

House File 2457 - Introduced

HOUSE FILE 2457
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 662)

(COMPANION TO LSB 5784SV BY
COMMITTEE ON JUDICIARY)

A BILL FOR

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

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

1 Section 1. Section 1.8, Code 2018, is amended to read as
2 follows:

3 **1.8 Applicability of statute.**

4 Section 1.4 shall apply to all lands acquired under sections
5 1.5 ~~to~~ through 1.7.

6 Sec. 2. Section 1.13, Code 2018, is amended to read as
7 follows:

8 **1.13 Existing trusts not affected.**

9 Nothing in ~~sections~~ section 1.12 ~~to~~, this section,
10 or section 1.14 or 1.15 shall authorize the alienation,
11 encumbrance, or taxation of any real or personal property,
12 including water rights, belonging to any Indian or Indian
13 tribe, band, or community that is held in trust by the United
14 States or is subject to a restriction against alienation
15 imposed by the United States; or shall authorize regulation
16 of the use of such property in a manner inconsistent with any
17 federal treaty, agreement, or statute or with any regulation
18 made pursuant thereto; or shall confer jurisdiction upon the
19 state to adjudicate, in probate proceedings or otherwise,
20 the ownership or right to possession of such property or any
21 interest therein.

22 Sec. 3. Section 1.14, Code 2018, is amended to read as
23 follows:

24 **1.14 Tribal ordinances or customs enforced.**

25 Any tribal ordinance or custom heretofore or hereafter
26 adopted by the governing council of the Sac and Fox Indian
27 settlement in Tama county in the exercise of any authority
28 which it may possess shall, if not inconsistent with any
29 applicable civil law of the state, be given full force and
30 effect in the determination of civil causes of action pursuant
31 to sections 1.12 ~~to~~, 1.13, this section, and 1.15.

32 Sec. 4. Section 6A.22, subsection 2, paragraph a,
33 subparagraph (2), Code 2018, is amended to read as follows:

34 (2) The acquisition of any interest in property necessary to
35 the function of a public or private utility to the extent such

1 purpose does not include construction of aboveground merchant
2 lines, or necessary to the function of a common carrier, or
3 airport or airport system.

4 Sec. 5. Section 8B.21, subsection 6, Code 2018, is amended
5 to read as follows:

6 6. *Annual report.* On an annual basis, the office shall
7 prepare a report to the governor, the department of management,
8 and the general assembly regarding the total spending on
9 technology for the previous fiscal year, the total amount
10 appropriated for the current fiscal year, and an estimate of
11 the amount to be requested for the succeeding fiscal year for
12 all agencies. The report shall include a five-year projection
13 of technology cost savings, an accounting of the level of
14 technology cost savings for the current fiscal year, and a
15 comparison of the level of technology cost savings for the
16 current fiscal year with that of the previous fiscal year. The
17 report shall be filed as soon as possible after the close of a
18 fiscal year, and by no later than the second Monday of January
19 of each year.

20 Sec. 6. Section 8C.7A, subsection 3, paragraph a,
21 subparagraph (2), subparagraph division (b), Code 2018, is
22 amended to read as follows:

23 (b) An authority that has adopted a municipal or county code
24 on or before July 1, 2017, which requires an application or
25 permit for the installation, placement, operation, maintenance,
26 or replacement of a micro wireless facility may continue the
27 application or permit requirement subsequent to July 1, 2017.

28 Sec. 7. Section 12C.5, Code 2018, is amended to read as
29 follows:

30 **12C.5 Refusal of deposits — procedure.**

31 If the approved depositories will not accept the deposits
32 under the conditions prescribed or authorized in [this chapter](#),
33 the funds may be deposited, on the same or better terms as
34 were offered to the depositories, in one or more approved
35 depositories conveniently located within the state.

1 ~~The treasurer of state may invest in any of the investments~~
2 ~~authorized for the Iowa public employees' retirement system in~~
3 ~~section 97B.7A except that investment in common stocks shall~~
4 ~~not be permitted.~~

5 Sec. 8. Section 15.293B, subsection 1, paragraph i, Code
6 2018, is amended to read as follows:

7 *i.* An applicant that is unsuccessful in receiving a tax
8 credit award during an annual application period may make
9 additional applications during subsequent annual application
10 periods. Such applicants shall be required to submit a new
11 application ~~and~~, which shall be competitively reviewed and
12 scored in the same manner as other ~~applicants~~ applications in
13 that annual application period.

14 Sec. 9. Section 16.161, Code 2018, is amended to read as
15 follows:

16 **16.161 Authority to issue ~~E911~~ 911 program bonds and notes.**

17 1. The authority shall assist the program manager,
18 appointed pursuant to [section 34A.2A](#), as provided in chapter
19 34A, subchapter II, and the authority shall have all of the
20 powers delegated to it by a joint ~~E911~~ 911 service board or the
21 department of public defense in a [chapter 28E](#) agreement with
22 respect to the issuance and securing of bonds or notes and the
23 carrying out of the purposes of [chapter 34A](#).

24 2. The authority shall provide a mechanism for the pooling
25 of funds of two or more joint ~~E911~~ 911 service boards to be
26 used for the joint purchasing of necessary equipment and
27 reimbursement of land-line and wireless service providers'
28 costs for upgrades necessary to provide ~~E911~~ 911 service. When
29 two or more joint ~~E911~~ 911 service boards have agreed to pool
30 funds for the purpose of purchasing necessary equipment to be
31 used in providing ~~E911~~ 911 service, the authority shall issue
32 bonds and notes as provided in [sections 34A.20 through 34A.22](#).

33 Sec. 10. Section 20.3, subsections 3 and 8, Code 2018, are
34 amended to read as follows:

35 3. a. "Confidential employee" means any public employee who

1 works in the personnel offices of a public employer or who has
2 access to information subject to use by the public employer
3 in negotiating or who works in a close continuing working
4 relationship with public officers or representatives associated
5 with negotiating on behalf of the public employer.

6 b. "Confidential employee" also includes the personal
7 secretary of any of the following:

8 (1) Any elected official or person appointed to fill a
9 vacancy in an elective office, ~~member.~~

10 (2) A member of any board or commission, ~~the.~~

11 (3) The administrative officer, director, or chief
12 executive officer of a public employer or major division
13 thereof, ~~or the.~~

14 (4) The deputy or first assistant of any of the foregoing
15 persons described in subparagraphs (1) through (3).

16 8. "Professional employee" means any one of the following:

17 a. Any employee engaged in work to which all of the
18 following apply:

19 (1) ~~Predominantly~~ The work is predominantly intellectual
20 and varied in character as opposed to routine mental, manual,
21 mechanical or physical work, ~~.~~

22 (2) ~~Involving~~ The work involves the consistent exercise of
23 discretion and judgment in its performance, ~~.~~

24 (3) ~~Of~~ The work is of such a character that the output
25 produced or the result accomplished cannot be standardized in
26 relation to a given period of time, ~~and.~~

27 (4) ~~Requiring~~ The work requires knowledge of an advanced
28 type in a field of science or learning customarily acquired
29 by a prolonged course of specialized intellectual instruction
30 and study in an institution of higher learning or a hospital,
31 as distinguished from a general academic education or from an
32 apprenticeship or from training in the performance of routine
33 mental, manual, or physical processes.

34 b. Any employee ~~who~~ to whom all of the following apply:

35 (1) ~~Has~~ The employee has completed the courses of

1 specialized intellectual instruction and study described in
2 paragraph "a", subparagraph 4, ~~of this subsection,~~ and (4).

3 (2) ~~Is~~ The employee is performing related work under the
4 supervision of a professional person to qualify the employee
5 to become a professional employee as defined in paragraph "a"
6 ~~of this subsection.~~

7 Sec. 11. Section 22.15, Code 2018, is amended to read as
8 follows:

9 **22.15 Personnel records — discipline — employee**
10 **notification.**

11 A government body that takes disciplinary action against an
12 employee that may result in information described in section
13 22.7, subsection 11, paragraph "a", subparagraph (5), being
14 placed in the employee's personnel record, prior to taking such
15 disciplinary action, shall notify the employee in writing that
16 the information placed in the employee's personnel file record
17 as a result of the disciplinary action may become a public
18 record.

19 Sec. 12. Section 29A.27, subsection 5, Code 2018, is amended
20 to read as follows:

21 5. The provisions ~~herein provided~~ of this section shall
22 apply to all individuals receiving benefits under this section
23 or who subsequently may become entitled to such benefits.

24 Sec. 13. Section 30.3, subsections 1 and 2, Code 2018, are
25 amended to read as follows:

26 1. Material safety data sheets or a list of chemicals
27 required to be submitted to the department under section 311
28 of the Emergency Planning and Community Right-to-know Act, 42
29 U.S.C. §11021, shall be submitted to the department of natural
30 resources. Submission to ~~that~~ the department of natural
31 resources constitutes compliance with the requirement for
32 notification to the department.

33 2. Emergency and hazardous chemical inventory forms
34 required to be submitted to the department under section 312
35 of the Emergency Planning and Community Right-to-know Act, 42

1 U.S.C. §11022, shall be submitted to the department of natural
2 resources. Submission to ~~that~~ the department of natural
3 resources constitutes compliance with the requirement for
4 notification to the department.

5 Sec. 14. Section 30.4, subsection 1, Code 2018, is amended
6 to read as follows:

7 1. Emergency notifications of releases required to be
8 submitted to the department under section 304 of the Emergency
9 Planning and Community Right-to-know Act, 42 U.S.C. §11004,
10 shall be submitted to the department of natural resources.
11 Submission to ~~that~~ the department of natural resources
12 constitutes compliance with the requirement for notification
13 to the department.

14 Sec. 15. Section 34A.3, subsection 1, paragraph b,
15 subparagraph (2), Code 2018, is amended to read as follows:

16 (2) The program manager may order the inclusion of a
17 specific territory not serviced by surrounding 911 service
18 plan areas in an adjoining 911 service plan area ~~to avoid the~~
19 ~~creation by exclusion of a territory smaller than a single~~
20 ~~county not serviced by surrounding 911 service plan areas~~
21 upon request of the joint 911 service board representing the
22 territory to avoid the creation by exclusion of a territory
23 smaller than a single county.

24 Sec. 16. Section 34A.8, subsection 2, paragraph b, Code
25 2018, is amended to read as follows:

26 *b.* The director, program manager, joint 911 service board,
27 local emergency management commission established pursuant to
28 section 29C.9, the designated 911 service provider, and the
29 public safety answering point, and their agents, employees, and
30 assigns shall use local exchange service information provided
31 by the local exchange service provider solely for the purposes
32 of providing 911 emergency telephone service or providing
33 related mass notification and emergency messaging services as
34 described in [section 29C.17A](#) utilizing only the subscriber's
35 information, and ~~it~~ local exchange service information shall

1 otherwise be kept confidential. A person who violates this
2 section is guilty of a simple misdemeanor.

3 Sec. 17. Section 35C.5, Code 2018, is amended to read as
4 follows:

5 **35C.5 Appeals.**

6 1. In addition to the remedy provided in [section 35C.4](#),
7 an appeal may be taken by any person belonging to any of the
8 classes of persons to whom a preference is ~~hereby~~ granted under
9 this chapter, from any refusal to allow ~~said~~ the preference, as
10 provided in [this chapter](#), to the district court of the county
11 in which ~~such~~ the refusal occurs.

12 2. The appeal shall be made by serving upon the appointing
13 board within twenty days after the date of the refusal of
14 ~~said~~ the appointing officer, board, or persons to allow ~~said~~
15 the preference, a written notice of ~~such~~ appeal stating the
16 grounds of the appeal, and a demand in writing for a certified
17 transcript of the record, and all papers on file in the office
18 affecting or relating to ~~said~~ the appointment. ~~Thereupon~~ Upon
19 receipt of the notice and demand, ~~said~~ the appointing officer,
20 board, or person shall, within ten days, make, certify, and
21 deliver to the appellant ~~such a~~ the transcript, ~~and the.~~ The
22 appellant shall, within five days thereafter, file the ~~same~~
23 transcript and a copy of the notice of appeal with the clerk of
24 ~~said~~ court, ~~and said.~~

25 3. The notice of appeal shall stand as the appellant's
26 complaint and ~~thereupon~~ ~~said~~ the cause shall be accorded
27 such preference in its assignment for trial as to assure its
28 prompt disposition. The court shall receive and consider any
29 pertinent evidence, whether oral or documentary, concerning
30 ~~said~~ the appointment from which the appeal is taken, ~~and if.~~
31 If the court ~~shall find~~ finds that the ~~said~~ applicant is
32 qualified as defined in [section 35C.1](#), to hold the position
33 for which the applicant has applied, ~~said~~ the court shall, by
34 its mandate, specifically direct the ~~said~~ appointing officer,
35 board, or persons as to their further action in the matter.

1 4. An appeal may be taken from the judgment of the ~~said~~
2 district court ~~on any such appeal~~ on the same terms as an
3 appeal is taken in civil actions. ~~At their election parties~~
4 Parties entitled to appeal under this section may elect, in
5 the alternative, to maintain an action for judicial review in
6 accordance with the terms of the Iowa administrative procedure
7 Act, chapter 17A, if that is otherwise applicable to ~~their~~ the
8 case.

9 Sec. 18. Section 37.6, Code 2018, is amended to read as
10 follows:

11 **37.6 Bonds.**

12 Bonds issued by a county for the purposes of this chapter
13 shall be issued under sections 331.441 to through 331.449
14 relating to general county purpose bonds. Bonds issued by a
15 city shall be issued ~~in accordance with provisions of law under~~
16 sections 384.24 through 384.36 relating to general corporate
17 purpose bonds of a city.

18 Sec. 19. Section 43.5, Code 2018, is amended to read as
19 follows:

20 **43.5 Applicable statutes.**

21 The provisions of chapters 39, 39A, 47, 48A, 49, 50, 52,
22 53, 57, 58, 59, 61, 62, 68A, and 722 shall apply, so far as
23 applicable, to all primary elections, except as hereinafter
24 otherwise provided in this chapter.

25 Sec. 20. Section 43.20, subsection 2, Code 2018, is amended
26 to read as follows:

27 2. In each of the ~~above~~ cases described in subsection 1, the
28 vote to be taken for the purpose of computing the percentage
29 shall be the vote cast for president of the United States or
30 for governor, as the case may be.

31 Sec. 21. Section 43.78, subsection 5, paragraphs b and d,
32 Code 2018, are amended to read as follows:

33 **b.** In the office of the ~~proper~~ appropriate commissioner, at
34 least sixty-four days before the date of the election.

35 **d.** In the office of the ~~proper~~ appropriate commissioner or

1 the state commissioner, as applicable, in case of a special
2 election to fill vacancies, at least twenty-five days before
3 the day of election.

4 Sec. 22. Section 44.9, subsections 2, 5, and 6, Code 2018,
5 are amended to read as follows:

6 2. In the office of the ~~proper~~ appropriate commissioner, at
7 least sixty-four days before the date of the election, except
8 as otherwise provided in subsection 6.

9 5. In the office of the ~~proper~~ appropriate commissioner
10 or school board secretary in case of a special election to
11 fill vacancies, at least twenty-five days before the day of
12 election.

13 6. In the office of the ~~proper~~ appropriate commissioner, at
14 least forty-two days before the regularly scheduled or special
15 city election. However, for those cities that may be required
16 to hold a primary election, at least sixty-three days before a
17 regularly scheduled or special city election.

18 Sec. 23. Section 49.11, subsection 3, paragraph d,
19 unnumbered paragraph 1, Code 2018, is amended to read as
20 follows:

21 ~~The commissioner may also consolidate~~ Consolidate precincts
22 for any election under any of the following circumstances:

23 Sec. 24. Section 59.6, Code 2018, is amended to read as
24 follows:

25 **59.6 Power of general assembly.**

26 Nothing ~~herein~~ contained in this chapter shall be construed
27 to abridge the right of either branch of the general assembly
28 to grant commissions to take depositions, or to send for and
29 examine any witness it may desire to hear on such trial.

30 Sec. 25. Section 68A.101, Code 2018, is amended to read as
31 follows:

32 **68A.101 Citation and administration.**

33 This chapter may be cited as the "*Campaign Disclosure*
34 ~~—Income Tax Checkoff Act~~". The Iowa ethics and campaign
35 disclosure board shall administer this chapter as provided in

1 sections 68B.32, 68B.32A, 68B.32B, 68B.32C, and 68B.32D.

2 Sec. 26. Section 68A.102, subsection 21, Code 2018, is
3 amended by striking the subsection.

4 Sec. 27. Section 70A.26, Code 2018, is amended to read as
5 follows:

6 **70A.26 Disaster service volunteer leave.**

7 1. An employee of an appointing authority who is a certified
8 disaster service volunteer of the American red cross may be
9 granted leave with pay from work for not more than fifteen
10 working days in any twelve-month period to participate in
11 disaster relief services for the American red cross at the
12 request of the American red cross for the services of that
13 employee and upon the approval of the employee's appointing
14 authority without loss of seniority, pay, vacation time,
15 personal days, sick leave, insurance and health coverage
16 benefits, or earned overtime accumulation. The appointing
17 authority shall compensate an employee granted leave under this
18 section at the employee's regular rate of pay for those regular
19 work hours during which the employee is absent from work.

20 2. An employee ~~deemed to be on~~ granted leave under this
21 section shall not be deemed to be an employee of the state for
22 purposes of workers' compensation. An employee ~~deemed to be~~
23 on granted leave under this section shall not be deemed to be
24 an employee of the state for purposes of the Iowa tort claims
25 Act, chapter 669.

26 3. Leave under this section shall be granted only for
27 services relating to a disaster in the state of Iowa.

28 Sec. 28. Section 73.2, subsection 1, paragraph a, Code 2018,
29 is amended to read as follows:

30 a. All requests ~~hereafter~~ made for bids and proposals for
31 materials, products, supplies, provisions, and other needed
32 articles to be purchased at public expense, shall be made in
33 general terms and by general specifications and not by brand,
34 trade name, or other individual mark.

35 Sec. 29. Section 84A.5, subsection 4, Code 2018, is amended

1 to read as follows:

2 4. The division of labor services is responsible for the
3 administration of the laws of this state under **chapters 88,**
4 **88A, 88B, 89, 89A, 89B, 90A, 91, 91A, 91C, 91D, 91E, 92,** and
5 **94A,** and ~~section~~ sections 73A.21 and 85.68. The executive head
6 of the division is the labor commissioner, appointed pursuant
7 to **section 91.2.**

8 Sec. 30. Section 85.47, Code 2018, is amended to read as
9 follows:

10 **85.47 Basis of commutation.**

11 When the commutation is ordered, the workers' compensation
12 commissioner shall fix the lump sum to be paid at an amount
13 which will equal the total sum of the probable future payments
14 capitalized at their present value and upon the basis of
15 interest at the rate provided in **section 535.3** for court
16 judgments and decrees. Upon the payment of such amount, the
17 employer shall be discharged from all further liability on
18 account of the injury or death, and be entitled to a duly
19 executed release, ~~upon.~~ Upon the filing which of the release,
20 the liability of the employer under any agreement, award,
21 finding, or judgment shall be discharged of record.

22 Sec. 31. Section 85.53, Code 2018, is amended to read as
23 follows:

24 **85.53 Notice to consular officer.**

25 If such consular officer, or the officer's duly appointed
26 representative, shall file with the workers' compensation
27 commissioner evidence of the officer's or representative's
28 authority, the workers' compensation commissioner shall notify
29 such consular officer or representative of the death of all
30 employees leaving an alien dependent, ~~or dependents,~~ residing
31 in the country of said consular officer ~~so far as same that~~
32 shall come to the commissioner's knowledge.

33 Sec. 32. Section 86.9, Code 2018, is amended to read as
34 follows:

35 **86.9 Reports.**

1 1. The director of the department of workforce development,
2 in consultation with the commissioner, shall, at the time
3 provided by law, make an annual report to the governor setting
4 forth in appropriate form the business and expense of the
5 division of workers' compensation for the preceding year, the
6 number of claims processed by the division and the disposition
7 of the claims, and other matters pertaining to the division
8 which are of public interest, together with recommendations for
9 change or amendment of the laws in [this chapter](#) and chapters
10 85, [85A](#), [85B](#), and [87](#), and the recommendations, if any, shall be
11 transmitted by the governor to the first general assembly in
12 session after the report is filed.

13 2. The commissioner, after consultation with the director
14 of the department of workforce development, may compile an
15 annual report setting forth the final decisions, rulings, and
16 orders of the division for the preceding year and setting forth
17 other matters or information which the commissioner considers
18 desirable for publication.

19 3. These annual reports may be distributed by the state
20 on request to public officials as set forth in [chapter 7A](#).
21 Members of the public may obtain ~~the~~ an annual report upon
22 payment of its cost as set by the commissioner.

23 Sec. 33. Section 88.1, subsection 3, Code 2018, is amended
24 to read as follows:

25 3. Authorizing the labor commissioner to set mandatory
26 occupational safety and health standards applicable to
27 businesses, and by ~~creating an~~ providing for an adjudicatory
28 process through the employment appeal board within the
29 department of inspections and appeals for carrying out
30 adjudicatory functions under the chapter.

31 Sec. 34. Section 92.2, subsection 1, unnumbered paragraph
32 1, Code 2018, is amended to read as follows:

33 A person over ten and under sixteen years of age cannot be
34 employed, with or without compensation, in street occupations
35 or migratory labor as ~~defined~~ provided in [section 92.1](#), unless

1 the person holds a work permit issued pursuant to [this chapter](#).

2 Sec. 35. Section 96.3, subsection 1, Code 2018, is amended
3 to read as follows:

4 1. *Payment*. Twenty-four months after the date when
5 contributions first accrue under [this chapter](#), benefits shall
6 become payable from the fund; provided, that wages earned for
7 services defined in [section 96.19, subsection 18](#), paragraph
8 "g", subparagraph (3), irrespective of when performed, shall
9 not be included for purposes of determining eligibility, under
10 section 96.4 or full-time weekly wages, under [subsection 4](#) of
11 this section, for the purposes of any benefit year ~~commencing~~
12 ~~on or after July 1, 1939~~, nor shall any benefits with respect
13 to unemployment ~~occurring on and after July 1, 1939~~, be payable
14 under [subsection 5](#) of [this section](#) on the basis of such wages.
15 All benefits shall be paid through employment offices in
16 accordance with such regulations as the department of workforce
17 development may prescribe.

18 Sec. 36. Section 99F.4, subsection 22, Code 2018, is amended
19 to read as follows:

20 22. To require licensees to establish a process to allow
21 a person to be voluntarily excluded from the gaming floor of
22 an excursion gambling boat, ~~and~~ from the wagering area, as
23 defined in [section 99D.2](#), and from the gaming floor of all
24 other licensed facilities under [this chapter](#) and [chapter 99D](#)
25 as provided in [this subsection](#). The process shall provide
26 that an initial request by a person to be voluntarily excluded
27 shall be for a period of five years or life and any subsequent
28 request following any five-year period shall be for a period
29 of five years or life. The process established shall require
30 that a person requesting to be voluntarily excluded be provided
31 information compiled by the Iowa department of public health
32 on gambling treatment options and shall also require that a
33 licensee disseminate information regarding persons voluntarily
34 excluded to all licensees under [this chapter](#) and [chapter 99D](#).
35 The state and any licensee under [this chapter](#) or [chapter 99D](#)

1 shall not be liable to any person for any claim which may arise
2 from this process. In addition to any other penalty provided
3 by law, any money or thing of value that has been obtained by,
4 or is owed to, a voluntarily excluded person by a licensee as a
5 result of wagers made by the person after the person has been
6 voluntarily excluded shall not be paid to the person but shall
7 be credited to the general fund of the state.

8 Sec. 37. Section 105.22, subsection 4, Code 2018, is amended
9 to read as follows:

10 4. Conviction of a felony related to the profession or
11 occupation of the licensee or the conviction of any felony that
12 would affect the licensee's ability to practice within the
13 profession. A copy of the record ~~or~~ of conviction or plea of
14 guilty shall be conclusive evidence of such conviction.

15 Sec. 38. Section 123.22, subsection 2, Code 2018, is amended
16 to read as follows:

17 2. a. ~~No~~ A person, acting individually or through another
18 acting for the person, shall not directly or indirectly, or
19 upon any pretense, or by any device, ~~manufacture~~ do any of the
20 following:

21 (1) Manufacture, sell, exchange, barter, dispense, give
22 in consideration of the purchase of any property or of any
23 services or in evasion of this chapter, or keep for sale, or
24 have possession of any intoxicating liquor, except as provided
25 in this chapter; ~~or own.~~

26 (2) Own, keep, or be in any way concerned, engaged, or
27 employed in owning or keeping, any intoxicating liquor with
28 intent to violate any provision of this chapter, or authorize
29 or permit the same to be done; ~~or manufacture.~~

30 (3) Manufacture, own, sell, or have possession of any
31 manufactured or compounded article, mixture or substance,
32 not in a liquid form, and containing alcohol which may be
33 converted into a beverage by a process of pressing or straining
34 the alcohol therefrom, or any instrument intended for use
35 and capable of being used in the manufacture of intoxicating

1 liquor; ~~or own~~.

2 (4) Own or have possession of any material used exclusively
3 in the manufacture of intoxicating liquor; ~~or use~~.

4 (5) Use or have possession of any material with intent to
5 use it in the manufacture of intoxicating liquors; ~~however~~.

6 b. However, alcohol may be manufactured for industrial and
7 nonbeverage purposes by persons who have qualified for that
8 purpose as provided by the laws of the United States and the
9 laws of this state. Such alcohol, so manufactured, may be
10 denatured, transported, used, possessed, sold, and bartered
11 and dispensed, subject to the limitations, prohibitions and
12 restrictions imposed by the laws of the United States and this
13 state.

14 c. Any person may manufacture, sell, or transport
15 ingredients and devices other than alcohol for the making of
16 homemade wine or beer.

17 Sec. 39. Section 124.401, subsection 5, Code 2018, is
18 amended by adding the following new unnumbered paragraph after
19 unnumbered paragraph 2:

20 NEW UNNUMBERED PARAGRAPH. A person may knowingly or
21 intentionally recommend, possess, use, dispense, deliver,
22 transport, or administer cannabidiol if the recommendation,
23 possession, use, dispensing, delivery, transporting, or
24 administering is in accordance with the provisions of chapter
25 124E. For purposes of this paragraph, "cannabidiol" means the
26 same as defined in section 124E.2.

27 Sec. 40. Section 125.34, subsections 3 and 6, Code 2018, are
28 amended to read as follows:

29 3. A person who arrives at a facility and voluntarily
30 submits to examination shall be examined by a licensed
31 physician and surgeon or osteopathic physician and surgeon or
32 mental health professional as soon as possible after the person
33 arrives at the facility. The person may then be admitted as a
34 patient or referred to another health facility. The referring
35 facility shall arrange for transportation.

1 6. If the physician and surgeon or osteopathic physician
2 and surgeon in charge of the facility determines it is for the
3 patient's benefit, the patient shall be encouraged to agree to
4 further diagnosis and appropriate voluntary treatment.

5 Sec. 41. Section 125.75, subsection 2, paragraph c,
6 subparagraph (1), Code 2018, is amended to read as follows:

7 (1) A written statement of a licensed physician and
8 surgeon or osteopathic physician and surgeon or mental health
9 professional in support of the application.

10 Sec. 42. Section 125.78, subsection 3, paragraph b, Code
11 2018, is amended to read as follows:

12 b. Requiring an examination of the respondent, prior to
13 the hearing, by one or more licensed ~~physicians~~ physician
14 and surgeons or osteopathic physician and surgeons or mental
15 health professionals who shall submit a written report of the
16 examination to the court as required by [section 125.80](#).

17 Sec. 43. Section 125.80, Code 2018, is amended to read as
18 follows:

19 **125.80 Physician's or mental health professional's**
20 **examination — report — scheduling of hearing.**

21 1. a. An examination of the respondent shall be conducted
22 within a reasonable time and prior to the commitment hearing
23 by one or more licensed ~~physicians~~ physician and surgeons
24 or osteopathic physician and surgeons or mental health
25 professionals as required by the court's order. If the
26 respondent is taken into custody under [section 125.81](#), the
27 examination shall be conducted within twenty-four hours after
28 the respondent is taken into custody. If the respondent
29 desires, the respondent may have a separate examination by a
30 licensed physician and surgeon or osteopathic physician and
31 surgeon or mental health professional of the respondent's own
32 choice. The court shall notify the respondent of the right
33 to choose a licensed physician and surgeon or osteopathic
34 physician and surgeon or mental health professional for a
35 separate examination. The reasonable cost of the examinations

1 shall be paid from county funds upon order of the court if the
2 respondent lacks sufficient funds to pay the cost.

3 *b.* A licensed physician and surgeon or osteopathic
4 physician and surgeon or mental health professional conducting
5 an examination pursuant to [this section](#) may consult with or
6 request the participation in the examination of facility
7 personnel, and may include with or attach to the written report
8 of the examination any findings or observations by facility
9 personnel who have been consulted or have participated in the
10 examination.

11 *c.* If the respondent is not taken into custody under
12 section 125.81, but the court is subsequently informed that the
13 respondent has declined to be examined by a licensed physician
14 and surgeon or osteopathic physician and surgeon or mental
15 health professional pursuant to the court order, the court
16 may order limited detention of the respondent as necessary to
17 facilitate the examination of the respondent by the licensed
18 physician and surgeon or osteopathic physician and surgeon or
19 mental health professional.

20 2. A written report of the examination by a court-designated
21 licensed physician and surgeon or osteopathic physician and
22 surgeon or mental health professional shall be filed with
23 the clerk prior to the hearing date. A written report of an
24 examination by a licensed physician and surgeon or osteopathic
25 physician and surgeon or mental health professional chosen
26 by the respondent may be similarly filed. The clerk shall
27 immediately:

28 *a.* Cause a report to be shown to the judge who issued the
29 order.

30 *b.* Cause the respondent's attorney to receive a copy
31 of the report of a court-designated licensed physician and
32 surgeon or osteopathic physician and surgeon or mental health
33 professional.

34 3. If the report of a court-designated licensed physician
35 and surgeon or osteopathic physician and surgeon or mental

1 health professional is to the effect that the respondent is not
2 a person with a substance-related disorder, the court, without
3 taking further action, may terminate the proceeding and dismiss
4 the application on its own motion and without notice.

5 4. If the report of a court-designated licensed physician
6 and surgeon or osteopathic physician and surgeon or mental
7 health professional is to the effect that the respondent is
8 a person with a substance-related disorder, the court shall
9 schedule a commitment hearing as soon as possible. The hearing
10 shall be held not more than forty-eight hours after the report
11 is filed, excluding Saturdays, Sundays, and holidays, unless
12 an extension for good cause is requested by the respondent,
13 or as soon thereafter as possible if the court considers that
14 sufficient grounds exist for delaying the hearing.

15 Sec. 44. Section 125.82, subsection 3, Code 2018, is amended
16 to read as follows:

17 3. The person who filed the application and a licensed
18 physician and surgeon or osteopathic physician and surgeon,
19 mental health professional, or certified alcohol and drug
20 counselor certified by the nongovernmental Iowa board of
21 substance abuse certification who has examined the respondent
22 in connection with the commitment hearing shall be present
23 at the hearing, unless the court for good cause finds that
24 their presence or testimony is not necessary. The applicant,
25 respondent, and the respondent's attorney may waive the
26 presence or telephonic appearance of the licensed physician
27 and surgeon or osteopathic physician and surgeon, mental
28 health professional, or certified alcohol and drug counselor
29 who examined the respondent and agree to submit as evidence
30 the written report of the licensed physician and surgeon or
31 osteopathic physician and surgeon, mental health professional,
32 or certified alcohol and drug counselor. The respondent's
33 attorney shall inform the court if the respondent's attorney
34 reasonably believes that the respondent, due to diminished
35 capacity, cannot make an adequately considered waiver decision.

1 "Good cause" for finding that the testimony of the licensed
2 physician and surgeon or osteopathic physician and surgeon,
3 mental health professional, or certified alcohol and drug
4 counselor who examined the respondent is not necessary may
5 include, but is not limited to, such a waiver. If the court
6 determines that the testimony of the licensed physician and
7 surgeon or osteopathic physician and surgeon, mental health
8 professional, or certified alcohol and drug counselor is
9 necessary, the court may allow the licensed physician and
10 surgeon or osteopathic physician and surgeon, mental health
11 professional, or certified alcohol and drug counselor to
12 testify by telephone. The respondent shall be present at the
13 hearing unless prior to the hearing the respondent's attorney
14 stipulates in writing that the attorney has conversed with the
15 respondent, and that in the attorney's judgment the respondent
16 cannot make a meaningful contribution to the hearing, or that
17 the respondent has waived the right to be present, and the
18 basis for the attorney's conclusions. A stipulation to the
19 respondent's absence shall be reviewed by the court before the
20 hearing, and may be rejected if it appears that insufficient
21 grounds are stated or that the respondent's interests would not
22 be served by the respondent's absence.

23 Sec. 45. Section 125.91, subsections 2 and 3, Code 2018, are
24 amended to read as follows:

25 2. a. A peace officer who has reasonable grounds to
26 believe that the circumstances described in [subsection 1](#) are
27 applicable may, without a warrant, take or cause that person
28 to be taken to the nearest available facility referred to in
29 section 125.81, subsection 2, paragraph "b" or "c". Such a
30 person with a substance-related disorder due to intoxication
31 or substance-induced incapacitation who also demonstrates
32 a significant degree of distress or dysfunction may also
33 be delivered to a facility by someone other than a peace
34 officer upon a showing of reasonable grounds. Upon delivery
35 of the person to a facility under [this section](#), the attending

1 physician and surgeon or osteopathic physician and surgeon
2 may order treatment of the person, but only to the extent
3 necessary to preserve the person's life or to appropriately
4 control the person's behavior if the behavior is likely to
5 result in physical injury to the person or others if allowed to
6 continue. The peace officer or other person who delivered the
7 person to the facility shall describe the circumstances of the
8 matter to the attending physician and surgeon or osteopathic
9 physician and surgeon. If the person is a peace officer,
10 the peace officer may do so either in person or by written
11 report. If the attending physician and surgeon or osteopathic
12 physician and surgeon has reasonable grounds to believe that
13 the circumstances in [subsection 1](#) are applicable, the attending
14 physician shall at once communicate with the nearest available
15 magistrate as defined in [section 801.4, subsection 10](#). The
16 magistrate shall, based upon the circumstances described by
17 the attending physician and surgeon or osteopathic physician
18 and surgeon, give the attending physician and surgeon or
19 osteopathic physician and surgeon oral instructions either
20 directing that the person be released forthwith, or authorizing
21 the person's detention in an appropriate facility. The
22 magistrate may also give oral instructions and order that the
23 detained person be transported to an appropriate facility.

24 *b.* If the magistrate orders that the person be detained, the
25 magistrate shall, by the close of business on the next working
26 day, file a written order with the clerk in the county where it
27 is anticipated that an application may be filed under section
28 125.75. The order may be filed by facsimile if necessary. The
29 order shall state the circumstances under which the person
30 was taken into custody or otherwise brought to a facility
31 and the grounds supporting the finding of probable cause to
32 believe that the person is a person with a substance-related
33 disorder likely to result in physical injury to the person
34 or others if not detained. The order shall confirm the oral
35 order authorizing the person's detention including any order

1 given to transport the person to an appropriate facility. The
2 clerk shall provide a copy of that order to the attending
3 physician and surgeon or osteopathic physician and surgeon at
4 the facility to which the person was originally taken, any
5 subsequent facility to which the person was transported, and
6 to any law enforcement department or ambulance service that
7 transported the person pursuant to the magistrate's order.

8 3. The attending physician and surgeon or osteopathic
9 physician and surgeon shall examine and may detain the person
10 pursuant to the magistrate's order for a period not to exceed
11 forty-eight hours from the time the order is dated, excluding
12 Saturdays, Sundays, and holidays, unless the order is dismissed
13 by a magistrate. The facility may provide treatment which is
14 necessary to preserve the person's life or to appropriately
15 control the person's behavior if the behavior is likely to
16 result in physical injury to the person or others if allowed
17 to continue or is otherwise deemed medically necessary by
18 the attending physician and surgeon or osteopathic physician
19 and surgeon or mental health professional, but shall not
20 otherwise provide treatment to the person without the person's
21 consent. The person shall be discharged from the facility and
22 released from detention no later than the expiration of the
23 forty-eight-hour period, unless an application for involuntary
24 commitment is filed with the clerk pursuant to [section 125.75](#).
25 The detention of a person by the procedure in [this section](#), and
26 not in excess of the period of time prescribed by [this section](#),
27 shall not render the peace officer, attending physician and
28 surgeon or osteopathic physician and surgeon, or facility
29 detaining the person liable in a criminal or civil action
30 for false arrest or false imprisonment if the peace officer,
31 attending physician and surgeon or osteopathic physician
32 and surgeon, mental health professional, or facility had
33 reasonable grounds to believe that the circumstances described
34 in [subsection 1](#) were applicable.

35 Sec. 46. Section 125.92, subsection 4, Code 2018, is amended

1 to read as follows:

2 4. Enjoy all legal, medical, religious, social, political,
3 personal, and working rights and privileges, which the person
4 would enjoy if not detained, taken into immediate custody,
5 or committed, consistent with the effective treatment of the
6 person and of the other persons in the facility. If the
7 person's rights are restricted, the ~~physician's~~ physician and
8 surgeon's or osteopathic physician and surgeon's or mental
9 health professional's direction to that effect shall be noted
10 in the person's record. The person or the person's next of
11 kin or guardian shall be advised of the person's rights and
12 be provided a written copy upon the person's admission to or
13 arrival at the facility.

14 Sec. 47. Section 135B.20, unnumbered paragraph 1, Code
15 2018, is amended to read as follows:

16 ~~Definitions as~~ As used in this subchapter, unless the
17 context otherwise requires:

18 Sec. 48. Section 135B.32, Code 2018, is amended to read as
19 follows:

20 **135B.32 Construction.**

21 Nothing ~~herein~~ in this subchapter shall deprive any hospital
22 of its tax exempt or nonprofit status.

23 Sec. 49. Section 135H.6, Code 2018, is amended to read as
24 follows:

25 **135H.6 Inspection — conditions for issuance.**

26 1. The department shall issue a license to an applicant
27 under this chapter if all the following conditions exist:

28 ~~1-~~ a. The department has ascertained that the applicant's
29 medical facilities and staff are adequate to provide the care
30 and services required of a psychiatric institution.

31 ~~2-~~ b. The proposed psychiatric institution is accredited
32 by the joint commission on the accreditation of health
33 care organizations, the commission on accreditation of
34 rehabilitation facilities, the council on accreditation of
35 services for families and children, or by any other recognized

1 accrediting organization with comparable standards acceptable
2 under federal regulation.

3 ~~3.~~ c. The applicant complies with applicable state rules
4 and standards for a psychiatric institution adopted by the
5 department in accordance with federal requirements under
6 [42C.F.R. §441.150 - 441.156](#).

7 ~~4.~~ d. The applicant has been awarded a certificate of need
8 pursuant to [chapter 135](#), unless exempt as provided in this
9 section.

10 ~~5.~~ e. The department of human services has submitted
11 written approval of the application based on the department of
12 human services' determination of need. The department of human
13 services shall identify the location and number of children in
14 the state who require the services of a psychiatric medical
15 institution for children. Approval of an application shall be
16 based upon the location of the proposed psychiatric institution
17 relative to the need for services identified by the department
18 of human services and an analysis of the applicant's ability to
19 provide services and support consistent with requirements under
20 chapter 232, particularly regarding community-based treatment.
21 If the proposed psychiatric institution is not freestanding
22 from a facility licensed under [chapter 135B](#) or [135C](#), approval
23 under this subsection paragraph shall not be given unless
24 the department of human services certifies that the proposed
25 psychiatric institution is capable of providing a resident with
26 a living environment similar to the living environment provided
27 by a licensee which is freestanding from a facility licensed
28 under [chapter 135B](#) or [135C](#).

29 ~~6.~~ ~~The department of human services shall not give approval~~
30 ~~to an application which would cause the total number of beds~~
31 ~~licensed under [this chapter](#) for services reimbursed by the~~
32 ~~medical assistance program under [chapter 249A](#) to exceed four~~
33 ~~hundred thirty beds.~~

34 ~~7.~~ ~~In addition to the beds authorized under [subsection 6,](#)~~
35 ~~the department of human services may establish not more than~~

1 ~~thirty beds licensed under this chapter at the state mental~~
2 ~~health institute at Independence. The beds shall be exempt~~
3 ~~from the certificate of need requirement under subsection 4.~~

4 8. ~~The department of human services may give approval to~~
5 ~~conversion of beds approved under subsection 6, to beds which~~
6 ~~are specialized to provide substance abuse treatment. However,~~
7 ~~the total number of beds approved under subsection 6 and this~~
8 ~~subsection shall not exceed four hundred thirty. Conversion~~
9 ~~of beds under this subsection shall not require a revision of~~
10 ~~the certificate of need issued for the psychiatric institution~~
11 ~~making the conversion. Beds for children who do not reside~~
12 ~~in this state and whose service costs are not paid by public~~
13 ~~funds in this state are not subject to the limitations on the~~
14 ~~number of beds and certificate of need requirements otherwise~~
15 ~~applicable under this section.~~

16 9. f. The proposed psychiatric institution is under
17 the direction of an agency which has operated a facility
18 licensed under section 237.3, subsection 2, paragraph "a", as
19 a comprehensive residential facility for children for three
20 years or of an agency which has operated a facility for three
21 years providing psychiatric services exclusively to children or
22 adolescents and the facility meets or exceeds requirements for
23 licensure under section 237.3, subsection 2, paragraph "a", as a
24 comprehensive residential facility for children.

25 g. If a child has an emotional, behavioral, or mental health
26 disorder, the psychiatric institution does not require court
27 proceedings to be initiated or that a child's parent, guardian,
28 or custodian must terminate parental rights over or transfer
29 legal custody of the child for the purpose of obtaining
30 treatment from the psychiatric institution for the child.
31 Relinquishment of a child's custody shall not be a condition of
32 the child receiving services.

33 2. The department of human services shall not give approval
34 to an application which would cause the total number of beds
35 licensed under this chapter for services reimbursed by the

1 medical assistance program under chapter 249A to exceed four
2 hundred thirty beds.

3 3. In addition to the beds authorized under subsection 2,
4 the department of human services may establish not more than
5 thirty beds licensed under this chapter at the state mental
6 health institute at Independence. The beds shall be exempt
7 from the certificate of need requirement under subsection 1,
8 paragraph "d".

9 4. The department of human services may give approval to
10 conversion of beds approved under subsection 2, to beds which
11 are specialized to provide substance abuse treatment. However,
12 the total number of beds approved under subsection 2 and this
13 subsection shall not exceed four hundred thirty. Conversion
14 of beds under this subsection shall not require a revision of
15 the certificate of need issued for the psychiatric institution
16 making the conversion. Beds for children who do not reside
17 in this state and whose service costs are not paid by public
18 funds in this state are not subject to the limitations on the
19 number of beds and certificate of need requirements otherwise
20 applicable under this section.

21 ~~10.~~ 5. A psychiatric institution licensed prior to July 1,
22 1999, may exceed the number of beds authorized under subsection
23 6 2 if the excess beds are used to provide services funded
24 from a source other than the medical assistance program under
25 chapter 249A. Notwithstanding subsections 4, 5 subsection 1,
26 paragraphs "d" and "e", and 6 subsection 2, the provision of
27 services using those excess beds does not require a certificate
28 of need or a review by the department of human services.

29 ~~11. If a child has an emotional, behavioral, or mental~~
30 ~~health disorder, the psychiatric institution does not require~~
31 ~~court proceedings to be initiated or that a child's parent,~~
32 ~~guardian, or custodian must terminate parental rights over~~
33 ~~or transfer legal custody of the child for the purpose of~~
34 ~~obtaining treatment from the psychiatric institution for the~~
35 ~~child. Relinquishment of a child's custody shall not be a~~

1 ~~condition of the child receiving services.~~

2 Sec. 50. Section 136.2, Code 2018, is amended to read as
3 follows:

4 **136.2 Appointment.**

5 1. All members of the state board of health shall be
6 appointed by the governor to three-year staggered terms which
7 shall expire on June 30.

8 2. ~~The~~ Each year, the governor shall appoint annually
9 successors to the ~~three~~ board members whose terms expire that
10 year. A vacancy occurring on the board shall be filled by the
11 governor for the unexpired term of the vacancy.

12 Sec. 51. Section 136A.5B, subsection 2, Code 2018, is
13 amended to read as follows:

14 2. An attending health care provider shall provide to a
15 pregnant woman during the first trimester of the pregnancy
16 the informational materials published under this ~~subsection~~
17 section. The center for congenital and inherited disorders
18 shall make the informational materials available to attending
19 health care providers upon request.

20 Sec. 52. Section 151.9, unnumbered paragraph 1, Code 2018,
21 is amended to read as follows:

22 A entry license or certificate to practice as a chiropractor
23 may be revoked or suspended when the licensee or certificate
24 holder is guilty of the following acts or offenses:

25 Sec. 53. Section 152.11, Code 2018, is amended to read as
26 follows:

27 **152.11 Investigators for nurses.**

28 The board of nursing may appoint investigators, who shall
29 not be members of the board, to administer and aid in the
30 enforcement of the provisions of law related to those licensed
31 to practice nursing. The amount of compensation for the
32 investigators shall be determined pursuant to chapter 8A,
33 subchapter IV. Investigators authorized by the board of
34 nursing have the powers and status of peace officers when
35 enforcing this chapter and chapters 147, 152E, and 272C.

1 Sec. 54. Section 154B.1, subsection 2, Code 2018, is amended
2 to read as follows:

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

16 Sec. 55. Section 155A.6A, subsection 2, Code 2018, is
17 amended to read as follows:

18 2. A person who is or desires to be a pharmacy technician
19 in this state shall apply to the board for registration. The
20 application shall be submitted on a form prescribed by the
21 board. A pharmacy technician must be registered pursuant to
22 rules adopted by the board. Except as provided in subsection
23 3, ~~beginning July 1, 2010,~~ all applicants for a new pharmacy
24 technician registration or for a pharmacy technician renewal
25 shall provide proof of current certification by a national
26 technician certification authority approved by the board.
27 Notwithstanding [section 272C.2, subsection 1](#), a pharmacy
28 technician registration shall not require continuing education
29 for renewal.

30 Sec. 56. Section 155A.6A, Code 2018, is amended by adding
31 the following new subsection:

32 NEW SUBSECTION. 3. A person who is in the process of
33 acquiring national certification as a pharmacy technician
34 and who is in training to become a pharmacy technician
35 shall register with the board as a pharmacy technician. The

1 registration shall be issued for a period not to exceed one
2 year and shall not be renewable.

3 Sec. 57. Section 155A.13C, subsection 5, paragraph d, Code
4 2018, is amended to read as follows:

5 d. Any violation of this chapter or chapter 124, ~~124A~~, 124B,
6 126, or 205, or rule of the board.

7 Sec. 58. Section 161A.38, Code 2018, is amended to read as
8 follows:

9 **161A.38 New classification.**

10 1. After a subdistrict has been established and the
11 improvements thereof constructed and put in operation, if the
12 governing body shall find that the original assessments are
13 not equitable as a basis for the expenses of any enlargement
14 or extension thereof which may have become necessary, ~~they~~ the
15 governing body shall order a new classification of all lands in
16 said subdistrict by resolution, and appoint three appraisers,
17 which shall meet the same requirements as set forth in section
18 161A.23.

19 2. Upon the completion of the reclassification, those
20 affected by such reclassification shall have the right to
21 appeal as ~~hereinabove~~ set forth in this subchapter.

22 Sec. 59. Section 161A.42, subsection 2, Code 2018, is
23 amended to read as follows:

24 2. "*Conservation agreement*" means a commitment by the
25 owner or operator of a farm unit to implement a farm unit soil
26 conservation plan or, with the approval of the commissioners of
27 the soil and water conservation district within which the farm
28 unit is located, a portion of a farm unit soil conservation
29 plan. The commitment shall be conditioned on the furnishing
30 by the soil and water conservation district of technical or
31 planning assistance in the establishment of ~~and cost-sharing~~
32 cost-sharing or other financial assistance for establishment
33 and maintenance of the soil and water conservation practices
34 necessary to implement the plan ~~and~~ or a portion of the plan.

35 Sec. 60. Section 161A.43, Code 2018, is amended to read as

1 follows:

2 **161A.43 Duty of property owners — liability.**

3 1. To conserve the fertility, general usefulness, and
4 value of the soil and soil resources of this state, and to
5 prevent the injurious effects of soil erosion, it is hereby
6 made the duty of the owners of real property in this state to
7 establish and maintain soil and water conservation practices or
8 erosion control practices, as required by the regulations of
9 the commissioners of the respective soil and water conservation
10 districts. As used in [this section](#), "*owners of real property*
11 *in this state*" includes each state government agency, each
12 political subdivision of the state, and each agency of such
13 a political subdivision which has under its control publicly
14 owned land, including but not limited to agricultural land,
15 forests, parks, the grounds of state educational, penal and
16 human service institutions, public highways, roads and streets,
17 and other public rights-of-way.

18 2. A landowner shall not be liable for a claim based upon or
19 arising out of a claim of negligent design or specification,
20 negligent adoption of design or specification, or negligent
21 installation, construction, or reconstruction of a soil and
22 water conservation practice or an erosion control practice that
23 was installed, constructed, or reconstructed in accordance
24 with generally recognized engineering or safety standards,
25 criteria, or design theory in existence at the time of the
26 installation, construction, or reconstruction. A soil and
27 water conservation practice or an erosion control practice
28 installed, constructed, or reconstructed in compliance with
29 rules adopted by the division and currently in effect shall be
30 deemed to be installed, constructed, or reconstructed according
31 to generally recognized engineering or safety standards,
32 criteria, or design theory in existence at the time of the
33 installation, construction, or reconstruction. A claim shall
34 not be allowed for failure to upgrade, improve, or alter any
35 aspect of an existing soil and water conservation practice or

1 erosion control practice to a new, changed, or altered design
2 standard. This ~~paragraph~~ subsection does not apply to a claim
3 based on a failure of a landowner to upgrade, improve, or alter
4 a soil and water conservation practice or erosion control
5 practice in violation of law. This ~~paragraph~~ subsection does
6 not apply to claims based upon gross negligence.

7 Sec. 61. Section 166A.2, subsection 2, Code 2018, is amended
8 to read as follows:

9 2. For good and sufficient grounds the department may refuse
10 to grant a license to any applicant, ~~and it.~~ The department
11 may also revoke a license obtained by a dealer for a violation
12 of any provision of this chapter, or for the refusal or failure
13 of a dealer to obey the lawful directions of the department.

14 Sec. 62. Section 166D.7, subsection 1, paragraph b, Code
15 2018, is amended to read as follows:

16 b. Before being added to the herd, new swine, including
17 swine returning to the herd after contact with nonherd swine,
18 shall be isolated until the new swine react negatively to a
19 test conducted thirty days or more after the swine has been
20 placed in isolation. Swine from a herd of unknown status must
21 react negatively to a test not more than thirty days prior
22 to movement from the herd of unknown status and retested in
23 isolation at least thirty days after movement onto the premises
24 where the qualified negative herd is located.

25 Sec. 63. Section 194.2, Code 2018, is amended to read as
26 follows:

27 **194.2 Enforcement — rules.**

28 1. The secretary of agriculture shall enforce the
29 provisions ~~hereof~~ of this chapter, and to this end may adopt
30 such rules and regulations pursuant to chapter 17A as may
31 appear necessary, but not inconsistent ~~herewith~~ with this
32 chapter.

33 2. The secretary may adopt by rule requirements recommended
34 by the United States Department of Agriculture for the
35 production and processing of milk for manufacturing purposes,

1 including, but not limited to, requirements for the inspection
2 and certification of grade "B" dairy farms and grade "B" dairy
3 plants.

4 Sec. 64. Section 194.4, subsection 2, Code 2018, is amended
5 to read as follows:

6 2. Any raw milk ~~that~~ which shows an abnormal condition
7 including, but not limited to, curdled, ropy, clotted,
8 and bloody, ~~or that;~~ which contains extraneous matter ~~or;~~
9 which shows significant bacterial deterioration, ~~or;~~ which
10 contains matter evidencing production from a mastitic cow; or
11 which contains chemicals, medicines, or radioactive agents
12 deleterious to health is unlawful milk and shall be rejected
13 to the producer, seller, or shipper and shall not be used in
14 the processing or manufacturing of dairy products for human
15 consumption.

16 Sec. 65. Section 208.7, Code 2018, is amended to read as
17 follows:

18 **208.7 Mining license — fees and expiration.**

19 An operator shall not engage in mining as defined by section
20 208.2 without first obtaining a license from the division.
21 A license shall be issued and renewed upon approval by the
22 division following the submission of a completed application
23 by the operator. An application shall be submitted on a form
24 provided by the division and shall be accompanied by a license
25 fee of fifty dollars. Each applicant shall be required to
26 furnish on the form information necessary to identify the
27 applicant. The initial license shall expire on December 31
28 of the year of issue. An initial license shall be renewed by
29 the division as required by the division. The renewed license
30 shall expire the last day of the second December following
31 the date of issue. The division shall renew a license upon
32 approving an application submitted within thirty days prior to
33 the expiration date. The application for a renewed license
34 must be accompanied by a fee of twenty dollars. ~~However,~~ A
35 political subdivision shall not be required to pay a license

1 fee.

2 Sec. 66. Section 212.3, Code 2018, is amended to read as
3 follows:

4 **212.3 Disposition of delivery tickets.**

5 One duplicate delivery ticket described in section
6 ~~212.3~~ 212.2 shall be delivered to the vendee and the other
7 duplicative delivery ticket shall be returned to the vendor
8 or retained electronically by the vendor if approval from the
9 department has previously been granted. Upon demand of the
10 department the person in charge of the load shall surrender one
11 of the duplicate delivery tickets to the person making such
12 demand. If the duplicative delivery ticket is retained, an
13 official weight slip shall be delivered by the department to
14 the vendee or the vendee's agent.

15 Sec. 67. Section 216.6, subsection 1, paragraph a, Code
16 2018, is amended to read as follows:

17 a. Person to refuse to hire, accept, register, classify,
18 or refer for employment, to discharge any employee, or to
19 otherwise discriminate in employment against any applicant
20 for employment or any employee because of the age, race,
21 creed, color, sex, sexual orientation, gender identity,
22 national origin, religion, or disability of such applicant or
23 employee, unless based upon the nature of the occupation. If a
24 person with a disability is qualified to perform a particular
25 occupation, by reason of training or experience, the nature of
26 that occupation shall not be the basis for exception to the
27 unfair or ~~discriminating~~ discriminatory practices prohibited
28 by **this subsection**.

29 Sec. 68. Section 216.6, subsection 1, paragraph c,
30 subparagraph (1), Code 2018, is amended to read as follows:

31 (1) If a person with a disability is qualified to perform a
32 particular occupation by reason of training or experience, the
33 nature of that occupation shall not be the basis for exception
34 to the unfair or ~~discriminating~~ discriminatory practices
35 prohibited by **this subsection**.

1 Sec. 69. Section 216.13, subsection 1, Code 2018, is amended
2 to read as follows:

3 1. However, a retirement plan or benefit system shall
4 not require the involuntary retirement of a person under the
5 age of seventy because of that person's age. This ~~paragraph~~
6 subsection does not prohibit the ~~following~~:

7 ~~a.~~ The involuntary retirement of a person who has attained
8 the age of sixty-five and has for the two prior years been
9 employed in a bona fide executive or high policymaking position
10 and who is entitled to an immediate, nonforfeitable annual
11 retirement benefit from a pension, profit-sharing, savings,
12 or deferred compensation plan of the employer which equals
13 twenty-seven thousand dollars. This retirement benefit test
14 may be adjusted according to the regulations prescribed by
15 the United States secretary of labor pursuant to Pub. L. No.
16 95-256, section 3.

17 ~~b.~~ ~~The involuntary retirement of a person covered by a~~
18 ~~collective bargaining agreement which was entered into by a~~
19 ~~labor organization and was in effect on September 1, 1977.~~
20 ~~This exemption does not apply after the termination of that~~
21 ~~agreement or January 1, 1980, whichever first occurs.~~

22 Sec. 70. Section 225.30, Code 2018, is amended to read as
23 follows:

24 **225.30 Blanks — audit.**

25 The medical faculty of the university of Iowa college of
26 medicine shall prepare blanks containing such questions and
27 requiring such information as may be necessary and proper to
28 be obtained by the physician or mental health professional who
29 examines a person or respondent whose referral to the state
30 psychiatric hospital is contemplated. A judge may request
31 that a physician or mental health professional who examines a
32 respondent as required by [section 229.10](#) complete such blanks
33 in duplicate in the course of the examination. A physician who
34 proposes to file information under [section 225.10](#) shall obtain
35 and complete such blanks in duplicate and file them with the

1 information. The blanks shall be printed by the state and a
2 supply of the blanks shall be made available to counties. The
3 director of the department of administrative services shall
4 audit, allow, and pay the cost of the blanks as other bills for
5 public printing are allowed and paid.

6 Sec. 71. Section 235B.3A, subsection 3, Code 2018, is
7 amended to read as follows:

8 3. Providing a dependent adult with immediate and adequate
9 notice of the dependent adult's rights. The notice shall
10 consist of handing the dependent adult a document that includes
11 the telephone numbers of shelters, support groups, and
12 crisis lines operating in the area and contains ~~a copy of the~~
13 following written statement of rights; requesting the dependent
14 adult to read the ~~card~~ document; and asking the dependent adult
15 whether the dependent adult understands the rights:

16 [1] You have the right to ask the court for the following
17 help on a temporary basis:

18 [a] Keeping the alleged perpetrator away from you, your
19 home, and your place of work.

20 [b] The right to stay at your home without interference from
21 the alleged perpetrator.

22 [c] Professional counseling for you, your family, or
23 household members, and the alleged perpetrator of the dependent
24 adult abuse.

25 [2] If you are in need of medical treatment, you have the
26 right to request that the peace officer present assist you in
27 obtaining transportation to the nearest hospital or otherwise
28 assist you.

29 [3] If you believe that police protection is needed for
30 your physical safety, you have the right to request that the
31 peace officer present remain at the scene until you and other
32 affected parties can leave or safety is otherwise ensured.

33 Sec. 72. Section 235E.3, subsection 3, Code 2018, is amended
34 to read as follows:

35 3. Providing a dependent adult with immediate and adequate

1 notice of the dependent adult's rights. The notice shall
2 consist of handing the dependent adult a document that includes
3 the telephone numbers of shelters, support groups, and
4 crisis lines operating in the area and contains ~~a copy of~~ the
5 following written statement of rights; requesting the dependent
6 adult to read the ~~ear~~ document; and asking the dependent adult
7 whether the dependent adult understands the rights:

8 [1] You have the right to ask the court for the following
9 help on a temporary basis:

10 [a] Keeping the alleged perpetrator away from you, your
11 home, your facility, and your place of work.

12 [b] The right to stay at your home or facility without
13 interference from the alleged perpetrator.

14 [c] Professional counseling for you, your family, or
15 household members, and the alleged perpetrator of the dependent
16 adult abuse.

17 [2] If you are in need of medical treatment, you have the
18 right to request that the peace officer present assist you in
19 obtaining transportation to the nearest hospital or otherwise
20 assist you.

21 [3] If you believe that police protection is needed for
22 your physical safety, you have the right to request that the
23 peace officer present remain at the scene until you and other
24 affected parties can leave or safety is otherwise ensured.

25 Sec. 73. Section 236.12, subsection 1, paragraph c, Code
26 2018, is amended to read as follows:

27 *c.* Providing an abused person with immediate and adequate
28 notice of the person's rights. The notice shall consist of
29 handing the person a document that includes the telephone
30 numbers of shelters, support groups, and crisis lines operating
31 in the area and contains ~~a copy of~~ the following statement
32 of rights written in English and Spanish; asking the person
33 to read the ~~ear~~ document; and asking whether the person
34 understands the rights:

35 [1] You have the right to ask the court for the following

1 help on a temporary basis:

2 [a] Keeping your attacker away from you, your home and your
3 place of work.

4 [b] The right to stay at your home without interference from
5 your attacker.

6 [c] Getting custody of children and obtaining support for
7 yourself and your minor children if your attacker is legally
8 required to provide such support.

9 [d] Professional counseling for you, the children who are
10 members of the household, and the defendant.

11 [2] You have the right to seek help from the court to seek
12 a protective order with or without the assistance of legal
13 representation. You have the right to seek help from the
14 courts without the payment of court costs if you do not have
15 sufficient funds to pay the costs.

16 [3] You have the right to file criminal charges for threats,
17 assaults, or other related crimes.

18 [4] You have the right to seek restitution against your
19 attacker for harm to yourself or your property.

20 [5] If you are in need of medical treatment, you have
21 the right to request that the officer present assist you in
22 obtaining transportation to the nearest hospital or otherwise
23 assist you.

24 [6] If you believe that police protection is needed for your
25 physical safety, you have the right to request that the officer
26 present remain at the scene until you and other affected
27 parties can leave or until safety is otherwise ensured.

28 Sec. 74. Section 236A.13, subsection 1, paragraph c, Code
29 2018, is amended to read as follows:

30 c. Providing an abused person with immediate and adequate
31 notice of the person's rights. The notice shall consist of
32 handing the person a document that includes the telephone
33 numbers of shelters, support groups, and crisis lines operating
34 in the area and contains ~~a copy of~~ the following statement
35 of rights written in English and Spanish; asking the person

1 to read the ~~ear~~ document; and asking whether the person
2 understands the rights:

3 [1] You have the right to ask the court for the following
4 help on a temporary basis:

5 ~~[1]~~ [a] Keeping your attacker away from you, your home, and
6 your place of work.

7 ~~[2]~~ [b] The right to stay at your home without interference
8 from your attacker.

9 [2] You have the right to seek help from the court to seek
10 a protective order with or without the assistance of legal
11 representation. You have the right to seek help from the
12 courts without the payment of court costs if you do not have
13 sufficient funds to pay the costs.

14 [3] You have the right to file criminal complaints for
15 threats, assaults, or other related crimes.

16 [4] You have the right to seek restitution against your
17 attacker for harm to yourself or your property.

18 [5] If you are in need of medical treatment, you have
19 the right to request that the officer present assist you in
20 obtaining transportation to the nearest hospital or otherwise
21 assist you.

22 [6] If you believe that police protection is needed for your
23 physical safety, you have the right to request that the officer
24 present remain at the scene until you and other affected
25 persons can leave or until safety is otherwise ensured.

26 Sec. 75. Section 256I.7, subsection 1, paragraph a, Code
27 2018, is amended to read as follows:

28 a. The early childhood Iowa initiative functions for an area
29 shall be performed under the authority of an early childhood
30 Iowa area board. The members of an area board shall be elected
31 officials or members of the public who are not employed by a
32 provider of services to or for the area board. In addition,
33 the membership of an area board shall include representation
34 from education, health, human services, business, and faith
35 interests, and at least one parent, grandparent, or guardian of

1 a child from zero through age five. However, not more than one
2 member shall represent the same entity or interest.

3 Sec. 76. Section 256I.8, subsection 1, paragraph b, Code
4 2018, is amended to read as follows:

5 *b.* Administer early childhood Iowa grant moneys available
6 from the state to the area board as provided by law and other
7 federal, state, local, and private moneys made available to
8 the area board. Eligibility for receipt of early childhood
9 Iowa grant moneys shall be limited to those early childhood
10 Iowa area boards that have developed an approved community
11 plan in accordance with [this chapter](#). An early childhood Iowa
12 area board may apply to the state board for any private moneys
13 received by the early childhood Iowa initiative outside of a
14 state appropriation.

15 Sec. 77. Section 256I.8, subsection 1, paragraph d, Code
16 2018, is amended to read as follows:

17 *d.* Submit an annual report on the effectiveness of the
18 community plan in addressing school readiness and children's
19 health and safety needs to the state board and to the local
20 government bodies in the area. The annual report shall
21 indicate the effectiveness of the area board in addressing
22 state and locally determined goals and the progress on each
23 of the community-wide indicators identified by the area board
24 under paragraph "c", subparagraph (5). The report shall
25 include an annual budget developed for the following fiscal
26 year for the area's comprehensive school ready children grant
27 for providing services for children from ~~birth~~ zero through
28 age five years ~~of age~~, and provide other information specified
29 by the state board, including budget amendments, as needed.
30 In addition, each area board must comply with reporting
31 provisions and other requirements adopted by the state board
32 in implementing [section 256I.9](#).

33 Sec. 78. Section 256I.12, subsection 1, Code 2018, is
34 amended to read as follows:

35 1. *Alliance created.* An early childhood stakeholders

1 alliance is created to support the state board in addressing
2 the early care, health, and education systems that affect
3 children ~~ages~~ zero through age five in Iowa.

4 Sec. 79. Section 260C.22, subsection 1, paragraph e, Code
5 2018, is amended to read as follows:

6 e. This ~~law~~ subsection shall be construed as supplemental
7 and in addition to existing statutory authority and as
8 providing an independent method of financing the cost of
9 acquiring school facilities for which a tax has been voted
10 under this section and for the borrowing of money and execution
11 of loan agreements in connection therewith and shall not be
12 construed as subject to the provisions of any other law. The
13 fact that a merged area may have previously borrowed money and
14 entered into loan agreements under authority herein contained
15 shall not prevent such merged area from borrowing additional
16 money and entering into further loan agreements provided that
17 the aggregate of the amount payable under all of such loan
18 agreements does not exceed the proceeds of the voted tax. All
19 acts and proceedings heretofore taken by the board of directors
20 or by any official of any merged area for the exercise of any
21 of the powers granted by this section are hereby legalized and
22 validated in all respects.

23 Sec. 80. Section 261.9, unnumbered paragraph 1, Code 2018,
24 is amended to read as follows:

25 When used in this part subchapter, unless the context
26 otherwise requires:

27 Sec. 81. Section 262.21, Code 2018, is amended to read as
28 follows:

29 **262.21 Annuity contracts.**

30 1. As used in this section, unless the context otherwise
31 requires, "annuity contract" includes any custodial account
32 which meets the requirements of section 403(b)(7) of the
33 Internal Revenue Code, as defined in section 422.3.

34 2. At the request of an employee through contractual
35 agreement the board may arrange for the purchase of group

1 or individual annuity contracts for any of its employees,
 2 which annuity contracts are issued by a nonprofit corporation
 3 issuing retirement annuities exclusively for educational
 4 institutions and their employees or are purchased from any
 5 company the employee chooses that is authorized to do business
 6 in this state or through an Iowa-licensed salesperson that
 7 the employee selects, on a group or individual basis, for
 8 retirement or other purposes, and may make payroll deductions
 9 in accordance with the arrangements for the purpose of paying
 10 the entire premium due and to become due under the contract.
 11 The deductions shall be made in the manner which will qualify
 12 the annuity premiums for the benefits under section 403(b) of
 13 the Internal Revenue Code, as defined in [section 422.3](#). The
 14 employee's rights under the annuity contract are nonforfeitable
 15 except for the failure to pay premiums. ~~As used in this~~
 16 ~~section, unless the context otherwise requires, "annuity~~
 17 ~~contract" includes any custodial account which meets the~~
 18 ~~requirements of section 403(b)(7) of the Internal Revenue Code,~~
 19 ~~as defined in [section 422.3](#).~~

20 3. Whenever an existing tax-sheltered annuity contract is
 21 to be replaced by a new contract the agent or representative
 22 of the company shall submit a letter of intent to the company
 23 being replaced, to the commissioner of insurance, and to the
 24 agent's or representative's own company at least thirty days
 25 prior to any action. Each required letter of intent shall
 26 be sent by registered mail. This letter of intent shall
 27 contain the policy number and description of the contract being
 28 replaced and a description of the replacement contract.

29 Sec. 82. Section 262.56, Code 2018, is amended to read as
 30 follows:

31 **262.56 Authorization — contracts — title.**

32 Subject to and in accordance with the provisions of this
 33 subchapter the state board of regents is hereby authorized to
 34 undertake and carry out any project as ~~hereinbefore~~ defined
 35 in section 262.55 at the state university of Iowa, Iowa state

1 university of science and technology, and the university of
2 northern Iowa and to operate, control, maintain and manage
3 student residence halls and dormitories, including dining and
4 other incidental facilities, and additions to such buildings at
5 each of said institutions. All contracts for the construction,
6 reconstruction, completion, equipment, improvement, repair or
7 remodeling of any buildings, additions or facilities shall
8 be let in accordance with the provisions of [section 262.34](#).

9 The title to all real estate acquired under the provisions of
10 this subchapter and the improvements erected thereon shall be
11 taken and held in the name of the state of Iowa. The board
12 is authorized to rent the rooms in such residence halls and
13 dormitories to the students, officers, guests and employees
14 of said institutions at such rates, fees or rentals as will
15 provide a reasonable return upon the investment, but which will
16 in any event produce net rents, profits and income sufficient
17 to insure the payment of the principal of and interest on all
18 bonds or notes issued to pay any part of the cost of any project
19 and refunding bonds or notes issued pursuant to the provisions
20 of [this subchapter](#).

21 Sec. 83. Section 263.2, Code 2018, is amended to read as
22 follows:

23 **263.2 Degrees.**

24 1. ~~No one~~ A person shall not be admitted to courses of
25 instruction in the university ~~who~~ if the person has not
26 completed the elementary instruction in such branches as are
27 taught in the ~~common~~ public or accredited nonpublic schools
28 throughout the state.

29 2. Graduates of the university shall receive degrees or
30 diplomas, or other evidences of distinction such as are usually
31 conferred and granted by universities and are authorized by the
32 state board of regents.

33 Sec. 84. Section 263.10, Code 2018, is amended to read as
34 follows:

35 **263.10 Persons admitted.**

1 Every resident of the state who is not more than twenty-one
 2 years of age, who has such severe disabilities as to be unable
 3 to acquire an education in the ~~common~~ public or accredited
 4 nonpublic schools, and every such person who is twenty-one and
 5 under thirty-five years of age who has the consent of the state
 6 board of regents, shall be entitled to receive an education,
 7 care, and training in the university of Iowa hospitals
 8 and clinics center for disabilities and development, and
 9 nonresidents similarly situated may be entitled to an education
 10 and care at the center upon such terms as may be fixed by the
 11 state board of regents. The fee for nonresidents shall be not
 12 less than the average expense of resident pupils and shall be
 13 paid in advance. Residents and persons under the care and
 14 control of a director of a division of the department of human
 15 services who have severe disabilities may be transferred to the
 16 center upon such terms as may be agreed upon by the state board
 17 of regents and the director.

18 Sec. 85. Section 270.6, Code 2018, is amended to read as
 19 follows:

20 **270.6 Certification Certificate to auditor — collection.**

21 The superintendent shall, at the time of sending the
 22 certificate to the director of the department of administrative
 23 services, send a duplicate copy to the auditor of the county of
 24 the pupil's residence, who shall, when ordered by the board of
 25 supervisors, proceed to collect the ~~same~~ amounts due by action
 26 if necessary, in the name of the county, and when so collected,
 27 shall pay the ~~same~~ amounts into the county treasury.

28 Sec. 86. Section 270.7, subsection 2, Code 2018, is amended
 29 to read as follows:

30 2. If a county fails to pay these bills within sixty days
 31 from the date of the certificate from the superintendent, the
 32 director of the department of administrative services shall
 33 charge the delinquent county a penalty of three-fourths of one
 34 percent per month on and after sixty days from the date of the
 35 certificate until paid. The penalties shall be credited to the

1 general fund of the state.

2 Sec. 87. Section 272.2, subsection 20, Code 2018, is amended
3 to read as follows:

4 20. ~~Establish by rule~~ Adopt rules pursuant to chapter 17A
5 establishing endorsements and authorizations for computer
6 science instruction, including traditional and nontraditional
7 pathways for obtaining such endorsements or authorizations.

8 Sec. 88. Section 274.2, Code 2018, is amended to read as
9 follows:

10 **274.2 General applicability.**

11 The provisions of law relative to ~~common~~ public or
12 accredited nonpublic schools shall apply alike to all
13 districts, except when otherwise clearly stated, and the powers
14 given to one form of corporation, or to a board in one kind
15 of corporation, shall be exercised by the other in the same
16 manner, as nearly as practicable. But school boards shall not
17 incur original indebtedness by the issuance of bonds until
18 authorized by the voters of the school corporation.

19 Sec. 89. Section 274.39, Code 2018, is amended to read as
20 follows:

21 **274.39 Sale of land to government.**

22 Whenever the federal government, or any agency or department
23 ~~thereof shall have heretofore located or shall hereafter locate~~
24 of the federal government, locates in any county an ordnance
25 plant or other project which may be deemed desirable for the
26 development of the national defense or for the purpose of flood
27 control, and for the purpose of so locating such plant or
28 project ~~shall have heretofore determined, or shall hereafter~~
29 ~~determine,~~ determines that real property and improvements
30 ~~thereon~~ on the property owned by school districts ~~is~~ are
31 required, the board of directors of such school districts by
32 resolution is hereby authorized to sell and convey ~~such the~~
33 property at a price and upon terms as may be agreed upon, ~~any~~
34 ~~such.~~ The instruments of conveyance to shall be executed on
35 behalf of ~~such the~~ the school districts by the president of ~~such~~

1 each district.

2 Sec. 90. Section 275.4, subsection 1, paragraph a, Code
3 2018, is amended to read as follows:

4 a. In developing studies and surveys the area education
5 agency board shall consult with the officials of school
6 districts in the area and other citizens, ~~and~~ shall from time
7 to time hold public hearings, and may employ such research and
8 other assistance as it may determine reasonably necessary in
9 order to properly carry on its survey and prepare definite
10 plans of reorganization.

11 Sec. 91. Section 275.9, subsection 1, Code 2018, is amended
12 to read as follows:

13 1. When any school district is enlarged, reorganized,
14 or changes its boundaries pursuant to the plans hereinabove
15 provided for under sections 275.2 through 275.8, such
16 enlargement, reorganization, or boundary change shall be
17 accomplished by the method ~~hereinafter~~ provided in this
18 subchapter.

19 Sec. 92. Section 275.13, Code 2018, is amended to read as
20 follows:

21 **275.13 Affidavit — presumption.**

22 Such petition shall be accompanied by an affidavit showing
23 the number of registered voters living in each affected
24 district or portion thereof described in the petition and
25 signed by a registered voter residing in the territory, and if
26 parts of the territory described in the petition are situated
27 in different area education agencies, the affidavit shall show
28 separately as to each agency, the number of registered voters
29 in the part of the agency included in the territory described.
30 The affidavit shall be taken as true unless objections to it
31 are filed on or before the time fixed for filing objections as
32 provided in [section 275.14](#) hereof.

33 Sec. 93. Section 275.27, Code 2018, is amended to read as
34 follows:

35 **275.27 Community school districts — part of area education**

1 **agency.**

2 School districts created or enlarged under [this chapter](#) are
3 community school districts and are part of the area education
4 agency in which the greatest number of registered voters of the
5 district reside at the time of the special election called for
6 in [section 275.18](#), and sections of the Code applicable to ~~the~~
7 ~~common~~ public or accredited nonpublic schools generally are
8 applicable to these districts in addition to the powers and
9 privileges conferred by [this chapter](#). If a school district,
10 created or enlarged under [this chapter](#) and assigned to an area
11 education agency under [this section](#), can demonstrate that
12 students in the district were utilizing a service or program
13 prior to the formation of the new or enlarged district that is
14 unavailable from the area education agency to which the new or
15 enlarged district is assigned, the district may be reassigned
16 to the area education agency which formerly provided the
17 service or program, upon an affirmative majority vote of the
18 boards of the affected area education agencies to permit the
19 change.

20 Sec. 94. Section 275.33, subsection 1, Code 2018, is amended
21 to read as follows:

22 1. The terms of employment of superintendents, principals,
23 and teachers, for the school year following the effective date
24 of the formation of the new district shall not be affected by
25 the formation of the new district, except in accordance with
26 the provisions of [sections 279.15 ~~to~~ through 279.18](#) and [279.24](#)
27 and the authority and responsibility to offer new contracts or
28 to continue, modify, or terminate existing contracts pursuant
29 to [sections 279.12, 279.13, 279.15 ~~to~~ through 279.21, 279.23,](#)
30 and [279.24](#) for the school year beginning with the effective
31 date of the reorganization shall be transferred from the boards
32 of the existing districts to the board of the new district
33 on the third Tuesday of January prior to the school year the
34 reorganization is effective.

35 Sec. 95. Section 277.32, Code 2018, is amended to read as

1 follows:

2 **277.32 Penalties.**

3 Any school officer willfully violating any law relative to
4 ~~common~~ public or accredited nonpublic schools, or willfully
5 failing or refusing to perform any duty imposed by law,
6 shall forfeit and pay into the treasury of the particular
7 school corporation in which the violation occurs the sum of
8 twenty-five dollars, action to recover which shall be brought
9 in the name of the proper school corporation, and be applied to
10 the use of the schools therein.

11 Sec. 96. Section 279.16, subsection 3, Code 2018, is amended
12 to read as follows:

13 3. The board shall not be bound by common law or statutory
14 rules of evidence or by technical or formal rules of procedure,
15 but it shall hold the hearing in such manner as is best
16 suited to ascertain and conserve the substantial rights of
17 the parties. Process and procedure under sections 279.13 ~~to~~
18 through 279.19 shall be as summary as reasonably may be.

19 Sec. 97. Section 279.36, Code 2018, is amended to read as
20 follows:

21 **279.36 Publication procedures and fee.**

22 1. The requirements of section 279.35 are satisfied by
23 publication in at least one newspaper published in the district
24 or, if there is none, in at least one newspaper having general
25 circulation within the district.

26 2. ~~For the fiscal year beginning July 1, 1987, the fee for~~
27 ~~publications required under section 279.35 shall not exceed~~
28 ~~three-fifths of the legal publication fee provided by statute~~
29 ~~for the publication of legal notices. For the fiscal year~~
30 ~~beginning July 1, 1988, the fee for the publications shall~~
31 ~~not exceed three-fourths of that legal publication fee. For~~
32 the fiscal year beginning July 1, 1989, and each fiscal year
33 thereafter, the fee for the publications shall be the legal
34 publication fee provided by statute.

35 Sec. 98. Section 280.2, Code 2018, is amended to read as

1 follows:

2 **280.2 Definitions.**

3 ~~The term "public school" means any school directly supported~~
4 ~~in whole or in part by taxation. The term "nonpublic~~

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

7 1. "Nonpublic school" means any other school, other than a
8 public school, which is accredited pursuant to section 256.11.

9 2. "Public school" means any school directly supported in
10 whole or in part by taxation.

11 Sec. 99. Section 282.18, subsection 11, Code 2018, is
12 amended to read as follows:

13 11. a. A pupil who participates in open enrollment for
14 purposes of attending a grade in grades nine through twelve
15 in a school district other than the district of residence is
16 ineligible to participate in varsity interscholastic athletic
17 contests and athletic competitions during the pupil's first
18 ninety school days of enrollment in the ~~district except that~~
19 the district. However, a pupil may participate immediately in
20 a varsity interscholastic sport if under any of the following
21 circumstances:

22 (1) If the pupil is entering grade nine for the first
23 time and did not participate in an interscholastic athletic
24 competition for another school or school district during the
25 summer immediately following eighth grade, if.

26 (2) If the district of residence and the other school
27 district jointly participate in the sport, if.

28 (3) If the sport in which the pupil wishes to participate is
29 not offered in the district of residence, if.

30 (4) If the pupil chooses to use open enrollment to attend
31 school in another school district because the district in which
32 the student previously attended school was dissolved and merged
33 with one or more contiguous school districts under section
34 256.11, subsection 12, if.

35 (5) If the pupil participates in open enrollment because the

1 pupil's district of residence has entered into a whole grade
2 sharing agreement with another district for the pupil's grade,
3 ~~if.~~

4 (6) If the parent or guardian of the pupil participating
5 in open enrollment is an active member of the armed forces and
6 resides in permanent housing on government property provided by
7 a branch of the armed services, ~~or if.~~

8 (7) If the district of residence determines that the pupil
9 was previously subject to a founded incident of harassment or
10 bullying as defined in [section 280.28](#) while attending school
11 in the district of residence.

12 b. A pupil who has paid tuition and attended school, or
13 has attended school pursuant to a mutual agreement between the
14 two districts, in a district other than the pupil's district
15 of residence for at least one school year is also eligible to
16 participate immediately in interscholastic athletic contests
17 and athletic competitions under [this section](#), but only as a
18 member of a team from the district that pupil had attended.

19 c. For purposes of [this subsection](#), "school days of
20 enrollment" does not include enrollment in summer school. For
21 purposes of [this subsection](#), "varsity" means the same as defined
22 in [section 256.46](#).

23 Sec. 100. Section 284.1, unnumbered paragraph 1, Code 2018,
24 is amended to read as follows:

25 A student achievement and teacher quality program is
26 established to promote high student achievement. The program
27 shall consist of the following ~~four~~ major elements:

28 Sec. 101. Section 284.3A, subsection 3, Code 2018, is
29 amended to read as follows:

30 3. A school district or area education agency shall not
31 be required to maintain a separate account within its budget
32 based on source of funds for payments received and expenditures
33 made pursuant to [this section](#). The school district or area
34 education agency shall annually certify to the department ~~of~~
35 ~~education~~ that funding received pursuant to [sections 257.10](#) and

1 257.37A was expended on salaries for qualified teachers.

2 Sec. 102. Section 284.6, subsection 9, Code 2018, is amended
3 to read as follows:

4 9. Moneys received pursuant to section 257.10, subsection
5 10, or [section 257.37A, subsection 2](#), shall be maintained
6 as a separate listing within a school district's or area
7 education agency's budget for funds received and expenditures
8 made pursuant to [this subsection](#). The department shall not
9 require a school district or area education agency to allocate
10 a specific amount or percentage of moneys received pursuant to
11 section 257.10, subsection 10, or section 257.37A, subsection
12 2, for professional development related to implementation of
13 the core curriculum under [section 256.7, subsection 26](#). A
14 school district shall certify to the department ~~of education~~
15 how the school district allocated the funds and that moneys
16 received under [this subsection](#) were used to supplement, not
17 supplant, the professional development opportunities the school
18 district would otherwise make available. For budget years
19 beginning on or after July 1, 2017, all or a portion of the
20 moneys received pursuant to [section 257.10, subsection 10](#), that
21 remain unexpended and unobligated at the end of a fiscal year
22 may, pursuant to [section 257.10, subsection 10](#), paragraph "d",
23 be transferred for deposit in the school district's flexibility
24 account established under [section 298A.2, subsection 2](#).

25 Sec. 103. Section 284.13, subsection 1, paragraph d,
26 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
27 to read as follows:

28 For the following years, to the department ~~of education~~, for
29 purposes of teacher leadership supplemental aid payments to
30 school districts for implementing the career paths, leadership
31 roles, and compensation framework or comparable system approved
32 in accordance with [section 284.15, subsection 6](#), the following
33 amounts:

34 Sec. 104. Section 284.13, subsection 1, paragraph g, Code
35 2018, is amended to read as follows:

1 *g.* For the fiscal year beginning July 1, 2018, and for each
2 subsequent fiscal year, to the department ~~of education~~, ten
3 million dollars for purposes of implementing the supplemental
4 assistance for high-need schools provisions of [section 284.11](#).
5 Annually, of the moneys allocated to the department for
6 purposes of this paragraph, up to one hundred thousand dollars
7 may be used by the department for administrative purposes and
8 for not more than one full-time equivalent position.

9 Sec. 105. Section 294.1, Code 2018, is amended to read as
10 follows:

11 **294.1 Qualifications — compensation prohibited.**

12 1. ~~No~~ A person shall not be employed as a teacher in a
13 ~~common~~ public or accredited nonpublic school without having a
14 certificate issued by some officer duly authorized by law.

15 2. ~~No compensation~~ Compensation shall not be recovered by a
16 teacher for services rendered while without such certificate.

17 Sec. 106. Section 303.8, Code 2018, is amended to read as
18 follows:

19 **303.8 Powers and duties of board and ~~division~~ department.**

20 1. The state historical society board of trustees shall:

21 *a.* Recommend to the state historical society a
22 comprehensive, coordinated, and efficient policy to preserve,
23 research, interpret, and promote to the public an awareness and
24 understanding of local, state, and regional history.

25 *b.* Make recommendations to the division administrator on
26 historically related matters.

27 *c.* Review and recommend to the director or the director's
28 designee policy decisions regarding the division.

29 *d.* Recommend to the state historic preservation officer for
30 approval the state preservation plan.

31 *e.* Perform other functions prescribed by law to further
32 historically related matters in the state.

33 2. The department shall:

34 *a.* Have authority to acquire by fee simple title historic
35 properties by gift, purchase, devise, or bequest; preserve,

1 restore, transfer, and administer historic properties; and
2 charge reasonable admission to historic properties.

3 *b.* Maintain research centers in Des Moines and Iowa City.

4 Sec. 107. Section 303.18, subsection 1, Code 2018, is
5 amended to read as follows:

6 1. The state historic preservation officer shall only
7 recommend that a rural electric cooperative or a municipal
8 utility constructing electric distribution and transmission
9 facilities for which it is receiving federal funding conduct
10 an archeological site survey of its proposed route when, based
11 upon a review of existing information on historic properties
12 within the area of potential effects of the construction, the
13 state historic preservation officer has determined that a
14 historic property, as defined by the federal National Historic
15 Preservation Act of 1966, Pub. L. No. 89-665, as amended and
16 codified at 16 U.S.C. §470 et seq., is likely to exist within
17 the proposed route.

18 Sec. 108. Section 314.21, subsection 1, paragraph a, Code
19 2018, is amended to read as follows:

20 *a.* The living roadway trust fund is created in the office
21 of the treasurer of state. The moneys in this fund shall
22 be used exclusively for the development and implementation
23 of integrated roadside vegetation plans. Except as provided
24 in [subsections 2 and 3](#), the moneys shall only be expended
25 for areas on or adjacent to road, street, and highway
26 right-of-ways. The state department of transportation in
27 consultation with the department of natural resources shall
28 establish standards relating to the type of projects available
29 for assistance. ~~For the fiscal period beginning July 1, 1988,~~
30 ~~and ending March 31, 1990, the moneys in the fund shall be~~
31 ~~expended as follows: fifty six percent on state department of~~
32 ~~transportation projects; thirty percent on county projects; and~~
33 ~~fourteen percent on city projects.~~

34 Sec. 109. Section 321.105, subsection 5, Code 2018, is
35 amended to read as follows:

1 5. Seriously disabled veterans who have been provided with
 2 an automobile or other vehicle by the United States government
 3 under the provisions of ~~§1901 — 1903, Tit. 38 of the United~~
 4 ~~States Code, 38 U.S.C. §1901 et seq. (1970)~~ §3901 — 3904, shall
 5 be exempt from payment of the registration fee provided in this
 6 chapter for that vehicle, and shall be provided, without fee,
 7 with one set of regular registration plates or one set of any
 8 type of special registration plates associated with service in
 9 the United States armed forces for which the disabled veteran
 10 qualifies under [section 321.34](#). The disabled veteran, to be
 11 able to claim the benefit, must be a resident of the state
 12 of Iowa. In lieu of the set of regular or special military
 13 registration plates available without fee, the disabled veteran
 14 may obtain a set of nonmilitary special registration plates or
 15 personalized plates issued under [section 321.34](#) by paying the
 16 additional fees associated with those plates.

17 Sec. 110. Section 321.145, subsection 2, paragraph a,
 18 subparagraph (3), Code 2018, is amended to read as follows:

19 (3) The amounts required to be transferred pursuant to
 20 section 321.34 from revenues available under [this subsection](#)
 21 shall be transferred and credited as provided in section
 22 ~~321.34, subsections 7, 10, 10A, 11, 11A, 11B, 13, 16, 17,~~
 23 ~~18, 19, 20, 20A, 20B, 20C, 21, 22, 23, 24, 25, and 26~~ for the
 24 various purposes specified in ~~those subsections~~ that section.

25 Sec. 111. Section 321.237, Code 2018, is amended to read as
 26 follows:

27 **321.237 Signs — requirement — notice.**

28 1. A traffic ordinance or regulation enacted under section
 29 321.236, subsection 4, 5, 6, 8, 12, or 13, shall not be
 30 effective until signs, giving notice of such local traffic
 31 regulations as specified in the department manual on uniform
 32 traffic-control devices, are posted upon or at the entrances to
 33 the highway or part thereof affected as may be most appropriate
 34 and shall be erected at the expense of the local authority.

35 2. When a city has adopted an ordinance as authorized

1 in section 321.236, subsection 12, or an ordinance which
2 prohibits standing or parking of vehicles upon a street or
3 streets during any time when snow-removal operations are in
4 progress and before such operations have resulted in the
5 removal or clearance of snow from such street or streets,
6 signs as specified in the ~~above~~ department manual on uniform
7 traffic-control devices, posted as ~~hereinabove~~ provided
8 in subsection 1, shall be deemed sufficient notice of the
9 existence of such restrictions.

10 Sec. 112. Section 321.278, Code 2018, is amended to read as
11 follows:

12 **321.278 Drag racing prohibited.**

13 1. a. ~~No~~ A person shall ~~engage~~ not do any of the following:

14 (1) Engage in any motor vehicle speed contest or exhibition
15 of speed on any street or highway of this state ~~and no person~~
16 ~~shall aid.~~

17 (2) Aid or abet any motor vehicle speed contest or ~~speed~~
18 exhibition of speed on any street or highway of this state,
19 ~~except that a.~~

20 b. A passenger shall not be considered as aiding and
21 abetting. ~~Motor vehicle speed contest~~

22 c. As used in this section, "motor vehicle speed contest"
23 ~~or exhibition of speed are defined as~~ "exhibition of speed"
24 means one or more persons competing in speed in excess of the
25 applicable speed limit in vehicles on the public streets or
26 highways.

27 2. Any person who violates the provisions of this section
28 shall be guilty of a simple misdemeanor.

29 Sec. 113. Section 321.290, Code 2018, is amended to read as
30 follows:

31 **321.290 Special restrictions.**

32 1. Whenever the department shall determine upon the basis of
33 an engineering and traffic investigation that any speed limit
34 ~~hereinbefore~~ set forth in this chapter is greater or less than
35 is reasonable or safe under the conditions found to exist at

1 any intersection or other place or upon any part of the primary
2 road system or upon any part of a primary road extension,
3 ~~said~~ the department shall determine and declare a reasonable
4 and safe speed limit ~~thereat~~ which shall be effective when
5 appropriate signs giving notice ~~thereof~~ of the speed limit are
6 erected at such intersection or other place or part of the
7 highway.

8 2. Whenever the council in any city shall determine upon
9 the basis of an engineering and traffic investigation that any
10 speed limit ~~hereinbefore~~ set forth in this chapter is greater
11 or less than is reasonable or safe under the conditions found
12 to exist at any intersection or other place or upon any part of
13 the city street system, except primary road extensions, said
14 council shall determine and adopt by ordinance such higher or
15 lower speed limit as it deems reasonable and safe ~~thereat~~.
16 Such speed limit shall be effective when proper and appropriate
17 signs giving notice ~~thereof~~ of the speed limit are erected at
18 such intersections or other place or part of the street.

19 Sec. 114. Section 321E.12, subsection 3, Code 2018, is
20 amended to read as follows:

21 3. Vehicles, while being used for the transportation of
22 buildings other than mobile homes and factory-built structures,
23 may be registered for the combined gross weight of the vehicle
24 and load on a single-trip basis. The fee is five cents per ton
25 exceeding the weight registered under [section 321.122](#) per mile
26 of travel. Fees shall not be prorated for fractions of miles.
27 This ~~provision~~ subsection does not exempt these vehicles from
28 any other provision of [this chapter](#).

29 Sec. 115. Section 321G.13, subsection 2, paragraph b,
30 subparagraph (2), Code 2018, is amended to read as follows:

31 (2) ~~If a~~ A person may operate or ride on a snowmobile with
32 a loaded pistol or revolver, whether concealed or not, if the
33 person is operating or riding a the snowmobile on land that is
34 not owned or possessed by the person, ~~the person may operate or~~
35 ~~ride the snowmobile with a loaded pistol or revolver, whether~~

1 ~~concealed or not~~, and the person's conduct is otherwise lawful.

2 Sec. 116. Section 321I.14, subsection 2, paragraph b,
3 subparagraph (2), Code 2018, is amended to read as follows:

4 (2) ~~If a~~ A person may operate or ride on an all-terrain
5 vehicle with a loaded pistol or revolver, whether concealed or
6 not, if the person is operating or riding an the all-terrain
7 vehicle on land that is not owned or possessed by the person,
8 ~~the person may operate or ride the all-terrain vehicle with a~~
9 ~~loaded pistol or revolver, whether concealed or not~~, and the
10 person's conduct is otherwise lawful.

11 Sec. 117. Section 321J.20, subsection 3, Code 2018, is
12 amended to read as follows:

13 3. ~~If a~~ In addition to other penalties provided by law, a
14 person's temporary restricted license shall be revoked if the
15 person is required to install an ignition interlock device or
16 participate in a program established pursuant to chapter 901D
17 operates and the person does any of the following:

18 a. Operates a motor vehicle which does not have an approved
19 ignition interlock device ~~or~~.

20 b. Operates a motor vehicle while not in compliance with the
21 program, ~~or if the person tampers.~~

22 c. Tampers with or circumvents an ignition interlock device,
23 ~~in addition to other penalties provided, the person's temporary~~
24 ~~restricted license shall be revoked.~~

25 Sec. 118. Section 321L.2, subsection 5, Code 2018, is
26 amended to read as follows:

27 5. A seriously disabled veteran who has been provided with
28 an automobile or other vehicle by the United States government
29 under the provisions of 38 U.S.C. ~~§1901 et seq. (1970)~~ §3901 -
30 3904 is not required to apply for a persons with disabilities
31 parking permit under this section unless the veteran has been
32 issued special registration plates or personalized plates for
33 the vehicle. The regular registration plates issued for the
34 disabled veteran's vehicle without fee pursuant to section
35 321.105 entitle the disabled veteran to all of the rights and

1 privileges associated with persons with disabilities parking
2 permits under [this chapter](#).

3 Sec. 119. Section 327G.79, subsection 1, Code 2018, is
4 amended to read as follows:

5 1. The department of inspections and appeals' determination
6 and order shall be just and equitable and, in the case of the
7 determination of the fair market value of the property, shall
8 be based in part upon at least three independent appraisals
9 prepared by certified appraisers. Each party shall select one
10 appraiser and each appraisal shall be paid for by the party
11 for whom the appraisal is prepared. The two appraisers shall
12 select a third appraiser and the costs of this appraisal shall
13 be divided equally between the parties. If the appraisers
14 selected by the parties cannot agree on selection of a third
15 appraiser, the state department of transportation shall appoint
16 a third appraiser and the costs of this appraisal shall be
17 divided equally between the parties.

18 Sec. 120. Section 350.10, Code 2018, is amended to read as
19 follows:

20 **350.10 Statutes applicable.**

21 Sections 461A.35 through 461A.57 apply to all lands and
22 waters under the control of a county conservation board, in
23 the same manner as if the lands and waters were state parks,
24 lands, or waters. As used in [sections 461A.35 through 461A.57](#),
25 "*natural resource commission*" includes a county conservation
26 board, and "*director*" includes a county conservation board
27 or its director, with respect to lands or waters under the
28 control of a county conservation board. However, sections
29 461A.35 through 461A.57 may be modified or superseded by ~~rules~~
30 regulations adopted as provided in [section 350.5](#).

31 Sec. 121. Section 351.36, Code 2018, is amended to read as
32 follows:

33 **351.36 Enforcement.**

34 Local health and law enforcement officials shall enforce
35 the provisions of sections 351.33 ~~to~~, 351.35, this section,

1 and sections 351.37 through 351.43 relating to vaccination
2 and impoundment of dogs. Such public officials shall not be
3 responsible for any accident or disease of a dog resulting from
4 the enforcement of the provisions of said sections.

5 Sec. 122. Section 351.42, Code 2018, is amended to read as
6 follows:

7 **351.42 Exempt dogs.**

8 Dogs that are under the control of the owner or handlers and
9 which are in transit, or are to be exhibited shall be exempt
10 from the vaccination provisions of these sections if they are
11 within the state for less than thirty days. Dogs assigned
12 to a research institution or a like facility shall be exempt
13 from the provisions of sections 351.33 ~~to~~ and 351.35, sections
14 351.36 through 351.41, this section, and section 351.43.

15 Sec. 123. Section 351.43, Code 2018, is amended to read as
16 follows:

17 **351.43 Penalty.**

18 Any person refusing to comply with the provisions of
19 sections section 351.33 ~~to~~, or sections 351.35 through 351.42
20 or violating any of their provisions, shall be deemed guilty
21 of a simple misdemeanor.

22 Sec. 124. Section 358.11, Code 2018, is amended to read as
23 follows:

24 **358.11 Sanitary district to be a body corporate.**

25 1. Each sanitary district organized under this chapter
26 shall be a body corporate and politic, with the name and
27 style under which it was organized, and by such name and
28 style may sue and be sued, contract and be contracted with,
29 acquire and hold real and personal property necessary for
30 corporate purposes, adopt a corporate seal and alter the same
31 at pleasure, and exercise all the powers conferred in this
32 chapter.

33 2. All courts of this state shall take judicial notice of
34 the existence of sanitary districts organized ~~hereunder~~ under
35 this chapter.

1 Sec. 125. Section 400.21, Code 2018, is amended to read as
2 follows:

3 **400.21 Notice of appeal.**

4 If the appeal be taken by the person removed, discharged,
5 demoted, or suspended, notice ~~thereof of the appeal~~, signed by
6 the appellant and specifying the ruling appealed from, shall be
7 filed with the clerk of the commission; ~~if~~. If the appeal is
8 taken by the person making such removal, discharge, demotion,
9 or suspension, such notice shall also be served upon the person
10 removed, discharged, demoted, or suspended.

11 Sec. 126. Section 400.27, subsection 4, Code 2018, is
12 amended to read as follows:

13 4. The appeal to the district court shall be perfected
14 by filing a notice of appeal with the clerk of the district
15 court within the time prescribed in this section and by serving
16 notice of appeal on the clerk of the civil service commission,
17 from whose ruling or decision the appeal is taken.

18 Sec. 127. Section 411.6C, subsection 3, paragraph b, Code
19 2018, is amended to read as follows:

20 b. The eligible member's selection of a plan termination
21 date. The plan termination date shall be either three,
22 four, or five years after the date the eligible member
23 commences membership in the plan. However, for the two-year
24 period beginning ~~with the first of the month following the~~
25 ~~implementation date of this section~~ April 1, 2007, an eligible
26 member between sixty-two and sixty-four years of age may also
27 select a plan termination date that is one or two years after
28 the date the eligible member commences membership in the plan.

29 Sec. 128. Section 420.207, Code 2018, is amended to read as
30 follows:

31 **420.207 Taxation in general.**

32 Sections 426A.11 through 426A.15, 427.1, 427.8 ~~to~~ through
33 427.11, 428.4, 428.20, 428.22, 428.23, 437.1, 437.3, 441.21,
34 443.1 ~~to~~ through 443.3, 444.2 through 444.4, and 447.9 ~~to~~
35 through 447.13, so far as applicable, apply to cities acting

1 under special charters.

2 Sec. 129. Section 422.7, subsection 2, paragraph i, Code
3 2018, is amended to read as follows:

4 *i.* Iowa finance authority ~~911~~ 911 program bonds pursuant to
5 section 34A.20, subsection 6.

6 Sec. 130. Section 422.32, subsection 2, Code 2018, is
7 amended to read as follows:

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

13 Sec. 131. Section 422D.3, Code 2018, is amended to read as
14 follows:

15 **422D.3 Administration.**

16 1. A local income surtax shall be imposed January 1 of
17 the fiscal year in which the favorable election was held for
18 tax years beginning on or after January 1, and is repealed as
19 provided in **section 422D.1, subsection 4**, as of December 31 for
20 tax years beginning after December 31.

21 2. The director of revenue shall administer the local
22 income surtax as nearly as possible in conjunction with the
23 administration of state income tax laws. The director shall
24 provide on the regular state tax forms for reporting local
25 income surtax.

26 3. An ordinance imposing a local income surtax shall adopt
27 by reference the applicable provisions of the appropriate
28 sections of **chapter 422, division II**. All powers and
29 requirements of the director in administering the state income
30 tax law apply to the administration of a local income surtax,
31 including but not limited to, the provisions of **sections 422.4,**
32 **422.20 to through 422.31, 422.68, 422.70, and 422.72 to through**
33 **422.75**. Local officials shall confer with the director of
34 revenue for assistance in drafting the ordinance imposing a
35 local income surtax. A certified copy of the ordinance shall

1 be filed with the director as soon as possible after passage.
 2 4. The director, in consultation with local officials,
 3 shall collect and account for a local income surtax and any
 4 interest and penalties. The director shall credit local income
 5 surtax receipts and any interest and penalties collected from
 6 returns filed on or before November 1 of the calendar year
 7 following the tax year for which the local income surtax is
 8 imposed to a ~~"local~~ local income surtax ~~fund~~ fund established
 9 in the department of revenue. All local income surtax receipts
 10 and any interest and penalties received or refunded from
 11 returns filed after November 1 of the calendar year following
 12 the tax year for which the local income surtax is imposed shall
 13 be deposited in or withdrawn from the state general fund and
 14 shall be considered part of the cost of administering the local
 15 income surtax.

16 Sec. 132. Section 423.3, subsection 47A, Code 2018, is
 17 amended to read as follows:

18 47A. ~~a. Subject to paragraph "b", the~~ The sales price from
 19 the sale or rental of central office equipment or transmission
 20 equipment primarily used by local exchange carriers and
 21 competitive local exchange service providers as defined in
 22 section 476.96; by franchised cable television operators,
 23 mutual companies, municipal utilities, cooperatives, and
 24 companies furnishing communications services that are not
 25 subject to rate regulation as provided in [chapter 476](#); by
 26 long distance companies as defined in [section 477.10](#); or for
 27 a commercial mobile radio service as defined in [47 C.F.R. §20.3](#)
 in the furnishing of telecommunications services on
 29 a commercial basis. For the purposes of [this subsection](#),
 30 *"central office equipment"* means equipment utilized in the
 31 initiating, processing, amplifying, switching, or monitoring
 32 of telecommunications services. *"Transmission equipment"* means
 33 equipment utilized in the process of sending information from
 34 one location to another location. *"Central office equipment"*
 35 and *"transmission equipment"* also include ancillary equipment

1 and apparatus which support, regulate, control, repair, test,
2 or enable such equipment to accomplish its function.

3 ~~b. The exemption in [this subsection](#) shall be phased in by
4 means of tax refunds as follows:~~

5 ~~(1) If the sale or rental occurs on or after July 1, 2006,
6 through June 30, 2007, one-seventh of the state tax on the
7 sales price shall be refunded.~~

8 ~~(2) If the sale or rental occurs on or after July 1, 2007,
9 through June 30, 2008, two-sevenths of the state tax on the
10 sales price shall be refunded.~~

11 ~~(3) If the sale or rental occurs on or after July 1, 2008,
12 through June 30, 2009, three-sevenths of the state tax on the
13 sales price shall be refunded.~~

14 ~~(4) If the sale or rental occurs on or after July 1, 2009,
15 through June 30, 2010, four-sevenths of the state tax on the
16 sales price shall be refunded.~~

17 ~~(5) If the sale or rental occurs on or after July 1, 2010,
18 through June 30, 2011, five-sevenths of the state tax on the
19 sales price shall be refunded.~~

20 ~~(6) If the sale or rental occurs on or after July 1, 2011,
21 through June 30, 2012, six-sevenths of the state tax on the
22 sales price shall be refunded.~~

23 ~~(7) If the sale or rental occurs on or after July 1, 2012,
24 the sales price is exempt and no payment of tax and subsequent
25 refund are required.~~

26 ~~c. For sales or rentals occurring on or after July 1, 2006,
27 through June 30, 2012, a refund of the tax paid as provided in
28 paragraph "b", subparagraph (1), (2), (3), (4), (5), or (6),
29 must be applied for, not later than six months after the month
30 in which the sale or rental occurred, in the manner and on the
31 forms provided by the department. Refunds shall only be of the
32 state tax collected. Refunds authorized shall accrue interest
33 at the rate in effect under [section 421.7](#) from the first day of
34 the second calendar month following the date the refund claim
35 is received by the department.~~

1 Sec. 133. Section 423.3, subsection 69A, Code 2018, is
2 amended to read as follows:

3 69A. The sales price from surcharges paid for ~~E911~~ 911
4 service and wireless ~~E911~~ 911 service pursuant to **chapter 34A**.

5 Sec. 134. Section 423.8, Code 2018, is amended to read as
6 follows:

7 **423.8 Legislative finding and intent.**

8 1. The general assembly finds that Iowa should enter into
9 an agreement with one or more states to simplify and modernize
10 sales and use tax administration in order to substantially
11 reduce the burden of tax compliance for all sellers and for all
12 types of commerce.

13 2. It is the intent of the general assembly that
14 entering into this agreement will lead to simplification
15 and modernization of the sales and use tax law and not to
16 the imposition of new taxes or an increase or decrease in
17 the existing number of exemptions, unless such a result
18 is unavoidable under the terms of the agreement. Entering
19 into this agreement should not cause businesses to sustain
20 additional administrative burden.

21 3. It is the intent of the general assembly to provide
22 Iowa sellers impacted by the agreement with the assistance
23 necessary to alleviate administrative burdens that result
24 in participation in the agreement. ~~The director and the~~
25 ~~Iowa streamlined sales tax advisory council shall provide~~
26 ~~recommendations to address the new administrative burden~~
27 ~~identified in the Iowa streamlined sales tax advisory council~~
28 ~~2005 report submitted to the Iowa general assembly. The~~
29 ~~recommendations must be submitted to the general assembly by~~
30 ~~January 1, 2007, and shall include the expenses associated and~~
31 ~~all relevant data including but not limited to the number of~~
32 ~~intrastate sellers impacted by the agreement.~~

33 Sec. 135. Section 425.9, Code 2018, is amended to read as
34 follows:

35 **425.9 Credits in excess of tax — appeals — refunds.**

1 1. If the amount of credit apportioned to any homestead
2 under the provisions of [this chapter](#) in any year shall exceed
3 the total tax, exclusive of any special assessments levied
4 against said homestead, then such excess shall be remitted
5 by the county treasurer to the department of revenue to be
6 redeposited in the homestead credit fund and be reallocated the
7 following year by the department as provided ~~hereunder~~ in this
8 chapter.

9 2. If any claim for credit made hereunder has been denied
10 by the board of supervisors, and such action is subsequently
11 reversed on appeal, the credit shall be allowed on the
12 homestead involved in said appeal, and the director of revenue,
13 the county auditor, and the county treasurer shall make such
14 credit and change their books and records accordingly.

15 3. In the event the appealing taxpayer has paid one or both
16 of the installments of the tax payable in the year or years in
17 question on such homestead valuation, remittance shall be made
18 to such taxpayer of the amount of such credit.

19 4. The amount of such credit shall be allocated and paid
20 from the surplus redeposited in the homestead credit fund
21 provided for in ~~the first paragraph of [this section](#)~~ subsection
22 1.

23 Sec. 136. Section 425.10, Code 2018, is amended to read as
24 follows:

25 **425.10 Reversal of allowed claim.**

26 In the event any claim is allowed, and subsequently reversed
27 on appeal, any credit made thereunder shall be void, and the
28 amount of such credit shall be charged against the property in
29 question, and the director of revenue, the county auditor, and
30 the county treasurer are authorized and directed to correct
31 their books and records accordingly. The amount of such
32 erroneous credit, when collected, shall be returned by the
33 county treasurer to the homestead credit fund to be reallocated
34 the following year as provided ~~herein~~ in this chapter.

35 Sec. 137. Section 426A.13, subsection 1, Code 2018, is

1 amended to read as follows:

2 1. A person named in [section 426A.11](#), who is a resident of
3 and domiciled in the state of Iowa, shall receive a reduction
4 equal to the exemption, to be made from any property owned by
5 the person or owned by a family farm corporation of which the
6 person is a shareholder and occupant of the property and so
7 designated by proceeding as provided in ~~the~~ this section. To
8 be eligible to receive the exemption, the person claiming it
9 shall have recorded in the office of the county recorder of
10 the county in which is located the property designated for the
11 exemption, evidence of property ownership by that person or the
12 family farm corporation of which the person is a shareholder
13 and the military certificate of satisfactory service, order
14 transferring to inactive status, reserve, retirement, order of
15 separation from service, honorable discharge or a copy of any
16 of these documents of the person claiming or through whom is
17 claimed the exemption. In the case of a person claiming the
18 exemption as a veteran described in [section 35.1, subsection 2,](#)
19 paragraph "b", subparagraph (6) or (7), the person shall file
20 the statement required by [section 35.2](#).

21 Sec. 138. Section 427.1, subsection 21A, Code 2018, is
22 amended to read as follows:

23 21A. *Dwelling unit property owned by community housing*
24 *development organization.* Dwelling unit property owned and
25 managed by a community housing development organization, as
26 recognized by the state of Iowa and the federal government
27 pursuant to criteria for community housing development
28 organization designation contained in the HOME program of
29 the federal National Affordable Housing Act of 1990, if the
30 organization is also a nonprofit organization exempt from
31 federal income tax under section 501(c)(3) of the Internal
32 Revenue Code and owns and manages more than one hundred fifty
33 dwelling units that are located in a city with a population
34 of more than one hundred ten thousand. ~~For the 2005 and 2006~~
35 ~~assessment years, an application is not required to be filed to~~

1 ~~receive the exemption.~~ For the 2007 and subsequent assessment
2 years, an application for exemption must be filed with the
3 assessing authority not later than February 1 of the assessment
4 year for which the exemption is sought. Upon the filing and
5 allowance of the claim, the claim shall be allowed on the
6 property for successive years without further filing as long as
7 the property continues to qualify for the exemption.

8 Sec. 139. Section 427B.17, subsections 5 and 8, Code 2018,
9 are amended to read as follows:

10 5. Property assessed pursuant to [this section](#) shall not be
11 eligible to receive a partial exemption under sections 427B.1
12 ~~to 427B.6~~ through 427B.5.

13 8. *a.* [This section](#) shall not apply to property assessed
14 by the department of revenue pursuant to sections 428.24 ~~to~~
15 through 428.29, or [chapters 433, 434, 437, 437A, 437B,](#) and
16 438, and such property shall not receive the benefits of this
17 section.

18 *b.* Any electric power generating plant which operated during
19 the preceding assessment year at a net capacity factor of more
20 than twenty percent, shall not receive the benefits of this
21 section or of [section 15.332](#).

22 Sec. 140. Section 453A.47A, subsection 6, Code 2018, is
23 amended to read as follows:

24 6. *Issuance.* Cities may issue retail permits to retailers
25 located within their respective limits. County boards of
26 supervisors may issue retail permits to retailers located in
27 their respective counties, outside of the corporate limits of
28 cities. The city or county shall submit a duplicate of any
29 application for a retail permit to the alcoholic beverages
30 division of the department of commerce within thirty days of
31 issuance of a permit. The alcoholic beverages division of the
32 department of commerce shall submit the current list of all
33 retail permits issued to the Iowa department of public health
34 by the last day of each quarter of a state fiscal year.

35 Sec. 141. Section 455A.9, Code 2018, is amended to read as

1 follows:

2 **455A.9 Fees — publications.**

3 1. The department may establish a schedule of fees for
4 subscriptions to publications produced by the department,
5 including periodicals. However, this ~~subsection~~ section does
6 not apply to application forms and materials intended for
7 general distribution which explain departmental programs or
8 duties.

9 2. Fees shall be based on the amount required to recover the
10 reasonable costs of producing a publication, including costs
11 relating to preparing, printing, publishing, and distributing
12 the publication.

13 Sec. 142. Section 455G.31, subsection 3, Code 2018, is
14 amended to read as follows:

15 3. a. A retail dealer may use a dispenser that does not
16 satisfy the requirement in subsection 2 to dispense ethanol
17 blended gasoline classified as higher than E-10 if ~~any of the~~
18 ~~following applies:~~

19 ~~a. Reserved.~~

20 ~~b. (1)~~ The the dispenser's manufacturer has submitted the
21 dispenser to an independent testing laboratory to be listed as
22 compatible for use with E-85 gasoline. In addition, the retail
23 dealer must install an under-dispenser containment system with
24 electronic monitoring. The under-dispenser containment system
25 shall comply with applicable rules adopted by the department of
26 natural resources and the state fire marshal.

27 ~~(2)~~ b. If within ten years from the date that a dispenser
28 described in ~~subparagraph (1)~~ paragraph "a" is installed,
29 the same model of dispenser is listed as compatible for use
30 with E-85 gasoline by an independent testing laboratory,
31 the dispenser shall be deemed as compatible for use with
32 ethanol blended gasoline classified as E-9 or higher up to
33 and including E-85 by the department of natural resources
34 and the state fire marshal. However, if after that time,
35 the same model of dispenser is not listed as compatible for

1 use with E-85 gasoline by an independent testing laboratory,
2 ~~subparagraph (1) paragraph "a"~~ no longer applies, and the retail
3 dealer must ~~do any of the following:~~

4 ~~(a) Upgrade upgrade or replace the dispenser as necessary to~~
5 ~~be listed as compatible for use with E-85 gasoline.~~

6 ~~(b) Comply with the requirements in paragraph "a".~~

7 Sec. 143. Section 465C.3, Code 2018, is amended to read as
8 follows:

9 **465C.3 Membership.**

10 1. The board shall be composed of seven members, six of
11 which shall be appointed by the governor. The commission, the
12 conservation committee of the Iowa academy of science, and the
13 state historical society shall submit to the governor a list of
14 possible appointments. Members shall be selected from persons
15 with a demonstrated interest in the preservation of natural
16 lands and waters, and historic sites. The director shall serve
17 as one member of the board. Any vacancies on the board shall be
18 filled, for the remainder of the term vacated, by appointment
19 by the governor provided by [this chapter](#).

20 2. ~~The first members appointed after the effective date~~
21 ~~of [this chapter](#) shall serve as follows: Two members to serve~~
22 ~~until July 1, 1968; two members to serve until July 1, 1969;~~
23 ~~two members to serve until July 1, 1970, and the director shall~~
24 ~~serve as long as the director is director. Members shall~~
25 ~~serve until their successors are appointed and qualified. The~~
26 ~~director shall serve as long as the director is director. As~~
27 ~~terms of members ~~so appointed~~ expire, their successors shall~~
28 ~~be appointed for terms to expire three years thereafter. Any~~
29 ~~member who has served two consecutive full terms will not be~~
30 ~~eligible for reappointment for a period of one year following~~
31 ~~the expiration of the member's second term.~~

32 Sec. 144. Section 466B.31, subsection 3, paragraph c, Code
33 2018, is amended to read as follows:

34 *c.* Facilitating the implementation of total maximum daily
35 loads, urban storm water control programs, and nonpoint source

1 management practices required or authorized under the federal
2 Water Pollution Control Act. This paragraph shall not be
3 construed to obviate the requirement to develop a total maximum
4 daily load for waters that do not meet water quality standards
5 as required by section 303(d) of the federal Water Pollution
6 Control Act or to delay implementation of a total maximum
7 daily load that has been approved by the department of natural
8 resources and the director.

9 Sec. 145. Section 476.44, subsection 2, paragraph a, Code
10 2018, is amended to read as follows:

11 a. An electric utility subject to [this subchapter](#), except
12 a utility that elects rate regulation pursuant to section
13 476.1A, shall not be required to own or purchase, at any one
14 time, more than its share of one hundred five megawatts of
15 power from ~~alternative~~ alternate energy production facilities
16 or small hydro facilities at the rates established pursuant to
17 section 476.43. The board shall allocate the one hundred five
18 megawatts based upon each utility's percentage of the total
19 Iowa retail peak demand, for the year beginning January 1,
20 1990, of all utilities subject to [this section](#). If a utility
21 undergoes reorganization as defined in [section 476.76](#), the
22 board shall combine the allocated purchases of power for each
23 utility involved in the reorganization.

24 Sec. 146. Section 476.46, subsection 2, paragraph d,
25 subparagraph (1), Code 2018, is amended to read as follows:

26 (1) A gas or electric utility that is not required to be
27 rate-regulated shall not be eligible for a loan under this
28 section. However, gas and electric utilities not required
29 to be rate-regulated shall be eligible for loans from moneys
30 remitted to the fund ~~except as provided in [subsection 3](#)~~. Such
31 loans shall be limited to a maximum of five hundred thousand
32 dollars per applicant and shall be limited to one loan every
33 two years.

34 Sec. 147. Section 478.19, Code 2018, is amended to read as
35 follows:

1 **478.19 Manner of construction.**

2 1. ~~Such~~ Transmission lines shall be built of strong and
3 proper wires attached to strong and sufficient supports
4 properly insulated at all points of attachment; all wires,
5 poles, and other devices which by ordinary wear or other causes
6 are no longer safe shall be removed and replaced by new wires,
7 poles, or other devices, as the case may be, and all abandoned
8 wires, poles, or other devices shall be at once removed. Where
9 wires carrying current are carried across, either above or
10 below wires used for other service, the said transmission
11 line shall be constructed in such manner as to eliminate, so
12 far as practicable, damages to persons or property by reason
13 of said crossing. There shall also be installed sufficient
14 devices to automatically shut off electric current through
15 said transmission line whenever connection is made whereby
16 current is transmitted from the wires of said transmission line
17 to the ground, and there shall also be provided a safe and
18 modern improved device for the protection of said line against
19 lightning. The utilities board shall have power to make and
20 enforce such further and additional rules relating to location,
21 construction, operation and maintenance of ~~said~~ transmission
22 ~~line~~ lines as may be reasonable.

23 2. All transmission lines, wires or cables outside of
24 cities for the transmission, distribution or sale of electric
25 current at any voltage shall be constructed and maintained in
26 accordance with standards adopted by rule by the utilities
27 board.

28 Sec. 148. Section 479.7, Code 2018, is amended to read as
29 follows:

30 **479.7 Hearing — notice.**

31 1. Upon the filing of ~~said~~ the petition, the board shall
32 fix a date for hearing ~~thereon~~ on the petition and shall cause
33 notice ~~thereof~~ of hearing to be published in some newspaper
34 of general circulation in each county through which ~~said~~ the
35 proposed line or lines or gas storage facilities will extend;

1 ~~said.~~ The notice to shall be published for two consecutive
2 weeks.

3 2. Where a petition seeks the use of the right of eminent
4 domain over specific parcels of real property, the board shall
5 prescribe the notice to be served upon the owners of record and
6 parties in possession of the property over which the use of the
7 right of eminent domain is sought. The notice shall include
8 the statement of individual rights required pursuant to section
9 6B.2A.

10 Sec. 149. Section 480.4, subsection 1, paragraph c,
11 subparagraph (8), Code 2018, is amended to read as follows:

12 (8) If known, the quarter section, ~~E911~~ 911 address and
13 global positioning system coordinate, name of property owner,
14 name of housing development with street address or block and
15 lot numbers, or both.

16 Sec. 150. Section 481A.32, Code 2018, is amended to read as
17 follows:

18 **481A.32 Violations — penalties.**

19 1. ~~Whoever shall take, catch, kill, injure, destroy, have~~
20 A person who does any of the following is guilty of a simple
21 misdemeanor and shall be assessed a minimum fine of twenty
22 dollars for each offense for which no other punishment is
23 provided:

24 a. Takes, catches, kills, injures, destroys, has in
25 possession, buy, sell, ship, or transport buys, sells, ships,
26 or transports any frogs, fish, mussels, birds, their nests,
27 eggs, or plumage, fowls, game, or animals or their fur or raw
28 pelt in violation of the provisions of this chapter or of
29 administrative rules of the commission ~~or whoever shall use.~~

30 b. Uses any device, equipment, seine, trap, net, tackle,
31 firearm, drug, poison, explosive, or other substance or means,
32 the use of which is prohibited by this chapter, ~~or use the~~
33 same.

34 c. Uses any device, equipment, seine, trap, net, tackle,
35 firearm, drug, poison, explosive, or other substance or means

1 at a time, place, or in a manner or for a purpose prohibited,
2 ~~or do.~~

3 d. Does any other act in violation of the provisions of
4 this chapter or of administrative rules of the commission ~~for~~
5 ~~which no other punishment is provided, is guilty of a simple~~
6 ~~misdemeanor and shall be assessed a minimum fine of twenty~~
7 ~~dollars for each offense.~~

8 2. Each fish, fowl, bird, bird's nest, egg, or plumage, and
9 animal unlawfully caught, taken, killed, injured, destroyed,
10 possessed, bought, sold, or shipped shall be a separate
11 offense.

12 3. A person convicted of taking a deer, antelope, moose,
13 buffalo, or elk with a prohibited weapon as defined by rules
14 of the department, is subject to a fine of one hundred dollars
15 for each offense committed while taking the animal with the
16 prohibited weapon.

17 Sec. 151. Section 481A.47, Code 2018, is amended to read as
18 follows:

19 **481A.47 Importing fish and game — permits.**

20 1. ~~It shall be unlawful except as otherwise provided for any~~
21 Unless application is first made in writing to the commission
22 for a permit and a permit is granted, a person, firm, or
23 corporation, to shall not, except as otherwise provided, bring
24 into the state of Iowa for the purpose of propagating or
25 introducing, or ~~to~~ place or introduce into any of the inland or
26 boundary waters of the state, any fish or spawn thereof that
27 are not native to such waters, or introduce or stock any bird
28 or animal ~~unless application is first made in writing to the~~
29 ~~commission for a permit therefor and such permit granted.~~

30 2. ~~Such~~ A permit shall be granted only after the commission
31 has made such investigation or inspection of the fish, birds,
32 or animals as ~~it~~ the commission may deem necessary to determine
33 whether or not such fish, birds, or animals are free from
34 disease and whether or not such introduction will be beneficial
35 or detrimental to the native wildlife and the people of the

1 state, and may or may not approve such planting, releasing, or
2 introduction according to its findings.

3 3. Nothing in ~~the above~~ this section shall prohibit licensed
4 game breeders from securing native or exotic birds or animals
5 from outside the state and bringing them into the state and
6 ~~they~~ a game breeder shall not be required to have a permit as
7 provided ~~above~~ in this section when such birds or animals are
8 not released to the wild but are held on the game breeder's
9 premises as breeding stock.

10 Sec. 152. Section 481A.59, Code 2018, is amended to read as
11 follows:

12 **481A.59 Pigeons — interference prohibited.**

13 1. It shall be unlawful for any person or persons, except
14 the owner or the owner's representatives, to shoot, kill, maim,
15 injure, steal, capture, detain, or to interfere with any homing
16 pigeon, commonly called "carrier pigeon", which shall at the
17 time, have the name, initials, or other identification of its
18 owner, stamped, marked, or attached thereon; or to remove any
19 mark, band, or other means of identification from such pigeon
20 which has the name, initials, or emblem of the owner stamped
21 or marked upon it.

22 2. ~~Whoever shall violate~~ A person who violates the
23 provisions of this section shall be punished as is provided in
24 section 481A.32.

25 Sec. 153. Section 488.1205, Code 2018, is amended to read
26 as follows:

27 **488.1205 Savings clause.**

28 This chapter does not affect an action commenced, proceeding
29 brought, or right accrued before ~~this chapter~~ takes effect
30 January 1, 2005.

31 Sec. 154. Section 496C.10, Code 2018, is amended to read as
32 follows:

33 **496C.10 Issuance of shares.**

34 1. Shares of a professional corporation may be issued, and
35 treasury shares may be disposed of, only to individuals who are

1 licensed to practice in this state, or in any other state or
2 territory of the United States or in the District of Columbia,
3 a profession which the corporation is authorized to practice.

4 2. Unless otherwise provided in the articles of
5 incorporation or bylaws, the affirmative vote or consent in
6 writing of all of the outstanding shareholders entitled to
7 vote, or such lesser proportion as may be provided in the
8 articles or bylaws, is necessary in order to authorize the
9 issuance of any shares or the disposal of any treasury shares,
10 and to fix the consideration for shares or treasury shares.

11 3. No shares of a professional corporation shall at any
12 time be issued in, transferred into, or held in joint tenancy,
13 tenancy in common, or any other form of joint ownership or
14 co-ownership.

15 4. The Iowa securities law, chapter 502, shall not be
16 applicable to nor govern any transaction relating to any shares
17 of a professional corporation.

18 Sec. 155. Section 496C.20, Code 2018, is amended to read as
19 follows:

20 **496C.20 Foreign professional corporation.**

21 1. A foreign professional corporation may practice a
22 profession in this state if it complies with the provisions
23 of the Iowa business corporation Act, [chapter 490](#), on foreign
24 corporations. The secretary of state may prescribe forms for
25 such purpose.

26 2. A foreign professional corporation may practice a
27 profession in this state only through shareholders, directors,
28 officers, employees, and agents who are licensed to practice
29 the profession in this state. The provisions of [this chapter](#)
30 with respect to the practice of a profession by a professional
31 corporation apply to a foreign professional corporation.

32 3. The certificate of authority of a foreign professional
33 corporation may be revoked by the secretary of state as
34 provided in the Iowa business corporation Act, [chapter 490](#), if
35 the foreign professional corporation fails to comply with any

1 provision of **this chapter**.

2 4. **This chapter** shall not be construed to prohibit the
3 practice of a profession in this state by an individual who
4 is a shareholder, director, officer, employee, or agent of
5 a foreign professional corporation if the individual could
6 lawfully practice the profession in this state in the absence
7 of any relationship to a foreign professional corporation.
8 ~~The preceding sentence~~ This subsection shall apply regardless
9 of whether or not the foreign professional corporation is
10 authorized to practice a profession in this state.

11 Sec. 156. Section 508.29, Code 2018, is amended to read as
12 follows:

13 **508.29 Authority to write other insurance.**

14 1. Any life insurance company organized on the stock or
15 mutual plan and authorized by its charter or articles of
16 incorporation so to do, may in addition to such life insurance,
17 insure, either individually or on the group plan, the health of
18 persons and against personal injuries, disablement or death,
19 resulting from traveling or general accidents by land or water,
20 and insure employers against loss in consequence of accidents
21 or casualties of any kind to employees or other persons, or
22 to property resulting from any act of the employee or any
23 accident or casualty to persons or property, or both, occurring
24 in or connected with the transaction of their business, or
25 from the operation of any machinery connected therewith, but
26 nothing ~~herein~~ contained in this section shall be construed to
27 authorize any life insurance company to insure against loss
28 or injury to person, or property, or both, growing out of
29 explosion or rupture of steam boilers. An insurer may contract
30 with health care service providers and offer different levels
31 of benefits to policyholders based upon the provider contracts.

32 2. A company insuring risks authorized by **this section** shall
33 invest or hold in cash, funds equal to seventy-five percent of
34 the aggregate reserves and policy and contract claims for such
35 risks. Investments required by this ~~paragraph~~ subsection shall

1 only be made in securities enumerated in [section 511.8](#), and are
2 subject to the same limitations as provided for the investment
3 of legal reserve, and are subject to [section 511.8](#), subsections
4 16, 17, and 21.

5 Sec. 157. [Section 514C.14](#), subsections 1 and 3, Code 2018,
6 are amended to read as follows:

7 1. Except as provided under [subsection 2 or 3](#), a carrier,
8 as defined in [section 513B.2](#), or a plan established pursuant
9 to [chapter 509A](#) for public employees, ~~which~~ that terminates
10 its contract with a participating health care provider,
11 shall continue to provide coverage under the contract to a
12 covered person in the second or third trimester of pregnancy
13 for continued care from such health care provider. Such
14 persons may continue to receive such treatment or care through
15 postpartum care related to the child birth and delivery.
16 Payment for covered benefits and benefit levels shall be
17 according to the terms and conditions of the contract.

18 3. A carrier or a plan established under [chapter 509A](#),
19 ~~which~~ that terminates the contract of a participating health
20 care provider for cause shall not be liable to pay for health
21 care services provided by the health care provider to a covered
22 person following the date of termination.

23 Sec. 158. [Section 543B.16](#), subsection 1, Code 2018, is
24 amended to read as follows:

25 1. Every applicant for a ~~real-estate~~ license shall apply in
26 writing upon blanks prepared or furnished by the real estate
27 commission. The real estate commission shall not require
28 that a recent photograph of the applicant be attached to the
29 application. The real estate commission shall only require an
30 applicant to disclose on the application criminal convictions
31 for crimes classified as indictable offenses.

32 Sec. 159. [Section 543B.43](#), Code 2018, is amended to read as
33 follows:

34 **543B.43 Penalties.**

35 Any person found guilty of violating a provision of sections

1 543B.1 ~~to~~ through 543B.24 and sections 543B.27 through 543B.41
2 in a first offense shall be guilty of a simple misdemeanor.

3 Sec. 160. Section 543B.46, subsection 4, Code 2018, is
4 amended to read as follows:

5 4. Each broker required to maintain a trust account pursuant
6 to **this section** shall only deposit trust funds as directed by
7 the principal of a transaction constituting dealing in real
8 estate as ~~defined~~ described in **section 543B.6** in the common
9 trust account and shall not commingle the broker's personal
10 funds or other funds in the trust account with the exception
11 that a broker may deposit and keep a sum not to exceed one
12 thousand dollars in the account from the broker's personal
13 funds, which sum shall be specifically identified and deposited
14 to cover bank service charges relating to the trust account.

15 Sec. 161. Section 544A.5, Code 2018, is amended to read as
16 follows:

17 **544A.5 Duties.**

18 The architectural examining board shall enforce this
19 chapter, shall ~~make~~ adopt rules pursuant to chapter 17A
20 for the examination of applicants for the license provided
21 by **this chapter**, and shall, after due public notice, hold
22 meetings each year for the purpose of examining applicants for
23 licensure and the transaction of business pertaining to the
24 affairs of the board. Examinations shall be given as often
25 as deemed necessary, but not less than annually. Action at a
26 meeting shall not be taken without the affirmative votes of a
27 majority of the members of the board. The administrator of the
28 professional licensing and regulation bureau of the banking
29 division of the department of commerce shall hire and provide
30 staff to assist the board with implementing **this chapter**.

31 Sec. 162. Section 544A.16, subsection 11, Code 2018, is
32 amended to read as follows:

33 11. "*Professional consultant*" means a person who is
34 required by the laws of this state to hold a current and valid
35 certificate of registration or license in the field of the

1 person's professional practice, and who is employed by the
2 architect to perform, or who offers to perform professional
3 services as a consultant to the architect, in connection with
4 the design, preparation of construction documents or other
5 technical submissions, or construction of one or more buildings
6 or structures, and the space within and surrounding the
7 buildings or structures.

8 Sec. 163. Section 556F.18, Code 2018, is amended to read as
9 follows:

10 **556F.18 Failure to comply.**

11 If any person shall take up any boat or vessel, or any logs
12 or lumber, or shall find any goods, money, bank notes, or other
13 things, and shall fail to comply with the requirements of this
14 chapter, the person shall forfeit and pay the sum of twenty
15 dollars, to be recovered in an action by any person who will
16 sue for the same, one half for the use of the person suing and
17 the other half to be deposited in the county treasury for the
18 use of the ~~common schools~~ school districts; but nothing herein
19 contained shall prevent the owner from having and maintaining
20 an action for the recovery of any damage the owner may sustain.

21 Sec. 164. Section 559.1, Code 2018, is amended to read as
22 follows:

23 **559.1 Release by donee of power.**

24 1. A power to appoint which is exercisable by deed, by
25 will, by deed or will, or otherwise, in whole or to any extent
26 in favor of the donee of the power, the donee's estate, the
27 donee's creditors, the creditors of the donee's estate, or
28 others, is releasable, either with or without consideration, by
29 written instrument executed by the donee. If such instrument
30 shall be executed and acknowledged in the manner provided for
31 the execution and acknowledgment of instruments affecting real
32 estate and recorded with the county recorder in the county in
33 which the donee of the power resides or the county of last
34 residence of the donor of the power of the county in which
35 any real estate which may be subject to the power is located,

1 such recording shall be deemed a sufficient delivery of such
2 release.

3 2. A power to appoint described ~~herein~~ in this section
4 is releasable with respect to the whole or any part of the
5 property subject to such power and is also releasable in such
6 manner as to reduce or limit the persons or objects, or classes
7 of persons or objects in whose favor such power would otherwise
8 be exercisable.

9 3. It is hereby declared that such releases are in
10 accordance with the public policy of this state and are valid
11 and effectual ~~whether heretofore or hereafter~~ when made.

12 Sec. 165. Section 587.12, subsection 1, Code 2018, is
13 amended to read as follows:

14 1. In all actions or in proceedings in probate where an
15 order, judgment, or decree has been entered prior to July 1,
16 1970, based upon service of notice by publication as provided
17 by **rule 60 of the Iowa rules of civil procedure**, ~~Iowa court~~
18 ~~rules, third edition Code 1966~~, or any statute authorizing
19 publication of notice or upon service of notice by publication
20 or posting pursuant to authorization or direction of any court
21 of competent jurisdiction in the state of Iowa, all such
22 orders, judgments, or decrees are hereby declared valid and
23 of full force and effect, unless an action shall be commenced
24 within the time provided in **subsection 2 hereof** to question
25 such order, judgment, or decree, or any right or status
26 created, confirmed, or existing thereunder.

27 Sec. 166. Section 602.1610, subsection 1, paragraph c, Code
28 2018, is amended to read as follows:

29 c. The mandatory retirement age is seventy-two years for
30 all district associate judges, associate juvenile judges,
31 associate probate judges, and judicial magistrates. ~~However,~~
32 ~~the mandatory retirement age does not apply to an associate~~
33 ~~juvenile judge or associate probate judge who is seventy-two~~
34 ~~years of age or older on July 1, 1996.~~

35 Sec. 167. Section 602.6404, subsection 3, Code 2018, is

1 amended to read as follows:

2 3. A magistrate shall be an attorney licensed to practice
3 law in this state. ~~However, a magistrate not admitted to~~
4 ~~the practice of law in this state and who is holding office~~
5 ~~on April 1, 2009, shall be eligible to be reappointed as a~~
6 ~~magistrate in the same county for a term commencing August 1,~~
7 ~~2009, and subsequent successive terms.~~

8 Sec. 168. Section 607A.35, Code 2018, is amended to read as
9 follows:

10 **607A.35 Notice to report.**

11 After the ~~list or lists~~ jurors have been ~~drawn~~ identified in
12 the manner provided in [section 607A.33](#), and immediately upon
13 the request of the court, the clerk shall issue a notice to
14 report, by regular mail, to the persons identified to appear at
15 the courthouse at times as the court prescribes, for service as
16 petit or grand jurors.

17 Sec. 169. Section 607A.41, Code 2018, is amended to read as
18 follows:

19 **607A.41 Method of subsequent drawing.**

20 The names of the new or additional jurors shall be drawn from
21 the jurors identified under [sections 607A.39](#) and [607A.40](#) ~~shall~~
22 ~~be drawn~~ by the electronic data processing system that was used
23 to draw the original jury pool or panel.

24 Sec. 170. Section 704.2A, subsection 1, paragraph a,
25 subparagraph (1), Code 2018, is amended to read as follows:

26 (1) Unlawfully entering by force or stealth the dwelling,
27 place of business or employment, or occupied vehicle of the
28 person using force ~~by force or stealth~~, or has unlawfully
29 entered by force or stealth and remains within the dwelling,
30 place of business or employment, or occupied vehicle of the
31 person using force.

32 Sec. 171. Section 707.11, subsection 5, paragraph b, Code
33 2018, is amended to read as follows:

34 *b.* For purposes of determining the category of sentence
35 under [section 903A.2](#), the fact finder shall determine whether

1 the attempt to commit murder was committed against a peace
2 officer, with the knowledge that the person against whom the
3 attempt to commit murder was committed was a peace officer
4 acting in the officer's official capacity.

5 Sec. 172. Section 709.22, subsection 1, paragraph c, Code
6 2018, is amended to read as follows:

7 c. Providing a victim with immediate and adequate notice
8 of the victim's rights. The notice shall consist of handing
9 the victim a document that includes the telephone numbers of
10 shelters, support groups, and crisis lines operating in the
11 area and contains ~~a copy of~~ the following statement of rights
12 written in English and Spanish; asking the victim to read the
13 ~~statement~~ document; and asking whether the victim understands
14 the rights:

15 [1] You have the right to ask the court for help with any of
16 the following on a temporary basis:

17 [a] Keeping your attacker away from you, your home, and your
18 place of work.

19 [b] The right to stay at your home without interference from
20 your attacker.

21 [c] The right to seek a no-contact order under [section 664A.3](#)
22 or [915.22](#), if your attacker is arrested for sexual assault.

23 [2] You have the right to register as a victim with the
24 county attorney under [section 915.12](#).

25 [3] You have the right to file a complaint for threats,
26 assaults, or other related crimes.

27 [4] You have the right to seek restitution against your
28 attacker for harm to you or your property.

29 [5] You have the right to apply for victim compensation.

30 [6] You have the right to contact the county attorney or
31 local law enforcement to determine the status of your case.

32 [7] If you are in need of medical treatment, you have
33 the right to request that the officer present assist you in
34 obtaining transportation to the nearest hospital or otherwise
35 assist you.

1 [8] You have the right to a sexual assault examination
2 performed at state expense.

3 [9] You have the right to request the presence of a victim
4 counselor, as defined in [section 915.20A](#), at any proceeding
5 related to an assault including a medical examination.

6 [10] If you believe that police protection is needed for your
7 physical safety, you have the right to request that the officer
8 present remain at the scene until you and other affected
9 parties can leave or until safety is otherwise ensured.

10 Sec. 173. Section 714.19, unnumbered paragraph 1, Code
11 2018, is amended to read as follows:

12 The provisions of sections 714.17 ~~to~~ and 714.18, this
13 section, and sections 714.20 and 714.21 shall not apply to the
14 following:

15 Sec. 174. Section 716.7, subsection 2, paragraph a,
16 subparagraph (2), unnumbered paragraph 1, Code 2018, is amended
17 to read as follows:

18 Entering or remaining upon or in property without
19 justification after being notified or requested to abstain from
20 entering or to remove or vacate therefrom by the owner, lessee,
21 or person in lawful possession, or the agent or employee of
22 the owner, lessee, or person in lawful possession, or by any
23 peace officer, magistrate, or public employee whose duty it is
24 to supervise the use or maintenance of the property. A person
25 has ~~received notice~~ been notified to abstain from entering
26 or remaining upon or in property within the meaning of this
27 subparagraph (2) if any of the following is applicable:

28 Sec. 175. Section 716.8, subsection 7, Code 2018, is amended
29 to read as follows:

30 7. Any person who ~~intentionally trespasses~~ commits a
31 trespass as defined in [section 716.7, subsection 2](#), paragraph
32 "a", subparagraph (7), commits a serious misdemeanor.

33 Sec. 176. Section 724.3, Code 2018, is amended to read as
34 follows:

35 **724.3 Unauthorized possession of offensive weapons.**

1 Any person, other than a person authorized ~~herein~~ in this
2 chapter, who knowingly possesses an offensive weapon commits a
3 class "D" felony.

4 Sec. 177. Section 724.5, subsection 2, Code 2018, is amended
5 to read as follows:

6 2. A person charged with a violation of subsection 1 who
7 produces to the clerk of the district court prior to the
8 date of the person's court appearance proof that the person
9 possesses a valid permit to carry weapons which was valid at
10 the time of the alleged offense, shall not be convicted of a
11 violation of subsection 1 and the charge shall be dismissed by
12 the court. Upon dismissal, the court shall assess the costs
13 of the action against the person named on the ~~indictment or~~
14 information complaint.

15 Sec. 178. Section 730.5, subsection 11, paragraph f, Code
16 2018, is amended to read as follows:

17 *f.* Testing or taking action against an ~~individual~~ employee
18 or prospective employee with a confirmed positive test result
19 due to the ~~individual's~~ employee's or prospective employee's
20 use of medical cannabidiol as authorized under chapter 124E.

21 Sec. 179. Section 805.8A, subsection 5, paragraph b, Code
22 2018, is amended to read as follows:

23 *b.* Excessive speed in ~~whatever amount~~ by a school bus is
24 ~~not a scheduled violation under any section listed in this~~
25 punishable as provided in subsection 10.

26 Sec. 180. REPEAL. Sections 15.106E, 96.7A, 105.31, and
27 105.32, Code 2018, are repealed.

28 Sec. 181. 2017 Iowa Acts, chapter 136, is amended by adding
29 the following new section:

30 NEW SECTION. SEC. 15A. Section 34A.15, subsection 4, Code
31 2017, is amended to read as follows:

32 4. The council may provide grants, subject to available
33 moneys in the ~~E911~~ 911 emergency communications fund, to public
34 safety answering points agreeing to consolidate pursuant to
35 section 34A.7A, subsection 2, paragraph "h".

1 Sec. 182. RETROACTIVE APPLICABILITY. The following apply
2 retroactively to July 1, 2017:

3 1. The section of this Act amending section 124.401.

4 2. The sections of this Act amending section 155A.6A.

5 3. The section of this Act amending 2017 Iowa Acts, chapter
6 136.

7 EXPLANATION

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

10 This bill contains statutory corrections that adjust
11 language to reflect current practices, insert earlier
12 omissions, delete redundancies and inaccuracies, delete
13 temporary language, resolve inconsistencies and conflicts,
14 update ongoing provisions, or remove ambiguities. The Code
15 sections amended include the following:

16 Sections 1.8, 1.13, and 1.14: Changes "to" to "through"
17 in string citations to clarify that the last Code section
18 referenced is included in the citation in these provisions
19 which relate to the sovereignty and jurisdiction of the state.
20 In sections 1.13 and 1.14, numeric self-references are also
21 replaced with the words "this section".

22 Section 6A.22: Repeats initial qualifying language to
23 improve the readability of language defining "public use",
24 "public purpose", or "public improvement" under the eminent
25 domain Code chapter. When 2017 Iowa Acts, chapter 170,
26 section 58, added a new qualifying phrase to the portion of the
27 language relating to functions of public utilities, the grammar
28 of the rest of the series in the sentence was inadvertently
29 disrupted.

30 Section 8B.21: Supplies, consistent with other language in
31 the section, missing language indicating that it is the office
32 of chief information officer which is responsible for preparing
33 an annual report to the governor, department of management, and
34 the general assembly regarding the total spending on technology
35 for the previous fiscal year.

1 Section 8C.7A: Adds initial July 1, 2017, deadline
2 language, which appears to be implied by a later July 1,
3 2017, cutoff date, in language specifying the date by which
4 governmental authorities must have adopted municipal or county
5 codes requiring an application or permit for the installation,
6 placement, operation, maintenance, or replacement of a
7 micro wireless facility in order to continue to impose that
8 requirement.

9 Section 12C.5: Deletes redundant language that replicates
10 a requirement currently contained in Code section 12B.10,
11 subsection 4, paragraph "a", subparagraph (6). This language
12 originally modified other language establishing requirements
13 for investments if money could not be deposited in any approved
14 depository, but that other language was stricken by 1984 Iowa
15 Acts, chapter 1230, section 9.

16 Section 15.106E: Repeals this Code section which provided
17 for a review of the economic development authority and its
18 activities by the general assembly and the issuance of a report
19 by January 1, 2015.

20 Section 15.293B: Revises the language of subsection
21 1, paragraph "i", relating to additional applications for
22 redevelopment tax credits, to conform that language to similar
23 language in subsection 2, paragraph "g", which indicates that
24 it is the applications for funds, not the applicants, that are
25 reviewed and scored by the economic development authority.

26 Sections 16.161, 422.7, 423.3, and 480.4: Corrects
27 references to the 911 program and bonds issued under the 911
28 program in Code chapter 34A, based on similar changes made to
29 the program name by 2017 Iowa Acts, chapter 136, and numbers
30 unnumbered paragraphs in one Code section.

31 Section 20.3: Numbers an unnumbered paragraph and
32 enumerates the items which currently appear after a colon
33 and conforms other language to more current Code style in
34 the definitions of the terms "confidential employee" and
35 "professional employee" which apply to the Code chapter

1 governing collective bargaining.

2 Section 22.15: Conforms terminology to other uses within
3 this same Code section relating to information that is placed
4 in employee personnel records.

5 Section 29A.27: Updates an archaic internal reference
6 describing the applicability of the pay and benefits
7 requirements in this Code section regarding pay and allowances
8 that must be paid to officers and enlisted persons while on
9 state active duty.

10 Sections 30.3 and 30.4: Adds the words "of natural
11 resources" after references to "department" in several places,
12 because "department" is defined for purposes of Code chapter 30
13 as meaning the department of homeland security and emergency
14 management and because the department of natural resources
15 is being referred to in these instances in these provisions
16 outlining the duties of various departments in the case of a
17 chemical emergency.

18 Section 34A.3: Restructures, to clarify the language of
19 this provision relating to the circumstances under which
20 the 911 program manager may order the combining of certain
21 territories into an adjacent 911 service area.

22 Section 34A.8: Replaces the word "it" with the words
23 "local exchange service information" to clarify the meaning of
24 language describing what information must be kept confidential
25 by a joint 911 service board, other state and local officials,
26 designated 911 service providers, public safety answering
27 points, and their agents, employees, and assigns.

28 Section 35C.5: Divides this single paragraph Code section
29 into numbered subsections based upon Code section content,
30 updates archaic language, and divides run-on sentences in two
31 to improve the readability of this provision regarding appeals
32 from administrative and judicial proceedings related to a
33 denial of veterans preference to an individual entitled to that
34 preference.

35 Section 37.6: Changes "to" to "through" in a string citation

1 to clarify that the last Code section referenced is included in
2 the citation and substitutes specific Code section references
3 for "in accordance with provisions of law" to clarify the
4 meaning of this Code section relating to issuance of bonds by
5 counties and cities.

6 Section 43.5: Substitutes "otherwise provided in this
7 chapter" for "hereinafter provided" to clarify the meaning
8 of language describing the extent of the exception to the
9 applicability of various Code chapters to primary elections.

10 Section 43.20: Substitutes a specific reference to
11 subsection 1 for the word "above", in language describing how
12 to derive the number of signatures required for nomination
13 papers for candidates for certain public offices.

14 Sections 43.78 and 44.9: Conforms terminology used to
15 refer to commissioners of elections and other officers to
16 the terminology used elsewhere in the Code. The terminology
17 substituted may also be found in Code section 43.78, subsection
18 4.

19 Section 49.11: Conforms the style of the lead-in paragraph
20 phraseology to the phraseology used in the other paragraphs
21 of the same subsection in this provision outlining the
22 circumstances under which a county commissioner of elections
23 may change or consolidate election precincts.

24 Section 59.6: Substitutes the words "in this chapter" for
25 the word "herein" to clarify the meaning of this provision
26 limiting the applicability this Code chapter relating to the
27 contest of seats in the general assembly to the rights of the
28 general assembly to grant commissions, take depositions, or to
29 send for or examine witnesses in a trial in such a contest.

30 Section 68A.101: Corrects, effective July 1, 2018, the name
31 of this Code chapter governing campaign disclosure to reflect
32 the repeal of the income tax checkoff and the Iowa election
33 campaign fund on July 1, 2018, by 2017 Iowa Acts, chapter 144,
34 sections 13 and 14.

35 Section 68A.102: Strikes, effective July 1, 2018, the

1 definition of the term "state income tax liability" from
2 this Code chapter governing campaign disclosure to reflect
3 the repeal of the income tax checkoff and the Iowa election
4 campaign fund on July 1, 2018, by 2017 Iowa Acts, chapter 144,
5 sections 13 and 14.

6 Section 70A.26: Changes the words "deemed to be on" to
7 "granted" to conform to the terminology used elsewhere in this
8 Code section and divides this single paragraph Code section
9 relating to disaster service volunteer leave to separate the
10 leave provisions from provisions relating to tort claims and
11 other qualifying language.

12 Section 73.2: Strikes the archaic term, "hereafter" in this
13 Code section relating to preferences in advertisements for bids
14 and requests for proposals in public contracts. The language
15 was enacted in 1927 Iowa Acts, chapter 27, and "hereafter"
16 referred to April 14, 1927.

17 Section 84A.5: Adds a reference to Code section 73A.21 to
18 a list of Code chapters and sections which are administered
19 by the division of labor services based on language of Code
20 section 73A.21, which indicates that the labor commissioner and
21 the division of labor are responsible for the administration
22 and enforcement of the reciprocal resident bidder and labor
23 force preferences contained in that Code section.

24 Section 85.47: Splits a run-on sentence relating to
25 discharges of employer liability for payment of workers'
26 compensation benefits after the ordering of a commutation by
27 the workers' compensation commissioner.

28 Section 85.53: Conforms language relating to alien
29 dependents to similar language in Code section 85.51 and
30 replaces archaic language with more current language to improve
31 the grammar and readability of this provision relating to
32 notice by the workers' compensation commissioner to consular
33 agents of foreign countries of the death of an employee who
34 leaves one or more alien dependents.

35 Section 86.9: Numbers existing paragraphs, divides the

1 last paragraph to place language relating to distribution and
2 obtaining of reports in a separate subsection, and changes the
3 word "the annual report" to "an annual report" to eliminate
4 an inconsistency in the meaning of the second sentence when
5 compared to the first sentence in this Code section relating
6 to reports by the director of the department of workforce
7 development and commissioner of labor.

8 Section 88.1: Replaces the words "creating an" with
9 "providing for an adjudicatory process through the" which
10 appear before "employment appeal board" in language describing
11 the public policy which forms the basis for the provisions of
12 Code chapter 88, pertaining to occupational safety and health,
13 because the employment appeal board is created in Code section
14 10A.601, not Code chapter 88.

15 Section 92.2: Replaces the word "defined" with the word
16 "provided" in language establishing a prohibition against
17 employment of persons over 10 and under 16 years of age in
18 certain occupations described in Code section 92.1, because
19 although Code section 92.1 contains prohibitions against
20 employment in certain described occupations, the Code section
21 does not define those occupations.

22 Section 96.3: Deletes archaic references to July 1, 1939,
23 which are no longer needed to describe the applicability of
24 language regarding payment of unemployment benefits.

25 Section 96.7A: Repeals an obsolete Code section relating to
26 workforce development field offices which were eliminated by
27 the end of fiscal year 2006-2007.

28 Section 99F.4: Adds a comma, strikes the word "and", and
29 adds the word "from" to improve the readability of a series
30 describing the areas from which a person may be voluntarily
31 excluded under a process established by persons holding a
32 license to own or operate or conduct a gambling game operation,
33 a gambling structure, or excursion gambling boat.

34 Section 105.22: Corrects a typographical error in language
35 relating to the method by which a proof of a conviction of a

1 felony may be established for purposes of denial of a license
2 to practice to or discipline of a licensed contractor or
3 plumbing, mechanical, HVAC-refrigeration, sheet metal, or
4 hydronic professional.

5 Sections 105.31 and 105.32: Repeals two obsolete provisions
6 containing temporary transition provisions regarding the
7 expiration, renewal, and reissuance of licenses to practice as
8 a contractor or plumbing, mechanical, HVAC-refrigeration, sheet
9 metal, or hydronic professional.

10 Section 123.22: Separates and numbers the elements of the
11 prohibited acts described in this provision within the Code
12 chapter relating to alcoholic beverage control, and separates
13 those elements from the exceptions to the prohibitions.

14 Section 124.401: Reenacts an unnumbered paragraph as
15 amended by 2017 Iowa Acts, chapter 162, section 2, which was
16 inadvertently allowed to lapse under a delayed automatic repeal
17 in order to reinstate the language permitting the possession,
18 use, delivery, and administration of cannabidiol as provided
19 in the 2017 Iowa Act. The reenactment is made retroactively
20 applicable to July 1, 2017.

21 Sections 125.34, 125.75, 125.78, 125.80, 125.82, 125.91,
22 and 125.92: Adds the words "and surgeon or osteopathic
23 physician and surgeon" after the word "physician" to conform
24 to a terminology change made by 1982 Iowa Acts, chapter 1212,
25 section 24, and to mirror the terminology used elsewhere in
26 the Code in language relating to involuntary hospitalization
27 proceedings for substance-related disorders.

28 Section 135B.20: Conforms the terminology used in the
29 lead-in paragraph for the Code section containing the
30 definitions for the Code chapter governing the licensure and
31 regulation of hospitals to terminology used elsewhere in
32 similar provisions in the Code.

33 Section 135B.32: Replaces the word "herein" with the word
34 "subchapter" to clarify the meaning of language restricting
35 the applicability of provisions relating to the provision of

1 pathology and radiology services in hospitals to the tax-exempt
2 or nonprofit status of hospitals.

3 Section 135H.6: Restructures and renumbers this Code
4 section relating to the conditions for licensure of a proposed
5 psychiatric institution for children to conform to the
6 substance of the language in the Code section.

7 Section 136.2: Numbers paragraphs, modifies language
8 relating to annual appointments, and eliminates a reference
9 to the number of members whose terms expire in a given year
10 in this provision relating to the appointment of members to
11 the state board of health to reflect the 2005 addition of two
12 more members to that board's roster, which would result in the
13 expiration of more than three members' terms in certain years.

14 Section 136A.5B: Changes the word "subsection" to "section"
15 in this provision relating to the provision of certain
16 informational materials to pregnant women to reflect the
17 fact that the language describing the informational material
18 contents is in subsection 1 of this Code section, and the
19 publication mechanism requirements are in subsection 3.

20 Section 151.9: Changes the word "entry" to "license or
21 certificate" and adds the words "or certificate holder" to
22 conform to the content of the balance of this Code section and
23 Code chapter governing the practice of chiropractic to the
24 types of permissions to persons who practice chiropractic.

25 Section 152.11: Conforms a series of citations describing
26 the enforcement authority of the board of nursing to similar
27 language in Code section 152.4, by including a reference to
28 Code chapter 152E.

29 Section 154B.1: Adds the missing word "or" before the last
30 word in a series in this provision relating to registration of
31 pharmacy technicians who provide some services to patients with
32 serious medical conditions.

33 Section 155A.6A: Corrects two errors made when the changes
34 contained in 2017 Iowa Acts, chapter 29, section 45, were
35 enacted. The 2017 Iowa Act inadvertently struck language

1 that established a temporary pharmacy technician registration
2 program when striking obsolete language establishing a
3 temporary time frame within which certain pharmacy technicians
4 or pharmacy technician trainees could attain certification,
5 but also failed to strike an internal reference to the
6 obsolete language. The changes made to this Code section are
7 retroactively applicable to July 1, 2017.

8 Section 155A.13C: Strikes a reference to Code chapter
9 124A in this provision regulating pharmaceutical outsourcing
10 facilities. Code chapter 124A was repealed by 2017 Iowa Acts,
11 chapter 145, section 23, and subsumed, in part, into Code
12 chapter 124, which is still referenced in this provision.

13 Section 161A.38: Numbers paragraphs and changes
14 "hereinabove" to "subchapter" to clarify the meaning of
15 language relating to appeal rights of owners of land affected
16 by changes in assessments by the governing body under a
17 reclassification of lands within a soil and water conservation
18 subdistrict.

19 Section 161A.42: Conforms the hyphenation of the word
20 "cost-sharing" to the hyphenation used in the term defined in
21 this Code section and strikes a comma in language describing
22 the conditions for the establishment of a conservation
23 agreement related to a soil conservation plan or portion of
24 that plan.

25 Section 161A.43: Numbers unnumbered paragraphs and
26 corrects an internal reference in language relating to the
27 duty and liability of property owners within a soil and water
28 conservation district to establish and maintain soil and water
29 conservation practices or erosion control practices.

30 Section 166A.2: Splits a sentence to separate and improve
31 the readability of language relating to refusal to grant a
32 license application or revocation of the existing licenses of
33 sheep dealers under this Code chapter 166A, concerning the
34 control of scabies in sheep.

35 Section 166D.7: Adds two commas to set off prefatory and

1 independent clauses to improve the readability of language
2 relating to control of pseudorabies in swine.

3 Section 194.2: Numbers paragraphs, replaces "hereof" and
4 "herewith" with specific references to the Code chapter, adds
5 a reference to Code chapter 17A after language regarding
6 adoption of rules, and removes two commas to update and improve
7 the clarity of this provision relating to the enforcement of
8 requirements pertaining to the inspection and certification of
9 milk.

10 Section 194.4: Replaces "or" with semicolons in two places,
11 makes consistent the usage of the word "which", removes two
12 commas, and then adds a comma to a series to improve the
13 readability of this provision describing the conditions under
14 which milk is deemed to be unlawful.

15 Section 208.7: Strikes the word "However" based upon
16 Code section content indicating that the mining license fee
17 referenced is not just the fee for renewal of a mining license.

18 Section 212.3: Changes an internal self-reference to
19 the correct reference to Code section 212.2 describing bulk
20 commodity duplicate delivery tickets.

21 Section 216.6: Conforms terminology regarding
22 discriminatory practices in two instances to match the
23 terminology used elsewhere in this Code section regarding
24 unfair employment practices.

25 Section 216.13: Strikes obsolete language relating to the
26 involuntary retirement before January 1, 1980, of persons
27 covered by certain labor agreements and combines the rest
28 of language establishing the remaining criteria under which
29 certain persons may be required to retire involuntarily.

30 Section 225.30: Adds the words "or mental health
31 professional" to conform the language of this Code section to
32 changes made by 2017 Iowa Acts, chapter 34, in similar language
33 within Code section 229.10, which is referenced in this Code
34 section.

35 Sections 235B.3A, 235E.3, 236.12, 236A.13, and 709.22:

1 Conforms language of all of these provisions internally to
2 improve the readability and consistency of language describing
3 form documents which are provided to victims of abuse or other
4 criminal acts.

5 Sections 256I.7, 256I.8, and 256I.12: Includes language to
6 conform references to the early childhood Iowa initiative, the
7 initiative's programs and activities, and the ages of children
8 served by the initiative's programs and activities to other
9 references throughout the Code chapter.

10 Section 260C.22: Changes the word "law" to "subsection"
11 to clarify the meaning of language regarding construction of
12 language authorizing certain tax levies for the financing of
13 community college facilities.

14 Section 261.9: Changes the word "part" to "subchapter" in
15 the lead-in paragraph of this definitions section in the Code
16 chapter governing the activities of the college student aid
17 commission to reflect the fact that several of the definitions,
18 including the definition of the term "tuition grant", contained
19 in this Code section are used in and apply to other parts of
20 this subchapter.

21 Section 262.21: Moves a definition to the beginning of this
22 Code section regarding annuity contracts for employees of board
23 of regents institutions and numbers the resulting paragraphs
24 to facilitate citation.

25 Section 262.56: Replaces the word "hereinbefore" with a
26 specific reference to section 262.55 to clarify the meaning of
27 this Code section authorizing the state board of regents to
28 undertake certain projects and to operate, control, maintain,
29 and manage student residence halls and dormitories. Code
30 section 262.55 is the definitions section for the subchapter
31 relating to self-liquidating dormitories, which includes Code
32 section 262.56.

33 Sections 263.2, 263.10, 274.2, 275.27, 277.32, and 294.1:
34 Replaces references to the "common schools" which were
35 eliminated in favor of the current system of public and

1 accredited nonpublic schools sometime in the early 1900s, with
2 references to "public or accredited nonpublic schools". In
3 Code sections 263.2 and 294.1, unnumbered paragraphs are also
4 numbered to facilitate citation and archaic language is also
5 updated.

6 Sections 270.6 and 270.7: Conforms terminology used and
7 updates archaic language in these two provisions regarding the
8 process used for certification of amounts due from counties for
9 certain costs incurred for students at the school for the deaf.

10 Section 272.2: Conforms language used to describe certain
11 rulemaking procedures of the board of educational examiners to
12 language used elsewhere in the Code to describe rulemaking by
13 other state agencies under Code chapter 17A.

14 Section 274.39: Updates and simplifies archaic language
15 relating to the sale of land for national defense or flood
16 control purposes by a school district to the federal
17 government.

18 Section 275.4: Strikes an unnecessary "and" from a series
19 that describes the responsibilities of area education agencies
20 when developing school district reorganization studies and
21 surveys.

22 Section 275.9: Replaces a reference to "hereinabove" with a
23 series of specific citations, and replaces "hereinafter" with
24 the words "in this subchapter", to clarify language describing
25 the method by which the enlargement, reorganization, or boundary
26 change of a school district may be accomplished.

27 Section 275.13: Strikes an unnecessary "hereof" to update
28 and clarify language describing the affidavit which must
29 accompany a petition to enlarge, reorganize, or change the
30 boundaries of a school district.

31 Section 275.33: Changes "to" to "through" in two string
32 citations to clarify that the last Code section referenced
33 is included in the citation in this provision relating
34 to employment terms of superintendents, principals, and
35 teachers for school years following the effective date of the

1 enlargement of, reorganization of, or changes to the boundaries
2 of a school district.

3 Section 279.16: Changes "to" to "through" in string
4 citations to clarify that the last Code section referenced
5 is included in the citation in this provision governing the
6 procedures to be followed in hearings related to a termination
7 of a teacher's contract for employment.

8 Section 279.36: Strikes obsolete language related to fees
9 applicable to legal publications published prior to July 1,
10 1989, and numbers paragraphs in this provision establishing the
11 procedures and fee for publication of the record of proceedings
12 of boards of directors of school districts.

13 Section 280.2: Places definitions in alphabetical order,
14 and adds a prefatory paragraph describing the applicability of
15 the definitions, to conform the style of this definitions Code
16 section to other definitions provisions elsewhere in the Code.

17 Section 282.18: Separates and numbers the elements
18 of a series outlining the exceptions to the general rule
19 prohibiting pupils who are participating in open enrollment
20 from participating in a varsity interscholastic sport, and
21 letters the remaining, resulting paragraphs.

22 Section 284.1: Strikes the word "four" in language
23 describing the major elements of the student achievement
24 and teacher quality program. 2017 Iowa Acts, chapter 172,
25 section 32, eliminated one of the four elements and this change
26 eliminates the need to adjust this portion of the statute if
27 other elements are added or deleted in the future.

28 Sections 284.3A, 284.6, and 284.13: Strikes the words
29 "of education" to conform to the definition of the term
30 "department" in Code section 284.2, and to similar changes made
31 by 2017 Iowa Acts, chapter 172, in this Code section relating
32 to appropriations for supplemental assistance for high-need
33 schools.

34 Section 303.8: Conforms a headnote to the language of this
35 Code section which outlines the powers and duties of the state

1 historical society board of trustees and the department of
2 cultural affairs.

3 Section 303.18: Adds public law and a United States Code
4 citation after a reference to a federal Act to facilitate
5 citation to and review of that federal Act in language
6 relating to the circumstances under which the state historic
7 preservation officer must recommend that a rural electric
8 cooperative or a municipal utility, which is constructing
9 certain electric distribution and transmission facilities,
10 conduct an archeological site survey of the proposed route.

11 Section 314.21: Strikes obsolete language relating to the
12 allocation and expenditure of funds from the living roadway
13 trust fund during the fiscal period beginning July 1, 1988, and
14 ending March 31, 1990.

15 Section 321.105: Updates the United States Code citation
16 to federal provisions under which seriously disabled veterans
17 are provided with an automobile or other vehicle by the United
18 States government to reflect the 1991 renumbering of those
19 federal provisions in this provision governing the provision
20 of one set of free vehicle registration plates to seriously
21 disabled veterans.

22 Section 321.145: Strikes a series of subsection references
23 in language relating to expenditure of funds for different
24 types of motor vehicle registration plates, but leaves a
25 reference to Code section 321.34. Code section 321.34 was
26 amended in 2014 to add a new subsection 27, but this provision
27 was not updated to reflect the addition. The change will
28 obviate the need for the continual updating of this Code
29 section each time Code section 321.34 is changed to add or
30 eliminate a particular registration plate and expenditure
31 requirement.

32 Section 321.237: Numbers unnumbered paragraphs and
33 clarifies archaic language in this Code section relating to the
34 manual used by cities when regulating vehicular traffic and the
35 manner in which traffic control signs must be posted.

1 Section 321.278: Updates the language establishing the
2 crime of drag racing by separately enumerating the elements of
3 the crime, designating defined terms as such, and numbering and
4 lettering the resulting paragraphs.

5 Section 321.290: Numbers paragraphs and updates and
6 clarifies archaic language in this provision establishing the
7 circumstances under which the department of transportation or a
8 city may deviate from the speed limits generally established
9 under Code chapter 321 for a particular road or intersection.

10 Section 321E.12: Replaces the word "provision" with
11 "subsection" to clarify the extent of the exemption provided
12 in this Code section relating to special registration and fees
13 that apply to vehicles used to transport buildings other than
14 mobile homes or factory-built structures.

15 Section 321G.13: Restructures a subparagraph permitting a
16 person to operate or ride on a snowmobile with a loaded pistol
17 or revolver to clarify the meaning and to match the style of
18 the immediately preceding subparagraph.

19 Section 321I.14: Restructures a subparagraph permitting
20 a person to operate or ride on an all-terrain vehicle with a
21 loaded pistol or revolver to clarify the meaning and to match
22 the style of the immediately preceding subparagraph.

23 Section 321J.20: Restructures this provision relating to
24 revocation of a person's temporary restricted license under
25 the Code chapter relating to the offense of operating while
26 intoxicated to separately enumerate the actions which would
27 give rise to the revocation.

28 Section 321L.2: Updates the United States Code citation
29 to federal provisions under which seriously disabled veterans
30 are provided with an automobile or other vehicle by the United
31 States government to reflect the 1991 renumbering of those
32 provisions in this provision entitling those same veterans to
33 the rights and privileges given to persons with disability
34 parking permits.

35 Section 327G.79: Adds a comma to clarify a sentence relating

1 to appraisal of railway property interests that are adjacent
2 to a railroad right-of-way that has been abandoned and are the
3 subject of a dispute as to value.

4 Section 350.10: Changes the word "rules" to "regulations"
5 to conform this provision relating to the statutes applicable
6 to lands and waters under the control of a county conservation
7 board to the language of Code section 350.5.

8 Section 351.36: Changes "to" to "through" in a string
9 citation to clarify that the last Code section referenced is
10 included in the citation and to eliminate both a self-reference
11 and reference to a repealed provision in this Code section
12 relating to enforcement of requirements relating to rabies
13 vaccination and control and confinement of dogs.

14 Section 351.42: Changes "to" to "through" in a string
15 citation to clarify that the last Code section referenced
16 is included in the citation and to eliminate both a numeric
17 self-reference and reference to a repealed Code section in this
18 Code section exempting certain dogs from requirements relating
19 to rabies vaccination and control and confinement.

20 Section 351.43: Changes "to" to "through" in a string
21 citation to clarify that the last Code section referenced
22 is included in the citation and to eliminate a reference to
23 a repealed Code section in this Code section establishing
24 penalties for persons who violate the requirements relating to
25 rabies vaccination and control and confinement of dogs.

26 Section 358.11: Numbers paragraphs and replaces the word
27 "hereunder" with "under this chapter" to clarify the meaning of
28 and improve the citation to this provision declaring sanitary
29 districts organized under Code chapter 358 to be corporate
30 entities entitled to judicial notice and corporate powers and
31 authority.

32 Section 400.21: Updates old language and divides a run-on
33 sentence to clarify and improve the readability of this Code
34 section pertaining to the filing of notices of appeal under the
35 civil service Code chapter.

1 Section 400.27: Adds the word "and" to correct an error made
2 by 1991 Iowa Acts, chapter 55, section 2, in this provision
3 describing how an appeal to the district court from a decision
4 of the civil service commission may be perfected.

5 Section 411.6C: Replaces the words "with the first month
6 following the implementation date of this section" with "April
7 1, 2007". According to the administrator for the retirement
8 system for police officers and fire fighters, the system
9 received approval from the federal government in March 2007.

10 Section 420.207: Changes "to" to "through" in a string
11 citation to clarify that the last Code section referenced is
12 included in the citation in this Code section providing for
13 the applicability of certain Code provisions relating to the
14 taxation of property to cities acting under special charters.

15 Section 422.32: Changes "to" to "through" in two string
16 citations to clarify that the last Code section referenced
17 is included in the citation in language relating to the
18 applicability of certain defined terms within the Code chapter
19 division governing business tax on corporations.

20 Section 422D.3: Numbers unnumbered paragraphs, changes "to"
21 to "through" in a string citation to clarify that the last Code
22 section referenced is included in the citation, and removes
23 quotation marks from around a fund name to conform to current
24 Code style in this Code section relating to the administration
25 of local income surtaxes.

26 Section 423.3(47A): Strikes obsolete language relating to
27 the phase-in of a sales tax exemption for the sales price from
28 the sale or rental of central office equipment or transmission
29 equipment used by certain communication service providers.

30 Section 423.8: Numbers unnumbered paragraphs to improve
31 citation and strikes language referencing a report by
32 the streamlined sales tax advisory council regarding the
33 administrative burden posed by the streamline sales and use tax
34 Act that was filed in 2006 and updated in 2007.

35 Section 425.9: Numbers paragraphs to facilitate citation,

1 replaces the word "hereunder" with the words "in this chapter",
2 and replaces a reference to "the first paragraph of this
3 section" with "subsection 1" to clarify the meaning of this
4 provision regarding the application of the homestead credit to
5 any taxes due on a homestead.

6 Section 425.10: Replaces the word "herein" with the words
7 "in this chapter" to clarify the meaning of this provision
8 governing the process to be used in the event of an allowance
9 and subsequent reversal of an erroneous claim for a homestead
10 credit.

11 Section 426A.13: Replaces the words "the section" with
12 "this section" to clarify the meaning of language outlining
13 the process to be used by persons claiming a military tax
14 exemption.

15 Section 427.1: Strikes obsolete language eliminating the
16 requirement of filing an application to obtain a property
17 exemption for the 2005 and 2006 assessment years for certain
18 dwelling units owned by community housing development
19 organizations.

20 Section 427B.17: Changes "to" to "through" in two string
21 citations to clarify that the last Code section referenced
22 is included in the citation in this Code section relating to
23 property subject to special valuation. In the first of the two
24 string citations, the last Code section reference is changed
25 because Code section 427B.6 prohibits the granting of dual
26 exemptions, and not the granting of partial exemptions.

27 Section 453A.47A: Adds the words "of a permit" at the end of
28 a sentence to clarify that only applications for retail permits
29 which are actually issued to retailers of tobacco, tobacco
30 products, alternative nicotine products, or vapor products for
31 permits need be submitted by a city or county to the alcoholic
32 beverages division.

33 Section 455A.9: Numbers unnumbered paragraphs and replaces
34 an incorrect current reference to "subsection" with the word
35 "section" in this provision relating to fees charged by the

1 department of natural resources.

2 Section 455G.31: Renumbers, combines provisions, and
3 corrects internal references in this Code section relating
4 to E-85 gasoline storage and dispensing infrastructure
5 to eliminate a reserved paragraph that formerly contained
6 transition language and that was stricken by its own terms in
7 2015.

8 Section 465C.3: Numbers unnumbered paragraphs to facilitate
9 citation and strikes obsolete language in this Code section
10 relating to the composition and appointment of the state
11 advisory board for preserves.

12 Section 466B.31: Adds the words "of natural resources"
13 after the word "department" to clarify which department
14 is referenced in this provision establishing the watershed
15 planning advisory council.

16 Section 476.44: Replaces the word "alternative" with
17 "alternate" to conform terminology regarding alternate energy
18 production facilities used in this Code section providing
19 exceptions to requirements imposed on certain public utilities
20 to the terminology everywhere else in Code chapter 476.

21 Section 476.46: Strikes a reference to and exception
22 contained in subsection 3, which was stricken by 2017 Iowa
23 Acts, chapter 169, section 43, in language allowing certain gas
24 and electric utilities which are not rate-regulated to receive
25 loans under the alternate energy revolving loan program.

26 Section 478.19: Numbers unnumbered paragraphs to facilitate
27 citation and updates archaic language to improve the
28 readability of this provision establishing standards for the
29 construction of electric transmission lines.

30 Section 479.7: Numbers unnumbered paragraphs to facilitate
31 citation and updates archaic language to improve the
32 readability of this provision regarding hearings on petitions
33 seeking to use eminent domain to secure property rights for the
34 construction, maintenance, and operation of gas underground
35 storage facilities and pipelines.

1 Section 481A.32: Restructures to enumerate the acts
2 constituting a hunting and fishing offense under this Code
3 section, and numbers the unnumbered paragraphs to facilitate
4 citation and to separate the offense of taking a deer,
5 antelope, moose, buffalo, or elk with a prohibited weapon from
6 the initial enumerated prohibited acts.

7 Section 481A.47: Splits a paragraph into multiple
8 subsections to separate language creating a crime from language
9 relating to the granting of a permit and an exception to the
10 statute's requirements, and restructures and updates archaic
11 language in this provision establishing restrictions on the
12 importing of fish and game.

13 Section 481A.59: Numbers unnumbered paragraphs to
14 facilitate citation and updates archaic language in the former
15 second paragraph to reflect current style in this prohibition
16 against interfering with any homing pigeon.

17 Section 488.1205: Replaces, in this savings provision, the
18 words "this chapter takes effect" with "January 1, 2005" to
19 reflect the date on which Code chapter 488, establishing the
20 uniform limited partnership Act, took effect. The Act which
21 enacted Code chapter 488, 2004 Iowa Acts, chapter 1021, took
22 effect on that date, with the exception of section 117 of that
23 Act. None of the provisions that were affected by section 117
24 of that Act were contained in Code chapter 488.

25 Section 496C.10: Numbers unnumbered paragraphs to
26 facilitate citation and adds a reference to Code chapter
27 502 after a reference to the "Iowa securities law" in this
28 provision regulating the issuance of shares by professional
29 corporations.

30 Section 496C.20: Numbers unnumbered paragraphs to
31 facilitate citation and replaces an internal reference to "the
32 preceding sentence" with a reference to "this subsection" in
33 this provision governing foreign professional corporations.

34 Section 508.29: Numbers unnumbered paragraphs to facilitate
35 citation, changes an internal reference from "paragraph" to

1 "subsection" because of the numbering, and replaces the words
2 "herein contained" to "contained in this section" to clarify
3 the meaning of language in this Code section relating to the
4 authority of life insurance companies to write other insurance.

5 Section 514C.14: Replaces the word "which" with the
6 word "that" to clarify that both the carrier and the plan
7 are covered by this language relating to coverage of health
8 care services for the pregnancy of a covered person after
9 termination of a contract with a participating health care
10 provider.

11 Section 543B.16: Strikes the words "real estate" which
12 appear before the word "license" to conform the terminology
13 usage to usage of terminology elsewhere in Code chapter 543B
14 to reference the licenses that are issued by the real estate
15 commission to real estate brokers or salespersons.

16 Section 543B.43: Divides a string citation and employs
17 "through" instead of "to" in the resulting string citations
18 to clarify that the last of the Code section citations are
19 intended to be included in the strings and to eliminate
20 reference to repealed Code section 543B.25 in this provision
21 establishing a penalty for violation of the Code chapter
22 governing real estate brokers and salespersons.

23 Section 543B.46: Changes the word "defined" to "described"
24 to clarify a reference to Code section 543B.6, which does not
25 contain a definition, but does describe the acts which would
26 constitute acting as a real estate salesperson or broker.

27 Section 544A.5: Changes the word "make" to "adopt" and adds
28 a citation to Code chapter 17A to match standard rule-making
29 language in this provision charging the architectural examining
30 board with the duty to adopt rules for the examination of
31 applicants for licensure.

32 Section 544A.16: Adds the word "or license" after the
33 words "certificate of registration" to reflect that engineers,
34 landscape architects, and some contractors, who may be
35 considered as professional consultants to an architect, are

1 licensed professionals.

2 Section 556F.18: Replaces the archaic words "common
3 schools" with the words "school districts" in language relating
4 to disposition of certain funds for failure of a person to
5 comply with the procedures for asserting a claim for lost
6 property that the person has found. The common schools
7 were eliminated in favor of the current system of public and
8 accredited nonpublic schools sometime during the early 1900s.

9 Section 559.1: Numbers unnumbered paragraphs to facilitate
10 citation, replaces the word "herein" with "in this section",
11 and eliminates archaic language in this provision relating to
12 the validity of a release by a donee of a power of appointment
13 exercisable by deed or will or otherwise.

14 Section 587.12: Corrects the reference to the publication
15 which contained former court rule 60, and which would have
16 been in effect prior to July 1, 1970. During this time frame,
17 the Iowa court rules would still have been contained within
18 the Code. Because there was no intervening Code publication
19 between 1966 and 1971, the correct reference would have to be
20 to the court rules which appeared in the Code of 1966.

21 Section 602.1610: Strikes obsolete language exempting
22 certain associate juvenile and associate probate judges from
23 this provision relating to the mandatory retirement age for
24 judicial officers.

25 Section 602.6404: Strikes obsolete language relating
26 to nonlawyer magistrates in this provision relating to
27 qualifications for magistrates.

28 Section 607A.35: Conforms the language of this provision
29 to the language of Code section 607A.33, and language which
30 appears later in this Code section, relating to the issuance of
31 a notice to report to jurors who have been identified to appear
32 for service as petit or grand jurors.

33 Section 607A.41: Revises the language of this provision
34 relating to the method of drawing the names of new or
35 additional jurors to reflect the language contained in Code

1 sections 607A.39 and 607A.40, which are referenced in this Code
2 section.

3 Section 704.2A: Moves the phrase "by force or stealth" to
4 improve the readability of language identifying two of the
5 circumstances under which a person would be presumed to be
6 reasonable in believing that use of deadly force is needed to
7 avoid injury or risk, and to match the construction of similar
8 language which appears later in the amended language.

9 Section 707.11: Adds the word "committed" before the
10 words "against a peace officer" to improve the readability of
11 language describing the facts that a fact finder must determine
12 exist in order to determine the nature of the sentence which
13 will apply to an act which constitutes attempt to commit
14 murder.

15 Section 714.19: Rewrites and changes "to" to "through"
16 in a string citation to eliminate a self-reference to this
17 Code section and to clarify that the last Code section is
18 included in the string citation in language specifying that
19 the requirements relating to certain providers of educational
20 courses contained in the specified Code sections do not apply
21 to certain schools and educational programs.

22 Section 716.7: Changes the words "received notice" to
23 "been notified" to conform the language describing when the
24 prescribed notification requirements have been met to earlier
25 language describing the elements constituting this type of
26 trespass.

27 Section 716.8: Changes "intentionally trespasses" to
28 "commits a trespass" to conform this penalty provision to
29 the elements, including intention, described in Code section
30 716.7, subsection 1, paragraph "a", subparagraph (7), which is
31 specifically referenced.

32 Section 724.3: Replaces "herein" with "in this chapter" to
33 clarify the extent of the exception that applies to certain
34 persons who may lawfully possess an offensive weapon.

35 Section 724.5: Changes the words "indictment or

1 information" to "complaint" to reflect the fact that the
2 offense referenced is a simple misdemeanor, which is not
3 charged by indictment or information, but rather by complaint.

4 Section 730.5: Changes two references to an "individual"
5 to refer to employees or prospective employees in this Code
6 section regulating employer testing of employees or prospective
7 employees for drugs or alcohol.

8 Section 805.8A: Conforms language in a paragraph to reflect
9 the language of another subsection which provides that some of
10 the speeding violations under the listed Code sections, when
11 committed by a school bus driver, are scheduled violations.

12 2017 Iowa Acts, chapter 136: Corrects 2017 Iowa Acts,
13 chapter 136, by adding a correction to a reference to the
14 program and bonds issued under the 911 program in Code chapter
15 34A, to conform to similar changes made to the program name
16 elsewhere in Code chapter 34A by that Act. The correction is
17 retroactive to July 1, 2017.