

Senate Study Bill 1153 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON ZAUN)

A BILL FOR

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

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

DIVISION I

MISCELLANEOUS CHANGES

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Section 1. Section 9C.9, Code 2023, is amended to read as follows:

9C.9 Penalty.

Any merchant, whether an individual person, a firm, corporation, partnership, or association, violating any of the provisions of **this chapter** shall be guilty of a simple misdemeanor. Each sale made in violation of the provisions ~~hereof~~ of this chapter shall be and constitute a separate offense.

Sec. 2. Section 9G.4, Code 2023, is amended to read as follows:

9G.4 Land office — how kept — certified copies.

The land office shall be kept open during business hours. The documents and records ~~therein~~ in the land office shall be subject to inspection by parties having an interest ~~therein~~, ~~and certified~~ in the documents and records. Certified copies thereof of a document or record in the land office, signed by the secretary, with the seal of office attached, shall be deemed presumptive evidence of the facts to which they relate, ~~and on.~~ Upon request they, certified copies of documents or records shall be furnished by the secretary for a reasonable ~~compensation~~ fee.

Sec. 3. Section 15E.305, subsection 2, paragraph a, Code 2023, is amended to read as follows:

a. The maximum amount of tax credits granted to a taxpayer shall not exceed one hundred thousand dollars ~~of the aggregate amount of tax credits authorized.~~

Sec. 4. Section 15F.403, subsection 2, paragraph a, Code 2023, is amended to read as follows:

a. Moneys in the fund are appropriated to the authority for purposes of providing financial assistance to cities, counties, and public entities under the sports tourism marketing and infrastructure program established and administered pursuant

1 to this subchapter.

2 Sec. 5. Section 24.30, Code 2023, is amended to read as
3 follows:

4 **24.30 Review by and powers of board.**

5 It shall be the duty of the state board to review and finally
6 pass upon all proposed budget expenditures, tax levies, and
7 tax assessments from which appeal is taken ~~and it~~. The state
8 board shall have power and authority to approve, disapprove,
9 or reduce all such proposed budgets, expenditures, and tax
10 levies so submitted to it upon appeal, as ~~herein~~ provided in
11 this chapter; but in no event may it increase such budget,
12 expenditure, tax levies or assessments or any item contained
13 therein. ~~Said~~ The state board shall have authority to adopt
14 rules not inconsistent with the provisions of this chapter,
15 to employ necessary assistants, authorize such expenditures,
16 require such reports, make such investigations, and take
17 such other action as it deems necessary to promptly hear and
18 determine all such appeals; provided, however, that all persons
19 so employed shall be selected from persons then regularly
20 employed in some one of the offices of the members of ~~said~~ the
21 state board.

22 Sec. 6. Section 27A.1, Code 2023, is amended by adding the
23 following new unnumbered paragraph before subsection 1:

24 NEW UNNUMBERED PARAGRAPH. As used in this chapter:

25 Sec. 7. Section 29C.6, subsection 3, Code 2023, is amended
26 to read as follows:

27 3. When the president of the United States has declared a
28 major disaster to exist in the state and upon the governor's
29 determination that a local government of the state will suffer
30 a substantial loss of tax and other revenues from a major
31 disaster and has demonstrated a need for financial assistance
32 to perform its governmental functions, apply to the federal
33 government, on behalf of the local government for a loan,
34 receive and disburse the proceeds of any approved loan to
35 any applicant local government, determine the amount needed

1 by any applicant local government to restore or resume its
2 governmental functions, and certify the same to the federal
3 government; however, no application amount shall exceed
4 twenty-five percent of the annual operating budget of the
5 applicant for the fiscal year in which the major disaster
6 occurs. The governor may recommend to the federal government,
7 based upon the governor's review, the cancellation of all or
8 any part ~~or~~ of repayment when, in the first three full fiscal
9 year period following the major disaster, the revenues of
10 the local government are insufficient to meet its operating
11 expenses, including additional disaster-related expenses of a
12 municipal operation character.

13 Sec. 8. Section 34A.8, subsection 2, paragraph b, Code 2023,
14 is amended to read as follows:

15 *b.* The director, program manager, joint 911 service board,
16 local emergency management commission established pursuant
17 to [section 29C.9](#), the designated next generation 911 network
18 service provider, and the public safety answering point, and
19 their agents, employees, and assigns shall use local exchange
20 service information provided by the local exchange service
21 provider solely for the purposes of providing 911 emergency
22 telephone service or providing related mass notification and
23 emergency messaging services as described in [section 29C.17A](#)
24 utilizing only the subscriber's information, and local exchange
25 service information shall otherwise be kept confidential. A
26 person who violates [this section paragraph](#) is guilty of a
27 simple misdemeanor.

28 Sec. 9. Section 41.1, subsection 52, unnumbered paragraph
29 1, Code 2023, is amended to read as follows:

30 The fifty-second representative district in Marshall county
31 shall consist of:

32 Sec. 10. Section 43.2, subsection 1, paragraph b, Code 2023,
33 is amended to read as follows:

34 *b.* "Political party" shall mean a party which, at the
35 last preceding general election, cast for its candidate for

1 president of the United States or for governor, as the case
2 may be, at least two percent of the total vote cast for all
3 candidates for that office at that election. It shall be the
4 responsibility of the state commissioner to determine whether
5 any organization claiming to be a political party qualifies as
6 such under ~~the foregoing definition~~ this paragraph.

7 Sec. 11. Section 43.50, Code 2023, is amended to read as
8 follows:

9 **43.50 Signing and filing of abstract.**

10 The members of the board shall sign ~~said abstracts~~ and
11 certify to the correctness ~~thereof~~ of the abstracts made
12 under section 43.49, and file the ~~same~~ abstracts with the
13 commissioner.

14 Sec. 12. Section 43.60, unnumbered paragraph 1, Code 2023,
15 is amended to read as follows:

16 The county board of supervisors shall also make a separate
17 abstract of the canvass as to the following offices and certify
18 ~~to the same~~ and forthwith forward ~~it~~ the abstract to the state
19 commissioner, ~~viz.:~~

20 Sec. 13. Section 85.18, Code 2023, is amended to read as
21 follows:

22 **85.18 Contract to relieve not operative.**

23 ~~No~~ A contract, rule, or device ~~whatsoever~~ shall not operate
24 to relieve the employer, in whole or in part, from any
25 liability created by this chapter except as ~~herein~~ provided in
26 this chapter. This section does not create a private cause of
27 action.

28 Sec. 14. Section 85.38, subsection 1, Code 2023, is amended
29 to read as follows:

30 1. *Contributions or donations.* The compensation ~~herein~~
31 provided in this chapter shall be the measure of liability
32 which the employer has assumed for injuries or death that may
33 occur to employees in the employer's employment subject to the
34 provisions of this chapter, and it shall not be in anywise
35 reduced by contribution from employees or donations from any

1 source.

2 Sec. 15. Section 85.42, subsection 2, Code 2023, is amended
3 to read as follows:

4 2. A child or children under eighteen years of age, and
5 over said age if physically or mentally incapacitated from
6 earning, whether actually dependent for support or not upon the
7 parent at the time of the parent's death. An adopted child or
8 children shall be regarded the same as issue of the body. A
9 ~~child~~ The terms "child" or children "children", as used herein
10 in this subsection, shall also include any child or children
11 conceived but not born at the time of the employee's injury,
12 and any compensation payable on account of any such child
13 or children shall be paid from the date of their birth. A
14 stepchild or stepchildren shall be regarded the same as issue
15 of the body only when the stepparent has actually provided the
16 principal support for such child or children.

17 Sec. 16. Section 85.64, Code 2023, is amended to read as
18 follows:

19 **85.64 Limitation of benefits.**

20 1. If an employee who has previously lost, or lost the
21 use of, one hand, one arm, one foot, one leg, or one eye,
22 becomes permanently disabled by a compensable injury which has
23 resulted in the loss of or loss of use of another such member
24 or organ, the employer shall be liable only for the degree of
25 disability which would have resulted from the latter injury
26 if there had been no preexisting disability. In addition to
27 such compensation, and after the expiration of the full period
28 provided by law for the payments ~~thereof~~ of compensation by
29 the employer, the employee shall be paid out of the "~~Second~~
30 ~~Injury Fund~~" second injury fund created by this subchapter the
31 remainder of such compensation as would be payable for the
32 degree of permanent disability involved after first deducting
33 from ~~such~~ the remainder the compensable value of the previously
34 lost member or organ.

35 2. Any benefits received by any such employee, or to which

1 the employee may be entitled, by reason of such increased
2 disability from any state or federal fund or agency, to which
3 ~~said~~ the employee has not directly contributed, shall be
4 regarded as a credit to any award made against ~~said~~ the second
5 injury fund ~~as aforesaid~~.

6 Sec. 17. Section 85A.2, Code 2023, is amended to read as
7 follows:

8 **85A.2 Employers included.**

9 All employers as defined by the workers' compensation law
10 of Iowa and who are engaged in any business or industrial
11 process ~~hereinafter~~ designated and described in this chapter
12 are employers within the provisions of ~~this chapter~~ and shall
13 be subject ~~thereto~~ to this chapter.

14 Sec. 18. Section 89.4, subsection 1, paragraph d, Code 2023,
15 is amended to read as follows:

16 *d.* Steam heating boilers and unfired steam pressure vessels
17 associated ~~therewith~~ with steam heating boilers and mobile
18 power boilers used exclusively for agricultural purposes.

19 Sec. 19. Section 89.12, Code 2023, is amended to read as
20 follows:

21 **89.12 Hearing — notice — decree.**

22 The commissioner shall notify in writing the owner or user of
23 the equipment of the time and place of hearing of the petition
24 as fixed by the court or judge, and shall serve the notice
25 on the defendant at least five days prior to the hearing in
26 the same manner as original notices are served. The general
27 provisions relating to civil practice and procedure as may be
28 applicable, shall govern the proceedings, except as ~~herein~~
29 modified in this chapter. In the event the defendant does not
30 appear or plead to the action, default shall be entered against
31 the defendant. The action shall be tried in equity, and the
32 court or judge shall make such order or decree as the evidence
33 warrants.

34 Sec. 20. Section 96.2, Code 2023, is amended to read as
35 follows:

1 **96.2 Guide for interpretation.**

2 As a guide to the interpretation and application of this
3 chapter, the public policy of this state is declared to be as
4 follows: Economic insecurity due to unemployment negatively
5 impacts the health, morals, and welfare of the people of Iowa.
6 These undesirable consequences can be reduced by encouraging
7 employers to provide more stable employment and by the
8 systematic accumulation of funds during periods of employment
9 to provide benefits for periods of unemployment. **This chapter**
10 provides for payment of benefits to workers unemployed through
11 no fault of their own. The policy herein in this chapter is
12 intended to encourage stabilization in employment, to provide
13 for integrated employment and training services in support of
14 state economic development programs, and to provide meaningful
15 job training and employment opportunities for the unemployed,
16 underemployed, economically disadvantaged, dislocated workers,
17 and others with substantial barriers to employment. To
18 further this public policy, the state, through its department
19 of workforce development, will maintain close coordination
20 among all federal, state, and local agencies whose missions
21 affect the employment or employability of the unemployed and
22 underemployed.

23 Sec. 21. Section 96.5, subsection 7, paragraph a, Code 2023,
24 is amended to read as follows:

25 a. When an employer makes a payment or becomes obligated
26 to make a payment to an individual for vacation pay, or for
27 vacation pay allowance, or as pay in lieu of vacation, such
28 payment or amount shall be deemed wages as defined in section
29 96.1A, subsection 40, and shall be applied as provided in
30 paragraph "c" hereof of this subsection 7.

31 Sec. 22. Section 97B.42, subsection 5, Code 2023, is amended
32 to read as follows:

33 5. Nothing herein contained in this chapter shall
34 be construed to permit any employer to make any public
35 contributions or payments on behalf of an employee in the same

1 position for the same period of time to both the Iowa public
2 employees' retirement system and any other retirement system
3 in the state which is supported in whole or in part by public
4 contributions or payments.

5 Sec. 23. Section 100.33, Code 2023, is amended to read as
6 follows:

7 **100.33 Annual report.**

8 The state fire marshal shall file with the governor
9 annually, at the time provided by law, a detailed report of the
10 fire marshal's official acts and of the affairs of the fire
11 marshal's office ~~which~~. The report shall be published and
12 distributed in the same manner as the reports of other state
13 officers.

14 Sec. 24. Section 123.32, subsection 7, Code 2023, is amended
15 to read as follows:

16 7. *Appeal to administrator.* An applicant for a retail
17 alcohol license may appeal from the local authority's
18 disapproval of an application for a license ~~or permit~~ to the
19 administrator. In the appeal the applicant shall be allowed
20 the opportunity to demonstrate in an evidentiary hearing
21 conducted pursuant to [chapter 17A](#) that the applicant complies
22 with all of the requirements for holding the license ~~or permit~~.
23 The administrator may appoint a member of the division or may
24 request an administrative law judge from the department of
25 inspections and appeals to conduct the evidentiary hearing
26 and to render a proposed decision to approve or disapprove
27 the issuance of the license ~~or permit~~. The administrator may
28 affirm, reverse, or modify the proposed decision. If the
29 administrator determines that the applicant complies with
30 all of the requirements for holding a license ~~or permit~~, the
31 administrator shall order the issuance of the license ~~or~~
32 ~~permit~~. If the administrator determines that the applicant
33 does not comply with the requirements for holding a license ~~or~~
34 ~~permit~~, the administrator shall disapprove the issuance of the
35 license ~~or permit~~.

1 Sec. 25. Section 123.34, subsection 3, paragraph c, Code
2 2023, is amended to read as follows:

3 c. The fee for the five-day retail alcohol license is
4 one-eighth of the annual fee for that class of license ~~or~~
5 ~~permit~~.

6 Sec. 26. Section 123.39, subsection 3, Code 2023, is amended
7 to read as follows:

8 3. When a retail alcohol license is suspended after a
9 hearing as a result of violations of [this chapter](#) by the
10 licensee or the licensee's agents or employees, the premises
11 which were licensed by the license shall not be relicensed
12 for a new applicant until the suspension has terminated or
13 time of suspension has elapsed, or ninety days have elapsed
14 since the commencement of the suspension, whichever occurs
15 first. However, [this section](#) does not prohibit the premises
16 from being relicensed to a new applicant before the suspension
17 has terminated or before the time of suspension has elapsed or
18 before ninety days have elapsed from the commencement of the
19 suspension, if the premises prior to the time of the suspension
20 had been purchased under contract, and the vendor under that
21 contract had exercised the person's rights under [chapter 656](#)
22 and sold the property to a different person who is not related
23 to the previous licensee ~~or permittee~~ by marriage or within the
24 third degree of consanguinity or affinity and if the previous
25 licensee ~~or permittee~~ does not have a financial interest in the
26 business of the new applicant.

27 Sec. 27. Section 123.46A, subsection 2, Code 2023, is
28 amended to read as follows:

29 2. Licensees authorized to sell wine, beer, or mixed drinks
30 or cocktails for consumption off the licensed premises in a
31 container other than the original container may deliver the
32 wine, beer, or mixed drinks or cocktails to a home or other
33 designated location in this state only if the container other
34 than the original container has been sold and securely sealed
35 in compliance with [this chapter](#) or the rules of the division.

1 Deliveries shall be limited to alcoholic beverages authorized
2 by the licensee's license ~~or permit~~.

3 Sec. 28. Section 123.49, subsection 2, paragraph a, Code
4 2023, is amended to read as follows:

5 a. Knowingly permit any gambling, except in accordance with
6 chapter 99B, 99D, 99F, or 99G, or knowingly permit solicitation
7 for immoral purposes, or immoral or disorderly conduct on the
8 premises covered by the license ~~or permit~~.

9 Sec. 29. Section 123.50, subsection 2, Code 2023, is amended
10 to read as follows:

11 2. The conviction of any retail alcohol licensee for a
12 violation of any of the provisions of section 123.49, subject
13 to subsection 3 of this section, is grounds for the suspension
14 or revocation of the license ~~or permit~~ by the division or the
15 local authority. However, if any retail alcohol licensee is
16 convicted of any violation of section 123.49, subsection 2,
17 paragraph "a" or "e", or any retail alcohol licensee, excluding
18 a special class "B" or class "D" retail alcohol licensee, is
19 convicted of a violation of section 123.49, subsection 2,
20 paragraph "d", the retail alcohol license shall be revoked
21 and shall immediately be surrendered by the holder, and the
22 bond, if any, of the license holder shall be forfeited to the
23 division. However, the division shall retain only that portion
24 of the bond equal to the amount the division determines the
25 license holder owes the division.

26 Sec. 30. Section 123.50, subsection 3, paragraphs a, b, c,
27 and d, Code 2023, are amended to read as follows:

28 a. A first violation shall subject the licensee ~~or permittee~~
29 to a civil penalty in the amount of five hundred dollars.
30 Failure to pay the civil penalty as ordered under section
31 123.39 shall result in automatic suspension of the license ~~or~~
32 ~~permit~~ for a period of fourteen days.

33 b. A second violation within two years shall subject the
34 licensee ~~or permittee~~ to a thirty-day suspension and a civil
35 penalty in the amount of one thousand five hundred dollars.

1 c. A third violation within three years shall subject the
2 licensee ~~or permittee~~ to a sixty-day suspension and a civil
3 penalty in the amount of one thousand five hundred dollars.

4 d. A fourth violation within three years shall result in
5 revocation of the license ~~or permit~~.

6 Sec. 31. Section 123.50, subsection 3, paragraph e,
7 subparagraphs (2) and (3), Code 2023, are amended to read as
8 follows:

9 (2) Suspension shall be limited to the specific license ~~or~~
10 ~~permit~~ for the premises found in violation.

11 (3) Notwithstanding [section 123.40](#), revocation shall be
12 limited to the specific license ~~or permit~~ found in violation
13 and shall not disqualify a licensee ~~or permittee~~ from holding a
14 license ~~or permit~~ at a separate location.

15 Sec. 32. Section 123.50, subsection 4, Code 2023, is amended
16 to read as follows:

17 4. In addition to any other penalties imposed under this
18 chapter, the division shall assess a civil penalty up to the
19 amount of five thousand dollars upon a class "E" retail alcohol
20 licensee when the class "E" retail alcohol license is revoked
21 for a violation of [section 123.59](#). Failure to pay the civil
22 penalty as required under [this subsection](#) shall result in
23 forfeiture of the bond to the division. However, the division
24 shall retain only that portion of the bond equal to the amount
25 the division determines the license ~~or permit~~ holder owes the
26 division.

27 Sec. 33. Section 123.56, subsection 2, Code 2023, is amended
28 to read as follows:

29 2. If the county attorney or city attorney for the county
30 or city where the licensed premises is located has reason to
31 believe a public safety nuisance that constitutes a serious
32 threat to the public safety exists, the county attorney or
33 city attorney, or an attorney acting at the direction of the
34 county attorney or city attorney, may file a suit in equity
35 in district court without bond seeking abatement of a public

1 safety nuisance ~~arising from~~ occurring at a premises licensed
2 under this chapter pursuant to the requirements of this
3 section.

4 Sec. 34. Section 123.173, subsection 3, Code 2023, is
5 amended to read as follows:

6 3. A class "A" wine permittee shall be required to deliver
7 wine to a retail alcohol licensee, and a retail alcohol
8 licensee shall be required to accept delivery of wine from a
9 class "A" wine permittee, only at the licensed premises of the
10 retail alcohol licensee. Except as specifically permitted
11 by the division upon good cause shown, delivery or transfer
12 of wine from an unlicensed premises to a licensed retail
13 alcohol licensee's premises, or from one licensed retail
14 alcohol licensee's premises to another licensed retail alcohol
15 licensee's premises, even if there is common ownership of all
16 of the premises by one retail ~~permittee~~ alcohol licensee, is
17 prohibited.

18 Sec. 35. Section 124.204, subsection 2, paragraphs bv, ci,
19 and ck, Code 2023, are amended to read as follows:

20 *bv.* ~~N-(1-(2-flouropheneethyl)piperidin-4-yl)-N-(2-~~
21 ~~fluorophenyl)propionamide~~ N-(1-(2-fluoropheneethyl)piperidin-4-
22 yl)-N-(2-fluorophenyl)propionamide. Other names: 2'-Fluoro
23 ortho-fluorofentanyl, 2'-fluoro 2-fluorofentanyl.

24 *ci.* ~~N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-~~
25 ~~yl)butyramide~~ N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-
26 yl)butyramide. Other name: ~~para-methoxybutyryl fentanyl~~
27 para-methoxybutyryl fentanyl.

28 *ck.* ~~N-(1-phenethylpiperidin-4-yl)-N-phenylisobutryamide~~ N-
29 (1-phenethylpiperidin-4-yl)-N-phenylisobutyramide. Other name:
30 Isobutyryl fentanyl.

31 Sec. 36. Section 124.204, subsection 4, paragraph bt, Code
32 2023, is amended to read as follows:

33 *bt.* ~~1-(4-methoxyphenyl)-N-methylpropan-2-amine~~
34 1-(4-methoxyphenyl)-N-methylpropan-2-amine.

35 Other names: para-methoxymethamphetamine, PMMA.

1 Sec. 37. Section 125.77, Code 2023, is amended to read as
2 follows:

3 **125.77 Service of notice.**

4 Upon the filing of an application pursuant to section
5 125.75, the clerk shall docket the case and immediately
6 notify a ~~district court judge, a district associate judge,~~
7 ~~or~~ magistrate who is admitted to the practice of law in this
8 state, who shall review the application and accompanying
9 documentation. The clerk shall send copies of the application
10 and supporting documentation, together with the notice
11 informing the respondent of the procedures required by this
12 subchapter, to the sheriff, for immediate service upon the
13 respondent. If the respondent is taken into custody under
14 section 125.81, service of the application, documentation,
15 and notice upon the respondent shall be made at the time the
16 respondent is taken into custody.

17 Sec. 38. Section 147E.1, subsection 8, paragraph g,
18 subparagraph (2), Code 2023, is amended to read as follows:

19 (2) The commission shall defend any member, officer,
20 executive director, employee, or representative of the
21 commission in any civil action seeking to impose liability
22 arising out of any actual or alleged act, error, or omission
23 that occurred within the scope of commission employment,
24 duties, or responsibilities, or that the person against
25 whom the claim is made had a reasonable basis for believing
26 occurred within the scope of commission employment, duties, or
27 responsibilities; provided that nothing ~~herein~~ in this compact
28 shall be construed to prohibit that person from retaining the
29 person's own counsel; and provided further, that the actual
30 or alleged act, error, or omission did not result from that
31 person's intentional, willful, or wanton misconduct.

32 Sec. 39. Section 147E.1, subsection 11, paragraph a,
33 subparagraph (1), Code 2023, is amended to read as follows:

34 (1) The executive, legislative, and judicial branches
35 of state government in each member state shall enforce this

1 compact and take all actions necessary and appropriate to
2 effectuate the compact's purposes and intent. The provisions
3 of this compact and the rules promulgated ~~hereunder~~ under this
4 compact shall have standing as statutory law.

5 Sec. 40. Section 152.1, subsection 7, paragraphs f and g,
6 Code 2023, are amended to read as follows:

7 ~~f. Apply to the abilities enumerated in paragraphs "a"~~
8 ~~through "e" of this subsection scientific principles, including~~
9 ~~the principles of nursing skills and of biological, physical,~~
10 ~~and psychosocial sciences.~~

11 ~~g. f.~~ Under a pharmacist's order and consistent with this
12 subsection, assist in the administration of immunizations
13 and vaccinations and the utilization of statewide protocols
14 pursuant to section 155A.33B.

15 g. Apply to the abilities enumerated in paragraphs "a"
16 through "f" of this subsection scientific principles, including
17 the principles of nursing skills and of biological, physical,
18 and psychosocial sciences.

19 Sec. 41. Section 189A.7, subsection 12, Code 2023, is
20 amended to read as follows:

21 12. Serve as a representative of the governor for
22 consultation with ~~said~~ the secretary of agriculture of the
23 United States under paragraph "c" of section 301 of the federal
24 Meat Inspection Act and paragraph "c" of section 5 of the
25 federal Poultry Products Inspection Act unless the governor
26 selects another representative.

27 Sec. 42. Section 189A.17, subsection 4, paragraphs c and e,
28 Code 2023, are amended to read as follows:

29 c. The district court may, in case of failure or refusal
30 to obey a subpoena issued ~~herein~~ under this section to any
31 person, enter an order requiring such person to appear before
32 the secretary or to produce documentary evidence if so ordered,
33 or to give evidence concerning the matter in question; and any
34 failure to obey such order of the court may be punished by such
35 court as contempt.

1 e. The secretary may order testimony to be taken by
2 deposition in any proceeding or investigation pending under
3 this chapter at any stage of such proceeding or investigation.
4 Such depositions may be taken before any person designated
5 by the secretary and having power to administer oaths. Such
6 testimony shall be reduced to writing by the person taking the
7 deposition, or under the person's direction and shall then be
8 subscribed by the deponent. Any person may be compelled to
9 appear and depose and to produce documentary evidence in the
10 same manner as witnesses may be compelled to appear and testify
11 and produce documentary evidence before the secretary as herein
12 provided in this section.

13 Sec. 43. Section 206.2, subsection 1, paragraph a, Code
14 2023, is amended to read as follows:

15 a. In the case of a pesticide ~~other than~~ that is not a plant
16 growth regulator, defoliant, or desiccant, an ingredient which
17 will prevent, destroy, repel, or mitigate insects, nematodes,
18 fungi, rodents, weeds, or other pests.

19 Sec. 44. Section 232.78, subsection 1, paragraph e, Code
20 2023, is amended to read as follows:

21 e. The application for the order includes a statement of the
22 facts to support the findings specified in paragraphs "a", "b",
23 "c", and "d".

24 Sec. 45. Section 232.104, subsection 1, paragraph a,
25 subparagraph (2), Code 2023, is amended to read as follows:

26 (2) For an order entered under [section 232.102](#), for which
27 the court has waived reasonable efforts requirements under
28 ~~section 232.102, subsection 12~~ 232.102A, subsection 4, the
29 permanency hearing shall be held within thirty days of the date
30 the requirements were waived.

31 Sec. 46. Section 256.84, subsection 5, Code 2023, is amended
32 to read as follows:

33 5. The board shall establish guidelines for and may impose
34 and collect fees and charges for services. Fees and charges
35 collected by the board for services shall be deposited to the

1 credit of the division. Any interest earned on these receipts,
2 and revenues generated under [subsection 7 6](#), shall be retained
3 and may be expended by the division subject to the approval of
4 the board.

5 Sec. 47. Section 257.3, subsection 1, paragraph b, Code
6 2023, is amended to read as follows:

7 b. The amount paid to each school district for the tax
8 replacement claim for industrial machinery, equipment, and
9 computers under [section 427B.19A](#) shall be regarded as property
10 tax. The portion of the payment which is foundation property
11 tax shall be determined by applying the foundation property tax
12 rate to the amount computed under [section 427B.19](#), subsection
13 3, paragraph "a", as adjusted by [section 427B.19, subsection 3,](#)
14 paragraph "d", if any adjustment was made.

15 Sec. 48. Section 261.73, subsection 2, unnumbered paragraph
16 1, Code 2023, is amended to read as follows:

17 Each applicant for loan forgiveness shall, in accordance
18 with the rules of the commission, do all of the following:

19 Sec. 49. Section 261.116, subsection 3, unnumbered
20 paragraph 1, Code 2023, is amended to read as follows:

21 Each applicant for an award shall, in accordance with the
22 rules of the commission, do all of the following:

23 Sec. 50. Section 262.44, subsection 3, Code 2023, is amended
24 to read as follows:

25 3. Construct, equip, furnish, maintain, operate, manage,
26 and control any or all of the buildings, structures,
27 facilities, areas, additions, or improvements ~~hereinbefore~~
28 enumerated in this section.

29 Sec. 51. Section 262.58, Code 2023, is amended to read as
30 follows:

31 **262.58 Rates and terms of bonds or notes.**

32 Such bonds or notes may bear such date or dates, may bear
33 interest at such rate or rates, payable semiannually, may
34 mature at such time or times, may be in such form, carry such
35 registration privileges, may be payable at such place or

1 places, may be subject to such terms of redemption prior to
2 maturity with or without premium, if so stated on the face
3 ~~thereof~~ of the bonds or notes, and may contain such terms and
4 covenants all as may be provided by the resolution of the board
5 authorizing the issuance of the bonds or notes. In addition
6 to the estimated cost of construction, the cost of the project
7 shall be deemed to include interest upon the bonds or notes
8 during construction and for six months after the estimated
9 completion date, the compensation of a fiscal agent or adviser,
10 and engineering, administrative, and legal expenses. Such
11 bonds or notes shall be executed by the president of the state
12 board of regents and attested by the executive director of the
13 state board of regents, secretary, or other official thereof
14 performing the duties of the executive director of the state
15 board of regents, and the coupons ~~thereto~~ attached to the bonds
16 or notes shall be executed with the original or facsimile
17 signatures of said president, executive director, secretary,
18 or other official. Any bonds or notes bearing the signatures
19 of officers in office on the date of the signing ~~thereof~~ of the
20 bonds or notes shall be valid and binding for all purposes,
21 notwithstanding that before delivery thereof any or all such
22 persons whose signatures appear thereon shall have ceased to
23 be such officers. Each such bond or note shall state upon
24 its face the name of the institution on behalf of which it is
25 issued, that it is payable solely and only from the net rents,
26 profits, and income derived from the operation of residence
27 halls or dormitories, including dining and other incidental
28 facilities, at such institution as ~~hereinbefore~~ provided in
29 this subchapter, and that it does not constitute a charge
30 against the state of Iowa within the meaning or application of
31 any constitutional or statutory limitation or provision. The
32 issuance of such bonds or notes shall be recorded in the office
33 of the treasurer of the institution on behalf of which the same
34 are issued, and a certificate by such treasurer to this effect
35 shall be printed on the back of each such bond or note.

1 Sec. 52. Section 262.62, Code 2023, is amended to read as
2 follows:

3 **262.62 No obligation against state.**

4 Under no circumstances shall any bonds or notes issued under
5 the terms of **this subchapter** be or become or be construed
6 to constitute a charge against the state of Iowa within the
7 purview of any constitutional or statutory limitation or
8 provision. No taxes, appropriations, or other funds of the
9 state of Iowa may be pledged for or used to pay such bonds or
10 notes or the interest thereon but any such bonds or notes shall
11 be payable solely and only as to both principal and interest
12 from the net rents, profits, and income derived from the
13 operation of residence halls and dormitories, including dining
14 and other incidental facilities therefor, at the institutions
15 of higher learning under the control of the state board of
16 regents as ~~hereinbefore~~ provided in this subchapter, and the
17 sole remedy for any breach or default of the terms of any
18 such bonds or notes or proceedings for their issuance shall
19 be a proceeding either in law or in equity by suit, action
20 or mandamus to enforce and compel performance of the duties
21 required by **this subchapter** and the terms of the resolution
22 under which such bonds or notes are issued.

23 Sec. 53. Section 266.7, Code 2023, is amended to read as
24 follows:

25 **266.7 Receiving agent.**

26 The treasurer of the Iowa state university of science and
27 technology is hereby authorized and empowered to receive the
28 grants of money appropriated under the ~~said~~ Purnell Act.

29 Sec. 54. Section 280.13A, subsection 1, Code 2023, is
30 amended to read as follows:

31 1. If a school district or nonpublic school does not
32 provide an interscholastic activity for its students, the board
33 of directors of that school district or the authorities in
34 charge of the nonpublic school may complete an agreement with
35 another school district or nonpublic school to provide for

1 the eligibility of its students in interscholastic activities
2 provided by that other school district or nonpublic school. A
3 copy of each agreement completed under this section shall be
4 filed with the appropriate organization as organization is
5 defined in section 280.13 not later than April 30 of the school
6 year preceding the school year in which the agreement takes
7 effect, unless an exception is granted by the organization
8 for good cause. An agreement completed under this section
9 shall be deemed approved unless denied by the governing
10 organization within ten days after its receipt. ~~A governing~~
11 The organization shall determine whether an agreement would
12 substantially prejudice the interscholastic activities of other
13 schools. An agreement denied by ~~a governing~~ the organization
14 under this section may be appealed to the state board of
15 education under chapter 290.

16 Sec. 55. Section 282.20, subsection 2, Code 2023, is amended
17 to read as follows:

18 2. It shall be unlawful for any school district to rebate
19 to any pupils or their parents, directly or indirectly, any
20 portion of the tuition collected or to be collected or to
21 authorize or permit such pupils to receive at the expense of
22 the district, directly or indirectly, any special compensation,
23 benefit, privilege, or other thing of value that is not
24 and cannot legally be made available to all other pupils
25 enrolled in its schools. Any superintendent or board members
26 responsible for ~~such~~ this unlawful act shall each be personally
27 liable ~~to~~ for payment of a fine ~~of~~ in an amount not to exceed
28 one hundred dollars. Action to recover ~~such~~ the penalty or
29 action to enjoin ~~such~~ the unlawful act may be instituted by the
30 board of any school district or by a taxpayer in any school
31 district.

32 Sec. 56. Section 306.4, subsections 4, 5, and 6, Code 2023,
33 are amended to read as follows:

34 4. a. Jurisdiction and control over the municipal street
35 system shall be vested in the governing bodies of each

1 municipality; except that the department and the municipal
2 governing body shall exercise concurrent jurisdiction over the
3 municipal extensions of primary roads in all municipalities.
4 When concurrent jurisdiction is exercised, the department shall
5 consult with the municipal governing body as to the kind and
6 type of construction, reconstruction, repair, and maintenance
7 and the two parties shall enter into agreements with each other
8 as to the division of costs thereof.

9 *b.* When the two parties cannot initially come to agreement
10 as to the division of costs under this subsection, they the
11 parties shall contract with an organization in this state
12 to provide mediation services. The costs of the mediation
13 services shall be equally allocated between the two parties.
14 If after submitting to mediation the parties still cannot come
15 to agreement as to the division of costs, the mediator shall
16 sign a statement that the parties did not reach an agreement,
17 and the parties shall then submit the matter for binding
18 arbitration to a mutually agreed-upon third party. If the
19 parties cannot agree upon a third-party arbitrator, they shall
20 submit the matter to an arbitrator selected under the rules of
21 the American arbitration association.

22 5. Jurisdiction and control over the roads and streets in
23 any state park, state institution, or other state land shall be
24 vested in the board, commission, or agency in control of ~~such~~
25 the park, institution, or other state land; except that:

26 *a.* The department and the controlling agency shall have
27 concurrent jurisdiction over any road which is an extension
28 of a primary road and which both enters and exits from the
29 state land at separate points. The department may expend the
30 moneys available for such roads in the same manner as the
31 department expends such ~~funds~~ moneys on other roads over which
32 the department exercises jurisdiction and control. The parties
33 exercising concurrent jurisdiction may enter into agreements
34 with each other as to the kind, and type, and division of
35 costs of construction, reconstruction, repair, and maintenance

1 ~~and the division of costs thereof.~~ In the absence of such
2 agreement, the jurisdiction and control of such road shall
3 remain in the department.

4 *b.* The board of supervisors of any county and the
5 controlling state agency shall have concurrent jurisdiction
6 over any road which is an extension of a secondary road and
7 which both enters and exits from the state land at separate
8 points. The board of supervisors of any county may expend
9 the moneys available for such roads in the same manner as the
10 board expends such ~~funds~~ moneys on other roads over which
11 the board exercises jurisdiction and control. The parties
12 exercising concurrent jurisdiction may enter into agreements
13 with each other as to the kind, ~~and type,~~ and division of costs
14 of construction, reconstruction, repair, ~~and maintenance and~~
15 ~~the division of costs thereof.~~ In the absence of ~~such an~~
16 agreement, the jurisdiction and control of ~~such~~ the road shall
17 remain in the board of supervisors of the county.

18 6. Jurisdiction and control over parkways within county
19 parks and conservation areas shall be vested in the county
20 conservation boards within ~~their~~ the boards' respective
21 counties; except that:

22 *a.* The department and the county conservation board shall
23 have concurrent jurisdiction over an extension of a primary
24 road which both enters and exits from a county park or other
25 county conservation area at separate points. The department
26 may expend moneys available for such roads in the same manner
27 as the department expends such ~~funds~~ moneys on other roads
28 over which the department exercises jurisdiction and control.
29 The parties exercising concurrent jurisdiction may enter into
30 agreements with each other as to the kind, ~~and type,~~ and
31 division of costs of construction, reconstruction, repair, ~~and~~
32 maintenance ~~and the division of costs thereof.~~ In the absence
33 of ~~such an~~ agreement, the jurisdiction and control of ~~such~~ the
34 roads shall remain in the department.

35 *b.* The board of supervisors of any county and the county

1 conservation board shall have concurrent jurisdiction over an
2 extension of a secondary road which both enters and exits from
3 a county park or other county conservation area at separate
4 points. The board of supervisors of any county may expend
5 moneys available for such roads in the same manner as the
6 board expends such ~~funds~~ moneys on other roads over which
7 the board exercises jurisdiction and control. The parties
8 exercising concurrent jurisdiction may enter into agreements
9 with each other as to the kind, ~~and~~ type, and division of costs
10 of construction, reconstruction, repair, and maintenance ~~and~~
11 ~~the division of costs thereof~~. In the absence of ~~such an~~
12 agreement, the jurisdiction and control of ~~such~~ the roads shall
13 remain in the board of supervisors of the county.

14 Sec. 57. Section 306.28, Code 2023, is amended to read as
15 follows:

16 **306.28 Appraisers.**

17 If the board of supervisors is unable, by agreement with the
18 owner, to acquire the necessary right-of-way to effect such
19 change, a compensation commission shall be selected pursuant to
20 section 6B.4, to appraise the damages consequent on the taking
21 of the right-of-way.

22 Sec. 58. Section 306.32, Code 2023, is amended to read as
23 follows:

24 **306.32 Hearing — adjournment.**

25 The board of supervisors shall proceed to a hearing on the
26 objections or assessment of damages of any owner, mortgagee of
27 record, and the actual occupant of such land if any of whom it
28 has acquired jurisdiction, or if there ~~be~~ are owners, mortgagee
29 of record, and the actual occupant of such land if any over
30 whom jurisdiction has not been acquired, the board may adjourn
31 such hearing until a date when jurisdiction will be complete
32 as to all owners.

33 Sec. 59. Section 306.33, Code 2023, is amended to read as
34 follows:

35 **306.33 Hearing on objections.**

1 The board of supervisors shall, at the final hearing, first
2 pass on the objections to the proposed change. If objections
3 ~~be are~~ sustained, the proceedings shall be dismissed unless
4 the board finds that the objections may be avoided by a change
5 of plans, and to this end an adjournment may be ordered, if
6 necessary, in order to secure service on additional parties.

7 Sec. 60. Section 306.34, Code 2023, is amended to read as
8 follows:

9 **306.34 Hearing on claims for damages.**

10 When objections to the proposed change are overruled, the
11 board of supervisors shall proceed to determine the damages to
12 be awarded to each claimant. If the damages finally awarded
13 are, in the opinion of the board, excessive, the proceedings
14 shall be dismissed; if not excessive, the board may, by proper
15 order, establish such proposed change.

16 Sec. 61. Section 306.36, Code 2023, is amended to read as
17 follows:

18 **306.36 Damages on appeal — rescission of order.**

19 If, in the opinion of the board of supervisors, the
20 damages as finally determined on appeal ~~be, in the opinion~~
21 ~~of the board~~, are excessive, the board may rescind its order
22 establishing such change.

23 Sec. 62. Section 306A.3, subsection 2, Code 2023, is amended
24 to read as follows:

25 2. The state department of transportation shall adopt
26 rules, pursuant to [chapter 17A](#), embodying a utility
27 accommodation policy which imposes reasonable restrictions
28 on placements occurring on or after the effective date of
29 the rules, on primary road rights-of-way. The rules may
30 require utilities to give notice to the department prior to
31 installation of a utility system on a primary road right-of-way
32 and obtain prior permission from the department for the
33 proposed installation. The rules shall recognize emergency
34 situations and the need for immediate installation of service
35 extensions subject to the standards adopted by the department

1 and the utilities board. The rules shall be no less stringent
2 than the standards adopted by the utilities board pursuant to
3 chapters 478, 479, and 479B. This ~~paragraph~~ subsection shall
4 not be construed as granting the department authority which has
5 been expressly granted to the utilities board to determine the
6 route of utility installations. If the department requires
7 a utility company permit, the department shall be required
8 to act upon the permit application within thirty days of its
9 filing. In cases of federal-aid highway projects on nonprimary
10 highways, the local authority with jurisdiction over the
11 highway and the department shall comply with all federal
12 regulations and statutes regarding utility accommodation.

13 Sec. 63. Section 309.18, Code 2023, is amended to read as
14 follows:

15 **309.18 Compensation.**

16 1. The board of supervisors shall fix the compensation of
17 the county engineers.

18 2. ~~Said~~ The county engineers shall, in the performance of
19 their duties, work under the directions of ~~said~~ the board and
20 shall give bonds for the faithful performance of their duties
21 in a sum not less than two thousand nor more than five thousand
22 dollars, to be approved by the board.

23 Sec. 64. Section 309.36, Code 2023, is amended to read as
24 follows:

25 **309.36 Nature of survey.**

26 The county engineer's survey shall be on the basis of the
27 permanent improvement of said roads, as to bridge, culvert,
28 tile, and road work.

29 Sec. 65. Section 309.40, Code 2023, is amended to read as
30 follows:

31 **309.40 Advertisement and letting.**

32 All contracts for road or bridge construction work and
33 materials for which the county engineer's estimate exceeds
34 fifty thousand dollars, except surfacing materials obtained
35 from local pits or quarries, shall be advertised and let at a

1 public letting.

2 Sec. 66. Section 309.41, subsection 1, Code 2023, is amended
3 to read as follows:

4 1. Contracts not embraced within the provisions of section
5 309.40 or 309.40A shall be either advertised and let at a
6 public letting or, where the cost does not exceed the county
7 engineer's estimate, let through informal bid procedure by
8 contacting at least three qualified bidders prior to letting
9 the contract. The informal bids received together with a
10 statement setting forth the reasons for use of the informal
11 procedure and bid acceptance shall be entered in the minutes
12 of the board of supervisors meeting at which such action was
13 taken.

14 Sec. 67. Section 321.1, subsection 73, Code 2023, is amended
15 to read as follows:

16 73. ~~"Solid tire"~~ "Solid rubber tire" means every tire of
17 rubber or other resilient material which does not depend upon
18 compressed air for the support of the load.

19 Sec. 68. Section 321.18, subsection 4, Code 2023, is amended
20 to read as follows:

21 4. Any special mobile equipment as ~~herein~~ defined in this
22 chapter.

23 Sec. 69. Section 321.28, Code 2023, is amended to read as
24 follows:

25 **321.28 Failure to register.**

26 ~~The~~ If the owner of a vehicle fails to register the vehicle
27 under the provisions of this chapter, the treasurer shall
28 withhold the registration of any the vehicle the owner of which
29 ~~shall have failed to register the same under the provisions of~~
30 ~~this chapter,~~ for any previous period or periods for which it
31 appears that registration should have been made, until the fee
32 for ~~such previous the period or periods shall be~~ is paid.

33 Sec. 70. Section 321.29, Code 2023, is amended to read as
34 follows:

35 **321.29 Renewal not permitted.**

1 Any vehicle that was once registered in the state and by
2 removal, but which was removed from and no longer subject to
3 registration in this state, shall, upon being returned to this
4 state and becoming again subject to registration, be again
5 registered again in accordance with section 321.20.

6 Sec. 71. Section 321.70, Code 2023, is amended to read as
7 follows:

8 **321.70 Dealer vehicles.**

9 A dealer ~~registered~~ licensed under ~~this~~ chapter 322
10 shall not be required to register any vehicle owned by the
11 dealer which is being held for sale or trade, provided the
12 annual registration fee was not delinquent at the time the
13 vehicle was acquired by the dealer. When a dealer ceases to
14 hold any vehicle for sale or trade or the vehicle otherwise
15 becomes subject to registration under this chapter the annual
16 registration fee and delinquent annual registration fee, if
17 any, shall be due for the registration year.

18 Sec. 72. Section 321.116, Code 2023, is amended to read as
19 follows:

20 **321.116 Battery electric and plug-in hybrid electric motor**
21 **vehicle fees.**

22 1. For each battery electric motor vehicle subject to an
23 annual registration fee under section 321.109, subsection 1,
24 paragraph "a", and operated on the public highways of this
25 state, the owner shall pay an annual battery electric motor
26 vehicle registration fee, which shall be in addition to the
27 annual registration fee imposed for the vehicle under section
28 321.109, subsection 1, paragraph "a". For purposes of this
29 subsection, "battery electric motor vehicle" means a motor
30 vehicle equipped with electrical drivetrain components and not
31 equipped with an internal combustion engine, that is propelled
32 exclusively by one or more electrical motors using electrical
33 energy stored in a battery or other energy storage device that
34 can be recharged by plugging into an electrical outlet or
35 electric vehicle charging station. The amount of the fee shall

1 be as follows:

2 ~~a. For the period beginning January 1, 2020, and ending~~
3 ~~December 31, 2020, sixty-five dollars.~~

4 ~~b. For the period beginning January 1, 2021, and ending~~
5 ~~December 31, 2021, ninety-seven dollars and fifty cents.~~

6 ~~c. On or after January 1, 2022, one hundred thirty dollars.~~

7 2. For each plug-in hybrid electric motor vehicle subject to
8 an annual registration fee under section 321.109, subsection
9 1, paragraph "a", and operated on the public highways of this
10 state, the owner shall pay an annual plug-in hybrid electric
11 motor vehicle registration fee, which shall be in addition
12 to the annual registration fee imposed for the vehicle under
13 section 321.109, subsection 1, paragraph "a". For purposes of
14 this subsection, "plug-in hybrid electric motor vehicle" means a
15 motor vehicle equipped with electrical drivetrain components,
16 an internal combustion engine, and a battery or other energy
17 storage device that can be recharged by plugging into an
18 electrical outlet or electric vehicle charging station. The
19 amount of the fee shall be as follows:

20 ~~a. For the period beginning January 1, 2020, and ending~~
21 ~~December 31, 2020, thirty-two dollars and fifty cents.~~

22 ~~b. For the period beginning January 1, 2021, and ending~~
23 ~~December 31, 2021, forty-eight dollars and seventy-five cents.~~

24 ~~c. On or after January 1, 2022, sixty-five dollars.~~

25 Sec. 73. Section 321.117, subsection 2, Code 2023, is
26 amended to read as follows:

27 2. In addition to the fee required for a motorcycle under
28 subsection 1, the owner of a motorcycle that is a battery
29 electric motor vehicle or plug-in hybrid electric motor
30 vehicle, as those terms are defined in [section 321.116](#), shall
31 pay an annual electric motorcycle registration fee. The amount
32 of the fee shall be as follows:

33 ~~a. For the period beginning January 1, 2020, and ending~~
34 ~~December 31, 2020, four dollars and fifty cents.~~

35 ~~b. For the period beginning January 1, 2021, and ending~~

1 ~~December 31, 2021, six dollars and seventy-five cents.~~

2 ~~c. On or after January 1, 2022, nine dollars.~~

3 Sec. 74. Section 321.166, subsection 2, Code 2023, is
4 amended to read as follows:

5 2. Every registration plate or pair of plates shall display
6 a registration plate number which shall consist of alphabetical
7 or numerical characters or a combination thereof and the name
8 of this state, which may be abbreviated. Every registration
9 plate issued by the county treasurer shall display the name
10 of the county, including any plate issued pursuant to section
11 321.34, except Pearl Harbor and purple heart registration
12 plates issued prior to January 1, 1997; ~~registration plates~~
13 ~~issued pursuant to section 321.34, subsection 13,~~ paragraph
14 ~~"d"~~, and collegiate, fire fighter, and medal of honor
15 registration plates. Special truck registration plates shall
16 display the word "special". The department may adopt rules to
17 implement **this subsection**.

18 Sec. 75. Section 321.235, Code 2023, is amended to read as
19 follows:

20 **321.235 Provisions uniform.**

21 The provisions of **this chapter** shall be applicable and
22 uniform throughout this state and in all political subdivisions
23 and municipalities ~~therein and no~~ in this state. Unless
24 expressly authorized in this chapter, a local authority shall
25 not enact or enforce any rule or regulation in conflict with
26 the provisions of **this chapter** ~~unless expressly authorized~~
27 ~~herein~~. Local authorities may, however, adopt additional
28 traffic regulations which are not in conflict with the
29 provisions of **this chapter**.

30 Sec. 76. Section 321.236, unnumbered paragraph 1, Code
31 2023, is amended to read as follows:

32 Local authorities shall ~~have no power to~~ not enact, enforce,
33 or maintain any ordinance, rule, or regulation ~~in any way that~~
34 is in conflict with, contrary to, or inconsistent with the
35 provisions of **this chapter**, ~~and no such~~. An ordinance, rule,

1 or regulation ~~of said~~ that is in conflict with, contrary to,
2 or inconsistent with this chapter that has been or is enacted
3 by local authorities heretofore or hereafter enacted shall not
4 have any force or effect. However, with respect to streets and
5 highways under their jurisdiction and within the reasonable
6 exercise of the police power, the provisions of **this chapter**
7 shall not be deemed to prevent local authorities, ~~with respect~~
8 ~~to streets and highways under their jurisdiction and within the~~
9 ~~reasonable exercise of the police power,~~ from doing any of the
10 following:

11 Sec. 77. Section 327D.69, Code 2023, is amended to read as
12 follows:

13 **327D.69 Right to inspect.**

14 Any or all of such schedules kept as ~~aforsaid~~ provided in
15 sections 327D.66 and 327D.67 shall be immediately produced by
16 such carrier for inspection upon the demand of any person.

17 Sec. 78. Section 327D.187, Code 2023, is amended to read as
18 follows:

19 **327D.187 Relief or indemnity contract.**

20 No contract of insurance, relief, benefit, or indemnity in
21 case of injury or death, entered into prior to the injury,
22 between the person so injured and such corporation, or any
23 other person or association acting for such corporation, and no
24 acceptance of any such insurance, relief, benefit, or indemnity
25 by the person injured, the person's surviving spouse, heirs, or
26 legal representatives after the injury, from such corporation,
27 person, or association, shall constitute any bar or defense to
28 any cause of action brought under the provisions of section
29 327D.186; but nothing contained ~~herein~~ in this section shall be
30 construed to prevent or invalidate any settlement for damages
31 between the parties subsequent to injuries received.

32 Sec. 79. Section 328.1, subsection 1, unnumbered paragraph
33 1, Code 2023, is amended to read as follows:

34 The following words, terms, and phrases when used in
35 this chapter shall, for the purposes of **this chapter**, have

1 the meanings ~~herein~~ given in this section, unless otherwise
2 specifically defined, or unless another intention clearly
3 appears, or the context otherwise requires:

4 Sec. 80. Section 328.36, subsection 2, Code 2023, is amended
5 by striking the subsection.

6 Sec. 81. Section 329.1, unnumbered paragraph 1, Code 2023,
7 is amended to read as follows:

8 The following words, terms, and phrases, when used in
9 this chapter, shall, for the purposes of **this chapter**, have
10 the meaning ~~herein~~ given in this section, unless otherwise
11 specifically defined, or unless another intention clearly
12 appears, or the context otherwise requires:

13 Sec. 82. Section 331.389, subsection 4, paragraph c, Code
14 2023, is amended to read as follows:

15 c. In addition to the regional governance agreement
16 requirements in **section 331.392**, the department may compel ~~the~~
17 a county and region to engage in mediation for resolution of a
18 dispute. The costs incurred for mediation shall be paid by the
19 county and the region in dispute according to their governance
20 agreement.

21 Sec. 83. Section 331.427, subsection 1, unnumbered
22 paragraph 1, Code 2023, is amended to read as follows:

23 Except as otherwise provided by state law, county revenues
24 from taxes and other sources for general county services shall
25 be credited to the general fund of the county, including
26 revenues received under **sections 9I.11, 101A.3, 101A.7, 123.36,**
27 ~~123.143,~~ **142D.9, 176A.8, 321.105, 321.152, 321G.7, 321I.8,**
28 **section 331.554, subsection 6, sections 341A.20, 364.3, 368.21,**
29 **423A.7, 428A.8, 433.15, 434.19, 445.57, 453A.35, 458A.21,**
30 **483A.12, 533.329, 556B.1, 583.6, 602.8108, 904.908, and 906.17,**
31 and the following:

32 Sec. 84. Section 335.10, subsection 1, Code 2023, is amended
33 to read as follows:

34 1. The board of supervisors shall provide for the
35 appointment of a board of adjustment, ~~and in.~~ In the

1 regulations and restrictions adopted pursuant to the authority
2 of this chapter, the board of supervisors shall provide that
3 the ~~said~~ board of adjustment may, in appropriate cases, and
4 subject to appropriate conditions and safeguards, make special
5 exceptions to the terms of the ordinances or regulations. The
6 exceptions shall be in harmony with its the general purpose and
7 intent and in accordance with the general or specific rules
8 contained in the ordinances or regulations, ~~and.~~ The board of
9 supervisors shall provide that any property owner aggrieved by
10 the action of the board of supervisors in the adoption of such
11 the regulations and restrictions may petition the said board
12 of adjustment direct to modify regulations and restrictions as
13 applied to such the aggrieved property owners.

14 Sec. 85. Section 347.32, Code 2023, is amended to read as
15 follows:

16 **347.32 Tax status.**

17 This chapter does not deprive any hospital of its tax exempt
18 or nonprofit status, except that any portion of hospital
19 property which is used for purposes other than nonprofit,
20 health-related purposes shall be subject to property tax as
21 provided for in section 427.1, subsection 14.

22 Sec. 86. Section 357.7, Code 2023, is amended to read as
23 follows:

24 **357.7 Water source without district.**

25 ~~1. When in any proposed benefited water district, If~~
26 it is anticipated that the source of water supply will be
27 without the outside of and not under control of any proposed
28 benefited water district, and not under its control, the
29 board of supervisors shall instruct the engineer who is
30 appointed under section 357.6 to make the preliminary design
31 and dummy assessment, to also obtain a written statement from
32 the corporation or municipality which controls the proposed
33 source of supply, ~~a statement in writing,~~ outlining the terms
34 upon which water will be furnished to the district, ~~or to the~~
35 individuals within the district ~~and on what terms in either~~

1 case.

2 2. This preliminary proposal from the governing body of
3 the source of supply shall be binding, and shall be in the
4 nature of an option to purchase water by the district, or the
5 ~~individual~~ individuals within the ~~same~~ district, if and when
6 the proposed benefited water district ~~shall have completed~~
7 completes its construction, and is ready to use water. This
8 proposal shall accompany and be a part of the engineer's
9 preliminary report to the board of supervisors.

10 Sec. 87. Section 357.9, Code 2023, is amended to read as
11 follows:

12 **357.9 Compensation of engineer.**

13 The compensation of ~~such~~ the engineer ~~on~~ appointed under
14 section 357.6 to conduct the preliminary investigation shall be
15 determined by the board of supervisors and may be by percentage
16 or per diem.

17 Sec. 88. Section 357.11, Code 2023, is amended to read as
18 follows:

19 **357.11 Hearing on report.**

20 On receipt of the engineer's report filed under section
21 357.10, the board of supervisors shall give notice in the ~~same~~
22 manner as before, provided in section 357.4 of a hearing on
23 the engineer's tentative design and dummy plat. On the day
24 set, or within ten days thereafter, the board of supervisors
25 shall approve or disapprove the engineer's plan and proposed
26 assessment. If it shall appear advisable, the board of
27 supervisors may make changes in the design and assessment, as
28 they appear on the dummy plat.

29 Sec. 89. Section 357.16, Code 2023, is amended to read as
30 follows:

31 **357.16 Second election.**

32 If the majority of the votes cast at ~~said~~ the second election
33 ~~be~~ held pursuant to section 357.15 are in favor of ~~said~~ the
34 proposed improvement, the board of supervisors shall again
35 advertise for bids in the ~~same manner as before~~ provided under

1 section 357.14. If the bids at the second letting will not
2 necessitate raising the second preliminary assessment more
3 than ten percent, the board may let the contract to the lowest
4 responsible bidder.

5 Sec. 90. Section 357.30, Code 2023, is amended to read as
6 follows:

7 **357.30 Additional territory.**

8 ~~When the~~ If a district is under the control of trustees, ~~they~~
9 the trustees are empowered to deal with parties without the
10 district who desire to be taken into the district or to obtain
11 water from the district ~~and.~~ The trustees shall determine the
12 amount to be assessed against ~~said district~~ the territory to be
13 taken in or connected with the district. The trustees shall
14 have power in such cases to make agreements for the district,
15 and may, with the consent of the board of supervisors, alter
16 the district boundaries to take in the additional territory.
17 ~~No~~ If an owner of a lot or parcel has paid any assessment to
18 a district, the lot or parcel of land shall not be put out of
19 a the district without the consent of the owner, ~~after it has~~
20 ~~paid any assessment to the district.~~

21 Sec. 91. Section 357.34, Code 2023, is amended to read as
22 follows:

23 **357.34 Conveyance of district to city.**

24 1. ~~Where~~ If a city is situated wholly or partly within
25 a benefited water district or the source of supply for ~~such~~
26 a benefited water district is a municipal water system, the
27 board of supervisors having jurisdiction of ~~said~~ the benefited
28 water district, at the request of the trustees of ~~said~~ the
29 benefited water district, may, by proper resolution, convey
30 ~~unto said~~ to the city any and all rights ~~which said~~ that the
31 board of supervisors may have in and to ~~said~~ the benefited
32 water district. ~~Said~~ The conveyance, however, shall not
33 become effective until all existing obligations against ~~said~~
34 the district have been completely and fully discharged and
35 ~~such~~ the conveyance accepted and confirmed by a resolution of

1 the council of ~~said~~ that city or of the board of waterworks
2 trustees of ~~said~~ that city, if there ~~be~~ is one, specially
3 passed for ~~such~~ that purpose.

4 2. Upon acceptance, the district, including the plant and
5 distribution system, as well as all funds and credits, shall
6 become the property of ~~said~~ the city and be operated and used
7 by ~~it~~ the city to the same extent as if acquired under such
8 provisions of law under which ~~said~~ the city is then operating
9 its waterworks. ~~Also~~ Upon acceptance by the city, the offices
10 of the trustees as provided in this chapter shall be abolished
11 ~~upon acceptance by the city and their~~ the duties of the
12 trustees as such shall immediately cease.

13 Sec. 92. Section 357B.4, Code 2023, is amended to read as
14 follows:

15 **357B.4 Anticipation of tax.**

16 The board of trustees of a benefited fire district may
17 anticipate the collection of taxes authorized under section
18 357B.3 and, for the purpose of providing fire protection, may
19 issue bonds payable in not more than ten equal installments
20 at an interest rate not exceeding that permitted by chapter
21 74A. The bonds shall be in such form and payable at such place
22 as specified by resolution of the board of trustees. The
23 provisions of sections 73A.12 to through 73A.16 and chapter 384
24 shall apply to such bonds to the extent applicable.

25 Sec. 93. Section 358.16, subsection 1, paragraph c, Code
26 2023, is amended to read as follows:

27 *c.* Nothing contained ~~herein~~ in this section shall be
28 construed to authorize or empower such board of trustees to
29 operate a system of waterworks for the purpose of furnishing
30 water to the inhabitants of the district, or to construct,
31 maintain, or operate local municipal sewerage facilities, or to
32 deprive municipalities within the district of their powers to
33 construct and operate sewers for local purposes within their
34 limits.

35 Sec. 94. Section 388.3, subsection 6, Code 2023, is amended

1 to read as follows:

2 6. The provisions of ~~this section~~ subsections 4 and 5 do
3 not apply to a city with a population of more than two hundred
4 thousand according to the 2020 federal decennial census.

5 Sec. 95. Section 414.1, subsection 1, paragraph c,
6 subparagraph (1), Code 2023, is amended to read as follows:

7 (1) Except ~~when~~ as provided in subparagraph (2), when there
8 is a replacement of a preexisting manufactured, modular, or
9 mobile home with any other manufactured, modular, or mobile
10 home containing no more than the original number of dwelling
11 units, or a replacement of a preexisting site-built dwelling
12 unit with a manufactured, modular, or mobile home or site-built
13 dwelling unit, within a manufactured home community or a
14 mobile home park, the city shall not adopt or enforce any
15 ordinance, regulation, or restriction, or impose any conditions
16 on the replacement home, home site upon which the home
17 sits, or the owner's property that were not required of the
18 preexisting home, home site, or property, that would prevent
19 the continuance of the property owner's lawful nonconforming
20 use that had existed relating to the preexisting home, home
21 site upon which the home sat, or the owner's property.

22 Sec. 96. Section 422.7, subsection 13, paragraph a,
23 subparagraph (5), Code 2023, is amended to read as follows:

24 (5) (a) "*Real property used in a farming business*" means
25 all tracts of land and the improvements and structures located
26 on such tracts which are in good faith used primarily for
27 a farming business. Buildings which are primarily used or
28 intended for human habitation are deemed to be used in a
29 farming business when the building is located on or adjacent
30 to the parcel used in the farming business. Land and the
31 nonresidential improvements and structures located on such land
32 that shall be considered to be used primarily in a farming
33 business include but are not limited to land, improvements,
34 or structures used for the storage or maintenance of farm
35 machinery or equipment, for the drying, storage, handling,

1 or preservation of agricultural crops, or for the storage of
2 farm inputs, feed, or manure. Real property used in a farming
3 business shall also include woodland, wasteland, pastureland,
4 and idled land used for the conservation of natural resources
5 including soil and water.

6 (b) Real property classified as agricultural property for
7 Iowa property tax purposes, except real property described in
8 section 441.21, subsection 12, paragraph "a" or "b", shall be
9 presumed to be real property used in a farming business. ~~This~~
10 However, this presumption is rebuttable ~~by~~ if the department
11 shows by a preponderance of evidence that the real property did
12 not meet the requirements of subparagraph division (a).

13 Sec. 97. Section 422.7, subsection 13, paragraph d, Code
14 2023, is amended to read as follows:

15 d. For a taxpayer who is a retired farmer, subtract the net
16 capital gain from the sale of breeding livestock, other than
17 cattle and horses, if the livestock is held by the taxpayer for
18 a period of twelve months or more from the date of acquisition;
19 but only if the taxpayer materially participated in the farming
20 business for five of the eight years preceding the farmer's
21 retirement or disability and ~~who~~ has sold all or substantially
22 all of the taxpayer's interest in the farming business by the
23 time the election under this paragraph is made.

24 Sec. 98. Section 422.12C, subsection 4, Code 2023, is
25 amended to read as follows:

26 4. Married taxpayers who have filed joint federal returns
27 electing to file separate returns must determine the child and
28 dependent care credit under subsection 1 or the early childhood
29 development tax credit under subsection 2 based upon their
30 combined net income and allocate the total credit amount to
31 each spouse in the proportion that each spouse's respective net
32 income bears to the total combined net income. Nonresidents or
33 part-year residents of Iowa must determine their Iowa child and
34 dependent care credit under subsection 1 or the early childhood
35 development tax credit under subsection 2 in the ratio of

1 their Iowa source net income to their all source net income.
2 Nonresidents or part-year residents who are married and elect
3 to file separate returns must allocate the Iowa child and
4 dependent care credit under subsection 1 or the early childhood
5 development tax credit under subsection 2 between the spouses
6 in the ratio of each spouse's Iowa source net income to the
7 combined Iowa source net income of the taxpayers.

8 Sec. 99. Section 422.16, subsection 12, paragraph a, Code
9 2023, is amended to read as follows:

10 a. In the case of nonresidents having income subject to
11 taxation by Iowa, but not subject to withholding of such tax
12 under [subsection 1](#) or subject to the provisions of section
13 422.16B, withholding agents shall withhold from such income at
14 the same rate as provided in [subsection 1](#), and such withholding
15 agents and such nonresidents shall be subject to the provisions
16 of [this section](#), according to the context, except that such
17 withholding agents may be absolved of such requirement to
18 withhold taxes from such nonresident's income upon receipt of a
19 certificate from the department issued in accordance with the
20 provisions of [section 422.17](#), ~~as hereby amended~~. In the case
21 of nonresidents having income from a trade or business carried
22 on by them in whole or in part within the state of Iowa, such
23 nonresident shall be considered to be subject to the provisions
24 of [this subsection](#) unless such trade or business is of such
25 nature that the business entity itself, as a withholding
26 agent, is required to and does withhold Iowa income tax from
27 the distributions made to such nonresident from such trade or
28 business.

29 Sec. 100. Section 422.72, subsection 7, paragraph a, Code
30 2023, is amended to read as follows:

31 a. Notwithstanding [subsection 3](#), the director shall provide
32 state tax returns and return information in response to a
33 subpoena issued by the court pursuant to [rule of](#)
34 [criminal procedure 2-5 2.15](#) commanding the appearance before the
35 attorney general or an assistant attorney general if the

1 subpoena is accompanied by affidavits from such person and
2 from a sworn peace officer member of the department of public
3 safety affirming that the information is necessary for the
4 investigation of a felony violation of [chapter 124](#) or chapter
5 706B.

6 Sec. 101. Section 423.3, subsection 80, paragraph d, Code
7 2023, is amended to read as follows:

8 *d.* Subject to the limitations in paragraph “c”, where the
9 owner, contractor, subcontractor, or builder is also a retailer
10 holding a ~~retail~~ sales or use tax permit and transacting
11 retail sales of building materials, supplies, and equipment,
12 the tax shall not be due when materials are withdrawn from
13 inventory for use in construction performed for a designated
14 exempt entity if an exemption certificate is received from such
15 entity.

16 Sec. 102. Section 423.4, subsection 9, paragraph a, Code
17 2023, is amended to read as follows:

18 *a.* The person must be engaged in the manufacturing of
19 biodiesel ~~who has~~ and be registered with the United States
20 environmental protection agency as a manufacturer according to
21 the requirements in [40 C.F.R. §79.4](#). The biodiesel must be for
22 use in biodiesel blended fuel in conformance with the standards
23 and classifications in [section 214A.2](#). The person must comply
24 with the requirements of [this subsection](#) and rules adopted by
25 the department pursuant to [this subsection](#).

26 Sec. 103. Section 441.19, subsection 1, paragraph e, Code
27 2023, is amended to read as follows:

28 *e.* In the event of a failure of any person required to
29 list property to make a supplemental return on or before
30 the fifteenth day of February of any year when the listing
31 is required, the assessor shall proceed in the listing and
32 assessment of the person’s property as provided by this
33 chapter. A failure to make a supplemental return does not
34 relieve a person subject to taxation shall not be relieved of
35 the person’s obligation to list the person’s property through

1 ~~failure to make a supplemental return~~ and any roll prepared by
2 the assessor after receiving a supplemental return, or when
3 prepared in accordance with other provisions of **this chapter**,
4 shall be a valid assessment.

5 Sec. 104. Section 452A.84, subsection 2, Code 2023, is
6 amended to read as follows:

7 2. Subtract from the figure computed pursuant to
8 subsection 1 of **this section** three percent of the figure for
9 administrative costs. All moneys remaining after claims for
10 the costs of administration have been made shall be transferred
11 to the marine fuel tax fund.

12 Sec. 105. Section 455B.145, unnumbered paragraph 1, Code
13 2023, is amended to read as follows:

14 When an air pollution control program conducted by a
15 political subdivision, or a combination of ~~them~~ political
16 subdivisions, is deemed upon review, as provided in section
17 455B.134, to be consistent with the provisions of this
18 subchapter II or the rules established under this subchapter
19 II, the director shall accept such program in lieu of state
20 administration and regulation of air pollution within the
21 political subdivisions involved. **This section** shall not
22 be construed to limit the power of the director to issue
23 state permits and to take other actions consistent with this
24 subchapter II or the rules established under **this subchapter**
25 that the director deems necessary for the continued proper
26 administration of the air pollution programs within the
27 jurisdiction of the local air pollution program.

28 Sec. 106. Section 461A.35, subsection 1, Code 2023, is
29 amended to read as follows:

30 1. ~~It shall be~~ Except upon the terms, conditions,
31 limitations, and restrictions as set forth by the commission,
32 it is unlawful for any person to use, enjoy the privileges
33 of, destroy, injure, or deface plant life, trees, buildings,
34 or other natural or material property;~~or to construct or~~
35 operate for private or commercial purposes any structure;~~or~~

1 to remove any plant life, trees, buildings, sand, gravel, ice,
2 earth, stone, wood, or other natural material~~;~~ or to operate
3 vehicles~~,~~ within the boundaries of any state park, preserve,
4 or stream or any other lands or waters under the jurisdiction
5 of the commission for any purpose whatsoever,~~except upon the~~
6 ~~terms, conditions, limitations, and restrictions as set forth~~
7 ~~by the commission.~~

8 Sec. 107. Section 461A.64, Code 2023, is amended to read as
9 follows:

10 **461A.64 Time and place.**

11 ~~Said~~ The hearing under section 461A.63 shall be held not be
12 less than ten days nor more than thirty days from the date of
13 the last publication ~~and shall be held~~ of the notice in the
14 office of the commission or such other place as the commission
15 shall decide.

16 Sec. 108. Section 468.65, subsection 1, paragraph a, Code
17 2023, is amended to read as follows:

18 ~~a. If they find~~ the board finds the assessments to be
19 generally inequitable they shall order a reclassification of
20 all property subject to assessment, such as lands, highways,
21 and railroads in said district.

22 Sec. 109. Section 468.102, Code 2023, is amended to read as
23 follows:

24 **468.102 Objections.**

25 Any party interested in the ~~said~~ district or the improvement
26 thereof may file objections to ~~said~~ the report made under
27 section 468.101 and submit any evidence tending to show ~~said~~
28 that the report should not be accepted. Any interested party
29 having a claim for damages arising out of the construction of
30 the improvement or repair shall file ~~said~~ the claim with the
31 board at or before the time fixed for hearing on the completion
32 of the contract, which claim shall not include any claim for
33 land taken for right-of-way or for severance of land.

34 Sec. 110. Section 468.104, Code 2023, is amended to read as
35 follows:

1 **468.104 Abandonment of work.**

2 In case any contractor abandons or fails to proceed
3 diligently and properly with the work before completion, or in
4 case the contractor fails to complete the ~~same~~ work in the time
5 and according to the terms of the contract, the board shall
6 make written demand on the contractor and the contractor's
7 surety to proceed with the work within ten days. Service of
8 ~~said~~ the demand may be personal, or by certified mail addressed
9 to the contractor and the surety, respectively, at their places
10 of residence or business, as shown by the records in the
11 auditor's office.

12 Sec. 111. Section 468.275, Code 2023, is amended to read as
13 follows:

14 **468.275 Contents of notice — service.**

15 ~~Such~~ The notice under section 468.274 shall state the time
16 and place, when, and where the boards of the several counties
17 will meet in joint session for the consideration of ~~said~~ the
18 petition and the report of the commissioners and engineer
19 ~~thereon, and.~~ The notice shall in other respects be the same
20 and served in the same time and manner as required when the
21 district is wholly within one county, except that the auditor
22 of each county shall give notice only to the owners, occupants,
23 encumbrancers, and lienholders of the lots and tracts of land
24 embraced within the proposed district in the auditor's own
25 county as shown by the records of such county.

26 Sec. 112. Section 468.321, Code 2023, is amended to read as
27 follows:

28 **468.321 Funding bonds.**

29 Such cities may issue their funding bonds for the purpose of
30 securing money to pay any assessment against ~~it~~ the property of
31 the district as provided by law.

32 Sec. 113. Section 468.325, Code 2023, is amended to read as
33 follows:

34 **468.325 Jurisdiction of municipality.**

35 After the drainage district has been taken over by the

1 city, ~~it~~ the city shall have complete control ~~thereof~~ of
2 the district, and may use the ~~same~~ district for any purpose
3 that ~~said~~ the city through its city council deems proper
4 and necessary for the advancement of the city or its health
5 or welfare, ~~and the~~. The city shall be responsible for the
6 maintenance and upkeep of ~~said~~ the drainage district only from
7 and after ~~its~~ relinquishment of the district by the board of
8 supervisors to the city.

9 Sec. 114. Section 478.17, Code 2023, is amended to read as
10 follows:

11 **478.17 Access to lines — damages.**

12 Individuals or corporations operating transmission lines
13 shall have reasonable access to the transmission lines for the
14 purpose of constructing, reconstructing, enlarging, repairing,
15 or locating the poles, wires, or construction and other
16 devices used in or upon any line, but shall pay to the owner
17 of the lands and of crops ~~all~~ on the lands all damages to the
18 lands or crops caused by entering, using, and occupying the
19 lands for those purposes. **This section** shall not prevent the
20 execution of an agreement between the person or company owning
21 or operating the lines and the owner of the land or crops
22 regarding the use of the land.

23 Sec. 115. Section 481A.1, subsection 32, Code 2023, is
24 amended to read as follows:

25 32. *"Take" or "taking" or "attempting to take" or "hunt"*
26 is any pursuing, or any hunting, fishing, killing, trapping,
27 snaring, netting, searching for or shooting at, or stalking or
28 lying in wait for any game, animal, bird, or fish protected
29 by the state laws or rules adopted by the commission whether
30 or not such animal be then subsequently captured, killed, or
31 injured.

32 Sec. 116. Section 481A.26, Code 2023, is amended to read as
33 follows:

34 **481A.26 Unlawful transportation.**

35 No Except as otherwise provided, in any one day, a person

1 ~~except as otherwise provided,~~ shall not ship, carry, or
2 transport ~~in any one day,~~ game, fish, birds, or animals, except
3 fur-bearing animals, in excess of the number the person is
4 legally permitted to ~~be in possession of such a person possess.~~

5 Sec. 117. Section 481A.89, Code 2023, is amended to read as
6 follows:

7 **481A.89 Permit to hold hides.**

8 Upon application, which shall be filed with the commission
9 within ten days after the close of the open season, any person
10 may be permitted to hold hides or skins of fur-bearing animals
11 lawfully taken for a longer time than specified ~~above in~~
12 section 481A.87. Such application shall be verified and shall
13 show the number and varieties of the skins or hides to be
14 held by the applicant. The commission shall thereupon issue
15 a permit to such applicant to hold such skins or hides, which
16 permit shall authorize the holder to sell or otherwise dispose
17 of such skins or hides.

18 Sec. 118. Section 483A.7, subsection 5, Code 2023, is
19 amended to read as follows:

20 5. The commission shall authorize a person hunting wild
21 turkey with a license that authorizes the use of a shotgun to
22 use a caliber .410 shotgun or a 28-gauge shotgun. A caliber
23 .410 shotgun or a 28-gauge shotgun used for hunting wild turkey
24 shall only shoot shot not smaller than shot size number 10.

25 Sec. 119. Section 496C.21, subsection 3, Code 2023, is
26 amended to read as follows:

27 3. A corporation subject to the provisions of **this chapter**
28 shall pay the biennial report filing fee and make the biennial
29 report in a form and manner and at the time specified in
30 chapter 490.

31 Sec. 120. Section 514C.18, subsection 2, paragraph a,
32 unnumbered paragraph 1, Code 2023, is amended to read as
33 follows:

34 This section applies to the following classes of third-party
35 payment provider contracts or policies that are delivered,

1 issued for delivery, continued, or renewed in this state ~~on or~~
2 ~~after July 1, 1999:~~

3 Sec. 121. Section 515.13, Code 2023, is amended to read as
4 follows:

5 **515.13 Reservation.**

6 ~~None of the~~ The provisions of [section 515.12, subsection 5,](#)
7 shall not apply to any company ~~heretofore that had~~ organized
8 and was approved by the commissioner of insurance, but which
9 had not completed its organization on May 28, 1937, ~~nor shall~~
10 ~~section.~~ Section 515.12, subsection 5, also shall not apply
11 to any company already licensed to issue policies prior to May
12 28, 1937.

13 Sec. 122. Section 515.20, Code 2023, is amended to read as
14 follows:

15 **515.20 Guaranty capital.**

16 1. A mutual company organized under [this chapter](#) may
17 establish and maintain guaranty capital of at least fifty
18 thousand dollars made up of multiples of ten thousand dollars,
19 divided into shares of not less than fifty dollars each, to be
20 invested as provided for the investment of insurance capital
21 and funds by [section 515.35.](#)

22 2. Guaranty shareholders shall be members of the
23 corporation, and provision may be made for representation
24 of the shareholders of the guaranty capital on the board of
25 directors of the corporation. The representation shall not
26 exceed one-third of the membership of the board. Guaranty
27 shareholders in a mutual company are subject to the same
28 regulations of law relative to their right to vote as apply to
29 its policyholders.

30 3. The guaranty capital shall be applied to the payment
31 of the legal obligations of the corporation only when the
32 corporation has exhausted its assets in excess of the unearned
33 premium reserve and other liabilities. If the guaranty capital
34 is thus impaired, the directors may restore the whole, or
35 any part of the capital, by assessment on the corporation's

1 policyholders as provided for in [section 515.18](#).

2 [4.](#) By a legal vote of the policyholders of the corporation
3 at any regular or special meeting of the policyholders of the
4 corporation, the guaranty capital may be fully retired or
5 may be reduced to an amount of not less than fifty thousand
6 dollars, if the net surplus of the corporation together with
7 the remaining guaranty capital is equal to or exceeds the
8 amount of minimum assets required by [this chapter](#) for such
9 companies, and if the commissioner of insurance consents to
10 the action. Due notice of the proposed action on the part
11 of the corporation shall be included in the notice given to
12 policyholders and shareholders of any annual or special meeting
13 and notice of the meeting shall also be given in accordance
14 with the corporation's articles of incorporation.

15 [5.](#) A company with guaranty capital, which has ceased to
16 do business, shall not distribute among its shareholders or
17 policyholders any part of its assets, or guaranty capital,
18 until it has fully performed, or legally canceled, all of its
19 policy obligations. Shareholders of the guaranty capital are
20 entitled to interest on the par value of their shares at a
21 rate to be fixed by the board of directors and approved by the
22 commissioner, cumulative, payable semiannually, and payable
23 only out of the surplus earnings of the company. However, the
24 surplus account of the company shall not be reduced by the
25 payment of the interest below the figure maintained at the
26 time the guaranty capital was established. In addition, the
27 interest payment shall not be made unless the surplus assets
28 remaining after the payment of the interest at least equal
29 the amount required by the statutes of Iowa to permit the
30 corporation to continue in business.

31 [6.](#) In the event of the dissolution and liquidation of a
32 corporation having guaranty capital under [this section](#), the
33 shareholders of the capital are entitled, after the payment of
34 all valid obligations of the company, to receive the par value
35 of their respective shares, together with any unpaid interest

1 on their shares, before there may be any distribution of the
2 assets of the corporation among its policyholders. ~~These~~
3 7. The provisions of this section are in addition to and
4 independent of the provisions contained in [section 515.19](#).

5 Sec. 123. Section 515.134, Code 2023, is amended to read as
6 follows:

7 **515.134 Failure to attach — effect.**

8 ~~The omission so to do shall not render the policy invalid,~~
9 ~~but if~~ If any company or association neglects to comply with
10 the requirements of [section 515.133](#), the omission shall not
11 render the policy invalid, but the company or association
12 shall forever be precluded from pleading, alleging, ~~or~~ proving
13 ~~any such~~ or establishing the falsity of the application or
14 ~~representations, or any part thereof, or falsity thereof, or~~
15 ~~any parts thereof~~ of the application or representations, in
16 any action upon the policy, ~~and the~~. The plaintiff in any
17 such action shall not be required, in order to recover against
18 the company or association, either to plead or prove ~~such~~ the
19 application or representation, but may do so at the plaintiff's
20 option.

21 Sec. 124. Section 515A.18, subsection 1, Code 2023, is
22 amended to read as follows:

23 1. Any person, insurer, or rating organization to which
24 the commissioner has directed an order made without a hearing
25 may, within thirty days after receipt of the notice ~~to it~~ of
26 ~~such~~ the order, make written request to the commissioner for
27 a hearing ~~thereon~~ on the order. The commissioner shall ~~hear~~
28 ~~such party or parties~~ conduct a hearing within twenty days
29 after receipt of ~~such~~ the request and shall give not less than
30 ten days' written notice of the time and place of the hearing.
31 Within fifteen days after ~~such~~ the hearing the commissioner
32 shall affirm, reverse, or modify the previous action,
33 specifying the commissioner's reasons therefor. ~~Pending such~~
34 ~~hearing and decision thereon~~ The commissioner may suspend
35 or postpone the effective date of the commissioner's previous

1 action until after the hearing and decision.

2 Sec. 125. Section 516A.1, subsection 2, Code 2023, is
3 amended to read as follows:

4 2. However, the named insured may reject all of such
5 coverage, or reject the uninsured motor vehicle ~~(or hit-and-run~~
6 ~~motor vehicle)~~ coverage, or reject the underinsured motor
7 vehicle coverage, by written rejections signed by the named
8 insured. If rejection is made on a form or document furnished
9 by an insurance company or insurance producer, it shall be on a
10 separate sheet of paper which contains only the rejection and
11 information directly related to it. Such coverage need not be
12 provided in or supplemental to a renewal policy if the named
13 insured has rejected the coverage in connection with a policy
14 previously issued to the named insured by the same insurer.

15 Sec. 126. Section 521A.2, subsection 4, Code 2023, is
16 amended to read as follows:

17 4. *Exemption from investment restrictions.* Investments
18 in common stock, preferred stock, debt obligations or other
19 securities of subsidiaries made pursuant to [subsection 3](#)
20 of [this section](#) hereof shall not be subject to any of the
21 otherwise applicable restrictions or prohibitions contained in
22 the Code applicable to such investments of insurers.

23 Sec. 127. Section 521A.3, subsection 2, paragraph a,
24 unnumbered paragraph 1, Code 2023, is amended to read as
25 follows:

26 The statement to be filed with the commissioner ~~hereunder~~
27 under this section shall be made under oath or affirmation and
28 shall contain the following:

29 Sec. 128. Section 521A.4, subsection 8, Code 2023, is
30 amended to read as follows:

31 8. *Consolidated filing.* The commissioner may require or
32 allow two or more affiliated insurers subject to registration
33 ~~hereunder~~ under subsection 1 of this section to file a
34 consolidated registration statement or consolidated reports
35 amending their consolidated registration statement or their

1 individual registration statements.

2 Sec. 129. Section 521A.9, Code 2023, is amended to read as
3 follows:

4 **521A.9 Injunctions — prohibitions against voting securities**
5 **— sequestration of voting securities.**

6 1. *Injunctions.* Whenever it appears to the commissioner
7 that any insurer or any director, officer, employee, or agent
8 thereof has committed or is about to commit a violation of
9 this chapter or any rule, regulation, or order issued by the
10 commissioner ~~hereunder~~ under this chapter, the commissioner
11 may apply to the district court of the county in which the
12 principal office of the insurer is located or if such insurer
13 has no such office in this state then to the district court
14 of Polk county for an order enjoining such insurer or such
15 director, officer, employee, or agent thereof from violating
16 or continuing to violate **this chapter** or any such rule,
17 regulation, or order, and for such other equitable relief as
18 the nature of the case and the interests of the insurer's
19 policyholders, creditors, and shareholders or the public may
20 require.

21 2. *Voting of securities — when prohibited.* No security
22 which is the subject of any agreement or arrangement regarding
23 acquisition, or which is acquired or to be acquired, in
24 contravention of the provisions of **this chapter** or of any rule,
25 regulation, or order issued by the commissioner ~~hereunder~~ under
26 this chapter may be voted at any shareholders' meeting, or may
27 be counted for quorum purposes, and any action of shareholders
28 requiring the affirmative vote of a percentage of shares
29 may be taken as though such securities were not issued and
30 outstanding; but no action taken at any such meeting shall
31 be invalidated by the voting of such securities, unless the
32 action would materially affect control of the insurer or unless
33 the district court has so ordered. If any insurer or the
34 commissioner has reason to believe that any security of the
35 insurer has been or is about to be acquired in contravention of

1 the provisions of **this chapter** or of any rule, regulation, or
2 order issued by the commissioner ~~hereunder~~ under this chapter
3 the insurer or the commissioner may apply to the district court
4 of Polk county or to the district court for the county in which
5 the insurer has its principal place of business to enjoin any
6 offer, request, invitation, agreement, or acquisition made
7 in contravention of **section 521A.3** or any rule, regulation,
8 or order issued by the commissioner ~~thereunder~~ under section
9 521A.3 to enjoin the voting of any security so acquired, to
10 void any vote of such security already cast at any meeting of
11 shareholders, and for such other equitable relief as the nature
12 of the case and the interests of the insurer's policyholders,
13 creditors, and shareholders or the public may require.

14 3. *Sequestration of voting securities.* In any case
15 where a person has acquired or is proposing to acquire any
16 voting securities in violation of **this chapter** or any rule,
17 regulation, or order issued by the commissioner ~~hereunder~~
18 under this chapter, the district court of Polk county or the
19 district court for the county in which the insurer has its
20 principal place of business may, on such notice as the court
21 deems appropriate, upon the application of the insurer or the
22 commissioner seize or sequester any voting securities of the
23 insurer owned directly or indirectly by such person, and issue
24 such orders with respect thereto as may be appropriate to
25 effectuate the provisions of **this chapter**. Notwithstanding any
26 other provisions of law, for the purposes of **this chapter** the
27 situs of the ownership of the securities of domestic insurers
28 shall be deemed to be in this state.

29 Sec. 130. Section 523A.501, subsection 1, Code 2023, is
30 amended to read as follows:

31 1. A person shall not advertise, sell, promote, or offer
32 to furnish cemetery merchandise, funeral merchandise, funeral
33 services, or a combination thereof when performance or delivery
34 may be more than one hundred twenty days following the initial
35 payment on the account ~~without~~ unless the person has a preneed

1 seller's license.

2 Sec. 131. Section 524.228, subsection 1, Code 2023, is
3 amended to read as follows:

4 1. If it appears to the superintendent that a state bank,
5 or any director, officer, employee, or substantial shareholder
6 of the state bank is engaging in or is about to engage in an
7 unsafe or unsound practice or dishonest act in conducting the
8 business of the state bank that is likely to cause insolvency
9 or substantial dissipation of assets or earnings of the state
10 bank, or is likely to seriously weaken the condition of the
11 state bank or otherwise seriously prejudice the interests of
12 its depositors prior to the completion of the proceedings
13 conducted pursuant to [section 524.223](#), 524.606, subsection
14 2, or [524.707, subsection 2](#), the superintendent may issue an
15 emergency order requiring the state bank, director, officer,
16 employee, or substantial shareholder to cease and desist from
17 any such practice or act, and to take affirmative action,
18 including suspension of the director, officer, or employee to
19 prevent such insolvency, dissipation, condition, or prejudice
20 pending completion of the proceedings. The emergency order
21 becomes effective upon service upon the state bank, or upon
22 the director, officer, employee, or substantial shareholder
23 of the state bank ~~and, unless.~~ Unless set aside, limited, or
24 suspended by a court as provided in [this chapter](#), the emergency
25 order remains effective and enforceable pending the completion
26 of the administrative proceedings pursuant to the emergency
27 order and until such time as the superintendent dismisses the
28 charges specified in the emergency order, ~~or, if.~~ If a final
29 cease and desist order is issued against the state bank or the
30 director, officer, employee, or substantial shareholder, the
31 emergency order remains in effect until the effective date of
32 the final order.

33 Sec. 132. Section 524.536, subsection 2, paragraph b, Code
34 2023, is amended to read as follows:

35 b. A shareholder, or the shareholder's agent or attorney,

1 is entitled on written demand to inspect the list at any
2 time during usual business hours and at the ~~shareholders'~~
3 shareholder's expense, during the period it is available for
4 inspection.

5 Sec. 133. Section 524.1301, unnumbered paragraph 1, Code
6 2023, is amended to read as follows:

7 A majority of the incorporators, organizers, or initial
8 directors of a state bank that has not issued shares or has not
9 commenced business may dissolve the state bank by delivering
10 articles of dissolution to the superintendent, together with
11 the applicable filing fees, for filing with the secretary of
12 state that set forth all of the following:

13 Sec. 134. Section 524.1404, Code 2023, is amended to read
14 as follows:

15 **524.1404 Procedure after approval by the superintendent —**
16 **issuance of certificate of merger.**

17 If applicable state or federal laws require the approval of
18 the merger by a federal or state agency, the superintendent may
19 withhold delivery of the approved articles of merger until the
20 superintendent receives notice of the decision of such agency.
21 If the final approval of the agency is not given within six
22 months of the superintendent's approval, the superintendent
23 shall notify the parties to the plan of merger that the
24 approval of the superintendent has been rescinded for that
25 reason. If such agency gives its approval, the superintendent
26 shall deliver the articles of merger, with the superintendent's
27 approval indicated on the articles, to the secretary of state,
28 and shall notify the parties to the plan of merger. The
29 receipt of the approved articles of merger by the secretary of
30 state constitutes filing of the articles of merger with that
31 office. On the date upon which the merger is effective, the
32 secretary of state shall issue and send a certificate of merger
33 ~~and send the same~~ to the resulting state bank and send a copy of
34 the certificate of merger to the superintendent.

35 Sec. 135. Section 524.1504, subsection 1, paragraph f, Code

1 2023, is amended to read as follows:

2 *f.* The number of shares or member votes voted for and
3 against such amendment, respectively, and if the shares of any
4 class are entitled to vote ~~thereon~~ on the amendment as a class,
5 the number of shares of each such class voted for and against
6 such amendment.

7 Sec. 136. Section 524.1611, Code 2023, is amended to read
8 as follows:

9 **524.1611 Offenses involving employees of banking division.**

10 1. Any person violating ~~the provisions of~~ section 524.211,
11 subsection 1, shall be guilty of a fraudulent practice, and
12 shall be subject to a further fine of a sum equal to the amount
13 of the value of the property given or received or the money so
14 loaned or borrowed. An employee of the division of banking
15 convicted of a violation of ~~such~~ section 524.211, subsection 1,
16 shall be immediately discharged from employment and shall be
17 forever disqualified from holding any position in the banking
18 division.

19 2. Any examiner violating ~~the provision of~~ section
20 524.212 shall be guilty of a serious misdemeanor. Any
21 examiner convicted of a violation of section 524.212 shall be
22 immediately discharged from employment and shall be forever
23 disqualified from holding any position in the banking division.

24 Sec. 137. Section 536.21, Code 2023, is amended to read as
25 follows:

26 **536.21 Rules.**

27 The superintendent is hereby authorized and empowered to
28 adopt such reasonable and relevant rules pursuant to chapter
29 17A as may be necessary for the execution and the enforcement
30 of the provisions of this chapter. Rules adopted shall be
31 in addition hereto to and not inconsistent ~~herewith~~ with the
32 requirements of this chapter.

33 Sec. 138. Section 536.26, subsection 5, Code 2023, is
34 amended to read as follows:

35 5. If a borrower procures insurance by or through a

1 licensee, the licensee shall cause to be delivered to the
2 borrower a copy of the policy within fifteen days from the date
3 such insurance is procured. No licensee shall decline new or
4 existing insurance which meets the standards set out ~~herein~~
5 in this section nor prevent any obligor from obtaining such
6 insurance coverage from other sources.

7 Sec. 139. Section 537.2307, Code 2023, is amended to read
8 as follows:

9 **537.2307 Restrictions on interest in land as security.**

10 With respect to a supervised loan in which the rate of
11 finance charge is in excess of fifteen percent computed
12 according to the actuarial method, and the amount financed is
13 two thousand dollars or less, a lender ~~may~~ shall not contract
14 for a security interest in real property used as a residence
15 for the consumer or the consumer's dependents. A security
16 interest taken in violation of this section is void.

17 Sec. 140. Section 543B.35, Code 2023, is amended to read as
18 follows:

19 **543B.35 Hearing on charges.**

20 The real estate commission shall, upon request of the
21 applicant as provided in section 543B.19, or before revoking
22 any license, set the matter down for a hearing ~~and at~~. At
23 least twenty days prior to the date set for the hearing it, the
24 commission shall notify send a written notice to the applicant
25 or licensee in writing, which said notice shall contain
26 containing an exact statement of the charges made and the date
27 and place of the hearing. ~~The~~ At the hearing, an applicant
28 or licensee ~~at all such hearings~~ shall have the opportunity
29 to be heard in person and by counsel ~~in reference thereto~~.
30 ~~Such~~ The written notice of hearing may be served by delivery
31 personally to the applicant or licensee or by mailing the ~~same~~
32 notice by certified mail to the last known business address of
33 such applicant or licensee. If such applicant or licensee ~~be~~
34 is a salesperson, the commission shall also notify the broker
35 employing the salesperson, or into whose employ the salesperson

1 is about to enter, by mailing such notice by certified mail to
2 the broker's last known business address. The hearing on such
3 the charges shall be at such time and place as the commission
4 shall prescribe.

5 Sec. 141. Section 543B.44, Code 2023, is amended to read as
6 follows:

7 **543B.44 Complaints referred to court.**

8 The real estate commission may refer a complaint for
9 violation of section 543B.1 before any court of competent
10 jurisdiction, ~~and it.~~ The commission may also take the
11 necessary legal steps through the proper legal officers of
12 this state to enforce the provisions hereof of and collect the
13 penalties herein provided in this chapter.

14 Sec. 142. Section 558.7, Code 2023, is amended to read as
15 follows:

16 **558.7 Assignment of certificate of entry deemed deed.**

17 When An assignment shall have the same force and effect
18 as a deed of conveyance and shall be conclusively presumed
19 to carry all right, title, and interest of the patentee of
20 the real estate, the same as though a deed of conveyance had
21 been subsequently executed by the patentee or assignor to a
22 subsequent grantor, when the record shows:

23 1. That the original entry, certificate of entry, receipt,
24 or duplicate thereof has been assigned;

25 2. That prior or subsequent to such assignment, the United
26 States or state issued a patent or conveyance to the assignor;

27 3. That no deed of conveyance appears on record from the
28 person who made the original entry or assignor to the assignee;
29 and

30 4. That the present record owner holds title under such
31 assignment; ~~such assignment shall have the same force and~~
32 ~~effect as a deed of conveyance and shall be conclusively~~
33 ~~presumed to carry all right, title, and interest of the~~
34 ~~patentee of said real estate, the same as though a deed of~~
35 ~~conveyance had been subsequently executed by the patentee or~~

1 ~~assignor to a subsequent grantor.~~

2 Sec. 143. Section 562B.26, Code 2023, is amended to read as
3 follows:

4 **562B.26 Failure to maintain by tenant.**

5 If there is noncompliance by the tenant with [section 562B.18](#)
6 materially affecting health and safety that can be remedied
7 by repair, replacement of a damaged item, or cleaning and the
8 tenant fails to comply as promptly as conditions require in
9 case of emergency or within fourteen days after written notice
10 by the landlord specifying the breach and requesting that the
11 tenant remedy it within that period of time, the landlord may
12 enter the mobile home space, and cause the work to be done in a
13 skillful manner ~~and~~. The landlord may submit an itemized bill
14 for the actual and reasonable cost or the fair and reasonable
15 value thereof as additional rent on the next date when periodic
16 rent is due, or if the rental agreement was terminated, for
17 immediate payment.

18 Sec. 144. Section 633.220, Code 2023, is amended to read as
19 follows:

20 **633.220 Afterborn heirs — time of determining relationship.**

21 Heirs of an intestate, ~~begotten~~ conceived before but born
22 after the intestate's death ~~but born thereafter~~, shall inherit
23 as if they had been born in the lifetime of the intestate and
24 had survived the intestate. With this exception, the intestate
25 succession shall be determined by the relationships existing at
26 the time of the death of the intestate.

27 Sec. 145. Section 633.496, Code 2023, is amended to read as
28 follows:

29 **633.496 Foreign probated wills.**

30 A will probated in any other state or country shall be
31 admitted to probate in this state upon the production of a copy
32 ~~thereof~~ of the will and of the original record of probate~~r~~.
33 The will and record of probate must be authenticated by the
34 certificate of the clerk of the court in which ~~such probation~~
35 ~~was made~~ the will was probated, or, if there ~~be~~ is no clerk,

1 then by the certificate of the judge of ~~such~~ the court, and
2 by the seal of office of ~~such~~ that officer if the officer or
3 office has a seal.

4 Sec. 146. Section 639.48, Code 2023, is amended to read as
5 follows:

6 **639.48 Perishable property — examination.**

7 When the sheriff thinks the property attached is in danger
8 of serious and immediate waste and decay, or when the keeping
9 of the ~~same~~ property will necessarily be attended with such
10 expense as greatly to depreciate the amount of proceeds to be
11 realized therefrom, or when the plaintiff makes an affidavit to
12 that effect, the sheriff may summon three persons having the
13 qualifications of jurors to examine the ~~same~~ property.

14 Sec. 147. Section 659A.3, subsection 2, unnumbered
15 paragraph 1, Code 2023, is amended to read as follows:

16 Except as otherwise provided in section 659A.4, a depicted
17 individual who is identifiable and who suffers harm from a
18 person's intentional disclosure or threatened disclosure,
19 without the depicted individual's consent, of an intimate image
20 that was private ~~without the depicted individual's consent~~ has
21 a cause of action against the person, if the person knew, or
22 acted with reckless disregard regarding, all of the following:

23 Sec. 148. Section 664A.7, subsection 5, Code 2023, is
24 amended to read as follows:

25 5. Violation of a no-contact order entered for the offense
26 or alleged offense of domestic abuse assault in violation
27 of section 708.2A, or for the offense or alleged offense of
28 older individual assault in violation of section 708.2D, or
29 a violation of a protective order issued pursuant to chapter
30 232, 235F, 236, 236A, 598, or 915 constitutes a public offense
31 and is punishable as a simple misdemeanor. Alternatively,
32 the court may hold a person in contempt of court for such a
33 violation, as provided in subsection 3.

34 Sec. 149. Section 692A.128, subsection 3, paragraph f, Code
35 2023, is amended to read as follows:

1 *f.* The sex offender is not incarcerated when the application
2 is filed.

3 ~~(1) A tier I offender must not have been convicted of any~~
4 ~~criminal offense other than a simple misdemeanor, or a simple~~
5 ~~or serious misdemeanor or traffic violation under [chapter 321](#),~~
6 ~~for the ten-year period immediately preceding the filing of the~~
7 ~~application.~~

8 ~~(2) A tier II or tier III offender shall not have been~~
9 ~~convicted of any criminal offense other than a simple~~
10 ~~misdemeanor, or a simple or serious misdemeanor or traffic~~
11 ~~violation under [chapter 321](#), for the fifteen-year period~~
12 ~~immediately preceding the filing of the application.~~

13 Sec. 150. Section 692A.128, subsection 3, Code 2023, is
14 amended by adding the following new paragraphs:

15 NEW PARAGRAPH. *g.* A tier I offender must not have
16 been convicted of any criminal offense other than a simple
17 misdemeanor, or a simple or serious misdemeanor or traffic
18 violation under chapter 321, for the ten-year period
19 immediately preceding the filing of the application.

20 NEW PARAGRAPH. *h.* A tier II or tier III offender shall not
21 have been convicted of any criminal offense other than a simple
22 misdemeanor, or a simple or serious misdemeanor or traffic
23 violation under chapter 321, for the fifteen-year period
24 immediately preceding the filing of the application.

25 Sec. 151. Section 708.2D, subsection 3, unnumbered
26 paragraph 1, Code 2023, is amended to read as follows:

27 Except as otherwise provided in [subsection 2](#), on a second
28 offense of older individual assault, a person commits:

29 Sec. 152. Section 714I.3, subsection 2, paragraph b, Code
30 2023, is amended to read as follows:

31 *b.* Use or provide a patient with human reproductive material
32 for assisted reproduction that is not used or provided with the
33 donor's consent or in a manner or to an extent other than that
34 to which the donor consented.

35 Sec. 153. Section 726.24, subsection 11, Code 2023, is

1 amended to read as follows:

2 11. If a person is convicted ~~or~~ of, receives a deferred
3 judgment for, or pleads guilty to a violation of this section,
4 the court shall modify the no-contact order issued upon initial
5 appearance in the manner provided in section 664A.5, regardless
6 of whether the person is placed on probation.

7 Sec. 154. Section 815.7, subsection 6, Code 2023, is amended
8 to read as follows:

9 6. For appointments made on or after July 1, 2021, through
10 June 30, 2022, the reasonable compensation shall be calculated
11 on the basis of seventy-six dollars per hour for class "A"
12 felonies, seventy-one dollars per hour for class "B" felonies,
13 and sixty-six dollars per hour for all other cases.

14 Sec. 155. 2022 Iowa Acts, chapter 1050, section 1, is
15 amended by striking the section and inserting in lieu thereof
16 the following:

17 SECTION 1. Section 511.8, subsection 22, paragraph b,
18 subparagraph (2), unnumbered paragraph 1, Code 2022, is amended
19 to read as follows:

20 Be between an insurer and a conduit and be collateralized
21 by cash or obligations which are eligible under subsection
22 1, 2, 3, 5, 19, or 24, are deposited with a custodian bank
23 as defined in subsection 21, and are held under a written
24 agreement with the custodian bank that complies with subsection
25 21 and provides for the proceeds of the collateral, subject to
26 the terms and conditions of the applicable collateral or other
27 credit support agreement, to be remitted to the legal reserve
28 deposit of the company or association and to vest in the state
29 in accordance with section 508.18 whenever proceedings under
30 that section are instituted. Paragraphs "c", "d", and "e" of
31 this subsection are not applicable to investments in financial
32 instruments used in hedging transactions eligible pursuant to
33 this subparagraph. As used in this subparagraph, "conduit"
34 means a person within an insurer's insurance holding company
35 system, as defined in section 521A.1, subsection 7, which

1 aggregates hedging transactions by other persons within the
2 insurance holding company system and replicates them with
3 counterparties.

4 Sec. 156. 2022 Iowa Acts, chapter 1099, section 106, is
5 amended to read as follows:

6 SEC. 106. APPLICABILITY. This division of this Act applies
7 to agreements entered into between a restaurant and a food
8 delivery platform on or after the effective date of this
9 division of this Act.

10 Sec. 157. 2022 Iowa Acts, chapter 1131, section 78, is
11 amended to read as follows:

12 SEC. 78. APPLICABILITY. This division of this Act applies
13 to health carriers that deliver, issue for delivery, continue,
14 or renew a policy, contract, or plan in this state on or after
15 the effective date of this division of this Act.

16 Sec. 158. REPEAL. Section 97D.3, Code 2023, is repealed.

17 DIVISION II

18 EFFECTIVE DATE AND APPLICABILITY PROVISIONS

19 Sec. 159. EFFECTIVE DATE. The following, being deemed of
20 immediate importance, take effect upon enactment:

21 1. The section of this Act amending section 388.3,
22 subsection 6.

23 2. The section of this Act amending section 422.12C,
24 subsection 4.

25 3. The section of this Act amending 2022 Iowa Acts, chapter
26 1050, section 1.

27 4. The section of this Act amending 2022 Iowa Acts, chapter
28 1099, section 106.

29 5. The section of this Act amending 2022 Iowa Acts, chapter
30 1131, section 78.

31 Sec. 160. RETROACTIVE APPLICABILITY. The following applies
32 retroactively to June 14, 2022:

33 The section of this Act amending 2022 Iowa Acts, chapter
34 1131, section 78.

35 Sec. 161. RETROACTIVE APPLICABILITY. The following apply

1 retroactively to July 1, 2022:

2 1. The section of this Act amending 2022 Iowa Acts, chapter
3 1050, section 1.

4 2. The section of this Act amending 2022 Iowa Acts, chapter
5 1099, section 106.

6 Sec. 162. RETROACTIVE APPLICABILITY. The following applies
7 retroactively to January 1, 2023:

8 The section of this Act amending section 422.12C, subsection
9 4.

10 EXPLANATION

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

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

19 Division I:

20 Section 9C.9: Replaces the word "hereof" with "of this
21 chapter" to clarify the meaning of this provision prohibiting
22 sales by transient merchants in violation of the restrictions,
23 licensing, and product representation requirements of Code
24 chapter 9C.

25 Section 9G.4: Replaces the words "therein", "thereof", and
26 "they" with more specific language, divides a long sentence
27 into three sentences, and updates other language to clarify
28 this provision relating to documents and records kept by the
29 land office of the state.

30 Section 15E.305: Strikes the words "of the aggregate
31 amount of tax credits authorized" from language limiting the
32 amount of endow Iowa tax credits that may be granted to a
33 taxpayer to reflect the change made in 2022 Iowa Acts, chapter
34 1002, section 48, to change the amount of tax credits from a
35 percentage of the aggregate to a fixed dollar amount.

1 Section 15F.403: Adds the words "and infrastructure" to a
2 reference to the "sports tourism marking program" to conform
3 this program reference by name to the name used to identify the
4 program established in Code section 15F.401.

5 Section 24.30: Divides a long sentence into two sentences,
6 replaces the words "it" and "herein" with specific language,
7 and replaces the word "said" with the word "the" to clarify and
8 update the language of this Code section describing the duties
9 and powers of the state appeal board with respect to appeals on
10 proposed budget expenditures, tax levies, and tax assessments.

11 Section 27A.1: Adds, to this definitions Code section for
12 the Code chapter pertaining to enforcement of immigration
13 laws, an unnumbered paragraph relating to the applicability of
14 the definitions to the Code chapter, to conform the style of
15 this Code section to the style used in other definitions Code
16 sections for Code chapters elsewhere in the Code.

17 Section 29C.6: Changes the word "or" to "of" to conform
18 the meaning of this sentence to the meaning of the rest of
19 the language of this Code subsection regarding gubernatorial
20 recommendations relating to repayment of loans received
21 from the federal government by local governments following a
22 disaster emergency, when local revenues are insufficient to
23 meet local operating expenses.

24 Section 34A.8: Changes the word "section" to "paragraph" in
25 penalty language that appears to be limited to the paragraph
26 containing the prohibition against the improper use of local
27 exchange service information by persons providing 911 emergency
28 telephone service or related mass notifications and emergency
29 messaging services.

30 Section 41.1: Adds the words "in Marshall county" to this
31 provision relating to territory that is exclusively within
32 Marshall county to conform the style of this provision to other
33 similar descriptions of representative districts that lie
34 within a single county.

35 Section 43.2: Replaces the words "the foregoing definition"

1 with the words "this paragraph" to conform language describing
2 a duty of the state commissioner of elections to the style of
3 other language used elsewhere in the Code to specify the source
4 of authority for performance of a duty.

5 Section 43.50: Redrafts, to add specific citations
6 and descriptors, to clarify the language describing the
7 responsibility of a board of supervisors to sign, certify the
8 correctness of, and file abstracts of the canvass of votes cast
9 in primary elections.

10 Section 43.60: Strikes the phrase, word, and abbreviation
11 "to the same", "it", and ", viz." and inserts the words "the
12 abstract" to update the style and clarify language relating to
13 separate abstracts of the canvass of votes cast for state and
14 federal offices.

15 Section 85.18: Redrafts to update the style of and clarify
16 the meaning of the word "herein" in this Code section that
17 provides that an employer's workers' compensation liability
18 cannot be relieved by any contract, rule, or device, but that
19 this statutory requirement does not create a private cause of
20 action.

21 Section 85.38: Replaces the word "herein" with "in this
22 chapter" to clarify the meaning of this provision that defines
23 how the liability of an employer for an employee's injury or
24 death while in the employer's employment may be determined.

25 Section 85.42: Redrafts and reformats terminology to use
26 the style and emphasis used for defined terms elsewhere in the
27 Code, and replaces the word "herein" with the words "in this
28 subsection", to clarify the meaning of language that describes
29 which children are conclusively presumed to be dependent upon a
30 deceased employee for purposes of the Code chapter governing
31 workers' compensation.

32 Section 85.64: Replaces archaic language with more specific
33 language, reformats a reference to the second injury fund to
34 be consistent with other references to that fund, and strikes
35 redundant language to update and clarify this Code section

1 limiting benefits for compensable injuries for employees who
2 have preexisting disabilities.

3 Section 85A.2: Replaces a reference to "hereinafter" and
4 "thereto" with chapter references to clarify this provision
5 describing which employers are subject to the requirements of
6 the Code chapter governing occupational disease compensation.

7 Section 89.4: Replaces the word "therewith" with the phrase
8 "with steam heating boilers" to clarify this exception to the
9 application of the requirements of this Code chapter governing
10 boilers and unfired steam pressure vessels.

11 Section 89.12: Replaces the word "herein" with a chapter
12 reference to clarify the extent to which the general provisions
13 relating to civil practice and procedure apply to hearings
14 before the labor commissioner regarding boilers and unfired
15 steam pressure vessels.

16 Section 96.2: Replaces the word "herein" with a chapter
17 reference to clarify language articulating the policy of the
18 state for purposes of interpretation and application of the
19 Code chapter pertaining to unemployment compensation.

20 Section 96.5: Replaces the word "hereof", that appears
21 immediately after a reference to Code section 96.1A, with a
22 reference to subsection 7 of this Code section, to clarify
23 which Code paragraph provisions are being referenced, in
24 language relating to how wages that are vacation pay should be
25 allocated for purposes of unemployment compensation.

26 Section 97B.42: Replaces the word "herein" with a chapter
27 reference to clarify this provision prohibiting an employer
28 from making contributions on behalf of an employee in the same
29 position, for the same period of time, to both the Iowa public
30 employees' retirement system and any other publicly supported
31 retirement system.

32 Section 97D.3: Repeals this obsolete provision that calls
33 for the holding of a referendum as soon as possible after
34 July 1, 1990, regarding mandatory coverage of newly hired
35 peace officers, police officers, and fire fighters, under the

1 federal Social Security Act. Representatives from the Iowa
2 public employees' retirement system and the department of
3 administrative services have indicated that the referendum was
4 held in 1991 and this Code section is obsolete.

5 Section 100.33: Divides a long sentence into two sentences
6 and supplies missing language to update and clarify this
7 provision describing the filing and publication of the annual
8 report of the state fire marshal.

9 Sections 123.32, 123.34, 123.39, 123.46A, 123.49, and
10 123.50: Strikes the words "or permit" or "or permittee" from
11 these provisions regulating the conduct of retail alcohol
12 licensees, the employees of licensees, and other persons to
13 reflect changes made in 2022 Iowa Acts, chapter 1099, that
14 altered the authorization granted to persons in the business
15 of selling or dispensing alcoholic beverages at retail from
16 licenses and permits to licenses.

17 Section 123.56: Adds the words "for the county or city",
18 the indefinite article "an", and changes the words "arising
19 from" to "occurring at" to clarify this provision relating to
20 the procedure for the abatement of public safety nuisances on
21 premises licensed under this Code chapter relating to alcoholic
22 beverage control.

23 Section 123.173: Strikes the word "permittee" and inserts
24 the words "alcohol licensee" in this provision relating to
25 delivery or transfer of wine between unlicensed or licensed
26 premises to reflect the changes made in 2022 Iowa Acts, chapter
27 1099, that changed the nature of the authority granted to
28 persons in the business of selling or dispensing alcoholic
29 beverages at retail from licenses and permits to licenses.

30 Section 124.204: Corrects the chemical names of four
31 schedule I controlled substances to conform to the names of
32 those substances as listed in the federal regulations under 21
33 C.F.R. pt. 1308.

34 Section 125.77: Strikes the words "district court judge, a
35 district associate judge, or" and leaves the word "magistrate",

1 in this provision relating to notice of the filing of an
2 application for the involuntary civil commitment or treatment
3 of a person with a substance-related disorder, to reflect the
4 addition of a definition of the term "magistrate" by 2022 Iowa
5 Acts, chapter 1071, section 2, that includes all judges of
6 the district court, including district associate judges and
7 judicial magistrates.

8 Section 147E.1: Changes the words "herein" and "hereunder"
9 to "in this compact" and "under this compact" to improve the
10 clarity of these provisions relating to the construction,
11 interpretation, and the effect of the provisions contained in
12 the occupational therapy licensure compact.

13 Section 152.1: Moves language, relating to application of
14 scientific principles to the duties listed that are part of
15 the practice of nursing, to the end of a subsection and adds a
16 reference to the new practice that was added by 2022 Iowa Acts,
17 chapter 1108, section 1, to the list of references to duties to
18 which scientific principles should be applied.

19 Section 189A.7: Changes the words "said secretary" to "the
20 secretary of agriculture of the United States" to clarify the
21 meaning of language describing a possible duty of the Iowa
22 secretary of agriculture under the federal Meat Inspection Act
23 and federal Poultry Products Inspection Act.

24 Section 189A.17: Changes two references to "herein" to
25 "under this section" and "in this section" to clarify these
26 provisions relating to proceedings before or investigations by
27 the Iowa secretary of agriculture pertaining to premises where
28 animals or poultry are slaughtered or otherwise prepared.

29 Section 206.2: Redrafts to improve the clarity of a
30 description of what constitutes an "active ingredient" in a
31 pesticide.

32 Section 232.78: Adds a reference to the new paragraph "b",
33 to this provision relating to the statement of facts to support
34 court findings that must be contained within an application
35 for an ex parte order for the taking of a child into custody,

1 to correct an error made when new paragraph "b" was created by
2 2022 Iowa Acts, chapter 1098, section 24. The 2022 Act added
3 new language requiring an additional finding that must be made
4 by the court and designated that new finding as paragraph "b"
5 and moved the existing finding contained in paragraph "b" to
6 paragraph "c", but did not redesignate the existing paragraph
7 "c" or "d" or revise the existing internal references to
8 reflect the changes that had been made.

9 Section 232.104: Changes a reference to Code section
10 232.102, subsection 12, to a reference to Code section
11 232.102A, subsection 4, in this provision relating to
12 the timing of a permanency hearing for a child subject to
13 out-of-home placement, to reflect the movement of the language
14 describing when the waiver of reasonable efforts may be made by
15 the court from Code section 232.102 to Code section 232.102A by
16 2022 Iowa Acts, chapter 1098.

17 Section 256.84: Updates an internal reference that was
18 inadvertently missed in 2006 when subsection 5 of this section
19 relating to the powers of the Iowa public broadcasting board
20 regarding facilities and equipment was stricken by 2006 Iowa
21 Acts, chapter 1185, section 27, and the subsequent subsections
22 were renumbered.

23 Section 257.3: Adds a reference to Code section 427B.19,
24 subsection 3, to clarify this provision describing how the
25 foundation property tax portion of payments to school districts
26 for tax replacement claims for industrial machinery, equipment,
27 and computers should be calculated.

28 Section 261.73: Adds the words "all of" to the prefatory
29 paragraph of this provision, describing the requirements that
30 an applicant for loan forgiveness under the chiropractic
31 loan forgiveness program must meet, to conform to the style
32 currently used in paragraphs preceding lists of requirements
33 when all requirements in the list must be met.

34 Section 261.116: Adds the words "all of" to the prefatory
35 paragraph of this provision, describing the requirements that

1 an applicant for a financial award under the health care
2 award program must meet, to conform to the style currently
3 used in paragraphs preceding lists of requirements when all
4 requirements in the list must be met.

5 Section 262.44: Replaces a reference to "hereinbefore"
6 with a reference to "in this section" to clarify the meaning
7 of this provision relating to the authority of the state board
8 of regents with respect to certain buildings, structures,
9 facilities, areas, additions, or improvements on the campuses
10 of the institutions of higher education under the board's
11 control.

12 Section 262.58: Replaces references to "thereof" and
13 "thereto" with references to bonds or notes and replaces a
14 reference to "hereinbefore" with a reference to "in this
15 subchapter" to clarify the meaning and update the style of
16 this provision relating to rates and terms of bonds or notes
17 executed by the state board of regents.

18 Section 262.62: Replaces a reference to "hereinbefore" with
19 a reference to "in this subchapter" in this Code section that
20 provides that bonds or notes executed by the state board of
21 regents are not a charge against the state of Iowa and that
22 no taxes, appropriations, or other funds of the state may be
23 pledged or used for the bonds or notes.

24 Section 266.7: Replaces the word "said" with the word
25 "Purnell" to clarify this reference to the federal Purnell
26 Act in this provision allowing the treasurer of Iowa state
27 university of science and technology to receive grants of money
28 appropriated under that Act.

29 Section 280.13A: Strikes the words "governing" and "a
30 governing" that appear before the term "organization" and
31 inserts the definite article "the" in this provision relating
32 to school district or nonpublic school agreements relating to
33 student eligibility for interscholastic activities to reflect
34 the definition of the term "organization" under Code section
35 280.13.

1 Section 282.20: Updates language to improve the readability
2 of this provision prohibiting the rebate of tuition or the
3 payment of any special compensation, privilege, or other thing
4 of value by a school district to any pupil or pupil's parents
5 if the rebate or payment is not and cannot legally be made
6 available to all other pupils enrolled in the district.

7 Section 306.4: Redrafts to eliminate vague language,
8 updates the punctuation, and moves qualifying language to
9 improve the clarity and readability of this provision relating
10 to jurisdiction and control over the roads and streets of the
11 state.

12 Sections 306.28, 306.32, 306.33, and 306.34: Adds the
13 words "of supervisors" after references to "the board" and
14 updates archaic language and style to improve the clarity and
15 readability of these provisions relating to the procedures
16 applicable to changes in the course of any road, stream,
17 watercourse, or dry run.

18 Section 306.36: Moves language, adds the words "of
19 supervisors" after a reference to "the board", and updates
20 the use of a verb to improve the clarity and readability of
21 this provision relating to rescission of orders for damages as
22 finally determined on appeal.

23 Section 306A.3: Updates to correct an internal reference
24 within this provision relating to the utility accommodation
25 policy of the state department of transportation to reflect the
26 editorial numbering of the paragraphs in this Code section in
27 2018.

28 Section 309.18: Numbers unnumbered paragraphs and updates
29 language to clarify this provision relating to the compensation
30 and duties of county engineers.

31 Sections 309.36, 309.40, and 309.41: Adds the word "county"
32 before the word "engineer's" to clarify these provisions that
33 articulate some of the county engineer's duties with respect to
34 the secondary road construction program.

35 Section 321.1: Rewrites to add the word "rubber" between

1 the words "solid" and "tire" to reflect the language of this
2 definition and the fact that the term that is used within Code
3 chapter 321 is "solid rubber tire", not "solid tire".

4 Section 321.18: Replaces a reference to "herein" with
5 a reference to "in this chapter", to clarify where the
6 definition of "special mobile equipment" may be found, in this
7 provision excepting special mobile equipment from the vehicle
8 registration requirements of Code chapter 321.

9 Section 321.28: Moves a qualifying phrase to the beginning
10 of this provision regarding the withholding of a vehicle's
11 registration by a county treasurer if the owner fails to
12 register and pay the fees required for the registration of the
13 vehicle.

14 Section 321.29: Redrafts to improve the clarity and
15 readability of this provision requiring a new registration
16 for vehicles that have been removed from the state, and are
17 no longer subject to registration in the state, once those
18 vehicles are brought back into the state and are again subject
19 to registration.

20 Section 321.70: Changes the word "registered" to "licensed"
21 and changes a reference to Code chapter 321 to a reference to
22 Code chapter 322 to reflect, in this provision relating to
23 the vehicle registration requirements applicable to vehicle
24 dealers, that motor vehicle dealers are licensed under Code
25 chapter 322 and do not have registration requirements under
26 Code chapter 321.

27 Section 321.116: Strikes obsolete language relating to
28 annual registration fees for battery electric motor vehicles
29 that were required for calendar years 2020 and 2021.

30 Section 321.117: Strikes obsolete language relating to
31 annual registration fees for motorcycles that are battery
32 electric motor vehicles or plug-in hybrid electric motor
33 vehicles that were required for calendar years 2020 and 2021.

34 Section 321.166: Strikes, in language exempting certain
35 types of registration plates from a requirement that plates

1 issued by a county display the name of the county, a reference
2 to Code section 321.34, subsection 13, paragraph "d", that used
3 to relate to special registration plates that were issued to
4 state agencies, but was stricken by 2016 Iowa Acts, chapter
5 1068, section 1.

6 Section 321.235: Divides a long sentence into two sentences
7 and moves qualifying language to the beginning of a sentence,
8 to clarify and improve the readability of this Code section
9 that requires, unless specifically otherwise provided, the
10 uniform application of the Code chapter governing motor
11 vehicles and the law of the road.

12 Section 321.236: Divides a long sentence into two
13 sentences, adds clarifying language, and moves a qualifying
14 phrase to improve the clarity and readability of this provision
15 that articulates the powers and authority of local authorities
16 to regulate motor vehicles and roads and highways under their
17 jurisdiction.

18 Section 327D.69: Replaces the internal reference
19 "aforesaid" with specific references to Code sections 327D.66
20 and 327D.67 to improve the clarity and readability of this
21 provision relating to the production and inspection of rate
22 schedules of common carriers by any person.

23 Section 327D.187: Changes an internal reference to "herein"
24 to "in this section" to clarify the effect of this provision
25 relating to contracts of insurance, relief, benefit, or
26 indemnity between injured parties and railways on settlements
27 for damages between the parties after injuries have been
28 sustained.

29 Section 328.1: Replaces an internal reference to "herein"
30 with a reference to "in this section" to improve the clarity of
31 this definitions Code section for the Code chapter governing
32 aeronautics.

33 Section 328.36: Strikes an obsolete provision relating to
34 where aircraft registration fees collected for the fiscal year
35 beginning July 1, 2007, and ending June 30, 2008, should be

1 deposited, in this provision regarding the deposit of various
2 moneys received by the state department of transportation into
3 the state aviation fund.

4 Section 329.1: Replaces an internal reference to "herein"
5 with a reference to "in this section", to improve the clarity
6 of this definitions Code section for the Code chapter governing
7 airport zoning.

8 Section 331.389: Changes the word "the" to "a" in language
9 relating to mediation of disputes between counties and mental
10 health and disability services regions, to account for the fact
11 that more than one county may belong to a region.

12 Section 331.427: Strikes a reference to Code section
13 123.143, within a string of Code section references to Code
14 sections through which counties derive revenue, to account
15 for changes made to Code section 123.143, by 2022 Iowa Acts,
16 chapter 1099, section 69, to eliminate the flow of revenue
17 under that section to counties.

18 Section 335.10: Divides a long sentence into multiple
19 sentences, adds clarifying language, and updates other language
20 to improve the clarity and readability of this provision
21 relating to the appointment and duties of boards of adjustment
22 by county boards of supervisors.

23 Section 347.32: Adds a comma to set off a qualifying
24 clause and adds language that is currently implied, but not
25 specifically stated, in this provision relating to the property
26 tax status of county hospitals.

27 Section 357.7: Redrafts to update and improve the
28 readability and hypertext linkage of this Code section
29 pertaining to the procedure for the establishment of new
30 benefited water districts for which the proposed water source
31 for the district lies outside and not under the control of the
32 proposed district.

33 Section 357.9: Redrafts to improve the readability of this
34 provision relating to the compensation of the county engineer
35 involved in the formation of a proposed benefited water

1 district by updating the language and including an internal
2 reference for hypertext linkage to a related provision.

3 Section 357.11: Adds two citations to related Code sections
4 in this provision regarding a hearing by the county board
5 of supervisors on a tentative design and plat of a proposed
6 benefited water district.

7 Section 357.16: Replaces archaic language with more
8 specific language and related Code section citations to improve
9 the readability of this provision regarding a second election
10 on the proposed design and assessment for a benefited water
11 district.

12 Section 357.30: Divides a long sentence into two sentences,
13 moves language, and updates ambiguous terminology, to improve
14 the clarity and readability of this Code section regarding the
15 addition of territory to a benefited water district.

16 Section 357.34: Updates archaic language and style to
17 improve the readability and clarity of this Code section
18 governing the conveyance of a benefited water district to a
19 city.

20 Section 357B.4: Changes the word "to" to "through" in a
21 string citation to clarify that the last Code section listed
22 is intended to be included in this provision relating to the
23 procedures applicable to bonds issued by a board of trustees
24 of a benefited fire district in anticipation of collection of
25 taxes, to fund the provision of fire protection.

26 Section 358.16: Replaces the word "herein" with "in this
27 section" to clarify the applicability of this provision
28 relating to the powers of a board of trustees of a sanitary
29 district.

30 Section 388.3: Changes a reference to "this section" to
31 a reference to "subsections 4 and 5" to reflect the scope
32 of the title and the balance of the contents of 2022 Iowa
33 Acts, chapter 1068, relating to removals of public utility
34 board members, and in which this subsection relating to the
35 applicability of the provisions was enacted. This change is

1 made effective upon enactment in division II of the bill.

2 Section 414.1: Conforms a prefatory expression of an
3 exception in this provision relating to replacements of
4 preexisting manufactured, modular, or mobile homes with other
5 manufactured, modular, or mobile homes, to similar language
6 used elsewhere in the Code.

7 Section 422.7: Adds a comma before the last item in a
8 series and redrafts by adding the word and comma "However," to
9 language to clarify a description of how a presumption that
10 real property classified as agricultural property is used in
11 farming may be overcome. The word "who" is also stricken from
12 a qualifying clause, that relates back to the word "taxpayer",
13 to improve the readability and usage of language describing how
14 the net income of certain retired farmers should be calculated.

15 Section 422.12C: Restores language from 2019 Iowa Acts,
16 chapter 152, that was inadvertently deleted when changes from
17 2018 Iowa Acts, chapter 1161, were applied in 2022. The
18 language, as amended, is made effective upon enactment and
19 retroactively applicable to January 1, 2023, in division II of
20 the bill.

21 Section 422.16: Strikes the redundant words "as hereby
22 amended" from language relating to the withholding of income of
23 nonresidents that is subject to taxation in Iowa.

24 Section 422.72: Corrects a reference to an Iowa rule of
25 criminal procedure in this provision relating to the provision
26 of state tax returns and return information by the director
27 of revenue in response to subpoenas issued in certain drug or
28 money laundering criminal investigations.

29 Section 423.3: Strikes the word "retail" that appears
30 before the words "sales or use tax permit" to conform this
31 language, exempting the sales price of certain building
32 materials, supplies, equipment, or services from imposition of
33 sales or use taxes, to similar language elsewhere in the Code
34 after the changes made by 2022 Iowa Acts, chapter 1138, were
35 implemented.

1 Section 423.4: Changes the words "who has" to "and be"
2 to conform to the related antecedent phrase "The person must
3 be" in this provision describing biodiesel producers who are
4 eligible to apply for a refund of the sales or use tax imposed
5 upon purchases made by that person.

6 Section 441.19: Moves language describing a condition
7 that does not relieve a taxpayer from the obligation to list
8 property for taxation to clarify this provision regarding the
9 listing and assessment of property by a county or city assessor
10 who is preparing the county or city assessment rolls.

11 Section 452A.84: Divides an existing sentence into two and
12 reinserts some of the language that was stricken by 2022 Iowa
13 Acts, chapter 1061, section 70, to clarify which funds should
14 be transferred to the marine fuel tax fund.

15 Section 455B.145: Changes the word "them" to "political
16 subdivisions" and adds a comma to set off a qualifying clause
17 to clarify this provision relating to the conditions under
18 which an air pollution control program that is conducted by a
19 political subdivision will be accepted by the director of the
20 department of natural resources.

21 Section 461A.35: Moves a qualifying phrase from the end
22 of the sentence to the beginning of the sentence and updates
23 the punctuation within a complex series to clarify this
24 provision that prohibits acts that remove, destroy, injure, or
25 deface property that is under the jurisdiction of the natural
26 resources commission in violation of the terms, conditions,
27 limitations, and restrictions set by the commission.

28 Section 461A.64: Adds a Code section citation and other
29 qualifying language to clarify this provision relating to
30 hearings on the establishment of water recreational areas.

31 Section 468.65: Replaces the words "they find" with "the
32 board finds" to improve the clarity and readability of this
33 provision relating to reclassifications of property that is
34 subject to assessment for payment of the expense of maintaining
35 and improving a drainage or levee district.

1 Section 468.102: Updates archaic language and adds a
2 citation to the Code section requiring the engineer in charge
3 of construction of levee or drainage district improvements to
4 report that the work is completed, to improve the clarity of
5 this Code section allowing persons interested in the district
6 to object and present evidence showing that the report should
7 not be accepted, and to present claims for damages.

8 Section 468.104: Replaces archaic language with more
9 specific language to improve the clarity and style of this
10 provision relating to the procedures to be followed if a
11 contractor abandons or fails to proceed properly with the work
12 on levee or drainage district improvements.

13 Section 468.275: Adds a Code section citation to clarify the
14 notice referenced, divides a long sentence into two sentences,
15 and updates archaic language to clarify this provision
16 describing the contents and manner of service required for a
17 notice regarding the establishment of an intercounty drainage
18 or levee district.

19 Section 468.321: Changes the word "it" to "the property
20 of the district" to clarify this provision relating to
21 the issuance of funding bonds to secure money to pay for
22 assessments against property that is within a drainage or levee
23 district.

24 Section 468.325: Updates archaic language to improve the
25 clarity and readability of this provision relating to the
26 responsibilities of a city with respect to a drainage district
27 over which the city has assumed control.

28 Section 478.17: Changes "all" to "on" to correct a
29 typographical error made in 2022 Iowa Acts, chapter 1021,
30 section 126, when the word "thereon" was updated in this
31 provision relating to access to electric transmission lines.

32 Section 481A.1: Adds the word "or" before the last item to
33 complete and clarify this series describing what is meant by
34 the terms "take", "taking", "attempting to take", or "hunt" for
35 purposes of the Code chapter relating to wildlife conservation.

1 Section 481A.26: Moves language and redrafts to clarify
2 this provision prohibiting the transportation of wildlife in
3 numbers that are in excess of the number that a person is
4 allowed to possess.

5 Section 481A.89: Replaces a reference to "above" to "in
6 section 481A.87", to clarify this provision relating to
7 applications for permits to hold hides or skins for an extended
8 period of time after the close of an open season.

9 Section 483A.7: Adds the missing word "wild" before the
10 word "turkey" in two places to conform the language of this
11 provision specifying the types of firearms that may be used
12 to the balance of this Code section relating to wild turkey
13 hunting licenses and tags.

14 Section 496C.21: Adds the word "report" between the terms
15 "biennial" and "filing fee" to be consistent with other
16 language in this Code section pertaining to the biennial report
17 of a domestic or foreign professional corporation, and to be
18 consistent with the fees specified in Code section 490.122 for
19 filings by professional corporations.

20 Section 514C.18: Removes a date reference, that relates
21 back to the 1999 enactment of this Code section relating to the
22 coverage of diabetes in policy or contracts for the third-party
23 payment of prepayment of health or medical expenses, to avoid
24 confusion regarding the applicability of later changes made to
25 this provision that have different effective dates.

26 Section 515.13: Divides a long sentence into two sentences
27 and updates archaic language and style to clarify this section
28 that limits the applicability of the Code chapter governing
29 insurance other than life if a company was organized or
30 licensed to issue policies prior to May 28, 1937.

31 Section 515.20: Divides this Code section governing
32 guaranty capital of mutual insurance companies into subsections
33 based upon content, and revises the language of the last
34 subsection to reflect the current style used to indicate a Code
35 section self-reference.

1 Section 515.134: Redrafts archaic language to clarify
2 this Code section relating to the effect of a failure by an
3 insurance company or association to attach any application or
4 representation that is made part of a policy to any policy that
5 is issued or renewed.

6 Section 515A.18: Redrafts archaic language to clarify this
7 provision relating to the procedure for requests for hearing
8 on orders of the commissioner that have been directed to a
9 person, insurer, or rating organization under the Code chapter
10 governing workers' compensation liability insurance rates.

11 Section 516A.1: Removes a set of parentheses and adds
12 the word "or" in this provision relating to rejection by a
13 named insured of coverage under an automobile or motor vehicle
14 liability insurance policy to conform the language describing
15 the coverage to other language used to describe the same
16 coverage in this Code section.

17 Section 521A.2: Strikes a redundant reference to "hereof"
18 from an internal subsection reference in language describing
19 permissible investments by insurers in this Code section
20 prescribing the permissible businesses or activities in which
21 a domestic insurer may engage.

22 Section 521A.3: Replaces a reference to "hereunder" with
23 "under this section" to clarify this provision governing
24 statements regarding acquisition of control of domestic
25 insurers that must be filed with the commissioner of insurance
26 before any tender offer, request or invitation for tenders
27 of, or agreements to exchange securities for control over the
28 insurer can be made.

29 Section 521A.4: Replaces a reference to "hereunder"
30 with a reference to "under subsection 1 of this section" to
31 clarify this provision relating to the filing of consolidated
32 registration statements or reports by two or more affiliated
33 insurers who must register under the Code chapter governing
34 insurance holding company systems.

35 Section 521A.9: Replaces references to "hereunder"

1 with references to "under this chapter", and a reference to
2 "thereunder" with a reference to Code section 521A.3, to
3 clarify this Code section relating to the procedures applicable
4 to violations of the Code chapter governing insurance holding
5 company systems and prohibitions regarding the voting of
6 certain restricted securities.

7 Section 523A.501: Replaces the word "without" with the
8 words "unless the person has" to improve the clarity and
9 readability of this provision requiring a person to have
10 a preneed seller's license before advertising, selling,
11 promoting, or offering to furnish cemetery merchandise, funeral
12 merchandise, funeral services, or a combination of merchandise
13 or services, if performance or delivery may be more than 120
14 days following initial payment on the account.

15 Section 524.228: Breaks a long sentence into three
16 sentences to improve the readability of this Code section
17 relating to emergency orders issued by the superintendent of
18 banking to prevent unsafe or unsound banking practices or acts.

19 Section 524.536: Changes the word "shareholders'" to
20 "shareholder's" to conform the language of this provision,
21 relating to payment of the expense associated with the
22 inspection by a requesting shareholder of the list of
23 shareholders entitled to vote at a meeting, to similar language
24 relating to inspection of shareholder lists in Code section
25 490.720.

26 Section 524.1301: Supplies the missing word "fees" to
27 clarify the meaning of language articulating the items that
28 must be filed with the secretary of state in order for a state
29 bank that has not issued shares nor commenced business to
30 dissolve.

31 Section 524.1404: Adds a comma after an initial prefatory
32 clause and redrafts language relating to the issuance and
33 sending of a certificate of merger by the secretary of state
34 to streamline the language relating to what a resulting state
35 bank receives.

1 Section 524.1504: Replaces the word "thereon" with the
2 words "on the amendment" to clarify this provision describing
3 one of the items that must be included in articles of amendment
4 to a state bank's articles of incorporation, once an amendment
5 has been adopted by the state bank's shareholders.

6 Section 524.1611: Strikes the redundant words "provisions
7 of" in two places and replaces a reference to "such subsection"
8 with a reference to Code section 524.211, subsection 1,
9 to clarify this provision prohibiting certain practices by
10 employees of the division of banking of the department of
11 commerce.

12 Section 536.21: Divides a long sentence into two sentences
13 and replaces references to "hereto" and "herewith" with a
14 reference to "with the requirements of this chapter" to update
15 and clarify the extent of the authority of the superintendent
16 of banking to adopt rules relating to regulated loans.

17 Section 536.26: Replaces an internal reference to "herein"
18 with "in this section" to clarify the meaning of language
19 prohibiting a licensee from declining new or existing insurance
20 of a loan that meets the applicable standards, or preventing
21 any obligor from obtaining insurance coverage from other
22 sources.

23 Section 537.2307: Changes the word "may" to "shall" in
24 language containing a nondiscretionary prohibition against a
25 lender contracting for a security interest in real property
26 used by a consumer or the consumer's dependents if the rate of
27 finance charge on the supervised loan exceeds 15 percent and
28 the amount financed is \$2,000 or less.

29 Section 543B.35: Redrafts archaic language to improve the
30 clarity and readability of this provision relating to hearings
31 regarding revocation of licenses that are held before the real
32 estate commission.

33 Section 543B.44: Divides a long sentence into two sentences
34 and replaces internal references to "hereof" and "herein"
35 with a reference to the Code chapter to improve the clarity

1 and readability of this provision relating to referral of
2 complaints of misconduct by the real estate commission to a
3 court, the enforcement of the Code chapter regulating real
4 estate brokers and salespersons by the commission, and the
5 collection of penalties levied by the commission for statutory
6 violations.

7 Section 558.7: Moves to the beginning of this Code section
8 language that currently appears at the end of subsection
9 4, but relates to rest of the conditions contained in the
10 remainder of this Code section describing when an assignment
11 of a certificate of entry has the same effect as a deed of
12 conveyance, to improve the clarity and readability of the
13 language.

14 Section 562B.26: Adds a comma before the last item in
15 a series and divides a long sentence into two sentences to
16 improve the clarity and readability of this provision relating
17 to the procedures that may be followed by a landlord if there
18 is a noncompliance by a tenant that materially affects health
19 and safety which can be remedied.

20 Section 633.220: Updates the language and style of this
21 provision relating to the determination of inheritance by
22 afterborn heirs to improve the Code section's readability and
23 conform the style to similar language found in Code section
24 633.220A.

25 Section 633.496: Divides a long sentence into two sentences
26 and updates archaic language and style to improve the clarity
27 and readability of this provision relating to foreign probated
28 wills.

29 Section 639.48: Replaces the word "same" with the word
30 "property" in two places and adds the verb "is" and the
31 indefinite article "an" to update the style and improve the
32 clarity of this provision relating to examination of perishable
33 property that is the subject of a petition for attachment in a
34 civil action.

35 Section 659A.3: Moves the phrase "without the depicted

1 individual's consent" to immediately follow language relating
2 to the unauthorized disclosure of an image to improve the
3 readability of this provision describing when the unauthorized
4 disclosure of an intimate image will give rise to a cause of
5 action for the person depicted.

6 Section 664A.7: Strikes a comma and adds the words "or
7 for" to clarify language relating to the types of offenses
8 that are included in the public offense of violations of a
9 no-contact order in this provision relating to enforcement of
10 no-contact orders and protective orders that are issued as part
11 of proceedings concerning the commission of certain assaults.

12 Section 692A.128: Strikes two subparagraphs and then
13 reinserts the same language as new paragraphs to change the
14 hierarchical levels of two provisions that set conditions
15 that are separate from the condition regarding whether a sex
16 offender is incarcerated, to clarify the standards governing
17 when an application for modification of a sex offender's
18 registration requirements may be granted.

19 Section 708.2D: Adds the words "offense of" before the words
20 "older individual assault" to make the style of this provision
21 relating to the penalties applicable to a second commission
22 of older individual assault consistent with the style used in
23 other provisions in this Code section regarding subsequent
24 offenses.

25 Section 714I.3: Adds the words "used or" to conform the
26 language of the back half of a sentence to the language used at
27 the beginning of the sentence, in this provision prohibiting
28 persons from providing false information or treatment as part
29 of an assisted reproductive procedure or treatment.

30 Section 726.24: Changes the word "or" to "of" to correct the
31 grammar of a series regarding modification of no-contact orders
32 issued in proceedings related to elder abuse.

33 Section 815.7: Adds the words "through June 30, 2022,"
34 to conform to the style used elsewhere in this Code section
35 establishing the rate of compensation for attorneys appointed

1 to represent indigents and to account for the addition of a
2 subsection establishing a new rate of compensation effective
3 July 1, 2022, by 2022 Iowa Acts, chapter 1146, section 21.

4 2022 Iowa Acts, chapter 1050, section 1: Corrects an
5 incorrect Acts section lead-in to clarify that only the first
6 unnumbered paragraph of Code section 511.8, subsection 22,
7 paragraph "b", was intended to be amended by the Act. The
8 change is made effective upon enactment and retroactively
9 applicable to July 1, 2022, in division II of the bill.

10 2022 Iowa Acts, chapter 1099, section 106: Corrects the
11 applicability date provision that applied to a division of this
12 multi-division 2022 Act. The change is made effective upon
13 enactment and retroactively applicable to July 1, 2022, in
14 division II of the bill.

15 2022 Iowa Acts, chapter 1131, section 78: Corrects the
16 applicability date provision that applied to a division of this
17 multi-division 2022 Act. The change is made effective upon
18 enactment and retroactively applicable to June 14, 2022, in
19 division II of the bill.

20 Division II. This division contains immediate effective
21 date and retroactive applicability provisions that apply to the
22 specified provisions of the bill.