

House File 536 - Introduced

HOUSE FILE 536
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 193)

(COMPANION TO SF 373 BY
COMMITTEE ON JUDICIARY)

A BILL FOR

1 An Act relating to statutory corrections which may adjust
2 language to reflect current practices, insert earlier
3 omissions, delete redundancies and inaccuracies, delete
4 temporary language, resolve inconsistencies and conflicts,
5 update ongoing provisions, or remove ambiguities, and
6 including effective date and retroactive applicability
7 provisions.

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

DIVISION I

MISCELLANEOUS CHANGES

Section 1. Section 8A.315, subsection 5, Code 2015, is amended to read as follows:

5. Information on recycled content shall be requested on all bids for paper products other than printing and writing paper issued by the state and on other bids for products which could have recycled content such as oil, plastic products, including but not limited to compost materials, aggregate, solvents, soybean-based inks, and rubber products. Except for purchases of printing and writing paper made pursuant to subsection 2, paragraphs "c" and, "d", and "e", the department shall require persons submitting bids for printing and writing paper to certify that the printing and writing paper proposed complies with the requirements referred to in subsection 2, paragraph "a".

Sec. 2. Section 8A.504, subsection 2, paragraph b, Code 2015, is amended to read as follows:

b. Before setoff, the public agency shall obtain and forward to the collection entity the full name and social security number of the person liable to ~~it~~ the public agency or to whom a claim is owing who is a natural person. If the person is not a natural person, before setoff, the public agency shall forward to the collection entity the information concerning the person as the collection entity shall, by rule, require. The collection entity shall cooperate with other public agencies in the exchange of information relevant to the identification of persons liable to or claimants of public agencies. However, the collection entity shall provide only relevant information required by a public agency. The information shall be held in confidence and used for the purpose of setoff only. Section 422.72, subsection 1, does not apply to this paragraph.

Sec. 3. Section 12B.10, subsection 5, paragraph a, subparagraphs (6) and (7), Code 2015, are amended to read as follows:

1 (6) An open-end management investment company registered
2 with the federal securities and exchange commission under the
3 federal Investment Company Act of 1940, 15 U.S.C. ~~§80a~~ §80a-1,
4 and operated in accordance with 17 C.F.R. §270.2a-7.

5 (7) A joint investment trust organized pursuant to chapter
6 28E prior to and existing in good standing on the effective
7 date of this Act or a joint investment trust organized pursuant
8 to chapter 28E after April 28, 1992, provided that the joint
9 investment trust shall either be rated within the two highest
10 classifications by at least one of the standard rating services
11 approved by the superintendent of banking by rule adopted
12 pursuant to chapter 17A and operated in accordance with 17
13 C.F.R. §270.2a-7, or be registered with the federal securities
14 and exchange commission under the federal Investment Company
15 Act of 1940, 15 U.S.C. ~~§80a~~ §80a-1, and operated in accordance
16 with 17 C.F.R. §270.2a-7. The manager or investment advisor of
17 the joint investment trust shall be registered with the federal
18 securities and exchange commission under the Investment Advisor
19 Act of 1940, 15 U.S.C. ~~§80b~~ §80b-1.

20 Sec. 4. Section 12B.10, subsection 6, paragraph 1, Code
21 2015, is amended to read as follows:

22 1. Investments in a qualified trust established pursuant
23 to governmental accounting standards board statement number
24 forty-three that is governed by a board of trustees of a joint
25 investment trust organized pursuant to chapter 28E and that is
26 registered with the federal securities and exchange commission
27 under the federal Investment Company Act of 1940, 15 U.S.C.
28 ~~§80a~~ §80a-1.

29 Sec. 5. Section 12B.10C, subsection 2, Code 2015, is amended
30 to read as follows:

31 2. As used in this section, "*public funds custodial*
32 *agreement*" means any contractual arrangement pursuant to
33 which one or more persons, including but not limited to
34 investment advisors, investment companies, trustees, agents
35 and custodians, are authorized to act as a custodian of or to

1 designate another person to act as a custodian of public funds
2 or any security or document of ownership or title evidencing
3 public funds investments other than custodial agreements
4 between an open-end management investment company registered
5 with the federal securities and exchange commission under the
6 federal Investment Company Act of 1940, 15 U.S.C. ~~\$80a~~ \$80a-1
7 and a custodian bank.

8 Sec. 6. Section 13.2, subsection 1, paragraph p, Code 2015,
9 is amended to read as follows:

10

p. Submit a report by January 15 of each year to the
11 co-chairpersons and ranking members of the joint appropriations
12 subcommittee on the justice system, to the executive council,
13 and to the legislative services agency detailing the amount
14 of annual money receipts generated by each settlement or
15 judgment in excess of two hundred fifty thousand dollars
16 collected pursuant to legal proceedings under chapters 455B,
17 553, and 714. The report shall include the name of the
18 civil or criminal case involved, the court of jurisdiction,
19 the settlement amount, ~~including~~ the state's share of the
20 settlement amount, the name of the fund in which the receipts
21 were deposited, and the planned use of the moneys.

22 Sec. 7. Section 13.32, subsection 1, paragraph a,
23 subparagraphs (1) and (2), Code 2015, are amended to read as
24 follows:

25 (1) A mission statement and table of organization of the
26 department of justice relating to the victim assistance grant
27 programs, a program summary, and statistics, including but not
28 limited to sources and uses of funds and the numbers of victims
29 served.

30 (2) An itemization of out-of-state travel expenses incurred
31 by an employee of the department of justice and an itemization
32 of ~~such~~ travel expenses paid to a contractor.

33 Sec. 8. Section 13C.1, Code 2015, is amended by adding the
34 following new unnumbered paragraph before subsection 1:

35 NEW UNNUMBERED PARAGRAPH. As used in this chapter, unless

1 the context otherwise requires:

2 Sec. 9. Section 15.105, subsection 1, paragraph a,
3 subparagraph (1), subparagraph division (a), Code 2015, is
4 amended to read as follows:

5 (a) Two members from each United States congressional
6 district established under section 40.1 in the state.

7 Sec. 10. Section 15.294, subsection 4, Code 2015, is amended
8 by striking the subsection.

9 Sec. 11. Section 15.333, subsection 2, unnumbered paragraph
10 1, Code 2015, is amended to read as follows:

11 For purposes of this ~~subsection~~ section, "*new investment*
12 *directly related to new jobs created by the project*" means the
13 cost of machinery and equipment, as defined in section 427A.1,
14 subsection 1, paragraphs "e" and "j", purchased for use in
15 the operation of the eligible business, the purchase price
16 of which has been depreciated in accordance with generally
17 accepted accounting principles, the purchase price of real
18 property and any buildings and structures located on the real
19 property, and the cost of improvements made to real property
20 which is used in the operation of the eligible business. "*New*
21 *investment directly related to new jobs created by the project*"
22 also means the annual base rent paid to a third-party developer
23 by an eligible business for a period not to exceed ten years,
24 provided the cumulative cost of the base rent payments for that
25 period does not exceed the cost of the land and the third-party
26 developer's costs to build or renovate the building for the
27 eligible business. The eligible business shall enter into a
28 lease agreement with the third-party developer for a minimum
29 of five years. If, however, within five years of purchase,
30 the eligible business sells, disposes of, razes, or otherwise
31 renders unusable all or a part of the land, buildings, or other
32 existing structures for which tax credit was claimed under this
33 section, the tax liability of the eligible business for the
34 year in which all or part of the property is sold, disposed of,
35 razed, or otherwise rendered unusable shall be increased by one

1 of the following amounts:

2 Sec. 12. Section 16.1A, subsection 2, paragraph b, Code
3 2015, is amended to read as follows:

4 b. Programs established by the authority which the authority
5 finds useful and convenient to further goals of the authority
6 and which are consistent with the legislative findings. Such
7 programs shall be administered in accordance with ~~section 16.4~~
8 subchapter III. Such additional programs shall be administered
9 in accordance with rules, if any, which the authority
10 determines useful and convenient to adopt pursuant to chapter
11 17A.

12 Sec. 13. Section 16.2A, Code 2015, is amended to read as
13 follows:

14 **16.2A Title guaranty division — board.**

15 1. A title guaranty division is created within the
16 authority. The division may also be referred to as Iowa title
17 guaranty. The powers of the division relating to the issuance
18 of title guaranties are vested in and shall be exercised by a
19 title guaranty division board of five members appointed by the
20 governor subject to confirmation by the senate. The membership
21 of the title guaranty division board shall include an attorney,
22 an abstractor, a real estate broker, a representative of a
23 lending institution that engages in mortgage lending, and
24 a representative of the housing development industry. The
25 executive director of the authority shall appoint an attorney
26 as director of the title guaranty division, who shall serve
27 as an ex officio member of the title guaranty division board.
28 The appointment of and compensation for the division director
29 are exempt from the merit system provisions of chapter 8A,
30 subchapter IV.

31 2. Members of the title guaranty division board shall be
32 appointed by the governor for staggered terms of six years
33 beginning and ending as provided in section 69.19. A person
34 shall not serve on the title guaranty division board while
35 serving on the authority board. A person appointed to fill

1 a vacancy shall serve only for the unexpired portion of the
 2 term. A member is eligible for reappointment. A member of the
 3 title guaranty division board may be removed from office by the
 4 governor for misfeasance, malfeasance, or willful neglect of
 5 duty or for other just cause, after notice and hearing, unless
 6 notice and hearing is expressly waived in writing.

7 3. Three members of the title guaranty division board shall
 8 constitute a quorum. An affirmative vote of a majority of the
 9 appointed members is necessary for any substantive action taken
 10 by the division.

11 4. Members of the title guaranty division board are entitled
 12 to receive a per diem as specified in section 7E.6 for each
 13 day spent in performance of duties as members and shall be
 14 reimbursed for all actual and necessary expenses incurred in
 15 the performance of duties as members.

16 5. Members of the title guaranty division board and the
 17 executive director shall give bond as required for public
 18 officers in chapter 64.

19 6. Meetings of the title guaranty division board shall be
 20 held at the call of the chair of the title guaranty division
 21 board or on written request of two members.

22 7. Members shall elect a chair and vice chair annually and
 23 other officers as they determine. The executive director shall
 24 serve as secretary to the title guaranty division board.

25 8. The net earnings of the division, beyond that necessary
 26 for reserves, backing, guaranties issued, or to otherwise
 27 implement the public purposes and programs authorized, shall
 28 not inure to the benefit of any person other than the state and
 29 are subject to section 16.2, subsection 8.

30 Sec. 14. Section 16.2B, subsection 3, paragraph b, Code
 31 2015, is amended to read as follows:

32 b. Obtain agricultural assets transfer tax credits,
 33 including ~~by issuing~~ tax credit certificates issued pursuant to
 34 subchapter VIII, part 5.

35 Sec. 15. Section 16.2D, subsection 1, Code 2015, is amended

1 to read as follows:

2 1. A council on homelessness is created consisting of
3 thirty-eight voting members. At all times, at least one voting
4 member ~~at all times~~ shall be a member of a minority group.

5 Sec. 16. Section 16.7, subsection 2, Code 2015, is amended
6 to read as follows:

7 2. The annual report shall contain at least three parts
8 which include all of the following:

9 a. A general description of the authority setting forth:

10 (1) ~~Its operations~~ Operations and accomplishments.

11 (2) ~~Its receipts~~ Receipts and expenditures during the
12 fiscal year, in accordance with the classifications ~~it~~ the
13 authority establishes for its operating and capital accounts.

14 (3) ~~Its assets~~ Assets and liabilities at the end of ~~its~~
15 the fiscal year and the status of reserve, special, and other
16 funds.

17 (4) A schedule of ~~its~~ bonds and notes outstanding at the
18 end of ~~its~~ the fiscal year, together with a statement of the
19 amounts redeemed and issued during ~~its~~ the fiscal year.

20 (5) A statement of ~~its~~ proposed and projected activities.

21 (6) Recommendations to the general assembly, as ~~it~~ the
22 authority deems necessary.

23 (7) Performance goals of the authority, clearly indicating
24 the extent of progress during the reporting period in attaining
25 the goals.

26 b. A summary of housing programs administered under this
27 chapter. The summary shall include an analysis of current
28 housing needs in this state. Where possible, results shall be
29 expressed in terms of housing units.

30 c. A summary of agricultural development programs
31 administered under subchapter VIII. Where possible, findings
32 and results shall be expressed in terms of number of loans, tax
33 credits, participating qualified beginning farmers, and acres
34 of agricultural land, ~~including~~ by county.

35 Sec. 17. Section 16.16, subsection 3, Code 2015, is amended

1 to read as follows:

2 3. The treasurer of state shall not be subject to personal
3 liability resulting from carrying out the powers and duties
4 of the authority or the treasurer of state, as applicable, in
5 subchapter X, part ~~15~~ 9.

6 Sec. 18. Section 16.17, Code 2015, is amended to read as
7 follows:

8 **16.17 Rules.**

9 1. The authority shall adopt pursuant to chapter 17A all
10 rules necessary to administer this chapter.

11 2. The authority may adopt rules which establish ~~by~~
12 ~~rule~~ further definitions applicable to this chapter, and
13 ~~clarification of~~ clarify the definitions in this chapter, as ~~it~~
14 the authority deems convenient and necessary to carry out the
15 public purposes of this chapter including all the following:

16 a. Any rules necessary to assure eligibility for funds
17 available under federal housing laws, or to assure compliance
18 with federal tax laws relating to the issuance of tax exempt
19 bonds pursuant to the Internal Revenue Code or relating to the
20 allowance of low-income credits under Internal Revenue Code
21 §42.

22 b. Any rule ~~as~~ necessary to assure eligibility for funds,
23 insurance, or guaranties available under federal laws and to
24 carry out the public purposes of subchapter VIII.

25 3. The authority may adopt rules ~~pursuant to chapter 17A~~
26 relating to the purchase and sale of residential mortgage loans
27 and the sale of mortgage-backed securities.

28 Sec. 19. Section 16.26, subsection 6, Code 2015, is amended
29 to read as follows:

30 6. The authority may issue negotiable bond anticipation
31 notes and may renew them from time to time but the maximum
32 maturity of the notes, including renewals, shall not exceed
33 ten years from the date of issue of the original notes. Bond
34 anticipation notes are payable from any available moneys of the
35 authority not otherwise pledged, or from the proceeds of the

1 sale of bonds of the authority in anticipation of which the
 2 bond anticipation notes were issued. Bond anticipation notes
 3 may be issued for any corporate purpose of the authority. Bond
 4 anticipation notes shall be issued in the same manner as bonds
 5 and ~~bond-anticipation~~ notes, and the resolution authorizing
 6 them may contain any provisions, conditions, or limitations,
 7 not inconsistent with the provisions of this subsection, which
 8 the bonds or a bond resolution of the authority may contain.
 9 Bond anticipation notes may be sold at public or private sale.
 10 In case of default on its bond anticipation notes or violation
 11 of any obligations of the authority to the noteholders, the
 12 noteholders shall have all the remedies provided in this
 13 chapter for bondholders. Bond anticipation notes shall be as
 14 fully negotiable as bonds of the authority.

15 Sec. 20. Section 16.27A, Code 2015, is amended to read as
 16 follows:

17 **16.27A Powers relating to loans.**

18 Subject to any agreement with bondholders or noteholders,
 19 the authority may renegotiate a mortgage or secured loan or
 20 a loan to a lending institution in default, waive a default
 21 or consent to the modification of the terms of a mortgage or
 22 secured loan or a loan to a lending institution, forgive or
 23 forbear all or part of a mortgage or secured loan or a loan to
 24 a lending institution, and commence, prosecute, and enforce
 25 a judgment in any action, including but not limited to a
 26 foreclosure action, to protect or enforce any right conferred
 27 upon it by law, mortgage or secured loan agreement, contract,
 28 or other agreement, and in connection with any action, bid for
 29 and purchase the property or acquire or take possession of it,
 30 complete, administer, pay the principal of and interest on
 31 any obligations incurred in connection with the property, and
 32 dispose of and otherwise deal with the property in a manner the
 33 authority deems advisable to protect its interests.

34 Sec. 21. Section 16.50, subsection 3, paragraph b,
 35 subparagraph (1), Code 2015, is amended to read as follows:

1 (1) Projects that are eligible for historic preservation
2 and cultural and entertainment district tax credits under
3 ~~section 404A.2~~ chapter 404A.

4 Sec. 22. Section 16.59, unnumbered paragraph 1, Code 2015,
5 is amended to read as follows:

6 ~~A low or moderate net worth requirement~~ To receive financing
7 as provided in this subchapter, applies to an individual,
8 partnership, family farm corporation, or family farm limited
9 liability company shall meet the applicable low or moderate
10 net worth requirements established in this section. The
11 ~~requirement as applied that applies~~ to each such person is
12 ~~calculated~~ determined as follows:

13 Sec. 23. Section 16.64, subsection 1, Code 2015, is amended
14 to read as follows:

15 1. ~~An~~ The authority shall publish a notice of intention
16 to issue bonds or notes. After sixty days from the date of
17 publication of the notice, an action shall not be brought
18 questioning the legality of any bonds or notes or the power of
19 the authority to issue any bonds or notes or to the legality
20 of any proceedings in connection with the authorization or
21 issuance of the bonds or notes after determination by the board
22 of the authority to proceed with the issuance of the bonds or
23 notes sixty days from the date of publication of the notice.

24 Sec. 24. Section 16.76, subsections 1 and 2, Code 2015, are
25 amended to read as follows:

26 1. As used in this section, "loan" includes but is
27 not limited to mortgage or secured loans; loans insured,
28 guaranteed, or otherwise secured by the federal government or
29 a federal governmental agency or instrumentality, or a state
30 agency or private mortgage insurers; and financing pursuant to
31 an installment contract or contract for purchase arrangement.

32 2. The authority may make loans, ~~including but not limited~~
33 ~~to mortgage or secured loans, or loans insured, guaranteed,~~
34 ~~or otherwise secured by the federal government or a federal~~
35 ~~governmental agency or instrumentality, or a state agency or~~

1 ~~private mortgage insurers~~, to beginning farmers to provide
2 financing for agricultural land and agricultural improvements
3 or depreciable agricultural property.

4 Sec. 25. Section 16.78, subsection 1, Code 2015, is amended
5 to read as follows:

6 1. To every extent practicable, the authority shall
7 administer tax credits under the beginning farmer tax credit
8 program in a uniform manner that encourages participation by
9 qualified beginning farmers. The authority shall determine a
10 qualified beginning farmer's low or moderate net worth by using
11 a single method applicable to all its programs as provided
12 under section 16.59, including the beginning farmer tax credit
13 program.

14 Sec. 26. Section 16.92, subsection 1, paragraph d, Code
15 2015, is amended to read as follows:

16 *d. "Division board"* means the board of directors of the
17 title guaranty division of the ~~Iowa finance~~ authority.

18 Sec. 27. Section 17A.5, subsection 2, paragraph b, Code
19 2015, is amended to read as follows:

20 *b. (1)* Subject to applicable constitutional or statutory
21 provisions, a rule becomes effective immediately upon filing
22 with the administrative rules coordinator, or at a subsequent
23 stated date prior to indexing and publication, or at a stated
24 date less than thirty-five days after filing, indexing and
25 publication, if the agency finds:

26 ~~(1)~~ (a) That a statute so provides;

27 ~~(2)~~ (b) That the rule confers a benefit or removes a
28 restriction on the public or some segment thereof; or

29 ~~(3)~~ (c) That this effective date is necessary because of
30 imminent peril to the public health, safety or welfare.

31 (2) In any subsequent action contesting the effective date
32 of a rule promulgated under this paragraph "b", the burden
33 of proof shall be on the agency to justify its finding. The
34 agency's finding and a brief statement of the reasons therefor
35 shall be filed with and made a part of the rule. Prior to

1 indexing and publication, the agency shall make reasonable
2 efforts to make known to the persons who may be affected by it a
3 rule made effective under the terms of this paragraph "b".

4 Sec. 28. Section 28M.7, subsections 2 and 3, Code 2015, are
5 amended to read as follows:

6 2. A regional transit district may disclose aggregate data
7 on user and customer transaction history and fare card use
8 to ~~government~~ governmental entities, organizations, school
9 districts, educational institutions, and employers that
10 subsidize or provide fare cards to their clients, students, or
11 employees. ~~Government~~ Governmental entities, organizations,
12 school districts, educational institutions, and employers may
13 use the aggregate data only for purposes of measuring and
14 promoting fare card use and evaluating the cost-effectiveness
15 of their fare card programs. The disclosure of nonaggregate
16 or personalized data on user and customer transaction history
17 and fare card use to ~~government~~ governmental entities,
18 organizations, school districts, educational institutions, and
19 employers shall be strictly prohibited.

20 3. A regional transit district may disclose data concerning
21 applicants, users, and customers collected by or through
22 personalized internet services or a fare collection system to
23 another ~~government~~ governmental entity to prevent a breach
24 of security regarding electronic systems maintained by the
25 regional transit district or the governmental entity, or
26 pursuant to a subpoena issued in connection with a civil or
27 criminal investigation.

28 Sec. 29. Section 29B.116, Code 2015, is amended to read as
29 follows:

30 **29B.116 General article.**

31 ~~Subject to section 29B.116A, though~~ Though not specifically
32 mentioned in this code, and subject to section 29B.116A, all
33 disorders and neglects to the prejudice of good order and
34 discipline in the state military forces and all conduct of
35 a nature to bring discredit upon the state military forces,

1 of which persons subject to this code may be guilty, shall
2 be taken cognizance of by a general, special, or summary
3 court-martial, according to the nature and degree of the
4 offense, and shall be punished at the discretion of that court.

5 Sec. 30. Section 29B.116B, Code 2015, is amended to read as
6 follows:

7 **29B.116B Adjutant general report.**

8 The adjutant general shall report annually, by January 15,
9 to the governor and to the chairpersons and ranking members
10 of the general assembly's standing committees on veterans
11 affairs on the number of offenses described in section
12 29B.116A, subsection 1, which have been reported to civilian
13 law enforcement authorities in the prior year, if such offenses
14 were committed by a member of the state military forces against
15 another member of the state military forces while both are
16 subject to this code. The report shall provide such numbers
17 by type of offense.

18 Sec. 31. Section 43.16, Code 2015, is amended to read as
19 follows:

20 **43.16 Return of papers, additions not allowed.**

21 1. After a nomination paper has been filed, it shall not
22 be returned to the person who has filed the paper, nor shall
23 any signature or other information be added to the nomination
24 paper.

25 2. a. A person who has filed nomination petitions with the
26 state commissioner may withdraw as a candidate not later than
27 the seventy-sixth day before the primary election by notifying
28 the state commissioner in writing.

29 b. A person who has filed nomination papers with the
30 commissioner may withdraw as a candidate not later than the
31 sixty-seventh day before the primary election by notifying the
32 commissioner in writing.

33 3. The name of a candidate who has withdrawn or died ~~at a~~
34 ~~time in accordance with this section~~ on or before the final day
35 to withdraw as a candidate for that office shall be omitted

1 from the certificate furnished by the state commissioner under
2 section 43.22 and omitted from the primary election ballot.

3 Sec. 32. Section 68A.405, subsection 1, paragraph a,
4 subparagraph (3), Code 2015, is amended to read as follows:

5 (3) "*Published material*" means any newspaper, magazine,
6 shopper, outdoor advertising facility, poster, direct mailing,
7 brochure, internet site, campaign sign, or any other form of
8 printed or electronic general public political advertising.
9 "*Published material*" includes television, video, or motion
10 picture advertising.

11 Sec. 33. Section 80B.5, subsection 1, Code 2015, is amended
12 to read as follows:

13 1. The administration of this chapter shall be vested in
14 the office of the governor. Except for the director and deputy
15 director of the academy, the staff as may be necessary for ~~it~~
16 the academy to function shall be employed pursuant to the Iowa
17 merit system.

18 Sec. 34. Section 96.9, subsection 6, Code 2015, is amended
19 to read as follows:

20 6. *Management of funds in the event of discontinuance of*
21 *unemployment trust fund.* The provisions of subsections 1, 2,
22 and 3 to the extent that they relate to the unemployment trust
23 fund shall be operative only so long as such unemployment
24 trust fund continues to exist and so long as the secretary
25 of the treasury of the United States continues to maintain
26 for this state a separate book account of all funds deposited
27 therein by this state for benefit purposes, together with
28 this state's proportionate share of the earnings of such
29 unemployment trust fund, from which no other state is permitted
30 to make withdrawals. If and when such unemployment trust fund
31 ceases to exist, or such separate book account is no longer
32 maintained, all moneys, properties, or securities therein,
33 belonging to the unemployment compensation fund of this state
34 shall be transferred to the treasurer of the unemployment
35 compensation fund, who shall hold, invest, transfer, sell,

1 deposit, and release such moneys, properties, or securities
 2 in a manner approved by the director, treasurer of state,
 3 and governor, in accordance with the provisions of this
 4 chapter: ~~Provided~~, provided that such moneys shall be invested
 5 in ~~the following~~ such readily marketable classes of securities;
 6 ~~such securities~~ as are authorized by the laws of the state of
 7 Iowa for the investment of trust funds. The treasurer shall
 8 dispose of securities and other properties belonging to the
 9 unemployment compensation fund only under the direction of the
 10 director, treasurer of state, and governor.

11 Sec. 35. Section 96.14, subsection 4, Code 2015, is amended
 12 to read as follows:

13 4. *Priorities under legal dissolutions or distributions.* In
 14 the event of any distribution of an employer's assets
 15 pursuant to an order of any court under the laws of this
 16 state, including any receivership, assignment for benefit of
 17 creditors, adjudicated insolvency, composition, or similar
 18 proceeding, contributions then or thereafter due shall be
 19 paid in full prior to all other claims except taxes and
 20 claims for wages preferred as provided by statute. In the
 21 event of an employer's adjudication in bankruptcy, judicially
 22 confirmed extension proposal, or composition, under the
 23 federal Bankruptcy Act of 1898, as amended, contributions then
 24 or thereafter due shall be entitled to such priority as is
 25 provided in section 64 "a" of that Act [~~11 U.S.C. §104 "b", as~~
 26 ~~amended~~], 11 U.S.C. §507.

27 Sec. 36. Section 96.20, subsection 2, paragraph b, Code
 28 2015, is amended to read as follows:

29 b. Reimbursements so payable shall be deemed to be benefits
 30 for the purposes of section 96.3, subsection 5, paragraph "a",
 31 and section 96.9, but no reimbursement so payable shall be
 32 charged against any employer's account for the purposes of
 33 section 96.7, unless wages so transferred are sufficient to
 34 establish a valid claim in Iowa, and that such charges shall
 35 not exceed the amount that would have been charged on the

1 basis of a valid claim. The department is hereby authorized
 2 to make to other state or federal agencies and receive from
 3 such other state or federal agencies, reimbursements from or
 4 to the fund, in accordance with arrangements pursuant to this
 5 section. The department shall participate in any arrangements
 6 for the payment of compensation on the basis of combining
 7 an individual's wages and employment covered under this Act
 8 chapter with the individual's wages and employment covered
 9 under the unemployment compensation laws of other states
 10 which are approved by the United States secretary of labor in
 11 consultation with the state unemployment compensation agencies
 12 as reasonably calculated to assure the prompt and full payment
 13 of compensation in such situations and which include provisions
 14 for applying the base period of a single state law to a claim
 15 involving the combining of an individual's wages and employment
 16 covered under two or more state unemployment compensation laws,
 17 and avoiding the duplication use of wages and employment by
 18 reason of such combining.

19 Sec. 37. Section 99.27, Code 2015, is amended to read as
 20 follows:

21 **99.27 Mulct tax.**

22 When a permanent injunction issues against any person for
 23 maintaining a nuisance as ~~herein~~ defined in section 99.1A, or
 24 against any owner or agent of the building kept or used for the
 25 purpose prohibited by this chapter, there shall be imposed upon
 26 said building and the ground upon which the same is located and
 27 against the person or persons maintaining ~~said~~ the nuisance and
 28 the owner or agent of ~~said~~ the premises, a mulct tax of three
 29 hundred dollars. The imposing of ~~said~~ the mulct tax shall be
 30 made by the court as a part of the proceeding.

31 Sec. 38. Section 105.18, subsection 3, paragraph d, Code
 32 2015, is amended to read as follows:

33 *d.* An individual that holds either a master or
 34 journeyperson mechanical license or a master or journeyperson
 35 HVAC-refrigeration license shall be exempt from having to

1 obtain a special electrician's license pursuant to chapter 103
2 in order to ~~perform~~ disconnect and reconnect of existing air
3 conditioning and refrigeration systems.

4 Sec. 39. Section 123.5, Code 2015, is amended to read as
5 follows:

6 **123.5 Alcoholic beverages commission created — appointment**
7 **— removal — vacancies.**

8 1. An alcoholic beverages commission is created within the
9 division. The commission is composed of five members, not more
10 than three of whom shall belong to the same political party.

11 2. Members shall be appointed by the governor, subject
12 to confirmation by the senate. Appointments shall be for
13 five-year staggered terms beginning and ending as provided by
14 section 69.19. A member may be reappointed for one additional
15 term.

16 3. Members of the commission shall be chosen on the basis
17 of managerial ability and experience as business executives.
18 Not more than two members of the commission may be the holder
19 of or have an interest in a permit or license to manufacture
20 alcoholic liquor, wine, or beer or to sell alcoholic liquor,
21 wine, or beer at wholesale or retail.

22 4. Any commission member shall be subject to removal for any
23 of the causes and in the manner provided by chapter 66 relating
24 to removal from office. Removal shall not be in lieu of any
25 other punishment that may be prescribed by the laws of this
26 state.

27 5. Any vacancy on the commission shall be filled in the
28 same manner as regular appointments are made for the unexpired
29 portion of the regular term.

30 Sec. 40. Section 123.11, Code 2015, is amended to read as
31 follows:

32 **123.11 ~~Expenses~~ Compensation and expenses.**

33 Members of the commission, the administrator, and other
34 employees of the division shall be allowed their actual and
35 necessary expenses while traveling on business of the division

1 outside of their place of residence, however, an itemized
 2 account of such expenses shall be verified by the claimant
 3 and approved by the administrator. If such account is paid,
 4 the same shall be filed with the division and be and remain
 5 a part of its permanent records. Each member appointed to
 6 the commission is entitled to receive reimbursement of actual
 7 expenses incurred while attending meetings. Each member of
 8 the commission may also be eligible to receive compensation
 9 as provided in section 7E.6. All expenses and salaries of
 10 commission members, the administrator, and other employees
 11 shall be paid from appropriations for such purposes and the
 12 division shall be subject to the budget requirements of chapter
 13 8.

14 Sec. 41. Section 123.17, Code 2015, is amended to read as
 15 follows:

16 **123.17 ~~Prohibition~~ Prohibitions on commission members and**
 17 **employees.**

18 1. Commission members, officers, and employees of the
 19 division shall not, while holding such office or position, ~~hold~~
 20 do any of the following:

21 a. Hold any other office or position under the laws of this
 22 state, or any other state or territory or of the United States,
 23 ~~nor engage.~~

24 b. Engage in any occupation, business, endeavor, or activity
 25 which would or does conflict with their duties under this
 26 chapter; ~~nor, directly.~~

27 c. Directly or indirectly, use their office or employment
 28 to influence, persuade, or induce any other officer, employee,
 29 or person to adopt their political views or to favor any
 30 particular candidate for an elective or appointive public
 31 office; ~~nor, directly.~~

32 d. Directly or indirectly, solicit or accept, in any manner
 33 or way, any money or other thing of value for any person
 34 seeking an elective or appointive public office, or to any
 35 political party or any group of persons seeking to become a

1 political party.

2 2. Except as provided in section 123.5, subsection 3, a
 3 commission member or division employee shall not, directly or
 4 indirectly, individually, or as a member of a partnership or
 5 shareholder in a corporation, have any interest in dealing
 6 in or in the manufacture of alcoholic liquor, wine, or beer,
 7 and shall not receive any kind of profit nor have any interest
 8 in the purchase or sale of alcoholic liquor, wine, or beer
 9 by persons so authorized under this chapter. However, this
 10 subsection does not prohibit any member or employee from
 11 lawfully purchasing and keeping alcoholic liquor, wine, or beer
 12 in the member's or employee's possession for personal use.

13 3. Any officer or employee violating this section or any
 14 other provisions of this chapter shall, in addition to any
 15 other penalties provided by law, be subject to suspension or
 16 discharge from employment. Any commission member shall, in
 17 addition to any other penalties provided by law, be subject to
 18 removal from office as provided by law chapter 66.

19 Sec. 42. Section 123.45, Code 2015, is amended to read as
 20 follows:

21 **123.45 Limitations on business interests.**

22 ~~Except as provided in section 123.6, a commission member~~
 23 ~~or division employee shall not, directly or indirectly,~~
 24 ~~individually, or as a member of a partnership or shareholder~~
 25 ~~in a corporation, have any interest in dealing in or in the~~
 26 ~~manufacture of alcoholic liquor, wine, or beer, and shall~~
 27 ~~not receive any kind of profit nor have any interest in the~~
 28 ~~purchase or sale of alcoholic liquor, wine, or beer by persons~~
 29 ~~so authorized under this chapter. However, this provision does~~
 30 ~~not prohibit any member or employee from lawfully purchasing~~
 31 ~~and keeping alcoholic liquor, wine, or beer in the member's or~~
 32 ~~employee's possession for personal use.~~

33 1. A person engaged in the business of manufacturing,
 34 bottling, or wholesaling alcoholic beverages, wine, or beer, or
 35 any jobber, representative, broker, employee, or agent of such

1 a person, shall not ~~directly~~ do any of the following:

2 a. Directly or indirectly supply, furnish, give, or pay for
3 any furnishings, fixtures, or equipment used in the storage,
4 handling, serving, or dispensing of alcoholic beverages, wine,
5 beer, or food within the place of business of a licensee or
6 permittee authorized under this chapter to sell at retail;~~nor~~
7 ~~shall the person directly.~~

8 b. Directly or indirectly extend any credit for alcoholic
9 beverages or beer or pay for any such license or permit;~~nor~~
10 ~~directly.~~

11 c. Directly or indirectly be interested in the ownership,
12 conduct, or operation of the business of another licensee or
13 permittee authorized under this chapter to sell at retail;~~nor~~
14 ~~hold.~~

15 d. Hold a retail liquor control license or retail wine or
16 beer permit.

17 2. However, a person engaged in the wholesaling of beer or
18 wine may sell only disposable glassware, which is constructed
19 of paper, paper laminated, or plastic materials and designed
20 primarily for personal consumption on a one-time usage
21 basis, to retailers for use within the premises of licensed
22 establishments, for an amount which is greater than or equal
23 to an amount which represents the greater of either the amount
24 paid for the disposable glassware by the supplier or the amount
25 paid for the disposable glassware by the wholesaler. Also, a
26 person engaged in the business of manufacturing beer may sell
27 beer at retail for consumption on or off the premises of the
28 manufacturing facility and, notwithstanding any other provision
29 of this chapter or the fact that a person is the holder of a
30 class "A" beer permit, may be granted not more than one class
31 "B" beer permit as defined in section 123.124 for that purpose.

32 3. A licensee or permittee who permits or assents to or is a
33 party in any way to a violation or infringement of this section
34 is guilty of a violation of this section.

35 Sec. 43. Section 123.70, Code 2015, is amended to read as

1 follows:

2 **123.70 Injunction against bootlegger.**

3 A bootlegger as defined in ~~this chapter~~ section 123.59 may
4 be restrained by injunction from doing or continuing to do any
5 of the acts prohibited herein, and all the proceedings for
6 injunctions, temporary and permanent, and for punishments for
7 violation of the same as prescribed herein, shall be applicable
8 to such person, and the fact that an offender has no known or
9 permanent place of business, or base of supplies, or quits the
10 business after the commencement of an action, shall not prevent
11 a temporary or permanent injunction, as the case may be, from
12 issuing.

13 Sec. 44. Section 123.83, Code 2015, is amended to read as
14 follows:

15 **123.83 Method of trial.**

16 The trial of an action filed pursuant to section 123.82 shall
17 be to the court and as in equity, and be governed by the same
18 rules of evidence as contempt proceedings.

19 Sec. 45. Section 123.84, Code 2015, is amended to read as
20 follows:

21 **123.84 Judgment.**

22 If the court after a hearing in an action filed pursuant to
23 section 123.82 finds a liquor, wine, or beer nuisance has been
24 maintained on the premises covered by the abatement bond and
25 that liquor, wine, or beer has been sold or kept for sale on the
26 premises contrary to law within one year from the date of the
27 giving of the bond, then the court shall order the forfeiture
28 of the bond and enter judgment for the full amount of the bond
29 against the principal and sureties on the bond, ~~and the~~. The
30 lien on the real estate created pursuant to section 123.79
31 shall be decreed foreclosed and the court shall provide for a
32 special and general execution for the enforcement of the decree
33 and judgment.

34 Sec. 46. Section 123.85, Code 2015, is amended to read as
35 follows:

1 **123.85 Appeal.**

2 Appeal from a judgment and decree entered pursuant to
3 section 123.84 may be taken as in equity cases and the cause be
4 triable de novo except that if the state appeals it need not
5 file an appeal or supersedeas bond.

6 Sec. 47. Section 123.88, Code 2015, is amended to read as
7 follows:

8 **123.88 Evidence.**

9 On the issue whether a party knew or ought to have known of
10 ~~such~~ a nuisance described under section 123.60, evidence of the
11 general reputation of the place shall be admissible.

12 Sec. 48. Section 123.122, Code 2015, is amended to read as
13 follows:

14 **123.122 Permit or license required.**

15 A person shall not manufacture for sale or sell beer at
16 wholesale or retail unless a permit is first obtained as
17 provided in this ~~division~~ subchapter or, a liquor control
18 license authorizing the retail sale of beer is first obtained
19 as provided in division I of this chapter. A liquor control
20 license holder is not required to hold a separate class "B"
21 beer permit.

22 Sec. 49. Section 123.123, Code 2015, is amended to read as
23 follows:

24 **123.123 Effect on liquor control licensees.**

25 All applicable provisions of this ~~division~~ subchapter
26 relating to class "B" beer permits shall apply to liquor
27 control licensees in the purchasing, storage, handling,
28 serving, and sale of beer.

29 Sec. 50. Section 123.143, subsection 2, Code 2015, is
30 amended to read as follows:

31 2. All permit fees and taxes collected by the division under
32 this ~~division~~ subchapter shall accrue to the state general
33 fund, except as otherwise provided.

34 Sec. 51. Section 123.171, Code 2015, is amended to read as
35 follows:

1 **123.171 Wine certificate, permit, or license required.**

2 A person shall not cause the manufacture, importation,
3 or sale of wine in this state unless a certificate or
4 permit as provided in this ~~division~~ subchapter, or a liquor
5 control license as provided in ~~division~~ subchapter I of this
6 chapter, is first obtained which authorizes that manufacture,
7 importation, or sale.

8 Sec. 52. Section 123.172, Code 2015, is amended to read as
9 follows:

10 **123.172 Effect on liquor control licensees.**

11 All applicable provisions of this ~~division~~ subchapter
12 relating to class "B" wine permits apply to liquor control
13 licensees in the purchasing, storage, handling, serving and
14 sale of wine.

15 Sec. 53. Section 124.401, subsection 5, unnumbered
16 paragraph 3, Code 2015, is amended by striking the section.

17 Sec. 54. Section 124D.4, subsection 6, Code 2015, is amended
18 to read as follows:

19 6. *Card issuance — department of transportation.* The
20 department may enter into a chapter 28E agreement with the
21 department of transportation to facilitate the issuance of a
22 cannabidiol registration ~~card~~ cards pursuant to subsections 1
23 and 3.

24 Sec. 55. Section 135.173A, subsections 1, 3, and 8, Code
25 2015, are amended to read as follows:

26 1. The early childhood ~~Iowa council~~ stakeholders alliance
27 shall establish a state child care advisory committee as part
28 of the ~~council~~ stakeholders alliance. The advisory committee
29 shall advise and make recommendations to the governor, general
30 assembly, department of human services, and other state
31 agencies concerning child care.

32 3. Except as otherwise provided, the voting members of
33 the advisory committee shall be appointed by the ~~council~~
34 stakeholders alliance from a list of names submitted by a
35 nominating committee to consist of one member of the advisory

1 committee, one member of the department of human services'
2 child care staff, three consumers of child care, and one member
3 of a professional child care organization. Two names shall be
4 submitted for each appointment. The voting members shall be
5 appointed for terms of three years.

6 8. The advisory committee shall coordinate with the early
7 childhood ~~Iowa council~~ stakeholders alliance its reporting
8 annually in December to the governor and general assembly
9 concerning the status of child care in the state, providing
10 findings, and making recommendations. The annual report may
11 be personally presented to the general assembly's standing
12 committees on human resources by a representative of the
13 advisory committee.

14 Sec. 56. Section 135.173A, subsection 4, paragraphs n and q,
15 Code 2015, are amended to read as follows:

16 n. One designee of the ~~community empowerment~~ early childhood
17 office of the department of management.

18 q. One person who represents the early childhood ~~Iowa~~
19 ~~council~~ stakeholders alliance.

20 Sec. 57. Section 135.173A, subsection 6, paragraph j, Code
21 2015, is amended to read as follows:

22 j. Advise and assist the early childhood ~~Iowa council~~
23 stakeholders alliance in developing the strategic plan required
24 pursuant to section ~~135.173~~ 256I.4, subsection 4.

25 Sec. 58. Section 135C.33, subsection 2, paragraph b,
26 subparagraph (1), Code 2015, is amended to read as follows:

27 (1) If a person being considered for employment, other than
28 employment involving the operation of a motor vehicle, has
29 been convicted of a crime listed in subparagraph (2) but does
30 not have a record of founded child or dependent adult abuse
31 and the licensee has requested an evaluation in accordance
32 with paragraph "a" to determine whether the crime warrants
33 prohibition of the person's employment, the licensee may employ
34 the person for not more than sixty calendar days pending
35 completion of the evaluation.

1 Sec. 59. Section 144.43, Code 2015, is amended to read as
2 follows:

3 **144.43 Vital records closed to inspection — exceptions.**

4 1. To protect the integrity of vital statistics records, to
5 ensure their proper use, and to ensure the efficient and proper
6 administration of the vital statistics system kept by the state
7 registrar, access to vital statistics records kept by the state
8 registrar shall be limited to the state registrar and the
9 state registrar's employees, and then only for administrative
10 purposes.

11 2. ~~a.~~ It shall be unlawful for the state registrar to
12 permit inspection of, or to disclose information contained in
13 vital statistics records, or to copy or permit to be copied all
14 or part of any such record except as authorized by ~~regulation~~
15 rule.

16 ~~b.~~ 3. However, the following vital statistics records may
17 be inspected and copied as of right under chapter 22 when they
18 are in the custody of a county registrar or when they are in the
19 custody of the state archivist and are at least seventy-five
20 years old:

21 ~~(1)~~ a. A record of birth.

22 ~~(2)~~ b. A record of marriage.

23 ~~(3)~~ c. A record of divorce, dissolution of marriage, or
24 annulment of marriage.

25 ~~(4)~~ d. A record of death if that death was not a fetal
26 death.

27 ~~3.~~ 4. A public record shall not be withheld from the
28 public because it is combined with data processing software.
29 The state registrar shall not implement any electronic data
30 processing system for the storage, manipulation, or retrieval
31 of vital records that would impair a county registrar's ability
32 to permit the examination of a public record and the copying of
33 a public record, as established by rule. If it is necessary to
34 separate a public record from data processing software in order
35 to permit the examination of the public record, the county

1 registrar shall periodically generate a written log available
2 for public inspection which contains the public record.

3 Sec. 60. Section 147.1, unnumbered paragraph 1, Code 2015,
4 is amended to read as follows:

5 For the purpose of this ~~and the following chapters of this~~
6 subtitle:

7 Sec. 61. Section 147.86, Code 2015, is amended to read as
8 follows:

9 **147.86 Penalties.**

10 Any person violating any provision of this ~~or the following~~
11 ~~chapters of this~~ subtitle, except insofar as the provisions
12 apply or relate to or affect the practice of pharmacy, or where
13 a specific penalty is otherwise provided, shall be guilty of
14 a serious misdemeanor.

15 Sec. 62. Section 157.1, subsection 27, Code 2015, is amended
16 to read as follows:

17 27. "*School of cosmetology arts and sciences*" means an
18 establishment ~~licensed~~ operated for the purpose of teaching
19 cosmetology arts and sciences.

20 Sec. 63. Section 159.1, subsections 1, 2, and 4, Code 2015,
21 are amended by striking the subsections.

22 Sec. 64. Section 172A.10, subsection 1, Code 2015, is
23 amended to read as follows:

24 1. If any person who is required by this chapter to be
25 licensed fails to obtain the required license, or if any person
26 who is required by this chapter to maintain proof of financial
27 responsibility fails to obtain or maintain such proof, or
28 if any licensee fails to discontinue engaging in licensed
29 activities when that person's license has been suspended, such
30 failure shall be deemed a nuisance and the secretary may bring
31 an action on behalf of the state to enjoin such nuisance. Such
32 actions may be heard on not less than five days' notice to the
33 person whose activities are sought to be enjoined. The failure
34 to obtain a license when required, or the failure to obtain or
35 maintain proof of financial responsibility shall constitute a

1 violation of this chapter.

2 Sec. 65. Section 197.1, Code 2015, is amended to read as
3 follows:

4 **197.1 License.**

5 1. Every person, partnership, or corporation engaged in
6 the business of buying ~~for the market~~, poultry or domestic
7 fowls for the market from the producer ~~thereof~~, shall obtain
8 a license from the department for each establishment at which
9 ~~said~~ business is conducted.

10 2. The word "*producer*" as ~~herein~~ used in this chapter shall
11 include anyone not a licensed dealer who has acquired such
12 poultry or domestic fowls other than through a licensed dealer.

13 Sec. 66. Section 198.7, subsection 1, paragraph f, Code
14 2015, is amended to read as follows:

15 *f.* If it is, or it bears or contains a new animal drug which
16 is unsafe within the meaning of the federal Food, Drug, and
17 Cosmetic Act, 21 U.S.C. ~~§801~~ §360b et seq.

18 Sec. 67. Section 206.24, unnumbered paragraph 1, Code 2015,
19 is amended to read as follows:

20 A program of education and demonstration in the area of
21 the agricultural use of fertilizers and pesticides shall be
22 initiated by the secretary of agriculture ~~on July 1, 1987~~.
23 The secretary shall coordinate the activities of the state
24 regarding this program.

25 Sec. 68. Section 206.32, subsection 1, Code 2015, is amended
26 to read as follows:

27 1. A person shall not offer for sale, sell, purchase, apply,
28 or use chlordane in this state, ~~on or after January 1, 1989~~.

29 Sec. 69. Section 215.23, Code 2015, is amended to read as
30 follows:

31 **215.23 Servicer's license.**

32 A servicer shall not install, service, or repair a
33 commercial weighing ~~or~~ and measuring device until the
34 servicer has demonstrated that the servicer has available
35 adequate testing equipment, and that the servicer possesses

1 a working knowledge of all devices the servicer intends to
 2 install or repair and of all appropriate weights, measures,
 3 statutes, and rules, as evidenced by passing a qualifying
 4 examination to be conducted by the department and obtaining
 5 a license. The secretary of agriculture shall establish by
 6 rule pursuant to chapter 17A, requirements for and contents
 7 of the examination. In determining these qualifications, the
 8 secretary shall consider the specifications of the United
 9 States national institute of standards and technology, handbook
 10 44, "Specifications, tolerances, and technical requirements
 11 for ~~commercial~~ weighing and measuring devices", or the current
 12 successor or equivalent specifications adopted by the United
 13 States national institute of standards and technology. The
 14 secretary shall require an annual license fee of not more than
 15 five dollars for each license. Each license shall expire one
 16 year from date of issuance.

17 Sec. 70. Section 215.24, Code 2015, is amended to read as
 18 follows:

19 **215.24 Rules.**

20 The department of ~~agriculture and land stewardship~~ may
 21 ~~promulgate~~ adopt rules pursuant to chapter 17A as necessary
 22 to promptly and effectively enforce the provisions of this
 23 chapter.

24 Sec. 71. Section 218.95, subsection 1, Code 2015, is amended
 25 to read as follows:

26 1. For purposes of construing the provisions of this and the
 27 following subtitles of this title and chapters ~~16, 35B, 347B,~~
 28 ~~709A,~~ 904, 913, and 914 relating to persons with mental illness
 29 and reconciling these provisions with other former and present
 30 provisions of statute, the following terms shall be considered
 31 synonymous:

32 a. "*Mentally ill*" and "*insane*", except that the
 33 hospitalization or detention of any person for treatment
 34 of mental illness shall not constitute a finding or create
 35 a presumption that the individual is legally insane in the

1 absence of a finding of incompetence made pursuant to section
2 229.27.

3 *b. "Parole" and "convalescent leave".*

4 *c. "Resident" and "patient".*

5 *d. "Escape" and "depart without proper authorization".*

6 *e. "Warrant" and "order of admission".*

7 *f. "Escapee" and "patient".*

8 *g. "Sane" and "in good mental health".*

9 *h. "Asylum" and "hospital".*

10 *i. "Commitment" and "admission".*

11 Sec. 72. Section 229.26, Code 2015, is amended to read as
12 follows:

13 **229.26 Exclusive procedure for involuntary hospitalization.**

14 Sections 229.6 through 229.19 constitute the exclusive
15 procedure for involuntary hospitalization of persons by reason
16 of serious mental impairment in this state, except that this
17 chapter does not negate the provisions of section 904.503
18 relating to transfer of prisoners with mental illness to state
19 hospitals for persons with mental illness and does not apply
20 to commitments of persons under chapter 812 or the rules of
21 criminal procedure, Iowa court rules, or negate the provisions
22 of section 232.51 relating to disposition of children with
23 mental illness ~~or an intellectual disability~~.

24 Sec. 73. Section 230.11, Code 2015, is amended to read as
25 follows:

26 **230.11 Recovery of costs from state.**

27 Costs and expenses attending the taking into custody,
28 care, and investigation of a person who has been admitted
29 or committed to a state hospital, United States department
30 of veterans affairs hospital, or other agency of the United
31 States government, for persons with mental illness and who
32 has no residence in this state or whose residence is unknown,
33 including cost of commitment, if any, shall be paid as a state
34 case as approved by the administrator. The amount of the costs
35 and expenses approved by the administrator is appropriated

1 to the department from any money in the state treasury
2 not otherwise appropriated. Payment shall be made by the
3 department on itemized vouchers executed by the auditor of the
4 county which has paid them, and approved by the administrator.

5 Sec. 74. Section 231D.16, subsection 1, Code 2015, is
6 amended to read as follows:

7 1. Adult day services programs that are serving at least
8 two but not more than five persons and that are not voluntarily
9 accredited by a recognized accrediting entity ~~prior to July 1,~~
10 ~~2003,~~ shall comply with this chapter ~~by June 30, 2005.~~

11 Sec. 75. Section 231E.13, Code 2015, is amended to read as
12 follows:

13 **231E.13 Implementation.**

14 Implementation of this chapter is subject to availability of
15 funding as determined by the department. ~~The department shall~~
16 ~~notify the Code editor upon implementation of this chapter.~~

17 Sec. 76. Section 232.46, subsection 1, paragraph a,
18 subparagraph (3), Code 2015, is amended to read as follows:

19 (3) The performance of a work assignment of value to the
20 state or to the public ~~making restitution consisting of a~~
21 ~~monetary payment to the victim or a work assignment directly~~
22 ~~of value to the victim.~~

23 Sec. 77. Section 232.46, subsection 1, paragraph a, Code
24 2015, is amended by adding the following new subparagraph:

25 NEW SUBPARAGRAPH. (3A) Making restitution consisting of a
26 monetary payment to the victim or a work assignment directly
27 of value to the victim.

28 Sec. 78. Section 232.125, subsection 4, Code 2015, is
29 amended to read as follows:

30 4. The petition shall state all of the following:

31 a. The names and residences of the child, ~~and~~

32 b. The names and residences of the child's living parents,
33 guardian, custodian, and guardian ad litem, if any. ~~and the~~

34 c. The age of the child.

35 Sec. 79. Section 232.178, subsections 3 and 4, Code 2015,

1 are amended to read as follows:

2 3. The petition shall state all of the following:

3 a. The names and residence of the child. ~~and the~~

4 b. The names and residence of the child's living parents,
5 guardian, custodian, and guardian ad litem, if any., ~~and the~~

6 c. The age of the child.

7 4. The petition shall describe ~~the~~ all of the following:

8 a. The child's emotional, physical, or intellectual
9 disability which requires care and treatment., ~~the~~

10 b. The reasonable efforts to maintain the child in the
11 child's home., ~~the~~

12 c. The department's request to the family of a child with
13 an intellectual disability, other developmental disability, or
14 organic mental illness to determine if any services or support
15 provided to the family will enable the family to continue to
16 care for the child in the child's home., ~~and the~~

17 d. The reason the child's parent, guardian, or custodian has
18 requested a foster family care placement.

19 e. The ~~petition shall also describe the~~ commitment
20 of the parent, guardian, or custodian in fulfilling the
21 responsibilities defined in the case permanency plan. ~~and how~~

22 f. How the placement will serve the child's best interests.

23 Sec. 80. Section 235B.4, Code 2015, is amended to read as
24 follows:

25 **235B.4 Legislative findings and purposes.**

26 1. The general assembly finds and declares that a
27 central registry is required to provide a single source for
28 the statewide collection, maintenance, and dissemination
29 of dependent adult abuse information. Such a registry is
30 imperative for increased effectiveness in dealing with the
31 problem of dependent adult abuse. The general assembly also
32 finds that vigorous protection of rights of individual privacy
33 is an indispensable element of a fair and effective system of
34 collecting, maintaining, and disseminating dependent adult
35 abuse information.

1 2. The purposes of this section and sections 235B.5 ~~to~~
 2 through 235B.13 are to facilitate the identification of
 3 victims or potential victims of dependent adult abuse by making
 4 available a single, statewide source of dependent adult abuse
 5 data; to facilitate research on dependent adult abuse by making
 6 available a single, statewide source of dependent adult abuse
 7 data; and to provide maximum safeguards against the unwarranted
 8 invasions of privacy which such a registry might otherwise
 9 entail.

10 Sec. 81. Section 235F.1, subsection 12, Code 2015, is
 11 amended to read as follows:

12 12. "*Present danger of elder abuse*" means a situation in
 13 which the defendant has recently threatened the vulnerable
 14 elder with initial or additional elder abuse, or the potential
 15 exists for misappropriation, misuse, or removal of the funds,
 16 benefits, property, resources, belongings, or assets of the
 17 vulnerable elder combined with reasonable grounds to believe
 18 that elder abuse is likely to occur.

19 Sec. 82. Section 235F.5, subsection 6, unnumbered paragraph
 20 1, Code 2015, is amended to read as follows:

21 ~~The showing~~ At the hearing, the allegation of elder abuse may
 22 be proven as required under subsection 1 ~~may be made by,~~ but is
 23 not limited to the testimony ~~at the hearing of,~~ from any of the
 24 following:

25 Sec. 83. Section 235F.6, subsection 3, Code 2015, is amended
 26 to read as follows:

27 3. The court shall not ~~use~~ issue an order ~~issued~~ under this
 28 section ~~to do~~ that does any of the following:

29 a. ~~To allow~~ Allows any person other than the vulnerable
 30 elder to assume responsibility for the funds, benefits,
 31 property, resources, belongings, or assets of the vulnerable
 32 elder.

33 b. ~~For~~ Grants relief that is more appropriately obtained
 34 in a protective proceeding filed under chapter 633 including
 35 but not limited to giving control and management of the funds,

1 benefits, property, resources, belongings, or assets of the
2 vulnerable elder to a guardian, conservator, or attorney in
3 fact for any purpose other than the relief granted under
4 subsection 2.

5 Sec. 84. Section 235F.8, subsection 2, Code 2015, is amended
6 to read as follows:

7 2. The plaintiff's right to relief under this chapter is not
8 affected by the vulnerable elder leaving the vulnerable elder's
9 home to avoid elder abuse.

10 Sec. 85. Section 237A.30, subsection 1, Code 2015, is
11 amended to read as follows:

12 1. The department shall work with the ~~community empowerment~~
13 ~~office of~~ early childhood Iowa office in the department of
14 management established in section ~~28.3~~ 256I.5 and the state
15 child care advisory committee in designing and implementing a
16 voluntary quality rating system for each provider type of child
17 care facility.

18 Sec. 86. Section 256.2, Code 2015, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 5. "*Telecommunications*" means narrowcast
21 communications through systems that are directed toward
22 a narrowly defined audience and includes interactive live
23 communications. "*Telecommunications*" does not include online
24 learning.

25 Sec. 87. Section 256.7, subsection 7, paragraph d, Code
26 2015, is amended by striking the paragraph.

27 Sec. 88. Section 256B.2, subsection 1, paragraph a, Code
28 2015, is amended to read as follows:

29 a. "*Children requiring special education*" means persons under
30 twenty-one years of age, including children under five years of
31 age, who have a disability in obtaining an education because
32 of a head injury, autism, behavioral disorder, or physical,
33 mental, communication, or learning disability, as defined by
34 the rules of the department of education. ~~If a child requiring~~
35 ~~special education reaches~~ "Children requiring special education"

1 includes children receiving special education services, who
 2 reach the age of twenty-one during an academic year, ~~the child~~
 3 ~~may~~ and who elect to receive special education services until
 4 the end of the academic year.

5 Sec. 89. Section 256F.2, subsection 2, Code 2015, is amended
 6 by striking the subsection.

7 Sec. 90. Section 260C.58, subsection 2, Code 2015, is
 8 amended to read as follows:

9 2. a. All bonds or notes issued under the provisions of
 10 this subchapter shall be payable from and shall be secured by
 11 an irrevocable first lien pledge of a sufficient portion of any
 12 of the following: ~~the~~

13 (1) The net rents, profits, and income derived from the
 14 operation of residence halls, dormitories, dining or other
 15 incidental facilities and additions, including necessary real
 16 and personal property, acquired or improved in whole or in part
 17 with the proceeds of such bonds or notes, regardless of the
 18 manner of such acquisition or improvement. ~~; and the~~

19 (2) The net rents, profits, and income not pledged for other
 20 purposes derived from the operation of any other residence
 21 halls or dormitories, including dining or other incidental
 22 facilities and additions, at the particular institution.

23 b. In addition, the board may secure any bonds or notes
 24 issued by borrowing money, by mortgaging any real estate or
 25 improvements erected on real estate, or by pledging rents,
 26 profits, and income received from property for the discharge
 27 of mortgages. All bonds or notes issued under the provisions
 28 of this subchapter shall have all the qualities of negotiable
 29 instruments under the laws of this state.

30 Sec. 91. Section 262.44, subsection 1, Code 2015, is amended
 31 to read as follows:

32 1. Set aside and use portions of the respective campuses
 33 of the institutions of higher education under its control,
 34 namely, the state university of Iowa, the Iowa state university
 35 of science and technology, and the university of northern

1 Iowa, as the board determines are suitable for the acquisition
2 or construction of self-liquidating and revenue producing
3 buildings and facilities which the board deems necessary for
4 the students and suitable for the purposes for which the
5 institutions were established including without limitation:

6 a. Student unions, recreational buildings, auditoriums,
7 stadiums, field houses, and athletic buildings and areas.~~7~~
8 ~~parking~~

9 b. ~~Parking~~ structures and areas.~~7~~ ~~electric~~

10 c. ~~Electric~~, heating, sewage treatment, and communication
11 utilities.~~7~~ ~~research~~

12 d. ~~Research~~ equipment. ~~and additions~~

13 e. ~~Additions~~ to or alterations of existing buildings or
14 structures.

15 Sec. 92. Section 262.49, Code 2015, is amended to read as
16 follows:

17 **262.49 No obligation against state.**

18 No obligation created hereunder shall ever be or become
19 a charge against the state of Iowa but all such obligations,
20 including principal and interest, shall be payable solely from
21 any of the following:

22 1. ~~From the~~ The net rents, profits, and income arising from
23 the property so pledged or mortgaged~~7~~.

24 2. ~~From the~~ The net rents, profits, and income which has
25 not been pledged for other purposes arising from any similar
26 building, facility, area or improvement under the control and
27 management of said board~~7~~.

28 3. ~~From the~~ The fees or charges established by said
29 board for students attending the institution for the use or
30 availability of the building, structure, area, facility or
31 improvement for which the obligation was incurred~~7~~ ~~or~~.

32 4. ~~From the~~ The income derived from gifts and bequests made
33 to the institutions under the control of said board for such
34 purposes.

35 Sec. 93. Section 262.57, subsection 2, Code 2015, is amended

1 to read as follows:

2 2. All bonds or notes issued under the ~~provision~~ provisions
 3 of this subchapter shall be payable solely and only from and
 4 shall be secured by an irrevocable pledge of a sufficient
 5 portion of the net rents, profits and income derived from the
 6 operation of residence halls, dormitories, dining or other
 7 incidental facilities and additions, including necessary real
 8 and personal property, acquired or improved in whole or in part
 9 with the proceeds of such bonds or notes, regardless of the
 10 manner of such acquisition or improvement, and the net rents,
 11 profits and income not pledged for other purposes derived from
 12 the operation of any other residence halls or dormitories,
 13 including dining or other incidental facilities and additions,
 14 at the particular institution. All bonds or notes issued under
 15 the provisions of this subchapter shall have all the qualities
 16 of negotiable instruments under the laws of this state.

17 Sec. 94. Section 262A.2, subsection 7, Code 2015, is amended
 18 to read as follows:

19 7. "*Student fees and charges*" shall mean all tuitions, fees
 20 and charges for general or special purposes levied against
 21 and collected from students attending the institutions except
 22 rates, fees, rentals or charges imposed and collected under any
 23 of the following provisions ~~of (a) sections:~~

24 a. Sections 262.35 through 262.42., ~~(b) sections~~

25 b. Sections 262.44 through 262.53., ~~and (c) sections~~

26 c. Sections 262.55 through 262.66.

27 Sec. 95. Section 263.8, Code 2015, is amended to read as
 28 follows:

29 **263.8 Reports — tests.**

30 1. Charges may be assessed for transportation of specimens
 31 and cost of examination. Reports of epidemiological
 32 examinations and investigations shall be sent to the
 33 responsible agency.

34 2. In addition to its regular work, the state hygienic
 35 laboratory shall perform without charge all bacteriological,

1 serological, and epidemiological examinations and
 2 investigations which may be required by the Iowa department of
 3 public health and ~~said~~ the department shall establish adopt
 4 rules pursuant to chapter 17A therefor. The laboratory shall
 5 also provide, those laboratory, scientific field measurement,
 6 and environmental quality services which, by contract, are
 7 requested by the other agencies of government.

8 3. The state hygienic laboratory is authorized to perform
 9 such other laboratory determinations as may be requested by
 10 any state institution, citizen, school, municipality or local
 11 board of health, and the laboratory is authorized to charge
 12 fees covering transportation of samples and the costs of
 13 examinations performed upon their request.

14 Sec. 96. Section 303.4, subsection 1, paragraph b, Code
 15 2015, is amended to read as follows:

16 b. The governor shall appoint one member from each of the
 17 state's congressional districts established under section 40.1.

18 Sec. 97. Section 321.19, Code 2015, is amended to read as
 19 follows:

20 **321.19 Exemptions — distinguishing plates — definitions of**
 21 **urban transit company and regional transit system.**

22 1. a. The following vehicles are exempted from the payment
 23 of the registration fees imposed by this chapter, except as
 24 provided for urban transit companies in subsection 2, but are
 25 not exempt from the penalties provided in this chapter:

26 (1) All vehicles owned or leased for a period of sixty
 27 days or more by the government and used in the transaction of
 28 official business by the representatives of foreign governments
 29 or by officers, boards, or departments of the government of the
 30 United States, and by the state, counties, municipalities and
 31 other political subdivisions of the state including vehicles
 32 used by an urban transit company operated by a municipality or
 33 a regional transit system, and self-propelling vehicles used
 34 neither for the conveyance of persons for hire, pleasure, or
 35 business nor for the transportation of freight other than those

1 used by an urban transit company operated by a municipality or
2 a regional transit system. ~~, and~~

3 (2) All fire trucks, providing they are not owned and
4 operated for a pecuniary profit. ~~, and authorized~~

5 (3) Authorized emergency vehicles used only in disaster
6 relief owned and operated by an organization not operated
7 for pecuniary profit, ~~are exempted from the payment of the~~
8 ~~registration fees imposed by this chapter, except as provided~~
9 ~~for urban transit companies in subsection 2, but are not exempt~~
10 ~~from the penalties provided in this chapter.~~

11 b. (1) The department shall furnish, on application, free
12 of charge, distinguishing plates for vehicles thus exempted,
13 which plates except plates on state patrol vehicles shall bear
14 the word "official" and the department shall keep a separate
15 record.

16 (2) Registration plates issued for state patrol vehicles,
17 except unmarked patrol vehicles, shall bear two red stars
18 on a yellow background, one before and one following the
19 registration number on the plate, which registration number
20 shall be the officer's badge number.

21 (3) Registration plates issued for county sheriff's patrol
22 vehicles shall display one seven-pointed gold star followed by
23 the letter "S" and the call number of the vehicle. ~~However,~~
24 ~~the~~

25 c. However, the director of the department of administrative
26 services or the director of transportation may order the
27 issuance of regular registration plates for any exempted
28 vehicle used by ~~peace~~ any of the following:

29 (1) Peace officers in the enforcement of the law. ~~, persons~~

30 (2) Persons enforcing chapter 124 and other laws relating to
31 controlled substances. ~~, persons~~

32 (3) Persons in the department of justice, the alcoholic
33 beverages division of the department of commerce, disease
34 investigators of the Iowa department of public health, the
35 department of inspections and appeals, and the department of

1 revenue, who are regularly assigned to conduct investigations
 2 which cannot reasonably be conducted with a vehicle displaying
 3 "official" state registration plates.~~persons~~

4 (4) Persons in the Iowa lottery authority whose regularly
 5 assigned duties relating to security or the carrying of
 6 lottery tickets cannot reasonably be conducted with a vehicle
 7 displaying "official" registration plates.~~persons~~

8 (5) Persons in the economic development authority
 9 who are regularly assigned duties relating to existing
 10 industry expansion or business attraction, and mental health
 11 professionals or health care professionals who provide off-site
 12 or in-home medical or mental health services to clients of
 13 publicly funded programs.

14 d. For purposes of sale of exempted vehicles, the exempted
 15 governmental body, upon the sale of the exempted vehicle, may
 16 issue for in-transit purposes a pasteboard card bearing the
 17 words "Vehicle in Transit", the name of the official body from
 18 which the vehicle was purchased, together with the date of the
 19 purchase plainly marked in at least one-inch letters, and other
 20 information required by the department. The in-transit card is
 21 valid for use only within forty-eight hours after the purchase
 22 date as indicated on the bill of sale which shall be carried by
 23 the driver.

24 2. a. "*Urban transit company*" means any person, firm,
 25 corporation, company, or municipality which operates buses
 26 or trolley cars or both, primarily upon the streets of
 27 cities over well-defined routes between certain termini, for
 28 the transportation of passengers for a uniform fare, and
 29 which accepts for passengers all who present themselves for
 30 transportation without discrimination up to the limit of the
 31 capacity of each vehicle. Included are street railways,
 32 plants, equipment, property, and rights, used and useful
 33 in the transportation of passengers. Motor carriers and
 34 interurbans subject to the jurisdiction of the state department
 35 of transportation, and taxicabs, are not included.

1 b. The department, in accordance with subsection 1,
2 shall furnish distinguishing plates for vehicles used by
3 urban transit companies operated by a municipality. No
4 other provision of law providing for the payment of taxes,
5 registration, or license fees for vehicles shall be applicable
6 to any bus, car, or vehicle for the transportation of
7 passengers owned and operated by any urban transit company.

8 c. Chapter 326 is not applicable to urban transit companies
9 or systems.

10 3. a. "*Regional transit system*" means a public transit
11 system serving one county or all or part of a multicounty area
12 whose boundaries correspond to the same boundaries as those of
13 the regional planning areas designated by the governor, except
14 as agreed upon by the department. Privately chartered bus
15 services and uses other than providing services that are open
16 and public on a shared ride basis shall not be construed to be a
17 regional transit system.

18 b. Each county board of supervisors within the region is
19 responsible for determining the service and funding within
20 its county. However, the administration and overhead support
21 services for the overall regional transit system shall be
22 consolidated into one existing or new agency to be mutually
23 agreed upon by the participating members. ~~Privately chartered~~
24 ~~bus services and uses other than providing services that are~~
25 ~~open and public on a shared ride basis shall not be construed~~
26 ~~to be a regional transit system.~~

27 Sec. 98. Section 321.34, subsection 20C, paragraphs a and c,
28 Code 2015, are amended to read as follows:

29 a. The department, in consultation with the adjutant
30 general, shall design combat infantryman badge, combat
31 action badge, combat action ribbon, air force combat action
32 medal, and combat medical badge distinguishing processed
33 emblems. Upon receipt of two hundred fifty orders for combat
34 infantryman badge, combat action badge, combat action ribbon,
35 air force combat action medal, or combat medical badge special

1 registration plates, accompanied by a start-up fee of twenty
 2 dollars per order, the department shall begin issuing special
 3 registration plates with the applicable distinguishing
 4 processed emblem as provided in paragraphs "b", "c", and "d".
 5 The minimum order requirement shall apply separately to each of
 6 the special registration plates created under this subsection.

7 c. Notwithstanding subsection 12, paragraph "a", an owner
 8 who is approved for special registration plates under this
 9 subsection shall be issued one set of special registration
 10 plates with a combat infantryman badge, combat action badge,
 11 combat action ribbon, air force combat action medal, and or
 12 combat medical badge distinguishing processed emblem at no
 13 charge.

14 Sec. 99. Section 321.34, subsection 27, paragraph a, Code
 15 2015, is amended to read as follows:

16 a. An owner referred to in subsection 12 who served in the
 17 armed forces of the United States and was discharged under
 18 honorable conditions may, upon written application to the
 19 department and upon presentation of satisfactory proof of
 20 military service and discharge under honorable conditions,
 21 order special registration plates bearing a distinguishing
 22 processed emblem depicting the word "veteran" below an image
 23 of the American flag. The application is subject to approval
 24 by the department. The special plate fees collected by the
 25 director under subsection 12, paragraph "a", from the annual
 26 validation of letter-number designated United States veteran
 27 plates, and subsection 12, paragraph "c", from the issuance
 28 and annual validation of personalized United States veteran
 29 plates, shall be paid monthly to the treasurer of state and
 30 deposited in the road use tax fund. The treasurer of state
 31 shall transfer monthly from the statutory allocations fund
 32 created under section 321.145, subsection 2, to the veterans
 33 license fee fund created in section 35A.11 the amount of the
 34 special fees collected under subsection 12, paragraph "a", in
 35 the previous month for United States veteran plates.

1 Sec. 100. Section 321.59, Code 2015, is amended to read as
2 follows:

3 **321.59 Issuance of certificate.**

4 The department, upon granting ~~any such~~ an application made
5 as provided under section 321.58, shall issue to the applicant
6 a certificate containing the applicant's name and address and
7 the general distinguishing number assigned to the applicant.

8 Sec. 101. Section 321.154, Code 2015, is amended to read as
9 follows:

10 **321.154 Reports by department.**

11 The department, immediately upon receiving ~~said~~ the county
12 treasurer's report under section 321.153, shall also report to
13 the treasurer of state the amount so collected by such county
14 treasurer.

15 Sec. 102. Section 321.191, subsection 7, Code 2015, is
16 amended to read as follows:

17 7. *Endorsements and removal of air brake restrictions.* The
18 fee for a ~~double/triple~~ double or triple trailer endorsement,
19 tank vehicle endorsement, and hazardous materials endorsement
20 is five dollars for each endorsement. The fee for a passenger
21 endorsement or a school bus endorsement is ten dollars. The
22 fee for removal of an air brake restriction on a commercial
23 driver's license is ten dollars. Fees imposed under this
24 subsection for endorsements or removal of restrictions are
25 valid for the period of the license. Upon renewal of a
26 commercial driver's license, no fee is payable for retaining
27 endorsements or the removal of the air brake restriction for
28 those endorsements or restrictions which do not require the
29 taking of either a knowledge or a driving skills test for
30 renewal.

31 Sec. 103. Section 321.198, subsection 2, Code 2015, is
32 amended to read as follows:

33 2. The provisions of this section shall also apply to
34 the spouse and children, or ward of ~~such~~ military personnel
35 when such spouse, children, or ward are living with the ~~above~~

1 ~~described~~ military personnel described in subsection 1 outside
2 of the state of Iowa and provided that such extension of
3 license does not exceed five years.

4 Sec. 104. Section 321.453, Code 2015, is amended to read as
5 follows:

6 **321.453 Exceptions.**

7 1. The Except as provided in sections 321.463, 321.471, and
8 321.474, the provisions of this chapter governing size, weight,
9 and load and the permit requirements of chapter 321E do not
10 apply to fire any of the following:

11 a. Fire apparatus.~~;~~ ~~road~~

12 b. Road maintenance equipment owned by, under lease to, or
13 used in the performance of a contract with any state or local
14 authority.~~;~~ ~~implements~~

15 c. Implements of husbandry when moved or moving upon a
16 highway that is not a portion of the interstate.~~;~~ ~~or equipment~~

17 d. Equipment used primarily for construction of permanent
18 conservation practices on agricultural land when moved or
19 moving upon a highway that is not a portion of the interstate,
20 so long as the equipment is without payload and the movement
21 does not violate posted weight limitations on bridges, ~~except~~
22 ~~as provided in sections 321.463, 321.471, and 321.474.~~

23 2. A vehicle that is carrying an implement of husbandry
24 or equipment used primarily for construction of permanent
25 conservation practices and is exempted from the permit
26 requirements under this section shall be equipped with an amber
27 flashing light visible from the rear. If the amber flashing
28 light is obstructed by the loaded implement or equipment,
29 the loaded implement or equipment shall also be equipped
30 with and display an amber flashing light. The vehicle shall
31 also be equipped with warning flags on that portion of the
32 vehicle which protrudes into oncoming traffic, and shall only
33 operate from thirty minutes prior to sunrise to thirty minutes
34 following sunset.

35 Sec. 105. Section 321A.39, subsection 1, Code 2015, is

1 amended to read as follows:

2 1. Whenever any dealer licensed under chapter 322 sells a
3 motor vehicle at retail and the transaction does not include
4 the sale of liability insurance coverage which will protect the
5 purchaser under ~~the Iowa motor vehicle financial and safety~~
6 ~~responsibility Act~~ this chapter the purchase order or invoice
7 evidencing the transaction shall contain a statement in the
8 following form:

9 I understand that liability insurance coverage which would
10 protect me under the Iowa Motor Vehicle Financial and Safety
11 Responsibility Act, Iowa Code chapter 321A, IS NOT INCLUDED
12 in my purchase of the herein described motor vehicle. I have
13 received a copy of this statement.

14

15 (Purchaser's signature)

16 Sec. 106. Section 321E.11, subsection 3, Code 2015, is
17 amended to read as follows:

18 3. Except as provided in section 321.457, no movement under
19 permit shall be permitted on holidays, after 12:00 noon on days
20 preceding holidays and holiday weekends, or special events
21 when abnormally high traffic volumes can be expected. Such
22 restrictions shall not be applicable to urban transit systems
23 as defined in section ~~321.19, subsection 2~~ 324A.1.

24 Sec. 107. Section 321G.4, subsection 4, Code 2015, is
25 amended to read as follows:

26 4. Notwithstanding subsections 1 and 2, a snowmobile
27 manufactured prior to 1984 may be registered as an antique
28 snowmobile for a one-time fee of twenty-five dollars, which
29 shall exempt the owner from annual registration and fee
30 requirements for that snowmobile. However, if ownership of an
31 antique snowmobile is transferred, the new owner shall register
32 the snowmobile and pay the one-time fee as required under this
33 subsection. ~~A~~ An antique snowmobile may be registered ~~under~~
34 ~~this section~~ with only a signed bill of sale as evidence of
35 ownership.

1 Sec. 108. Section 331.508, subsection 5, Code 2015, is
2 amended to read as follows:

3 5. A permanent record ~~book~~ of the names and addresses of
4 persons receiving veteran assistance as provided in section
5 35B.10.

6 Sec. 109. Section 358.21, Code 2015, is amended to read as
7 follows:

8 **358.21 Debt limit — borrowing — bonds — purposes.**

9 1. a. Any sanitary district organized ~~hereunder~~ under this
10 chapter may borrow money for its corporate purposes, but shall
11 not become indebted in any manner or for any purpose to an
12 amount in the aggregate exceeding five percent on the value of
13 the taxable property within such district, to be ascertained by
14 the last state and county tax lists previous to the incurring
15 of such indebtedness. Indebtedness within this constitutional
16 limit shall not include the indebtedness of any other municipal
17 corporation located wholly or partly within the boundaries of
18 such sanitary district.

19 b. Subject only to ~~this~~ the debt limitation described in
20 paragraph "a", any ~~such~~ sanitary district organized ~~hereunder~~
21 under this chapter shall have and it is hereby vested with
22 all of the same powers to issue bonds, including both general
23 obligation and revenue bonds, which cities now or may hereafter
24 have under the laws of this state. In the application of
25 such laws to this chapter, the words used in any such laws
26 referring to municipal corporations or to cities shall be held
27 to include sanitary districts organized under this chapter,
28 the words "council" or "city council" shall be held to include
29 the board of trustees of a sanitary district; the words
30 "mayor" and "clerk" shall be held to include the president and
31 clerk of any such board of trustees or sanitary district; and
32 like construction shall be given to any other words in such
33 laws where required to permit the exercise of such powers by
34 sanitary districts.

35 2. Any and all bonds issued ~~hereunder~~ under the provisions

1 of this section shall be signed by the president of the board
2 of trustees and attested by the clerk, with the seal of the
3 district, if any, affixed, and interest coupons attached
4 thereto shall be attested by the signature of the clerk.

5 3. The proceeds of any bond issue made under the provisions
6 of this section shall be used only for the purpose of
7 acquiring, locating, laying out, establishing and construction
8 of drainage facilities, conduits, treatment plants, pumping
9 plants, works, ditches, channels and outlets of such capacity
10 and character as may be required for the treatment, carrying
11 off and disposal of the sewage and industrial wastes and other
12 drainage incidental thereto of such district, or to repair,
13 change, enlarge and add to such facilities as may be necessary
14 or proper to meet the requirements present and future for the
15 purposes aforesaid. Proceeds from such bond issue may also
16 be used for the payment of special assessment deficiencies.
17 Said bonds shall be payable in not more than forty annual
18 installments and with interest at a rate not exceeding that
19 permitted by chapter 74A, and shall be made payable at such
20 place and be of such form as the board of trustees shall by
21 resolution designate. Any sanitary district issuing bonds
22 as authorized in this section is hereby granted authority to
23 pledge the future avails of a tax levy to the payment of the
24 principal and interest of such bonds after the same come due,
25 and the power to impose and certify said levy is hereby granted
26 to the trustees of sanitary districts organized under the
27 provisions of this chapter.

28 Sec. 110. Section 359A.6, Code 2015, is amended to read as
29 follows:

30 **359A.6 Default — costs and fees collected.**

31 If the erecting, rebuilding, or repairing of a fence is not
32 completed within thirty days from and after the time fixed
33 in the order, the board of township trustees acting as fence
34 viewers shall cause the fence to be erected, rebuilt, and
35 repaired, and the value thereof may be fixed by the fence

1 viewers, ~~and unless~~. Unless the sum so fixed, together with
 2 all fees of the fence viewers caused by ~~such~~ the default, is
 3 paid to the county treasurer, within ten days after the ~~same~~
 4 full amount due is ~~so~~ ascertained, or when ordered to pay for
 5 an existing fence, and the value thereof is fixed by the fence
 6 viewers, and ~~said~~ the sum, together with the fees of the fence
 7 viewers, remains unpaid by the party in default for ten days,
 8 the fence viewers shall certify to the county treasurer the
 9 full amount due from the party or parties in default, including
 10 all fees and costs assessed by the fence viewers, together
 11 with a description of the real estate owned by the party or
 12 parties in default along or upon which the said fence exists,
 13 ~~and the~~. The county treasurer shall enter the ~~same~~ full amount
 14 due upon the county system, and the amount shall be collected
 15 in the same manner as ordinary taxes. Upon certification to
 16 the county treasurer, the amount assessed shall be a lien on
 17 the parcel until paid.

18 Sec. 111. Section 364.24, Code 2015, is amended to read as
 19 follows:

20 **364.24 Traffic light synchronization.**

21 ~~After July 1, 1992, all~~ All cities with more than three
 22 traffic lights within the corporate limits shall establish a
 23 traffic light synchronization program for energy efficiency
 24 in accordance with rules adopted by the state department of
 25 transportation pursuant to chapter 17A. ~~The state department~~
 26 ~~of transportation shall adopt rules required by this section~~
 27 ~~by July 1, 1990. This section does not require that a city~~
 28 ~~replace lighting, which has not completed its useful life,~~
 29 ~~in order to comply with the requirements of this section.~~
 30 ~~However, all lighting shall be replaced, whether or not it has~~
 31 ~~completed its useful life, by July 1, 2001.~~

32 Sec. 112. Section 388.11, Code 2015, is amended to read as
 33 follows:

34 **388.11 Liability within two miles.**

35 A city or city utility providing water service within two

1 miles of the limits of the city shall not be liable for a claim
2 for failure to provide or maintain fire hydrants, facilities,
3 or an adequate supply of water or water pressure for fire
4 protection purposes in the area receiving water service if such
5 hydrants, facilities, or water are not intended to be used for
6 fire protection purposes.

7 Sec. 113. Section 403.9, subsection 1, Code 2015, is amended
8 to read as follows:

9 1. A municipality shall have power to periodically issue
10 bonds in its discretion to pay the costs of carrying out the
11 purposes and provisions of this chapter, including but not
12 limited to the payment of principal and interest upon any
13 advances for surveys and planning, and the payment of interest
14 on bonds, herein authorized, not to exceed three years from
15 the date the bonds are issued. The municipality shall have
16 power to issue refunding bonds for the payment or retirement
17 of such bonds previously issued by ~~it~~ the municipality. Said
18 bonds shall be payable solely from the income and proceeds of
19 the fund and portion of taxes referred to in section 403.19,
20 subsection 2, and revenues and other funds of the municipality
21 derived from or held in connection with the undertaking and
22 carrying out of urban renewal projects under this chapter. The
23 municipality may pledge to the payment of the bonds the fund
24 and portion of taxes referred to in section 403.19, subsection
25 2, and may further secure the bonds by a pledge of any loan,
26 grant, or contribution from the federal government or other
27 source in aid of any urban renewal projects of the municipality
28 under this chapter, or by a mortgage of any such urban renewal
29 projects, or any part thereof, title which is vested in the
30 municipality.

31 Sec. 114. Section 403.15, subsection 1, Code 2015, is
32 amended to read as follows:

33 1. There is hereby created in each municipality a public
34 body corporate and politic to be known as the "urban renewal
35 agency" of the municipality: ~~Provided, that such.~~ An urban

1 renewal agency shall not transact any business or exercise its
2 powers hereunder until or unless the local governing body has
3 made the finding prescribed in section 403.4, and has elected
4 to have the urban renewal project powers exercised by an urban
5 renewal agency as provided in section 403.14.

6 Sec. 115. Section 404.4, Code 2015, is amended to read as
7 follows:

8 **404.4 Prior approval of eligibility.**

9 1. A person may submit a proposal for an improvement
10 project to the governing body of the city or county to receive
11 prior approval for eligibility for a tax exemption on the
12 project. The governing body shall, by resolution, give its
13 prior approval for an improvement project if the project is
14 in conformance with the plan for revitalization developed by
15 the city or county. Such prior approval shall not entitle the
16 owner to exemption from taxation until the improvements have
17 been completed and found to be qualified real estate; however,
18 if the proposal is not approved, the person may submit an
19 amended proposal for the governing body to approve or reject.

20 2. An application shall be filed for each new exemption
21 claimed. The first application for an exemption shall be
22 filed by the owner of the property with the governing body
23 of the city or county in which the property is located by
24 February 1 of the assessment year for which the exemption
25 is first claimed, but not later than the year in which all
26 improvements included in the project are first assessed for
27 taxation, or the following two assessment years, in which case
28 the exemption is allowed for the total number of years in the
29 exemption schedule. However, upon the request of the owner at
30 any time, the governing body of the city or county provides by
31 resolution that the owner may file an application by February
32 1 of any other assessment year selected by the governing body
33 in which case the exemption is allowed for the number of years
34 remaining in the exemption schedule selected. The application
35 shall contain, but not be limited to, all of the following

1 information:

2 a. The nature of the improvement, ~~its~~

3 b. The cost, of the improvement project.

4 c. The estimated or actual date of completion, ~~the~~

5 d. The tenants that occupied the owner's building on the
6 date the city or county adopted the resolution referred to in
7 section 404.2, subsection 1, ~~and which~~

8 e. Which exemption in section 404.3 or in the different
9 schedule, if one has been adopted, will be elected.

10 3. The governing body of the city or county shall approve
11 the application, subject to review by the local assessor
12 pursuant to section 404.5, if the project is in conformance
13 with the plan for revitalization developed by the city or
14 county, is located within a designated revitalization area,
15 and if the improvements were made during the time the area
16 was so designated. The governing body of the city or county
17 shall forward for review all approved applications to the
18 appropriate local assessor by March 1 of each year with a
19 statement indicating whether section 404.3, subsection 1, 2,
20 3 or 4 applies or if a different schedule has been adopted,
21 which exemption from that schedule applies. Applications for
22 exemption for succeeding years on approved projects shall not
23 be required.

24 Sec. 116. Section 422.11D, Code 2015, is amended to read as
25 follows:

26 **422.11D Historic preservation and cultural and entertainment**
27 **district tax credit.**

28 The taxes imposed under this division, less the credits
29 allowed under section 422.12, shall be reduced by a historic
30 preservation and cultural and entertainment district tax credit
31 allowed under ~~section 404A.2~~ chapter 404A.

32 Sec. 117. Section 422.11L, subsection 1, paragraph a, Code
33 2015, is amended to read as follows:

34 a. Sixty percent of the federal residential energy efficient
35 property credit related to solar energy provided in section

1 ~~25E(a)(1)~~ 25D(a)(1) and section 25D(a)(2) of the Internal
2 Revenue Code, not to exceed five thousand dollars.

3 Sec. 118. Section 422.33, subsection 10, Code 2015, is
4 amended to read as follows:

5 10. The taxes imposed under this division shall be reduced
6 by a historic preservation and cultural and entertainment
7 district tax credit allowed under ~~section 404A.2~~ chapter 404A.

8 Sec. 119. Section 422.60, subsection 4, Code 2015, is
9 amended to read as follows:

10 4. The taxes imposed under this division shall be reduced by
11 a historic preservation and cultural and entertainment district
12 tax credit allowed under ~~section 404A.2~~ chapter 404A.

13 Sec. 120. Section 423.3, subsection 26A, Code 2015, is
14 amended to read as follows:

15 26A. ~~a.~~ The sales price of reagents and related accessory
16 equipment to a regional blood testing facility if all of the
17 following conditions are met:

18 ~~{1}~~ a. The regional blood testing facility is registered by
19 the federal food and drug administration.

20 ~~{2}~~ b. The regional blood testing facility performs donor
21 testing for other blood centers.

22 ~~{3}~~ c. The regional blood testing facility is located in
23 this state on or before January 1, 2011.

24 ~~b. This subsection is repealed if a regional blood testing~~
25 ~~facility is not located in this state on or before January 1,~~
26 ~~2011.~~

27 Sec. 121. Section 423.30, Code 2015, is amended to read as
28 follows:

29 **423.30 Foreign sellers not registered under the agreement.**

30 1. The director may, upon application, authorize the
31 collection of the use tax by any seller who is a retailer not
32 maintaining a place of business within this state and not
33 registered under the agreement, who, to the satisfaction of
34 the director, furnishes adequate security to ensure collection
35 and payment of the tax. Such sellers shall be issued, without

1 charge, permits to collect tax subject to any regulations which
 2 the director shall prescribe. When so authorized, it shall
 3 be the duty of foreign sellers to collect the tax upon all
 4 tangible personal property sold, to the retailer's knowledge,
 5 for use within this state, in the same manner and subject to
 6 the same requirements as a retailer maintaining a place of
 7 business within this state. The authority and permit may be
 8 canceled when, at any time, the director considers the security
 9 inadequate, or that tax can more effectively be collected from
 10 the person using property in this state.

11 2. The discretionary power granted in ~~this section~~
 12 subsection 1 is extended to apply in the case of foreign
 13 retailers furnishing services enumerated in section 423.2.

14 Sec. 122. Section 432.12A, Code 2015, is amended to read as
 15 follows:

16 **432.12A Historic preservation and cultural and entertainment**
 17 **district tax credit.**

18 The taxes imposed under this chapter shall be reduced by a
 19 historic preservation and cultural and entertainment district
 20 tax credit allowed under ~~section 404A.2~~ chapter 404A.

21 Sec. 123. Section 445.37, subsection 1, paragraph b, Code
 22 2015, is amended to read as follows:

23 b. However Notwithstanding paragraph "a", if there is a
 24 delay in the delivery of the tax list referred to in chapter
 25 443 to the county treasurer, the amount of ad valorem taxes
 26 and manufactured or mobile home taxes due shall become
 27 delinquent thirty days after the date of delivery or on the
 28 delinquent date of the first installment, whichever date
 29 occurs later. The delay shall not affect the due dates for
 30 special assessments and rates or charges. The delinquent
 31 date for special assessments and rates or charges is the
 32 same as the first installment delinquent date for ad valorem
 33 taxes, including any extension, in absence of a statute to the
 34 contrary.

35 Sec. 124. Section 452A.3, subsection 3, Code 2015, is

1 amended to read as follows:

2 3. An excise tax of seventeen cents is imposed on each
3 gallon of E-85 gasoline ~~as defined in section 214A.1~~, subject
4 to the determination provided in subsection 4.

5 Sec. 125. Section 452A.8, subsection 1, unnumbered
6 paragraph 1, Code 2015, is amended to read as follows:

7 For the purpose of determining the amount of the supplier's,
8 restrictive supplier's, or importer's tax liability, a supplier
9 or restrictive supplier shall file a return, ~~not later than~~
10 ~~the last day of the month following the month in which this~~
11 ~~division becomes effective and~~ not later than the last day of
12 each calendar month thereafter, and an importer shall file a
13 return semimonthly with the department, signed under penalty
14 for false certification. For an importer for the reporting
15 period from the first day of the month through the fifteenth of
16 the month, the return is due on the last day of the month. For
17 an importer for the reporting period from the sixteenth of the
18 month through the last day of the month, the return is due on
19 the fifteenth day of the following month. The returns shall
20 include the following:

21 Sec. 126. Section 452A.8, subsection 2, paragraph e,
22 subparagraph (2), Code 2015, is amended to read as follows:

23 (2) The tax for compressed natural gas, liquefied natural
24 gas, and liquefied petroleum gas delivered by a licensed
25 dealer for use in this state shall attach at the time of
26 the delivery and shall be collected by the dealer from the
27 ~~consumer~~ purchaser and paid to the department as provided in
28 this chapter. The tax, with respect to compressed natural gas,
29 liquefied natural gas, and liquefied petroleum gas acquired by
30 a ~~consumer~~ purchaser in any manner other than by delivery by
31 a licensed dealer into a fuel supply tank of a motor vehicle,
32 attaches at the time of the use of the fuel and shall be paid
33 over to the department by the ~~consumer~~ purchaser as provided in
34 this chapter.

35 Sec. 127. Section 452A.8, subsection 2, paragraph e,

1 subparagraph (3), Code 2015, is amended to read as follows:

2 (3) The department shall adopt rules governing the
3 dispensing of compressed natural gas, liquefied natural gas,
4 and liquefied petroleum gas by licensed dealers and licensed
5 users. The director may require by rule that reports and
6 returns be filed by electronic transmission. The department
7 shall require that all pumps located at dealer locations and
8 user locations through which liquefied petroleum gas can be
9 dispensed shall be metered, inspected, tested for accuracy, and
10 sealed and licensed by the department of agriculture and land
11 stewardship, and that fuel delivered into the fuel supply tank
12 of any motor vehicle shall be dispensed only through tested
13 metered pumps and may be sold without temperature correction
14 or corrected to a temperature of 60 degrees Fahrenheit. If
15 the metered gallonage is to be temperature-corrected, only a
16 temperature-compensated meter shall be used. Natural gas used
17 as fuel shall be delivered into compressing equipment through
18 sealed meters certified for accuracy by the department of
19 agriculture and land stewardship.

20 Sec. 128. Section 452A.8, subsection 2, paragraph e,
21 subparagraph (5), subparagraph division (a), Code 2015, is
22 amended to read as follows:

23 (a) For the purpose of determining the amount of liability
24 for fuel tax, each dealer and each user shall file with the
25 department not later than the last day of ~~the month following~~
26 ~~the month in which this division becomes effective and not~~
27 ~~later than the last day of~~ each calendar month thereafter
28 a monthly tax return certified under penalties for false
29 certification. The return shall show, with reference to each
30 location at which fuel is delivered or placed by the dealer or
31 user into a fuel supply tank of any motor vehicle during the
32 next preceding calendar month, information as required by the
33 department.

34 Sec. 129. Section 452A.62, subsection 1, paragraph a,
35 subparagraph (2), Code 2015, is amended to read as follows:

1 (2) A licensed compressed natural gas, liquefied natural
2 gas, or liquefied petroleum gas dealer, user, or person
3 supplying compressed natural gas, liquefied natural gas, or
4 liquefied petroleum gas to a licensed compressed natural gas,
5 liquefied natural gas, or liquefied petroleum gas dealer or
6 user.

7 Sec. 130. Section 452A.74, subsection 2, Code 2015, is
8 amended to read as follows:

9 2. Any delivery of compressed natural gas, liquefied
10 natural gas, or liquefied petroleum gas to a compressed natural
11 gas, liquefied natural gas, or liquefied petroleum gas dealer
12 or user for the purpose of evading the state tax on compressed
13 natural gas, liquefied natural gas, or liquefied petroleum gas,
14 into facilities other than those licensed ~~above~~ under this
15 chapter knowing that the fuel will be used for highway use
16 shall constitute a violation of this section. Any compressed
17 natural gas, liquefied natural gas, or liquefied petroleum
18 gas dealer or user for purposes of evading the state tax on
19 compressed natural gas, liquefied natural gas, or liquefied
20 petroleum gas, who allows a distributor to place compressed
21 natural gas, liquefied natural gas, or liquefied petroleum gas
22 for highway use in facilities other than those licensed ~~above~~
23 under this chapter, shall also be deemed in violation of this
24 section.

25 Sec. 131. Section 455B.133, subsection 4, paragraph b, Code
26 2015, is amended by striking the paragraph.

27 Sec. 132. Section 455B.198, subsection 1, unnumbered
28 paragraph 1, Code 2015, is amended to read as follows:

29 The commission shall adopt rules pursuant to chapter
30 17A to regulate the discharge of wastewater from water well
31 drilling sites. The rules shall incorporate the following
32 considerations:

33 Sec. 133. Section 455B.198, subsection 4, Code 2015, is
34 amended by striking the subsection.

35 Sec. 134. Section 455D.11A, subsection 5, paragraph a, Code

1 2015, is amended to read as follows:

2 ~~a.~~ For a waste tire collection or processing site, the
3 financial assurance instrument for a waste tire collection
4 site shall provide coverage in an amount which is equivalent
5 to thirty-five cents per passenger tire equivalent collected
6 by the site prior to July 1, 1998. The financial assurance
7 instrument for a waste tire processing site shall provide
8 coverage in an amount which is equivalent to thirty-five cents
9 per passenger tire equivalent collected for processing by the
10 site which is above the three-day processing supply of tires
11 for the site as determined by the department. ~~This paragraph~~
12 ~~shall take effect July 1, 1999.~~

13 Sec. 135. Section 455D.11A, subsection 8, Code 2015, is
14 amended by striking the subsection.

15 Sec. 136. Section 455D.19, subsection 6, Code 2015, is
16 amended to read as follows:

17 6. ~~a.~~ ~~By July 1, 1992,~~ a A manufacturer or distributor
18 of packaging or packaging components shall make available
19 to purchasers, to the department, and to the general public
20 upon request, certificates of compliance which state that
21 the manufacturer's or distributor's packaging or packaging
22 components comply with, or are exempt from, the requirements of
23 this section.

24 b. If the manufacturer or distributor of the package or
25 packaging component reformulates or creates a new package or
26 packaging component, the manufacturer or distributor shall
27 provide an amended or new certificate of compliance for the
28 reformulated or new package or packaging component.

29 Sec. 137. Section 455E.11, subsection 2, paragraph b,
30 subparagraph (3), subparagraph division (b), subparagraph
31 subdivision (i), Code 2015, is amended to read as follows:

32 (i) A county applying for grants under this subparagraph
33 division shall submit only one application. To be eligible
34 for a grant, a county must have adopted standards for private
35 water supply and private disposal facilities at least as

1 stringent as the standards adopted by the commission. During
 2 each fiscal year, the amount granted each eligible applicant
 3 shall be the total funds available divided by the number of
 4 eligible counties applying. Upon receipt of the grant, the
 5 county may apply the funds to any one or more of the ~~above three~~
 6 county-based programs for the testing of private rural water
 7 supply wells, private rural water supply well sealing, and the
 8 proper closure of private rural abandoned wells and cisterns.

9 Sec. 138. Section 456A.16, Code 2015, is amended to read as
 10 follows:

11 **456A.16 Income tax refund checkoff for fish and game**
 12 **protection fund.**

13 1. A person who files an individual or a joint income tax
 14 return with the department of revenue under section 422.13
 15 may designate any amount to be paid to the state fish and
 16 game protection fund. If the refund due on the return or the
 17 payment remitted with the return is insufficient to pay the
 18 additional amount designated by the taxpayer to the state
 19 fish and game protection fund, the amount designated shall be
 20 reduced to the remaining amount of refund or the remaining
 21 amount remitted with the return.

22 2. The revenues received shall be used within the state
 23 of Iowa for habitat development and shall be deposited in the
 24 state fish and game protection fund. The revenue may be used
 25 for the matching of federal funds. The revenues and matched
 26 federal funds may be used for acquisition of land, leasing of
 27 land or obtaining of easements from willing sellers for use of
 28 land as wildlife habitats for game and nongame species. Not
 29 less than fifty percent of the funds derived from the checkoff
 30 shall be used for the purposes of preserving, protecting,
 31 perpetuating and enhancing nongame wildlife in this state.
 32 Nongame wildlife includes those animal species which are
 33 endangered, threatened or not commonly pursued or killed either
 34 for sport or profit. Notwithstanding the exemption in section
 35 427.1, the land acquired with the revenues and matched federal

1 funds is subject to the full consolidated levy of property
2 taxes which shall be paid from those revenues. In addition
3 the revenues may be used for the development and enhancement
4 of wildlife lands and habitat areas and for research and
5 management necessary to qualify for federal funds.

6 3. The director of revenue shall draft the income tax form
7 to allow the designation of contributions to the state fish and
8 game protection fund on the tax return.

9 4. The department of revenue on or before January 31 of
10 the year following the preceding calendar year shall certify
11 the total amount designated on the tax return forms due in the
12 preceding calendar year and shall report the amount to the
13 state treasurer. The state treasurer shall credit the amount
14 to the state fish and game protection fund.

15 5. The general assembly shall appropriate annually from
16 the state fish and game protection fund the amount credited to
17 the fund from the checkoff to the department for the purposes
18 specified in this section.

19 6. The action taken by a person for the checkoff is
20 irrevocable.

21 7. The department shall adopt rules pursuant to chapter 17A
22 to implement this section. However, before a checkoff pursuant
23 to this section shall be permitted, all liabilities on the
24 books of the department of administrative services and accounts
25 identified as owing under section 8A.504 and the political
26 contribution allowed under section 68A.601 shall be satisfied.

27 Sec. 139. Section 456A.27, Code 2015, is amended to read as
28 follows:

29 **456A.27 Federal wildlife Act — assent.**

30 The state of Iowa assents to the provisions of the Act of
31 Congress entitled "An Act To Provide That The United States
32 Shall Aid The States In Wildlife Restoration Projects, And For
33 Other Purposes", approved September 2, 1937, 50 Stat. 917,
34 codified at 16 U.S.C. §669 — 669k, and the department may
35 perform acts as necessary to the conduct and establishment

1 of cooperative wildlife restoration projects, as defined in
 2 the Act of Congress, in compliance with the Act and with
 3 regulations promulgated by the secretary of agriculture under
 4 the Act. No funds accruing to the state of Iowa from license
 5 fees paid by hunters shall be diverted for any other purpose
 6 than as set out in sections 456A.17 and 456A.19.

7 Sec. 140. Section 456A.28, Code 2015, is amended to read as
 8 follows:

9 **456A.28 Fish restoration projects.**

10 The state of Iowa assents to the provisions of the Act of
 11 Congress entitled "An Act To Provide That The United States
 12 Shall Aid The States In Fish Restoration Projects, And For
 13 Other Purposes", approved August 9, 1950, ~~Pub. L. No. 681~~ Ch.
 14 658, 64 Stat. 430, codified at 16 U.S.C. §777 - 777n, and the
 15 department may perform acts as necessary to the conduct and
 16 establishment of cooperative fish restoration projects, as
 17 defined in the Act of Congress, in compliance with the Act and
 18 with regulations promulgated by the secretary of the interior
 19 under the Act. No funds accruing to the state of Iowa from
 20 fishing license fees shall be diverted for any other purposes
 21 than as set out in sections 456A.17 and 456A.19.

22 Sec. 141. Section 459.102, subsection 57, Code 2015, is
 23 amended to read as follows:

24 57. "*Swine farrow-to-finish operation*" means a confinement
 25 feeding operation in which porcine animals are produced and in
 26 which a primary portion of the phases of the production cycle
 27 are conducted at one confinement feeding operation. Phases of
 28 the production cycle include but are not limited to gestation,
 29 farrowing, growing, and finishing.

30 Sec. 142. Section 461A.57, Code 2015, is amended to read as
 31 follows:

32 **461A.57 Penalties.**

33 Any Unless another punishment is provided, any person
 34 violating any of the provisions of sections 461A.36 ~~to~~ through
 35 461A.41, 461A.43, and 461A.45 ~~to~~ through 461A.56 is guilty of a

1 simple misdemeanor.

2 Sec. 143. Section 468.3, subsections 2, 6, and 8, Code 2015,
3 are amended to read as follows:

4 2. Within the meaning of this subchapter, parts 1 through 5
5 and 7, and subchapter II, part 1, the term "*board*" shall embrace
6 the board of supervisors, the joint boards of supervisors in
7 case of intercounty levee or drainage districts, and the board
8 of trustees in case of a district under trustee management.

9 6. The term "*engineer*" ~~and the term~~ or "*civil engineer*",
10 within the meaning of this subchapter, parts 1 through 5 and
11 7, subchapter II, parts 1, 4, 5, and 6, and subchapter V, shall
12 mean a person licensed as a professional engineer under the
13 provisions of chapter 542B.

14 8. For the purpose of this subchapter, parts 1 through 5
15 and 7, and with reference to improvements along or adjacent
16 to the Missouri river, the word "*levee*" shall be construed to
17 include, in addition to its ordinary and accepted meaning,
18 embankments, revetments, retards, or any other approved system
19 of construction which may be deemed necessary to adequately
20 protect the banks of any river or stream, within or adjacent to
21 any county, from wash, cutting, or erosion.

22 Sec. 144. Section 468.49, Code 2015, is amended to read as
23 follows:

24 **468.49 Classification as basis for future assessments.**

25 1. A classification of land for drainage, erosion or flood
26 control purposes, when finally adopted, shall remain the
27 basis of all future assessments for the purpose of ~~said the~~ the
28 district unless revised by the board in the manner provided
29 for reclassification, ~~except that.~~ However, where land
30 included in said classification has been destroyed, in whole
31 or in part, by the erosion of a river, or where additional
32 right-of-way has been subsequently taken for drainage purposes,
33 ~~said the~~ the land which has been so eroded and carried away by
34 the action of a river or which has been taken for additional
35 right-of-way, may be removed by ~~said the~~ the board from ~~said the~~

1 district as classified, without any reclassification, and no
2 assessment shall thereafter be made on the land so removed.
3 Any deficiency in assessment existing as the result of said
4 action of the board shall be spread by it over the balance
5 of lands remaining in said district in the same ratio as was
6 fixed in the classification of the lands, payable at the next
7 taxpaying period.

8 2. Except districts established by mutual agreement in
9 accordance with section 468.142 in the event any forty-acre
10 tract or less, or any lot, tract, or parcel, as set forth in
11 the existing classification or reclassification of any drainage
12 district now or hereafter established, is divided into two or
13 more tracts, whether such division is by sale or condemnation
14 or platted as a subdivision, the classification of the original
15 tract shall be apportioned to the resulting parcels, regardless
16 of use, except for land taken for additional drainage
17 right-of-way. The classification of the original tract may be
18 apportioned between the resulting parcels by agreement between
19 the parties to such division. The parties shall file with the
20 county auditor a written agreement setting forth the original
21 description and the description of the tracts as subdivided and
22 the percentage of the original classification apportioned to
23 each. This agreement shall bear the signature of all of the
24 parties to ~~such~~ the subdivision. The agreement contemplated
25 herein may be contained in the deed or other instrument
26 effecting the division of the land, which agreement shall be
27 binding upon the grantee or grantees by their acceptance of
28 such instrument and their signatures shall not be necessary.
29 The auditor shall enter this agreement in the drainage record
30 and amend the current classification of the district in
31 accordance with ~~such~~ the agreement.

32 3. In the event the parties to ~~such~~ the subdivision cannot
33 agree as to the apportionment of the percentage classification,
34 the board of supervisors shall, upon application of either
35 party, appoint a commission having the qualifications of

1 commissioners, in accordance with section 468.38. The
2 commissioners shall inspect the lands involved and apportion
3 the existing classification of the original tract equitably and
4 fairly to each of the several tracts as subdivided ~~and~~. The
5 board shall make a full, accurate, and detailed report thereof
6 and file the ~~same~~ report with the county auditor within the
7 time set by the board. The report of the commissioners shall
8 set forth the names of the owners thereof, the description
9 of each of the tracts and the percentage of the original
10 classification that each such tract shall bear for main ditches
11 and settling basins, for laterals, for levees and pumping
12 station. Thereafter all the proceedings in relation thereto as
13 to notice of hearing and fixing of percentage benefits shall
14 be as in this subchapter, parts 1 through 5 and 7, provided
15 in relation to original classification and assessments, and
16 at such hearing, the board may affirm, increase or diminish
17 the percentage of benefits so as to make them just and
18 equitable, and cause the record of the existing classification,
19 percentage of benefits or assessments, or both, to be modified
20 accordingly. In the event the parties neither agree as to the
21 apportionment of classification nor make application for the
22 appointment of commissioners, then the auditor of the county
23 in which the land is situated shall make such apportionment
24 upon an equitable basis and enter the same of record as herein
25 provided. No tract of land included within the boundary of any
26 drainage district shall be exempt from drainage assessments or
27 reassessments, except as herein provided.

28 Sec. 145. Section 468.206, Code 2015, is amended to read as
29 follows:

30 **468.206 Notice and hearing.**

31 If upon consideration of the plan or amended plan and the
32 report or reports of the engineer and the commitments involved
33 in the adoption of the plan the board finds that the district
34 will benefit therefrom or the purposes for which the district
35 was established will be promoted thereby, the board shall adopt

1 the same as a tentative plan, ~~entering~~ enter an order to that
 2 effect, ~~and fixing~~ fix a date for hearing thereon not less
 3 than thirty days thereafter and ~~directing~~ direct the auditor
 4 to cause notice to be given of such hearing as ~~hereinafter~~
 5 provided in section 468.207.

6 Sec. 146. Section 468.209, unnumbered paragraph 1, Code
 7 2015, is amended to read as follows:

8 If the board, after consideration of the subject matter,
 9 including all objections filed to the adoption of the plan and
 10 all claims for damages, shall find that the district will be
 11 benefited by adoption of the plan or the purposes for which
 12 the district was established is furthered ~~thereby~~ by the plan,
 13 they shall enter an order approving and adopting ~~such the~~ final
 14 plan. ~~Such~~ The order shall have the effect of:

15 Sec. 147. Section 468.220, Code 2015, is amended to read as
 16 follows:

17 **468.220 Occupancy and use permitted — assessments paid.**

18 1. Any levee or drainage district organized, or in the
 19 process of being organized, under the laws of this state may
 20 occupy and use for any lawful levee or drainage purpose land
 21 owned by the state of Iowa, upon first obtaining permission to
 22 do so from the state or state agency controlling the ~~same~~ land.

23 2. In the case of lands lying within the beds of meandered
 24 streams and border streams the permission shall be obtained
 25 from the natural resource commission of the department of
 26 natural resources. In the case of lands that are not under
 27 the control of ~~no~~ any office or agency of the state, then the
 28 permission shall be obtained from the executive council.

29 3. Such permission shall not be unreasonably withheld and
 30 shall be in the form of an easement executed by the governor
 31 or in the case of an agency, by the chairperson or presiding
 32 officer thereof, and when once granted shall be perpetual,
 33 except that if no use is made of the ~~same~~ easement for a period
 34 of five years ~~such,~~ the permission shall immediately thereafter
 35 expire.

1 4. All uses and occupancies as contemplated by this section
2 existing on July 4, 1961, are hereby legalized.

3 5. The state of Iowa, its agencies and subdivisions shall be
4 financially responsible for drainage and special assessments
5 against land which they own, or hold title to, within existing
6 drainage districts.

7 Sec. 148. Section 468.262, Code 2015, is amended to read as
8 follows:

9 **468.262 Purpose.**

10 The provisions of this part apply to drainage or levee
11 districts, ~~governed by a board of supervisors, joint boards~~
12 ~~of supervisors, or board of trustees, as provided in section~~
13 ~~468.3,~~ when such districts participate in a merger.

14 Sec. 149. Section 468.269, subsection 3, paragraph a, Code
15 2015, is amended to read as follows:

16 a. The board must approve a report by an engineer
17 appointed by the board as provided in ~~this~~ part 1 stating
18 those improvements directly benefiting land situated in the
19 participating ~~dominant~~ servient district were made within the
20 five-year period provided in subsection 2.

21 Sec. 150. Section 468.540, Code 2015, is amended to read as
22 follows:

23 **468.540 Refunding bonds.**

24 The board of supervisors of any county may extend the time of
25 the payment of any of its outstanding drainage bonds issued in
26 anticipation of the collection of drainage assessments levied
27 upon property within a drainage district, and may extend the
28 time of payment of any unpaid assessment, or any installment or
29 installments thereof, ~~and.~~ The board may renew or extend the
30 time of payment of such legal bonded indebtedness, or any part
31 thereof, for account of such drainage district, and may refund
32 the same and issue drainage refunding bonds therefor subject to
33 the limitation and in the manner hereinafter provided.

34 Sec. 151. Section 468.544, Code 2015, is amended to read as
35 follows:

1 **468.544 Requirements of notice.**

2 ~~Said~~ The notice shall be directed to each person whose name
 3 appears upon the transfer books in the auditor's office as
 4 owner of lands within ~~said~~ the drainage district upon which
 5 ~~said the~~ drainage assessments are unpaid, naming the owner, and
 6 also to the person or persons in actual occupancy of any of
 7 ~~said the~~ tracts of land without naming them, ~~and~~. The notice
 8 shall also state ~~the~~ all of the following:

9 1. The amount of unpaid assessments upon each forty-acre
 10 tract of land or less, ~~and that~~

11 2. That all of ~~said the~~ unpaid assessments, installment or
 12 installments thereof as proposed to be extended, may be paid on
 13 or before the time fixed for ~~said the~~ hearing, ~~and that~~

14 3. That after the expiration of such time no assessments may
 15 be paid except in the manner and at the times fixed by the board
 16 in the resolution authorizing the issuance of ~~said the~~ drainage
 17 refunding bonds.

18 Sec. 152. Section 476.20, subsection 2, Code 2015, is
 19 amended to read as follows:

20 2. The board shall establish rules requiring a regulated
 21 public utility furnishing gas or electricity to include in
 22 the utility's notice of pending disconnection of service a
 23 written statement advising the customer that the customer
 24 may be eligible to participate in the low income home energy
 25 assistance program or weatherization assistance program
 26 administered by the division of community action agencies of
 27 the department of human rights. The written statement shall
 28 list the address and telephone number of the local agency
 29 which is administering the customer's low income home energy
 30 assistance program and the weatherization assistance program.
 31 The written statement shall also state that the customer
 32 is advised to contact the public utility to settle any of
 33 the customer's complaints with the public utility, but if a
 34 complaint is not settled to the customer's satisfaction, the
 35 customer may file the complaint with the board. The written

1 statement shall include the address and phone number of the
 2 board. If the notice of pending disconnection of service
 3 applies to a residence, the written statement shall advise
 4 that the disconnection does not apply from November 1 through
 5 April 1 for a resident who is a "head of household", as defined
 6 ~~by law~~ in section 422.4, and who has been certified to the
 7 public utility by the local agency which is administering the
 8 low income home energy assistance program and weatherization
 9 assistance program as being eligible for either the low
 10 income home energy assistance program or weatherization
 11 assistance program, and that if such a resident resides within
 12 the serviced residence, the customer should promptly have
 13 the qualifying resident notify the local agency which is
 14 administering the low income home energy assistance program and
 15 weatherization assistance program. The board shall establish
 16 rules requiring that the written notice contain additional
 17 information as it deems necessary and appropriate.

18 Sec. 153. Section 476.29, subsection 3, Code 2015, is
 19 amended to read as follows:

20 3. A certificate is transferable, subject to approval of the
 21 board pursuant to section 476.20, subsection 1, paragraph "a".

22 Sec. 154. Section 476.96, unnumbered paragraph 1, Code
 23 2015, is amended to read as follows:

24 As used in sections 476.95, 476.100, and 476.101, unless the
 25 context otherwise requires:

26 Sec. 155. Section 478.15, Code 2015, is amended to read as
 27 follows:

28 **478.15 Eminent domain — procedure — entering on land —**
 29 **reversion on nonuse.**

30 1. Any person, company, or corporation having secured a
 31 franchise as provided in this chapter, shall thereupon be
 32 vested with the right of eminent domain to such extent as the
 33 utilities board may approve, prescribe and find to be necessary
 34 for public use, not exceeding one hundred feet in width for
 35 right-of-way and not exceeding one hundred sixty acres in any

1 one location, in addition to right-of-way, for the location
2 of electric substations to carry out the purposes of said
3 franchise; provided however, that where two hundred K V lines
4 or higher voltage lines are to be constructed, the person,
5 company, or corporation may apply to the board for a wider
6 right-of-way not to exceed two hundred feet, and the board
7 may for good cause extend the width of such right-of-way for
8 such lines to the person, company, or corporation applying for
9 the same. The burden of proving the necessity for public use
10 shall be on the person, company, or corporation seeking the
11 franchise. A homestead site, cemetery, orchard, or schoolhouse
12 location shall not be condemned for the purpose of erecting
13 an electric substation. If agreement cannot be made with the
14 private owner of lands as to damages caused by the construction
15 of said transmission line, or electric substations, the same
16 proceedings shall be taken as provided for taking private
17 property for works of internal improvement.

18 2. Any person, company, or corporation proposing to
19 construct a transmission line or other facility which involves
20 the taking of property under the right of eminent domain
21 and desiring to enter upon the land, which it proposes to
22 appropriate, for the purpose of examining or surveying the
23 same, shall first file with the utilities board, a written
24 statement under oath setting forth the proposed routing of
25 the line or facility including a description of the lands to
26 be crossed, the names and addresses of owners, together with
27 request that a permit be issued by ~~said~~ the board authorizing
28 ~~said~~ the person, company, or corporation or its duly appointed
29 representative to enter upon the land for the purpose of
30 examining and surveying and to take and use ~~thereon~~ on the
31 land any vehicle and surveying equipment necessary in making
32 the survey. ~~Said~~ The board shall within ten days after ~~said~~
33 the request issue a permit, accompanied by such bond in such
34 amount as the board shall approve, to the person, company, or
35 corporation making ~~said~~ the application, if in ~~its~~ the board's

1 opinion the application is made in good faith and not for the
2 purpose of harassing the owner of the land. If the board is
3 of the opinion that the application is not made in good faith
4 or made for the purpose of harassment to the owner of ~~said the~~
5 land it the board shall set the matter for hearing ~~and it.~~ The
6 matter shall be heard not more than twenty days after filing
7 ~~said the~~ application. Notice of the time and place of hearing
8 shall be given by ~~said the~~ board, to the owner of ~~said the~~ land
9 by registered mail with a return receipt requested, not less
10 than ten days preceding the date of hearing.

11 3. Any person, company or corporation that has obtained
12 a permit in the manner ~~herein~~ prescribed in this section may
13 enter upon ~~said the~~ land or lands, as ~~above~~ provided in this
14 section, and shall be liable for actual damages sustained in
15 connection with such entry. An action in damages shall be the
16 exclusive remedy.

17 4. If an electric transmission line right-of-way, or any
18 part thereof, is wholly abandoned for public utility purposes
19 by the relocation of the transmission lines, is not used or
20 operated for a period of five years, or if its construction has
21 been commenced and work has ceased and has not in good faith
22 been resumed for five years, the right-of-way shall revert
23 to the person or persons who, at the time of the abandonment
24 or reversion, are the owners of the tract from which ~~such~~
25 the right-of-way was taken. Following such abandonment of
26 right-of-way, the owner or holder of purported fee title
27 to ~~such the~~ real estate may serve notice upon the owner of
28 ~~such the~~ right-of-way easement, or the owner's successor in
29 interest, and upon any party in possession of ~~said the~~ real
30 estate, a written notice which shall accurately describe the
31 real estate in question, set out the facts concerning ownership
32 of the fee, ownership of the right-of-way easement, and the
33 period of abandonment, and notify ~~said the~~ parties that such
34 reversion shall be complete and final, and that the easement or
35 other right shall be forfeited, unless ~~said the~~ parties shall,

1 within one hundred twenty days after the completed service
2 of notice, file an affidavit with the county recorder of the
3 county in which the real estate is located disputing the facts
4 contained in ~~said~~ the notice.

5 5. ~~Said~~ The notice shall be served in the same manner as
6 an original notice under the Iowa rules of civil procedure,
7 except that when notice is served by publication no affidavit
8 therefor shall be required before publication. If no affidavit
9 disputing the facts contained in the notice is filed within
10 one hundred twenty days, the party serving the notice may file
11 for record in the office of the county recorder a copy of the
12 notice with proofs of service attached thereto or endorsed
13 thereon, and when so recorded, the record shall be constructive
14 notice to all persons of the abandonment, reversion, and
15 forfeiture of ~~such~~ the right-of-way.

16 Sec. 156. Section 478.31, Code 2015, is amended to read as
17 follows:

18 **478.31 Temporary permits for lines less than one mile.**

19 1. Notwithstanding the provisions of section 478.1, any
20 person, company, or corporation proposing to construct an
21 electric transmission line not exceeding one mile in length
22 and which does not involve the taking of property under the
23 right of eminent domain may obtain a temporary construction
24 permit from the utilities board by proceeding in the manner
25 ~~hereinafter~~ set forth in this section. ~~Said~~ The person,
26 company, or corporation shall first file with the board a
27 verified petition setting forth the requirements of section
28 478.3, subsection 1, paragraphs "a" through "h", with the
29 further allegation that the petitioner is the nearest electric
30 utility to the proposed point of service.

31 2. The petition shall also state that the filing thereof
32 constitutes an application for a temporary construction
33 permit and shall also have endorsed thereon the approval of
34 the appropriate highway authority or railroad concerned if
35 such line is to be constructed over, across or along a public

1 highway or railroad.

2 3. Upon receipt of ~~such~~ the petition the utilities board
 3 shall consider same and may grant a temporary construction
 4 permit in whole or in part or upon such terms, conditions and
 5 restrictions, and with such modifications as to location as may
 6 seem to it just and proper, ~~however, no.~~ A finding of public
 7 use ~~will~~ shall not be made at the time of the issuance of the
 8 permit, ~~such finding to~~ but shall be made, if substantiated by
 9 petitioner, at the subsequent consideration of the propriety
 10 of granting a franchise for the line subject to the permit.
 11 The signature of one utilities board member on ~~such~~ the
 12 permit shall be sufficient. The issuance of ~~such~~ the permit
 13 shall constitute temporary authority for the permit holder to
 14 construct the line for which the permit is granted.

15 4. Upon the granting of such temporary construction permit
 16 the utilities board shall cause the publication of notice
 17 required by section 478.5 and all other requirements shall be
 18 complied with as in the manner provided for the granting of a
 19 franchise. If a hearing is required then the petitioner shall
 20 make a sufficient and proper showing thereat before a franchise
 21 will be issued for the line. Any franchise issued will be
 22 subject to all applicable provisions of this chapter.

23 5. Notwithstanding ~~anything foregoing~~ subsections 1 through
 24 4, if the utilities board shall determine that a franchise
 25 should not be granted, or that further restrictions, conditions
 26 or modifications are required, or if the petitioner shall fail
 27 to make a sufficient and proper showing of the necessity for
 28 the granting of a franchise within six months of the granting
 29 of the temporary construction permit, the permit issued
 30 hereunder shall become null and void and the permit holder may
 31 be required to take such action deemed necessary by the board
 32 to remove, modify or relocate the construction undertaken by
 33 virtue of the temporary permit issued hereunder.

34 Sec. 157. Section 481A.22, Code 2015, is amended to read as
 35 follows:

1 **481A.22 Field and retriever meets — permit required.**

2 1. a. All officially sanctioned field meets or trials
3 and retriever meets or trials where the skill of dogs is
4 demonstrated in pointing, retrieving, trailing, or chasing any
5 game bird, game animal, or fur-bearing animal shall require
6 a field trial permit. Except as otherwise provided by law,
7 it shall be unlawful to kill any wildlife in such events.
8 Notwithstanding the provisions of section 481A.21 it shall
9 be lawful to hold field meets or trials and retriever meets
10 or trials where dogs are permitted to work in exhibition or
11 contest whereby the skill of dogs is demonstrated by retrieving
12 dead or wounded game birds which have been propagated by
13 licensed game breeders within the state or secured from lawful
14 sources outside the state and lawfully brought into the state.
15 All ~~such~~ of the birds must be released on the day of trials on
16 premises where the trials are held.

17 b. ~~Such~~ Any birds released may be shot by official guns
18 after having secured a permit as ~~herein~~ provided in this
19 section.

20 c. ~~Such~~ The permits may be issued by the director of the
21 department upon proper application and the payment of a fee
22 of two dollars for each trial held. A representative of the
23 department shall attend all such trials and enforce the laws
24 and regulations governing same.

25 2. The person or persons designated by the committee in
26 charge to do the shooting for ~~such~~ the trials shall be known
27 as the official guns, and no other person shall be permitted
28 to kill or attempt to kill any of the birds released for such
29 trials.

30 3. Before any birds are released under this section, they
31 must each have attached a tag provided by the department and
32 attached by a representative of the department at a cost of
33 not more than ten cents for each tag. All tags are to remain
34 attached to birds until prepared for consumption.

35 4. It is unlawful for any person to hold, conduct, or to

1 participate in a field or retriever trial before the permit
2 required by this section has been secured or for any person to
3 possess or remove from the trial grounds any birds which have
4 not been tagged as ~~herein~~ in this section required.

5 Sec. 158. Section 490.1302, subsection 2, paragraph a,
6 subparagraph (3), Code 2015, is amended to read as follows:

7 (3) Issued by an open-end management investment company
8 registered with the United States securities and exchange
9 commission under the federal Investment Company Act of 1940,
10 15 U.S.C. §80a-1 et seq., and may be redeemed at the option of
11 the holder at net asset value.

12 Sec. 159. Section 490.1402, subsection 2, paragraph a,
13 subparagraph (2), Code 2015, is amended to read as follows:

14 (2) If paragraph "a", subparagraph (1), subparagraph
15 division (a) or ~~(2)~~ (b), applies, it must communicate the basis
16 for so proceeding.

17 Sec. 160. Section 491.3, subsection 6, Code 2015, is amended
18 to read as follows:

19 6. To make contracts, and acquire and transfer ~~property~~
20 — property, possessing the same powers in such respects as
21 natural persons.

22 Sec. 161. Section 491.23, Code 2015, is amended to read as
23 follows:

24 **491.23 Dissolution — filing a statement with secretary of**
25 **state.**

26 A corporation may be dissolved prior to the period fixed
27 in the articles of incorporation, by unanimous consent, or
28 in accordance with the provisions of its articles, ~~and if~~ a
29 statement swearing to the dissolution, signed by the officers
30 of such corporation, is filed with the secretary of state. A
31 ~~recording~~ fee of one dollar shall apply to the filing of the
32 statement.

33 Sec. 162. Section 502A.4, subsection 1, paragraph e, Code
34 2015, is amended to read as follows:

35 e. A commodity contract under which the offeree or the

1 purchaser is a person under section 502A.3, an insurance
2 company, an investment company as defined in the federal
3 Investment Company Act of 1940, 15 U.S.C. §80a-1 et seq., or
4 an employee pension and profit sharing or benefit plan other
5 than a self-employed individual retirement plan, or individual
6 retirement account.

7 Sec. 163. Section 511.8, subsection 22, paragraph i,
8 unnumbered paragraph 1, Code 2015, is amended to read as
9 follows:

10 Securities held in the legal reserve of a life insurance
11 company or association and pledged as collateral for financial
12 instruments used in hedging transactions shall continue
13 to be eligible for inclusion in the legal reserve of the
14 life insurance company or association subject to all of the
15 following:

16 Sec. 164. Section 511.8, subsection 22, paragraph i,
17 subparagraph (3), Code 2015, is amended to read as follows:

18 (3) Securities pledged as collateral for financial
19 instruments used in hedging transactions that the life
20 insurance company or association does not report as highly
21 effective hedging transactions, together with securities
22 pledged to a counterparty, clearing organization, or
23 clearinghouse on an upfront basis in the form of initial
24 margin, independent amount, or other securities pledged as a
25 precondition of entering into hedging transactions pursuant to
26 subparagraph (1) that the life insurance company or association
27 does not report as highly effective hedging transactions
28 ~~pursuant to subparagraph (1)~~, are not eligible in excess of
29 three percent of the legal reserve of the life insurance
30 company or association, less any financial instruments used
31 in hedging transactions held in the legal reserve under this
32 subsection.

33 Sec. 165. Section 515.103, subsection 11, Code 2015, is
34 amended by striking the subsection.

35 Sec. 166. Section 517.2, Code 2015, is amended to read as

1 follows:

2 **517.2 Terms defined.**

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

5 1. a. ~~The term "earned premiums" as used herein~~ "Earned
6 premiums" shall include gross premiums charged on all policies
7 written, including all determined excess and additional
8 premiums, less returned premiums, other than premiums returned
9 to policyholders as dividends, and less reinsurance premiums
10 and premiums on policies canceled, and less unearned premiums
11 on policies in force.

12 b. Any participating company which has charged in its
13 premiums a loading solely for dividends shall not be required
14 to include such loading in its earned premiums, provided a
15 statement of the amount of such loading has been filed with and
16 approved by the commissioner of insurance.

17 2. ~~The term "compensation" as used in this chapter~~
18 "Compensation" shall relate to all insurances affected by virtue
19 of statutes providing compensation to employees for personal
20 injuries irrespective of fault of the employer.

21 3. ~~The term "liability"~~ "Liability" shall relate to all
22 insurance, except compensation insurance, against loss or
23 damage from accident to or injuries suffered by an employee or
24 other person and for which the insured is liable.

25 4. ~~The terms "loss payments"~~ "Loss payments" and "loss
26 expense payments" as used herein shall include all payments
27 to claimants, including payments for medical and surgical
28 attendance, legal expenses, salaries and expenses of
29 investigators, and field personnel, rents, stationery,
30 telegraph and telephone charges, postage, salaries and expenses
31 of office employees, home office expenses, and all other
32 payments made on account of claims, whether such payments shall
33 be allocated to specific claims or unallocated.

34 Sec. 167. Section 517.3, Code 2015, is amended to read as
35 follows:

1 **517.3 Distribution of unallocated payments.**

2 1. a. All unallocated liability loss expense payments made
3 in a given calendar year subsequent to the first four years in
4 which an insurer has been issuing liability policies shall be
5 distributed as follows:

6 (1) Thirty-five percent shall be charged to the policies
7 written in that year. ~~forty~~

8 (2) Forty percent to the policies written in the preceding
9 year. ~~ten~~

10 (3) Ten percent to the policies written in the second year
11 preceding, ten percent to the policies written in the third
12 year preceding. ~~and five~~

13 (4) Five percent to the policies written in the fourth year
14 preceding. ~~and such~~

15 b. The payments made in each of the first four calendar
16 years in which an insurer issues liability policies shall be
17 distributed as follows:

18 (1) In the first calendar year one hundred percent shall be
19 charged to the policies written in that year. ~~in~~

20 (2) In the second calendar year fifty percent shall be
21 charged to the policies written in that year and fifty percent
22 to the policies written in the preceding year. ~~in~~

23 (3) In the third calendar year forty percent shall be
24 charged to the policies written in that year, forty percent to
25 the policies written in the preceding year, and twenty percent
26 to the policies written in the second year preceding. ~~and in~~

27 (4) In the fourth calendar year thirty-five percent shall
28 be charged to the policies written in that year, forty percent
29 to the policies written in the preceding year, fifteen percent
30 to the policies written in the second year preceding, and ten
31 percent to the policies written in the third year preceding. ~~and a~~
32

33 c. A schedule showing such distribution shall be included
34 in the annual statement.

35 2. a. All unallocated compensation loss expense payments

1 made in a given calendar year subsequent to the first three
2 years in which an insurer has been issuing compensation
3 policies shall be distributed as follows:

4 (1) Forty percent shall be charged to the policies written
5 in that year. ~~and forty-five~~

6 (2) Forty-five percent to the policies written in the
7 preceding year. ~~and ten~~

8 (3) Ten percent to the policies written in the second year
9 preceding. ~~and five~~

10 (4) Five percent to the policies written in the third year
11 preceding. ~~and such~~

12 b. The payments made in each of the first three calendar
13 years in which an insurer issues compensation policies shall be
14 distributed as follows:

15 (1) In the first calendar year one hundred percent shall be
16 charged to the policies written in that year. ~~and in~~

17 (2) In the second calendar year fifty percent shall be
18 charged to the policies written in that year and fifty percent
19 to the policies written in the preceding year. ~~and in~~

20 (3) In the third calendar year forty-five percent shall
21 be charged to the policies written in that year, forty-five
22 percent to the policies written in the preceding year and ten
23 percent to the policies written in the second year preceding. ~~and~~
24 ~~and a~~

25 c. A schedule showing such distribution shall be included
26 in the annual statement.

27 3. Whenever, in the judgment of the commissioner of
28 insurance, the liability or compensation loss reserves of any
29 insurer under the commissioner's supervision, calculated in
30 accordance with the foregoing provisions, are inadequate, the
31 commissioner may, in the commissioner's discretion, require
32 such insurer to maintain additional reserves based upon
33 estimated individual claims or otherwise.

34 Sec. 168. Section 518A.1, subsection 2, paragraph a, Code
35 2015, is amended to read as follows:

- 1 a. An application on blanks furnished by the association and
2 signed by the insured or the insured's representative, which
3 may contain in addition to other provisions: ~~the~~
4 (1) The value of the property., ~~the~~
5 (2) The proper description thereof, ~~the~~ of the property.
6 (3) The amount of other insurance and the encumbrance
7 ~~thereon, and agreement on the property.~~
8 (4) Agreement to be governed by the articles of
9 incorporation and bylaws in force at the time the policy is
10 issued., ~~a~~
11 (5) A representation that the foregoing statements are true
12 as far as the same are known to the insured or material to the
13 risk., ~~and that~~
14 (6) That the insurance shall take effect when approved by
15 the secretary.

16 Sec. 169. Section 523I.312, subsection 2, paragraph n, Code
17 2015, is amended to read as follows:

18 n. Include an explanation of regulatory oversight by
19 the insurance division in twelve point boldface type, in
20 substantially the following language:

21 This agreement is subject to rules administered by the Iowa
22 insurance division. You may call the insurance division with
23 inquiries or complaints at ~~(515)281-5705~~ (insert telephone
24 number). Written inquiries or complaints should be mailed
25 to: Iowa Securities and Regulated Industries Bureau, ~~330 Maple~~
26 ~~Street, Des Moines, Iowa 50319~~ (insert address).

27 Sec. 170. Section 533.301, subsection 5, paragraph i,
28 unnumbered paragraph 1, Code 2015, is amended to read as
29 follows:

30 Corporate bonds as defined by and subject to terms and
31 conditions imposed by the superintendent, provided that the
32 superintendent shall not approve investment in corporate bonds
33 unless the bonds are investment grade. For purposes of this
34 paragraph, "investment grade" means the issuer of a security
35 has an adequate capacity to meet the financial commitments

1 under the security for the projected life of the asset or
 2 exposure, even under adverse economic conditions. An issuer
 3 has an adequate capacity to meet the financial commitments of
 4 ~~a security~~ if the risk of default by the obligor is low and
 5 the full and timely repayment of principal and interest on the
 6 security is expected. A state credit union may consider any
 7 or all of the following nonexhaustive or nonmutually exclusive
 8 factors, to the extent appropriate, with respect to the credit
 9 risk of a security:

10 Sec. 171. Section 536.1, subsections 4 and 5, Code 2015, are
 11 amended to read as follows:

12 4. A person who enters into less than ten supervised loans
 13 per year in this state and who neither has an office physically
 14 located in this state nor engages in face-to-face solicitation
 15 in this state may contract for and receive the rate of interest
 16 permitted in this chapter for licensees under this chapter. A
 17 ~~"consumer loan" means the same as defined in section 537.1301.~~

18 5. For the purposes of this section: ~~"threshold amount"~~

19 a. "Consumer loan" means the same as defined in section
 20 537.1301.

21 b. "Threshold amount" means the same as defined in section
 22 537.1301.

23 Sec. 172. Section 537.1301, subsection 26, Code 2015, is
 24 amended to read as follows:

25 26. "*Lender*" means a person who makes a loan or, except as
 26 otherwise provided in this ~~Act~~ chapter, a person who takes an
 27 assignment of a lender's right to payment, but use of the term
 28 does not in itself impose on an assignee any obligation of the
 29 lender.

30 Sec. 173. Section 551A.4, subsection 1, paragraph a, Code
 31 2015, is amended to read as follows:

32 a. The offer or sale of a business opportunity if the
 33 purchaser is a bank, federally chartered savings and loan
 34 association, trust company, insurance company, credit union,
 35 or investment company as defined by the federal Investment

1 Company Act of 1940, 15 U.S.C. §80a-1 et seq., a pension
 2 or profit-sharing trust, or other financial institution or
 3 institutional buyer, or a broker-dealer registered pursuant to
 4 chapter 502, whether the purchaser is acting for itself or in a
 5 fiduciary capacity.

6 Sec. 174. Section 554.8110, subsection 5, paragraph a, Code
 7 2015, is amended to read as follows:

8 a. if an agreement between the securities intermediary
 9 and its entitlement holder governing the securities account
 10 expressly provides that a particular jurisdiction is the
 11 securities intermediary's jurisdiction for purposes of this
 12 part, this Article, or ~~this Act~~ 2000 Iowa Acts, ch. 1149, that
 13 jurisdiction is the securities intermediary's jurisdiction.

14 Sec. 175. Section 558.1, Code 2015, is amended to read as
 15 follows:

16 **558.1 "Instruments affecting real estate" defined —**
 17 **revocation.**

18 All instruments containing a power to convey, or in any
 19 manner relating to real estate, including certified copies of
 20 petitions in bankruptcy with or without the schedules appended,
 21 of decrees of adjudication in bankruptcy, and of orders
 22 approving trustees' bonds in bankruptcy, and a jobs training
 23 agreement entered into under chapter 260E between an employer
 24 and community college which contains a description of the real
 25 estate affected, shall be held to be ~~instruments~~ "instruments
 26 affecting the same, and no such real estate". An instrument
 27 affecting real estate, when acknowledged or certified and
 28 recorded as in this chapter prescribed, ~~can~~ cannot be revoked
 29 as to third parties by any act of the parties by whom it was
 30 executed, until the instrument containing such revocation is
 31 acknowledged and filed for record in the same office in which
 32 the instrument containing such power is recorded, except that
 33 uniform commercial code financing statements and financing
 34 statement changes as provided in chapter 554 need not be thus
 35 acknowledged.

1 Sec. 176. Section 602.8108, subsection 2, Code 2015, is
2 amended to read as follows:

3 2. Except as otherwise provided, the clerk of the district
4 court shall report and submit to the state court administrator,
5 not later than the fifteenth day of each month, the fines and
6 fees received during the preceding calendar month. Except as
7 provided in subsections 3, 4, 5, 6, 7, 8, 9, 10, and 11, the
8 state court administrator shall deposit the amounts received
9 with the treasurer of state for deposit in the general fund of
10 the state. The state court administrator shall report to the
11 legislative services agency within thirty days of the beginning
12 of each fiscal quarter the amount received during the previous
13 quarter in the account established under this section.

14 Sec. 177. Section 602.11113, Code 2015, is amended to read
15 as follows:

16 **602.11113 Bailiffs employed as court attendants.**

17 Persons who were employed as bailiffs and who were
18 performing services for the court, other than law enforcement
19 services, ~~immediately prior to the effective date of section~~
20 ~~602.6601~~ July 1, 1983, shall be employed by the district court
21 administrators as court attendants under section 602.6601 on
22 ~~the effective date of that section~~ July 1, 1983.

23 Sec. 178. Section 614.6, unnumbered paragraph 1, Code 2015,
24 is amended to read as follows:

25 The period of limitation ~~above described~~ specified in
26 sections 614.1 through 614.5 shall be computed omitting any
27 time when:

28 Sec. 179. Section 614.35, Code 2015, is amended to read as
29 follows:

30 **614.35 Recording interest.**

31 To be effective and to be entitled to record, the notice
32 ~~above~~ referred to in section 614.34 shall contain an accurate
33 and full description of all land affected by such notice which
34 description shall be set forth in particular terms and not by
35 general inclusions; but if the claim is founded upon a recorded

1 instrument, then the description in such notice may be the same
 2 as that contained in such recorded instrument. Such notice
 3 shall be filed for record in the office of the county recorder
 4 of the county or counties where the land described in the
 5 notice is situated. The recorder of each county shall accept
 6 all such notices presented to the recorder which describe land
 7 located in the county in which the recorder serves and shall
 8 enter and record full copies of the notices and shall index the
 9 applicable entries specified in sections 558.49 and 558.52, and
 10 each recorder shall be entitled to charge the same fees for the
 11 recording of the notices as are charged for recording deeds.
 12 In indexing such notices in the recorder's office each recorder
 13 shall enter such notices under the grantee indexes of deeds in
 14 the names of the claimants appearing in such notices.

15 Sec. 180. Section 633.279, subsection 2, paragraph a, Code
 16 2015, is amended to read as follows:

17 a. An attested will may be made self-proved at the time of
 18 its execution, or at any subsequent date, by the acknowledgment
 19 thereof by the testator and the affidavits of the witnesses,
 20 each made before a person authorized to administer oaths
 21 and take acknowledgments under the laws of this state, and
 22 evidenced by such person's certificate, under seal, attached
 23 or annexed to the will, in form and content substantially as
 24 follows:

25 Affidavit

26 State of.....)
 27 County of.....) ss

28 We, the undersigned,, and, the
 29 testator and the witnesses, respectively, whose names are
 30 signed to the attached or foregoing instrument, being first
 31 duly sworn, declare to the undersigned authority that at the
 32 date of the instrument, we all knew the identity of each other;
 33 the instrument was exhibited to the witnesses by the testator,
 34 who declared it to be the testator's last will and testament
 35 and was signed by the testator or by another at the direction

1 of the testator at, in the County of, State
2 of, on the date shown in the instrument, and in the
3 presence of each other as subscribing witnesses; that we, as
4 witnesses, declare to the undersigned authority that in our
5 presence the testator executed and acknowledged such will as
6 the testator's will and that we, in the testator's presence, at
7 the testator's request, and in the presence of each other, did
8 subscribe our names thereto as attesting witnesses on the date
9 of such will; and that the witnesses were sixteen years of age
10 or older.

11

12 Testator

13

14 Witness

15

16 Witness

17

18 Subscribed, sworn and acknowledged before me by, the
19 testator; and subscribed and sworn before me by and
20, witnesses, this ... day of (month), ... (year)

21

22 ~~Notary Public, or other~~

23 Signature of notarial

24 ~~officer authorized to take~~

25 (Stamp) ~~and certify acknowledgments~~

26 ~~and administer oaths~~

27 [.....]

28 Title of office

29 [My commission expires]

30 Sec. 181. Section 633.304, subsections 2 and 3, Code 2015,
31 are amended to read as follows:

32 2. On admission of a will to probate, the executor, as
33 soon as letters are issued, shall cause notice to be published
34 once each week for two consecutive weeks in a daily or weekly
35 newspaper of general circulation published in the county in

1 which the estate is pending ~~and at~~. At any time during the
 2 pendency of administration that the executor has knowledge of
 3 the name and address of a person believed to own or possess a
 4 claim which will not or may not be paid or otherwise satisfied
 5 during administration, the executor shall provide notice by
 6 ordinary mail to each such claimant at the claimant's last
 7 known address, ~~and~~. The executor shall also, as soon as
 8 practicable give notice, except to any executor, by ordinary
 9 mail to the surviving spouse, each heir of the decedent,
 10 and each devisee under the will admitted to probate whose
 11 identities are reasonably ascertainable, at such persons' last
 12 known addresses, ~~that gives notice of admission of the will to~~
 13 probate and of the appointment of the executor. In the notice
 14 shall be included a notice that any action to set aside the
 15 probate of the will must be brought within the later to occur
 16 of four months from the date of the second publication of the
 17 notice or one month from the date of mailing of this notice
 18 or thereafter be forever barred, a notice to debtors to make
 19 payment, and a notice to creditors having claims against the
 20 estate to file them with the clerk within four months from the
 21 second publication of the notice, or thereafter be forever
 22 barred.

23 3. The notice shall be substantially in the following form:

24 NOTICE OF PROBATE OF WILL,
 25 OF APPOINTMENT OF EXECUTOR,
 26 AND NOTICE TO CREDITORS

27 In the District Court of Iowa

28 in and for County.

29 Probate No.

30 In the Estate of, Deceased

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

33 You are hereby notified that on the .. day of (month),
 34 (year), the last will and testament of,
 35 deceased, bearing date of the .. day of (month), ..

1 (year), was admitted to probate in the above named court and
2 that was appointed executor of the estate. Any
3 action to set aside the will must be brought in the district
4 court of said county within the later to occur of four months
5 from the date of the second publication of this notice or one
6 month from the date of mailing of this notice to all heirs of
7 the decedent and devisees under the will whose identities are
8 reasonably ascertainable, or thereafter be forever barred.

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

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

19

20 Executor of estate

21

22 Address

23

24 Attorney for executor

25

26 Address

27 Date of second publication

28 .. day of (month), .. (year)

29 (Date to be inserted by publisher)

30 Sec. 182. Section 633A.3110, subsection 5, Code 2015, is
31 amended to read as follows:

32 5. The notice described in subsection 2 shall be
33 substantially in the following form:

34 To all persons regarding,
35 deceased, who died on or about

1(date). You are hereby
2 notified that is the trustee of
3 the Trust.

4 Any action to contest the validity of the trust must be
5 brought in the District Court of County, Iowa, within
6 the later to occur of four months from the date of second
7 publication of this notice, or thirty days from the date of
8 mailing this notice to all heirs of the decedent settlor
9 and the spouse of the decedent settlor whose identities are
10 reasonably ascertainable. Any suit not filed within this
11 period shall be forever barred.

12 Notice is further given that any person or entity possessing
13 a claim against the trust must mail proof of the claim to the
14 trustee at the address listed below via certified mail, return
15 receipt requested, by the later to occur of four months from
16 the date of the second publication of this notice or thirty
17 days from the date of mailing this notice if required, or
18 the claim shall be forever barred, unless paid or otherwise
19 satisfied.

20 Dated this day of
21(month),(year)
22
23 Trust

24

25 Trustee

26 Address:

27

28 Date of second publication

29 day of(month),

30(year)

31 Sec. 183. Section 633B.203, subsections 3 and 9, Code 2015,
32 are amended to read as follows:

33 3. Execute, acknowledge, seal, deliver, file, or record
34 any instrument or communication the agent considers desirable
35 to accomplish a purpose of a transaction, including but not

1 limited to creating at any time a schedule listing some or all
2 of the principal's property and attaching the instrument ~~of~~ or
3 communication to the power of attorney.

4 9. Access communications intended for, and communicate
5 on behalf of, the principal, whether by mail, electronic
6 transmission, telephone, or other means.

7 Sec. 184. Section 633B.205, subsection 2, Code 2015, is
8 amended to read as follows:

9 2. Sell; exchange; convey with or without covenants,
10 representations, or warranties; quitclaim; release; surrender;
11 create a security interest in; grant options concerning; lease;
12 sublease; or, otherwise dispose of tangible personal property
13 or an interest in tangible personal property.

14 Sec. 185. Section 633B.205, subsection 5, unnumbered
15 paragraph 1, Code 2015, is amended to read as follows:

16 Manage or conserve tangible personal property or an interest
17 in tangible personal property on behalf of the principal,
18 including but not limited to by doing all of the following:

19 Sec. 186. Section 636.33, Code 2015, is amended to read as
20 follows:

21 **636.33 Final discharge.**

22 Said fiduciary may file ~~such~~ the receipt described in
23 section 636.32 with the fiduciary's final report, and if it
24 shall be made to appear to the satisfaction of the court that
25 the fiduciary has in all other respects complied with the law
26 governing the fiduciary's appointment and duties, the court may
27 approve such final report and enter the fiduciary's discharge.

28 Sec. 187. Section 636.34, Code 2015, is amended to read as
29 follows:

30 **636.34 Notice of deposit.**

31 Notice of ~~such~~ a contemplated deposit under section 636.31,
32 and of final report, shall be given for the same time and in
33 the same manner as is now required in cases of final report by
34 personal representatives under the probate code.

35 Sec. 188. Section 654.13, Code 2015, is amended to read as

1 follows:

2 **654.13 Pledge of rents — priority.**

3 Whenever any real estate is encumbered by two or more real
4 estate mortgages which in addition to the lien upon the real
5 estate grant to the mortgagee the right to subject the rents,
6 profits, avails ~~and/or,~~ or income from said real estate to the
7 payment of the debt secured by such mortgage, the priority
8 of the respective mortgagees under the provisions of their
9 mortgages affecting the rents, profits, avails ~~and/or,~~ or
10 incomes from the said real estate shall, as between such
11 mortgagees, be in the same order as the priority of the lien of
12 their respective mortgages on the real estate.

13 Sec. 189. Section 654.14, subsection 2, Code 2015, is
14 amended to read as follows:

15 2. If the owner or person in actual possession of
16 agricultural land as defined in section 9H.1 is not afforded
17 a right of first refusal in leasing the mortgaged premises by
18 the receiver, the owner or person in actual possession has a
19 cause of action against the receiver to recover either actual
20 damages or a one thousand dollar penalty, and costs, including
21 reasonable attorney's fees. The receiver shall deliver notice
22 of an offer made to the receiver to the owner or person in
23 actual possession or the attorney of the owner or person in
24 actual possession, ~~of an offer made to the receiver, which~~
25 contains the terms of the offer, and the name and address
26 of the person making the offer. The delivery shall be made
27 personally with receipt returned or by certified or registered
28 mail, with the proper postage on the envelope, addressed to
29 the owner or person in actual possession or the attorney of
30 the owner or person in actual possession. An offer shall be
31 deemed to have been refused if the owner or person in actual
32 possession or the attorney of the owner or person in actual
33 possession does not respond within ten days following the date
34 that the notice is mailed.

35 Sec. 190. Section 656.5, Code 2015, is amended to read as

1 follows:

2 **656.5 Proof and record of service.**

3 If the terms and conditions as to which there is default are
 4 not performed within ~~said~~ thirty days, the party serving ~~said~~
 5 the notice or causing the ~~same~~ notice to be served, may file
 6 for record in the office of the county recorder a copy of the
 7 notice ~~aforesaid~~ with proofs of service attached or endorsed
 8 thereon ~~{and, in case of service. If notice has been served~~
 9 by publication, a personal affidavit that personal service
 10 could not be made within this state), ~~and when~~ state shall
 11 also be attached or endorsed on the notice. When so filed and
 12 recorded, the said record shall be constructive notice to all
 13 parties of the due forfeiture and cancellation of ~~said~~ the
 14 contract.

15 Sec. 191. Section 669.2, subsection 4, paragraph c, Code
 16 2015, is amended to read as follows:

17 *c. "Employee of the state"* also includes an architect
 18 registered pursuant to chapter 544A or a professional engineer
 19 licensed pursuant to chapter 542B who voluntarily and without
 20 compensation provides initial structural or building systems
 21 inspection services for the purposes of determining human
 22 occupancy at the scene of a disaster as defined in section
 23 29C.2, subsection 4. To be considered an employee of the
 24 state, the architect or engineer shall be acting at the
 25 request and under the direction of the commissioner of public
 26 safety and in coordination with the local emergency management
 27 commission established under chapter 29C. For purposes of this
 28 paragraph, "*compensation*" does not include reimbursement for
 29 expenses.

30 Sec. 192. Section 714.11, subsection 1, paragraph c, Code
 31 2015, is amended to read as follows:

32 *c.* A fraudulent practice where it is not possible to
 33 determine an amount of money or value of property and ~~service~~
 34 services involved.

35 Sec. 193. Section 714.14, subsection 2, Code 2015, is

1 amended to read as follows:

2 2. If money, property, or a service involved in two or
3 more acts of fraudulent practice is from the same person or
4 location, or from different persons by two or more acts which
5 occur in approximately the same location or time period so that
6 the fraudulent practices are attributable to a single scheme,
7 plan, or conspiracy, these acts may be considered as a single
8 fraudulent practice and the value may be the total value of all
9 money, property, and ~~service~~ services involved.

10 Sec. 194. Section 724.1, subsection 2, paragraph a, Code
11 2015, is amended to read as follows:

12 a. An antique firearm. An antique firearm is any firearm,
13 including any firearm with a matchlock, flintlock, percussion
14 cap, or similar type of ignition system, manufactured in
15 or before 1898 or any firearm which is a replica of such a
16 firearm if such replica is not designed or redesigned for using
17 conventional rimfire or centerfire fixed ammunition or which
18 uses only rimfire or centerfire fixed ammunition which is no
19 longer manufactured in the United States and which is not
20 readily available in the ordinary channels of commercial trade.

21 Sec. 195. Section 725.1, subsection 1, paragraph c, Code
22 2015, is amended to read as follows:

23 c. If the person who sells or offers for sale the person's
24 services as a partner in a sex act is under the age of eighteen,
25 upon the expiration of two years following the person's
26 conviction for a violation of paragraph "a" or of a similar
27 local ordinance, the person may petition the court to expunge
28 the conviction, and if the person has had no other criminal
29 convictions, other than local traffic violations or simple
30 misdemeanor violations of chapter 321 during the two-year
31 period, the conviction shall be expunged as a matter of
32 law. The court shall enter an order that the record of the
33 conviction be expunged by the clerk of the district court.
34 Notwithstanding section 692.2, after receipt of notice from
35 the clerk of the district court that a record of conviction

1 ~~has been expunged~~ for a violation of paragraph "a" has been
2 expunged, the record of conviction shall be removed from the
3 criminal history data files maintained by the department of
4 public safety.

5 Sec. 196. Section 915.50, subsection 3, Code 2015, is
6 amended to read as follows:

7 3. The right to receive a ~~criminal~~ no-contact order upon a
8 finding of probable cause, pursuant to section 664A.3.

9 Sec. 197. Section 915.50A, subsection 2, Code 2015, is
10 amended to read as follows:

11 2. The right to receive a ~~criminal~~ no-contact order upon a
12 finding of probable cause, pursuant to section 664A.3.

13 Sec. 198. REPEAL. Sections 123.6, 123.7, 123.12, and
14 507C.8, Code 2015, are repealed.

15 Sec. 199. REPEAL. 2013 Iowa Acts, chapter 125, division II,
16 is repealed.

17 Sec. 200. Section 633B.213, subsection 1, unnumbered
18 paragraph 1, as enacted by 2014 Iowa Acts, chapter 1078,
19 section 38, is amended to read as follows:

20 Unless the power of attorney otherwise provides and subject
21 to ~~subsection~~ section 633B.201, language in a power of attorney
22 granting general authority with respect to personal and family
23 maintenance authorizes the agent to do all of the following:

24 Sec. 201. REPEAL. 2014 Iowa Acts, chapter 1080, section
25 121, is repealed.

26 Sec. 202. REPEAL. 2014 Iowa Acts, chapter 1092, sections
27 153 and 199, are repealed.

28 Sec. 203. 2014 Iowa Acts, chapter 1092, section 197,
29 subsection 2, is amended by striking the subsection.

30 Sec. 204. CODE EDITOR DIRECTIVE — TRANSFERS.

31 1. The Code editor shall transfer and renumber the following
32 sections as follows:

33 a. Section 123.9 to become section 123.6.

34 b. Section 123.10 to become section 123.7.

35 c. Section 123.16 to become section 123.8.

- 1 d. Section 123.20 to become section 123.9.
- 2 e. Section 123.21 to become section 123.10.
- 3 f. Section 123.13 to become section 123.12.
- 4 g. Section 123.17 to become section 123.13.
- 5 h. Section 123.18 to become section 123.15.
- 6 i. Section 123.55 to become section 123.16.
- 7 j. Section 123.53 to become section 123.17.
- 8 k. Section 123.54 to become section 123.18.
- 9 l. Section 123.19 to become section 123.23.
- 10 m. Section 226.47 to become section 226.1A.
- 11 n. Section 462A.69 to become section 462A.3A.
- 12 o. Section 462A.71 to become section 462A.3B.
- 13 2. The Code editor shall correct internal references as
14 necessary.

15 Sec. 205. EFFECTIVE UPON ENACTMENT. The following
16 provision or provisions of this division of this Act, being
17 deemed of immediate importance, take effect upon enactment:

18 1. The section of this Act amending section 237A.30,
19 subsection 1.

20 2. The section of this Act amending section 321.34,
21 subsection 27, paragraph "a".

22 Sec. 206. EFFECTIVE DATE. The following provision or
23 provisions of this division of this Act take effect June 30,
24 2021:

25 1. The section of this Act amending section 15.294,
26 subsection 4.

27 Sec. 207. EFFECTIVE DATE. The following provision or
28 provisions of this division of this Act take effect July 1,
29 2017:

30 1. The section of this Act amending section 124.401,
31 subsection 5, unnumbered paragraph 3.

32 Sec. 208. RETROACTIVE APPLICABILITY. The following
33 provision or provisions of this division of this Act apply
34 retroactively to July 1, 2010:

35 1. The section of this Act amending section 237A.30,

1 subsection 1.

2 Sec. 209. RETROACTIVE APPLICABILITY. The following
3 provision or provisions of this division of this Act apply
4 retroactively to July 1, 2014:

5 1. The section of this Act amending section 321.34,
6 subsection 27, paragraph "a".

7 Sec. 210. RETROACTIVE APPLICABILITY. The following
8 provision or provisions of this division of this Act apply
9 retroactively to January 1, 2014, for tax years beginning on
10 or after that date:

11 1. The section of this Act amending section 422.11L.

12 DIVISION II

13 REENACTMENT OF DIVISION II OF 2014 IOWA ACTS, CH. 1106

14 Sec. 211. NEW SECTION. 135.153A **Safety net provider**
15 **recruitment and retention initiatives program — repeal.**

16 The department, in accordance with efforts pursuant to
17 sections 135.163 and 135.164 and in cooperation with the Iowa
18 collaborative safety net provider network governing group as
19 described in section 135.153, shall establish and administer
20 a safety net provider recruitment and retention initiatives
21 program to address the health care workforce shortage relative
22 to safety net providers. Funding for the program may be
23 provided through the health care workforce shortage fund or
24 the safety net provider network workforce shortage account
25 created in section 135.175. The department, in cooperation
26 with the governing group, shall adopt rules pursuant to chapter
27 17A to implement and administer such program. This section is
28 repealed June 30, 2016.

29 Sec. 212. NEW SECTION. 135.175 **Health care workforce**
30 **support initiative — workforce shortage fund — accounts.**

31 1. a. A health care workforce support initiative is
32 established to provide for the coordination and support of
33 various efforts to address the health care workforce shortage
34 in this state. This initiative shall include the medical
35 residency training state matching grants program created in

1 section 135.176, the nurse residency state matching grants
2 program created in section 135.178, the fulfilling Iowa's need
3 for dentists matching grant program created in section 135.179,
4 the health care professional incentive payment program and
5 Iowa needs nurses now initiative created in sections 261.128
6 and 261.129, the safety net provider recruitment and retention
7 initiatives program created in section 135.153A, health care
8 workforce shortage national initiatives, and the physician
9 assistant mental health fellowship program created in section
10 135.177.

11 *b.* A health care workforce shortage fund is created in
12 the state treasury as a separate fund under the control of
13 the department, in cooperation with the entities identified
14 in this section as having control over the accounts within
15 the fund. The fund and the accounts within the fund shall
16 be controlled and managed in a manner consistent with the
17 principles specified and the strategic plan developed pursuant
18 to sections 135.163 and 135.164.

19 2. The fund and the accounts within the fund shall consist
20 of moneys appropriated from the general fund of the state for
21 the purposes of the fund or the accounts within the fund;
22 moneys received from the federal government for the purposes of
23 addressing the health care workforce shortage; contributions,
24 grants, and other moneys from communities and health care
25 employers; and moneys from any other public or private source
26 available.

27 3. The department and any entity identified in this section
28 as having control over any of the accounts within the fund,
29 may receive contributions, grants, and in-kind contributions
30 to support the purposes of the fund and the accounts within
31 the fund. Not more than five percent of the moneys allocated
32 to any account within the fund may be used for administrative
33 costs.

34 4. The fund and the accounts within the fund shall be
35 separate from the general fund of the state and shall not be

1 considered part of the general fund of the state. The moneys
2 in the fund and the accounts within the fund shall not be
3 considered revenue of the state, but rather shall be moneys
4 of the fund or the accounts. The moneys in the fund and the
5 accounts within the fund are not subject to section 8.33 and
6 shall not be transferred, used, obligated, appropriated, or
7 otherwise encumbered, except to provide for the purposes of
8 this section. Notwithstanding section 12C.7, subsection 2,
9 interest or earnings on moneys deposited in the fund shall be
10 credited to the fund and the accounts within the fund.

11 5. The fund shall consist of the following accounts:

12 a. The medical residency training account. The medical
13 residency training account shall be under the control of the
14 department and the moneys in the account shall be used for
15 the purposes of the medical residency training state matching
16 grants program as specified in section 135.176. Moneys in
17 the account shall consist of moneys appropriated or allocated
18 for deposit in or received by the fund or the account and
19 specifically dedicated to the medical residency training state
20 matching grants program or account for the purposes of such
21 account.

22 b. The health care professional and Iowa needs nurses now
23 initiative account. The health care professional and Iowa
24 needs nurses now initiative account shall be under the control
25 of the college student aid commission created in section 261.1
26 and the moneys in the account shall be used for the purposes
27 of the health care professional incentive payment program and
28 the Iowa needs nurses now initiative as specified in sections
29 261.128 and 261.129. Moneys in the account shall consist of
30 moneys appropriated or allocated for deposit in or received
31 by the fund or the account and specifically dedicated to the
32 health care professional and Iowa needs nurses now initiative
33 or the account for the purposes of the account.

34 c. The safety net provider network workforce shortage
35 account. The safety net provider network workforce shortage

1 account shall be under the control of the governing group of
2 the Iowa collaborative safety net provider network created in
3 section 135.153 and the moneys in the account shall be used
4 for the purposes of the safety net provider recruitment and
5 retention initiatives program as specified in section 135.153A.
6 Moneys in the account shall consist of moneys appropriated
7 or allocated for deposit in or received by the fund or the
8 account and specifically dedicated to the safety net provider
9 recruitment and retention initiatives program or the account
10 for the purposes of the account.

11 *d.* The health care workforce shortage national initiatives
12 account. The health care workforce shortage national
13 initiatives account shall be under the control of the state
14 entity identified for receipt of the federal funds by the
15 federal government entity through which the federal funding
16 is available for a specified health care workforce shortage
17 initiative. Moneys in the account shall consist of moneys
18 appropriated or allocated for deposit in or received by the
19 fund or the account and specifically dedicated to health care
20 workforce shortage national initiatives or the account and for
21 a specified health care workforce shortage initiative.

22 *e.* The physician assistant mental health fellowship program
23 account. The physician assistant mental health fellowship
24 program account shall be under the control of the department
25 and the moneys in the account shall be used for the purposes
26 of the physician assistant mental health fellowship program
27 as specified in section 135.177. Moneys in the account shall
28 consist of moneys appropriated or allocated for deposit in or
29 received by the fund or the account and specifically dedicated
30 to the physician assistant mental health fellowship program or
31 the account for the purposes of the account.

32 *f.* The Iowa needs nurses now infrastructure account. The
33 Iowa needs nurses now infrastructure account shall be under
34 the control of the department and the moneys in the account
35 shall be used to award grants in accordance with rules adopted

1 by the department, in consultation with the board of nursing,
2 the department of education, and a statewide association that
3 represents nurses specified by the director, pursuant to
4 chapter 17A, for clinical simulators, laboratory facilities,
5 health information technology, and other infrastructure to
6 improve the training of nurses and nurse educators in the state
7 and to enhance the clinical experience for nurses. Grants
8 awarded shall authorize the use of a reasonable portion of the
9 grant moneys for training in the use of the infrastructure
10 purchased with the grant moneys. Moneys in the account shall
11 consist of moneys appropriated or allocated for deposit in or
12 received by the fund or the account and specifically dedicated
13 to the Iowa needs nurses now infrastructure account for the
14 purposes of the account.

15 *g.* The nurse residency state matching grants program
16 account. The nurse residency state matching grants program
17 account shall be under the control of the department and the
18 moneys in the account shall be used for the purposes of the
19 nurse residency state matching grants program as specified
20 in section 135.178. Moneys in the account shall consist of
21 moneys appropriated or allocated for deposit in or received
22 by the fund or the account and specifically dedicated to the
23 nurse residency state matching grants program account for the
24 purposes of such account.

25 *h.* The fulfilling Iowa's need for dentists matching grant
26 program account. The fulfilling Iowa's need for dentists
27 matching grant program account shall be under the control of
28 the department and the moneys in the account shall be used
29 for the purposes of the fulfilling Iowa's need for dentists
30 matching grant program as specified in section 135.179.
31 Moneys in the account shall consist of moneys appropriated or
32 allocated for deposit in the account or received by the fund
33 or the account and specifically dedicated to the fulfilling
34 Iowa's need for dentists matching grant program account for the
35 purposes of such account.

1 6. *a.* Moneys in the fund and the accounts in the fund
2 shall only be appropriated in a manner consistent with the
3 principles specified and the strategic plan developed pursuant
4 to sections 135.163 and 135.164 to support the medical
5 residency training state matching grants program, the nurse
6 residency state matching grants program, the fulfilling Iowa's
7 need for dentists matching grant program, the health care
8 professional incentive payment program, the Iowa needs nurses
9 now initiative, the safety net recruitment and retention
10 initiatives program, for national health care workforce
11 shortage initiatives, for the physician assistant mental health
12 fellowship program, for the purposes of the Iowa needs nurses
13 now infrastructure account, and to provide funding for state
14 health care workforce shortage programs as provided in this
15 section.

16 *b.* State programs that may receive funding from the fund
17 and the accounts in the fund, if specifically designated
18 for the purpose of drawing down federal funding, are the
19 primary care recruitment and retention endeavor (PRIMECARRE),
20 the Iowa affiliate of the national rural recruitment and
21 retention network, the primary care office shortage designation
22 program, the state office of rural health, and the Iowa health
23 workforce center, administered through the bureau of health
24 care access of the department of public health; the area
25 health education centers programs at Des Moines university —
26 osteopathic medical center and the university of Iowa; the Iowa
27 collaborative safety net provider network established pursuant
28 to section 135.153; any entity identified by the federal
29 government entity through which federal funding for a specified
30 health care workforce shortage initiative is received; and
31 a program developed in accordance with the strategic plan
32 developed by the department of public health in accordance with
33 sections 135.163 and 135.164.

34 *c.* State appropriations to the fund shall be allocated in
35 equal amounts to each of the accounts within the fund, unless

1 otherwise specified in the appropriation or allocation. Any
2 federal funding received for the purposes of addressing state
3 health care workforce shortages shall be deposited in the
4 health care workforce shortage national initiatives account,
5 unless otherwise specified by the source of the funds, and
6 shall be used as required by the source of the funds. If
7 use of the federal funding is not designated, twenty-five
8 percent of such funding shall be deposited in the safety net
9 provider network workforce shortage account to be used for the
10 purposes of the account and the remainder of the funds shall
11 be used in accordance with the strategic plan developed by the
12 department of public health in accordance with sections 135.163
13 and 135.164, or to address workforce shortages as otherwise
14 designated by the department of public health. Other sources
15 of funding shall be deposited in the fund or account and used
16 as specified by the source of the funding.

17 7. No more than five percent of the moneys in any of the
18 accounts within the fund, not to exceed one hundred thousand
19 dollars in each account, shall be used for administrative
20 purposes, unless otherwise provided by the appropriation,
21 allocation, or source of the funds.

22 8. The department, in cooperation with the entities
23 identified in this section as having control over any of the
24 accounts within the fund, shall submit an annual report to the
25 governor and the general assembly regarding the status of the
26 health care workforce support initiative, including the balance
27 remaining in and appropriations from the health care workforce
28 shortage fund and the accounts within the fund.

29 Sec. 213. NEW SECTION. 135.176 **Medical residency training**
30 **state matching grants program.**

31 1. The department shall establish a medical residency
32 training state matching grants program to provide matching
33 state funding to sponsors of accredited graduate medical
34 education residency programs in this state to establish,
35 expand, or support medical residency training programs.

1 Funding for the program may be provided through the health
2 care workforce shortage fund or the medical residency training
3 account created in section 135.175. For the purposes of this
4 section, unless the context otherwise requires, "*accredited*"
5 means a graduate medical education program approved by the
6 accreditation council for graduate medical education or the
7 American osteopathic association. The grant funds may be
8 used to support medical residency programs through any of the
9 following:

10 *a.* The establishment of new or alternative campus accredited
11 medical residency training programs. For the purposes of
12 this paragraph, "*new or alternative campus accredited medical*
13 *residency training program*" means a program that is accredited
14 by a recognized entity approved for such purpose by the
15 accreditation council for graduate medical education or the
16 American osteopathic association with the exception that
17 a new medical residency training program that, by reason
18 of an insufficient period of operation is not eligible for
19 accreditation on or before the date of submission of an
20 application for a grant, may be deemed accredited if the
21 accreditation council for graduate medical education or the
22 American osteopathic association finds, after consultation with
23 the appropriate accreditation entity, that there is reasonable
24 assurance that the program will meet the accreditation
25 standards of the entity prior to the date of graduation of the
26 initial class in the program.

27 *b.* The provision of new residency positions within existing
28 accredited medical residency or fellowship training programs.

29 *c.* The funding of residency positions which are in excess of
30 the federal residency cap. For the purposes of this paragraph,
31 "*in excess of the federal residency cap*" means a residency
32 position for which no federal Medicare funding is available
33 because the residency position is a position beyond the cap for
34 residency positions established by the federal Balanced Budget
35 Act of 1997, Pub. L. No. 105-33.

1 2. The department shall adopt rules pursuant to chapter 17A
2 to provide for all of the following:

3 a. Eligibility requirements for and qualifications
4 of a sponsor of an accredited graduate medical education
5 residency program to receive a grant. The requirements and
6 qualifications shall include but are not limited to all of the
7 following:

8 (1) Only a sponsor that establishes a dedicated fund to
9 support a residency program that meets the specifications of
10 this section shall be eligible to receive a matching grant. A
11 sponsor funding residency positions in excess of the federal
12 residency cap, as defined in subsection 1, paragraph "c",
13 exclusive of funds provided under the medical residency
14 training state matching grants program established in this
15 section, is deemed to have satisfied this requirement and
16 shall be eligible for a matching grant equal to the amount of
17 funds expended for such residency positions, subject to the
18 limitation on the maximum award of grant funds specified in
19 paragraph "e".

20 (2) A sponsor shall demonstrate, through documented
21 financial information as prescribed by rule of the department,
22 that funds have been reserved and will be expended by the
23 sponsor in the amount required to provide matching funds for
24 each residency proposed in the request for state matching
25 funds.

26 (3) A sponsor shall demonstrate, through objective evidence
27 as prescribed by rule of the department, a need for such
28 residency program in the state.

29 b. The application process for the grant.

30 c. Criteria for preference in awarding of the grants,
31 including preference in the residency specialty.

32 d. Determination of the amount of a grant. The total amount
33 of a grant awarded to a sponsor shall be limited to no more
34 than twenty-five percent of the amount that the sponsor has
35 demonstrated through documented financial information has been

1 reserved and will be expended by the sponsor for each residency
2 sponsored for the purpose of the residency program.

3 *e.* The maximum award of grant funds to a particular
4 individual sponsor per year. An individual sponsor shall not
5 receive more than twenty-five percent of the state matching
6 funds available each year to support the program. However,
7 if less than ninety-five percent of the available funds has
8 been awarded in a given year, a sponsor may receive more than
9 twenty-five percent of the state matching funds available
10 if total funds awarded do not exceed ninety-five percent of
11 the available funds. If more than one sponsor meets the
12 requirements of this section and has established, expanded,
13 or supported a graduate medical residency training program,
14 as specified in subsection 1, in excess of the sponsor's
15 twenty-five percent maximum share of state matching funds, the
16 state matching funds shall be divided proportionately among
17 such sponsors.

18 *f.* Use of the funds awarded. Funds may be used to pay the
19 costs of establishing, expanding, or supporting an accredited
20 graduate medical education program as specified in this
21 section, including but not limited to the costs associated with
22 residency stipends and physician faculty stipends.

23 Sec. 214. NEW SECTION. 135.177 **Physician assistant mental**
24 **health fellowship program — repeal.**

25 1. The department, in cooperation with the college student
26 aid commission, shall establish a physician assistant mental
27 health fellowship program in accordance with this section.
28 Funding for the program may be provided through the health
29 care workforce shortage fund or the physician assistant mental
30 health fellowship program account created in section 135.175.
31 The purpose of the program is to determine the effect of
32 specialized training and support for physician assistants in
33 providing mental health services on addressing Iowa's shortage
34 of mental health professionals.

35 2. The program shall provide for all of the following:

1 *a.* Collaboration with a hospital serving a thirteen-county
2 area in central Iowa that provides a clinic at the Iowa
3 veterans home, a private nonprofit agency headquartered in a
4 city with a population of more than one hundred ninety thousand
5 that operates a freestanding psychiatric medical institution
6 for children, a private university with a medical school
7 educating osteopathic physicians located in a city with a
8 population of more than one hundred ninety thousand, the Iowa
9 veterans home, and any other clinical partner designated for
10 the program. Population figures used in this paragraph refer
11 to the most recent certified federal census. The clinical
12 partners shall provide supervision, clinical experience,
13 training, and other support for the program and physician
14 assistant students participating in the program.

15 *b.* Elderly, youth, and general population clinical
16 experiences.

17 *c.* A fellowship of twelve months for three physician
18 assistant students, annually.

19 *d.* Supervision of students participating in the program
20 provided by the university and the other clinical partners
21 participating in the program.

22 *e.* A student participating in the program shall be eligible
23 for a stipend of not more than fifty thousand dollars for the
24 twelve months of the fellowship plus related fringe benefits.
25 In addition, a student who completes the program and practices
26 in Iowa in a mental health professional shortage area, as
27 defined in section 135.180, shall be eligible for up to twenty
28 thousand dollars in loan forgiveness. The stipend and loan
29 forgiveness provisions shall be determined by the department
30 and the college student aid commission, in consultation with
31 the clinical partners.

32 *f.* The state and private entity clinical partners shall
33 regularly evaluate and document their experiences with the
34 approaches utilized and outcomes achieved by the program
35 to identify an optimal model for operating the program.

1 The evaluation process shall include but is not limited
2 to identifying ways the program's clinical and training
3 components could be modified to facilitate other student and
4 practicing physician assistants specializing as mental health
5 professionals.

6 3. This section is repealed June 30, 2016.

7 Sec. 215. NEW SECTION. 135.178 Nurse residency state
8 matching grants program — repeal.

9 1. The department shall establish a nurse residency state
10 matching grants program to provide matching state funding
11 to sponsors of nurse residency programs in this state to
12 establish, expand, or support nurse residency programs that
13 meet standards adopted by rule of the department. Funding for
14 the program may be provided through the health care workforce
15 shortage fund or the nurse residency state matching grants
16 program account created in section 135.175. The department,
17 in cooperation with the Iowa board of nursing, the department
18 of education, Iowa institutions of higher education with board
19 of nursing-approved programs to educate nurses, and the Iowa
20 nurses association, shall adopt rules pursuant to chapter 17A
21 to establish minimum standards for nurse residency programs
22 to be eligible for a matching grant that address all of the
23 following:

24 a. Eligibility requirements for and qualifications of
25 a sponsor of a nurse residency program to receive a grant,
26 including that the program includes both rural and urban
27 components.

28 b. The application process for the grant.

29 c. Criteria for preference in awarding of the grants.

30 d. Determination of the amount of a grant.

31 e. Use of the funds awarded. Funds may be used to pay
32 the costs of establishing, expanding, or supporting a nurse
33 residency program as specified in this section, including but
34 not limited to the costs associated with residency stipends and
35 nursing faculty stipends.

1 2. This section is repealed June 30, 2016.

2 Sec. 216. NEW SECTION. **261.128 Health care professional**
3 **incentive payment program — repeal.**

4 1. The commission shall establish a health care
5 professional incentive payment program to recruit and retain
6 health care professionals in this state. Funding for the
7 program may be provided through the health care workforce
8 shortage fund or the health care professional and Iowa needs
9 nurses now initiative account created in section 135.175.

10 2. The commission shall administer the incentive payment
11 program with the assistance of Des Moines university —
12 osteopathic medical center.

13 3. The commission, with the assistance of Des Moines
14 university — osteopathic medical center, shall adopt rules
15 pursuant to chapter 17A relating to the establishment and
16 administration of the health care professional incentive
17 payment program. The rules adopted shall address all of the
18 following:

19 a. Eligibility and qualification requirements for a
20 health care professional, a community, and a health care
21 employer to participate in the incentive payment program. Any
22 community in the state and all health care specialties shall be
23 considered for participation. However, health care employers
24 located in and communities that are designated as medically
25 underserved areas or populations or that are designated as
26 health professional shortage areas by the health resources
27 and services administration of the United States department
28 of health and human services shall have first priority in the
29 awarding of incentive payments.

30 (1) To be eligible, a health care professional at a minimum
31 must not have any unserved obligations to a federal, state, or
32 local government or other entity that would prevent compliance
33 with obligations under the agreement for the incentive payment;
34 must have a current and unrestricted license to practice the
35 professional's respective profession; and must be able to begin

1 full-time clinical practice upon signing an agreement for an
2 incentive payment.

3 (2) To be eligible, a community must provide a clinical
4 setting for full-time practice of a health care professional
5 and must provide a fifty thousand dollar matching contribution
6 for a physician and a fifteen thousand dollar matching
7 contribution for any other health care professional to receive
8 an equal amount of state matching funds.

9 (3) To be eligible, a health care employer must provide
10 a clinical setting for a full-time practice of a health care
11 professional and must provide a fifty thousand dollar matching
12 contribution for a physician and a fifteen thousand dollar
13 matching contribution for any other health care professional to
14 receive an equal amount of state matching funds.

15 *b.* The process for awarding incentive payments. The
16 commission shall receive recommendations from the department
17 of public health regarding selection of incentive payment
18 recipients. The process shall require each recipient to
19 enter into an agreement with the commission that specifies
20 the obligations of the recipient and the commission prior to
21 receiving the incentive payment.

22 *c.* Public awareness regarding the program including
23 notification of potential health care professionals,
24 communities, and health care employers about the program and
25 dissemination of applications to appropriate entities.

26 *d.* Measures regarding all of the following:

27 (1) The amount of the incentive payment and the specifics
28 of obligated service for an incentive payment recipient. An
29 incentive payment recipient shall agree to provide service in
30 full-time clinical practice for a minimum of four consecutive
31 years. If an incentive payment recipient is sponsored by a
32 community or health care employer, the obligated service shall
33 be provided in the sponsoring community or health care employer
34 location. An incentive payment recipient sponsored by a health
35 care employer shall agree to provide health care services as

1 specified in an employment agreement with the sponsoring health
2 care employer.

3 (2) Determination of the conditions of the incentive
4 payment applicable to an incentive payment recipient. At
5 the time of approval for participation in the program, an
6 incentive payment recipient shall be required to submit proof
7 of indebtedness incurred as the result of obtaining loans to
8 pay for educational costs resulting in a degree in health
9 sciences. For the purposes of this subparagraph, "*indebtedness*"
10 means debt incurred from obtaining a government or commercial
11 loan for actual costs paid for tuition, reasonable education
12 expenses, and reasonable living expenses related to the
13 graduate, undergraduate, or associate education of a health
14 care professional.

15 (3) Enforcement of the state's rights under an incentive
16 payment agreement, including the commencement of any court
17 action. A recipient who fails to fulfill the requirements
18 of the incentive payment agreement is subject to repayment
19 of the incentive payment in an amount equal to the amount of
20 the incentive payment. A recipient who fails to meet the
21 requirements of the incentive payment agreement may also be
22 subject to repayment of moneys advanced by a community or
23 health care employer as provided in any agreement with the
24 community or employer.

25 (4) A process for monitoring compliance with eligibility
26 requirements, obligated service provisions, and use of funds by
27 recipients to verify eligibility of recipients and to ensure
28 that state, federal, and other matching funds are used in
29 accordance with program requirements.

30 (5) The use of the funds received. Any portion of the
31 incentive payment that is attributable to federal funds shall
32 be used as required by the federal entity providing the funds.
33 Any portion of the incentive payment that is attributable
34 to state funds shall first be used toward payment of any
35 outstanding loan indebtedness of the recipient. The remaining

1 portion of the incentive payment shall be used as specified in
2 the incentive payment agreement.

3 4. A recipient is responsible for reporting on federal
4 income tax forms any amount received through the program,
5 to the extent required by federal law. Incentive payments
6 received through the program by a recipient in compliance with
7 the requirements of the incentive payment program are exempt
8 from state income taxation.

9 5. This section is repealed June 30, 2016.

10 Sec. 217. NEW SECTION. 261.129 Iowa needs nurses now
11 initiative — repeal.

12 1. Nurse educator incentive payment program.

13 a. The commission shall establish a nurse educator
14 incentive payment program. Funding for the program may be
15 provided through the health care workforce shortage fund or the
16 health care professional and Iowa needs nurses now initiative
17 account created in section 135.175. For the purposes of this
18 subsection, "*nurse educator*" means a registered nurse who holds
19 a master's degree or doctorate degree and is employed as a
20 faculty member who teaches nursing in a nursing education
21 program as provided in 655 IAC 2.6 at a community college, an
22 accredited private institution, or an institution of higher
23 education governed by the state board of regents.

24 b. The program shall consist of incentive payments to
25 recruit and retain nurse educators. The program shall provide
26 for incentive payments of up to twenty thousand dollars for a
27 nurse educator who remains teaching in a qualifying teaching
28 position for a period of not less than four consecutive
29 academic years.

30 c. The nurse educator and the commission shall enter into an
31 agreement specifying the obligations of the nurse educator and
32 the commission. If the nurse educator leaves the qualifying
33 teaching position prior to teaching for four consecutive
34 academic years, the nurse educator shall be liable to repay
35 the incentive payment amount to the state, plus interest as

1 specified by rule. However, if the nurse educator leaves
2 the qualifying teaching position involuntarily, the nurse
3 educator shall be liable to repay only a pro rata amount of the
4 incentive payment based on incompleted years of service.

5 *d.* The commission, in consultation with the department
6 of public health, the board of nursing, the department of
7 education, and the Iowa nurses association, shall adopt rules
8 pursuant to chapter 17A relating to the establishment and
9 administration of the nurse educator incentive payment program.
10 The rules shall include provisions specifying what constitutes
11 a qualifying teaching position.

12 2. Nursing faculty fellowship program.

13 *a.* The commission shall establish a nursing faculty
14 fellowship program to provide funds to nursing schools in the
15 state, including but not limited to nursing schools located at
16 community colleges, for fellowships for individuals employed
17 in qualifying positions on the nursing faculty. Funding for
18 the program may be provided through the health care workforce
19 shortage fund or the health care professional and the Iowa
20 needs nurses now initiative account created in section 135.175.
21 The program shall be designed to assist nursing schools in
22 filling vacancies in qualifying positions throughout the state.

23 *b.* The commission, in consultation with the department
24 of public health, the board of nursing, the department of
25 education, and the Iowa nurses association, and in cooperation
26 with nursing schools throughout the state, shall develop a
27 distribution formula which shall provide that no more than
28 thirty percent of the available moneys are awarded to a single
29 nursing school. Additionally, the program shall limit funding
30 for a qualifying position in a nursing school to no more than
31 ten thousand dollars per year for up to three years.

32 *c.* The commission, in consultation with the department
33 of public health, the board of nursing, the department of
34 education, and the Iowa nurses association, shall adopt
35 rules pursuant to chapter 17A to administer the program. The

1 rules shall include provisions specifying what constitutes a
2 qualifying position at a nursing school.

3 *d.* In determining eligibility for a fellowship, the
4 commission shall consider all of the following:

5 (1) The length of time a qualifying position has gone
6 unfilled at a nursing school.

7 (2) Documented recruiting efforts by a nursing school.

8 (3) The geographic location of a nursing school.

9 (4) The type of nursing program offered at the nursing
10 school, including associate, bachelor's, master's, or doctoral
11 degrees in nursing, and the need for the specific nursing
12 program in the state.

13 3. Nurse educator scholarship program.

14 *a.* The commission shall establish a nurse educator
15 scholarship program. Funding for the program may be provided
16 through the health care workforce shortage fund or the health
17 care professional and the Iowa needs nurses now initiative
18 account created in section 135.175. The goal of the nurse
19 educator scholarship program is to address the waiting list of
20 qualified applicants to Iowa's nursing schools by providing
21 incentives for the training of additional nursing educators.
22 For the purposes of this subsection, "*nurse educator*" means
23 a registered nurse who holds a master's degree or doctorate
24 degree and is employed as a faculty member who teaches nursing
25 in a nursing education program as provided in 655 IAC 2.6 at
26 a community college, an accredited private institution, or an
27 institution of higher education governed by the state board of
28 regents.

29 *b.* The program shall consist of scholarships to further
30 advance the education of nurses to become nurse educators. The
31 program shall provide for scholarship payments in an amount
32 established by rule for students who are preparing to teach in
33 qualifying teaching positions.

34 *c.* The commission, in consultation with the department
35 of public health, the board of nursing, the department of

1 education, and the Iowa nurses association, shall adopt rules
2 pursuant to chapter 17A relating to the establishment and
3 administration of the nurse educator scholarship program. The
4 rules shall include provisions specifying what constitutes a
5 qualifying teaching position and the amount of any scholarship.

6 4. Nurse educator scholarship-in-exchange-for-service
7 program.

8 a. The commission shall establish a nurse educator
9 scholarship-in-exchange-for-service program. Funding for the
10 program may be provided through the health care workforce
11 shortage fund or the health care professional and Iowa needs
12 nurses now initiative account created in section 135.175. The
13 goal of the nurse educator scholarship-in-exchange-for-service
14 program is to address the waiting list of qualified applicants
15 to Iowa's nursing schools by providing incentives for the
16 education of additional nursing educators. For the purposes
17 of this subsection, "*nurse educator*" means a registered nurse
18 who holds a master's degree or doctorate degree and is employed
19 as a faculty member who teaches nursing in a nursing education
20 program as provided in 655 IAC 2.6 at a community college, an
21 accredited private institution, or an institution of higher
22 education governed by the state board of regents.

23 b. The program shall consist of scholarships to further
24 advance the education of nurses to become nurse educators. The
25 program shall provide for scholarship-in-exchange-for-service
26 payments in an amount established by rule for students who
27 are preparing to teach in qualifying teaching positions for a
28 period of not less than four consecutive academic years.

29 c. The scholarship-in-exchange-for-service recipient
30 and the commission shall enter into an agreement specifying
31 the obligations of the applicant and the commission.
32 If the nurse educator leaves the qualifying teaching
33 position prior to teaching for four consecutive academic
34 years, the nurse educator shall be liable to repay the
35 scholarship-in-exchange-for-service amount to the state plus

1 interest as specified by rule. However, if the nurse educator
2 leaves the qualified teaching position involuntarily, the nurse
3 educator shall be liable to repay only a pro rata amount of the
4 scholarship based on incomplete years of service.

5 *d.* The receipt of a nurse educator
6 scholarship-in-exchange-for-service shall not impact
7 eligibility of an individual for other financial incentives
8 including but not limited to loan forgiveness programs.

9 *e.* The commission, in consultation with the department
10 of public health, the board of nursing, the department
11 of education, and the Iowa nurses association, shall
12 adopt rules pursuant to chapter 17A relating to the
13 establishment and administration of the nurse educator
14 scholarship-in-exchange-for-service program. The rules
15 shall include the provisions specifying what constitutes
16 a qualifying teaching position and the amount of any
17 scholarship-in-exchange-for-service.

18 5. *Repeal.* This section is repealed June 30, 2016.

19 Sec. 218. EFFECTIVE UPON ENACTMENT. This division of this
20 Act, being deemed of immediate importance, takes effect upon
21 enactment.

22 Sec. 219. RETROACTIVE APPLICABILITY. This division of this
23 Act applies retroactively to June 30, 2014.

24 DIVISION III

25 REENACTMENT OF DIVISION III OF 2014 IOWA ACTS, CH. 1106

26 Sec. 220. Section 135.175, subsection 1, paragraph a, as
27 enacted in this Act, is amended to read as follows:

28 *a.* A health care workforce support initiative is established
29 to provide for the coordination and support of various efforts
30 to address the health care workforce shortage in this state.
31 This initiative shall include the medical residency training
32 state matching grants program created in section 135.176,
33 ~~the nurse residency state matching grants program created~~
34 ~~in section 135.178, the fulfilling Iowa's need for dentists~~
35 ~~matching grant program created in section 135.179, the health~~

1 ~~care professional incentive payment program and Iowa needs~~
 2 ~~nurses now initiative created in sections 261.128 and 261.129,~~
 3 ~~the safety net provider recruitment and retention initiatives~~
 4 ~~program created in section 135.153A, and~~ health care workforce
 5 shortage national initiatives, ~~and the physician assistant~~
 6 ~~mental health fellowship program created in section 135.177.~~

7 Sec. 221. Section 135.175, subsection 5, paragraphs b, c, e,
 8 f, and g, as enacted in this Act, are amended by striking the
 9 paragraphs.

10 Sec. 222. Section 135.175, subsection 6, paragraphs a and c,
 11 as enacted in this Act, are amended to read as follows:

12 a. Moneys in the fund and the accounts in the fund
 13 shall only be appropriated in a manner consistent with the
 14 principles specified and the strategic plan developed pursuant
 15 to sections 135.163 and 135.164 to support the medical
 16 residency training state matching grants program, ~~the nurse~~
 17 ~~residency state matching grants program, the fulfilling Iowa's~~
 18 ~~need for dentists matching grant program, the health care~~
 19 ~~professional incentive payment program, the Iowa needs nurses~~
 20 ~~now initiative, the safety net recruitment and retention~~
 21 ~~initiatives program, for national health care workforce~~
 22 ~~shortage initiatives, for the physician assistant mental health~~
 23 ~~fellowship program, for the purposes of the Iowa needs nurses~~
 24 ~~now infrastructure account, and to provide funding for state~~
 25 health care workforce shortage programs as provided in this
 26 section.

27 c. State appropriations to the fund shall be allocated in
 28 equal amounts to each of the accounts within the fund, unless
 29 otherwise specified in the appropriation or allocation. Any
 30 federal funding received for the purposes of addressing state
 31 health care workforce shortages shall be deposited in the
 32 health care workforce shortage national initiatives account,
 33 unless otherwise specified by the source of the funds, and
 34 shall be used as required by the source of the funds. If
 35 use of the federal funding is not designated, ~~twenty-five~~

~~1 percent of such funding shall be deposited in the safety net~~
~~2 provider network workforce shortage account to be used for the~~
~~3 purposes of the account and the remainder of the funds shall~~
 4 be used in accordance with the strategic plan developed by the
 5 department of public health in accordance with sections 135.163
 6 and 135.164, or to address workforce shortages as otherwise
 7 designated by the department of public health. Other sources
 8 of funding shall be deposited in the fund or account and used
 9 as specified by the source of the funding.

10 Sec. 223. EFFECTIVE DATE. This division of this Act takes
 11 effect July 1, 2016.

12 DIVISION IV

13 CORRESPONDING CHANGES

14 Sec. 224. Section 249A.3, subsection 11, paragraph b, Code
 15 2015, is amended to read as follows:

16 b. The department shall exercise the option provided in
 17 42 U.S.C. §1396p(c) to provide a period of ineligibility
 18 for medical assistance due to a transfer of assets by
 19 a noninstitutionalized individual or the spouse of a
 20 noninstitutionalized individual. For noninstitutionalized
 21 individuals, the number of months of ineligibility shall be
 22 equal to the total, cumulative uncompensated value of all
 23 assets transferred by the individual or the individual's
 24 spouse on or after the look-back date specified in 42
 25 U.S.C. §1396p(c)(1)(B)(i), divided by the average monthly
 26 cost to a private patient for nursing facility services in
 27 Iowa at the time of application. The services for which
 28 noninstitutionalized individuals shall be made ineligible
 29 shall include any long-term care services for which medical
 30 assistance is otherwise available. Notwithstanding section
 31 17A.4, the department may adopt rules providing a period of
 32 ineligibility for medical assistance due to a transfer of
 33 assets by a noninstitutionalized individual or the spouse of a
 34 noninstitutionalized individual without notice of opportunity
 35 for public comment, to be effective immediately upon filing

1 under section 17A.5, subsection 2, paragraph "b", subparagraph
2 (1), subparagraph division (a).

3 Sec. 225. Section 519A.4, subsection 1, paragraph a, Code
4 2015, is amended to read as follows:

5 a. The association shall submit a plan of operation to
6 the commissioner, together with any amendments necessary
7 or suitable to assure the fair, reasonable, and equitable
8 administration of the association consistent with sections
9 519A.2 to 519A.13. The plan of operation and any amendments
10 thereto shall become effective only after promulgation of
11 the plan or amendment by the commissioner as a rule pursuant
12 to section 17A.4: Provided that the initial plan may in the
13 discretion of the commissioner become effective immediately
14 upon filing with the secretary of state pursuant to section
15 17A.5, subsection 2, paragraph "b", subparagraph (1),
16 subparagraph division (a).

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 This bill contains statutory corrections that adjust
21 language to reflect current practices, insert earlier
22 omissions, delete redundancies and inaccuracies, delete
23 temporary language, resolve inconsistencies and conflicts,
24 update ongoing provisions, or remove ambiguities. The Code
25 sections amended include the following:

26 DIVISION I: Section 8A.315: Adds an internal reference to
27 subsection 2, paragraph "e", to reflect the addition of a new
28 exception to requirements for purchase of recycled printing and
29 writing paper by 2014 Iowa Acts, ch. 1036, §6.

30 Section 8A.504: Replaces the word "it" with the words "the
31 public agency" in language regarding information pertaining to
32 the names of certain persons forwarded to the department of
33 administrative services or other collection entity by public
34 agencies which are owed or which owe a debt.

35 Sections 12B.10, 12B.10C, 490.1302, 502A.4, and 551A.4:

1 Updates United State code references to the federal Investment
2 Company and Investment Advisor Acts of 1940 to reflect the
3 current codification of the provisions of those Acts in
4 provisions relating to regulation of public funds and business
5 entities, and business opportunity promotions.

6 Section 13.2: Strikes the word "including" and adds the word
7 "amount" to simplify the language of a series pertaining to
8 reports by the attorney general regarding receipts generated
9 from settlements or judgments in excess of \$250,000 in certain
10 legal proceedings.

11 Section 13.32: Adds a comma to correct a series pertaining
12 to the victim assistance program. The word "such" is also
13 stricken and the word "expenses" is added to conform language
14 relating to payments for travel by contractors to similar
15 earlier language regarding payments for travel by employees of
16 the department of justice.

17 Section 13C.1: Adds a lead-in paragraph to a general
18 definitions section for the chapter regarding organizations
19 that solicit public donations to conform the format of the
20 section to other general definitions sections in the Code.

21 Sections 15.105 and 303.4: Adds language citing the
22 provision in which the congressional districts are established
23 to provisions relating to appointment of members by
24 congressional district to the board of the economic development
25 authority and the board of trustees of the state historical
26 society. Because the number of congressional districts has
27 changed in the past, adding a reference to Code section 40.1 in
28 these locations would help raise awareness of the impact that
29 changes to Code section 40.1 has on the membership of these two
30 boards.

31 Section 15.294: Strikes, effective June 30, 2021, a
32 provision requiring the brownfield redevelopment council to
33 consider and make recommendations regarding applications for
34 certain tax credits to reflect the repeal of those tax credits
35 effective on that same date.

1 Section 15.333: Changes the applicability of a definition
2 of the phrase "new investment directly related to new jobs
3 created by the project" to reflect the use of the phrase
4 elsewhere in the Code section, not just in the subsection.

5 Section 16.1A: Changes a reference to the guiding
6 principles pertaining to housing to a reference to all of the
7 guiding principles pertaining to programs administered by the
8 Iowa finance authority in language relating to administration
9 of all of the programs by the authority.

10 Section 16.2A: Conforms references to the board of the title
11 guaranty division to changes made to similar references in this
12 section by 2014 Iowa Acts, ch. 1080, and adds the words "title
13 guaranty" to more clearly distinguish the board from other
14 boards within the Iowa finance authority.

15 Section 16.2B: Conforms language relating to assistance
16 provided by the agricultural development division of the Iowa
17 finance authority to qualified persons to obtain agricultural
18 assets transfer tax credits to prefatory language requiring
19 that assistance be given.

20 Section 16.2D: Clarifies that the requirement regarding
21 minority group representation applies to the voting membership
22 of the council on homelessness, not to the members themselves.

23 Section 16.7: Standardizes and updates the format used to
24 describe the annual report of the Iowa finance authority.

25 Section 16.16: Corrects an internal reference from a
26 reference to a nonexistent part to a reference to part 9 of
27 subchapter X, which contains the Iowa jobs program. The
28 language contained in this provision was previously contained
29 in former Code section 16.197 and that language referred to
30 duties relating to the Iowa jobs program, which is contained
31 in part 9.

32 Section 16.17: Moves a reference to chapter 17A to an
33 initial general requirement for rules adoption by the Iowa
34 finance authority, standardizes language relating to rules
35 regarding definitions, and substitutes "the authority" for the

1 word "it" to clarify that the authority is the entity with
2 discretion regarding rules adoption.

3 Section 16.26: Strikes the words "bond anticipation" before
4 the word "notes" to clarify the meaning of language describing
5 how bond anticipation notes are issued.

6 Section 16.27A: Adds a comma to an apparent series in
7 language relating to the Iowa finance authority's powers
8 relating to loans.

9 Sections 16.50, 422.11D, 422.33, 422.60, and 432.12A:
10 Replaces a citation to Code section 404A.2 with a citation
11 to Code chapter 404A in language relating to eligibility of
12 projects for historic preservation and cultural entertainment
13 district tax credits to reflect the possibility that a project
14 may qualify for more than one of the types of tax credits under
15 the provisions of Code chapter 404A.

16 Section 16.59: Restructures language to clarify the
17 applicability and determination of low or moderate net worth
18 requirements for persons and entities before those persons
19 and entities are eligible to receive special agricultural
20 development financing from the Iowa finance authority.

21 Section 16.64: Adds language relating to the publication
22 of notice of intention to issue bonds or notes and moves
23 language that establishes a cutoff for actions challenging the
24 legality of the bonds or notes based on the publication of that
25 notice in this provision regarding issuance of those financial
26 instruments by the Iowa finance authority.

27 Section 16.76: Moves language that indicates what types
28 of loans may be made by the Iowa finance authority from
29 within language relating to the making of those loans to the
30 definition of the term "loan".

31 Section 16.78: Adds language directing the reader to
32 the Code section that contains the method for determining a
33 qualified beginning farmer's low or moderate net worth to
34 language that describes the manner in which the Iowa finance
35 authority must administer the beginning farmer tax credit

1 program.

2 Section 16.92: Strikes the words "Iowa finance" from before
3 a reference to the authority to conform to the use of the term
4 "authority" that is defined in Code section 16.1.

5 Section 17A.5: Numbers and rennumbers language in this
6 paragraph to separate language relating to when a rule becomes
7 effective from language relating to contests regarding the
8 effective date of a rule. The language that is placed in
9 its own subparagraph appears by its own words to apply to
10 the entirety of the paragraph and not just to the former
11 subparagraph to which it currently is attached.

12 Section 28M.7: Changes "government" to "governmental"
13 in references to certain public entities to conform to the
14 definition of the term "governmental entity" in Code section
15 28M.1, the general definitions section for this chapter
16 relating to regional transit districts.

17 Section 29B.116: Moves the phrase "subject to section
18 29B.116A" in this language relating to conduct subject to
19 military courts-martial to clarify that the phrase "though not
20 specifically mentioned in this code" applies to the conduct and
21 not to Code section 29B.116A.

22 Section 29B.116B: Supplies the missing word "been" in
23 language relating to the annual adjutant general's report
24 on the number of offenses committed by members of the
25 military that have been reported to civilian law enforcement
26 authorities.

27 Section 43.16: Numbers and letters unnumbered paragraphs
28 and clarifies language describing the time frame of a
29 candidate's death or withdrawal which causes the name of the
30 candidate to be omitted from the certificate furnished by the
31 state commissioner of elections and from the primary election
32 ballot.

33 Section 68A.405: Adds the words "or electronic" to language
34 defining the term "published material" to conform to the
35 addition of "internet site" to the list of materials as well as

1 language relating to the use of television, video, or motion
2 picture advertising in public political advertising.

3 Section 80B.5: Replaces the word "it" with the words "the
4 academy" to clarify language describing the employment of
5 Iowa law enforcement academy staff pursuant to the Iowa merit
6 system.

7 Section 96.9: Combines language describing the investment
8 of funds in the unemployment trust fund in certain marketable
9 classes of securities, that currently appears after a colon,
10 with language which appears before the colon that describes the
11 circumstances under which that investment would occur.

12 Section 96.14: Updates a United States Code citation to a
13 provision from the federal Bankruptcy Act of 1898 to reflect
14 the current location of that codified content.

15 Section 96.20: Changes the word "Act" to "chapter" in
16 language describing wages covered under Iowa's unemployment
17 compensation law to reflect the codification of 1971 Iowa Acts,
18 ch. 113, §32, into chapter 96 of the Code.

19 Section 99.27: Replaces the word "herein" with a specific
20 reference to the Code section in which "nuisance" is defined,
21 replaces the word "said" with the word "the", and adds in the
22 word "mulct" before the word "tax" to clarify the meaning
23 of this provision relating to taxes on premises in which
24 a nuisance is maintained or which are used for houses of
25 prostitution or for illegal gambling.

26 Section 105.18: Strikes the words "perform" and "of"
27 to clarify language describing the type of work which an
28 individual who holds either a master or journeyperson
29 mechanical or HVAC-refrigeration license may perform and not be
30 required to obtain a special electrician's license.

31 Section 123.5: With the exception of one sentence which is
32 added to Code section 123.11, combines language from current
33 Code sections 123.6, 123.7, and 123.12, which are repealed
34 later in this division of this bill, with the language in this
35 Code section to consolidate the language pertaining to the

1 creation and membership of the alcoholic beverages commission
2 into a single Code section.

3 Section 123.11: Combines two sentences currently contained
4 in Code section 123.6, relating to payment of expenses and
5 compensation to members of the commission, with the language of
6 this Code section relating to payment of expenses and salaries
7 of commission members and employees of the alcoholic beverages
8 division.

9 Sections 123.17 and 123.45: Moves language prohibiting
10 members of the alcoholic beverages commission members and
11 employees of the division of alcoholic beverages from having
12 financial interests in the manufacture, sale, or purchase of
13 alcoholic liquor, wine, or beer that is currently contained
14 in Code section 123.45 to Code section 123.17, which contains
15 other prohibitions relating to commission members and
16 employees, reformats the language in Code section 123.17
17 relating to prohibited conduct, and changes a reference to
18 "law" with a specific cite to the Code chapter relating to
19 removal from office. Code section 123.45 is also reformatted
20 to enumerate the limitations on business interests that
21 are placed on persons who are engaged in the business of
22 manufacture, bottling, or wholesaling of alcoholic beverages,
23 wine, or beer, and to set out the exceptions and penalties that
24 apply.

25 Section 123.70: Replaces the words "in this chapter" with
26 the reference to the specific Code section that contains
27 the definition of "bootlegger" in this provision regarding
28 injunctions that may issue to restrain persons from engaging in
29 bootlegging activities.

30 Sections 123.83, 123.84, and 123.85: Adds language and
31 citations to hypertext link these Code sections relating to
32 filing and trials of and judgment and appeals in actions to
33 forfeit an abatement bond because of a nuisance maintained on
34 premises covered by the bond.

35 Section 123.88: Adds language after the term "nuisance" to

1 link the term to the Code section which establishes the meaning
2 of the term for purposes of proceedings to abate the nuisance.

3 Sections 123.122, 123.123, 123.143, 123.171, and 123.172:
4 Changes the word "division" to "subchapter" to distinguish uses
5 of the term to refer to subunits of Code chapter 123 from uses
6 within Code chapter 123 of the defined term "division" that are
7 intended to refer to the alcoholic beverages division of the
8 department of commerce.

9 Section 124.401: Strikes a paragraph, effective July
10 1, 2017, permitting the recommendation, possession, use,
11 dispensing, delivery, transport, or administration of
12 cannabidiol if done in accordance with Code chapter 124D. Code
13 chapter 124D is repealed effective July 1, 2017.

14 Section 124D.4: Changes the word "card" to "cards" to
15 conform to the language of subsections 1 and 3 of Code section
16 124D.4, which indicates the issuance of multiple cards.

17 Section 135.173A: Updates references to the current
18 entities that currently carry out the duties and
19 responsibilities formerly carried out by the early childhood
20 Iowa council and the community empowerment office of the
21 department of management. A Code section reference relating to
22 the strategic plan of the former early childhood Iowa council
23 is also updated to refer to the current strategic plan being
24 used for comprehensive early childhood services in this state.

25 Section 135C.33: Adds the missing word "adult" in language
26 relating to one of the forms of abuse for which criminal record
27 checks are performed as part of preemployment screening for
28 positions in health care facilities.

29 Section 144.43: Renumbers language relating to
30 confidentiality and inspection of vital records to more closely
31 conform the initial numbering of the language to the structure
32 of the unnumbered paragraphs prior to the renumbering of this
33 section in 2009 Iowa Acts, ch. 41, §194.

34 Sections 147.1 and 147.86: Strikes redundant language
35 relating to the Code chapters which succeed this first Code

1 chapter in subtitle 3, relating to health-related professions,
2 within title IV, entitled public health, of the Code, so that
3 the remaining language refers to "this subtitle".

4 Section 157.1: Changes the word "licensed" to "operated",
5 making this definition of the term "schools of cosmetology
6 arts and sciences" similar to the definition of "school of
7 barbering" in Code chapter 158, to conform the language of the
8 definition to the use of the term in Code section 157.8, which
9 prohibits any school of cosmetology from operating unless the
10 owner obtains a license issued by the department.

11 Section 159.1: Strikes three definitions pertaining to
12 agricultural drainage wells from the general definitions
13 section for the Code chapter relating to the department
14 of agriculture. The regulatory provisions pertaining to
15 agricultural drainage wells were transferred from Code chapter
16 159 to Code chapter 460 in 2002 as the result of the passage
17 of 2002 Iowa Acts, ch. 1137, and the defined terms no longer
18 appear anywhere in Code chapter 159. Although the term
19 "agricultural drainage well" is used three times in the Code
20 title relating to agriculture, it is used only in the two
21 chapters to which this definition's section does not apply.

22 Section 172A.10: Adds the words "obtain or" before the
23 word "maintain" to conform the language of the last sentence
24 of this Code subsection, relating to financial responsibility
25 requirements for slaughterhouse operators, to the first
26 sentence of the subsection.

27 Section 197.1: Numbers unnumbered paragraphs to facilitate
28 citation, moves language to improve readability, strikes
29 unnecessary language, and replaces "herein" with a reference
30 to "in this chapter" to update this provision relating to
31 licensing of dealers in poultry and domestic fowl.

32 Section 198.7: Updates the citation to the provision in
33 the United States Code relating to unsafe new animal drugs
34 under the federal Food, Drug, and Cosmetic Act to the correct
35 citation.

1 Section 206.24: Strikes an outdated deadline for initiation
2 of a program of education and demonstration in agricultural use
3 of fertilizers and pesticides.

4 Section 206.32: Strikes a 1989 deadline after which the
5 sale, purchase, application, or use of chlordane is prohibited.
6 The strike of the deadline does not affect the prohibition.

7 Section 215.23: Conforms a term referring to a commercial
8 weighing and measure device to the term as defined in Code
9 section 215.26 and corrects the name of the publication from
10 the United State national institute of standards and technology
11 in this provision relating to licensing of servicers of those
12 devices.

13 Section 215.24: Strikes the words "of agriculture and land
14 stewardship" after the word "department", because "department"
15 is defined in Code section 215.26 to mean department of
16 agriculture and land stewardship, and standardizes language
17 relating to the adoption of rules to match language used in
18 Code chapter 17A in this provision relating to adoption of
19 rules by the department.

20 Section 218.95: Strikes references to four Code chapters
21 in this provision that establishes updates and parallel
22 terminology for various Code chapters pertaining to persons
23 with mental health issues because the outdated terminology no
24 longer appears in any of the four Code chapters.

25 Section 229.26: Strikes the words "or an intellectual
26 disability" in language regarding involuntary hospitalization
27 to reflect the removal of procedures for involuntary
28 hospitalization for persons with intellectual disabilities only
29 by 2013 Iowa Acts, ch. 130.

30 Section 230.11: Adds language relating to payment to
31 counties by the department of human services for mental health
32 services to conform to similar language added to Code section
33 222.69 by 2012 Iowa Acts, ch. 1120, §84.

34 Section 231D.16: Strikes two outdated deadlines for
35 compliance of certain adult day services programs with the

1 accreditation requirements of Code chapter 231D.

2 Section 231E.13: Strikes language requiring the department
3 of human services to notify the Code editor regarding
4 implementation of Code chapter 231E, regarding the substitution
5 decision maker Act. The department notified the Code editor
6 regarding initial implementation of the Act in 2007.

7 Section 232.46: Splits language relating to the separate
8 terms and conditions of consent decrees in juvenile delinquency
9 proceedings to conform to the content of similar language in
10 Code section 232.29, subsection 2, and Code section 232.52,
11 subsection 2, paragraph "a", subparagraphs (1) and (2).

12 Sections 232.125 and 232.178: Conforms the language of
13 each of these provisions describing the contents of petitions
14 relating to a family in need of assistance and for voluntary
15 placement proceedings to each other and to similar language in
16 Code sections 232.36 and 232.111. In Code section 232.178,
17 additional petition contents are also set out in a lettered
18 list to enumerate the contents in a manner similar to that of
19 Code section 232.111.

20 Section 235B.4: Numbers unnumbered paragraphs to facilitate
21 citation and modifies an internal string reference to clearly
22 include the last Code section cited within the string in
23 language relating to the purposes of the central registry for
24 dependent adult abuse information. The last Code section cited
25 in the Code section string relates to registry reports.

26 Section 235F.1: Adds the verb "exists" after the word
27 "potential" to grammatically complete the sentence describing
28 forms of financial dangers that would constitute a "present
29 danger of elder abuse" in this definition of that term.

30 Section 235F.5: Rewrites prefatory language, to improve
31 readability, that describes how allegations of elder abuse
32 may be established at a hearing on a petition making the
33 allegations.

34 Section 235F.6: Rewrites language, to improve readability,
35 that describes content that cannot be included in dispositional

1 court orders entered after hearing on petitions alleging elder
2 abuse as described under Code chapter 235F.

3 Section 235F.8: Adds the words "the vulnerable elder"
4 before the words "leaving the vulnerable elder's home" in
5 language describing general procedure in elder abuse cases to
6 account for the fact that a petitioner under Code chapter 235F
7 may not be the affected vulnerable elder.

8 Section 237A.30: Restores, retroactive to July 1, 2010,
9 changes originally made by 2010 Iowa Acts, ch. 1031, §302,
10 which were inadvertently overwritten when a change from §358
11 of that same Act, with an effective date of July 1, 2011, was
12 applied to this provision regarding a voluntary quality rating
13 system for providers at child care facilities.

14 Sections 256.2 and 256.7: Moves a definition of the term
15 "telecommunications" from a provision within the Code section
16 describing the duties of the state board of education to
17 the general definitions Code section for this Code chapter
18 pertaining to the department of education because the current
19 definition applies to all of Code chapter 256.

20 Section 256B.2: Includes in the defined term of "children
21 requiring special education" children who might be excluded
22 because they have exceeded the maximum age for eligibility
23 during an academic year within the definition of the term. The
24 language is currently contained within the provision regarding
25 children requiring special education, but is not included
26 within the defined term.

27 Section 256F.2: Strikes a definition of the term "area
28 education agency board" from the general definitions Code
29 section in this Code chapter relating to charter schools and
30 innovation zone schools because the defined term is not used in
31 Code chapter 256F.

32 Sections 260C.58 and 262.49: Sets out in an enumerated
33 list language, which currently appears after a colon within a
34 paragraph, that describes the revenue sources from which bonds
35 or notes of community colleges and regents institutions are

1 payable.

2 Section 262.44: Sets out in a lettered list the types of
3 self-liquidating and revenue-producing buildings and facilities
4 for which portions of the campuses of regents institutions of
5 higher education may be set aside and used.

6 Section 262.57: Changes the word "provision" to
7 "provisions" to reflect the fact that the subchapter under
8 which bonds or notes are issued for regents institution
9 buildings and facilities consists of multiple Code provisions
10 as referred to later in this section.

11 Section 262A.2: Conforms the internal hierarchy of a Code
12 subsection defining what constitutes student fees and charges
13 for purposes of the issuance of revenue bonds by the board of
14 regents to the hierarchy used in other Code subsections.

15 Section 263.8: Numbers unnumbered paragraphs to facilitate
16 citation, adds language specifying the name of the laboratory
17 which is referenced, and standardizes language relating to
18 adoption of rules in this provision relating to reports and
19 tests performed by the state hygienic laboratory.

20 Section 321.19: Restructures this provision to enumerate
21 the vehicles which are exempt from payment of vehicle
22 registration fees and the persons to whom are issued, upon
23 application, distinguishing plates for the exempted vehicles.

24 Section 321.34: Adds an internal reference to paragraph
25 "c" of subsection 20C to language describing the subsection
26 paragraphs that pertain to distinguishing processed emblems for
27 vehicle registration plates, changes the word "and" to "or"
28 to clarify that two types of emblems are under consideration,
29 and reenacts language that was inadvertently omitted from
30 subsection 27 as enacted by 2014 Iowa Acts, ch. 1116, §28,
31 after the legislation was passed by the general assembly and
32 before it was sent to the office of the governor.

33 Section 321.59: Replaces a reference to "any such"
34 application in language relating to certificates issued to
35 motor vehicle dealers, transporters, and new motor vehicle

1 wholesalers with a specific reference to the application
2 specified in Code section 321.58. The addition of the language
3 will facilitate hypertext linkage between the two Code
4 sections.

5 Section 321.154: Replaces a reference to "said" report with
6 language specifying that the report referenced is the county
7 treasurer's report under Code section 321.153. The addition of
8 the language will facilitate hypertext linkage between the two
9 Code sections.

10 Section 321.191: Replaces a reference to "double/triple"
11 trailer endorsement with "double or triple" trailer endorsement
12 to conform to the current Code style for references to both
13 inclusive and exclusive alternatives.

14 Section 321.198: Strikes the word "such" and replaces
15 "above described" military personnel with a specific reference
16 to subsection 1, in which the types of military personnel
17 covered are described, to update the language of this provision
18 relating to extensions of driver's licenses for certain
19 military personnel and their dependents.

20 Section 321.453: Restructures language and numbers
21 paragraphs regarding exceptions to size, weight, load, and
22 permit requirements that apply for certain vehicles and
23 equipment.

24 Section 321A.39: Replaces a reference by name to the
25 motor vehicle financial and safety responsibility Act with a
26 reference to "this chapter" in which that Act is codified,
27 and adds a reference to Code chapter 321A in the language
28 of a statement that must be included with a purchase order
29 or invoice evidencing a retail sale of a motor vehicle if
30 liability insurance is not included in the sale of the vehicle.

31 Section 321E.11: Corrects an internal reference to the
32 definition for the term "urban transit system". Code section
33 321.19 defines the term "urban transit company" but, although
34 the Code section refers to systems, it does not define "urban
35 transit systems". A definition of the term is contained in

1 Code section 324A.1.

2 Section 321G.4: Clarifies language within a provision
3 regarding registration of antique snowmobiles that provides
4 that those vehicles may be registered with only a signed bill
5 of sale as evidence of ownership.

6 Section 331.508: Changes "record book" to "permanent
7 record" in this provision relating to books and records kept by
8 county auditors to reflect the changes made in similar language
9 in Code section 35B.10 by 2014 Iowa Acts, ch. 1116, §45.

10 Section 358.21: Numbers and letters paragraphs to
11 facilitate citation, updates language, and replaces references
12 to "hereunder" with specific citations to Code chapter 358 or
13 the provisions of this Code section to clarify the meaning
14 of those references in this provision regarding the debt
15 limitations of and issuance of bonds for sanitary districts.

16 Section 359A.6: Splits a run-on sentence into three
17 sentences and replaces references to "such" and "said" with
18 "the" and references to "same" with "full amount due" to update
19 and clarify the meaning of language pertaining to the erecting,
20 rebuilding, or repairing of fences.

21 Section 364.24: Strikes outdated language and adds a
22 reference to Code chapter 17A to standardize rulemaking
23 verbiage in this provision relating to traffic light
24 synchronization.

25 Section 388.11: Strikes the word "fire" from before the
26 word "hydrants" in language limiting liability for failure to
27 provide or maintain fire protection services to conform to
28 later language specifying that the protection applies if the
29 hydrants were not intended for fire protection purposes.

30 Section 403.9: Replaces the word "it" with the word
31 "municipality" to clarify that a municipality may issue
32 refunding bonds to pay or retire bonds that the municipality
33 itself previously issued.

34 Section 403.15: Replaces antiquated sentence structure
35 and punctuation in language relating to the creation of urban

1 renewal agencies.

2 Section 404.4: Numbers unnumbered paragraphs and enumerates
3 the information that must, at a minimum, be contained in an
4 application for an urban revitalization tax exemption in this
5 provision governing submission and approval of proposals for
6 improvements.

7 Section 422.11L: Corrects a reference to the federal
8 residential energy efficient property credit related to solar
9 energy in the federal Internal Revenue Code by changing the
10 reference to "section 25D(a)(1)". There is no section 25E
11 in the federal Internal Revenue Code and section 25D(a)(1)
12 contains provisions regarding solar energy system tax credits.

13 Section 423.3: Strikes obsolete language repealing a sales
14 tax exemption for sales of reagents and related accessory
15 equipment to a regional blood testing facility if the facility
16 is not located in the state on or before January 1, 2011. The
17 Mississippi river valley regional blood center was established
18 in 2010.

19 Section 423.30: Numbers unnumbered paragraphs to facilitate
20 citation and changes a reference from "this section" to
21 "subsection 1" in this provision regarding collection of use
22 tax by sellers who are not retailers, who maintain places
23 of business in Iowa, and who are not registered under the
24 streamlined sales and use tax agreement authorized under Code
25 chapter 423.

26 Section 445.37: Replaces "However" with "Notwithstanding
27 paragraph `a'" to update the language of this exception to
28 language that specifies when an installment of any tax is
29 deemed delinquent.

30 Section 452A.3: Strikes the words "as defined in section
31 214.1" that appear after a reference to "E-85 gasoline" in this
32 provision imposing an excise tax on each gallon of that type
33 of gasoline. E-85 gasoline is defined in Code section 453A.2,
34 making the stricken language redundant.

35 Section 452A.8: Strikes obsolete language relating

1 to the initial date on which monthly gas tax returns were
 2 due, replaces the word "consumer" with "purchaser" to make
 3 terminology used internally consistent, and adds the word
 4 "Fahrenheit" to clarify the temperature measurement to be used
 5 if temperature correction is used for dispensing of motor
 6 vehicle fuel.

7 Section 452A.62: Adds the word "liquefied natural gas" to a
 8 string specifying the types of gas supplied by certain dealers
 9 and which are to be the subject of records kept by those
 10 dealers to conform to changes made elsewhere in this provision
 11 by 2014 Iowa Acts, ch. 1032.

12 Section 452A.74: Replaces the word "above" in two places
 13 with "under this chapter" to clarify the meaning of the
 14 internal reference, and to reflect the licensing scheme
 15 contained in Code chapter 452A, in this language applying
 16 penalties for the delivery of various forms of compressed or
 17 liquefied gas to or allowing the placement of those gases in
 18 unlicensed facilities.

19 Section 455B.133: Strikes an obsolete provision providing
 20 an exception to sulfur dioxide emission standards for a
 21 facility that had a contract for coal produced in Iowa and
 22 which met the emission standards in effect at the time the
 23 contract went into effect. Coal has not been mined in this
 24 state since 1994.

25 Section 455B.198: Adds "pursuant to chapter 17A" after
 26 language relating to adoption of rules relating to discharge
 27 of wastewater from water well drilling sites to conform this
 28 language to standard language relating to the adoption of
 29 rules. Subsection 4, containing outdated language setting a
 30 July 31, 2009, deadline for adoption of the rules, is also
 31 stricken.

32 Section 455D.11A: Deletes language containing outdated
 33 deadlines related to the initial implementation of financial
 34 assurance provisions for waste tire collection or processing
 35 sites.

1 Section 455D.19: Deletes outdated language relating to
2 the date by which a manufacturer or distributor of packaging
3 or packaging components was required to make available
4 certificates of compliance showing that the packaging either
5 complied with or was exempt from standards regarding heavy
6 metal content in packaging materials.

7 Section 455E.11: Replaces the words "above three programs"
8 with language specifying the names of the three rural water
9 supply well programs referenced in this provision relating to
10 grants to eligible counties under those programs.

11 Section 456A.16: Numbers unnumbered paragraphs to
12 facilitate citation and adds "pursuant to chapter 17A" to
13 conform this language regarding adoption of rules to standard
14 language relating to rules' adoption in this provision relating
15 to the income tax refund checkoff for fish and game protection.

16 Section 456A.27: Updates by adding a United States Code
17 citation to language giving assent to the provisions of a
18 federal Act providing funds for wildlife restoration projects.

19 Section 456A.28: Updates by adding a United States Code
20 citation and correcting a public law citation language giving
21 assent to the provisions of a federal Act providing funds for
22 fish restoration projects.

23 Section 459.102: Supplies the missing word "animals" in a
24 definition of the term "swine farrow-to-finish operation". The
25 word has been missing since the definition was enacted in 1995
26 Iowa Acts, ch. 195, §15.

27 Section 461A.57: Adds language relating to alternative
28 punishment to reflect the fact that several but not all of
29 the Code sections listed state that violations of those Code
30 sections are punishable as scheduled violations.

31 Section 468.3: Adds reference to subchapter 1, part 7, of
32 Code chapter 468 to three definitions that apply to drainage
33 and levee districts to reflect the addition of part 7 by 2014
34 Iowa Acts, ch. 1075, which uses all three defined terms. The
35 conjunctive phrase "and the term" is also replaced by the

1 alternative "or" to reflect that either or both "engineer" and
2 "civil engineer" have the same meaning within subchapter 1 of
3 Code chapter 468.

4 Section 468.49: Numbers unnumbered paragraphs to facilitate
5 citation, divides long sentences into shorter sentences
6 for readability, updates language, and adds a reference to
7 subchapter 1, part 7, of Code chapter 468 to reflect the
8 addition of part 7 by 2014 Iowa Acts, ch. 1075, and that the
9 procedures in part 7 are tied to procedures in part 1 of
10 subchapter 1.

11 Section 468.206: Updates language to create a series and
12 replaces a reference to "hereinafter" with a specific reference
13 to Code section 468.207 to clarify meaning in this provision
14 regarding notice and hearing on a plan for improvements for
15 flood control within a levee or drainage district.

16 Section 468.209: Updates language and supplies the missing
17 word "an" before the word "order" in this provision regarding
18 entry of orders approving plans for improvements for flood
19 control within a levee or drainage district.

20 Section 468.220: Numbers paragraphs to facilitate citation,
21 updates language, and replaces references to the "same" with
22 language indicating what the word refers to in this provision
23 regarding occupancy and use of state lands by levee or drainage
24 districts for levee or drainage purposes.

25 Section 468.262: Strikes language referring to the
26 governance of drainage or levee districts, based on changes
27 made in this bill to the definition of "board" in Code section
28 468.3 to include subchapter 1, part 7, within the definition of
29 the term, in this provision stating the purpose of this part of
30 the levee and drainage district Code chapter that relates to
31 district mergers.

32 Section 468.269: Changes a reference to "this part" to a
33 reference to part 1 of subchapter 1, based on changes made
34 in this bill to the definition of "engineer" in Code section
35 468.3. The word "dominant" is also changed to "servient" to

1 conform to other language in this provision that indicates
2 that the reason for the report is the benefit to land situated
3 in the district that is being merged into the district that
4 originally made the drainage or levee improvement.

5 Section 468.540: Splits a run-on sentence into two
6 sentences to improve the readability of this provision relating
7 to the extensions of time or renewal of bonds or the issuance
8 of refunding bonds to pay for improvements within levee or
9 drainage districts.

10 Section 468.544: Splits language relating to requirements
11 for the sending of a notice of a meeting relating to extensions
12 of time for payment of unpaid drainage assessments or the
13 issuance of drainage refunding bonds from language describing
14 the contents of the notice. The language describing the notice
15 contents is further split to enumerate the points that must be
16 part of the meeting notice.

17 Section 476.20: Substitutes for the words "by law", a
18 citation to the actual Code provision that contains the
19 definition of the term "head of household" to permit hypertext
20 linkage to that definition, in language relating to the
21 contents of a disconnection notice that must be sent to
22 customers by public utilities.

23 Section 476.29: Adds a reference to paragraph "a" of
24 subsection 1 to further specify the provision within Code
25 section 476.20 under which board permission may be granted
26 for transfers of certificates of public convenience for the
27 furnishing of land-line local telephone service.

28 Section 476.96: Adds a citation to Code section 476.95 in
29 this lead-in phrase for a series of definitions. The citation
30 was stricken as part of a rewrite of this Code section by 2014
31 Iowa Acts, ch. 1099, but a definition contained in this Code
32 section is still used in Code section 476.95.

33 Section 478.15: Numbers unnumbered paragraphs to facilitate
34 citation, splits sentences and updates language to improve
35 readability, and replaces a reference to "above" with "in this

1 section" to clarify the meaning of this provision relating to
2 the procedure applicable in eminent domain proceedings.

3 Section 478.31: Numbers unnumbered paragraphs to facilitate
4 citation, splits sentences and updates language to improve
5 readability, and replaces references to "hereinafter" and
6 "anything foregoing" with more specific language to clarify the
7 meaning of the references in this provision relating to the
8 issuance of temporary permits for the construction of electric
9 transmission lines that are less than one mile in length.

10 Section 481A.22: Numbers and letters unnumbered paragraphs
11 to facilitate citation and updates language to improve
12 the readability of this provision relating to requirements
13 applicable to dog field meets or trials and retriever meets.

14 Section 490.1402: Corrects internal references to reflect
15 the renumbering of the language referenced by 2013 Iowa Acts,
16 ch. 31, §67, in this provision relating to proposals for
17 dissolutions of business corporations by boards of directors.

18 Section 491.3: Replaces a comma with the word "and" and
19 replaces a dash with a comma to standardize punctuation and to
20 clarify the relationship of language that equates the status of
21 a corporation to that of natural persons in language describing
22 the power of a corporation to contract and acquire and transfer
23 property.

24 Section 491.23: Corrects the grammar and strikes the word
25 "recording" before the word "fee" in this provision relating
26 to the process for dissolution of a business corporation. The
27 recording requirement was eliminated in favor of a filing
28 requirement by 2014 Iowa Acts, ch. 1074, §3.

29 Section 507C.8: Repeals this obsolete provision that
30 provided a transition mechanism for certain delinquency
31 proceedings that were commenced prior to the 1984 enactment of
32 Code chapter 507C, which currently governs insurer supervision,
33 rehabilitation, and liquidation.

34 Section 511.8: Conforms language relating to securities
35 pledged as collateral in hedging transactions to other language

1 and moves an internal reference to be closer to the language
2 it modifies within this subsection regarding investments by
3 life insurance companies and associations in certain financial
4 instruments.

5 Section 515.103: Strikes a codified applicability provision
6 for this Code section relating to use of credit information in
7 personal insurance to avoid conflicts with amendments to this
8 Code section that have later applicability or effective dates.

9 Section 517.2: Adds a prefatory paragraph regarding
10 applicability and makes corresponding changes to content to
11 update this definitions provision that is applicable to this
12 Code chapter governing employers liability insurance.

13 Section 517.3: Divides unnumbered paragraphs and numbers
14 and letters language which appears after colons to enumerate
15 the provisions governing the distribution of unallocated
16 liability loss expense payments under liability insurance
17 policies.

18 Section 518A.1: Divides a paragraph to enumerate language
19 appearing after a colon that specifies content that may appear
20 in an application for mutual insurance.

21 Section 523I.312: Strikes language that gives the telephone
22 number and address of the Iowa securities and regulated
23 industries bureau and inserts language that tells the cemetery
24 to insert that information into any agreement relating to
25 interment spaces with a purchaser to prevent the language of
26 the explanatory information from becoming obsolete if the
27 bureau relocates.

28 Section 533.301: Strikes the words "of a security" to
29 conform the language of this provision relating to investment
30 by credit unions in corporate bonds to the definition of
31 "investment grade" under 12 C.F.R. §703.2, promulgated by the
32 national credit union administration.

33 Section 536.1: Moves a definition to another location to
34 create a definitions subsection within this Code provision
35 relating to the applicability of the chapter licensing persons

1 who engage in the business of making certain regulated loans.

2 Section 537.1301: Replaces the word "Act" with "chapter" to
3 reflect the codification of 1974 Iowa Acts, ch. 1250, §1.301,
4 the definitions section for this portion of the Act that
5 established the Iowa Consumer Credit Code.

6 Section 554.8110: Substitutes for the words "this Act" a
7 citation to the Act which contained this language, relating to
8 jurisdiction over agreements between a securities intermediary
9 and an entitlement holder regarding a securities account, prior
10 to codification in Code section 554.8110.

11 Section 558.1: Restructures language in this provision
12 that purports to define the term "instruments affecting real
13 estate" to conform the language to other provisions that define
14 terminology elsewhere in the Code.

15 Section 602.8108: Corrects internal references to
16 provisions in which amounts collected by the court are not
17 deposited with the treasurer of state for deposit in the
18 general fund of the state to conform to the language of those
19 provisions stating the other accounts and funds into which
20 those amounts are deposited.

21 Section 602.11113: Substitutes the actual date in language
22 referring to the effective date of Code section 602.6601 in
23 this provision relating to employment of bailiffs as court
24 attendants at the time that the state assumed responsibility
25 for components of the court system.

26 Section 614.6: Substitutes a reference to sections 614.1
27 through 614.5 for the words "above described" in this provision
28 relating to computation of periods of time under the Code
29 chapter governing limitations of actions.

30 Section 614.35: Substitutes for the word "above" a
31 reference to Code section 614.34 in language relating to the
32 notice that must be filed by persons who claim an interest in
33 land as against another person with record title in that land.

34 Section 633.279: Conforms language of an affidavit used
35 to make an attested will self-proving to provisions of Code

1 chapter 9B, which governs notarial acts, including Code
2 section 9B.2, subsection 6, defining "notarial officer", and
3 Code section 9B.16, which provides examples of short form
4 certificates of notarial acts.

5 Section 633.304: Splits sentences and repeats language
6 designating the executor as the person responsible for
7 performing the duties relating to publication and provision
8 of notice of admission of a will to probate to improve the
9 readability of the provision. The words "date of" are also
10 added within a form notice to conform to other language
11 contained in the same form.

12 Section 633A.3110: Adds the words "date of" within a form
13 notice in this provision regarding notice that must be given by
14 a trustee to creditors, heirs, and any surviving spouse of a
15 settlor of a trust to conform to other language contained in
16 the same form.

17 Section 633B.203: Replaces the word "of" with the word "or"
18 to conform to earlier language in subsection 3 and adds a comma
19 at the end of a clause to clarify and improve the readability
20 of this provision regarding the nature and construction of
21 powers of attorney.

22 Section 633B.205: Strikes an incorrect comma within a
23 series and adds the words "but not limited to" in language
24 describing the authority granted under a power of attorney over
25 tangible personal property.

26 Sections 636.33 and 636.34: Replaces the word "such" with
27 a specific reference to Code section 636.31 or 636.32 to link
28 these two provisions relating to final reports and deposits by
29 fiduciaries in charge of estate and trust funds not governed
30 under the probate code, when the place of residence of the
31 heir, legatee, devisee, or other person to whom payment is due
32 is unknown to the fiduciary, to the provision which states
33 that the funds, moneys, or securities may be deposited with
34 the clerk of court of the county in which the fiduciary was
35 appointed.

1 Section 654.13: Replaces "and/or" in two places with the
2 word "or" to update the style of this provision regarding
3 priority of two or more real estate mortgages with respect to
4 any rents, profits, or other income derived from the property.

5 Section 654.14: Moves a phrase that describes the subject
6 of a notice to be closer to the word "notice" and adds language
7 clarifying that the current contents of the provision specify
8 the contents of the notice that must be given when a receiver
9 does not afford a person in actual possession of agricultural
10 land with a right of first refusal in the leasing of the
11 mortgaged premises by the receiver.

12 Section 656.5: Updates language and divides sentences to
13 improve the clarity and readability of this provision regarding
14 proof and record of service of notice in real estate contract
15 forfeiture proceedings.

16 Section 669.2: Adds a citation to the Code chapter in which
17 local emergency management commissions are established in this
18 provision that includes architects and engineers within the
19 definition of "employee of the state" under the state tort
20 claims Act.

21 Sections 714.11 and 714.14: Changes in each of these Code
22 sections the word "service" to "services" to conform to similar
23 uses of the word in Code sections 714.9, 714.10, 714.12, and
24 714.13.

25 Section 724.1: Conforms language within a definition of
26 the term "antique firearm" to other language within the same
27 definition and to the definition of "antique firearm" that is
28 found in Code section 724.25.

29 Section 725.1: Moves a phrase relating to expunging
30 of convictions to clarify the basis for the expunging of
31 the convictions in language relating to the expunging of
32 convictions for certain underage persons who have been
33 convicted of prostitution.

34 Sections 915.50 and 915.50A: Strikes the word "criminal"
35 that appears before the words "no-contact order" in these two

1 provisions pertaining to rights of victims of domestic and
2 elder abuse. No-contact orders under Code chapter 664A are
3 defined as orders entered in criminal proceedings and are
4 distinct from other protective orders entered in other types
5 of proceedings.

6 2013 Iowa Acts, ch. 125, and 2014 Iowa Acts, ch. 1080:
7 Repeals division II of 2013 Iowa Acts, ch. 125, and repeals
8 a provision in 2014 Iowa Acts, ch. 1080, which also repeals
9 division II of 2013 Iowa Acts, ch. 125, effective January 1,
10 2018, because all of the changes made by the 2013 Act have been
11 superseded by the enactments contained in 2014 Iowa Acts, ch.
12 1080, and the repeal of the 2013 Act in 2014 Iowa Acts, ch.
13 1080, would take effect one day after the changes required by
14 2013 Iowa Acts, division II, would have taken effect.

15 2014 Iowa Acts, ch. 1078: Retroactively corrects an
16 internal reference in the enactment of Code section 633B.213
17 that qualifies the terms of a power of attorney.

18 2014 Iowa Acts, ch. 1092: Retroactively strikes what was
19 intended as a correction to an internal citation that did not
20 require correction.

21 Code editor directives: Transfers provisions within
22 the alcoholic beverages Code chapter, Code chapter 123, to
23 consolidate provisions related to the overall administration
24 of the Code chapter at the beginning of the Code chapter.
25 Code section 226.47, which contains a general definition
26 applicable to the Code chapter regarding the state mental
27 health institutes, is also transferred to a location near the
28 beginning of the Code chapter. Two provisions in Code chapter
29 462A, which relate to public use of water for navigation
30 purposes and reciprocity agreements by the department of
31 natural resources with other regulatory agencies in other
32 states, are also moved to relocate those provisions, from a
33 location within provisions relating to inspection and repair of
34 vessels, to be with other more general provisions.

35 Divisions II and III: Reenacts Code and Acts provisions,

1 including any language changes made by 2014 Iowa Acts, ch.
2 1106, within the Code provisions, which were repealed or could
3 not be implemented because the changes made by 2014 Iowa Acts,
4 ch. 1106, took effect one day after the Code sections amended
5 by that Act were repealed pursuant to their own terms. The
6 Code provisions reenacted in division II take effect upon
7 enactment and apply retroactively to June 30, 2014. The
8 changes reenacted in division III of this bill are effective
9 July 1, 2016.

10 Division IV: Corrects internal references to Code section
11 17A.5, subsection 2, paragraph "b", which is renumbered in
12 division I of this bill.