ~~promulgation~~ adoption pursuant to chapter 17A.

Sec. 57. Section 237A.25, subsection 1, Code 2017, is amended to read as follows:

1. The department shall develop consumer information material to assist parents in selecting a child care provider. In developing the material, the department shall consult with department of human services staff, department of education staff, the state child care advisory committee, the early childhood Iowa ~~empowerment~~ state board, and child care resource and referral services. In addition, the department may consult with other entities at the local, state, and national level.

Sec. 58. Section 256.11, subsection 5, paragraph h, subparagraph (3), Code 2017, is amended to read as follows:

(3) The department of education shall permit school districts, in meeting the requirements of [this section](#), to use career and technical education core courses in more than one career and technical education service area and to use multi-occupational courses to complete a sequence in more than one career and technical education service area.

Sec. 59. Section 256.39, subsection 6, Code 2017, is amended to read as follows:

6. The department of education shall direct and monitor the progress of each career pathways consortium in developing career pathways programs. ~~By January 15, 1998, the department shall submit to the general assembly any findings and recommendations of the career pathways consortia, along with the department's recommendations for specific career pathways program efforts and for appropriate funding levels to implement and sustain the recommended programs.~~

Sec. 60. Section 256.42, subsection 7, Code 2017, is amended to read as follows:

7. The department may waive for one year the provisions of [section 256.11, subsection 5](#), which require that specified subjects be offered and taught by professional staff of a school district or school, if the school district or school makes every reasonable and good-faith effort to employ a teacher licensed under [chapter 272](#) for such a subject, and the school district or school proves to the satisfaction of the

department that the school district or school is unable to employ such a teacher.

a. The specified subject shall be provided by the initiative.

b. The specified subject may instead be provided by the school district or school if all of the following conditions are met:

~~a.~~ (1) The course content is provided through an online learning platform by an Iowa licensed teacher with online learning experience.

~~b.~~ (2) The course content provided is aligned with school district or school standards and satisfies the requirements of subsection 6.

~~c.~~ (3) The course is not offered by the initiative pursuant to [this section](#), or the course offered by the initiative lacks the capacity to accommodate additional students.

~~d.~~ (4) The course is the sole course per semester that the school district or school is providing instead of the initiative pursuant to [this subsection](#).

Sec. 61. Section 256H.1, subsection 2, paragraph a, Code 2017, is amended to read as follows:

a. "Active duty" means full-time duty status in the active uniformed service of the United States, including members of the national guard and reserve on active duty orders pursuant to 10 U.S.C. ~~§1209~~ ch. 1209 and 1211.

Sec. 62. Section 256H.1, subsection 3, paragraph a, subparagraph (1), Code 2017, is amended to read as follows:

(1) Active duty members of the uniformed services as defined in this compact, including members of the national guard and reserve on active duty orders pursuant to 10 U.S.C. ~~§1209~~ ch. 1209 and 1211.

Sec. 63. Section 256I.4, subsection 8, Code 2017, is amended to read as follows:

8. Develop and implement a designation process for area boards. Allow for flexibility and creativity of area boards in implementing area board responsibilities and provide authority for the area boards to support the communities in the areas served. The ~~system~~ process shall provide for action to address poor performing areas as well as higher performing areas. The

state board shall determine how often area boards are reviewed under the system process.

Sec. 64. Section 256I.9, subsection 3, paragraph b, subparagraph (1), Code 2017, is amended to read as follows:

(1) Family support services ~~and parent education programs~~ promoted to parents of children from zero through age five. Family support services shall include but are not limited to home visitation and parent education. Of the state funding that an area board designates for family support programs, at least sixty percent shall be committed to programs with a home visitation component.

Sec. 65. Section 258.2, Code 2017, is amended to read as follows:

258.2 State board for career and technical education.

The state board of education shall constitute the state board for career and technical education.

Sec. 66. Section 258.3A, unnumbered paragraph 1, Code 2017, is amended to read as follows:

The state board shall do all of the following:

Sec. 67. Section 258.4, subsections 1, 7, 8, and 9, Code 2017, are amended to read as follows:

1. Develop and submit to the state board for approval the multi-year state plan developed in accordance with federal laws and regulations governing career and technical education.

7. Review and approve career and technical education programs to ensure that the programs meet standards adopted by the state board for career and technical education pursuant to section 258.3A. The director shall annually review at least twenty percent of the approved career and technical programs as a basis for continuing approval to ensure that the programs meet board standards and are compatible with educational reform efforts, are capable of responding to technological change and innovation, and meet the educational needs of students and the employment community. The review shall include an assessment of the extent to which the competencies in the program are being mastered by the students enrolled, the costs are proportionate to educational benefits received, the career and technical education curriculum is articulated and integrated with other curricular offerings required of all students,

the programs would permit students with career and technical education backgrounds to pursue other educational interests in a postsecondary institutional setting, and the programs remove barriers for both traditional and nontraditional students to access educational and employment opportunities.

8. Facilitate the process established by the state board for the implementation of a statewide system of regional career and technical education planning partnerships that utilize the services of local school districts, community colleges, sector partnerships, and other resources to assist local school districts in meeting career and technical education standards while avoiding unnecessary duplication of services. The director shall also review and approve regional planning partnerships and regional centers to ensure that the partnerships and centers meet the standards adopted by the state board pursuant to [section 258.3A, subsection 5](#).

9. Enforce rules adopted by the state board pursuant to section 258.3A.

Sec. 68. Section 258.6, subsections 1, 2, and 3, Code 2017, are amended to read as follows:

1. *"Approved career and technical education program"* means a career and technical education program offered by a school district or community college and approved by the department which meets the standards for career and technical education programs adopted by the state board under [this chapter](#).

2. *"Approved practitioner preparation school, department, or class"* means a school, department, or class approved by the state board as entitled under [this chapter](#) to federal moneys for the training of teachers of career and technical education subjects.

3. *"Approved regional career and technical education planning partnership"* means a regional entity that meets the standards for regional career and technical education planning partnerships adopted by the state board pursuant to section 258.3A and [section 258.14](#).

Sec. 69. Section 258.6, subsection 4, Code 2017, is amended by striking the subsection.

Sec. 70. Section 258.6, Code 2017, is amended by adding the following new subsection:

NEW SUBSECTION. 9A. "*State board*" means the state board for career and technical education as provided in section 258.2.

Sec. 71. Section 258.9, subsection 1, Code 2017, is amended to read as follows:

1. The board of directors of a school district or community college that maintains a career and technical education program receiving federal or state funds under this chapter shall, as a condition of approval by the state board, appoint a local advisory council for each career and technical education program offered by the school district or community college. However, a school district and a community college that maintain a career and technical education program receiving federal or state funds may create a joint local advisory council. The membership of each local advisory council shall consist of public members with expertise in the occupation or occupational field related to the career and technical education program. The local advisory council shall give advice and assistance to the board of directors, administrators, and instructors in the establishment and maintenance of the career and technical education program.

Sec. 72. Section 258.12, Code 2017, is amended to read as follows:

258.12 Custodian of funds.

The treasurer of state shall be custodian of the funds paid to the state from the appropriations made under the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006, 20 U.S.C §2301 et seq., as amended, and shall disburse the same on vouchers audited as provided by law.

Sec. 73. Section 258.14, subsection 3, paragraphs a and d, Code 2017, are amended to read as follows:

a. Ensuring compliance with standards adopted by the state board under **section 258.3A, subsection 5**, for regional career and technical education planning partnerships.

d. Reviewing career and technical education programs of school districts within the region based on standards adopted by the state board, and recommending to the department career and technical education programs for approval.

Sec. 74. Section 258.14, subsection 3, paragraph f, unnumbered paragraph 1, Code 2017, is amended to read as

follows:

Planning for regional centers with the purpose of achieving equitable access to high-quality career and technical education programming and concurrent enrollment opportunities for all students. As a condition for approval, a regional center shall comply with standards adopted by the state board and shall consist of a minimum of four career academies. A regional center shall be compatible with development of a statewide system of regional centers serving all students. A regional center shall serve either of the following:

Sec. 75. Section 258.14, subsection 4, paragraph e, Code 2017, is amended to read as follows:

e. Representatives of regional economic and workforce entities including ~~regional advisory~~ local workforce development boards established under [section 84A.4](#).

Sec. 76. Section 258.15, subsection 2, Code 2017, is amended to read as follows:

2. The state board, in consultation with the division of community colleges of the department, shall adopt rules setting minimum standards for the development and implementation of career academies under [this section](#) and ensuring compliance with the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006, 20 U.S.C. §2301 et seq., as amended.

Sec. 77. Section 260C.5, subsection 1, Code 2017, is amended to read as follows:

1. Designate a community college as an "area career and technical education school" within the meaning of, and for the purpose of administering, the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006. A community college shall not be so designated by the director for the expenditure of funds under 20 U.S.C. §2301 et seq., as amended, which has not been designated and classified as a community college by the state board.

Sec. 78. Section 260C.47, subsection 1, unnumbered paragraph 1, Code 2017, is amended to read as follows:

The state board of education shall establish an accreditation process for community college programs. The process shall be jointly developed and agreed upon by the department of education and the community colleges. The

state accreditation process shall be integrated with the accreditation process of the higher learning commission, including the evaluation cycle, the self-study process, and the criteria for evaluation, which shall incorporate the standards for community colleges developed under section 260C.48; and shall identify and make provision for the needs of the state that are not met by the ~~association's~~ commission's accreditation process. The department of education shall use a two-component process for the continued accreditation of community college programs.

Sec. 79. Section 260C.47, subsection 1, paragraph c, Code 2017, is amended to read as follows:

c. Rules adopted by the state board shall include provisions for coordination of the accreditation process under this section with activities of accreditation ~~associations~~ agencies, which are designed to avoid duplication in the accreditation process.

Sec. 80. Section 261E.6, subsection 3, Code 2017, is amended to read as follows:

3. *Authorization.* To participate in this program, an eligible student shall make application to an eligible postsecondary institution to allow the eligible student to enroll for college credit in a nonsectarian course offered at the institution. A comparable course, as defined in rules adopted by the board of directors of the school district consistent with department administrative rule, must not be offered by the school district or accredited nonpublic school the student attends. ~~However, a~~ A course is ineligible for purposes of this section if the school district has a contractual agreement with the eligible postsecondary institution under section 261E.8 that meets the requirements of section 257.11, subsection 3, and the course may be delivered through such an agreement in accordance with section 257.11, subsection 3. If the postsecondary institution accepts an eligible student for enrollment under this section, the institution shall send written notice to the student, the student's parent or legal guardian in the case of a minor child, and the student's school district or accredited nonpublic school and the school district in the case of a

nonpublic school student, or the Iowa school for the deaf or the Iowa braille and sight saving school. The notice shall list the course, the clock hours the student will be attending the course, and the number of hours of college credit that the eligible student will receive from the eligible postsecondary institution upon successful completion of the course.

Sec. 81. Section 262.14, unnumbered paragraph 1, Code 2017, is amended to read as follows:

The board may invest funds belonging to the institutions, subject to [chapters 12F](#), [and 12H](#), [and 12J](#) and the following regulations:

Sec. 82. Section 279.19B, subsection 2, Code 2017, is amended to read as follows:

2. For the first two weeks ~~of employment~~ in which a qualified individual who possesses a transitional coaching authorization is employed as a transitional coach and for the first extracurricular interscholastic athletic contest or competition sponsored by an organization as defined in section 280.13, the individual shall be supervised by a certified athletic director, administrator, or other practitioner in a supervisory role. If the individual performs to the supervising practitioner's satisfaction, the supervising practitioner shall sign and date an evaluation form provided by the organization to certify that the individual meets expectations to work with student athletes as a transitional coach. The organization shall develop and offer on its internet site an evaluation form that meets the requirements of [this subsection](#).

Sec. 83. Section 282.7, subsection 2, Code 2017, is amended to read as follows:

2. If the career and technical education program offered by a school district does not meet ~~the board for career and technical education's~~ standards for program approval adopted by the state board for career and technical education, the district shall be granted one year to meet the standards for approval. If a district chooses to waive the one-year grace period, or the district fails to meet the approval standards after one year, the director of the ~~board for career and technical~~ department of education shall delegate the authority

to the regional career and technical education planning partnership established pursuant to [section 258.14](#) to direct the district to contract with another school district or a community college which has an approved program, for the provision of career and technical education for students of the district. The district that has waived the one-year grace period or has failed to meet the approval standards shall pay to the district or community college that has an approved program an amount equal to the percent of the school day in which a pupil is receiving career and technical education in the approved program times the district cost per pupil of the district of residence of the pupil. The regional career and technical education planning partnership established pursuant to [section 258.14](#) shall contract with an approved program for delivery of career and technical education in the district which has failed to meet the approval standards or has waived the one-year grace period. Transportation to and from the approved program shall be provided by the school district that has waived the one-year grace period or has failed to meet approval standards. Reasonable effort shall be made to conduct the approved program at an attendance center in the district that has failed to meet the approval standards or has waived the one-year grace period.

Sec. 84. Section 294.14, Code 2017, is amended to read as follows:

294.14 Estimate of funds needed — levy.

The board of directors of said district shall annually, for a period of five years after the effective date of the termination of its pension system, at the meeting at which it estimates the amount required for the general fund, in accordance with the provisions of [section 298.1](#), estimate the additional amount if any necessary to pay to participants in the pension system who are not entitled to receive benefits under such system at the date of termination thereof, one-fifth of the amount paid into said pension fund by such participants therein, without interest, which amount shall be levied by the board of supervisors, in accordance with provisions of [section 298.8](#) and, in addition thereto, the board of directors of said district shall each year at the meeting at which

it estimates the amount required for the general fund, in accordance with the provisions of [section 298.1](#), estimate the additional amount, if any, necessary to provide the required annual payments to surviving beneficiaries of said pension system, as ~~defined~~ provided in [section 294.12](#), which amount shall be levied by the board of supervisors, in accordance with the provisions of [section 298.8](#). Upon the death of the last beneficiary, ~~as defined in [section 294.12](#)~~, to survive, any balance remaining in said fund, including any undisposed of accumulations, shall be transferred to the general fund of said school district.

Sec. 85. Section 303.66, subsection 2, Code 2017, is amended to read as follows:

2. Taxes levied by the board shall be certified on or before the first day of March to the county auditor of each county where any of the property included within the territorial limits of the land use district is located, and shall be placed upon the tax list for the current year, ~~and the~~. The county treasurer shall collect the taxes in the same manner as other taxes, ~~and when~~. When delinquent ~~they~~, the taxes shall draw the same interest and penalties as other taxes. All taxes so levied and collected shall be paid over to the treasurer of the district.

Sec. 86. Section 313.2, subsection 2, paragraph b, Code 2017, is amended to read as follows:

b. However, prior to entering into the agreement, a notice of intent to execute such agreement shall be published in a newspaper of general circulation within the county and the cost of such notice shall be jointly borne by the department and the board of supervisors. If one hundred or more residents of the county request by petition or in writing that a hearing be held in regard to such agreement within ten days after the publication of the notice, the board of supervisors and the department shall hold such a hearing not more than seven days after receiving the petition or written instrument, ~~and based~~. Based upon evidence presented at ~~such~~ the hearing, the board of supervisors and the department shall reexamine the merits of executing such agreement and make a decision in regard to it.

Sec. 87. Section 313.5, subsection 2, Code 2017, is amended

to read as follows:

2. The provisions of [chapter 8](#) shall apply except that the provisions of [section 8.39](#) shall not apply to funds appropriated to the department under [section 313.4](#); however, ~~the first paragraph of [section 8.39](#), subsection 1,~~ shall apply to appropriations for support of the department and for engineering and administration of highway work and maintenance of the primary road system.

Sec. 88. Section 313.12, Code 2017, is amended to read as follows:

313.12 Supervision and inspection.

The department is expressly charged with the duty of supervision, inspection, and direction of the work of construction of primary roads on behalf of the state, and of supervising the expenditure of all funds paid on account of such work by the state or the county on the primary road system and it shall do and perform all other matters and things necessary to the faithful completion of the work ~~herein~~ authorized in this section.

Sec. 89. Section 314.21, subsection 1, paragraph b, Code 2017, is amended to read as follows:

b. A city or county which has a project which qualifies for the use of these funds shall submit a request for the funds to the state department of transportation. A city or county may, at its option, apply moneys allocated for use on city or county projects under [this subsection](#) toward qualifying projects on the primary road system. The state department of transportation in consultation with the department of natural resources shall determine which projects qualify for the funds and which projects shall be funded if the requests for the funds exceed the availability of the funds. In ranking applications for funds, the department shall consider the proportion of political subdivision matching funds to be provided, if any, and the proportion of private contributions to be provided, if any. In considering the proportion of political subdivision matching funds provided, the department shall consider only those moneys which are in addition to those which the political subdivision has historically provided toward such projects. Funds allocated to the cities, the

counties, and the department which are not programmed by the end of each fiscal year shall be available for redistribution to any eligible applicant regardless of the original allocation of funds. Such funds shall be awarded for eligible projects based upon their merit in meeting the program objectives established by the department under [section 314.22](#). The department shall submit a report of all projects funded in the previous fiscal year to the governor and to the general assembly on January 15 of each year.

Sec. 90. Section 317.25, subsection 2, Code 2017, is amended to read as follows:

2. Any person violating subsection 1 commits a public offense and is subject to a fine not to exceed one hundred dollars.

Sec. 91. Section 321.34, subsection 13, paragraph a, subparagraph (1), Code 2017, is amended to read as follows:

(1) The owner of a motor vehicle subject to registration pursuant to [section 321.109, subsection 1, autocycle, motor truck, motor home, multipurpose vehicle, motorcycle, trailer, or travel trailer](#) may upon request be issued special registration plates that contain a space reserved for the placement of an organization decal. If the special plates are requested at the time of initial application for registration and certificate of title for the vehicle, no special plate fee is required other than the regular annual registration fee for the vehicle. If the special plates are requested as replacement plates, the owner shall surrender the current regular or special registration plates in exchange for the special plates and shall pay a replacement plate fee of five dollars. The county treasurer shall validate special plates with an organization decal in the same manner as regular plates, upon payment of the annual registration fee.

Sec. 92. Section 321.40, subsection 6, paragraph a, Code 2017, is amended to read as follows:

a. The department or the county treasurer shall refuse to renew the registration of a vehicle registered to the applicant if the department or the county treasurer knows that the applicant has a delinquent account, charge, fee, loan, taxes, or other indebtedness owed to or being collected by

the state, from information provided pursuant to sections 8A.504 and 421.17. An applicant may contest this action by ~~requesting~~ initiating a contested case proceeding ~~from~~ with the agency that referred the debt for collection pursuant to section 8A.504. The department of revenue and the department of transportation shall notify the county treasurers through the distributed teleprocessing network of persons who owe such a delinquent account, charge, fee, loan, taxes, or other indebtedness.

Sec. 93. Section 321.40, subsection 7, paragraph a, Code 2017, is amended to read as follows:

a. The department or the county treasurer shall refuse to renew the registration of a vehicle registered to an applicant if the department or the county treasurer knows that the applicant has not paid a civil penalty imposed on the applicant pursuant to [section 321N.3, subsection 3](#). An applicant may contest this action by ~~requesting~~ initiating a contested case proceeding ~~from~~ with the department. The department shall notify the county treasurers through the distributed teleprocessing network of persons who have not paid such civil penalties.

Sec. 94. Section 321.189, subsection 8, Code 2017, is amended to read as follows:

8. *Veterans status.* A licensee who is an honorably discharged veteran of the armed forces of the United States may request that the license be marked to reflect the licensee's veteran status. Upon such a request, the word "VETERAN" shall be marked prominently on the face of the license. Such a license shall be issued upon receipt of satisfactory proof of veteran status pursuant to procedures established by the department in consultation with the department of veterans affairs, or upon presentation of the licensee's certification of release or discharge from active duty, DD form 214, to the department at the time of the licensee's request, if the form indicates the licensee was honorably discharged. If the license is issued upon presentation of the licensee's certification of release or discharge from active duty, DD form 214, the department shall notify the commission of veteran affairs of the county of the licensee's residence that the

licensee was issued a license marked to reflect the licensee's veteran status. After receiving notification from the department, the commission of veteran affairs shall initiate contact with the licensee.

Sec. 95. Section 321.285, subsection 7, Code 2017, is amended to read as follows:

7. A person who violates this section for excessive speed in violation of a speed limit commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 5. A person who ~~violates this section for excessive~~ operates a school bus at a speed as an operator of a school bus which exceeds a limit established under this section by ten miles an hour or less commits a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 10. A person who violates any other provision of this section commits a simple misdemeanor.

Sec. 96. Section 321.463, subsection 5, paragraph a, unnumbered paragraph 1, Code 2017, is amended to read as follows:

The maximum gross weight allowed to be carried on a vehicle or combination of vehicles on highways which are part of the primary road system is as follows:

Sec. 97. Section 321G.13, subsection 2, paragraph b, subparagraph (1), Code 2017, is amended to read as follows:

(1) A person may operate or ride ~~on~~ a snowmobile with a loaded firearm, whether concealed or not, without a permit to carry weapons, if the person operates or rides on land owned or possessed by the person, and the person's conduct is otherwise lawful.

Sec. 98. Section 321G.13, subsection 2, paragraph b, subparagraph (2), unnumbered paragraph 1, Code 2017, is amended to read as follows:

If a person is operating or riding ~~on~~ a snowmobile on land that is not owned or possessed by the person, the person may operate or ride the snowmobile with a loaded firearm, whether concealed or not, if all of the following apply:

Sec. 99. Section 321I.14, subsection 2, paragraph b, subparagraph (1), Code 2017, is amended to read as follows:

(1) A person may operate or ride ~~on~~ an all-terrain vehicle

with a loaded firearm, whether concealed or not, without a permit to carry weapons, if the person operates or rides on land owned or possessed by the person, and the person's conduct is otherwise lawful.

Sec. 100. Section 321I.14, subsection 2, paragraph b, subparagraph (2), unnumbered paragraph 1, Code 2017, is amended to read as follows:

If a person is operating or riding on an all-terrain vehicle on land that is not owned or possessed by the person, the person may operate or ride the all-terrain vehicle with a loaded firearm, whether concealed or not, if all of the following apply:

Sec. 101. Section 325A.1, subsection 13, Code 2017, is amended to read as follows:

13. *"Private carrier"* means a person who provides transportation of property or passengers by motor vehicle, ~~is not a for-hire motor carrier or a transportation network company or a transportation network company driver, as defined in section 321N.1,~~ or who transports commodities of which the person is the owner, lessee, or bailee and the transportation is a furtherance of the person's primary business or occupation, but is not a for-hire motor carrier or a transportation network company or a transportation network company driver, as defined in section 321N.1.

Sec. 102. Section 331.655, subsection 1, paragraph a, Code 2017, is amended to read as follows:

a. For serving a notice and returning it, for the first person served, fifteen dollars, and for each additional person, fifteen dollars, except that the fee for serving additional persons in the same household shall be ten dollars for each additional service, or if the service of notice cannot be made or several attempts are necessary, the repayment of all necessary expenses actually incurred by the sheriff while attempting in good faith to serve the notice.

Sec. 103. Section 331.910, subsection 4, paragraph f, Code 2017, is amended to read as follows:

f. While in the receiving state pursuant to a contract under this subsection, a person detained, committed, or placed under the laws of a sending state shall be subject to all laws

and regulations of the receiving state, except those laws and regulations with respect to the involuntary civil commitment of the person due to a mental illness or substance-related disorder. A person shall not be sent to a receiving state pursuant to a contract under [this section subsection](#) until the receiving state has enacted a law recognizing the validity and applicability of [this subsection](#).

Sec. 104. Section 364.2, subsection 4, paragraph b, Code 2017, is amended to read as follows:

b. Such an ordinance shall not become effective unless approved at an election. The proposal may be submitted by the council on its own motion to the voters at any city election. Upon receipt of a ~~valid petition as defined in~~ meeting the requirements of [section 362.4](#) requesting that a proposal be submitted to the voters, the council shall submit the proposal at the next regular city election or at a special election called for that purpose before the next regular city election. However, the city council may dispense with such election as to the grant, amendment, extension, or renewal of an electric light and power, heating, or gasworks franchise unless there is a valid petition requesting submission of the proposal to the voters, or the party seeking such franchise, grant, amendment, extension, or renewal requests an election. If a majority of those voting approves the proposal, the city may proceed as proposed. The complete text of the ordinance shall be included on the ballot if conventional paper ballots are used. If an optical scan voting system is used, the proposal shall be stated on the optical scan ballot, and the full text of the ordinance posted for the voters pursuant to [section 52.25](#). All absentee voters shall receive the full text of the ordinance.

Sec. 105. Section 372.13, subsection 11, paragraph a, Code 2017, is amended to read as follows:

a. Council members shall be elected according to the council representation plans under [sections 372.4](#) and [372.5](#). However, the council representation plan may be changed, by petition and election, to one of those described in [this subsection](#). Upon receipt of a ~~valid petition, as defined in~~ meeting the requirements of [section 362.4](#), requesting a change to a council representation plan, the council shall submit the question at

a special election. If a majority of the persons voting at the special election approves the changed plan, it becomes effective at the beginning of the term following the next regular city election. If a majority does not approve the changed plan, the council shall not submit another proposal to change a plan to the voters within the next two years.

Sec. 106. Section 376.2, subsection 2, Code 2017, is amended to read as follows:

2. Except as otherwise provided by state law or the city charter, terms for elective offices are two years. However, the term of an elective office may be changed to two or four years by petition and election. Upon receipt of a valid petition ~~as defined in~~ meeting the requirements of section 362.4, requesting that the term of an elective office be changed, the council shall submit the question at a special election. If a majority of the persons voting at the special election approves the changed term, it becomes effective at the beginning of the term following the next regular city election. If a majority does not approve the changed term, the council shall not submit the same proposal to the voters within the next four years.

Sec. 107. Section 384.31, Code 2017, is amended to read as follows:

384.31 Negotiable.

General obligation bonds issued pursuant to this ~~part~~ division are negotiable instruments.

Sec. 108. Section 384.44, Code 2017, is amended to read as follows:

384.44 Estimated cost.

The estimated total cost of any public improvement constructed under this ~~part~~ division must include all of the items of cost listed in [section 384.37, subsection 26](#), which the council proposes to include as a part of the cost of the public improvement, and may include an item to be known as the default fund amounting to not more than ten percent of the portion of the total cost of the improvement which the council proposes to assess against specially benefited property.

Sec. 109. Section 384.66, subsection 4, Code 2017, is amended to read as follows:

4. No action may be brought questioning the regularity of the proceedings pertaining to special assessments or the validity of any special assessment levied for any public improvement under this ~~part~~ division, from and after sixty days after the final publication of notice of filing the final assessment schedule.

Sec. 110. Section 384.76, Code 2017, is amended to read as follows:

384.76 Application to joint undertakings.

The provisions of this division apply to any public improvement undertaken jointly by the city and another city or by the city and the state or any other political subdivision of the state, and a city may enter into an agreement for such purpose under the provisions of chapter 28E and may assess and pay its portion of the cost of a public improvement as provided in this division, but any requirement of this ~~part~~ division in respect to approval of detailed plans and specifications, calling for construction bids, awarding construction contracts and acceptance of the completed improvement may be carried out by each city with other cities, the state or any other political subdivision of the state, as provided in an agreement entered into as permitted by chapter 28E. However, an agreement between the city and the state department of transportation is also governed by the provisions of sections 313.21 to 313.23.

Sec. 111. Section 403A.10, Code 2017, is amended to read as follows:

403A.10 Tax exemption and payments in lieu of taxes.

The property acquired or held pursuant to this chapter is declared to be public property used exclusively for essential city, or municipal public and governmental purposes and such property is hereby declared to be exempt from all taxes and special assessments of the state or of any state public body. In lieu of taxes on such property a municipality may agree to make payments to the state or a state public body ~~(including itself)~~, including to the municipality, as it finds consistent with the maintenance of the low-rent character of housing projects and the achievement of the purposes of this chapter.

Sec. 112. Section 403A.12, Code 2017, is amended to read as

follows:

403A.12 Bonds.

1. A municipality shall have power to issue bonds from time to time in its discretion, for any of the purposes of this chapter. A municipality shall also have power to issue refunding bonds for the purpose of paying or retiring bonds previously issued by it. A municipality may issue such types of bonds as it may determine, including ~~(without limiting the generality of the foregoing)~~ bonds on which the principal and interest are payable exclusively from the income and revenues of the project financed with the proceeds of such bonds, or exclusively from the income and revenues of certain designated housing projects whether or not they are financed in whole or in part with the proceeds of such bonds. Any such bonds may be additionally secured by a pledge of any loan, grant or contribution or parts thereof from the federal government or other source, or a pledge of any income or revenues connected with a housing project or a mortgage of any housing project or projects. The authority to issue bonds under this subsection does not limit the municipality's general authority to issue bonds for any of the purposes of this chapter.

2. Neither the governing body of a municipality nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof hereunder. The bonds and other obligations issued under the provisions of this chapter ~~(and such bonds and obligations shall so state on their face)~~ shall be payable solely from the sources provided in this section and shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction. The bonds and obligations shall state on their face that they are payable solely from the sources provided in this section and that they do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction. Bonds issued pursuant to this chapter are declared to be issued for an essential public and governmental purpose and to be public instrumentalities and, together with interest thereon and income therefrom, shall be exempt from taxes. The tax exemption provisions of this chapter shall be considered part of the security for the

repayment of bonds and shall constitute, by virtue of this chapter and without the necessity of the same being restated in said bonds, a contract between the bondholders and each and every one thereof, including all transferees of said bonds from time to time on the one hand and the respective municipalities issuing said bonds and the state on the other.

Sec. 113. Section 403A.18, Code 2017, is amended to read as follows:

403A.18 Transfer of possession or title to federal government.

In any contract with the federal government for annual contributions to a municipality, the municipality may obligate itself, which obligation shall be specifically enforceable and shall not constitute a mortgage, notwithstanding any other law, to convey to the federal government possession of or title to the housing project to which such contract relates, upon the occurrence of a substantial default as defined in such contract with respect to the covenant or conditions to which the municipality is subject; ~~and such.~~ The contract may further provide that in case of such conveyance, the federal government may complete, operate, manage, lease, convey, or otherwise deal with the housing project and funds in accordance with the terms of ~~such~~ the contract: ~~Provided, provided~~ that the contract requires that, as soon as practicable after the federal government is satisfied that all defaults with respect to the housing project have been cured and that the housing project will thereafter be operated in accordance with the terms of the contract, the federal government shall reconvey to the municipality the housing project as then constituted.

Sec. 114. Section 404A.1, subsection 6, Code 2017, is amended to read as follows:

6. "*Program*" shall mean the historic preservation ~~and cultural and entertainment district~~ tax credit program set forth in [this chapter](#).

Sec. 115. Section 404A.2, subsection 1, Code 2017, is amended to read as follows:

1. An eligible taxpayer who has entered into an agreement under [section 404A.3, subsection 3](#), is eligible to receive a historic preservation ~~and cultural and entertainment district~~

tax credit in an amount equal to twenty-five percent of the qualified rehabilitation expenditures of a qualified rehabilitation project that are specified in the agreement. Notwithstanding any other provision of [this chapter](#) or any provision in the agreement to the contrary, the amount of the tax credits shall not exceed twenty-five percent of the final qualified rehabilitation expenditures verified by the authority pursuant to [section 404A.3, subsection 5](#), paragraph "c".

Sec. 116. Section 404A.3, subsection 1, paragraph a, Code 2017, is amended to read as follows:

a. An eligible taxpayer seeking historic preservation ~~and cultural and entertainment district~~ tax credits provided in section 404A.2 shall make application to the authority in the manner prescribed by the authority.

Sec. 117. Section 404A.5, subsection 2, Code 2017, is amended to read as follows:

2. An annual report shall be filed which shall include but is not limited to data on the number and potential value of qualified rehabilitation projects begun during the latest twelve-month period, the total historic preservation ~~and cultural and entertainment district~~ tax credits originally awarded or tax credit certificates originally issued during that period, the potential reduction in state tax revenues as a result of all awarded or issued tax credits still unclaimed and eligible for refund, and the potential increase in local property tax revenues as a result of the qualified rehabilitation projects.

Sec. 118. Section 411.7, subsection 1, Code 2017, is amended to read as follows:

1. The board of trustees is the trustee of the fire and police retirement fund created in [section 411.8](#) and shall annually establish an investment policy to govern the investment and reinvestment of the moneys in the fund, subject to the terms, conditions, limitations, and restrictions imposed by [subsection 2](#) and [chapters 12F, and 12H, and 12J](#). Subject to like terms, conditions, limitations, and restrictions the system has full power to hold, purchase, sell, assign, transfer, or dispose of any of the securities and investments in which the fund has been invested, as well as of the proceeds

of the investments and any moneys belonging to the fund.

Sec. 119. Section 422.11D, Code 2017, is amended to read as follows:

422.11D Historic preservation and ~~cultural and entertainment~~ district tax credit.

The taxes imposed under **this division**, less the credits allowed under **section 422.12**, shall be reduced by a historic preservation and ~~cultural and entertainment~~ district tax credit allowed under **chapter 404A**.

Sec. 120. Section 422.15, subsection 1, Code 2017, is amended to read as follows:

1. Every person or corporation being a resident of or having a place of business in this state, including lessees or mortgagors of real or personal property, fiduciaries, employers and all officers and employees of the state or of any political subdivision of the state, or agent of the person or corporation, having the control, receipt, custody, disposal or payment of interest ~~(other~~ other than interest coupons payable to bearer) bearer, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, unemployment compensation, royalties, patronage dividends, or other fixed or determinable annual or periodical gains, profits and income, in an amount sufficient to require that an information return be filed under the Internal Revenue Code if the income is subject to federal tax, paid or payable during any year to any individual, whether a resident of this state or not, shall make a complete information return under such regulations and in such form and manner and to such extent as may be prescribed by the director. However, the person or corporation shall not be required to file an information return if the information is available to the department from the internal revenue service.

Sec. 121. Section 422.33, subsection 10, Code 2017, is amended to read as follows:

10. The taxes imposed under **this division** shall be reduced by a historic preservation and ~~cultural and entertainment~~ district tax credit allowed under **chapter 404A**.

Sec. 122. Section 422.60, subsection 4, Code 2017, is amended to read as follows:

4. The taxes imposed under **this division** shall be reduced by

a historic preservation and ~~cultural and entertainment district~~ tax credit allowed under [chapter 404A](#).

Sec. 123. Section 427B.1, Code 2017, is amended to read as follows:

427B.1 Actual value added exemption from tax — public hearing.

1. For purposes of this section:

a. "Distribution center" means a building or structure used primarily for the storage of goods which are intended for subsequent shipment to retail outlets. "Distribution center" does not mean a building or structure used primarily to store raw agricultural products, used primarily by a manufacturer to store goods to be used in the manufacturing process, used primarily for the storage of petroleum products, or used for the retail sale of goods.

b. "New construction" means new buildings and structures and includes new buildings and structures which are constructed as additions to existing buildings and structures. "New construction" does not include reconstruction of an existing building or structure which does not constitute complete replacement of an existing building or structure or refitting of an existing building or structure, unless the reconstruction of an existing building or structure is required due to economic obsolescence and the reconstruction is necessary to implement recognized industry standards for the manufacturing and processing of specific products and the reconstruction is required for the owner of the building or structure to continue to competitively manufacture or process those products which determination shall receive prior approval from the city council of the city or the board of supervisors of the county.

c. "Research-service facilities" means a building or group of buildings devoted primarily to research and development activities, including but not limited to the design and production or manufacture of prototype products for experimental use, and corporate-research services which do not have a primary purpose of providing on-site services to the public.

d. "Warehouse" means a building or structure used as a public warehouse for the storage of goods pursuant to chapter

554, article 7, except that it does not mean a building or structure used primarily to store raw agricultural products or from which goods are sold at retail.

2. A city council, or a county board of supervisors as authorized by [section 427B.2](#), may provide by ordinance for a partial exemption from property taxation of the actual value added to industrial real estate by the new construction of industrial real estate, research-service facilities, warehouses, distribution centers and the acquisition of or improvement to machinery and equipment assessed as real estate pursuant to [section 427A.1, subsection 1, paragraph "e"](#). ~~"New construction" means new buildings and structures and includes new buildings and structures which are constructed as additions to existing buildings and structures. "New construction" does not include reconstruction of an existing building or structure which does not constitute complete replacement of an existing building or structure or refitting of an existing building or structure, unless the reconstruction of an existing building or structure is required due to economic obsolescence and the reconstruction is necessary to implement recognized industry standards for the manufacturing and processing of specific products and the reconstruction is required for the owner of the building or structure to continue to competitively manufacture or process those products which determination shall receive prior approval from the city council of the city or the board of supervisors of the county. The exemption shall also apply to new machinery and equipment assessed as real estate pursuant to [section 427A.1, subsection 1, paragraph "e"](#), unless the machinery or equipment is part of the normal replacement or operating process to maintain or expand the existing operational status. "Research-service facilities" means a building or group of buildings devoted primarily to research and development activities, including but not limited to the design and production or manufacture of prototype products for experimental use, and corporate research services which do not have a primary purpose of providing on-site services to the public. "Warehouse" means a building or structure used as a public warehouse for the storage of goods pursuant to chapter 554, article 7, except that it does not mean a building or~~

~~structure used primarily to store raw agricultural products or from which goods are sold at retail. "Distribution center" means a building or structure used primarily for the storage of goods which are intended for subsequent shipment to retail outlets. "Distribution center" does not mean a building or structure used primarily to store raw agricultural products, used primarily by a manufacturer to store goods to be used in the manufacturing process, used primarily for the storage of petroleum products, or used for the retail sale of goods.~~

~~2.~~ 3. The ordinance may be enacted not less than thirty days after a public hearing is held in accordance with section 335.6 in the case of a county, or [section 362.3](#) in the case of a city. The ordinance shall designate the length of time the partial exemption shall be available and may provide for an exemption schedule in lieu of that provided in [section 427B.3](#). However, an alternative exemption schedule adopted shall not provide for a larger tax exemption in a particular year than is provided for that year in the schedule contained in section 427B.3.

Sec. 124. Section 432.12A, Code 2017, is amended to read as follows:

432.12A Historic preservation and ~~cultural and entertainment district~~ tax credit.

The taxes imposed under [this chapter](#) shall be reduced by a historic preservation and ~~cultural and entertainment district~~ tax credit allowed under [chapter 404A](#).

Sec. 125. Section 441.48, Code 2017, is amended to read as follows:

441.48 Notice of adjustment.

Before the department of revenue shall adjust the valuation of any class of property any such percentage, the department shall serve ten days' notice by mail, on the county auditor of the county whose valuation is proposed to be adjusted ~~and the~~. The department shall hold an adjourned meeting after such ten days' notice, at which time the county or assessing jurisdiction may appear by its city council or board of supervisors, city or county attorney, and other assessing jurisdiction, city or county officials, and make written or oral protest against such proposed adjustment, ~~which~~. The

protest shall consist simply of a statement of the error, or errors, complained of with such facts as may lead to their correction, ~~and at such.~~ At the adjourned meeting final action may be taken in reference thereto to the proposed adjustment.

Sec. 126. Section 455B.183, subsection 2, unnumbered paragraph 1, Code 2017, is amended to read as follows:

Upon adoption of standards by the commission pursuant to section 455B.173, subsections 5 ~~to~~ through 8, plans and specifications for sewer extensions and water supply distribution system extensions covered by this section shall be submitted to the city or county public works department for approval if the local public works department employs a qualified, licensed engineer who reviews the plans and specifications using the specific state standards known as the Iowa Standards standards for Sewer Systems sewer systems and the Iowa Standards standards for Water Supply Distribution Systems water supply distribution systems that have been formulated and adopted by the department pursuant to section 455B.173, subsections 5 ~~to~~ through 8. The local agency shall issue a written permit to construct if all of the following apply:

Sec. 127. Section 455B.302, subsection 2, Code 2017, is amended to read as follows:

2. Cities and counties may execute with public and private agencies contracts, leases, or other necessary instruments, and may purchase land and do all things necessary not prohibited by law for the implementation of waste management programs, collection of solid waste, establishment and operation of sanitary disposal projects, and general administration of the same. Any agreement executed with a private agency for the operation of a sanitary disposal project shall provide for the posting of a sufficient surety bond by the private agency conditioned upon the faithful performance of the agreement. A city or county may at any time during regular working hours enter upon the premises of a sanitary disposal project, including the premises of a sanitary landfill, in order to inspect the premises and monitor the operations and general administration of the project to ensure compliance with the agreement and with state and federal laws. This includes

the right of the city or county to enter upon the premises of a former sanitary disposal project which has been closed, including the premises of a former sanitary landfill, owned by a private agency, for the purpose of providing required postclosure care.

Sec. 128. Section 456A.33B, subsection 3, paragraph c, unnumbered paragraph 1, Code 2017, is amended to read as follows:

Each joint lake restoration action plan shall comply with the following guidelines:

Sec. 129. Section 461A.32, Code 2017, is amended to read as follows:

461A.32 Sale of park lands — conveyances to cities or counties.

1. The commission may sell or exchange such parts of public lands under the jurisdiction of the commission as in its judgment may be undesirable for conservation purposes, excepting state-owned meandered lands already surveyed and platted at state expense as a conservation plan and project tentatively adopted and now in the process of rehabilitation and development authorized by a special legislative Act. The sale or exchange shall be made upon the terms, conditions or considerations as the commission may approve, whereupon the secretary of state shall issue a patent therefor in the manner provided by law in other cases. The proceeds of any such sale or exchange shall become a part of the funds to be expended under the provisions of [this chapter](#).

2. Upon request by resolution of any city, ~~or~~ county, or any legal agency ~~thereof~~ of any city or county, the executive council may, upon majority recommendation of the commission, convey without consideration to such city, ~~or~~ county, or legal agency ~~thereof~~ of the city or county, such public lands under the jurisdiction of the commission as in its judgment may be desirable for city or county parks. Conveyance shall be in the name of the state, with the great seal of the state attached and shall contain a provision that when such lands cease to be used as public park by said city or county such lands revert to the state, and such park shall, within one year after such land has reverted to the state, be restored, as nearly as possible,

to the condition it was in when acquired by such city, county, or legal agency ~~thereof~~ of the city or county at the expense of such city, county, or legal agency.

3. The state may require that the city, county, or legal agency ~~thereof~~ of the city or county file a notice of intention every three years.

Sec. 130. Section 461A.68, Code 2017, is amended to read as follows:

461A.68 Final order — condition.

~~It~~ The commission may grant such permit in whole or in part upon such terms, conditions and restrictions as may be determined by ~~it~~ the commission to be just and proper and in the public interest, ~~provided that~~. However, before any permit shall be granted to any such municipality or corporation, the commission shall, after public hearing as provided ~~hereby~~ in this subchapter, determine whether the water recreational area will be in the interests of the public health and welfare and an affirmative finding to such effect shall be a condition precedent to the granting of such permit.

Sec. 131. Section 461A.74, Code 2017, is amended to read as follows:

461A.74 Extension of permit.

Any municipality or corporation owning a permit granted ~~hereby desiring~~ under this subchapter, which desires to acquire an extension of ~~said~~ the permit, may petition the commission in the same manner provided for the granting of ~~such~~ the permit and the same proceeding shall be had on the extension petition as on an original application.

Sec. 132. Section 468.13, subsection 1, Code 2017, is amended to read as follows:

1. Upon the filing of the report of the engineer recommending the establishment of the levee or drainage district, the board shall at its first regular, adjourned, or special meeting examine and consider the same, and, if the plan is not approved the board may employ the same engineer or another disinterested engineer to report another plan or make additional examination and surveys and file an additional report covering such matters as the board may direct. Additional surveys and reports must be made in accordance with

the provisions of [sections 468.11](#) and [468.12](#). At any time prior to the final adoption of the plans they may be amended, and as finally adopted by the board shall be conclusive unless the action of the board in finally adopting them shall be appealed from as ~~hereinafter~~ provided in this subchapter.

Sec. 133. Section 468.40, Code 2017, is amended to read as follows:

468.40 Rules of classification.

1. ~~In the~~ The report of the ~~appraisers so appointed they~~ commissioners shall specify each tract of land by proper description, and the ownership thereof, as the same appears on the transfer books in the auditor's office.

2. In estimating the benefits as to the lands not traversed by said improvement, ~~they~~ the commissioners shall not consider what benefits such land shall receive after some other improvements shall have been constructed, but only the benefits which will be received by reason of the construction of the improvement in question as it affords an outlet to the drainage of such lands, ~~or~~ brings an outlet nearer to said lands, or relieves the ~~same~~ lands from overflow and relieves and protects the ~~same~~ lands from damage by erosion.

3. When the land is a state-owned lake or state-owned wetland, the commissioners shall ascertain the benefits realized from removing excess water and shall not consider any benefit realized if the state-owned lake or state-owned wetland were drained or converted to another land use.

Sec. 134. Section 468.69, Code 2017, is amended to read as follows:

468.69 Bonds received for assessments.

Bonds issued for the cost of construction, maintenance, or repair of any drainage or levee district improvements, or for the refunding of any obligation of such district may be acquired by any taxpayer or group of taxpayers of such district and applied at their face value in the order of their priority, if any priority exists between bonds of the same issue, upon the payment of the delinquent or future assessments levied against the property of such taxpayers to pay off the bonds so acquired. The interest coupons attached to such bonds may likewise be applied at their face value to the payment of

assessments for interest accounts, delinquent or future.

Sec. 135. Section 468.94, Code 2017, is amended to read as follows:

468.94 Costs.

Unless the result on the appeal is more favorable to the appellant than to the action of the board, all costs of the appeal shall be taxed to the appellant, ~~but if.~~ If the result is more favorable to the appellant, the cost shall be taxed to the appellees.

Sec. 136. Section 478.6A, subsection 2, Code 2017, is amended to read as follows:

2. ~~A petition for a franchise to construct a merchant line, in addition to any other applicable requirements pursuant to this chapter,~~ shall be subject to all of the following:

Notwithstanding section 478.21, in addition to any other applicable requirements pursuant to this chapter, if a petition for a franchise to construct a merchant line that involves the taking of property under eminent domain is not approved by the board and a franchise granted within three years following the date the petition is filed with the board pursuant to section 478.3, the board shall reject the petition and make a record of the rejection. If the hearing on the petition conducted pursuant to section 478.4 has been held within the three-year period following the date the petition is filed, but the board has not completed its deliberations within that three-year period, the three-year period may be extended by the board to allow completion of deliberations. A petitioner shall not file a petition for the same or a similar project that has been rejected within sixty months following the date of rejection if the rejection was for failure to be approved within three years following the date the petition was filed as provided in this subsection.

Sec. 137. Section 483A.18, Code 2017, is amended to read as follows:

483A.18 Form of licenses.

All hunting, fishing, and fur harvester licenses shall contain a general description of the licensee. Such licenses shall be upon such forms as the commission shall adopt. The address and the signature of the applicant and all signatures

and other ~~writing~~ required information shall be in writing. All licenses shall clearly indicate the nature of the privilege granted.

Sec. 138. Section 484B.7, subsection 2, Code 2017, is amended to read as follows:

2. Each licensee shall file an annual report with the department on or before April 30. The report shall detail the hunting preserve operations during the preceding license year. The original report shall be forwarded to the department and a copy shall be retained in the hunting preserve's file for three years from the date of expiration of the hunting preserve's last license issued. Records required by this section shall be entered in the annual report record within twenty-four hours of the event. Failure to keep or submit the required records and reports is grounds for refusal to renew a license for the succeeding year. An on-site inspection of property and facilities shall be conducted by an authorized agent of the department prior to the initial issuance of a hunting preserve operator's license. The hunting preserve may be reinspected by an agent of the department at any reasonable time. A licensed hunting preserve shall maintain adequate facilities for all designated birds and ungulates held under the hunting preserve operator's license.

Sec. 139. Section 484B.10, subsections 2 and 3, Code 2017, are amended to read as follows:

2. Waterfowl shall not be shot over any area where pen-reared mallards may serve as live decoys for wild waterfowl. All persons hunting game birds or ungulates upon a licensed hunting preserve shall secure a hunting license that includes the wildlife habitat fee in accordance with the game laws of Iowa, with the exception that an unlicensed person may secure an annual hunting preserve hunting license restricted to hunting preserves only for a license fee of five dollars. All persons who hunt on hunting preserves shall pay the wildlife habitat fee.

3. A nonresident youth under sixteen years of age may hunt game birds on a licensed hunting preserve upon securing an annual hunting preserve hunting license restricted to hunting preserves only for a license fee of five dollars and payment of

the wildlife habitat fee. A nonresident youth is not required to complete the hunter education course to obtain a hunting preserve hunting license pursuant to [this subsection](#) if the youth is accompanied by a person who is at least eighteen years of age, is qualified to hunt, and possesses a valid hunting license that includes the wildlife habitat fee. During the hunt, the accompanying adult must be within arm's reach of the nonresident youth.

Sec. 140. Section 484B.13, Code 2017, is amended to read as follows:

484B.13 License refusal.

The department may either refuse to issue, refuse to renew, or suspend or revoke a hunting preserve operator's license if the department finds that the licensed area or the operator or employees of the licensed area are not in compliance with this chapter, or that the property or area is operated in violation of [this chapter](#) or administrative rules adopted under this chapter.

Sec. 141. Section 505.27, subsection 5, Code 2017, is amended to read as follows:

5. For purposes of [this section](#), ~~"health care provider":~~

a. "Health care provider" means the same as defined in section 135.61, a hospital licensed pursuant to [chapter 135B](#), or a health care facility licensed pursuant to [chapter 135C](#), and ~~"insurer"~~.

b. "Insurer" means an insurance company authorized to transact insurance business in this state. "Insurer" does not include a health care provider who maintains professional liability insurance coverage through a self-insurance plan, an unauthorized insurance company transacting business with an insured person in this state, or a person not authorized to transact insurance business in this state.

Sec. 142. Section 507B.14, Code 2017, is amended to read as follows:

507B.14 Transfer of insurance stock.

1. When a controlling interest in two or more corporations, at least one of which is an insurance company domiciled in this state, is held by any person, group of persons, firm, or corporation, no exchange of stock, transfer or sale

of securities, or loan based upon securities of any such corporation shall take place between such corporations, or between such person, group of persons, firm or corporation and such corporations, without first securing the approval of the insurance commissioner. If, in the opinion of the insurance commissioner, such sale, transfer, exchange, or loan would be improper and would work to the detriment of any such insurance company, the commissioner shall have the power to prohibit the transaction. A person, firm, or corporate officer or director shall not aid such transaction without approval of the insurance commissioner. A person, firm, or ~~other~~ corporate officer or director who willfully violates this ~~provision~~ section is guilty of a class "D" felony. A person, firm, or corporate officer or director who willfully violates this ~~provision~~ section, and when such violation results in a loss of more than ten thousand dollars, is guilty of a class "C" felony.

2. For purposes of [this section](#), ~~controlling interest~~ "controlling interest" means actual control or the possession directly or indirectly of the power to direct or cause the direction of the management and policies of a firm, partnership, corporation, association, or trust, whether through the ownership of voting securities, by contract, or otherwise.

Sec. 143. Section 507E.3A, Code 2017, is amended to read as follows:

507E.3A Fraudulent sales practices — ~~penalty penalties~~.

1. A person commits a ~~class "D" felony~~ the offense of fraudulent sales practices if the person, with the intent to defraud another person in connection with any sale, solicitation, or negotiation of insurance in this state, willfully does any of the following:

- a. Employs any deception, device, scheme, or artifice to defraud.
- b. Misrepresents, conceals, or suppresses any material fact.
- c. Engages in any act, practice, or course of business which operates as a fraud or deceit upon any person.

2. A person who violates subsection 1 commits a class "D" felony.

2. 3. Notwithstanding subsection 1 2, a person commits a class "C" felony if the person violates subsection 1, and such violation results in a loss of more than ten thousand dollars.

Sec. 144. Section 508.37, subsection 7, paragraph f, unnumbered paragraph 1, Code 2017, is amended to read as follows:

The recalculated nonforfeiture net level premium shall be equal to the result obtained by dividing the amount described in subparagraph (1) by the amount described in subparagraph (2), where subparagraph (1) and subparagraph (2) are as follows:

Sec. 145. Section 509.1, subsection 6, unnumbered paragraph 1, Code 2017, is amended to read as follows:

A policy issued to any nonprofit industrial association ~~(to, which shall be deemed the policyholder)~~ policy holder, incorporated for a period of at least ten years and organized for purposes other than obtaining insurance, subject to the following requirements:

Sec. 146. Section 514.5, Code 2017, is amended to read as follows:

514.5 Contracts for service.

1. A hospital service corporation organized under chapter 504, Code 1989, or current chapter 504, and governed by this chapter, may enter into contracts for the rendering of hospital service to any of its subscribers with hospitals maintained and operated by the state or any of its political subdivisions, or by any corporation, association, or individual. Such hospital service corporation may also contract with an ambulatory surgical facility to provide surgical services to the corporation's subscribers. Hospital service is meant to include bed and board, general nursing care, use of the operating room, use of the delivery room, ordinary medications and dressings and other customary routine care. "Ambulatory surgical facility" means a facility constructed and operated for the specific purpose of providing surgery to patients admitted to and discharged from the facility within the same day.

2. A medical service corporation organized under chapter 504, Code 1989, or current chapter 504, and governed by this chapter, may enter into contracts with subscribers to furnish

health care service through physicians and surgeons, dentists, podiatric physicians, osteopathic physicians, osteopathic physicians and surgeons, or chiropractors.

3. Any pharmaceutical or optometric service corporation organized under ~~the provisions of said~~ chapter 504, Code 1989, or current chapter 504, and governed by this chapter, may enter into contracts for the rendering of pharmaceutical or optometric service to any of its subscribers. Membership in any pharmaceutical service corporation shall be open to all pharmacies licensed under [chapter 155A](#).

4. A hospital service corporation or medical service corporation organized under chapter 504, Code 1989, or current chapter 504, and governed by this chapter, may enter into contracts with subscribers and providers to furnish health care services not otherwise allocated by [this section](#).

Sec. 147. Section 514.13, Code 2017, is amended to read as follows:

514.13 Arbitration of disputes.

Any dispute arising between a corporation organized under chapter 504, Code 1989, or current chapter 504, and governed by this chapter, and a provider may be submitted to the commissioner of insurance for a decision. All decisions and findings of the commissioner of insurance may be judicially reviewed in accordance with the terms of [chapter 17A](#).

Sec. 148. Section 514.14, Code 2017, is amended to read as follows:

514.14 Dissolution or merger.

Any dissolution, merger, or liquidation of a corporation organized under ~~the provisions of said~~ chapter 504, Code 1989, or current chapter 504, and governed by this chapter shall be under the supervision of the commissioner of insurance who shall have all powers with respect thereto granted to the commissioner under the insurance laws of this state.

Sec. 149. Section 514.15, Code 2017, is amended to read as follows:

514.15 Nonexempt from taxation.

Every corporation organized under ~~the provisions of~~ chapter 504, Code 1989, or current chapter 504, and governed by this chapter, is hereby declared to be a charitable and benevolent

institution but its property and funds, including subscribers' contracts, shall not be exempt from taxation. For purposes of [this section](#), the term "*subscriber contract*" shall mean only those benefit contracts issued or delivered in Iowa by corporations subject to [this chapter](#), including certificates issued under such contracts, and which provide coverage to residents of Iowa on a risk basis.

Sec. 150. Section 514.18, Code 2017, is amended to read as follows:

514.18 Podiatric physicians.

Medical or surgical services or procedures constituting the practice of podiatry, also known as chiropody, as defined by provided in [chapter 149](#), and covered by the terms of any individual, group, blanket, or franchise policy providing accident or health benefits hereafter delivered or hereafter issued for delivery in Iowa and covering an Iowa risk may be performed by any practitioner, selected by the insured, licensed under [chapter 149](#) to perform such medical or surgical services or procedures. Any provision of such policy or exclusion or limitation denying an insured the free choice of such licensed podiatric physician, also known as chiropodist, shall to the extent of the denial, be void, but such voidance shall not affect the validity of the other provisions of the policy.

Sec. 151. Section 514.23, subsection 1, unnumbered paragraph 1, Code 2017, is amended to read as follows:

A corporation organized under [chapter 504](#), Code 1989, or current [chapter 504](#), and governed by [this chapter](#), may become a mutual insurer under a plan which is approved by the commissioner of insurance. The plan shall state whether the insurer will be organized as a for-profit corporation pursuant to [chapter 490](#) or [491](#) or a nonprofit corporation pursuant to [chapter 504](#). Upon consummation of the plan, the corporation shall fully comply with the requirements of the law that apply to a mutual insurance company. If the insurer is to be organized under [chapter 504](#), then at least seventy-five percent of the initial board of directors of the mutual insurer so formed shall be policyholders who are also nonproviders of health care. All directors comprising this

initial board of directors shall be selected by an independent committee appointed by the state commissioner of insurance. This independent committee shall consist of seven to eleven persons who are current policyholders, who are nonproviders of health care, and who are not directors of a corporation subject to [this chapter](#). For purposes of [this subsection](#), a "nonprovider of health care" is an individual who is not any of the following:

Sec. 152. Section 514.23, subsection 2, Code 2017, is amended to read as follows:

2. A corporation organized under chapter 504, Code 1989, or current chapter 504, and governed by [this chapter](#), which becomes a mutual insurer under [this section](#) shall continue as a mutual insurer to be governed by the provisions of section 514.7 and shall also be governed by section 509.3, subsection 1, paragraph "f".

Sec. 153. Section 519A.4, subsection 1, paragraphs a and b, Code 2017, are amended to read as follows:

a. The association shall submit a plan of operation to the commissioner, together with any amendments necessary or suitable to assure the fair, reasonable, and equitable administration of the association consistent with sections 519A.2, [519A.3](#), [this section](#), and sections 519A.5 through 519A.13. The plan of operation and any amendments thereto shall become effective only after promulgation of the plan or amendment by the commissioner as a rule pursuant to ~~section 17A.4~~ section 17A.4, provided that the initial plan may in the discretion of the commissioner become effective immediately upon filing with the secretary of state pursuant to section 17A.5, subsection 2, paragraph "b", subparagraph (1), subparagraph division (a).

b. If the association fails to submit a suitable plan of operation within twenty-five days following ~~the effective date of [this chapter](#)~~ July 1, 1975, or if at any time thereafter the association fails to submit suitable amendments to the plan, the commissioner shall adopt rules necessary to effectuate sections 519A.2, [519A.3](#), [this section](#), and sections 519A.5 through 519A.13. Such rules shall continue in force until modified by the commissioner or superseded by a plan submitted

by the association and approved by the commissioner.

Sec. 154. Section 519A.6, subsection 1, Code 2017, is amended to read as follows:

1. There is created a stabilization reserve fund. The fund shall be administered by three directors, one of whom shall be the commissioner. The remaining two directors shall be appointed by the ~~commissioner~~: One commissioner, one of whom shall be a representative of the association and the other a representative of its policyholders.

Sec. 155. Section 535.13, Code 2017, is amended to read as follows:

535.13 ~~Definition~~ Definitions.

As used in [this chapter](#), unless the context otherwise requires, ~~"agricultural purpose" means a purpose related to the production, harvest, exhibition, marketing, transportation, processing or manufacture of agricultural products by a person who cultivates, plants, propagates or nurtures the agricultural products.:~~

1. "Agricultural products" includes agricultural, horticultural, viticultural, and dairy products, livestock, wildlife, poultry, bees, forest products, fish and shellfish, and any products thereof, including processed and manufactured products, and any and all products raised or produced on farms and any processed or manufactured products thereof.

2. "Agricultural purpose" means a purpose related to the production, harvest, exhibition, marketing, transportation, processing, or manufacture of agricultural products by a person who cultivates, plants, propagates, or nurtures the agricultural products.

Sec. 156. Section 543E.20, subsection 2, paragraph g, subparagraph (6), Code 2017, is amended to read as follows:

(6) Establishing and complying with processes and controls reasonably designed to ensure appraisal management companies conduct appraisal management services in accordance with the requirements of section 129E(a)-(i) of the federal Truth in Lending Act, 15 U.S.C. §1639e~~(1)~~(a)-(i), and regulations thereunder including but not limited to the requirement that appraisers who complete an appraisal in connection with a consumer credit transaction secured by the principal dwelling

of the consumer be compensated with a customary and reasonable fee.

Sec. 157. Section 587.12, subsection 1, Code 2017, is amended to read as follows:

1. In all actions or in proceedings in probate where an order, judgment or decree has been entered prior to July 1, 1970, based upon service of notice by publication as provided by rule 60 of the Iowa rules of civil procedure, Iowa court rules, third edition, or any statute authorizing publication of notice or upon service of notice by publication or posting pursuant to authorization or direction of any court of competent jurisdiction in the state of Iowa, all such orders, judgments, or decrees are hereby declared valid and of full force and effect, unless an action shall be commenced within the time provided in [subsection 2](#) hereof to question such order, judgment, or decree, or any right or status created, confirmed, or existing thereunder.

Sec. 158. Section 600.5, subsection 13, Code 2017, is amended to read as follows:

13. Whether or not a guardian ad litem should be appointed for a minor child to be adopted, and if not, the reasons therefor for that determination.

Sec. 159. Section 602.9111, subsection 1, Code 2017, is amended to read as follows:

1. So much of the judicial retirement fund as may not be necessary to be kept on hand for the making of disbursements under [this article](#) shall be invested by the treasurer of state in any investments authorized for the Iowa public employees' retirement system in [section 97B.7A](#) and subject to the requirements of [chapters 12F](#), [and 12H](#), and [12J](#), and the earnings therefrom shall be credited to the fund. The treasurer of state may execute contracts and agreements with investment advisors, consultants, and investment management and benefit consultant firms in the administration of the judicial retirement fund.

Sec. 160. Section 622.28, subsections 1 and 2, Code 2017, are amended to read as follows:

1. Any writing or record, whether in the form of an entry in a book, or otherwise, including electronic means and

interpretations thereof, offered as memoranda or records of acts, conditions, or events to prove the facts stated therein, shall be admissible as evidence if the judge finds that they were made in the regular course of a business at or about the time of the act, condition, or event recorded, ~~and;~~ that the sources of information from which made and the method and circumstances of their preparation were such as to indicate their trustworthiness, ~~;~~ and ~~if the judge finds~~ that they are not excludable as evidence because of any rule of admissibility of evidence other than the hearsay rule.

2. Evidence of the absence of a memorandum or record from the memoranda or records of a business of an asserted act, event, or condition, shall be admissible as evidence to prove the nonoccurrence of the act or event, or the nonexistence of the condition, if the judge finds that it was in the regular course of that business to make ~~such~~ memoranda or records of all such acts, events, or conditions at the time thereof or within a reasonable time thereafter, and to preserve ~~them~~ the memoranda or records.

Sec. 161. Section 633.230, subsection 1, Code 2017, is amended to read as follows:

1. In intestate matters, the administrator, as soon as letters are issued, shall cause to be published once each week for two consecutive weeks in a daily or weekly newspaper of general circulation published in the county in which the estate is pending, and at any time during the pendency of administration that the administrator has knowledge of the name and address of a person believed to own or possess a claim which will not or may not be paid or otherwise satisfied during administration, provide by ordinary mail to each such claimant at the claimant's last known address, a notice of appointment which shall be in substantially the following form:

In the District Court of Iowa
in and for County.

In the Estate of Probate No.
....., Deceased

NOTICE OF APPOINTMENT OF
ADMINISTRATOR AND
NOTICE TO CREDITORS

To All Persons Interested in the Estate of, Deceased, who died on or about (date):

You are hereby notified that on the .. day of ... (month), ... (year), the undersigned was appointed administrator of the estate.

Notice is hereby given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above-named district court, as provided by law, duly authenticated, for allowance, and, unless so filed by the later to occur of four months from the date of second publication of this notice or one month from the date of the mailing of this notice (unless otherwise allowed or paid), a claim is thereafter forever barred.

Dated this .. day of ... (month), ... (year)

.....
Administrator of the estate
.....
Address

.....
Attorney for the administrator
.....
Address

Date of second publication
.. day of ... (month), ... (year)
(Date to be inserted by publisher)

Sec. 162. Section 665.3, unnumbered paragraph 1, Code 2017, is amended to read as follows:

In addition to the ~~above~~ acts or omissions in section 665.2, any court of record may punish the following acts or omissions as contempts:

Sec. 163. Section 670.9, Code 2017, is amended to read as follows:

670.9 Compromise and settlement.

The governing body of any municipality may compromise, adjust, and settle tort claims against the municipality, and its officers, employees, and agents, for damages under section 670.2 or 670.8 and may appropriate money for the payment of amounts agreed upon.

Sec. 164. REPEAL. Sections 256.29, 266.39F, 488.1207, and 524.529, Code 2017, are repealed.

DIVISION II

AMENDMENTS TO 2014 IOWA ACTS, CH. 1080

Sec. 165. 2014 Iowa Acts, chapter 1080, section 118, is amended by striking the section and inserting in lieu thereof the following:

SEC. 118. Section 422.11M, Code 2017, is amended by striking the section and inserting in lieu thereof the following:

422.11M Agricultural assets transfer tax credit.

The taxes imposed under this division, less the credits allowed under section 422.12, shall be reduced by an agricultural assets transfer tax credit as allowed under section 16.80.

Sec. 166. 2014 Iowa Acts, chapter 1080, section 119, is amended by striking the section and inserting in lieu thereof the following:

SEC. 119. Section 422.33, subsection 21, Code 2017, is amended by striking the subsection and inserting in lieu thereof the following:

21. The taxes imposed under this division shall be reduced by an agricultural assets transfer tax credit as allowed under section 16.80.

DIVISION III

CORRESPONDING CHANGES

Sec. 167. Section 524.528, subsection 1, Code 2017, is amended to read as follows:

1. ~~Unless otherwise provided in section 524.529, the~~ The shareholders of a state bank do not have a preemptive right to acquire the state bank's unissued shares except to the extent provided in the articles of incorporation.

DIVISION IV

CODE EDITOR DIRECTIVE

Sec. 168. CODE EDITOR DIRECTIVE.

1. The Code editor is directed to transfer section 421.46 to section 8A.460.

2. The Code editor shall correct internal references in the Code and in any enacted legislation as necessary due to the enactment of this section.

DIVISION V
EFFECTIVE DATES

Sec. 169. EFFECTIVE DATE. The following provision or provisions in Division I of this Act take effect July 1, 2030:

1. The section of this Act amending section 2.48, subsection 3, paragraph "h".

JACK WHITVER

President of the Senate

LINDA UPMEYER

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 405, Eighty-seventh General Assembly.

W. CHARLES SMITHSON

Secretary of the Senate

Approved _____, 2017

TERRY E. BRANSTAD

Governor