

House Study Bill 151 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

A BILL FOR

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

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DIVISION I

MISCELLANEOUS CHANGES

Section 1. Section 1D.1, Code 2015, is amended to read as follows:

1D.1 Standard time and daylight saving time.

The standard time in this state is the solar time of the ninetieth meridian of longitude west of Greenwich, England, commonly known as central standard time, except that from ~~two o'clock~~ 2:00 ante meridiem of the first Sunday of April in every year until ~~two o'clock~~ 2:00 ante meridiem of the last Sunday of October in the same year, standard time shall be advanced one hour. The period of time so advanced shall be known as "daylight saving time." time."

Sec. 2. Section 10.1, subsection 5, Code 2015, is amended to read as follows:

5. "Cooperative association" means an entity which is structured and operated on a cooperative basis pursuant to 26 U.S.C. §1381(a) and which meets the definitional requirements of an association as provided in 12 U.S.C. ~~§1141(j)(a)~~ §1141j(a) or 7 U.S.C. §291.

Sec. 3. Section 13B.4B, subsection 2, paragraph c, Code 2015, is amended to read as follows:

c. The state public defender may in the state public defender's sole discretion release claims and supporting documents, including any information that would otherwise be confidential ~~in~~ under sections 232.147 through 232.150, to the auditor of state, the Iowa supreme court attorney disciplinary board, the grievance commission of the supreme court of Iowa, or to other state or local agencies to the extent necessary to investigate fraud or other criminal activity against the attorney or vendor submitting the claim.

Sec. 4. Section 15.329, subsection 1, paragraph a, Code 2015, is amended to read as follows:

a. If the qualifying investment is ten million dollars or more, the community has approved the project by ordinance

1 or resolution ~~the project~~ for the purpose of receiving the
2 benefits of this part.

3 Sec. 5. Section 16.49, subsection 3, paragraph b, Code 2015,
4 is amended to read as follows:

5 *b.* The authority shall annually allocate moneys available
6 in the fund for the development of infrastructure in which
7 to provide supportive services for Medicaid waiver-eligible
8 individuals who meet the psychiatric medical ~~institution~~
9 institutions for children level of care. Moneys allocated to
10 such projects may be in the form of loans, forgivable loans, or
11 a combination of loans and forgivable loans.

12 Sec. 6. Section 16.49, subsection 4, paragraph b,
13 subparagraph (1), subparagraph division (a), Code 2015, is
14 amended to read as follows:

15 (a) Individuals who are currently underserved in community
16 placements, including individuals who are physically aggressive
17 or have behaviors that are difficult to manage or individuals
18 who meet the psychiatric medical ~~institution~~ institutions for
19 children level of care.

20 Sec. 7. Section 16.49, subsection 4, paragraph c,
21 subparagraph (1), Code 2015, is amended to read as follows:

22 (1) Provision of services to Medicaid waiver-eligible
23 individuals who meet the psychiatric medical ~~institution~~
24 institutions for children level of care.

25 Sec. 8. Section 29B.26, Code 2015, is amended to read as
26 follows:

27 **29B.26 Who may serve on courts-martial.**

28 1. a. Any commissioned officer of or on duty with the state
29 military forces is eligible to serve on all courts-martial for
30 the trial of any person who may lawfully be brought before the
31 courts for trial.

32 b. Any warrant officer of or on duty with the state
33 military forces is eligible to serve on general and special
34 courts-martial for the trial of any person, other than a
35 commissioned officer, who may lawfully be brought before the

1 courts for trial.

2 c. Any enlisted member of the state military forces who
3 is not a member of the same unit as the accused is eligible
4 to serve on general and special courts-martial for the trial
5 of any enlisted member who may lawfully be brought before
6 the courts for trial, but the enlisted member shall serve as
7 a member of a court only if, before the end of any pretrial
8 session that is held or if none is held before the convening
9 of the court, the accused personally has requested in writing,
10 that enlisted members serve on it. After such a request,
11 the accused shall not be tried by a general or special
12 court-martial the membership of which does not include enlisted
13 members in a number comprising at least one-third of the
14 total membership of the court, unless eligible members cannot
15 be obtained on account of physical conditions or military
16 exigencies. If such members cannot be obtained, the court may
17 be convened and the trial held without them, but the convening
18 authority shall make a detailed written statement, to be
19 appended to the record, stating why they could not be obtained.

20 d. In this section, the word "unit" means any regularly
21 organized body of the state military forces.

22 2. When it can be avoided, a person subject to this code
23 shall not be tried by a court-martial any member of which is
24 junior to the person in rank or grade.

25 3. When convening a court-martial, the convening authority
26 shall detail as members of the courts-martial persons who in
27 the convening authority's opinion, are best qualified for the
28 duty by reason of age, education, training, experience, length
29 of service, and judicial temperament. A person is not eligible
30 to serve as a member of a general or special court-martial when
31 the person is the accuser or a witness for the prosecution or
32 has acted as investigating officer, staff judge advocate, or as
33 counsel in the same case. If a military judge is not appointed
34 for a special court-martial and if a commissioned officer who
35 is a member of the bar of the highest court of the state and

1 of appropriate rank and grade is present and not otherwise
2 disqualified and within the command of the convening authority,
3 the convening authority shall appoint the commissioned officer
4 as president of a special court-martial. Failure to meet this
5 requirement does not divest a military court of jurisdiction.

6 Sec. 9. Section 29C.2, subsection 7, Code 2015, is amended
7 to read as follows:

8 7. "*Mass notification and emergency messaging system*" means
9 a system which disseminates emergency and public safety-related
10 safety-related information to the public by various means
11 including but not limited to telephone, wireless communications
12 service, dual party relay service or telecommunications device,
13 text messaging, electronic mail, and facsimile, and which
14 integrates with federal emergency messaging systems.

15 Sec. 10. Section 35B.6, subsection 1, paragraph a, Code
16 2015, is amended to read as follows:

17 a. The members of the commission shall qualify by taking
18 the usual oath of office. The commission shall organize by
19 ~~the selection of~~ selecting one of ~~their~~ the commission members
20 as chairperson and one as secretary. The commission, subject
21 to the annual approval of the board of supervisors, shall
22 employ an executive director or administrator who shall have
23 the power to employ other necessary employees to carry out
24 the provisions of this chapter, including administrative or
25 clerical assistants, but no member of the commission shall be
26 so employed. The state department of veterans affairs shall
27 recognize the executive director or administrator as a county
28 veterans service officer of a veterans' service organization
29 recognized pursuant to 38 C.F.R. §14.628(c) for the purposes
30 of assisting veterans and their dependents in obtaining
31 federal and state benefits. The commission shall recommend the
32 compensation of the executive director or administrator and all
33 employees of the county veteran affairs office to the board
34 of supervisors. The board of supervisors shall consider the
35 recommendation and shall determine and approve the compensation

1 of the executive director or administrator and all employees
2 of the county veteran affairs office. The executive director
3 must possess the same qualifications as provided in section
4 35B.3 for commission members. However, this qualification
5 requirement shall not apply to a person employed as an
6 executive director prior to July 1, 1989.

7 Sec. 11. Section 35B.7, Code 2015, is amended to read as
8 follows:

9 **35B.7 Meetings — report — budget.**

10 The commission shall meet monthly and at other times as
11 necessary. At the monthly meeting ~~it~~ the commission shall
12 determine who are entitled to county benefits and the probable
13 amount required to be expended. The commission shall meet
14 annually to prepare an estimated budget for all expenditures
15 to be made in the next fiscal year and certify the budget to
16 the board of supervisors. The board may approve or reduce the
17 budget for valid reasons shown and entered of record and the
18 board's decision is final.

19 Sec. 12. Section 54.5, Code 2015, is amended to read as
20 follows:

21 **54.5 Presidential nominees.**

22 1. a. The names of the candidates for president and vice
23 president of a political party as defined in the law relating
24 to primary elections, shall, by ~~five o'clock~~ 5:00 p.m. on the
25 eighty-first day before the election, be certified to the state
26 commissioner by the chairperson and secretary of the state
27 central committee of the party.

28 b. However, if the national nominating convention of a
29 political party adjourns later than eighty-nine days before
30 the general election the certificate showing the names of that
31 party's candidates for president and vice president shall be
32 filed within five days after adjournment.

33 c. As an alternative to the certificate by the state
34 central committee, the certificate of nomination issued by
35 the political party's national nominating convention may

1 be used to certify the names of the party's candidates for
2 president and vice president. If certificates of nomination
3 are received from both the state central committee and the
4 national nominating convention of a political party, and there
5 are differences between the two certificates, the certificate
6 filed by the state central committee shall prevail.

7 2. The state central committee shall also file a list of
8 the names and addresses of the party's presidential electors,
9 one from each congressional district and two from the state
10 at large, not later than ~~five o'clock~~ 5:00 p.m. on the
11 eighty-first day before the general election.

12 3. If a candidate for the office of president or vice
13 president of the United States withdraws, dies, or is otherwise
14 removed from the ballot before the general election, another
15 candidate may be substituted. The substitution shall be made
16 by the state central committee of the political party or by
17 the governing committee of the national party. If there
18 are differences, the substitution made by the state central
19 committee shall prevail. A nonparty political organization
20 which has filed the names of party officers and central
21 committee members with the secretary of state before the close
22 of the filing period for the general election pursuant to
23 section 44.17 may also make substitutions. A substitution must
24 be filed no later than seventy-four days before the election.

25 Sec. 13. Section 57.6, Code 2015, is amended to read as
26 follows:

27 **57.6 Other contests.**

28 All the provisions of ~~the chapter in relation~~ 62 relating to
29 contested elections of county officers shall be applicable, as
30 near as may be, to contested elections for other offices, and
31 for public measures except as herein otherwise provided, and in
32 all cases process and papers may be issued to and served in the
33 manner provided by the rules of civil procedure for service of
34 an original notice by the sheriff of any county.

35 Sec. 14. Section 96.7, subsections 4, 5, 6, and 11, Code

1 2015, are amended to read as follows:

2 4. *Employer liability determination.*

3 a. The department shall initially determine all questions
4 relating to the liability of an employing unit or employer,
5 including the amount of contribution, the contribution rate,
6 and successorship. A copy of the initial determination shall
7 be sent by regular mail to the last address, according to the
8 records of the department, of each affected employing unit or
9 employer.

10 b. The affected employing unit or employer may appeal in
11 writing to the department from the initial determination.
12 An appeal shall not be entertained for any reason by the
13 department unless the appeal is filed with the department
14 within thirty days from the date on which the initial
15 determination is mailed. If an appeal is not so filed, the
16 initial determination shall with the expiration of the appeal
17 period become final and conclusive in all respects and for all
18 purposes.

19 c. A hearing on an appeal shall be conducted according to
20 rules adopted by the department. A copy of the decision of the
21 administrative law judge shall be sent by regular mail to the
22 last address, according to the records of the department, of
23 each affected employing unit or employer.

24 d. The department's decision on the appeal shall be final
25 and conclusive as to the liability of the employing unit or
26 employer unless the employing unit or employer files an appeal
27 for judicial review within thirty days after the date of
28 mailing of the decision as provided in subsection 5.

29 5. *Judicial review.*

30 a. Notwithstanding chapter 17A, petitions for judicial
31 review may be filed in the district court of the county
32 in which the employer resides, or in which the employer's
33 principal place of business is located, or in the case of a
34 nonresident not maintaining a place of business in this state
35 either in a county in which the wages payable for employment

1 were earned or paid or in Polk county, within thirty days after
2 the date of the notice to the employer of the department's
3 final determination as provided for in subsection 2, 3, or 4.

4 b. The petitioner shall file with the clerk of the
5 district court a bond for the use of the respondent, with
6 sureties approved by the clerk, with any penalty to be fixed
7 and approved by the clerk. The bond shall not be less than
8 fifty dollars and shall be conditioned on the petitioner's
9 performance of the orders of the court. In all other respects,
10 the judicial review shall be in accordance with chapter 17A.

11 6. Jeopardy assessments.

12 a. If the department believes that the collection of
13 contributions payable or benefits reimbursable will be
14 jeopardized by delay, the department may immediately make an
15 assessment of the estimated amount of contributions due or
16 benefits reimbursable, together with interest and applicable
17 penalty, and demand payment from the employer. If the payment
18 is not made, the department may immediately file a lien
19 against the employer which may be followed by the issuance of a
20 distress warrant.

21 b. The department shall be permitted to accept a bond
22 from the employer to satisfy collection until the amount of
23 contributions due is determined. The bond shall be in an
24 amount deemed necessary, but not more than double the amount
25 of the contributions involved, with securities satisfactory to
26 the department.

27 11. Temporary emergency surcharge.

28 a. If on the first day of the third month in any calendar
29 quarter, the department has an outstanding balance of interest
30 accrued on advance moneys received from the federal government
31 for the payment of unemployment compensation benefits, or is
32 projected to have an outstanding balance of accruing federal
33 interest for that calendar quarter, the department shall
34 collect a uniform temporary emergency surcharge for that
35 calendar quarter, retroactive to the beginning of that calendar

1 quarter. The surcharge shall be a percentage of employer
2 contribution rates and shall be set at a uniform percentage,
3 for all employers subject to the surcharge, necessary to pay
4 the interest accrued on the moneys advanced to the department
5 by the federal government, and to pay any additional federal
6 interest which will accrue for the remainder of that calendar
7 quarter. The surcharge shall apply to all employers except
8 governmental entities, nonprofit organizations, and employers
9 assigned a zero contribution rate. The department shall
10 adopt rules prescribing the manner in which the surcharge
11 will be collected. Interest shall accrue on all unpaid
12 surcharges under this subsection at the same rate as on regular
13 contributions and shall be collectible in the same manner.
14 The surcharge shall not affect the computation of regular
15 contributions under this chapter.

16 b. A special fund to be known as the temporary emergency
17 surcharge fund is created in the state treasury. The
18 special fund is separate and distinct from the unemployment
19 compensation fund. All contributions collected from the
20 temporary emergency surcharge shall be deposited in the special
21 fund. The special fund shall be used only to pay interest
22 accruing on advance moneys received from the federal government
23 for the payment of unemployment compensation benefits.
24 Interest earned upon moneys in the special fund shall be
25 deposited in and credited to the special fund.

26 c. If the department determines on June 1 that no
27 outstanding balance of interest due has accrued on advanced
28 moneys received from the federal government for the payment of
29 unemployment compensation benefits, and that no outstanding
30 balance is projected to accrue for the remainder of the
31 calendar year, the department shall notify the treasurer of
32 state of its determination. The treasurer of state shall
33 immediately transfer all moneys, including accrued interest,
34 in the temporary emergency surcharge fund to the unemployment
35 compensation fund for the payment of benefits.

1 Sec. 15. Section 96.11, subsection 8, Code 2015, is amended
2 to read as follows:

3 8. *Subpoenas.* In case of contumacy by ~~7~~ or refusal to obey
4 a subpoena issued to any person, any court of this state within
5 the jurisdiction of which the inquiry is carried on or within
6 the jurisdiction of which said person guilty of contumacy or
7 refusal to obey is found or resides or transacts business, upon
8 application by the department, or any member or duly authorized
9 representative thereof, shall have jurisdiction to issue to
10 such person an order requiring such person to appear before
11 the department or any member or duly authorized representative
12 thereof to produce evidence if so ordered or to give testimony
13 touching the matter under investigation or in question; any
14 failure to obey such order of the court may be punished by said
15 court as a contempt thereof.

16 Sec. 16. Section 97B.53, subsection 3, Code 2015, is amended
17 to read as follows:

18 3. A terminated, vested member has the right, prior to the
19 commencement of the member's retirement allowance, to receive
20 a refund of moneys in the member's account, and in the event
21 of the death of the member prior to the commencement of the
22 member's retirement allowance and prior to the receipt of
23 any such refund, the benefits authorized by ~~subsection 1 and~~
24 ~~subsection 2 of section 97B.52, subsections 1 and 2,~~ shall be
25 paid.

26 Sec. 17. Section 97B.68, subsection 2, paragraph a, Code
27 2015, is amended to read as follows:

28 a. Such member's accumulated contributions as defined in
29 ~~subsection 2 of section 97B.1A, subsection 2,~~ computed as of
30 July 4, 1959, plus

31 Sec. 18. Section 97C.2, subsections 5 and 7, Code 2015, are
32 amended to read as follows:

33 5. The term "*federal security administrator*" means the
34 administrator of the federal security agency ~~(or~~ or the
35 administrator's successor in ~~function)~~ function, and includes

1 any individual to whom the federal security administrator has
2 delegated any of the administrator's functions under the Social
3 Security Act, Tit. II, with respect to coverage under such Act
4 of employees of states and their political subdivisions.

5 7. The term "*Social Security Act*" means the Act of Congress
6 approved August 14, 1935, Chapter 531, 49 Stat. 620, officially
7 cited as the "Social Security Act," Tit. II, ~~(including~~
8 including regulations and requirements issued pursuant ~~thereto)~~
9 thereto, as such Act has been and may from time to time be
10 amended.

11 Sec. 19. Section 97C.14, Code 2015, is amended to read as
12 follows:

13 **97C.14 Elected officials — retroactive payments.**

14 Any elective official of the state of Iowa, or any of
15 its political subdivisions, who becomes subject to federal
16 social security coverage under the provisions of the agreement
17 referred to in section 97C.3 shall, not later than October 1,
18 1953, pay into the contribution fund established by section
19 97C.12 a tax sufficient to pay in the elected official's
20 behalf an amount equal to three percent of the official's
21 compensation received as a public official for each year or
22 portion thereof that the public elected official has served
23 as a public elective official since January 1, 1951, not to
24 exceed thirty-six hundred dollars for any year of service.
25 The state agency shall collect the tax hereby imposed and
26 the proceeds from such tax shall be used for the purpose of
27 obtaining retroactive federal social security coverage for
28 elective officials, for the period beginning January 1, 1951,
29 in the same manner as is provided in the case of other public
30 employees by the provisions in ~~subsection 2 of~~ section 97.51,
31 subsection 2, in order to obtain retroactive federal social
32 security coverage during this period of time, such contribution
33 to be collected and guaranteed by the employer. The state
34 agency will pay any such amount contributed to provide for
35 retroactive federal social security coverage for the individual

1 in question in the same manner as other payments are made for
2 retroactive coverage of public employees. Provided that no
3 member of a county board of supervisors shall be deemed to
4 be an elective official in a part-time position, but every
5 member of a county board of supervisors shall be deemed to
6 be an employee within the purview of this chapter and shall
7 be eligible to receive all of the benefits provided by this
8 chapter to which the member may be entitled as an employee.

9 Sec. 20. Section 97C.20, Code 2015, is amended to read as
10 follows:

11 **97C.20 Referenda by governor.**

12 1. With respect to employees of the state the governor
13 is empowered to authorize a referendum, and with respect to
14 the employees of any political subdivision the governor shall
15 authorize a referendum upon request of the governing body of
16 such subdivision; and in either case the referendum shall
17 be conducted, and the governor shall designate an agency or
18 individual to supervise its conduct, in accordance with the
19 requirements of section ~~218`d`-(3)~~ 218(d)(3) of the Social
20 Security Act, on the question of whether service in positions
21 covered by a retirement system established by the state or by
22 a political subdivision thereof should be excluded from or
23 included under an agreement under this chapter. The notice of
24 referendum required by section ~~218`d`-(3)-(C)~~ 218(d)(3)(C) of
25 the Social Security Act to be given to employees shall contain
26 or shall be accomplished by a statement, in such form and such
27 detail as the agency or individual designated to supervise
28 the referendum shall deem necessary and sufficient, to inform
29 the employees of the rights which will accrue to them and
30 their dependents and survivors, and the liabilities to which
31 they will be subject, if their services are included under an
32 agreement under this chapter.

33 2. Upon receiving evidence satisfactory to the governor
34 that with respect to any such referendum the conditions
35 specified in section ~~218`d`-(3)~~ 218(d)(3) of the Social Security

1 Act have been met, the governor shall so certify to the
2 secretary of health and human services.

3 Sec. 21. Section 99D.6, Code 2015, is amended to read as
4 follows:

5 **99D.6 Chairperson Headquarters, meetings, and election of**
6 **chairperson — administrator — employees — duties — bond.**

7 1. The commission shall have its headquarters in the city
8 of Des Moines and shall meet in July of each year and at other
9 times and places as it finds necessary for the discharge of its
10 duties. The commission shall elect in July of each year one of
11 its members as chairperson for the succeeding year.

12 2. The commission shall appoint an administrator of
13 the commission subject to confirmation by the senate. The
14 administrator shall serve a four-year term. The term shall
15 begin and end in the same manner as set forth in section 69.19.
16 A vacancy shall be filled for the unexpired portion of the term
17 in the same manner as a full-term appointment is made. The
18 administrator shall be covered by the blanket surety bond of
19 the state purchased pursuant to section 8A.321, subsection 12.
20 The compensation and employment terms of the administrator
21 shall be set by the governor, taking into consideration the
22 level of knowledge and experience of the administrator. The
23 administrator shall keep a record of the proceedings of the
24 commission and preserve the books, records, and documents
25 entrusted to the administrator's care.

26 3. The administrator may hire other assistants and
27 employees as necessary to carry out the commission's duties.
28 Employees in the positions of equine veterinarian, canine
29 veterinarian, and equine steward shall be exempt from the merit
30 system provisions of chapter 8A, subchapter IV, and shall
31 not be covered by a collective bargaining agreement. Some
32 or all of the information required of applicants in section
33 99D.8A, subsections 1 and 2, may also be required of employees
34 of the commission if the commission deems it necessary. The
35 administrator shall keep a record of the proceedings of the

1 ~~commission and preserve the books, records, and documents~~
2 ~~entrusted to the administrator's care. The administrator shall~~
3 ~~be covered by the blanket surety bond of the state purchased~~
4 ~~pursuant to section 8A.321, subsection 12. The compensation~~
5 ~~and employment terms of the administrator shall be set by the~~
6 ~~governor, taking into consideration the level of knowledge and~~
7 ~~experience of the administrator. The commission shall have~~
8 ~~its headquarters in the city of Des Moines and shall meet in~~
9 ~~July of each year and at other times and places as it finds~~
10 ~~necessary for the discharge of its duties.~~

11 Sec. 22. Section 99D.9B, subsection 3, paragraph b, Code
12 2015, is amended to read as follows:

13 b. Moneys remaining in the fund following distribution to
14 the Iowa greyhound association as provided in this subsection
15 shall be under the sole control of the commission. The
16 commission shall determine the method by which moneys remaining
17 in the fund will be distributed, provided, ~~however~~, that the
18 commission shall distribute a portion of the moneys in the fund
19 to no-kill animal adoption agencies to facilitate care for and
20 adoption of greyhounds no longer racing as a result of the
21 discontinuance of live racing. The commission may consider
22 objective evidence, including purse payments to greyhound
23 industry participants for the period beginning January 1, 2010,
24 and ending December 31, 2014, in determining the method of
25 distribution. The commission may hire an expert to assist in
26 the task of making distributions from the fund. The commission
27 may distribute moneys from the fund to greyhound industry
28 participants and to kennel owners and operators and greyhound
29 owners for costs incurred in removing property from the dog
30 racetrack located in Pottawattamie county as required by
31 section 99D.9A, subsection 2, paragraph "c". Prior to adoption
32 of any formula for distribution, the commission shall allow for
33 input from greyhound industry participants. The distribution
34 decisions of the commission shall be final. The commission
35 may use moneys in the fund to pay its direct and indirect

1 administrative expenses incurred in administering the fund,
2 including the hiring of experts to assist in the commission's
3 distribution determination. Members of the commission,
4 employees of the commission, and any experts hired by the
5 commission pursuant to this section shall be held harmless
6 against any claim of liability made by any person arising out
7 of the distribution of moneys from the fund by the commission.

8 Sec. 23. Section 101A.7, subsection 1, Code 2015, is amended
9 to read as follows:

10 1. The licensee's or permittee's ~~explosive~~ explosives
11 storage facility shall be inspected at least once a year by a
12 representative of the state fire marshal's office, except that
13 the state fire marshal may, at those mining operations licensed
14 and regulated by the United States department of labor, accept
15 an approved inspection report issued by the United States
16 department of labor, mine safety and health administration,
17 for the twelve-month period following the issuance of the
18 report. The state fire marshal shall notify the appropriate
19 city or county governing board of licenses to be issued in
20 their respective jurisdictions pursuant to this chapter. The
21 notification shall contain the name of the applicant to be
22 licensed, the location of the facilities to be used in storing
23 explosives, the types and quantities of explosive materials to
24 be stored, and other information deemed necessary by either
25 the governing boards or the state fire marshal. The facility
26 may be examined at other times by the sheriff of the county
27 where the facility is located or by the local police authority
28 if the facility is located within a city of over ten thousand
29 population and if the sheriff or city council considers it
30 necessary.

31 Sec. 24. Section 124D.2, subsection 5, Code 2015, is amended
32 to read as follows:

33 5. "*Primary caregiver*" means a person, at least eighteen
34 years of age, who has been designated by a patient's
35 neurologist or by a person having custody of a patient,

1 as being necessary to take responsibility for managing the
2 well-being of the patient with respect to the medical use of
3 cannabidiol pursuant to the provisions of this chapter.

4 Sec. 25. Section 124D.4, subsection 2, paragraph b, Code
5 2015, is amended to read as follows:

6 *b.* The patient's ~~photo~~ photograph.

7 Sec. 26. Section 124D.4, subsection 4, paragraph b, Code
8 2015, is amended to read as follows:

9 *b.* The primary caregiver's ~~photo~~ photograph.

10 Sec. 27. Section 135C.9, subsection 1, paragraph b, Code
11 2015, is amended to read as follows:

12 *b.* The facility has been inspected by the state fire marshal
13 or a deputy appointed by the fire marshal for that purpose,
14 who may be a member of a municipal fire department, and the
15 department has received either a certificate of compliance
16 or a provisional certificate of compliance by the facility
17 with the fire hazard and fire safety rules and standards
18 of the department as promulgated by the fire marshal and,
19 where applicable, the fire safety standards required for
20 participation in programs authorized by either Tit. XVIII or
21 Tit. XIX of the United States Social Security Act ~~(42, codified~~
22 at 42 U.S.C. §1395 - 139511 and 1396 - 1396g) 1396g. The
23 certificate or provisional certificate shall be signed by
24 the fire marshal or the fire marshal's deputy who made the
25 inspection. If the state fire marshal or a deputy finds a
26 deficiency upon inspection, the notice to the facility shall
27 be provided in a timely manner and shall specifically describe
28 the nature of the deficiency, identifying the Code section or
29 subsection or the rule or standard violated. The notice shall
30 also specify the time allowed for correction of the deficiency,
31 at the end of which time the fire marshal or a deputy shall
32 perform a follow-up inspection.

33 Sec. 28. Section 135C.36, subsection 5, Code 2015, is
34 amended to read as follows:

35 5. If a facility self-identifies a deficient practice prior

1 to an on-site visit inspection, there has been no complaint
2 filed with the department related to that specific deficient
3 practice, and the facility corrects such practice prior to
4 an inspection, no citation shall be issued or fine assessed
5 pursuant to subsection 2 or 3 except for those penalties
6 arising pursuant to section 135C.33; 481 IAC 57.12(2)(d), 481
7 IAC 57.12(3), 481 IAC 57.15(5), 481 IAC 57.25(1), 481 IAC
8 57.39, 481 IAC 58.11(3), 481 IAC 58.14(5), 481 IAC 58.19(2)(a),
9 481 IAC 58.19(2)(h), 481 IAC 58.28(1)(a), 481 IAC 58.43, 481
10 IAC 62.9(5), 481 IAC 62.15(1)(a), 481 IAC 62.19(2)(c), 481
11 IAC 62.19(7), 481 IAC 62.23(23)-(25), 481 IAC 63.11(2)(d),
12 481 IAC 63.11(3), 481 IAC 63.23(1)(a), 481 IAC 63.37, 481 IAC
13 64.4(9), 481 IAC 64.33, 481 IAC 64.34, 481 IAC 65.9(5), 481
14 IAC 65.15, or 481 IAC 65.25(3)-(5), or the successor to any of
15 such rules; or 42 C.F.R. §483.420(d), ~~483.460(e)(4)~~ 42 C.F.R.
16 §483.460(c)(4), or ~~483.470(j)~~ 42 C.F.R. §483.470(j), or the
17 successor to any of such federal regulations.

18 Sec. 29. Section 135L.3, subsection 2, Code 2015, is amended
19 to read as follows:

20 2. The licensed physician who will perform the abortion
21 shall provide notification in person or by mailing the
22 notification by restricted certified mail to a parent of the
23 pregnant minor at the usual place of abode of the parent. For
24 the purpose of delivery by restricted certified mail, the time
25 of delivery is deemed to occur at ~~twelve o'clock~~ 12:00 noon
26 on the next day on which regular mail delivery takes place,
27 subsequent to the mailing.

28 Sec. 30. Section 161A.3, subsection 12, Code 2015, is
29 amended to read as follows:

30 12. "*Petition*" means a petition filed under the provisions
31 of ~~subsection 1 of~~ section 161A.5, subsection 1, for the
32 creation of a district.

33 Sec. 31. Section 163.11, Code 2015, is amended to read as
34 follows:

35 **163.11 Imported animals.**

1 1. A person shall not move an animal into this state,
2 except to a public livestock market where federal inspection of
3 livestock is maintained, for work, breeding, or dairy purposes,
4 unless such animal has been examined and found free from all
5 infectious or contagious diseases.

6 2. ~~No~~ A person shall not bring in any manner into this
7 state any cattle for dairy or breeding purposes unless such
8 cattle have been tested within thirty days prior to date of
9 importation by the agglutination test for contagious abortion
10 or abortion disease, and shown to be free from such disease.

11 3. Animals for feeding purposes, however, may be brought
12 into the state without inspection, under such regulations
13 as the department may prescribe except that this ~~sentence~~
14 subsection shall not apply to swine.

15 Sec. 32. Section 185C.26, Code 2015, is amended to read as
16 follows:

17 **185C.26 Deposit of moneys — corn promotion fund.**

18 A state assessment collected by the board from a sale of corn
19 shall be deposited in the office of the treasurer of state in
20 a special fund known as the corn promotion fund. The fund may
21 include any gifts, rents, royalties, interest, license fees,
22 or a federal or state grant received by the board. Moneys
23 collected, deposited in the fund, and transferred to the board
24 as provided in this chapter shall be subject to audit by the
25 auditor of state. The auditor of state may seek reimbursement
26 for the cost of the audit from moneys deposited in the fund as
27 provided in this chapter. The department of administrative
28 services shall transfer moneys from the fund to the board
29 for deposit into an account established by the board in a
30 qualified financial institution. The department shall transfer
31 the moneys as provided in a resolution adopted by the board.
32 However, the department is only required to transfer moneys
33 once during each day and only during hours when the offices of
34 the state are open. From moneys collected, the board shall
35 first pay all the direct and indirect costs incurred by the

1 secretary and the costs of referendums, elections, and other
2 expenses incurred in the administration of this chapter, before
3 moneys may be expended ~~for the purpose of carrying~~ to carry out
4 the purposes of this chapter as provided in section 185C.11.

5 Sec. 33. Section 190.11, Code 2015, is amended to read as
6 follows:

7 **190.11 Artificial sweetening — labeling.**

8 Where any approved artificial sweetening product such as
9 saccharin or sulfamate is used by any person in the manufacture
10 or sale of any article of food intended for human consumption,
11 the container in which any such food or beverage is sold or
12 offered for sale to the public shall be clearly, legibly and
13 noticeably labeled with the name of the sweetening product
14 used. The portion of the store, display counter, shelving,
15 or other place where such food or beverage is displayed or
16 offered for sale, shall be clearly and plainly identified by an
17 appropriate sign reading:

18 ~~“FOR FOR DIETARY PURPOSES”~~ PURPOSES.

19 Sec. 34. Section 206.2, subsection 13, Code 2015, is amended
20 to read as follows:

21 13. “*Hazard*” means a probability that a given pesticide
22 will have an adverse effect on ~~man~~ humans or the environment
23 in a given situation, the relative likelihood of danger or ill
24 effect being dependent on a number of interrelated factors
25 present at any given time.

26 Sec. 35. Section 207.4, subsection 3, Code 2015, is amended
27 to read as follows:

28 3. A permit terminates if the permittee has not commenced
29 the coal mining operations covered by the permit within three
30 years of ~~its~~ issuance of the permit. However, the division
31 may grant reasonable extensions of time upon a showing that
32 the extensions are necessary because of litigation precluding
33 the commencement or threatening substantial economic loss to
34 the permittee or because of conditions beyond the control and
35 without the fault or negligence of the permittee. If a coal

1 lease is issued under the federal Mineral Leasing Act, as
2 amended, extensions of time may not extend beyond the period
3 allowed for diligent development in accordance with section 7
4 of that Act. If coal is to be mined for use in a synthetic fuel
5 facility or specific major electric generating facility, the
6 permittee is deemed to have commenced mining operations when
7 the construction of the synthetic fuel or generating facility
8 is initiated.

9 Sec. 36. Section 225C.47, subsection 3, unnumbered
10 paragraph 1, Code 2015, is amended to read as follows:

11 Eligibility for the comprehensive family support program is
12 limited to families who meet all of the following conditions:

13 Sec. 37. Section 232.119, subsection 3, Code 2015, is
14 amended to read as follows:

15 3. To register a child on the Iowa exchange, the department
16 adoption worker or the private agency worker shall register the
17 pertinent information concerning the child on the exchange. A
18 ~~photo~~ photograph of the child and other necessary information
19 shall be forwarded to the department to be included in the
20 photo-listing book which shall be updated regularly. The
21 department adoption worker or the private agency worker who
22 places a child on the exchange shall update the registration
23 information within ten working days after a change in the
24 information occurs.

25 Sec. 38. Section 235A.17, subsection 3, Code 2015, is
26 amended to read as follows:

27 3. a. For the purposes of this subsection, "*subject of*
28 *a child abuse report*" means any individual listed in section
29 235A.15, subsection 2, paragraph "a", other than the attorney or
30 guardian ad litem of such individual.

31 b. An individual who is the subject of a child abuse
32 report may redisseminate to the governor or the governor's
33 designee or to a member of the general assembly or an employee
34 of the general assembly designated by the member, child
35 abuse information that was disseminated to the individual by

1 the department or other official source. The child abuse
2 information may also include the following related information
3 that the individual is allowed under law to possess:

4 ~~department~~

5 (1) Department of human services information described in
6 section 217.30, subsection 1, ~~mental~~.

7 (2) Mental health information as defined in section 228.1, ~~and~~
8 ~~and juvenile~~.

9 (3) Juvenile court social records and other information in
10 official juvenile court records described in section 232.147.

11 c. A person who receives confidential child abuse
12 information and related information redisseminated under this
13 subsection shall not further disseminate, communicate, or
14 attempt to communicate the information to a person who is not
15 authorized by this section or other provision of law to have
16 access to the information.

17 Sec. 39. Section 235B.19, subsection 7, Code 2015, is
18 amended to read as follows:

19 7. If the department cannot obtain an emergency order
20 under this section due to inaccessibility of the court, the
21 department may contact law enforcement to remove the dependent
22 adult to safer surroundings, authorize the provision of
23 medical treatment, and order the provision of or provide other
24 available services necessary to remove conditions creating the
25 immediate danger to the health or safety of the dependent adult
26 or which are producing irreparable harm to the physical or
27 financial resources or property of the dependent adult. The
28 department shall obtain an emergency order under this section
29 not later than ~~four~~ 4:00 p.m. on the first succeeding business
30 day after the date on which protective or other services are
31 provided. If the department does not obtain an emergency
32 order within the prescribed time period, the department shall
33 cease providing protective services and, if necessary, make
34 arrangements for the immediate return of the person to the
35 place from which the person was removed, to the person's place

1 of residence in the state, or to another suitable place.
2 A person, agency, or institution acting in good faith in
3 removing a dependent adult or in providing services under this
4 subsection, and an employer of or person under the direction
5 of such a person, agency, or institution, shall have immunity
6 from any liability, civil or criminal, that might otherwise be
7 incurred or imposed as the result of the removal or provision
8 of services.

9 Sec. 40. Section 235F.6, subsection 4, unnumbered paragraph
10 1, Code 2015, is amended to read as follows:

11 The court may approve a consent agreement between the
12 parties entered into to bring about the cessation of elder
13 abuse. A consent agreement approved under this section shall
14 not contain any of the following:

15 Sec. 41. Section 237.14, Code 2015, is amended to read as
16 follows:

17 **237.14 Enhanced foster care services.**

18 The department shall provide for enhanced foster
19 care services by establishing supplemental per diem or
20 performance-based contracts ~~which~~ that include payment of
21 costs relating to payments of principal and interest for bonds
22 and notes issued pursuant to section 16.57 with facilities
23 licensed under this chapter which provide special services to
24 children who would otherwise be placed in a state juvenile
25 institution or an out-of-state program. Before completion of
26 the department's budget estimate as required by section 8.23,
27 the department shall determine and include in the estimate the
28 amount which should be appropriated for enhanced foster care
29 services for the forthcoming fiscal year in order to provide
30 sufficient services.

31 Sec. 42. Section 260C.48, subsection 4, Code 2015, is
32 amended to read as follows:

33 4. Standards relating to quality assurance of faculty
34 and ongoing quality professional development shall be the
35 accreditation standards of the higher learning commission.

1 and the faculty standards required under specific programs
2 offered by the community college that are accredited by other
3 accrediting agencies.

4 Sec. 43. Section 261B.11B, Code 2015, is amended to read as
5 follows:

6 **261B.11B Voluntary registration.**

7 A school or other postsecondary educational institution
8 that is exempt under section 261B.11 may voluntarily register
9 under this chapter ~~261B~~ in order to comply with chapter 261G
10 or for purposes of institutional eligibility under 34 C.F.R.
11 §600.9(a).

12 Sec. 44. Section 263.6, Code 2015, is amended to read as
13 follows:

14 **263.6 Management.**

15 The management and control of ~~such~~ the institute of child
16 behavior and development shall be vested in a director
17 appointed by the ~~said~~ board of regents and an advisory board
18 of seven members to be appointed by the president of the
19 university from the faculty of the graduate college of ~~said~~ the
20 university.

21 Sec. 45. Section 280.17, subsection 2, paragraph a, Code
22 2015, is amended to read as follows:

23 a. The board of directors of a school district and the
24 authorities in charge of an accredited nonpublic school shall
25 place on administrative leave a school employee who is the
26 subject of an investigation of an alleged incident of abuse of
27 a student conducted in accordance with 281 IAC ch. 102.

28 Sec. 46. Section 284.15, subsection 2, paragraph a,
29 subparagraph (1), Code 2015, is amended to read as follows:

30 (1) The salary for an initial teacher who has successfully
31 completed an approved practitioner preparation program as
32 defined in section 272.1 or holds an initial or intern teacher
33 license issued under chapter 272, and who participates in the
34 ~~initial~~ beginning teacher mentoring and induction program
35 as provided in this chapter, shall be at least thirty-three

1 thousand five hundred dollars, which shall also constitute the
2 minimum salary for an Iowa teacher.

3 Sec. 47. Section 284.15, subsection 2, paragraph b,
4 subparagraph (1), Code 2015, is amended to read as follows:

5 (1) Has successfully completed the ~~initial~~ beginning
6 teacher mentoring and induction program and has successfully
7 completed a comprehensive evaluation.

8 Sec. 48. Section 310.27, Code 2015, is amended to read as
9 follows:

10 **310.27 Period of allocation — reversion — temporary**
11 **transfers.**

12 1. The farm-to-market road fund allotted to any county as
13 provided in this chapter shall remain available for expenditure
14 in said county for three years after the close of the fiscal
15 year during which said sums respectively were allocated. Any
16 sum remaining unexpended at the end of the period during which
17 it is available for expenditure, shall be reapportioned among
18 all the counties as provided in section 312.5 for original
19 allocations.

20 2. For the purposes of this section, any sums of the
21 farm-to-market road fund allotted to any county shall be
22 presumed to have been "*expended*" when a contract has been
23 awarded obligating the sums. When projects and their estimated
24 costs, which are proposed to be funded from the farm-to-market
25 road fund, are submitted to the department for approval,
26 the department shall estimate the total funding necessary
27 and the period during which claims for the projects will be
28 filed. After anticipating the funding necessary for approved
29 projects, the department may temporarily allocate additional
30 moneys from the farm-to-market road fund for use in any other
31 farm-to-market projects. However, a county shall not be
32 temporarily allocated funds for projects in excess of the
33 county's anticipated farm-to-market road fund allocation for
34 the current fiscal year plus the four succeeding fiscal years.

35 3. If in the judgment of the department the anticipated

1 claims against the primary road fund for any month are in
2 excess of moneys available, a temporary transfer for highway
3 construction costs may be made from the farm-to-market road
4 fund to the primary road fund providing there will remain
5 in the transferring fund a sufficient balance to meet the
6 anticipated obligations. All transfers shall be repaid from
7 the primary road fund to the farm-to-market road fund within
8 sixty days from the date of the transfer. A transfer shall be
9 made only with the approval of the director of the department
10 of management and shall comply with the director of the
11 department of management's rules relating to the transfer of
12 funds. Similar transfers may be made by the department from
13 the primary road fund to the farm-to-market road fund and these
14 transfers shall be subject to the same terms and conditions
15 that transfers from the farm-to-market road fund to the primary
16 road fund are subject.

17 Sec. 49. Section 328.1, subsection 1, paragraph u, Code
18 2015, is amended to read as follows:

19 *u. "Operation of aircraft" or "operate aircraft" means the*
20 *use of aircraft for the purpose of air navigation, and includes*
21 *the navigation or piloting of aircraft and shall embrace any*
22 *person who causes or authorizes the operation of aircraft,*
23 *whether with or without the right of legal control (~~in, in the~~*
24 *capacity of owner, lessee, or otherwise) otherwise.*

25 Sec. 50. Section 358.22, Code 2015, is amended to read as
26 follows:

27 **358.22 Special assessments and connection fees.**

28 1. The board of trustees of a sanitary district may provide
29 for payment of all or any portion of the costs of acquiring,
30 locating, laying out, constructing, reconstructing, repairing,
31 changing, enlarging, or extending conduits, ditches, channels,
32 outlets, drains, sewers, laterals, treatment plants, pumping
33 plants, and other necessary adjuncts thereto, by assessing all,
34 or any portion of the costs, on adjacent property according to
35 the benefits derived. For the purposes of this chapter, the

1 board of trustees may define "*adjacent property*" as all that
2 included within a designated benefited district or districts
3 to be fixed by the board, which may be all of the property
4 located within the sanitary district or any lesser portion
5 of that property. It is not a valid objection to a special
6 assessment that the improvement for which the assessment is
7 levied is outside the limits of the sanitary district, but a
8 special assessment shall not be made upon property situated
9 outside of the sanitary district. Special assessments pursuant
10 to this section shall be in proportion to the special benefits
11 conferred upon the property, and not in excess of the benefits,
12 and an assessment shall not exceed twenty-five percent of
13 the value of the property at the time of levy. The value of
14 a property is the present fair market value of the property
15 with the proposed public improvements completed. Payment of
16 installments of a special assessment against property used and
17 assessed as agricultural property shall be deferred upon the
18 filing of a request by the owner in the same manner and under
19 the same procedures as provided in chapter 384 for special
20 assessments by cities.

21 2. The assessments may be made to extend over a period not
22 to exceed fifteen years, payable in as nearly equal annual
23 installments as practicable. A majority vote of the board of
24 trustees is requisite and sufficient for any action required by
25 the board of trustees under this section.

26 3. Subject to the limitations otherwise stated in this
27 section, a sanitary district organized under this chapter has
28 all of the powers to specially assess the costs of improvements
29 described in this section, including the power to issue special
30 assessment bonds, warrants, project notes, or other forms of
31 interim financing obligations, which cities have under the laws
32 of this state.

33 4. Subject to the limitations otherwise stated in this
34 section, the board of trustees may establish one or more
35 benefited districts and schedules of fees for the connection

1 of property to the sanitary sewer facilities of a sanitary
2 district. Each person whose property will be connected to the
3 sanitary sewer facilities of a sanitary district shall pay a
4 connection fee to the sanitary district, which may include
5 the equitable cost of extending sanitary sewer service to
6 the benefited district and reasonable interest from the date
7 of construction to the date of payment. In establishing
8 the benefited districts and establishing and implementing
9 the schedules of fees, the board of trustees shall act in
10 accordance with the powers granted to a city in section 384.38,
11 subsection 3, and the procedures in that subsection. However,
12 all fees collected under this ~~paragraph~~ subsection shall be
13 paid to the sanitary district and the moneys collected as
14 fees shall be used only by the sanitary district to finance
15 improvements or extensions to its sanitary sewer facilities,
16 to reimburse the sanitary district for funds disbursed by
17 its board of trustees to finance improvements or extensions
18 to its sanitary sewer facilities, or to pay debt service on
19 obligations issued to finance improvements or extensions to
20 its sanitary sewer facilities. This ~~paragraph~~ subsection does
21 not apply when a sanitary district annexation plan or petition
22 includes annexation of an area adjoining the district or a
23 petition has not been presented for a sewer connection. Until
24 the annexation becomes effective or the annexation plan or
25 petition is abandoned, the state mandate contained in section
26 455B.172, subsections 3, 4, and 5, shall not apply unless
27 the property owner requests to be connected to the sanitary
28 district's sewer facilities and voluntarily pays the connection
29 fee.

30 Sec. 51. Section 403.6, subsection 1, Code 2015, is amended
31 to read as follows:

32 1. To undertake and carry out urban renewal projects within
33 its area of operation; and to make and execute contracts and
34 other instruments necessary or convenient to the exercise
35 of its powers under this chapter; and to disseminate slum

1 clearance and urban renewal information.

2 Sec. 52. Section 403A.3, subsections 2, 3, 4, and 7, Code
3 2015, are amended to read as follows:

4 2. To undertake and carry out studies and analyses of the
5 housing needs and of the meeting of such needs ~~(including,~~
6 including data with respect to population and family groups
7 and the distribution thereof according to income groups, the
8 amount and quality of available housing and its distribution
9 according to rentals and sales prices, employment, wages and
10 other factors affecting the local housing needs and the meeting
11 ~~thereof)~~ thereof, and to make the results of such studies and
12 analyses available to the public and the building, housing, and
13 supply industries; and to engage in research and disseminate
14 information on housing and slum clearance.

15 3. To arrange or contract for the furnishing by any person
16 or agency, public or private, of services, privileges, works
17 or facilities for, or in connection with, a housing project or
18 the occupants thereof; and ~~(notwithstanding, notwithstanding~~
19 anything to the contrary contained in this chapter or in
20 any other provision of law) law, to agree to any conditions
21 attached to federal financial assistance relating to the
22 determination of prevailing salaries or wages or payment of
23 not less than prevailing salaries or wages or compliance with
24 labor standards, in the development or administration of
25 projects, and to include in any contract let in connection
26 with a project, stipulations requiring that the contractor
27 and any subcontractor comply with requirements as to minimum
28 salaries or wages and maximum hours of labor, and comply with
29 any conditions which the federal government may have attached
30 to its financial aid of the project.

31 4. To lease or rent any dwellings, accommodations, lands,
32 buildings, structures or facilities embraced in any project
33 and ~~(subject,~~ subject to the limitations contained in this
34 chapter with respect to the rental of dwellings in housing
35 ~~projects)~~ projects, to establish and revise the rents or

1 charges therefor; to own, hold and improve real or personal
2 property; to purchase, lease, obtain options upon, acquire by
3 gift, grant, bequest, devise or otherwise any real or personal
4 property or any interest therein; to acquire by the exercise
5 of the power of eminent domain any real property subject to
6 section 403A.20; to sell, lease, exchange, transfer, assign,
7 pledge or dispose of any real or personal property or any
8 interest therein; to insure or provide for the insurance, in
9 any stock or mutual company of any real or personal property or
10 operations of the municipality against any risks or hazards;
11 to procure or agree to the procurement of federal or state
12 government insurance or guarantees of the payment of any bonds
13 or parts thereof issued by a municipality, including the power
14 to pay premiums on any such insurance.

15 7. To conduct examinations and investigations and to hear
16 testimony and take proof under oath at public or private
17 hearings on any matter material for its information; to
18 administer oaths, issue subpoenas requiring the attendance of
19 witnesses or the production of books and papers and to issue
20 commissions for the examination of witnesses who are outside of
21 the state or unable to attend or excused from attendance; to
22 make available to appropriate agencies ~~(including, including~~
23 those charged with the duty of abating or requiring the
24 correction of nuisances or like conditions or of demolishing
25 unsafe or insanitary structures within its area of ~~operation)~~
26 operation, its findings and recommendations with regard to any
27 building or property where conditions exist which are dangerous
28 to the public health, morals, safety or welfare.

29 Sec. 53. Section 422.12, subsection 1, paragraph b, Code
30 2015, is amended to read as follows:

31 *b. "Emergency medical services ~~personnel~~" personnel member"*
32 means an emergency medical care provider, as defined in section
33 147A.1, who is certified as a first responder pursuant to
34 chapter 147A.

35 Sec. 54. Section 422.12, subsection 2, paragraph c, Code

1 2015, is amended to read as follows:

2 *c.* (1) A volunteer fire fighter and volunteer emergency
3 medical services personnel member credit equal to one hundred
4 dollars to compensate the taxpayer for the voluntary services
5 if the volunteer served for the entire tax year. A taxpayer
6 who is a paid employee of an emergency medical services program
7 or a fire department and who is also a volunteer emergency
8 medical services personnel member or volunteer fire fighter in
9 a city, county, or area governed by an agreement pursuant to
10 chapter 28E where the emergency medical services program or
11 fire department performs services, shall qualify for the credit
12 provided under this paragraph "c".

13 (2) If the taxpayer is not a volunteer fire fighter or
14 volunteer emergency medical services personnel member for
15 the entire tax year, the maximum amount of the credit shall
16 be prorated and the amount of credit for the taxpayer shall
17 equal the maximum amount of credit for the tax year, divided by
18 twelve, multiplied by the number of months in the tax year the
19 taxpayer was a volunteer. The credit shall be rounded to the
20 nearest dollar. If the taxpayer is a volunteer during any part
21 of a month, the taxpayer shall be considered a volunteer for
22 the entire month. If the taxpayer is a volunteer fire fighter
23 and a volunteer emergency medical services personnel member
24 during the same month, a credit may be claimed for only one
25 volunteer position for that month.

26 ~~(2)~~ (3) The taxpayer is required to have a written
27 statement from the fire chief or other appropriate supervisor
28 verifying that the taxpayer was a volunteer fire fighter or
29 volunteer emergency medical services personnel member for the
30 months for which the credit under this paragraph "c" is claimed.

31 Sec. 55. Section 422.12, subsection 2, paragraph d,
32 subparagraphs (3) and (4), Code 2015, are amended to read as
33 follows:

34 (3) If the taxpayer is a reserve peace officer during
35 the same month as the taxpayer is a volunteer fire fighter

1 or volunteer emergency medical services personnel member, as
2 defined in this section, a credit may be claimed for only one
3 position for that month under either paragraph "c" or this
4 paragraph ~~or paragraph "c"~~ "d".

5 (4) The taxpayer is required to have a written statement
6 from the chief of police, sheriff, commissioner of public
7 safety, or other appropriate supervisor verifying that the
8 taxpayer was a reserve peace officer for the months for which
9 the credit under this paragraph "d" is claimed.

10 Sec. 56. Section 422.17, Code 2015, is amended to read as
11 follows:

12 **422.17 Certificate issued by department to make payments**
13 **without withholding.**

14 Any nonresident whose Iowa income is not subject to section
15 422.16, subsection 1, in whole or in part, and who elects to
16 be governed by section 422.16, subsection 12, ~~of that section~~
17 to the extent that the nonresident pays the entire amount of
18 tax properly estimated on or before the last day of the fourth
19 month of the nonresident's tax year, for the year, may for the
20 year of the election and payment, be granted a certificate from
21 the department authorizing each withholding agent, the income
22 from whom the nonresident has considered in the payment of
23 estimated tax and to the extent the income is included in the
24 estimate, to make payments of income to the nonresident without
25 withholding tax from those payments. Withholding agents, if
26 payments exceed the tax liability estimated by the nonresident
27 as indicated upon the certificate, shall withhold tax in
28 accordance with ~~subsection 12 of section 422.16~~, subsection 12.

29 Sec. 57. Section 423.1, subsection 43, Code 2015, is amended
30 to read as follows:

31 43. a. "Receive" and "receipt" mean any of the following:
32 a. (1) Taking possession of tangible personal property.
33 b. (2) Making first use of a service.
34 c. (3) Taking possession or making first use of digital
35 goods, whichever comes first.

1 b. "Receive" and "receipt" do not include possession by a
2 shipping company on behalf of a purchaser.

3 Sec. 58. Section 423.29, Code 2015, is amended to read as
4 follows:

5 **423.29 Collections by sellers.**

6 1. Every seller who is a retailer and who is making taxable
7 sales of tangible personal property in Iowa shall, at the time
8 of selling the property, collect the sales tax. Every seller
9 who is a retailer maintaining a place of business in this state
10 and selling tangible personal property for use in Iowa shall,
11 at the time of making the sale, whether within or without the
12 state, collect the use tax. Sellers required to collect sales
13 or use tax shall give to any purchaser a receipt for the tax
14 collected in the manner and form prescribed by the director.

15 2. Every seller who is a retailer furnishing taxable
16 services in Iowa and every seller who is a retailer maintaining
17 a place of business in this state and furnishing taxable
18 services in Iowa or services outside Iowa if the product or
19 result of the service is used in Iowa shall be subject to the
20 provisions of ~~the preceding paragraph~~ subsection 1.

21 Sec. 59. Section 423.32, subsection 1, Code 2015, is amended
22 to read as follows:

23 1. a. A retailer maintaining a place of business in this
24 state who is required to collect or a user who is required to
25 pay the use tax or a foreign retailer authorized, pursuant to
26 section 423.30, to collect the use tax, shall remit to the
27 department the amount of tax on or before the last day of the
28 month following each calendar quarterly period. However, a
29 retailer who collects or owes more than fifteen hundred dollars
30 in use taxes in a month shall deposit with the department or in
31 a depository authorized by law and designated by the director,
32 the amount collected or owed, with a deposit form for the month
33 as prescribed by the director.

34 ~~a.~~ b. The deposit form is due on or before the twentieth
35 day of the month following the month of collection, except a

1 deposit is not required for the third month of the calendar
2 quarter, and the total quarterly amount, less the amounts
3 deposited for the first two months of the quarter, is due with
4 the quarterly report on the last day of the month following
5 the month of collection. At that time, the retailer shall
6 file with the department a return for the preceding quarterly
7 period in the form prescribed by the director showing the
8 purchase price of the tangible personal property sold by the
9 retailer during the preceding quarterly period, the use of
10 which is subject to the use tax imposed by this chapter, and
11 other information the director deems necessary for the proper
12 administration of the use tax.

13 ~~b.~~ c. The return shall be accompanied by a remittance
14 of the use tax for the period covered by the return. If
15 necessary in order to ensure payment to the state of the tax,
16 the director may in any or all cases require returns and
17 payments to be made for other than quarterly periods. The
18 director, upon request and a proper showing of necessity,
19 may grant an extension of time not to exceed thirty days for
20 making any return and payment. Returns shall be signed, in
21 accordance with forms and rules prescribed by the director, by
22 the retailer or the retailer's authorized agent, and shall be
23 certified by the retailer or agent to be correct.

24 Sec. 60. Section 423D.4, Code 2015, is amended to read as
25 follows:

26 **423D.4 Administration by director.**

27 1. The director of revenue shall administer the excise
28 tax on the sale and use of equipment as nearly as possible in
29 conjunction with the administration of the state sales and use
30 tax law, except that portion of the law which implements the
31 streamlined sales and use tax agreement. The director shall
32 provide appropriate forms, or provide on the regular state
33 tax forms, for reporting the sale and use of equipment excise
34 tax liability. All moneys received and all refunds shall be
35 deposited in or withdrawn from the general fund of the state.

1 2. The director may require all persons who are engaged
2 in the business of deriving any sales price or purchase
3 price subject to tax under this chapter to register with
4 the department. The director may also require a tax permit
5 applicable only to this chapter for any retailer not
6 collecting, or any user not paying, taxes under chapter 423.

7 3. Section 422.25, subsection 4, sections 422.30, 422.67,
8 and 422.68, section 422.69, subsection 1, sections 422.70,
9 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
10 1, and sections 423.23, 423.24, 423.25, 423.31 through
11 423.35, 423.37 through 423.42, and 423.47, consistent with
12 the provisions of this chapter, apply with respect to the tax
13 authorized under this chapter, in the same manner and with the
14 same effect as if the excise taxes on equipment sales or use
15 were retail sales taxes within the meaning of those statutes.
16 Notwithstanding this ~~paragraph~~ subsection, the director shall
17 provide for quarterly filing of returns and for other than
18 quarterly filing of returns both as prescribed in section
19 423.31. All taxes collected under this chapter by a retailer
20 or any user are deemed to be held in trust for the state of
21 Iowa.

22 Sec. 61. Section 427.1, subsection 22, paragraph a, Code
23 2015, is amended to read as follows:

24 a. Application for this exemption shall be filed with the
25 commissioners of the soil and water conservation district
26 in which the property is located, not later than February 1
27 of the assessment year, on forms provided by the department
28 of revenue. The application shall describe and locate the
29 property to be exempted and have attached to it an aerial ~~photo~~
30 photograph of that property on which is outlined the boundaries
31 of the property to be exempted. In the case of an open prairie
32 that has been restored or reestablished, the property shall
33 be inspected and certified as provided by the county board
34 of supervisors as having adequate ground cover consisting of
35 native species and that all primary and secondary noxious weeds

1 present are being controlled to prevent the spread of seeds by
2 either wind or water. In the case of an open prairie which
3 is or includes a gully area susceptible to severe erosion, an
4 approved erosion control plan must accompany the application.
5 Sec. 62. Section 452A.65, Code 2015, is amended to read as
6 follows:

7 **452A.65 Failure to promptly pay fuel taxes — refunds —**
8 **interest and penalties — successor liability.**

9 1. In addition to the tax or additional tax, the taxpayer
10 shall pay a penalty as provided in section 421.27. The
11 taxpayer shall also pay interest on the tax or additional
12 tax at the rate in effect under section 421.7 counting each
13 fraction of a month as an entire month, computed from the date
14 the return was required to be filed. If the amount of the tax
15 as determined by the appropriate state agency is less than the
16 amount paid, the excess shall be refunded with interest, the
17 interest to begin to accrue on the first day of the second
18 calendar month following the date of payment or the date the
19 return was due to be filed or was filed, whichever is the
20 latest, at the rate in effect under section 421.7 counting
21 each fraction of a month as an entire month under the rules
22 prescribed by the appropriate state agency. Claims for
23 refund filed under sections 452A.17 and 452A.21 shall accrue
24 interest beginning with the first day of the second calendar
25 month following the date the refund claim is received by the
26 department.

27 2. A report required of licensees or persons operating under
28 division III, upon which no tax is due, is subject to a penalty
29 of ten dollars if the report is not timely filed with the state
30 department of transportation.

31 3. If a licensee or other person sells the licensee's
32 or other person's business or stock of goods or quits the
33 business, the licensee or other person shall prepare a final
34 return and pay all tax due within the time required by law.
35 The immediate successor to the licensee or other person, if

1 any, shall withhold sufficient of the purchase price, in
2 money or money's worth, to pay the amount of any delinquent
3 tax, interest or penalty due and unpaid. If the immediate
4 successor of the business or stock of goods intentionally
5 fails to withhold any amount due from the purchase price as
6 provided in this ~~paragraph~~ subsection, the immediate successor
7 is personally liable for the payment of the taxes, interest
8 and penalty accrued and unpaid on account of the operation of
9 the business by the immediate former licensee or other person,
10 except when the purchase is made in good faith as provided
11 in section 421.28. However, a person foreclosing on a valid
12 security interest or retaking possession of premises under a
13 valid lease is not an "*immediate successor*" for purposes of this
14 ~~paragraph~~ subsection. The department may waive the liability
15 of the immediate successor under this ~~paragraph~~ subsection if
16 the immediate successor exercised good faith in establishing
17 the amount of the previous liability.

18 Sec. 63. Section 455D.16, subsection 4, paragraph a,
19 subparagraph (4), Code 2015, is amended to read as follows:

20 (4) That collection points will be established to serve
21 homeowners. The collection points shall include but are not
22 limited to regional collection centers permitted under 567 IAC
23 ch. 123. Collection points may include but are not limited to
24 thermostat retailers.

25 Sec. 64. Section 476.53, subsection 3, paragraph a,
26 subparagraph (1), Code 2015, is amended to read as follows:

27 (1) (a) Files an application pursuant to section 476A.3 to
28 construct in Iowa a baseload electric power generating facility
29 with a nameplate generating capacity equal to or greater
30 than three hundred megawatts or a combined-cycle electric
31 power generating facility, or an alternate energy production
32 facility as defined in section 476.42, or to significantly
33 alter an existing generating facility. For purposes of
34 this subparagraph, a significant alteration of an existing
35 generating facility must, in order to qualify for establishment

1 of ratemaking principles, fall into one of the following
2 categories:

3 ~~(a)~~ (i) Conversion of a coal fueled facility into a gas
4 fueled facility.

5 ~~(b)~~ (ii) Addition of carbon capture and storage facilities
6 at a coal fueled facility.

7 ~~(c)~~ (iii) Addition of gas fueled capability to a coal
8 fueled facility, in order to convert the facility to one that
9 will rely primarily on gas for future generation.

10 ~~(d)~~ (iv) Addition of a biomass fueled capability to a coal
11 fueled facility.

12 (b) With respect to a significant alteration of an
13 existing generating facility, an original facility shall
14 not be required to be either a baseload or a combined-cycle
15 facility. Only the incremental investment undertaken by a
16 utility under subparagraph ~~divisions~~ (a) subdivision (i), ~~(b)~~
17 (ii), ~~(c)~~ (iii), or ~~(d)~~ (iv) shall be eligible to apply the
18 ratemaking principles established by the order issued pursuant
19 to paragraph "e". Facilities for which advanced ratemaking
20 principles are obtained pursuant to this section shall not
21 be subject to a subsequent board review pursuant to section
22 476.6, subsection 20, to the extent that the investment has
23 been considered by the board under this section. To the
24 extent an eligible utility has been authorized to make capital
25 investments subject to section 476.6, subsection 20, such
26 investments shall not be eligible for ratemaking principles
27 pursuant to this section.

28 Sec. 65. Section 480.1, subsection 4, Code 2015, is amended
29 to read as follows:

30 4. a. "*Excavation*" means an operation in which a structure
31 or earth, rock, or other material in or on the ground is moved,
32 removed, or compressed, or otherwise displaced by means of any
33 tools, equipment, or explosives and includes but is not limited
34 to grading, trenching, tiling, digging, ditching, drilling,
35 augering, tunneling, scraping, cable or pipe plowing, driving,

1 and demolition of structures.

2 b. "Excavation" does not include normal farming operations,
3 residential, commercial, or similar gardening, the opening of a
4 grave site in a cemetery, normal activities involved in land
5 surveying pursuant to chapter 542B, operations in a solid waste
6 disposal site which has planned for underground facilities,
7 the replacement of an existing traffic sign at its current
8 location and at no more than its current depth, and normal road
9 or highway maintenance which does not change the original grade
10 of the roadway or the ditch.

11 Sec. 66. Section 491.3, subsection 6, Code 2015, is amended
12 to read as follows:

13 6. To make contracts, acquire and transfer ~~property~~
14 possessing property, possessing the same powers in such
15 respects as natural persons.

16 Sec. 67. Section 491.20, Code 2015, is amended to read as
17 follows:

18 **491.20 Amendments — fees.**

19 1. Amendments to articles of incorporation making changes
20 in any of the provisions of the articles may be made at any
21 annual meeting of the stockholders or special meeting called
22 for that purpose, and they shall be valid only when approved by
23 the shareholders and filed with the secretary of state. If no
24 increase is made in the amount of capital stock, a certificate
25 fee of one dollar and a recording fee of fifty cents per page
26 must be paid. Where capital stock is increased the certificate
27 fee shall be omitted but there shall be paid a recording fee
28 of fifty cents per page and in addition a filing fee which
29 in case of corporations existing for a period of years shall
30 be one dollar per thousand of such increase and in case of
31 corporations empowered to exist perpetually shall be one dollar
32 and ten cents per thousand of such increase. Corporations
33 providing for perpetual existence by amendment to its articles
34 shall, at the time of filing such amendment, pay to the
35 secretary of state a fee of one hundred dollars together with a

1 recording fee of fifty cents per page, and, for all authorized
2 capital stock in excess of ten thousand dollars, an additional
3 fee of one dollar ten cents per thousand.

4 2. a. Its articles of incorporation to the contrary
5 notwithstanding, if three-fourths of the voting stock of any
6 corporation organized under the provisions of this chapter,
7 with assets of the value of one million dollars or more, is
8 owned by individuals owning not more than one share each of
9 the voting stock thereof, said articles may be amended at any
10 regular or special meeting of stockholders, when a notice in
11 writing of the substance of the proposed amendment has been
12 mailed by ordinary mail to each voting stockholder of such
13 corporation not more than ninety nor less than sixty days prior
14 to said meeting, by the affirmative vote of two-thirds of the
15 voting stock represented at said meeting when said amendment is
16 approved by the affirmative vote of two-thirds of the members
17 of the board of directors at a meeting prior to the mailing of
18 said notice.

19 b. If such corporation is renewed under the provisions of
20 section 491.25, the voting stock of dissenting stockholders or
21 any portion thereof may be purchased by the corporation at its
22 option as provided in ~~said~~ section 491.25.

23 Sec. 68. Section 491.25, Code 2015, is amended to read as
24 follows:

25 **491.25 Renewal — conditions.**

26 1. Corporations existing for a period of years may be
27 renewed from time to time for the same or shorter periods, or
28 may be renewed to exist perpetually, upon compliance with the
29 provisions of this section and other applicable statutes.

30 2. The right of renewal is vested in the stockholders and
31 shall be exercised by a resolution thereof adopted at any
32 regular meeting or at any special meeting called for that
33 purpose. Such resolution must be adopted by a majority of all
34 the votes cast at such meeting, or by such other vote as is
35 authorized or required in the company's existing articles of

1 incorporation.

2 3. If the renewal instrument in proper form and the
3 necessary fees are tendered to the secretary of state for
4 filing three months or less either prior or subsequent to the
5 corporation's expiration date, ~~such~~ the renewal shall take
6 effect immediately upon the expiration of the corporation's
7 previous period of existence, and in such case, the corporate
8 existence shall be considered as having been extended without
9 interruption. If the renewal is filed more than three months
10 before or after the expiration date, ~~such~~ the renewal shall
11 take effect upon the date such renewal with necessary fees is
12 accepted and filed by the secretary of state; and in cases
13 where filed more than three months after the expiration date,
14 shall not be in legal effect a renewal unless the procedure
15 provided for and the additional fees provided for in section
16 491.28 are fully complied with and paid.

17 4. In all cases of renewal, those stockholders voting for
18 such renewal must purchase at its real value the stock voted
19 against ~~such~~ the renewal, and shall have three years from the
20 date such action for renewal was taken in which to purchase
21 and pay for the stock voting against ~~such~~ the renewal, which
22 purchase price shall bear interest at the rate of five percent
23 per annum from the date of ~~such~~ the renewal action until paid.

24 Sec. 69. Section 499.9, Code 2015, is amended to read as
25 follows:

26 **499.9 Penalties — performance — injunction — arbitration.**

27 1. a. Contracts permitted by section 499.8 may provide
28 that the member pay the association any sum, fixed in amount
29 or by a specified method of computation, for each violation
30 thereof; also all the association's expenses of any suit
31 thereon, including bond premiums and attorney's fees. All
32 such provisions shall be enforced as written, whether at law
33 or in equity, and shall be deemed proper measurement of actual
34 damages, and not penalties or forfeitures.

35 b. The association may obtain specific performance of any

1 such contract, or enjoin its threatened or continued breach,
2 despite the adequacy of any legal or other remedy.

3 c. If the association files a verified petition, showing an
4 actual or threatened breach of any such contract and seeking
5 any remedy therefor, the court shall, without notice or
6 delay but on such bond as it deems proper, issue a temporary
7 injunction against such breach or its continuance.

8 2. The parties to such contracts may agree to arbitrate
9 any controversy subsequently arising thereunder, and fix the
10 number of arbitrators and method of their appointment. Such
11 agreements shall be valid and irrevocable, except on such
12 grounds as invalidate contracts generally. If they specify no
13 method for appointing arbitrators, or if either party fails
14 to follow such method, or if for any reason arbitrators are
15 not named or vacancies filled, either party may apply to the
16 district court to designate the necessary arbitrator, who shall
17 then act under the agreement with the same authority as if
18 named in it. Unless otherwise agreed, there shall be but one
19 arbitrator.

20 Sec. 70. Section 499B.7, subsection 2, Code 2015, is amended
21 to read as follows:

22 2. Any conveyance, encumbrance, lien, alienation, or
23 devise of an apartment under a horizontal property regime by
24 any instrument which describes the land and apartment as set
25 forth in section 499B.4, shall also convey, encumber, alienate,
26 devise, or be a lien upon the fractional or percentage
27 interest appurtenant to each such apartment under section
28 499B.4, subsection 6, to the general common elements, and the
29 respective share or percentage interest to limited common
30 elements where applicable, whether such general common elements
31 or limited common elements are described as in section 499B.4,
32 subsections 4 and 5, by general reference only, or not at all.

33 Sec. 71. Section 499B.15, subsections 3 and 4, Code 2015,
34 are amended to read as follows:

35 3. Method of calling or summoning the co-owners to assemble;

1 what percentage, if other than a majority of apartment owners,
2 shall constitute a quorum; who is to preside over the meeting;
3 and who will keep the minute book wherein the resolutions shall
4 be recorded.

5 4. Maintenance, repair, and replacement of the common areas
6 and facilities and payments therefor including the method of
7 approving payment vouchers.

8 Sec. 72. Section 507B.5, subsection 1, paragraph c, Code
9 2015, is amended to read as follows:

10 c. Require directly or indirectly that any borrower,
11 mortgagor, purchaser, insurer, broker, or agent pay a separate
12 charge, in connection with the handling of any insurance
13 policy required as security for a loan on real estate, or pay
14 a separate charge to substitute the insurance policy of one
15 insurer for that of another.

16 Sec. 73. Section 507C.4, subsection 5, Code 2015, is amended
17 to read as follows:

18 5. All ~~action~~ actions authorized in this chapter shall be
19 brought in the district court in Polk county.

20 Sec. 74. Section 508.38, subsection 1, Code 2015, is amended
21 to read as follows:

22 1. This section does not apply to any reinsurance,
23 group annuity purchased under a retirement plan or plan of
24 deferred compensation established or maintained by an employer
25 ~~(including, including a partnership or sole proprietorship)~~
26 proprietorship, or by an employee organization, or by both,
27 other than a plan providing individual retirement accounts or
28 individual retirement annuities under section 408 of the United
29 States Internal Revenue Code, as now or hereafter amended,
30 premium deposit fund, variable annuity, investment annuity,
31 immediate annuity, any deferred annuity contract after annuity
32 payments have commenced, or reversionary annuity, nor to any
33 contract which is delivered outside this state through an agent
34 or other representative of the company issuing the contract.

35 Sec. 75. Section 509.4, Code 2015, is amended to read as

1 follows:

2 **509.4 Number insured.**

3 An insurer may issue policies of individual life, accident,
4 health, hospital, medical or surgical insurance or any
5 combination thereof at reduced rates to employees of a common
6 employer including the state, a county, school district, city
7 or institution supported in whole or in part by public funds,
8 but the number of employees to be insured must be more than
9 one. The premium for such policies may be paid wholly or in
10 part by the employer. If such policies shall provide term life
11 insurance renewable only during the continuance of employment
12 with the employer they shall also provide for conversion to a
13 level premium life policy substantially in accordance with the
14 provisions of ~~subsection 8~~ of section 509.2, subsection 8.

15 Sec. 76. Section 514.4, Code 2015, is amended to read as
16 follows:

17 **514.4 Directors.**

18 1. a. At least two-thirds of the directors of a hospital
19 service corporation, medical service corporation, dental
20 service corporation, or pharmaceutical or optometric service
21 corporation subject to this chapter shall be at all times
22 subscribers and not more than one-third of the directors
23 shall be providers as provided in this section. The board of
24 directors of each corporation shall consist of at least nine
25 members.

26 b. A subscriber director is a director of the board of
27 a corporation who is a subscriber and who is not a provider
28 of health care pursuant to section 514B.1, subsection 7, a
29 person who has material financial or fiduciary interest in the
30 delivery of health care services or a related industry, an
31 employee of an institution which provides health care services,
32 or a spouse or a member of the immediate family of such a
33 person. However, a subscriber director of a dental service
34 corporation may be an employee, officer, director, or trustee
35 of a hospital that does not contract with the dental service

1 corporation. A subscriber director of a hospital or medical
2 service corporation shall be a subscriber of the services of
3 that corporation.

4 c. A provider director of a corporation subject to this
5 chapter shall be at all times a person who has a material
6 financial interest in or is a fiduciary to or an employee
7 of or is a spouse or member of the immediate family of a
8 provider having a contract with such corporation to render to
9 its subscribers the services of such corporation or who is a
10 hospital trustee.

11 2. A director may serve on a board of only one corporation
12 at a time subject to this chapter.

13 3. The commissioner of insurance shall adopt rules pursuant
14 to chapter 17A to implement the process of the election of
15 subscriber directors of the board of directors of a corporation
16 to ensure the representation of a broad spectrum of subscriber
17 interest on each board and establish criteria for the selection
18 of nominees. The rules shall provide for an independent
19 subscriber nominating committee to serve until the composition
20 of the board of directors meets the percentage requirements
21 of this section. Once the composition requirements of this
22 section are met, the nominations for subscriber directors
23 shall be made by the subscriber directors of the board under
24 procedures the board establishes which shall also permit
25 nomination by a petition of at least fifty subscribers. The
26 board shall also establish procedures to permit nomination of
27 provider directors by petition of at least fifty participating
28 providers. A member of the board of directors of a corporation
29 subject to this chapter shall not serve on the independent
30 subscriber nominating committee. The nominating committee
31 shall consist of subscribers as defined in this section. The
32 rules of the commissioner of insurance shall also permit
33 nomination of subscriber directors by a petition of at least
34 fifty subscribers, and nomination of provider directors
35 by a petition of at least fifty participating providers.

1 These petitions shall be considered only by the independent
2 nominating committee during the duration of the committee.
3 Following the discontinuance of the committee, the petition
4 process shall be continued and the board of directors of the
5 corporation shall consider the petitions. The independent
6 subscriber nominating committee is not subject to chapter 17A.
7 The nominating committee shall not receive per diem or expenses
8 for the performance of their duties.

9 4. Population factors, representation of different
10 geographic regions, and the demography of the service area of
11 the corporation subject to this chapter shall be considered
12 when making nominations for the board of directors of a
13 corporation subject to this chapter.

14 5. A corporation serving states in addition to Iowa shall be
15 required to implement this section only for directors who are
16 residents of Iowa and elected as board members from Iowa.

17 Sec. 77. Section 514G.105, subsection 10, paragraph c, Code
18 2015, is amended to read as follows:

19 *c.* The requirements of a policy summary set forth in
20 paragraph "b" may be incorporated into the basic illustration
21 required to be delivered in accordance with 191 IAC ch. 14, or
22 into the life insurance policy summary required to be delivered
23 in accordance with 191 IAC 15.4.

24 Sec. 78. Section 515.109, subsection 6, unnumbered
25 paragraph 1, Code 2015, is amended to read as follows:

26 a. The form of the standard policy (with permission to
27 substitute for the word "company" a more accurate descriptive
28 term for the type of insurer) shall be as follows:

29 Sec. 79. Section 515.109, subsection 6, unnumbered
30 paragraph 2, Code 2015, is amended to read as follows:

31 b. It is important that the written portions of all policies
32 covering the same property read exactly alike. If they do not,
33 they should be made uniform at once.

34 Sec. 80. Section 515A.4, subsection 5, Code 2015, is amended
35 to read as follows:

1 5. Under such rules and regulations as the commissioner
2 shall adopt the commissioner may, by written order, suspend or
3 modify the requirement of filing as to any kind of insurance,
4 subdivision or combination thereof, or as to classes of risks,
5 the rates for which cannot practicably be filed before they are
6 used. Such order, rules and regulations shall be made known
7 to insurers and rating organizations affected thereby. The
8 commissioner may make such examination as the commissioner
9 may deem advisable to ascertain whether any rates affected by
10 such order meet the standards set forth in ~~paragraph "b"~~ of
11 ~~subsection 1~~ of section 515A.3, subsection 1, paragraph "b".

12 Sec. 81. Section 515A.8, subsection 2, Code 2015, is amended
13 to read as follows:

14 2. If such appeal is based upon the failure of the rating
15 organization to make a filing on behalf of such member or
16 subscriber, which is based on a system of expense provisions
17 which differs, in accordance with the right granted in
18 ~~paragraph "e" of subsection 1~~ of section 515A.3, subsection 1,
19 paragraph "c", from the system of expense provisions included
20 in a filing made by the rating organization, the commissioner
21 shall, if the commissioner grants the appeal, order the rating
22 organization to make the requested filing for use by the
23 appellant. In deciding such appeal the commissioner shall
24 apply the standards set forth in section 515A.3.

25 Sec. 82. Section 517.1, unnumbered paragraph 1, Code 2015,
26 is amended to read as follows:

27 Every corporation, association, company, or reciprocal
28 exchange writing any of the several classes of insurance
29 authorized by ~~paragraph "d" of subsection 5~~ of section 515.48,
30 subsection 5, paragraph "d", shall maintain reserves for
31 outstanding losses under insurance against loss or damage from
32 accident to or injuries suffered by an employee or other person
33 and for which the insured is liable computed as follows:

34 Sec. 83. Section 522.6, subsection 5, paragraph b, Code
35 2015, is amended to read as follows:

1 *b.* Require that an insurer maintain a risk management
2 framework, conduct an own risk and solvency assessment,
3 and file an own risk and solvency assessment summary report
4 if the insurer has a risk-based capital level that is a
5 company-action-level event as set forth in section 521E.3 for
6 insurers and section 521F.4 for health organizations or that
7 would cause the insurer to be in hazardous financial condition
8 as set forth in 191 IAC ch. 110, or if the insurer otherwise
9 exhibits qualities of a troubled insurer as determined by the
10 commissioner.

11 Sec. 84. Section 524.541, Code 2015, is amended to read as
12 follows:

13 **524.541 Lists — filing with superintendent.**

14 1. Every state bank shall cause to be kept a full and
15 correct list of the names and addresses of the officers,
16 directors, and shareholders of the state bank, and the
17 number of shares held by each. If an affiliate, as defined
18 in ~~subsection 4~~ of section 524.1101, subsection 4, is a
19 shareholder in a state bank, such list shall include the names,
20 addresses, and percentage of ownership or interest in the
21 affiliate of the shareholders, members, or other individuals
22 possessing a beneficial interest in said affiliate.

23 2. A copy of the list as of the date of the adjournment
24 of each annual meeting of shareholders, in the form of an
25 affidavit signed by the president or cashier of the state bank,
26 shall be transmitted to the superintendent within ten days
27 after such annual meeting.

28 Sec. 85. Section 524.1003, Code 2015, is amended to read as
29 follows:

30 **524.1003 Removal of fiduciary powers.**

31 1. a. If the superintendent at any time concludes that
32 a state bank authorized to act in a fiduciary capacity is
33 managing its accounts in an unsafe or unsound manner, or in a
34 manner in conflict with the provisions of this chapter, and
35 such state bank refuses to correct such practices upon notice

1 to do so, the superintendent may forthwith direct that the
2 state bank cease to act as a fiduciary and proceed to resign
3 its fiduciary positions.

4 b. In such event the superintendent shall cause to be filed
5 a petition in the district court in which the state bank has
6 its principal place of business setting forth in general terms
7 that the state bank is acting as fiduciary with respect to
8 certain property and that it is necessary and desirable that
9 successor fiduciaries be appointed. Upon the filing of the
10 petition the court shall enter an order requiring all persons
11 interested in all such fiduciary accounts to designate and
12 take all necessary measures to appoint a successor fiduciary
13 within a time to be fixed by the order, or to show cause why a
14 successor fiduciary should not be appointed by the court. The
15 court shall also direct the state bank to mail a copy of the
16 order to each living settlor and each person known by the state
17 bank to have a beneficial interest in the fiduciary accounts
18 with respect to which the state bank is fiduciary and with
19 respect to which it is being asked to resign its position.
20 Such notice shall be mailed to the last known address of each
21 such settlor and person having a beneficial interest as shown
22 by the records of the state bank. The court may also order
23 publication of such order to the extent that it deems necessary
24 to protect the interests of absent or remote beneficiaries.

25 2. In any fiduciary account where those interested therein
26 fail to cause a successor fiduciary to be appointed prior
27 to the time fixed in such order, the court shall appoint a
28 successor fiduciary. A successor fiduciary appointed in
29 accordance with the terms of this section shall succeed to all
30 the rights, powers, titles, duties and responsibilities of
31 the state bank, except that the successor fiduciary shall not
32 exercise powers given in the instrument creating the powers
33 that by its express terms are personal to the fiduciary therein
34 designated and except claims or liabilities arising out of the
35 management of the fiduciary account prior to the date of the

1 transfer.

2 Sec. 86. Section 524.1601, subsections 1, 2, and 3, Code
3 2015, are amended to read as follows:

4 1. A director, officer, or employee of a state bank or bank
5 holding company who willfully violates any of the provisions
6 of ~~subsection 4~~ of section 524.612, subsection 4; section
7 524.613~~7~~; ~~subsection 2~~ of section 524.706, subsection 2,
8 insofar as such subsection incorporates ~~subsection 4~~ of section
9 524.612, subsection 4; or section 524.710, shall be guilty of a
10 serious misdemeanor, and, in the following circumstances, shall
11 pay an additional fine or fines equal to:

12 a. The amount of money or the value of the property which
13 the director, officer, or employee received for procuring,
14 or attempting to procure, a loan, extension of credit, or
15 investment by the state bank or bank holding company, upon
16 conviction of a violation of ~~subsection 1~~ of section 524.613,
17 subsection 1, or of ~~subsection 1~~ of section 524.710, subsection
18 1.

19 b. The amount by which the director's, officer's, or
20 employee's deposit account in the state bank or bank holding
21 company is overdrawn, upon conviction of a violation of
22 ~~subsection 2~~ of section 524.613, subsection 2, or of ~~subsection~~
23 ~~2~~ of section 524.710, subsection 2.

24 c. The amount of any profit which the director, officer,
25 or employee receives on the transaction, upon conviction of
26 a violation of ~~subsection 4~~ of section 524.612, subsection 4
27 or of ~~subsection 2~~ of section 524.706, subsection 2, insofar
28 as each applies to purchases from and sales to a state bank
29 or bank holding company upon terms more favorable to such
30 director, officer, or employee than those offered to other
31 persons.

32 d. The amount of profit, fees, or other compensation
33 received, upon conviction of a violation of section 524.710,
34 subsection 1, paragraph "b".

35 2. A director or officer who willfully makes or receives

1 a loan in violation of ~~subsection 1~~ of section 524.612,
2 subsection 1, or ~~subsection 1~~ of section 524.706, subsection 1,
3 shall be guilty of a serious misdemeanor and shall be subject
4 to an additional fine equal to that amount of the loan in
5 excess of the limitation imposed by such subsections, and shall
6 be forever disqualified from acting as a director or officer
7 of any state bank or bank holding company. For the purpose
8 of this subsection, amounts which are treated as obligations
9 of an officer or director pursuant to ~~subsection 5~~ of section
10 524.612, subsection 5, shall be considered in determining
11 whether the loan or extension of credit is in violation of
12 ~~subsection 1~~ of section 524.612, subsection 1, and ~~subsection 1~~
13 of section 524.706, subsection 1.

14 3. A director, officer, or employee of a state bank or
15 bank holding company who willfully makes or receives a loan or
16 extension of credit of funds held by the state bank or bank
17 holding company as fiduciary, in violation of ~~subsection 4~~ of
18 section 524.1002, subsection 4, shall be guilty of a serious
19 misdemeanor and shall be subject to a further fine equal to the
20 amount of the loan or extension of credit made in violation of
21 ~~subsection 4~~ of section 524.1002, subsection 4, and shall be
22 forever disqualified from acting as a director, officer, or
23 employee of any state bank or bank holding company.

24 Sec. 87. Section 535.10, subsection 3, paragraph a, Code
25 2015, is amended to read as follows:

26 a. A lender may collect in connection with establishing
27 or renewing a home equity line of credit the costs listed
28 in section 535.8, subsection 4, ~~paragraphs~~ paragraph "a" or
29 "b", charges for insurance as described in section 537.2501,
30 subsection 2, and a loan processing fee as agreed between
31 the borrower and the lender, and annually may collect an
32 account maintenance fee of not more than fifteen dollars.
33 Fees collected under this subsection shall be disregarded
34 for purposes of determining the maximum charge permitted by
35 subsection 4.

1 Sec. 88. Section 544A.28, Code 2015, is amended to read as
2 follows:

3 **544A.28 Seal required.**

4 1. An architect shall procure a seal with which to identify
5 all technical submissions issued by the architect for use in
6 this state. The seal shall be of a design, content, and size
7 designated by the board.

8 2. a. Technical submissions prepared by an architect, or
9 under an architect's direct supervision and responsible charge,
10 shall be stamped with the impression of the architect's seal.
11 The board shall designate by rule the location, frequency, and
12 other requirements for use of the seal. An architect shall
13 not impress the architect's seal on technical submissions if
14 the architect was not the author of the technical submissions
15 or if they were not prepared under the architect's direct
16 supervision and responsible charge. An architect who merely
17 reviews standardized construction documents for pre-engineered
18 or prototype buildings, is not the author of the technical
19 submissions and the technical submissions were not prepared
20 under a reviewing architect's responsible charge.

21 b. An architect shall cause those portions of technical
22 submissions prepared by a professional consultant to be stamped
23 with the impression of the seal of the professional consultant,
24 with a clear identification of the consultant's areas of
25 responsibility, signature, and date of issuance.

26 3. A public official charged with the enforcement of the
27 state building code, as adopted pursuant to section 103A.7,
28 or a municipal or county building code, shall not accept or
29 approve any technical submissions involving the practice of
30 architecture unless the technical submissions have been stamped
31 with the architect's seal as required by this section or unless
32 the applicant has certified on the technical submission to the
33 applicability of a specific exception under section 544A.18
34 permitting the preparation of technical submissions by a person
35 not registered under this chapter. A building permit issued

1 with respect to technical submissions which do not conform to
2 the requirements of this section is invalid.

3 Sec. 89. Section 547.1, Code 2015, is amended to read as
4 follows:

5 **547.1 Use of trade name — verified statement required.**

6 A person shall not engage in or conduct a business under
7 a trade name, or an assumed name of a character other than
8 the true surname of each person owning or having an interest
9 in the business, unless the person first records with the
10 county recorder of the county in which the business is to be
11 conducted a verified statement showing the name, post office
12 address, and residence address of each person owning or having
13 an interest in the business, and the address where the business
14 is to be conducted. However, this provision does not apply
15 to any person organized or incorporated in this state as a
16 domestic entity or authorized to do business in this state as a
17 foreign entity, if the person is a limited partnership under
18 chapter 488; a limited liability company under chapter 489;
19 ~~a corporation under chapter 490; a limited liability company~~
20 ~~under chapter 489;~~ a professional corporation under chapter
21 496C; a cooperative or cooperative association under chapter
22 497, 498, 499, 501, or 501A; or a nonprofit corporation under
23 chapter 504.

24 Sec. 90. Section 554.2311, subsection 1, Code 2015, is
25 amended to read as follows:

26 1. An agreement for sale which is otherwise sufficiently
27 definite ~~(subsection 3 of section 554.2204)~~ (section 554.2204,
28 subsection 3) to be a contract is not made invalid by the fact
29 that it leaves particulars of performance to be specified by
30 one of the parties. Any such specification must be made in
31 good faith and within limits set by commercial reasonableness.

32 Sec. 91. Section 554.2323, subsection 2, paragraph a, Code
33 2015, is amended to read as follows:

34 a. due tender of a single part is acceptable within the
35 provisions of this Article on cure of improper delivery

1 ~~(subsection 1 of section 554.2508)~~ (section 554.2508,
2 subsection 1); and

3 Sec. 92. Section 554.2503, subsection 5, paragraph a, Code
4 2015, is amended to read as follows:

5 a. the seller must tender all such documents in correct
6 form except as provided in this Article with respect to bills
7 of lading in a set ~~(subsection 2 of section 554.2323)~~ (section
8 554.2323, subsection 2); and

9 Sec. 93. Section 554.2505, subsection 1, paragraph b, Code
10 2015, is amended to read as follows:

11 b. a nonnegotiable bill of lading to the seller or the
12 seller's nominee reserves possession of the goods as security,
13 but except in a case of conditional delivery ~~(subsection~~
14 ~~2 of section 554.2507)~~ (section 554.2507, subsection 2) a
15 nonnegotiable bill of lading naming the buyer as consignee
16 reserves no security interest even though the seller retains
17 possession or control of the bill of lading.

18 Sec. 94. Section 554.2513, subsection 3, unnumbered
19 paragraph 1, Code 2015, is amended to read as follows:

20 Unless otherwise agreed and subject to the provisions of
21 this Article on C.I.F. contracts ~~(subsection 3 of section~~
22 ~~554.2321)~~ (section 554.2321, subsection 3), the buyer is not
23 entitled to inspect the goods before payment of the price when
24 the contract provides

25 Sec. 95. Section 554.2602, subsection 2, paragraph b, Code
26 2015, is amended to read as follows:

27 b. if the buyer has before rejection taken physical
28 possession of goods in which the buyer does not have a security
29 interest under the provisions of this Article ~~(subsection 3 of~~
30 ~~section 554.2711)~~ (section 554.2711, subsection 3), the buyer
31 is under a duty after rejection to hold them with reasonable
32 care at the seller's disposition for a time sufficient to
33 permit the seller to remove them; but

34 Sec. 96. Section 554.2603, subsection 1, Code 2015, is
35 amended to read as follows:

1 1. Subject to any security interest in the buyer (~~subsection~~
2 ~~3 of section 554.2711~~) (section 554.2711, subsection 3), when
3 the seller has no agent or place of business at the market of
4 rejection a merchant buyer is under a duty after rejection of
5 goods in the merchant buyer's possession or control to follow
6 any reasonable instructions received from the seller with
7 respect to the goods and in the absence of such instructions
8 to make reasonable efforts to sell them for the seller's
9 account if they are perishable or threaten to decline in
10 value speedily. Instructions are not reasonable if on demand
11 indemnity for expenses is not forthcoming.

12 Sec. 97. Section 554.2606, subsection 1, paragraph b, Code
13 2015, is amended to read as follows:

14 b. fails to make an effective rejection (~~subsection 1 of~~
15 ~~section 554.2602~~) (section 554.2602, subsection 1), but such
16 acceptance does not occur until the buyer has had a reasonable
17 opportunity to inspect them; or

18 Sec. 98. Section 554.2607, subsection 3, paragraph b, Code
19 2015, is amended to read as follows:

20 b. if the claim is one for infringement or the like
21 (~~subsection 3 of section 554.2312~~) (section 554.2312,
22 subsection 3) and the buyer is sued as a result of such a
23 breach the buyer must so notify the seller within a reasonable
24 time after the buyer receives notice of the litigation or be
25 barred from any remedy over for liability established by the
26 litigation.

27 Sec. 99. Section 554.2607, subsection 5, paragraph b, Code
28 2015, is amended to read as follows:

29 b. if the claim is one for infringement or the like
30 (~~subsection 3 of section 554.2312~~) (section 554.2312,
31 subsection 3) the original seller may demand in writing that
32 the seller's buyer turn over to the seller control of the
33 litigation including settlement or else be barred from any
34 remedy over and if the seller also agrees to bear all expense
35 and to satisfy any adverse judgment, then unless the buyer

1 after seasonable receipt of the demand does turn over control
2 the buyer is so barred.

3 Sec. 100. Section 554.2607, subsection 6, Code 2015, is
4 amended to read as follows:

5 6. The provisions of subsections 3, 4 and 5 apply to any
6 obligation of a buyer to hold the seller harmless against
7 infringement or the like ~~(subsection 3 of section 554.2312)~~
8 (section 554.2312, subsection 3).

9 Sec. 101. Section 554.2706, subsection 6, Code 2015, is
10 amended to read as follows:

11 6. The seller is not accountable to the buyer for any profit
12 made on any resale. A person in the position of a seller
13 (section 554.2707) or a buyer who has rightfully rejected or
14 justifiably revoked acceptance must account for any excess over
15 the amount of that person's security interest, as hereinafter
16 defined ~~(subsection 3 of section 554.2711)~~ (section 554.2711,
17 subsection 3).

18 Sec. 102. Section 554.2714, subsection 1, Code 2015, is
19 amended to read as follows:

20 1. Where the buyer has accepted goods and given notification
21 ~~(subsection 3 of section 554.2607)~~ (section 554.2607,
22 subsection 3) the buyer may recover as damages for any
23 nonconformity of tender the loss resulting in the ordinary
24 course of events from the seller's breach as determined in any
25 manner which is reasonable.

26 Sec. 103. Section 554.3501, subsection 2, paragraph d, Code
27 2015, is amended to read as follows:

28 *d.* The party to whom presentment is made may treat
29 presentment as occurring on the next business day after the day
30 of presentment if the party to whom presentment is made has
31 established a cut-off hour not earlier than ~~two~~ 2:00 p.m. for
32 the receipt and processing of instruments presented for payment
33 or acceptance and presentment is made after the cut-off hour.

34 Sec. 104. Section 554.10103, Code 2015, is amended to read
35 as follows:

1 **554.10103 General repealer.**

2 Except as provided in section 554.7103, all ~~aets~~ Acts and
3 parts of ~~aets~~ Acts inconsistent with this chapter are hereby
4 repealed.

5 Sec. 105. Section 558.44, Code 2015, is amended to read as
6 follows:

7 **558.44 Mandatory recordation of conveyances and leases of**
8 **agricultural land.**

9 1. Every conveyance or lease of agricultural land,
10 except leases not to exceed five years in duration with
11 renewals, conveyances or leases made by operation of law, and
12 distributions made from estates to heirs or devisees shall be
13 recorded by the grantee or lessee with the county recorder not
14 later than one hundred eighty days after the date of conveyance
15 or lease.

16 2. For an instrument of conveyance of agricultural land
17 deposited with an escrow agent, the fact of deposit of that
18 instrument of conveyance with the escrow agent as well as the
19 name and address of the grantor and grantee shall be recorded,
20 by a document executed by the escrow agent, with the county
21 recorder not later than one hundred eighty days from the date
22 of the deposit with the escrow agent. For an instrument of
23 conveyance of agricultural land delivered by an escrow agent,
24 that instrument shall be recorded with the county recorder not
25 later than one hundred eighty days from the date of delivery of
26 the instrument of conveyance by the escrow agent.

27 3. At the time of recordation of the conveyance or lease of
28 agricultural land, except a lease not exceeding five years in
29 duration with renewals, conveyances or leases made by operation
30 of law and distributions made from estates of decedents to
31 heirs or devisees, to a nonresident alien as grantee or lessee,
32 such conveyance or lease shall disclose, in an affidavit to
33 be recorded therewith as a precondition to recordation, the
34 name, address, and citizenship of the nonresident alien. In
35 addition, if the nonresident alien is a partnership, limited

1 partnership, corporation or trust, the affidavit shall
2 also disclose the names, addresses, and citizenship of the
3 nonresident alien individuals who are the beneficial owners of
4 such entities. However, any partnership, limited partnership,
5 corporation, or trust which has a class of equity securities
6 registered with the United States securities and exchange
7 commission under section 12 of the Securities Exchange Act of
8 1934 as amended to January 1, 1978, need only state that fact
9 on the affidavit.

10 4. Failure to record a conveyance or lease of agricultural
11 land required to be recorded by this section by the grantee
12 or lessee within the specified time limit is punishable by a
13 fine not to exceed one hundred dollars per day for each day of
14 violation. The county recorder shall record a conveyance or
15 lease of agricultural land presented for recording even though
16 not presented within one hundred eighty days after the date
17 of conveyance or lease. The county recorder shall forward to
18 the county attorney a copy of each such conveyance or lease
19 of agricultural land recorded more than one hundred eighty
20 days from the date of conveyance. The county attorney shall
21 initiate action in the district court to enforce the provisions
22 of this section. Failure to timely record shall not invalidate
23 an otherwise valid conveyance or lease.

24 5. If a real estate contract or lease is required to be
25 recorded under this section, the requirement is satisfied by
26 recording either the entire real estate contract or lease or
27 a memorandum of the contract or lease containing at least the
28 names and addresses of all parties named in the contract or
29 lease, a description of all real property and interests therein
30 subject to the contract or lease, the length of the contract
31 or initial term of the lease, and in the case of a lease a
32 statement as to whether any of the named parties have or are
33 subject to renewal rights, and if so, the event or condition
34 upon which renewal occurs, the number of renewal terms and the
35 length of each, and in the case of a real estate contract a

1 statement as to whether the seller is entitled to the remedy
2 of forfeiture and as to the dates upon which payments are due.
3 This ~~unnumbered paragraph~~ subsection is effective July 1, 1980,
4 for all contracts and leases of agricultural land made on or
5 after July 1, 1980.

6 6. The provisions of this section except as otherwise
7 provided, are effective July 1, 1979, for all conveyances and
8 leases of agricultural land made on or after July 1, 1979.

9 Sec. 106. Section 602.1206, subsection 2, Code 2015, is
10 amended to read as follows:

11 2. Supreme court rules shall be published as provided in
12 section ~~2B.5~~ 2B.5B.

13 Sec. 107. Section 602.4201, subsection 2, Code 2015, is
14 amended to read as follows:

15 2. Rules of appellate procedure relating to appeals to and
16 review by the supreme court, discretionary review by the courts
17 of small claims actions, review by the supreme court by writ of
18 certiorari to inferior courts, appeal to or review by the court
19 of appeals of a matter transferred to that court by the supreme
20 court, and further review by the supreme court of decisions of
21 the court of appeals, shall be known as "Rules of Appellate
22 Procedure", and shall be published as provided in section ~~2B.5~~
23 2B.5B.

24 Sec. 108. Section 602.9115A, Code 2015, is amended to read
25 as follows:

26 **602.9115A Optional annuity for judge and survivor.**

27 1. In lieu of the annuities and refunds provided for judges
28 and judges' survivors under sections 602.9107, 602.9108,
29 602.9115, 602.9204, 602.9208, and 602.9209, judges may
30 elect to receive an optional retirement annuity during the
31 judge's lifetime and have the optional retirement annuity,
32 or a designated fraction of the optional retirement annuity,
33 continued and paid to the judge's survivor after the judge's
34 death and during the lifetime of the survivor.

35 2. The judge shall make the election request in writing

1 to the state court administrator prior to retirement. The
2 election is subject to the approval of the state court
3 administrator. The judge may revoke the election prior to
4 retirement by written request to the state court administrator,
5 but cannot revoke the election after retirement.

6 3. The optional retirement annuity shall be the actuarial
7 equivalent of the amounts of the annuities payable to judges
8 and survivors under sections 602.9107, 602.9115, 602.9204,
9 602.9208, and 602.9209. The actuarial equivalent shall be
10 based on the mortality and interest assumptions set out in
11 section 602.9107, subsection 3.

12 4. a. If the judge dies without a survivor, prior to
13 retirement or prior to receipt in annuities of an amount equal
14 to the total amount remaining to the judge's credit at the time
15 of separation from service, the election is null and void and
16 the refunding provisions of section 602.9108 apply.

17 b. If the judge dies with a survivor prior to retirement,
18 the election remains valid and the survivor is entitled to
19 receive the annuity beginning at the death of the judge.

20 c. If the judge dies with a survivor and the survivor
21 subsequently dies prior to receipt in annuities by both the
22 judge and the survivor of an amount equal to the total amount
23 remaining to the judge's credit at the time of separation from
24 service, the election remains valid and the refunding provision
25 of section 602.9115 applies.

26 Sec. 109. Section 626.80, Code 2015, is amended to read as
27 follows:

28 **626.80 Time and manner.**

29 1. The sale must be at public auction, between ~~nine o'clock~~
30 ~~in the forenoon~~ 9:00 a.m. and ~~four o'clock in the afternoon~~
31 4:00 p.m., and the hour of the commencement of the sale must be
32 fixed in the notice.

33 2. The sheriff shall receive and give a receipt for a sealed
34 written bid submitted prior to the public auction. The sheriff
35 may require all sealed written bids to be accompanied by

1 payment of any fees required to be paid at the public auction
2 by the purchaser, to be returned if the person submitting
3 the sealed written bid is not the purchaser. The sheriff
4 shall keep all written bids sealed until the commencement of
5 the public auction, at which time the sheriff shall open and
6 announce the written bids as though made in person. A party
7 who has appeared in the foreclosure may submit a written bid,
8 which shall include a facsimile number or electronic mail
9 address where the party can be notified of the results of the
10 sale. If a party submitting a winning written bid does not pay
11 the amount of the bid in certified funds in the manner in which
12 the sheriff in the notice directs, such bid shall be deemed
13 canceled and the sheriff shall certify the next highest bidder
14 as the successful bidder of the sale either within twenty-four
15 hours for an electronic funds transfer or forty-eight hours
16 otherwise, of notification of the sale results. A sheriff may
17 refuse to accept written bids from a bidder other than the
18 judgment creditor if the bidder or the bidder's agent in the
19 action has demonstrated a pattern of nonpayment on previously
20 accepted bids.

21 Sec. 110. Section 626.84, Code 2015, is amended to read as
22 follows:

23 **626.84 Plan of division of land.**

24 At any time before ~~nine o'clock~~ 9:00 a.m. of the day of the
25 sale, the debtor may deliver to the officer a plan of division
26 of the land levied on, subscribed by the debtor, and in that
27 case the officer shall sell, according to said plan, so much
28 of the land as may be necessary to satisfy the debt and costs,
29 and no more. If no such plan is furnished, the officer may sell
30 without any division.

31 Sec. 111. Section 633.517, subsection 1, Code 2015, is
32 amended to read as follows:

33 1. A written finding of presumed death, made by the
34 secretary of defense, or other officer or employee of the
35 United States authorized to make such finding, pursuant to the

1 federal Missing Persons Act, 56 Stat. 143, 1092, and ~~P.L.~~ Pub.
2 L. No. 408, Ch. 371, 2d Session 78th Congress codified at 10
3 U.S.C. §1501 et seq., as now or hereafter amended, or a duly
4 certified copy of such a finding, shall be received in any
5 court, office, or other place in this state, as evidence of the
6 death of the person therein found to be dead, and of the date,
7 circumstances, and place of the disappearance.

8 Sec. 112. Section 633B.204, subsection 3, Code 2015, is
9 amended to read as follows:

10 3. Pledge or mortgage an interest in real property or a
11 right incident to real property as security to borrow money
12 or pay, renew, or extend the time of payment of a debt of the
13 principal or a debt guaranteed by the principal.

14 Sec. 113. Section 633B.210, subsection 1, Code 2015, is
15 amended to read as follows:

16 1. Continue, pay the premium or make a contribution on, or
17 modify, exchange, rescind, release, or terminate a contract
18 procured by or on behalf of the principal which insures or
19 provides an annuity to either the principal or another person
20 whether or not the principal is a beneficiary under the
21 contract.

22 Sec. 114. Section 633B.302, Code 2015, is amended to read
23 as follows:

24 **633B.302 Agent's certification — optional form.**

25 The following optional form may be used by an agent to
26 certify facts concerning a power of attorney:

27 IOWA STATUTORY POWER OF ATTORNEY AGENT'S CERTIFICATION FORM
28 AGENT'S CERTIFICATION OF VALIDITY OF POWER OF ATTORNEY AND
29 AGENT'S AUTHORITY

30 State of _____

31 County of _____

32 I, _____ (name of agent), certify

33 under penalty of perjury that _____

34 (name of principal) granted me authority as an agent

35 or successor agent in a power of attorney dated

1 _____.

2 I further certify all of the following to my knowledge:

3 The principal is alive and has not revoked the power of
4 attorney or the ~~Power~~ power of ~~Attorney~~ attorney and my
5 authority to act under the ~~Power~~ power of ~~Attorney~~ attorney
6 have not terminated.

7 If the power of attorney was drafted to become effective
8 upon the happening of an event or contingency, the event or
9 contingency has occurred.

10 If I was named as a successor agent, the prior agent is no
11 longer able or willing to serve.

12 _____
13 _____
14 _____.

15 (Insert other relevant statements)

16 SIGNATURE AND ACKNOWLEDGMENT

17 _____
18 Agent's Signature Date

19 _____
20 Agent's Name Printed

21 _____
22 _____

23 Agent's Address
24 _____

25 Agent's Telephone Number

26 This document was acknowledged before me on _____

27 (date), by _____ (name of agent)

28 _____ (Seal, if any)

29 Signature of Notary

30 My commission expires _____

31 This document prepared by

32 _____
33 _____

34 Sec. 115. Section 673.3, Code 2015, is amended to read as
35 follows:

1 when a condition or treatment is considered hazardous to the
2 welfare of the animal; a collision occurs with an object or
3 animal; or a participant fails to exercise reasonable care,
4 take adequate precautions, or use adequate control when
5 engaging in a domesticated animal activity, including failing
6 to maintain reasonable control of the animal or failing to act
7 in a manner consistent with the person's abilities.

8 Sec. 116. Section 714.16, subsection 5, paragraph c, Code
9 2015, is amended to read as follows:

10 c. As to any person other than a natural person, in the
11 manner provided in the Rules rules of Civil Procedure civil
12 procedure as if a petition had been filed; or

13 DIVISION II

14 CODE EDITOR DIRECTIVES

15 Sec. 117. CODE EDITOR DIRECTIVES.

16 1. Sections 159.23 and 669.12, Code 2015, are amended
17 by striking the words "director of management" and inserting
18 in lieu thereof the words "director of the department of
19 management".

20 2. Sections 8.6, subsection 6; 12.26, subsections 2 and 3;
21 88.2, subsection 5; 99G.39, subsection 2; 234.6, subsection 3;
22 456A.19, subsection 2; 602.1301, subsection 2, paragraph "a",
23 unnumbered paragraph 1; and 602.1301, subsection 2, paragraph
24 "b", Code 2015, are amended by striking the words "director of
25 management" and inserting in lieu thereof the words "director
26 of the department of management".

27 3. Sections 147A.1, subsection 9; and 147A.17, subsection
28 1, Code 2015, are amended by striking the words "north central
29 association of colleges and schools" and inserting in lieu
30 thereof the words "higher learning commission".

31 4. Sections 28J.27 and 321H.1, Code 2015, are amended
32 by striking the words "director of the state department
33 of transportation" and inserting in lieu thereof the words
34 "director of transportation".

35 5. Sections 225B.4, subsection 1, paragraph "e"; 321.1,

1 subsection 20; and 602.8102, subsection 53, Code 2015, are
2 amended by striking the words "director of the state department
3 of transportation" and inserting in lieu thereof the words
4 "director of transportation".

5 6. Sections 6B.2A, subsection 4; 423B.1, subsection
6 6, paragraph "b"; 423B.3, unnumbered paragraph 2; 423B.4,
7 subsection 2; and 466B.3, subsection 4, paragraph "h", Code
8 2015, are amended by striking the words "director of the
9 department of transportation" and inserting in lieu thereof the
10 words "director of transportation".

11 7. Section 148C.8, Code 2015, is amended by striking the
12 words "physician's assistant" and inserting in lieu thereof the
13 words "physician assistant".

14 8. Sections 280.16, subsection 1, paragraph "b"; 321.375,
15 subsection 1, paragraph "d"; 321.376, subsection 1; and
16 321L.2A, subsection 1, paragraph "e", Code 2015, are amended
17 by striking the words "physician's assistant" and inserting in
18 lieu thereof the words "physician assistant".

19 9. The Code editor is directed to number unnumbered
20 paragraphs within sections 299.5A, 425.2, 425.3, 426A.13,
21 426A.14, 453B.10, 453B.12, 499.27, 524.607, 543B.16, 602.9115,
22 and 669.4, Code 2015, in accordance with established Code
23 section hierarchy and correct internal references in the Code
24 and in any enacted Iowa Acts, as necessary.

25

EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill makes Code changes and corrections that are
29 considered to be nonsubstantive and noncontroversial, in
30 addition to style changes. Changes made include updating
31 or correcting names of and references to public and private
32 entities and positions, standardizing references to time
33 of day, corrections to citation form in federal Acts and
34 United States Code references, changes to internal Code
35 section reference format, correcting citations to the Iowa

1 Administrative Code, correcting terminology, spelling,
2 capitalization, punctuation, and grammar, and numbering,
3 renumbering, and reorganizing various provisions to eliminate
4 unnumbered paragraphs and to facilitate citation. The Code
5 sections in which the technical, grammatical, and other
6 nonsubstantive changes are made include the following:

7 DIVISION I. Code section 1D.1: Changes expressions of
8 time to numeric expressions and adds the word "England" after
9 the word "Greenwich" to specify the country in which the town
10 of Greenwich is located in language relating to standard and
11 daylight savings time.

12 Code section 10.1: Removes a pair of parentheses from around
13 the letter "j" to correct the form of citation to a provision
14 within the United States Code in a definition of cooperative
15 association.

16 Code section 13B.4B: Changes the word "in" to "under"
17 to conform to the style of the language used to refer to
18 the content of Code sections regarding confidentiality of
19 information to the style used elsewhere in the Code to refer
20 to other Code section content.

21 Code section 15.329: Moves the sentence's object "the
22 project" so that it immediately succeeds the verb "has
23 approved" to improve the readability of this provision
24 relating to approval of certain capital investment projects for
25 financial assistance under the high quality jobs program.

26 Code section 16.49: Changes the word "institution" to the
27 plural "institutions" in language relating to the standard of
28 care required for the collective institutions which provide
29 psychiatric medical care for children.

30 Code section 29B.26: Numbers and letters the unnumbered
31 paragraphs in this provision describing who may serve on
32 courts-martial for the state military forces.

33 Code section 29C.2: Hyphenates the phrase "public
34 safety-related information" in a definition of the term "mass
35 notification and emergency messaging system" to match other

1 uses of the phrase elsewhere in this Code chapter pertaining to
2 emergency management and security.

3 Code section 35B.6: Improves the grammar of the language
4 relating to selection of chairperson of a county commission on
5 veteran affairs.

6 Code section 35B.7: Replaces the pronoun "it" with the
7 words "the commission" in language relating to activities of
8 county commissions on veteran affairs at monthly meetings which
9 language also mentions the board of supervisors.

10 Code section 54.5: Changes expressions of time to numeric
11 expressions and numbers and letters paragraphs in this
12 provision regarding presidential nominees.

13 Code section 57.6: Adds in a numeric citation after a
14 reference by name to the Code chapter relating to contesting
15 elections to facilitate hypertext linkage.

16 Code section 96.7: Letters unnumbered paragraphs to
17 facilitate citation to provisions relating to unemployment
18 compensation hearings.

19 Code section 96.11: Deletes a comma to correct the grammar
20 of a provision relating to subpoenas issued by the department
21 of workforce development.

22 Code sections 97B.53, 97B.68, 97C.14, 161A.3, 509.4,
23 515A.4, 515A.8, 517.1, 524.1601, 554.2311, 554.2323, 554.2503,
24 554.2505, 554.2513, 554.2602, 554.2603, 554.2606, 554.2607,
25 554.2706, and 554.2714: Changes the numeric order of internal
26 references to various Code provisions within these provisions
27 to allow for automated hypertext linkage to those internal
28 references in electronic Code publications.

29 Code section 97C.2: Replaces parentheses with commas to
30 conform the style of two definitions to current Code style.

31 Code section 97C.20: Numbers unnumbered paragraphs and
32 updates the style of the citation to a provision within the
33 federal Social Security Act in this provision within the Code
34 chapter enabling implementation of the federal Social Security
35 Act in this state.

1 Code section 99D.6: Moves language, numbers paragraphs, and
2 updates the subsection headnote to this provision relating to
3 the members and employees of the racing and gaming commission.

4 Code section 99D.9B: Adds a comma to set off a clause and
5 strikes the redundant word "however" in language relating to
6 distribution of funds by the racing and gaming commission.

7 Code section 101A.7: Uses the plural of the word "explosive"
8 in language describing the inspection of facilities used to
9 store explosives.

10 Code section 124D.2: Adds the word "by" to complete the
11 parallel construction of phrases that indicate who has been
12 designated as a "primary caregiver" within a definition of
13 that term in the Code chapter relating to medical use of
14 cannabidiol.

15 Code section 124D.4: Changes the word "photo" to
16 "photograph" in language describing the means of identification
17 of patients and primary caregivers in the Code chapter relating
18 to medical use of cannabidiol to conform to other usage
19 throughout the Code.

20 Code section 135C.9: Replaces parentheses with a comma
21 within citations to the United States Social Security Act in
22 language relating to inspection of health care facilities.

23 Code section 135C.36: Updates the citation form to Iowa
24 administrative rules and to federal regulations to allow for
25 automated hypertext linkage in a provision regarding penalties
26 applicable to deficient practices identified in inspections of
27 health care facilities.

28 Code section 135L.3: Changes an expression of time to a
29 numeric expression in this provision relating to a notification
30 that must be sent to a parent of a minor prior to the minor
31 having an abortion.

32 Code section 163.11: Numbers unnumbered paragraphs, updates
33 the style, and corrects an internal reference based on the
34 numbering of the paragraphs in this provision relating to
35 importing animals into Iowa.

1 Code section 185C.26: Changes the words "for the purpose of
2 carrying" to "to carry" to remove a redundancy and to conform
3 the style of language regarding deposit of moneys by the corn
4 promotion board to other similar language in the Code.

5 Code section 190.11: Adds a colon, removes quotation marks,
6 and moves to a new line model text that must be added to a sign
7 that identifies where certain artificially sweetened products
8 are displayed or offered, to set off the sign text as a form
9 from the rest of the Code section requirements.

10 Code section 206.2: Changes "man" to "humans" to make the
11 definition of the term "hazard" within the pesticides Code
12 chapter gender neutral.

13 Code section 207.4: Replaces the word "it" with the words
14 "of the permit" to clarify language relating to the timing of a
15 termination of a permit for coal mining.

16 Code section 225C.47: Adds the missing word "of" in a
17 paragraph that precedes a listing of all of the conditions that
18 determine eligibility for the comprehensive family support
19 program.

20 Code section 232.119: Changes the word "photo" to
21 "photograph" in language relating to placement of information
22 regarding a child on the Iowa adoption exchange to conform to
23 usage elsewhere in the Code.

24 Code section 235A.17: Numbers paragraphs and sets out in a
25 numbered list the related information that a subject of a child
26 abuse report may disseminate to certain persons if the person
27 has received the information from the department of human
28 services or other official source.

29 Code section 235B.19: Changes an expression of time to a
30 numeric expression in language relating to emergency orders for
31 removal of or other protective services for a dependent adult.

32 Code section 235F.6: Adds the word "into" after the word
33 "entered" to improve the grammar of language relating to court
34 approval of a consent agreement entered into to cause the
35 cessation of elder abuse.

1 Code section 237.14: Changes the word "which" to "that" to
2 improve the readability of language relating to enhanced foster
3 care services.

4 Code section 260C.48: Strikes a comma before the word
5 "and" to improve the punctuation in language regarding
6 quality assurance standards for community college faculty and
7 professional development.

8 Code section 261B.11B: Replaces a Code chapter
9 self-reference with a reference to "this chapter" in this
10 provision regarding voluntary registration of postsecondary
11 schools with the college student aid commission.

12 Code section 263.6: Replaces a reference to "such
13 institute" with the name of the institute of child behavior and
14 development in language regarding the management and control
15 of that institute.

16 Code sections 280.17, 455D.16, 514G.105, and 522.6:
17 Corrects the form of citations to entire chapters of the Iowa
18 administrative code by adding "ch." to conform the citations
19 to other citations to Iowa administrative code chapters and
20 to facilitate hypertext linkage to the administrative code
21 chapters.

22 Code section 284.15: Changes "initial teacher mentoring
23 and induction program" to "beginning teacher mentoring and
24 induction program" to match the name given to the program under
25 Code section 284.5.

26 Code section 310.27: Numbers unnumbered paragraphs to
27 facilitate citation and adds the words "department of" to
28 conform terminology used to refer to the person who holds the
29 top administrative position in the department of management
30 with the majority of other references to that position
31 elsewhere in the Code. This same terminology change is made in
32 a number of other Code sections in division II of the bill.

33 Code section 328.1: Replaces parentheses with a comma to
34 update the style of a definition pertaining to operation of
35 aircraft.

1 Code section 358.22: Numbers unnumbered paragraphs to
2 facilitate citation and corrects internal references based on
3 the numbering in this provision relating to special assessments
4 and connection fees in sanitary districts.

5 Code section 403.6: Strikes an extra "and" in a series
6 describing the powers of a municipality.

7 Code section 403A.3: Replaces parentheses with commas and
8 adds commas to series to update the style and improve the
9 punctuation in this provision relating to the powers of a
10 municipality regarding municipal housing projects.

11 Code section 422.12: Adds the word "member" after the
12 plural term "emergency medical services personnel" and improves
13 paragraph references in language that describes credits given
14 to an individual taxpayer for voluntary services rendered.

15 Code section 422.17: Replaces "of that section" with a
16 reference to Code section "422.16" and changes the numeric
17 order of another reference to Code section 422.16, subsection
18 12, to facilitate automated hypertext linkage with that Code
19 section and subsection.

20 Code section 423.1: Renumbers the definition of "receive"
21 and "receipt" to eliminate an unnumbered paragraph that appears
22 at the end of the definition and to facilitate citation.

23 Code section 423.29: Numbers unnumbered paragraphs to
24 facilitate citation and corrects an internal reference to a
25 paragraph which is numbered in this provision relating to
26 collection of sales tax by retailers.

27 Code section 423.32: Renumbers to eliminate an initial
28 unnumbered paragraph and to facilitate citation in language
29 relating to remittance of use tax by retailers.

30 Code section 423D.4: Numbers unnumbered paragraphs to
31 facilitate citation and corrects an internal reference in this
32 provision regarding administration of excise taxes on sales and
33 use of equipment.

34 Code section 427.1: Changes the word "photo" to
35 "photograph" in language relating to applications for exemption

1 of certain property that is used as a natural conservation or
2 wildlife area from property tax to conform to usage elsewhere
3 in Code.

4 Code section 452A.65: Numbers unnumbered paragraphs to
5 facilitate citation and corrects internal references based
6 on the numbering in this provision relating to liability for
7 payment, penalties that attach to failure to pay, and refunds
8 for fuel taxes.

9 Code section 476.53: Renumbers to eliminate an unnumbered
10 paragraph and facilitate citation and corrects an internal
11 reference in language relating to construction or significant
12 alteration of electric power generating facilities.

13 Code section 480.1: Letters unnumbered paragraphs to
14 facilitate citation in a subsection containing a definition of
15 the term "excavation".

16 Code section 491.3: Replaces a dash with a comma to conform
17 punctuation to current style in language relating to powers of
18 business and professional corporations.

19 Code section 491.20: Numbers and letters unnumbered
20 paragraphs to facilitate citation and updates a reference to
21 Code section 491.25 by replacing "said section" with "section
22 491.25" in language relating to amendments to articles of
23 incorporation of business and professional corporations.

24 Code section 491.25: Numbers unnumbered paragraphs to
25 facilitate citation and replaces the word "such" with the
26 word "the" to update the style of this provision pertaining
27 to renewals of existence of business and professional
28 corporations.

29 Code section 499.9: Numbers and letters unnumbered
30 paragraphs to facilitate citation in this provision relating to
31 contracts by cooperative associations.

32 Code section 499B.7: Adds commas to series to improve
33 punctuation in this provision relating to instruments
34 conveying, encumbering, alienating, devising, or imposing a
35 lien on property which is part of a horizontal property regime.

1 Code section 499B.15: Adds a semicolon to one series and
2 a comma to another to improve the punctuation in language
3 describing the content of bylaws for horizontal property
4 regimes.

5 Code section 507B.5: Strikes commas that currently separate
6 an essential clause from the balance of language describing
7 certain improper insurance trade practices.

8 Code section 507C.4: Changes "action" to "actions" in
9 language describing venue for legal proceedings authorized
10 under the Code chapter pertaining to insurer supervision,
11 rehabilitation, and liquidation.

12 Code section 508.38: Replaces parentheses with commas in
13 language describing minimum forfeiture amounts in deferred
14 annuities prior to commencement of any annuity payments.

15 Code section 514.4: Numbers and letters unnumbered
16 paragraphs to facilitate citation to this provision regarding
17 directors of hospital, medical service, dental service, or
18 pharmaceutical or optometric service corporations.

19 Code section 515.109: Letters the first and last unnumbered
20 paragraphs in this subsection containing the standard fire
21 insurance policy form to better separate and distinguish the
22 Code section text from the text of the form.

23 Code section 524.541: Changes the numeric order of an
24 internal reference to permit automated hypertext linkage and
25 numbers unnumbered paragraphs to facilitate citation in this
26 provision relating to lists that are maintained and filed by
27 state banks with the superintendent of banking.

28 Code section 524.1003: Numbers and letters unnumbered
29 paragraphs to facilitate citation to this provision relating
30 to removal of fiduciary powers from a state bank by the
31 superintendent of banking or the court.

32 Code section 535.10: Changes "paragraphs" to "paragraph"
33 to correspond with the use of the word "or" in an internal
34 reference in language relating to costs, charges, and fees that
35 may be collected by a lender in a home equity line of credit.

1 Code section 544A.28: Numbers and letters unnumbered
2 paragraphs to facilitate citation to this provision relating to
3 architects seals.

4 Code section 547.1: Moves language to place Code chapter
5 references in Code chapter order in this provision relating to
6 use of a trade name.

7 Code section 554.3501: Changes an expression of time to
8 a numeric expression in language relating to presentment of
9 financial instruments.

10 Code section 554.10103: Capitalizes the word "Acts" in two
11 places in which Acts of the general assembly are referenced in
12 this provision repealing legislation which is inconsistent with
13 the enactment of revisions to Code chapter 554, which contains
14 the uniform commercial code.

15 Code section 558.44: Numbers paragraphs to facilitate
16 citation and corrects an internal reference in this provision
17 relating to mandatory recordation of conveyances and leases of
18 agricultural land.

19 Code sections 602.1206 and 602.4201: Changes an incorrect
20 reference to Code section 2B.5 to a correct reference to
21 Code section 2B.5B in language directing the reader to the
22 publication requirements for Iowa court rules. Currently, Code
23 section 2B.5 directs the reader to Code section 2B.5B for the
24 publication requirements.

25 Code section 602.9115A: Numbers and letters paragraphs to
26 facilitate citation to this provision relating to optional
27 retirement annuities for judges and judges' survivors.

28 Code section 626.80: Changes an expression of time to
29 a numeric expression and numbers unnumbered paragraphs to
30 facilitate citation in language relating to sale of property as
31 a result of an execution and levy upon the property.

32 Code section 626.84: Changes an expression of time to a
33 numeric expression in language relating to a plan of division
34 of land which is to be sold to satisfy an execution.

35 Code section 633.517: Conforms the form of citation to

1 a federal public law regarding missing persons to conform to
2 current style.

3 Code section 633B.204: Adds the word "a" to improve the
4 readability of language relating to the authority granted to an
5 agent over certain property under a power of attorney.

6 Code section 633B.210: Adds the word "or" to improve
7 the readability of a series regarding the effect of certain
8 language in a power of attorney with respect to insurance and
9 annuities.

10 Code section 633B.302: Standardizes capitalization of the
11 term "power of attorney" in an optional power of attorney
12 agent's certification form.

13 Code section 673.3: Numbers unnumbered paragraphs to
14 distinguish Code section text from that of a notice form in
15 this Code section relating to posting of notice on property on
16 which a domesticated animal professional holds domesticated
17 animal activities.

18 Code section 714.16: Changes the capitalization of the
19 phrase "rules of civil procedure" in this provision regarding
20 consumer frauds to conform to the capitalization of the same
21 phrase elsewhere in the Code.

22 DIVISION II. This division contains Code editor directives
23 to standardize terminology used to refer to the director of
24 the department of management; to the accrediting entity, the
25 "higher learning commission" associated with accreditation
26 of institutions of and programs for higher education in the
27 north central region; to the director of transportation; and
28 to physician assistants, in various enumerated provisions
29 throughout the Code. The division also requires the Code
30 editor to number the unnumbered paragraphs in various
31 enumerated provisions in accordance with established Code
32 section hierarchy and to correct internal references as
33 necessary.