

House Study Bill 679 - Introduced

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

A BILL FOR

1 An Act relating to nonsubstantive Code corrections, and
2 including effective date and retroactive applicability
3 provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

MISCELLANEOUS CHANGES

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Section 1. Section 12.82, subsection 4, Code 2020, is amended to read as follows:

4. Any amounts remaining in the school infrastructure fund at the end of the fiscal year beginning July 1, 2010, and for each fiscal year thereafter, which are determined by the treasurer of state to be unencumbered and unobligated and otherwise unnecessary to make the payments for such fiscal year, shall be transferred to the rebuild Iowa infrastructure fund created in section 8.57.

Sec. 2. Section 12.89, subsection 5, Code 2020, is amended to read as follows:

5. Moneys in the revenue bonds debt service fund and any bond reserve fund created pursuant to [this section](#) are not subject to [section 8.33](#); provided however, that on August 31 following the close of each fiscal year, any moneys on deposit in the revenue bonds debt service fund at the end of such fiscal year, which is determined by the treasurer of state to not be encumbered or obligated or otherwise necessary to make the payments for such fiscal year authorized to be made from such fund pursuant to [subsection 1](#), shall be credited to the rebuild Iowa infrastructure fund created in section 8.57. Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys in the revenue bonds debt service fund and any bond reserve fund shall be credited to such funds.

Sec. 3. Section 12.89A, subsection 5, Code 2020, is amended to read as follows:

5. At any time during each fiscal year that there are moneys on deposit in the revenue bonds federal subsidy holdback fund that are not needed to pay principal and interest on federal subsidy bonds during such fiscal year as determined by the treasurer of state or the treasurer's designee, such moneys on deposit in the revenue bonds federal subsidy holdback fund shall be credited to the rebuild Iowa infrastructure fund of

1 ~~the state~~ created in section 8.57.

2 Sec. 4. Section 15.101, subsection 2, Code 2020, is amended
3 to read as follows:

4 2. The collaboration shall involve the economic development
5 authority and the ~~Iowa innovation~~ bioscience development
6 corporation, both of which shall work together to further
7 economic development policy according to the provisions of this
8 subchapter.

9 Sec. 5. Section 15E.71, Code 2020, is amended to read as
10 follows:

11 **15E.71 Executive council action.**

12 Notwithstanding [section 7D.29, subsection 1](#), the executive
13 council in full consultation with the attorney general,
14 and with the agreement of the attorney general, shall take
15 any action deemed necessary to protect the interests of the
16 state with respect to any certificates, tax credits, entities
17 created, or action taken in relation to this subchapter. Such
18 actions may include but are not limited to initiation of legal
19 action, commencement of special investigations, institution
20 of special audits of any involved entity, or establishment of
21 receiverships. If such action is taken, the council may incur
22 the necessary expense to perform such a duty or cause such a
23 duty to be performed, and pay the same out of any ~~money~~ moneys
24 in the state treasury not otherwise appropriated.

25 Sec. 6. Section 15E.362, subsection 10, Code 2020, is
26 amended to read as follows:

27 10. The authority may contract with outside service
28 providers for assistance with the program or may delegate the
29 administration of the program to the ~~Iowa innovation~~ bioscience
30 development corporation pursuant to [section 15.106B](#).

31 Sec. 7. Section 15H.3, subsection 1, unnumbered paragraph
32 1, Code 2020, is amended to read as follows:

33 The ~~Iowa commission on volunteer service~~ shall consist of
34 the following members:

35 Sec. 8. Section 15H.5, subsection 2, Code 2020, is amended

1 to read as follows:

2 2. The Iowa summer youth corps program is established
3 to provide meaningful summer enrichment programming to
4 Iowa youth. The program shall be administered by the Iowa
5 commission ~~on volunteer service~~ using a competitive grant
6 process to implement projects in accordance with program
7 requirements. The commission shall adopt administrative rules
8 for the program, including but not limited to incentives, grant
9 criteria, and grantee selection processes. A percentage of the
10 grants shall be designated by the commission to address the
11 needs of economically distressed areas as defined in section
12 15.335C.

13 Sec. 9. Section 15H.6, subsection 1, Code 2020, is amended
14 to read as follows:

15 1. The Iowa commission ~~on volunteer service~~, in
16 collaboration with the department of natural resources, the
17 department of workforce development, and the utilities board of
18 the department of commerce, shall establish an Iowa green corps
19 program. The commission shall work with the collaborating
20 agencies and nonprofit agencies in developing a strategy for
21 attracting additional financial resources for the program
22 from other sources which may include but are not limited to
23 utilities, private sector, and local, state, and federal
24 government funding sources. The financial resources received
25 shall be credited to the community programs account created
26 pursuant to [section 15H.5](#).

27 Sec. 10. Section 15H.7, subsection 1, paragraph a, Code
28 2020, is amended to read as follows:

29 a. The Iowa commission ~~on volunteer service~~, in
30 collaboration with the department of education, may establish
31 an Iowa reading corps program to provide Iowa reading corps
32 Americorps members with a data-based, problem-solving model
33 of literacy instruction to use in tutoring students from
34 prekindergarten to third grade who are not proficient in
35 reading or who are at risk of becoming not proficient in

1 reading.

2 Sec. 11. Section 15H.8, subsection 1, paragraph a, Code
3 2020, is amended to read as follows:

4 a. The ~~Iowa commission on volunteer service~~, in
5 collaboration with the department of human services, shall
6 establish a Refugee Rebuild, Integrate, Serve, Empower
7 (RefugeeRISE) AmeriCorps program to increase community
8 integration and engagement for diverse refugee communities in
9 rural and urban areas across the state.

10 Sec. 12. Section 15H.9, subsection 1, Code 2020, is amended
11 to read as follows:

12 1. The ~~Iowa commission on volunteer service~~ may establish an
13 Iowa national service corps program to provide opportunities
14 for state agencies, political subdivisions of the state, and
15 private, nonprofit organizations to create national service
16 programs outside of existing state and federal programs to meet
17 state and local needs and to provide more opportunities for
18 Iowans to serve their state and country and foster a cultural
19 expectation of service in Iowa through a unified service corps.

20 Sec. 13. Section 16.82A, subsection 1, paragraph c, Code
21 2020, is amended to read as follows:

22 c. If, after ~~making~~ a tax credit award is made, the eligible
23 taxpayer or qualified beginning farmer no longer meets the
24 requirements of the agreement or the program, the authority may
25 revoke a the tax credit award and may rescind a any tax credit
26 certificate that has been issued.

27 Sec. 14. Section 29A.47, subsection 1, Code 2020, is amended
28 to read as follows:

29 1. Troops occupying a military district established under
30 martial law, may, if necessary, pursue, arrest, and subpoena
31 persons wanted in ~~said~~ the military district, anywhere within
32 the state of Iowa.

33 Sec. 15. Section 29B.35, subsection 2, Code 2020, is amended
34 to read as follows:

35 2. If the charges or specifications are not formally correct

1 or do not conform to the substance of the evidence contained in
2 the report of the investigating officer, formal corrections,
3 and such changes in the charges and specifications as are
4 needed to make them conform to the evidence may be made.

5 Sec. 16. Section 43.77, subsection 5, unnumbered paragraph
6 1, Code 2020, is amended to read as follows:

7 A vacancy has occurred in the office of county supervisor
8 or in any of the offices listed in [section 39.17](#), and the
9 term of office has more than seventy days remaining after the
10 date of the next general election, and one of the following
11 circumstances applies:

12 Sec. 17. Section 43.101, Code 2020, is amended to read as
13 follows:

14 **43.101 County central committee officers.**

15 The county central committee shall elect a chair, co-chair,
16 secretary, treasurer, and other officers as it may determine.
17 The term of office of an officer begins at the time specified
18 by the party's state constitution or bylaws and continues for
19 two years and until the officer's successor is elected and
20 qualified, unless the officer dies, resigns, or is sooner
21 removed by the county central committee for inattention to duty
22 or incompetency.

23 Sec. 18. Section 45.1, subsection 8, paragraph c, Code 2020,
24 is amended to read as follows:

25 c. In cities having a population of less than one hundred
26 according to the most recent federal decennial census,
27 nominations may be made by nomination papers signed by not less
28 than five eligible electors who are residents of the city.

29 Sec. 19. Section 52.2, Code 2020, is amended to read as
30 follows:

31 **52.2 Optical scan voting system required.**

32 Notwithstanding any provision to the contrary, for elections
33 held on or after November 4, 2008, a county shall use an
34 optical scan voting system only. The requirements of the
35 federal Help America Vote Act, Pub. L. No. 107-252, 116 Stat.

1 1666, relating to disabled voters shall be met by a county
2 through the use of electronic ballot marking devices that are
3 compatible with an optical scan voting system.

4 Sec. 20. Section 80.15, Code 2020, is amended to read as
5 follows:

6 **80.15 Examination — oath — probation — discipline —**
7 **dismissal.**

8 1. An applicant to be a peace officer in the department
9 shall not be appointed as a peace officer until the applicant
10 has passed a satisfactory physical and mental examination.
11 In addition, the applicant must be a citizen of the United
12 States and be not less than twenty-two years of age. However,
13 an applicant applying for assignment to provide protection
14 and security for persons and property on the grounds of the
15 state capitol complex or a peace officer candidate shall not
16 be less than eighteen years of age. The mental examination
17 shall be conducted under the direction or supervision of
18 the commissioner and may be oral or written or both. An
19 applicant shall take an oath on becoming a peace officer of the
20 department, to uphold the laws and Constitution of the United
21 States and Constitution of the State of Iowa.

22 2. During the period of twelve months after appointment, a
23 peace officer of the department is subject to dismissal at the
24 will of the commissioner. After the twelve months' service,
25 a peace officer of the department, who was appointed after
26 having passed the examinations, is not subject to dismissal,
27 suspension, disciplinary demotion, or other disciplinary action
28 resulting in the loss of pay unless charges have been filed
29 with the department of inspections and appeals and a hearing
30 held by the employment appeal board created by [section 10A.601](#),
31 if requested by the peace officer, at which the peace officer
32 has an opportunity to present a defense to the charges. The
33 decision of the appeal board is final, subject to the right
34 of judicial review in accordance with the terms of the Iowa
35 administrative procedure Act, [chapter 17A](#). However, these

1 procedures as to dismissal, suspension, demotion, or other
2 discipline do not apply to a peace officer who is covered by a
3 collective bargaining agreement which provides otherwise, and
4 do not apply to the demotion of a division head to the rank
5 which the division head held at the time of appointment as
6 division head, if any. A division head who is demoted has the
7 right to return to the rank which the division head held at the
8 time of appointment as division head, if any.

9 3. All rules, except employment provisions negotiated
10 pursuant to [chapter 20](#), regarding the enlistment, appointment,
11 and employment affecting the personnel of the department shall
12 be established by the commissioner in consultation with the
13 director of the department of administrative services, subject
14 to approval by the governor.

15 Sec. 21. Section 85.42, subsection 1, paragraph a, Code
16 2020, is amended to read as follows:

17 *a.* When it is shown that at the time of the injury the
18 surviving spouse had willfully deserted the deceased without
19 fault of the deceased, then ~~such~~ the survivor shall not be
20 considered as dependent in any degree.

21 Sec. 22. Section 96.19, subsection 25A, Code 2020, is
22 amended to read as follows:

23 25A. "*Indian tribe*" shall have the meaning given to
24 the term pursuant to section 4(e) of the federal Indian
25 Self-Determination and Education Assistance Act, Pub. L. No.
26 93-638, and shall include any subdivision, subsidiary, or
27 business enterprise wholly owned by such an Indian tribe.

28 Sec. 23. Section 124.409, Code 2020, is amended to read as
29 follows:

30 **124.409 Conditional discharge, commitment for treatment, and**
31 **probation.**

32 1. Whenever the court finds that a person who is charged
33 with a violation of [section 124.401](#) and who consents thereto,
34 or who has entered a plea of guilty to or been found guilty of a
35 violation of that section, is addicted to, dependent upon, or a

1 chronic abuser of any controlled substance and that such person
2 will be aided by proper medical treatment and rehabilitative
3 services, ~~it~~ the court may order that the person be committed
4 as an in-patient or out-patient to a facility licensed by the
5 Iowa department of public health for medical treatment and
6 rehabilitative services.

7 2. A person committed under [this section](#) who is not
8 possessed of sufficient income or estate to enable the person
9 to make payment of the costs of such treatment in whole or
10 in part shall be considered a state patient and the costs of
11 treatment shall be paid as provided in [section 125.44](#). The
12 determination of ability to pay shall be made by the court.
13 The court shall require the patient, or the patient's parent,
14 guardian, or custodian to complete under oath a detailed
15 financial statement. The court may enter appropriate orders
16 requiring the patient or those legally liable for the patient's
17 support to reimburse the state with the costs, or any part
18 thereof.

19 3. In order to obtain the most effective results from such
20 medical treatment and rehabilitative services, the court may
21 commit the person to the custody of a public or private agency
22 or any other responsible person and impose other conditions
23 upon the commitment as is necessary to insure compliance with
24 the court's order and to insure that the person will not,
25 during the period of treatment and rehabilitation, again
26 violate a provision of [this chapter](#).

27 4. If it is established thereafter to the satisfaction
28 of the court that the person has again violated a provision
29 of [this chapter](#), the person may be returned to custody or
30 sentenced upon conviction as provided by law.

31 5. The public or private agency or responsible person
32 to whom the accused person was committed by the court shall
33 immediately report to the court when the person has received
34 maximum benefit from the program or has recovered from
35 addiction, dependency, or tendency to chronically abuse any

1 controlled substance. The person shall then be returned to
2 the court for disposition of the case. If the person has been
3 charged or indicted, but not convicted, such charge shall
4 proceed to trial or final disposition. If the person has been
5 convicted or is thereafter convicted, the court shall sentence
6 the person as provided by law but may remit all or any part of
7 the sentence and place the person on probation upon terms and
8 conditions as the court may prescribe.

9 Sec. 24. Section 135B.5, subsection 2, Code 2020, is amended
10 to read as follows:

11 2. The provisions of this section shall not in any way
12 affect, change, deny, or nullify any rights set forth in, or
13 arising from the provisions of this chapter and particularly
14 section 135B.7, arising before or after December 31, 1960.

15 Sec. 25. Section 144F.1, subsection 1, Code 2020, is amended
16 to read as follows:

17 1. "*Aftercare assistance*" means any assistance provided by
18 a lay caregiver to a patient following discharge of the patient
19 that ~~are~~ involves tasks directly related to the patient's
20 condition at the time of discharge, ~~do~~ does not require a
21 licensed professional, and ~~are~~ is determined to be appropriate
22 by the patient's discharging physician or other licensed health
23 care professional.

24 Sec. 26. Section 217.6, subsection 3, Code 2020, is amended
25 to read as follows:

26 3. The director shall organize the department of human
27 services into divisions to carry out in an efficient manner
28 the intent of this chapter. The department of human services
29 may be initially divided into the following divisions of
30 responsibility: ~~the~~

31 a. The division of child and family services, ~~the.~~

32 b. The division of mental health and disability services, ~~the.~~
33 ~~the.~~

34 c. The division of administration, ~~and the.~~

35 d. The division of planning, research, and statistics.

1 Sec. 27. Section 217.43, subsection 1, Code 2020, is amended
2 to read as follows:

3 1. a. The department shall establish a service area
4 advisory board in each service area. Each of the county boards
5 of supervisors of the counties comprising the service area
6 shall appoint two service area advisory board members. ~~The All~~
7 of the following requirements apply to the appointments made by
8 a county board of supervisors: ~~the~~

9 (1) The membership shall be appointed in accordance with
10 section 69.16, relating to political affiliation, and section
11 69.16A, relating to gender balance; ~~not.~~

12 (2) Not more than one of the members shall be a member of
13 the board of supervisors; ~~and appointments.~~

14 (3) Appointments shall be made on the basis of interest in
15 maintaining and improving service delivery.

16 b. Appointments shall be made a part of the regular
17 proceedings of the board of supervisors and shall be filed with
18 the county auditor and the service area manager. A vacancy on
19 the board shall be filled in the same manner as the original
20 appointment.

21 c. The boards of supervisors shall develop and agree to
22 other organizational provisions involving the advisory board,
23 including reporting requirements.

24 Sec. 28. Section 218.2, subsection 2, Code 2020, is amended
25 to read as follows:

26 2. The administrator to whom primary responsibility ~~of~~ for a
27 particular institution has been assigned shall make reports to
28 the director of human services as are requested by the director
29 and the director shall report, in writing, to the governor any
30 abuses found to exist in any of the institutions.

31 Sec. 29. Section 232.2, subsection 46A, Code 2020, is
32 amended to read as follows:

33 46A. "Relative" for purposes of divisions subchapters III
34 and IV of this chapter includes the parent of a sibling.

35 Sec. 30. Section 232.11, subsection 6, Code 2020, is amended

1 to read as follows:

2 6. Nothing in [this section](#) shall be construed to prevent
3 the child or the child's parent, guardian or custodian from
4 retaining counsel to represent the child in proceedings under
5 this [division subchapter II of this chapter](#) in which the
6 alleged delinquent act constitutes a simple misdemeanor under
7 the Iowa Code.

8 Sec. 31. Section 232.37, subsections 3 and 6, Code 2020, are
9 amended to read as follows:

10 3. Upon request of the child who is identified in the
11 petition as a party to the proceeding, the child's parent,
12 guardian, or custodian, or a county attorney; or on the
13 court's own motion, the court or the clerk of the court shall
14 issue subpoenas requiring the attendance and testimony of
15 witnesses and production of papers at any hearing under this
16 [division subchapter](#).

17 6. The court may issue an order for the removal of the child
18 from the custody of the child's parent, guardian, or custodian
19 when there exists an immediate threat that the parent,
20 guardian, or custodian will flee the state with the child, or
21 when it appears that the child's immediate removal is necessary
22 to avoid imminent danger to the child's life or health.

23 Sec. 32. Section 232.48, subsection 4, Code 2020, is amended
24 to read as follows:

25 4. A predisposition report shall not be disclosed except
26 as provided in [this section](#) and in [division subchapter VIII of](#)
27 ~~this chapter~~. The court shall permit the child's attorney to
28 inspect the predisposition report prior to consideration by the
29 court. The court may order counsel not to disclose parts of
30 the report to the child, or to the child's parent, guardian,
31 guardian ad litem, or custodian if the court finds that
32 disclosure would seriously harm the treatment or rehabilitation
33 of the child. If the report indicates the child has behaved
34 in a manner that threatened the safety of another person,
35 has committed a violent act causing bodily injury to another

1 person, or has been a victim or perpetrator of sexual abuse,
2 unless otherwise ordered by the court, the child's parent,
3 guardian, or foster parent or other person with custody of the
4 child shall be provided with that information.

5 Sec. 33. Section 232.89, subsection 2, unnumbered paragraph
6 1, Code 2020, is amended to read as follows:

7 Upon the filing of a petition, the court shall appoint
8 counsel and a guardian ad litem for the child identified in the
9 petition as a party to the proceedings. If a guardian ad litem
10 has previously been appointed for the child in a proceeding
11 under ~~division subchapter II of this chapter~~ or a proceeding in
12 which the court has waived jurisdiction under ~~section 232.45~~,
13 the court shall appoint the same guardian ad litem upon the
14 filing of the petition under this part. Counsel shall be
15 appointed as follows:

16 Sec. 34. Section 232.103, subsection 2, unnumbered
17 paragraph 1, Code 2020, is amended to read as follows:

18 The following persons shall be authorized to file a motion
19 to terminate, modify, or vacate and substitute a dispositional
20 order:

21 Sec. 35. Section 232.109, Code 2020, is amended to read as
22 follows:

23 **232.109 Jurisdiction.**

24 The juvenile court shall have exclusive jurisdiction over
25 proceedings under ~~this chapter~~ to terminate a parent-child
26 relationship and all parental rights with respect to a
27 child. No such termination shall be ordered except under the
28 provisions of ~~this chapter~~ if the court has made an order
29 concerning the child pursuant to the provisions of ~~division~~
30 ~~subchapter III of this chapter~~ and the order is in force at the
31 time a petition for termination is filed.

32 Sec. 36. Section 232.147, subsection 10, Code 2020, is
33 amended to read as follows:

34 10. Subject to restrictions imposed by sections 232.48,
35 subsection 4, and ~~232.97, subsection 3~~, all juvenile court

1 records shall be made available for inspection and their
2 contents shall be disclosed to any party to the case and
3 the party's counsel and to any trial or appellate court in
4 connection with an appeal pursuant to ~~division~~ subchapter VI of
5 ~~this chapter~~.

6 Sec. 37. Section 256.11, subsection 5, paragraph k,
7 subparagraph (l), subparagraph division (e), Code 2020, is
8 amended to read as follows:

9 (e) Consumer awareness of the power of marketing on buying
10 decisions including zero percent interest offers; marketing
11 methods, including product positioning, advertising, brand
12 recognition, and personal selling; how to read a credit report
13 and correct inaccuracies; how to build a credit score; how to
14 develop a plan to deal with creditors and avoid bankruptcy; and
15 the federal Fair Debt Collection Practices Act, codified at 15
16 U.S.C. §1692 - 1692p.

17 Sec. 38. Section 257.39, Code 2020, is amended to read as
18 follows:

19 **257.39 Definitions — returning dropouts and potential**
20 **dropouts.**

21 As used in **this chapter**:

22 ~~1. "Returning dropouts" are resident pupils who have been~~
23 ~~enrolled in a public or nonpublic school in any of grades seven~~
24 ~~through twelve who withdrew from school for a reason other~~
25 ~~than transfer to another school or school district and who~~
26 ~~subsequently enrolled in a public school in the district.~~

27 ~~2. 1.~~ **1.** "Potential dropouts" are resident pupils who are
28 enrolled in a public or nonpublic school who demonstrate poor
29 school adjustment as indicated by two or more of the following:
30 a. High rate of absenteeism, truancy, or frequent tardiness.
31 b. Limited or no extracurricular participation or lack
32 of identification with school, including but not limited to
33 expressed feelings of not belonging.
34 c. Poor grades, including but not limited to failing in one
35 or more school subjects or grade levels.

1 d. Low achievement scores in reading or mathematics which
2 reflect achievement at two years or more below grade level.

3 e. Children in grades kindergarten through three who meet
4 the definition of at-risk children adopted by the department
5 of education.

6 2. "Returning dropouts" are resident pupils who have been
7 enrolled in a public or nonpublic school in any of grades seven
8 through twelve who withdrew from school for a reason other
9 than transfer to another school or school district and who
10 subsequently enrolled in a public school in the district.

11 Sec. 39. Section 261E.8, subsection 2, paragraph b,
12 subparagraph (2), subparagraph divisions (a) and (b), Code
13 2020, are amended to read as follows:

14 (a) Subject to an appropriation of funds by the general
15 assembly for this purpose, a student enrolled in a unit of
16 coursework provided under this subparagraph shall be counted
17 as if the student was assigned a weighting under section
18 257.11, subsection 3, paragraph "b", in determining the amount
19 calculated and paid to a community college under subparagraph
20 (4), if the accredited nonpublic school is accredited under the
21 standards required of a school district pursuant to section
22 256.11, the number of students enrolled in a class used to meet
23 the unit requirement exceeds five, and the accredited nonpublic
24 school's total enrollment in grades nine through twelve does
25 not exceed two hundred pupils.

26 (b) A student enrolled in a unit of coursework provided
27 under this subparagraph is not eligible to be counted as if
28 the student was assigned a weighting under section 257.11,
29 subsection 3, paragraph "b", in determining the amount
30 calculated and paid to a community college under subparagraph
31 (4), if the accredited nonpublic school's total enrollment in
32 grades nine through twelve exceeds two hundred pupils.

33 Sec. 40. Section 272.15, subsection 1, paragraph a,
34 subparagraph (2), Code 2020, is amended to read as follows:

35 (2) The board of directors of a school district or area

1 education agency, the superintendent of a school district,
2 the chief administrator of an area education agency, and
3 the authorities in charge of an accredited nonpublic school
4 shall report to the board the nonrenewal or termination, for
5 reasons of alleged or actual misconduct, of a person's contract
6 executed under sections 279.12, 279.13, 279.15, 279.16, 279.18
7 through 279.21, 279.23, and 279.24, and the resignation of
8 a person who holds a license, certificate, or authorization
9 issued by the board as a result of or following an incident
10 or allegation of misconduct that, if proven, would constitute
11 a violation of the rules adopted by the board to implement
12 section 272.2, subsection 14, paragraph "b", subparagraph
13 (1); soliciting, encouraging, or consummating a romantic
14 or otherwise inappropriate relationship with a student;
15 falsifying student grades, test scores, or other official
16 information or material; or converting public property or
17 funds to the personal use of the school employee, when the
18 board or reporting official has a good faith belief that the
19 incident occurred or the allegation is true. The board may
20 deny a license or revoke the license of an administrator if
21 the board finds by a preponderance of the evidence that the
22 administrator failed to report the termination or resignation
23 of a school employee holding a license, certificate, statement
24 of professional recognition, or coaching authorization, for
25 reasons of alleged or actual misconduct, as defined by this
26 section.

27 Sec. 41. Section 279.11, subsection 2, paragraph a, Code
28 2020, is amended to read as follows:

29 a. A parent or guardian of siblings may request of a school
30 principal that the ~~children~~ siblings be placed in the same
31 classroom or in separate classrooms if the ~~children~~ siblings
32 are in the same grade level academically for kindergarten
33 through grade five. The school principal in consultation with
34 the siblings' classroom teachers for the prior school year,
35 may recommend classroom placement to the parent or guardian.

1 The school principal shall provide the placement requested by
2 the parent or guardian, unless the school principal makes a
3 classroom placement determination as provided under paragraph
4 "b" or if the placement would require the school district to add
5 an additional class at the siblings' grade level. A request
6 made by a parent or guardian under this paragraph must be
7 submitted to the school principal at the time of registration
8 for classes or, if the ~~children~~ siblings are enrolled in
9 the school district after the school year commences, within
10 fourteen days after the ~~children's~~ siblings' first day of
11 attendance during the school year.

12 Sec. 42. Section 307.13, Code 2020, is amended to read as
13 follows:

14 **307.13 Reassignment of personnel.**

15 The director may reassign personnel within the department
16 among the various divisions of the department in order to
17 properly coordinate the work of the divisions and perform the
18 duties and responsibilities of the department efficiently
19 and economically. However, any employee so transferred or
20 transferred from one employment system to another, either
21 administratively or legislatively, shall not be considered to
22 be a probationary employee simply because of this action.

23 ~~However, any employee so transferred or transferred from~~
24 ~~one employment system to another either administratively or~~
25 ~~legislatively, shall not be considered to be a probationary~~
26 ~~employee simply because of this action.~~

27 Sec. 43. Section 321.208, subsection 1, paragraph c, Code
28 2020, is amended to read as follows:

29 c. Operating a commercial motor vehicle involved in a fatal
30 accident and being convicted of manslaughter under section
31 707.4 or 707.5 or vehicular homicide under section 707.6A.

32 Sec. 44. Section 322G.12, Code 2020, is amended to read as
33 follows:

34 **322G.12 Resale of returned vehicles.**

35 1. A manufacturer who accepts the return of a motor

1 vehicle pursuant to a settlement, determination, or decision
2 under [this chapter](#) shall notify the state department of
3 transportation, report the vehicle identification number of
4 that motor vehicle within ten days after the acceptance, and
5 obtain a new certificate of title for the vehicle in the
6 manufacturer's name pursuant to [section 321.46](#). In obtaining
7 a new certificate of title, the manufacturer shall title
8 the vehicle in the county of the transferor's residence and
9 shall be exempt from the registration fee requirements of
10 section 321.46 and the fee for new registration under section
11 321.105A. The new certificate of title, and all subsequent
12 registration receipts and certificates of title issued for the
13 motor vehicle, shall contain a designation indicating that
14 the motor vehicle was returned to the manufacturer pursuant
15 to [this chapter](#) or a similar law of another state. The state
16 department of transportation shall determine the manner in
17 which the designation is to be indicated on registration
18 receipts and certificates of title and may determine that a
19 "REBUILT" or "SALVAGE" designation supersedes the designation
20 required by this ~~paragraph~~ subsection and include the "REBUILT"
21 or "SALVAGE" designation on the registration receipt and
22 certificate of title in lieu of the designation required by
23 this ~~paragraph~~ subsection.

24 2. A person shall not knowingly lease, sell, either at
25 wholesale or retail, or transfer a title to a motor vehicle
26 returned by reason of a settlement, determination, or
27 decision pursuant to [this chapter](#) or a similar law of another
28 state unless the nature of the nonconformity is clearly and
29 conspicuously disclosed to the prospective transferee, lessee,
30 or buyer. The attorney general shall prescribe by rule the
31 form, content, and procedure pertaining to such a disclosure
32 statement, recognizing the need of manufacturers to implement
33 a uniform disclosure form. The manufacturer shall make a
34 reasonable effort to ensure that such disclosure is made to
35 the first subsequent retail buyer or lessee. For purposes of

1 this section, "settlement" includes an agreement entered into
2 between the manufacturer and the consumer that occurs after
3 the thirtieth day following the manufacturer's receipt of the
4 consumer's written notification pursuant to [section 322G.4](#).

5 Sec. 45. Section 330.13, Code 2020, is amended to read as
6 follows:

7 **330.13 Federal aid.**

8 1. Any subdivision of government is authorized to accept,
9 receive, and receipt for federal moneys, and other moneys,
10 either public or private, for the acquisition, construction,
11 enlargement, improvement, maintenance, equipment, or operation
12 of airports, and other air navigation facilities, and sites
13 for airports and other navigation facilities, and to comply
14 with the laws of the United States and any regulations for
15 the expenditure of federal moneys upon airports and other air
16 navigation facilities.

17 2. All preapplications for funds authorized to be received
18 pursuant to [this section](#) by any governmental subdivision,
19 commission, or authority, whether acting alone or jointly with
20 another governmental or private entity, shall be approved by
21 the state transportation commission prior to being submitted
22 to any federal agency or department. Approval shall be
23 based on criteria consistent with the Iowa aviation system
24 plan. However, this ~~paragraph~~ subsection does not apply to
25 preapplications from airports which receive federal primary
26 commercial service entitlement funds if the airport making the
27 preapplication files a copy of the preapplication with the
28 state department of transportation.

29 Sec. 46. Section 335.30, Code 2020, is amended to read as
30 follows:

31 **335.30 Manufactured and modular homes.**

32 1. A county shall not adopt or enforce zoning regulations or
33 other ordinances which disallow the plans and specifications of
34 a proposed residential structure solely because the proposed
35 structure is a manufactured home. However, a zoning ordinance

1 or regulation shall require that a manufactured home be located
2 and installed according to the same standards, including but
3 not limited to, a permanent foundation system, set-back, and
4 minimum square footage which would apply to a site-built,
5 single family dwelling on the same lot, and shall require
6 that the home is assessed and taxed as a site-built dwelling.
7 A zoning ordinance or other regulation shall not require a
8 perimeter foundation system for a manufactured home which is
9 incompatible with the structural design of the manufactured
10 home structure. A county shall not require more than one
11 permanent foundation system for a manufactured home. For
12 purposes of [this section](#), a permanent foundation may be a
13 pier footing foundation system designed and constructed to be
14 compatible with the structure and the conditions of the site.
15 When units are located outside a manufactured home community
16 or mobile home park, requirements may be imposed which ensure
17 visual compatibility of the permanent foundation system with
18 surrounding residential structures. As used in [this section](#),
19 "manufactured home" means a factory-built structure, which is
20 manufactured or constructed under the authority of 42 U.S.C.
21 §5403 and is to be used as a place for human habitation, but
22 which is not constructed or equipped with a permanent hitch
23 or other device allowing it to be moved other than for the
24 purpose of moving to a permanent site, and which does not have
25 permanently attached to its body or frame any wheels or axles.
26 This section shall not be construed as abrogating a recorded
27 restrictive covenant.

28 2. A county shall not adopt or enforce construction,
29 building, or design ordinances, regulations, requirements,
30 or restrictions which would mandate width standards greater
31 than twenty-four feet, roof pitch, or other design standards
32 for manufactured housing if the housing otherwise complies
33 with 42 U.S.C. §5403. A county shall not adopt or enforce
34 zoning or subdivision regulations or other ordinances which
35 mandate width standards for a single modular or manufactured

1 home which is sited upon land otherwise zoned as agricultural
2 land. However, this ~~paragraph~~ subsection shall not prohibit a
3 county from adopting and enforcing zoning regulations related
4 to transportation, water, sewerage, or other land development.

5 Sec. 47. Section 352.4, subsection 1, paragraphs b, c, and
6 d, Code 2020, are amended to read as follows:

7 b. The lands used for public facilities, which may include
8 parks, recreation areas, schools, government buildings, and
9 historical sites.

10 c. The lands used for private open spaces, which may include
11 woodlands, wetlands, and water bodies.

12 d. The land used for each of the following uses:
13 commercial, industrial including mineral extraction,
14 residential, and transportation.

15 Sec. 48. Section 352.4, subsection 3, Code 2020, is amended
16 to read as follows:

17 3. The information required by subsection 1 shall be
18 provided both in narrative and map form. The county commission
19 shall provide a cartographic display which contrasts the
20 county's present land use with the land use in the county in
21 1960 based on the best available information. The display
22 need only show the areas in agriculture, private open spaces,
23 public facilities, commercial, industrial, residential, and
24 transportation uses.

25 Sec. 49. Section 357.17, Code 2020, is amended to read as
26 follows:

27 **357.17 Bond of contractor.**

28 1. The successful bidder, when awarded a contract, shall
29 be required to give an approved surety bond for one hundred
30 percent of the contract price, guaranteeing completion of the
31 work in accordance with the plans and specifications, and for
32 maintenance, including backfilling, for one year after the
33 final acceptance of the work.

34 2. If the contractor ~~shall fail~~ fails to complete the work
35 as provided in the contract, ~~or shall abandon~~ abandons the

1 ~~same work~~, or ~~fail~~ fails to proceed in a reasonable manner
2 toward its final completion, the board may proceed against
3 the contractor and surety as provided in sections 468.104 and
4 468.105.

5 Sec. 50. Section 359.14, Code 2020, is amended to read as
6 follows:

7 **359.14 Changing name — petition — notice.**

8 1. Eligible electors of a township wishing to change its
9 name may petition the board of supervisors ~~and, if,~~

10 2. If it appears to the board that a majority of the
11 eligible electors of the township are in favor of the change,
12 the board shall cause notices, attested by the auditor, to be
13 posted in three of the most public places of the township, for
14 at least thirty days before the next regular session of the
15 board.

16 3. The notice shall state ~~that~~ all of the following:

17 a. That a petition has been presented to the board by the
18 eligible electors of the township, seeking a change of the name
19 of the township ~~and shall state the.~~

20 b. The name sought in the petition, ~~and that,~~

21 c. That, unless those interested in the change of name
22 appear at the next regular session of the board and show cause
23 why the name shall not be changed, there will be an order made
24 granting the change.

25 Sec. 51. Section 411.23, subsection 3, paragraph b, Code
26 2020, is amended to read as follows:

27 b. In the event a refund is made in accordance with this
28 subsection without the member's consent, the system shall
29 pay the distribution in a direct rollover to an individual
30 retirement plan designated by the system unless the member
31 elects to have such distribution paid directly to an eligible
32 retirement plan specified by the member in a direct rollover
33 in accordance with section 411.6B or elects to receive the
34 distribution directly. The system may, by rule, implement
35 a ~~de-minimus~~ de minimis exception to the automatic rollover

1 provision of [this subsection](#), subject to the limitations of
2 the Internal Revenue Code and any applicable internal revenue
3 service regulations.

4 Sec. 52. Section 425.8, subsection 1, Code 2020, is amended
5 to read as follows:

6 1. The director of revenue shall prescribe the form
7 for the making of a verified statement and designation of
8 homestead, the form for the supporting affidavits required
9 herein, and such other forms as may be necessary for the proper
10 administration of [this chapter](#). Whenever necessary, the
11 department of revenue shall forward to the county auditors of
12 the several counties in the state the prescribed sample forms,
13 and the county auditors shall furnish blank forms prepared in
14 accordance therewith with the assessment rolls, books, and
15 supplies delivered to the assessors. The department of revenue
16 shall prescribe and the county auditors shall provide on the
17 forms for claiming the homestead credit a statement to the
18 effect that the owner realizes that the owner must give written
19 notice to the assessor when the owner changes the use of the
20 property.

21 Sec. 53. Section 456A.28, Code 2020, is amended to read as
22 follows:

23 **456A.28 Fish restoration projects.**

24 The state of Iowa assents to the provisions of the Act of
25 Congress entitled "An Act To Provide That The United States
26 Shall Aid The States In Fish Restoration Projects, And For
27 Other Purposes", approved August 9, 1950, ~~Ch.~~ Chapter 658,
28 64 Stat. 430, codified at 16 U.S.C. §777 - 777n, and the
29 department may perform acts as necessary to the conduct and
30 establishment of cooperative fish restoration projects, as
31 defined in the Act of Congress, in compliance with the Act and
32 with regulations promulgated by the secretary of the interior
33 under the Act. No funds accruing to the state of Iowa from
34 fishing license fees shall be diverted for any other purposes
35 than as set out in [sections 456A.17](#) and [456A.19](#).

1 Sec. 54. Section 461A.1, subsection 1, Code 2020, is amended
2 to read as follows:

3 1. "*Commission*" means the natural resource commission
4 created under section 455A.5.

5 Sec. 55. Section 462A.5, subsection 4, paragraph b, Code
6 2020, is amended to read as follows:

7 b. If the name of a person, who has registered a vessel, is
8 changed, the person shall, within ten days, notify any county
9 recorder of the former and new name.

10 Sec. 56. Section 462A.12, subsection 4, Code 2020, is
11 amended to read as follows:

12 4. No person shall operate on the waters of this state under
13 the jurisdiction of the ~~conservation~~ commission any vessel
14 displaying or reflecting a blue light or flashing blue light
15 unless such vessel is an authorized emergency vessel.

16 Sec. 57. Section 515G.3, subsection 1, paragraph c, Code
17 2020, is amended to read as follows:

18 c. The manner and basis of exchanging the rights of each
19 voting policyholder and each eligible policyholder of the
20 mutual insurer to be converted to a stock company pursuant
21 to [this chapter](#). Such exchange may include a base value
22 for each voting policyholder in recognition of the voting
23 policyholder's voting rights as a mutual policyholder as well
24 as consideration to be provided to each eligible policyholder
25 in exchange for the eligible policyholder's rights as a mutual
26 policyholder of the mutual insurer to be converted. After
27 determining the base value to be provided to each voting
28 policyholder in recognition of the voting rights of the voting
29 policyholder, the equitable share of each eligible policyholder
30 in the remaining statutory surplus of the mutual insurer,
31 plus any adjustments for nonadmitted assets or additional
32 value permitted by the commissioner, to be provided to each
33 eligible policyholder shall be determined by the ratio which
34 the net earned premiums the eligible policyholder has properly
35 and timely paid to the mutual insurer on insurance policies

1 in effect during the three-year period immediately preceding
2 the adoption of the plan of conversion, including the date of
3 the adoption of the plan of conversion, bears to the total
4 net earned premiums received by the mutual insurer from all
5 eligible policyholders during that three-year period. The base
6 value to be provided to each voting policyholder in recognition
7 of voting rights and the equitable share of each eligible
8 policyholder may be exchanged, without additional payment,
9 for securities or other consideration, or both, of the stock
10 corporation or an affiliate into which the mutual insurer is to
11 be converted. If the base value for each voting policyholder
12 or the equitable share of each eligible policyholder entitles
13 the policyholder to the purchase of a fractional share of
14 stock, the policyholder has the option to receive the value of
15 the fractional share in cash or purchase a full share by paying
16 the balance in cash. However, policyholders due a ~~de minimus~~
17 de minimis amount, as established by the commissioner, need
18 not be offered the value of the fractional share or the option
19 to purchase a full share. The plan shall also provide for the
20 disposition of any unclaimed shares.

21 Sec. 58. Section 515I.4A, subsection 7, Code 2020, is
22 amended to read as follows:

23 7. A policy or contract issued by a domestic surplus lines
24 insurer in this state is exempt from all requirements imposed
25 in this state relating to insurance rating plans, policy or
26 contract forms, policy or contract cancellation and nonrenewal,
27 or premiums charged to the insured, in the same manner and to
28 the same extent as a policy or contract issued by a nonadmitted
29 insurer domiciled in another state.

30 Sec. 59. Section 521I.11, subsection 3, Code 2020, is
31 amended to read as follows:

32 3. The allocation to a resulting insurer of capital,
33 surplus, or other asset that is collateral covered by an
34 effective financing statement shall not be effective until a
35 new effective financing statement naming the resulting insurer

1 as a debtor is effective under the uniform commercial code,
2 chapter 554.

3 Sec. 60. Section 523C.9, subsection 3, Code 2020, is amended
4 to read as follows:

5 3. The service company has without just cause refused to
6 perform or negligently or incompetently performed services
7 required to be performed under its service contracts and
8 the refusal, or negligent or incompetent performance has
9 occurred with such frequency, as determined by the commissioner
10 ~~determines~~, as to indicate the general business practices of
11 the service company.

12 Sec. 61. Section 554.2402, subsection 3, paragraph b, Code
13 2020, is amended to read as follows:

14 b. where identification to the contract or delivery is
15 made not in current course of trade but in satisfaction of or
16 as security for a ~~pre-existing~~ preexisting claim for money,
17 security or the like and is made under circumstances which
18 under any rule of law of the state where the goods are situated
19 would apart from this Article constitute the transaction a
20 fraudulent transfer or voidable preference.

21 Sec. 62. Section 573.14, Code 2020, is amended to read as
22 follows:

23 **573.14 Retention of unpaid funds.**

24 1. The fund provided for in section 573.13 shall be retained
25 by the public corporation for a period of thirty days after the
26 completion and final acceptance of the improvement. If at the
27 end of the thirty-day period claims are on file as provided the
28 public corporation shall continue to retain from the unpaid
29 funds a sum equal to double the total amount of all claims
30 on file. The remaining balance of the unpaid fund, or if no
31 claims are on file, the entire unpaid fund, shall be released
32 and paid to the contractor.

33 2. The public corporation shall order payment of any
34 amount due the contractor to be made in accordance with the
35 terms of the contract. Except as provided in section 573.12

1 for progress payments, failure to make payment pursuant to
2 this section, of any amount due the contractor, within forty
3 days, unless a greater time period not to exceed fifty days
4 is specified in the contract documents, after the work under
5 the contract has been completed and if the work has been
6 accepted and all required materials, certifications, and other
7 documentations required to be submitted by the contractor and
8 specified by the contract have been furnished the awarding
9 public corporation by the contractor, shall cause interest
10 to accrue on the amount unpaid to the benefit of the unpaid
11 party. Interest shall accrue during the period commencing
12 the thirty-first day following the completion of work and
13 satisfaction of the other requirements of this ~~paragraph~~
14 subsection and ending on the date of payment. The rate of
15 interest shall be determined by the period of time during
16 which interest accrues, and shall be the same as the rate of
17 interest that is in effect under [section 12C.6](#), as of the
18 day interest begins to accrue, for a deposit of public funds
19 for a comparable period of time. However, for institutions
20 governed pursuant to [chapter 262](#), the rate of interest shall
21 be determined by the period of time during which interest
22 accrues, and shall be calculated as the prime rate plus one
23 percent per year as of the day interest begins to accrue. This
24 ~~paragraph~~ subsection does not abridge any of the rights set
25 forth in [section 573.16](#). Except as provided in [sections 573.12](#)
26 and [573.16](#), interest shall not accrue on funds retained by the
27 public corporation to satisfy the provisions of [this section](#)
28 regarding claims on file. [This chapter](#) does not apply if the
29 public corporation has entered into a contract with the federal
30 government or accepted a federal grant which is governed by
31 federal law or rules that are contrary to the provisions of
32 this chapter. For purposes of this ~~unnumbered paragraph~~
33 subsection, "prime rate" means the prime rate charged by banks
34 on short-term business loans, as determined by the board of
35 governors of the federal reserve system and published in the

1 federal reserve bulletin.

2 Sec. 63. Section 602.10134, Code 2020, is amended to read
3 as follows:

4 **602.10134 Plea of guilty or failure to plead.**

5 If the accused ~~plead~~ pleads guilty, or ~~fail~~ fails to answer,
6 the court shall proceed to render such judgment as the case
7 requires.

8 Sec. 64. Section 624.1, Code 2020, is amended to read as
9 follows:

10 **624.1 Evidence in ordinary actions.**

11 1. All issues of fact in ordinary actions shall be tried
12 upon oral evidence taken in open court, except that depositions
13 may be used as provided by law.

14 2. A party may interrogate any unwilling or hostile witness
15 by leading questions.

16 3. A party may call an adverse party or an officer,
17 director, or managing agent of a public or private corporation
18 or of a partnership or association which is an adverse party,
19 and interrogate the party or person by leading questions and
20 contradict and impeach the party or person in all respects
21 as if the party or person had been called by the adverse
22 party, and the witness thus called may be contradicted and
23 impeached by or on behalf of the adverse party also, and may
24 be cross-examined by the adverse party only upon the subject
25 matter of the examination in chief.

26 Sec. 65. Section 633.402, Code 2020, is amended to read as
27 follows:

28 **633.402 Sale defined.**

29 For purposes of this part ~~6 of this subchapter~~, sale of
30 property includes but is not limited to the granting of an
31 easement, the granting of an option, the granting of a right of
32 refusal and the granting or conveyance of any other interest,
33 title, or right regarding property.

34 Sec. 66. Section 633.551, subsection 6, Code 2020, is
35 amended to read as follows:

1 6. Except as otherwise provided in this subchapter, the Iowa
2 rules of civil procedure shall govern proceedings to establish,
3 modify, or terminate a guardianship or conservatorship.

4 Sec. 67. Section 633.558, subsection 3, Code 2020, is
5 amended to read as follows:

6 3. Notice of the filing of a petition given to persons under
7 subsections subsection 2 and 3 shall include a statement that
8 such persons may register to receive notice of the hearing
9 on the petition and other proceedings and the manner of such
10 registration.

11 Sec. 68. Section 633.563, subsection 1, unnumbered
12 paragraph 1, Code 2020, is amended to read as follows:

13 At or before a hearing on a petition for the appointment of
14 a guardian or conservator or the modification or termination
15 of a guardianship or conservatorship, the court shall order a
16 professional evaluation of the respondent unless one of the
17 following criteria are met:

18 Sec. 69. Section 633.634, Code 2020, is amended to read as
19 follows:

20 **633.634 Combination of petitions.**

21 If, prior to the time of hearing on a petition for the
22 appointment of a guardian or a conservator, a petition is
23 filed under the provisions of section 633.556, 633.557, or
24 633.591, the court shall combine the ~~hearing~~ hearings on ~~such~~
25 the petitions and determine who shall be appointed guardian or
26 ~~conservator, and such petition.~~ The petitions shall be triable
27 to the court.

28 Sec. 70. Section 712.2, Code 2020, is amended to read as
29 follows:

30 **712.2 Arson in the first degree.**

31 1. Arson is arson in the first degree when the presence
32 of one or more persons can be reasonably anticipated in or
33 near the property which is the subject of the arson, or the
34 arson results in the death of a fire fighter, whether paid or
35 volunteer.

1 2. Arson in the first degree is a class "B" felony.

2 Sec. 71. Section 712.3, Code 2020, is amended to read as
3 follows:

4 **712.3 Arson in the second degree.**

5 1. Arson which is not arson in the first degree is arson
6 in the second degree when the property which is the subject of
7 the arson is a building or a structure, or real property of any
8 kind, or standing crops, or is personal property the value of
9 which exceeds seven hundred fifty dollars.

10 2. Arson in the second degree is a class "C" felony.

11 Sec. 72. Section 712.4, Code 2020, is amended to read as
12 follows:

13 **712.4 Arson in the third degree.**

14 1. Arson which is not arson in the first degree or arson in
15 the second degree is arson in the third degree.

16 2. Arson in the third degree is an aggravated misdemeanor.

17 Sec. 73. 2019 Iowa Acts, chapter 135, section 14, is amended
18 by striking the section and inserting in lieu thereof the
19 following:

20 SEC. 14. [Section 261.86, subsection 1](#), unnumbered paragraph
21 1, Code 2019, is amended to read as follows:

22 A national guard ~~educational assistance~~ service scholarship
23 program is established to be administered by the college
24 student aid commission for members of the Iowa national guard
25 who are enrolled as undergraduate students in a community
26 college, an institution of higher learning under the state
27 board of regents, or an accredited private institution. The
28 college student aid commission shall adopt rules pursuant
29 to [chapter 17A](#) to administer [this section](#). An individual
30 is eligible for the national guard ~~educational assistance~~
31 service scholarship program if the individual meets all of the
32 following conditions:

33 Sec. 74. EFFECTIVE DATE. The following, being deemed of
34 immediate importance, takes effect upon enactment:

35 The section of this Act amending 2019 Iowa Acts, chapter 135,

1 section 14.

2 Sec. 75. RETROACTIVE APPLICABILITY. The following applies
3 retroactively to July 1, 2019:

4 The section of this Act amending 2019 Iowa Acts, chapter 135,
5 section 14.

6 DIVISION II

7 CORRESPONDING CHANGES

8 Sec. 76. Section 85.28, Code 2020, is amended to read as
9 follows:

10 **85.28 Burial expense.**

11 When death ensues from the injury, the employer shall pay the
12 reasonable expenses of burial of such employee, not to exceed
13 twelve times the statewide average weekly wage paid employees
14 as determined by the department of workforce development under
15 section ~~96.19~~ 96.1A, subsection 36, and in effect at the time
16 of death, which shall be in addition to other compensation or
17 any other benefit provided for in [this chapter](#).

18 Sec. 77. Section 85.31, subsection 1, paragraph b, Code
19 2020, is amended to read as follows:

20 *b.* The weekly benefit amount shall not exceed a weekly
21 benefit amount, rounded to the nearest dollar, equal to
22 two hundred percent of the statewide average weekly wage
23 paid employees as determined by the department of workforce
24 development under [section ~~96.19~~ 96.1A, subsection 36](#), and in
25 effect at the time of the injury. The minimum weekly benefit
26 amount shall be equal to the weekly benefit amount of a person
27 whose gross weekly earnings are thirty-five percent of the
28 statewide average weekly wage. Such compensation shall be in
29 addition to the benefits provided by [sections 85.27 and 85.28](#).

30 Sec. 78. Section 85.34, subsection 2, unnumbered paragraph
31 1, Code 2020, is amended to read as follows:

32 Compensation for permanent partial disability shall begin
33 when it is medically indicated that maximum medical improvement
34 from the injury has been reached and that the extent of loss or
35 percentage of permanent impairment can be determined by use of

1 the guides to the evaluation of permanent impairment, published
2 by the American medical association, as adopted by the workers'
3 compensation commissioner by rule pursuant to [chapter 17A](#). The
4 compensation shall be in addition to the benefits provided by
5 sections 85.27 and [85.28](#). The compensation shall be based
6 upon the extent of the disability and upon the basis of eighty
7 percent per week of the employee's average spendable weekly
8 earnings, but not more than a weekly benefit amount, rounded to
9 the nearest dollar, equal to one hundred eighty-four percent of
10 the statewide average weekly wage paid employees as determined
11 by the department of workforce development under section ~~96.19~~
12 [96.1A](#), subsection 36, and in effect at the time of the injury.
13 The minimum weekly benefit amount shall be equal to the weekly
14 benefit amount of a person whose gross weekly earnings are
15 thirty-five percent of the statewide average weekly wage. For
16 all cases of permanent partial disability compensation shall
17 be paid as follows:

18 Sec. 79. Section 85.34, subsection 3, paragraph a, Code
19 2020, is amended to read as follows:

20 a. Compensation for an injury causing permanent total
21 disability shall be upon the basis of eighty percent per week
22 of the employee's average spendable weekly earnings, but not
23 more than a weekly benefit amount, rounded to the nearest
24 dollar, equal to two hundred percent of the statewide average
25 weekly wage paid employees as determined by the department of
26 workforce development under ~~section 96.19~~ [96.1A](#), subsection 36,
27 and in effect at the time of the injury. The minimum weekly
28 benefit amount is equal to the weekly benefit amount of a
29 person whose gross weekly earnings are thirty-five percent of
30 the statewide average weekly wage. The weekly compensation is
31 payable until the employee is no longer permanently and totally
32 disabled.

33 Sec. 80. Section 85.37, subsection 1, Code 2020, is amended
34 to read as follows:

35 1. If an employee receives a personal injury causing

1 temporary total disability, or causing a permanent partial
2 disability for which compensation is payable during a healing
3 period, compensation for the temporary total disability or for
4 the healing period shall be upon the basis provided in this
5 section. The weekly benefit amount payable to any employee
6 for any one week shall be upon the basis of eighty percent of
7 the employee's weekly spendable earnings, but shall not exceed
8 an amount, rounded to the nearest dollar, equal to sixty-six
9 and two-thirds percent of the statewide average weekly wage
10 paid employees as determined by the department of workforce
11 development under ~~section 96.19~~ 96.1A, subsection 36, and in
12 effect at the time of the injury. However, as of July 1,
13 1981, the maximum weekly benefit amount rounded to the nearest
14 dollar shall be increased so that it equals two hundred percent
15 of the statewide average weekly wage as determined in this
16 section. Total weekly compensation for any employee shall
17 not exceed eighty percent per week of the employee's weekly
18 spendable earnings. The minimum weekly benefit amount shall
19 be equal to the weekly benefit amount of a person whose gross
20 weekly earnings are thirty-five percent of the statewide
21 average weekly wage, or to the spendable weekly earnings of the
22 employee, whichever are less.

23 Sec. 81. Section 85.59, subsection 3, paragraph d, Code
24 2020, is amended to read as follows:

25 *d.* If death results from the injury, death benefits shall
26 be awarded and paid to the dependents of the inmate as in
27 other workers' compensation cases except that the weekly rate
28 shall be equal to sixty-six and two-thirds percent of the
29 state average weekly wage paid employees as determined by the
30 department of workforce development under ~~section 96.19~~ 96.1A,
31 subsection 36, and in effect at the time of the injury.

32 Sec. 82. Section 93.1, subsections 1 and 2, Code 2020, are
33 amended to read as follows:

34 1. "*Governmental entity*" means the same as defined in
35 section ~~96.19~~ 96.1A.

1 2. "*Indian tribe*" means the same as defined in section ~~96.19~~
2 96.1A.

3 Sec. 83. Section 96.3, subsections 1 and 3, Code 2020, are
4 amended to read as follows:

5 1. *Payment*. Twenty-four months after the date when
6 contributions first accrue under *this chapter*, benefits shall
7 become payable from the fund; provided, that wages earned
8 for services defined in section ~~96.19~~ 96.1A, subsection
9 18, paragraph "*g*", subparagraph (3), irrespective of when
10 performed, shall not be included for purposes of determining
11 eligibility, under *section 96.4* or full-time weekly wages,
12 under *subsection 4 of this section*, for the purposes of
13 any benefit year, nor shall any benefits with respect to
14 unemployment be payable under *subsection 5 of this section* on
15 the basis of such wages. All benefits shall be paid through
16 employment offices in accordance with such regulations as the
17 department of workforce development may prescribe.

18 3. *Partial unemployment*. An individual who is partially
19 unemployed in any week as defined in section ~~96.19~~ 96.1A,
20 subsection 38, paragraph "*b*", and who meets the conditions of
21 eligibility for benefits shall be paid with respect to that
22 week an amount equal to the individual's weekly benefit amount
23 less that part of wages payable to the individual with respect
24 to that week in excess of one-fourth of the individual's weekly
25 benefit amount. The benefits shall be rounded to the lower
26 multiple of one dollar.

27 Sec. 84. Section 96.4, subsections 1 and 3, Code 2020, are
28 amended to read as follows:

29 1. The individual has registered for work at and thereafter
30 has continued to report at an employment office in accordance
31 with such regulations as the department may prescribe. The
32 provisions of *this subsection* shall be waived if the individual
33 is deemed temporarily unemployed as defined in section ~~96.19~~
34 96.1A, subsection 38, paragraph "*c*".

35 3. The individual is able to work, is available for work,

1 and is earnestly and actively seeking work. This subsection is
2 waived if the individual is deemed partially unemployed, while
3 employed at the individual's regular job, as defined in section
4 ~~96.19~~ 96.1A, subsection 38, paragraph "b", subparagraph (1), or
5 temporarily unemployed as defined in section 96.19, subsection
6 38, paragraph "c". The work search requirements of this
7 subsection and the disqualification requirement for failure
8 to apply for, or to accept suitable work of section 96.5,
9 subsection 3, are waived if the individual is not disqualified
10 for benefits under section 96.5, subsection 1, paragraph "h".

11 Sec. 85. Section 96.4, subsection 4, paragraph b,
12 unnumbered paragraph 1, Code 2020, is amended to read as
13 follows:

14 For an individual who does not have sufficient wages
15 in the base period, as defined in section ~~96.19~~ 96.1A, to
16 otherwise qualify for benefits pursuant to this subsection,
17 the individual's base period shall be the last four completed
18 calendar quarters immediately preceding the first day of
19 the individual's benefit year if such period qualifies the
20 individual for benefits under this subsection.

21 Sec. 86. Section 96.4, subsection 5, unnumbered paragraph
22 1, Code 2020, is amended to read as follows:

23 Benefits based on service in employment in a nonprofit
24 organization or government entity, defined in section ~~96.19~~
25 96.1A, subsection 18, are payable in the same amount, on the
26 same terms and subject to the same conditions as compensation
27 payable on the same basis of other service subject to this
28 chapter, except that:

29 Sec. 87. Section 96.5, subsection 7, paragraphs a, b, and d,
30 Code 2020, are amended to read as follows:

31 a. When an employer makes a payment or becomes obligated
32 to make a payment to an individual for vacation pay, or for
33 vacation pay allowance, or as pay in lieu of vacation, such
34 payment or amount shall be deemed "wages" as defined in section
35 ~~96.19~~ 96.1A, subsection 41, and shall be applied as provided

1 in paragraph "c" hereof.

2 *b.* When, in connection with a separation or layoff of
3 an individual, the individual's employer makes a payment or
4 payments to the individual, or becomes obligated to make a
5 payment to the individual as, or in the nature of, vacation
6 pay, or vacation pay allowance, or as pay in lieu of vacation.
7 The amount of a payment or obligation to make payment, is
8 deemed "wages" as defined in section ~~96.19~~ 96.1A, subsection
9 41, and shall be applied as provided in paragraph "c" of this
10 subsection 7.

11 *d.* Notwithstanding contrary provisions in paragraphs "a",
12 "b", and "c", if an individual is separated from employment and
13 is scheduled to receive vacation payments during the period of
14 unemployment attributable to the employer, then payments made
15 by the employer to the individual or an obligation to make a
16 payment by the employer to the individual for vacation pay,
17 vacation pay allowance or pay in lieu of vacation shall not be
18 deemed wages as defined in ~~section 96.19~~ 96.1A, subsection 41,
19 for any period in excess of five workdays and such payments or
20 the value of such obligations shall not be deducted for any
21 period in excess of one week from the unemployment benefits the
22 individual is otherwise entitled to receive under this chapter.

23 Sec. 88. Section 96.7, subsection 2, paragraph b,
24 subparagraph (1), Code 2020, is amended to read as follows:

25 (1) If an organization, trade, or business, or a clearly
26 segregable and identifiable part of an organization, trade, or
27 business, for which contributions have been paid is sold or
28 transferred to a subsequent employing unit, or if one or more
29 employing units have been reorganized or merged into a single
30 employing unit, and the successor employer, having qualified
31 as an employer as defined in section ~~96.19~~ 96.1A, subsection
32 16, paragraph "b", continues to operate the organization,
33 trade, or business, the successor employer shall assume the
34 position of the predecessor employer or employers with respect
35 to the predecessors' payrolls, contributions, accounts, and

1 contribution rates to the same extent as if no change had
2 taken place in the ownership or control of the organization,
3 trade, or business. However, the successor employer shall not
4 assume the position of the predecessor employer or employers
5 with respect to the predecessor employer's or employers'
6 payrolls, contributions, accounts, and contribution rates which
7 are attributable to that part of the organization, trade, or
8 business transferred, unless the successor employer applies to
9 the department within ninety days from the date of the partial
10 transfer, and the succession is approved by the predecessor
11 employer or employers and the department.

12 Sec. 89. Section 96.8, subsection 2, Code 2020, is amended
13 to read as follows:

14 2. *Voluntary termination.* Except as otherwise provided
15 in subsection 3 of this section, an employing unit ceases
16 to be an employer subject to this chapter, as of the first
17 day of January of any year, if it files with the department,
18 prior to the fifteenth day of February of that year, a
19 written application for termination of coverage, and the
20 department finds that the employing unit did not meet any of
21 the qualifying liability requirements as provided under section
22 ~~96.19~~ 96.1A, subsection 16, in the preceding calendar year.

23 Sec. 90. Section 96.23, subsection 1, unnumbered paragraph
24 1, Code 2020, is amended to read as follows:

25 The department shall exclude three or more calendar quarters
26 from an individual's base period, as defined in section ~~96.19~~
27 96.1A, subsection 3, if the individual received workers'
28 compensation benefits for temporary total disability or during
29 a healing period under section 85.33, section 85.34, subsection
30 1, or section 85A.17 or indemnity insurance benefits during
31 those three or more calendar quarters, if one of the following
32 conditions applies to the individual's base period:

33 Sec. 91. Section 96.40, subsection 10, Code 2020, is amended
34 to read as follows:

35 10. An individual who has received all of the shared

1 work benefits and regular unemployment compensation benefits
2 available in a benefit year shall be considered an exhaustee,
3 as defined in ~~section 96.19~~ 96.1A, subsection 20, for purposes
4 of the extended benefit program administered pursuant to
5 section 96.29.

6 Sec. 92. Section 422.11A, Code 2020, is amended to read as
7 follows:

8 **422.11A New jobs tax credit.**

9 The taxes imposed under this division, less the credits
10 allowed under section 422.12, shall be reduced by a new jobs
11 tax credit. An industry which has entered into an agreement
12 under chapter 260E and which has increased its base employment
13 level by at least ten percent within the time set in the
14 agreement or, in the case of an industry without a base
15 employment level, adds new jobs within the time set in the
16 agreement is entitled to this new jobs tax credit for the tax
17 year selected by the industry. In determining if the industry
18 has increased its base employment level by ten percent or added
19 new jobs, only those new jobs directly resulting from the
20 project covered by the agreement and those directly related to
21 those new jobs shall be counted. The amount of this credit
22 is equal to the product of six percent of the taxable wages
23 upon which an employer is required to contribute to the state
24 unemployment compensation fund, as defined in ~~section 96.19~~
25 96.1A, subsection 37, times the number of new jobs existing
26 in the tax year that directly result from the project covered
27 by the agreement or new jobs that directly result from those
28 new jobs. The tax year chosen by the industry shall either
29 begin or end during the period beginning with the date of the
30 agreement and ending with the date by which the project is to
31 be completed under the agreement. An individual may claim
32 the new jobs tax credit allowed a partnership, subchapter S
33 corporation, or estate or trust electing to have the income
34 taxed directly to the individual. The amount claimed by
35 the individual shall be based upon the pro rata share of

1 the individual's earnings of the partnership, subchapter S
2 corporation, or estate or trust. Any credit in excess of the
3 tax liability for the tax year may be credited to the tax
4 liability for the following ten tax years or until depleted,
5 whichever is the earlier. For purposes of [this section](#),
6 "agreement", "industry", "new job", and "project" mean the same
7 as defined in [section 260E.2](#) and "base employment level" means
8 the number of full-time jobs an industry employs at the plant
9 site which is covered by an agreement under [chapter 260E](#) on the
10 date of that agreement.

11 Sec. 93. Section 422.33, subsection 6, Code 2020, is amended
12 to read as follows:

13 6. The taxes imposed under [this division](#) shall be reduced
14 by a new jobs tax credit. An industry which has entered into
15 an agreement under [chapter 260E](#) and which has increased its
16 base employment level by at least ten percent within the time
17 set in the agreement or, in the case of an industry without
18 a base employment level, adds new jobs within the time set
19 in the agreement is entitled to this new jobs tax credit for
20 the tax year selected by the industry. In determining if the
21 industry has increased its base employment level by ten percent
22 or added new jobs, only those new jobs directly resulting from
23 the project covered by the agreement and those directly related
24 to those new jobs shall be counted. The amount of this credit
25 is equal to the product of six percent of the taxable wages
26 upon which an employer is required to contribute to the state
27 unemployment compensation fund, as defined in ~~section 96.19~~
28 [96.1A](#), subsection 37, times the number of new jobs existing
29 in the tax year that directly result from the project covered
30 by the agreement or new jobs that directly result from those
31 new jobs. The tax year chosen by the industry shall either
32 begin or end during the period beginning with the date of the
33 agreement and ending with the date by which the project is to
34 be completed under the agreement. Any credit in excess of
35 the tax liability for the tax year may be credited to the tax

1 liability for the following ten tax years or until depleted
2 in less than the ten years. For purposes of [this section](#),
3 *"agreement"*, *"industry"*, *"new job"* and *"project"* mean the same as
4 defined in [section 260E.2](#) and *"base employment level"* means the
5 number of full-time jobs an industry employs at the plant site
6 which is covered by an agreement under [chapter 260E](#) on the date
7 of that agreement.

8 DIVISION III

9 CODE EDITOR DIRECTIVES

10 Sec. 94. CODE EDITOR DIRECTIVES.

11 1. Sections 257.11, subsection 3, paragraph "c",
12 subparagraph (1); 272.2, subsection 22; 279.50A, subsection 1,
13 paragraph "a"; 284.17, subsection 3; and 915.80, subsection
14 8, Code 2020, are amended by striking the words "good-faith
15 effort" and inserting in lieu thereof the words "good faith
16 effort".

17 2. a. The Code editor is directed to number unnumbered
18 chapter headings in chapter 12.

19 b. The Code editor shall correct internal references in the
20 Code and in any enacted legislation as necessary due to the
21 enactment of this section.

22 3. The Code editor may change chapter division designations
23 to subchapter designations and correct internal references as
24 necessary in and to the following chapters:

25 a. 232.

26 b. 422.

27 4. Sections 232.12, 232.39, 232.41, 232.67, 232.88,
28 232.92, 232.94, 232.107, 232.115, 232.168, 232.175, 232.180,
29 422.1, 422.2, 422.4, 422.5, 422.10B, 422.11, 422.11A, 422.11C,
30 422.11D, 422.11E, 422.11F, 422.11H, 422.11J, 422.11Q, 422.11R,
31 422.11V, 422.11Z, 422.22, 422.27, 422.31, 422.38, 422.39,
32 422.40, 422.41, 422.66, 422.74, 422.85, 422.110, and 422D.2,
33 Code 2020, are amended by striking the word "division" and
34 inserting in lieu thereof the word "subchapter".

35 5. Sections 15.319, subsection 2; 15.333, subsection

1 2; 16.82, subsection 1; 29C.24, subsection 3, paragraph
2 "b", subparagraph (2); 35A.13, subsection 2, paragraph "b";
3 100B.13, subsection 2, paragraph "a"; 135L.3, subsection
4 3, paragraph "m", subparagraph (4); 232.2, subsection 11,
5 paragraph "a"; 232.11, subsection 1, unnumbered paragraph
6 1; 232.38, subsection 1; 232.42, subsection 2; 232.52,
7 subsection 9; 232.55, subsection 1; 232.55, subsection 2,
8 paragraph "a"; 232.57, subsections 1 and 3; 232.58, subsection
9 1, unnumbered paragraph 1; 232.68, unnumbered paragraph 1;
10 232.72, subsection 1; 232.87, subsection 5; 232.90, subsections
11 2 and 4; 232.91, subsections 1 and 2; 232.96, subsection
12 6; 232.99, subsection 4; 232.101A, subsection 1, paragraph
13 "b"; 232.102, subsection 10, paragraph "a", unnumbered
14 paragraph 1; 232.108, subsection 1; 232.112, subsection 1;
15 232.114, subsections 2 and 4; 232.117, subsection 9; 232.127,
16 subsection 2; 232.182, subsection 2; 235A.2, subsection
17 1; 235A.13, unnumbered paragraph 1; 257.21, subsection 2;
18 422.6, subsection 1; 422.7, subsection 36; 422.8, subsection
19 4; 422.10, subsection 1, unnumbered paragraph 1; 422.10,
20 subsection 4; 422.11L, subsection 1, unnumbered paragraph
21 1; 422.11N, subsection 3, unnumbered paragraph 1; 422.11O,
22 subsection 2, unnumbered paragraph 1; 422.11P, subsection
23 3, unnumbered paragraph 1; 422.11S, subsection 1; 422.11W,
24 subsection 1; 422.11Y, subsection 3, unnumbered paragraph
25 1; 422.12, subsection 2, unnumbered paragraph 1; 422.12A,
26 subsection 2; 422.12B, subsection 1, paragraph "a", unnumbered
27 paragraph 1; 422.12C, subsection 1, unnumbered paragraph 1;
28 422.12C, subsection 2, paragraph "a"; 422.12N, subsection
29 1; 422.13, subsection 1, paragraphs "a" and "b"; 422.13,
30 subsection 2; 422.13, subsection 5, paragraph "c"; 422.14,
31 subsections 1 and 3; 422.25, subsections 5, 6, and 8; 422.32,
32 subsection 1, unnumbered paragraph 1; 422.32, subsection 1,
33 paragraph "k"; 422.32, subsection 2; 422.33, subsection 4,
34 paragraph "a"; 422.33, subsection 5, paragraph "a", unnumbered
35 paragraph 1; 422.33, subsections 6 and 8; 422.33, subsection

1 9, paragraph "a"; 422.33, subsection 10; 422.33, subsection
2 11A, unnumbered paragraph 1; 422.33, subsection 11B, unnumbered
3 paragraph 1; 422.33, subsection 11C, unnumbered paragraph
4 1; 422.33, subsection 11D, unnumbered paragraph 1; 422.33,
5 subsections 12, 13, 14, 15, 19, 20, 21, and 22; 422.33,
6 subsection 25, paragraph "a"; 422.33, subsections 26 and 28;
7 422.33, subsection 29, paragraph "a"; 422.33, subsection 30;
8 422.34, unnumbered paragraph 1; 422.34, subsection 2, paragraph
9 "b"; 422.34A, unnumbered paragraph 1; 422.35, subsection 18;
10 422.36, subsection 2; 422.60, subsection 2, paragraph "a";
11 422.60, subsections 4, 5, 6, 7, 8, 9, 10, and 11; 422.60,
12 subsection 12, paragraph "a"; 422.60, subsection 13; 422.61,
13 unnumbered paragraph 1; 422.61, subsection 3, paragraph "b";
14 422.61, subsection 5; 422.73, subsection 1; 422D.3, subsection
15 3; 428A.8, subsection 1, paragraph "c"; 452A.17, subsection
16 2; 476B.6, subsection 5, paragraphs "a", "b", "c", and "d";
17 476C.4, subsection 4, paragraphs "a", "b", "c", and "d";
18 483A.1A, subsection 10, paragraph "e"; and 600A.5, subsection
19 2, Code 2020, are amended by striking the word "division" and
20 inserting in lieu thereof the word "subchapter".

21 6. Sections 28A.24, 190B.103, and 476B.2, Code 2020, are
22 amended by striking the word "divisions" and inserting in lieu
23 thereof the word "subchapters".

24 7. Section 15.293A, subsection 1, paragraph "a"; 15.293A,
25 subsection 2, paragraphs "c" and "f"; 15.319, subsection 6,
26 paragraph "c"; 15.355, subsection 3, paragraph "b"; 15.355,
27 subsection 3, paragraph "e", subparagraphs (3) and (6); 15E.43,
28 subsection 1, paragraphs "a" and "d"; 15E.44, subsection 4;
29 15E.52, subsection 2, paragraph "a"; 15E.52, subsection 13;
30 15E.62, subsection 8; 15E.305, subsection 1; 16.64, subsection
31 2; 16.82A, subsection 3, paragraph "c"; 29C.24, subsection 3,
32 paragraph "a", subparagraph (3); 404A.2, subsection 2; 404A.2,
33 subsection 3, paragraph "c"; 404A.2, subsection 5, paragraph
34 "c"; 422.16, subsection 5; 476B.7, subsection 2; and 476C.6,
35 subsection 1, paragraph "b", Code 2020, are amended by striking

1 the word "divisions" and inserting in lieu thereof the word
2 "subchapters".

3 8. a. The Code editor is directed to make the following
4 transfers:

5 (1) Section 96.1A to section 96.1B.

6 (2) Section 96.19 to section 96.1A.

7 b. The Code editor shall correct internal references in the
8 Code and in any enacted legislation as necessary due to the
9 enactment of this section.

10 9. The Code editor may number unnumbered paragraphs within
11 sections 1C.9, 6B.45, 8E.208, 9G.6, 21.3, 24.17, 25B.6, 55.3,
12 55.4, 69.13, 85A.12, 85A.19, 142.4, 142.8, 154C.7, 158.6,
13 173.6, 173.16, 182.3, 182.7, 216A.99, 225C.41, 303.51, 307.11,
14 307.44, 307.48, 311.6, 311.15, 311.16, 311.19, 311.23, 311.26,
15 330.21, 330.23, 335.30A, 357.7, 357.14, 357.28, 357.29, 357.34,
16 359.23, 372.12, 422.111, 428.20, 434.15, 458A.21, 543C.8,
17 554.12206, 599.1, and 633.13, Code 2020, in accordance with
18 established section hierarchy and correct internal references
19 in the Code and in any enacted Iowa Acts, as necessary.

20 EXPLANATION

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

23 This bill makes Code changes and corrections that are
24 considered to be nonsubstantive and noncontroversial, in
25 addition to style changes. Changes made include updating or
26 correcting names of public programs and entities, corrections
27 to citations to federal Acts, corrections to terminology,
28 spelling, format, capitalization, punctuation, and grammar,
29 as well as numbering, renumbering, and reorganizing various
30 provisions to eliminate unnumbered paragraphs and to
31 facilitate citation. The Code sections in which the technical,
32 grammatical, and other nonsubstantive changes are made include
33 the following:

34 Division I:

35 Sections 12.82, 12.89, and 12.89A: Adds a reference to

1 the statute in which the rebuild Iowa infrastructure fund is
2 established in these provisions describing the transfer of
3 certain surplus, unencumbered bonding revenue to that fund to
4 facilitate hypertext linkage.

5 Sections 15.101 and 15E.362: Changes references to the
6 "Iowa innovation corporation" to the "bioscience development
7 corporation" to reflect changes made to the name of that
8 corporation in Code section 15.106B by 2019 Iowa Acts, chapter
9 139.

10 Section 15E.71: Changes "money" to "moneys" in this
11 provision describing certain actions taken by the executive
12 council to conform to current Code style.

13 Sections 15H.3, 15H.5, 15H.6, 15H.7, 15H.8, and 15H.9:
14 Strikes the words "Iowa" and "on volunteer services" before and
15 after the word "commission" in these provisions relating to the
16 work of the Iowa volunteer service commission to reflect the
17 addition of the term "commission", defined as meaning the Iowa
18 commission on volunteer service, to the definitions section for
19 Code chapter 15H by 2018 Iowa Acts, chapter 1067.

20 Section 16.82A: Makes grammatical changes to reflect the
21 voice and tense used elsewhere in this provision relating to
22 tax credit awards by the economic development authority to
23 beginning farmers and other eligible taxpayers.

24 Section 29A.47: Adds a terminal comma to a series, strikes
25 an unneeded comma, and replaces "said" with "the" in this
26 provision relating to the operations of a military district
27 under martial law.

28 Section 29B.35: Deletes an unneeded comma after
29 "corrections" to improve the readability of this provision
30 regarding corrections to charges in a military court-martial.

31 Section 43.77: Removes an "and" and adds a comma to correct
32 a series in this provision describing the circumstances under
33 which a vacancy exists on a general election ballot.

34 Section 43.101: Adds a terminal comma to a series in this
35 provision describing the election of county central committee

1 officers.

2 Section 45.1: Supplies a missing "of" in language
3 describing the signature requirements for nominations for
4 candidates for city offices to conform to similar language
5 elsewhere in this Code section.

6 Section 52.2: Adds a numeric citation for a federal Act
7 referenced by name only in this provision regarding optical
8 scan voting system requirements to facilitate access to the
9 federal Act provisions.

10 Section 80.15: Divides this long section at points in which
11 there appear to be changes in subject matter and numbers the
12 resultant unnumbered paragraphs to improve the readability of
13 this provision relating to appointment of applicants as peace
14 officers.

15 Section 85.42: Supplies a missing "the" and changes the word
16 "such" to "the" to update language in this provision relating
17 to determinations of dependency of a surviving spouse of a
18 deceased employee under workers' compensation.

19 Section 96.19: Adds a numeric citation for a federal Act
20 referenced by name only in a definition of the term "Indian
21 tribe" to facilitate review of the federal provisions in the
22 Code chapter governing unemployment compensation.

23 Section 124.409: Replaces the word "it" with "the court",
24 divides language at subject matter breaks, and numbers the
25 resultant unnumbered paragraphs in this provision regarding
26 medical treatment and rehabilitative services for persons
27 charged with certain controlled substances violations.

28 Section 135B.5: Strikes an unnecessary comma from language
29 relating to preservation of rights and adds a terminal comma to
30 a series in this provision relating to licensure of hospitals.

31 Section 144F.1: Conforms noun-verb agreement in a
32 definition of "aftercare assistance" in the Code chapter
33 relating to patient care after discharge from inpatient
34 hospital care.

35 Section 217.6: Reformats a series describing the

1 organizational subunits of the department of human services
2 as an alphanumeric list, adds a terminal comma to a series,
3 and supplies a missing "an" to improve the readability of the
4 provision.

5 Section 217.43: Reformats a complex series describing the
6 requirements that pertain to the appointment of human services
7 field service area advisory board members by county boards of
8 supervisors as an alphanumeric list and replaces "the" with
9 "all of the" to improve readability.

10 Section 218.2: Replaces the word "of" with the preposition
11 "for" to improve the grammar of this provision describing the
12 reporting responsibilities of administrators of human services
13 institutions.

14 Sections 232.2, 232.11, 232.48, 232.89, 232.109, and
15 232.147: Changes the word "division" to "subchapter" and
16 strikes the words "of this chapter" in these provisions within
17 the Code chapter pertaining to juvenile justice, to conform to
18 the directive in division III of the bill to change the Code
19 chapter subunits within the Code chapter from "division" to
20 "subchapter". In Code section 232.11, the word "Iowa" is also
21 stricken to conform to other general references to the Code.

22 Section 232.37: Corrects punctuation and grammar in several
23 series and changes the word "division" to "subchapter", to
24 conform to the directive in division III of the bill to rename
25 the Code chapter subunits, in this provision relating to the
26 commencement of juvenile delinquency proceedings.

27 Section 232.103: Adds a terminal comma to a series in this
28 provision relating to the persons authorized to file a motion
29 to terminate, modify, or vacate and substitute a dispositional
30 order in juvenile court proceedings.

31 Section 256.11: Adds a numeric citation to a reference by
32 name only to the federal Fair Debt Collection Practices Act to
33 facilitate review of the federal provision in this provision
34 relating to high school student instructional requirements
35 under state educational standards.

1 Section 257.39: Alphabetizes and deletes unneeded commas in
2 definitions applicable to provisions establishing the funding
3 mechanisms for educational programs for students at risk of
4 dropping out of school.

5 Section 261E.8: Adds commas after two subparagraph
6 references to set off clauses and conform to current style
7 in this provision relating to district-to-community college
8 sharing or concurrent enrollment programs.

9 Section 272.15: Eliminates a reference to repealed Code
10 section 279.17 within a string citation in this provision
11 relating to reporting of disciplinary actions taken by school
12 district or area education agency officials.

13 Section 279.11: Changes the word "children" to "siblings"
14 to conform terminology used within this provision relating
15 to requests by parents or guardians for elementary school
16 classroom placement of children who are siblings and are at the
17 same academic grade level.

18 Section 307.13: Combines two unnumbered paragraphs into a
19 single paragraph and adds a comma to set off a clause in this
20 provision relating to reassignment of personnel within the
21 department of transportation.

22 Section 321.208: Adds Code section references to crimes
23 referenced by name only to facilitate hypertext linkage in this
24 provision disqualifying persons convicted of those enumerated
25 criminal offenses from operating a commercial motor vehicle.

26 Section 322G.12: Numbers unnumbered paragraphs to
27 facilitate citation and corrects internal references in this
28 provision regarding the resale of rebuilt or salvage motor
29 vehicles.

30 Section 330.13: Numbers unnumbered paragraphs to facilitate
31 citation and corrects internal references in this provision
32 regarding the acceptance of federal aid by governmental
33 subdivisions for airports and other navigation facilities.

34 Section 335.30: Numbers unnumbered paragraphs to facilitate
35 citation and correct an internal reference in this provision

1 regulating the adoption or enforcement of zoning and other
2 ordinances relating to manufactured or modular homes.

3 Section 352.4: Adds terminal commas to several series in
4 provisions describing the types of properties to be included in
5 county land use inventories of unincorporated areas within each
6 county.

7 Section 357.17: Numbers unnumbered paragraphs to facilitate
8 citation and updates language to current style in this
9 provision describing work and bond requirements for contractors
10 awarded contracts for improvements in benefited water
11 districts.

12 Section 359.14: Divides the language of this Code section
13 relating to petitions for a township name change and numbers
14 the resulting paragraphs to improve readability.

15 Sections 411.23 and 515G.3: Corrects the spelling of
16 the word "de minimis" in a provision relating to refunds of
17 retirement contributions under the retirement system for police
18 officers and fire fighters and in a provision relating to
19 exchanges of rights of policyholders in a mutual insurer which
20 converts to a stock company.

21 Section 425.8: Adds the word "a" to language relating to the
22 manner of making a designation of homestead for tax purposes
23 to conform this provision to similar language found in Code
24 section 425.2.

25 Section 456A.28: Conforms the style used for a citation to
26 a federal Act, in this provision relating to the establishment
27 of fish restoration projects pursuant to that Act, to the style
28 used elsewhere in the Code for this type of federal citation.

29 Section 461A.1: Adds a Code section reference to a
30 definition of the term "commission" to facilitate hypertext
31 linkage to the Code section in which the natural resource
32 commission is established.

33 Section 462A.5: Deletes unnecessary commas from language
34 relating to the circumstances under which registration of
35 vessels must be modified.

1 Section 462A.12: Strikes the word "conservation", which
2 appears before the word "commission" in the provision relating
3 to the operating of a vessel while displaying blue or flashing
4 blue lights, to reflect the renaming of the state conservation
5 commission as the natural resources commission by 1986 Iowa
6 Acts, chapter 1245.

7 Section 515I.4A: Adds a comma after the word "insured"
8 to set off a clause in this provision regarding requirements
9 relating to the issuance of policies or contracts by domestic
10 surplus lines insurers in this state.

11 Section 521I.11: Adds a citation to Code chapter 554 after a
12 reference to the uniform commercial code by name to facilitate
13 hypertext linkage in this provision relating to the effective
14 date of an allocation from a dividing insurer to a resulting
15 insurer of capital, surplus, or other assets covered by a
16 financing statement.

17 Section 523C.9: Updates language to reflect current Code
18 style in this provision relating to suspension or revocation
19 of service company licenses for negligent or incompetently
20 performed services under company service contracts.

21 Section 554.2402: Conforms the spelling of the word
22 "preexisting" to the spelling used elsewhere in the Code in
23 this provision relating to the rights of a seller's creditors
24 against goods that have been sold.

25 Section 573.14: Numbers unnumbered paragraphs to facilitate
26 citation and corrects internal references in this provision
27 relating to retention of unpaid funds by a public corporation
28 for work done pursuant to a contract for the construction of a
29 public improvement.

30 Section 602.10134: Updates the style of language used in a
31 provision describing judicial procedure after an accused either
32 pleads guilty or fails to answer in a proceeding to suspend or
33 remove an attorney from the practice of law.

34 Section 624.1: Divides an existing unnumbered paragraph
35 into two and numbers the resulting three paragraphs in this

1 provision relating to the manner of taking evidence in ordinary
2 court actions.

3 Section 633.402: Corrects a part self-reference and adds
4 a terminal comma to a series in this Code section pertaining
5 to the sale of real property by a personal representative of
6 a decedent as part of the administration of the decedent's
7 estate.

8 Section 633.551: Conforms the style of a reference to the
9 Iowa rules of civil procedure in this provision relating to
10 adult guardianship or conservatorship proceedings to other
11 similar references in the Code.

12 Section 633.558: Removes an incorrect self-reference to
13 this provision enumerating the contents of the notice given to
14 persons regarding the filing of a petition for a guardianship
15 or conservatorship for an adult.

16 Section 633.563: Supplies a missing indefinite article in
17 this provision relating to the circumstances under which a
18 professional evaluation of a respondent under a petition for
19 a guardianship of an adult or a conservatorship for adult or
20 minor person.

21 Section 633.634: Makes grammatical changes and divides
22 a long sentence to improve the readability of this provision
23 relating to the combination of petitions for the appointment
24 of a guardian or conservator.

25 Sections 712.2, 712.3, and 712.4: Numbers unnumbered
26 paragraphs in Code section 712.2, defining the crime of arson
27 in the first degree, and divides paragraphs and numbers the
28 resulting unnumbered paragraphs in provisions defining arson in
29 the second and third degree to match the style of Code section
30 712.2.

31 2019 Iowa Acts, chapter 135: Corrects the language of an Act
32 to conform the name used to describe the national guard service
33 scholarship program within that Act. The change takes effect
34 upon enactment and is retroactively applicable to July 1, 2019.

35 Division II:

1 This division contains corrections to references based on
2 the transfers of Code sections 96.1A and 96.19 to Code sections
3 96.1B and 96.1A in division III of the bill.

4 Division III:

5 This division contains a Code editor directive to change the
6 term "good-faith effort" to "good faith effort" to conform the
7 hyphenation of the term in the enumerated Code sections to the
8 hyphenation of the term elsewhere in the Code.

9 The division permits the Code editor to number what are
10 currently unnumbered Code chapter subunit headings in Code
11 chapter 12.

12 The division contains Code editor directives to change the
13 Code chapter division designations to subchapter designations
14 in Code chapters 232 and 422 and to change the word "division"
15 to "subchapter" in various enumerated Code sections and Code
16 section subunits in the Code.

17 The division directs the Code editor to transfer Code
18 section 96.1A to become Code section 96.1B, to transfer Code
19 section 96.19 to become Code section 96.1A, and to correct
20 internal references in the Code and in any enacted legislation
21 as necessary due to the transfers.

22 The division also requires the Code editor to number the
23 unnumbered paragraphs in various enumerated provisions in
24 accordance with established Code section hierarchy and to
25 correct internal references as necessary.