

**House Study Bill 209 - 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 retroactive applicability provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

MISCELLANEOUS CHANGES

Section 1. Section 8.44, subsection 1, paragraph a, Code 2021, is amended to read as follows:

a. Upon receiving federal funds or any other funds from any public or private sources, except gifts or donations made to institutions for the personal use or for the benefit of members, patients, or inmates and receipts from the gift shop of merchandise manufactured by members, patients, or inmates, the state departments, agencies, boards, and institutions receiving ~~such~~ the funds shall submit a written report within thirty days after receipt of the funds to the director of the department of management. The report shall state the source of the funds that supplement or replace state appropriations for institutional operations, the amount received, and the terms under which the funds are received.

Sec. 2. Section 8A.460, subsection 1, Code 2021, is amended to read as follows:

1. A terminal liability health insurance fund is created in the state treasury under the control of the department of administrative services. The proceeds of the terminal liability health insurance fund shall be used by the department of administrative services to pay the state's share of the terminal liability of the existing health insurance contract administered by the department of administrative services. The moneys appropriated to the terminal liability health insurance fund plus any additional moneys appropriated or collected pursuant to 2001 Iowa Acts, ch. 190, or other Acts of the general assembly shall constitute the total amount due to pay the terminal liability specified in [this section](#).

Sec. 3. Section 12.20, Code 2021, is amended to read as follows:

**12.20 Issuance of new check.**

Upon presentation of any check voided as provided in section 12.19 by the holder of the check after the ~~six-months'~~

1 six-month period, the state treasurer is authorized to issue a  
2 new check for the amount of the original check to the holder.

3 Sec. 4. Section 15.317, subsection 3, Code 2021, is amended  
4 to read as follows:

5 3. The business is not an entity providing professional  
6 services, health care services, or medical treatments or is not  
7 an entity engaged primarily in retail operations.

8 Sec. 5. Section 15.354, subsection 3, paragraph e,  
9 subparagraph (2), subparagraph division (b), Code 2021, is  
10 amended to read as follows:

11 (b) If the project costs cause the housing project's average  
12 dwelling unit cost to exceed the applicable maximum amount  
13 authorized in [section 15.353, subsection 3](#), but ~~does~~ do not  
14 cause the average dwelling unit cost to exceed one hundred ten  
15 percent of such applicable maximum amount, the authority may  
16 consider the agreement fulfilled and may issue a tax credit  
17 certificate. In such case, the authority shall reduce the tax  
18 incentive award and the corresponding amount of tax incentives  
19 the eligible housing project may claim under section 15.355,  
20 subsections 2 and 3, by the same percentage that the housing  
21 project's average dwelling unit cost exceeds the applicable  
22 maximum amount under [section 15.353, subsection 3](#), and such  
23 tax incentive reduction shall be reflected on the tax credit  
24 certificate. If the authority issues a certificate pursuant  
25 to this subparagraph division, the department of revenue  
26 shall accept the certificate notwithstanding that the housing  
27 project's average dwelling unit costs ~~exceeds~~ exceed the  
28 maximum amount specified in [section 15.353, subsection 3](#).

29 Sec. 6. Section 15J.2, subsection 7, paragraph c, Code 2021,  
30 is amended to read as follows:

31 c. A joint board or other legal entity established or  
32 designated in an agreement made pursuant to chapter 28E between  
33 two or more contiguous municipalities identified in paragraph  
34 "a" or "b" ~~pursuant to chapter 28E~~.

35 Sec. 7. Section 17A.4A, subsection 4, unnumbered paragraph

1 1, Code 2021, is amended to read as follows:

2 Upon receipt by an agency of a timely request for a  
3 regulatory analysis, the agency shall extend the period  
4 specified in this chapter for each of the following until at  
5 least twenty days after publication in the Iowa administrative  
6 bulletin of a concise summary of the regulatory analysis:

7 Sec. 8. Section 24.29, Code 2021, is amended to read as  
8 follows:

9 **24.29 Appeal.**

10 The state board may conduct the hearing or may appoint a  
11 deputy. A deputy designated to hear an appeal shall attend  
12 in person and conduct the hearing in accordance with section  
13 24.28, ~~and~~. The deputy shall promptly report the proceedings  
14 at the hearing, which report shall become a part of the  
15 permanent record of the state board.

16 Sec. 9. Section 29A.75, Code 2021, is amended to read as  
17 follows:

18 **29A.75 Affidavit.**

19 An affidavit, executed by an attorney in fact or agent,  
20 setting forth that the attorney or agent has not or had not, at  
21 the time of doing any act pursuant to the power of attorney,  
22 received actual knowledge or actual notice of the revocation or  
23 termination of the power of attorney, by death or otherwise,  
24 or notice of any facts indicating the same, shall, in the  
25 absence of fraud, be conclusive proof of the nonrevocation or  
26 nontermination of the power at such time. If the exercise of  
27 the power requires execution and delivery of any instrument  
28 which is recordable under the laws of this state, ~~such the~~  
29 affidavit ~~(when, if~~ authenticated for record in the manner  
30 prescribed by ~~law)~~ law, shall likewise be recordable.

31 Sec. 10. Section 29B.43, Code 2021, is amended to read as  
32 follows:

33 **29B.43 Oaths.**

34 Before performing their official duties, military judges,  
35 members of a general and special courts-martial, trial counsel,

1 assistant trial counsel, defense counsel, assistant defense  
2 counsel, reporters, and interpreters shall take an oath to  
3 perform their duties faithfully. The adjutant general shall  
4 adopt rules prescribing the form of the oath, the time and  
5 place of the taking of the oath, the manner of recording, and  
6 whether the oath must be taken for all cases in which official  
7 duties must be performed or for a particular case. The rules  
8 may provide that an oath to perform duties faithfully as a  
9 military judge, trial counsel, assistant trial counsel, defense  
10 counsel, or assistant defense counsel may be taken at any  
11 time by any judge advocate or legal officer, or other person  
12 certified to be qualified or competent for the duty, and that  
13 once taken the oath need not be taken again each time the  
14 person is detailed to that duty.

15 Sec. 11. Section 48A.19, subsection 1, paragraph a,  
16 subparagraph (4), Code 2021, is amended to read as follows:

17 (4) Special supplemental ~~feed~~ nutrition program for women,  
18 infants, and children.

19 Sec. 12. Section 50.48, subsection 6, Code 2021, is amended  
20 to read as follows:

21 6. The commissioner shall promptly notify the state  
22 commissioner of any recount of votes for an office to which  
23 section 50.30, or [section 43.60](#) in the case of a primary  
24 election, is applicable. If necessary, the state canvass  
25 required by [section 50.38](#), or by [section 43.63](#), as the case  
26 may be, shall be delayed with respect to the office or the  
27 nomination to which the recount pertains. The commissioner  
28 shall subsequently inform the state commissioner at the  
29 earliest possible time whether any change in the outcome of the  
30 election in that county or district resulted from the recount.

31 Sec. 13. Section 67.3, Code 2021, is amended to read as  
32 follows:

33 **67.3 Refusal to obey subpoena — fees.**

34 1. If any witness, duly subpoenaed, refuses to obey ~~said~~  
35 the subpoena, or refuses to testify, ~~said~~ the commission shall

1 certify ~~said~~ the fact to the district court of the county where  
2 the investigation is ~~being had and said~~ taking place. The  
3 court shall proceed with ~~said~~ the witness in the same manner  
4 as though ~~said~~ the refusal had occurred in a legal proceeding  
5 before ~~said~~ the court or judge.

6 2. Witnesses shall be paid in the manner provided for  
7 witnesses before the executive council and from the same  
8 appropriation.

9 Sec. 14. Section 80.45A, subsection 1, paragraph a, Code  
10 2021, is amended to read as follows:

11 *a.* "*Commissioner*" means the commissioner ~~of the department~~  
12 of public safety or the commissioner's designee.

13 Sec. 15. Section 80D.9, Code 2021, is amended to read as  
14 follows:

15 **80D.9 Supervision of reserve peace officers.**

16 1. Reserve peace officers shall be subordinate to regular  
17 peace officers, shall not serve as peace officers unless  
18 under the direction of regular peace officers, and shall  
19 wear a uniform prescribed by the chief of police, sheriff,  
20 commissioner of public safety, or director of the judicial  
21 district department of correctional services unless that  
22 superior officer designates alternate apparel for use when  
23 engaged in assignments involving special investigation, civil  
24 process, court duties, jail duties, and the handling of mental  
25 patients. The reserve peace officer shall not wear an insignia  
26 of rank.

27 2. Each department for which a reserve force is established  
28 shall appoint a certified peace officer as the reserve force  
29 coordinating and supervising officer. A reserve peace  
30 officer force established in a judicial district department  
31 of correctional services must be directly supervised by a  
32 certified peace officer who is on duty. That certified peace  
33 officer shall report directly to the chief of police, sheriff,  
34 commissioner of public safety or the commissioner's designee,  
35 or director of the judicial district department of correctional

1 services or the director's designee, as the case may be.

2 Sec. 16. Section 84A.13, subsection 4, Code 2021, is amended  
3 to read as follows:

4 4. An Iowa employer innovation fund is created in the  
5 state treasury as a separate fund under the control of the  
6 department of workforce development, in consultation with the  
7 workforce development board. The fund shall consist of any  
8 moneys appropriated by the general assembly and any other  
9 moneys available to and obtained or accepted by the department  
10 from the federal government. A portion of the moneys deposited  
11 in the fund, in an amount to be determined annually by the  
12 department of workforce development in consultation with the  
13 workforce development board, shall be transferred annually to  
14 the Iowa child care challenge fund created pursuant to section  
15 84A.13A. The assets of the Iowa employer innovation fund shall  
16 be used by the department in accordance with [this section](#). All  
17 moneys deposited or paid into the fund are appropriated and  
18 made available to the board to be used in accordance with this  
19 section. Notwithstanding [section 8.33](#), any balance in the fund  
20 on June 30 of each fiscal year shall not revert to the general  
21 fund of the state, but shall be available for purposes of this  
22 section and for transfer in accordance with [this section](#) in  
23 subsequent fiscal years.

24 Sec. 17. Section 85.26, subsection 3, Code 2021, is amended  
25 to read as follows:

26 3. Notwithstanding [chapter 17A](#), the filing with the  
27 workers' compensation commissioner of the original notice or  
28 petition for an original proceeding or an original notice  
29 or petition to reopen an award or agreement of settlement  
30 provided by [section 86.13](#), for benefits under [this chapter](#) or  
31 [chapter 85A](#) or [85B](#) is the only act constituting "~~commencement~~"  
32 commencement for purposes of [this section](#).

33 Sec. 18. Section 85.55, subsection 1, Code 2021, is amended  
34 to read as follows:

35 1. For purposes of [this section](#), franchisee "franchisee"

1 and ~~franchisor~~ "franchisor" mean the same as defined in section  
2 523H.1.

3 Sec. 19. Section 85A.4, Code 2021, is amended to read as  
4 follows:

5 **85A.4 Disablement defined.**

6 ~~Disablement as that term is~~ As used in this chapter is,  
7 "disablement" means the event or condition where an employee  
8 becomes actually incapacitated from performing the employee's  
9 work or from earning equal wages in other suitable employment  
10 because of an occupational disease as defined in this chapter  
11 in the last occupation in which such employee is injuriously  
12 exposed to the hazards of such disease.

13 Sec. 20. Section 89A.10, subsection 3, Code 2021, is amended  
14 to read as follows:

15 3. If the commissioner has reason to believe that the  
16 continued operation of a conveyance constitutes an imminent  
17 danger which could reasonably be expected to seriously  
18 injure or cause death to any person, in addition to any other  
19 remedies, the commissioner may apply to the district court  
20 in the county in which such imminently dangerous condition  
21 exists for a temporary order for the purpose of enjoining such  
22 imminently dangerous conveyance. Upon hearing, if deemed  
23 appropriate by the court, a permanent injunction may be issued  
24 to ~~insure~~ ensure that such imminently dangerous conveyance be  
25 prevented or controlled. Upon the elimination or rectification  
26 of such imminently dangerous condition, the temporary or  
27 permanent injunction shall be vacated.

28 Sec. 21. Section 91.11, Code 2021, is amended to read as  
29 follows:

30 **91.11 Prosecutions for violations.**

31 1. If the commissioner learns of any violation of any law  
32 administered by the division, the commissioner may give the  
33 county attorney of the county in which the violation occurred  
34 written notice of the facts, whereupon that officer shall  
35 institute the proper proceedings against the person charged



1 with the offense.

2 2. If the commissioner is of the opinion that the violation  
3 is not willful, or is an oversight or of a trivial nature, the  
4 commissioner may at the commissioner's discretion fix a time  
5 within which the violation shall be corrected and notify the  
6 owner, operator, superintendent, or person in charge, ~~and if.~~  
7 If the violation is corrected within the time fixed, then the  
8 commissioner shall not cause prosecution to be begun.

9 Sec. 22. Section 96.1A, subsection 37, Code 2021, is amended  
10 to read as follows:

11 37. ~~"Total and partial unemployment"~~ "Totally unemployed",  
12 "partially unemployed", and "temporarily unemployed".

13 a. An individual shall be deemed "*totally unemployed*"  
14 in any week with respect to which no wages are payable to  
15 the individual and during which the individual performs no  
16 services.

17 b. An individual shall be deemed "*partially unemployed*" in  
18 any week in which either of the following apply:

19 (1) While employed at the individual's then regular job, the  
20 individual works less than the regular full-time week and in  
21 which the individual earns less than the individual's weekly  
22 benefit amount plus fifteen dollars.

23 (2) The individual, having been separated from the  
24 individual's regular job, earns at odd jobs less than the  
25 individual's weekly benefit amount plus fifteen dollars.

26 c. An individual shall be deemed "*temporarily unemployed*"  
27 if for a period, verified by the department, not to exceed  
28 four consecutive weeks, the individual is unemployed due  
29 to a plant shutdown, vacation, inventory, lack of work, or  
30 emergency from the individual's regular job or trade in which  
31 the individual worked full-time and will again work full-time,  
32 if the individual's employment, although temporarily suspended,  
33 has not been terminated.

34 Sec. 23. Section 96.6, subsection 2, Code 2021, is amended  
35 to read as follows:

1     2. *Initial determination.* A representative designated  
2 by the director shall promptly notify all interested parties  
3 to the claim of its filing, and the parties have ten days  
4 from the date of ~~issuing~~ issuance of the notice of the  
5 filing of the claim to protest payment of benefits to the  
6 claimant. All interested parties shall select a format as  
7 specified by the department to receive such notifications.  
8 The representative shall promptly examine the claim and any  
9 protest, take the initiative to ascertain relevant information  
10 concerning the claim, and, on the basis of the facts found  
11 by the representative, shall determine whether or not the  
12 claim is valid, the week with respect to which benefits shall  
13 commence, the weekly benefit amount payable and its maximum  
14 duration, and whether any disqualification shall be imposed.  
15 The claimant has the burden of proving that the claimant  
16 meets the basic eligibility conditions of [section 96.4](#). The  
17 employer has the burden of proving that the claimant is  
18 disqualified for benefits pursuant to [section 96.5](#), except as  
19 provided by [this subsection](#). The claimant has the initial  
20 burden to produce evidence showing that the claimant is not  
21 disqualified for benefits in cases involving [section 96.5](#),  
22 subsections 10 and 11, and has the burden of proving that a  
23 voluntary quit pursuant to [section 96.5, subsection 1](#), was  
24 for good cause attributable to the employer and that the  
25 claimant is not disqualified for benefits in cases involving  
26 [section 96.5, subsection 1, paragraphs "a" through "h"](#). Unless  
27 the claimant or other interested party, after notification  
28 or within ten calendar days after notification was issued,  
29 files an appeal from the decision, the decision is final  
30 and benefits shall be paid or denied in accordance with the  
31 decision. If an administrative law judge affirms a decision of  
32 the representative, or the appeal board affirms a decision of  
33 the administrative law judge allowing benefits, the benefits  
34 shall be paid regardless of any appeal which is thereafter  
35 taken, but if the decision is finally reversed, no employer's

1 account shall be charged with benefits so paid and this relief  
2 from charges shall apply to both contributory and reimbursable  
3 employers, notwithstanding [section 96.8, subsection 5](#).

4 Sec. 24. Section 96.14, subsection 16, Code 2021, is amended  
5 to read as follows:

6 16. *Injunction upon nonpayment.* Any employer or employing  
7 unit refusing or failing to make and file required reports,  
8 or records, or to pay any contributions, interest, or penalty  
9 under the provisions of [this chapter](#), after ten days' written  
10 notice sent by the department to the employer's or employing  
11 unit's last known address by certified mail, may be enjoined  
12 from operating any business in the state while in violation  
13 of [this chapter](#) upon the complaint of the department in the  
14 district court of a county in which the employer or employing  
15 unit has or had a place of business within the state, and  
16 any temporary injunction enjoining the continuance of such  
17 business may be granted without notice and without a bond being  
18 required from the department. Such injunction may enjoin any  
19 employer or employing unit from operating a business unit  
20 until the delinquent contributions, interest, or penalties  
21 shall have been made and filed or paid; or the employer shall  
22 have furnished a good and sufficient bond conditioned upon the  
23 payment of such delinquencies in such an amount and containing  
24 such terms as may be determined by the court; or the employer  
25 has entered into a plan for the liquidation of the business to  
26 pay for such delinquencies as the court may approve, provided  
27 that such injunction may be reinstated upon the employer's  
28 failure to comply with the terms of said plan.

29 Sec. 25. Section 96.40, subsection 5, Code 2021, is amended  
30 to read as follows:

31 5. An employer may file an appeal in writing ~~of~~ from a  
32 denial or approval of a plan or revocation of an approved plan  
33 by the department within thirty days from the date of the  
34 decision.

35 Sec. 26. Section 124.409, subsection 3, Code 2021, is

1 amended to read as follows:

2 3. In order to obtain the most effective results from such  
3 medical treatment and rehabilitative services, the court may  
4 commit the person to the custody of a public or private agency  
5 or any other responsible person and impose other conditions  
6 upon the commitment as is necessary to ~~insure~~ ensure compliance  
7 with the court's order and to ~~insure~~ ensure that the person  
8 will not, during the period of treatment and rehabilitation,  
9 again violate a provision of this chapter.

10 Sec. 27. Section 125.33, subsection 5, Code 2021, is amended  
11 to read as follows:

12 5. If a patient leaves a facility, with or against the  
13 advice of the administrator in charge of the facility, the  
14 director may make reasonable provisions for the patient's  
15 transportation to another facility or to the patient's home.  
16 If the patient has no home the patient shall be assisted in  
17 obtaining shelter. If the patient is a minor or an incompetent  
18 person, the request for discharge from an inpatient facility  
19 shall be made by a parent, legal guardian, or other legal  
20 representative, or by the minor or incompetent person if the  
21 patient was the original applicant.

22 Sec. 28. Section 135.14, subsection 2, paragraph d, Code  
23 2021, is amended to read as follows:

24 *d.* Manage the oral and health delivery systems bureau  
25 including direction, supervision, and fiscal management of  
26 bureau staff.

27 Sec. 29. Section 135.15, unnumbered paragraph 1, Code 2021,  
28 is amended to read as follows:

29 An oral and health delivery ~~system~~ systems bureau is  
30 established within the division of health promotion and chronic  
31 disease prevention of the department. The bureau shall be  
32 responsible for all of the following:

33 Sec. 30. Section 135.16, Code 2021, is amended to read as  
34 follows:

35 **135.16 Special supplemental nutrition program for**

1 women, infants, and children ~~supplemental food program~~ —  
2 methamphetamine education.

3 As a component of the federal funding received by the  
4 department as the administering agency for the special  
5 supplemental nutrition program for women, infants, and children  
6 ~~supplemental food program~~, from the United States department  
7 of agriculture, food and ~~consumer~~ nutrition service, the  
8 department shall incorporate a methamphetamine education  
9 program into its nutrition and health-related education  
10 services. The department shall be responsible for the  
11 development of the education program to be delivered, and for  
12 the selection of qualified contract agencies to deliver the  
13 instruction under the program.

14 Sec. 31. Section 135.16A, Code 2021, is amended to read as  
15 follows:

16 135.16A Vendors participating in federal ~~food~~ nutrition  
17 program — egg sales.

18 1. As used in [this section](#), unless the context otherwise  
19 requires:

20 a. "Conventional eggs" means eggs other than specialty eggs.

21 b. "Eggs" means shell eggs that are graded as "AA", "A", or  
22 "B" pursuant to [7 C.F.R. pt. 56, subpt. A](#), and that are sold at  
23 retail in commercial markets.

24 c. "Federal ~~food~~ nutrition program" means the special  
25 supplemental ~~food~~ nutrition program for women, infants, and  
26 children as provided in 42 U.S.C. §1786, et seq.

27 d. "Grocery store" means a food establishment as defined  
28 in [section 137F.1](#) licensed by the department of inspections  
29 and appeals pursuant to [section 137F.4](#), to sell food or food  
30 products to customers intended for preparation or consumption  
31 off premises.

32 e. "Specialty eggs" means eggs produced by domesticated  
33 chickens, and sold at retail in commercial markets if the  
34 chickens producing such eggs are advertised as being housed in  
35 any of the following environments:

- 1 (1) Cage-free.
- 2 (2) Free-range.
- 3 (3) Enriched colony cage.

4 2. *a.* The department of inspections and appeals shall  
5 assist the Iowa department of public health in adopting rules  
6 necessary to implement and administer [this section](#).

7 *b.* If necessary to implement, administer, and enforce this  
8 section, the Iowa department of public health, in cooperation  
9 with the department of agriculture and land stewardship, shall  
10 submit a request to the United States department of agriculture  
11 for a waiver or other exception from regulations as deemed  
12 feasible by the Iowa department of public health. The Iowa  
13 department of public health shall regularly report the status  
14 of such request to the legislative services agency.

15 3. A grocery store that is a vendor participating in a  
16 federal ~~feed~~ nutrition program and offering specialty eggs  
17 for retail sale shall maintain an inventory of conventional  
18 eggs for retail sale sufficient to meet federal and state  
19 requirements for participation in the federal ~~feed~~ nutrition  
20 program.

21 4. [This section](#) does not require a grocery store to do any  
22 of the following:

23 *a.* Stock or sell specialty eggs.

24 *b.* Stock or sell eggs, if the grocery store elects not to  
25 stock or sell conventional eggs for retail sale as part of its  
26 normal business.

27 *c.* Comply with the provisions of [this section](#), if the  
28 grocery store's inventory of eggs for retail sale was limited  
29 to specialty eggs prior to January 1, 2018.

30 5. A violation of [subsection 3](#) by a grocery store shall not  
31 be construed to disqualify a grocery store from participating  
32 in a federal ~~feed~~ nutrition program unless otherwise authorized  
33 by the United States department of agriculture.

34 Sec. 32. Section 135.19, subsection 2, Code 2021, is amended  
35 to read as follows:

1       2. The department shall establish by rule a list of  
2 individuals by category who are at increased risk for viral  
3 hepatitis exposure. The list shall be consistent with  
4 recommendations developed by the centers for disease control  
5 and prevention of the United States department of health and  
6 human services, and shall be developed in consultation with  
7 the Iowa viral hepatitis task force and the Iowa department  
8 of veterans affairs. The department shall also establish  
9 by rule what information is to be distributed and the form  
10 and manner of distribution. The rules shall also establish  
11 a vaccination and testing program, to be coordinated by the  
12 department through local health departments and clinics and  
13 other appropriate locations.

14       Sec. 33. Section 135.43, subsection 2, paragraph n, Code  
15 2021, is amended to read as follows:

16       n. One other member who is appointed at large.

17       Sec. 34. Section 135.43, subsection 4, paragraph c,  
18 subparagraph (3), Code 2021, is amended to read as follows:

19       (3) Confirmation of receipt by the department of human  
20 services ~~receipt~~ of any report of child abuse involving  
21 the child, including confirmation as to whether or not any  
22 assessment involving the child was performed in accordance with  
23 section 232.71B, the results of any assessment, a description  
24 of the most recent assessment and the services offered to the  
25 family, the services rendered to the family, and the basis for  
26 the department's decisions concerning the case.

27       Sec. 35. Section 135.173A, subsection 4, paragraph n, Code  
28 2021, is amended to read as follows:

29       n. One designee of the early childhood Iowa office of the  
30 department of management.

31       Sec. 36. Section 148F.3, subsection 8, Code 2021, is amended  
32 to read as follows:

33       8. Adoption of rules providing temporary licensing for  
34 persons providing orthotic, prosthetic, and pedorthic care in  
35 this state prior to ~~the effective date of this Act~~ July 1,

1 2012. A temporary license is good for no more than one year.

2 Sec. 37. Section 153.14, subsection 2, Code 2021, is amended  
3 to read as follows:

4 2. Licensed ~~"physicians and surgeons"~~ physicians and  
5 surgeons or licensed ~~"osteopathic physicians and surgeons"~~  
6 osteopathic physicians and surgeons who extract teeth or treat  
7 diseases of the oral cavity, gums, teeth, or maxillary bones as  
8 an incident to the general practice of their profession.

9 Sec. 38. Section 154A.20, subsection 2, Code 2021, is  
10 amended to read as follows:

11 2. The receipt shall bear the following statement in type no  
12 smaller than the largest used in the body copy portion of the  
13 receipt:

14 The purchaser has been advised that any examination or  
15 representation made by a licensed hearing aid specialist in  
16 connection with the fitting or selection and selling of this  
17 hearing aid is not an examination, diagnosis, or prescription  
18 by a person licensed to practice medicine in this state and,  
19 therefore, must not be regarded as medical opinion or advice.

20 Sec. 39. Section 158.1, subsection 3, Code 2021, is amended  
21 to read as follows:

22 3. "*Barbershop*" means an establishment in a fixed location,  
23 or a location that is readily movable, where one or more  
24 persons engage in the practice of barbering.

25 Sec. 40. Section 162.1, subsection 1, paragraph a, Code  
26 2021, is amended to read as follows:

27 a. ~~Insure~~ Ensure that all dogs and cats handled by  
28 commercial establishments are provided with humane care and  
29 treatment.

30 Sec. 41. Section 190B.201, subsections 2 and 3, Code 2021,  
31 are amended to read as follows:

32 2. The purpose of the fund is to relieve situations of  
33 emergency experienced by families or individuals who reside  
34 in this state, including low-income families and individuals  
35 and unemployed families and individuals, by distributing food



1 to those persons, and the department of agriculture and land  
2 stewardship may contract with an Iowa food bank association to  
3 manage the program.

4 3. The Iowa food bank association managing the program  
5 shall distribute food under the program to emergency feeding  
6 organizations in this state. The Iowa food bank association  
7 shall report to the department of agriculture and land  
8 stewardship as required by the department.

9 Sec. 42. Section 191.1, Code 2021, is amended to read as  
10 follows:

11 **191.1 Label requirements.**

12 All food offered or exposed for sale, or sold in package  
13 or wrapped form, shall be labeled on the package or container  
14 as prescribed in sections 189.9 to through 189.12, inclusive,  
15 unless otherwise provided in this chapter.

16 Sec. 43. Section 191.2, unnumbered paragraph 1, Code 2021,  
17 is amended to read as follows:

18 The products enumerated below shall be labeled on the side or  
19 top of the container or package in which placed, kept, offered  
20 or exposed for sale, or sold as prescribed in sections 189.9  
21 ~~to through~~ through 189.12, inclusive, except that the label shall  
22 be printed in letters not less than three-quarters inch in  
23 height and one-half inch in width and subject to the following  
24 regulations:

25 Sec. 44. Section 200.2, Code 2021, is amended to read as  
26 follows:

27 **200.2 Enforcing official.**

28 This chapter shall be administered by the secretary of  
29 agriculture, ~~hereinafter referred to as the secretary~~.

30 Sec. 45. Section 200.15, Code 2021, is amended to read as  
31 follows:

32 **200.15 Refusal to register or cancellation of registration  
33 and licenses.**

34 1. The Upon satisfactory evidence that the registrant or  
35 licensee has used fraudulent or deceptive practices or has

1 willfully violated any provisions of this chapter or any rules  
2 and regulations promulgated under this chapter, the secretary  
3 is authorized and empowered to ~~cancel~~ do any of the following:

4 a. ~~Cancel~~ the registration of any product of commercial  
5 fertilizer or soil conditioner or license ~~or to refuse.~~

6 b. ~~Refuse~~ to register any product of commercial fertilizer  
7 or soil conditioner ~~or refuse.~~

8 c. ~~Refuse~~ to license any applicant ~~upon satisfactory~~  
9 evidence that the registrant or licensee has used fraudulent or  
10 deceptive practices or has willfully violated any provisions  
11 of ~~this chapter~~ or any rules and regulations promulgated under  
12 ~~this chapter.~~

13 2. However, a registration or license shall not be revoked  
14 or refused until the registrant or licensee has been given the  
15 opportunity to appear for a hearing by the secretary.

16 Sec. 46. Section 202B.202, subsections 1, 2, and 3, Code  
17 2021, are amended to read as follows:

18 1. a. A cooperative association which is a party to a  
19 contract for the care and feeding of swine in compliance with  
20 section 9H.2 prior to May 9, 2003, and which is in violation of  
21 section 9H.2, as amended by 2003 Iowa Acts, ch. 115, shall have  
22 until June 30, 2007, to comply with section 9H.2, as amended by  
23 2003 Iowa Acts, ch. 115.

24 b. Notwithstanding any provision of this section, a  
25 cooperative association shall not take an action on or after  
26 May 9, 2003, that would be in violation of section 9H.2, as  
27 amended by 2003 Iowa Acts, ch. 115.

28 2. A processor that was in compliance with section 9H.2,  
29 Code 2001, prior to January 1, 2002, and which is in violation  
30 of section 9H.2, as amended by 2002 Iowa Acts, ch. 1095, shall  
31 have until June 30, 2006, to comply with section 9H.2, as  
32 amended by 2002 Iowa Acts, ch. 1095.

33 3. Notwithstanding any provision of this section, a  
34 processor shall not take an action on or after January 1, 2002,  
35 that would be in violation of section 9H.2, as amended by 2002

1 Iowa Acts, ch. 1095.

2 Sec. 47. Section 216.22, subsection 1, Code 2021, is amended  
3 to read as follows:

4 1. For purposes of this section, ~~franchisee and franchisor~~  
5 "franchisee" and "franchisor" mean the same as defined in  
6 section 523H.1.

7 Sec. 48. Section 216B.2, Code 2021, is amended to read as  
8 follows:

9 **216B.2 Commission created.**

10 1. The commission for the blind is established consisting  
11 of three members appointed by the governor, subject to  
12 confirmation by the senate. Members of the commission shall  
13 serve three-year terms beginning and ending as provided in  
14 section 69.19. ~~The commission shall adopt rules concerning~~  
15 ~~programs and services for blind persons provided under~~  
16 ~~this chapter.~~ The members of the commission shall appoint  
17 officers for the commission. A majority of the members of the  
18 commission shall constitute a quorum.

19 2. Commission members shall be reimbursed for actual  
20 expenses incurred in performance of their duties. Members may  
21 also be eligible to receive compensation as provided in section  
22 7E.6. ~~The members of the commission shall appoint officers for~~  
23 ~~the commission. A majority of the members of the commission~~  
24 ~~shall constitute a quorum.~~

25 3. The commission shall adopt rules concerning programs and  
26 services for blind persons provided under this chapter.

27 Sec. 49. Section 225C.3, subsection 1, Code 2021, is amended  
28 to read as follows:

29 1. The division is designated the state mental health  
30 authority as defined in 42 U.S.C. §201(m) (1976) for the  
31 purpose of directing the benefits of the National Mental Health  
32 Act, 42 U.S.C. §201 et seq. This designation does not preclude  
33 the state board of regents from authorizing or directing any  
34 institution under its jurisdiction to carry out educational,  
35 prevention, and research activities in the areas of mental

1 health and intellectual disability. The division may contract  
2 with the state board of regents or any institution under the  
3 board's jurisdiction to perform any of these functions.

4 Sec. 50. Section 230.20, subsection 1, paragraph a,  
5 subparagraph (2), Code 2021, is amended to read as follows:

6 (2) The costs of certain direct medical services identified  
7 in administrative rule, which may include but need not be  
8 limited to ~~X-ray~~ x-ray, laboratory, and dental services.

9 Sec. 51. Section 232.182, subsections 5A and 6, Code 2021,  
10 are amended to read as follows:

11 ~~5A.~~ 6. If the court orders placement of the child into  
12 foster care, the court or the department shall establish a  
13 support obligation for the costs of the placement pursuant to  
14 section 234.39.

15 ~~6.~~ 7. The hearing may be waived and the court may issue  
16 the findings and order required under subsection 5 on the basis  
17 of the department's written report if all parties agree to the  
18 hearing's waiver and the department's written report.

19 Sec. 52. Section 260C.48, subsection 1, paragraph a,  
20 subparagraph (1), subparagraph division (a), Code 2021, is  
21 amended to read as follows:

22 (a) Possess a baccalaureate or graduate degree in the  
23 area or a related area of study or occupational area in  
24 which the instructor teaches classes, or ~~possesses~~ possess a  
25 baccalaureate degree in any area of study if at least eighteen  
26 of the credit hours completed were in the career and technical  
27 field of instruction in which the instructor teaches classes.

28 Sec. 53. Section 261.120, subsection 3, paragraph a,  
29 subparagraphs (1) and (2), Code 2021, are amended to read as  
30 follows:

31 (1) Is enrolled in the final year of a doctor of veterinary  
32 medicine degree program at a college of veterinary medicine  
33 accredited by the American veterinary medical association  
34 council on education.

35 (2) Is a veterinarian licensed pursuant to chapter 169

1 who, within five years of applying for this program, received  
2 a doctor of veterinary medicine degree from a college of  
3 veterinary medicine accredited by the American veterinary  
4 medical association council on education.

5 Sec. 54. Section 261.120, subsection 4, paragraph a, Code  
6 2021, is amended to read as follows:

7 a. Receive or possess a doctor of veterinary medicine  
8 degree, or the equivalent, from a college of veterinary  
9 medicine accredited by the American veterinary medical  
10 association council on education.

11 Sec. 55. Section 263B.4, Code 2021, is amended to read as  
12 follows:

13 **263B.4 Definitions.**

14 As used in [sections 263B.5](#) and [263B.6](#):

15 1. "Appropriate authority" means the federal or state  
16 authorities concerned with the preservation and study of  
17 historical objects.

18 ~~1.~~ 2. "Historical objects" means archaeological and  
19 paleontological objects, including all ruins, sites, buildings,  
20 artifacts, fossils, or other objects of antiquity that  
21 have state and national significance from an historical or  
22 scientific standpoint for the inspiration and benefit of the  
23 people of the United States.

24 ~~2.~~ 3. "Salvage" means the salvage of historical objects.

25 ~~3. "Appropriate authority" means the federal or state~~  
26 ~~authorities concerned with the preservation and study of~~  
27 ~~historical objects.~~

28 Sec. 56. Section 272A.1, subsection 2, paragraphs a, b, c,  
29 d, e, and f, Code 2021, are amended to read as follows:

30 ~~a. "Educational personnel" means persons who must meet~~  
31 ~~requirements pursuant to state law as a condition of employment~~  
32 ~~in educational programs.~~

33 a. "Accept", or any variant thereof, means to recognize  
34 and give effect to one or more determinations of another state  
35 relating to the qualifications of educational personnel in

1 lieu of making or requiring a like determination that would  
2 otherwise be required by or pursuant to the laws of a receiving  
3 state.

4 *b. "Designated state official"* means the education official  
5 of a state selected by that state to negotiate and enter into,  
6 on behalf of that state, contracts pursuant to this agreement.

7 ~~*c. "Accept", or any variant thereof, means to recognize*~~  
8 ~~and give effect to one or more determinations of another state~~  
9 ~~relating to the qualifications of educational personnel in~~  
10 ~~lieu of making or requiring a like determination that would~~  
11 ~~otherwise be required by or pursuant to the laws of a receiving~~  
12 ~~state.~~

13 *c. "Educational personnel"* means persons who must meet  
14 requirements pursuant to state law as a condition of employment  
15 in educational programs.

16 ~~*d. "State" means a state, territory, or possession of the*~~  
17 ~~United States; the District of Columbia; or the Commonwealth~~  
18 ~~of Puerto Rico.~~

19 ~~*e. d. "Originating state"*~~ means a state, and the  
20 subdivision thereof, if any, whose determination that certain  
21 educational personnel are qualified to be employed for specific  
22 duties in schools is acceptable in accordance with the terms of  
23 a contract made pursuant to article III of this agreement.

24 ~~*f. e. "Receiving state"*~~ means a state, and the subdivisions  
25 thereof, which accepts educational personnel in accordance with  
26 the terms of a contract made pursuant to article III of this  
27 agreement.

28 *f. "State" means a state, territory, or possession of the*  
29 United States; the District of Columbia; or the Commonwealth  
30 of Puerto Rico.

31 Sec. 57. Section 306A.10, Code 2021, is amended to read as  
32 follows:

33 **306A.10 Notice to relocate — costs paid.**

34 Whenever the state department of transportation, a city, or  
35 a county determines that relocation or removal of any utility

1 facility now located in, over, along, or under any highway  
2 or street, is necessitated by the construction of a project  
3 on routes of the national system of interstate and defense  
4 highways including extensions within cities or on streets or  
5 highways resulting from interstate substitutions in a qualified  
6 metropolitan area under Tit. 23, U.S.C., the utility owning  
7 or operating the facility shall relocate or remove the ~~same~~  
8 facility in accordance with statutory notice. The costs of  
9 relocation or removal, including the costs of installation  
10 in a new location, shall be ascertained by the authority  
11 having jurisdiction over the project or as determined in  
12 condemnation proceedings for such purposes and may be paid from  
13 participating federal aid or other funds.

14 Sec. 58. Section 311.23, subsection 1, Code 2021, is amended  
15 to read as follows:

16 1. The total cost of any secondary road assessment district  
17 project shall in the first instance be paid out of the county  
18 treasury. Any assessments which are paid in cash, and in  
19 anticipation of which assessments no certificates have been  
20 issued, shall be transferred to the county treasury.

21 Sec. 59. Section 321.504, Code 2021, is amended to read as  
22 follows:

23 **321.504 Optional notification.**

24 In lieu of mailing the notification described in section  
25 321.502 to the defendant in a foreign state, the plaintiff may  
26 cause the notification to be personally served in the foreign  
27 state on the defendant by any adult person not a party to the  
28 suit, by delivering the notification to the defendant or by  
29 offering to make such delivery in case the defendant refuses  
30 to accept delivery.

31 Sec. 60. Section 327E.1, Code 2021, is amended to read as  
32 follows:

33 **327E.1 Foreign railway ~~companies~~ corporations.**

34 1. Any railway corporation organized or created by or  
35 under the laws of any other state, owning and operating a line

1 or lines of railroad in such state, may build its road or  
2 branches into this state, and shall possess all the powers and  
3 privileges, and be subject to the same liabilities, as like  
4 corporations organized and incorporated under the laws of this  
5 state, ~~if it shall file~~ the railway corporation files with the  
6 secretary of state a copy of its articles of incorporation, if  
7 incorporated under a general law of such state, or a certified  
8 copy of the statute incorporating it ~~where~~ if the charter  
9 ~~thereof~~ was granted by statute.

10 2. Any such railway corporation may take and hold voluntary  
11 grants of real estate and other property as are made to  
12 it to aid in the construction, maintenance, and continued  
13 operation of its railway. However, all real estate so received  
14 shall be held only as long as the real estate is used for  
15 the construction, maintenance, and continued operation of a  
16 railway.

17 Sec. 61. Section 331.424, subsection 1, paragraph a,  
18 subparagraph (1), subparagraph division (b), Code 2021, is  
19 amended to read as follows:

20 (b) Clothing, transportation, medical, or other services  
21 provided persons attending the Iowa braille and sight saving  
22 school, the Iowa school for the deaf, or the university of Iowa  
23 hospitals and clinics' center for disabilities and development  
24 for children with severe disabilities at Iowa City, for which  
25 the county becomes obligated to pay pursuant to sections  
26 263.12, 269.2, and 270.4 ~~through 270.7~~.

27 Sec. 62. Section 359.3, Code 2021, is amended to read as  
28 follows:

29 **359.3 Boundaries conterminous with city.**

30 Where the boundaries of any city have been changed, the board  
31 of supervisors of the county in which the ~~same~~ city is situated  
32 shall have power to change the boundary lines of townships so  
33 as to make them conform to the boundaries of the city, and to  
34 make such other changes in township lines, and the number of  
35 townships, as it may deem necessary; but no action shall be



1 taken affecting the boundaries or existing conditions of school  
2 districts.

3 Sec. 63. Section 359.32, Code 2021, is amended to read as  
4 follows:

5 **359.32 Sale of lots — gifts.**

6 Township trustees shall have authority to provide for the  
7 sale of lots, or portions thereof, in any cemetery under their  
8 control, and make rules in regard thereto. Township trustees  
9 may provide for perpetual upkeep by the establishment of a  
10 perpetual upkeep fund from the proceeds of sale of lots, and  
11 may accept ~~gifts~~ a gift, devise, or bequest, made to them for  
12 that purpose.

13 Sec. 64. Section 359A.22, Code 2021, is amended to read as  
14 follows:

15 **359A.22 Controversies.**

16 Upon the application of either owner, after notice is  
17 given as prescribed in this chapter, the fence viewers shall  
18 determine all controversies arising under sections 359A.18 ~~to~~  
19 through 359A.21, ~~inclusive~~, including the partition fences made  
20 sheep and swine tight.

21 Sec. 65. Section 420.236, subsection 1, Code 2021, is  
22 amended to read as follows:

23 1. That ~~no~~ a person shall not be permitted to pay taxes of  
24 any one year until the taxes for the previous years ~~shall be~~  
25 are first paid.

26 Sec. 66. Section 421.27, subsection 2, paragraph c,  
27 subparagraph (2), subparagraph division (b), Code 2021, is  
28 amended to read as follows:

29 (b) As used in this subparagraph, all words and phrases  
30 shall have the same meaning as defined in section 422.25A ~~shall~~  
31 ~~have the same meaning given them by that section.~~

32 Sec. 67. Section 421.59, subsection 1, paragraph b, Code  
33 2021, is amended to read as follows:

34 b. A taxpayer may at any time revoke a power of attorney  
35 filed with the department pursuant to this subsection ~~1~~. Upon

1 processing of the taxpayer's revocation of a power of attorney,  
2 the department shall cease honoring the power of attorney.

3 Sec. 68. Section 422.1, subsections 4 and 10, Code 2021, are  
4 amended to read as follows:

5 4. **Subchapter IV** Repealed by 2003 Iowa Acts,  
6 1st Ex., ch. 2, §151, 205;  
7 see **chapter 423**.

8 10. **Subchapter X** Repealed by 2009 Iowa Acts,  
9 ch. 179, §152, 153.

10 Sec. 69. Section 422.4, subsection 10, Code 2021, is amended  
11 to read as follows:

12 10. The word "*nonresident*" applies only to individuals, and  
13 includes all individuals who are not "residents" within the  
14 meaning of **subsection 15** hereof.

15 Sec. 70. Section 422.11A, Code 2021, is amended to read as  
16 follows:

17 **422.11A New jobs tax credit.**

18 1. The taxes imposed under **this subchapter**, less the  
19 credits allowed under **section 422.12**, shall be reduced by a  
20 new jobs tax credit. An industry which has entered into an  
21 agreement under **chapter 260E** and which has increased its base  
22 employment level by at least ten percent within the time set  
23 in the agreement or, in the case of an industry without a base  
24 employment level, adds new jobs within the time set in the  
25 agreement is entitled to this new jobs tax credit for the tax  
26 year selected by the industry. In determining if the industry  
27 has increased its base employment level by ten percent or added  
28 new jobs, only those new jobs directly resulting from the  
29 project covered by the agreement and those directly related to  
30 those new jobs shall be counted.

31 2. The amount of this credit is equal to the product of  
32 six percent of the taxable wages, as defined in section 96.1A,  
33 subsection 36, upon which an employer is required to contribute  
34 to the state unemployment compensation fund, ~~as defined in~~  
35 ~~section 96.1A, subsection 36,~~ times the number of new jobs

1 existing in the tax year that directly result from the project  
2 covered by the agreement or new jobs that directly result from  
3 those new jobs. The tax year chosen by the industry shall  
4 either begin or end during the period beginning with the date  
5 of the agreement and ending with the date by which the project  
6 is to be completed under the agreement. An individual may  
7 claim the new jobs tax credit allowed a partnership, subchapter  
8 S corporation, or estate or trust electing to have the income  
9 taxed directly to the individual. The amount claimed by  
10 the individual shall be based upon the pro rata share of  
11 the individual's earnings of the partnership, subchapter S  
12 corporation, or estate or trust. Any credit in excess of the  
13 tax liability for the tax year may be credited to the tax  
14 liability for the following ten tax years or until depleted,  
15 whichever is the earlier.

16 3. For purposes of [this section](#), "agreement", "industry",  
17 "new job", and "project" mean the same as defined in section  
18 260E.2 and "base employment level" means the number of full-time  
19 jobs an industry employs at the plant site which is covered by  
20 an agreement under [chapter 260E](#) on the date of that agreement.

21 Sec. 71. Section 422.11S, subsection 8, paragraph a,  
22 subparagraph (2), subparagraph division (b), subparagraph  
23 subdivision (i), Code 2021, is amended to read as follows:

24 (i) During any calendar year beginning on or after January  
25 1, 2022, if the amount of awarded tax credits from the  
26 preceding calendar year ~~are~~ is equal to or greater than ninety  
27 percent of the total approved tax credits for the current  
28 calendar year, the total approved tax credits for the current  
29 calendar year shall equal the product of ten percent multiplied  
30 by the total approved tax credits for the current calendar year  
31 plus the total approved tax credits for the current calendar  
32 year.

33 Sec. 72. Section 422.25A, subsection 1, paragraph r, Code  
34 2021, is amended to read as follows:

35 *r.* "Partnership level audit" means an examination by the

1 internal revenue service at the partnership level pursuant  
2 to subchapter C, of title 26, subtitle F, chapter 63, of the  
3 Internal Revenue Code, as enacted by the Bipartisan Budget Act  
4 of 2015, Pub. L. No. 114-74, and as amended, which results in  
5 final federal partnership adjustments initiated and made by the  
6 internal revenue service.

7 Sec. 73. Section 422.29, subsection 1, Code 2021, is amended  
8 to read as follows:

9 1. Judicial review of actions of the director may be  
10 sought in accordance with the terms of the Iowa administrative  
11 procedure Act, chapter 17A. Notwithstanding the terms of said  
12 ~~Act~~ chapter 17A, petitions for judicial review may be filed  
13 in the district court of the county in which the petitioner  
14 resides, or in which the petitioner's principal place of  
15 business is located, or in the case of a nonresident not  
16 maintaining a place of business in this state either in any  
17 county in which the income involved was earned or derived or in  
18 Polk county, within sixty days after the petitioner shall have  
19 received notice of a determination by the director as provided  
20 for in section 422.28.

21 Sec. 74. Section 422.33, subsection 6, Code 2021, is amended  
22 to read as follows:

23 6. a. The taxes imposed under this subchapter shall be  
24 reduced by a new jobs tax credit. An industry which has  
25 entered into an agreement under chapter 260E and which has  
26 increased its base employment level by at least ten percent  
27 within the time set in the agreement or, in the case of an  
28 industry without a base employment level, adds new jobs within  
29 the time set in the agreement is entitled to this new jobs  
30 tax credit for the tax year selected by the industry. In  
31 determining if the industry has increased its base employment  
32 level by ten percent or added new jobs, only those new jobs  
33 directly resulting from the project covered by the agreement  
34 and those directly related to those new jobs shall be counted.

35 b. The amount of this credit is equal to the product of

1 six percent of the taxable wages, as defined in section 96.1A,  
 2 subsection 36, upon which an employer is required to contribute  
 3 to the state unemployment compensation fund, ~~as defined in~~  
 4 ~~section 96.1A, subsection 36,~~ times the number of new jobs  
 5 existing in the tax year that directly result from the project  
 6 covered by the agreement or new jobs that directly result from  
 7 those new jobs. The tax year chosen by the industry shall  
 8 either begin or end during the period beginning with the date  
 9 of the agreement and ending with the date by which the project  
 10 is to be completed under the agreement. Any credit in excess  
 11 of the tax liability for the tax year may be credited to the tax  
 12 liability for the following ten tax years or until depleted in  
 13 less than the ten years.

14 c. For purposes of this section, "agreement", "industry",  
 15 "new job" and "project" mean the same as defined in section  
 16 260E.2 and "base employment level" means the number of full-time  
 17 jobs an industry employs at the plant site which is covered by  
 18 an agreement under chapter 260E on the date of that agreement.

19 Sec. 75. Section 422.72, subsection 1, paragraph a,  
 20 subparagraph (1), Code 2021, is amended to read as follows:

21 (1) It is unlawful for the director, or any person having  
 22 an administrative duty under this chapter, or any present or  
 23 former officer or other employee of the state authorized by the  
 24 director to examine returns, to willfully or recklessly divulge  
 25 in any manner ~~whatever,~~ the business affairs, operations, or  
 26 information obtained by an investigation under this chapter  
 27 of records and equipment of any person visited or examined  
 28 in the discharge of official duty, or the amount or source  
 29 of income, profits, losses, expenditures or any particular  
 30 thereof, set forth or disclosed in any return~~;~~ or to willfully  
 31 or recklessly permit any return or copy of a return or any book  
 32 containing any abstract or particulars thereof to be seen or  
 33 examined by any person except as provided by law.

34 Sec. 76. Section 455B.133B, subsection 5, paragraph d,  
 35 subparagraph (2), unnumbered paragraph 1, Code 2021, is amended

1 to read as follows:

2 Notwithstanding subparagraph (1), moneys in the air emission  
3 fee account are also appropriated to the department to pay for  
4 costs associated with implementing and administering regulatory  
5 activities, including programs, provided for in ~~division this~~  
6 subchapter II of this chapter, other than costs covered by any  
7 of the following:

8 Sec. 77. Section 455B.134, subsection 3, paragraph e,  
9 subparagraph (1), unnumbered paragraph 1, Code 2021, is amended  
10 to read as follows:

11 Notwithstanding any other provision of ~~division this~~  
12 subchapter II of this chapter or chapter 459, subchapter II,  
13 the following siting requirements shall apply to anaerobic  
14 lagoons and earthen waste slurry storage basins:

15 Sec. 78. Section 455B.134, subsections 12 and 13, Code 2021,  
16 are amended to read as follows:

17 12. Review and evaluate air pollution control programs  
18 conducted by political subdivisions of the state with respect  
19 to whether the programs are consistent with the provisions of  
20 ~~division this subchapter II of this chapter~~ and chapter 459,  
21 subchapter II, and rules adopted by the commission.

22 13. Hold public hearings, except when the evidence to  
23 be received is confidential pursuant to section 455B.137,  
24 necessary to accomplish the purposes of ~~division this~~  
25 subchapter II of this chapter and chapter 459, subchapter II.  
26 The director may issue subpoenas requiring the attendance of  
27 witnesses and the production of evidence pertinent to the  
28 hearings. A subpoena shall be issued and enforced in the same  
29 manner as in civil actions.

30 Sec. 79. Section 455B.138, subsection 1, Code 2021, is  
31 amended to read as follows:

32 1. When the director has evidence that a violation of  
33 any provision of ~~division this subchapter II of this chapter~~  
34 or chapter 459, subchapter II, or rule, standard, or permit  
35 established or issued under division this subchapter II or

1 chapter 459, subchapter II, has occurred, the director shall  
2 notify the alleged violator and, by informal negotiation,  
3 attempt to resolve the problem. If the negotiations fail  
4 to resolve the problem within a reasonable period of time,  
5 the director shall issue an order directing the violator to  
6 prevent, abate, or control the emissions or air pollution  
7 involved. The order shall prescribe the date by which the  
8 violation shall cease and may prescribe timetables for  
9 necessary action to prevent, abate, or control the emissions of  
10 air pollution. The order may be appealed to the commission.  
11 The applicable time frames for the issuance and appeal of the  
12 order are defined in [section 455B.110](#).

13 Sec. 80. Section 455B.140, Code 2021, is amended to read as  
14 follows:

15 **455B.140 Judicial review.**

16 Judicial review of actions of the commission or of the  
17 director may be sought in accordance with the terms of the Iowa  
18 administrative procedure Act, [chapter 17A](#). Notwithstanding the  
19 terms of ~~said Act~~ [chapter 17A](#), petitions for judicial review  
20 may be filed in the district court of the county in which the  
21 alleged offense was committed.

22 Sec. 81. Section 455B.143, subsection 1, Code 2021, is  
23 amended to read as follows:

24 1. The director shall promptly investigate the application  
25 and approve or disapprove the application. The director  
26 may grant a variance if the director finds ~~that~~ all of the  
27 following:

28 *a.* The emissions occurring or proposed to occur do not  
29 endanger or tend to endanger human health or safety or  
30 property; ~~and~~.

31 *b.* Compliance with the rules or standards from which the  
32 variance is sought will produce serious hardship without equal  
33 or greater benefits to the public.

34 Sec. 82. Section 455B.145, Code 2021, is amended to read as  
35 follows:

1     **455B.145 Acceptance of local program.**

2     When an air pollution control program conducted by a  
3 political subdivision, or a combination of them, is deemed upon  
4 review as provided in [section 455B.134](#), to be consistent with  
5 the provisions of this [division subchapter II](#) or the rules  
6 established under [this division subchapter II](#), the director  
7 shall accept such program in lieu of state administration and  
8 regulation of air pollution within the political subdivisions  
9 involved. [This section](#) shall not be construed to limit the  
10 power of the director to issue state permits and to take  
11 other actions consistent with this [division subchapter II](#)  
12 or the rules established under this ~~division~~ [subchapter](#)  
13 that the director deems necessary for the continued proper  
14 administration of the air pollution programs within the  
15 jurisdiction of the local air pollution program.

16     1. In evaluating an air pollution control program,  
17 consideration shall be given to whether such program provides  
18 for the following:

19     *a.* Ordinances, rules, and standards establishing  
20 requirements consistent with, or more strict than, those  
21 imposed by this [division subchapter II](#) or rules and standards  
22 adopted by the department.

23     *b.* Enforcement of such requirements by appropriate  
24 administrative and judicial process.

25     *c.* Administrative organization, staff, financial, and other  
26 resources necessary to administer an efficient and effective  
27 program.

28     *d.* Location of emission monitoring devices in areas of  
29 the political subdivision in compliance with uniform state  
30 standards adopted by the department. The department shall  
31 adopt uniform state standards for the location of emission  
32 monitoring devices specifying such intervals and such  
33 procedures to provide a reasonably consistent measurement  
34 of emissions from air contaminant sources regardless of the  
35 political subdivision of the state in which the sources may be



1 located.

2 2. Upon acceptance of a local air pollution control program,  
3 the director shall issue a certificate of acceptance to the  
4 appropriate local agency.

5 a. Any political subdivision desiring a certificate of  
6 acceptance shall apply to the department on forms prescribed by  
7 the director.

8 b. The director shall promptly investigate the application  
9 and approve or disapprove the application. The director may  
10 conduct a public hearing before action is taken to approve or  
11 disapprove. If the director disapproves issuing a certificate,  
12 the political subdivision may appeal the action to the  
13 department of inspections and appeals. At the hearing on  
14 appeal, the department of inspections and appeals shall decide  
15 whether the local program is substantially consistent with the  
16 provisions of this ~~division~~ subchapter II, or rules adopted  
17 thereunder, and whether the local program is being enforced.  
18 The burden of proof shall be upon the political subdivision.

19 c. If the director determines at any time that a local air  
20 pollution program is being conducted in a manner inconsistent  
21 with the substantive provisions of this ~~division~~ subchapter  
22 II or the rules adopted ~~thereunder~~ under this subchapter  
23 II, the director shall notify the political subdivision,  
24 citing the deviations from the acceptable standards and the  
25 corrective measures to be completed within a reasonable amount  
26 of time. If the corrective measures are not implemented as  
27 prescribed, the director shall suspend in whole or in part the  
28 certificate of acceptance of such political subdivision and  
29 shall administer the regulatory provisions of ~~said division~~  
30 this subchapter II in whole or in part within the political  
31 subdivision until the appropriate standards are met. Upon  
32 receipt of evidence that necessary corrective action has been  
33 taken, the director shall reinstate the suspended certificate  
34 of acceptance, and the political subdivision shall resume the  
35 administration of the local air pollution control program

1 within its jurisdiction. In cases where the certificate of  
2 acceptance is suspended, the political subdivision may appeal  
3 the suspension to the department of inspections and appeals.

4 *d.* Nothing in this division subchapter II shall be construed  
5 to supersede the jurisdiction of any local air pollution  
6 control program in operation on the first of January, 1973,  
7 except that any such program shall meet all requirements of  
8 ~~said division~~ this subchapter II.

9 Sec. 83. Section 455B.146, Code 2021, is amended to read as  
10 follows:

11 **455B.146 Civil action for compliance — local program**  
12 **actions.**

13 If any order, permit, or rule of the department is being  
14 violated, the attorney general shall, at the request of the  
15 department or the director, institute a civil action in any  
16 district court for injunctive relief to prevent any further  
17 violation of the order, permit, or rule, or for the assessment  
18 of a civil penalty as determined by the court, not to exceed  
19 ten thousand dollars per day for each day such violation  
20 continues, or both such injunctive relief and civil penalty.  
21 Notwithstanding sections 331.302 and 331.307, a city or county  
22 which maintains air pollution control programs authorized by  
23 certificate of acceptance under this division subchapter II may  
24 provide civil penalties consistent with the amount established  
25 for such penalties under this division subchapter II.

26 Sec. 84. Section 455B.146A, subsections 1 and 2, Code 2021,  
27 are amended to read as follows:

28 1. A person who knowingly violates any provision of ~~division~~  
29 this subchapter II of this chapter, any permit, rule, standard,  
30 or order issued under ~~division~~ this subchapter II of this  
31 ~~chapter~~, or any condition or limitation included in any permit  
32 issued under division this subchapter II of this chapter,  
33 is guilty of an aggravated misdemeanor. A conviction for a  
34 violation is punishable by a fine of not more than ten thousand  
35 dollars for each day of violation or by imprisonment for not

1 more than two years, or both. If the conviction is for a  
2 second or subsequent violation committed by a person under this  
3 section, however, the conviction is punishable by a fine of not  
4 more than twenty thousand dollars for each day of violation or  
5 by imprisonment for not more than four years, or by both.

6 2. a. A person who knowingly makes any false statement,  
7 representation, or certification of any application, record,  
8 report, plan, or other document filed or required to be  
9 maintained under ~~division this subchapter II of this chapter,~~  
10 or by any permit, rule, standard, or order issued under  
11 ~~division this subchapter II of this chapter~~ or who falsifies,  
12 tampers with, or knowingly renders inaccurate any monitoring  
13 device or method required to be maintained under ~~division~~  
14 ~~this subchapter II of this chapter,~~ or by any permit, rule,  
15 standard, or order issued under ~~division this subchapter II~~  
16 ~~of this chapter,~~ or who knowingly fails to notify or report  
17 as required by ~~division this subchapter II of this chapter~~ or  
18 by any permit, rule, standard, or order issued under ~~division~~  
19 ~~this subchapter II of this chapter,~~ or by any condition or  
20 limitation included in any permit issued under ~~division this~~  
21 ~~subchapter II of this chapter,~~ is guilty of an aggravated  
22 misdemeanor punishable by a fine of not more than ten thousand  
23 dollars per day per violation or by imprisonment for not more  
24 than one year, or by both. If the conviction is for a second  
25 or subsequent violation committed by a person under this  
26 paragraph, however, the conviction is punishable by a fine of  
27 not more than twenty thousand dollars for each day of violation  
28 or by imprisonment for not more than two years, or by both.

29 b. A person who knowingly fails to pay any fee owed the  
30 state under any provision of ~~division this subchapter II of~~  
31 ~~this chapter,~~ or any permit, rule, standard, or order issued  
32 under ~~division this subchapter II of this chapter,~~ is guilty of  
33 an aggravated misdemeanor punishable by a fine of not more than  
34 ten thousand dollars per day per violation or by imprisonment  
35 for not more than six months, or by both. If the conviction

1 is for a second or subsequent violation under this paragraph,  
2 however, the conviction is punishable by a fine of not more  
3 than twenty thousand dollars for each day of violation or by  
4 imprisonment for not more than one year, or by both.

5 Sec. 85. Section 455B.149, subsection 1, Code 2021, is  
6 amended to read as follows:

7 1. Upon application by the owner or operator of a  
8 fuel-burning stationary source, and after notice and  
9 opportunity for public hearing, the commission may petition  
10 the president, under section 110, subsection "f", paragraph  
11 1, of the federal Clean Air Act as amended through January 1,  
12 1991, for a determination that a national or regional energy  
13 emergency exists. If the president determines an emergency  
14 exists, the commission may suspend any requirement of this  
15 ~~division~~ subchapter II or a rule or permit issued under this  
16 ~~division~~ subchapter II. A temporary emergency suspension under  
17 this subsection shall be issued only if there exists in the  
18 vicinity of the source a temporary emergency involving high  
19 levels of unemployment or loss of necessary energy supplies for  
20 residential buildings and if the unemployment or loss can be  
21 totally or partially alleviated by the suspension. Only one  
22 suspension may be issued for a source on the basis of the same  
23 set of circumstances or on the basis of the same emergency.  
24 A suspension shall remain in effect for a maximum of four  
25 months. The commission may include in a suspension a provision  
26 directing the director to delay for a period identical to the  
27 period of the suspension a compliance schedule or increment  
28 of progress to which the source is subject under section  
29 455B.138, if the source is unable to comply with the schedule  
30 or increment solely because of the conditions on the basis of  
31 which the suspension was issued.

32 Sec. 86. Section 455B.171, subsections 28 and 36, Code 2021,  
33 are amended to read as follows:

34 28. "*Schedule of compliance*" means a schedule of remedial  
35 measures including an enforceable sequence of actions or

1 operations leading to compliance with any effluent standard,  
2 water quality standard, or any other requirement of this part  
3 1 of ~~this division~~ subchapter III or any rule promulgated  
4 pursuant ~~thereto~~ to this subchapter.

5 36. "*Sewer system*" means pipelines or conduits, pumping  
6 stations, force mains, vehicles, vessels, conveyances,  
7 injection wells, and all other constructions, devices, and  
8 appliances appurtenant thereto used for conducting sewage  
9 or industrial waste or other wastes to a point of ultimate  
10 disposal or disposal to any water of the state. To the extent  
11 that they are not subject to section 402 of the federal Water  
12 Pollution Control Act, ditches, pipes, and drains that serve  
13 only to collect, channel, direct, and convey nonpoint runoff  
14 from precipitation are not considered as sewer systems for the  
15 purposes of this part 1 of ~~this division~~ subchapter III.

16 Sec. 87. Section 455B.173, subsection 2, paragraph b, Code  
17 2021, is amended to read as follows:

18 b. If the federal environmental protection agency has  
19 promulgated an effluent standard or pretreatment standard  
20 pursuant to section 301, 306, or 307 of the federal Water  
21 Pollution Control Act, a pretreatment or effluent standard  
22 adopted pursuant to ~~this section~~ shall not be more stringent  
23 than the federal effluent or pretreatment standard for such  
24 source. ~~This section~~ may not preclude the establishment of  
25 a more restrictive effluent limitation in the permit for a  
26 particular point source if the more restrictive effluent  
27 limitation is necessary to meet water quality standards, the  
28 establishment of an effluent standard for a source or class of  
29 sources for which the federal environmental protection agency  
30 has not promulgated standards pursuant to section 301, 306,  
31 or 307 of the federal Water Pollution Control Act. Except as  
32 required by federal law or regulation, the commission shall not  
33 adopt an effluent standard more stringent with respect to any  
34 pollutant than is necessary to reduce the concentration of that  
35 pollutant in the effluent to the level due to natural causes,

1 including the mineral and chemical characteristics of the land,  
2 existing in the water of the state to which the effluent is  
3 discharged. Notwithstanding any other provision of this part  
4 1 of ~~this division~~ subchapter III or chapter 459, subchapter  
5 III, any new source, the construction of which was commenced  
6 after October 18, 1972, and which was constructed as to meet  
7 all applicable standards of performance for the new source or  
8 any more stringent effluent limitation required to meet water  
9 quality standards, shall not be subject to any more stringent  
10 effluent limitations during a ten-year period beginning on the  
11 date of completion of construction or during the period of  
12 depreciation or amortization of the pollution control equipment  
13 for the facility for the purposes of section 167 or 169 or both  
14 sections of the Internal Revenue Code, whichever period ends  
15 first.

16 Sec. 88. Section 455B.174, subsections 1 and 3, Code 2021,  
17 are amended to read as follows:

18 1. Conduct investigations of alleged water pollution or of  
19 alleged violations of this part 1 of ~~this division~~ subchapter  
20 III, chapter 459, subchapter III, chapter 459A, chapter 459B,  
21 or any rule adopted or any permit issued pursuant thereto upon  
22 written request of any state agency, political subdivision,  
23 local board of health, twenty-five residents of the state,  
24 as directed by the department, or as may be necessary to  
25 accomplish the purposes of this part 1 of ~~this division~~  
26 subchapter III, chapter 459, subchapter III, chapter 459A, or  
27 chapter 459B.

28 3. Take any action or actions allowed by law which, in  
29 the director's judgment, are necessary to enforce or secure  
30 compliance with the provisions of this part 1 of ~~this division~~  
31 subchapter III or chapter 459, subchapter III, or of any rule  
32 or standard established or permit issued pursuant thereto.

33 Sec. 89. Section 455B.174, subsection 4, paragraph a,  
34 subparagraph (1), unnumbered paragraph 1, Code 2021, is amended  
35 to read as follows:

1 Approve or disapprove the plans and specifications for  
2 the construction of disposal systems or public water supply  
3 systems except for those sewer extensions and water supply  
4 distribution system extensions which are reviewed by a city  
5 or county public works department as set forth in section  
6 455B.183. The director shall issue, revoke, suspend, modify,  
7 or deny permits for the operation, installation, construction,  
8 addition to, or modification of any disposal system or public  
9 water supply system except for sewer extensions and water  
10 supply distribution system extensions which are reviewed by a  
11 city or county public works department as set forth in section  
12 455B.183. The director shall also issue, revoke, suspend,  
13 modify, or deny permits for the discharge of any pollutant, or  
14 for the use or disposal of sewage sludge. The permits shall  
15 contain conditions and schedules of compliance as necessary  
16 to meet the requirements of this part 1 of ~~this division~~  
17 subchapter III or chapter 459, subchapter III, the federal  
18 Water Pollution Control Act and the federal Safe Drinking  
19 Water Act. A permit issued under this chapter for the use or  
20 disposal of sewage sludge is in addition to and must contain  
21 references to any other permits required under this chapter.  
22 The director shall not issue or renew a permit to a disposal  
23 system or a public water supply system which is not viable.  
24 If the director has reasonable grounds to believe that a  
25 disposal system or public water supply system is not viable,  
26 the department may require the system to submit a business plan  
27 as a means of determining viability. This plan shall include  
28 the following components:

29 Sec. 90. Section 455B.174, subsection 5, paragraph a, Code  
30 2021, is amended to read as follows:

31 a. Periodically review permits and reports submitted by city  
32 and county public works departments in accordance with section  
33 455B.183, subsection 3, to ensure such public works departments  
34 are complying with this part 1 of ~~this division~~ subchapter III.  
35 If a city or county public works department is not complying

1 with [section 455B.183](#) in reviewing plans and specifications  
2 or in granting permits or both, the department shall perform  
3 these functions in that jurisdiction until the city or county  
4 public works department is able to perform them. Performance  
5 of these functions in a jurisdiction by a local public works  
6 department shall not be suspended or revoked until after notice  
7 and opportunity for hearing as provided in [chapter 17A](#).

8 Sec. 91. Section 455B.175, Code 2021, is amended to read as  
9 follows:

10 **455B.175 Violations.**

11 1. If there is substantial evidence that any person has  
12 violated or is violating any provision of, or any rule or  
13 standard established or permit issued pursuant to, this part  
14 1 of ~~this division~~ subsection III, chapter 459, subchapter  
15 III, [chapter 459A](#), or [chapter 459B](#), ~~or of any rule or standard~~  
16 ~~established or permit issued pursuant thereto,~~ then one of the  
17 following may apply:

18 a. The director may issue an order directing the person  
19 to desist in the practice which constitutes the violation or  
20 to take such corrective action as may be necessary to ensure  
21 that the violation will cease. The person to whom such order  
22 is issued may cause to be commenced a contested case within  
23 the meaning of the Iowa administrative procedure Act, chapter  
24 17A, by filing with the director a notice of appeal to the  
25 commission. The applicable time frames for the issuance and  
26 appeal of the order are defined in [section 455B.110](#). On appeal  
27 the commission may affirm, modify, or vacate the order of the  
28 director; ~~or.~~

29 b. If it is determined by the director that an emergency  
30 exists respecting any matter affecting or likely to affect the  
31 public health, the director may issue any order necessary to  
32 terminate the emergency without notice and without hearing.  
33 Any such order shall be binding and effective immediately and  
34 until such order is modified or vacated at a hearing before the  
35 commission or by a court; ~~or.~~



1 c. The director, with the approval of the commission, may  
2 request the attorney general to institute legal proceedings  
3 pursuant to [section 455B.191](#) or [459.604](#).

4 2. Notwithstanding the limitations on civil and criminal  
5 penalty amounts in [sections 331.302](#) and [331.307](#), a county that  
6 has entered into an agreement with the department pursuant to  
7 sections 455B.174 and [455B.183](#) regarding the construction of  
8 semipublic sewage disposal systems may assess civil penalties  
9 in amounts consistent with and not exceeding the amounts  
10 established for such penalties under this ~~division~~ subchapter  
11 III.

12 Sec. 92. Section 455B.177, subsection 1, Code 2021, is  
13 amended to read as follows:

14 1. The general assembly finds and declares that because  
15 the federal Water Pollution Control Act provides for a permit  
16 system to regulate the discharge of pollutants into the waters  
17 of the United States and provides that permits may be issued  
18 by states which are authorized to implement that Act, it is  
19 in the interest of the people of Iowa to enact this part 1 of  
20 this ~~division~~ subchapter III in order to authorize the state to  
21 implement the federal Water Pollution Control Act, and federal  
22 regulations and guidelines issued pursuant to that Act.

23 Sec. 93. Section 455B.179, Code 2021, is amended to read as  
24 follows:

25 **455B.179 Trade secrets protected.**

26 Upon a satisfactory showing by any person to the director  
27 that public disclosure of any record, report, permit, permit  
28 application, or other document or information or part thereof  
29 would divulge methods or processes entitled to protection  
30 as a trade secret, any such record, report, permit, permit  
31 application, or other document or part thereof other than  
32 effluent data and analytical results of monitoring of public  
33 water supply systems, shall be accorded confidential treatment.  
34 Notwithstanding the provisions of [chapter 22](#), a person in  
35 connection with duties or employment by the department shall

1 not make public any information accorded confidential status;  
2 however, any such record or other information accorded  
3 confidential status may be disclosed or transmitted to other  
4 officers, employees, or authorized representatives of this  
5 state or the United States concerned with carrying out this  
6 part 1 of ~~this division~~ subchapter III; chapter 459, subchapter  
7 III; or chapter 459A; or when relevant in any proceeding under  
8 this part 1 of ~~this division~~ subchapter III; chapter 459,  
9 subchapter III; or chapter 459A.

10 Sec. 94. Section 455B.182, Code 2021, is amended to read as  
11 follows:

12 **455B.182 Failure constitutes contempt.**

13 Failure to obey any order issued by the department with  
14 reference to a violation of this part 1 of this ~~division~~  
15 subchapter III; chapter 459, subchapter III; chapter 459A;  
16 chapter 459B; or any rule promulgated or permit issued pursuant  
17 thereto shall constitute prima facie evidence of contempt. In  
18 such event the department may certify to the district court  
19 of the county in which such alleged disobedience occurred  
20 the fact of such failure. The district court after notice,  
21 as prescribed by the court, to the parties in interest shall  
22 then proceed to hear the matter and if it finds that the order  
23 was lawful and reasonable, it shall order the party to comply  
24 with the order. If the person fails to comply with the court  
25 order, that person shall be guilty of contempt and shall be  
26 fined not to exceed five hundred dollars for each day that the  
27 person fails to comply with the court order. The penalties  
28 provided in this section shall be considered as additional  
29 to any penalty which may be imposed under the law relative  
30 to nuisances or any other statute relating to the pollution  
31 of any waters of the state or related to public water supply  
32 systems and a conviction under this section shall not be a bar  
33 to prosecution under any other penal statute.

34 Sec. 95. Section 455B.183A, subsection 1, Code 2021, is  
35 amended to read as follows:

1 1. A water quality protection fund is created in the  
2 state treasury under the control of the department. The fund  
3 consists of moneys appropriated to the fund by the general  
4 assembly, moneys deposited into the fund from fees described  
5 in [subsection 2](#), moneys deposited into the fund from fees  
6 collected pursuant to [sections 455B.187](#) and [455B.190A](#), and  
7 other moneys available to and obtained or accepted by the  
8 department from the United States government or private sources  
9 for placement in the fund. The fund is divided into the public  
10 water supply system account and the private water supply system  
11 account. Moneys in the public water supply system account are  
12 appropriated to the department for purposes of carrying out  
13 the provisions of [this division subchapter III](#), which relate  
14 to the administration, regulation, and enforcement of the  
15 federal Safe Drinking Water Act, and to support the program to  
16 assist supply systems, as provided in [section 455B.183B](#). Moneys  
17 in the private water supply system account are appropriated  
18 to the department for the purpose of supporting the programs  
19 established to protect private drinking water supplies  
20 as provided in [sections 455B.187](#), [455B.188](#), [455B.190](#), and  
21 [455B.190A](#).

22 Sec. 96. Section 455B.183C, Code 2021, is amended to read  
23 as follows:

24 **455B.183C Personnel — department of management.**

25 Notwithstanding any limitation upon the department's  
26 number of full-time equivalent positions as defined in  
27 section 8.36A, any point limitation on personnel, or any other  
28 limitation upon the number of personnel or their employment  
29 classification, imposed by the department of management, the  
30 department may employ the number of full-time equivalent  
31 positions which equals the number of positions allocated by the  
32 general assembly to the department for each applicable fiscal  
33 year in order to carry out the provisions of [this division](#)  
34 [subchapter III](#) relating to the administration, regulation,  
35 and enforcement of the federal Safe Drinking Water Act and

1 the program to assist supply systems, but only to the extent  
2 that moneys used to support the positions derive from moneys  
3 deposited in the water quality protection fund, as provided  
4 in [section 455B.183A](#). If a specific number of full-time  
5 equivalent positions are not allocated by the general assembly,  
6 the department may fill any number of positions required  
7 to administer the program, to the extent the positions are  
8 supported by the fund.

9 Sec. 97. Section 455B.191, subsections 2, 4, 5, and 6, Code  
10 2021, are amended to read as follows:

11 2. Any person who violates any provision of this part 1  
12 of ~~division subchapter III of this chapter~~ or any permit,  
13 rule, standard, or order issued under this part 1 of ~~division~~  
14 ~~subchapter III of this chapter~~ shall be subject to a civil  
15 penalty not to exceed five thousand dollars for each day of  
16 such violation.

17 4. Any person who knowingly makes any false statement,  
18 representation, or certification in any application, record,  
19 report, plan or other document filed or required to be  
20 maintained under this part 1 of ~~division subchapter III of this~~  
21 ~~chapter~~, or who falsifies, tampers with, or knowingly renders  
22 inaccurate any monitoring device or method required to be  
23 maintained under this part 1 of ~~division subchapter III of this~~  
24 ~~chapter~~ or by any permit, rule, regulation, or order issued  
25 under this part 1 of ~~division subchapter III of this chapter~~,  
26 shall upon conviction be punished by a fine of not more than  
27 ten thousand dollars or by imprisonment in the county jail for  
28 not more than six months or by both such fine and imprisonment.

29 5. The attorney general shall, at the request of the  
30 director with approval of the commission, institute any  
31 legal proceedings, including an action for an injunction or  
32 a temporary injunction, necessary to enforce the penalty  
33 provisions of this part 1 of ~~division subchapter III of this~~  
34 ~~chapter~~ or to obtain compliance with the provisions of this  
35 part 1 of ~~division subchapter III of this chapter~~ or any rules

1 promulgated or any provision of any permit issued under this  
2 part 1 of ~~division subchapter III of this chapter~~. In any such  
3 action, any previous findings of fact of the director or the  
4 commission after notice and hearing shall be conclusive if  
5 supported by substantial evidence in the record when the record  
6 is viewed as a whole.

7 6. In all proceedings with respect to any alleged violation  
8 of the provisions of this part 1 of ~~division subchapter III~~ or  
9 any rule established by the commission or the department, the  
10 burden of proof shall be upon the commission or the department  
11 except in an action for contempt as provided in section  
12 455B.182.

13 Sec. 98. Section 455B.192, Code 2021, is amended to read as  
14 follows:

15 **455B.192 Local government — penalties.**

16 Notwithstanding ~~sections 331.302, 331.307, 364.3, and~~  
17 364.22, a city or county may assess a civil penalty for a  
18 violation of this ~~division subchapter III~~ which is equal to the  
19 amount the department has assessed for a violation under this  
20 ~~division subchapter III~~.

21 Sec. 99. Section 455B.219, subsection 8, Code 2021, is  
22 amended to read as follows:

23 8. Willful or repeated violations of ~~division this~~  
24 ~~subchapter III of this chapter~~.

25 Sec. 100. Section 455B.224, Code 2021, is amended to read  
26 as follows:

27 **455B.224 Simple misdemeanor.**

28 Any person, including any firm, corporation, municipal  
29 corporation, or other governmental subdivision or agency,  
30 violating any provisions of this part 2 of ~~division subchapter~~  
31 III or the rules adopted ~~thereunder~~ under this part after  
32 written notice thereof by the executive director is guilty of a  
33 simple misdemeanor. Each day of operation in such violation  
34 of ~~said this part~~ this part or any rules adopted ~~thereunder~~ under this  
35 part shall constitute a separate offense. It shall be the duty

1 of the appropriate county attorney to secure injunctions of  
2 continuing violations of any provisions of ~~said~~ this part or  
3 the rules adopted ~~thereunder~~ under this part.

4 Sec. 101. Section 455B.307, Code 2021, is amended to read  
5 as follows:

6 **455B.307 Dumping — where prohibited — penalty.**

7 1. A private agency or public agency shall not dump or  
8 deposit or permit the dumping or depositing of any solid waste  
9 at any place other than a sanitary disposal project approved  
10 by the director unless the agency has been granted a permit  
11 by the department which allows the dumping or depositing  
12 of solid waste on land owned or leased by the agency. The  
13 department shall adopt rules regarding the permitting of this  
14 activity which shall provide that the public interest is best  
15 served, but which may be based upon criteria less stringent  
16 than those regulating a public sanitary disposal project  
17 provided that the rules adopted meet the groundwater protection  
18 goal specified in [section 455E.4](#). The comprehensive plans  
19 for these facilities may be varied in consideration of the  
20 types of sanitary disposal practices, hydrologic and geologic  
21 conditions, construction and operations characteristics, and  
22 volumes and types of waste handled at the disposal site. The  
23 director may issue temporary permits for dumping or disposal  
24 of solid waste at disposal sites for which an application  
25 for a permit to operate a sanitary disposal project has been  
26 made and which have not met all of the requirements of part 1  
27 of [this division subchapter IV](#) and the rules adopted by the  
28 commission if a compliance schedule has been submitted by the  
29 applicant specifying how and when the applicant will meet the  
30 requirements for an operational sanitary disposal project and  
31 the director determines the public interest will be best served  
32 by granting such temporary permit.

33 2. The director may issue any order necessary to secure  
34 compliance with or prevent a violation of the provisions of  
35 this part 1 of [division subchapter IV](#) or the rules adopted

1 pursuant to the part. The attorney general shall, on request  
2 of the department, institute any legal proceedings necessary  
3 in obtaining compliance with an order of the commission or  
4 the director or prosecuting any person for a violation of the  
5 provisions of the part or rules issued pursuant to ~~the~~ this  
6 part.

7 3. Any person who violates any provision of part 1 of this  
8 ~~division subchapter IV~~ or any rule or any order adopted or  
9 the conditions of any permit or order issued pursuant to part  
10 1 of this division subchapter IV shall be subject to a civil  
11 penalty, not to exceed five thousand dollars for each day of  
12 such violation.

13 Sec. 102. Section 455B.307A, subsection 4, Code 2021, is  
14 amended to read as follows:

15 4. This section shall not apply to the discarding of litter  
16 regulated under ~~chapter 455B, division subchapter IV~~, part 3,  
17 and local littering ordinances.

18 Sec. 103. Section 455B.396, subsection 1, Code 2021, is  
19 amended to read as follows:

20 1. Liability to the state under this part 4 or part 5 of  
21 this ~~division subchapter IV~~ is a debt to the state. Liability  
22 to a political subdivision under this part 4 of this ~~division~~  
23 subchapter IV is a debt to the political subdivision. The  
24 debt, together with interest on the debt at the maximum  
25 lawful rate of interest permitted pursuant to section 535.2,  
26 subsection 3, paragraph "a", from the date costs and expenses  
27 are incurred by the state or a political subdivision is a lien  
28 on real property, except single and multifamily residential  
29 property, on which the department incurs costs and expenses  
30 creating a liability and owned by the persons liable under  
31 this part 4 or part 5. To perfect the lien, a statement of  
32 claim describing the property subject to the lien must be  
33 filed within one hundred twenty days after the incurrence of  
34 costs and expenses by the state or a political subdivision.  
35 The statement shall be filed with, accepted by, and recorded

1 by the county recorder in the county in which the property  
2 subject to the lien is located. The statement of claim may be  
3 amended to include subsequent liabilities. To be effective,  
4 the statement of claim shall be amended and filed within one  
5 hundred twenty days after the occurrence of the event resulting  
6 in the amendment.

7 Sec. 104. Section 455B.423, subsection 2, paragraph a,  
8 subparagraph (3), Code 2021, is amended to read as follows:

9 (3) Emergency response activities as provided in part 4 of  
10 ~~this division~~ subchapter IV.

11 Sec. 105. Section 455B.477, subsection 7, Code 2021, is  
12 amended to read as follows:

13 7. The civil penalties or other damages or moneys recovered  
14 by the state or the petroleum underground storage tank fund  
15 in connection with a petroleum underground storage tank under  
16 this part 8 of ~~this division~~ subchapter IV or chapter 455G  
17 shall be credited to the fund created in section 455G.3 and  
18 allocated between fund accounts according to the fund budget.  
19 Any federal moneys, including but not limited to federal  
20 underground storage tank trust fund moneys, received by the  
21 state or the department of natural resources in connection  
22 with a release occurring on or after May 5, 1989, or received  
23 generally for underground storage tank programs on or after  
24 May 5, 1989, shall be credited to the fund created in section  
25 455G.3 and allocated between fund accounts according to the  
26 fund budget, unless such use would be contrary to federal  
27 law. The department shall cooperate with the board of the  
28 Iowa comprehensive petroleum underground storage tank fund to  
29 maximize the state's eligibility for and receipt of federal  
30 funds for underground storage tank related purposes.

31 Sec. 106. Section 455B.751, unnumbered paragraph 1, Code  
32 2021, is amended to read as follows:

33 As used in this division subchapter X, unless the context  
34 otherwise requires:

35 Sec. 107. Section 455B.754, Code 2021, is amended to read



1 as follows:

2 **455B.754 Legal responsibility.**

3 This ~~division~~ subchapter X shall not be interpreted to  
4 affect the legal responsibility to the state to conduct  
5 response actions under any applicable state law. This ~~division~~  
6 subchapter X shall not be interpreted to affect or provide  
7 immunity from any criminal liability.

8 Sec. 108. Section 455B.801, Code 2021, is amended to read  
9 as follows:

10 **455B.801 Short title.**

11 This ~~division~~ subchapter XI shall be known and may be cited  
12 as the "*Mercury-Free Recycling Act*".

13 Sec. 109. Section 455B.802, unnumbered paragraph 1, Code  
14 2021, is amended to read as follows:

15 As used in [this division subchapter XI](#), unless the context  
16 otherwise requires:

17 Sec. 110. Section 455B.803, subsection 2, paragraph b,  
18 subparagraph (9), Code 2021, is amended to read as follows:

19 (9) The program shall not include inaccessible  
20 mercury-added switches from end-of-life vehicles with  
21 significant damage to the vehicle in the area surrounding the  
22 mercury-added switch location. All accessible mercury-added  
23 switches are expected to be collected under the provisions of  
24 this ~~division~~ subchapter XI.

25 Sec. 111. Section 455B.803, subsection 2, paragraph e, Code  
26 2021, is amended to read as follows:

27 e. On July 1, 2020, the commission shall cease enforcement  
28 of the removal, collection, and recovery plans under this  
29 section. On or before July 1, 2020, the commission shall  
30 review the mercury-added switch removal, collection, and  
31 recovery portion of this ~~division~~ subchapter XI and submit a  
32 recommendation to the general assembly regarding the necessity  
33 of continuing the enforcement of the removal, collection, and  
34 recovery plans under [this section](#).

35 Sec. 112. Section 455B.805, Code 2021, is amended to read

1 as follows:

2 **455B.805 General compliance with other provisions.**

3 Except as expressly provided in this ~~division~~ subchapter XI,  
4 compliance with this ~~division~~ subchapter XI shall not exempt a  
5 person from compliance with any other law.

6 Sec. 113. Section 455B.806, Code 2021, is amended to read  
7 as follows:

8 **455B.806 Regulations.**

9 The commission shall adopt rules pursuant to chapter 17A  
10 as necessary to implement the provisions of this ~~division~~  
11 subchapter XI.

12 Sec. 114. Section 455B.807, subsection 2, Code 2021, is  
13 amended to read as follows:

14 2. Publication of all required plans, information, reports,  
15 and educational materials under this ~~division~~ subchapter XI  
16 shall be through no less than two types of media available to  
17 the general public. One medium must be available twenty-four  
18 hours per day, seven days per week, and maintained with current  
19 information. Acceptable types of media include but are not  
20 limited to internet sites, periodicals, journals, and other  
21 publicly available media in the state.

22 Sec. 115. Section 458A.21, subsection 1, Code 2021, is  
23 amended to read as follows:

24 1. The state, counties, and cities, and other political  
25 subdivisions may lease publicly owned lands under their  
26 respective jurisdictions for the purpose of oil or gas or  
27 metallic minerals exploration and production. Any such leases  
28 shall be entered into on behalf of the state by the executive  
29 council, on behalf of a county by the board of supervisors,  
30 on behalf of a city by the council, and on behalf of another  
31 political subdivision by the governing body. The leases shall  
32 be upon terms and conditions as agreed upon.

33 Sec. 116. Section 458A.25, Code 2021, is amended to read as  
34 follows:

35 **458A.25 Liens for labor or materials and of contractor and**

1 subcontractor — manner of perfecting liens — enforcement of  
2 liens.

3 Provisions of chapter 572 as to mechanic's liens or labor  
4 and materials furnished for improvements on real estate and  
5 of contractors and subcontractors shall apply to labor and  
6 materials furnished for gas or oil wells, or pipe lines, ~~and~~  
7 ~~such~~. The liens shall not attach on the real estate, but shall  
8 attach to the whole of the lease held, and upon the gas or oil  
9 wells, buildings and appurtenances, and pipe lines for which  
10 said labor or materials were furnished, and shall be perfected  
11 and enforced as provided by ~~said~~ chapter 572.

12 Sec. 117. Section 459.202, subsection 1, paragraph b,  
13 unnumbered paragraph 1, Code 2021, is amended to read as  
14 follows:

15 The following table represents the minimum separation  
16 distance in feet required between a confinement feeding  
17 operation structure and a residence not owned by the owner of  
18 the confinement feeding operation, or a commercial enterprise,  
19 a bona fide religious institution, or an educational  
20 institution:

21 Sec. 118. Section 459.202, subsection 2, paragraph b,  
22 unnumbered paragraph 1, Code 2021, is amended to read as  
23 follows:

24 The following table represents the minimum separation  
25 distance in feet required between a confinement feeding  
26 operation structure and a residence not owned by the owner of  
27 the confinement feeding operation, or a commercial enterprise,  
28 a bona fide religious institution, or an educational  
29 institution:

30 Sec. 119. Section 459.304, subsection 3, paragraph c, Code  
31 2021, is amended to read as follows:

32 *c.* In completing the master matrix, the board shall not  
33 score criteria on a selective basis. The board must score all  
34 criteria which ~~is~~ are part of the master matrix according to  
35 the terms and conditions relating to construction as specified

1 in the application or commitments for manure management  
2 that are to be incorporated into a manure management plan as  
3 provided in [section 459.312](#).

4 Sec. 120. Section 462A.8, Code 2021, is amended to read as  
5 follows:

6 **462A.8 Transmittal of information.**

7 When any request is duly made by an authorized official  
8 or agency of the United States, any information compiled or  
9 otherwise available to the commission under [this chapter](#), ~~such~~  
10 ~~information~~ shall be transmitted to ~~said~~ that official or  
11 agency.

12 Sec. 121. Section 481A.98, Code 2021, is amended to read as  
13 follows:

14 **481A.98 Reporting violations.**

15 Each fur dealer shall report to the commission, the name of  
16 any person, if known to the dealer, who attempts to sell any  
17 skins or hides which appear to have been unlawfully taken, or  
18 possessed by that person.

19 Sec. 122. Section 483A.1A, subsection 2, Code 2021, is  
20 amended to read as follows:

21 2. "*Commission*" means the natural resource commission  
22 created under section 455A.5.

23 Sec. 123. Section 483A.24, subsection 7, Code 2021, is  
24 amended to read as follows:

25 7. A license shall not be required of minor pupils of  
26 ~~the state school for the blind~~ Iowa braille and sight saving  
27 school, Iowa school for the deaf, or of minor residents of  
28 other state institutions under the control of an administrator  
29 of a division of the department of human services. In  
30 addition, a person who is on active duty with the armed forces  
31 of the United States, on authorized leave from a duty station  
32 located outside of this state, and a resident of the state of  
33 Iowa shall not be required to have a license to hunt or fish in  
34 this state. The military person shall carry the person's leave  
35 papers and a copy of the person's current earnings statement

1 showing a deduction for Iowa income taxes while hunting or  
2 fishing. In lieu of carrying the person's earnings statement,  
3 the military person may also claim residency if the person is  
4 registered to vote in this state. If a deer or wild turkey is  
5 taken, the military person shall immediately contact a state  
6 conservation officer to obtain an appropriate tag to transport  
7 the animal. A license shall not be required of residents  
8 of county care facilities or any person who is receiving  
9 supplementary assistance under [chapter 249](#).

10 Sec. 124. Section 508.36, subsection 6, paragraph b,  
11 subparagraph (1), subparagraph division (a), Code 2021, is  
12 amended to read as follows:

13 (a) For life insurance,

14

W

15 I equals  $.03 + W(R1 - .03) + 2 \frac{(W/2)}{x} (R2 - .09)$ ,

16 where R1 is the lesser of R and .09, R2 is the greater of R and  
17 .09, R is the reference interest rate defined in paragraph "d"  
18 of [this subsection](#), and W is the weighting factor defined in  
19 paragraph "c" of [this subsection](#).

20 Sec. 125. Section 509.2, unnumbered paragraph 1, Code 2021,  
21 is amended to read as follows:

22 No policy of group life insurance shall be delivered in this  
23 state unless it contains in substance the following provisions,  
24 or provisions which in the opinion of the commissioner are more  
25 favorable to the persons insured or at least as favorable to  
26 the persons insured, and more favorable to the policyholder,  
27 provided, however, that provisions of [subsections 6 through](#)  
28 ~~10, inclusive, of [this section](#)~~ shall not apply to policies  
29 issued to a creditor to insure debtors of such creditor;  
30 that the standard provisions required for individual life  
31 insurance policies shall not apply to group life insurance  
32 policies; and that if the group life insurance policy is on a  
33 plan of insurance other than the term plan, it shall contain  
34 a nonforfeiture provision or provisions which in the opinion  
35 of the commissioner is or are equitable to the insured persons

1 and to the policyholder, but nothing herein shall be construed  
2 to require that group life insurance policies contain the same  
3 nonforfeiture provisions as are required for individual life  
4 insurance policies:

5 Sec. 126. Section 509.2, subsection 7, Code 2021, is amended  
6 to read as follows:

7 7. A provision that the insurer will issue to the  
8 policyholder for delivery to each person insured an individual  
9 certificate setting forth a statement as to the insurance  
10 protection to which the person is entitled, to whom the  
11 insurance benefits are payable, and the rights and conditions  
12 set forth in **subsections 8 to through 10, inclusive,** following  
13 if applicable.

14 Sec. 127. Section 515.4, Code 2021, is amended to read as  
15 follows:

16 **515.4 Name.**

17 If the commissioner of insurance finds the name of the  
18 company to be so similar to one already appropriated by a  
19 corporation of the same character as to be likely to mislead  
20 the public or to cause inconvenience, the commissioner shall  
21 refuse the commissioner's certificate to ~~its~~ the company's  
22 articles on that ground.

23 Sec. 128. Section 515D.6, Code 2021, is amended to read as  
24 follows:

25 **515D.6 Prohibited reasons.**

26 1. ~~No~~ An insurer shall not refuse to renew a policy  
27 solely because of age, residence, sex, race, color, creed, or  
28 occupation of an insured.

29 2. ~~No~~ An insurer shall not require a physical examination of  
30 a policyholder as a condition for renewal solely on the basis  
31 of age or other arbitrary reason. In the event that an insurer  
32 requires a physical examination of a policyholder, the burden  
33 of proof in establishing reasonable and sufficient grounds  
34 for ~~such~~ the requirement shall rest with the insurer and the  
35 expenses incident to ~~such~~ the examination shall be borne by the

1 insurer.

2 Sec. 129. Section 518B.5, Code 2021, is amended to read as  
3 follows:

4 **518B.5 Warrants issued — overage fund.**

5 1. The secretary shall be reimbursed up to the amount  
6 requested by warrants issued against the fund by the director  
7 of the department of administrative services upon vouchers  
8 approved by the director of the department of administrative  
9 services and the commissioner. If the assessment produces a  
10 fund greater than the amount requested by the secretary, the  
11 overage shall be placed in a special fund in the office of the  
12 treasurer of state under the control of the commissioner and  
13 the director of the department of administrative services and  
14 shall be applied to any subsequent requests by the secretary  
15 for reimbursement of losses paid on lines of insurance  
16 reinsured by the secretary in this state in accordance with the  
17 Act.

18 2. In the event that the provisions of **this chapter** and the  
19 assessments made ~~thereunder~~ under this chapter are no longer  
20 needed in order to effectuate the program for which they were  
21 intended, the amounts remaining in the special fund shall inure  
22 to the general fund of the state.

23 Sec. 130. Section 521A.2, subsection 1, paragraph 1, Code  
24 2021, is amended to read as follows:

25 1. Owning a corporation or corporations engaged or organized  
26 to engage exclusively in one or more of the businesses  
27 specified in paragraphs "a" ~~to~~ through "k" ~~inclusive~~.

28 Sec. 131. Section 523C.9, subsection 3, Code 2021, is  
29 amended to read as follows:

30 3. The service company has without just cause refused to  
31 perform or negligently or incompetently performed services  
32 required to be performed under its service contracts and the  
33 refusal, or negligent or incompetent performance, has occurred  
34 with such frequency, as determined by the commissioner, as to  
35 indicate the general business practices of the service company.

1     Sec. 132. Section 537.1201, subsection 1, paragraph a,  
2 unnumbered paragraph 1, Code 2021, is amended to read as  
3 follows:

4     A transaction, or acts, practices, or conduct with respect  
5 to a transaction, if the transaction is entered into in this  
6 state, except that a transaction involving other than open-end  
7 credit or acts, practices, or conduct with respect to such a  
8 transaction shall not subject any person to damages or penalty  
9 under article 5 of this chapter, or administrative enforcement  
10 under article 6, part 1-:

11     Sec. 133. Section 543C.1, subsection 1, Code 2021, is  
12 amended to read as follows:

13     1. "*Advertisement*" means the attempt by, dissemination,  
14 solicitation, or circulation to ~~induce~~ directly or indirectly  
15 induce any person to enter into any obligation or acquire any  
16 title or interest in land offered for sale or lease, to the  
17 public in this state.

18     Sec. 134. Section 551.6, Code 2021, is amended to read as  
19 follows:

20     **551.6 Enforcement.**

21     It shall be the duty of the county attorneys, in their  
22 counties, and the attorney general, to enforce the provisions  
23 of sections 551.1 ~~to~~, 551.2, 551.4, and 551.5, ~~inclusive~~, by  
24 appropriate actions in courts of competent jurisdiction.

25     Sec. 135. Section 556E.6, Code 2021, is amended to read as  
26 follows:

27     **556E.6 Tests for articles.**

28     In any test for the ascertainment of the fineness of any  
29 such article mentioned in this and sections 556E.3 ~~to~~ through  
30 ~~556E.5, inclusive~~, according to the foregoing standards, the  
31 part of the article taken for the test shall be such portion  
32 as does not contain or have attached thereto any solder or  
33 alloy of inferior metal used for brazing or uniting the parts  
34 of such article, and provided further and in addition to the  
35 foregoing test and standards, that the actual fineness of the



1 entire quantity of metal purporting to be silver contained in  
2 any article mentioned in [sections 556E.3 to through 556E.5](#),  
3 ~~inclusive~~, including all solder or alloy of inferior fineness  
4 used for brazing or uniting the parts of any such article,  
5 all such silver, alloy, or solder being assayed as one piece,  
6 shall not be less by more than ten one-thousandths parts than  
7 the fineness indicated according to the foregoing standards,  
8 by the mark stamped, branded, engraved, or imprinted upon such  
9 article, or upon any tag, card, or label attached thereto, or  
10 upon any container in which said article is enclosed.

11 Sec. 136. Section 557C.2, Code 2021, is amended to read as  
12 follows:

13 **557C.2 Definitions.**

14 As used in [this chapter](#), unless the context otherwise  
15 requires, ~~"book"~~:

16 1. ~~"Book"~~, "list", "record", or "schedule" kept by a county  
17 auditor, assessor, treasurer, recorder, sheriff, or other  
18 county officer means the county system as defined in section  
19 445.1.

20 2. ~~A "mineral"~~ "Mineral interest in coal" means an interest  
21 created by an instrument which creates or transfers either  
22 by grant, assignment, reservation, or otherwise, an interest  
23 of any kind in coal, as described in [chapter 207](#), without  
24 limitation on the manner of mining the coal.

25 Sec. 137. Section 573.6, Code 2021, is amended to read as  
26 follows:

27 **573.6 Subcontractors on public improvements.**

28 The following provisions shall be held to be a part of  
29 every bond given for the performance of a contract for the  
30 construction of a public improvement, whether said provisions  
31 be inserted in such bond or not, to wit:

32 ~~1.~~ [1] The principal and sureties on this bond hereby agree  
33 to pay to all persons, firms, or corporations having contracts  
34 directly with the principal or with subcontractors, all just  
35 claims due them for labor performed or materials furnished, in

1 the performance of the contract on account of which this bond  
2 is given, when the same are not satisfied out of the portion  
3 of the contract price which the public corporation is required  
4 to retain until completion of the public improvement, but the  
5 principal and sureties shall not be liable to said persons,  
6 firms, or corporations unless the claims of said claimants  
7 against said portion of the contract price shall have been  
8 established as provided by law.

9 ~~2.~~ [2] Every surety on this bond shall be deemed and  
10 held, any contract to the contrary notwithstanding, to consent  
11 without notice:

12 ~~a.~~ [a] To any extension of time to the contractor in which  
13 to perform the contract.

14 ~~b.~~ [b] To any change in the plans, specifications, or  
15 contract, when such change does not involve an increase of more  
16 than twenty percent of the total contract price, and shall then  
17 be released only as to such excess increase.

18 ~~c.~~ [c] That no provision of this bond or of any other  
19 contract shall be valid which limits to less than one year from  
20 the time of the acceptance of the work the right to sue on this  
21 bond for defects in the quality of the work or material not  
22 discovered or known to the obligee at the time such work was  
23 accepted.

24 Sec. 138. Section 588.1, Code 2021, is amended to read as  
25 follows:

26 **588.1 Failure to make proper entries.**

27 All execution sales heretofore had wherein the execution  
28 officer has failed to endorse on the execution the day and hour  
29 when received, the levy, sale, or other act done by virtue  
30 thereof, with the date thereof, the dates and amounts of any  
31 receipts or payment in satisfaction thereof at the time of the  
32 receipt or act done, or has failed to endorse thereon, an exact  
33 description of the property levied upon at length with the date  
34 of levy, be and the same are hereby legalized and declared  
35 to be legal and valid as if all of the provisions of laws as

1 required by sections 11664 ~~to~~ through 11668.1 [~~Code 1939~~], ~~both~~  
2 ~~inclusive~~, Code 1939, had been in all respects strictly and  
3 fully complied with.

4 Sec. 139. Section 590.1, Code 2021, is amended to read as  
5 follows:

6 **590.1 Notice of appointment of executors.**

7 1. In all instances prior to January 1, 1964, where  
8 executors or administrators have failed to publish notice of  
9 their appointment as required by section 3304, Code of 1897,  
10 and section 11890, Codes of 1924 ~~to~~ through 1939, ~~inclusive~~,  
11 and section 633.46, Codes 1946 ~~to~~ through 1962, ~~inclusive~~,  
12 but have published a notice of appointment, such notice of  
13 appointment is hereby legalized and shall have the same force  
14 and effect as though the same had been published as directed  
15 by the court or clerk.

16 2. In all instances where more than five years have passed  
17 since the appointment of a personal representative or probate  
18 of a will without administration, where administrators have  
19 failed to publish notice of their appointment as required by  
20 section 633.230, and executors have failed to publish a notice  
21 of admission of the will to probate and their appointment as  
22 required by [sections 633.304](#) and [633.305](#), but have published  
23 a notice of appointment or notice of admission of the will to  
24 probate and of the appointment of the executor, such notice of  
25 appointment or notice of admission of the will to probate and  
26 of the appointment of the executor, is hereby legalized and  
27 shall have the same force and effect as though the same had  
28 been published as required.

29 Sec. 140. Section 592.4, Code 2021, is amended to read as  
30 follows:

31 **592.4 Making and recording plats.**

32 The acts of the county auditors of Iowa, in making and  
33 recording plats as authorized under sections 922, 923, and  
34 924 of the Code ~~of~~ 1897, and sections 6289 ~~to~~ through 6299 ~~of~~  
35 ~~inclusive~~ of subsequent Codes to and including the Code ~~of~~ of

1 1939, without first having properly signed or acknowledged the  
2 same, and the acts of the county recorders of Iowa in recording  
3 such plats, are hereby legalized and the same declared valid  
4 and binding the same as though they had in such respects been  
5 made and recorded in strict compliance with law.

6 Sec. 141. Section 602.8108, subsection 7, paragraph b,  
7 unnumbered paragraph 1, Code 2021, is amended to read as  
8 follows:

9 The moneys in the fund shall be used to enhance the ability  
10 of the judicial branch to process cases more quickly and  
11 efficiently, to electronically transmit information to state  
12 government, local governments, law enforcement agencies, and  
13 the public, and to improve public access to the court system.  
14 The moneys in the ~~collection~~ fund may also be used for any of  
15 the following:

16 Sec. 142. Section 621.4, Code 2021, is amended to read as  
17 follows:

18 **621.4 Dismissal for failure to furnish.**

19 An action in which a bond for costs is required by sections  
20 621.1 ~~to~~ through 621.3, ~~inclusive~~, shall be dismissed, if a  
21 bond is not given in such time as the court allows.

22 Sec. 143. Section 621.5, Code 2021, is amended to read as  
23 follows:

24 **621.5 Becoming nonresident.**

25 If the plaintiff or any intervenor in an action, after its  
26 institution and at any time before its final determination,  
27 becomes a nonresident of this state, the plaintiff or  
28 intervenor may be required to give security for costs in the  
29 manner provided in sections 621.1 to through 621.4, ~~inclusive~~.

30 Sec. 144. Section 622.10, subsection 3, paragraph e, Code  
31 2021, is amended to read as follows:

32 e. Defendant's counsel shall provide a written notice to  
33 plaintiff's attorney in a manner consistent with the Iowa  
34 rules of civil procedure providing for notice of deposition at  
35 least ten days prior to any meeting with plaintiff's physician

1 or surgeon, physician assistant, advanced registered nurse  
2 practitioner, or mental health professional. Plaintiff's  
3 attorney has the right to be present at all such meetings, or  
4 participate in telephonic communication with the physician  
5 or surgeon, physician assistant, advanced registered nurse  
6 practitioner, or mental health professional and the attorney  
7 for the defendant. Prior to scheduling any meeting or engaging  
8 in any communication with the physician or surgeon, physician  
9 assistant, advanced registered nurse practitioner, or mental  
10 health professional, the attorney for the defendant shall  
11 confer with plaintiff's attorney to determine a mutually  
12 convenient date and time for such meeting or telephonic  
13 communication. Plaintiff's attorney may seek a protective  
14 order structuring all communication by making application to  
15 the court at any time.

16 Sec. 145. Section 633.402, Code 2021, is amended to read as  
17 follows:

18 **633.402 Sale defined.**

19 For purposes of **this part**, sale of property includes but is  
20 not limited to the granting of an easement, the granting of an  
21 option, the granting of a right of refusal, and the granting  
22 or conveyance of any other interest, title, or right regarding  
23 property.

24 Sec. 146. Section 633.563, subsection 1, unnumbered  
25 paragraph 1, Code 2021, is amended to read as follows:

26 At or before a hearing on a petition for the appointment of  
27 a guardian or conservator or the modification or termination  
28 of a guardianship or conservatorship, the court shall order a  
29 professional evaluation of the respondent unless one of the  
30 following criteria ~~are~~ is met:

31 Sec. 147. Section 802.9, Code 2021, is amended to read as  
32 follows:

33 **802.9 Indictment or information where a defect is found.**

34 If a defect, error, or irregularity is discovered in any  
35 indictment or information which, on motion of either party,

1 causes ~~same~~ the indictment or information to be dismissed or  
2 the prosecution to be set aside or reversed on appeal, a new  
3 indictment or information may be found within thirty days after  
4 such action notwithstanding the time limitations enumerated in  
5 this chapter.

6 Sec. 148. 2020 Iowa Acts, chapter 1102, section 16, is  
7 amended to read as follows:

8 SEC. 16. [Section 270.1](#), Code 2020, is amended to read as  
9 follows:

10 **270.1 Superintendent.**

11 The superintendent of the Iowa school for the deaf shall  
12 be a trained and experienced educator of the deaf and hard of  
13 hearing. The superintendent's salary may include residence in  
14 the institution, but no such allowance shall be made except by  
15 express contract in advance.

16 Sec. 149. 2020 Iowa Acts, chapter 1108, section 2, is  
17 amended to read as follows:

18 SEC. 2. [Section 256.16, subsection 1](#), paragraph c, Code  
19 2020, is amended to read as follows:

20 c. Include in the professional education program,  
21 preparation that contributes to the education of students  
22 with disabilities and students who are gifted and talented,  
23 preparation in developing and implementing individualized  
24 education programs and behavioral intervention plans,  
25 preparation for educating individuals in the least restrictive  
26 environment and identifying that environment, ~~and~~ strategies  
27 that address difficult and violent student behavior and  
28 improve academic engagement and achievement, and preparation in  
29 classroom management addressing high-risk behaviors including  
30 but not limited to behaviors related to substance abuse.  
31 Preparation required under this paragraph must be successfully  
32 completed before graduation from the practitioner preparation  
33 program.

34  
35

DIVISION II  
CODE EDITOR DIRECTIVES

1     Sec. 150. CODE EDITOR DIRECTIVES.

2     1. a. The Code editor shall change Arabic numeral  
3 subchapter designations to Roman numeral subchapter  
4 designations in the following Code chapters:

5       (1) Chapter 190C.

6       (2) Chapter 216A.

7       (3) Chapter 455H.

8       (4) Chapter 554D.

9       (5) Chapter 637.

10    b. In addition to making changes throughout the 2021 version  
11 of the Iowa Code, the Code editor is directed to make changes  
12 in any Code sections amended or enacted by any other Act to  
13 correspond with the changes made in this section of this Act  
14 if there appears to be no doubt as to the proper method of  
15 making the changes and the changes would not be contrary to or  
16 inconsistent with the purposes of this Act or any other Act.

17    2. a. The Code editor is directed to make the following  
18 transfers:

19       (1) Section 232.152 to section 232.7A.

20       (2) Section 232.153 to section 232.7B.

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

24    3. The Code editor may change chapter division designations  
25 to subchapter designations and correct internal reference as  
26 necessary in and to chapter 455B.

27    4. Sections 101.10, 455B.135, 455B.137, 455B.142, 455B.185,  
28 455B.223, 455B.336, 455B.339, 455B.340, 455B.382, 455H.102,  
29 and 459A.501, Code 2021, are amended by striking the word  
30 "division" and inserting in lieu thereof the word "subchapter".

31    5. Sections 172D.3, subsection 2, paragraph "b", unnumbered  
32 paragraph 1; 172D.3, subsection 2, paragraph "c", unnumbered  
33 paragraph 1; 172D.3, subsection 2, paragraph "c", subparagraphs  
34 (1), (2), (3), and (4); 455B.103, subsection 4, paragraph "d";  
35 455B.103A, subsection 5; 455B.104, subsection 1; 455B.131,

1 unnumbered paragraph 1; 455B.134, subsection 2; 455B.171,  
 2 unnumbered paragraph 1; 455B.211, unnumbered paragraph  
 3 1; 455B.261, unnumbered paragraph 1; 455B.301, unnumbered  
 4 paragraph 1; 455B.303, subsection 1; 455B.304, subsection 1;  
 5 455B.331, unnumbered paragraph 1; 455B.335, subsections 1 and  
 6 3; 455B.337, subsection 2; 455B.361, unnumbered paragraph 1;  
 7 455B.362, subsection 2; 455B.381, unnumbered paragraph 1;  
 8 455B.381, subsection 4; 455B.384, subsection 2; 455B.390,  
 9 unnumbered paragraph 1; 455B.390, subsection 2; 455B.391,  
 10 subsection 1; 455D.4A, subsection 2, unnumbered paragraph  
 11 1; 455D.4A, subsections 3 and 4; 455E.11, subsection 2,  
 12 paragraph "d", subparagraph (2); 455H.107, subsection 3,  
 13 paragraph "a"; 455H.204, subsection 6; 456.14, subsection 2,  
 14 unnumbered paragraph 1; 459.601, subsection 2, paragraph "a";  
 15 and 459A.401, subsection 3, Code 2021, are amended by striking  
 16 the word "division" and inserting in lieu thereof the word  
 17 "subchapter".

18 6. The Code editor may number unnumbered paragraphs within  
 19 sections 28A.17, 28I.1, 28K.4, 64.15, 80D.6, 87.19, 90A.8,  
 20 103A.2, 135J.2, 136B.4, 148B.1, 162.19, 165.28, 232A.2, 238.12,  
 21 252F.2, 256A.5, 262A.5, 262A.9, 263A.7, 285.4, 285.14, 299.10,  
 22 306C.21, 316.14, 323.5, 323.11, 327C.19, 341A.3, 341A.4,  
 23 341A.5, 341A.8, 347B.9, 389.4, 425A.8, 426.6, 450B.6, 465B.1,  
 24 481B.3, 481B.4, 484A.4, 492.6, 493.12, 496B.13, 497.22, 497.35,  
 25 498.19, 498.24, 498.37, 507D.2, 507D.5, 510.12, 510.21, 513A.6,  
 26 515A.15, 516A.1, 516A.3, 516B.2, 517A.1, 518.29, 518A.44,  
 27 518A.54, 518C.16, 521G.8, 527.10, 538A.11, 552.4, 552.17,  
 28 553.14, 570.4, 589.27, 591.16, 591.17, 610.1, 611.2, 617.9,  
 29 618.14, 625.22, 645.2, 647.1, 647.2, 654B.11, 679B.14, 681.11,  
 30 714A.4, 714D.1, 819.3, 819.4, 904.109, and 914.7, Code 2021,  
 31 in accordance with established section hierarchy and correct  
 32 internal references in the Code and in any enacted Iowa Acts,  
 33 as necessary.

34  
 35

DIVISION III  
 APPLICABILITY PROVISIONS



1     Sec. 151. RETROACTIVE APPLICABILITY. The following applies  
2 retroactively to July 1, 2020:

3     The section of this Act amending 2020 Iowa Acts, chapter  
4 1102, section 16.

5   EXPLANATION

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

8     This bill makes Code changes and corrections that are  
9 considered to be nonsubstantive and noncontroversial, in  
10 addition to style changes. Changes made include updating or  
11 correcting names of public programs and entities, corrections  
12 to citations to federal and state Acts, corrections to  
13 terminology, spelling, format, capitalization, punctuation, and  
14 grammar, as well as numbering, renumbering, and reorganizing  
15 various provisions to eliminate unnumbered paragraphs and to  
16 facilitate citation. The Code sections in which the technical,  
17 grammatical, and other nonsubstantive changes are made include  
18 the following:

19     Division I:

20     Section 8.44: Adds a comma after the word "sources" to set  
21 off a clause containing an exception and replaces "such" with  
22 "the" in this provision relating to reports that must be filed  
23 by state departments, agencies, boards, and institutions with  
24 the department of management after receipt of federal, public,  
25 or private funds.

26     Sections 8A.460 and 422.1: Adds the word "Iowa" to Iowa  
27 Acts citations to conform the citations to current Code  
28 style in provisions relating to the state terminal liability  
29 health insurance fund and the organization of the Code chapter  
30 pertaining to income, corporate, and franchise taxes.

31     Section 12.20: Conforms an expression of time to similar  
32 expressions elsewhere in the Code in this provision relating  
33 to reissuance of previously voided checks by the treasurer of  
34 state.

35     Section 15.317: Repeats verbiage after a series in

1 a two-part qualifying phrase in language describing the  
2 eligibility requirements for the renewable chemical production  
3 tax credit.

4 Section 15.354: Corrects subject-verb agreement in two  
5 places in this provision describing the process for issuance of  
6 tax credit certificates by the economic development authority  
7 under the workforce housing tax incentives program.

8 Section 15J.2: Moves language citing the statutory  
9 authority for agreements under the Iowa reinvestment Act so  
10 that it immediately succeeds the word "agreement".

11 Section 17A.4A: Corrects the name of the publication "Iowa  
12 administrative bulletin" in this provision regarding regulatory  
13 analysis of proposed rules under the Iowa administrative  
14 procedure Act.

15 Section 24.29: Divides a long sentence in this provision  
16 relating to hearings by the state appeal board of protests  
17 against decisions made by certifying boards or levying boards  
18 of local government entities regarding proposed budgets,  
19 expenditures, or tax levies.

20 Section 29A.75: Updates language and replaces parentheses  
21 to conform to current Code style in this provision relating to  
22 affidavits relating to powers of attorney executed by military  
23 service personnel.

24 Section 29B.43: Adds a terminal comma before the last item  
25 in a series in this provision regarding oaths taken by military  
26 judges, members of general and special courts-martial, trial  
27 counsel, assistant trial counsel, assistant defense counsel,  
28 reporters, and interpreters before performing official duties.

29 Sections 48A.19, 135.16, and 135.16A: Corrects a reference  
30 by name to the federal special supplemental nutrition program  
31 established under 42 U.S.C. §1786, in these provisions relating  
32 to voter registration, methamphetamine education, and retail  
33 egg sales. The name of the United States department of  
34 agriculture, food and nutrition service is also corrected in  
35 Code section 135.16.

1 Section 50.48: Adds a comma to set off a clause and to match  
2 the punctuation used in the immediately following sentence in  
3 language relating to recounts of votes by county boards of  
4 canvassers.

5 Section 67.3: Numbers paragraphs and updates language  
6 in this provision regarding witnesses called to testify in  
7 investigations regarding books, papers, vouchers, moneys,  
8 securities, and documents held by, or the expenditure of funds  
9 or the directing of expenditure of funds by, any state officer,  
10 board, or commission.

11 Section 80.45A: Strikes the words "of the department" so  
12 that the definition of the term "commissioner" matches the  
13 definition and title given to the department of public safety's  
14 chief executive officer under Code sections 80.1A and 80.2.

15 Section 80D.9: Divides this Code section relating to  
16 supervision of reserve peace officers into two based upon  
17 subject matter and numbers the resulting unnumbered paragraphs.

18 Section 84A.13: Adds an internal reference to the statute  
19 in which the Iowa child care challenge fund is established,  
20 after a reference to that fund by name, in this provision  
21 establishing the Iowa employer innovation program and fund.

22 Section 85.26: Eliminates quotation marks from a term that  
23 is not being used as a definition to conform language relating  
24 to limitations of actions regarding workers' compensation  
25 benefits to current Code style.

26 Sections 85.55 and 216.22: Adds quotation marks to language  
27 defining the terms "franchisee" and "franchisor" in provisions  
28 relating to workers' compensation and the regulation of certain  
29 franchise relationships by the civil rights commission.

30 Section 85A.4: Moves language and adds quotation marks  
31 to this definition of the term "disablement" to conform the  
32 language to the current Code style for definitions.

33 Section 89A.10: Changes "insure" to "ensure" to conform  
34 this language regarding the issuance of injunctions to prevent  
35 or control imminently dangerous conveyances to the substance of

1 the rest of the sentence.

2 Section 91.11: Numbers unnumbered paragraphs and divides  
3 a long sentence in this provision regarding prosecutions of  
4 violations of labor and employment safety laws by the labor  
5 commissioner.

6 Section 96.1A: Conforms a sentence fragment describing  
7 the succeeding defined terms "totally unemployed", "partially  
8 unemployed", and "temporarily unemployed" to those succeeding  
9 definitions in this definitions section for the Code chapter  
10 relating to unemployment compensation.

11 Section 96.6: Changes "issuing" to "issuance of" to  
12 improve the clarity of this provision relating to initial  
13 determinations of validity of claims for unemployment  
14 compensation.

15 Section 96.14: Replaces a comma with "or" to correct the  
16 grammar of a nonseries in language relating to the enjoining  
17 of employers from doing business due to failure to comply with  
18 the reporting and financial requirements of the Code chapter  
19 regarding unemployment compensation.

20 Section 96.40: Corrects the use of a preposition in language  
21 regarding the filing of appeals from decisions made by the  
22 department of workforce development.

23 Section 124.409: Changes "insure" to "ensure" to conform to  
24 the substance of language describing measures taken to allow  
25 persons convicted of certain controlled substance offenses to  
26 seek treatment, and to assure compliance with the law.

27 Section 125.33: Adds the word "person" after the word  
28 "incompetent" to conform the uses of terminology and adds  
29 commas within this provision relating to discharge of, and  
30 transportation and shelter of, persons leaving substance abuse  
31 treatment facilities.

32 Sections 135.14 and 135.15: Corrects references by name to  
33 the oral and health delivery systems bureau in these provisions  
34 relating to the establishment, direction, management, and  
35 supervision of that bureau.

1 Section 135.19: Corrects a reference by name to the centers  
2 for disease control and prevention of the United States  
3 department of health and human services in this provision  
4 relating to the viral hepatitis program.

5 Section 135.43: Adds the words "member who is" to a  
6 paragraph to match the style of other similar paragraphs, and  
7 moves language in another provision to improve readability, in  
8 this provision regarding the appointment and duties of the Iowa  
9 child death review team.

10 Section 135.173A: Corrects a reference by name to the  
11 early childhood Iowa office in this provision regarding the  
12 establishment of the state child care advisory committee.

13 Section 148F.3: Replaces "the effective date of this Act"  
14 with the date "July 1, 2012" to reflect the actual enactment  
15 date for 2012 Iowa Acts, chapter 1101, in which this Code  
16 section was enacted.

17 Section 153.14: Removes quotation marks from terms that are  
18 not definitions in this provision excluding certain persons and  
19 professions from regulation under the Code chapter governing  
20 the practice of dentistry to conform to current Code style.

21 Section 154A.20: Adds a comma after the word "and" to set  
22 off the word "therefore" in a statement that must be included  
23 on a receipt for the purchase of hearing aids from a hearing  
24 aid specialist.

25 Section 158.1: Adds commas to set off a clause regarding  
26 moveable locations and to clarify the applicability of language  
27 regarding the practice of barbering in either of the locations  
28 described in the subsection.

29 Section 162.1: Changes "insure" to "ensure" to conform  
30 to the substance of the language of this provision relating  
31 to the care and treatment of dogs and cats in commercial  
32 establishments.

33 Section 190B.201: Adds the words "agriculture and land  
34 stewardship" after references to "department" because the term  
35 "department" is defined to mean the department of revenue

1 in subchapter I of this Code chapter regarding farm to food  
2 donation tax credits and emergency food purchases.

3 Sections 191.1, 191.2, 359A.22, 509.2, 521A.2, 556E.6,  
4 590.1, 592.4, 621.4, and 621.5: Changes "to" to "through" and  
5 strikes the word "inclusive" in these provisions relating to  
6 food labeling, fence viewers, group life insurance policies,  
7 insurance holding companies, gold and silver alloy, legalizing  
8 certain notices of appointment of executors, the making and  
9 recording of certain plats, and security for the costs of a  
10 court proceeding, to conform the string citations to other  
11 string citations in the Code in which the last citation in the  
12 string is intended to be included in the reference.

13 Section 200.2: Strikes the words "hereinafter referred to  
14 as the secretary" from this provision describing the enforcing  
15 official for the Code chapter regarding fertilizers and soil  
16 conditioners, because the term "secretary" is defined in Code  
17 section 200.3 to mean the secretary of agriculture.

18 Section 200.15: Moves language and restructures this  
19 provision to improve the readability and to conform this  
20 provision, relating to refusal to register or cancellation of  
21 registration and licenses under the Code chapter regarding  
22 fertilizers and soil conditioners, to current Code style.

23 Section 202B.202: Letters unnumbered paragraphs within  
24 subsection 1 and adds the word "Iowa" to Iowa Acts citations  
25 within subsections 2 and 3, in this provision regarding  
26 compliance requirements for cooperative associations that were  
27 parties to certain contracts for the care and feeding of swine  
28 and for swine and beef processors.

29 Section 216B.2: Reorganizes the content and numbers  
30 the resulting unnumbered paragraphs of this Code section  
31 establishing the commission for the blind.

32 Section 225C.3: Adds the word "state" before the words  
33 "board of regents" to correct references to that board by name  
34 in this Code section regarding the division of mental health  
35 and disability services of the department of human services.

1 Section 230.20: Corrects capitalization of the adjective  
2 "x-ray" to conform to the capitalization used elsewhere in  
3 the Code for that adjective in this provision relating to the  
4 billing of patient charges for services provided in a state  
5 mental health institute.

6 Section 232.182: Renumbers subsections to eliminate an old  
7 alphanumeric designation in this Code section regarding initial  
8 determinations in voluntary foster care placement proceedings.

9 Section 260C.48: Conforms the form of a verb used to  
10 describe qualifications required of persons who teach at  
11 community colleges to the parallel verb form used to describe  
12 alternate qualifications for those same individuals.

13 Section 261.120: Conforms the language describing the  
14 educational enrollment and attainment requirements for persons  
15 participating in the rural veterinarian loan repayment program  
16 to the terminology used to describe a doctor of veterinary  
17 medicine degree in Code chapter 169.

18 Section 263B.4: Places definitions in alphabetical order in  
19 this definitions Code section within the Code chapter regarding  
20 the state archaeologist.

21 Section 272A.1: Places the definitions for the interstate  
22 agreement on qualifications of educational personnel in  
23 alphabetical order.

24 Section 306A.10: Supplies missing indefinite articles and a  
25 comma and replaces the word "same" with "facility" to improve  
26 the readability of this provision relating the relocation or  
27 removal of a utility facility near a highway.

28 Section 311.23: Supplies missing comma after "cash" to set  
29 off a clause that currently ends in a comma in this provision  
30 relating to payment of construction costs of secondary road  
31 projects.

32 Section 321.504: Supplies a missing "the" to match the  
33 style of the rest of this Code section relating to an optional  
34 notification procedure for service of original notices of suit  
35 upon nonresident defendants in actions for damages arising out

1 of use and operation of motor vehicles.

2 Section 327E.1: Numbers unnumbered paragraphs, replaces  
3 the word "it" with "railway corporation", and updates other  
4 language in this provision relating to operation of foreign  
5 railway companies within the state of Iowa.

6 Section 331.424: Eliminates references to Code sections  
7 that were repealed by 2020 Iowa Acts, chapter 1045, in this  
8 Code section relating to supplemental tax levies by counties.

9 Section 359.3: Replaces the word "same" with "city" in this  
10 provision regarding changing of boundary lines of townships  
11 within a county by the county board of supervisors to conform  
12 to the boundaries of a city.

13 Section 359.32: Changes "gifts" to "gift" to conform to the  
14 singular form used for the other subjects within the series  
15 describing what township trustees may accept for purposes of  
16 providing for perpetual cemetery upkeep.

17 Section 420.236: Updates the style of the language in this  
18 provision relating to payment of taxes in special charter  
19 cities to conform to current style.

20 Section 421.27: Simplifies language making definitions used  
21 in Code section 422.25A applicable to this Code subparagraph  
22 relating to the conditions that must be shown before penalties  
23 for the late payment of certain state taxes may be waived.

24 Section 421.59: Removes a redundant numeric reference to  
25 subsection 1 within paragraph "b" of subsection 1 of this Code  
26 section relating to the filing of a power of attorney by a  
27 taxpayer with the department of revenue.

28 Section 422.4: Removes a redundant reference to "hereof"  
29 that follows a reference to "subsection 15" in this definition  
30 of the term "nonresident" for a Code subchapter regarding  
31 personal net income tax.

32 Section 422.11A: Divides this Code section that provides  
33 a new jobs tax credit for industries that meet certain  
34 requirements into its subject matter components, numbers the  
35 resulting paragraphs, and moves language containing an internal



1 Code section reference so that it immediately follows the term  
2 that is defined in the Code provision referenced.

3 Section 422.11S: Corrects subject-verb agreement within  
4 this provision relating to the school tuition organization tax  
5 credit.

6 Section 422.25A: Changes a comma to the word "of" to clarify  
7 that subchapter C is a subset of title 26, subtitle F, chapter  
8 63, of the United States Code in this definition of the term  
9 "partnership level audit" for purposes of the reporting and  
10 treatment of certain partnership adjustments in tax audits.

11 Section 422.29: Updates a reference by name to the Iowa  
12 administrative procedure Act to a numeric reference within  
13 this provision relating to judicial review of decisions of  
14 the director of revenue under the Code chapter pertaining to  
15 individual income, corporate, and franchise taxes.

16 Section 422.33: Moves language containing an internal Code  
17 section reference so that it immediately follows the term that  
18 is defined in the Code provision referenced, and divides and  
19 redesignates resulting paragraphs, in this provision describing  
20 how the new jobs tax credit is calculated for purposes of  
21 computation of corporate income tax.

22 Section 422.72: Strikes the redundant word "whatever"  
23 and changes a comma to a semicolon to separate a description  
24 of unlawful conduct from a series that applies to an initial  
25 description of other unlawful conduct in this provision  
26 describing activities in which the director of revenue and any  
27 current or former officers or employees of the department of  
28 revenue cannot engage.

29 Sections 455B.133B, 455.134, 455B.138, 455B.145, 455B.146,  
30 45B.146A, 455B.149, 455B.171, 455B.173, 455B.174, 455B.177,  
31 455B.179, 455B.182, 455B.183A, 455B.183C, 455B.191, 455B.192,  
32 455B.219, 455B.307, 455B.396, 455B.423, 455B.477, 455B.751,  
33 455B.754, 455B.801, 455B.802, 455B.803, 455B.805, 455B.806,  
34 and 455B.807: Changes chapter division designations to  
35 subchapter designations and conforms citation style within

1 these Code sections in the Code chapter regarding the  
2 jurisdiction of the department of natural resources. In some  
3 of the provisions, the words "of this chapter" are stricken  
4 and the words "thereunder" and "thereto" are replaced with  
5 subchapter references. In other provisions, the word "this"  
6 or specific numeric part and subchapter references are added  
7 for consistency and clarity. A directive in division II  
8 of the bill directs the Code editor to change divisions to  
9 subchapters within Code chapter 455B and to also correct  
10 internal references related to that change.

11 Section 455B.140: Replaces a reference to the Iowa  
12 administrative procedure Act by name with a numeric reference  
13 to Code chapter 17A in this provision relating to judicial  
14 review of the actions of the director of the department of  
15 natural resources under that Act.

16 Section 455B.143: Updates, to current Code style, language  
17 describing the circumstances under which the director of the  
18 department of natural resources may grant a variance from the  
19 rules or standards governing emissions by a plant, building,  
20 structure, process, or equipment into the air.

21 Section 455B.175: Moves language relating to rules and  
22 the issuance of permits so that it precedes the Code chapter,  
23 subchapter, and part references that apply to those rules  
24 and permits, and conforms the style of language immediately  
25 preceding a colon and in the succeeding lettered provisions to  
26 current Code style in this Code section relating to violations  
27 of certain water quality requirements.

28 Section 455B.224: Changes a Code chapter division  
29 designation to a subchapter designation, replaces the word  
30 "said" with "this", and replaces "thereunder" with "under this  
31 part" in this provision establishing a penalty for improper  
32 operation of a water treatment plant.

33 Section 455B.307A: Changes a Code chapter division  
34 designation to a subchapter designation and strikes a redundant  
35 numeric self-reference to Code chapter 455B in this Code

1 section regarding the disposal of solid waste.

2 Section 458A.21: Updates the grammar and punctuation in two  
3 series within this Code section regarding the lease of public  
4 lands.

5 Section 458A.25: Divides a long sentence and clarifies an  
6 internal reference to Code chapter 572 to improve hypertext  
7 linkage in this provision regarding liens for labor or  
8 materials furnished for improvements for gas or oil wells, pipe  
9 lines, and buildings and appurtenances.

10 Section 459.202: Adds the indefinite article "a" before  
11 two identical expressions in two paragraphs to match similar  
12 language used elsewhere in this Code section regarding minimum  
13 separation distances between confinement feed operation  
14 structures and certain other structures.

15 Section 459.304: Corrects subject-verb agreement in  
16 language regarding the scoring of criteria that are part of the  
17 master matrix developed and used to assess applications for  
18 the construction, including expansion, of confinement feeding  
19 operations.

20 Section 462A.8: Updates the style and grammar of this Code  
21 section relating to the transmission of information by the  
22 natural resource commission to federal officials or agencies  
23 after a request has been made.

24 Section 481A.98: Corrects the use of commas within this Code  
25 section requiring fur dealers to report any person who attempts  
26 to sell skins or hides that appear to have been unlawfully  
27 taken or possessed.

28 Section 483A.1A: Adds a citation to the enabling statute  
29 for the natural resource commission for hypertext linkage in  
30 a definition of the term "commission" for the Code chapter  
31 pertaining to fishing and hunting licenses, contraband, and  
32 guns.

33 Section 483A.24: Corrects the name of the institution  
34 for the visually disabled, to the name found in Code chapter  
35 269, in this Code section regarding the issuance of hunting or

1 fishing licenses.

2 Section 508.36: Reformats a formula for calculation of  
3 calendar year statutory valuation interest rates for life  
4 insurance policies so that the formula will always match the  
5 original enactment. The formula was enacted in 1982 Iowa  
6 Acts, chapter 1072, section 2, but, because of its current  
7 formatting, the underlined "W" does not and has not remained in  
8 the same location in all publications.

9 Section 515.4: Replaces "its" with "the company's"  
10 in this provision relating to refusal of a certificate by  
11 the commissioner of insurance to a company's articles of  
12 incorporation because the company's name has already been  
13 appropriated by another corporation of the same character.

14 Section 515D.6: Numbers unnumbered paragraphs and updates  
15 style to current Code style in this provision enumerating  
16 reasons that cannot be used by an insurer to refuse to issue or  
17 renew a policy of automobile insurance.

18 Section 518B.5: Numbers unnumbered paragraphs and replaces  
19 "thereunder" with "under this chapter" in this provision  
20 relating to disposition of excess moneys received from  
21 assessments from insurers for purposes of the federal riot  
22 reinsurance reimbursement program.

23 Section 523C.9: Adds a comma to set off a clause that  
24 is preceded by a comma to improve the readability of this  
25 provision relating to the conditions under which a license of a  
26 motor vehicle service contract company may be suspended by the  
27 commissioner of insurance.

28 Section 537.1201: Replaces a period with a semicolon in this  
29 provision regarding the applicability of the consumer credit  
30 code to correct an incorrect 1975 codification of the original  
31 1974 enactment, 65 G.A. 1250, section 1.201, and to conform the  
32 grammar and syntax of the provision to current Code style.

33 Section 543C.1: Removes a comma after a verb that is not  
34 part of a series, moves the word "induce" after the words  
35 "directly or indirectly", and strikes an incorrect comma

1 to improve the readability of this definition of the term  
2 "advertisement" in this Code chapter relating to sales of  
3 subdivided land outside of Iowa.

4 Section 551.6: Changes "to" to a list of referenced Code  
5 sections and strikes "inclusive", and eliminates a reference to  
6 repealed Code section 551.3, to correct and conform a string  
7 citation to current Code style in this provision relating to  
8 enforcement of prohibitions against unfair discrimination in  
9 commercial sales and purchases of commodities or services.

10 Section 557C.2: Numbers paragraphs and reformats  
11 definitions contained in this definitions section for the Code  
12 chapter relating to mineral interests in coal to match standard  
13 Code format.

14 Section 573.6: Reformats this provision relating to bonds  
15 given for performance of a contract for the construction of a  
16 public improvement to place the language that is supposed to  
17 be inserted into the bonds into a form and to separate that  
18 language from the statutory requirements.

19 Section 588.1: Changes "to" to "through", conforms the  
20 citation to prior Code to current style, and strikes the  
21 words "both inclusive" to conform this string citation to  
22 other string citations in the Code in which all Code sections  
23 referenced are included in the citation in this provision  
24 legalizing and validating the sales of certain properties  
25 despite irregularities in the procedures followed for levy,  
26 execution, and sale of those properties.

27 Section 602.8108: Strikes the word "collection" that  
28 appears before the word "fund" to avoid a conflict with the  
29 actual name of the fund and conform to earlier fund references  
30 in this paragraph relating to use of moneys in the court  
31 technology and modernization fund.

32 Section 622.10: Adds the definite article "the" in two  
33 places to improve the readability of this provision prohibiting  
34 the compelling of disclosure of certain communications made in  
35 professional confidence.

1 Section 633.402: Adds a terminal comma before the last item  
2 in a series in this provision describing what constitutes a  
3 sale of property for purposes of the probate code.

4 Section 633.563: Changes plural verb "are" to the singular  
5 "is" to match the antecedent subject "one" in this provision  
6 relating to professional evaluations of respondents in  
7 proceedings for the appointment of a guardian or conservator  
8 or the modification or termination of an existing guardianship  
9 or conservatorship.

10 Section 802.9: Replaces the word "same" with "indictment or  
11 information" to match previous terminology and to clarify this  
12 provision relating to disposition of a defective indictment or  
13 information.

14 2020 Iowa Acts, chapter 1102: Corrects the name of the Iowa  
15 school for the deaf in amendments made to Code section 270.1 by  
16 2020 Iowa Acts, chapter 1102, section 16. This change is made  
17 retroactively applicable in division III of the bill.

18 2020 Iowa Acts, chapter 1108: Strikes an unnecessary "and"  
19 from a series that was added in amendments made to Code section  
20 256.16 by 2020 Iowa Acts, chapter 1108, section 1.

21 Division II:

22 This division permits the Code editor to change the numeric  
23 designations from Arabic to Roman numerals in Code subchapter  
24 headings in the enumerated Code chapters to avoid having  
25 subchapter identifiers and Code section identifiers appear to  
26 be identical in Code element tagging.

27 The division directs the Code editor to transfer Code  
28 section 232.152 to Code section 232.7A, and to transfer Code  
29 section 232.153 to Code section 232.7B, and to correct internal  
30 references in the Code and in any enacted legislation as  
31 necessary due to the transfers.

32 The division contains Code editor directives to change the  
33 Code chapter division designations to subchapter designations  
34 in Code chapter 455B and to change the word "division" to  
35 "subchapter" in various enumerated Code sections and Code

1 section subunits.

2 The division also requires the Code editor to number the  
3 unnumbered paragraphs in various enumerated provisions in  
4 accordance with established Code section hierarchy and to  
5 correct internal references as necessary.

6 Division III:

7 This division makes the amendment to 2020 Iowa Acts, chapter  
8 1102, retroactively applicable to July 1, 2020.