

Senate Study Bill 1188 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOGG)

A BILL FOR

- 1 An Act relating to nonsubstantive Code corrections.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

MISCELLANEOUS CHANGES

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Section 1. Section 8.6, subsection 8, Code 2013, is amended to read as follows:

8. *Rules.* To make such rules, subject to the approval of the governor, as may be necessary for effectively carrying on the work of the department of management. The director may, with the approval of the executive council, require any state official, agency, department, or commission, to require any applicant, registrant, filer, permit holder, or license holder, whether individual, partnership, trust, or corporation, to submit to said official, agency, department, or commission, the social security number or the tax number or both so assigned to said individual, partnership, trust, or corporation.

Sec. 2. Section 8.32, Code 2013, is amended to read as follows:

8.32 Conditional availability of appropriations.

1. All appropriations made to any department or establishment of the government as receive or collect moneys available for expenditure by them under present laws, are declared to be in addition to such repayment receipts, and such appropriations are to be available as and to the extent that such receipts are insufficient to meet the costs of administration, operation, and maintenance, or public improvements of such departments:

a. Provided, that such receipts or collections shall be deposited in the state treasury as part of the general fund or special funds in all cases, except those collections made by the state fair board, the institutions under the state board of regents, and the natural resource commission.

b. Provided further, that no repayment receipts shall be available for expenditures until allotted as provided in section 8.31; and

c. Provided further, that the collection of repayment receipts by the state fair board and the institutions under

1 the state board of regents shall be deposited in a bank or
2 banks duly designated and qualified as state depositories, in
3 the name of the state of Iowa, for the use of such boards and
4 institutions, and such funds shall be available only on the
5 check of such boards or institutions depositing them, which
6 are hereby authorized to withdraw such funds, but only after
7 allotment by the governor as provided in section 8.31; and

8 d. Provided further, that this chapter shall not apply to
9 endowment or private trust funds or to gifts to institutions
10 owned or controlled by the state or to the income from such
11 endowment or private trust funds, or to private funds belonging
12 to students or inmates of state institutions.

13 2. The provisions of this chapter shall not be construed
14 to prohibit the state fair board from creating an emergency
15 or sinking fund out of the receipts of the state fair and
16 state appropriation for the purpose of taking care of any
17 emergency that might arise beyond the control of the board
18 of not to exceed three hundred thousand dollars. Neither
19 shall this chapter be construed to prohibit the state fair
20 board from retaining an additional sum of not to exceed three
21 hundred fifty thousand dollars to be used in carrying out the
22 provisions of chapter 173.

23 Sec. 3. Section 8D.5, subsection 1, Code 2013, is amended
24 to read as follows:

25 1. a. An education telecommunications council is
26 established. The council consists of eighteen members and
27 shall include the following: ~~two~~

28 (1) Two persons appointed by the state board of regents;
29 ~~two.~~

30 (2) Two persons appointed by the Iowa association of
31 community college trustees; ~~two.~~

32 (3) Two persons appointed by the area education agency
33 boards; ~~two.~~

34 (4) Two persons appointed by the Iowa association of school
35 boards; ~~two.~~

1 (5) Two persons appointed by the school administrators of
2 Iowa; ~~two~~.

3 (6) Two persons appointed by the Iowa association of
4 independent colleges and universities; ~~two~~.

5 (7) Two persons appointed by the Iowa state education
6 association; ~~three~~.

7 (8) Three persons appointed by the director of the
8 department of education including one person representing
9 libraries and one person representing the Iowa association of
10 nonpublic school administrators; ~~and one~~.

11 (9) One person appointed by the administrator of the public
12 broadcasting division of the department of education.

13 b. The council shall establish scheduling and site usage
14 policies for educational users of the network, coordinate the
15 activities of the regional telecommunications councils, and
16 develop proposed rules and changes to rules for recommendation
17 to the commission. The council shall also recommend long-range
18 plans for enhancements needed for educational applications.

19 c. Administrative support and staffing for the council shall
20 be provided by the department of education.

21 Sec. 4. Section 15.107, subsection 5, paragraph a, Code
22 2013, is amended to read as follows:

23 a. That the corporation ~~review~~ reviews and, at the board's
24 direction, ~~implement~~ implements the applicable portions of the
25 strategic plan developed by members of the authority pursuant
26 to section 15.105.

27 Sec. 5. Section 16.6, subsection 2, Code 2013, is amended
28 to read as follows:

29 2. The executive director shall advise the authority on
30 matters relating to housing and housing finance, carry out
31 all directives from the authority, and hire and supervise the
32 authority's staff pursuant to its directions. All employees
33 of the authority are exempt from the merit system provisions
34 of chapter 8A, subchapter IV.

35 Sec. 6. Section 16.27, subsection 4, Code 2013, is amended

1 to read as follows:

2 4. The authority shall cause to be delivered to the
3 legislative fiscal committee within ninety days of the close of
4 its fiscal year its annual report certified by an independent
5 certified public accountant, ~~{who may be the accountant or~~
6 ~~a member of the firm of accountants who regularly audits~~
7 ~~the books and accounts of the authority}~~, selected by the
8 authority.

9 Sec. 7. Section 24.2, subsection 3, Code 2013, is amended
10 to read as follows:

11 3. The words "*fiscal year*" shall mean the period of twelve
12 months beginning on July 1 and ending on the thirtieth day of
13 June. The fiscal year of cities, counties, and other political
14 subdivisions of the state shall begin July 1 and end the
15 following June 30.

16 ~~The fiscal year of cities, counties, and other political~~
17 ~~subdivisions of the state shall begin July 1 and end the~~
18 ~~following June 30.~~

19 Sec. 8. Section 28A.24, Code 2013, is amended to read as
20 follows:

21 **28A.24 Exemption from taxation.**

22 Since an authority is performing essential governmental
23 functions, an authority is not required to pay any taxes or
24 assessments of any kind or nature upon any property required
25 or used by it for its purposes, or any rates, fees, rentals,
26 receipts, or incomes at any time received by it, and the
27 bonds issued by an authority, their transfer, and the income,
28 including any profits made on the sale of the bonds, is
29 deductible in determining net income for the purposes of the
30 state individual and corporate income tax under chapter 422,
31 ~~divisions II and III of chapter 422,~~ and shall not be taxed by
32 any political subdivision of this state.

33 Sec. 9. Section 28E.2, Code 2013, is amended to read as
34 follows:

35 **28E.2 Definitions.**

1 For the purposes of this chapter, ~~the term "public agency":~~

2 1. "Private agency" shall mean an individual and any form of
3 business organization authorized under the laws of this or any
4 other state.

5 2. "Public agency" shall mean any political subdivision of
6 this state; any agency of the state government or of the United
7 States; and any political subdivision of another state. The
8 term "state"

9 3. "State" shall mean a state of the United States and the
10 District of Columbia. The term "private agency" shall mean an
11 individual and any form of business organization authorized
12 under the laws of this or any other state.

13 Sec. 10. Section 29A.15, Code 2013, is amended to read as
14 follows:

15 **29A.15 State awards and decorations.**

16 The adjutant general, from the funds appropriated for the
17 support and maintenance of the national guard, shall procure
18 and issue to the members of the national guard merit or
19 service badges or other appropriate awards for service under
20 regulations and according to the design and pattern determined
21 by the adjutant general. Members of the national guard who,
22 by order of the president, serve in federal forces during a
23 national emergency, may count the period of that federal active
24 duty toward the procurement of a service badge.

25 Sec. 11. Section 29C.17, subsection 2, unnumbered paragraph
26 1, Code 2013, is amended to read as follows:

27 For the purposes consistent with this chapter, the local
28 emergency management agency's approved budget shall be
29 funded by one or any combination of the following options, as
30 determined by the commission:

31 Sec. 12. Section 34A.6, subsection 1, Code 2013, is amended
32 to read as follows:

33 1. Before a joint E911 service board may request imposition
34 of the wire-line E911 service surcharge by the program manager,
35 the board shall submit the following question to voters, as

1 provided in subsection 2, in the proposed E911 service area,
2 and the question shall receive a favorable vote from a simple
3 majority of persons submitting valid ballots on the following
4 question within the proposed E911 service area:

5 Shall the following public measure be adopted?

6 YES

7 NO

8 Enhanced 911 emergency telephone service shall be funded,
9 in whole or in part, by a monthly surcharge of (an amount
10 determined by the local joint E911 service board of up to one
11 dollar) on each telephone access line collected as part of each
12 telephone subscriber's monthly phone bill if provided within
13 (description of the proposed E911 service area).

14 Sec. 13. Section 34A.7A, subsection 2, paragraph b, Code
15 2013, is amended to read as follows:

16 *b.* The program manager shall reimburse ~~communication~~
17 communications service providers on a calendar quarter basis
18 for carriers' eligible expenses for transport costs between the
19 selective router and the public safety answering points related
20 to the delivery of wireless E911 phase 1 services.

21 Sec. 14. Section 49.80, subsection 2, Code 2013, is amended
22 to read as follows:

23 2. *a.* In case of any challenges of an elector at the
24 time the person is offering to vote in a precinct, a precinct
25 election official may place such person under oath and question
26 the person as, ~~(a) where~~ to the following:

27 (1) Where the person maintains the person's home; ~~(b) how.~~

28 (2) How long the person has maintained the person's home at
29 such place; ~~(c) if.~~

30 (3) If the person maintains a home at any other location;
31 ~~(d) the.~~

32 (4) The person's age.

33 *b.* The precinct election official may permit the challenger
34 to participate in such questions. The challenged elector shall
35 be allowed to present to the official such evidence and facts

1 as the elector feels sustains the fact that the person is
2 qualified to vote. Upon completion thereof, if the challenge
3 is withdrawn, the elector may cast the vote in the usual
4 manner. If the challenge is not withdrawn, section 49.81 shall
5 apply.

6 Sec. 15. Section 50.20, Code 2013, is amended to read as
7 follows:

8 **50.20 Notice of number of provisional ballots.**

9 The commissioner shall compile a list of the number of
10 provisional ballots cast under section 49.81 in each precinct.
11 The list shall be made available to the public as soon as
12 possible, but in no case later than ~~nine o'clock~~ 9:00 a.m. on
13 the second day following the election. Any elector may examine
14 the list during normal office hours, and may also examine the
15 affidavit envelopes bearing the ballots of challenged electors
16 until the reconvening of the special precinct board as required
17 by this chapter. Only those persons so permitted by section
18 53.23, subsection 4, shall have access to the affidavits while
19 that board is in session. Any elector may present written
20 statements or documents, supporting or opposing the counting of
21 any provisional ballot, at the commissioner's office until the
22 reconvening of the special precinct board.

23 Sec. 16. Section 53.45, subsection 1, paragraph a,
24 unnumbered paragraph 1, Code 2013, is amended to read as
25 follows:

26 As provided in this section, the commissioner shall
27 provide special absentee ballots to be used for state general
28 elections. A special absentee ballot shall only be provided to
29 an eligible elector who completes an application stating both
30 of the following to the best of the eligible elector's belief:

31 Sec. 17. Section 68A.604, Code 2013, is amended to read as
32 follows:

33 **68A.604 Funds.**

34 Any candidate for a partisan public office, except as
35 otherwise provided by section 68A.103, subsection 2, may

1 receive campaign funds from the Iowa election campaign
2 fund through the state central committee of the candidate's
3 political party. However, the state central committee of
4 each political party shall have discretion as to which of
5 the party's candidates for public office shall be allocated
6 campaign funds out of money received by that party from the
7 Iowa election campaign fund.

8 Sec. 18. Section 88.8, subsection 2, Code 2013, is amended
9 to read as follows:

10 2. *Noncompliance notice.* If the commissioner has reason to
11 believe that an employer has failed to correct the violation
12 for which a citation has been issued within the period
13 permitted for its correction, ~~(which period shall not begin to~~
14 ~~run until the entry of a final order by the appeal board in the~~
15 ~~case of any review proceedings under this section initiated~~
16 ~~by the employer in good faith and not solely for delay or~~
17 ~~avoidance of penalties),~~ the commissioner shall notify the
18 employer by service in the same manner as an original notice or
19 by certified mail of the failure and of the penalty proposed
20 to be assessed under section 88.14 by reason of the failure,
21 and that the employer has fifteen working days within which to
22 notify the commissioner that the employer wishes to contest
23 the commissioner's notification or the proposed assessment of
24 penalty. If, within fifteen working days from the receipt
25 of notification issued by the commissioner, the employer
26 fails to notify the commissioner that the employer intends to
27 contest the notification or proposed assessment of penalty, the
28 notification and assessment, as proposed, shall be deemed the
29 final order of the appeal board and not subject to review by
30 any court or agency.

31 Sec. 19. Section 88.19, Code 2013, is amended to read as
32 follows:

33 **88.19 Annual report.**

34 Within one hundred twenty days following the convening
35 of each session of each general assembly, the commissioner

1 shall prepare and submit to the governor for transmittal to
2 the general assembly a report upon the subject matter of
3 this chapter, the progress toward achievement of the purpose
4 of this chapter, the needs and requirements in the field
5 of occupational safety and health, and any other relevant
6 information. ~~Such~~ The reports may include information
7 regarding ~~occupational~~ the following:

8 1. Occupational safety and health standards, and criteria
9 for such standards, developed during the preceding year;
10 evaluation.

11 2. Evaluation of standards and criteria previously
12 developed under this chapter, defining areas of emphasis for
13 new criteria and standards; ~~evaluation.~~

14 3. Evaluation of the degree of observance of applicable
15 occupational safety and health standards, and a summary of
16 inspection and enforcement activity undertaken; ~~analysis.~~

17 4. Analysis and evaluation of research activities for
18 which results have been obtained under governmental and
19 nongovernmental sponsorship; ~~an.~~

20 5. An analysis of major occupational diseases; ~~evaluation.~~

21 6. Evaluation of available control and measurement
22 technology for hazards for which standards or criteria have
23 been developed during the preceding year; ~~a.~~

24 7. A description of cooperative efforts undertaken between
25 government agencies and other interested parties in the
26 implementation of this chapter during the preceding year; ~~a.~~

27 8. A progress report on the development of an adequate
28 supply of trained personnel in the field of occupational safety
29 and health, including estimates of future needs and the efforts
30 being made by government and others to meet those needs; ~~a.~~

31 9. A listing of all toxic substances in industrial usage for
32 which labeling requirements, criteria, or standards have not
33 yet been established; ~~and such.~~

34 10. Such recommendations for additional legislation as are
35 deemed necessary to protect the safety and health of the worker

1 and improve the administration of this chapter.

2 Sec. 20. Section 96.13, subsection 2, Code 2013, is amended
3 to read as follows:

4 2. *Replenishment of lost funds.* If any moneys received
5 after June 30, 1941, from the social security ~~board~~
6 administration under Tit. III of the Social Security Act, or
7 any unencumbered balances in the unemployment compensation
8 administration fund as of that date, or any moneys granted
9 after that date to this state pursuant to the provisions
10 of the Wagner-Peyser Act, or any moneys made available by
11 this state or its political subdivisions and matched by such
12 moneys granted to this state pursuant to the provisions of
13 the Wagner-Peyser Act, are found by the social security ~~board~~
14 administration, because of any action or contingency, to
15 have been lost or been expended for purposes other than or
16 in amounts in excess of, those found necessary by the social
17 security ~~board~~ administration for the proper administration of
18 this chapter, it is the policy of this state that such moneys
19 shall be replaced by moneys appropriated for such purpose
20 from the general funds of this state to the unemployment
21 compensation administration fund for expenditure as provided
22 in subsection 1 of this section. Upon receipt of notice of
23 such a finding by the social security ~~board~~ administration,
24 the department shall promptly report the amount required for
25 such replacement to the governor and the governor shall at
26 the earliest opportunity, submit to the legislature a request
27 for the appropriation of such amount. This subsection shall
28 not be construed to relieve this state of its obligation with
29 respect to funds received prior to July 1, 1941, pursuant to
30 the provisions of Tit. III of the Social Security Act.

31 Sec. 21. Section 97C.12, Code 2013, is amended to read as
32 follows:

33 **97C.12 Contribution fund.**

34 1. There is hereby established in the office of the
35 treasurer of state a special fund to be known as the

1 contribution fund. Such fund shall consist of, and there shall
2 be deposited in such fund: ~~(1) all~~

3 a. All taxes, interest, and penalties collected under
4 sections 97C.5, 97C.10, and 97C.11; ~~(2) all.~~

5 b. All moneys appropriated thereto under this chapter; ~~(3)~~
6 any.

7 c. Any property or securities and earnings thereof acquired
8 through the use of moneys belonging to the fund; ~~(4) interest.~~

9 d. Interest earned upon any moneys in the fund; ~~and (5) all.~~

10 e. All sums recovered upon the bond of the custodian or
11 otherwise for losses sustained by the fund and all other moneys
12 received for the fund from any other source.

13 2. Subject to the provisions of this chapter, the state
14 agency is vested with full power, authority and jurisdiction
15 over the fund, including all moneys and property or securities
16 belonging thereto, and may perform any and all acts whether
17 or not specifically designated, which are necessary to the
18 administration thereof and are consistent with the provisions
19 of this chapter. All moneys in this fund shall be mingled and
20 undivided.

21 Sec. 22. Section 123.30, subsection 2, Code 2013, is amended
22 to read as follows:

23 2. ~~No~~ A liquor control license shall not be issued
24 for premises which do not conform to all applicable laws,
25 ordinances, resolutions, and health and fire regulations. ~~No~~
26 ~~shall any~~ A licensee shall not have or maintain any interior
27 access to residential or sleeping quarters unless permission is
28 granted by the administrator in the form of a living quarters
29 permit.

30 Sec. 23. Section 123.50, subsection 1, Code 2013, is amended
31 to read as follows:

32 1. Any person who violates any of the provisions of section
33 123.49, except section 123.49, subsection 2, paragraph "h",
34 or who fails to affix upon sale, defaces, or fails to record
35 a keg identification sticker or produce a record of keg

1 identification stickers pursuant to section 123.138, shall
2 be guilty of a simple misdemeanor. A person who violates
3 section 123.49, subsection 2, paragraph "h", commits a simple
4 misdemeanor punishable as a scheduled violation under section
5 805.8C, subsection 2.

6 Sec. 24. Section 123.145, Code 2013, is amended to read as
7 follows:

8 **123.145 Labels on bottles, barrels, etc. — conclusive**
9 **evidence.**

10 The label on any bottle, keg, barrel, or other container in
11 which beer is offered for sale in this state, representing the
12 alcoholic content of such beer as being in excess of five ~~per~~
13 ~~centum~~ percent by weight shall be conclusive evidence as to the
14 alcoholic content of the beer contained therein.

15 Sec. 25. Section 124.401, subsection 1, paragraph d, Code
16 2013, is amended to read as follows:

17 *d.* Violation of this subsection, with respect to any other
18 controlled substances, counterfeit substances, or simulated
19 controlled substances classified in section 124.204, subsection
20 4, paragraph "ai", or section 124.204, subsection 6, paragraph
21 "i", or classified in schedule IV or V is an aggravated
22 misdemeanor. However, violation of this subsection involving
23 fifty kilograms or less of marijuana or involving flunitrazepam
24 is a class "D" felony.

25 Sec. 26. Section 126.11, subsection 3, paragraph b, Code
26 2013, is amended to read as follows:

27 *b.* A drug dispensed by filling or refilling a written,
28 electronic, facsimile, or oral prescription of a practitioner
29 licensed by law to administer the drug is exempt from section
30 126.10, except section 126.10, subsection 1, paragraph "a"
31 ~~and~~, section 126.10, paragraph "i", subparagraphs (2) and
32 (3), and section 126.10, subsection 1, paragraphs "k" and "l",
33 and the packaging requirements of section 126.10, subsection
34 1, paragraphs "g", "h", and "p", if the drug bears a label
35 containing the name and address of the dispenser, the date of

1 the prescription or of its filling, the name of the prescriber,
2 and, if stated in the prescription, the name of the patient,
3 and the directions for use and cautionary statements, if
4 any, contained in the prescription. This exemption does not
5 apply to a drug dispensed in the course of the conduct of the
6 business of dispensing drugs pursuant to diagnosis by mail,
7 or to a drug dispensed in violation of paragraph "a" of this
8 subsection.

9 Sec. 27. Section 135.74, subsection 2, Code 2013, is amended
10 to read as follows:

11 2. In establishing uniform methods of financial reporting,
12 the department shall consider all of the following:

13 a. The existing systems of accounting and reporting
14 currently utilized by hospitals and health care facilities~~;~~.

15 b. Differences among hospitals and health care facilities,
16 respectively, according to size, financial structure, methods
17 of payment for services, and scope, type and method of
18 providing services~~;~~and.

19 c. Other pertinent distinguishing factors.

20 Sec. 28. Section 135.75, subsection 1, Code 2013, is amended
21 to read as follows:

22 1. Each hospital and each health care facility shall
23 annually, after the close of its fiscal year, file all of the
24 following with the department:

25 a. A balance sheet detailing the assets, liabilities and net
26 worth of the hospital or health care facility~~;~~.

27 b. A statement of its income and expenses~~;~~and.

28 c. Such other reports of the costs incurred in rendering
29 services as the department may prescribe.

30 Sec. 29. Section 135.83, Code 2013, is amended to read as
31 follows:

32 **135.83 Contracts for assistance with analyses, studies, and**
33 **data.**

34 In furtherance of the department's responsibilities under
35 sections 135.76 and 135.78, the director may contract with the

1 Iowa hospital association and third-party payers, the Iowa
2 health care facilities association and third-party payers, or
3 ~~the Iowa association of homes for the aging~~ leading age Iowa
4 and third-party payers for the establishment of pilot programs
5 dealing with prospective rate review in hospitals or health
6 care facilities, or both. Such contract shall be subject to
7 the approval of the executive council and shall provide for an
8 equitable representation of health care providers, third-party
9 payers, and health care consumers in the determination
10 of criteria for rate review. No third-party payer shall
11 be excluded from positive financial incentives based upon
12 volume of gross patient revenues. No state or federal funds
13 appropriated or available to the department shall be used for
14 any such pilot program.

15 Sec. 30. Section 135.156, subsection 2, paragraph b,
16 unnumbered paragraph 1, Code 2013, is amended to read as
17 follows:

18 An executive committee of the ~~electronic health information~~
19 advisory council is established. Members of the executive
20 committee of the advisory council shall receive reimbursement
21 for actual expenses incurred while serving in their official
22 capacity only if they are not eligible for reimbursement by
23 the organization that they represent. The executive committee
24 shall consist of the following members:

25 Sec. 31. Section 135.156B, subsections 5 and 8, Code 2013,
26 are amended to read as follows:

27 5. Apply for, acquire by gift or purchase, and hold,
28 dispense, or dispose of funds and real or personal property
29 from any person, governmental entity, or organization in the
30 exercise of ~~its~~ the department's powers or performance of ~~its~~
31 the department's duties in accordance with this division.

32 8. Execute all instruments necessary or incidental to the
33 performance of ~~its~~ the department's duties and the execution of
34 ~~its~~ the department's powers under this division.

35 Sec. 32. Section 135C.2, subsection 5, paragraph a, Code

1 2013, is amended to read as follows:

2 *a.* A facility provider under the special classification
3 must comply with rules adopted by the department for the
4 special classification. However, a facility provider which has
5 been accredited by the ~~accreditation council for services to~~
6 ~~persons with an intellectual disability and other developmental~~
7 ~~disabilities~~ on quality and leadership shall be deemed to be in
8 compliance with the rules adopted by the department.

9 Sec. 33. Section 135C.6, subsection 3, Code 2013, is amended
10 to read as follows:

11 3. No change in a health care facility, its operation,
12 program, or services, of a degree or character affecting
13 continuing ~~licensability~~ licensure shall be made without prior
14 approval thereof by the department. The department may by rule
15 specify the types of changes which shall not be made without
16 its prior approval.

17 Sec. 34. Section 135C.6, subsection 8, paragraph c,
18 unnumbered paragraph 1, Code 2013, is amended to read as
19 follows:

20 A residential program approved by the department of human
21 services pursuant to this paragraph "c" to receive moneys
22 appropriated to the department of human services under
23 provisions of a federally approved home and community-based
24 services waiver for persons with an intellectual ~~disabilities~~
25 disability may provide care to not more than five individuals.
26 The department shall approve a residential program under this
27 paragraph that complies with all of the following conditions:

28 Sec. 35. Section 138.13, subsection 2, paragraph m, Code
29 2013, is amended to read as follows:

30 *m.* When a camp is operated during a season requiring
31 artificial heating, living quarters with a minimum of one
32 hundred square feet per occupant shall be provided and such
33 living quarters or shelters shall, also, be provided with
34 properly installed heating equipment of adequate capacity
35 to maintain a room temperature of at least 70 degrees F

1 Fahrenheit. A stove or other source of heat shall be installed
2 and vented in a manner to avoid both a fire hazard and a
3 concentration of fumes or gas within such living quarters and
4 shelters. In a room with wooden or combustible flooring, there
5 shall be a concrete slab, metal sheet, or other fire-resistant
6 material, on the floor under each stove, extending at least
7 eighteen inches beyond the perimeter of the base of the stove.
8 Any wall or ceiling not having a fire-resistant surface, within
9 twenty-four inches of a stove or stovepipe, shall be protected
10 by a metal sheet or other fire-resistant material. Heating
11 appliances, other than electrical, shall be provided with a
12 stovepipe or vent connected to the appliance and discharging to
13 the outside air or chimney. The vent or chimney shall extend
14 above the peak of the roof. Stovepipes shall be insulated
15 with fire-resistant material where they pass through walls,
16 ceilings, or floors.

17 Sec. 36. Section 138.13, subsection 6, paragraph d, Code
18 2013, is amended to read as follows:

19 *d.* Every service building used during periods requiring
20 artificial heating shall be provided with equipment capable
21 of maintaining a room temperature of at least 70 degrees F
22 Fahrenheit.

23 Sec. 37. Section 144A.2, subsection 8, Code 2013, is amended
24 to read as follows:

25 8. *a.* "*Life-sustaining procedure*" means any medical
26 procedure, treatment, or intervention, including resuscitation,
27 which meets both of the following requirements:

28 *a.* (1) Utilizes mechanical or artificial means to sustain,
29 restore, or supplant a spontaneous vital function.

30 *b.* (2) When applied to a patient in a terminal condition,
31 would serve only to prolong the dying process.

32 *b.* "*Life-sustaining procedure*" does not include the
33 provision of nutrition or hydration except when required
34 to be provided parenterally or through intubation or the
35 administration of medication or performance of any medical

1 procedure deemed necessary to provide comfort care or to
2 alleviate pain.

3 Sec. 38. Section 163.26, Code 2013, is amended to read as
4 follows:

5 **163.26 Definition.**

6 For the purposes of this subchapter, "*garbage*" means
7 putrescible animal and vegetable wastes resulting from the
8 handling, preparation, cooking, and consumption of foods,
9 including animal carcasses or parts. "*Garbage*" includes all
10 waste material, by-products of a kitchen, restaurant, hotel,
11 or slaughterhouse, every refuse accumulation of animal,
12 fruit, or vegetable matter, liquids or otherwise, or grain not
13 consumed, that is collected from hog sales pen floors in public
14 stockyards. Animals or parts of animals, which are processed
15 by slaughterhouses or rendering establishments, and which as
16 part of the processing are heated to not less than 212 degrees
17 ~~F.~~ Fahrenheit for thirty minutes, are not garbage for purposes
18 of this chapter.

19 Sec. 39. Section 176A.10, subsection 2, Code 2013, is
20 amended to read as follows:

21 2. An extension council of an extension district may choose
22 to be subject to the levy and revenue limits specified in
23 subparagraphs (2) of subsection 1, paragraphs "a" through
24 "d", and subsection 1, paragraph "e", for the purpose of the
25 annual levy for the fiscal year commencing July 1, 1991, which
26 levy is payable in the fiscal year beginning July 1, 1992.
27 Before an extension district may be subject to the levy and
28 revenue limits specified in subparagraphs (2) of subsection 1,
29 paragraphs "a" through "d", and subsection 1, paragraph "e",
30 for fiscal years beginning on or after July 1, 1992, which levy
31 is payable in fiscal years beginning on or after July 1, 1993,
32 the question of whether the district shall be subject to the
33 levy and revenue limits as specified in such paragraphs must
34 be submitted to the registered voters of the district. The
35 question shall be submitted at the time of a state general

1 election. If the question is approved by a majority of those
2 voting on the question the levy and revenue limits specified in
3 subparagraphs (2) of subsection 1, paragraphs "a" through "d",
4 and subsection 1, paragraph "e", shall thereafter apply to the
5 extension district. The question need only be approved at one
6 state general election. If a majority of those voting on the
7 question vote against the question, the district may continue
8 to submit the question at subsequent state general elections
9 until approved.

10 Sec. 40. Section 189A.11, Code 2013, is amended to read as
11 follows:

12 **189A.11 Access by inspectors — acceptance by state agencies.**

13 1. ~~No~~ A person shall not deny access to any authorized
14 inspectors upon the presentation of proper identification at
15 any reasonable time to establishments and to all parts of such
16 premises for the purposes of making inspections under this
17 chapter.

18 2. When meat has been inspected and approved by the
19 department, such inspection will be equal to federal inspection
20 and therefore may be accepted by state agencies and political
21 subdivisions of the state and no other inspection can be
22 required.

23 ~~1-~~ a. ~~No~~ An inspection of products placed in any container
24 at any official establishment shall not be deemed to be
25 complete until the products are sealed or enclosed therein
26 under the supervision of an inspector.

27 ~~2-~~ b. For purposes of any inspection of products required
28 by this chapter, inspectors authorized by the secretary shall
29 have access at all times by day or night to every part of every
30 establishment required to have inspection under this chapter,
31 whether the establishment is operated or not.

32 Sec. 41. Section 190.12, subsection 1, Code 2013, is amended
33 to read as follows:

34 1. Frozen desserts and the pasteurized dairy ingredients
35 used in the manufacture thereof, shall comply with the

1 the father and mother of the person. The county auditor,
2 subject to the direction of the board of supervisors, shall
3 enforce the obligation created in this section as to all sums
4 advanced by the county. The liability to the county incurred
5 by a person with mental illness or a person legally liable for
6 the person's support under this section is limited to an amount
7 equal to one hundred percent of the cost of care and treatment
8 of the person with mental illness at a state mental health
9 institute for one hundred twenty days of hospitalization. This
10 limit of liability may be reached by payment of the cost of
11 care and treatment of the person with mental illness subsequent
12 to a single admission or multiple admissions to a state
13 mental health institute or, if the person is not discharged as
14 cured, subsequent to a single transfer or multiple transfers
15 to a county care facility pursuant to section 227.11. After
16 reaching this limit of liability, a person with mental illness
17 or a person legally liable for the person's support is liable
18 to the county for the care and treatment of the person with
19 mental illness at a state mental health institute or, if
20 transferred but not discharged as cured, at a county care
21 facility in an amount not in excess of the average minimum
22 cost of the maintenance of an individual who is physically and
23 mentally healthy residing in the individual's own home, which
24 standard shall be established and may from time to time be
25 revised by the department of human services. A lien imposed
26 by section 230.25 shall not exceed the amount of the liability
27 which may be incurred under this section on account of a person
28 with mental illness.

29 2. A person with a substance-related disorder is
30 legally liable for the total amount of the cost of providing
31 care, maintenance, and treatment for the person with a
32 substance-related disorder while a voluntary or committed
33 patient. When a portion of the cost is paid by a county,
34 the person with a substance-related disorder is legally
35 liable to the county for the amount paid. The person with

1 a substance-related disorder shall assign any claim for
2 reimbursement under any contract of indemnity, by insurance
3 or otherwise, providing for the person's care, maintenance,
4 and treatment in a state hospital to the state. Any payments
5 received by the state from or on behalf of a person with a
6 substance-related disorder shall be in part credited to the
7 county in proportion to the share of the costs paid by the
8 county.

9 3. Nothing in this section shall be construed to prevent
10 a relative or other person from voluntarily paying the full
11 actual cost or any portion of the care and treatment of any
12 person with mental illness or a substance-related disorder as
13 established by the department of human services.

14 Sec. 44. Section 231D.3A, Code 2013, is amended to read as
15 follows:

16 **231D.3A Exception.**

17 An entity certified by the centers for Medicare and Medicaid
18 services of the United States department of health and human
19 services as a federal program of all-inclusive care for the
20 elderly shall not be required to be certified as an adult
21 day services program under this chapter. A program ~~for~~ of
22 all-inclusive care for the elderly, as used in this section,
23 shall not identify itself or hold itself out to be an adult day
24 services program as defined in section 231D.1.

25 Sec. 45. Section 235.3, subsection 2, Code 2013, is amended
26 to read as follows:

27 2. Make such reports and obtain and furnish such information
28 from time to time as may be necessary to permit cooperation by
29 the state division with the United States children's bureau,
30 the social security ~~board~~ administration, or any other federal
31 agency which is now or may hereafter be charged with any duty
32 regarding child care or child welfare services.

33 Sec. 46. Section 235B.1, subsection 4, paragraph a,
34 subparagraph (1), Code 2013, is amended to read as follows:

35 (1) Advise the director of human services, the director

1 of ~~elder affairs~~ the department on aging, the director of
2 inspections and appeals, the director of public health, the
3 director of the department of corrections, and the director of
4 human rights regarding dependent adult abuse.

5 Sec. 47. Section 235B.16A, subsection 4, Code 2013, is
6 amended to read as follows:

7 4. The department of human services shall cooperate with
8 the department on aging, the departments of elder affairs,
9 inspections and appeals, public health, public safety, and
10 workforce development, the civil rights commission, and other
11 state and local agencies performing inspections or otherwise
12 visiting residential settings where dependent adults live,
13 to regularly provide training to the appropriate staff in
14 the agencies concerning each agency's procedures involving
15 dependent adults, and to build awareness concerning dependent
16 adults and reporting of dependent adult abuse.

17 Sec. 48. Section 249A.4B, subsection 2, paragraph a,
18 subparagraphs (29) and (41), Code 2013, are amended to read as
19 follows:

20 (29) ~~The Iowa association of homes and services for the~~
21 aging Leading age Iowa.

22 (41) ~~The Iowa dietetic association~~ academy of nutrition and
23 dietetics.

24 Sec. 49. Section 249A.12, subsection 3, paragraph b, Code
25 2013, is amended to read as follows:

26 b. The state shall be responsible for all of the nonfederal
27 share of medical assistance home and community-based services
28 waivers for persons with an intellectual ~~disabilities~~
29 disability services provided to minors, and a county is not
30 required to reimburse the department and shall not be billed
31 for the nonfederal share of the costs of the services.

32 Sec. 50. Section 249A.12, subsection 5, paragraph b, Code
33 2013, is amended to read as follows:

34 b. The department of human services shall seek federal
35 approval to amend the home and community-based services waiver

1 for persons with an intellectual disabilities disability
2 to include day habilitation services. Inclusion of day
3 habilitation services in the waiver shall take effect upon
4 receipt of federal approval.

5 Sec. 51. Section 249A.26, subsection 4, Code 2013, is
6 amended to read as follows:

7 4. The state shall pay for the entire nonfederal share
8 of the costs for case management services provided to
9 persons seventeen years of age or younger who are served in
10 a home and community-based services waiver program under the
11 medical assistance program for persons with an intellectual
12 disabilities disability.

13 Sec. 52. Section 249A.30, subsection 1, Code 2013, is
14 amended to read as follows:

15 1. The base reimbursement rate for a provider of services
16 under a medical assistance program home and community-based
17 services waiver for persons with an intellectual disabilities
18 disability shall be recalculated at least every three years
19 to adjust for the changes in costs during the immediately
20 preceding three-year period.

21 Sec. 53. Section 249L.4, subsection 5, paragraph b,
22 subparagraph (4), Code 2013, is amended to read as follows:

23 (4) Each nursing facility shall submit to the department,
24 information in a form as specified by the department and
25 developed in cooperation with representatives of the Iowa
26 caregivers association, the Iowa health care association, ~~the~~
27 leading age Iowa association of homes and services for the
28 aging, and the AARP Iowa chapter, that demonstrates compliance
29 by the nursing facility with the requirements for use of the
30 rate adjustment increases and other reimbursements provided to
31 nursing facilities through the quality assurance assessment.

32 Sec. 54. Section 252.27, unnumbered paragraph 2, Code 2013,
33 is amended to read as follows:

34 The board shall record its proceedings relating to the
35 provision of assistance to specific persons under this chapter.

1 A person who is aggrieved by a decision of the board may appeal
2 the decision as if it were a contested case before an agency
3 and as if the person had exhausted administrative remedies in
4 accordance with the procedures and standards in section 17A.19,
5 subsections 2 to 12, except section 17A.19, subsection 10,
6 paragraphs "b" and "g", and section 17A.20.

7 Sec. 55. Section 252D.17, Code 2013, is amended to read as
8 follows:

9 **252D.17 Notice to payor of income — duties and liability —**
10 **criminal penalty.**

11 1. The district court shall provide notice by sending a copy
12 of the order for income withholding or a notice of the order
13 for income withholding to the obligor and the obligor's payor
14 of income by regular mail, with proof of service completed
15 according to rule of civil procedure 1.442. The child support
16 recovery unit shall provide notice of the income withholding
17 order by sending a notice of the order to the obligor's payor
18 of income by regular mail or by electronic means. Proof of
19 service may be completed according to rule of civil procedure
20 1.442. The child support recovery unit's notice of the order
21 may be sent to the payor of income on the same date that the
22 order is sent to the clerk of court for filing. In all other
23 instances, the income withholding order shall be filed with the
24 clerk of court prior to sending the notice of the order to the
25 payor of income. In addition to the amount to be withheld for
26 payment of support, the order or the notice of the order shall
27 be in a standard format as prescribed by the unit and shall
28 include all of the following information regarding the duties
29 of the payor in implementing the withholding order:

30 ~~1-~~ a. The withholding order or notice of the order
31 for income withholding for child support or child support
32 and spousal support has priority over a garnishment or an
33 assignment for any other purpose.

34 ~~2-~~ b. As reimbursement for the payor's processing costs,
35 the payor may deduct a fee of no more than two dollars for each

1 payment in addition to the amount withheld for support. The
2 payor of income is not required to vary the payroll cycle to
3 comply with the frequency of payment of a support order.

4 ~~3.~~ c. The amount withheld for support, including the
5 processing fee, shall not exceed the amounts specified in 15
6 U.S.C. § 1673(b).

7 ~~4.~~ d. The income withholding order is binding on an
8 existing or future payor of income ten days after receipt of
9 the copy of the order or the notice of the order, and is binding
10 whether or not the copy of the order received is file-stamped.

11 ~~5.~~ e. The payor shall send the amounts withheld to the
12 collection services center or the clerk of the district court
13 pursuant to section 252B.14 within seven business days of the
14 date the obligor is paid. "*Business day*" means a day on which
15 state offices are open for regular business.

16 ~~6.~~ f. The payor may combine amounts withheld from the
17 obligors' income in a single payment to the clerk of the
18 district court or to the collection services center, as
19 appropriate. Whether combined or separate, payments shall be
20 identified by the name of the obligor, account number, amount,
21 and the date withheld. If payments for multiple obligors are
22 combined, the portion of the payment attributable to each
23 obligor shall be specifically identified.

24 ~~7.~~ g. The withholding is binding on the payor until further
25 notice by the court or the child support recovery unit.

26 ~~8.~~ h. If the payor, with actual knowledge and intent to
27 avoid legal obligation, fails to withhold income or to pay the
28 amounts withheld to the collection services center or the clerk
29 of court in accordance with the provisions of the order, the
30 notice of the order, or the notification of payors of income
31 provisions established in section 252B.13A, the payor commits a
32 simple misdemeanor for a first offense and is liable for the
33 accumulated amount which should have been withheld, together
34 with costs, interest, and reasonable attorney fees related to
35 the collection of the amounts due from the payor. For each

1 subsequent offense prescribed under this ~~subsection~~ paragraph,
2 the payor commits a serious misdemeanor and is liable for the
3 accumulated amount which should have been withheld, together
4 with costs, interest, and reasonable attorney fees related to
5 the collection of the amounts due from the payor.

6 ~~9.~~ i. The payor shall promptly notify the court or the
7 child support recovery unit when the obligor's employment or
8 other income terminates, and provide the obligor's last known
9 address and the name and address of the obligor's new employer,
10 if known.

11 ~~10.~~ j. Any payor who discharges an obligor, refuses to
12 employ an obligor, or takes disciplinary action against an
13 obligor based upon income withholding is guilty of a simple
14 misdemeanor. A withholding order or the notice of the order
15 for income withholding has the same force and effect as any
16 other district court order, including, but not limited to,
17 contempt of court proceedings for noncompliance.

18 ~~11.~~ ~~a.~~ k. (1) Beginning July 1, 1997, if a payor of
19 income does business in another state through a registered
20 agent and receives a notice of income withholding issued by
21 another state, the payor shall, and beginning January 1, 1998,
22 any payor of income shall, withhold funds as directed in a
23 notice issued by another state, except that a payor of income
24 shall follow the laws of the obligor's principal place of
25 employment when determining all of the following:

26 ~~(1)~~ (a) The payor's fee for processing an income
27 withholding payment.

28 ~~(2)~~ (b) The maximum amount permitted to be withheld from
29 the obligor's income.

30 ~~(3)~~ (c) The time periods for implementing the income
31 withholding order and forwarding the support payments.

32 ~~(4)~~ (d) The priorities for withholding and allocating
33 income withheld for multiple child support obligees.

34 ~~(5)~~ (e) Any withholding terms or conditions not specified
35 in the order.

1 ~~b.~~ (2) A payor of income who complies with an income
2 withholding notice that is regular on its face shall not be
3 subject to any civil liability to any individual or agency for
4 conduct in compliance with the notice.

5 ~~12.~~ 1. The payor of income shall comply with chapter 252K
6 when receiving a notice of income withholding from another
7 state.

8 ~~13.~~ m. The department shall establish criteria and a
9 phased-in schedule to require, no later than June 30, 2015,
10 payors of income to electronically transmit the amounts
11 withheld under an income withholding order. The department
12 shall assist payors of income in complying with the required
13 electronic transmission, and shall adopt rules setting forth
14 procedures for use in electronic transmission of funds, and
15 exemption from use of electronic transmission taking into
16 consideration any undue hardship electronic transmission
17 creates for payors of income.

18 Sec. 56. Section 256.9, subsection 55, paragraph a, Code
19 2013, is amended to read as follows:

20 a. The Iowa ~~dietetic association~~ academy of nutrition and
21 dietetics.

22 Sec. 57. Section 256.18A, Code 2013, is amended to read as
23 follows:

24 **256.18A Service learning.**

25 The board of directors of a school district or the
26 authorities in charge of a nonpublic school may require a
27 certain number of service learning units as a condition for
28 the inclusion of a service learning endorsement on a student's
29 diploma or as a condition of graduation from the district
30 or school. For purposes of this ~~paragraph~~ section, "*service*
31 *learning*" means a method of teaching and learning which engages
32 students in solving problems and addressing issues in their
33 school or greater community as part of the academic curriculum.

34 Sec. 58. Section 256.42, subsection 6, Code 2013, is amended
35 to read as follows:

1 6. Coursework offered under the initiative shall be
2 rigorous and high quality, and the department shall annually
3 evaluate the quality of the courses, and ensure that coursework
4 is aligned with the state's core curriculum and core content
5 requirements and standards, as well as national standards
6 of quality for online courses issued by an internationally
7 recognized association for kindergarten through grade twelve
8 online learning.

9 Sec. 59. Section 258.16, subsection 3, paragraph d, Code
10 2013, is amended to read as follows:

11 *d.* Implement the procedures and contract, at the request
12 of the director of the board of vocational education, for the
13 delivery of vocational education programs and services pursuant
14 to section 256.11, subsection 4, and section 256.11, subsection
15 5, paragraph "h", and section 260C.14, subsection 1.

16 Sec. 60. Section 261B.2, subsection 5, paragraph c, Code
17 2013, is amended to read as follows:

18 *c.* Uses in its name the term "*college*", "*academy*",
19 "*institute*", or "*university*" or a similar term to imply that
20 the person is primarily engaged in the education of students
21 at the postsecondary level, and ~~which makes a charge~~ charges
22 for its services.

23 Sec. 61. Section 261B.9, subsection 7, Code 2013, is amended
24 to read as follows:

25 7. The disclosures required by the department of education
26 for an out-of-state school that the state board of education
27 approves to offer a practitioner preparation program by
28 distance delivery method.

29 Sec. 62. Section 261E.5, subsection 3, Code 2013, is amended
30 to read as follows:

31 3. From the funds allocated pursuant to section 261E.13,
32 subsection 1, paragraph "d", the department shall remit amounts
33 to the college board for advanced placement examinations
34 administered by the college board for students enrolled in
35 school districts and accredited nonpublic schools pursuant

1 to subsection 2 and shall distribute an amount per student
2 to a school district submitting a list of students properly
3 registered for the advanced placement examinations pursuant to
4 subsection 2. The remittance rates to the college board and
5 distribution amounts to the school districts in accordance with
6 this subsection for the fiscal year beginning July 1, 2008, are
7 as follows: ~~thirty-eight~~

8 a. Thirty-eight dollars for each school district or
9 accredited nonpublic school student who does not qualify for
10 fee reduction; ~~twenty-seven.~~

11 b. Twenty-seven dollars for each school district or
12 accredited nonpublic school student who qualifies for fee
13 reduction; ~~and eight.~~

14 c. Eight dollars to the school district for each school
15 district or accredited nonpublic school student who was listed
16 by the school district and who takes an advanced placement
17 examination in accordance with this section.

18 Sec. 63. Section 263B.3, Code 2013, is amended to read as
19 follows:

20 **263B.3 Agreements with federal departments.**

21 The state archaeologist is authorized to enter agreements
22 and cooperative efforts with the ~~United States commissioner~~
23 ~~of public roads~~ federal highway administrator, the United
24 States departments of commerce, interior, agriculture, and
25 defense, and any other federal or state agencies concerned with
26 archaeological salvage or the preservation of antiquities.

27 Sec. 64. Section 266.48, subsection 1, paragraph a, Code
28 2013, is amended to read as follows:

29 a. Iowa state university, in cooperation with the department
30 of agriculture and land stewardship and the department of
31 natural resources, shall establish a cost-share program for the
32 livestock odor mitigation research efforts as established in
33 sections 266.43 through 266.45 that maximizes participation
34 in the livestock odor mitigation research efforts so as to
35 accomplish the purposes in section 266.42, subsection 1.

1 Sec. 65. Section 272.31, subsection 5, Code 2013, is amended
2 to read as follows:

3 5. The state board of education shall work with institutions
4 of higher education, private colleges and universities,
5 community colleges, area education agencies, and professional
6 organizations to ensure that the courses and programs required
7 for ~~authorization~~ authorizations under this section are offered
8 throughout the state at convenient times and at a reasonable
9 cost.

10 Sec. 66. Section 273.3, subsection 2, Code 2013, is amended
11 to read as follows:

12 2. Be authorized to receive and expend money for providing
13 programs and services as provided in sections 273.1, 273.2,
14 this section, sections 273.4 to 273.9, and chapters 256B
15 and 257. All costs incurred in providing the programs and
16 services, including administrative costs, shall be paid from
17 funds received pursuant to sections 273.1, 273.2, this section,
18 sections 273.4 to 273.9 and chapters 256B and 257.

19 Sec. 67. Section 280.10, subsection 4, Code 2013, is amended
20 to read as follows:

21 4. "*Industrial quality eye-protective devices*", as used
22 in this section, means devices meeting American national
23 standard, practice for occupational and educational eye and
24 face protection promulgated by the American national standards
25 institute, inc.

26 Sec. 68. Section 321.105A, subsection 5, paragraph b, Code
27 2013, is amended to read as follows:

28 **b.** If an amount of the fee for new registration represented
29 by a dealer to a purchaser is computed upon a purchase price
30 that is not subject to the fee for new registration or the
31 amount represented is in excess of the actual amount subject
32 to the fee and the amount represented is actually paid by
33 the purchaser to the dealer, the excess amount of fee for
34 new registration paid shall be returned to the purchaser
35 upon proper notification to the dealer by the purchaser that

1 an excess payment exists. "Proper" notification is written
2 notification which allows a dealer at least sixty days to
3 respond and which contains enough information to allow a dealer
4 to determine the validity of a purchaser's claim that an excess
5 amount of fee for new registration has been paid. No cause
6 of action shall accrue against a dealer for excess fee for
7 new registration paid until sixty days after proper notice
8 notification has been given the dealer by the purchaser.

9 Sec. 69. Section 322.33, subsection 2, Code 2013, is amended
10 to read as follows:

11 2. Article Chapter 537, article 2, parts 5 and 6, and
12 chapter 537, article 3, sections 537.3203, 537.3206, 537.3209,
13 537.3304, 537.3305, and 537.3306 shall apply to any credit
14 transaction as defined in section 537.1301, that is a retail
15 installment transaction. For the purpose of applying
16 provisions of the consumer credit code in those transactions,
17 "consumer credit sale" shall include a sale for a business
18 purpose.

19 Sec. 70. Section 322A.1, subsection 5, paragraph a,
20 subparagraphs (3) and (5), Code 2013, are amended to read as
21 follows:

22 (3) The franchisee, as an independent business, constitutes
23 a component of the franchiser's distribution system.

24 (5) The operation of the franchisee's business is
25 substantially reliant on the franchiser for the continued
26 supply of motor vehicles, parts, and accessories.

27 Sec. 71. Section 326.2, subsection 6, paragraph a, Code
28 2013, is amended to read as follows:

29 a. A one-way movement from one point originating outside
30 this state and destined ~~to~~ for another point outside this
31 state.

32 Sec. 72. Section 331.362, subsection 1, Code 2013, is
33 amended to read as follows:

34 1. A county has jurisdiction over secondary roads as
35 provided in section 306.4, subsection 2, section 306.4,

1 subsection 5, paragraph "b", and section 306.4, subsection 6,
2 paragraph "b".

3 Sec. 73. Section 331.382, subsection 8, paragraph a, Code
4 2013, is amended to read as follows:

5 a. The board is subject to chapter 161F, chapters 357
6 through 358, or chapter 468, subchapters I through III, chapter
7 468, subchapter IV, parts 1 and 2, or chapter 468, subchapter
8 V, as applicable, in acting relative to a special district
9 authorized under any of those chapters.

10 Sec. 74. Section 331.390, subsection 2, paragraph a, Code
11 2013, is amended to read as follows:

12 a. The voting membership of the governing board shall
13 consist of at least one board of supervisors member from each
14 county comprising the ~~regions~~ region or their designees.

15 Sec. 75. Section 331.390, subsection 3, paragraph b, Code
16 2013, is amended to read as follows:

17 b. The regional administrator staff shall include
18 one or more coordinators of disability services. A
19 coordinator shall possess a bachelor's or higher level
20 degree in a human services-related or ~~administrative-related~~
21 administration-related field, including but not limited
22 to social work, psychology, nursing, or public or business
23 administration, from an accredited college or university.
24 However, in lieu of a degree in public or business
25 administration, a coordinator may provide documentation of
26 relevant management experience. An action of a coordinator
27 involving a clinical decision shall be made in conjunction
28 with a professional who is trained in the delivery of the
29 mental health or disability service addressed by the clinical
30 decision. The regional administrator shall determine whether
31 referral to a coordinator of disability services is required
32 for a person seeking to access a service through a local access
33 point of the regional service system.

34 Sec. 76. Section 331.552, subsection 25, Code 2013, is
35 amended to read as follows:

1 25. Carry out duties relating to the funding of drainage
2 districts as provided in chapter 468, subchapter I, parts 1 to
3 5, chapter 468, subchapter II, parts 1, 5, and 6, chapter 468,
4 subchapter III, and chapter 468, subchapter IV, parts 1 and 2.
5 Sec. 77. Section 341A.2, Code 2013, is amended to read as
6 follows:

7 **341A.2 Civil service commission.**

8 1. Subject to the alternate plan enumerated in section
9 341A.3, there is created in each county a civil service
10 commission composed of three members. Two members shall be
11 appointed by the county board of supervisors and one member
12 shall be appointed by the county attorney of each county.
13 Appointees to the commission shall be residents of the county
14 for at least two years immediately preceding appointment,
15 and shall be electors. Terms of office shall be six years;
16 however, the initial members of the commission shall be
17 appointed as follows:

18 a. One of the members appointed by the board of supervisors
19 shall serve for a period of two years while the other member
20 shall serve for a period of six years and the board shall
21 specify the term of each member so appointed.

22 b. The member appointed by the county attorney shall serve
23 for a period of four years.

24 2. Any member of the commission may be removed by the
25 appointing authority for incompetence, dereliction of duty,
26 malfeasance in office, or for other good cause; however, no
27 member of the commission shall be removed until apprised
28 in writing of the nature of the charges against the member
29 and a hearing on such charges has been held before the
30 board of supervisors. In the event a vacancy occurs in the
31 commission for any reason other than expiration of the term, an
32 appointment to fill the vacancy for the unexpired term shall be
33 made in the same manner as the original appointment.

34 3. A majority vote of the membership of the commission shall
35 be sufficient to transact the business of the commission.

1 4. Not more than two commissioners shall be members of the
2 same political party. Commissioners shall hold no elective
3 or other appointive public office during their terms of
4 appointment to the commission. Commissioners shall serve
5 without compensation but shall be reimbursed for necessary
6 expense and mileage incurred in the actual performance of their
7 duties.

8 Sec. 78. Section 350.4, subsection 9, paragraph a, Code
9 2013, is amended to read as follows:

10 a. To participate in watershed projects of soil and water
11 conservation districts and the federal government and in
12 projects of drainage districts organized under the provisions
13 of chapter 161F and, chapter 468, subchapter I, parts 1 through
14 5, and chapter 468, subchapter II, parts 1, 5, and 6, for the
15 purpose of increasing the recreational resources of the county.

16 Sec. 79. Section 354.9, subsection 3, Code 2013, is amended
17 to read as follows:

18 3. If cities establish overlapping areas of review outside
19 their boundaries, then the cities shall establish by agreement
20 pursuant to chapter 28E reasonable standards and conditions
21 for review of subdivisions within the overlapping area. If no
22 agreement is recorded pursuant to chapter 28E then the city
23 which is closest to the boundary of the subdivision shall have
24 authority to review ~~of~~ the subdivision.

25 Sec. 80. Section 355.7, subsection 6, Code 2013, is amended
26 to read as follows:

27 6. a. The plat shall show the lengths and bearings of
28 the boundaries of the parcels surveyed. The course of each
29 boundary line shown on the plat may be indicated by a direct
30 bearing reference or by an angle between the boundary line and
31 an intersecting line having a shown bearing, except when the
32 boundary line has an irregular or constantly changing course,
33 as along a body of water, or when a description of the boundary
34 line is better achieved by measurements shown at points or
35 intervals along a meander line or an offset line having a shown

1 course. The bearings shall be referenced to a United States
2 public land survey system land line, or recorded subdivision
3 line. If the boundary lines show bearings, lengths, or
4 locations which vary from those recorded in deeds, abutting
5 plats, or other instruments of record, the following note shall
6 be placed along the lines: ~~"recorded~~

7 Recorded as (show recorded bearing, length, or ~~location~~)"
8 location).

9 b. Bearings and angles shown shall be given to at least the
10 nearest minute of arc.

11 Sec. 81. Section 355.8, subsection 8, Code 2013, is amended
12 to read as follows:

13 8. a. The plat shall show the lengths and bearings of
14 the boundaries of the tracts surveyed. The course of each
15 boundary line shown on the plat may be indicated by a direct
16 bearing reference or by an angle between the boundary line and
17 an intersecting line having a shown bearing, except when the
18 boundary line has an irregular or constantly changing course,
19 as along a body of water, or when a description of the boundary
20 line is better achieved by measurements shown at points or
21 intervals along a meander line or an offset line having a shown
22 course. The bearing shall be referenced to a United States
23 public land survey system land line, or recorded subdivision
24 line. If the boundary lines show bearings, lengths, or
25 locations which vary from those recorded in deeds, abutting
26 plats, or other instruments of record, the following note shall
27 be placed along the lines: ~~"recorded~~

28 Recorded as (show recorded bearing, length, or ~~location~~)"
29 location).

30 b. Bearings and angles shown shall be given to at least the
31 nearest minute of arc.

32 Sec. 82. Section 384.6, subsection 1, paragraph b, Code
33 2013, is amended to read as follows:

34 b. If a police chief or fire chief has submitted a
35 written request to the board of trustees to be exempt from

1 chapter 411, authorized in section 411.3, subsection 1, a
2 city shall make contributions for the chief, in an amount
3 not to exceed the amount that would have been contributed by
4 the city under section 411.8, subsection 1, paragraph "a",
5 to the international city management ~~association/retirement~~
6 association retirement corporation.

7 Sec. 83. Section 419.4, subsection 2, paragraph a,
8 subparagraph (5), Code 2013, is amended to read as follows:

9 (5) The creation, maintenance, custody, investment and
10 reinvestment and use of special funds from the revenues of such
11 project, ~~and.~~

12 Sec. 84. Section 419.4, subsection 2, paragraph b, Code
13 2013, is amended to read as follows:

14 b. (1) A municipality shall have the power to provide
15 that proceeds from the sale of bonds and special funds from
16 the revenues of the project shall be invested and reinvested
17 in such securities and other investments as shall be provided
18 in the proceedings under which the bonds are authorized to be
19 issued including:

20 ~~(1)~~ (a) Obligations issued or guaranteed by the United
21 States~~.~~

22 ~~(2)~~ (b) Obligations issued or guaranteed by any person
23 controlled or supervised by and acting as an instrumentality of
24 the United States pursuant to authority granted by the Congress
25 of the United States~~.~~

26 ~~(3)~~ (c) Obligations issued or guaranteed by any state
27 of the United States, or the District of Columbia, or any
28 political subdivision of any such state or district~~.~~

29 ~~(4)~~ (d) Prime commercial paper~~.~~

30 ~~(5)~~ (e) Prime finance company paper~~.~~

31 ~~(6)~~ (f) Bankers' acceptances drawn on and accepted by banks
32 organized under the laws of any state or of the United States~~.~~

33 ~~(7)~~ (g) Repurchase agreements fully secured by obligations
34 issued or guaranteed by the United States or by any person
35 controlled or supervised by and acting as an instrumentality of

1 the United States pursuant to authority granted by the Congress
2 of the United States; ~~and~~.

3 ~~(g)~~ (h) Certificates of deposit issued by banks organized
4 under the laws of any state or of the United States; whether
5 or not such investment or reinvestment is authorized under any
6 other law of this state. The municipality shall also have the
7 power to provide that such proceeds or funds or investments and
8 the amounts payable under the lease, sale contract, or loan
9 agreement shall be received, held and disbursed by one or more
10 banks or trust companies located in or out of the state of
11 Iowa.

12 (2) A municipality shall also have the power to provide
13 that the project and improvements shall be constructed by the
14 municipality, lessee, the lessee's designee, the contracting
15 party, or the contracting party's designee, or any one or
16 more of them on real estate owned by the municipality, the
17 lessee, the lessee's designee, the contracting party, or the
18 contracting party's designee, as the case may be, and that the
19 bond proceeds shall be disbursed by the trustee bank or banks,
20 trust company or trust companies, during construction upon the
21 estimate, order or certificate of the lessee, the lessee's
22 designee, the contracting party, or the contracting party's
23 designee.

24 Sec. 85. Section 421.24, subsection 3, Code 2013, is amended
25 to read as follows:

26 3. a. For the purposes of this section, the words "tax"
27 and "taxes" shall include interest and penalties due under any
28 taxing statute, and liability for such interest or penalties,
29 or both, due under a taxing statute of another state or a
30 political subdivision thereof, shall be recognized and enforced
31 by the courts of this state to the same extent that the laws
32 of such other state permit the enforcement in its courts of
33 liability for such interest or penalties, or both, due under
34 a taxing statute of this state or a political subdivision
35 thereof.

1 b. The courts of this state may not enforce interest rates
2 or penalties on taxes of any other state which exceed the
3 interest rates and penalties imposed by the state of Iowa for
4 the same or a similar tax.

5 Sec. 86. Section 422.16, subsection 10, paragraph c, Code
6 2013, is amended to read as follows:

7 c. If any withholding agent, being a domestic or foreign
8 corporation, required under the provisions of this section
9 to withhold on wages or other taxable Iowa income subject to
10 this chapter, fails to withhold the amounts required to be
11 withheld, make the required returns or remit to the department
12 the amounts withheld, the director may, having exhausted all
13 other means of enforcement of the provisions of this chapter,
14 certify such fact or facts to the secretary of state, who shall
15 thereupon cancel the articles of incorporation or certificate
16 of authority, ~~{as as the case may be}~~ be, of such corporation,
17 and the rights of such corporation to carry on business in the
18 state of Iowa shall thereupon cease. The secretary of state
19 shall immediately notify by registered mail such domestic or
20 foreign corporation of the action taken by the secretary of
21 state. The provisions of section 422.40, subsection 3, shall
22 be applicable.

23 Sec. 87. Section 422.20, subsection 3, paragraph a, Code
24 2013, is amended to read as follows:

25 a. Unless otherwise expressly permitted by section 8A.504,
26 section 8G.4, section 96.11, subsection 6, section 421.17,
27 subsections 22, 23, and 26, section 421.17, subsection 27,
28 paragraph "k", and section 421.17, subsection 31, section
29 252B.9, section 321.40, subsection 6, sections 321.120, 421.19,
30 421.28, 422.72, and 452A.63, and this section, a tax return,
31 return information, or investigative or audit information
32 shall not be divulged to any person or entity, other than the
33 taxpayer, the department, or internal revenue service for use
34 in a matter unrelated to tax administration.

35 Sec. 88. Section 422.32, subsection 2, Code 2013, is amended

1 to read as follows:

2 2. The words, terms, and phrases defined in ~~division II,~~
3 section 422.4, subsections 4 to 6, 8, 9, 13, and 15 to 17, when
4 used in this division, shall have the meanings ascribed to them
5 in said section except where the context clearly indicates a
6 different meaning.

7 Sec. 89. Section 422.33, subsection 5, Code 2013, is amended
8 to read as follows:

9 5. *a.* The taxes imposed under this division shall
10 be reduced by a state tax credit for increasing research
11 activities in this state equal to the sum of the following:

12 (1) Six and one-half percent of the excess of qualified
13 research expenses during the tax year over the base amount for
14 the tax year based upon the state's apportioned share of the
15 qualifying expenditures for increasing research activities.

16 (2) Six and one-half percent of the basic research payments
17 determined under section 41(e)(1)(A) of the Internal Revenue
18 Code during the tax year based upon the state's apportioned
19 share of the qualifying expenditures for increasing research
20 activities.

21 *b.* The state's apportioned share of the qualifying
22 expenditures for increasing research activities is a percent
23 equal to the ratio of qualified research expenditures in this
24 state to the total qualified research expenditures.

25 ~~*b.*~~ *c.* In lieu of the credit amount computed in paragraph
26 "a", subparagraph (1), a corporation may elect to compute the
27 credit amount for qualified research expenses incurred in this
28 state in a manner consistent with the alternative simplified
29 credit described in section 41(c)(5) of the Internal Revenue
30 Code. The taxpayer may make this election regardless of
31 the method used for the taxpayer's federal income tax. The
32 election made under this paragraph is for the tax year and the
33 taxpayer may use another or the same method for any subsequent
34 year.

35 ~~*c.*~~ *d.* For purposes of the alternate credit computation

1 method in paragraph ~~"b"~~ "c", the credit percentages applicable
2 to qualified research expenses described in section 41(c)(5)(A)
3 and clause (ii) of section 41(c)(5)(B) of the Internal Revenue
4 Code are four and fifty-five hundredths percent and one and
5 ninety-five hundredths percent, respectively.

6 ~~d.~~ e. (1) For purposes of this subsection, "base amount",
7 "basic research payment", and "qualified research expense" mean
8 the same as defined for the federal credit for increasing
9 research activities under section 41 of the Internal Revenue
10 Code, except that for the alternative simplified credit such
11 amounts are for research conducted within this state.

12 (2) For purposes of this subsection, "Internal Revenue Code"
13 means the Internal Revenue Code in effect on January 1, 2012.

14 ~~e.~~ f. Any credit in excess of the tax liability for the
15 taxable year shall be refunded with interest computed under
16 section 422.25. In lieu of claiming a refund, a taxpayer may
17 elect to have the overpayment shown on its final, completed
18 return credited to the tax liability for the following taxable
19 year.

20 ~~f.~~ Reserved.

21 g. A corporation which is an eligible business may claim an
22 additional research activities credit authorized pursuant to
23 section 15.335.

24 h. The department shall by February 15 of each year issue
25 an annual report to the general assembly containing the total
26 amount of all claims made by employers under this subsection
27 and the portion of the claims issued as refunds, for all claims
28 processed during the previous calendar year. The report shall
29 contain the name of each claimant for whom a tax credit in
30 excess of five hundred thousand dollars was issued and the
31 amount of the credit received.

32 Sec. 90. Section 422.70, subsection 1, Code 2013, is amended
33 to read as follows:

34 1. The director, for the purpose of ascertaining the
35 correctness of a return or for the purpose of making an

1 estimate of the taxable income or receipts of a taxpayer, has
2 ~~power~~ the following powers:

3 a. To examine or cause to be examined by an agent or
4 representative designated by the director, books, papers,
5 records, or memoranda; ~~to.~~

6 b. To require by subpoena the attendance and testimony of
7 witnesses; to issue and sign subpoenas; ~~to.~~

8 c. To administer oaths, to examine witnesses and receive
9 evidence; ~~to.~~

10 d. To compel witnesses to produce for examination books,
11 papers, records, and documents relating to any matter which the
12 director has the authority to investigate or determine.

13 Sec. 91. Section 422.72, subsection 3, paragraph a, Code
14 2013, is amended to read as follows:

15 a. Unless otherwise expressly permitted by section 8A.504,
16 section 8G.4, section 96.11, subsection 6, section 421.17,
17 subsections 22, 23, and 26, section 421.17, subsection 27,
18 paragraph "k", and section 421.17, subsection 31, section
19 252B.9, section 321.40, subsection 6, sections 321.120, 421.19,
20 421.28, 422.20, and 452A.63, and this section, a tax return,
21 return information, or investigative or audit information
22 shall not be divulged to any person or entity, other than the
23 taxpayer, the department, or internal revenue service for use
24 in a matter unrelated to tax administration.

25 Sec. 92. Section 422D.1, subsection 2, paragraph a,
26 unnumbered paragraph 1, Code 2013, is amended to read as
27 follows:

28 The taxes for emergency medical services shall only be
29 imposed after an election at which a majority of those voting
30 on the question of imposing the tax or combination of taxes
31 specified in subsection 1, paragraph "a", subparagraph (1)
32 or (2), vote in favor of the question. However, the tax or
33 combination of taxes specified in subsection 1 shall not be
34 imposed on property within or on residents of a benefited
35 emergency medical services district under chapter 357F. The

1 question of imposing the tax or combination of the taxes may
2 be submitted at the regular city election, a special election,
3 or ~~state the~~ general election. Notice of the question shall
4 be provided by publication at least sixty days before the time
5 of the election and shall identify the tax or combination of
6 taxes and the rate or rates, as applicable. If a majority of
7 those voting on the question approve the imposition of the tax
8 or combination of taxes, the tax or combination of taxes shall
9 be imposed as follows:

10 Sec. 93. Section 423.3, subsection 18, paragraph c, Code
11 2013, is amended to read as follows:

12 c. Rehabilitation facilities that provide accredited
13 rehabilitation services to persons with disabilities which are
14 accredited by the commission on accreditation of rehabilitation
15 facilities or the ~~accreditation council for services for~~
16 ~~persons with an intellectual disability and other persons with~~
17 ~~developmental disabilities~~ on quality and leadership and adult
18 day care services approved for reimbursement by the state
19 department of human services.

20 Sec. 94. Section 423.5, Code 2013, is amended to read as
21 follows:

22 **423.5 Imposition of tax.**

23 1. Except as provided in ~~subsection 3~~ paragraph "c", an
24 excise tax at the rate of six percent of the purchase price or
25 installed purchase price is imposed on the following:

26 ~~1-~~ a. The use in this state of tangible personal property
27 as defined in section 423.1, including aircraft subject to
28 registration under section 328.20, purchased for use in this
29 state. For the purposes of this subchapter, the furnishing
30 or use of the following services is also treated as the use
31 of tangible personal property: optional service or warranty
32 contracts, except residential service contracts regulated under
33 chapter 523C, vulcanizing, recapping, or retreading services,
34 engraving, photography, retouching, printing, or binding
35 services, and communication service when furnished or delivered

1 to consumers or users within this state.

2 ~~2.~~ b. The use of manufactured housing in this state, on
3 the purchase price if the manufactured housing is sold in
4 the form of tangible personal property or on the installed
5 purchase price if the manufactured housing is sold in the form
6 of realty.

7 ~~3.~~ c. An excise tax at the rate of five percent is imposed
8 on the use of vehicles subject only to the issuance of a
9 certificate of title and the use of manufactured housing, and
10 on the use of leased vehicles, if the lease transaction does
11 not require titling or registration of the vehicle, on the
12 amount subject to tax as calculated pursuant to section 423.26,
13 subsection 2.

14 ~~4.~~ d. Purchases of tangible personal property made from
15 the government of the United States or any of its agencies by
16 ultimate consumers shall be subject to the tax imposed by this
17 section. Services purchased from the same source or sources
18 shall be subject to the service tax imposed by this subchapter
19 and apply to the user of the services.

20 ~~5.~~ e. The use in this state of services enumerated in
21 section 423.2. This tax is applicable where the service is
22 first used in this state.

23 ~~6.~~ 2. The excise tax is imposed upon every person using
24 the property within this state until the tax has been paid
25 directly to the county treasurer, the state department of
26 transportation, a retailer, or the department. This tax is
27 imposed on every person using the services or the product of
28 the services in this state until the user has paid the tax
29 either to an Iowa use tax permit holder or to the department.

30 ~~7.~~ 3. For the purpose of the proper administration of the
31 use tax and to prevent its evasion, evidence that tangible
32 personal property was sold by any person for delivery in this
33 state shall be prima facie evidence that such tangible personal
34 property was sold for use in this state.

35 ~~8.~~ 4. Any person or that person's affiliate, which is a

1 retailer in this state or a retailer maintaining a place of
2 business in this state under this chapter, that enters into a
3 contract with an agency of this state must register, collect,
4 and remit Iowa use tax under this chapter on all sales of
5 tangible personal property and enumerated services. Every
6 bid submitted and each contract executed by a state agency
7 shall contain a certification by the bidder or contractor
8 stating that the bidder or contractor is registered with the
9 department and will collect and remit Iowa use tax due under
10 this chapter. In the certification, the bidder or contractor
11 shall also acknowledge that the state agency may declare the
12 contract or bid void if the certification is false. Fraudulent
13 certification, by act or omission, may result in the state
14 agency or its representative filing for damages for breach of
15 contract.

16 ~~9.~~ 5. The use tax rate of six percent is reduced to five
17 percent on January 1, 2030.

18 Sec. 95. Section 423.6, subsection 6, Code 2013, is amended
19 to read as follows:

20 6. Tangible personal property or services the sales price
21 of which is exempt from the sales tax under section 423.3,
22 except section 423.3, subsections 39 and 73, as it relates to
23 the sale, but not the lease or rental, of vehicles subject only
24 to the issuance of a certificate of title and as it relates to
25 aircraft subject to registration under section 328.20.

26 Sec. 96. Section 426A.8, unnumbered paragraph 1, Code 2013,
27 is amended to read as follows:

28 If the amount of credit apportioned to any property eligible
29 ~~to~~ for military service tax exemption under this chapter in
30 any year shall exceed the total tax, exclusive of any special
31 assessments levied against such property eligible for military
32 service tax exemption, then the excess shall be remitted by the
33 county treasurer to the department of revenue to be redeposited
34 in the general fund of the state and reallocated the following
35 year by the department.

1 Sec. 97. Section 426A.11, subsection 1, Code 2013, is
2 amended to read as follows:

3 1. The property, not to exceed two thousand seven hundred
4 seventy-eight dollars in taxable value of any veteran, as
5 defined in section 35.1, of the ~~First~~ World War I.

6 Sec. 98. Section 441.16, subsection 2, paragraph b, Code
7 2013, is amended to read as follows:

8 *b.* The combined budgets shall contain an itemized list of
9 the proposed salaries of the assessor and each deputy~~;~~; the
10 amount required for field personnel and other personnel, their
11 number~~,~~, and their compensation; the estimated amount needed for
12 expenses, printing, mileage, and other expenses necessary to
13 operate the assessor's office~~;~~; the estimated expenses of the
14 examining board~~;~~; and the salaries and expenses of the local
15 board of review.

16 Sec. 99. Section 452A.2, subsection 25, paragraph a,
17 subparagraph (2), Code 2013, is amended to read as follows:

18 (2) Any liquid advertised, offered for sale, sold for
19 use as, or commonly or commercially used as a fuel for
20 propelling motor vehicles which, when subjected to distillation
21 of gasoline, naphtha, kerosene and similar petroleum
22 products [ASTM (American society for testing and materials)
23 international designation D-86], shows not less than ten ~~per~~
24 ~~centum~~ percent distilled (recovered) below three hundred
25 forty-seven degrees Fahrenheit (one hundred seventy-five
26 degrees Centigrade) and not less than ninety-five ~~per centum~~
27 percent distilled (recovered) below four hundred sixty-four
28 degrees Fahrenheit (two hundred forty degrees Centigrade).

29 Sec. 100. Section 455B.105, subsection 11, paragraph a,
30 subparagraph (2), Code 2013, is amended to read as follows:

31 (2) The relative benefits to the applicant and to the
32 public of permit and conditional permit review, issuance, and
33 monitoring compliance. It is the intention of the legislature
34 that permit fees shall not cover any costs connected with
35 correcting violation of the terms of any permit and shall not

1 impose unreasonable costs on any municipality.

2 ~~It is the intention of the legislature that permit fees shall~~
3 ~~not cover any costs connected with correcting violation of the~~
4 ~~terms of any permit and shall not impose unreasonable costs on~~
5 ~~any municipality.~~

6 Sec. 101. Section 455B.474A, Code 2013, is amended to read
7 as follows:

8 **455B.474A Rules consistent with federal regulations.**

9 The rules adopted by the commission under section
10 455B.474 shall be consistent with and shall not exceed the
11 requirements of federal regulations relating to the regulation
12 of underground storage tanks except as provided in section
13 455B.474, subsection 1, paragraph "a", subparagraph (6),
14 and section 455B.474, subsection 3, paragraph "d". It is
15 the intent of the general assembly that state rules adopted
16 pursuant to section 455B.474, subsection 1, paragraph "a",
17 subparagraph (6), and section 455B.474, subsection 3, paragraph
18 "d", be consistent with and not more restrictive than federal
19 regulations adopted by the United States environmental
20 protection agency when those rules are adopted.

21 Sec. 102. Section 455B.516, subsection 9, Code 2013, is
22 amended to read as follows:

23 9. a. "*Toxics pollution prevention*" means employment of a
24 practice which reduces the industrial use of toxic substances
25 or reduces the environmental and health hazards associated
26 with an environmental waste without diluting or concentrating
27 the waste before the release, handling, storage, transport,
28 treatment, or disposal of the waste. The term includes toxics
29 pollution prevention techniques but does not include a practice
30 which is applied to an environmental waste after the waste is
31 generated or comes into existence on or after the waste exits a
32 production or commercial operation.

33 b. "*Toxics pollution prevention*" does not include, promote,
34 or require any of the following:

35 a- (1) Waste burning in industrial furnaces, boilers,

1 smelters, or cement kilns for the purpose of energy recovery.

2 ~~b.~~ (2) The transfer of an environmental waste from one
3 environmental medium to another environmental medium, the
4 workplace environment, or a product.

5 ~~c.~~ (3) Off-site waste recycling.

6 ~~d.~~ (4) Any other method of end-of-pipe management
7 of environmental wastes including waste exchange and the
8 incorporation or embedding of regulated environmental wastes
9 into products or by-products.

10 Sec. 103. Section 456A.19, Code 2013, is amended to read as
11 follows:

12 **456A.19 Expenditures.**

13 1. All funds accruing to the fish and game protection fund,
14 except an equitable portion of the administration fund, shall
15 be expended solely in carrying on fish and wildlife activities.
16 Expenditures incurred by the department in carrying on the
17 activities shall be only on authorization by the general
18 assembly.

19 a. The department shall by October 1 of each year submit to
20 the department of management for transmission to the general
21 assembly a detailed estimate of the amount required by the
22 department during the succeeding year for carrying on fish and
23 wildlife activities. The estimate shall be in the same general
24 form and detail as required by law in estimates submitted by
25 other state departments.

26 b. Any unexpended balance at the end of the biennium shall
27 revert to the fish and game protection fund.

28 c. All administrative expense shall be paid from the
29 administration fund.

30 d. All other expenditures shall be paid from the state
31 conservation fund.

32 2. All expenditures under this chapter are subject to
33 approval by the director of management and the director of the
34 department of administrative services.

35 3. All moneys credited to the county conservation board

1 fund shall be used to provide grants to county conservation
2 boards to provide funding for the purposes of chapter 350.
3 These grants are in addition to moneys appropriated to the
4 conservation boards from the county boards of supervisors. The
5 grants shall be made to the conservation boards based upon the
6 needs of the boards. Applications shall be made by the boards
7 to the commission.

8 Sec. 104. Section 459.202, subsection 1, unnumbered
9 paragraphs 1 and 2, Code 2013, are amended to read as follows:

10 a. Except as provided in subsection 3 and sections 459.203,
11 459.205, and 459.206, this subsection applies to confinement
12 feeding operation structures constructed on or after May 31,
13 1995, but prior to January 1, 1999; and to the expansion of
14 structures constructed prior to January 1, 1999.

15 b. The following table represents the minimum separation
16 distance in feet required between a confinement feeding
17 operation structure and a residence not owned by the owner of
18 the confinement feeding operation, or a commercial enterprise,
19 bona fide religious institution, or an educational institution:

20 Sec. 105. Section 459.202, subsection 2, unnumbered
21 paragraphs 1 and 2, Code 2013, are amended to read as follows:

22 a. Except as provided in subsection 3 and sections 459.203,
23 459.205, and 459.206, this subsection applies to confinement
24 feeding operation structures constructed on or after January
25 1, 1999, but prior to March 1, 2003, and to the expansion of
26 structures constructed on or after January 1, 1999, but prior
27 to March 1, 2003.

28 b. The following table represents the minimum separation
29 distance in feet required between a confinement feeding
30 operation structure and a residence not owned by the owner of
31 the confinement feeding operation, or a commercial enterprise,
32 bona fide religious institution, or an educational institution:

33 Sec. 106. Section 459.202, subsection 3, unnumbered
34 paragraphs 1 and 2, Code 2013, are amended to read as follows:

35 a. Except as provided in sections 459.203, 459.205, and

1 459.206, this subsection applies to confinement feeding
2 operation structures constructed on or after May 31, 1995,
3 but prior to March 1, 2003; to the expansion of structures
4 constructed on or after May 31, 1995, but prior to March 1,
5 2003; and to the expansion of structures constructed prior to
6 May 31, 1995.

7 b. The following table represents the minimum separation
8 distance in feet required between a confinement feeding
9 operation structure and a public use area; or between a
10 confinement feeding operation structure and a residence not
11 owned by the owner of the confinement feeding operation, a
12 commercial enterprise, a bona fide religious institution,
13 or an educational institution, if the residence, commercial
14 enterprise, religious institution, or educational institution
15 is located within the corporate limits of a city:

16 Sec. 107. Section 459.202, subsection 4, unnumbered
17 paragraphs 1 and 2, Code 2013, are amended to read as follows:

18 a. Except as provided in subsection 5 and sections 459.203,
19 459.205, and 459.206, this subsection applies to confinement
20 feeding operation structures constructed on or after March 1,
21 2003, and to the expansion of confinement feeding operation
22 structures constructed on or after March 1, 2003.

23 b. The following table represents the minimum separation
24 distance in feet required between a confinement feeding
25 operation structure and a residence not owned by the owner of
26 the confinement feeding operation, a commercial enterprise, a
27 bona fide religious institution, or an educational institution:

28 Sec. 108. Section 459.202, subsection 5, unnumbered
29 paragraphs 1 and 2, Code 2013, are amended to read as follows:

30 a. Except as provided in sections 459.203, 459.205, and
31 459.206, this subsection applies to confinement feeding
32 operation structures constructed on or after March 1, 2003, and
33 to the expansion of confinement feeding operation structures
34 constructed on or after March 1, 2003.

35 b. The following table represents the minimum separation

1 distance in feet required between a confinement feeding
2 operation structure and a public use area; or between a
3 confinement feeding operation structure and a residence not
4 owned by the owner of the confinement feeding operation, a
5 commercial enterprise, a bona fide religious institution,
6 or an educational institution, if the residence, commercial
7 enterprise, religious institution, or educational institution
8 is located within the corporate limits of a city:

9 Sec. 109. Section 459.401, subsection 2, unnumbered
10 paragraph 1, Code 2013, is amended to read as follows:

11 The compliance fund is composed of three accounts, the
12 general account, the assessment account, and the educational
13 program account.

14 Sec. 110. Section 468.202, Code 2013, is amended to read as
15 follows:

16 **468.202 Agreement in advance.**

17 The agreement with the federal government contemplated in
18 section 468.201 may be entered into by the board in advance of
19 the filing of the ~~plan~~ — plan, such agreement to be effective
20 if the plan is finally adopted. If the plan is approved the
21 board shall make a record of any such cooperative agreement.

22 Sec. 111. Section 468.309, Code 2013, is amended to read as
23 follows:

24 **468.309 Appeal by trustees or boards.**

25 Trustees or boards of supervisors having charge of any
26 previously organized district which is proposed to be included
27 {either in whole or in part} within the new intercounty
28 district may, in the same manner and under the same procedure,
29 appeal to the district court from the action of the joint
30 boards in establishing the new district or in including therein
31 the previously organized district or any part thereof.

32 Sec. 112. Section 476.6, subsection 22, Code 2013, is
33 amended to read as follows:

34 **22. Nuclear generating facilities — legislative intent.**

35 a. It is the intent of the general assembly to require

1 certain rate-regulated public utilities to undertake analyses
2 of and preparations for the possible construction of nuclear
3 generating facilities in this state that would be beneficial in
4 a carbon-constrained environment.

5 *b.* A rate-regulated electric utility that was subject to
6 a revenue sharing settlement agreement with regard to its
7 electric base rates as of January 1, 2010, shall recover,
8 through a rider and pursuant to a tariff filing made on or
9 before December 31, 2013, the reasonable and prudent costs of
10 its analyses of and preparations for the possible construction
11 of facilities of the type referenced in paragraph "a". Cost
12 recovery shall be accomplished by instituting a revenue
13 increase applied in the same percentage amount to each customer
14 class and not designed to recover, on an annual basis, more
15 than five-tenths percent of the electric utility's calendar
16 year 2009 revenues attributable to billed base rates in this
17 state. At the conclusion of the cost recovery period, which
18 shall extend no more than thirty-six months in total, the board
19 shall conduct a contested case proceeding pursuant to chapter
20 17A to evaluate the reasonableness and prudence of the cost
21 recovery. The utility shall file such information with the
22 board as the board deems appropriate, including the filing
23 of an annual report identifying and explaining expenditures
24 identified in the rider as items for cost recovery, and
25 any other information required by the board. If the board
26 determines that the utility has imprudently incurred costs, or
27 has incurred costs that are less than the amount recovered, the
28 board shall order the utility to modify the rider to adjust the
29 amount recoverable.

30 *c.* Costs that may be recovered through the rider described
31 in paragraph "b" shall be consistent with the "United States
32 Nuclear Regulatory Guide, Section 4.7, General Site Suitability
33 Criteria for Nuclear Power Stations, Revision Two, April 1998,"
34 including costs related to the study and use of sites for
35 nuclear generation.

1 Sec. 113. Section 476.53, subsection 2, paragraph a, Code
2 2013, is amended to read as follows:

3 a. The general assembly's intent with regard to the
4 development of electric power generating and transmission
5 facilities, or the significant alteration of an existing
6 generating facility, as provided in subsection 1, shall be
7 implemented in a manner that is cost-effective and compatible
8 with the environmental policies of the state, as expressed in
9 this Title XI.

10 Sec. 114. Section 489.110, subsection 3, paragraph h, Code
11 2013, is amended to read as follows:

12 h. Vary the requirement to wind up a limited liability
13 company's business as specified in section 489.702, subsection
14 1, and section 489.702, subsection 2, paragraph "a".

15 Sec. 115. Section 489.110, subsection 4, paragraph a, Code
16 2013, is amended to read as follows:

17 a. Restrict or eliminate the duty to do any of the
18 following:

19 (1) As required in section 489.409, subsection 2, paragraph
20 "a", and section 489.409, subsection 8, to account to the
21 limited liability company and to hold as trustee for it any
22 property, profit, or benefit derived by the member in the
23 conduct or winding up of the company's business, from a use by
24 the member of the company's property, or from the appropriation
25 of a limited liability company opportunity.

26 (2) As required in section 489.409, subsection 2, paragraph
27 "b", and section 489.409, subsection 8, to refrain from dealing
28 with the company in the conduct or winding up of the company's
29 business as or on behalf of a party having an interest adverse
30 to the company.

31 (3) As required by section 489.409, subsection 2, paragraph
32 "c", and section 489.409 subsection 8, to refrain from competing
33 with the company in the conduct of the company's business
34 before the dissolution of the company.

35 Sec. 116. Section 490.850, subsection 6, Code 2013, is

1 amended to read as follows:

2 6. a. "Official capacity" means:

3 ~~a.~~ (1) When used with respect to a director, the office of
4 director in a corporation.

5 ~~b.~~ (2) When used with respect to an officer, as
6 contemplated in section 490.856, the office in a corporation
7 held by the officer.

8 b. "Official capacity" does not include service for any
9 other domestic or foreign corporation or any partnership, joint
10 venture, trust, employee benefit plan, or other entity.

11 Sec. 117. Section 493.9, Code 2013, is amended to read as
12 follows:

13 **493.9 Change in stock.**

14 Any such corporation may, by appropriate amendments to its
15 articles of incorporation, adopted by a two-third affirmative
16 vote of each class of stock then issued and outstanding and
17 affected by such amendment, change its common or preferred
18 stock (~~common or preferred~~) having a par value to an equal,
19 greater or less number of shares of stock having no par value,
20 and, in connection therewith, may fix the amount of capital
21 represented by such shares of stock without par value.

22 Sec. 118. Section 502.610, subsections 1, 2, and 6, Code
23 2013, are amended to read as follows:

24 1. *Sales and offers to sell.* Sections 502.301, 502.302,
25 section 502.401, subsection 1, section 502.402, subsection 1,
26 section 502.403, subsection 1, section 502.404, subsection 1,
27 and sections 502.501, 502.506, 502.509, and 502.510 do not
28 apply to a person that sells or offers to sell a security
29 unless the offer to sell or the sale is made in this state or
30 the offer to purchase or the purchase is made and accepted in
31 this state.

32 2. *Purchases and offers to purchase.* ~~Sections~~ Section
33 502.401, subsection 1, section 502.402, subsection 1, section
34 502.403, subsection 1, section 502.404, subsection 1, and
35 sections 502.501, 502.506, 502.509, and 502.510 do not apply to

1 a person that purchases or offers to purchase a security unless
2 the offer to purchase or the purchase is made in this state
3 or the offer to sell or the sale is made and accepted in this
4 state.

5 6. *Investment advice and misrepresentations.* Sections
6 Section 502.403, subsection 1, section 502.404, subsection 1,
7 section 502.405, subsection 1, and sections 502.502, 502.505,
8 and 502.506 apply to a person if the person engages in an act,
9 practice, or course of business instrumental in effecting
10 prohibited or actionable conduct in this state, whether or not
11 either party is then present in this state.

12 Sec. 119. Section 507A.7, subsection 2, Code 2013, is
13 amended to read as follows:

14 2. The court in any action, suit, or proceeding in which
15 service is made as provided in section 507A.6, subsections 2
16 and 3 ~~of section 507A.6~~, or the commissioner of insurance in
17 any administrative proceeding before the commissioner in which
18 service is made as provided in section 507A.6, subsections 2
19 and 3 ~~of section 507A.6~~, may in the court's or commissioner's
20 discretion, order such postponement as may be necessary to
21 afford the defendant reasonable opportunity to comply with the
22 provisions of subsection 1 of this section and to defend such
23 action.

24 Sec. 120. Section 507C.28, subsection 1, paragraph b,
25 subparagraph (4), Code 2013, is amended to read as follows:

26 (4) The creditor receiving the transfer was an officer,
27 or an employee, attorney or other person who was in fact in a
28 position of comparable influence in the insurer to an officer
29 whether or not the person held the position of an officer, or a
30 shareholder directly or indirectly holding more than five ~~per~~
31 ~~centum~~ percent of a class of an equity security issued by the
32 insurer, or other person, firm, corporation, association, or
33 aggregation of persons with whom the insurer did not deal at
34 arm's length.

35 Sec. 121. Section 508.36, subsection 4, Code 2013, is

1 amended to read as follows:

2 4. *Computation for minimum standards for annuities.*

3 a. Except as provided in subsection 5, the minimum
4 standard for the valuation of all individual annuity and pure
5 endowment contracts issued on or after the operative date of
6 this subsection, and for all annuities and pure endowments
7 purchased on or after the operative date of this subsection
8 under group annuity and pure endowment contracts, shall be the
9 commissioner's reserve valuation methods defined in subsections
10 6 and 7, and the following tables and interest rates:

11 ~~a.~~ (1) For individual annuity and pure endowment contracts
12 issued prior to January 1, 1980, excluding any disability
13 and accidental death benefits in such contracts, both of the
14 following:

15 ~~(1)~~ (a) The 1971 individual annuity mortality table, or any
16 modification of this table approved by the commissioner.

17 ~~(2)~~ (b) Six percent interest for single premium immediate
18 annuity contracts, and four percent interest for all other
19 individual annuity and pure endowment contracts.

20 ~~b.~~ (2) For individual single premium immediate annuity
21 contracts issued on or after January 1, 1980, excluding any
22 disability and accidental death benefits in such contracts,
23 both of the following:

24 ~~(1)~~ (a) One of the following tables:

25 ~~(a)~~ (i) The 1971 individual annuity mortality table.

26 ~~(b)~~ (ii) An individual annuity mortality table,
27 adopted after 1980 by the national association of insurance
28 commissioners and approved by rule adopted by the commissioner
29 for use in determining the minimum standard of valuation for
30 such contracts.

31 ~~(c)~~ (iii) A modification of the tables identified in
32 subparagraph ~~divisions~~ (a) subdivisions (i) and (b) (ii)
33 approved by the commissioner.

34 ~~(2)~~ (b) Seven and one-half percent interest.

35 ~~c.~~ (3) For individual annuity and pure endowment contracts

1 issued on or after January 1, 1980, other than single premium
2 immediate annuity contracts, excluding any disability and
3 accidental death benefits in such contracts, both of the
4 following:

5 ~~(1)~~ (a) One of the following tables:

6 ~~(a)~~ (i) The 1971 individual annuity mortality table.

7 ~~(b)~~ (ii) An individual annuity mortality table adopted
8 after 1980 by the national association of insurance
9 commissioners and approved by rule adopted by the commissioner
10 for use in determining the minimum standard of valuation for
11 such contracts.

12 ~~(c)~~ (iii) A modification of the tables identified in
13 subparagraph ~~divisions~~ subdivisions (i) and ~~(b)~~ (ii)
14 approved by the commissioner.

15 ~~(2)~~ (b) Five and one-half percent interest for single
16 premium deferred annuity and pure endowment contracts and four
17 and one-half percent interest for all other such individual
18 annuity and pure endowment contracts.

19 ~~d.~~ (4) For all annuities and pure endowments purchased
20 prior to January 1, 1980, under group annuity and pure
21 endowment contracts, excluding any disability and accidental
22 death benefits purchased under such contracts, both of the
23 following:

24 ~~(1)~~ (a) The 1971 group annuity mortality table or any
25 modification of this table approved by the commissioner.

26 ~~(2)~~ (b) Six percent interest.

27 ~~e.~~ (5) For all annuities and pure endowments purchased
28 on or after January 1, 1980, under group annuity and pure
29 endowment contracts, excluding any disability and accidental
30 death benefits purchased under such contracts, both of the
31 following:

32 ~~(1)~~ (a) One of the following tables:

33 ~~(a)~~ (i) The 1971 group annuity mortality table.

34 ~~(b)~~ (ii) A group annuity mortality table adopted after
35 1980 by the national association of insurance commissioners

1 and approved by rule adopted by the commissioner for use
2 in determining the minimum standard of valuation for such
3 annuities and pure endowments.

4 ~~(c)~~ (iii) A modification of the tables identified in
5 subparagraph ~~divisions~~ (a) subdivisions (i) and (b) (ii)
6 approved by the commissioner.

7 ~~(2)~~ (b) Seven and one-half percent interest.

8 b. After July 1, 1973, a company may file with the
9 commissioner a written notice of its election to comply with
10 the provisions of this subsection after a specified date before
11 January 1, 1979, which shall be the operative date of this
12 section for such company, provided, if a company makes no
13 election, the effective date of this section for a company is
14 January 1, 1979.

15 Sec. 122. Section 508.36, subsection 5, paragraph c,
16 subparagraph (1), subparagraph division (a), Code 2013, is
17 amended to read as follows:

18 (a) (i) Weighting Factors for Life Insurance:

19 Guarantee Duration (Years)	Weighting Factors
20 10 or less	.50
21 More than 10,	
22 but not more than 20	.45
23 More than 20	.35

24 (ii) For life insurance, the guarantee duration is the
25 maximum number of years the life insurance can remain in force
26 on a basis guaranteed in the policy or under options to convert
27 to plans of life insurance with premium rates or nonforfeiture
28 values or both which are guaranteed in the original policy.

29 Sec. 123. Section 508.36, subsection 5, paragraph c,
30 subparagraph (1), subparagraph division (c), subparagraph
31 subdivision (vi), Code 2013, is amended to read as follows:

32 (vi) A company may elect to value guaranteed interest
33 contracts with cash settlement options and annuities with
34 cash settlement options on either an issue-year basis or on
35 a change-in-fund basis. Guaranteed interest contracts with

1 no cash settlement options and other annuities with no cash
2 settlement options must be valued on an issue-year basis.

3 (2) As used in this section, an issue-year basis of
4 valuation refers to a valuation basis under which the interest
5 rate used to determine the minimum valuation standard for the
6 entire duration of the annuity or guaranteed interest contract
7 is the calendar year valuation interest rate for the year of
8 issue or year of purchase of the annuity or guaranteed interest
9 contract, and the change-in-fund basis of valuation refers to a
10 valuation basis under which the interest rate used to determine
11 the minimum valuation standard applicable to each change in the
12 fund held under the annuity or guaranteed interest contract is
13 the calendar year valuation interest rate for the year of the
14 change in the fund.

15 Sec. 124. Section 508.36, subsection 6, paragraph b, Code
16 2013, is amended to read as follows:

17 b. (1) However, for a life insurance policy issued on or
18 after January 1, 1998, for which the contract premium in the
19 first policy year exceeds that of the second year and for which
20 no comparable additional benefit is provided in the first year
21 for such additional premium and which provides an endowment
22 benefit or a cash surrender value or a combination of such
23 benefit or value in an amount greater than the additional
24 premium, the reserve according to the commissioner's reserve
25 valuation method as of any policy anniversary occurring on or
26 before the assumed ending date defined as the first policy
27 anniversary on which the sum of any endowment benefit and
28 any cash surrender value then available is greater than such
29 additional premium shall be, except as otherwise provided in
30 subsection 10, the greater of the reserve as of such policy
31 anniversary calculated as described in paragraph "a" and the
32 reserve as of such policy anniversary calculated as described
33 in paragraph "a", but with the following modifications:

34 ~~(1)~~ (a) The value defined in paragraph "a" being reduced
35 by fifteen percent of the amount of such excess first year

1 premium.

2 ~~(2)~~ (b) All present values of benefits and premiums being
3 determined without reference to premiums or benefits provided
4 for by the policy after the assumed ending date.

5 ~~(3)~~ (c) The policy being assumed to mature on such date as
6 an endowment.

7 ~~(4)~~ (d) The cash surrender value provided on such date
8 being considered as an endowment benefit.

9 (2) In making the above comparison the mortality and
10 interest bases stated in subsections 4 and 5 shall be used.

11 Sec. 125. Section 510.5, subsection 1, paragraph e, Code
12 2013, is amended to read as follows:

13 e. Appropriate underwriting guidelines including but not
14 limited to the following:

15 (1) The maximum annual premium volume.

16 (2) The basis of the rates to be charged.

17 (3) The types of risks which may be written.

18 (4) Maximum limits of liability.

19 (5) Applicable exclusions.

20 (6) Territorial limitations.

21 (7) Policy cancellation provisions.

22 (8) The maximum length or duration of the policy period.

23 f. The insurer may cancel or refuse to renew any policy
24 of insurance produced or underwritten by a managing general
25 agent, subject to the applicable laws and rules concerning the
26 cancellation and nonrenewal of insurance policies.

27 Sec. 126. Section 511.8, subsection 22, paragraph a,
28 subparagraph (4), Code 2013, is amended to read as follows:

29 (4) "*United States government-sponsored enterprise*" means the
30 federal national mortgage corporation under 12 U.S.C. § 1716 -
31 ~~23i~~ 1723i of the National Housing Act and the federal home loan
32 marketing association under the Federal Home Loan Mortgage Act,
33 12 U.S.C. § 1451 - ~~59~~ 1459.

34 Sec. 127. Section 515.13, Code 2013, is amended to read as
35 follows:

1 **515.13 Reservation.**

2 None of the provisions of ~~subsection 5~~ of section 515.12,
3 subsection 5, shall apply to any company heretofore organized
4 and approved by the commissioner of insurance, but which had
5 not completed its organization on May 28, 1937, nor shall ~~said~~
6 section 515.12, subsection 5, apply to any company already
7 licensed to issue policies.

8 Sec. 128. Section 518C.7, subsection 4, Code 2013, is
9 amended to read as follows:

10 4. The plan of operation may delegate any or all duties and
11 powers of the association, except those under section 518C.6,
12 subsection 1, paragraph "c", and section 518C.6, subsection
13 2, paragraph "c", to a person with the approval of both the
14 board of directors and the commissioner. Such delegation
15 shall only be made to a person extending protection which
16 is not substantially less favorable and effective than that
17 provided by this chapter. Such person shall be reimbursed as a
18 servicing facility and shall be paid for the performance of any
19 other functions of the association.

20 Sec. 129. Section 524.544, subsection 3, Code 2013, is
21 amended to read as follows:

22 3. The reports required by subsections 1 and 2 of this
23 section shall contain information, ~~(to the extent known by~~
24 ~~the person making the report)~~, relative to the number of
25 shares involved, the names of the sellers and purchasers ~~(or~~
26 ~~transferors and transferees)~~, the purchase price, the name of
27 the borrower, the amount, source, and terms of the loan, or
28 other transaction, the name of the bank issuing the shares used
29 as security, and the number of shares used as security.

30 Sec. 130. Section 524.904, subsection 5, paragraph b,
31 subparagraphs (2) through (4), Code 2013, are amended to read
32 as follows:

33 (2) One or more persons ~~owns~~ own or ~~controls~~ control
34 fifty percent or more of the voting securities or membership
35 interests of the borrowing entity or a member of the group.

1 (3) One or more persons ~~controls~~ control, in any manner, the
2 election of a majority of the directors, managers, trustees,
3 or other persons exercising similar functions of the borrowing
4 entity or a member of the group.

5 (4) One or more persons ~~has~~ have the power to vote fifty
6 percent or more of any class of voting securities or membership
7 interests of the borrowing entity or a member of the group.

8 Sec. 131. Section 524.904, subsection 7, paragraph g, Code
9 2013, is amended to read as follows:

10 *g.* Loans and extensions of credit to a federal reserve
11 bank or to the United States, or of any department, bureau,
12 board, commission, agency, or establishment of the United
13 States, or to any corporation owned directly or indirectly by
14 the United States, or loans and extensions of credit to one
15 borrower to the extent that such loans and extensions of credit
16 are fully secured or guaranteed or covered by unconditional
17 commitments or agreements to purchase by a federal reserve bank
18 or by the United States, or any department, bureau, board,
19 commission, agency, or establishment of the United States, or
20 any corporation owned directly or indirectly by the United
21 States. Loans and extensions of credit to one borrower secured
22 by a lease on property under the terms of which the United
23 States, or any department, bureau, board, commission, agency,
24 or establishment of the United States, or any corporation owned
25 directly or indirectly by the United States, or the state of
26 Iowa, or any political subdivision of the state, is lessee and
27 under the terms of which the aggregate rentals payable to the
28 borrower will be sufficient to satisfy the amount loaned ~~is~~
29 are considered to be loans and extensions of credit secured or
30 guaranteed as provided for in this paragraph.

31 Sec. 132. Section 524.1411, subsection 5, Code 2013, is
32 amended to read as follows:

33 5. The provisions required in the articles of incorporation
34 by section 524.302, subsection 1, paragraphs "c" and "d", and
35 section 524.302, subsection 2, paragraph "b".

1 Sec. 133. Section 535B.1, subsection 11, Code 2013, is
2 amended to read as follows:

3 11. *“Real estate closing services”* means the administrative
4 and clerical services required to carry out the conveyance or
5 transfer of real estate or an interest in real estate located
6 in this state to a purchaser or lender. *“Real estate closing
7 services”* ~~include~~ includes but ~~are~~ is not limited to preparing
8 settlement statements, determining that all closing documents
9 conform to the parties’ contract requirements, ascertaining
10 that the lender’s instructions have been satisfied, conducting
11 a closing conference, receiving and disbursing funds, and
12 completing form documents and instruments selected by and in
13 accordance with instructions of the parties to the transaction.
14 *“Real estate closing services”* ~~do~~ does not include performing
15 solely notarial acts as provided in chapter 9B.

16 Sec. 134. Section 536.13, subsection 7, paragraph c, Code
17 2013, is amended to read as follows:

18 c. ~~Article Chapter 537, article 2, parts 3, 5, and 6 of~~
19 ~~chapter 537, and chapter 537, article 3 of chapter 537, and~~
20 sections 537.3203, 537.3206, 537.3209, 537.3304, 537.3305,
21 and 537.3306, apply to any credit transaction, as defined in
22 section 537.1301, in which a licensee participates or engages,
23 and any violation of those parts or sections is a violation of
24 this chapter. For the purpose of applying the Iowa consumer
25 credit code, chapter 537, to those credit transactions,
26 *“consumer loan”* includes a loan for a business purpose.

27 Sec. 135. Section 536A.31, subsection 2, Code 2013, is
28 amended to read as follows:

29 2. ~~Article Chapter 537, article 2, parts 3, 5, and 6,~~
30 ~~and chapter 537, article 3, and sections 537.3203, 537.3206,~~
31 537.3209, 537.3210, 537.3304, 537.3305 and 537.3306 shall apply
32 to any credit transaction, as defined in section 537.1301, in
33 which a licensee participates or engages, and any violation of
34 those parts or sections shall be violations of this chapter.
35 For the purpose of applying the provisions of the Iowa consumer

1 credit code, chapter 537, to those credit transactions,
2 "*consumer loan*" shall include a loan for a business purpose.

3 Sec. 136. Section 542B.35, subsection 2, paragraph c, Code
4 2013, is amended to read as follows:

5 ~~e.~~ 3. A person who completes the real property inspection
6 report shall not claim to be a licensed professional land
7 surveyor or a licensed professional engineer for purposes of
8 the report.

9 Sec. 137. Section 543B.5, subsection 15, Code 2013, is
10 amended to read as follows:

11 15. a. "*Material adverse fact*" means an adverse fact
12 that a party indicates is of such significance, or that is
13 generally recognized by a competent licensee as being of
14 such significance to a reasonable party, that it affects or
15 would affect the party's decision to enter into a contract
16 or agreement concerning a transaction, or affects or would
17 affect the party's decision about the terms of the contract or
18 agreement.

19 b. For purposes of this subsection, "*adverse fact*" means
20 a condition or occurrence that is generally recognized by a
21 competent licensee as resulting in any of the following:

22 ~~a.~~ (1) Significantly and adversely affecting the value of
23 the property.

24 ~~b.~~ (2) Significantly reducing the structural integrity of
25 improvement to real estate.

26 ~~c.~~ (3) Presenting a significant health risk to occupants of
27 the property.

28 Sec. 138. Section 543B.29, subsection 3, Code 2013, is
29 amended to read as follows:

30 3. A real estate broker or salesperson who is an owner or
31 lessor of property or an employee of an owner or lessor may
32 have the broker's or salesperson's license revoked or suspended
33 for violations of this section or section 543B.34, except
34 section 543B.34, subsection 1, paragraphs "*d*", "*e*", "*f*", and
35 "*i*", with respect to that property.

1 Sec. 139. Section 543B.46, subsection 1, Code 2013, is
2 amended to read as follows:

3 1. Each real estate broker shall maintain a common trust
4 account in a bank, a savings association, or credit union for
5 the deposit of all down payments, earnest money deposits,
6 or other trust funds received by the broker or the broker's
7 salespersons on behalf of the broker's principal, except that a
8 broker acting as a salesperson shall deposit these funds in the
9 common trust account of the broker for whom the broker acts as
10 salesperson. The account shall be an interest-bearing account.
11 The interest on the account shall be transferred quarterly to
12 the treasurer of state and transferred to the Iowa finance
13 authority for deposit in the housing trust fund established in
14 section 16.181 unless there is a written agreement between the
15 buyer and seller to the contrary. The broker shall not benefit
16 from interest received on funds of others in the broker's
17 possession.

18 Sec. 140. Section 551.10, Code 2013, is amended to read as
19 follows:

20 **551.10 Cumulative remedies.**

21 Nothing in this chapter shall be construed as repealing any
22 other Act, or part of an Act, but the remedies herein provided
23 shall be cumulative to all other remedies provided by law.

24 Sec. 141. Section 554.2311, subsection 2, Code 2013, is
25 amended to read as follows:

26 2. Unless otherwise agreed specifications relating to
27 assortment of the goods are at the buyer's option and except as
28 otherwise provided in subsections section 554.2319, subsection
29 1, paragraph "c" and section 554.2319, subsection 3 of section
30 554.2319 specifications or arrangements relating to shipment
31 are at the seller's option.

32 Sec. 142. Section 554.2319, subsection 1, paragraph c, Code
33 2013, is amended to read as follows:

34 c. when under either paragraph "a" or "b" the term is
35 also F.O.B. vessel, car or other vehicle, the seller must in

1 addition at the seller's own expense and risk load the goods
2 on board. If the term is F.O.B. vessel the buyer must name the
3 vessel and in an appropriate case the seller must comply with
4 the provisions of this Article on the form of bill of lading
5 (section 554.2323).

6 Sec. 143. Section 554.2319, subsection 3, Code 2013, is
7 amended to read as follows:

8 3. Unless otherwise agreed in any case falling within
9 subsection 1, paragraph "a" or "c" or subsection 2 the buyer
10 must seasonably give any needed instructions for making
11 delivery, including when the term is F.A.S. or F.O.B. the
12 loading berth of the vessel and in an appropriate case its name
13 and sailing date. The seller may treat the failure of needed
14 instructions as a failure of cooperation under this Article
15 (section 554.2311). The seller may also at the seller's option
16 move the goods in any reasonable manner preparatory to delivery
17 or shipment.

18 Sec. 144. Section 554.3202, subsection 1, Code 2013, is
19 amended to read as follows:

20 1. Negotiation is effective even if obtained ~~(i)~~ from an
21 infant, a corporation exceeding its powers, or a person without
22 capacity, ~~(ii)~~; by fraud, duress, or mistake, ~~(iii)~~ in
23 breach of duty or as part of an illegal transaction.

24 Sec. 145. Section 554.3305, subsection 1, paragraph a, Code
25 2013, is amended to read as follows:

26 a. a defense of the obligor based on ~~(i)~~ infancy of the
27 obligor to the extent it is a defense to a simple contract,
28 ~~(ii)~~; duress, lack of legal capacity, or illegality of the
29 transaction which, under other law, nullifies the obligation of
30 the obligor, ~~(iii)~~; fraud that induced the obligor to sign the
31 instrument with neither knowledge nor reasonable opportunity
32 to learn of its character or its essential terms, ~~(iv)~~
33 discharge of the obligor in insolvency proceedings;

34 Sec. 146. Section 554.3311, subsections 1 and 3, Code 2013,
35 are amended to read as follows:

1 1. If a person against whom a claim is asserted proves that
2 ~~(i)~~ that person in good faith tendered an instrument to the
3 claimant as full satisfaction of the claim, ~~(ii)~~ the amount of
4 the claim was unliquidated or subject to a bona fide dispute,
5 and ~~(iii)~~ the claimant obtained payment of the instrument, the
6 following subsections apply.

7 3. Subject to subsection 4, a claim is not discharged under
8 subsection 2 if either of the following applies:

9 a. The claimant, if an organization, proves that ~~(i)~~:

10 (1) within a reasonable time before the tender, the claimant
11 sent a conspicuous statement to the person against whom the
12 claim is asserted that communications concerning disputed
13 debts, including an instrument tendered as full satisfaction
14 of a debt, are to be sent to a designated person, office, or
15 place; and ~~(ii)~~

16 (2) the instrument or accompanying communication was not
17 received by that designated person, office, or place.

18 b. The claimant, whether or not an organization, proves
19 that within ninety days after payment of the instrument, the
20 claimant tendered repayment of the amount of the instrument to
21 the person against whom the claim is asserted. This paragraph
22 does not apply if the claimant is an organization that sent a
23 statement complying with paragraph "a", ~~part (i)~~ subparagraph
24 (1).

25 Sec. 147. Section 554.3312, subsection 1, paragraph c, Code
26 2013, is amended to read as follows:

27 c. "Declaration of loss" means a written statement, made
28 under penalty of perjury, to the effect that ~~(i)~~ the declarer
29 lost possession of a check, ~~(ii)~~; the declarer is the drawer
30 or payee of the check, in the case of a certified check, or
31 the remitter or payee of the check, in the case of a cashier's
32 check or teller's check, ~~(iii)~~; the loss of possession was not
33 the result of a transfer by the declarer or a lawful seizure; ~~(iv)~~
34 and ~~(iv)~~ the declarer cannot reasonably obtain possession of
35 the check because the check was destroyed, its whereabouts

1 cannot be determined, or it is in the wrongful possession of
2 an unknown person or a person that cannot be found or is not
3 amenable to service of process.

4 Sec. 148. Section 554.3405, subsection 1, paragraphs b and
5 c, Code 2013, are amended to read as follows:

6 *b.* "*Fraudulent endorsement*" means ~~(i)~~ one of the following:

7 (1) in the case of an instrument payable to the employer, a
8 forged endorsement purporting to be that of the employer, ~~or~~
9 ~~(ii);~~

10 (2) in the case of an instrument with respect to which the
11 employer is the issuer, a forged endorsement purporting to be
12 that of the person identified as payee.

13 *c.* "*Responsibility*" with respect to instruments means
14 authority ~~(i)~~ to sign or endorse instruments on behalf of the
15 employer, ~~(ii);~~ to process instruments received by the employer
16 for bookkeeping purposes, for deposit to an account, or for
17 other disposition, ~~(iii);~~ to prepare or process instruments for
18 issue in the name of the employer, ~~(iv);~~ to supply information
19 determining the names or addresses of payees of instruments
20 to be issued in the name of the employer, ~~(v);~~ to control the
21 disposition of instruments to be issued in the name of the
22 employer, ~~;~~ or ~~(vi)~~ to act otherwise with respect to instruments
23 in a responsible capacity. "*Responsibility*" does not include
24 authority that merely allows an employee to have access to
25 instruments or blank or incomplete instrument forms that are
26 being stored or transported or are part of incoming or outgoing
27 mail, or similar access.

28 Sec. 149. Section 554.3501, subsection 1, Code 2013, is
29 amended to read as follows:

30 1. "*Presentment*" means a demand made by or on behalf of a
31 person entitled to enforce an instrument ~~(i):~~

32 a. to pay the instrument made to the drawee or a party
33 obliged to pay the instrument or, in the case of a note or
34 accepted draft payable at a bank, to the bank, ~~;~~ or ~~(ii)~~

35 b. to accept a draft made to the drawee.

1 Sec. 150. Section 554.3501, subsection 2, paragraphs b and
2 c, Code 2013, are amended to read as follows:

3 *b.* Upon demand of the person to whom presentment is made,
4 the person making presentment must ~~(i)~~ exhibit the instrument,
5 ~~(ii)~~; give reasonable identification and, if presentment is
6 made on behalf of another person, reasonable evidence of
7 authority to do so~~i~~; and ~~(iii)~~ sign a receipt on the instrument
8 for any payment made or surrender the instrument if full
9 payment is made.

10 *c.* Without dishonoring the instrument, the party to whom
11 presentment is made may ~~(i)~~ return the instrument for lack of
12 a necessary endorsement, or ~~(ii)~~ refuse payment or acceptance
13 for failure of the presentment to comply with the terms of the
14 instrument, an agreement of the parties, or other applicable
15 law or rule.

16 Sec. 151. Section 554.3604, subsection 1, Code 2013, is
17 amended to read as follows:

18 1. A person entitled to enforce an instrument, with or
19 without consideration, may discharge the obligation of a party
20 to pay the instrument ~~(i)~~ by an intentional voluntary act,
21 such as surrender of the instrument to the party, destruction,
22 mutilation, or cancellation of the instrument, cancellation or
23 striking out of the party's signature, or the addition of words
24 to the instrument indicating discharge~~r~~; or ~~(ii)~~ by agreeing
25 not to sue or otherwise renouncing rights against the party by
26 a signed writing.

27 Sec. 152. Section 554.3605, subsections 5, 7, and 9, Code
28 2013, are amended to read as follows:

29 5. If the obligation of a party to pay an instrument is
30 secured by an interest in collateral and a person entitled to
31 enforce the instrument impairs the value of the interest in
32 collateral, the obligation of an endorser or accommodation
33 party having a right of recourse against the obligor is
34 discharged to the extent of the impairment. The value of an
35 interest in collateral is impaired to the extent ~~(i)~~ the value

1 of the interest is reduced to an amount less than the amount of
2 the right of recourse of the party asserting discharge, or ~~(ii)~~
3 the reduction in value of the interest causes an increase in
4 the amount by which the amount of the right of recourse exceeds
5 the value of the interest. The burden of proving impairment is
6 on the party asserting discharge.

7 7. Under subsection 5 or 6, impairing value of an interest
8 in collateral includes ~~(i)~~ failure to obtain or maintain
9 perfection or recordation of the interest in collateral, ~~(ii)~~;
10 release of collateral without substitution of collateral of
11 equal value, ~~(iii)~~; failure to perform a duty to preserve the
12 value of collateral owed, under Article 9 or other law, to
13 a debtor or surety or other person secondarily liable, ~~i~~; or
14 ~~(iv)~~ failure to comply with applicable law in disposing of
15 collateral.

16 9. A party is not discharged under this section if ~~(i)~~ the
17 party asserting discharge consents to the event or conduct
18 that is the basis of the discharge, or ~~(ii)~~ the instrument
19 or a separate agreement of the party provides for waiver of
20 discharge under this section either specifically or by general
21 language indicating that parties waive defenses based on
22 suretyship or impairment of collateral.

23 Sec. 153. Section 554.9102, subsection 1, paragraphs b,
24 k, z, ar, au, be, and bg, Code 2013, are amended to read as
25 follows:

26 *b.* "Account", except as used in "account for", means a right
27 to payment of a monetary obligation, whether or not earned by
28 performance, ~~(i)~~ for property that has been or is to be sold,
29 leased, licensed, assigned, or otherwise disposed of, ~~(ii)~~;
30 for services rendered or to be rendered, ~~(iii)~~; for a policy
31 of insurance issued or to be issued, ~~(iv)~~; for a secondary
32 obligation incurred or to be incurred, ~~(v)~~; for energy provided
33 or to be provided, ~~(vi)~~; for the use or hire of a vessel under
34 a charter or other contract, ~~(vii)~~; arising out of the use of a
35 credit or charge card or information contained on or for use

1 with the card~~;~~ or ~~(viii)~~ as winnings in a lottery or other
2 game of chance operated or sponsored by a state, governmental
3 unit of a state, or person licensed or authorized to operate
4 the game by a state or governmental unit of a state. The term
5 includes health care insurance receivables. The term does
6 not include ~~(i)~~ rights to payment evidenced by chattel paper
7 or an instrument, ~~(ii)~~ commercial tort claims, ~~(iii)~~ deposit
8 accounts, ~~(iv)~~ investment property, ~~(v)~~ letter-of-credit rights
9 or letters of credit, or ~~(vi)~~ rights to payment for money or
10 funds advanced or sold, other than rights arising out of the
11 use of a credit or charge card or information contained on or
12 for use with the card.

13 *k.* "*Chattel paper*" means a record or records that evidence
14 both a monetary obligation and a security interest in specific
15 goods, a security interest in specific goods and software used
16 in the goods, a security interest in specific goods and license
17 of software used in the goods, a lease of specific goods, or
18 a lease of specific goods and license of software used in
19 the goods. In this paragraph, "*monetary obligation*" means a
20 monetary obligation secured by the goods or owed under a lease
21 of the goods and includes a monetary obligation with respect
22 to software used in the goods. The term does not include ~~(i)~~
23 charters or other contracts involving the use or hire of a
24 vessel or ~~(ii)~~ records that evidence a right to payment arising
25 out of the use of a credit or charge card or information
26 contained on or for use with the card. If a transaction is
27 evidenced by records that include an instrument or series of
28 instruments, the group of records taken together constitutes
29 chattel paper.

30 *z.* "*Consumer transaction*" means a transaction in which ~~(i)~~
31 an individual incurs an obligation primarily for personal,
32 family, or household purposes~~;~~ ~~(ii)~~; a security interest
33 secures the obligation~~;~~ and ~~(iii)~~ the collateral is held or
34 acquired primarily for personal, family, or household purposes.
35 The term includes consumer-goods transactions.

1 *ar.* "Goods" means all things that are movable when a
2 security interest attaches. The term includes ~~(i)~~ fixtures,
3 ~~(ii)~~; standing timber that is to be cut and removed under a
4 conveyance or contract for sale, ~~(iii)~~; the unborn young of
5 animals, ~~(iv)~~; crops grown, growing, or to be grown, even if
6 the crops are produced on trees, vines, or bushes; and ~~(v)~~
7 manufactured homes. The term also includes a computer program
8 embedded in goods and any supporting information provided in
9 connection with a transaction relating to the program if ~~(i)~~
10 the program is associated with the goods in such a manner that
11 it customarily is considered part of the goods, or ~~(ii)~~ by
12 becoming the owner of the goods, a person acquires a right to
13 use the program in connection with the goods. The term does
14 not include a computer program embedded in goods that consist
15 solely of the medium in which the program is embedded. The
16 term also does not include accounts, chattel paper, commercial
17 tort claims, deposit accounts, documents, general intangibles,
18 instruments, investment property, letter-of-credit rights,
19 letters of credit, money, or oil, gas, or other minerals before
20 extraction.

21 *au.* "Instrument" means a negotiable instrument or any
22 other writing that evidences a right to the payment of a
23 monetary obligation, is not itself a security agreement or
24 lease, and is of a type that in ordinary course of business
25 is transferred by delivery with any necessary indorsement or
26 assignment. The term does not include ~~(i)~~ investment property,
27 ~~(ii)~~ letters of credit, or ~~(iii)~~ writings that evidence a right
28 to payment arising out of the use of a credit or charge card or
29 information contained on or for use with the card.

30 *be.* "New value" means ~~(i)~~ money, ~~(ii)~~; money's worth in
31 property, services, or new credit; or ~~(iii)~~ release by a
32 transferee of an interest in property previously transferred
33 to the transferee. The term does not include an obligation
34 substituted for another obligation.

35 *bg.* "Obligor" means a person that, with respect to an

1 obligation secured by a security interest in or an agricultural
2 lien on the collateral, ~~(i)~~ owes payment or other performance
3 of the obligation, ~~(ii)~~ has provided property other than the
4 collateral to secure payment or other performance of the
5 obligation, or ~~(iii)~~ is otherwise accountable in whole or in
6 part for payment or other performance of the obligation. The
7 term does not include issuers or nominated persons under a
8 letter of credit.

9 Sec. 154. Section 554.12507, subsection 3, Code 2013, is
10 amended to read as follows:

11 3. a. A funds-transfer system rule may select the law of a
12 particular jurisdiction to govern ~~(i)~~:

13 (1) the rights and obligations between participating banks
14 with respect to payment orders transmitted or processed through
15 the system, or ~~(ii)~~

16 (2) the rights and obligations of some or all parties to a
17 funds transfer any part of which is carried out by means of the
18 system.

19 b. A choice of law made pursuant to ~~elause (i) paragraph~~
20 "a", subparagraph (1), is binding on participating banks. A
21 choice of law made pursuant to ~~elause (ii) paragraph "a",~~
22 subparagraph (2), is binding on the originator, other sender,
23 or a receiving bank having notice that the funds-transfer
24 system might be used in the funds transfer and of the choice
25 of law by the system when the originator, other sender,
26 or receiving bank issued or accepted a payment order. The
27 beneficiary of a funds transfer is bound by the choice of law
28 if, when the funds transfer is initiated, the beneficiary has
29 notice that the funds-transfer system might be used in the
30 funds transfer and of the choice of law by the system. The
31 law of a jurisdiction selected pursuant to this subsection may
32 govern, whether or not that law bears a reasonable relation to
33 the matter in issue.

34 Sec. 155. Section 554.13103, subsection 1, paragraph g,
35 subparagraph (3), subparagraph division (d), Code 2013, is

1 amended to read as follows:

2 (d) if the lease is not a consumer lease, the lessor, before
3 the lessee signs the lease contract, informs the lessee in
4 writing ~~(i)~~ of the identity of the person supplying the goods
5 to the lessor, unless the lessee has selected that person
6 and directed the lessor to acquire the goods or the right to
7 possession and use of the goods from that person, ~~(ii)~~; i that
8 the lessee is entitled under this Article to the promises and
9 warranties, including those of any third party, provided to the
10 lessor by the person supplying the goods in connection with
11 or as part of the contract by which the lessor acquired the
12 goods or the right to possession and use of the goods, i and
13 ~~(iii)~~ that the lessee may communicate with the person supplying
14 the goods to the lessor and receive an accurate and complete
15 statement of those promises and warranties, including any
16 disclaimers and limitations of them or of remedies.

17 Sec. 156. Section 554.13209, subsection 2, Code 2013, is
18 amended to read as follows:

19 2. The extension of the benefit of a supplier's promises and
20 of warranties to the lessee under subsection 1 does not: ~~(i)~~
21 a. modify the rights and obligations of the parties to the
22 supply contract, whether arising therefrom or otherwise, or
23 ~~(ii)~~
24 b. impose any duty or liability under the supply contract
25 on the lessee.

26 Sec. 157. Section 554.13527, subsection 2, Code 2013, is
27 amended to read as follows:

28 2. Except as otherwise provided with respect to damages
29 liquidated in the lease agreement (section 554.13504) or
30 otherwise determined pursuant to agreement of the parties
31 (sections 554.1302 and 554.13503), if the disposition is by
32 lease agreement substantially similar to the original lease
33 agreement and the new lease agreement is made in good faith and
34 in a commercially reasonable manner, the lessor may recover
35 from the lessee as damages ~~(i)~~ accrued and unpaid rent as of

1 the date of the commencement of the term of the new lease
2 agreement, ~~(ii)~~; the present value, as of the same date, of the
3 total rent for the remaining lease term of the original lease
4 agreement minus the present value, as of the same date, of the
5 rent under the new lease agreement applicable to that period of
6 the new lease term which is comparable to the then remaining
7 term of the original lease agreement, ~~i~~; and ~~(iii)~~ any incidental
8 damages allowed under section 554.13530, less expenses saved in
9 consequence of the lessee's default.

10 Sec. 158. Section 554.13528, subsection 1, Code 2013, is
11 amended to read as follows:

12 1. Except as otherwise provided with respect to damages
13 liquidated in the lease agreement (section 554.13504) or
14 otherwise determined pursuant to agreement of the parties
15 (sections 554.1302 and 554.13503), if a lessor elects to retain
16 the goods or a lessor elects to dispose of the goods and the
17 disposition is by lease agreement that for any reason does not
18 qualify for treatment under section 554.13527, subsection 2, or
19 is by sale or otherwise, the lessor may recover from the lessee
20 as damages for a default of the type described in section
21 554.13523, subsection 1, or section 554.13523, subsection 3,
22 paragraph "a", or, if agreed, for other default of the lessee,
23 ~~(i)~~

24 a. accrued and unpaid rent as of the date of default if
25 the lessee has never taken possession of the goods, or, if the
26 lessee has taken possession of the goods, as of the date the
27 lessor repossesses the goods or an earlier date on which the
28 lessee makes a tender of the goods to the lessor, ~~(ii)~~

29 b. the present value as of the date determined under clause
30 ~~(i)~~ paragraph "a" of the total rent for the then remaining lease
31 term of the original lease agreement minus the present value as
32 of the same date of the market rent at the place where the goods
33 are located computed for the same lease term, and ~~(iii)~~

34 c. any incidental damages allowed under section 554.13530,
35 less expenses saved in consequence of the lessee's default.

1 Sec. 159. Section 554D.104, subsection 2, paragraph b, Code
2 2013, is amended to read as follows:

3 b. Chapter 554 other than chapter 554, articles 2 and 13,
4 and section 554.1306.

5 Sec. 160. Section 559.2, Code 2013, is amended to read as
6 follows:

7 **559.2 Definition — scope of power.**

8 The term "*power to appoint*" as used in section 559.1, shall
9 mean and include all powers which are in substance and effect
10 powers of appointment, regardless of the language used in
11 creating them and whether they are ~~(1) general~~:

12 1. General, special or otherwise, ~~(2) vested~~.

13 2. Vested, contingent or conditional, ~~(3) in~~.

14 3. In gross, appendant, simply collateral, in trust or in
15 the nature of a trust or otherwise, ~~(4) exercisable~~.

16 4. Exercisable by an instrument amending, revoking,
17 altering, or terminating a trust or an estate, or an interest
18 thereunder or otherwise, ~~(5) exercisable~~.

19 5. Exercisable presently or in the future, ~~(6) exercisable~~.

20 6. Exercisable in an individual or a fiduciary capacity
21 whether alone or in conjunction with one or more other persons
22 or corporations, ~~(7) powers~~.

23 7. Powers to invade or consume property, ~~or (8) powers~~.

24 8. Powers remaining after one or more partial releases have
25 heretofore or hereafter been made with respect to a power to
26 appoint.

27 Sec. 161. Section 559.6, Code 2013, is amended to read as
28 follows:

29 **559.6 Delivery.**

30 A release or disclaimer may be delivered to any of the
31 following: ~~(1)~~

32 1. Any person who could be adversely affected by the
33 exercise of the power; ~~or (2) any~~.

34 2. Any trustee of the property to which the power relates;
35 ~~or (3) any~~.

1 3. Any person specified for such purpose in the instrument
2 creating the power; ~~or (4) the.~~

3 4. The county recorder as provided in section 559.1.

4 Sec. 162. Section 600A.4, subsection 2, paragraph f, Code
5 2013, is amended to read as follows:

6 *f.* Shall be accompanied by a report which includes,
7 to the extent available, the complete family medical and
8 social history of the person to be adopted including any
9 known genetic, metabolic, or familial disorders and the
10 complete medical and developmental history of the person to
11 be adopted, and a social history of the minor child and the
12 minor child's family but which does not disclose the identity
13 of the biological parents of the person to be adopted. The
14 social history may include but is not limited to the minor
15 child's racial, ethnic, and religious background and a general
16 description of the minor child's biological parents and an
17 account of the minor child's prior and existing relationship
18 with any relative, foster parent, or other individual with whom
19 the minor child regularly lives or whom the child regularly
20 visits.

21 (1) A biological parent may also provide ongoing
22 information to the adoptive parents, as additional medical
23 or social history information becomes known, by providing
24 information to the clerk of court, the department of human
25 services, or the agency which made the placement, and may
26 provide the current address of the biological parent. The
27 clerk of court, the department of human services, or the agency
28 which made the placement shall transmit the information to the
29 adoptive parents if the address of the adoptive parents is
30 known.

31 (2) A person who furnishes a report required under this
32 paragraph "f" and the court shall not disclose any information
33 upon which the report is based except as otherwise provided
34 in this section and such a person is subject to the penalties
35 provided in section 600.16, as applicable. A person who is the

1 subject of any report may bring a civil action against a person
2 who discloses the information in violation of this section.

3 (3) Information provided under this paragraph "f" shall not
4 be used as evidence in any civil or criminal proceeding against
5 a person who is the subject of the information.

6 (4) The department shall prescribe forms designed to obtain
7 the family medical and social history and shall provide the
8 forms at no charge to any agency or person who executes a
9 release of custody of the minor child or who files a petition
10 for termination of parental rights. The existence of this
11 report does not limit a person's ability to petition the court
12 for release of records in accordance with other provisions of
13 law.

14 Sec. 163. Section 631.8, subsection 2, paragraph b, Code
15 2013, is amended to read as follows:

16 b. As to parties who have appeared or are existing parties,
17 either ~~(1)~~ order the small claim to be heard under this chapter
18 and the other claim to be tried by regular procedure or ~~(2)~~
19 order both claims to be tried by regular procedure.

20 Sec. 164. Section 633.224, Code 2013, is amended to read as
21 follows:

22 **633.224 Advancements — in general.**

23 When the owner of property transfers it as an advancement
24 to a person who would be an heir of such transferor were the
25 latter to die at that time, and the transferor dies intestate,
26 then the property thus advanced shall be counted toward the
27 share of the transferee in the estate, ~~{which for this purpose~~
28 ~~only shall be increased by the value of the advancement at~~
29 ~~the time the advancement was made}~~. The transferee shall
30 have no liability to the estate for such part, if any, of the
31 advancement as may be in excess of the transferee's share
32 in the estate as thus determined. Every gratuitous inter
33 vivos transfer is presumed to be an absolute gift, and not an
34 advancement. Such presumption is rebuttable.

35 Sec. 165. Section 633.352, Code 2013, is amended to read as

1 follows:

2 **633.352 Collection of rents and payment of taxes and charges.**

3 Unless otherwise provided by the will, the provisions of
4 chapter 637 that conflict with this division VII, part 3, shall
5 not apply to the allocation and distribution of estate income.

6 Sec. 166. Section 648.3, subsection 1, Code 2013, is amended
7 to read as follows:

8 1. Before action can be brought under any ground specified
9 in section 648.1, except section 648.1, subsection 1, three
10 days' notice to quit must be given to the defendant in writing.
11 However, a landlord who has given a tenant three days' notice
12 to pay rent and has terminated the tenancy as provided in
13 section 562A.27, subsection 2, or section 562B.25, subsection
14 2, if the tenant is renting the manufactured or mobile home or
15 the land from the landlord, may commence the action without
16 giving a three-day notice to quit.

17 Sec. 167. Section 724.10, subsection 2, Code 2013, is
18 amended to read as follows:

19 2. The issuing officer, upon receipt of an initial or
20 renewal application under this section, shall immediately
21 conduct a background check concerning each applicant by
22 obtaining criminal history data from the department of public
23 safety which shall include an inquiry of the national instant
24 criminal background check system maintained by the federal
25 bureau of investigation or any successor agency.

26 Sec. 168. Section 724.17, Code 2013, is amended to read as
27 follows:

28 **724.17 Application for annual permit to acquire — criminal**
29 **history check required.**

30 The application for an annual permit to acquire pistols
31 or revolvers may be made to the sheriff of the county of
32 the applicant's residence and shall be on a form prescribed
33 and published by the commissioner of public safety. The
34 application shall require only the full name of the applicant,
35 the driver's license or nonoperator's identification card

1 number of the applicant, the residence of the applicant,
2 and the date and place of birth of the applicant. The
3 applicant shall also display an identification card that
4 bears a distinguishing number assigned to the cardholder, the
5 full name, date of birth, sex, residence address, and brief
6 description and colored photograph of the cardholder, or other
7 identification as specified by rule of the department of public
8 safety. The sheriff shall conduct a criminal history check
9 concerning each applicant by obtaining criminal history data
10 from the department of public safety which shall include an
11 inquiry of the national instant criminal background check
12 system maintained by the federal bureau of investigation or any
13 successor agency. A person who makes what the person knows
14 to be a false statement of material fact on an application
15 submitted under this section or who submits what the person
16 knows to be any materially falsified or forged documentation in
17 connection with such an application commits a class "D" felony.

18 Sec. 169. Section 805.6, subsection 3, paragraph a, Code
19 2013, is amended to read as follows:

20 a. (1) The uniform citation and complaint shall contain
21 spaces for the following:

22 (a) The parties' names; ~~the~~.

23 (b) The address of the alleged offender; ~~the~~.

24 (c) The registration number of the offender's vehicle; ~~the~~.

25 (d) The information required by section 805.2; ~~a~~.

26 (e) A warning which states:

27 "I hereby swear and affirm that the information provided by
28 me on this citation is true under penalty of providing false
29 information"; ~~and a information.~~

30 (f) A statement that providing false identification
31 information is a violation of section 719.1A; ~~a~~.

32 (g) A list of the scheduled fines prescribed by sections
33 805.8A, 805.8B, and 805.8C, either separately or by group, and
34 a statement of the court costs payable in scheduled violation
35 cases, whether or not a court appearance is required or is

1 demanded;~~a.~~

2 (h) A brief explanation of sections 805.9 and 805.10;~~and a.~~

3 (i) A space where the defendant may sign an admission of the
4 violation when permitted by section 805.9;~~and the.~~

5 (2) The uniform citation and complaint shall require that
6 the defendant appear before a court at a specified time and
7 place.

8 (3) The uniform citation and complaint also may contain a
9 space for the imprint of a credit card, and may contain any
10 other information which the commissioner of public safety, the
11 director of transportation, and the director of the department
12 of natural resources may determine.

13 Sec. 170. Section 805.8B, subsection 2, paragraph b,
14 subparagraph (3), Code 2013, is amended to read as follows:

15 (3) For operating violations under section 321G.13,
16 subsection 1, paragraphs "a", "b", "e", "f", "g", "h", and "i",
17 and section 321G.13, subsections 2 and 3, the scheduled fine
18 is one hundred dollars.

19 Sec. 171. Section 805.8B, subsection 2A, paragraph b,
20 subparagraph (3), Code 2013, is amended to read as follows:

21 (3) For operating violations under section 321I.14,
22 subsection 1, paragraphs "a", "e", "f", "g", and "h", and
23 section 321I.14, subsections 2, 3, 4, and 5, the scheduled fine
24 is one hundred dollars.

25 Sec. 172. Section 809A.3, Code 2013, is amended to read as
26 follows:

27 **809A.3 Conduct giving rise to forfeiture.**

28 1. The following conduct may give rise to forfeiture:

29 ~~1-~~ a. An act or omission which is a public offense and
30 which is a serious or aggravated misdemeanor or felony.

31 ~~2-~~ b. An act or omission occurring outside of this state,
32 that would be punishable by confinement of one year or more in
33 the place of occurrence and would be a serious or aggravated
34 misdemeanor or felony if the act or omission occurred in this
35 state.

1 ~~3.~~ c. An act or omission committed in furtherance of any
2 act or omission described in ~~subsection 1~~ paragraph "a", which
3 is a serious or aggravated misdemeanor or felony, including any
4 inchoate or preparatory offense.

5 ~~4.~~ 2. Notwithstanding ~~subsections~~ subsection 1 through
6 ~~3~~, violations of chapter 321 or 321J shall not be considered
7 conduct giving rise to forfeiture, except for violations of the
8 following:

9 a. Section 321.232.

10 b. A second or subsequent violation of section 321J.4B,
11 subsection 2, paragraph "a", subparagraph (2).

12 c. Section 321J.4B, subsection 9.

13 Sec. 173. Section 904.312, Code 2013, is amended to read as
14 follows:

15 **904.312 Purchase of supplies.**

16 1. The director shall adopt rules governing the purchase of
17 all articles and supplies needed at the various institutions
18 and the form and verification of vouchers for the purchases.
19 When purchases are made by sample, the sample shall be properly
20 marked and retained until after an award or delivery of the
21 items is made. The director may purchase supplies from any
22 institution under the director's control, for use in any other
23 institution, and reasonable reimbursement shall be made for
24 these purchases.

25 2. The director shall, whenever technically feasible,
26 purchase and use degradable loose foam packing material
27 manufactured from grain starches or other renewable resources,
28 unless the cost of the packing material is more than ten
29 percent greater than the cost of packing material made from
30 nonrenewable resources. For the purposes of this subsection,
31 "*packing material*" means material, other than an exterior
32 packing shell, that is used to stabilize, protect, cushion, or
33 brace the contents of a package.

34 Sec. 174. Section 915.82, subsection 1, Code 2013, is
35 amended to read as follows:

1 1. a. A crime victim assistance board is established, and
2 shall consist of the following members to be appointed pursuant
3 to rules adopted by the department:

4 ~~a.~~ (1) A county attorney or assistant county attorney.

5 ~~b.~~ (2) Two persons engaged full-time in law enforcement.

6 ~~c.~~ (3) A public defender or an attorney practicing
7 primarily in criminal defense.

8 ~~d.~~ (4) A hospital medical staff person involved with
9 emergency services.

10 ~~e.~~ (5) Two public members who have received victim
11 services.

12 ~~f.~~ (6) A victim service provider.

13 ~~g.~~ (7) A person licensed pursuant to chapter 154B or 154C.

14 ~~h.~~ (8) A person representing the elderly.

15 b. Board members shall be reimbursed for expenses actually
16 and necessarily incurred in the discharge of their duties.

17 DIVISION II

18 VOLUME VI RENUMBERING

19 Sec. 175. Section 556.2, subsection 5, Code 2013, is amended
20 to read as follows:

21 5. a. A banking organization or financial organization
22 shall send to the owner of each account, to which none of the
23 actions specified in subsection 2, paragraphs "a" through "e"
24 ~~of subsection 1~~ or subsection 2, paragraphs "a" through "e" ~~of~~
25 ~~subsection 2~~ have occurred during the preceding three calendar
26 years, a notice by certified mail stating in substance the
27 following:

28 According to our records, we have had no contact with you
29 regarding (describe account) for more than three years. Under
30 Iowa law, if there is a period of three years without contact,
31 we may be required to transfer this account to the custody of
32 the treasurer of state of Iowa as unclaimed property. You
33 may prevent this by taking some action, such as a deposit or
34 withdrawal, which indicates your interest in this account or by
35 signing this form and returning it to us.

1 I desire to keep the above account open and active.

2

3 Your signature

4 b. The notice required under this section shall be mailed
5 within thirty days of the lapse of the three-year period in
6 which there is no activity. The cost of the certified mail of
7 the notice required in this section may be deducted from the
8 account by the banking or financial organization.

9 Sec. 176. Section 557B.3, subsection 2, unnumbered
10 paragraphs 2, 3, 4, and 5, Code 2013, are amended to read as
11 follows:

12 3. The application shall be signed by the membership camping
13 operator or an officer or a general partner of the membership
14 camping operator, or by another person holding a power of
15 attorney for this purpose from the membership camping operator.
16 If the application is signed pursuant to a power of attorney,
17 a copy of the power of attorney must be included with the
18 application.

19 4. An application for registration shall be amended within
20 twenty-five days of any material change in the information
21 included in the application. A material change includes any
22 change which significantly reduces or terminates either the
23 applicant's or the purchaser's right to use the campground
24 or any of the facilities described in the membership camping
25 contract, but does not include minor changes covering the use
26 of the campground, its facilities, or the reciprocal program.

27 5. The registration of the membership camping operator
28 must be renewed annually by filing an application for renewal
29 with the required fee not later than thirty days prior to the
30 anniversary of the current registration. The application shall
31 include all changes which have occurred in the information
32 included in the application previously filed.

33 6. Registration with the attorney general does not
34 constitute approval or endorsement by the attorney general
35 of the membership camping operator, the membership camping

1 contract, or the campground, and any attempt by the membership
2 camping operator to indicate that registration constitutes such
3 approval or endorsement is unlawful.

4 Sec. 177. Section 557B.8, Code 2013, is amended to read as
5 follows:

6 **557B.8 Disclosures to purchasers.**

7 1. A membership camping operator who is subject to the
8 registration requirements of section 557B.3 shall provide a
9 disclosure statement to a purchaser or prospective purchaser
10 before the person signs a membership camping contract or gives
11 any money or thing of value for the purchase of a membership
12 camping contract.

13 ~~1.~~ 2. The front cover or first page of the disclosure
14 statement shall contain only the following, in the order
15 stated:

16 *a.* "MEMBERSHIP CAMPING OPERATOR'S DISCLOSURE STATEMENT"
17 printed at the top in boldface type of a minimum size of ten
18 points.

19 *b.* The name and principal business address of the membership
20 camping operator and any material affiliate of the membership
21 camping operator.

22 *c.* A statement that the membership camping operator is in
23 the business of offering for sale membership camping contracts.

24 *d.* A statement, printed in boldface type of a minimum size
25 of ten points, which reads as follows:

26 THIS DISCLOSURE STATEMENT CONTAINS IMPORTANT MATTERS TO BE
27 CONSIDERED IN THE EXECUTION OF A MEMBERSHIP CAMPING CONTRACT.
28 THE MEMBERSHIP CAMPING OPERATOR IS REQUIRED BY LAW TO DELIVER
29 TO YOU A COPY OF THIS DISCLOSURE STATEMENT BEFORE YOU EXECUTE
30 A MEMBERSHIP CAMPING CONTRACT. THE STATEMENTS CONTAINED IN
31 THIS DOCUMENT ARE ONLY SUMMARY IN NATURE. YOU AS A PROSPECTIVE
32 PURCHASER SHOULD REVIEW ALL REFERENCES, EXHIBITS, CONTRACT
33 DOCUMENTS, AND SALES MATERIALS. YOU SHOULD NOT RELY UPON ANY
34 ORAL REPRESENTATIONS AS BEING CORRECT. REFER TO THIS DOCUMENT
35 AND TO THE ACCOMPANYING EXHIBITS FOR CORRECT REPRESENTATIONS.

1 THE MEMBERSHIP CAMPING OPERATOR IS PROHIBITED FROM MAKING ANY
2 REPRESENTATIONS WHICH CONFLICT WITH THOSE CONTAINED IN THE
3 CONTRACT AND THIS DISCLOSURE STATEMENT.

4 *e.* A statement, printed in boldface type of a minimum size
5 of ten points, which reads as follows:

6 IF YOU EXECUTE A MEMBERSHIP CAMPING CONTRACT, YOU HAVE
7 THE UNQUALIFIED RIGHT TO CANCEL THE CONTRACT. THIS RIGHT OF
8 CANCELLATION CANNOT BE WAIVED. THE RIGHT TO CANCEL EXPIRES
9 AT MIDNIGHT ON THE THIRD BUSINESS DAY FOLLOWING THE DATE ON
10 WHICH THE CONTRACT WAS EXECUTED OR THE DATE OF RECEIPT OF
11 THIS DISCLOSURE STATEMENT, WHICHEVER EVENT OCCURS LATER. TO
12 CANCEL THE MEMBERSHIP CAMPING CONTRACT, YOU AS THE PURCHASER
13 MUST HAND DELIVER OR MAIL NOTICE OF YOUR INTENT TO CANCEL TO
14 THE MEMBERSHIP CAMPING OPERATOR AT THE ADDRESS SHOWN IN THE
15 MEMBERSHIP CAMPING CONTRACT, POSTAGE PREPAID. THE MEMBERSHIP
16 CAMPING OPERATOR IS REQUIRED BY LAW TO RETURN ALL MONEYS PAID
17 BY YOU IN CONNECTION WITH THE EXECUTION OF THE MEMBERSHIP
18 CAMPING CONTRACT, UPON YOUR PROPER AND TIMELY CANCELLATION OF
19 THE CONTRACT AND RETURN OF ALL MEMBERSHIP AND RECIPROCAL USE
20 PROGRAM MATERIALS FURNISHED AT THE TIME OF PURCHASE.

21 ~~2.~~ 3. The following pages of the disclosure statement shall
22 contain all of the following in the order stated:

23 *a.* The name, principal occupation, and address of every
24 director, partner, or controlling person of the membership
25 camping operator.

26 *b.* A brief description of the nature of the purchaser's
27 right or license to use the campground and the facilities which
28 are to be available for use by purchasers.

29 *c.* A brief description of the membership camping operator's
30 experience in the membership camping business, including the
31 length of time the operator has been in the membership camping
32 business.

33 *d.* The location of each of the campgrounds which is to be
34 available for use by purchasers and a brief description of the
35 facilities at each campground which are currently available for

1 use by purchasers. Facilities which are planned, incomplete,
2 or not yet available for use shall be clearly identified
3 as incomplete or unavailable. A brief description of any
4 facilities that are or will be available to nonpurchasers shall
5 also be provided. The description shall include, but need
6 not be limited to, the number of campsites in each park, the
7 number of campsites in each park with full or partial hookups,
8 swimming pools, tennis courts, recreation buildings, restrooms
9 and showers, laundry rooms, trading posts, and grocery stores.

10 *e.* The fees and charges that purchasers are or may
11 be required to pay for the use of the campground or any
12 facilities.

13 *f.* Any initial or special fee due from the purchaser,
14 together with a description of the purpose and method of
15 calculating the fee.

16 *g.* The extent to which financial arrangements, if any, have
17 been provided for the completion of facilities, together with
18 a statement of the membership camping operator's obligation
19 to complete planned facilities. The statement shall include
20 a description of any restrictions or limitations on the
21 membership camping operator's obligation to begin or to
22 complete the facilities.

23 *h.* The names of the managing entity, if any, and the
24 significant terms of any management contract, including but
25 not limited to, the circumstances under which the membership
26 camping operator may terminate the management contract.

27 *i.* A summary or copy, whether by way of supplement or
28 otherwise, of the rules, restrictions, or covenants regulating
29 the purchaser's use of the campground and the facilities
30 which are to be available for use by the purchaser, including
31 a statement of whether and how the rules, restrictions, or
32 covenants may be changed.

33 *j.* A brief description of the policies covering the
34 availability of camping sites, the availability of reservations
35 and the conditions under which they are made.

1 *k.* A brief description of any grounds for forfeiture of a
2 purchaser's membership camping contract.

3 *l.* A statement of whether the membership camping operator
4 has the right to withdraw permanently from use, all or any
5 portion of any campground devoted to membership camping and,
6 if so, the conditions under which the withdrawal is to be
7 permitted.

8 *m.* A statement describing the material terms and conditions
9 of any reciprocal program to be available to the purchaser,
10 including a statement concerning whether the purchaser's
11 participation in any reciprocal program is dependent on the
12 continued affiliation of the membership camping operator with
13 that reciprocal program and whether the membership camping
14 operator reserves the right to terminate such affiliation.

15 *n.* As to all memberships offered by the membership camping
16 operator at each campground, all of the following:

17 (1) The form of membership offered.

18 (2) The types of duration of membership along with a
19 summary of the major privileges, restrictions, and limitations
20 applicable to each type.

21 (3) Provisions that have been made for public utilities
22 at each campsite including water, electricity, telephone, and
23 sewage facilities.

24 *o.* A statement of the assistance, if any, that the
25 membership camping operator will provide to the purchaser in
26 the resale of membership camping contracts and a detailed
27 description of how any such resale program is operated.

28 *p.* The following statement, printed in boldface type of a
29 minimum size of ten points:

30 **REGISTRATION OF THE MEMBERSHIP CAMPING OPERATOR WITH THE IOWA**
31 **ATTORNEY GENERAL DOES NOT CONSTITUTE AN APPROVAL OR ENDORSEMENT**
32 **BY THE ATTORNEY GENERAL OF THE MEMBERSHIP CAMPING OPERATOR, THE**
33 **MEMBERSHIP CAMPING CONTRACT, OR THE CAMPGROUND.**

34 4. The membership camping operator shall promptly amend the
35 disclosure statement to reflect any material change and shall

1 promptly file any such amendments with the attorney general.

2 Sec. 178. Section 562A.15, subsections 1 and 2, Code 2013,
3 are amended to read as follows:

4 1. a. The landlord shall:

5 ~~a.~~ (1) Comply with the requirements of applicable building
6 and housing codes materially affecting health and safety.

7 ~~b.~~ (2) Make all repairs and do whatever is necessary to put
8 and keep the premises in a fit and habitable condition.

9 ~~c.~~ (3) Keep all common areas of the premises in a clean
10 and safe condition. The landlord shall not be liable for any
11 injury caused by any objects or materials which belong to or
12 which have been placed by a tenant in the common areas of the
13 premises used by the tenant.

14 ~~d.~~ (4) Maintain in good and safe working order and
15 condition all electrical, plumbing, sanitary, heating,
16 ventilating, air-conditioning, and other facilities and
17 appliances, including elevators, supplied or required to be
18 supplied by the landlord.

19 ~~e.~~ (5) Provide and maintain appropriate receptacles and
20 conveniences, accessible to all tenants, for the central
21 collection and removal of ashes, garbage, rubbish, and other
22 waste incidental to the occupancy of the dwelling unit and
23 arrange for their removal.

24 ~~f.~~ (6) Supply running water and reasonable amounts of
25 hot water at all times and reasonable heat, except where the
26 building that includes the dwelling unit is not required by
27 law to be equipped for that purpose, or the dwelling unit
28 is so constructed that heat or hot water is generated by an
29 installation within the exclusive control of the tenant and
30 supplied by a direct public utility connection.

31 b. If the duty imposed by paragraph "a", subparagraph
32 (1), ~~of this subsection~~ is greater than a duty imposed by
33 another subparagraph of paragraph "a" of this subsection, the
34 landlord's duty shall be determined by reference to paragraph
35 "a", subparagraph (1) of this subsection.

1 2. The landlord and tenant of a single family residence may
2 agree in writing that the tenant perform the landlord's duties
3 specified in ~~paragraphs "e" and "f"~~ of subsection 1, paragraph
4 "a", subparagraphs (5) and (6), and also specified repairs,
5 maintenance tasks, alterations, and remodeling, but only if the
6 transaction is entered into in good faith.

7 Sec. 179. Section 562A.27A, subsection 3, Code 2013, is
8 amended to read as follows:

9 3. a. This section shall not apply to a tenant if the
10 activities causing the clear and present danger, as defined
11 in subsection 2, are conducted by a person on the premises
12 other than the tenant and the tenant takes at least one of
13 the following measures against the person conducting the
14 activities:

15 ~~a.~~ (1) The tenant seeks a protective order, restraining
16 order, order to vacate the homestead, or other similar relief
17 pursuant to chapter 236, 598, 664A, or 915, or any other
18 applicable provision which would apply to the person conducting
19 the activities causing the clear and present danger.

20 ~~b.~~ (2) The tenant reports the activities causing the clear
21 and present danger to a law enforcement agency or the county
22 attorney in an effort to initiate a criminal action against the
23 person conducting the activities.

24 ~~c.~~ (3) The tenant writes a letter to the person conducting
25 the activities causing the clear and present danger, telling
26 the person not to return to the premises and that a return to
27 the premises may result in a trespass or other action against
28 the person, and the tenant sends a copy of the letter to a law
29 enforcement agency whose jurisdiction includes the premises.
30 If the tenant has previously written a letter to the person
31 as provided in this ~~paragraph~~ subparagraph, without taking an
32 action specified in ~~paragraph "a"~~ subparagraph (1) or ~~"b"~~ (2)
33 or filing a trespass or other action, and the person to whom
34 the letter was sent conducts further activities causing a clear
35 and present danger, the tenant must take one of the actions

1 specified in ~~paragraph "a"~~ subparagraph (1) or ~~"b"~~ (2) to be
2 exempt from proceedings pursuant to subsection 1.

3 b. However, in order to fall within the exemptions provided
4 within this subsection, the tenant must provide written proof
5 to the landlord, prior to the commencement of a suit against
6 the tenant, that the tenant has taken one of the measures
7 specified in ~~paragraphs~~ paragraph "a", subparagraphs (1)
8 through ~~"c"~~ (3).

9 Sec. 180. Section 562B.11, subsection 2, Code 2013, is
10 amended to read as follows:

11 2. A provision prohibited by subsection 1 ~~of this section~~
12 included in a rental agreement is unenforceable. If a landlord
13 or tenant knowingly uses a rental agreement containing
14 provisions known to be prohibited by this chapter, the other
15 party may recover actual damages sustained.

16 3. Nothing in this chapter shall prohibit a rental agreement
17 from requiring a tenant to maintain liability insurance which
18 names the landlord as an insured as relates to the mobile home
19 space rented by the tenant.

20 Sec. 181. Section 562B.25A, subsection 3, Code 2013, is
21 amended to read as follows:

22 3. a. This section shall not apply to a tenant if the
23 activities causing the clear and present danger, as defined
24 in subsection 2, are conducted by a person on the premises
25 other than the tenant and the tenant takes at least one of
26 the following measures against the person conducting the
27 activities:

28 ~~a.~~ (1) The tenant seeks a protective order, restraining
29 order, order to vacate the homestead, or other similar relief
30 pursuant to chapter 236, 598, 664A, or 915, or any other
31 applicable provision which would apply to the person conducting
32 the activities causing the clear and present danger.

33 ~~b.~~ (2) The tenant reports the activities causing the clear
34 and present danger to a law enforcement agency or the county
35 attorney in an effort to initiate a criminal action against the

1 person conducting the activities.

2 ~~c.~~ (3) The tenant writes a letter to the person conducting
3 the activities causing the clear and present danger, telling
4 the person not to return to the premises and that a return to
5 the premises may result in a trespass or other action against
6 the person, and the tenant sends a copy of the letter to a law
7 enforcement agency whose jurisdiction includes the premises.
8 If the tenant has previously written a letter to the person
9 as provided in this ~~paragraph~~ subparagraph, without taking an
10 action specified in ~~paragraph~~ "a" subparagraph (1) or "b" (2)
11 or filing a trespass or other action, and the person to whom
12 the letter was sent conducts further activities causing a clear
13 and present danger, the tenant must take one of the actions
14 specified in ~~paragraph~~ "a" subparagraph (1) or "b" (2) to be
15 exempt from proceedings pursuant to subsection 1.

16 b. However, in order to fall within the exemptions provided
17 within this subsection, the tenant must provide written proof
18 to the landlord, prior to the commencement of a suit against
19 the tenant, that the tenant has taken one of the measures
20 specified in ~~paragraphs~~ paragraph "a", subparagraphs (1)
21 through "c" (3).

22 Sec. 182. Section 585.3, Code 2013, is amended to read as
23 follows:

24 **585.3 Caption of publication.**

25 1. The publication required by this chapter shall be made
26 under the following caption or heading, to wit:

27 Proposed bill for the legalization of the proceedings of
28 (name of official body).

29 2. If the proposed bill be for the legalization of the bonds
30 or warrants of the public corporation, the caption shall be
31 modified accordingly.

32 Sec. 183. Section 600.16A, subsection 3, Code 2013, is
33 amended to read as follows:

34 3. a. In addition to other procedures by which adoption
35 records may be opened under this section, if both of the

1 following conditions are met, the department, the clerk of
2 court, or the agency which made the placement shall open the
3 adoption record for inspection and shall reveal the identity
4 of the biological parents to the adult adopted child or the
5 identity of the adult adopted child to the biological parents:

6 ~~a.~~ (1) A biological parent has placed in the adoption
7 record written consent to revelation of the biological parent's
8 identity to the adopted child at an age specified by the
9 biological parent, upon request of the adopted child.

10 ~~b.~~ (2) An adult adopted child has placed in the adoption
11 record written consent to revelation of the identity of the
12 adult adopted child to a biological parent.

13 b. A person who has placed in the adoption record written
14 consent pursuant to paragraph "a", subparagraph (1) or "~~b~~"
15 ~~of this subsection (2)~~ may withdraw the consent at any time
16 by placing a written withdrawal of consent statement in the
17 adoption record.

18 c. Notwithstanding the provisions of this subsection, if
19 the adult adopted person has a sibling who is a minor and who
20 has also been adopted by the same parents, the department, the
21 clerk of court, or the agency which made the placement may
22 deny the request of either the adult adopted person or the
23 biological parent to open the adoption records and to reveal
24 the identities of the parties pending determination by the
25 juvenile court or court that there is good cause to open the
26 records pursuant to subsection 2.

27 Sec. 184. Section 602.1606, Code 2013, is amended to read
28 as follows:

29 **602.1606 Judicial officer disqualified.**

30 1. A judicial officer is disqualified from acting in a
31 proceeding, except upon the consent of all of the parties, if
32 any of the following circumstances exists:

33 ~~1.~~ a. The judicial officer has a personal bias or
34 prejudice concerning a party, or personal knowledge of disputed
35 evidentiary facts concerning the proceeding.

1 ~~2.~~ b. The judicial officer served as a lawyer in the matter
2 in controversy, or a lawyer with whom the judicial officer
3 previously practiced law served during that association as a
4 lawyer concerning the matter, or the judicial officer or such
5 lawyer has been a material witness concerning the matter.

6 ~~3.~~ c. The judicial officer knows that the officer,
7 individually or as a fiduciary, or the officer's spouse or a
8 person related to either of them by consanguinity or affinity
9 within the third degree or the spouse of such a person has a
10 financial interest in the subject matter in controversy or in a
11 party to the proceeding, or has any other interest that could
12 be substantially affected by the outcome of the proceeding.

13 ~~4.~~ d. The judicial officer or the officer's spouse, or a
14 person related to either of them by consanguinity or affinity
15 within the third degree or the spouse of such a person, is a
16 party to the proceeding, or an officer, director, or trustee
17 of a party, or is acting as a lawyer in the proceeding, or is
18 known by the judicial officer to have an interest that could be
19 substantially affected by the outcome of the proceeding, or is,
20 to the judicial officer's knowledge, likely to be a material
21 witness in the proceeding.

22 2. A judicial officer shall disclose to all parties in a
23 proceeding any existing circumstances in ~~subsections~~ subsection
24 1, paragraphs "a" through 4 "d", before the parties consent to
25 the judicial officer's presiding in the proceeding.

26 Sec. 185. Section 607A.22, Code 2013, is amended to read as
27 follows:

28 **607A.22 Use of source lists — information provided.**

29 1. The appointive jury commission or the jury manager shall
30 use both of the following source lists in preparing grand and
31 petit jury lists:

32 ~~1.~~ a. The current voter registration list.

33 ~~2.~~ b. The current motor vehicle operators list.

34 2. The appointive jury commission or the jury manager may
35 use any other current comprehensive list of persons residing in

1 the county, including but not limited to the lists of public
2 utility customers, which the appointive jury commission or
3 jury manager determines are useable for the purpose of a juror
4 source list.

5 3. The applicable state and local government officials
6 shall furnish, upon request, the appointive jury commission or
7 jury manager with copies of lists necessary for the formulation
8 of source lists at no cost to the commission, manager, or
9 county.

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

22 Sec. 186. Section 607A.27, Code 2013, is amended to read as
23 follows:

24 **607A.27 Preparation for drawing of panels.**

25 1. The names entered upon the appointive jury commission's
26 or jury manager's lists and deposited in the office of the
27 clerk or jury manager constitute the grand and petit master
28 lists, from which grand and petit jurors shall be drawn.

29 2. Within ten days after the lists are deposited in the
30 office of the clerk or jury manager, the clerk or jury manager
31 shall do either of the following:

32 ~~1.~~ a. Prepare from the lists separate ballots, uniform in
33 size, shape, and appearance, and folded to conceal information
34 on the ballot. The ballots for grand and petit jurors shall be
35 kept separate and each ballot shall contain the name and place

1 of residence of each prospective juror.

2 ~~2.~~ b. Use electronic data processing equipment for the
3 storage of names of the grand and petit jurors. The numerical
4 division required in section 607A.21 need not be used when a
5 jury wheel is used for the preparation of the lists.

6 Sec. 187. Section 619.19, Code 2013, is amended to read as
7 follows:

8 **619.19 Verification not required — affidavits.**

9 1. Pleadings need not be verified unless otherwise required
10 by statute. Where a pleading is verified, it is not necessary
11 that subsequent pleadings be verified unless otherwise required
12 by statute.

13 2. The signature of a party, the party's legal counsel, or
14 any other person representing the party, to a motion, pleading,
15 or other paper is a certificate that:

16 ~~1.~~ a. The person has read the motion, pleading, or other
17 paper.

18 ~~2.~~ b. To the best of the person's knowledge, information,
19 and belief, formed after reasonable inquiry, it is grounded in
20 fact and is warranted by existing law or a good faith argument
21 for the extension, modification, or reversal of existing law.

22 ~~3.~~ c. It is not interposed for any improper purpose, such
23 as to harass or cause an unnecessary delay or needless increase
24 in the cost of litigation.

25 3. If a motion, pleading, or other paper is not signed,
26 it shall be stricken unless it is signed promptly after the
27 omission is called to the attention of the pleader or movant.

28 4. If a motion, pleading, or other paper is signed in
29 violation of this section, the court, upon motion or upon its
30 own initiative, shall impose upon the person signing, the
31 represented party, or both, an appropriate sanction, which may
32 include an order to pay the other party or parties the amount
33 of the reasonable expenses incurred because of the filing of
34 the motion, pleading, or other paper, including a reasonable
35 attorney fee.

1 Sec. 188. Section 625A.9, subsection 2, paragraph a, Code
2 2013, is amended to read as follows:

3 a. (1) Except as provided in paragraph "b", if the judgment
4 or order appealed from is for money, such bond shall not exceed
5 one hundred ten percent of the amount of the money judgment.

6 (2) The court may set a bond in an amount in excess of
7 one hundred ten percent of the amount of the money judgment
8 upon making specific findings justifying such an amount, and
9 in doing so, shall consider, but shall not be limited to
10 consideration of, the following criteria:

11 ~~(1)~~ (a) The availability and cost of the bond or other form
12 of adequate security.

13 ~~(2)~~ (b) The assets of the judgment debtor and of the
14 judgment debtor's insurer or indemnitor, if any.

15 ~~(3)~~ (c) The potential adverse effects of the bond on the
16 judgment debtor, including, but not limited to, the potential
17 adverse effects on the judgment debtor's employees, financial
18 stability, and business operations.

19 ~~(4)~~ (d) The potential adverse effects of the bond on the
20 judgment creditor and third parties, including public entities.

21 ~~(5)~~ (e) In a class action suit, the adequacy of the bond to
22 compensate all members of the class.

23 Sec. 189. Section 627.6, subsection 6, Code 2013, is amended
24 to read as follows:

25 6. The interest of an individual in any accrued dividend
26 or interest, loan or cash surrender value of, or any other
27 interest in a life insurance policy owned by the individual
28 if the beneficiary of the policy is the individual's spouse,
29 child, or dependent. However, the amount of the exemption
30 shall not exceed ten thousand dollars in the aggregate of any
31 interest or value in insurance acquired within two years of
32 the date execution is issued or exemptions are claimed, or
33 for additions within the same time period to a prior existing
34 policy which additions are in excess of the amount necessary to
35 fund the amount of face value coverage of the policies for the

1 two-year period. For purposes of this unnumbered paragraph,
2 acquisitions shall not include such interest in new policies
3 used to replace prior policies to the extent of any accrued
4 dividend or interest, loan or cash surrender value of, or any
5 other interest in the prior policies at the time of their
6 cancellation.

7 a. In the absence of a written agreement or assignment to
8 the contrary, upon the death of the insured any benefit payable
9 to the spouse, child, or dependent of the individual under a
10 life insurance policy shall inure to the separate use of the
11 beneficiary independently of the insured's creditors.

12 b. A benefit or indemnity paid under an accident, health, or
13 disability insurance policy is exempt to the insured or in case
14 of the insured's death to the spouse, child, or dependent of
15 the insured, from the insured's debts.

16 c. In case of an insured's death the avails of all matured
17 policies of life, accident, health, or disability insurance
18 payable to the surviving spouse, child, or dependent are exempt
19 from liability for all debts of the beneficiary contracted
20 prior to death of the insured, but the amount thus exempted
21 shall not exceed fifteen thousand dollars in the aggregate.

22 Sec. 190. Section 627.6, subsection 8, paragraph f, Code
23 2013, is amended to read as follows:

24 f. (1) Contributions and assets, including the accumulated
25 earnings and market increases in value, in any of the plans or
26 contracts as follows:

27 ~~(1)~~ (a) All transfers, in any amount, from a trust forming
28 part of a stock, bonus, pension, or profit-sharing plan of an
29 employer defined in section 401(a) of the Internal Revenue Code
30 and of which the trust assets are exempt from taxation under
31 section 501(a) of the Internal Revenue Code and covered by
32 the Employee Retirement Income Security Act of 1974 (ERISA),
33 as codified at 29 U.S.C. § 1001 et seq., to either of the
34 following:

35 ~~(a)~~ (i) A succeeding trust authorized under federal law on

1 or after April 25, 2001.

2 ~~(b)~~ (ii) An individual retirement account or individual
3 retirement annuity established under section 408(d)(3) of the
4 Internal Revenue Code, from which the total value, including
5 accumulated earnings and market increases in value, may be
6 contributed to a succeeding trust authorized under federal law
7 on or after April 25, 2001. For purposes of this subparagraph
8 division, transfers, in any amount, from an individual
9 retirement account or individual retirement annuity established
10 under section 408(d)(3) of the Internal Revenue Code to an
11 individual retirement account or individual retirement annuity
12 established under section 408(d)(3) of the Internal Revenue
13 Code, or an individual retirement account established under
14 section 408(a) of the Internal Revenue Code, or an individual
15 retirement annuity established under section 408(b) of the
16 Internal Revenue Code, or a Roth individual retirement account,
17 or a Roth individual retirement annuity established under
18 section 408A of the Internal Revenue Code are exempt.

19 ~~(2)~~ (b) (i) All transfers, in any amount, from an
20 eligible retirement plan to an individual retirement account,
21 an individual retirement annuity, a Roth individual retirement
22 account, or a Roth individual retirement annuity established
23 under section 408A of the Internal Revenue Code shall be exempt
24 from execution and from the claims of creditors.

25 (ii) As used in this subparagraph division, "*eligible*
26 *retirement plan*" means the funds or assets in any retirement
27 plan established under state or federal law that meet all of
28 the following requirements:

29 ~~(a)~~ (A) Can be transferred to an individual retirement
30 account or individual retirement annuity established under
31 sections 408(a) and 408(b) of the Internal Revenue Code or Roth
32 individual retirement accounts and Roth individual retirement
33 annuities established under section 408A of the Internal
34 Revenue Code.

35 ~~(b)~~ (B) Are either exempt from execution under state or

1 federal law or are excluded from a bankruptcy estate under 11
2 U.S.C. § 541(c)(2) et seq.

3 ~~(3)~~ (c) Retirement plans established pursuant to qualified
4 domestic relations orders, as defined in 26 U.S.C. § 414.
5 However, nothing in this section shall be construed as making
6 any retirement plan exempt from the claims of the beneficiary
7 of a qualified domestic relations order or from claims for
8 child support or alimony.

9 ~~(4)~~ (d) For simplified employee pension plans,
10 self-employed pension plans (also known as Keogh plans or
11 H.R. 10 plans), individual retirement accounts established
12 under section 408(a) of the Internal Revenue Code, individual
13 retirement annuities established under section 408(b) of the
14 Internal Revenue Code, savings incentive matched plans for
15 employees, salary reduction simplified employee pension plans
16 (also known as SARSEPs), and similar plans for retirement
17 investments authorized in the future under federal law, the
18 exemption for contributions shall not exceed, for each tax
19 year of contributions, the actual amount of the contribution
20 deducted on the debtor's tax return or the maximum amount
21 which could be contributed to an individual retirement account
22 established under section 408(a) of the Internal Revenue Code
23 and deducted in the tax year of the contribution, whichever
24 is less. The exemption for accumulated earnings and market
25 increases in value of plans under this subparagraph division
26 shall be limited to an amount determined by multiplying all
27 the accumulated earnings and market increases in value by a
28 fraction, the numerator of which is the total amount of exempt
29 contributions as determined by this subparagraph division, and
30 the denominator of which is the total of exempt and nonexempt
31 contributions to the plan.

32 ~~(5)~~ (e) For Roth individual retirement accounts and Roth
33 individual retirement annuities established under section 408A
34 of the Internal Revenue Code and similar plans for retirement
35 investments authorized in the future under federal law, the

1 exemption for contributions shall not exceed, for each tax year
2 of contributions, the actual amount of the contribution or the
3 maximum amount which federal law allows to be contributed to
4 such plans. The exemption for accumulated earnings and market
5 increases in value of plans under this subparagraph division
6 shall be limited to an amount determined by multiplying all of
7 the accumulated earnings and market increases in value by a
8 fraction, the numerator of which is the total amount of exempt
9 contributions as determined by this subparagraph division, and
10 the denominator of which is the total of exempt and nonexempt
11 contributions to the plan.

12 ~~(6)~~ (f) For all contributions to plans described in
13 ~~subparagraphs (4)~~ subparagraph divisions (d) and ~~(5)~~ (e), the
14 maximum contribution in each of the two tax years preceding
15 the claim of exemption or filing of a bankruptcy shall be
16 limited to the maximum deductible contribution to an individual
17 retirement account established under section 408(a) of the
18 Internal Revenue Code, regardless of which plan for retirement
19 investment has been chosen by the debtor.

20 ~~(7)~~ (g) Exempt assets transferred from any individual
21 retirement account, individual retirement annuity, Roth
22 individual retirement account, or Roth individual retirement
23 annuity to any other individual retirement account, individual
24 retirement annuity, Roth individual retirement annuity,
25 or Roth individual retirement account established under
26 section 408A of the Internal Revenue Code shall continue
27 to be exempt regardless of the number of times transferred
28 between individual retirement accounts, individual retirement
29 annuities, Roth individual retirement annuities, or Roth
30 individual retirement accounts.

31 (2) For purposes of this paragraph "f", "market increases in
32 value" shall include, but shall not be limited to, dividends,
33 stock splits, interest, and appreciation. "Contributions" means
34 contributions by the debtor and by the debtor's employer.

35 Sec. 191. Section 633.197, Code 2013, is amended to read as

1 follows:

2 **633.197 Compensation.**

3 1. Personal representatives shall be allowed such
4 reasonable fees as may be determined by the court for services
5 rendered, but not in excess of the following commissions upon
6 the gross assets of the estate listed in the probate inventory,
7 which shall be received as full compensation for all ordinary
8 services:

9 a. For the first one thousand dollars, six percent~~+~~.

10 b. For the overplus between one and five thousand dollars,
11 four percent~~+~~.

12 c. For all sums over five thousand dollars, two percent.

13 2. For purposes of this section, the gross assets of the
14 estate shall not include life insurance proceeds, unless
15 payable to the decedent's estate.

16 Sec. 192. Section 633.228, Code 2013, is amended to read as
17 follows:

18 **633.228 Time allowed.**

19 1. To file such petition, there shall be allowed, commencing
20 with the death of the decedent:

21 ~~1-~~ a. To the surviving spouse, a period of twenty days~~+~~.

22 ~~2-~~ b. To each other class in succession, a period of ten
23 days.

24 2. The period allowed each class shall be advanced to the
25 period allowed the preceding class if there is no member of
26 such preceding class. Any member of any class may file such
27 petition after the expiration of the period allowed to the
28 member if letters have not been issued prior thereto.

29 Sec. 193. Section 633.290, Code 2013, is amended to read as
30 follows:

31 **633.290 Petition for probate of will.**

32 1. At the time the will of a decedent is filed with the
33 clerk, or thereafter, any interested person may file a verified
34 petition in the district court of the proper county:

35 ~~1-~~ a. To have the will admitted to probate~~+~~.

1 ~~2.~~ b. For the appointment of the executor.

2 2. A petition for probate may be combined with a petition
3 for appointment of the executor, and any person interested
4 in either the probate of a will or in the appointment of the
5 executor, may petition for both.

6 Sec. 194. Section 633A.3107, subsection 2, unnumbered
7 paragraph 2, Code 2013, is amended to read as follows:

8 3. For the purposes of this section, "*relative of the*
9 *settlor's spouse*" means a person who is related to the divorced
10 settlor's former spouse by blood, adoption, or affinity, and
11 who, subsequent to the divorce or dissolution of marriage,
12 ceased to be related to the settlor by blood, adoption, or
13 affinity.

14 Sec. 195. Section 654.12A, Code 2013, is amended to read as
15 follows:

16 **654.12A Priority of advances under mortgages.**

17 1. Subject to section 572.18, if a prior recorded mortgage
18 contains the notice prescribed in this section and identifies
19 the maximum credit available to the borrower, then loans and
20 advances made under the mortgage, up to the maximum amount
21 of credit together with interest thereon, are senior to
22 indebtedness to other creditors under subsequently recorded
23 mortgages and other subsequently recorded or filed liens even
24 though the holder of the prior recorded mortgage has actual
25 notice of indebtedness under a subsequently recorded mortgage
26 or other subsequently recorded or filed lien. So long as
27 credit is available to the borrower, payment of the outstanding
28 mortgage balance to zero shall not extinguish the prior
29 recorded mortgage if it contains the notice prescribed by this
30 section. The notice prescribed by this section for the prior
31 recorded mortgage is as follows:

32 NOTICE: This mortgage secures credit in the amount of
33 Loans and advances up to this amount, together with
34 interest, are senior to indebtedness to other creditors under
35 subsequently recorded or filed mortgages and liens.

1 2. However, the priority of a prior recorded mortgage
2 under this section does not apply to loans or advances made
3 after receipt of notice of foreclosure or action to enforce a
4 subsequently recorded mortgage or other subsequently recorded
5 or filed lien.

6 Sec. 196. Section 654.20, Code 2013, is amended to read as
7 follows:

8 **654.20 Foreclosure without redemption — nonagricultural**
9 **land.**

10 1. If the mortgaged property is not used for an agricultural
11 purpose as defined in section 535.13, the plaintiff in an
12 action to foreclose a real estate mortgage may include in the
13 petition an election for foreclosure without redemption. The
14 election is effective only if the first page of the petition
15 contains the following notice in capital letters of the same
16 type or print size as the rest of the petition:

17 NOTICE

18 THE PLAINTIFF HAS ELECTED FORECLOSURE WITHOUT REDEMPTION.
19 THIS MEANS THAT THE SALE OF THE MORTGAGED PROPERTY WILL OCCUR
20 PROMPTLY AFTER ENTRY OF JUDGMENT UNLESS YOU FILE WITH THE COURT
21 A WRITTEN DEMAND TO DELAY THE SALE. IF YOU FILE A WRITTEN
22 DEMAND, THE SALE WILL BE DELAYED UNTIL TWELVE MONTHS (or
23 SIX MONTHS if the petition includes a waiver of deficiency
24 judgment) FROM ENTRY OF JUDGMENT IF THE MORTGAGED PROPERTY
25 IS YOUR RESIDENCE AND IS A ONE-FAMILY OR TWO-FAMILY DWELLING
26 OR UNTIL TWO MONTHS FROM ENTRY OF JUDGMENT IF THE MORTGAGED
27 PROPERTY IS NOT YOUR RESIDENCE OR IS YOUR RESIDENCE BUT NOT A
28 ONE-FAMILY OR TWO-FAMILY DWELLING. YOU WILL HAVE NO RIGHT OF
29 REDEMPTION AFTER THE SALE. THE PURCHASER AT THE SALE WILL BE
30 ENTITLED TO IMMEDIATE POSSESSION OF THE MORTGAGED PROPERTY.
31 YOU MAY PURCHASE AT THE SALE.

32 2. If the plaintiff has not included in the petition a
33 waiver of deficiency judgment, then the notice shall include
34 the following:

35 IF YOU DO NOT FILE A WRITTEN DEMAND TO DELAY THE SALE AND IF

1 THE MORTGAGED PROPERTY IS YOUR RESIDENCE AND IS A ONE-FAMILY
2 OR TWO-FAMILY DWELLING, THEN A DEFICIENCY JUDGMENT WILL NOT BE
3 ENTERED AGAINST YOU. IF YOU DO FILE A WRITTEN DEMAND TO DELAY
4 THE SALE, THEN A DEFICIENCY JUDGMENT MAY BE ENTERED AGAINST YOU
5 IF THE PROCEEDS FROM THE SALE OF THE MORTGAGED PROPERTY ARE
6 INSUFFICIENT TO SATISFY THE AMOUNT OF THE MORTGAGE DEBT AND
7 COSTS.

8 IF THE MORTGAGED PROPERTY IS NOT YOUR RESIDENCE OR IS NOT A
9 ONE-FAMILY OR TWO-FAMILY DWELLING, THEN A DEFICIENCY JUDGMENT
10 MAY BE ENTERED AGAINST YOU WHETHER OR NOT YOU FILE A WRITTEN
11 DEMAND TO DELAY THE SALE.

12 3. If the election for foreclosure without redemption is
13 made, then sections 654.21 through 654.26 apply.

14 Sec. 197. Section 670.4, Code 2013, is amended to read as
15 follows:

16 **670.4 Claims exempted.**

17 1. The liability imposed by section 670.2 shall have no
18 application to any claim enumerated in this section. As to any
19 such claim, a municipality shall be liable only to the extent
20 liability may be imposed by the express statute dealing with
21 such claims and, in the absence of such express statute, the
22 municipality shall be immune from liability.

23 ~~1-~~ a. Any claim by an employee of the municipality which is
24 covered by the Iowa workers' compensation law.

25 ~~2-~~ b. Any claim in connection with the assessment or
26 collection of taxes.

27 ~~3-~~ c. Any claim based upon an act or omission of an officer
28 or employee of the municipality, exercising due care, in the
29 execution of a statute, ordinance, or regulation whether the
30 statute, ordinance or regulation is valid, or based upon the
31 exercise or performance or the failure to exercise or perform a
32 discretionary function or duty on the part of the municipality
33 or an officer or employee of the municipality, whether or not
34 the discretion is abused.

35 ~~4-~~ d. Any claim against a municipality as to which the

1 municipality is immune from liability by the provisions of any
2 other statute or where the action based upon such claim has
3 been barred or abated by operation of statute or rule of civil
4 procedure.

5 ~~5.~~ e. Any claim for punitive damages.

6 ~~6.~~ f. Any claim for damages caused by a municipality's
7 failure to discover a latent defect in the course of an
8 inspection.

9 ~~7.~~ g. Any claim based upon or arising out of a claim
10 of negligent design or specification, negligent adoption
11 of design or specification, or negligent construction or
12 reconstruction of a highway, secondary road, or street as
13 defined in section 321.1, subsection 78, that was constructed
14 or reconstructed in accordance with a generally recognized
15 engineering or safety standard, criteria, or design theory in
16 existence at the time of the construction or reconstruction. A
17 claim under this chapter shall not be allowed for failure to
18 upgrade, improve, or alter any aspect of an existing highway,
19 secondary road, or street, to new, changed, or altered design
20 standards. In respect to highways and roads, sealcoating,
21 asphaltting, patching, resurfacing, ditching, draining,
22 repairing, graveling, rocking, blading, or maintaining an
23 existing highway or road does not constitute reconstruction.
24 This ~~subsection~~ paragraph shall not apply to claims based upon
25 gross negligence.

26 ~~8.~~ h. Any claim based upon or arising out of a claim of
27 negligent design or specification, negligent adoption of design
28 or specification, or negligent construction or reconstruction
29 of a public improvement as defined in section 384.37,
30 subsection 19, or other public facility that was constructed
31 or reconstructed in accordance with a generally recognized
32 engineering or safety standard, criteria, or design theory in
33 existence at the time of the construction or reconstruction. A
34 claim under this chapter shall not be allowed for failure to
35 upgrade, improve, or alter any aspect of an existing public

1 improvement or other public facility to new, changed, or
2 altered design standards. This ~~subsection~~ paragraph shall not
3 apply to claims based upon gross negligence. This ~~subsection~~
4 paragraph takes effect July 1, 1984, and applies to all cases
5 tried or retried on or after July 1, 1984.

6 ~~9.~~ i. Any claim based upon an act or omission by an officer
7 or employee of the municipality or the municipality's governing
8 body, in the granting, suspension, or revocation of a license
9 or permit, where the damage was caused by the person to whom
10 the license or permit was issued, unless the act of the officer
11 or employee constitutes actual malice or a criminal offense.

12 ~~10.~~ j. Any claim based upon an act or omission of an
13 officer or employee of the municipality, whether by issuance of
14 permit, inspection, investigation, or otherwise, and whether
15 the statute, ordinance, or regulation is valid, if the damage
16 was caused by a third party, event, or property not under the
17 supervision or control of the municipality, unless the act or
18 omission of the officer or employee constitutes actual malice
19 or a criminal offense.

20 ~~11.~~ k. A claim based upon or arising out of an act or
21 omission in connection with an emergency response including but
22 not limited to acts or omissions in connection with emergency
23 response communications services.

24 ~~12.~~ l. A claim relating to a swimming pool or spa as
25 defined in section 135I.1 which has been inspected by a
26 municipality or the state in accordance with chapter 135I,
27 or a swimming pool or spa inspection program which has been
28 certified by the state in accordance with that chapter, whether
29 or not owned or operated by a municipality, unless the claim is
30 based upon an act or omission of an officer or employee of the
31 municipality and the act or omission constitutes actual malice
32 or a criminal offense.

33 ~~13.~~ m. A claim based on an act or omission by a county or
34 city pursuant to section 717.2A or chapter 717B relating to
35 either of the following:

1 ~~a.~~ (1) Rescuing neglected livestock or another animal by a
2 law enforcement officer.

3 ~~b.~~ (2) Maintaining or disposing of neglected livestock or
4 another animal by a county or city.

5 ~~14.~~ n. Any claim based upon or arising out of a claim of
6 negligent design or specification, negligent adoption of design
7 or specification, or negligent construction or reconstruction
8 of a public facility designed for purposes of skateboarding,
9 in-line skating, bicycling, unicycling, scootering, river
10 rafting, canoeing, or kayaking that was constructed or
11 reconstructed, reasonably and in good faith, in accordance
12 with generally recognized engineering or safety standards or
13 design theories in existence at the time of the construction
14 or reconstruction.

15 ~~15.~~ o. Any claim based upon or arising out of an act or
16 omission of an officer or employee of the municipality or
17 the municipality's governing body by a person skateboarding,
18 in-line skating, bicycling, unicycling, scootering, river
19 rafting, canoeing, or kayaking on public property when
20 the person knew or reasonably should have known that the
21 skateboarding, in-line skating, bicycling, unicycling,
22 scootering, river rafting, canoeing, or kayaking created a
23 substantial risk of injury to the person and was voluntarily
24 in the place of risk. The exemption from liability contained
25 in this ~~subsection~~ paragraph shall only apply to claims for
26 injuries or damage resulting from the risks inherent in the
27 activities of skateboarding, in-line skating, bicycling,
28 unicycling, scootering, river rafting, canoeing, or kayaking.

29 2. The remedy against the municipality provided by section
30 670.2 shall hereafter be exclusive of any other civil action
31 or proceeding by reason of the same subject matter against the
32 officer, employee or agent whose act or omission gave rise to
33 the claim, or the officer's, employee's, or agent's estate.

34 3. This section does not expand any existing cause of action
35 or create any new cause of action against a municipality.

1 Sec. 198. Section 704.2, Code 2013, is amended to read as
2 follows:

3 **704.2 Deadly force.**

4 1. The term "*deadly force*" means any of the following:

5 ~~1.~~ a. Force used for the purpose of causing serious injury.

6 ~~2.~~ b. Force which the actor knows or reasonably should
7 know will create a strong probability that serious injury will
8 result.

9 ~~3.~~ c. The discharge of a firearm, other than a firearm
10 loaded with less lethal munitions and discharged by a peace
11 officer, corrections officer, or corrections official in
12 the line of duty, in the direction of some person with the
13 knowledge of the person's presence there, even though no intent
14 to inflict serious physical injury can be shown.

15 ~~4.~~ d. The discharge of a firearm, other than a firearm
16 loaded with less lethal munitions and discharged by a peace
17 officer, corrections officer, or corrections official in the
18 line of duty, at a vehicle in which a person is known to be.

19 2. As used in this section, "*less lethal munitions*"
20 means projectiles which are designed to stun, temporarily
21 incapacitate, or cause temporary discomfort to a person without
22 penetrating the person's body.

23 Sec. 199. Section 706.3, Code 2013, is amended to read as
24 follows:

25 **706.3 Penalties.**

26 1. A person who commits a conspiracy to commit a forcible
27 felony is guilty of a class "C" felony.

28 2. A person who commits a conspiracy to commit a felony,
29 other than a forcible felony, is guilty of a class "D" felony.

30 3. A person who commits a conspiracy to commit a misdemeanor
31 is guilty of a misdemeanor of the same class.

32 Sec. 200. Section 707.2, Code 2013, is amended to read as
33 follows:

34 **707.2 Murder in the first degree.**

35 1. A person commits murder in the first degree when the

1 person commits murder under any of the following circumstances:

2 ~~1.~~ a. The person willfully, deliberately, and with
3 premeditation kills another person.

4 ~~2.~~ b. The person kills another person while participating
5 in a forcible felony.

6 ~~3.~~ c. The person kills another person while escaping or
7 attempting to escape from lawful custody.

8 ~~4.~~ d. The person intentionally kills a peace officer,
9 correctional officer, public employee, or hostage while the
10 person is imprisoned in a correctional institution under the
11 jurisdiction of the Iowa department of corrections, or in a
12 city or county jail.

13 ~~5.~~ e. The person kills a child while committing child
14 endangerment under section 726.6, subsection 1, paragraph "b",
15 or while committing assault under section 708.1 upon the child,
16 and the death occurs under circumstances manifesting an extreme
17 indifference to human life.

18 ~~6.~~ f. The person kills another person while participating
19 in an act of terrorism as defined in section 708A.1.

20 2. Murder in the first degree is a class "A" felony.

21 3. For purposes of determining whether a person should
22 register as a sex offender pursuant to the provisions of
23 chapter 692A, the fact finder shall make a determination as
24 provided in section 692A.126.

25 Sec. 201. Section 707.3, Code 2013, is amended to read as
26 follows:

27 **707.3 Murder in the second degree.**

28 1. A person commits murder in the second degree when the
29 person commits murder which is not murder in the first degree.

30 2. Murder in the second degree is a class "B" felony.
31 However, notwithstanding section 902.9, subsection 2 1,
32 paragraph "b", the maximum sentence for a person convicted under
33 this section shall be a period of confinement of not more than
34 fifty years.

35 3. For purposes of determining whether a person should

1 register as a sex offender pursuant to the provisions of
2 chapter 692A, the fact finder shall make a determination as
3 provided in section 692A.126.

4 Sec. 202. Section 709.4, Code 2013, is amended to read as
5 follows:

6 **709.4 Sexual abuse in the third degree.**

7 1. A person commits sexual abuse in the third degree when
8 the person performs a sex act under any of the following
9 circumstances:

10 ~~1.~~ a. The act is done by force or against the will of the
11 other person, whether or not the other person is the person's
12 spouse or is cohabiting with the person.

13 ~~2.~~ b. The act is between persons who are not at the time
14 cohabiting as husband and wife and if any of the following are
15 true:

16 ~~a.~~ (1) The other person is suffering from a mental defect
17 or incapacity which precludes giving consent.

18 ~~b.~~ (2) The other person is twelve or thirteen years of age.

19 ~~c.~~ (3) The other person is fourteen or fifteen years of age
20 and any of the following are true:

21 ~~(1)~~ (a) The person is a member of the same household as the
22 other person.

23 ~~(2)~~ (b) The person is related to the other person by blood
24 or affinity to the fourth degree.

25 ~~(3)~~ (c) The person is in a position of authority over the
26 other person and uses that authority to coerce the other person
27 to submit.

28 ~~(4)~~ (d) The person is four or more years older than the
29 other person.

30 ~~3.~~ c. The act is performed while the other person is under
31 the influence of a controlled substance, which may include but
32 is not limited to flunitrazepam, and all of the following are
33 true:

34 ~~a.~~ (1) The controlled substance, which may include but is
35 not limited to flunitrazepam, prevents the other person from

1 consenting to the act.

2 ~~b.~~ (2) The person performing the act knows or reasonably
3 should have known that the other person was under the influence
4 of the controlled substance, which may include but is not
5 limited to flunitrazepam.

6 ~~4.~~ d. The act is performed while the other person is
7 mentally incapacitated, physically incapacitated, or physically
8 helpless.

9 2. Sexual abuse in the third degree is a class "C" felony.
10 Sec. 203. Section 709.8, Code 2013, is amended to read as
11 follows:

12 **709.8 Lascivious acts with a child.**

13 1. It is unlawful for any person sixteen years of age or
14 older to perform any of the following acts with a child with
15 or without the child's consent unless married to each other,
16 for the purpose of arousing or satisfying the sexual desires
17 of either of them:

18 ~~1.~~ a. Fondle or touch the pubes or genitals of a child.

19 ~~2.~~ b. Permit or cause a child to fondle or touch the
20 person's genitals or pubes.

21 ~~3.~~ c. Solicit a child to engage in a sex act or solicit a
22 person to arrange a sex act with a child.

23 ~~4.~~ d. Inflict pain or discomfort upon a child or permit a
24 child to inflict pain or discomfort on the person.

25 2. a. Any person who violates a provision of this section
26 involving an act included in subsection 1, paragraph "a" or 2
27 "b", shall, upon conviction, be guilty of a class "C" felony.

28 b. Any person who violates a provision of this section
29 involving an act included in subsection 3 1, paragraph "c" or 4
30 "d", shall, upon conviction, be guilty of a class "D" felony.

31 Sec. 204. Section 709.12, Code 2013, is amended to read as
32 follows:

33 **709.12 Indecent contact with a child.**

34 1. A person eighteen years of age or older is upon
35 conviction guilty of an aggravated misdemeanor if the person

1 commits any of the following acts with a child, not the
2 person's spouse, with or without the child's consent, for the
3 purpose of arousing or satisfying the sexual desires of either
4 of them:

5 ~~1.~~ a. Fondle or touch the inner thigh, groin, buttock,
6 anus, or breast of the child.

7 ~~2.~~ b. Touch the clothing covering the immediate area of the
8 inner thigh, groin, buttock, anus, or breast of the child.

9 ~~3.~~ c. Solicit or permit a child to fondle or touch the
10 inner thigh, groin, buttock, anus, or breast of the person.

11 ~~4.~~ d. Solicit a child to engage in any act prohibited under
12 section 709.8, subsection 1, ~~2~~ paragraph "a", "b", or ~~4~~ "d".

13 2. The provisions of this section shall also apply to a
14 person sixteen or seventeen years of age who commits any of the
15 enumerated acts with a child who is at least five years the
16 person's junior, in which case the juvenile court shall have
17 jurisdiction under chapter 232.

18 Sec. 205. Section 709.16, subsection 2, Code 2013, is
19 amended to read as follows:

20 2. a. An officer, employee, contractor, vendor, volunteer,
21 or agent of a juvenile placement facility who engages in a
22 sex act with a juvenile placed at such facility commits an
23 aggravated misdemeanor.

24 b. For purposes of this subsection, a "*juvenile placement*
25 *facility*" means any of the following:

26 ~~a.~~ (1) A child foster care facility licensed under section
27 237.4.

28 ~~b.~~ (2) Institutions controlled by the department of human
29 services listed in section 218.1.

30 ~~c.~~ (3) Juvenile detention and juvenile shelter care homes
31 approved under section 232.142.

32 ~~d.~~ (4) Psychiatric medical institutions for children
33 licensed under chapter 135H.

34 ~~e.~~ (5) Substance abuse facilities as defined in section
35 125.2.

1 Sec. 206. Section 711.1, Code 2013, is amended to read as
2 follows:

3 **711.1 Robbery defined.**

4 1. A person commits a robbery when, having the intent to
5 commit a theft, the person does any of the following acts to
6 assist or further the commission of the intended theft or the
7 person's escape from the scene thereof with or without the
8 stolen property:

9 ~~1.~~ a. Commits an assault upon another.

10 ~~2.~~ b. Threatens another with or purposely puts another in
11 fear of immediate serious injury.

12 ~~3.~~ c. Threatens to commit immediately any forcible felony.

13 2. It is immaterial to the question of guilt or innocence of
14 robbery that property was or was not actually stolen.

15 Sec. 207. Section 714.1, subsection 6, Code 2013, is amended
16 to read as follows:

17 6. Makes, utters, draws, delivers, or gives any check,
18 share draft, draft, or written order on any bank, credit
19 union, person, or corporation, and obtains property, the use
20 of property, including rental property, or service in exchange
21 for such instrument, if the person knows that such check, share
22 draft, draft, or written order will not be paid when presented.

23 a. Whenever the drawee of such instrument has refused
24 payment because of insufficient funds, and the maker has not
25 paid the holder of the instrument the amount due thereon within
26 ten days of the maker's receipt of notice from the holder that
27 payment has been refused by the drawee, the court or jury may
28 infer from such facts that the maker knew that the instrument
29 would not be paid on presentation. Notice of refusal of
30 payment shall be by certified mail, or by personal service in
31 the manner prescribed for serving original notices.

32 b. Whenever the drawee of such instrument has refused
33 payment because the maker has no account with the drawee, the
34 court or jury may infer from such fact that the maker knew that
35 the instrument would not be paid on presentation.

1 Sec. 208. Section 714.10, Code 2013, is amended to read as
2 follows:

3 **714.10 Fraudulent practice in the second degree.**

4 1. Fraudulent practice in the second degree is the
5 following:

6 ~~1.~~ a. A fraudulent practice where the amount of money or
7 value of property or services involved exceeds one thousand
8 dollars but does not exceed ten thousand dollars.

9 ~~2.~~ b. A fraudulent practice where the amount of money or
10 value of property or services involved does not exceed one
11 thousand dollars by one who has been convicted of a fraudulent
12 practice twice before.

13 2. Fraudulent practice in the second degree is a class "D"
14 felony.

15 Sec. 209. Section 714.11, Code 2013, is amended to read as
16 follows:

17 **714.11 Fraudulent practice in the third degree.**

18 1. Fraudulent practice in the third degree is the following:

19 ~~1.~~ a. A fraudulent practice where the amount of money or
20 value of property or service involved exceeds five hundred
21 dollars but does not exceed one thousand dollars.

22 ~~2.~~ b. A fraudulent practice as set forth in section 714.8,
23 subsections 2, 8, and 9.

24 ~~3.~~ c. A fraudulent practice where it is not possible to
25 determine an amount of money or value of property and service
26 involved.

27 2. Fraudulent practice in the third degree is an aggravated
28 misdemeanor.

29 Sec. 210. Section 714.16B, Code 2013, is amended to read as
30 follows:

31 **714.16B Identity theft — civil cause of action.**

32 1. In addition to any other remedies provided by law, a
33 person as defined under section 714.16, subsection 1, suffering
34 a pecuniary loss as a result of an identity theft by another
35 person under section 715A.8, or a financial institution on

1 behalf of an account holder suffering a pecuniary loss as a
2 result of an identity theft by another person under section
3 715A.8, may bring an action against such other person to
4 recover all of the following:

5 ~~1.~~ a. Five thousand dollars or three times the actual
6 damages, whichever is greater.

7 ~~2.~~ b. Reasonable costs incurred due to the violation of
8 section 715A.8, including all of the following:

9 ~~a.~~ (1) Costs for repairing the victim's credit history or
10 credit rating.

11 ~~b.~~ (2) Costs incurred for bringing a civil or
12 administrative proceeding to satisfy a debt, lien, judgment, or
13 other obligation of the victim.

14 ~~c.~~ (3) Punitive damages, attorney fees, and court costs.

15 2. For purposes of this section, "*financial institution*"
16 means the same as defined in section 527.2, and includes an
17 insurer organized under Title XIII, subtitle 1, of this Code,
18 or under the laws of any other state or the United States.

19 Sec. 211. Section 714.26, subsection 2, paragraphs a and b,
20 Code 2013, are amended to read as follows:

21 a. (1) A person commits intellectual property
22 counterfeiting in the first degree if any of the following
23 apply:

24 ~~(1)~~ (a) The person is manufacturing or producing an item
25 bearing or identified by a counterfeit mark.

26 ~~(2)~~ (b) The offense involves more than one thousand items
27 bearing or identified by a counterfeit mark or the total retail
28 value of such items is equal to or greater than ten thousand
29 dollars.

30 ~~(3)~~ (c) The offense is a third or subsequent violation of
31 this section.

32 (2) Intellectual property counterfeiting in the first
33 degree is a class "C" felony.

34 b. (1) A person commits intellectual property
35 counterfeiting in the second degree if any of the following

1 apply:

2 ~~(1)~~ (a) The offense involves more than one hundred items
3 but does not involve more than one thousand items bearing or
4 identified by a counterfeit mark or the total retail value of
5 such items is equal to or greater than one thousand dollars but
6 less than ten thousand dollars.

7 ~~(2)~~ (b) The offense is a second violation of this section.

8 (2) Intellectual property counterfeiting in the second
9 degree is a class "D" felony.

10 Sec. 212. Section 715A.6, subsection 1, Code 2013, is
11 amended to read as follows:

12 1. a. A person commits a public offense by using a credit
13 card for the purpose of obtaining property or services with
14 knowledge of any of the following:

15 ~~a.~~ (1) The credit card is stolen or forged.

16 ~~b.~~ (2) The credit card has been revoked or canceled.

17 ~~c.~~ (3) For any other reason the use of the credit card is
18 unauthorized.

19 b. It is an affirmative defense to prosecution under
20 paragraph ~~"c"~~ "a", subparagraph (3), if the person proves by a
21 preponderance of the evidence that the person had the intent
22 and ability to meet all obligations to the issuer arising out
23 of the use of the credit card.

24 Sec. 213. Section 717A.2, subsection 1, paragraph c, Code
25 2013, is amended to read as follows:

26 c. (1) Enter onto or into an animal facility, or remain
27 on or in an animal facility, if the person has notice that the
28 facility is not open to the public, if the person has an intent
29 to do one of the following:

30 ~~(1)~~ (a) Disrupt operations conducted at the animal
31 facility, if the operations directly relate to agricultural
32 production, animal maintenance, educational or scientific
33 purposes, or veterinary care.

34 ~~(2)~~ (b) Kill or injure an animal maintained at the animal
35 facility.

1 (2) A person has notice that an animal facility is not
2 open to the public if the person is provided notice before
3 entering onto or into the facility, or the person refuses to
4 immediately depart from the facility after being informed to
5 leave. The notice may be in the form of a written or verbal
6 communication by the owner, a fence or other enclosure designed
7 to exclude intruders or contain animals, or a sign posted which
8 is reasonably likely to come to the attention of an intruder
9 and which indicates that entry is forbidden.

10 Sec. 214. Section 717A.3, subsection 1, paragraph c, Code
11 2013, is amended to read as follows:

12 c. (1) Enter onto or remain on crop operation property
13 if the person has notice that the property is not open to
14 the public, and the person has an intent to do one of the
15 following:

16 ~~(1)~~ (a) Disrupt agricultural production conducted on the
17 crop operation property if the agricultural production directly
18 relates to the maintenance of crops. A person is presumed to
19 intend disruption if the person moves, removes, or defaces any
20 sign posted on the crop operation property or label used by the
21 owner and the sign or label identifies a crop maintained on the
22 crop operation property.

23 ~~(2)~~ (b) Destroy or damage a crop or any portion of a crop
24 maintained on the crop operation property.

25 (2) A person has notice that a crop operation property
26 is not open to the public if the person is provided notice
27 prohibiting entry before the person enters onto the crop
28 operation property, or the person refuses to immediately
29 depart from the crop operation property after being notified
30 to leave. The notice may be in the form of a written or verbal
31 communication by the owner, a fence or other enclosure designed
32 to exclude intruders, or a sign posted which is reasonably
33 likely to come to the attention of an intruder and which
34 indicates that entry is prohibited.

35 Sec. 215. Section 730.4, subsection 5, Code 2013, is amended

1 to read as follows:

2 5. a. This section may be enforced through a civil action.

3 ~~a.~~ (1) A person who violates this section or who aids
4 in the violation of this section is liable to an aggrieved
5 employee or applicant for employment for affirmative relief
6 including reinstatement or hiring, with or without back pay,
7 or any other equitable relief as the court deems appropriate
8 including attorney fees and court costs.

9 ~~b.~~ (2) When a person commits, is committing, or proposes to
10 commit, an act in violation of this section, an injunction may
11 be granted through an action in district court to prohibit the
12 person from continuing such acts. The action for injunctive
13 relief may be brought by an aggrieved employee or applicant for
14 employment, the county attorney, or the attorney general.

15 b. A person who in good faith brings an action under
16 this subsection alleging that an employer has required or
17 requested a polygraph examination in violation of this section
18 shall establish that sufficient evidence exists upon which a
19 reasonable person could find that a violation has occurred.
20 Upon proof that sufficient evidence exists upon which a finding
21 could be made that a violation has occurred as required under
22 this paragraph, the employer has the burden of proving that the
23 requirements of this section were met.

24 Sec. 216. Section 730.5, subsection 9, paragraph g, Code
25 2013, is amended to read as follows:

26 g. (1) Upon receipt of a confirmed positive alcohol test
27 which indicates an alcohol concentration greater than the
28 concentration level established by the employer pursuant to
29 this section, and if the employer has at least fifty employees,
30 and if the employee has been employed by the employer for
31 at least twelve of the preceding eighteen months, and if
32 rehabilitation is agreed upon by the employee, and if the
33 employee has not previously violated the employer's substance
34 abuse prevention policy pursuant to this section, the written
35 policy shall provide for the rehabilitation of the employee

1 pursuant to subsection 10, paragraph "a", subparagraph (1), and
2 the apportionment of the costs of rehabilitation as provided
3 by this paragraph "g".

4 ~~(1)~~ (a) If the employer has an employee benefit plan, the
5 costs of rehabilitation shall be apportioned as provided under
6 the employee benefit plan.

7 ~~(2)~~ (b) If no employee benefit plan exists and the employee
8 has coverage for any portion of the costs of rehabilitation
9 under any health care plan of the employee, the costs of
10 rehabilitation shall be apportioned as provided by the health
11 care plan with any costs not covered by the plan apportioned
12 equally between the employee and the employer. However, the
13 employer shall not be required to pay more than two thousand
14 dollars toward the costs not covered by the employee's health
15 care plan.

16 ~~(3)~~ (c) If no employee benefit plan exists and the
17 employee does not have coverage for any portion of the costs of
18 rehabilitation under any health care plan of the employee, the
19 costs of rehabilitation shall be apportioned equally between
20 the employee and the employer. However, the employer shall not
21 be required to pay more than two thousand dollars towards the
22 cost of rehabilitation under this subparagraph division.

23 (2) Rehabilitation required pursuant to this paragraph
24 "g" shall not preclude an employer from taking any
25 adverse employment action against the employee during the
26 rehabilitation based on the employee's failure to comply with
27 any requirements of the rehabilitation, including any action
28 by the employee to invalidate a test sample provided by the
29 employee pursuant to the rehabilitation.

30 Sec. 217. Section 730.5, subsection 13, paragraph d, Code
31 2013, is amended to read as follows:

32 d. (1) An employer may use and disclose information
33 concerning the results of a drug or alcohol test conducted
34 pursuant to this section under any of the following
35 circumstances:

1 ~~(1)~~ (a) In an arbitration proceeding pursuant to a
2 collective bargaining agreement, or an administrative agency
3 proceeding or judicial proceeding under workers' compensation
4 laws or unemployment compensation laws or under common or
5 statutory laws where action taken by the employer based on the
6 test is relevant or is challenged.

7 ~~(2)~~ (b) To any federal agency or other unit of the federal
8 government as required under federal law, regulation or order,
9 or in accordance with compliance requirements of a federal
10 government contract.

11 ~~(3)~~ (c) To any agency of this state authorized to license
12 individuals if the employee tested is licensed by that agency
13 and the rules of that agency require such disclosure.

14 ~~(4)~~ (d) To a union representing the employee if such
15 disclosure would be required by federal labor laws.

16 ~~(5)~~ (e) To a substance abuse evaluation or treatment
17 facility or professional for the purpose of evaluation or
18 treatment of the employee.

19 (2) However, positive test results from an employer drug or
20 alcohol testing program shall not be used as evidence in any
21 criminal action against the employee or prospective employee
22 tested.

23 Sec. 218. Section 730.5, subsection 15, Code 2013, is
24 amended to read as follows:

25 15. *Civil remedies.*

26 a. This section may be enforced through a civil action.

27 ~~a.~~ (1) A person who violates this section or who aids
28 in the violation of this section, is liable to an aggrieved
29 employee or prospective employee for affirmative relief
30 including reinstatement or hiring, with or without back pay,
31 or any other equitable relief as the court deems appropriate
32 including attorney fees and court costs.

33 ~~b.~~ (2) When a person commits, is committing, or proposes to
34 commit, an act in violation of this section, an injunction may
35 be granted through an action in district court to prohibit the

1 person from continuing such acts. The action for injunctive
2 relief may be brought by an aggrieved employee or prospective
3 employee, the county attorney, or the attorney general.

4 b. In an action brought under this subsection alleging that
5 an employer has required or requested a drug or alcohol test
6 in violation of this section, the employer has the burden of
7 proving that the requirements of this section were met.

8 Sec. 219. Section 804.22, Code 2013, is amended to read as
9 follows:

10 **804.22 Initial appearance before magistrate — arrest without**
11 **warrant.**

12 1. When an arrest is made without a warrant, the person
13 arrested shall, without unnecessary delay, be taken before
14 the nearest or most accessible magistrate in the judicial
15 district in which such arrest was made or before a magistrate
16 in an approved judicial district, and the grounds on which the
17 arrest was made shall be stated to the magistrate by complaint,
18 subscribed and sworn to by the complainant, or supported by the
19 complainant's affirmation, and such magistrate shall proceed
20 as follows:

21 ~~1-~~ a. If the magistrate believes from such complaint that
22 the offense charged is triable in the magistrate's court, the
23 magistrate shall proceed with the case.

24 ~~2-~~ b. If the magistrate believes from such complaint that
25 the offense charged is triable in another court, the magistrate
26 shall by written order, commit the person arrested to a peace
27 officer, to be taken before the appropriate magistrate in the
28 district in which the offense is triable, and shall fix the
29 amount of bail or other conditions of release which the person
30 arrested may give for the person's appearance at the other
31 court.

32 2. This section and the rules of criminal procedure do
33 not affect the provisions of chapter 805 authorizing the
34 release of a person on citation or bail prior to initial
35 appearance, unless the person is charged with manufacture,

1 delivery, possession with intent to manufacture or deliver, or
2 distribution of methamphetamine. The initial appearance of a
3 person so released shall be scheduled for a time not more than
4 thirty days after the date of release.

5 3. For purposes of this section, an "*approved judicial*
6 *district*" means, as to any particular arrest of a person made
7 without a warrant, any judicial district in this state in
8 which the chief judge of that judicial district and the chief
9 judge of the judicial district in which the arrest was made
10 have previously entered an order permitting a person arrested
11 without warrant to be taken to a magistrate from any judicial
12 district subject to the order.

13 Sec. 220. Section 804.30, Code 2013, is amended to read as
14 follows:

15 **804.30 Strip searches.**

16 1. A person arrested for a scheduled violation or a simple
17 misdemeanor shall not be subjected to a strip search unless
18 there is probable cause to believe the person is concealing a
19 weapon or contraband. A strip search pursuant to this section
20 shall not be conducted except under all of the following
21 conditions:

22 ~~1.~~ a. Written authorization of the supervisor on duty is
23 obtained.

24 ~~2.~~ b. A search warrant is obtained for the probing of any
25 body cavity other than the mouth, ears or nose.

26 ~~3.~~ c. A visual search or probing of any body cavity shall
27 be performed under sanitary conditions. A physical probe of
28 a body cavity other than the mouth, ears or nose shall be
29 performed only by a licensed physician unless voluntarily
30 waived in writing by the arrested person.

31 ~~4.~~ d. The search is conducted in a place where it cannot be
32 observed by persons not conducting the search.

33 ~~5.~~ e. The search is conducted by a person of the same sex
34 as the arrested person, unless conducted by a physician.

35 2. Subsequent to a strip search, a written report shall be

1 prepared which includes the written authorization required by
2 subsection 1, paragraph "a", the name of the person subjected
3 to the search, the names of the persons conducting the search,
4 the time, date and place of the search and, if required by
5 subsection 2 1, paragraph "b", a copy of the search warrant
6 authorizing the search. A copy of the report shall be provided
7 to the person searched.

8 Sec. 221. Section 805.16, subsection 3, Code 2013, is
9 amended to read as follows:

10 3. a. A person arrested pursuant to subsection 2 shall only
11 be arrested for the limited purpose of holding the person in
12 nonsecure custody in an area not intended for secure detention
13 while awaiting transfer to an appropriate juvenile facility
14 or to court, for booking, for implied consent testing, for
15 contacting and release to the person's parents, or for other
16 administrative purposes.

17 b. For purposes of this subsection, "*nonsecure custody*"
18 means custody in an unlocked multipurpose area, such as a
19 lobby, office, or interrogation room which is not designed,
20 set aside, or used as a secure detention area, and the person
21 arrested is not physically secured during the period of custody
22 in the area, the person is physically accompanied by a peace
23 officer or a person employed by the facility where the person
24 arrested is being held, and the use of the area is limited to
25 providing nonsecure custody only long enough for the purposes
26 stated in ~~the preceding~~ paragraph "a" and not for a period of
27 time in excess of six hours without the oral or written order
28 of a judge or magistrate authorizing the detention. A judge
29 shall not extend the period of time in excess of six hours
30 beyond the initial six-hour period.

31 Sec. 222. Section 811.2, subsection 1, Code 2013, is amended
32 to read as follows:

33 1. *Conditions for release of defendant.*

34 a. All bailable defendants shall be ordered released from
35 custody pending judgment or entry of deferred judgment on their

1 personal recognizance, or upon the execution of an unsecured
2 appearance bond in an amount specified by the magistrate unless
3 the magistrate determines in the exercise of the magistrate's
4 discretion, that such a release will not reasonably assure the
5 appearance of the defendant as required or that release will
6 jeopardize the personal safety of another person or persons.
7 When such determination is made, the magistrate shall, either
8 in lieu of or in addition to the above methods of release,
9 impose the first of the following conditions of release which
10 will reasonably assure the appearance of the person for trial
11 or deferral of judgment and the safety of other persons, or, if
12 no single condition gives that assurance, any combination of
13 the following conditions:

14 ~~a.~~ (1) Place the defendant in the custody of a designated
15 person or organization agreeing to supervise the defendant.

16 ~~b.~~ (2) Place restrictions on the travel, association or
17 place of abode of the defendant during the period of release.

18 ~~c.~~ (3) Require the execution of an appearance bond in a
19 specified amount and the deposit with the clerk of the district
20 court or a public officer designated under section 602.1211,
21 subsection 4, in cash or other qualified security, of a sum not
22 to exceed ten percent of the amount of the bond, the deposit to
23 be returned to the person who deposited the specified amount
24 with the clerk upon the performance of the appearances as
25 required in section 811.6.

26 ~~d.~~ (4) Require the execution of a bail bond with sufficient
27 surety, or the deposit of cash in lieu of bond. However,
28 except as provided in section 811.1, bail initially given
29 remains valid until final disposition of the offense or entry
30 of an order deferring judgment. If the amount of bail is
31 deemed insufficient by the court before whom the offense is
32 pending, the court may order an increase of bail and the
33 defendant must provide the additional undertaking, written or
34 in cash, to secure release.

35 ~~e.~~ (5) Impose any other condition deemed reasonably

1 necessary to assure appearance as required, or the safety of
2 another person or persons including a condition requiring that
3 the defendant return to custody after specified hours, or a
4 condition that the defendant have no contact with the victim or
5 other persons specified by the court.

6 b. Any bailable defendant who is charged with unlawful
7 possession, manufacture, delivery, or distribution of a
8 controlled substance or other drug under chapter 124 and is
9 ordered released shall be required, as a condition of that
10 release, to submit to a substance abuse evaluation and follow
11 any recommendations proposed in the evaluation for appropriate
12 substance abuse treatment. However, if a bailable defendant is
13 charged with manufacture, delivery, possession with the intent
14 to manufacture or deliver, or distribution of methamphetamine,
15 its salts, optical isomers, and salts of its optical isomers,
16 the defendant shall, in addition to a substance abuse
17 evaluation, remain under supervision and be required to undergo
18 random drug tests as a condition of release.

19 Sec. 223. Section 901.3, Code 2013, is amended to read as
20 follows:

21 **901.3 Presentence investigation report.**

22 1. If a presentence investigation is ordered by the court,
23 the investigator shall promptly inquire into all of the
24 following:

25 ~~1-~~ a. The defendant's characteristics, family and financial
26 circumstances, needs, and potentialities.

27 ~~2-~~ b. The defendant's criminal record and social history.

28 ~~3-~~ c. The circumstances of the offense.

29 ~~4-~~ d. The time the defendant has been in detention.

30 ~~5-~~ e. The harm to the victim, the victim's immediate
31 family, and the community. Additionally, the presentence
32 investigator shall provide a victim impact statement form to
33 each victim, if one has not already been provided, and shall
34 file the completed statement or statements with the presentence
35 investigation report.

1 ~~6.~~ f. The defendant's potential as a candidate for the
2 community service sentence program established pursuant to
3 section 907.13.

4 ~~7.~~ g. Any mitigating circumstances relating to the offense
5 and the defendant's potential as a candidate for deferred
6 judgment, deferred sentencing, a suspended sentence, or
7 probation, if the defendant is charged with or convicted of
8 assisting suicide pursuant to section 707A.2.

9 ~~8.~~ h. Whether the defendant has a history of mental
10 health or substance abuse problems. If so, the investigator
11 shall inquire into the treatment options available in both the
12 community of the defendant and the correctional system.

13 2. All local and state mental and correctional
14 institutions, courts, and police agencies shall furnish to
15 the investigator on request the defendant's criminal record
16 and other relevant information. The originating source of
17 specific mental health or substance abuse information including
18 the histories, treatment, and use of medications shall
19 not be released to the presentence investigator unless the
20 defendant authorizes the release of such information. If the
21 defendant refuses to release the information, the presentence
22 investigator may note the defendant's refusal to release mental
23 health or substance abuse information in the presentence
24 investigation report and rely upon other mental health or
25 substance abuse information available to the presentence
26 investigator. With the approval of the court, a physical
27 examination or psychiatric evaluation of the defendant may be
28 ordered, or the defendant may be committed to an inpatient
29 or outpatient psychiatric facility for an evaluation of the
30 defendant's personality and mental health. The results of any
31 such examination or evaluation shall be included in the report
32 of the investigator.

33 Sec. 224. Section 901.5, unnumbered paragraphs 1 and 2, Code
34 2013, are amended to read as follows:

35 After receiving and examining all pertinent information,

1 including the presentence investigation report and victim
2 impact statements, if any, the court shall consider the
3 following sentencing options. The court shall determine
4 which of them is authorized by law for the offense, and of
5 the authorized sentences, which of them or which combination
6 of them, in the discretion of the court, will provide maximum
7 opportunity for the rehabilitation of the defendant, and for
8 the protection of the community from further offenses by the
9 defendant and others. At the time fixed by the court for
10 pronouncement of judgment and sentence, the court shall act
11 accordingly:

12 ~~At the time fixed by the court for pronouncement of judgment~~
13 ~~and sentence, the court shall act accordingly:~~

14 Sec. 225. Section 902.9, Code 2013, is amended to read as
15 follows:

16 **902.9 Maximum sentence for felons.**

17 1. The maximum sentence for any person convicted of a felony
18 shall be that prescribed by statute or, if not prescribed by
19 statute, if other than a class "A" felony shall be determined
20 as follows:

21 ~~1-~~ a. A felon sentenced for a first conviction for a
22 violation of section 124.401D, shall be confined for no more
23 than ninety-nine years.

24 ~~2-~~ b. A class "B" felon shall be confined for no more than
25 twenty-five years.

26 ~~3-~~ c. An habitual offender shall be confined for no more
27 than fifteen years.

28 ~~4-~~ d. A class "C" felon, not an habitual offender, shall
29 be confined for no more than ten years, and in addition shall
30 be sentenced to a fine of at least one thousand dollars but not
31 more than ten thousand dollars.

32 ~~5-~~ e. A class "D" felon, not an habitual offender, shall be
33 confined for no more than five years, and in addition shall be
34 sentenced to a fine of at least seven hundred fifty dollars but
35 not more than seven thousand five hundred dollars.

1 2. The surcharges required by sections 911.1, 911.2, and
2 911.3 shall be added to a fine imposed on a class "C" or class
3 "D" felon, as provided by those sections, and are not a part of
4 or subject to the maximums set in this section.

5 Sec. 226. Section 904.403, Code 2013, is amended to read as
6 follows:

7 **904.403 Investigatory powers — witnesses.**

8 1. The director may exercise the following powers in an
9 investigation:

10 ~~1.~~ a. Summon and compel the attendance of witnesses.

11 ~~2.~~ b. Examine the witnesses under oath, which the director
12 may administer.

13 ~~3.~~ c. Have access to all books, papers, and property
14 material to the investigation.

15 ~~4.~~ d. Order the production of books or papers material to
16 the investigation.

17 2. Witnesses other than those in the employ of the state
18 are entitled to the same fees as in civil cases in the district
19 court.

20 Sec. 227. Section 904.813, subsection 2, Code 2013, is
21 amended to read as follows:

22 2. a. The Iowa state industries revolving fund shall be
23 used only for the following purposes:

24 ~~a.~~ (1) Establishment, maintenance, transfer, or closure of
25 industrial operations, or vocational, technical, and related
26 training facilities and services for inmates as authorized by
27 the state director in consultation with the industries board.

28 ~~b.~~ (2) Payment of all costs incurred by the industries
29 board, including but not limited to per diem and expenses
30 of its members, and of salaries, allowances, support, and
31 maintenance of Iowa state industries.

32 ~~c.~~ (3) Direct purchases from vendors of raw materials and
33 capital items used for the manufacturing processes of Iowa
34 state industries, in accordance with rules which meet state
35 bidding requirements. The rules shall be adopted by the state

1 director in consultation with the industries board.

2 b. Payments from the revolving fund, other than salary
3 payments, shall be made directly to the vendors.

4 Sec. 228. Section 904.905, Code 2013, is amended to read as
5 follows:

6 **904.905 Surrender of earnings.**

7 1. An inmate employed in the community under a work release
8 plan shall surrender to the judicial district department of
9 correctional services the inmate's total earnings less payroll
10 deductions required by law. The judicial district department
11 of correctional services shall deduct from the earnings in the
12 following order of priority:

13 ~~1.~~ a. An amount the inmate may be legally obligated to pay
14 for the support of the inmate's dependents, the amount of which
15 shall be paid to the dependents through the department of human
16 services located in the county or city in which the dependents
17 reside.

18 ~~2.~~ b. Restitution as ordered by the court pursuant to
19 chapter 910.

20 ~~3.~~ c. An amount determined to be the cost to the judicial
21 district department of correctional services for providing
22 food, lodging, and clothing for the inmate while under the
23 program.

24 ~~4.~~ d. Any other financial obligations which are
25 acknowledged by the inmate or any unsatisfied judgment against
26 the inmate.

27 2. Any balance remaining after deductions and payments
28 shall be credited to the inmate's personal account at the
29 judicial district department of correctional services and shall
30 be paid to the inmate upon release. An inmate so employed
31 shall be paid a fair and reasonable wage in accordance with the
32 prevailing wage scale for such work and shall work at fair and
33 reasonable hours per day and per week.

34 Sec. 229. Section 905.12, Code 2013, is amended to read as
35 follows:

1 **905.12 Surrender of earnings.**

2 1. When committing a person to a residential treatment
3 center operated by a judicial district department of
4 correctional services, the court shall order the person to
5 surrender to the district department their total earnings less
6 payroll deductions required by law. The court shall establish
7 the person's legal obligations by order and the district
8 department shall deduct from the earnings to satisfy the court
9 order in the following order of priority:

10 ~~1.~~ a. An amount the resident may be legally obligated to
11 pay for the support of dependents, which shall be paid to the
12 dependents directly or through the department of human services
13 in the county in which the dependents reside. For the purpose
14 of this ~~subsection~~ paragraph, "*legally obligated*" means under
15 a court order.

16 ~~2.~~ b. Restitution ordered by the court under chapter 910.

17 ~~3.~~ c. An amount determined to be the cost to the judicial
18 district department of correctional services for food, lodging,
19 and other expenses incurred by or on behalf of the resident.

20 ~~4.~~ d. Any other financial obligations which are admitted
21 to by the resident or any judgment granted by the court to
22 another person to whom the resident owes money, but no earnings
23 of a resident are subject to garnishment while the person is
24 committed to the center.

25 2. Any balance remaining after deductions and payments
26 shall be credited to the resident's personal account at the
27 district department and shall be paid to the resident upon
28 release. The director shall establish a plan to comply
29 with the provisions of court orders entered pursuant to this
30 section.

31 Sec. 230. Section 906.5, subsection 1, Code 2013, is amended
32 to read as follows:

33 1. a. The board shall establish and implement a plan by
34 which the board systematically reviews the status of each
35 person who has been committed to the custody of the director of

1 the Iowa department of corrections and considers the person's
2 prospects for parole or work release. The board at least
3 annually shall review the status of a person other than a class
4 "A" felon, a class "B" felon serving a sentence of more than
5 twenty-five years, or a felon serving an offense punishable
6 under section 902.9, subsection 1, paragraph "a", or a felon
7 serving a mandatory minimum sentence other than a class "A"
8 felon, and provide the person with notice of the board's parole
9 or work release decision.

10 b. Not less than twenty days prior to conducting a hearing
11 at which the board will interview the person, the board
12 shall notify the department of corrections of the scheduling
13 of the interview, and the department shall make the person
14 available to the board at the person's institutional residence
15 as scheduled in the notice. However, if health, safety, or
16 security conditions require moving the person to another
17 institution or facility prior to the scheduled interview, the
18 department of corrections shall so notify the board.

19 Sec. 231. Section 906.9, Code 2013, is amended to read as
20 follows:

21 **906.9 Clothing, transportation, and money.**

22 1. When an inmate is discharged, paroled, or placed on work
23 release, the warden or superintendent shall furnish the inmate,
24 at state expense, appropriate clothing and transportation
25 to the place in this state indicated in the inmate's
26 discharge, parole, or work release plan. When an inmate is
27 discharged, paroled, or placed on work release, the warden or
28 superintendent shall provide the inmate, at state expense or
29 through inmate savings as provided in section 904.508, money in
30 accordance with the following schedule:

31 ~~1.~~ a. Upon discharge or parole, one hundred dollars.

32 ~~2.~~ b. Upon being placed on work release, fifty dollars.

33 2. Those inmates receiving payment under subsection 2

34 1, paragraph "b", shall not be eligible for payment under

35 subsection 1, paragraph "a", unless they are returned to the

1 institution. An inmate shall only be eligible to receive one
2 payment under this section during any twelve-month period. The
3 warden or superintendent shall maintain an account of all funds
4 expended pursuant to this section.

5 Sec. 232. Section 910.4, subsection 3, Code 2013, is amended
6 to read as follows:

7 3. a. When there is a transfer of supervision from one
8 office or individual charged with supervision of the offender
9 to another, the sending office or individual shall forward to
10 the receiving office or individual all necessary information
11 regarding the balance owed against the original amount of
12 restitution ordered and the balance of public service required.

13 b. When the offender's circumstances and income have
14 significantly changed, the receiving office or individual
15 shall submit a new plan of payment to the sentencing court for
16 approval or modification based on the considerations enumerated
17 in this section.

18 Sec. 233. Section 915.12, subsection 1, Code 2013, is
19 amended to read as follows:

20 1. A victim may register by filing a written
21 request-for-registration form with the county attorney. The
22 county attorney shall notify the victims in writing and advise
23 them of their registration and rights under this subchapter.
24 The county attorney shall provide a registered victim list to
25 the offices, agencies, and departments required to provide
26 information under this subchapter for notification purposes.

27 ~~The county attorney shall provide a registered victim list~~
28 ~~to the offices, agencies, and departments required to provide~~
29 ~~information under this subchapter for notification purposes.~~

30 Sec. 234. Section 915.29, Code 2013, is amended to read as
31 follows:

32 **915.29 Notification of victim of juvenile by department of**
33 **human services.**

34 1. The department of human services shall notify a
35 registered victim regarding a juvenile adjudicated delinquent

1 for a violent crime, committed to the custody of the department
2 of human services, and placed at the state training school at
3 Eldora or Toledo, of the following:

4 ~~1.~~ a. The date on which the juvenile is expected to be
5 temporarily released from the custody of the department of
6 human services, and whether the juvenile is expected to return
7 to the community where the registered victim resides.

8 ~~2.~~ b. The juvenile's escape from custody.

9 ~~3.~~ c. The recommendation by the department to consider the
10 juvenile for release or placement.

11 ~~4.~~ d. The date on which the juvenile is expected to be
12 released from a facility pursuant to a plan of placement.

13 2. The notification required pursuant to this section
14 may occur through the automated victim notification system
15 referred to in section 915.10A to the extent such information
16 is available for dissemination through the system.

17 Sec. 235. Section 915.38, subsection 1, Code 2013, is
18 amended to read as follows:

19 1. a. Upon its own motion or upon motion of any party,
20 a court may protect a minor, as defined in section 599.1,
21 from trauma caused by testifying in the physical presence of
22 the defendant where it would impair the minor's ability to
23 communicate, by ordering that the testimony of the minor be
24 taken in a room other than the courtroom and be televised
25 by closed-circuit equipment for viewing in the courtroom.
26 However, such an order shall be entered only upon a specific
27 finding by the court that such measures are necessary to
28 protect the minor from trauma. Only the judge, prosecuting
29 attorney, defendant's attorney, persons necessary to operate
30 the equipment, and any person whose presence, in the opinion of
31 the court, would contribute to the welfare and well-being of
32 the minor may be present in the room with the minor during the
33 minor's testimony. The judge shall inform the minor that the
34 defendant will not be present in the room in which the minor
35 will be testifying but that the defendant will be viewing the

1 minor's testimony through closed-circuit television.

2 b. During the minor's testimony the defendant shall remain
3 in the courtroom and shall be allowed to communicate with the
4 defendant's counsel in the room where the minor is testifying
5 by an appropriate electronic method.

6 c. In addition, upon a finding of necessity, the court
7 may allow the testimony of a victim or witness with a mental
8 illness, an intellectual disability, or other developmental
9 disability to be taken as provided in this subsection,
10 regardless of the age of the victim or witness.

11 DIVISION III

12 CONFORMING CHANGES

13 Sec. 236. Section 48A.11, subsection 2, paragraph b, Code
14 2013, is amended to read as follows:

15 b. The penalty provided by law for submission of a false
16 voter registration form, which shall be the penalty for perjury
17 as provided by section 902.9, subsection 5 1, paragraph "e".

18 Sec. 237. Section 124.401, subsection 1, paragraph a,
19 unnumbered paragraph 1, Code 2013, is amended to read as
20 follows:

21 Violation of this subsection, with respect to the
22 following controlled substances, counterfeit substances, or
23 simulated controlled substances is a class "B" felony, and
24 notwithstanding section 902.9, subsection 2 1, paragraph "b",
25 shall be punished by confinement for no more than fifty years
26 and a fine of not more than one million dollars:

27 Sec. 238. Section 124.401, subsection 1, paragraph b,
28 unnumbered paragraph 1, Code 2013, is amended to read as
29 follows:

30 Violation of this subsection with respect to the following
31 controlled substances, counterfeit substances, or simulated
32 controlled substances is a class "B" felony, and in addition
33 to the provisions of section 902.9, subsection 2 1, paragraph
34 "b", shall be punished by a fine of not less than five thousand
35 dollars nor more than one hundred thousand dollars:

1 Sec. 239. Section 124.401, subsection 1, paragraph c,
2 unnumbered paragraph 1, Code 2013, is amended to read as
3 follows:

4 Violation of this subsection with respect to the following
5 controlled substances, counterfeit substances, or simulated
6 controlled substances is a class "C" felony, and in addition
7 to the provisions of section 902.9, subsection 4 1, paragraph
8 "d", shall be punished by a fine of not less than one thousand
9 dollars nor more than fifty thousand dollars:

10 Sec. 240. Section 124.401D, subsection 1, paragraph b, Code
11 2013, is amended to read as follows:

12 *b.* A violation of this subsection is a felony punishable
13 under section 902.9, subsection 1, paragraph "a".

14 Sec. 241. Section 124.401D, subsection 2, paragraph b, Code
15 2013, is amended to read as follows:

16 *b.* A violation of this subsection is a felony punishable
17 under section 902.9, subsection 1, paragraph "a".

18 Sec. 242. Section 237A.29, subsection 2, paragraph b, Code
19 2013, is amended to read as follows:

20 *b.* A child care provider that has been found by the
21 department of inspections and appeals in an administrative
22 proceeding or in a judicial proceeding to have obtained, or has
23 agreed to entry of a civil judgment or judgment by confession
24 that includes a conclusion of law that the child care provider
25 has obtained, by fraudulent means, public funding for provision
26 of child care in an amount equal to or in excess of the minimum
27 amount for a fraudulent practice in the second degree under
28 section 714.10, subsection 1, paragraph "a", shall be subject
29 to sanction in accordance with this subsection. Such child
30 care provider shall be subject to a period during which receipt
31 of public funding for provision of child care is conditioned
32 upon no further violations and to one or more of the following
33 sanctions as determined by the department of human services:

34 (1) Ineligibility to receive public funding for provision
35 of child care.

1 (2) Suspension from receipt of public funding for provision
2 of child care.

3 (3) Special review of the child care provider's claims for
4 providing publicly funded child care.

5 Sec. 243. Section 692A.101, subsection 1, paragraph a,
6 subparagraphs (3) and (4), Code 2013, are amended to read as
7 follows:

8 (3) Sexual abuse in the third degree in violation of section
9 709.4, subsection 1, paragraph "a".

10 (4) Lascivious acts with a child in violation of section
11 709.8, subsection 1, paragraph "a" or 2 "b".

12 Sec. 244. Section 692A.101, subsection 2, paragraph a,
13 subparagraph (3), Code 2013, is amended to read as follows:

14 (3) Sexual abuse in the third degree in violation of section
15 709.4, except for a violation of section 709.4, subsection 2 1,
16 paragraph ~~"e"~~ "b", subparagraph ~~(4)~~ (3), subparagraph division
17 (d).

18 Sec. 245. Section 692A.102, subsection 1, paragraph a,
19 subparagraphs (2), (3), and (4), Code 2013, are amended to read
20 as follows:

21 (2) Sexual abuse in the third degree in violation of
22 section 709.4, subsection 1, 3 paragraph "a", "c", or 4 "d", if
23 committed by a person under the age of fourteen.

24 (3) Sexual abuse in the third degree in violation of section
25 709.4, subsection 2 1, paragraph ~~"a" or "b"~~, subparagraph (1) or
26 (2), if committed by a person under the age of fourteen.

27 (4) Sexual abuse in the third degree in violation of section
28 709.4, subsection 2 1, paragraph ~~"e"~~ "b", subparagraph (3).

29 Sec. 246. Section 692A.102, subsection 1, paragraph b,
30 subparagraphs (1) and (3), Code 2013, are amended to read as
31 follows:

32 (1) Lascivious acts with a child in violation of section
33 709.8, subsection 3 1, paragraph "c" or 4 "d".

34 (3) Solicitation of a minor to engage in an illegal act
35 under section 709.8, subsection 3 1, paragraph "c", in violation

1 of section 705.1.

2 Sec. 247. Section 692A.102, subsection 1, paragraph c,
3 subparagraphs (10), (11), and (12), Code 2013, are amended to
4 read as follows:

5 (10) Sexual abuse in the third degree in violation of
6 section 709.4, subsection 1, ~~3~~ paragraph "a", "c", or 4 "d", if
7 committed by a person fourteen years of age or older.

8 (11) Sexual abuse in the third degree in violation
9 of section 709.4, subsection ~~2~~ 1, paragraph ~~"a" or "b",~~
10 subparagraph (1) or (2), if committed by a person fourteen
11 years of age or older.

12 (12) Lascivious acts with a child in violation of section
13 709.8, subsection 1, paragraph "a" or 2 "b".

14 Sec. 248. Section 692A.121, subsection 2, paragraph b,
15 subparagraph (2), subparagraph division (a), Code 2013, is
16 amended to read as follows:

17 (a) The relevant information about a sex offender who was
18 under twenty years of age at the time the offender committed a
19 violation of section 709.4, subsection ~~2~~ 1, paragraph ~~"e" "b",~~
20 subparagraph ~~(4)~~ (3), subparagraph division (d).

21 Sec. 249. Section 702.11, subsection 2, paragraph c, Code
22 2013, is amended to read as follows:

23 c. Sexual abuse in violation of section 709.4, subsection
24 ~~2~~ 1, paragraph ~~"e" "b",~~ subparagraph ~~(4)~~ (3), subparagraph
25 division (d).

26 Sec. 250. Section 708.2A, subsection 7, paragraph b, Code
27 2013, is amended to read as follows:

28 b. A person convicted of violating subsection 4 shall be
29 sentenced as provided under section 902.9, subsection ~~5~~ 1,
30 paragraph "e", and shall be denied parole or work release until
31 the person has served a minimum of one year of the person's
32 sentence. Notwithstanding section 901.5, subsections 1, 3, and
33 5 and section 907.3, the person cannot receive a suspended or
34 deferred sentence or a deferred judgment; however, the person
35 sentenced shall receive credit for any time the person was

1 confined in a jail or detention facility following arrest.

2 Sec. 251. Section 708A.2, Code 2013, is amended to read as
3 follows:

4 **708A.2 Terrorism.**

5 A person who commits or attempts to commit an act of
6 terrorism commits a class "B" felony. However, notwithstanding
7 section 902.9, subsection 2 1, paragraph "b", the maximum
8 sentence for a person convicted under this section shall be a
9 period of confinement of not more than fifty years.

10 Sec. 252. Section 716.10, subsection 2, paragraph a, Code
11 2013, is amended to read as follows:

12 a. A person commits railroad vandalism in the first degree
13 if the person intentionally commits railroad vandalism which
14 results in the death of any person. Railroad vandalism in the
15 first degree is a class "B" felony. However, notwithstanding
16 section 902.9, subsection 2 1, paragraph "b", the maximum
17 sentence for a person convicted under this section shall be a
18 period of confinement of not more than fifty years.

19 Sec. 253. Section 726.6, subsection 4, Code 2013, is amended
20 to read as follows:

21 4. A person who commits child endangerment resulting in
22 the death of a child or minor is guilty of a class "B" felony.
23 Notwithstanding section 902.9, subsection 2 1, paragraph "b",
24 a person convicted of a violation of this subsection shall be
25 confined for no more than fifty years.

26 Sec. 254. Section 726.6A, Code 2013, is amended to read as
27 follows:

28 **726.6A Multiple acts of child endangerment — penalty.**

29 A person who engages in a course of conduct including three
30 or more acts of child endangerment as defined in section 726.6
31 within a period of twelve months involving the same child or a
32 minor with a mental or physical disability, where one or more
33 of the acts results in serious injury to the child or minor
34 or results in a skeletal injury to a child under the age of
35 four years, is guilty of a class "B" felony. Notwithstanding

1 section 902.9, subsection 2 1, paragraph "b", a person convicted
2 of a violation of this section shall be confined for no more
3 than fifty years.

4 Sec. 255. Section 804.25, Code 2013, is amended to read as
5 follows:

6 **804.25 Bail — discharge.**

7 Any magistrate who receives bail as provided for in sections
8 804.21, subsection 2, and 804.22, subsection 2 1, paragraph "b",
9 shall endorse, on the order of commitment or on the warrant, an
10 order for the discharge from custody of the arrested person,
11 who shall forthwith be discharged, and shall transmit by mail,
12 or otherwise, as soon as it can be conveniently done, to the
13 court at which the person is bound to appear, the affidavits,
14 order of commitment or warrant, and discharge, together with
15 the undertaking of bail.

16 Sec. 256. Section 811.1, subsections 1 and 2, Code 2013, are
17 amended to read as follows:

18 1. A defendant awaiting judgment of conviction and
19 sentencing following either a plea or verdict of guilty of a
20 class "A" felony; forcible felony as defined in section 702.11;
21 any class "B" felony included in section 462A.14 or 707.6A; any
22 felony included in section 124.401, subsection 1, paragraph
23 "a" or "b"; a second or subsequent offense under section
24 124.401, subsection 1, paragraph "c"; any felony punishable
25 under section 902.9, subsection 1, paragraph "a"; any public
26 offense committed while detained pursuant to section 229A.5;
27 or any public offense committed while subject to an order of
28 commitment pursuant to chapter 229A.

29 2. A defendant appealing a conviction of a class "A"
30 felony; forcible felony as defined in section 702.11; any class
31 "B" or "C" felony included in section 462A.14 or 707.6A; any
32 felony included in section 124.401, subsection 1, paragraph
33 "a" or "b"; or a second or subsequent conviction under section
34 124.401, subsection 1, paragraph "c"; any felony punishable
35 under section 902.9, subsection 1, paragraph "a"; any public

1 offense committed while detained pursuant to section 229A.5;
2 or any public offense committed while subject to an order of
3 commitment pursuant to chapter 229A.

4 Sec. 257. Section 811.10, unnumbered paragraph 1, Code
5 2013, is amended to read as follows:

6 When a defendant is admitted to bail by means of a surety
7 bail bond pursuant to section 811.2, subsection 1, paragraph
8 ~~"d"~~, "a", subparagraph (4), the obligation of surety shall be
9 discharged, and the surety released, upon any of the following
10 conditions:

11 Sec. 258. Section 901.2, unnumbered paragraph 2, Code 2013,
12 is amended to read as follows:

13 The court shall not order a presentence investigation when
14 the offense is a class "A" felony. If, however, the board of
15 parole determines that the Iowa medical and classification
16 center reception report for a class "A" felon is inadequate,
17 the board may request and shall be provided with additional
18 information from the appropriate judicial district department
19 of correctional services. The court shall order a presentence
20 investigation when the offense is any felony punishable under
21 section 902.9, subsection 1, paragraph "a", or a class "B",
22 class "C", or class "D" felony. A presentence investigation
23 for any felony punishable under section 902.9, subsection 1,
24 paragraph "a", or a class "B", class "C", or class "D" felony
25 shall not be waived. The court may order, with the consent of
26 the defendant, that the presentence investigation begin prior
27 to the acceptance of a plea of guilty, or prior to a verdict
28 of guilty. The court may order a presentence investigation
29 when the offense is an aggravated misdemeanor. The court may
30 order a presentence investigation when the offense is a serious
31 misdemeanor only upon a finding of exceptional circumstances
32 warranting an investigation. Notwithstanding section 901.3, a
33 presentence investigation ordered by the court for a serious
34 misdemeanor shall include information concerning only the
35 following:

1 Sec. 259. Section 901.5A, subsection 1, unnumbered
2 paragraph 1, Code 2013, is amended to read as follows:

3 A defendant sentenced by the court to the custody of the
4 director of the department of corrections for an offense
5 punishable under section 902.9, subsection 1, paragraph "a",
6 may have the judgment and sentence entered under section 901.5
7 reopened for resentencing if the following apply:

8 Sec. 260. Section 901.10, subsection 3, Code 2013, is
9 amended to read as follows:

10 3. A court sentencing a person for the person's first
11 conviction under section 124.401D may, at its discretion,
12 sentence the person to a term less than the maximum term
13 provided under section 902.9, subsection 1, paragraph "a", if
14 mitigating circumstances exist and those circumstances are
15 stated specifically in the record. However, the court shall
16 not grant any reduction of sentence unless the defendant pleads
17 guilty. If the defendant pleads guilty, the court may, at its
18 discretion, reduce the maximum sentence by up to one-third. If
19 the defendant cooperates in the prosecution of other persons
20 involved in the sale or use of controlled substances, and
21 if the prosecutor requests an additional reduction in the
22 defendant's sentence because of such cooperation, the court may
23 grant a further reduction in the defendant's maximum sentence.

24 Sec. 261. Section 902.14, subsection 1, paragraph c, Code
25 2013, is amended to read as follows:

26 c. Lascivious acts with a child in violation of section
27 709.8, subsection 1, paragraph "a" or 2 "b".

28 DIVISION IV

29 DIRECTIVES

30 Sec. 262. CODE EDITOR DIRECTIVES.

31 1. Sections 554.1201, subsection 2, paragraph "p";
32 554.2210, subsection 3; 554.3104, subsection 1, paragraph "c";
33 554.3104, subsections 6, 8, and 9; 554.3106, subsections 1
34 and 2; 554.3108, subsections 1 and 2; 554.3109, subsection
35 2; 554.3112, subsection 1; 554.3204, subsection 1; 554.3206,

1 subsection 3, unnumbered paragraph 1; 554.3302, subsection
2 1, paragraph "b"; 554.3302, subsections 3 and 5; 554.3307,
3 subsection 2; 554.3310, subsection 3; 554.3312, subsection
4 2, unnumbered paragraph 1; 554.3312, subsection 3; 554.3402,
5 subsection 2, paragraph "b"; 554.3404, subsection 2, unnumbered
6 paragraph 1; 554.3404, subsection 3; 554.3405, subsection 3;
7 554.3407, subsections 1 and 3; 554.3411, subsections 2 and
8 3; 554.3414, subsections 2 and 6; 554.3415, subsection 1;
9 554.3417, subsection 1, unnumbered paragraph 1; 554.3417,
10 subsection 4, unnumbered paragraph 1; 554.3418, subsections
11 1 and 2; 554.3419, subsection 4; 554.3420, subsection 1;
12 554.3502, subsection 2, paragraph "c"; 554.3503, subsections 1
13 and 3; 554.3504, subsections 1 and 2; 554.3602, subsection 1;
14 554.3602, subsection 2, paragraph "a"; 554.4106, subsections
15 1 and 2; 554.4109, subsection 2; 554.4207, subsection 2;
16 554.4208, subsection 1, unnumbered paragraph 1; 554.4208,
17 subsections 2 and 4; 554.4215, subsection 5, unnumbered
18 paragraph 1; 554.5102, subsection 1, paragraphs "f" and "k";
19 554.5109, subsection 1, paragraph "a"; 554.5116, subsection 3;
20 554.8301, subsection 1, paragraph "c"; 554.8403, subsection
21 2, unnumbered paragraph 1; 554.13303, subsections 2 and 3;
22 554.13303, subsection 4, paragraph "b"; 554.13308, subsection
23 2; 554.13309, subsection 8; 554.13310, subsection 5; 554.13518,
24 subsection 2; 554.13529, subsection 1, paragraphs "a" and "b";
25 and 554.13531, subsection 1, unnumbered paragraph 1, Code
26 2013, are amended by striking nonconforming Code subparagraph
27 subdivision references from within section text.

28 2. Sections 554.3119, 554.3301, 554.3401, 554.3412,
29 554.3413, and 554.13105, Code 2013, are amended by striking
30 nonconforming Code subparagraph subdivision references from
31 within section text.

32 3. The Code editor is directed to number, renumber,
33 designate, or redesignate to eliminate unnumbered paragraphs
34 within sections 556D.2, 557B.5, 557B.6, 558.60, 562A.18,
35 564A.6, 573.18, 573A.7, 592.3, 596.8, 598.25, 600B.31A,

1 602.10141, 637.606, 654.12B, 703.5, and 704.11, Code 2013, in
2 accordance with established Code section hierarchy and correct
3 internal references in the Code and in any enacted Iowa Acts,
4 as necessary.

5 4. The Code editor is directed to number, renumber,
6 designate, or redesignate to eliminate unnumbered paragraphs
7 within sections 558.58, subsection 1; 562A.12, subsections 3
8 and 5; 562B.13, subsection 6; 573.12, subsection 1; 573.12,
9 subsection 2, paragraph "b"; 598.13, subsection 1; 598.22A,
10 subsection 1; 600.9, subsection 2; 600A.6, subsection 2;
11 602.1401, subsection 3; 602.6105, subsection 3, paragraph "b";
12 602.9105, subsection 1, paragraph "b"; 602.9107, subsections 2
13 and 3; 614.17A, subsection 2; 614.22, subsection 2; 624.24A,
14 subsection 3; 627.6, subsection 15; 631.13, subsection 4,
15 paragraph "a"; 631.14, subsection 2; 633.123A, subsection
16 1; 633.356, subsections 3, 4, 6, and 7; 633D.10, subsection
17 3; 654.15, subsection 1; 657.11, subsection 3, paragraph
18 "a"; 657A.10A, subsection 1; 669.14, subsection 11; 692.2,
19 subsection 6; 714.16A, subsection 1; 717B.5, subsection 2;
20 809A.6, subsection 4; 809A.7, subsection 5; 809A.9, subsection
21 1; 809A.12, subsection 3; 904.116, subsection 2; 904.201,
22 subsection 3; 904.503, subsection 1; and 904.809, subsection 5,
23 paragraph "a", Code 2013, in accordance with established Code
24 section hierarchy and correct internal references in the Code
25 and in any enacted Iowa Acts, as necessary.

26 5. The Code editor is directed to redesignate within
27 section 327F.39, subsection 1, paragraphs "a" through "c" to
28 place the definitions in alphabetical order and correct any
29 internal references in the Code and in any enacted Iowa Acts,
30 as necessary.

31 EXPLANATION

32 This bill makes Code changes and corrections that are
33 considered to be nonsubstantive and noncontroversial, in
34 addition to style changes. Changes made include updating
35 or correcting names of and references to public and private

1 entities and funds, correcting internal Code references and
2 terminology, updating United States Code references, making
3 various corrections to spelling and grammar, and renumbering
4 and reorganizing various provisions to eliminate unnumbered
5 paragraphs and facilitate citation. The Code sections in which
6 the technical, grammatical, and other nonsubstantive changes
7 are made include the following:

8 DIVISION I. Code section 8.6: Adds the word "number" after
9 the words "social security" in language describing the types of
10 identifiers that may be required to be produced, under rules
11 adopted by the department of management, by individuals or
12 entities who make applications to agencies of state government.

13 Code section 8.32: Numbers and letters unnumbered
14 paragraphs within this provision relating to conditional
15 availability of appropriations, because of a colon which
16 appears at the end of the first paragraph of the Code section.

17 Code section 8D.5: Renumbers and reformats language
18 to more specifically enumerate the provisions describing
19 the membership, duties, and staffing of the education
20 telecommunications council.

21 Code section 15.107: Corrects noun-verb agreement within
22 language describing the oversight duties of the board
23 of directors and the chief executive officer of the Iowa
24 innovation corporation.

25 Code section 16.6: Adds a numeric Code subchapter reference
26 after a reference by name to the state merit system in language
27 describing the employment classification of employees of the
28 Iowa finance authority.

29 Code section 16.27: Replaces parentheses with commas in
30 language describing an annual report submitted by the Iowa
31 finance authority to the legislative fiscal committee.

32 Code section 24.2: Combines two paragraphs to eliminate an
33 unanchored unnumbered paragraph within a definition of the term
34 "fiscal year" in the Code chapter governing local budgets.

35 Code section 28A.24: Moves a reference to Code chapter

1 422 to facilitate electronic hypertext linkage to that Code
2 chapter in this provision exempting the quad cities interstate
3 metropolitan authority from taxation.

4 Code section 28E.2: Numbers and alphabetizes definitions
5 of terms applicable to the Code chapter on joint exercise of
6 governmental powers.

7 Code section 29A.15: Adds the indefinite article "a" before
8 the words "national emergency" in this provision relating to
9 national guard merit or service badges or awards.

10 Code section 29C.17: Strikes an extraneous "the" in
11 prefatory language describing the funding of a local emergency
12 management agency's budget.

13 Code section 34A.6: Corrects a reference by name to the
14 wire-line E911 service surcharge in language describing the
15 preconditions to imposition of the surcharge.

16 Code section 34A.7A: Changes "communication" to
17 "communications" in a reference to this type of public or
18 private service provider in language relating to reimbursement
19 for transporting information within the enhanced E911 service
20 system. The term "communications service provider" is defined
21 in Code section 34A.2.

22 Code section 49.80: Redesignates this Code provision
23 relating to challenges to an elector to conform the style of
24 the provision to established Code hierarchy.

25 Code section 50.20: Changes a verbal expression of time
26 to the numeric expression in this provision relating to the
27 compilation and availability of a list of and affidavits
28 pertaining to provisional ballots cast in each precinct.

29 Code sections 53.45, 176A.10, and 422D.1: Strikes the
30 redundant word "state" to correct a clerical error in language
31 that refers to the general election described in Code chapter
32 39.

33 Code section 68A.604: Adds the words "as to" to complete
34 the sentence in language regarding a political party's central
35 committee's discretion as to allocation of the funds to

1 candidates.

2 Code section 88.8: Replaces parentheses with commas
3 to update the style of this provision regarding notice of
4 violations of occupational safety and health standards or
5 rules.

6 Code section 88.19: Restructures to enumerate the
7 subject matters which may be covered in reports by the labor
8 commissioner of the department of workforce development.

9 Code section 96.13: Corrects references to the name of the
10 entity responsible for the governance of the federal Social
11 Security Act in a provision relating to replenishment of lost
12 unemployment compensation funds.

13 Code section 97C.12: Renumbers and reformats to eliminate
14 nonconforming Code section hierarchy in this provision
15 describing the fund which used to be under the original social
16 security payment system.

17 Code section 123.30: Updates the style and grammar of
18 language governing requirements for premises of liquor control
19 licensees.

20 Code sections 123.50, 126.11, 252.27, 258.16, 322.33,
21 331.362, 331.382, 331.552, 350.4, 422.20, 422.72, 423.6,
22 455B.474A, 489.110, 502.610, 507A.7, 518C.7, 524.1411, 543B.29,
23 554D.104, 648.3, and 805.8B: Restructures internal reference
24 citations, by repeating existing Code section references, to
25 improve computer tagging of the references and permit automated
26 electronic hypertext linking within these provisions.

27 Code section 123.145: Updates the term "per centum" to
28 the term "percent" in this provision relating to labeling on
29 bottles, kegs, barrels, or other containers in which beer is
30 offered for sale.

31 Code section 124.401: Adds a missing "or" before a Code
32 section citation to certain controlled substances in a
33 nonserial set of references to substances, the manufacture,
34 possession, or delivery of which is an aggravated misdemeanor.

35 Code section 135.74: Adds the words "all of the following"

1 and strikes punctuation and the word "and" to update the style
2 of a provision setting out factors to be considered by the
3 department of public health in establishing uniform methods of
4 financial reporting.

5 Code section 135.75: Adds the words "all of the following"
6 and strikes punctuation and the word "and" to update the style
7 of a provision describing items that each hospital and health
8 facility must file with the department of public health.

9 Code section 135.83: Updates the name of the former Iowa
10 association of homes and services for the aging to reflect the
11 association's current name, "leading age Iowa" in language
12 relating to pilot programs dealing with prospective rate review
13 in hospitals or health care facilities, or both.

14 Code section 135.156: Strikes the redundant words
15 "electronic health information" from a reference to the
16 advisory council established to promote the adoption and use
17 of health information technology. The term "advisory council"
18 is defined in Code section 135.154, subsection 1, to mean the
19 electronic health information advisory council.

20 Code section 135.156B: Replaces the word "its" with the
21 words "the department's" to improve the readability of two
22 provisions describing the duties of the department of public
23 health.

24 Code sections 135C.2 and 423.3: Updates the name of the
25 former accreditation council for services for persons with an
26 intellectual disability and other persons with developmental
27 disabilities to reflect the council's new name, the "council on
28 quality and leadership".

29 Code section 135C.6: Replaces the word "licensability"
30 with the commonly used term "licensure" in language describing
31 activities of a health care facility which require prior
32 approval by the department of inspections and appeals in order
33 for the facility to continue to be licensed by the department.
34 Also changes "intellectual disabilities" to "an intellectual
35 disability" to correct the name of the services waiver in

1 language describing residential programs that provide services
2 to not more than five individuals who have an intellectual
3 disability.

4 Code section 138.13: Spells out the currently abbreviated
5 form of the word "Fahrenheit" in this provision governing the
6 conditions of living quarters and service building in migrant
7 labor camps.

8 Code section 144A.2: Renumbers a definition of the term
9 "life-sustaining procedure" to eliminate an unanchored
10 unnumbered paragraph that appears at the end of the definition.

11 Code section 163.26: Spells out the currently abbreviated
12 form of the word "Fahrenheit" in this definition of the term
13 "garbage".

14 Code section 189A.11: Renumbers to eliminate unanchored
15 unnumbered paragraphs and updates the style of this provision
16 relating to access by meat inspectors to establishments in
17 which livestock or poultry are slaughtered or livestock or
18 poultry products are prepared.

19 Code section 190.12: Spells out the currently abbreviated
20 form of the word "Fahrenheit" in this provision establishing
21 standards for frozen desserts.

22 Code section 203C.15: Changes the word "to" to "with"
23 to correct the grammar in a provision relating to insurance
24 coverage for warehouse operators.

25 Code section 230.15: Numbers and divides the last
26 unnumbered paragraph of this provision relating to liability
27 for payment of the cost of care and treatment of a person with
28 mental illness or a substance-related disorder.

29 Code section 231D.3A: Changes the word "for" to "of"
30 to correct a reference by name to the federal program of
31 all-inclusive care for the elderly, known as the PACE program.

32 Code section 235.3: Corrects a reference to the name of the
33 entity responsible for the governance of the federal social
34 security program.

35 Code sections 235B.1 and 235B.16A: Corrects the name of the

1 state department charged with oversight of state activities
2 for older Iowans. The department's name was changed from the
3 department of elder affairs to the department on aging by 2009
4 Iowa Acts, chapter 23.

5 Code section 249A.4B: Updates the names of the former Iowa
6 association of homes and services for the aging and the Iowa
7 dietetic association to their current names, "leading age
8 Iowa" and the "Iowa academy of nutrition and dietetics", in
9 this description of the membership of the medical assistance
10 advisory council.

11 Code sections 249A.12, 249A.26, and 249A.30: Changes
12 "intellectual disabilities" to "an intellectual disability" to
13 correct the name of the services waiver in three provisions
14 governing the provision of services to persons with an
15 intellectual disability.

16 Code section 249L.4: Updates the name of the former Iowa
17 association of homes and services for the aging to reflect the
18 association's current name, "leading age Iowa", in language
19 regarding payments to nursing facilities from the quality
20 assurance trust fund.

21 Code section 252D.17: Renumbers this provision relating
22 to income withholding for child support to eliminate the
23 unanchored unnumbered paragraph at the end of the Code section.

24 Code section 256.9: Updates the names of the former Iowa
25 dietetic association to reflect the association's current
26 name, the "Iowa academy of nutrition and dietetics", in this
27 provision enumerating the membership of the department of
28 education's nutrition advisory panel.

29 Code section 256.18A: Changes an incorrect internal
30 self-reference to "this paragraph" within this single paragraph
31 Code section regarding service learning by public and nonpublic
32 students.

33 Code section 256.42: Strikes a comma and adds an "and" to
34 correct the grammar of a provision relating to evaluation of
35 coursework offered through the Iowa learning online initiative.

1 Code section 261B.2: Corrects the grammar of a provision
2 describing the characteristics of institutions of postsecondary
3 education which are required to register with the college
4 student aid commission.

5 Code section 261B.9: Corrects a reference by name to the
6 state board of education in language describing disclosure
7 information that must be provided to students attending
8 postsecondary schools required to register with the college
9 student aid commission.

10 Code section 261E.5: Reformats to enumerate the amounts
11 to be remitted by the department of education to the college
12 board for advanced placement examinations for students properly
13 registered to take those examinations.

14 Code section 263B.3: Corrects a reference by name to the
15 federal administrator responsible for highways in a provision
16 regarding agreements and cooperative efforts between the state
17 archaeologist and federal agencies.

18 Code section 266.48: Adds the word "odor" to correct the
19 second reference by name to a cost-share program for livestock
20 odor research efforts by Iowa state university, the department
21 of agriculture and land stewardship, and the department of
22 natural resources.

23 Code section 272.31: Changes "authorization" to
24 "authorizations" in language relating to the availability and
25 cost of courses and programs for obtaining any one of the three
26 authorizations that are described in this Code section.

27 Code section 273.3: Corrects an incorrect self-reference to
28 facilitate electronic hypertext linkage in language describing
29 the authority of an area education agency board to receive and
30 expend funds.

31 Code section 280.10: Strikes a comma to correct a reference
32 by name to a standard for occupational and educational eye and
33 face protection.

34 Code section 321.105A: Changes the word "notice" to
35 "notification" to make consistent language describing the

1 written information that a purchaser must give to a motor
2 vehicle dealer if the purchaser claims that an excess amount of
3 fee for new registration has been paid as part of the vehicle
4 purchase.

5 Code section 322A.1: Adds the definite article "the" in
6 two places before two nouns to correct the grammar of language
7 describing the meaning of the term "franchise".

8 Code section 326.2: Changes the word "to" to "for" to
9 correct the grammar in language describing one-way movement
10 that constitutes a "trip" for purposes of commercial vehicle
11 registration reciprocity.

12 Code section 331.390: Changes "regions" to "region" in
13 language describing the governing board of each mental health
14 and disability services region. The grammar of language
15 specifying the qualifications of a person who may serve as a
16 coordinator of disability services is also corrected.

17 Code section 341A.2: Numbers and letters unnumbered
18 paragraphs within this provision relating to civil service
19 commissions due to the presence of a colon at the end of the
20 first paragraph of the Code section.

21 Code section 354.9: Strikes an extraneous "of" to improve
22 the readability of language relating to review of subdivisions
23 by cities.

24 Code sections 355.7 and 355.8: Letters paragraphs and
25 reformats language that describes the contents of the note that
26 must be placed along the lines of a plat, if the boundary lines
27 of the plat vary from those recorded in deeds, abutting plats,
28 or other instruments of record.

29 Code section 384.6: Corrects the name of the international
30 city management association retirement corporation, by
31 replacing "association/retirement" with "association
32 retirement", in language describing the action to be taken if
33 a police or fire chief opts to be exempt from the Code chapter
34 411 retirement system.

35 Code section 419.4: Strikes a comma and the word "and"

1 to correct the syntax of an item in a numbered list and
2 redesignates and corrects punctuation in another enumerated
3 list to eliminate an unanchored unnumbered paragraph in this
4 provision governing the pledge of revenues to secure bonds
5 issued by a municipality.

6 Code section 421.24: Redesignates to eliminate an
7 unanchored unnumbered paragraph in this provision that defines
8 the terms "tax" and "taxes" and prohibits the enforcement of
9 interest rates or penalties on out-of-state taxes that exceed
10 the rates or penalties applicable to in-state taxes.

11 Code section 422.16: Replaces parentheses with commas in
12 this provision describing sanctions which may be imposed upon
13 domestic or foreign corporations that fail to properly withhold
14 tax from wages or other taxable Iowa income.

15 Code section 422.32: Strikes a redundant "division II," in
16 language citing the subsections within Code section 422.4 that
17 contain definitions which apply within division III of Code
18 chapter 422.

19 Code section 422.33: Renumbers this provision that
20 describes the calculation of a research activities tax credit
21 that may be applied against corporate income tax to eliminate
22 an unanchored unnumbered paragraph and reuse a previously
23 reserved paragraph letter.

24 Code section 422.70: Enumerates the powers possessed by
25 the director of revenue when ascertaining the correctness of
26 a taxpayer's return or estimating a taxpayer's taxable income
27 or receipts by separating the components of the series into a
28 lettered list.

29 Code section 423.5: Renumbers this provision to anchor an
30 initial unnumbered paragraph that imposes an excise tax on the
31 purchase price or installed purchase price paid on the use of
32 certain property and to subsections which describe that type of
33 property, and to renumber the balance of the subsections that
34 relate to the administration of the tax.

35 Code section 426A.8: Changes the word "to" to "for" to

1 correct the grammar of language describing the military service
2 tax exemption.

3 Code section 426A.11: Changes a reference to "the First
4 World War" to a reference to "World War I" in language
5 describing a property tax credit for veterans of that world war
6 to conform the reference to other references to that world war
7 throughout the Code.

8 Code section 441.16: Corrects the punctuation in a series
9 describing the contents that must be listed within the combined
10 proposed budgets of the county assessor, the examining board,
11 and the board of review.

12 Code section 452A.2: Updates the term "per centum" to the
13 term "percent" in this definition of the term "motor fuel".

14 Code section 455B.105: Combines two paragraphs to eliminate
15 an unanchored unnumbered paragraph within this subparagraph
16 relating to permits, conditional permits, and general permits
17 issued by the department of natural resources.

18 Code section 455B.516: Redesignates within this definition
19 of "toxics pollution prevention" to eliminate an unanchored
20 unnumbered paragraph after the first paragraph and to anchor
21 the succeeding list of items to what was the second unnumbered
22 paragraph.

23 Code section 456A.19: Numbers and letters paragraphs within
24 this provision relating to expenditures from the fish and game
25 protection fund by the department of natural resources.

26 Code section 459.202: Letters, to eliminate unanchored
27 unnumbered paragraphs within subsections and to anchor
28 the forms within these subsections to the paragraphs that
29 immediately precede the forms.

30 Code section 459.401: Corrects the punctuation in a
31 sentence describing the accounts that make up the animal
32 agriculture compliance fund administered by the department of
33 natural resources, by replacing a comma with a colon.

34 Code section 468.202: Replaces a dash with a colon to update
35 the punctuation in this provision regarding agreements between

1 the federal government and levee and drainage districts boards
2 to undertake repairs or alterations of existing levee and
3 drainage improvements for flood control.

4 Code section 468.309: Strikes a set of parentheses and adds
5 a comma in language regarding appeals by trustees or boards
6 of supervisors of existing levee and drainage districts from
7 actions taken by joint boards to establish a new intercounty
8 district.

9 Code section 476.6: Adds a subsection headnote to a
10 subsection concerning the possible construction of nuclear
11 generating facilities to this Code section relating to rate
12 regulation of public utilities. All other subsections within
13 the Code section have headnotes that reflect subsection
14 content.

15 Code section 476.53: Adds the word "this" before a citation
16 to Title XI of the Iowa Code in this provision describing
17 legislative intent regarding development of electric power
18 generating and transmission facilities. Code chapter 476 is
19 contained within Title XI of the Iowa Code.

20 Code section 490.850: Redesignates to eliminate an
21 unanchored unnumbered paragraph within a definition of
22 "official capacity" in the Code chapter regulating business
23 corporations.

24 Code section 493.9: Moves a modifying phrase that currently
25 appears in parentheses to a location which precedes the word
26 "stock" to eliminate the need for the parenthetical in this
27 provision regarding changes in stock from stock that have a par
28 value to stock that have no par value.

29 Code section 507C.28: Updates the term "per centum" to the
30 term "percent" in language describing one of the conditions
31 under which a preference, that would otherwise be deemed a
32 transfer of property for an antecedent debt by an insurer who
33 has filed a petition for liquidation or rehabilitation, may be
34 avoided by the liquidator.

35 Code section 508.36: Renumbers to eliminate unanchored

1 unnumbered paragraphs that appear in several provisions and to
2 complete Code section hierarchy in one provision within this
3 Code section concerning standard valuation of reserves of life
4 insurance policies and annuity and pure endowment contracts of
5 life insurance companies and certification of those reserves.

6 Code section 510.5: Letters an unanchored unnumbered
7 paragraph concerning canceling or refusing to renew policies
8 of insurance that appears at the end of an existing lettered
9 paragraph regarding appropriate underwriting guidelines for
10 contracts between managing general agents and insurers to
11 separate the two concepts.

12 Code section 511.8: Revises to provide complete citations
13 to two federal Acts in this definition of the term "United
14 States government-sponsored enterprise" in a Code chapter
15 pertaining to life insurance companies and associations.

16 Code section 515.13: Restructures a citation to Code
17 section 515.12, subsection 5, to facilitate electronic
18 hypertext linkage in this provision regarding an exception for
19 certain nonlife insurance companies from the requirements of
20 that Code subsection.

21 Code section 524.544: Replaces the parentheses with commas
22 in language describing reports required when purchases or
23 acquisitions of stock would result in a change in control of a
24 state bank or when 25 percent or more of the outstanding voting
25 shares of a state bank is used as security for any transaction.

26 Code section 524.904: Corrects noun-verb agreement in four
27 places in this provision relating to loans and extensions of
28 credit by a state bank to one borrower.

29 Code section 535B.1: Corrects noun-verb agreement to
30 conform to the style of definitions elsewhere in the Code in
31 this definition of the term "real estate closing services".

32 Code sections 536.13 and 536A.31: Rewrites a series of
33 citations to portions of Code chapter 537, which contains the
34 consumer credit code, to improve readability and facilitate
35 electronic hypertext linkage to those provisions.

1 Code section 542B.35: Numbers as a subsection a former
2 lettered paragraph of subsection 2 which prohibits a person
3 who completes a real property inspection report from claiming
4 to be a licensed professional land surveyor or a licensed
5 professional engineer. The other paragraphs of subsection
6 2 describe statements that must be included within the real
7 property inspection report.

8 Code section 543B.5: Renumbers within a definition of
9 the term "material adverse fact" to eliminate the unanchored
10 paragraph which commences a subdefinition within the main
11 definition.

12 Code section 543B.46: Strikes the word "a" that appears
13 before the words "savings association" to correct the grammar
14 of the series that describes where a real estate broker is to
15 maintain the broker's common trust account.

16 Code section 551.10: Supplies a missing indefinite article
17 before the word "Act" to correct the grammar of a provision
18 describing the remedies provided within the Code chapter
19 governing unfair discrimination as cumulative to other remedies
20 provided by law.

21 Code sections 554.2311 and 554.2319: Adds the word
22 "paragraph" before references to Code section lettered
23 paragraphs in these two provisions in the article pertaining to
24 sales of the uniform commercial code.

25 Code sections 554.3202, 554.3305, 554.3312, 554.3501,
26 554.3604, 554.3605, 554.9102, 554.13103, and 554.13527:
27 Strikes nonconforming Code subparagraph subdivision references
28 from within Code section text to conform these sections of the
29 uniform commercial code to regular Code section hierarchy and
30 inserts semicolons within series, where needed, to preserve the
31 separate elements of the series.

32 Code section 554.3311: In subsection 1 of this Code section,
33 strikes nonconforming Code subparagraph subdivision references
34 from Code section text to conform the provisions to regular
35 Code section hierarchy and in subsection 3, replaces the

1 nonconforming Code hierarchy with subparagraph designations,
2 and corrects an internal reference to what is redesignated as a
3 subparagraph.

4 Code section 554.3405: Enumerates, in accordance with
5 standard Code hierarchy, the possible types of transactions
6 that would constitute a "fraudulent endorsement" and strikes,
7 within the definition of "responsibility", nonconforming Code
8 subparagraph subdivision references from within Code section
9 text.

10 Code section 554.12507: In subsection 3 of this Code
11 section, strikes nonconforming Code subparagraph subdivision
12 references from Code section text, redesignates the entire
13 subsection, and corrects internal references to provisions
14 that have been redesignated as subparagraphs to conform the
15 provision to regular Code section hierarchy.

16 Code section 554.13209: In subsection 2 of this Code
17 section, replaces nonconforming Code subparagraph subdivision
18 references with paragraph designations to conform the Code
19 subsection to regular Code section hierarchy.

20 Code section 554.13528: In subsection 1 of this Code
21 section, strikes nonconforming Code subparagraph subdivision
22 references from Code section text, reformats and redesignates
23 the subsection, and corrects an internal reference to a
24 provision that has been redesignated as a paragraph to conform
25 the provision to regular Code section hierarchy.

26 Code section 559.2: Replaces nonconforming Code
27 hierarchical elements with standard Code hierarchical elements
28 and reformats this provision defining what constitutes a "power
29 to appoint".

30 Code section 559.6: Replaces nonconforming Code
31 hierarchical elements with standard Code hierarchical elements
32 and reformats this provision describing the persons to whom
33 a release or disclaimer of a power of appointment may be
34 delivered.

35 Code section 600A.4: Designates to eliminate unanchored

1 unnumbered paragraphs within this provision regarding reports
2 that shall and other information that may be provided regarding
3 the medical and social history of a person to be adopted to the
4 adoptive parents.

5 Code section 631.8: Strikes extraneous nonconforming Code
6 subparagraph references from within Code section text to
7 conform this provision pertaining to small claims to regular
8 Code section style and format.

9 Code section 633.224: Strikes an extraneous set of
10 parentheses within language regarding transfers of property as
11 an advancement.

12 Code section 633.352: Completes an internal reference to a
13 Code chapter division part by supplying the missing division
14 information in this provision that specifies that the uniform
15 principal and income Act does not apply to the allocation and
16 distribution of estate income unless otherwise provided in a
17 will.

18 Code sections 724.10 and 724.17: Corrects the name of the
19 national system used to perform criminal background checks
20 in these two provisions relating to permit applications for
21 firearms. The name of the system appears correctly in Code
22 sections 724.21A and 724.31.

23 Code section 805.6: Enumerates, in a formatted list, the
24 items for which spaces must or should be included on the
25 uniform citation and complaint form.

26 Code section 809A.3: Renumbers to conform the numbering
27 of this provision regarding conduct that will give rise to
28 forfeiture to the content of the Code section and corrects an
29 internal reference to renumbered provisions.

30 Code section 904.312: Numbers two unnumbered paragraphs as
31 subsections in this provision relating to purchases of supplies
32 by the director of the department of corrections. The current
33 second paragraph of this Code section contains a definition
34 which begins with the language "For the purposes of this
35 subsection...".

1 Code section 915.82: Renumbers to eliminate an unanchored
2 unnumbered paragraph at the end of this provision describing
3 the membership of and member expense reimbursement for the
4 crime victim assistance board.

5 DIVISION II. The Code sections in this division are amended
6 by numbering, renumbering, designating, or redesignating
7 provisions within volume VI of the Code, and by changing
8 textual references as necessary. The purposes of the Code
9 changes are to conform the Code provisions to existing Code
10 section hierarchy by eliminating "unanchored" unnumbered
11 paragraphs within the Code sections to facilitate citation to
12 those Code sections.

13 DIVISION III. This division contains corrections to
14 internal references to Code sections that are numbered,
15 renumbered, designated, or redesignated in division II of this
16 bill.

17 DIVISION IV. This division contains a series of five Code
18 editor directives. The first two directives amend various
19 provisions within the uniform commercial code to strike
20 nonconforming Code subparagraph subdivision references from
21 within Code section text. The third and fourth directives
22 require the Code editor to number, renumber, designate, or
23 redesignate to eliminate unanchored unnumbered paragraphs
24 within Code sections that are scattered throughout volume VI of
25 the Code. Unlike the provisions in division II of this bill,
26 these provisions do not require textual reference or additional
27 internal reference corrections to perform the redesignations.
28 The fifth directive requires the Code editor to redesignate
29 three paragraphs to alphabetize the first three definitions of
30 a definitions Code section.