

Senate File 578 - Introduced

SENATE FILE 578

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1222)

A BILL FOR

1 An Act relating to state finances, including by making,
2 modifying, limiting, or reducing appropriations,
3 distributions, or transfers, authorizing expenditure of
4 certain unappropriated moneys, making corrections, and
5 including effective date, applicability, and retroactive
6 applicability provisions.

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

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

DIVISION I
APPROPRIATIONS, DISTRIBUTIONS, TRANSFERS, AND EXPENDITURE
AUTHORITY

Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY 2023-2024. Notwithstanding the standing appropriation in the following designated section for the fiscal year beginning July 1, 2023, and ending June 30, 2024, the amount appropriated from the general fund of the state pursuant to that section for the following designated purpose shall not exceed the following amount:

For payment of claims for nonpublic school pupil transportation under [section 285.2](#):
..... \$ 8,997,091

If total approved claims for reimbursement for nonpublic school pupil transportation exceed the amount appropriated in accordance with this section, the department of education shall prorate the amount of each approved claim.

Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2023-2024. In lieu of the appropriation provided in section 257.20, subsection 2, the appropriation for the fiscal year beginning July 1, 2023, and ending June 30, 2024, for paying instructional support state aid under section 257.20 for the fiscal year is zero.

Sec. 3. SPECIAL FUNDS — SALARY ADJUSTMENTS — UNAPPROPRIATED MONEYS — FY 2023-2024. For the fiscal year beginning July 1, 2023, and ending June 30, 2024, salary adjustments otherwise provided may be funded as determined by the department of management, subject to any applicable constitutional limitation, using unappropriated moneys remaining in the commerce revolving fund, the gaming enforcement revolving fund, the gaming regulatory revolving fund, the primary road fund, the road use tax fund, the fish and game protection fund, and the Iowa public employees' retirement fund, and in other departmental revolving, trust, or special funds for which the general assembly has not made an

1 operating budget appropriation.

2 Sec. 4. DISTRIBUTIONS OF IOWA ECONOMIC EMERGENCY FUND
3 EXCESS — FY 2022-2023.

4 1. Notwithstanding section 8.55, subsection 2, paragraphs
5 "a" and "b", for the fiscal year beginning July 1, 2022, and
6 ending June 30, 2023, moneys in excess of the maximum balance
7 of the Iowa economic emergency fund created in section 8.55
8 shall be distributed as follows:

9 a. An amount equal to the difference between the foundation
10 property tax statewide under section 257.3 for the fiscal year
11 beginning July 1, 2023, calculated using taxable valuations
12 for the assessment year beginning January 1, 2022, following
13 application of assessment limitations calculated under section
14 441.21, Code 2023, and the foundation property tax statewide
15 under section 257.3 for the fiscal year beginning July 1,
16 2023, calculated using taxable valuations for the assessment
17 year beginning January 1, 2022, following application of
18 assessment limitations calculated under section 441.21, Code
19 2023, as amended by 2023 Iowa Acts, Senate File 181, shall be
20 transferred to the general fund of the state to pay foundation
21 aid under chapter 257 as described in section 257.16 for the
22 fiscal year beginning July 1, 2023.

23 b. Of the remaining moneys, if any, the difference between
24 the actual net revenue for the general fund of the state for
25 the fiscal year and the adjusted revenue estimate for the
26 fiscal year, reduced by the amount transferred under paragraph
27 "a", shall be transferred to the taxpayer relief fund created
28 in section 8.57E.

29 c. The remaining moneys, if any, shall be transferred to the
30 general fund of the state.

31 2. The amount to be transferred under subsection 1,
32 paragraph "a", shall be determined by the department of
33 management on or before July 31, 2023. The department shall
34 notify the legislative services agency of the department's
35 determination.

1 Sec. 5. Section 257.35, Code 2023, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 17A. Notwithstanding subsection 1, and in
4 addition to the reduction applicable pursuant to subsection
5 2, the state aid for area education agencies and the portion
6 of the combined district cost calculated for these agencies
7 for the fiscal year beginning July 1, 2023, and ending June
8 30, 2024, shall be reduced by the department of management by
9 twenty-two million fifty-seven thousand one hundred thirty-one
10 dollars. The reduction for each area education agency shall be
11 prorated based on the reduction that the agency received in the
12 fiscal year beginning July 1, 2003.

13 Sec. 6. Section 441.21, subsection 5, paragraph e,
14 subparagraph (1), Code 2023, is amended to read as follows:

15 (1) For the fiscal year beginning July 1, 2023, there
16 is appropriated from the general fund of the state to the
17 department of revenue the sum of one hundred twenty-two million
18 three hundred fifty thousand dollars to be used for payments
19 under this paragraph calculated as a result of the assessment
20 limitations imposed under paragraph "b", subparagraph (2),
21 subparagraph division (a), and paragraph "c", subparagraph (2),
22 subparagraph division (a). For each fiscal year beginning on
23 or after July 1, ~~2023~~ 2024, there is appropriated from the
24 general fund of the state to the department of revenue the
25 sum of one hundred twenty-five million dollars to be used
26 for payments under this paragraph calculated as a result
27 of the assessment limitations imposed under paragraph "b",
28 subparagraph (2), subparagraph division (a), and paragraph "c",
29 subparagraph (2), subparagraph division (a).

30 Sec. 7. EFFECTIVE DATE. The following, being deemed of
31 immediate importance, takes effect upon enactment:

32 The section of this division of this Act providing for
33 distributions of moneys in excess of the maximum balance of the
34 Iowa economic emergency fund.

35

DIVISION II

CORRECTIVE PROVISIONS

CORRECTIONS ASSOCIATED WITH SENATE FILE 514

1
2
3 Sec. 8. Section 15.342A, subsection 2, Code 2023, as amended
4 by 2023 Iowa Acts, Senate File 514, section 2219, is amended
5 to read as follows:

6 2. For the fiscal year beginning July 1, 2023, and for each
7 fiscal year thereafter, there is annually appropriated from
8 the workforce development fund account to the apprenticeship
9 training program fund created in [section ~~15B.3~~ 84D.3](#) three
10 million dollars for the purposes of [chapter ~~15B~~ 84D](#).

11 Sec. 9. Section 15C.1, subsection 3, paragraph b, Code 2023,
12 is amended to read as follows:

13 b. An apprenticeship sponsor receiving financial assistance
14 under [chapter ~~15B~~ 84D](#) or [section ~~15C.2~~ 84E.2](#) is ineligible for
15 financial assistance under [this section](#) during the same fiscal
16 year.

17 Sec. 10. Section 15C.2, subsection 3, paragraph b, Code
18 2023, is amended to read as follows:

19 b. An apprenticeship sponsor receiving financial assistance
20 under [chapter ~~15B~~ 84D](#) or [section ~~15C.1~~ 84E.1](#) is ineligible to
21 receive financial assistance under [this section](#) during the same
22 fiscal year. An apprenticeship sponsor who trains through
23 a lead apprenticeship sponsor that qualifies for financial
24 assistance under [chapter ~~15B~~ 84D](#) is ineligible to receive
25 financial assistance under [this section](#).

26 Sec. 11. Section 22.7, subsection 31, Code 2023, is amended
27 to read as follows:

28 31. Memoranda, work products, and case files of a mediator
29 and all other confidential communications in the possession of
30 a mediator, as provided in ~~chapters 86~~ [chapter 10A, subchapter](#)
31 [III](#), and [chapter 216](#). Information in these confidential
32 communications is subject to disclosure only as provided in
33 sections ~~86.44~~ [10A.332](#) and [216.15B](#), notwithstanding any other
34 contrary provision of [this chapter](#).

35 Sec. 12. Section 92.5, subsection 11, Code 2023, is amended

1 to read as follows:

2 11. Other work approved by the rules adopted pursuant to
3 chapter 17A by the ~~labor commissioner~~ director.

4 Sec. 13. Section 100D.3, subsection 1, paragraph c, Code
5 2023, as amended by 2023 Iowa Acts, Senate File 514, section
6 1519, is amended to read as follows:

7 c. Has received a passing score on the national inspection,
8 testing, and certification star fire sprinkler mastery
9 exam or on an equivalent exam from a nationally recognized
10 third-party testing agency that is approved by the director,
11 or is certified at level one by the national institute for
12 certification in engineering technologies and as specified
13 by rule by the director, or is certified by another entity
14 approved by the ~~fire marshal~~ director.

15 Sec. 14. Section 101.22, subsection 4, Code 2023, as amended
16 by 2023 Iowa Acts, Senate File 514, section 1534, is amended
17 to read as follows:

18 4. The registration notice of the owner or operator to the
19 director under **subsections 1 through 3** shall be accompanied
20 by an annual fee of twenty dollars for each tank included in
21 the notice. All moneys collected shall be retained by the
22 department of inspections, appeals, and licensing and are
23 appropriated for the use of the director. The annual renewal
24 fee applies to all owners or operators who file a registration
25 notice with the ~~state fire marshal~~ director pursuant to
26 subsections 1 through 3.

27 Sec. 15. Section 101.24, subsection 4, paragraph a, Code
28 2023, as amended by 2023 Iowa Acts, Senate File 514, section
29 1536, is amended to read as follows:

30 a. If the owner or operator of any property refuses
31 admittance, or if prior to such refusal the director
32 demonstrates the necessity for a warrant, the ~~state fire~~
33 ~~marshal~~ director may make application under oath or affirmation
34 to the district court of the county in which the property is
35 located for the issuance of a search warrant.

1 Sec. 16. Section 101A.1, subsection 2A, paragraph c,
2 subparagraph (4), as enacted by 2023 Iowa Acts, House File 202,
3 section 2, is amended to read as follows:

4 (4) Any device the ~~state fire marshal~~ director determines is
5 not likely to be used as a weapon or that is an antique.

6 Sec. 17. Section 103.14, Code 2023, as amended by 2023
7 Iowa Acts, Senate File 514, section 1562, is amended to read
8 as follows:

9 **103.14 Alarm installations.**

10 A person who is not licensed pursuant to [this chapter](#) may
11 plan, lay out, or install electrical wiring, apparatus, and
12 equipment for components of alarm systems that operate at
13 seventy volt/amps (VA) or less, only if the person is certified
14 to conduct such work pursuant to [chapter 100C](#). Installations
15 of alarm systems that operate at seventy volt/amps (VA) or less
16 are subject to inspection by state inspectors as provided in
17 section 103.31, except that reports of such inspections, if
18 the installation being inspected was performed by a person
19 certified pursuant to [chapter 100C](#), shall be submitted to the
20 director and any action taken on a report of an inspection
21 of an installation performed by a person certified pursuant
22 to [chapter 100C](#) shall be taken by or at the direction of the
23 ~~state fire marshal~~ director, unless the installation has been
24 found to exceed the authority granted to the certificate holder
25 pursuant to [chapter 100C](#) and therefore to be in violation of
26 this chapter.

27 Sec. 18. Section 135.11A, subsection 1, Code 2023, as
28 amended by 2023 Iowa Acts, Senate File 514, section 1580, is
29 amended to read as follows:

30 1. Each board under ~~chapters~~ chapter 100C, 103, 103A,
31 105, or 147 that ~~are~~ is under the administrative authority
32 of the department, except the board of nursing, board of
33 medicine, dental board, and board of pharmacy, shall receive
34 administrative and clerical support from the department and
35 may not employ its own support staff for administrative and

1 clerical duties. The executive director of the board of
2 nursing, board of medicine, dental board, and board of pharmacy
3 shall be appointed pursuant to [section 135.11B](#).

4 Sec. 19. Section 135B.34, subsection 7, Code 2023, as
5 amended by 2023 Iowa Acts, Senate File 514, section 166, is
6 amended to read as follows:

7 7. For the purposes of [this section](#), ~~“comprehensive~~
8 ~~preliminary background check”~~ and ~~“record check evaluation~~
9 ~~system”~~ mean:

10 a. “Comprehensive preliminary background check” means the
11 same as defined in [section 135C.1](#).

12 b. “Record check evaluation system” means the same as
13 defined in section 135C.1.

14 Sec. 20. Section 135R.1, subsection 2, as enacted by 2023
15 Iowa Acts, Senate File 75, section 22, is amended to read as
16 follows:

17 2. “Department” means the department of inspections, and
18 appeals, and licensing.

19 Sec. 21. Section 156.1A, Code 2023, as amended by 2023
20 Iowa Acts, Senate File 514, section 1632, is amended to read
21 as follows:

22 **156.1A Provision of services.**

23 Nothing contained in [this chapter](#) shall be construed
24 as prohibiting the operation of any funeral home, funeral
25 establishment, or cremation establishment by any person,
26 heir, fiduciary, firm, cooperative burial association, or
27 corporation. However, each such person, firm, cooperative
28 burial association, or corporation shall ensure that all
29 mortuary science services are provided by a funeral director,
30 and shall keep the Iowa department of inspections, appeals, and
31 licensing advised of the name of the funeral director.

32 Sec. 22. Section 249K.2, subsection 6, Code 2023, as amended
33 by 2023 Iowa Acts, Senate File 514, section 820, is amended to
34 read as follows:

35 5. “New construction” means the construction of a new

1 nursing facility which does not replace an existing licensed
2 and certified facility and requires the provider to obtain a
3 certificate of need pursuant to chapter ~~135~~ 10A, subchapter ~~VI~~
4 VII.

5 Sec. 23. Section 252D.16, subsection 1, as enacted by 2023
6 Iowa Acts, Senate File 514, section 882, is amended to read as
7 follows:

8 1. "*Child support services*" means the same as child
9 ~~supported~~ support services created in section 252B.2.

10 Sec. 24. Section 252E.1, subsection 5, as enacted by 2023
11 Iowa Acts, Senate File 514, section 895, is amended to read as
12 follows:

13 5. "*Child support services*" means child support services
14 created in section ~~252B.1~~ 252B.2.

15 Sec. 25. Section 256.11, subsection 5A, paragraph a, if
16 enacted by 2023 Iowa Acts, Senate File 391, section 14, is
17 amended to read as follows:

18 a. The board of directors of a school district or the
19 authorities in charge of an accredited nonpublic school may
20 authorize a teacher who is appropriately licensed by the board
21 of educational examiners ~~under chapter 272~~ to teach two or more
22 sequential units of one subject area in the same classroom at
23 the same time in grades nine through twelve. The board of
24 directors of a school district or the authorities in charge
25 of an accredited nonpublic school shall award high school
26 credit to a student upon the student's successful completion of
27 the course. The teacher must meet the minimum certification
28 requirements of the national organization that administers the
29 advanced placement program if one of the units being offered
30 pursuant to this paragraph is an advanced placement course.

31 Sec. 26. Section 261G.4, subsection 5, Code 2023, as amended
32 by 2023 Iowa Acts, Senate File 514, section 2640, is amended
33 to read as follows:

34 5. Students attending a participating nonresident
35 institution are ineligible for state student financial aid

1 programs established under chapter 256, subchapter VII, part 4.

2 Sec. 27. Section 303.3B, subsection 3, Code 2023, as amended
3 by 2023 Iowa Acts, Senate File 514, section 2087, is amended
4 to read as follows:

5 3. The authority shall encourage development projects and
6 activities located in certified cultural and entertainment
7 districts through incentives under cultural grant programs
8 pursuant to section ~~303.3~~ 15.436, subchapter II, part 30, and
9 any other applicable grant programs.

10 Sec. 28. Section 546.10, subsection 3, paragraph a, Code
11 2023, as amended by 2023 Iowa Acts, Senate File 514, section
12 1704, is amended to read as follows:

13 a. The licensing and regulation examining boards included
14 in the ~~bureau~~ department pursuant to subsection 1 retain the
15 powers granted them pursuant to the chapters in which they are
16 created, except for budgetary and personnel matters which shall
17 be handled by the director. Each licensing board shall adopt
18 rules pursuant to chapter 17A. Decisions by a licensing board
19 are final agency actions for purposes of chapter 17A.

20 Sec. 29. Section 727.2, subsection 3, paragraph d, as
21 enacted by 2023 Iowa Acts, House File 202, section 7, is
22 amended to read as follows:

23 d. Any retailer or community group offering for sale
24 at retail any consumer fireworks shall do so in accordance
25 with the national fire protection association standard 1124,
26 published in the code for the manufacture, transportation,
27 storage, and retail sales of fireworks and pyrotechnic
28 articles, 2006 edition, and shall not be subject to any other
29 standards or requirements unless provided for by the ~~state fire~~
30 ~~marshal~~ director of the department of inspections, appeals, and
31 licensing under section ~~100.19~~ 10A.519.

32 Sec. 30. 2015 Iowa Acts, chapter 138, section 97, as amended
33 by 2023 Iowa Acts, Senate File 514, section 1710, is amended
34 to read as follows:

35 SEC. 97. RESIDENTIAL SWIMMING POOLS — PRIVATE SWIMMING

1 LESSONS. Notwithstanding any provision of law to the contrary,
2 the department of inspections, appeals, and licensing shall
3 require that a residential swimming pool used for private
4 swimming lessons for up to two hundred seven hours in a
5 calendar month, or the number of hours prescribed by local
6 ordinance applicable to such use of a residential swimming
7 pool, whichever is greater, be regulated as a residential
8 swimming pool used for commercial purposes pursuant to chapter
9 135I. The department of ~~public health inspections, appeals,~~
10 and licensing may adopt rules to implement this section.

11 Sec. 31. 2021 Iowa Acts, chapter 45, section 5, is amended
12 to read as follows:

13 SEC. 5. APPLICABILITY. This Act applies to financial
14 assistance provided by ~~the economic development authority~~ to
15 apprenticeship sponsors and lead apprenticeship sponsors that
16 apply for financial assistance on or after July 1, 2021.

17 Sec. 32. 2023 Iowa Acts, Senate File 514, section 2605, is
18 amended to read as follows:

19 SEC. 2605. APPLICABILITY. This portion of this division
20 of this Act applies to individuals appointed as the executive
21 director of the board of educational examiners before, on, or
22 after the effective date of this division of this Act.

23 Sec. 33. 2023 Iowa Acts, Senate File 514, section 2643, is
24 amended to read as follows:

25 SEC. 2643. APPLICABILITY. This portion of this division
26 of this Act applies to individuals appointed as the executive
27 director of the college student aid commission before, on, or
28 after the effective date of this division of this Act.

29 MISCELLANEOUS CORRECTIONS

30 Sec. 34. Section 12K.1, subsection 4, paragraph j, if
31 enacted by 2023 Iowa Acts, Senate File 418, section 4, is
32 amended by striking the paragraph.

33 Sec. 35. Section 12K.1, if enacted by 2023 Iowa Acts, Senate
34 File 418, section 4, is amended by adding the following new
35 subsection:

1 NEW SUBSECTION. 5. "*Public fund*" means the treasurer of
2 state, the state board of regents, the public safety peace
3 officers' retirement system created in chapter 97A, the Iowa
4 public employees' retirement system created in chapter 97B, the
5 statewide fire and police retirement system created in chapter
6 411, or the judicial retirement system created in chapter 602.

7 Sec. 36. 2023 Iowa Acts, Senate File 418, if enacted, is
8 amended by adding the following new section:

9 NEW SECTION. SEC. 9A. Section 35A.13, subsection 4,
10 paragraph a, Code 2023, is amended to read as follows:

11 a. Notwithstanding [subsection 5](#), moneys in the fund, except
12 so much of the fund as may be necessary to be kept on hand
13 for the making of disbursements under [this section](#), shall
14 be invested by the treasurer of state, in consultation with
15 the commission and the public retirement systems committee
16 established by [section 97D.4](#), in any investments authorized for
17 the Iowa public employees' retirement system in [section 97B.7A](#),
18 including common stock, and subject to the requirements of
19 chapters 12F, [12H](#), [and 12J](#), [and 12K](#), and the earnings therefrom
20 shall be credited to the fund. The treasurer of state may
21 execute contracts and agreements with investment advisors,
22 consultants, and investment management and benefit consultant
23 firms in the administration of investments of moneys in the
24 fund.

25 Sec. 37. Section 135B.1, subsection 5, as enacted by 2023
26 Iowa Acts, Senate File 75, section 1, is amended to read as
27 follows:

28 5. "*Rural emergency hospital*" means a facility that provides
29 rural emergency hospital services in the facility twenty-four
30 hours per day, seven days per week; does not provide any acute
31 care inpatient services with the exception of any distinct
32 part of the facility licensed as a skilled nursing facility
33 providing posthospital extended care services; and meets the
34 criteria specified in ~~section 135B.1A~~ [135B.3A](#) and the federal
35 Consolidated Appropriations Act, Pub. L. No. 116-260, §125.

1 Sec. 38. Section 135R.3, subsections 1 and 2, as enacted by
2 2023 Iowa Acts, Senate File 75, section 24, are amended to read
3 as follows:

4 1. An applicant for an ambulatory surgical center license
5 shall submit an application to the department. Applications
6 shall be upon such forms and shall include such information
7 as the department may reasonably require, which may include
8 affirmative evidence of the ability to comply with reasonable
9 rules and standards prescribed under this chapter but which
10 shall not exceed the requirements for applications required by
11 Medicare or an accrediting organization with deeming authority
12 authorized by the centers for Medicare and Medicaid services of
13 the United States department of health and human services.

14 2. An applicant for an initial ambulatory surgical center
15 license that has been certified by Medicare or an accrediting
16 organization with deeming authority authorized by the centers
17 for Medicare and Medicaid services of the United States
18 department of health and human services shall be granted an
19 initial license.

20 Sec. 39. Section 147.164, subsection 2, paragraph a,
21 unnumbered paragraph 1, as enacted by 2023 Iowa Acts, Senate
22 File 538, section 1, is amended to read as follows:

23 Except as otherwise provided in paragraph "c", a health
24 care professional shall not knowingly engage in or cause any
25 of the following practices to be performed on a minor if the
26 practice is performed for the purpose of attempting to alter
27 the appearance of, or affirm the minor's perception of, the
28 minor's gender or sex, if that appearance or perception is
29 inconsistent with the minor's sex:

30 Sec. 40. Section 476.1A, subsection 6, paragraph c, if
31 enacted by 2023 Iowa Acts, House File 599, section 1, is
32 amended to read as follows:

33 *c. "Safety standards"* means applicable regulations
34 promulgated by the United States occupational safety and health
35 administration and by ~~Iowa occupational safety and health~~

1 ~~by the administration~~ the labor commissioner under chapter
2 88. Safety standards for electric utilities subject to this
3 section also include outage notifications, safety standards
4 contained in the national electric safety code, as published
5 by the institute of electrical and electronic engineers, inc.,
6 and electric safety standards approved by the American national
7 standards institute.

8 Sec. 41. Section 521J.7, subsection 1, paragraph b,
9 subparagraph (1), if enacted by 2023 Iowa Acts, Senate File
10 549, section 10, is amended to read as follows:

11 (1) Subject to subparagraph (2), the ~~captive's company~~
12 captive company's report shall be filed no later than ninety
13 calendar days after the close of the company's fiscal year.

14 Sec. 42. Section 521J.19, subsection 3, unnumbered
15 paragraph 1, if enacted by 2023 Iowa Acts, Senate File 549,
16 section 22, is amended to read as follows:

17 Notwithstanding chapter 507C or any other provision ~~to~~ of
18 law to the contrary, in the conservation, rehabilitation, or
19 liquidation of a protected cell captive company, all of the
20 following requirements shall be met:

21 Sec. 43. Section 533C.305, subsection 4, if enacted by 2023
22 Iowa Acts, House File 675, section 14, is amended to read as
23 follows:

24 4. If an applicant avails itself or is otherwise subject
25 to a multistate licensing process, the superintendent is
26 authorized and encouraged to accept the investigation results
27 of a lead investigative state for the purpose of subsection
28 3, if the lead investigative state has sufficient staffing,
29 expertise, and minimum standards. Additionally, if this
30 state is a lead investigative state, the superintendent is
31 authorized and encouraged to investigate the applicant pursuant
32 to subsection 3, and the time frames established by agreement
33 through the multistate licensing process, provided, that in no
34 case shall such time frame be noncompliant with the application
35 period in subsection 1, ~~paragraph "a"~~.

1 Sec. 44. Section 533C.804, subsection 1, paragraph m,
2 subparagraph (1), subparagraph division (d), if enacted by 2023
3 Iowa Acts, House File 675, section 35, is amended to read as
4 follows:

5 (d) Contain an issue date and expiration date, and expressly
6 provide for automatic extension, without written amendment,
7 for an additional period of one year from the present or each
8 future expiration date, unless the issuer of the letter of
9 credit notifies the superintendent in writing by certified
10 or registered mail or courier mail or other receipted means,
11 at least sixty days prior to any expiration date, that the
12 irrevocable letter of credit shall not be extended. In the
13 event of any notice of expiration or nonextension of a letter
14 of credit issued under this subparagraph division, the licensee
15 shall be required to demonstrate to the satisfaction of the
16 superintendent, fifteen days prior to expiration, that the
17 licensee maintains and will maintain permissible investments
18 in accordance with section 533C.803, subsection 1, upon the
19 expiration of the letter of credit. If the licensee is not
20 able to do so, the superintendent may draw on the letter of
21 credit in an amount up to the amount necessary to meet the
22 licensee's requirements to maintain permissible investments
23 in accordance with section 533C.803, subsection 1. Any
24 such draw shall be offset against the licensee's outstanding
25 money transmission obligations. The drawn funds shall be
26 held in trust by the superintendent or the superintendent's
27 designated agent, to the extent authorized by law, as agent for
28 the benefit of the purchasers and holders of the licensee's
29 outstanding money transmission obligations.

30 Sec. 45. Section 544C.1, subsection 1A, if enacted by 2023
31 Iowa Acts, Senate File 135, section 1, is amended to read as
32 follows:

33 NEW SUBSECTION. 1A. "*Building equipment*" means any
34 mechanical, plumbing, electrical, or structural components,
35 including a conveyance, designed for or located in a building

1 or structure.

2 Sec. 46. CODE EDITOR DIRECTIVE. If House File 421 and House
3 File 652 are both enacted by the first session of the 90th
4 General Assembly, the Code editor shall change the term "barber
5 school or school of cosmetology arts and sciences" to "school
6 of barbering and cosmetology arts and sciences" wherever the
7 term is enacted in House File 421.

8 Sec. 47. EFFECTIVE DATE. The following, being deemed of
9 immediate importance, take effect upon enactment:

10 1. The section of this division of this Act amending section
11 135B.1, subsection 5.

12 2. The section of this division of this Act amending section
13 147.164, subsection 2, paragraph "a", unnumbered paragraph 1.

14 Sec. 48. RETROACTIVE APPLICABILITY. The following applies
15 retroactively to March 28, 2023:

16 The section of this division of this Act amending section
17 135B.1, subsection 5.

18 Sec. 49. APPLICABILITY. The following applies one hundred
19 eighty days after March 22, 2023:

20 The section of this division of this Act amending section
21 147.164, subsection 2, paragraph "a", unnumbered paragraph 1.

22 EXPLANATION

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

25 APPROPRIATIONS, DISTRIBUTIONS, TRANSFERS, AND EXPENDITURE
26 AUTHORITY. This bill limits the standing appropriations for
27 FY 2023-2024 for payment of claims for nonpublic school pupil
28 transportation, instructional support state aid, state aid for
29 area education agencies, and payments under Code section 441.21
30 relating to certain property assessment limitations. The bill
31 authorizes salary adjustments to be funded as determined by the
32 department of management (DOM) from unappropriated moneys in
33 certain special funds.

34 The bill provides that for FY 2022-2023, moneys in excess
35 of the maximum balance of the Iowa economic emergency fund

1 shall not be distributed as provided in Code section 8.55(2),
2 but shall instead be distributed as provided in the bill.
3 Under the bill, moneys are first transferred to the general
4 fund of the state in an amount equal to the difference in
5 foundation property tax statewide based on 2023 Iowa Acts,
6 Senate File 181, to pay foundation aid under Code chapter 257
7 for FY 2023-2024. The amount that would be distributed to
8 the taxpayer relief fund under current law is reduced by the
9 transferred amount. The transferred amount is to be determined
10 by DOM. These provisions take effect upon enactment.

11 CORRECTIVE PROVISIONS. The bill makes technical corrections
12 to, or as the result of, legislation enacted or considered
13 during the 2023 legislative session. Certain provisions take
14 effect upon enactment and apply retroactively to the effective
15 date of the amended legislation.