

# House Study Bill 193 - Introduced

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

## A BILL FOR

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

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

DIVISION I

MISCELLANEOUS CHANGES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 the context otherwise requires:

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

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

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

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

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

1 of the following amounts:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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



1 to read as follows:

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

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

8 **16.17 Rules.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

21 **99.27 Mulct tax.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 political party.

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

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

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

21 **123.45 Limitations on business interests.**

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

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

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

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

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

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

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

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

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

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

1 follows:

2 **123.70 Injunction against bootlegger.**

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

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

15 **123.83 Method of trial.**

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

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

21 **123.84 Judgment.**

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

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

1     **123.85 Appeal.**

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

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

8     **123.88 Evidence.**

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

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

14     **123.122 Permit or license required.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

21    ~~(1)~~ a. A record of birth.

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

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

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

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

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

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

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

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

9 **147.86 Penalties.**

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

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

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

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

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

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

1 violation of this chapter.

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

4 **197.1 License.**

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

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

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

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

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

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

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

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

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

31 **215.23 Servicer's license.**

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

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

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

19 **215.24 Rules.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 **231E.13 Implementation.**

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

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

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

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

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

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

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

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

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

34 c. The age of the child.

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

1 are amended to read as follows:

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

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

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

6 c. The age of the child.

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 d. Research equipment and ~~additions~~

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

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

17 **262.49 No obligation against state.**

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

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

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

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

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

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

1 to read as follows:

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

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

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

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

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

26 c. Sections 262.55 through 262.66.

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

29 **263.8 Reports — tests.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

3     **321.59 Issuance of certificate.**

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

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

10    **321.154 Reports by department.**

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

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

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

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

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

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

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

6 **321.453 Exceptions.**

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

11 a. Fire apparatus. ~~road~~

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

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

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

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

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

1 amended to read as follows:

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

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

14 .....

15 (Purchaser's signature)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 **364.24 Traffic light synchronization.**

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

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

34 **388.11 Liability within two miles.**

35 A city or city utility providing water service within two



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

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

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

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

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

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

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

8 **404.4 Prior approval of eligibility.**

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

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

1 information:

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

3 b. The cost, of the improvement project.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



1 2015, is amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 **461A.57 Penalties.**

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

1 simple misdemeanor.

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

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

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

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

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

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

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

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

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

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

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

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

30 **468.206 Notice and hearing.**

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

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

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

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

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

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

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

23 2. In the case of lands lying within the beds of meandered  
24 streams and border streams the permission shall be obtained  
25 from the natural resource commission of the department of  
26 natural resources. In the case of lands that are not under  
27 the control of ~~ne~~ any office or agency of the state, then the  
28 permission shall be obtained from the executive council.

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



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

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

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

9     **468.262 Purpose.**

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

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

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

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

23     **468.540 Refunding bonds.**

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

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

1     **468.544 Requirements of notice.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 highway or railroad.

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 follows:

2 **517.2 Terms defined.**

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

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

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

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

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

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

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

1     **517.3 Distribution of unallocated payments.**

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

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

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

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

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

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

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

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

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

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

32  
33    c. A schedule showing such distribution shall be included  
34 in the annual statement.

35    2. a. All unallocated compensation loss expense payments

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

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

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

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

10 (4) Five percent to the policies written in the third year  
11 preceding. ~~7~~ ~~and such~~

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

15 (1) In the first calendar year one hundred percent shall be  
16 charged to the policies written in that year. ~~7~~ ~~in~~

17 (2) In the second calendar year fifty percent shall be  
18 charged to the policies written in that year and fifty percent  
19 to the policies written in the preceding year. ~~7~~ ~~in~~

20 (3) In the third calendar year forty-five percent shall  
21 be charged to the policies written in that year, forty-five  
22 percent to the policies written in the preceding year and ten  
23 percent to the policies written in the second year preceding. ~~7~~  
24 ~~and a~~

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

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

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

1 a. An application on blanks furnished by the association and  
2 signed by the insured or the insured's representative, which  
3 may contain in addition to other provisions: ~~the~~

4 (1) The value of the property., ~~the~~

5 (2) The proper description thereof, ~~the~~ of the property.

6 (3) The amount of other insurance and the encumbrance  
7 ~~thereon,~~ and agreement on the property.

8 (4) Agreement to be governed by the articles of  
9 incorporation and bylaws in force at the time the policy is  
10 issued., ~~a~~

11 (5) A representation that the foregoing statements are true  
12 as far as the same are known to the insured or material to the  
13 risk., ~~and that~~

14 (6) That the insurance shall take effect when approved by  
15 the secretary.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

30     **614.35 Recording interest.**

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

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

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

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

25 Affidavit

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

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

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

11 .....

12 Testator

13 .....

14 Witness

15 .....

16 Witness

17 .....

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

21 .....

22 ~~Notary Public, or other~~

23 Signature of notarial

24 ~~officer authorized to take~~

25 (Stamp) ~~and certify acknowledgments~~

26 ~~and administer oaths~~

27 [.....]

28 Title of office

29 [My commission expires]

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

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

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

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

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

27 In the District Court of Iowa  
 28 in and for .... County.  
 29 Probate No. ....

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

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

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

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

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

19 .....

20 Executor of estate

21 .....

22 Address

23 .....

24 Attorney for executor

25 .....

26 Address

27 Date of second publication

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

29 (Date to be inserted by publisher)

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

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

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

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

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

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

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

23 Trust  
24 .....

25 Trustee  
26 Address: .....

27 .....  
28 Date of second publication

29 ..... day of .....(month),  
30 .....(year)

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

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

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

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

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

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

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

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

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

21 **636.33 Final discharge.**

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

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

30 **636.34 Notice of deposit.**

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

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

1 follows:

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

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

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

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

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



1 follows:

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

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

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

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

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

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

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

1 amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 Sec. 204. CODE EDITOR DIRECTIVE — TRANSFERS.

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

33 a. Section 123.9 to become section 123.6.

34 b. Section 123.10 to become section 123.7.

35 c. Section 123.16 to become section 123.8.

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

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

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

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

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

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

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

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

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

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

1 subsection 1.

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

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

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

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

12 DIVISION II

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29     *b.* The application process for the grant.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28 b. The application process for the grant.

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

30 d. Determination of the amount of a grant.

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 1. Nurse educator incentive payment program.

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

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

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

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

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

12 2. Nursing faculty fellowship program.

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

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

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

1 rules shall include provisions specifying what constitutes a  
2 qualifying position at a nursing school.

3 *d.* In determining eligibility for a fellowship, the  
4 commission shall consider all of the following:

5 (1) The length of time a qualifying position has gone  
6 unfilled at a nursing school.

7 (2) Documented recruiting efforts by a nursing school.

8 (3) The geographic location of a nursing school.

9 (4) The type of nursing program offered at the nursing  
10 school, including associate, bachelor's, master's, or doctoral  
11 degrees in nursing, and the need for the specific nursing  
12 program in the state.

13 3. Nurse educator scholarship program.

14 *a.* The commission shall establish a nurse educator  
15 scholarship program. Funding for the program may be provided  
16 through the health care workforce shortage fund or the health  
17 care professional and the Iowa needs nurses now initiative  
18 account created in section 135.175. The goal of the nurse  
19 educator scholarship program is to address the waiting list of  
20 qualified applicants to Iowa's nursing schools by providing  
21 incentives for the training of additional nursing educators.  
22 For the purposes of this subsection, "*nurse educator*" means  
23 a registered nurse who holds a master's degree or doctorate  
24 degree and is employed as a faculty member who teaches nursing  
25 in a nursing education program as provided in 655 IAC 2.6 at  
26 a community college, an accredited private institution, or an  
27 institution of higher education governed by the state board of  
28 regents.

29 *b.* The program shall consist of scholarships to further  
30 advance the education of nurses to become nurse educators. The  
31 program shall provide for scholarship payments in an amount  
32 established by rule for students who are preparing to teach in  
33 qualifying teaching positions.

34 *c.* The commission, in consultation with the department  
35 of public health, the board of nursing, the department of

1 education, and the Iowa nurses association, shall adopt rules  
2 pursuant to chapter 17A relating to the establishment and  
3 administration of the nurse educator scholarship program. The  
4 rules shall include provisions specifying what constitutes a  
5 qualifying teaching position and the amount of any scholarship.

6 4. Nurse educator scholarship-in-exchange-for-service  
7 program.

8 a. The commission shall establish a nurse educator  
9 scholarship-in-exchange-for-service program. Funding for the  
10 program may be provided through the health care workforce  
11 shortage fund or the health care professional and Iowa needs  
12 nurses now initiative account created in section 135.175. The  
13 goal of the nurse educator scholarship-in-exchange-for-service  
14 program is to address the waiting list of qualified applicants  
15 to Iowa's nursing schools by providing incentives for the  
16 education of additional nursing educators. For the purposes  
17 of this subsection, "nurse educator" means a registered nurse  
18 who holds a master's degree or doctorate degree and is employed  
19 as a faculty member who teaches nursing in a nursing education  
20 program as provided in 655 IAC 2.6 at a community college, an  
21 accredited private institution, or an institution of higher  
22 education governed by the state board of regents.

23 b. The program shall consist of scholarships to further  
24 advance the education of nurses to become nurse educators. The  
25 program shall provide for scholarship-in-exchange-for-service  
26 payments in an amount established by rule for students who  
27 are preparing to teach in qualifying teaching positions for a  
28 period of not less than four consecutive academic years.

29 c. The scholarship-in-exchange-for-service recipient  
30 and the commission shall enter into an agreement specifying  
31 the obligations of the applicant and the commission.  
32 If the nurse educator leaves the qualifying teaching  
33 position prior to teaching for four consecutive academic  
34 years, the nurse educator shall be liable to repay the  
35 scholarship-in-exchange-for-service amount to the state plus

1 interest as specified by rule. However, if the nurse educator  
2 leaves the qualified teaching position involuntarily, the nurse  
3 educator shall be liable to repay only a pro rata amount of the  
4 scholarship based on incomplete years of service.

5 *d.* The receipt of a nurse educator  
6 scholarship-in-exchange-for-service shall not impact  
7 eligibility of an individual for other financial incentives  
8 including but not limited to loan forgiveness programs.

9 *e.* The commission, in consultation with the department  
10 of public health, the board of nursing, the department  
11 of education, and the Iowa nurses association, shall  
12 adopt rules pursuant to chapter 17A relating to the  
13 establishment and administration of the nurse educator  
14 scholarship-in-exchange-for-service program. The rules  
15 shall include the provisions specifying what constitutes  
16 a qualifying teaching position and the amount of any  
17 scholarship-in-exchange-for-service.

18 5. *Repeal.* This section is repealed June 30, 2016.

19 Sec. 218. EFFECTIVE UPON ENACTMENT. This division of this  
20 Act, being deemed of immediate importance, takes effect upon  
21 enactment.

22 Sec. 219. RETROACTIVE APPLICABILITY. This division of this  
23 Act applies retroactively to June 30, 2014.

24 DIVISION III

25 REENACTMENT OF DIVISION III OF 2014 IOWA ACTS, CH. 1106

26 Sec. 220. Section 135.175, subsection 1, paragraph a, as  
27 enacted in this Act, is amended to read as follows:

28 *a.* A health care workforce support initiative is established  
29 to provide for the coordination and support of various efforts  
30 to address the health care workforce shortage in this state.  
31 This initiative shall include the medical residency training  
32 state matching grants program created in section 135.176,  
33 ~~the nurse residency state matching grants program created~~  
34 ~~in section 135.178, the fulfilling Iowa's need for dentists~~  
35 ~~matching grant program created in section 135.179, the health~~



1 ~~care professional incentive payment program and Iowa needs~~  
2 ~~nurses now initiative created in sections 261.128 and 261.129,~~  
3 ~~the safety net provider recruitment and retention initiatives~~  
4 ~~program created in section 135.153A, and~~ health care workforce  
5 shortage national initiatives, ~~and the physician assistant~~  
6 ~~mental health fellowship program created in section 135.177.~~

7 Sec. 221. Section 135.175, subsection 5, paragraphs b, c, e,  
8 f, and g, as enacted in this Act, are amended by striking the  
9 paragraphs.

10 Sec. 222. Section 135.175, subsection 6, paragraphs a and c,  
11 as enacted in this Act, are amended to read as follows:

12 a. Moneys in the fund and the accounts in the fund  
13 shall only be appropriated in a manner consistent with the  
14 principles specified and the strategic plan developed pursuant  
15 to sections 135.163 and 135.164 to support the medical  
16 residency training state matching grants program, ~~the nurse~~  
17 ~~residency state matching grants program, the fulfilling Iowa's~~  
18 ~~need for dentists matching grant program, the health care~~  
19 ~~professional incentive payment program, the Iowa needs nurses~~  
20 ~~now initiative, the safety net recruitment and retention~~  
21 ~~initiatives program,~~ for national health care workforce  
22 shortage initiatives, ~~for the physician assistant mental health~~  
23 ~~fellowship program, for the purposes of the Iowa needs nurses~~  
24 ~~now infrastructure account,~~ and to provide funding for state  
25 health care workforce shortage programs as provided in this  
26 section.

27 c. State appropriations to the fund shall be allocated in  
28 equal amounts to each of the accounts within the fund, unless  
29 otherwise specified in the appropriation or allocation. Any  
30 federal funding received for the purposes of addressing state  
31 health care workforce shortages shall be deposited in the  
32 health care workforce shortage national initiatives account,  
33 unless otherwise specified by the source of the funds, and  
34 shall be used as required by the source of the funds. If  
35 use of the federal funding is not designated, ~~twenty-five~~

~~1 percent of such funding shall be deposited in the safety net~~  
~~2 provider network workforce shortage account to be used for the~~  
~~3 purposes of the account and the remainder of the funds shall~~  
4 be used in accordance with the strategic plan developed by the  
5 department of public health in accordance with sections 135.163  
6 and 135.164, or to address workforce shortages as otherwise  
7 designated by the department of public health. Other sources  
8 of funding shall be deposited in the fund or account and used  
9 as specified by the source of the funding.

10 Sec. 223. EFFECTIVE DATE. This division of this Act takes  
11 effect July 1, 2016.

12 DIVISION IV

13 CORRESPONDING CHANGES

14 Sec. 224. Section 249A.3, subsection 11, paragraph b, Code  
15 2015, is amended to read as follows:

16 *b.* The department shall exercise the option provided in  
17 42 U.S.C. §1396p(c) to provide a period of ineligibility  
18 for medical assistance due to a transfer of assets by  
19 a noninstitutionalized individual or the spouse of a  
20 noninstitutionalized individual. For noninstitutionalized  
21 individuals, the number of months of ineligibility shall be  
22 equal to the total, cumulative uncompensated value of all  
23 assets transferred by the individual or the individual's  
24 spouse on or after the look-back date specified in 42  
25 U.S.C. §1396p(c)(1)(B)(i), divided by the average monthly  
26 cost to a private patient for nursing facility services in  
27 Iowa at the time of application. The services for which  
28 noninstitutionalized individuals shall be made ineligible  
29 shall include any long-term care services for which medical  
30 assistance is otherwise available. Notwithstanding section  
31 17A.4, the department may adopt rules providing a period of  
32 ineligibility for medical assistance due to a transfer of  
33 assets by a noninstitutionalized individual or the spouse of a  
34 noninstitutionalized individual without notice of opportunity  
35 for public comment, to be effective immediately upon filing

1 under section 17A.5, subsection 2, paragraph "b", subparagraph  
2 (1), subparagraph division (a).

3 Sec. 225. Section 519A.4, subsection 1, paragraph a, Code  
4 2015, is amended to read as follows:

5 a. The association shall submit a plan of operation to  
6 the commissioner, together with any amendments necessary  
7 or suitable to assure the fair, reasonable, and equitable  
8 administration of the association consistent with sections  
9 519A.2 to 519A.13. The plan of operation and any amendments  
10 thereto shall become effective only after promulgation of  
11 the plan or amendment by the commissioner as a rule pursuant  
12 to section 17A.4: Provided that the initial plan may in the  
13 discretion of the commissioner become effective immediately  
14 upon filing with the secretary of state pursuant to section  
15 17A.5, subsection 2, paragraph "b", subparagraph (1),  
16 subparagraph division (a).

17

EXPLANATION

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

20 This bill contains statutory corrections that adjust  
21 language to reflect current practices, insert earlier  
22 omissions, delete redundancies and inaccuracies, delete  
23 temporary language, resolve inconsistencies and conflicts,  
24 update ongoing provisions, or remove ambiguities. The Code  
25 sections amended include the following:

26 DIVISION I: Section 8A.315: Adds an internal reference to  
27 subsection 2, paragraph "e", to reflect the addition of a new  
28 exception to requirements for purchase of recycled printing and  
29 writing paper by 2014 Iowa Acts, ch. 1036, §6.

30 Section 8A.504: Replaces the word "it" with the words "the  
31 public agency" in language regarding information pertaining to  
32 the names of certain persons forwarded to the department of  
33 administrative services or other collection entity by public  
34 agencies which are owed or which owe a debt.

35 Sections 12B.10, 12B.10C, 490.1302, 502A.4, and 551A.4:

1 Updates United State code references to the federal Investment  
2 Company and Investment Advisor Acts of 1940 to reflect the  
3 current codification of the provisions of those Acts in  
4 provisions relating to regulation of public funds and business  
5 entities, and business opportunity promotions.

6 Section 13.2: Strikes the word "including" and adds the word  
7 "amount" to simplify the language of a series pertaining to  
8 reports by the attorney general regarding receipts generated  
9 from settlements or judgments in excess of \$250,000 in certain  
10 legal proceedings.

11 Section 13.32: Adds a comma to correct a series pertaining  
12 to the victim assistance program. The word "such" is also  
13 stricken and the word "expenses" is added to conform language  
14 relating to payments for travel by contractors to similar  
15 earlier language regarding payments for travel by employees of  
16 the department of justice.

17 Section 13C.1: Adds a lead-in paragraph to a general  
18 definitions section for the chapter regarding organizations  
19 that solicit public donations to conform the format of the  
20 section to other general definitions sections in the Code.

21 Sections 15.105 and 303.4: Adds language citing the  
22 provision in which the congressional districts are established  
23 to provisions relating to appointment of members by  
24 congressional district to the board of the economic development  
25 authority and the board of trustees of the state historical  
26 society. Because the number of congressional districts has  
27 changed in the past, adding a reference to Code section 40.1 in  
28 these locations would help raise awareness of the impact that  
29 changes to Code section 40.1 has on the membership of these two  
30 boards.

31 Section 15.294: Strikes, effective June 30, 2021, a  
32 provision requiring the brownfield redevelopment council to  
33 consider and make recommendations regarding applications for  
34 certain tax credits to reflect the repeal of those tax credits  
35 effective on that same date.

1 Section 15.333: Changes the applicability of a definition  
2 of the phrase "new investment directly related to new jobs  
3 created by the project" to reflect the use of the phrase  
4 elsewhere in the Code section, not just in the subsection.

5 Section 16.1A: Changes a reference to the guiding  
6 principles pertaining to housing to a reference to all of the  
7 guiding principles pertaining to programs administered by the  
8 Iowa finance authority in language relating to administration  
9 of all of the programs by the authority.

10 Section 16.2A: Conforms references to the board of the title  
11 guaranty division to changes made to similar references in this  
12 section by 2014 Iowa Acts, ch. 1080, and adds the words "title  
13 guaranty" to more clearly distinguish the board from other  
14 boards within the Iowa finance authority.

15 Section 16.2B: Conforms language relating to assistance  
16 provided by the agricultural development division of the Iowa  
17 finance authority to qualified persons to obtain agricultural  
18 assets transfer tax credits to prefatory language requiring  
19 that assistance be given.

20 Section 16.2D: Clarifies that the requirement regarding  
21 minority group representation applies to the voting membership  
22 of the council on homelessness, not to the members themselves.

23 Section 16.7: Standardizes and updates the format used to  
24 describe the annual report of the Iowa finance authority.

25 Section 16.16: Corrects an internal reference from a  
26 reference to a nonexistent part to a reference to part 9 of  
27 subchapter X, which contains the Iowa jobs program. The  
28 language contained in this provision was previously contained  
29 in former Code section 16.197 and that language referred to  
30 duties relating to the Iowa jobs program, which is contained  
31 in part 9.

32 Section 16.17: Moves a reference to chapter 17A to an  
33 initial general requirement for rules adoption by the Iowa  
34 finance authority, standardizes language relating to rules  
35 regarding definitions, and substitutes "the authority" for the

1 word "it" to clarify that the authority is the entity with  
2 discretion regarding rules adoption.

3 Section 16.26: Strikes the words "bond anticipation" before  
4 the word "notes" to clarify the meaning of language describing  
5 how bond anticipation notes are issued.

6 Section 16.27A: Adds a comma to an apparent series in  
7 language relating to the Iowa finance authority's powers  
8 relating to loans.

9 Sections 16.50, 422.11D, 422.33, 422.60, and 432.12A:  
10 Replaces a citation to Code section 404A.2 with a citation  
11 to Code chapter 404A in language relating to eligibility of  
12 projects for historic preservation and cultural entertainment  
13 district tax credits to reflect the possibility that a project  
14 may qualify for more than one of the types of tax credits under  
15 the provisions of Code chapter 404A.

16 Section 16.59: Restructures language to clarify the  
17 applicability and determination of low or moderate net worth  
18 requirements for persons and entities before those persons  
19 and entities are eligible to receive special agricultural  
20 development financing from the Iowa finance authority.

21 Section 16.64: Adds language relating to the publication  
22 of notice of intention to issue bonds or notes and moves  
23 language that establishes a cutoff for actions challenging the  
24 legality of the bonds or notes based on the publication of that  
25 notice in this provision regarding issuance of those financial  
26 instruments by the Iowa finance authority.

27 Section 16.76: Moves language that indicates what types  
28 of loans may be made by the Iowa finance authority from  
29 within language relating to the making of those loans to the  
30 definition of the term "loan".

31 Section 16.78: Adds language directing the reader to  
32 the Code section that contains the method for determining a  
33 qualified beginning farmer's low or moderate net worth to  
34 language that describes the manner in which the Iowa finance  
35 authority must administer the beginning farmer tax credit

1 program.

2 Section 16.92: Strikes the words "Iowa finance" from before  
3 a reference to the authority to conform to the use of the term  
4 "authority" that is defined in Code section 16.1.

5 Section 17A.5: Numbers and rennumbers language in this  
6 paragraph to separate language relating to when a rule becomes  
7 effective from language relating to contests regarding the  
8 effective date of a rule. The language that is placed in  
9 its own subparagraph appears by its own words to apply to  
10 the entirety of the paragraph and not just to the former  
11 subparagraph to which it currently is attached.

12 Section 28M.7: Changes "government" to "governmental"  
13 in references to certain public entities to conform to the  
14 definition of the term "governmental entity" in Code section  
15 28M.1, the general definitions section for this chapter  
16 relating to regional transit districts.

17 Section 29B.116: Moves the phrase "subject to section  
18 29B.116A" in this language relating to conduct subject to  
19 military courts-martial to clarify that the phrase "though not  
20 specifically mentioned in this code" applies to the conduct and  
21 not to Code section 29B.116A.

22 Section 29B.116B: Supplies the missing word "been" in  
23 language relating to the annual adjutant general's report  
24 on the number of offenses committed by members of the  
25 military that have been reported to civilian law enforcement  
26 authorities.

27 Section 43.16: Numbers and letters unnumbered paragraphs  
28 and clarifies language describing the time frame of a  
29 candidate's death or withdrawal which causes the name of the  
30 candidate to be omitted from the certificate furnished by the  
31 state commissioner of elections and from the primary election  
32 ballot.

33 Section 68A.405: Adds the words "or electronic" to language  
34 defining the term "published material" to conform to the  
35 addition of "internet site" to the list of materials as well as

1 language relating to the use of television, video, or motion  
2 picture advertising in public political advertising.

3 Section 80B.5: Replaces the word "it" with the words "the  
4 academy" to clarify language describing the employment of  
5 Iowa law enforcement academy staff pursuant to the Iowa merit  
6 system.

7 Section 96.9: Combines language describing the investment  
8 of funds in the unemployment trust fund in certain marketable  
9 classes of securities, that currently appears after a colon,  
10 with language which appears before the colon that describes the  
11 circumstances under which that investment would occur.

12 Section 96.14: Updates a United States Code citation to a  
13 provision from the federal Bankruptcy Act of 1898 to reflect  
14 the current location of that codified content.

15 Section 96.20: Changes the word "Act" to "chapter" in  
16 language describing wages covered under Iowa's unemployment  
17 compensation law to reflect the codification of 1971 Iowa Acts,  
18 ch. 113, §32, into chapter 96 of the Code.

19 Section 99.27: Replaces the word "herein" with a specific  
20 reference to the Code section in which "nuisance" is defined,  
21 replaces the word "said" with the word "the", and adds in the  
22 word "mulct" before the word "tax" to clarify the meaning  
23 of this provision relating to taxes on premises in which  
24 a nuisance is maintained or which are used for houses of  
25 prostitution or for illegal gambling.

26 Section 105.18: Strikes the words "perform" and "of"  
27 to clarify language describing the type of work which an  
28 individual who holds either a master or journeyperson  
29 mechanical or HVAC-refrigeration license may perform and not be  
30 required to obtain a special electrician's license.

31 Section 123.5: With the exception of one sentence which is  
32 added to Code section 123.11, combines language from current  
33 Code sections 123.6, 123.7, and 123.12, which are repealed  
34 later in this division of this bill, with the language in this  
35 Code section to consolidate the language pertaining to the



1 creation and membership of the alcoholic beverages commission  
2 into a single Code section.

3 Section 123.11: Combines two sentences currently contained  
4 in Code section 123.6, relating to payment of expenses and  
5 compensation to members of the commission, with the language of  
6 this Code section relating to payment of expenses and salaries  
7 of commission members and employees of the alcoholic beverages  
8 division.

9 Section 123.17 and 123.45: Moves language prohibiting  
10 members of the alcoholic beverages commission members and  
11 employees of the division of alcoholic beverages from having  
12 financial interests in the manufacture, sale, or purchase of  
13 alcoholic liquor, wine, or beer that is currently contained  
14 in Code section 123.45 to Code section 123.17, which contains  
15 other prohibitions relating to commission members and  
16 employees, reformats the language in Code section 123.17  
17 relating to prohibited conduct, and changes a reference to  
18 "law" with a specific cite to the Code chapter relating to  
19 removal from office. Code section 123.45 is also reformatted  
20 to enumerate the limitations on business interests that  
21 are placed on persons who are engaged in the business of  
22 manufacture, bottling, or wholesaling of alcoholic beverages,  
23 wine, or beer, and to set out the exceptions and penalties that  
24 apply.

25 Section 123.70: Replaces the words "in this chapter" with  
26 the reference to the specific Code section that contains  
27 the definition of "bootlegger" in this provision regarding  
28 injunctions that may issue to restrain persons from engaging in  
29 bootlegging activities.

30 Sections 123.83, 123.84, and 123.85: Adds language and  
31 citations to hypertext link these Code sections relating to  
32 filing and trials of and judgment and appeals in actions to  
33 forfeit an abatement bond because of a nuisance maintained on  
34 premises covered by the bond.

35 Section 123.88: Adds language after the term "nuisance" to

1 link the term to the Code section which establishes the meaning  
2 of the term for purposes of proceedings to abate the nuisance.

3 Sections 123.122, 123.123, 123.143, 123.171, and 123.172:  
4 Changes the word "division" to "subchapter" to distinguish uses  
5 of the term to refer to subunits of Code chapter 123 from uses  
6 within Code chapter 123 of the defined term "division" that are  
7 intended to refer to the alcoholic beverages division of the  
8 department of commerce.

9 Section 124.401: Strikes a paragraph, effective July  
10 1, 2017, permitting the recommendation, possession, use,  
11 dispensing, delivery, transport, or administration of  
12 cannabidiol if done in accordance with Code chapter 124D. Code  
13 chapter 124D is repealed effective July 1, 2017.

14 Section 124D.4: Changes the word "card" to "cards" to  
15 conform to the language of subsections 1 and 3 of Code section  
16 124D.4, which indicates the issuance of multiple cards.

17 Section 135.173A: Updates references to the current  
18 entities that currently carry out the duties and  
19 responsibilities formerly carried out by the early childhood  
20 Iowa council and the community empowerment office of the  
21 department of management. A Code section reference relating to  
22 the strategic plan of the former early childhood Iowa council  
23 is also updated to refer to the current strategic plan being  
24 used for comprehensive early childhood services in this state.

25 Section 135C.33: Adds the missing word "adult" in language  
26 relating to one of the forms of abuse for which criminal record  
27 checks are performed as part of preemployment screening for  
28 positions in health care facilities.

29 Section 144.43: Renumbers language relating to  
30 confidentiality and inspection of vital records to more closely  
31 conform the initial numbering of the language to the structure  
32 of the unnumbered paragraphs prior to the renumbering of this  
33 section in 2009 Iowa Acts, ch. 41, §194.

34 Sections 147.1 and 147.86: Strikes redundant language  
35 relating to the Code chapters which succeed this first Code

1 chapter in subtitle 3, relating to health-related professions,  
2 within title IV, entitled public health, of the Code, so that  
3 the remaining language refers to "this subtitle".

4 Section 157.1: Changes the word "licensed" to "operated",  
5 making this definition of the term "schools of cosmetology  
6 arts and sciences" similar to the definition of "school of  
7 barbering" in Code chapter 158, to conform the language of the  
8 definition to the use of the term in Code section 157.8, which  
9 prohibits any school of cosmetology from operating unless the  
10 owner obtains a license issued by the department.

11 Section 159.1: Strikes three definitions pertaining to  
12 agricultural drainage wells from the general definitions  
13 section for the Code chapter relating to the department  
14 of agriculture. The regulatory provisions pertaining to  
15 agricultural drainage wells were transferred from Code chapter  
16 159 to Code chapter 460 in 2002 as the result of the passage  
17 of 2002 Iowa Acts, ch. 1137, and the defined terms no longer  
18 appear anywhere in Code chapter 159. Although the term  
19 "agricultural drainage well" is used three times in the Code  
20 title relating to agriculture, it is used only in the two  
21 chapters to which this definition's section does not apply.

22 Section 172A.10: Adds the words "obtain or" before the  
23 word "maintain" to conform the language of the last sentence  
24 of this Code subsection, relating to financial responsibility  
25 requirements for slaughterhouse operators, to the first  
26 sentence of the subsection.

27 Section 197.1: Numbers unnumbered paragraphs to facilitate  
28 citation, moves language to improve readability, strikes  
29 unnecessary language, and replaces "herein" with a reference  
30 to "in this chapter" to update this provision relating to  
31 licensing of dealers in poultry and domestic fowl.

32 Section 198.7: Updates the citation to the provision in  
33 the United States Code relating to unsafe new animal drugs  
34 under the federal Food, Drug, and Cosmetic Act to the correct  
35 citation.

1 Section 206.24: Strikes an outdated deadline for initiation  
2 of a program of education and demonstration in agricultural use  
3 of fertilizers and pesticides.

4 Section 206.32: Strikes a 1989 deadline after which the  
5 sale, purchase, application, or use of chlordane is prohibited.  
6 The strike of the deadline does not affect the prohibition.

7 Section 215.23: Conforms a term referring to a commercial  
8 weighing and measure device to the term as defined in Code  
9 section 215.26 and corrects the name of the publication from  
10 the United State national institute of standards and technology  
11 in this provision relating to licensing of servicers of those  
12 devices.

13 Section 215.24: Strikes the words "of agriculture and land  
14 stewardship" after the word "department", because "department"  
15 is defined in Code section 215.26 to mean department of  
16 agriculture and land stewardship, and standardizes language  
17 relating to the adoption of rules to match language used in  
18 Code chapter 17A in this provision relating to adoption of  
19 rules by the department.

20 Section 218.95: Strikes references to four Code chapters  
21 in this provision that establishes updates and parallel  
22 terminology for various Code chapters pertaining to persons  
23 with mental health issues because the outdated terminology no  
24 longer appears in any of the four Code chapters.

25 Section 229.26: Strikes the words "or an intellectual  
26 disability" in language regarding involuntary hospitalization  
27 to reflect the removal of procedures for involuntary  
28 hospitalization for persons with intellectual disabilities only  
29 by 2013 Iowa Acts, ch. 130.

30 Section 230.11: Adds language relating to payment to  
31 counties by the department of human services for mental health  
32 services to conform to similar language added to Code section  
33 222.69 by 2012 Iowa Acts, ch. 1120, §84.

34 Section 231D.16: Strikes two outdated deadlines for  
35 compliance of certain adult day services programs with the

1 accreditation requirements of Code chapter 231D.

2 Section 231E.13: Strikes language requiring the department  
3 of human services to notify the Code editor regarding  
4 implementation of Code chapter 231E, regarding the substitution  
5 decision maker Act. The department notified the Code editor  
6 regarding initial implementation of the Act in 2007.

7 Section 232.46: Splits language relating to the separate  
8 terms and conditions of consent decrees in juvenile delinquency  
9 proceedings to conform to the content of similar language in  
10 Code section 232.29, subsection 2, and Code section 232.52,  
11 subsection 2, paragraph "a", subparagraphs (1) and (2).

12 Sections 232.125 and 232.178: Conforms the language of  
13 each of these provisions describing the contents of petitions  
14 relating to a family in need of assistance and for voluntary  
15 placement proceedings to each other and to similar language in  
16 Code sections 232.36 and 232.111. In Code section 232.178,  
17 additional petition contents are also set out in a lettered  
18 list to enumerate the contents in a manner similar to that of  
19 Code section 232.111.

20 Section 235B.4: Numbers unnumbered paragraphs to facilitate  
21 citation and modifies an internal string reference to clearly  
22 include the last Code section cited within the string in  
23 language relating to the purposes of the central registry for  
24 dependent adult abuse information. The last Code section cited  
25 in the Code section string relates to registry reports.

26 Section 235F.1: Adds the verb "exists" after the word  
27 "potential" to grammatically complete the sentence describing  
28 forms of financial dangers that would constitute a "present  
29 danger of elder abuse" in this definition of that term.

30 Section 235F.5: Rewrites prefatory language, to improve  
31 readability, that describes how allegations of elder abuse  
32 may be established at a hearing on a petition making the  
33 allegations.

34 Section 235F.6: Rewrites language, to improve readability,  
35 that describes content that cannot be included in dispositional

1 court orders entered after hearing on petitions alleging elder  
2 abuse as described under Code chapter 235F.

3 Section 235F.8: Adds the words "the vulnerable elder"  
4 before the words "leaving the vulnerable elder's home" in  
5 language describing general procedure in elder abuse cases to  
6 account for the fact that a petitioner under Code chapter 235F  
7 may not be the affected vulnerable elder.

8 Section 237A.30: Restores, retroactive to July 1, 2010,  
9 changes originally made by 2010 Iowa Acts, ch. 1031, §302,  
10 which were inadvertently overwritten when a change from §358  
11 of that same Act, with an effective date of July 1, 2011, was  
12 applied to this provision regarding a voluntary quality rating  
13 system for providers at child care facilities.

14 Sections 256.2 and 256.7: Moves a definition of the term  
15 "telecommunications" from a provision within the Code section  
16 describing the duties of the state board of education to  
17 the general definitions Code section for this Code chapter  
18 pertaining to the department of education because the current  
19 definition applies to all of Code chapter 256.

20 Section 256B.2: Includes in the defined term of "children  
21 requiring special education" children who might be excluded  
22 because they have exceeded the maximum age for eligibility  
23 during an academic year within the definition of the term. The  
24 language is currently contained within the provision regarding  
25 children requiring special education, but is not included  
26 within the defined term.

27 Section 256F.2: Strikes a definition of the term "area  
28 education agency board" from the general definitions Code  
29 section in this Code chapter relating to charter schools and  
30 innovation zone schools because the defined term is not used in  
31 Code chapter 256F.

32 Sections 260C.58 and 262.49: Sets out in an enumerated  
33 list language, which currently appears after a colon within a  
34 paragraph, that describes the revenue sources from which bonds  
35 or notes of community colleges and regents institutions are

1 payable.

2 Section 262.44: Sets out in a lettered list the types of  
3 self-liquidating and revenue-producing buildings and facilities  
4 for which portions of the campuses of regents institutions of  
5 higher education may be set aside and used.

6 Section 262.57: Changes the word "provision" to  
7 "provisions" to reflect the fact that the subchapter under  
8 which bonds or notes are issued for regents institution  
9 buildings and facilities consists of multiple Code provisions  
10 as referred to later in this section.

11 Section 262A.2: Conforms the internal hierarchy of a Code  
12 subsection defining what constitutes student fees and charges  
13 for purposes of the issuance of revenue bonds by the board of  
14 regents to the hierarchy used in other Code subsections.

15 Section 263.8: Numbers unnumbered paragraphs to facilitate  
16 citation, adds language specifying the name of the laboratory  
17 which is referenced, and standardizes language relating to  
18 adoption of rules in this provision relating to reports and  
19 tests performed by the state hygienic laboratory.

20 Section 321.19: Restructures this provision to enumerate  
21 the vehicles which are exempt from payment of vehicle  
22 registration fees and the persons to whom are issued, upon  
23 application, distinguishing plates for the exempted vehicles.

24 Section 321.34: Adds an internal reference to paragraph  
25 "c" of subsection 20C to language describing the subsection  
26 paragraphs that pertain to distinguishing processed emblems for  
27 vehicle registration plates, changes the word "and" to "or"  
28 to clarify that two types of emblems are under consideration,  
29 and reenacts language that was inadvertently omitted from  
30 subsection 27 as enacted by 2014 Acts, ch. 1116, §28, after the  
31 legislation was passed by the general assembly and before it  
32 was sent to the office of the governor.

33 Section 321.59: Replaces a reference to "any such"  
34 application in language relating to certificates issued to  
35 motor vehicle dealers, transporters, and new motor vehicle

1 wholesalers with a specific reference to the application  
2 specified in Code section 321.58. The addition of the language  
3 will facilitate hypertext linkage between the two Code  
4 sections.

5 Section 321.154: Replaces a reference to "said" report with  
6 language specifying that the report referenced is the county  
7 treasurer's report under Code section 321.153. The addition of  
8 the language will facilitate hypertext linkage between the two  
9 Code sections.

10 Section 321.191: Replaces a reference to "double/triple"  
11 trailer endorsement with "double or triple" trailer endorsement  
12 to conform to the current Code style for references to both  
13 inclusive and exclusive alternatives.

14 Section 321.198: Strikes the word "such" and replaces  
15 "above described" military personnel with a specific reference  
16 to subsection 1, in which the types of military personnel  
17 covered are described, to update the language of this provision  
18 relating to extensions of driver's licenses for certain  
19 military personnel and their dependents.

20 Section 321.453: Restructures language and numbers  
21 paragraphs regarding exceptions to size, weight, load, and  
22 permit requirements that apply for certain vehicles and  
23 equipment.

24 Section 321A.39: Replaces a reference by name to the  
25 motor vehicle financial and safety responsibility Act with a  
26 reference to "this chapter" in which that Act is codified,  
27 and adds a reference to Code chapter 321A in the language  
28 of a statement that must be included with a purchase order  
29 or invoice evidencing a retail sale of a motor vehicle if  
30 liability insurance is not included in the sale of the vehicle.

31 Section 321E.11: Corrects an internal reference to the  
32 definition for the term "urban transit system". Code section  
33 321.19 defines the term "urban transit company" but, although  
34 the Code section refers to systems, it does not define "urban  
35 transit systems". A definition of the term is contained in



1 Code section 324A.1.

2 Section 321G.4: Clarifies language within a provision  
3 regarding registration of antique snowmobiles that provides  
4 that those vehicles may be registered with only a signed bill  
5 of sale as evidence of ownership.

6 Section 331.508: Changes "record book" to "permanent  
7 record" in this provision relating to books and records kept by  
8 county auditors to reflect the changes made in similar language  
9 in Code section 35B.10 by 2014 Iowa Acts, ch. 1116, §45.

10 Section 358.21: Numbers and letters paragraphs to  
11 facilitate citation, updates language, and replaces references  
12 to "hereunder" with specific citations to Code chapter 358 or  
13 the provisions of this Code section to clarify the meaning  
14 of those references in this provision regarding the debt  
15 limitations of and issuance of bonds for sanitary districts.

16 Section 359A.6: Splits a run-on sentence into three  
17 sentences and replaces references to "such" and "said" with  
18 "the" and references to "same" with "full amount due" to update  
19 and clarify the meaning of language pertaining to the erecting,  
20 rebuilding, or repairing of fences.

21 Section 364.24: Strikes outdated language and adds a  
22 reference to Code chapter 17A to standardize rulemaking  
23 verbiage in this provision relating to traffic light  
24 synchronization.

25 Section 388.11: Strikes the word "fire" from before the  
26 word "hydrants" in language limiting liability for failure to  
27 provide or maintain fire protection services to conform to  
28 later language specifying that the protection applies if the  
29 hydrants were not intended for fire protection purposes.

30 Section 403.9: Replaces the word "it" with the word  
31 "municipality" to clarify that a municipality may issue  
32 refunding bonds to pay or retire bonds that the municipality  
33 itself previously issued.

34 Section 403.15: Replaces antiquated sentence structure  
35 and punctuation in language relating to the creation of urban

1 renewal agencies.

2 Section 404.4: Numbers unnumbered paragraphs and enumerates  
3 the information that must, at a minimum, be contained in an  
4 application for an urban revitalization tax exemption in this  
5 provision governing submission and approval of proposals for  
6 improvements.

7 Section 422.11L: Corrects a reference to the federal  
8 residential energy efficient property credit related to solar  
9 energy in the federal Internal Revenue Code by changing the  
10 reference to "section 25D(a)(1)". There is no section 25E  
11 in the federal Internal Revenue Code and section 25D(a)(1)  
12 contains provisions regarding solar energy system tax credits.

13 Section 423.3: Strikes obsolete language repealing a sales  
14 tax exemption for sales of reagents and related accessory  
15 equipment to a regional blood testing facility if the facility  
16 is not located in the state on or before January 1, 2011. The  
17 Mississippi river valley regional blood center was established  
18 in 2010.

19 Section 423.30: Numbers unnumbered paragraphs to facilitate  
20 citation and changes a reference from "this section" to  
21 "subsection 1" in this provision regarding collection of use  
22 tax by sellers who are not retailers, who maintain places  
23 of business in Iowa, and who are not registered under the  
24 streamlined sales and use tax agreement authorized under Code  
25 chapter 423.

26 Section 445.37: Replaces "However" with "Notwithstanding  
27 paragraph `a'" to update the language of this exception to  
28 language that specifies when an installment of any tax is  
29 deemed delinquent.

30 Section 452A.3: Strikes the words "as defined in section  
31 214.1" that appear after a reference to "E-85 gasoline" in this  
32 provision imposing an excise tax on each gallon of that type  
33 of gasoline. E-85 gasoline is defined in Code section 453A.2,  
34 making the stricken language redundant.

35 Section 452A.8: Strikes obsolete language relating

1 to the initial date on which monthly gas tax returns were  
2 due, replaces the word "consumer" with "purchaser" to make  
3 terminology used internally consistent, and adds the word  
4 "Fahrenheit" to clarify the temperature measurement to be used  
5 if temperature correction is used for dispensing of motor  
6 vehicle fuel.

7 Section 452A.62: Adds the word "liquefied natural gas" to a  
8 string specifying the types of gas supplied by certain dealers  
9 and which are to be the subject of records kept by those  
10 dealers to conform to changes made elsewhere in this provision  
11 by 2014 Iowa Acts, ch. 1032.

12 Section 452A.74: Replaces the word "above" in two places  
13 with "under this chapter" to clarify the meaning of the  
14 internal reference, and to reflect the licensing scheme  
15 contained in Code chapter 452A, in this language applying  
16 penalties for the delivery of various forms of compressed or  
17 liquefied gas to or allowing the placement of those gases in  
18 unlicensed facilities.

19 Section 455B.133: Strikes an obsolete provision providing  
20 an exception to sulfur dioxide emission standards for a  
21 facility that had a contract for coal produced in Iowa and  
22 which met the emission standards in effect at the time the  
23 contract went into effect. Coal has not been mined in this  
24 state since 1994.

25 Section 455B.198: Adds "pursuant to chapter 17A" after  
26 language relating to adoption of rules relating to discharge  
27 of wastewater from water well drilling sites to conform this  
28 language to standard language relating to the adoption of  
29 rules. Subsection 4, containing outdated language setting a  
30 July 31, 2009, deadline for adoption of the rules, is also  
31 stricken.

32 Section 455D.11A: Deletes language containing outdated  
33 deadlines related to the initial implementation of financial  
34 assurance provisions for waste tire collection or processing  
35 sites.

1 Section 455D.19: Deletes outdated language relating to  
2 the date by which a manufacturer or distributor of packaging  
3 or packaging components was required to make available  
4 certificates of compliance showing that the packaging either  
5 complied with or was exempt from standards regarding heavy  
6 metal content in packaging materials.

7 Section 455E.11: Replaces the words "above three programs"  
8 with language specifying the names of the three rural water  
9 supply well programs referenced in this provision relating to  
10 grants to eligible counties under those programs.

11 Section 456A.16: Numbers unnumbered paragraphs to  
12 facilitate citation and adds "pursuant to chapter 17A" to  
13 conform this language regarding adoption of rules to standard  
14 language relating to rules' adoption in this provision relating  
15 to the income tax refund checkoff for fish and game protection.

16 Section 456A.27: Updates by adding a United States Code  
17 citation to language giving assent to the provisions of a  
18 federal Act providing funds for wildlife restoration projects.

19 Section 456A.28: Updates by adding a United States Code  
20 citation and correcting a public law citation language giving  
21 assent to the provisions of a federal Act providing funds for  
22 fish restoration projects.

23 Section 459.102: Supplies the missing word "animals" in a  
24 definition of the term "swine farrow-to-finish operation". The  
25 word has been missing since the definition was enacted in 1995  
26 Iowa Acts, ch. 195, §15.

27 Section 461A.57: Adds language relating to alternative  
28 punishment to reflect the fact that several but not all of  
29 the Code sections listed state that violations of those Code  
30 sections are punishable as scheduled violations.

31 Section 468.3: Adds reference to subchapter 1, part 7, of  
32 Code chapter 468 to three definitions that apply to drainage  
33 and levee districts to reflect the addition of part 7 by 2014  
34 Iowa Acts, ch. 1075, which uses all three defined terms. The  
35 conjunctive phrase "and the term" is also replaced by the

1 alternative "or" to reflect that either or both "engineer" and  
2 "civil engineer" have the same meaning within subchapter 1 of  
3 Code chapter 468.

4 Section 468.49: Numbers unnumbered paragraphs to facilitate  
5 citation, divides long sentences into shorter sentences  
6 for readability, updates language, and adds a reference to  
7 subchapter 1, part 7, of Code chapter 468 to reflect the  
8 addition of part 7 by 2014 Iowa Acts, ch. 1075, and that the  
9 procedures in part 7 are tied to procedures in part 1 of  
10 subchapter 1.

11 Section 468.206: Updates language to create a series and  
12 replaces a reference to "hereinafter" with a specific reference  
13 to Code section 468.207 to clarify meaning in this provision  
14 regarding notice and hearing on a plan for improvements for  
15 flood control within a levee or drainage district.

16 Section 468.209: Updates language and supplies the missing  
17 word "an" before the word "order" in this provision regarding  
18 entry of orders approving plans for improvements for flood  
19 control within a levee or drainage district.

20 Section 468.220: Numbers paragraphs to facilitate citation,  
21 updates language, and replaces references to the "same" with  
22 language indicating what the word refers to in this provision  
23 regarding occupancy and use of state lands by levee or drainage  
24 districts for levee or drainage purposes.

25 Section 468.262: Strikes language referring to the  
26 governance of drainage or levee districts, based on changes  
27 made in this bill to the definition of "board" in Code section  
28 468.3 to include subchapter 1, part 7, within the definition of  
29 the term, in this provision stating the purpose of this part of  
30 the levee and drainage district Code chapter that relates to  
31 district mergers.

32 Section 468.269: Changes a reference to "this part" to a  
33 reference to part 1 of subchapter 1, based on changes made  
34 in this bill to the definition of "engineer" in Code section  
35 468.3. The word "dominant" is also changed to "servient" to

1 conform to other language in this provision that indicates  
2 that the reason for the report is the benefit to land situated  
3 in the district that is being merged into the district that  
4 originally made the drainage or levee improvement.

5 Section 468.540: Splits a run-on sentence into two  
6 sentences to improve the readability of this provision relating  
7 to the extensions of time or renewal of bonds or the issuance  
8 of refunding bonds to pay for improvements within levee or  
9 drainage districts.

10 Section 468.544: Splits language relating to requirements  
11 for the sending of a notice of a meeting relating to extensions  
12 of time for payment of unpaid drainage assessments or the  
13 issuance of drainage refunding bonds from language describing  
14 the contents of the notice. The language describing the notice  
15 contents is further split to enumerate the points that must be  
16 part of the meeting notice.

17 Section 476.20: Substitutes for the words "by law", a  
18 citation to the actual Code provision that contains the  
19 definition of the term "head of household" to permit hypertext  
20 linkage to that definition, in language relating to the  
21 contents of a disconnection notice that must be sent to  
22 customers by public utilities.

23 Section 476.29: Adds a reference to paragraph "a" of  
24 subsection 1 to further specify the provision within Code  
25 section 476.20 under which board permission may be granted  
26 for transfers of certificates of public convenience for the  
27 furnishing of land-line local telephone service.

28 Section 476.96: Adds a citation to Code section 476.95 in  
29 this lead-in phrase for a series of definitions. The citation  
30 was stricken as part of a rewrite of this Code section by 2014  
31 Iowa Acts, ch. 1099, but a definition contained in this Code  
32 section is still used in Code section 476.95.

33 Section 478.15: Numbers unnumbered paragraphs to facilitate  
34 citation, splits sentences and updates language to improve  
35 readability, and replaces a reference to "above" with "in this

1 section" to clarify the meaning of this provision relating to  
2 the procedure applicable in eminent domain proceedings.

3 Section 478.31: Numbers unnumbered paragraphs to facilitate  
4 citation, splits sentences and updates language to improve  
5 readability, and replaces references to "hereinafter" and  
6 "anything foregoing" with more specific language to clarify the  
7 meaning of the references in this provision relating to the  
8 issuance of temporary permits for the construction of electric  
9 transmission lines that are less than one mile in length.

10 Section 481A.22: Numbers and letters unnumbered paragraphs  
11 to facilitate citation and updates language to improve  
12 the readability of this provision relating to requirements  
13 applicable to dog field meets or trials and retriever meets.

14 Section 490.1402: Corrects internal references to reflect  
15 the renumbering of the language referenced by 2013 Iowa Acts,  
16 ch. 31, §67, in this provision relating to proposals for  
17 dissolutions of business corporations by boards of directors.

18 Section 491.3: Replaces a comma with the word "and" and  
19 replaces a dash with a comma to standardize punctuation and to  
20 clarify the relationship of language that equates the status of  
21 a corporation to that of natural persons in language describing  
22 the power of a corporation to contract and acquire and transfer  
23 property.

24 Section 491.23: Corrects the grammar and strikes the word  
25 "recording" before the word "fee" in this provision relating  
26 to the process for dissolution of a business corporation. The  
27 recording requirement was eliminated in favor of a filing  
28 requirement by 2014 Iowa Acts, ch. 1074, §3.

29 Section 507C.8: Repeals this obsolete provision that  
30 provided a transition mechanism for certain delinquency  
31 proceedings that were commenced prior to the 1984 enactment of  
32 Code chapter 507C, which currently governs insurer supervision,  
33 rehabilitation, and liquidation.

34 Section 511.8: Conforms language relating to securities  
35 pledged as collateral in hedging transactions to other language

1 and moves an internal reference to be closer to the language  
2 it modifies within this subsection regarding investments by  
3 life insurance companies and associations in certain financial  
4 instruments.

5 Section 515.103: Strikes a codified applicability provision  
6 for this Code section relating to use of credit information in  
7 personal insurance to avoid conflicts with amendments to this  
8 Code section that have later applicability or effective dates.

9 Section 517.2: Adds a prefatory paragraph regarding  
10 applicability and makes corresponding changes to content to  
11 update this definitions provision that is applicable to this  
12 Code chapter governing employers liability insurance.

13 Section 517.3: Divides unnumbered paragraphs and numbers  
14 and letters language which appears after colons to enumerate  
15 the provisions governing the distribution of unallocated  
16 liability loss expense payments under liability insurance  
17 policies.

18 Section 518A.1: Divides a paragraph to enumerate language  
19 appearing after a colon that specifies content that may appear  
20 in an application for mutual insurance.

21 Section 523I.312: Strikes language that gives the telephone  
22 number and address of the Iowa securities and regulated  
23 industries bureau and inserts language that tells the cemetery  
24 to insert that information into any agreement relating to  
25 interment spaces with a purchaser to prevent the language of  
26 the explanatory information from becoming obsolete if the  
27 bureau relocates.

28 Section 533.301: Strikes the words "of a security" to  
29 conform the language of this provision relating to investment  
30 by credit unions in corporate bonds to the definition of  
31 "investment grade" under 12 C.F.R. §703.2, promulgated by the  
32 national credit union administration.

33 Section 536.1: Moves a definition to another location to  
34 create a definitions subsection within this Code provision  
35 relating to the applicability of the chapter licensing persons



1 who engage in the business of making certain regulated loans.

2 Section 537.1301: Replaces the word "Act" with "chapter" to  
3 reflect the codification of 1974 Iowa Acts, ch. 1250, §1.301,  
4 the definitions section for this portion of the Act that  
5 established the Iowa Consumer Credit Code.

6 Section 554.8110: Substitutes for the words "this Act" a  
7 citation to the Act which contained this language, relating to  
8 jurisdiction over agreements between a securities intermediary  
9 and an entitlement holder regarding a securities account, prior  
10 to codification in Code section 554.8110.

11 Section 558.1: Restructures language in this provision  
12 that purports to define the term "instruments affecting real  
13 estate" to conform the language to other provisions that define  
14 terminology elsewhere in the Code.

15 Section 602.8108: Corrects internal references to  
16 provisions in which amounts collected by the court are not  
17 deposited with the treasurer of state for deposit in the  
18 general fund of the state to conform to the language of those  
19 provisions stating the other accounts and funds into which  
20 those amounts are deposited.

21 Section 602.11113: Substitutes the actual date in language  
22 referring to the effective date of Code section 602.6601 in  
23 this provision relating to employment of bailiffs as court  
24 attendants at the time that the state assumed responsibility  
25 for components of the court system.

26 Section 614.6: Substitutes a reference to sections 614.1  
27 through 614.5 for the words "above described" in this provision  
28 relating to computation of periods of time under the Code  
29 chapter governing limitations of actions.

30 Section 614.35: Substitutes for the word "above" a  
31 reference to Code section 614.34 in language relating to the  
32 notice that must be filed by persons who claim an interest in  
33 land as against another person with record title in that land.

34 Section 633.279: Conforms language of an affidavit used  
35 to make an attested will self-proving to provisions of Code

1 chapter 9B, which governs notarial acts, including Code  
2 section 9B.2, subsection 6, defining "notarial officer", and  
3 Code section 9B.16, which provides examples of short form  
4 certificates of notarial acts.

5 Section 633.304: Splits sentences and repeats language  
6 designating the executor as the person responsible for  
7 performing the duties relating to publication and provision  
8 of notice of admission of a will to probate to improve the  
9 readability of the provision. The words "date of" are also  
10 added within a form notice to conform to other language  
11 contained in the same form.

12 Section 633A.3110: Adds the words "date of" within a form  
13 notice in this provision regarding notice that must be given by  
14 a trustee to creditors, heirs, and any surviving spouse of a  
15 settlor of a trust to conform to other language contained in  
16 the same form.

17 Section 633B.203: Replaces the word "of" with the word "or"  
18 to conform to earlier language in subsection 3 and adds a comma  
19 at the end of a clause to clarify and improve the readability  
20 of this provision regarding the nature and construction of  
21 powers of attorney.

22 Section 633B.205: Strikes an incorrect comma within a  
23 series and adds the words "but not limited to" in language  
24 describing the authority granted under a power of attorney over  
25 tangible personal property.

26 Sections 636.33 and 636.34: Replaces the word "such" with  
27 a specific reference to Code section 636.31 or 636.32 to link  
28 these two provisions relating to final reports and deposits by  
29 fiduciaries in charge of estate and trust funds not governed  
30 under the probate code, when the place of residence of the  
31 heir, legatee, devisee, or other person to whom payment is due  
32 is unknown to the fiduciary, to the provision which states  
33 that the funds, moneys, or securities may be deposited with  
34 the clerk of court of the county in which the fiduciary was  
35 appointed.

1 Section 654.13: Replaces "and/or" in two places with the  
2 word "or" to update the style of this provision regarding  
3 priority of two or more real estate mortgages with respect to  
4 any rents, profits, or other income derived from the property.

5 Section 654.14: Moves a phrase that describes the subject  
6 of a notice to be closer to the word "notice" and adds language  
7 clarifying that the current contents of the provision specify  
8 the contents of the notice that must be given when a receiver  
9 does not afford a person in actual possession of agricultural  
10 land with a right of first refusal in the leasing of the  
11 mortgaged premises by the receiver.

12 Section 656.5: Updates language and divides sentences to  
13 improve the clarity and readability of this provision regarding  
14 proof and record of service of notice in real estate contract  
15 forfeiture proceedings.

16 Section 669.2: Adds a citation to the Code chapter in which  
17 local emergency management commissions are established in this  
18 provision that includes architects and engineers within the  
19 definition of "employee of the state" under the state tort  
20 claims Act.

21 Sections 714.11 and 714.14: Changes in each of these Code  
22 sections the word "service" to "services" to conform to similar  
23 uses of the word in Code sections 714.9, 714.10, 714.12, and  
24 714.13.

25 Section 724.1: Conforms language within a definition of  
26 the term "antique firearm" to other language within the same  
27 definition and to the definition of "antique firearm" that is  
28 found in Code section 724.25.

29 Section 725.1: Moves a phrase relating to expunging  
30 of convictions to clarify the basis for the expunging of  
31 the convictions in language relating to the expunging of  
32 convictions for certain underage persons who have been  
33 convicted of prostitution.

34 Sections 915.50 and 915.50A: Strikes the word "criminal"  
35 that appears before the words "no-contact order" in these two

1 provisions pertaining to rights of victims of domestic and  
2 elder abuse. No-contact orders under Code chapter 664A are  
3 defined as orders entered in criminal proceedings and are  
4 distinct from other protective orders entered in other types  
5 of proceedings.

6 2013 Iowa Acts, ch. 125, and 2014 Iowa Acts, ch. 1080:  
7 Repeals division II of 2013 Iowa Acts, ch. 125, and repeals  
8 a provision in 2014 Iowa Acts, ch. 1080, which also repeals  
9 division II of 2013 Iowa Acts, ch. 125, effective January 1,  
10 2018, because all of the changes made by the 2013 Act have been  
11 superseded by the enactments contained in 2014 Iowa Acts, ch.  
12 1080, and the repeal of the 2013 Act in 2014 Iowa Acts, ch.  
13 1080, would take effect one day after the changes required by  
14 2013 Iowa Acts, division II, would have taken effect.

15 2014 Iowa Acts, ch. 1078: Retroactively corrects an  
16 internal reference in the enactment of Code section 633B.213  
17 that qualifies the terms of a power of attorney.

18 2014 Iowa Acts, ch. 1092: Retroactively strikes what was  
19 intended as a correction to an internal citation that did not  
20 require correction.

21 Code editor directives: Transfers provisions within  
22 the alcoholic beverages Code chapter, Code chapter 123, to  
23 consolidate provisions related to the overall administration  
24 of the Code chapter at the beginning of the Code chapter.  
25 Code section 226.47, which contains a general definition  
26 applicable to the Code chapter regarding the state mental  
27 health institutes, is also transferred to a location near the  
28 beginning of the Code chapter. Two provisions in Code chapter  
29 462A, which relate to public use of water for navigation  
30 purposes and reciprocity agreements by the department of  
31 natural resources with other regulatory agencies in other  
32 states, are also moved to relocate those provisions, from a  
33 location within provisions relating to inspection and repair of  
34 vessels, to be with other more general provisions.

35 Divisions II and III: Reenacts Code and Acts provisions,

1 including any language changes made by 2014 Iowa Acts, ch.  
2 1106, within the Code provisions, which were repealed or could  
3 not be implemented because the changes made by 2014 Iowa Acts,  
4 ch. 1106, took effect one day after the Code sections amended  
5 by that Act were repealed pursuant to their own terms. The  
6 Code provisions reenacted in division II take effect upon  
7 enactment and apply retroactively to June 30, 2014. The  
8 changes reenacted in division III of this bill are effective  
9 July 1, 2016.

10 Division IV: Corrects internal references to Code section  
11 17A.5, subsection 2, paragraph "b", which is renumbered in  
12 division I of this bill.