

Senate File 2240 - Reprinted

SENATE FILE 2240
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3170)

(As Amended and Passed by the Senate February 26, 2014)

A BILL FOR

1 An Act relating to nonsubstantive code corrections.

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

DIVISION I

MISCELLANEOUS CHANGES

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Section 1. Section 2.10, subsection 5, Code 2014, is amended to read as follows:

5. a. In addition to the salaries and expenses authorized by this section, a member of the general assembly shall be paid a per diem, and necessary travel and actual expenses incurred in attending meetings for which per diem or expenses are authorized by law for members of the general assembly who serve on statutory boards, commissions, or councils, and for standing or interim committee or subcommittee meetings subject to the provisions of section 2.14, or when on authorized legislative business when the general assembly is not in session. However, if a member of the general assembly is engaged in authorized legislative business at a location other than at the seat of government during the time the general assembly is in session, payment may be made for the actual transportation and lodging costs incurred because of the business. Such per diem or expenses shall be paid promptly from funds appropriated pursuant to section 2.12.

b. For purposes of this section, "per diem" means the maximum amount generally allowable to employees of the executive branch of the federal government for per diem while away from home at the seat of government.

Sec. 2. Section 2.48, subsection 4, Code 2014, is amended to read as follows:

4. Subsequent additional review. A tax expenditure or incentive reviewed pursuant to subsection 3 shall be reviewed again not more than five years after the tax expenditure or incentive was most recently reviewed.

Sec. 3. Section 8.6, subsection 17, paragraphs c and d, Code 2014, are amended to read as follows:

c. (1) To establish, by rule, a customer council responsible for overseeing the services provided solely by the department of administrative services. The rules adopted shall

1 provide for all of the following:

2 ~~(1)~~ (a) The method of appointment of members to the council
3 by the governmental entities required to receive the services.

4 ~~(2)~~ (b) The duties of the customer council which shall be
5 as follows:

6 ~~(a)~~ (i) Annual review and approval of the department of
7 administrative services' business plan regarding services
8 provided solely by the department of administrative services.

9 ~~(b)~~ (ii) Annual review and approval of the procedure
10 for resolving complaints concerning services provided by the
11 department of administrative services.

12 ~~(c)~~ (iii) Annual review and approval of the procedure
13 for setting rates for the services provided solely by the
14 department of administrative services.

15 ~~(3)~~ (c) A process for receiving input from affected
16 governmental entities as well as for a biennial review by the
17 customer council of the determinations made by the department
18 of which services are funded by an appropriation to the
19 department of administrative services and which services are
20 funded by the governmental entities receiving the service,
21 including any recommendations as to whether the department
22 of administrative services shall be the sole provider of a
23 service funded by the governmental entities receiving the
24 service. The department, in consultation with the department
25 of administrative services, may change the determination of
26 a service if it is determined that the change is in the best
27 interests of those governmental entities receiving the service.

28 ~~d.~~ (2) If a service to be provided may also be provided
29 to the judicial branch and legislative branch, then the rules
30 shall provide that the chief justice of the supreme court may
31 appoint a member to the customer council, and the legislative
32 council may appoint a member from the senate and a member from
33 the house of representatives to the customer council, in their
34 discretion.

35 Sec. 4. Section 10A.104, subsection 10, Code 2014, is

1 amended to read as follows:

2 10. Enter into and implement agreements or compacts between
3 the state of Iowa and Indian tribes located in the state which
4 are entered into under the authority of the Indian Gaming
5 Regulatory Act (~~25, 25 U.S.C. § 2701 et seq.~~) seq. The
6 agreements or compacts shall contain provisions intended to
7 implement the policies and objectives of the Indian Gaming
8 Regulatory Act.

9 Sec. 5. Section 10A.105, subsection 3, Code 2014, is amended
10 to read as follows:

11 3. The state shall maintain records and materials related
12 to an agreement or compact entered into pursuant to the Indian
13 Gaming Regulatory Act (~~25, 25 U.S.C. § 2701 et seq.~~) seq., as
14 confidential records if confidentiality is required by the
15 terms of the agreement or compact.

16 Sec. 6. Section 13B.4B, subsection 2, paragraph b,
17 unnumbered paragraph 1, Code 2014, is amended to read as
18 follows:

19 Summary claims data may be released if the data ~~contains~~
20 ~~no~~ does not contain information that is required to be kept
21 confidential pursuant to an attorney's obligations under the
22 Iowa rules of professional conduct. Such summary data may
23 include:

24 Sec. 7. Section 15J.2, subsection 13, Code 2014, is amended
25 to read as follows:

26 13. "*Substantially improved*" means that the cost of the
27 improvements ~~are~~ is equal to or ~~exceed~~ exceeds fifty percent of
28 the assessed value of the property, excluding the land, prior
29 to such improvements.

30 Sec. 8. Section 16.1, subsection 1, paragraph x, Code 2014,
31 is amended to read as follows:

32 *x. "Low or moderate income families"* means families who
33 cannot afford to pay enough to cause private enterprise in
34 their locality to build an adequate supply of decent, safe, and
35 sanitary dwellings for their use, and also includes, but is not

1 limited to, ~~(1) elderly~~ the following:

2 (1) Elderly families, families in which one or more persons
3 are persons with disabilities, lower income families and very
4 low income families, ~~and (2) families.~~

5 (2) Families purchasing or renting qualified residential
6 housing.

7 Sec. 9. Section 16.2A, subsection 1, Code 2014, is amended
8 to read as follows:

9 1. A title guaranty division is created within the
10 authority. The powers of the division relating to the issuance
11 of title guaranties are vested in and shall be exercised by
12 a division board of five members appointed by the governor
13 subject to confirmation by the senate. The membership of
14 the division board shall include an attorney, an abstractor,
15 a real estate broker, a representative of a mortgage lender,
16 and a representative of the housing development industry. The
17 executive director of the authority shall appoint an attorney
18 as director of the title guaranty division, who shall serve as
19 an ex officio member of the division board. The appointment of
20 and compensation for the division director are exempt from the
21 merit system provisions of chapter 8A, subchapter IV.

22 Sec. 10. Section 24.9, Code 2014, is amended to read as
23 follows:

24 **24.9 Filing estimates — notice of hearing — amendments.**

25 1. a. Each municipality shall file with the secretary or
26 clerk thereof the estimates required to be made in sections
27 24.3 to 24.8, at least twenty days before the date fixed by
28 law for certifying the same to the levying board and shall
29 forthwith fix a date for a hearing thereon, and shall publish
30 such estimates and any annual levies previously authorized
31 as provided in section 76.2, with a notice of the time when
32 and the place where such hearing shall be held not less than
33 ten nor more than twenty days before the hearing. Provided
34 that in municipalities of less than two hundred population
35 such estimates and the notice of hearing thereon shall be

1 posted in three public places in the district in lieu of
2 publication. For any other municipality such publication shall
3 be in a newspaper published therein, if any, if not, then in a
4 newspaper of general circulation therein.

5 ~~For any other municipality such publication shall be in~~
6 ~~a newspaper published therein, if any, if not, then in a~~
7 ~~newspaper of general circulation therein.~~

8 b. The department of management shall prescribe the form for
9 public hearing notices for use by municipalities.

10 2. Budget estimates adopted and certified in accordance
11 with this chapter may be amended and increased as the need
12 arises to permit appropriation and expenditure during the
13 fiscal year covered by the budget of unexpended cash balances
14 on hand at the close of the preceding fiscal year and which
15 cash balances had not been estimated and appropriated for
16 expenditure during the fiscal year of the budget sought to
17 be amended, and also to permit appropriation and expenditure
18 during the fiscal year covered by the budget of amounts of cash
19 anticipated to be available during the year from sources other
20 than taxation and which had not been estimated and appropriated
21 for expenditure during the fiscal year of the budget sought
22 to be amended. Such amendments to budget estimates may be
23 considered and adopted at any time during the fiscal year
24 covered by the budget sought to be amended, by filing the
25 amendments and upon publishing them and giving notice of the
26 public hearing in the manner required in this section. Within
27 ten days of the decision or order of the certifying or levying
28 board, the proposed amendment of the budget is subject to
29 protest, hearing on the protest, appeal to the state appeal
30 board and review by that body, all in accordance with sections
31 24.27 to 24.32, so far as applicable. A local budget shall be
32 amended by May 31 of the current fiscal year to allow time for a
33 protest hearing to be held and a decision rendered before June
34 30. An amendment of a budget after May 31 which is properly
35 appealed but without adequate time for hearing and decision

1 before June 30 is void. Amendments to budget estimates
2 accepted or issued under this section are not within section
3 24.14.

4 Sec. 11. Section 28E.24, Code 2014, is amended to read as
5 follows:

6 **28E.24 Revenue and tax levies.**

7 1. a. The county board of supervisors shall certify to
8 the public safety commission the amount of revenue from the
9 county general fund credited to the unincorporated area in
10 the district based upon an average of revenues raised for law
11 enforcement purposes in the unincorporated area for the three
12 previous years. The public safety commission shall subtract
13 this amount from the amount of revenue to be contributed by
14 the unincorporated area. The difference is the amount of
15 additional revenue needed for unified law enforcement purposes.

16 b. In addition, the county board of supervisors and the
17 city council of each city in the district shall certify to
18 the public safety commission the amounts of revenue from the
19 county and from the city general fund credited to each city
20 in the district based upon an average of revenues raised for
21 law enforcement purposes in each city for the three previous
22 years. The public safety commission shall subtract the total
23 of these amounts from the amount of revenue to be contributed
24 by each city respectively. The difference for each city is the
25 amount of additional revenue needed for unified law enforcement
26 purposes.

27 2. The county board of supervisors and the council of each
28 city located within the district shall review the proposed
29 budget and upon the approval of the budget by the board
30 of supervisors and all city councils in the district, each
31 governing body shall determine the source of the additional
32 revenue needed for unified law enforcement purposes. If the
33 tax levy is approved as the source of revenue, the governing
34 body shall certify to the county auditor the amount of revenue
35 to be raised from the tax levy in either the unincorporated

1 area of the district or a city in the district.

2 3. If the tax rate in any of the cities or the
3 unincorporated area exceeds the limitations prescribed in
4 section 28E.22, the public safety commission shall revise the
5 budget to conform with the tax limitations.

6 4. The county board of supervisors and the city council of
7 each city in the district shall deposit in the public safety
8 fund the amounts of revenue certified to the public safety
9 commission in this section based upon an average of revenues
10 raised for law enforcement purposes for the three previous
11 years.

12 5. If the average of revenues raised for law enforcement
13 purposes in the unincorporated area or a city for the previous
14 three years exceeds the amount of revenue needed for unified
15 law enforcement purposes, the unincorporated area or city is
16 only required to contribute the amount of revenue needed.

17 6. Taxes collected pursuant to the tax levies and other
18 moneys received from the county and cities in the district
19 shall be placed in a public safety fund and used only for the
20 operation of the district. Any unencumbered funds remaining
21 in the fund at the end of a fiscal year shall carry over to
22 the next fiscal year and may be used for the operation of the
23 district.

24 Sec. 12. Section 49.7, Code 2014, is amended to read as
25 follows:

26 **49.7 Reprecincting schedule and filing requirements.**

27 1. Where reprecincting is necessary, city councils
28 and county boards of supervisors or the temporary county
29 redistricting commission shall make any necessary changes
30 in precincts as soon as possible after the redistricting of
31 congressional and legislative districts becomes law.

32 2. a. City councils shall complete any changes in precinct
33 and ward boundaries necessary to comply with sections 49.3
34 and 49.5 not later than sixty days after the redistricting
35 of congressional and legislative districts becomes law, or

1 September 1 of the year immediately following each year in
2 which the federal decennial census is taken, whichever is
3 later. Different compliance dates may be set by the general
4 assembly by joint resolution.

5 b. County boards of supervisors or the temporary county
6 redistricting commission shall complete any changes in precinct
7 and supervisor district boundaries necessary to comply with
8 sections 49.3, 49.4, and 331.209 not later than ninety days
9 after the redistricting of congressional and legislative
10 districts becomes law, or October 15 of the year immediately
11 following each year in which the federal decennial census is
12 taken, whichever is later. Different compliance dates may be
13 set by the general assembly by joint resolution.

14 3. Each county board of supervisors or the temporary county
15 redistricting commission and city council shall immediately
16 notify the state commissioner and the commissioner when the
17 boundaries of election precincts are changed, and shall provide
18 a map showing the new boundary lines. Each county board or
19 the temporary county redistricting commission and city council
20 shall certify to the state commissioner the populations of
21 the new election precincts or retained election precincts as
22 determined by the latest federal decennial census. Materials
23 filed with the state commissioner shall be postmarked no later
24 than the deadline specified in this section.

25 4. If the state commissioner determines that a county
26 board or the temporary county redistricting commission or city
27 council has failed to make the required changes by the dates
28 specified by this section, the state commissioner shall make
29 or cause to be made the necessary changes as soon as possible.
30 The state commissioner shall assess to the county or city, as
31 the case may be, the expenses incurred in making the necessary
32 changes. The state commissioner may request the services
33 of personnel and materials available to the legislative
34 services agency to assist the state commissioner in making
35 required changes in election precincts which become the state

1 commissioner's responsibility.

2 5. Precinct boundaries shall become effective on January
3 15 of the second year following the year in which the census
4 was taken and shall be used for all subsequent elections.
5 Precinct boundaries drawn by the state commissioner shall be
6 incorporated into the ordinances of the city or county.

7 6. Changes made to precincts in years other than the year
8 following the year in which the federal decennial census is
9 taken shall be filed with the state commissioner as soon as
10 possible.

11 Sec. 13. Section 49.64, Code 2014, is amended to read as
12 follows:

13 **49.64 Number of ballots delivered.**

14 The commissioner shall cause ballots of the kind to be voted
15 in each precinct to be delivered to the precinct election
16 officials as follows: ~~in~~

17 1. In general elections which are presidential elections at
18 least fifty-five ballots for every fifty votes, or fraction of
19 fifty votes, cast in the precinct at the last preceding general
20 election which was also a presidential election; ~~and in.~~

21 2. In general elections which are not presidential
22 elections, at least fifty-five ballots for every fifty votes,
23 or fraction of fifty votes, cast at the last preceding general
24 election which was not a presidential election.

25 Sec. 14. Section 53.37, subsections 1, 2, and 4, Code 2014,
26 are amended to read as follows:

27 1. This ~~division~~ subchapter is intended to implement the
28 federal ~~Uniform~~ Uniformed and Overseas Citizens Absentee Voting
29 Act, 42 U.S.C. § 1973ff et seq.

30 2. The term "*armed forces of the United States*", as used in
31 this ~~division~~ subchapter, shall mean the army, navy, marine
32 corps, coast guard, and air force of the United States.

33 4. For the purposes of this ~~division~~ subchapter, "*qualified*
34 *voter*" means a person who is included within the term "*armed*
35 *forces of the United States*" as described in this section, who

1 would be qualified to register to vote under section 48A.5,
2 subsection 2, except for residency, and who is not disqualified
3 from registering to vote and voting under section 48A.6.

4 Sec. 15. Section 70A.26, Code 2014, is amended to read as
5 follows:

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

7 An employee of an appointing authority who is a certified
8 disaster service volunteer of the American red cross may be
9 granted leave with pay from work for not more than fifteen
10 working days in any twelve-month period to participate in
11 disaster relief services for the American red cross at the
12 request of the American red cross for the services of that
13 employee and upon the approval of the employee's appointing
14 authority without loss of seniority, pay, vacation time,
15 personal days, sick leave, insurance and health coverage
16 benefits, or earned overtime accumulation. The appointing
17 authority shall compensate an employee granted leave under this
18 section at the employee's regular rate of pay for those regular
19 work hours during which the employee is absent from work. An
20 employee deemed to be on leave under this section shall not be
21 deemed to be an employee of the state for purposes of workers'
22 compensation. An employee deemed to be on leave under this
23 section shall not be deemed to be an employee of the state for
24 purposes of the Iowa tort claims Act, chapter 669. Leave under
25 this section shall be granted only for services relating to a
26 disaster in the state of Iowa.

27 Sec. 16. Section 70A.39, subsection 4, Code 2014, is amended
28 to read as follows:

29 4. An employee deemed to be on leave under this section
30 shall not be deemed to be an employee of the state for purposes
31 of workers' compensation or for purposes of the Iowa tort
32 claims Act, chapter 669.

33 Sec. 17. Section 73A.21, subsection 6, paragraph h, Code
34 2014, is amended to read as follows:

35 *h.* The commissioner shall require a contractor or

1 subcontractor to file, within ten days of receipt of a request,
2 any records enumerated in subsection 7. If the contractor or
3 subcontractor fails to provide the requested records within ten
4 days, the commissioner may direct, within fifteen days after
5 the end of the ten-day period, ~~that~~ the fiscal or financial
6 office charged with the custody and disbursement of funds of
7 the public body that contracted for construction of the public
8 improvement or undertook the public improvement, to immediately
9 withhold from payment to the contractor or subcontractor
10 up to twenty-five percent of the amount to be paid to the
11 contractor or subcontractor under the terms of the contract
12 or written instrument under which the public improvement is
13 being performed. The amount withheld shall be immediately
14 released upon receipt by the public body of a notice from
15 the commissioner indicating that the request for records as
16 required by this section has been satisfied.

17 Sec. 18. Section 85.64, Code 2014, 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 by the employer,
29 the employee shall be paid out of the "Second Injury Fund"
30 created by this ~~division~~ subchapter the remainder of such
31 compensation as would be payable for the degree of permanent
32 disability involved after first deducting from such remainder
33 the compensable value of the previously lost member or organ.

34 2. Any benefits received by any such employee, or to which
35 the employee may be entitled, by reason of such increased

1 disability from any state or federal fund or agency, to which
2 said employee has not directly contributed, shall be regarded
3 as a credit to any award made against said second injury fund
4 as aforesaid.

5 Sec. 19. Section 88.5, subsection 3, paragraph b,
6 subparagraphs (3) and (4), Code 2014, are amended to read as
7 follows:

8 (3) A statement of the steps the employer has taken and will
9 take ~~(with, with specific dates)~~ dates, to protect employees
10 against the hazard covered by the standard.

11 (4) A statement of when the employer expects to be able
12 to comply with the standard and what steps the employer
13 has taken and what steps the employer will take ~~(with, with~~
14 ~~dates specified)~~ specified, to come into compliance with the
15 standard.

16 Sec. 20. Section 89.4, subsection 1, paragraph k,
17 subparagraph (3), Code 2014, is amended to read as follows:

18 (3) Water temperature in the boiler does not exceed ~~three~~
19 ~~hundred fifty~~ 350 degrees Fahrenheit.

20 Sec. 21. Section 96.3, subsection 5, paragraph a, Code 2014,
21 is amended to read as follows:

22 *a. Duration of benefits.* The maximum total amount of
23 benefits payable to an eligible individual during a benefit
24 year shall not exceed the total of the wage credits accrued
25 to the individual's account during the individual's base
26 period, or twenty-six times the individual's weekly benefit
27 amount, whichever is the lesser. The director shall maintain
28 a separate account for each individual who earns wages in
29 insured work. The director shall compute wage credits for each
30 individual by crediting the individual's account with one-third
31 of the wages for insured work paid to the individual during
32 the individual's base period. However, the director shall
33 recompute wage credits for an individual who is laid off due to
34 the individual's employer going out of business at the factory,
35 establishment, or other premises at which the individual was

1 last employed, by crediting the individual's account with
2 one-half, instead of one-third, of the wages for insured work
3 paid to the individual during the individual's base period.
4 Benefits paid to an eligible individual shall be charged
5 against the base period wage credits in the individual's
6 account which have not been previously charged, in the inverse
7 chronological order as the wages on which the wage credits are
8 based were paid. However if the state "~~off indicator~~" "off"
9 indicator is in effect and if the individual is laid off due to
10 the individual's employer going out of business at the factory,
11 establishment, or other premises at which the individual was
12 last employed, the maximum benefits payable shall be extended
13 to thirty-nine times the individual's weekly benefit amount,
14 but not to exceed the total of the wage credits accrued to the
15 individual's account.

16 Sec. 22. Section 96.11, subsection 10, paragraph b, Code
17 2014, is amended to read as follows:

18 b. In the administration of the provisions of section
19 96.29 which are enacted to conform with the requirements of
20 the Federal-State Extended Unemployment Compensation Act of
21 1970, the department shall take such action as may be necessary
22 to ~~insure~~ ensure that the provisions are so interpreted and
23 applied as to meet the requirements of such federal Act as
24 interpreted by the United States department of labor, and to
25 secure to this state the full reimbursement of the federal
26 share of extended benefits paid under this chapter that are
27 reimbursable under the federal Act.

28 Sec. 23. Section 99F.9, Code 2014, is amended to read as
29 follows:

30 **99F.9 Wagering — age restrictions.**

31 1. Except as permitted in this section, the licensee shall
32 permit no form of wagering on gambling games.

33 ~~2.—Reserved.~~

34 ~~3.~~ 2. The licensee may receive wagers only from a person
35 present on a licensed excursion gambling boat, licensed

1 gambling structure, or in a licensed racetrack enclosure.

2 ~~4.~~ 3. The licensee shall exchange the money of each wagerer
3 for tokens, chips, or other forms of credit to be wagered on
4 the gambling games. However, nickels and quarters of legal
5 tender may be used for wagering in lieu of tokens or other
6 forms of credit. The licensee shall exchange the gambling
7 tokens, chips, or other forms of wagering credit for money at
8 the request of the wagerer.

9 ~~5.~~ 4. A person under the age of twenty-one years shall not
10 make or attempt to make a wager on an excursion gambling boat,
11 gambling structure, or in a racetrack enclosure and shall not
12 be allowed on the gaming floor of an excursion gambling boat
13 or gambling structure or in the wagering area, as defined in
14 section 99D.2, or on the gaming floor of a racetrack enclosure.
15 However, a person eighteen years of age or older may be
16 employed to work on the gaming floor of an excursion gambling
17 boat or gambling structure or in the wagering area or on the
18 gaming floor of a racetrack enclosure. A person who violates
19 this subsection with respect to making or attempting to make
20 a wager commits a scheduled violation under section 805.8C,
21 subsection 5, paragraph "a".

22 ~~6.~~ 5. a. A person under the age of twenty-one years shall
23 not enter or attempt to enter the gaming floor or wagering
24 area, as defined in section 99D.2, of a facility licensed under
25 this chapter to operate gambling games.

26 b. A person under the age of twenty-one years does not
27 violate this subsection if any of the following circumstances
28 apply:

29 (1) The person is employed to work at the facility.

30 (2) The person is an employee or agent of the commission,
31 the division, a distributor, or a manufacturer, and acting
32 within the scope of the person's employment.

33 (3) The person is present in a racetrack enclosure and does
34 not enter or attempt to enter the gaming floor or wagering area
35 of the facility.

1 c. A person who violates this subsection commits a simple
2 misdemeanor punishable as a scheduled violation under section
3 805.8C, subsection 5, paragraph "b".

4 ~~7.~~ 6. A licensee shall not accept a credit card as defined
5 in section 537.1301, subsection 17, to purchase coins, tokens,
6 or other forms of credit to be wagered on gambling games.

7 Sec. 24. Section 99F.11, subsection 3, paragraph d,
8 subparagraph (3), Code 2014, is amended to read as follows:

9 (3) One-half of the moneys remaining after the
10 appropriation in subparagraph (1) shall be credited, on a
11 quarterly basis, to the rebuild Iowa infrastructure fund
12 created in section 8.57.

13 Sec. 25. Section 101A.7, Code 2014, is amended to read as
14 follows:

15 **101A.7 Inspection of storage facility.**

16 1. The licensee's or permittee's explosive storage facility
17 shall be inspected at least once a year by a representative of
18 the state fire marshal's office, except that the state fire
19 marshal may, at those mining operations licensed and regulated
20 by the United States department of labor, accept an approved
21 inspection report issued by the United States department
22 of labor, mine safety and health administration, for the
23 twelve-month period following the issuance of the report. The
24 state fire marshal shall notify the appropriate city or county
25 governing board of licenses to be issued in their respective
26 jurisdictions pursuant to this chapter. The notification shall
27 contain the name of the applicant to be licensed, the location
28 of the facilities to be used in storing explosives, the types
29 and quantities of explosive materials to be stored, and other
30 information deemed necessary by either the governing boards
31 or the state fire marshal. The facility may be examined at
32 other times by the sheriff of the county where the facility is
33 located or by the local police authority if the facility is
34 located within a city of over ten thousand population and if
35 the sheriff or city council considers it necessary.

1 2. If the state fire marshal finds the facility to be
2 improperly secured, the licensee or permittee shall immediately
3 correct the improper security and, if not so corrected, the
4 state fire marshal shall immediately confiscate the stored
5 explosives. Explosives may be confiscated by the county
6 sheriff or local police authority only if a situation that
7 is discovered during an examination by those authorities is
8 deemed to present an immediate danger. If the explosives are
9 confiscated by the county sheriff or local police authority,
10 they shall be delivered to the state fire marshal. The state
11 fire marshal shall hold confiscated explosives for a period of
12 thirty days under proper security unless the period of holding
13 is shortened pursuant to this section.

14 3. If the licensee or permittee corrects the improper
15 security within the thirty-day period, the explosives shall
16 be returned to the licensee or permittee after correction and
17 after the licensee or permittee has paid to the state an amount
18 equal to the expense incurred by the state in storing the
19 explosives during the period of confiscation. The amount of
20 expense shall be determined by the state fire marshal.

21 4. If the improper security is not corrected during the
22 thirty-day period, the state fire marshal shall dispose of the
23 explosives and the license or permit shall be canceled. A
24 canceled license or permit shall not be reissued for a period
25 of two years from the date of cancellation.

26 Sec. 26. Section 123.41, subsection 1, Code 2014, is amended
27 to read as follows:

28 1. Each application to obtain or renew a manufacturer's
29 license shall be submitted to the division electronically,
30 or in a manner prescribed by the administrator, and shall be
31 accompanied by a fee of three hundred fifty dollars payable to
32 the division. The administrator may in accordance with this
33 chapter grant and issue to a manufacturer a manufacturer's
34 license, valid for a one-year period after date of issuance,
35 ~~to a manufacturer~~ which shall allow the manufacture, storage,

1 and wholesale disposition and sale of alcoholic liquors to the
2 division and to customers outside of the state.

3 Sec. 27. Section 123.50, subsection 2, Code 2014, is amended
4 to read as follows:

5 2. The conviction of any liquor control licensee, wine
6 permittee, or beer permittee for a violation of any of the
7 provisions of section 123.49, subject to subsection 3 of this
8 section, is grounds for the suspension or revocation of the
9 license or permit by the division or the local authority.
10 However, if any liquor control licensee is convicted of any
11 violation of section 123.49, subsection 2, paragraph "a",
12 "d", or "e", ~~of that section~~, or any wine or beer permittee
13 is convicted of a violation of section 123.49, subsection
14 2, paragraph "a" or "e" ~~of that section~~, the liquor control
15 license, wine permit, or beer permit shall be revoked and shall
16 immediately be surrendered by the holder, and the bond, if
17 any, of the license or permit holder shall be forfeited to the
18 division.

19 Sec. 28. Section 124.201, subsection 4, Code 2014, is
20 amended to read as follows:

21 4. If any new substance is designated as a controlled
22 substance under federal law and notice of the designation is
23 given to the board, the board shall similarly designate as
24 controlled the new substance under this chapter after the
25 expiration of thirty days from publication in the ~~Federal~~
26 ~~Register~~ federal register of a final order designating a
27 new substance as a controlled substance, unless within that
28 thirty-day period the board objects to the new designation. In
29 that case the board shall publish the reasons for objection
30 and afford all interested parties an opportunity to be heard.
31 At the conclusion of the hearing the board shall announce its
32 decision. Upon publication of objection to a new substance
33 being designated as a controlled substance under this chapter
34 by the board, control under this chapter is stayed until the
35 board publishes its decision. If a substance is designated as

1 controlled by the board under this subsection the control shall
2 be temporary and if, within sixty days after the next regular
3 session of the general assembly convenes, the general assembly
4 has not made the corresponding changes in this chapter, the
5 temporary designation of control of the substance by the board
6 shall be nullified.

7 Sec. 29. Section 135.64, subsection 3, Code 2014, is amended
8 to read as follows:

9 3. In the evaluation of applications for certificates
10 of need submitted by the university hospital at of Iowa
11 City hospitals and clinics, the unique features of that
12 institution relating to statewide tertiary health care, health
13 science education, and clinical research shall be given due
14 consideration. Further, in administering this division, the
15 unique capacity of university hospitals for the evaluation
16 of technologically innovative equipment and other new health
17 services shall be utilized.

18 Sec. 30. Section 135.152, subsection 5, paragraph c, Code
19 2014, is amended to read as follows:

20 c. The department, in cooperation with the department of
21 human services, shall develop a standardized application form
22 for the program and shall coordinate the determination of
23 eligibility for the medical assistance and medically needy
24 programs under chapter 249A, and for the obstetrical and
25 newborn indigent patient care program.

26 Sec. 31. Section 135B.34, subsection 2, paragraph b,
27 subparagraph (1), Code 2014, is amended to read as follows:

28 (1) If a person being considered for employment, other than
29 employment involving the operation of a motor vehicle, has
30 been convicted of a crime listed in subparagraph (2) but does
31 not have a record of founded child or dependent adult abuse
32 and the hospital has requested an evaluation in accordance
33 with paragraph "a" to determine whether the crime warrants
34 prohibition of the person's employment, the hospital may employ
35 the person for not more than sixty calendar days pending

1 completion of the evaluation.

2 Sec. 32. Section 137F.1, subsection 12, paragraph c, Code
3 2014, is amended to read as follows:

4 c. A food with a hydrogen ion concentration (pH) level of
5 4.6 or below when measured at ~~twenty-four~~ 24 degrees Centigrade
6 or ~~seventy-five~~ 75 degrees Fahrenheit.

7 Sec. 33. Section 163.4, Code 2014, is amended to read as
8 follows:

9 **163.4 Powers of assistants.**

10 ~~Such assistant~~ Assistant veterinarians shall have power,
11 under the direction of the department, to perform all acts
12 necessary to carry out the provisions of law relating to
13 infectious and contagious diseases among animals, and shall be
14 furnished by the department with the necessary supplies and
15 materials which shall be paid for out of the appropriation for
16 the eradication of infectious and contagious diseases among
17 animals.

18 Sec. 34. Section 163.5, Code 2014, is amended to read as
19 follows:

20 **163.5 Oaths.**

21 ~~Such assistant~~ Assistant veterinarians shall have power to
22 administer oaths and affirmations to appraisers acting under
23 this and the following chapters of this subtitle.

24 Sec. 35. Section 163.27, subsection 1, Code 2014, is amended
25 to read as follows:

26 1. Garbage shall not be fed to an animal unless such garbage
27 has been heated to a temperature of ~~two hundred twelve~~ 212
28 degrees Fahrenheit for thirty minutes, or other acceptable
29 method, as provided by rules adopted by the department.
30 However, this requirement shall not apply to an individual who
31 feeds to the individual's own animals only the garbage obtained
32 from the individual's own household.

33 Sec. 36. Section 175.5, unnumbered paragraph 1, Code 2014,
34 is amended to read as follows:

35 In the performance of its duties, implementation of its

1 powers, and the selection of specific programs and projects to
2 receive its assistance under this chapter, the authority shall
3 be guided by the following principles:

4 Sec. 37. Section 176A.10, subsection 2, Code 2014, is
5 amended to read as follows:

6 2. An extension council of an extension district may choose
7 to be subject to the levy and revenue limits specified in
8 ~~subparagraphs (2) of subsection 1, paragraphs~~ paragraph "a"
9 ~~through, subparagraph (2), paragraph "b", subparagraph (2),~~
10 paragraph "c", subparagraph (2), and paragraph "d", subparagraph
11 (2) and subsection 1, paragraph "e", for the purpose of the
12 annual levy for the fiscal year commencing July 1, 1991, which
13 levy is payable in the fiscal year beginning July 1, 1992.
14 Before an extension district may be subject to the levy and
15 revenue limits specified in ~~subparagraphs (2) of subsection 1,~~
16 ~~paragraphs~~ paragraph "a" through, subparagraph (2), paragraph
17 "b", subparagraph (2), paragraph "c", subparagraph (2), and
18 paragraph "d", subparagraph (2) and subsection 1, paragraph
19 "e", for fiscal years beginning on or after July 1, 1992, which
20 levy is payable in fiscal years beginning on or after July 1,
21 1993, the question of whether the district shall be subject to
22 the levy and revenue limits as specified in such paragraphs
23 must be submitted to the registered voters of the district.
24 The question shall be submitted at the time of a general
25 election. If the question is approved by a majority of those
26 voting on the question the levy and revenue limits specified
27 in ~~subparagraphs (2) of subsection 1, paragraphs~~ paragraph "a"
28 ~~through, subparagraph (2), paragraph "b", subparagraph (2),~~
29 paragraph "c", subparagraph (2), and paragraph "d", subparagraph
30 (2) and subsection 1, paragraph "e", shall thereafter apply to
31 the extension district. The question need only be approved at
32 one general election. If a majority of those voting on the
33 question vote against the question, the district may continue
34 to submit the question at subsequent general elections until
35 approved.

1 Sec. 38. Section 185C.6, subsection 2, Code 2014, is amended
2 to read as follows:

3 2. Three board elected directors. Each such director shall
4 be elected by the board. The candidate receiving the highest
5 number of votes by the board shall be elected to represent the
6 state on an at-large basis.

7 Sec. 39. Section 189A.2, subsections 7 and 8, Code 2014, are
8 amended to read as follows:

9 7. "*Federal Food, Drug, and Cosmetic Act*" means the Act so
10 entitled, approved June 25, 1938 (~~52, 52 Stat. 1040~~) 1040, and
11 Acts amendatory thereof or supplementary thereto.

12 8. "*Federal Meat Inspection Act*" means the Act so entitled
13 approved March 4, 1907 (~~34, 34 Stat. 1260~~) 1260, as amended by
14 the Wholesome Meat Act (~~81, 81 Stat. 584~~) 584; "*Federal Poultry*
15 *Products Inspection Act*" means the Act so entitled approved
16 August 28, 1957 (~~71, 71 Stat. 441~~) 441, as amended by the
17 Wholesome Poultry Products Act (~~82, 82 Stat. 791~~) 791; and
18 "*federal Acts*" means these two federal laws.

19 Sec. 40. Section 196.8, subsection 1, Code 2014, is amended
20 to read as follows:

21 1. All eggs offered for sale to an establishment must be
22 no lower than United States department of agriculture consumer
23 grade "B". From the time of candling and grading until they
24 reach the consumer, all eggs designated for human consumption
25 shall be held at a temperature not to exceed ~~forty-five~~
26 45 degrees Fahrenheit or ~~seven~~ 7 degrees Celsius ambient
27 temperature. The ~~forty-five~~ 45 degrees Fahrenheit or ~~seven~~ 7
28 degrees Celsius ambient temperature requirement applies to any
29 place or room in which eggs are stored, except inside a vehicle
30 during transportation where the ambient temperature may exceed
31 ~~forty-five~~ 45 degrees Fahrenheit or ~~seven~~ 7 degrees Celsius,
32 provided the transport vehicle is equipped with refrigeration
33 units capable of delivering air at a temperature not greater
34 than ~~forty-five~~ 45 degrees Fahrenheit or ~~seven~~ 7 degrees
35 Celsius and capable of cooling the vehicle to a temperature

1 not greater than ~~forty-five~~ 45 degrees Fahrenheit or ~~seven~~ 7
2 degrees Celsius. All shell eggs shall be kept from freezing.

3 Sec. 41. Section 203C.3, subsection 7, Code 2014, is amended
4 to read as follows:

5 7. The actions of the department in connection with
6 petitioning for appointment as a receiver, and all actions
7 pursuant to such appointment shall not be subject to the
8 provisions of the administrative procedure Act, chapter 17A.

9 Sec. 42. Section 203C.28, Code 2014, is amended to read as
10 follows:

11 **203C.28 Tariff rates.**

12 1. A warehouse operator shall, at the time of application
13 for a license, file a tariff with the department which shall
14 contain rates to be charged for receiving, storage, and
15 load-out of grain. The tariff shall be posted in a conspicuous
16 place at the place of business of the licensee in a form
17 prescribed by the department and shall become effective at the
18 time the license becomes effective.

19 2. Storage charges shall commence on the date of delivery to
20 the warehouse. Storage, receiving, or load-out charges other
21 than those specified in the tariff may be made if the charge
22 is required by the terms of a written contract with the United
23 States government or any of its subdivisions or agencies.

24 3. Grain deposited with the warehouse for the sole purpose
25 of processing and redelivery to the depositor is subject only
26 to the charges listed under the grain bank section of the
27 tariff. Drying and cleaning of grain shall not be construed
28 as processing.

29 4. A tariff may be amended at any time and is effective
30 immediately, except that grain in store on the effective date
31 of a storage charge increase does not assume the increased rate
32 until the subsequent anniversary date of deposit. Any decrease
33 in storage rates shall be effective immediately and shall be
34 applicable to all grain in store on the effective date of the
35 decrease.

1 5. A warehouse operator may file with the department and
2 publish the supplemental tariff applicable only to grain
3 meeting special descriptive standards or characteristics as
4 set forth in the supplemental tariff. A supplemental tariff
5 shall be in a form prescribed by the department and be posted
6 adjacent to the warehouse tariff.

7 6. All tariff charges shall be nondiscriminatory within
8 classes.

9 Sec. 43. Section 207.4, subsections 1 and 5, Code 2014, are
10 amended to read as follows:

11 1. a. Prior to beginning mining or removal of overburden
12 at mining site, an operator shall obtain a permit from the
13 division for the site. Application for a permit shall be made
14 upon a form provided by the division. The permit fee shall be
15 established by the division in an amount not to exceed the cost
16 of administering the permit provisions of this chapter.

17 b. The application shall include, but not be limited to:

18 ~~a.~~ (1) A legal description of the land where the site is
19 located and the estimated number of acres affected.

20 ~~b.~~ (2) A statement explaining the authority of the
21 applicant's legal right to operate a mine on the land.

22 ~~c.~~ (3) A reclamation plan meeting the requirements of this
23 chapter.

24 ~~d.~~ (4) A determination by an appropriate state or federal
25 agency of the probable hydrologic consequences of the mining
26 and reclamation operations, both on and off the mine site,
27 with respect to the hydrologic regime, quantity, and quality
28 of water in surface and groundwater systems including the
29 dissolved and suspended solids under seasonal flow conditions
30 and the collection of sufficient data for the mine site and
31 surrounding areas so that an assessment can be made by the
32 division of the probable cumulative impacts of all anticipated
33 mining in the area upon the hydrology of the area and
34 particularly upon water availability. If the division finds
35 that the probable total annual production at all locations of

1 a coal mining operator will not exceed one hundred thousand
2 tons, the determination of probable hydrologic consequences and
3 a statement of the result of test borings on core samplings
4 which the division may require shall upon the written request
5 of the operator be performed by a qualified public or private
6 laboratory designated by the division and the cost of the
7 preparation of the determination and statement shall be assumed
8 by the division.

9 5. a. A permit renewal shall be for a term not to exceed
10 the period of the original permit.

11 b. Application for renewal shall be made at least one
12 hundred twenty days prior to the expiration of the permit.
13 Prior to the approval of a renewal of permit the division shall
14 provide notice to the appropriate public authorities.

15 Sec. 44. Section 215.20, subsections 1 and 2, Code 2014, are
16 amended to read as follows:

17 1. All liquefied petroleum gas, including but not limited
18 to propane, butane, and mixtures of them, shall be kept,
19 offered, exposed for sale, or sold by the pound, metered cubic
20 foot of vapor, defined as one cubic foot at ~~sixty~~ 60 degrees
21 Fahrenheit, or by the gallon, defined as two hundred thirty-one
22 cubic inches at ~~sixty~~ 60 degrees Fahrenheit.

23 2. All metered sales exceeding one hundred gallons
24 shall be corrected to a temperature of ~~sixty~~ 60 degrees
25 Fahrenheit through use of an approved meter with a sealed
26 automatic compensation mechanism. All sale tickets for sales
27 exceeding one hundred gallons shall show the stamped delivered
28 gallons and shall state that the temperature correction was
29 automatically made.

30 Sec. 45. Section 225C.12, subsection 2, Code 2014, is
31 amended to read as follows:

32 2. A county may claim reimbursement by filing with the
33 administrator a claim in a form prescribed by the administrator
34 by rule. Claims may be filed on a quarterly basis, and when
35 received shall be verified as soon as reasonably possible by

1 the administrator. The administrator shall certify to the
2 director of the department of administrative services the
3 amount to which each county claiming reimbursement is entitled,
4 and the director of the department of administrative services
5 shall issue warrants to the respective counties drawn upon
6 funds appropriated by the general assembly for the purpose of
7 this section. A county shall place funds received under this
8 section in the county mental health, ~~intellectual disability,~~
9 and ~~developmental~~ disabilities services fund created under
10 section 331.424A. If the appropriation for a fiscal year is
11 insufficient to pay all claims arising under this section, the
12 director of the department of administrative services shall
13 prorate the funds appropriated for that year among the claimant
14 counties so that an equal proportion of each county's claim is
15 paid in each quarter for which proration is necessary.

16 Sec. 46. Section 226.9C, subsection 2, paragraph a, Code
17 2014, is amended to read as follows:

18 a. A county may split the charges between the county's
19 mental health, ~~intellectual disability,~~ and ~~developmental~~
20 disabilities services fund created pursuant to section 331.424A
21 and the county's budget for substance abuse expenditures.

22 Sec. 47. Section 229.21, subsection 2, Code 2014, is amended
23 to read as follows:

24 2. When an application for involuntary hospitalization
25 under section 229.6 or for involuntary commitment or treatment
26 of persons with substance-related disorders under section ~~229.6~~
27 ~~or~~ 125.75 is filed with the clerk of the district court in any
28 county for which a judicial hospitalization referee has been
29 appointed, and no district judge, district associate judge, or
30 magistrate who is admitted to the practice of law in this state
31 is accessible, the clerk shall immediately notify the referee
32 in the manner required by section 229.7 or section 125.77. The
33 referee shall discharge all of the duties imposed upon the
34 court by sections 229.7 to 229.22 or sections 125.75 to 125.94
35 in the proceeding so initiated. Subject to the provisions

1 of subsection 4, orders issued by a referee, in discharge of
2 duties imposed under this section, shall have the same force
3 and effect as if ordered by a district judge. However, any
4 commitment to a facility regulated and operated under chapter
5 135C shall be in accordance with section 135C.23.

6 Sec. 48. Section 231.23A, subsection 4, Code 2014, is
7 amended to read as follows:

8 4. The aging and disability resource center ~~program~~.

9 Sec. 49. Section 232.7, subsection 2, Code 2014, is amended
10 to read as follows:

11 2. In any proceeding held or action taken under this chapter
12 involving an Indian child, the applicable requirements of the
13 federal Adoption and Safe Families Act of ~~1999~~ 1997, Pub. L.
14 No. 105-89, shall be applied to the proceeding or action in a
15 manner that complies with chapter 232B and the federal Indian
16 Child Welfare Act, Pub. L. No. 95-608.

17 Sec. 50. Section 232.175, Code 2014, is amended to read as
18 follows:

19 **232.175 Placement oversight.**

20 Placement oversight shall be provided pursuant to this
21 division when the parent, guardian, or custodian of a child
22 with an intellectual disability or other developmental
23 disability requests placement of the child in foster family
24 care for a period of more than thirty days. The oversight
25 shall be provided through review of the placement every six
26 months by the department's foster care review committees or
27 by a local citizen foster care review board. Court oversight
28 shall be provided prior to the initial placement and at
29 periodic intervals which shall not exceed twelve months. It
30 is the purpose and policy of this division to ensure the
31 existence of oversight safeguards as required by the federal
32 Adoption Assistance and Child Welfare Act of 1980, Pub. L. No.
33 96-272, as codified in 42 U.S.C. § 671(a)(16), 627(a)(2)(B),
34 and 675(1),(5), while maintaining parental decision-making
35 authority.

1 Sec. 51. Section 232.178, subsection 1, Code 2014, is
2 amended to read as follows:

3 1. For a placement initiated on or after July 1, 1992,
4 the department shall file a petition to initiate a voluntary
5 placement proceeding prior to the child's placement in
6 accordance with criteria established pursuant to the federal
7 Adoption Assistance and Child Welfare Act of 1980, Pub. L. No.
8 96-272, as codified in 42 U.S.C. § 627(a). For a placement
9 initiated before July 1, 1992, the department shall file a
10 petition to approve placement on or before September 1, 1992.

11 Sec. 52. Section 235A.18, subsection 1, paragraph a,
12 subparagraph (3), subparagraph division (b), Code 2014, is
13 amended to read as follows:

14 (b) Subparagraph division (a) shall not apply, and the
15 name of a person named in the initial data as having abused a
16 child shall remain in the registry as described in subparagraph
17 (1), if the department determined in the initial report
18 and disposition data that the person committed child abuse
19 as defined in section 232.68, subsection 2, paragraph "a",
20 subparagraph (1), (4), or (6), and the child abuse resulted in
21 the child's death or a serious injury.

22 Sec. 53. Section 249A.26, subsection 8, Code 2014, is
23 amended to read as follows:

24 8. Notwithstanding section 8.39, the department may
25 transfer funds appropriated for the medical assistance program
26 to a separate account established in the department's case
27 management unit in an amount necessary to pay for expenditures
28 required to provide case management for mental health,
29 ~~intellectual disability,~~ and ~~developmental~~ disabilities
30 services under the medical assistance program which are jointly
31 funded by the state and county, pending final settlement of the
32 expenditures. Funds received by the case management unit in
33 settlement of the expenditures shall be used to replace the
34 transferred funds and are available for the purposes for which
35 the funds were originally appropriated.

1 Sec. 54. Section 252.13, Code 2014, is amended to read as
2 follows:

3 **252.13 Recovery by county.**

4 1. Any county having expended money for the assistance or
5 support of a poor person under this chapter, may recover the
6 money from any of the following: ~~from~~

7 a. ~~From~~ the poor person if the person becomes able, or from
8 the person's estate; ~~from.~~

9 b. ~~From~~ relatives by action brought within two years from
10 the payment of the assistance or support; ~~from.~~

11 c. ~~From~~ the poor person by action brought within two years
12 after the person becomes able; ~~and from.~~

13 d. ~~From~~ the person's estate by filing the claim as provided
14 by law.

15 2. There shall be allowed against the person's estate a
16 claim of the sixth class for that portion of the liability to
17 the county which exceeds the total amount of all claims of
18 the first through the fifth classes, inclusive, as defined in
19 section 633.425, which are allowed against that estate.

20 Sec. 55. Section 252B.4, subsection 5, paragraph b, Code
21 2014, is amended to read as follows:

22 b. A foreign reciprocating country or foreign country with
23 which the state has an arrangement as provided in 42 U.S.C.
24 ~~§ 659A~~ §659a.

25 Sec. 56. Section 252B.13A, subsection 2, paragraph a, Code
26 2014, is amended to read as follows:

27 a. The collection services center shall meet the
28 requirements for a state disbursement unit pursuant to 42
29 U.S.C. ~~§ 654B~~ §654b, section 252B.14, and this section by
30 October 1, 1999.

31 Sec. 57. Section 252B.13A, subsection 2, paragraph b,
32 subparagraph (4), Code 2014, is amended to read as follows:

33 (4) Furnishing, upon request, timely information on the
34 current status of support payments as provided in 42 U.S.C.
35 ~~§ 654B(b)(4)~~ §654b(b)(4), in a manner consistent with state

1 law.

2 Sec. 58. Section 252B.24, subsection 1, unnumbered
3 paragraph 1, Code 2014, is amended to read as follows:

4 Beginning October 1, 1998, the unit shall operate a state
5 case registry to the extent determined by applicable time
6 frames and other provisions of 42 U.S.C. ~~§ 654A(e)~~ §654a(e)
7 and this section. The unit and the judicial branch shall
8 enter into a cooperative agreement for the establishment and
9 operation of the registry by the unit. The state case registry
10 shall include records with respect to all of the following:

11 Sec. 59. Section 252B.24, subsection 2, paragraphs a and c,
12 Code 2014, are amended to read as follows:

13 a. Provision to the unit of information, orders, and
14 documents necessary for the unit to meet requirements described
15 in 42 U.S.C. ~~§ 654A(e)~~ §654a(e) and this section.

16 c. Use of automation, as appropriate, to meet the
17 requirements described in 42 U.S.C. ~~§ 654A(e)~~ §654a(e) and this
18 section.

19 Sec. 60. Section 256.35, Code 2014, is amended to read as
20 follows:

21 **256.35 Regional autism assistance program.**

22 The department shall establish a regional autism assistance
23 program, to be administered by the child health specialty
24 ~~elinie~~ clinics of the university of Iowa hospitals and clinics.
25 The program shall be designed to coordinate educational,
26 medical, and other human services for persons with autism,
27 their parents, and providers of services to persons with
28 autism. The function of the program shall include, but is
29 not limited to, the coordination of diagnostic and assessment
30 services, the maintaining of a research base, coordination
31 of in-service training, providing technical assistance, and
32 providing consultation.

33 Sec. 61. Section 256.39, subsection 2, paragraph a, Code
34 2014, is amended to read as follows:

35 a. ~~Measure~~ Measurement of the employability skills of

1 students. Employability skills shall include, but are not
2 limited to, reading for information, applied mathematics,
3 listening, and writing.

4 Sec. 62. Section 256F.2, subsection 6, Code 2014, is amended
5 to read as follows:

6 6. "*Innovation zone consortium*" means a consortium of two or
7 more school districts and an area education agency in which one
8 or more of the school districts ~~is~~ are located, that receives
9 approval to establish an innovation zone school pursuant to
10 this chapter. In addition, the innovation zone consortium
11 may receive technical assistance from an accredited higher
12 education institution.

13 Sec. 63. Section 257.31, subsection 14, paragraph b,
14 subparagraph (2), Code 2014, is amended to read as follows:

15 (2) There is appropriated from the general fund of the
16 state to the school budget review committee for each fiscal
17 year an amount equal to the state aid portion of five percent
18 of the receipts for special education instruction programs in
19 all districts that ~~has~~ have a positive balance determined under
20 paragraph "*a*" for the base year, or the state aid portion of all
21 of the positive balances determined under paragraph "*a*" for the
22 base year, whichever is less, to be used for supplemental aid
23 payments to school districts. Except as otherwise provided in
24 this ~~lettered~~ paragraph "*b*", supplemental aid paid to a district
25 is equal to the state aid portion of the district's negative
26 balance. The school budget review committee shall direct the
27 director of the department of management to make the payments
28 to school districts under this ~~lettered~~ paragraph "*b*".

29 Sec. 64. Section 258.16, subsection 3, paragraph c, Code
30 2014, is amended to read as follows:

31 *c.* Provide for development of a five-year plan addressing
32 the delivery of quality vocational education instructional
33 programs pursuant to section 256.11, subsection 4, ~~and~~ section
34 256.11, subsection 5, paragraph "*h*", and section 260C.14,
35 subsection 1. The plan shall be updated annually.

1 Sec. 65. Section 260C.18A, subsection 2, paragraph c, Code
2 2014, is amended to read as follows:

3 c. For the development and implementation of career
4 academies designed to provide new career preparation
5 opportunities for high school students that are formally
6 linked with postsecondary career and technical education
7 programs. For purposes of this section, "*career academy*"
8 means a program of study that combines a minimum of two
9 years of secondary education with an associate degree, or the
10 equivalent, career preparatory program in a nonduplicative,
11 sequential course of study that is standards based, integrates
12 academic and technical instruction, utilizes work-based and
13 worksite learning where appropriate and available, utilizes an
14 individual career planning process with parent involvement,
15 and leads to an associate degree or postsecondary diploma or
16 certificate in a career field that prepares an individual for
17 entry and advancement in a high-skill and reward career field
18 and further education. The state board, in conjunction with
19 the division of community colleges and workforce preparation
20 of the department ~~of education~~, shall adopt administrative
21 rules for the development and implementation of such career
22 academies pursuant to section 256.11, subsection 5, paragraph
23 "h", section 260C.1, and Tit. II of Pub. L. No. 105-332, Carl D.
24 Perkins Vocational and Technical Education Act of 1998.

25 Sec. 66. Section 260C.58, Code 2014, is amended to read as
26 follows:

27 **260C.58 Bonds or notes.**

28 1. To pay all or any part of the cost of carrying out any
29 project at any institution the board is authorized to borrow
30 money and to issue and sell negotiable bonds or notes and to
31 refund and refinance bonds or notes issued for any project or
32 for refunding purposes at a lower rate, the same rate, or a
33 higher rate or rates of interest and from time to time as often
34 as the board shall find it to be advisable and necessary so
35 to do. Bonds or notes issued by the board for residence hall

1 or dormitory purposes at any institution, including dining
2 or other facilities and additions, or issued for refunding
3 purposes, may either be sold in the manner specified for the
4 selling of certificates under section 260E.6 and the proceeds
5 applied to the payment of the obligations being refunded,
6 or the refunding bonds or notes may be exchanged for and in
7 payment and discharge of the obligations being refunded. A
8 finding by the board in the resolution authorizing the issuance
9 of the refunding bonds or notes, that the bonds or notes being
10 refunded were issued for a purpose specified in this ~~division~~
11 subchapter and constitute binding obligations of the board,
12 shall be conclusive and may be relied upon by any holder of
13 any refunding bond or note issued under the provisions of this
14 ~~division~~ subchapter. The refunding bonds or notes may be sold
15 or exchanged in installments at different times or an entire
16 issue or series may be sold or exchanged at one time. Any issue
17 or series of refunding bonds or notes may be exchanged in part
18 or sold in parts in installments at different times or at one
19 time. The refunding bonds or notes may be sold or exchanged
20 at any time on, before, or after the maturity of any of the
21 outstanding notes, bonds or other obligations to be refinanced
22 thereby and may be issued for the purpose of refunding a like
23 or greater principal amount of bonds or notes, except that the
24 principal amount of the refunding bonds or notes may exceed
25 the principal amount of the bonds or notes to be refunded to
26 the extent necessary to pay any premium due on the call of the
27 bonds or notes to be refunded, to fund interest in arrears or
28 about to become due, or to allow for sufficient funding of the
29 escrow account on the bonds to be refunded.

30 2. All bonds or notes issued under the provisions of this
31 ~~division~~ subchapter shall be payable from and shall be secured
32 by an irrevocable first lien pledge of a sufficient portion
33 of the following: the net rents, profits and income derived
34 from the operation of residence halls, dormitories, dining or
35 other incidental facilities and additions, including necessary

1 real and personal property, acquired or improved in whole or
2 in part with the proceeds of such bonds or notes, regardless
3 of the manner of such acquisition or improvement; and the
4 net rents, profits and income not pledged for other purposes
5 derived from the operation of any other residence halls or
6 dormitories, including dining or other incidental facilities
7 and additions, at the particular institution. In addition, the
8 board may secure any bonds or notes issued by borrowing money,
9 by mortgaging any real estate or improvements erected on real
10 estate, or by pledging rents, profits, and income received from
11 property for the discharge of mortgages. All bonds or notes
12 issued under the provisions of this ~~division~~ subchapter shall
13 have all the qualities of negotiable instruments under the laws
14 of this state.

15 Sec. 67. Section 260C.62, Code 2014, is amended to read as
16 follows:

17 **260C.62 Accounts.**

18 1. A certified copy of each resolution providing for the
19 issuance of bonds or notes under this ~~division~~ subchapter shall
20 be filed with the treasurer of the institution on behalf of
21 which the bonds or notes are issued and the treasurer shall
22 keep and maintain separate accounts for each issue of bonds
23 or notes in accordance with the covenants and directions
24 set out in the resolution providing for the issuance of the
25 bonds or notes. All rates, fees, or rentals collected for
26 the use of and services provided by the residence halls and
27 dormitories, including dining and other incidental facilities,
28 at each institution shall be held in trust by the treasurer,
29 separate and apart from all other funds, to be used only for
30 the purposes specified in this ~~division~~ subchapter and as may
31 be required and provided for by the proceedings of the board
32 authorizing the issuance of bonds or notes. The treasurer of
33 each institution shall disburse funds from the proper account
34 for the payment of the principal of and interest on the bonds
35 or notes in accordance with the directions and covenants of the

1 resolution authorizing the issuance of the bonds or notes.

2 2. If the amount of bonds or notes issued under this chapter
3 exceeds the actual costs of the projects for which the bonds or
4 notes were issued, the amount of the difference shall be used
5 to pay the principal and interest due on bonds or notes issued
6 under this chapter.

7 Sec. 68. Section 260F.6, subsection 2, Code 2014, is amended
8 to read as follows:

9 2. To provide funds for the present payment of the costs
10 of a training program by the business, the community college
11 may provide to the business an advance of the moneys to be used
12 to pay for the program costs as provided in the agreement. To
13 receive the funds for this advance from the job training fund
14 established in subsection 1, the community college shall submit
15 an application to the ~~economic development~~ authority. The
16 amount of the advance shall not exceed fifty thousand dollars
17 for any business site, or one hundred thousand dollars within
18 a three-fiscal-year period for any business site. If the
19 project involves a consortium of businesses, the maximum award
20 per project shall not exceed one hundred thousand dollars.
21 Participation in a consortium does not affect a business
22 site's eligibility for individual project assistance. Prior
23 to approval a business shall agree to match program amounts in
24 accordance with criteria established by the authority.

25 Sec. 69. Section 260F.6B, Code 2014, is amended to read as
26 follows:

27 **260F.6B High technology apprenticeship program.**

28 The community colleges and the ~~economic development~~
29 authority are authorized to fund high technology apprenticeship
30 programs which comply with the requirements specified in
31 section 260C.44 and which may include both new and statewide
32 apprenticeship programs. Notwithstanding the provisions
33 of section 260F.6, subsection 2, relating to maximum award
34 amounts, moneys allocated to the community colleges with high
35 technology apprenticeship programs shall be distributed to the

1 community colleges based upon contact hours under the programs
2 administered during the prior fiscal year as determined by the
3 department of education. The ~~economic development~~ authority
4 shall adopt rules governing this section's operation and
5 participant eligibility.

6 Sec. 70. Section 260F.7, Code 2014, is amended to read as
7 follows:

8 **260F.7 ~~Economic development authority~~ Authority to**
9 **coordinate.**

10 The ~~economic development~~ authority, in consultation with
11 the department of education and the department of workforce
12 development, shall coordinate the jobs training program. A
13 project shall not be funded under this chapter unless the
14 ~~economic development~~ authority approves the project. The
15 authority shall adopt rules pursuant to chapter 17A governing
16 the program's operation and eligibility for participation in
17 the program. The authority shall establish by rule criteria
18 for determining what constitutes an eligible business.

19 Sec. 71. Section 261.19, subsections 1 and 2, Code 2014, are
20 amended to read as follows:

21 1. A health care professional recruitment program is
22 established to be administered by the college student aid
23 commission for Des Moines university — osteopathic medical
24 center. The program shall consist of a loan repayment program
25 for health care professionals. The commission shall regularly
26 adjust the service requirement under each aspect of the program
27 to provide, to the extent possible, an equal financial benefit
28 for each period of service required.

29 2. A health care professional shall be eligible for the
30 loan repayment program if the health care professional agrees
31 to practice in an eligible rural community in this state. Des
32 Moines university — osteopathic medical center shall recruit
33 and place health care professionals in rural communities which
34 have agreed to provide additional funds for the recipient's
35 loan repayment. The contract for the loan repayment shall

1 stipulate the time period the recipient shall practice in an
2 eligible rural community in this state. In addition, the
3 contract shall stipulate that the recipient repay any funds
4 paid on the recipient's loan by the commission if the recipient
5 fails to practice in an eligible rural community in this state
6 for the required period of time.

7 Sec. 72. Section 262.57, Code 2014, is amended to read as
8 follows:

9 **262.57 Bonds or notes.**

10 1. To pay all or any part of the cost of carrying out any
11 project at any institution the board is authorized to borrow
12 money and to issue and sell negotiable bonds or notes and
13 to refund and refinance bonds or notes heretofore issued or
14 as may be hereafter issued for any project or for refunding
15 purposes at a lower rate, the same rate, or a higher rate or
16 rates of interest and from time to time as often as the board
17 shall find it to be advisable and necessary so to do. Such
18 bonds or notes may be sold by said board at public sale in
19 the manner prescribed by chapter 75, but if the board shall
20 find it to be advantageous and in the public interest to do
21 so, such bonds or notes may be sold by the board at private
22 sale without published notice of any kind and without regard
23 to the requirements of chapter 75 in such manner and upon such
24 terms as may be prescribed by the resolution authorizing the
25 same. Bonds or notes issued to refund other bonds or notes
26 heretofore or hereafter issued by the board for residence hall
27 or dormitory purposes at any institution, including dining or
28 other facilities and additions, or heretofore or hereafter
29 issued for refunding purposes, may either be sold in the
30 manner hereinbefore specified and the proceeds thereof applied
31 to the payment of the obligations being refunded, or the
32 refunding bonds or notes may be exchanged for and in payment
33 and discharge of the obligations being refunded, and a finding
34 by the board in the resolution authorizing the issuance of
35 such refunding bonds or notes that the bonds or notes being

1 refunded were issued for a purpose specified in this ~~division~~
2 subchapter and constitute binding obligations of the board
3 shall be conclusive and may be relied upon by any holder of
4 any refunding bond or note issued under the provisions of this
5 ~~division~~ subchapter. The refunding bonds or notes may be sold
6 or exchanged in installments at different times or an entire
7 issue or series may be sold or exchanged at one time. Any issue
8 or series of refunding bonds or notes may be exchanged in part
9 or sold in parts in installments at different times or at one
10 time. The refunding bonds or notes may be sold or exchanged
11 at any time on, before, or after the maturity of any of the
12 outstanding notes, bonds, or other obligations to be refinanced
13 thereby and may be issued for the purpose of refunding a like
14 or greater principal amount of bonds or notes, except that the
15 principal amount of the refunding bonds or notes may exceed
16 the principal amount of the bonds or notes to be refunded to
17 the extent necessary to pay any premium due on the call of the
18 bonds or notes to be refunded or to fund interest in arrears or
19 about to become due.

20 2. All bonds or notes issued under the provision of this
21 ~~division~~ subchapter shall be payable solely and only from and
22 shall be secured by an irrevocable pledge of a sufficient
23 portion of the net rents, profits and income derived from the
24 operation of residence halls, dormitories, dining or other
25 incidental facilities and additions, including necessary real
26 and personal property, acquired or improved in whole or in part
27 with the proceeds of such bonds or notes, regardless of the
28 manner of such acquisition or improvement, and the net rents,
29 profits and income not pledged for other purposes derived from
30 the operation of any other residence halls or dormitories,
31 including dining or other incidental facilities and additions,
32 at the particular institution. All bonds or notes issued under
33 the provisions of this ~~division~~ subchapter shall have all the
34 qualities of negotiable instruments under the laws of this
35 state.

1 Sec. 73. Section 262.61, Code 2014, is amended to read as
2 follows:

3 **262.61 Accounts.**

4 1. A certified copy of each resolution providing for the
5 issuance of bonds or notes under this ~~division~~ subchapter shall
6 be filed with the treasurer of the institution on behalf of
7 which the bonds or notes are issued and it shall be the duty
8 of said treasurer to keep and maintain separate accounts for
9 each issue of bonds or notes in accordance with the covenants
10 and directions set out in the resolution providing for the
11 issuance thereof. All rates, fees or rentals collected for
12 the use of and services provided by the residence halls and
13 dormitories, including dining and other incidental facilities
14 therefor, at each institution shall be held in trust by the
15 treasurer thereof, separate and apart from all other funds,
16 to be used solely and only for the purposes specified in this
17 ~~division~~ subchapter and as may be required and provided for
18 by the proceedings of the board authorizing the issuance of
19 bonds or notes. It shall be the duty of the treasurer of each
20 institution to disburse funds from the proper account for
21 the payment of the principal of and interest on the bonds or
22 notes in accordance with the directions and covenants of the
23 resolution authorizing the issuance thereof.

24 2. If the amount of bonds or notes issued under this chapter
25 exceeds the actual costs of the projects for which the bonds or
26 notes were issued, the amount of the difference shall be used
27 to pay the principal and interest due on bonds or notes issued
28 under this chapter.

29 Sec. 74. Section 275.23A, subsection 2, Code 2014, is
30 amended to read as follows:

31 2. Following each federal decennial census the school
32 board shall determine whether the existing director district
33 boundaries meet the standards in subsection 1 according to
34 the most recent federal decennial census. In addition to the
35 authority granted to voters to change the number of directors

1 or method of election as provided in sections 275.35, 275.36,
2 and 278.1, the board of directors of a school district may,
3 following a federal decennial census, by resolution and in
4 accordance with this section, authorize a change in the method
5 of election as set forth in section 275.12, subsection 2, or
6 a change to either five or seven directors after the board
7 conducts a hearing on the resolution. If the board proposes to
8 change the number of directors from seven to five directors,
9 the resolution shall include a plan for reducing the number
10 of directors. If the board proposes to increase the number
11 of directors to seven directors, two directors shall be
12 added according to the procedure described in section 277.23,
13 subsection 2. If necessary, the board of directors shall
14 redraw the director district boundaries. The director district
15 boundaries shall be described in the resolution adopted by
16 the school board. The resolution shall be adopted no earlier
17 than November 15 of the second year immediately following the
18 year in which the federal decennial census is taken ~~nor~~ and
19 no later than May 15 of the third year immediately following
20 the year in which the federal decennial census is taken.
21 A copy of the plan shall be filed with the area education
22 agency administrator of the area education agency in which the
23 school's electors reside. If the board does not provide for
24 an election as provided in sections 275.35, 275.36, and 278.1
25 and adopts a resolution to change the number of directors or
26 method of election in accordance with this subsection, the
27 district shall change the number of directors or method of
28 election as provided unless, within twenty-eight days following
29 the action of the board, the secretary of the board receives a
30 petition containing the required number of signatures, asking
31 that an election be called to approve or disapprove the action
32 of the board in adopting the resolution. The petition must be
33 signed by eligible electors equal in number to not less than
34 one hundred or thirty percent of the number of voters at the
35 last preceding regular school election, whichever is greater.

1 The board shall either rescind its action or direct the
2 county commissioner of elections to submit the question to the
3 registered voters of the school district at an election held
4 on a date specified in section 39.2, subsection 4, paragraph
5 "c". If a majority of those voting on the question at the
6 election favors disapproval of the action of the board, the
7 district shall not change the number of directors or method of
8 election. If a majority of those voting on the question does
9 not favor disapproval of the action, the board shall certify
10 the results of the election to the department of management and
11 the district shall change the number of directors or method of
12 election as provided in this subsection. At the expiration of
13 the twenty-eight-day period, if no petition is filed, the board
14 shall certify its action to the department of management and
15 the district shall change the number of directors or method of
16 election as provided in this subsection.

17 Sec. 75. Section 297.36, Code 2014, is amended to read as
18 follows:

19 **297.36 Loan agreements.**

20 1. a. In order to make immediately available proceeds of
21 the voter-approved physical plant and equipment levy which
22 has been approved by the voters as provided in section 298.2,
23 the board of directors may, with or without notice, borrow
24 money and enter into loan agreements in anticipation of the
25 collection of the tax with a bank, investment banker, trust
26 company, insurance company, or insurance group.

27 b. By resolution, the board shall provide for an annual levy
28 which is within the limits of the voter-approved physical plant
29 and equipment levy to pay for the amount of the principal and
30 interest due each year until maturity. The board shall file
31 a certified copy of the resolution with the auditor of each
32 county in which the district is located. The filing of the
33 resolution with the auditor makes it the duty of the auditor
34 to annually levy the amount certified for collection until
35 funds are realized to repay the loan and interest on the loan

1 in full.

2 c. The loan must mature within the period of time authorized
3 by the voters and shall bear interest at a rate which does not
4 exceed the limits under chapter 74A. A loan agreement entered
5 into pursuant to this section shall be in a form as the board
6 of directors shall by resolution provide and the loan shall be
7 payable as to both principal and interest from the proceeds
8 of the annual levy of the voter-approved physical plant and
9 equipment levy, or so much thereof as will be sufficient to pay
10 the loan and interest on the loan.

11 d. The proceeds of a loan must be deposited in the physical
12 plant and equipment levy fund. Warrants paid from this fund
13 must be for purposes authorized for the voter-approved physical
14 plant and equipment levy.

15 2. This section does not limit the authority of the board
16 of directors to levy the full amount of the voter-approved
17 physical plant and equipment levy, but if and to whatever
18 extent the tax is levied in any year in excess of the amount
19 of principal and interest falling due in that year under a
20 loan agreement, the first available proceeds, to an amount
21 sufficient to meet maturing installments of principal and
22 interest under the loan agreement, shall be paid into the
23 debt service fund for the loan before the taxes are otherwise
24 made available to the school corporation for other school
25 purposes, and the amount required to be annually set aside to
26 pay principal of and interest on the money borrowed under the
27 loan agreement constitutes a first charge upon the proceeds of
28 the voter-approved physical plant and equipment levy, which tax
29 shall be pledged to pay the loan and the interest on the loan.

30 3. This section is supplemental and in addition to existing
31 statutory authority to finance the purposes specified in
32 section 298.2 for the physical plant and equipment levy, and
33 for the borrowing of money and execution of loan agreements in
34 connection with that section, and is not subject to any other
35 law. The fact that a school corporation may have previously

1 borrowed money and entered into loan agreements under authority
2 of this section does not prevent the school corporation from
3 borrowing additional money and entering into further loan
4 agreements if the aggregate of the amount payable under all
5 of the loan agreements does not exceed the proceeds of the
6 voter-approved physical plant and equipment levy.

7 Sec. 76. Section 312.2, subsection 2, unnumbered paragraph
8 1, Code 2014, is amended to read as follows:

9 The treasurer of state shall before making the allotments
10 in subsection 1 credit annually to the highway grade crossing
11 safety fund the sum of seven hundred thousand dollars, credit
12 annually from the road use tax fund the sum of nine hundred
13 thousand dollars to the highway railroad grade crossing surface
14 repair fund, credit monthly to the primary road fund the
15 dollars yielded from an allotment of sixty-five hundredths of
16 one percent of all road use tax funds for the express purpose
17 of carrying out ~~subsection 11 of section 307A.2, subsection 11,~~
18 section 313.4, subsection 2, and section 307.45, and credit
19 annually to the primary road fund the sum of five hundred
20 thousand dollars to be used for paying expenses incurred by the
21 state department of transportation other than expenses incurred
22 for extensions of primary roads in cities. All unobligated
23 funds provided by this subsection, except those funds credited
24 to the highway grade crossing safety fund, shall at the end of
25 each year revert to the road use tax fund. Funds in the highway
26 grade crossing safety fund shall not revert to the road use tax
27 fund except to the extent they exceed five hundred thousand
28 dollars at the end of any biennium. The cost of each highway
29 railroad grade crossing repair project shall be allocated in
30 the following manner:

31 Sec. 77. Section 321.258, Code 2014, is amended to read as
32 follows:

33 **321.258 Arrangement of lights on official traffic-control**
34 **signals.**

35 1. Colored lights placed on a vertical official

1 traffic-control signal face shall be arranged from the top to
2 the bottom in the following order when used:

- 3 a. Circular red, ~~circular.~~
- 4 b. Circular yellow, ~~circular.~~
- 5 c. Circular green, ~~straight.~~
- 6 d. Straight through yellow arrow, ~~straight.~~
- 7 e. Straight through green arrow, ~~left.~~
- 8 f. Left turn yellow arrow, ~~left.~~
- 9 g. Left turn green arrow, ~~right.~~
- 10 h. Right turn yellow arrow, ~~and right.~~
- 11 i. Right turn green arrow.

12 2. Colored lights placed on a horizontal official
13 traffic-control signal face shall be arranged from the left to
14 the right in the following order when used:

- 15 a. Circular red, ~~circular.~~
- 16 b. Circular yellow, ~~left.~~
- 17 c. Left turn yellow arrow, ~~left.~~
- 18 d. Left turn green arrow, ~~circular.~~
- 19 e. Circular green, ~~straight.~~
- 20 f. Straight through yellow arrow, ~~straight.~~
- 21 g. Straight through green arrow, ~~right.~~
- 22 h. Right turn yellow arrow, ~~and right.~~
- 23 i. Right turn green arrow.

24 Sec. 78. Section 321.440, subsection 1, Code 2014, is
25 amended to read as follows:

26 1. Every solid rubber tire on a vehicle shall have rubber on
27 its entire traction surface at least one inch thick above the
28 edge of the flange of the entire periphery. Any pneumatic tire
29 on a vehicle shall be considered unsafe if it has:

- 30 a. Any part of the ply or cord exposed, ~~.~~
- 31 b. Any bump, bulge or separation, ~~.~~
- 32 c. A tread design depth of less than one-sixteenth of
33 an inch measured in any two or more adjacent tread grooves,
34 exclusive of tie bars or, for those tires with tread wear
35 indicators, worn to the level of the tread wear indicators in

1 any two tread grooves†.

2 *d.* A marking "not for highway use", "for racing purposes
3 only", "unsafe for highway use"†.

4 *e.* Tread or sidewall cracks, cuts or snags deep enough to
5 expose the body cord†.

6 *f.* Such other conditions as may be reasonably demonstrated
7 to render it unsafe†.

8 *g.* Been regrooved or recut below the original tread design
9 depth, excepting special tires which have extra under tread
10 rubber and are identified as such, or if a pneumatic tire was
11 originally designed without grooves or tread.

12 Sec. 79. Section 331.382, subsection 8, paragraph a, Code
13 2014, is amended to read as follows:

14 *a.* The board is subject to chapter 161F, chapters 357
15 through 358, ~~or~~ chapter 468, subchapters I through III, chapter
16 468, subchapter IV, parts 1 and 2, or chapter 468, subchapter
17 V, as applicable, in acting relative to a special district
18 authorized under any of those chapters.

19 Sec. 80. Section 341A.18, Code 2014, is amended to read as
20 follows:

21 **341A.18 Civil rights respected.**

22 1. A person shall not be appointed or promoted to, or
23 demoted or discharged from, any position subject to civil
24 service, or in any way favored or discriminated against with
25 respect to employment in the sheriff's office because of the
26 person's political or religious opinions or affiliations or
27 race or national origin or sex, or age.

28 2. a. A person holding a position subject to civil service
29 shall not, during the person's scheduled working hours or when
30 performing duties or when using county equipment or at any
31 time on county property, take part in any way in soliciting
32 any contribution for any political party or any person seeking
33 political office, nor shall such employee engage in any
34 political activity that will impair the employee's efficiency
35 during working hours or cause the employee to be tardy or

1 absent from work. The provisions of this section do not
2 preclude any employee from holding any office for which no pay
3 is received or any office for which only token pay is received.

4 b. A person shall not seek or attempt to use any political
5 endorsement in connection with any appointment to a position
6 subject to civil service.

7 c. A person shall not use or promise to use, directly
8 or indirectly, any official authority or influence, whether
9 possessed or anticipated, to secure or attempt to secure for
10 any person an appointment or advantage in the appointment to
11 a position subject to civil service, or an increase in pay or
12 other advantage in employment in any such position, for the
13 purpose of influencing the vote or political action of any
14 person or for any consideration.

15 d. An employee shall not use the employee's official
16 authority or influence for the purpose of interfering with an
17 election or affecting the results thereof.

18 3. Any officer or employee subject to civil service who
19 violates any of the provisions of this section shall be subject
20 to suspension, dismissal, or demotion subject to the right of
21 appeal herein.

22 4. All employees shall retain the right to vote as they
23 please and to express their opinions on all subjects.

24 5. An officer or employee subject to civil service and
25 a chief deputy sheriff or second deputy sheriff, who becomes
26 a candidate for a partisan elective office for remuneration,
27 upon request, shall automatically be given a leave of absence
28 without pay, commencing thirty days before the date of the
29 primary election and continuing until the person is eliminated
30 as a candidate or wins the primary, and commencing thirty days
31 before the date of the general election and continuing until
32 the person is eliminated as a candidate or wins the general
33 election, and during the leave period shall not perform any
34 duties connected with the office or position so held. The
35 officer or employee subject to civil service, or chief deputy

1 sheriff or second deputy sheriff, may, however, use accumulated
2 paid vacation time for part or all of any leave of absence
3 under this section. The county shall continue to provide
4 health benefit coverages, and may continue to provide other
5 fringe benefits, to any officer or employee subject to civil
6 service, or to any chief deputy sheriff or second deputy
7 sheriff during any leave of absence under this section.

8 Sec. 81. Section 392.5, Code 2014, is amended to read as
9 follows:

10 **392.5 Library board.**

11 1. a. A city library board of trustees functioning on the
12 effective date of the city code shall continue to function in
13 the same manner until altered or discontinued as provided in
14 this section.

15 b. In order for the board to function in the same manner,
16 the council shall retain all applicable ordinances, and shall
17 adopt as ordinances all applicable state statutes repealed by
18 1972 Iowa Acts, ~~chapter~~ ch. 1088.

19 2. A library board may accept and control the expenditure of
20 all gifts, devises, and bequests to the library.

21 3. a. A proposal to alter the composition, manner of
22 selection, or charge of a library board, or to replace it with
23 an alternate form of administrative agency, is subject to the
24 approval of the voters of the city.

25 b. The proposal may be submitted to the voters at any city
26 election by the council on its own motion. Upon receipt of a
27 valid petition as defined in section 362.4, requesting that a
28 proposal be submitted to the voters, the council shall submit
29 the proposal at the next regular city election. A proposal
30 submitted to the voters must describe with reasonable detail
31 the action proposed.

32 c. If a majority of those voting approves the proposal, the
33 city may proceed as proposed.

34 d. If a majority of those voting does not approve the
35 proposal, the same or a similar proposal may not be submitted

1 to the voters of the city for at least four years from the date
2 of the election at which the proposal was defeated.

3 Sec. 82. Section 403.8, subsection 3, Code 2014, is amended
4 to read as follows:

5 3. The requirement that real property or an interest in
6 real property transferred or retained for the purpose of
7 a development or redevelopment be sold, leased, otherwise
8 transferred, or retained at not less than its fair market
9 value does not apply if the developer enters into a written
10 assessment agreement with the municipality pursuant to section
11 403.6, subsections 18 and 19 and the minimum actual value
12 contained in the assessment agreement would indicate that there
13 will be sufficient taxable valuations to permit the collection
14 of incremental taxes as provided in ~~subsection 2~~ of section
15 403.19, subsection 2, to cause the indebtedness and other costs
16 incurred by the municipality with respect to the property
17 or interest transferred or retained to be repayable as to
18 principal within four tax years following the commencement of
19 full operation of the development.

20 Sec. 83. Section 403.9, subsection 1, Code 2014, is amended
21 to read as follows:

22 1. A municipality shall have power to periodically issue
23 bonds in its discretion to pay the costs of carrying out the
24 purposes and provisions of this chapter, including, but not
25 limited to, the payment of principal and interest upon any
26 advances for surveys and planning, and the payment of interest
27 on bonds, herein authorized, not to exceed three years from
28 the date the bonds are issued. The municipality shall have
29 power to issue refunding bonds for the payment or retirement
30 of such bonds previously issued by it. Said bonds shall be
31 payable solely from the income and proceeds of the fund and
32 portion of taxes referred to in ~~subsection 2~~ of section 403.19,
33 subsection 2, and revenues and other funds of the municipality
34 derived from or held in connection with the undertaking and
35 carrying out of urban renewal projects under this chapter. The

1 municipality may pledge to the payment of the bonds the fund
2 and portion of taxes referred to in ~~subsection 2~~ of section
3 403.19, subsection 2, and may further secure the bonds by a
4 pledge of any loan, grant or contribution from the federal
5 government or other source in aid of any urban renewal projects
6 of the municipality under this chapter, or by a mortgage of any
7 such urban renewal projects, or any part thereof, title which
8 is vested in the municipality.

9 Sec. 84. Section 419.4, subsection 2, paragraph b,
10 subparagraph (2), Code 2014, is amended to read as follows:

11 (2) A municipality shall also have the power to provide
12 that the project and improvements shall be constructed by
13 the municipality, the lessee, the lessee's designee, the
14 contracting party, or the contracting party's designee, or any
15 one or more of them on real estate owned by the municipality,
16 the lessee, the lessee's designee, the contracting party, or
17 the contracting party's designee, as the case may be, and that
18 the bond proceeds shall be disbursed by the trustee bank or
19 banks, trust company or trust companies, during construction
20 upon the estimate, order or certificate of the lessee, the
21 lessee's designee, the contracting party, or the contracting
22 party's designee.

23 Sec. 85. Section 422.11S, subsection 8, paragraph a,
24 subparagraph (2), Code 2014, is amended to read as follows:

25 (2) "*Total approved tax credits*" means for the tax year
26 beginning in the 2006 calendar year, two million five hundred
27 thousand dollars, for the tax year beginning in the 2007
28 calendar year, five million dollars, ~~and~~ for tax years
29 beginning on or after January 1, 2008, but before January 1,
30 2012, seven million five hundred thousand dollars, for tax
31 years beginning on or after January 1, 2012, but before January
32 1, 2014, eight million seven hundred fifty thousand dollars,
33 and for tax years beginning on or after January 1, 2014, twelve
34 million dollars.

35 Sec. 86. Section 422.12C, subsection 2, Code 2014, is

1 amended to read as follows:

2 2. a. The taxes imposed under this division, less the
3 amounts of nonrefundable credits allowed under this division,
4 may be reduced by an early childhood development tax credit
5 equal to twenty-five percent of the first one thousand dollars
6 which the taxpayer has paid to others for each dependent, as
7 defined in the Internal Revenue Code, ages three through five
8 for early childhood development expenses. In determining the
9 amount of early childhood development expenses for the tax year
10 beginning in the 2006 calendar year only, such expenses paid
11 during November and December of the previous tax year shall
12 be considered paid in the tax year for which the tax credit
13 is claimed. This credit is available to a taxpayer whose net
14 income is less than forty-five thousand dollars. If the early
15 childhood development tax credit is claimed for a tax year, the
16 taxpayer and the taxpayer's spouse shall not claim the child
17 and dependent care credit under subsection 1.

18 b. As used in this subsection, ~~"early:~~

19 (1) "Early childhood development expenses" means services
20 provided to the dependent by a preschool, as defined in section
21 237A.1, materials, and other activities as follows:

22 ~~a.~~ (a) Books that improve child development, including
23 textbooks, music books, art books, teacher's editions, and
24 reading books.

25 ~~b.~~ (b) Instructional materials required to be used in a
26 child development or educational lesson activity, including but
27 not limited to paper, notebooks, pencils, and art supplies.

28 ~~c.~~ (c) Lesson plans and curricula.

29 ~~d.~~ (d) Child development and educational activities outside
30 the home, including drama, art, music, and museum activities,
31 and the entrance fees for such activities, but not including
32 food or lodging, membership fees, or other nonacademic
33 expenses.

34 (2) "Early childhood development expenses" does not include
35 services, materials, or activities for the teaching of

1 religious tenets, doctrines, or worship, the purpose of which
2 is to inculcate those tenets, doctrines, or worship.

3 Sec. 87. Section 422.33, subsections 2, 4, and 7, Code 2014,
4 are amended to read as follows:

5 2. a. If the trade or business of the corporation is
6 carried on entirely within the state, the tax shall be imposed
7 on the entire net income, but if the trade or business is
8 carried on partly within and partly without the state or if
9 income is derived from sources partly within and partly without
10 the state, or if income is derived from trade or business
11 and sources, all of which are not entirely in the state, the
12 tax shall be imposed only on the portion of the net income
13 reasonably attributable to the trade or business or sources
14 within the state, with the net income attributable to the state
15 to be determined as follows:

16 ~~a.~~ (1) Nonbusiness interest, dividends, rents and
17 royalties, less related expenses, shall be allocated within and
18 without the state in the following manner:

19 ~~(1)~~ (a) Nonbusiness interest, dividends, and royalties
20 from patents and copyrights shall be allocable to this state if
21 the taxpayer's commercial domicile is in this state.

22 ~~(2)~~ (b) Nonbusiness rents and royalties received from real
23 property located in this state are allocable to this state.

24 ~~(3)~~ (c) Nonbusiness rents and royalties received from
25 tangible personal property are allocable to this state to the
26 extent that the property is utilized in this state; or in their
27 entirety if the taxpayer's commercial domicile is in this state
28 and the taxpayer is not taxable in the state in which the
29 property is utilized. The extent of utilization of tangible
30 personal property in a state is determined by multiplying the
31 rents and royalties by a fraction, the numerator of which is
32 the number of days of physical location of the property in the
33 state during the rental or royalty period in the taxable year
34 and the denominator of which is the number of days of physical
35 location of the property everywhere during all rental or

1 royalty periods in the taxable year. If the physical location
2 of the property during the rental or royalty period is unknown,
3 or unascertainable by the taxpayer tangible personal property
4 is utilized in the state in which the property was located at
5 the time the rental or royalty payor obtained possession.

6 ~~(4)~~ (d) Nonbusiness capital gains and losses from the sale
7 or other disposition of assets shall be allocated as follows:

8 (i) Gains and losses from the sale or other disposition
9 of real property located in this state are allocable to this
10 state.

11 (ii) Gains and losses from the sale or other disposition of
12 tangible personal property are allocable to this state if the
13 property had a situs in this state at the time of the sale or
14 disposition or if the taxpayer's commercial domicile is in this
15 state and the taxpayer is not taxable in the state in which the
16 property had a situs.

17 (iii) Gains and losses from the sale or disposition of
18 intangible personal property are allocable to this state if the
19 taxpayer's commercial domicile is in this state.

20 ~~b.~~ (2) Net nonbusiness income of the above class having
21 been separately allocated and deducted as above provided,
22 the remaining net business income of the taxpayer shall be
23 allocated and apportioned as follows:

24 ~~(1)~~ (a) Business interest, dividends, rents, and royalties
25 shall be reasonably apportioned within and without the state
26 under rules adopted by the director.

27 ~~(2)~~ (b) Capital gains and losses from the sale or other
28 disposition of assets shall be apportioned to the state based
29 upon the business activity ratio applicable to the year the
30 gain or loss is determined if the corporation determines Iowa
31 taxable income by a sales, gross receipts or other business
32 activity ratio. If the corporation has only allocable income,
33 capital gains and losses from the sale or other disposition of
34 assets shall be allocated in accordance with ~~paragraph "a"~~
35 subparagraph ~~(4)~~ (1), subparagraph division (d).

1 ~~(3)~~ (c) Where income is derived from business other than
2 the manufacture or sale of tangible personal property, the
3 income shall be specifically allocated or equitably apportioned
4 within and without the state under rules of the director.

5 ~~(4)~~ (d) Where income is derived from the manufacture or
6 sale of tangible personal property, the part attributable to
7 business within the state shall be in that proportion which
8 the gross sales made within the state bear to the total gross
9 sales.

10 ~~(5)~~ (e) Where income consists of more than one class of
11 income as provided in ~~subparagraphs (1) to (4)~~ subparagraph
12 divisions (a) through (d) of this ~~paragraph~~ subparagraph, it
13 shall be reasonably apportioned by the business activity ratio
14 provided in rules adopted by the director.

15 ~~(6)~~ (f) The gross sales of the corporation within the
16 state shall be taken to be the gross sales from goods delivered
17 or shipped to a purchaser within the state regardless of
18 the F.O.B. point or other conditions of the sale, excluding
19 deliveries for transportation out of the state.

20 b. For the purpose of this section, ~~the word "sale"~~
21 subsection:

22 (1) "Sale" shall include exchange, ~~and the word~~
23 "manufacture".

24 (2) "Manufacture" shall include the extraction and recovery
25 of natural resources and all processes of fabricating and
26 curing. ~~The words "tangible~~

27 (3) "Tangible personal property" shall be taken to mean
28 corporeal personal property, such as machinery, tools,
29 implements, goods, wares, and merchandise, and shall not be
30 taken to mean money deposits in banks, shares of stock, bonds,
31 notes, credits, or evidence of an interest in property and
32 evidences of debt.

33 4. a. In addition to all taxes imposed under this division,
34 there is imposed upon each corporation doing business within
35 the state the greater of the tax determined in subsection 1,

1 paragraphs "a" through "d" or the state alternative minimum tax
2 equal to sixty percent of the maximum state corporate income
3 tax rate, rounded to the nearest one-tenth of one percent, of
4 the state alternative minimum taxable income of the taxpayer
5 computed under this subsection.

6 b. The state alternative minimum taxable income of a
7 taxpayer is equal to the taxpayer's state taxable income as
8 computed with the adjustments in section 422.35 and with the
9 following adjustments:

10 a. (1) Add items of tax preference included in federal
11 alternative minimum taxable income under section 57, except
12 subsections (a)(1) and (a)(5), of the Internal Revenue Code,
13 make the adjustments included in federal alternative minimum
14 taxable income under section 56, except subsections (a)(4) and
15 (d), of the Internal Revenue Code, and add losses as required
16 by section 58 of the Internal Revenue Code. In making the
17 adjustment under section 56(c)(1) of the Internal Revenue Code,
18 interest and dividends from federal securities and interest and
19 dividends from state and other political subdivisions and from
20 regulated investment companies exempt from federal income tax
21 under the Internal Revenue Code, net of amortization of any
22 discount or premium, shall be subtracted.

23 b. (2) Apply the allocation and apportionment provisions of
24 subsection 2.

25 c. (3) Subtract an exemption amount of forty thousand
26 dollars. This exemption amount shall be reduced, but not
27 below zero, by an amount equal to twenty-five percent of the
28 amount by which the alternative minimum taxable income of the
29 taxpayer, computed without regard to the exemption amount in
30 this paragraph, exceeds one hundred fifty thousand dollars.

31 d. (4) In the case of a net operating loss computed for a
32 tax year beginning after December 31, 1986, which is carried
33 back or carried forward to the current taxable year, the net
34 operating loss shall be reduced by the amount of items of
35 tax preference and adjustments arising in the tax year which

1 is taken into account in computing the net operating loss
2 in section 422.35, subsection 11. The deduction for a net
3 operating loss for a tax year beginning after December 31,
4 1986, which is carried back or carried forward to the current
5 taxable year shall not exceed ninety percent of the alternative
6 minimum taxable income determined without regard for the net
7 operating loss deduction.

8 7. *a.* (1) There is allowed as a credit against the tax
9 determined in subsection 1 for a tax year an amount equal to
10 the minimum tax credit for that tax year.

11 (2) The minimum tax credit for a tax year is the excess,
12 if any, of the net minimum tax imposed for all prior tax
13 years beginning on or after January 1, 1987, over the amount
14 allowable as a credit under this subsection for those prior tax
15 years.

16 *b.* (1) The allowable credit under paragraph "a" for a tax
17 year shall not exceed the excess, if any, of the tax determined
18 in subsection 1 over the state alternative minimum tax as
19 determined in subsection 4.

20 (2) The net minimum tax for a tax year is the excess, if
21 any, of the tax determined in subsection 4 for the tax year
22 over the tax determined in subsection 1 for the tax year.

23 Sec. 88. Section 422.70, subsection 1, paragraphs b, c, and
24 d, Code 2014, are amended to read as follows:

25 *b.* To require by subpoena the attendance and testimony of
26 witnesses, ~~to~~.

27 *c.* To issue and sign subpoenas.

28 ~~e.~~ *d.* To administer oaths, to examine witnesses and receive
29 evidence.

30 ~~d.~~ *e.* To compel witnesses to produce for examination books,
31 papers, records, and documents relating to any matter which the
32 director has the authority to investigate or determine.

33 Sec. 89. Section 423.3, subsection 60, paragraph h, Code
34 2014, is amended to read as follows:

35 *h.* (1) "Prosthetic device" means a replacement, corrective,

1 or supportive device including repair and replacement parts for
2 the same worn on or in the body to do any of the following:

3 ~~(1)~~ (a) Artificially replace a missing portion of the body.
4 ~~(2)~~ (b) Prevent or correct physical deformity or
5 malfunction.

6 ~~(3)~~ (c) Support a weak or deformed portion of the body.

7 (2) "*Prosthetic device*" includes but is not limited to
8 orthopedic or orthotic devices, ostomy equipment, urological
9 equipment, tracheostomy equipment, and intraocular lenses.

10 Sec. 90. Section 426A.8, Code 2014, is amended to read as
11 follows:

12 **426A.8 Excess remitted — appeals.**

13 1. If the amount of credit apportioned to any property
14 eligible for military service tax exemption under this chapter
15 in any year shall exceed the total tax, exclusive of any
16 special assessments levied against such property eligible
17 for military service tax exemption, then the excess shall
18 be remitted by the county treasurer to the department of
19 revenue to be redeposited in the general fund of the state and
20 reallocated the following year by the department.

21 2. a. If any claim for exemption made has been denied
22 by the board of supervisors, and the action is subsequently
23 reversed on appeal, the same credit shall be allowed on the
24 assessed valuation, not to exceed the amount of the military
25 service tax exemption involved in the appeal, as was allowed on
26 other military service tax exemption valuations for the year
27 or years in question, and the director of revenue, the county
28 auditor, and the county treasurer shall credit and change their
29 books and records accordingly.

30 b. If the appealing taxpayer has paid one or both of
31 the installments of the tax payable in the year or years in
32 question on such military service tax exemption valuation,
33 remittance shall be made to the county treasurer in the amount
34 of such credit.

35 c. The amount of the credit shall be allocated and paid

1 from the surplus redeposited in the general fund of the state
2 provided for in ~~the first paragraph of this section~~ subsection
3 1.

4 Sec. 91. Section 426A.11, subsections 1 and 2, Code 2014,
5 are amended to read as follows:

6 1. The property, not to exceed two thousand seven hundred
7 seventy-eight dollars in taxable value, of any veteran, as
8 defined in section 35.1, of World War I.

9 2. The property, not to exceed one thousand eight hundred
10 fifty-two dollars in taxable value, of an honorably separated,
11 retired, furloughed to a reserve, placed on inactive status,
12 or discharged veteran, as defined in section 35.1, subsection
13 2, paragraph "a" or "b".

14 Sec. 92. Section 426B.5, subsection 1, paragraph d,
15 subparagraph (1), subparagraph divisions (a) and (b), Code
16 2014, are amended to read as follows:

17 (a) The county is levying the maximum amount allowed for
18 the county's mental health, ~~intellectual disability~~, and
19 ~~developmental~~ disabilities services fund under section 331.424A
20 for the fiscal year in which the funding is distributed.

21 (b) In the latest fiscal year reported in accordance with
22 section 331.403, the county's mental health, ~~intellectual~~
23 ~~disability~~, and ~~developmental~~ disabilities services fund ending
24 balance under generally accepted accounting principles was
25 equal to or less than twenty-five percent of the county's
26 actual gross expenditures for that fiscal year.

27 Sec. 93. Section 426B.5, subsection 2, paragraph a, Code
28 2014, is amended to read as follows:

29 a. For the purposes of this subsection, unless the context
30 otherwise requires, "services fund" means a county's mental
31 health, ~~intellectual disability~~, and ~~developmental~~ disabilities
32 services fund created in section 331.424A.

33 Sec. 94. Section 445.37, Code 2014, is amended to read as
34 follows:

35 **445.37 When delinquent.**

1 1. a. If the semiannual installment of any tax has not
2 been paid before October 1 succeeding the levy, that amount
3 becomes delinquent from October 1 after due. However, in those
4 instances when the last day of September is a Saturday or
5 Sunday, that amount becomes delinquent on the second business
6 day of October. If the second installment is not paid before
7 April 1 succeeding its maturity, it becomes delinquent from
8 April 1 after due. However, in those instances when the last
9 day of March is a Saturday or Sunday, that amount becomes
10 delinquent on the second business day of April. This paragraph
11 applies to all taxes as defined in section 445.1, subsection 6.

12 b. However, if there is a delay in the delivery of the tax
13 list referred to in chapter 443 to the county treasurer, the
14 amount of ad valorem taxes and manufactured or mobile home
15 taxes due shall become delinquent thirty days after the date of
16 delivery or on the delinquent date of the first installment,
17 whichever date occurs later. The delay shall not affect the
18 due dates for special assessments and rates or charges. The
19 delinquent date for special assessments and rates or charges
20 is the same as the first installment delinquent date for ad
21 valorem taxes, including any extension, in absence of a statute
22 to the contrary.

23 2. a. To avoid interest on delinquent taxes, a payment must
24 be received by the treasurer on or before the last business
25 day of the month preceding the delinquent date, or mailed with
26 appropriate postage and applicable fees paid, and a United
27 States postal service postmark affixed to the payment envelope,
28 with the postmark bearing a date preceding the delinquent
29 date. Items returned to the sender by the United States postal
30 service for insufficient postage or applicable fees shall be
31 assessed interest, unless the appropriate postage and fees are
32 paid and the items are postmarked again before the delinquent
33 date. However, if the last calendar day of a month falls on a
34 Saturday, Sunday, or a holiday, that amount becomes delinquent
35 on the second business day of the following month.

1 b. To avoid interest on current or delinquent taxes, for
2 payments made through a county treasurer's authorized internet
3 site only, if the last day of the month falls on a Saturday,
4 Sunday, or a holiday, the electronic payment must be initiated
5 by midnight on the first business day of the next month. All
6 other electronic payments must be initiated by midnight on the
7 last day of the month preceding the delinquent date.

8 Sec. 95. Section 452A.2, subsection 27, paragraph a,
9 subparagraph (2), Code 2014, is amended to read as follows:

10 (2) Any liquid advertised, offered for sale, sold
11 for use as, or commonly or commercially used as a fuel
12 for propelling motor vehicles which, when subjected to
13 distillation of gasoline, naphtha, kerosene and similar
14 petroleum products [ASTM (American society for testing and
15 materials) international designation D-86], shows not less
16 than ten percent distilled (recovered) below ~~three hundred~~
17 ~~forty-seven~~ 347 degrees Fahrenheit (~~one hundred seventy-five~~
18 175 degrees Centigrade) and not less than ninety-five percent
19 distilled (recovered) below ~~four hundred sixty-four~~ 464 degrees
20 Fahrenheit (~~two hundred forty~~ 240 degrees Centigrade).

21 Sec. 96. Section 452A.2, subsection 27, paragraph b, Code
22 2014, is amended to read as follows:

23 b. "Motor fuel" does not include special fuel, and does not
24 include liquefied gases which would not exist as liquids at a
25 temperature of ~~sixty~~ 60 degrees Fahrenheit and a pressure of
26 fourteen and seven-tenths pounds per square inch absolute, or
27 naphthas and solvents unless the liquefied gases or naphthas
28 and solvents are used as a component in the manufacture,
29 compounding, or blending of a liquid within paragraph "a",
30 subparagraph (2), in which event the resulting product shall be
31 deemed to be motor fuel. "Motor fuel" does not include methanol
32 unless blended with other motor fuels for use in an aircraft or
33 for propelling motor vehicles.

34 Sec. 97. Section 452A.3, subsection 4, Code 2014, is amended
35 to read as follows:

1 4. For compressed natural gas used as a special fuel, the
2 rate of tax that is equivalent to the motor fuel tax shall
3 be sixteen cents per hundred cubic feet adjusted to a base
4 temperature of ~~sixty~~ 60 degrees Fahrenheit and a pressure of
5 fourteen and seventy-three hundredths pounds per square inch
6 absolute.

7 Sec. 98. Section 452A.86, Code 2014, is amended to read as
8 follows:

9 **452A.86 Method of determining gallonage.**

10 The exclusive method of determining gallonage of any
11 purchases or sales of motor fuel, undyed special fuel,
12 compressed natural gas, or liquefied petroleum gas as defined
13 in this chapter and distillate fuels shall be on a gross volume
14 basis. A temperature-adjusted or other method shall not be
15 used, except as it applies to liquefied petroleum gas and
16 the sale or exchange of petroleum products between petroleum
17 refiners. All invoices, bills of lading, or other records of
18 sale or purchase and all returns or records required to be
19 made, kept, and maintained by a supplier, restrictive supplier,
20 importer, exporter, blender, or compressed natural gas or
21 liquefied petroleum gas dealer or user shall be made, kept,
22 and maintained on the gross volume basis. For purposes of
23 this section, "*distillate fuels*" means any fuel oil, gas oil,
24 topped crude oil, or other petroleum oils derived by refining
25 or processing crude oil or unfinished oils which have a boiling
26 range at atmospheric pressure which falls completely or in part
27 between ~~five hundred fifty~~ 550 and ~~twelve hundred~~ 1,200 degrees
28 Fahrenheit.

29 Sec. 99. Section 455B.471, subsections 7 and 8, Code 2014,
30 are amended to read as follows:

31 7. "*Petroleum*" means petroleum, including crude oil or any
32 fraction of crude oil which is liquid at standard conditions
33 of temperature and pressure (~~sixty~~ 60 degrees Fahrenheit and
34 fourteen and seven-tenths pounds per square inch absolute).

35 8. "*Regulated substance*" means an element, compound,

1 mixture, solution or substance which, when released into the
2 environment, may present substantial danger to the public
3 health or welfare or the environment. Regulated substance
4 includes substances designated in 40 C.F.R., pts. 61 and
5 116, and 40 C.F.R. § 401.15, and petroleum including crude
6 oil or any fraction of crude oil which is liquid at standard
7 conditions of temperature and pressure (~~sixty~~ 60 degrees
8 Fahrenheit and fourteen and seven-tenths pounds per square inch
9 absolute). However, regulated substance does not include a
10 substance regulated as a hazardous waste under the Resource
11 Conservation and Recovery Act of 1976. Substances may be added
12 or deleted as regulated substances by rule of the commission
13 pursuant to section 455B.474.

14 Sec. 100. Section 455E.11, subsection 2, paragraph b,
15 subparagraph (3), subparagraph division (b), subparagraph
16 subdivision (ii), Code 2014, is amended to read as follows:

17 (ii) Not more than six percent of the moneys is appropriated
18 annually to the state hygienic laboratory to assist in well
19 testing.

20 (iii) For purposes of this subparagraph division, "*cistern*"
21 means an artificial reservoir constructed underground for the
22 purpose of storing rainwater.

23 Sec. 101. Section 455G.2, subsection 13, Code 2014, is
24 amended to read as follows:

25 13. "*Petroleum*" means petroleum, including crude oil or any
26 fraction of crude oil which is liquid at standard conditions
27 of temperature and pressure (~~sixty~~ 60 degrees Fahrenheit and
28 fourteen and seven-tenths pounds per square inch absolute).

29 Sec. 102. Section 455G.13, subsection 2, paragraph b, Code
30 2014, is amended to read as follows:

31 b. An ~~owner~~ owner's or operator's liability for a release
32 for which coverage is admitted under the underground storage
33 tank insurance fund established in section 455G.11, Code 2003,
34 shall not exceed the amount of the deductible.

35 Sec. 103. Section 455G.13, subsection 10, paragraph a, Code

1 2014, is amended to read as follows:

2 a. Upon payment by the fund for corrective action or
3 third-party liability pursuant to this subchapter, the rights
4 of the claimant to recover payment from any potentially
5 responsible party, are assumed by the board to the extent paid
6 by the fund. A claimant is precluded from receiving double
7 compensation for the same injury.

8 Sec. 104. Section 456A.37, subsection 1, paragraph a, Code
9 2014, is amended to read as follows:

10 a. "*Aquatic invasive species*" means a nonnative wildlife or
11 plant species that ~~have~~ has been determined by the department
12 to pose a significant threat to the aquatic resources or water
13 infrastructure of the state.

14 Sec. 105. Section 462A.2, subsection 32, Code 2014, is
15 amended to read as follows:

16 32. "*Proceeds*" includes whatever is received when collateral
17 or proceeds are sold, exchanged, collected, or otherwise
18 disposed of. The term also includes the account arising when
19 the right to payment is earned under a contract right. Money,
20 checks, and the like are ~~cash~~ "*proceeds*" "cash proceeds". All
21 other proceeds are "*noncash proceeds*".

22 Sec. 106. Section 468.188, Code 2014, is amended to read as
23 follows:

24 **468.188 Public improvements which divide a district —**
25 **procedure.**

26 1. If it should develop that any type of public improvement,
27 other than the forces of nature, has caused such a change in
28 the district as to effectively sever and cut off some of the
29 land in the district from other lands in the district and from
30 the improvements in the district in such a way as to deprive
31 the land of any further benefits from the improvement, or in
32 some manner to divide the benefits that may be derived from
33 two separated portions of the improvement, then the board
34 of supervisors or the board of trustees in charge may upon
35 notice to interested parties and hearing as provided by this

1 subchapter, parts 1 through 5, for the original establishment
2 of a district make an order to remove lands so deprived of
3 benefits from the district without any reclassification, or
4 may subdivide the district into two separate entities if the
5 public improvement splits the district into two separate units,
6 each of which may still derive some separate benefits from the
7 separated portions of the district.

8 2. If the public improvement is such as to leave two
9 separate portions of the improvement that are still operable
10 and of benefit to the land on each side of the division made by
11 the public improvement, then the board may divide the district
12 into two separate units so that each may perform further work
13 on the improvements in their respective parts, but neither
14 shall be charged for work completed on the opposite side of
15 the new improvement that divides them and may only be charged
16 for the work done in that portion of the district remaining on
17 their side of the division.

18 3. The same authority provided in this section shall vest in
19 the board of supervisors or the board of trustees in the event
20 a drainage district in any manner relinquishes its control over
21 any portion of its improvements or its obligation to maintain
22 same to another district and lands may be removed from the
23 district or the district may be divided as provided in this
24 section.

25 4. The board may further in dividing the district award to
26 each of the separated portions of the district the improvement
27 remaining in each portion, determine the value of the
28 improvement so remaining on each side and secondly determine
29 the contributions of the lands in the separated portions to the
30 improvements and the upkeep of the earlier district, and if
31 the contribution is proportionate neither side shall owe the
32 other portion of the district any money, but if contribution
33 is disproportionate, the board shall determine an equitable
34 adjustment and the amount of payment required for one portion
35 to pay to the other to buy the existing improvement.

1 5. If land is eliminated from any further benefits, there
2 need not be any reclassification and the board may remove the
3 same from the district in the same manner as if the land has
4 been destroyed in whole by the erosion of a river and spread
5 any deficiency in assessment among the remaining lands as
6 provided by section 468.49.

7 6. "*Type of public improvement*" for the purpose of this
8 section includes drainage or levee improvements or new
9 highways.

10 Sec. 107. Section 468.500, subsection 1, paragraph b, Code
11 2014, is amended to read as follows:

12 **b.** A drainage or levee district under the control of a city
13 council as provided in subchapter II, part 3, may be placed
14 under the control and management of a board of trustees by the
15 city council following the procedures provided in subchapter
16 II, part 2, for the county board of supervisors.

17 Sec. 108. Section 468.500, subsection 2, Code 2014, is
18 amended to read as follows:

19 **2.** An overlying drainage or levee district that controls and
20 manages improvements and rights-of-way surrendered by a board
21 of supervisors or board of trustees of a contained district,
22 in accordance with sections 468.256 through 468.259, shall
23 continue to be controlled and managed by a board of trustees as
24 provided in subchapter II, part 3.

25 Sec. 109. Section 479.5, Code 2014, is amended to read as
26 follows:

27 **479.5 Application for permit.**

28 1. A pipeline company doing business in this state shall
29 file with the board its verified petition asking for a permit
30 to construct, maintain and operate its pipeline or lines along,
31 over or across the public or private highways, grounds, waters
32 and streams of any kind of this state. Any pipeline company
33 now owning or operating a pipeline in this state shall be
34 issued a permit by the board upon supplying the information as
35 provided for in section 479.6.

1 2. A pipeline company doing business in this state and
2 proposing to engage in underground storage of gas within this
3 state shall file with the board its verified petition asking
4 for a permit to construct, maintain and operate facilities for
5 the underground storage of gas to include the construction,
6 placement, maintenance and operation of machinery, appliances,
7 fixtures, wells, pipelines, and stations necessary for the
8 construction, maintenance and operation of the gas underground
9 storage facilities.

10 3. a. A pipeline company shall hold informational meetings
11 in each county in which real property or property rights
12 will be affected at least thirty days prior to filing the
13 petition for a new pipeline. A member of the board or a person
14 designated by the board shall serve as the presiding officer
15 at each meeting, shall present an agenda for the meeting which
16 shall include a summary of the legal rights of the affected
17 landowners, and shall distribute and review the statement of
18 individual rights required under section 6B.2A. A formal record
19 of the meeting shall not be required.

20 b. The meeting shall be held at a location reasonably
21 accessible to all persons, companies, or corporations which may
22 be affected by the granting of the permit.

23 4. a. The pipeline company seeking the permit for a new
24 pipeline shall give notice of the informational meeting to each
25 person determined to be a landowner affected by the proposed
26 project and each person in possession of or residing on the
27 property. For the purposes of the informational meeting,
28 "*landowner*" means a person listed on the tax assessment rolls
29 as responsible for the payment of real estate taxes imposed on
30 the property and "*pipeline*" means a line transporting a solid,
31 liquid, or gaseous substance, except water, under pressure
32 in excess of one hundred fifty pounds per square inch and
33 extending a distance of not less than five miles or having a
34 future anticipated extension of an overall distance of five
35 miles.

1 b. The notice shall set forth the name of the applicant;
2 the applicant's principal place of business; the general
3 description and purpose of the proposed project; the general
4 nature of the right-of-way desired; the possibility that the
5 right-of-way may be acquired by condemnation if approved by
6 the utilities board; a map showing the route of the proposed
7 project; a description of the process used by the utilities
8 board in making a decision on whether to approve a permit
9 including the right to take property by eminent domain; that
10 the landowner has a right to be present at such meeting and
11 to file objections with the board; and a designation of the
12 time and place of the meeting. The notice shall be served by
13 certified mail with return receipt requested not less than
14 thirty days previous to the time set for the meeting, and shall
15 be published once in a newspaper of general circulation in
16 the county. The publication shall be considered notice to
17 landowners whose residence is not known and to each person in
18 possession of or residing on the property provided a good faith
19 effort to notify can be demonstrated by the pipeline company.

20 5. A pipeline company seeking rights under this chapter
21 shall not negotiate or purchase any easements or other
22 interests in land in any county known to be affected by the
23 proposed project prior to the informational meeting.

24 Sec. 110. Section 481A.1, subsection 35, Code 2014, is
25 amended to read as follows:

26 35. "Whitetail" means an animal belonging to the cervidae
27 Cervidae family and classified as part of the virginianus
28 Virginianus species of the ~~odocoileus~~ Odocoileus genus,
29 commonly referred to as whitetail.

30 Sec. 111. Section 481A.10A, Code 2014, is amended to read
31 as follows:

32 **481A.10A Farmer advisory committee.**

33 1. The director shall establish a farmer advisory committee
34 for the purpose of providing information to the department
35 regarding crop and tree damage caused by deer, wild turkey, and

1 other predators.

- 2 2. Members of the committee shall include a representative
3 designated by each of the following organizations: ~~the~~
4 a. ~~The~~ Iowa corn growers association, ~~the~~.
5 b. ~~The~~ Iowa farm bureau federation, ~~the~~.
6 c. ~~The~~ Iowa farmers union, ~~the~~.
7 d. ~~The~~ Iowa state horticulture society, ~~the~~.
8 e. ~~The~~ Iowa Christmas tree growers association, ~~the~~.
9 f. ~~The~~ Iowa nursery and landscape association, ~~the~~.
10 g. ~~The~~ department of agriculture and land stewardship, ~~and~~
11 ~~the~~.
12 h. ~~The~~ Iowa state university agricultural extension service.

13 3. The committee shall meet with a representative of the
14 department of natural resources on a semiannual basis. The
15 committee shall serve without compensation or reimbursement for
16 expenses.

17 Sec. 112. Section 483A.54, Code 2014, is amended to read as
18 follows:

19 **483A.54 Nonliability of the state and its officials.**

20 1. Bonds issued are special limited obligations of the
21 commission and are not a debt or liability of the state or
22 any other political subdivision within the meaning of any
23 constitutional or statutory debt limitation and are not a
24 pledge of the state's credit or taxing power within the meaning
25 of any constitutional or statutory limitation or provision
26 and, except as provided in this ~~division~~ subchapter, an
27 appropriation shall not be made, directly or indirectly, by the
28 state or any political subdivision of the state for the payment
29 of bonds. The bonds are special obligations of the commission
30 payable solely from the wildlife habitat bond fund. Funds from
31 the general fund of the state shall not be used to pay interest
32 or principal on the bonds if revenues deposited in the wildlife
33 habitat bond fund are insufficient.

34 2. The members of the commission or other person executing
35 the bonds is not personally liable for the payment of the

1 bonds. The bonds are valid and binding obligations of the
2 commission notwithstanding the fact that before the delivery of
3 the bonds any of the officers whose signatures appear on the
4 bonds cease to be officers of the state. From and after the
5 sale and delivery of the bonds, they shall be incontestable by
6 the commission.

7 Sec. 113. Section 493.9, Code 2014, is amended to read as
8 follows:

9 **493.9 Change in stock.**

10 Any such corporation may, by appropriate amendments to its
11 articles of incorporation, adopted by a ~~two-third~~ two-thirds
12 affirmative vote of each class of stock then issued and
13 outstanding and affected by such amendment, change its common
14 or preferred stock having a par value to an equal, greater or
15 less number of shares of stock having no par value, and, in
16 connection therewith, may fix the amount of capital represented
17 by such shares of stock without par value.

18 Sec. 114. Section 514.1, subsection 2, Code 2014, is amended
19 to read as follows:

20 2. For the purposes of this chapter, "subscriber":

21 a. "Health care" means that care necessary for the purpose
22 of preventing, alleviating, curing, or healing human physical
23 or mental illness, injury, or disability.

24 b. "Provider" means a person as defined in section 4.1,
25 subsection 20, which is licensed or authorized in this state to
26 furnish health care services.

27 c. "Subscriber" means an individual who enters into a
28 contract for health care services with a corporation subject
29 to this chapter and includes a person eligible for mandatory
30 medical assistance or optional medical assistance as defined
31 under chapter 249A, with respect to whom the department
32 of human services has entered into a contract with a firm
33 operating under this chapter. For purposes of this chapter,
34 "provider" means a person as defined in section 4.1, subsection
35 20, which is licensed or authorized in this state to furnish

1 ~~health care services. "Health care" means that care necessary~~
2 ~~for the purpose of preventing, alleviating, curing, or healing~~
3 ~~human physical or mental illness, injury, or disability.~~

4 Sec. 115. Section 514I.10, subsection 1, Code 2014, is
5 amended to read as follows:

6 1. Cost sharing for eligible children whose family income
7 is below one hundred fifty percent of the federal poverty
8 level shall not exceed the standards permitted under 42 U.S.C.
9 ~~§ 1396(o)(a)(3)~~ §1396o(a)(3) or ~~§ 1396(o)(b)(1)~~ §1396o(b)(1).

10 Sec. 116. Section 521B.102, subsection 5, paragraph b,
11 subparagraph (1), Code 2014, is amended to read as follows:

12 (1) The association shall satisfy the association's minimum
13 capital and surplus requirements through the capital and
14 surplus equivalents ~~(net, net of liabilities)~~ liabilities, of
15 the association and its members, which shall include a joint
16 central fund that may be applied to any unsatisfied obligation
17 of the association or any of its members, in an amount
18 determined by the commissioner to provide adequate protection.

19 Sec. 117. Section 554.1110, Code 2014, is amended to read
20 as follows:

21 ~~554.1110 Rules for filing and indexing~~ Rules for filing and
22 indexing.

23 The secretary of state shall make and promulgate rules for
24 all filing and indexing pursuant to this chapter and chapter
25 554B including but not limited to rules on whether statements
26 and documents shall be indexed in real estate records.

27 Sec. 118. Section 554.1201, subsection 2, paragraph p, Code
28 2014, is amended to read as follows:

29 *p.* "Document of title" means a record that in the regular
30 course of business or financing is treated as adequately
31 evidencing that the person in possession or control of the
32 record is entitled to receive, control, hold, and dispose of
33 the record and the goods the record covers and that purports
34 to be issued by or addressed to a bailee and to cover goods
35 in the bailee's possession which are either identified or are

1 fungible portions of an identified mass. The term includes
2 a bill of lading, transport document, dock warrant, dock
3 receipt, warehouse receipt, and order for delivery of goods.
4 ~~An electronic document of title~~ "electronic document of title"
5 means a document of title evidenced by a record consisting
6 of information stored in an electronic medium. A ~~tangible~~
7 ~~document of title~~ "tangible document of title" means a document
8 of title evidenced by a record consisting of information that
9 is inscribed on a tangible medium.

10 Sec. 119. Section 554.2311, subsection 2, Code 2014, is
11 amended to read as follows:

12 2. Unless otherwise agreed specifications relating to
13 assortment of the goods are at the buyer's option and except as
14 otherwise provided in section 554.2319, subsection 1, paragraph
15 "c", and section 554.2319, subsection 3, specifications or
16 arrangements relating to shipment are at the seller's option.

17 Sec. 120. Section 556.1, subsection 12, Code 2014, is
18 amended to read as follows:

19 12. a. "Property" means a fixed and certain interest
20 in or right in an intangible that is held, issued, or owed
21 in the course of a holder's business, or by a government or
22 governmental entity, and all income or increment therefrom,
23 including that which is referred to as or evidenced by any of
24 the following:

25 ~~a.~~ (1) Money, check, draft, deposit, interest, dividend,
26 and income.

27 ~~b.~~ (2) Credit balance, customer overpayment, gift
28 certificate, security deposit, refund, credit memorandum,
29 unpaid wage, unused airline ticket, unused ticket, mineral
30 proceeds, and unidentified remittance and electronic fund
31 transfer.

32 ~~c.~~ (3) Stock or other evidence of ownership interests in
33 a business association.

34 ~~d.~~ (4) Bond, debenture, note, or other evidence of
35 indebtedness.

1 ~~e.~~ (5) Money deposited to redeem stocks, bonds, coupons,
2 and other securities, or to make distributions.

3 ~~f.~~ (6) An amount due and payable under the terms of an
4 insurance policy, including policies providing life insurance,
5 property and casualty insurance, workers' compensation
6 insurance, or health and disability benefits insurance.

7 ~~g.~~ (7) An amount distributable from a trust or custodian
8 fund established under a plan to provide health, welfare,
9 pension, vacation, severance, retirement, death, stock
10 purchase, profit sharing, employee savings, supplemental
11 unemployment insurance, or similar benefits.

12 ~~h.~~ (8) Amounts distributable from a mineral interest in
13 land.

14 ~~i.~~ (9) Any other fixed and certain interest or right in an
15 intangible that is held, issued, or owing in the course of a
16 holder's business, or by a government or governmental entity.

17 b. "Property" does not include credits, advance payments,
18 overpayments, refunds, or credit memoranda shown on the books
19 and records of a business association with respect to another
20 business association unless the balance is property described
21 in section 556.2 held by a banking organization or financial
22 organization.

23 Sec. 121. Section 559.2, subsections 1 and 2, Code 2014, are
24 amended to read as follows:

25 1. General, special, or otherwise.

26 2. Vested, contingent, or conditional.

27 Sec. 122. Section 562A.2, subsection 2, paragraph c, Code
28 2014, is amended to read as follows:

29 c. To ~~insure~~ ensure that the right to the receipt of rent is
30 inseparable from the duty to maintain the premises.

31 Sec. 123. Section 562A.12, subsection 7, Code 2014, is
32 amended to read as follows:

33 7. The ~~bad-faith~~ bad-faith retention of a deposit by a
34 landlord, or any portion of the rental deposit, in violation
35 of this section shall subject the landlord to punitive damages

1 not to exceed twice the monthly rental payment in addition to
2 actual damages.

3 Sec. 124. Section 589.16, Code 2014, is amended to read as
4 follows:

5 **589.16 Tax sales legalized.**

6 In all instances where a county treasurer heretofore
7 conducted a tax sale at the time provided in section 7259,
8 Code 1935, or section 7262, ~~both of the Code,~~ 1935, sales made
9 at such tax sale or any adjournment thereof shall not be held
10 invalid by reason of the failure of the county treasurer to
11 have brought forward the delinquent tax of prior years upon the
12 current tax lists in use by the said county treasurer at the
13 time of conducting the sale, or by reason of the failure of the
14 county treasurer to have offered all the property unsold before
15 each adjournment of said sale and said tax sales are hereby
16 legalized and declared valid notwithstanding the provisions of
17 section 7193, Code 1935, and section 7259, ~~both of the Code,~~
18 1935, provided the delinquent taxes for which the said real
19 estate was sold had been brought forward upon the current tax
20 list of the year preceding the year in which the said tax
21 sale was conducted. Provided, however, that no tax sale so
22 legalized and validated shall affect a special assessment if
23 the same continues to remain a lien notwithstanding a tax deed
24 now or hereafter issued pursuant to such tax sale.

25 Sec. 125. Section 600.1, unnumbered paragraph 2, Code 2014,
26 is amended to read as follows:

27 If a proceeding held under this chapter involves an Indian
28 child as defined in section 232B.3 and the proceeding is
29 subject to the Iowa Indian child welfare Act under chapter
30 232B, the proceeding and other actions taken in connection
31 with the proceeding or this chapter shall comply with chapter
32 232B. In any proceeding held or action taken under this chapter
33 involving an Indian child, the applicable requirements of the
34 federal Adoption and Safe Families Act of ~~1999~~ 1997, Pub. L.
35 No. 105-89, shall be applied to the proceeding or action in a

1 manner that complies with chapter 232B and the federal Indian
2 Child Welfare Act, Pub. L. No. 95-608.

3 Sec. 126. Section 600A.3, unnumbered paragraph 2, Code
4 2014, is amended to read as follows:

5 If a proceeding held under this chapter involves an Indian
6 child as defined in section 232B.3 and the proceeding is
7 subject to the Iowa Indian child welfare Act under chapter
8 232B, the proceeding and other actions taken in connection
9 with the proceeding or this chapter shall comply with chapter
10 232B. In any proceeding held or action taken under this chapter
11 involving an Indian child, the applicable requirements of the
12 federal Adoption and Safe Families Act of ~~1999~~ 1997, Pub. L.
13 No. 105-89, shall be applied to the proceeding or action in a
14 manner that complies with chapter 232B and the federal Indian
15 Child Welfare Act, Pub. L. No. 95-608.

16 Sec. 127. Section 602.11101, subsection 2, paragraph a,
17 Code 2014, is amended to read as follows:

18 a. For the period beginning July 1, 1983, and ending June
19 30, 1987, the provisions of division I ~~{articles of 1983 Iowa~~
20 Acts, ch. 186, articles 1 through 10} 10 of this chapter, take
21 effect only to the extent that the provisions do not conflict
22 with the scheduled state assumption of responsibility for the
23 components of the court system, and the amendments and repeals
24 of divisions II and III of 1983 Iowa Acts, ch. 186, take effect
25 only to the extent necessary to implement that scheduled state
26 assumption of responsibility. If an amendment or repeal to a
27 Code section in division II or III of 1983 Iowa Acts, ch. 186,
28 is not effective during the period beginning July 1, 1983, and
29 ending June 30, 1987, the Code section remains in effect for
30 that period. On July 1, 1987, 1983 Iowa Acts, chapter ch. 186,
31 takes effect in its entirety.

32 Sec. 128. Section 633.356, subsection 3, paragraph a,
33 subparagraph (6), Code 2014, is amended to read as follows:

34 (6) If applicable, that the attached copy of the decedent's
35 will is the last will of the decedent and has been admitted

1 to probate or otherwise filed in the office of a clerk of the
2 district court.

3 Sec. 129. Section 633.361, subsection 6, Code 2014, is
4 amended to read as follows:

5 6. Name, relationship and post office address of each
6 beneficiary under the will ~~(if if the decedent died testate)~~
7 testate or of each heir ~~(if if the decedent died intestate)~~
8 intestate. If any persons take by representation, the personal
9 representative shall list the deceased person through whom
10 those persons take and shall also list the persons taking under
11 that deceased person.

12 Sec. 130. Section 633.510, subsection 2, Code 2014, is
13 amended to read as follows:

14 2. That the said absentee has property in this state
15 ~~(describing, describing it with reasonable certainty)~~
16 certainty, all or part of which is situated in the county in
17 which the petition is filed.

18 Sec. 131. Section 633.647, subsection 3, Code 2014, is
19 amended to read as follows:

20 3. To make payments to, or for the benefit of, the ward in
21 any of the following ways:

22 a. Directly to the ward;

23 b. Directly for the maintenance, welfare, and education of
24 the ward;

25 c. To the legal guardian of the person of the ward;~~or.~~

26 d. To anyone who at the time shall have the custody and care
27 of the person of the ward.

28 Sec. 132. Section 657.11, subsection 3, Code 2014, is
29 amended to read as follows:

30 3. a. This section does not apply to a person during any
31 period that the person is classified as a chronic violator
32 under this subsection as to any confinement feeding operation
33 in which the person holds a controlling interest, as defined
34 by rules adopted by the department of natural resources. This
35 section shall apply to the person on and after the date that

1 the person is removed from the classification of chronic
2 violator. For purposes of this subsection, "*confinement feeding*
3 *operation*" means an animal feeding operation in which animals
4 are confined to areas which are totally roofed, and which
5 are regulated by the department of natural resources or the
6 environmental protection commission.

7 ~~a.~~ b. (1) A person shall be classified as a chronic
8 violator if the person has committed three or more violations
9 as described in this subsection prior to, on, or after July 1,
10 1996. In addition, in relation to each violation, the person
11 must have been subject to either of the following:

12 (a) The assessment of a civil penalty by the department or
13 the commission in an amount equal to three thousand dollars or
14 more.

15 (b) A court order or judgment for a legal action brought
16 by the attorney general after referral by the department or
17 commission.

18 (2) Each violation must have occurred within five years
19 prior to the date of the latest violation, counting any
20 violation committed by a confinement feeding operation in which
21 the person holds a controlling interest. A violation occurs
22 on the date the department issues an administrative order to
23 the person assessing a civil penalty of three thousand dollars
24 or more, or on the date the department notifies a person in
25 writing that the department will recommend that the commission
26 refer, or the commission refers the case to the attorney
27 general for legal action, or the date of entry of the court
28 order or judgment, whichever occurs first. A violation under
29 this subsection shall not be counted if the civil penalty
30 ultimately imposed is less than three thousand dollars, the
31 department or commission does not refer the action to the
32 attorney general, the attorney general does not take legal
33 action, or a court order or judgment is not entered against
34 the person. A person shall be removed from the classification
35 of chronic violator on the date on which the person and all

1 confinement feeding operations in which the person holds a
2 controlling interest have committed less than three violations
3 described in this subsection for the prior five years.

4 ~~b.~~ c. For purposes of counting violations, a continuing and
5 uninterrupted violation shall be considered as one violation.
6 Different types of violations shall be counted as separate
7 violations regardless of whether the violations were committed
8 during the same period. The violation must be a violation of
9 a state statute, or a rule adopted by the department, which
10 applies to a confinement feeding operation and any related
11 animal feeding operation structure, including an anaerobic
12 lagoon, earthen manure storage basin, formed manure storage
13 structure, or egg washwater storage structure; or any related
14 pollution control device or practice. The structure, device,
15 or practice must be part of the confinement feeding operation.
16 The violation must be one of the following:

17 (1) Constructing or operating a related animal feeding
18 operation structure or installing or using a related pollution
19 control device or practice, for which the person must obtain
20 a permit, in violation of statute or rules adopted by the
21 department, including the terms or conditions of the permit.

22 (2) Intentionally making a false statement or
23 misrepresenting information to the department as part of an
24 application for a construction permit for the related animal
25 feeding operation structure, or the installation of the related
26 pollution control device or practice, for which the person must
27 obtain a construction permit from the department.

28 (3) Failing to obtain a permit or approval by the department
29 for a permit to construct or operate a confinement feeding
30 operation or use a related animal feeding operation structure
31 or pollution control device or practice, for which the person
32 must obtain a permit from the department.

33 (4) Operating a confinement feeding operation, including a
34 related animal feeding operation structure or pollution control
35 device or practice, which causes pollution to the waters of the

1 state, if the pollution was caused intentionally, or caused
2 by a failure to take measures required to abate the pollution
3 which resulted from an act of God.

4 (5) Failing to submit a manure management plan as required,
5 or operating a confinement feeding operation required to have
6 a manure management plan without having submitted the manure
7 management plan.

8 Sec. 133. Section 692.5, Code 2014, is amended to read as
9 follows:

10 **692.5 Right of notice, access and challenge.**

11 1. Any person or the person's attorney shall have the
12 right to examine and obtain a copy of criminal history data
13 filed with the department that refers to the person. The
14 person or person's attorney shall present or mail to the
15 department written authorization and the person's fingerprint
16 identification. The department shall not copy the fingerprint
17 identification and shall return or destroy the identification
18 after the copy of the criminal history data is made. The
19 department may prescribe reasonable hours and places of
20 examination.

21 2. Any person who files with the division a written
22 statement to the effect that a statement contained in the
23 criminal history data that refers to the person is nonfactual,
24 or information not authorized by law to be kept, and requests
25 a correction or elimination of that information that refers
26 to that person shall be notified within twenty days by the
27 division, in writing, of the division's decision or order
28 regarding the correction or elimination. Judicial review of
29 the actions of the division may be sought in accordance with
30 the terms of the Iowa administrative procedure Act, chapter
31 17A. Immediately upon the filing of the petition for judicial
32 review the court shall order the division to file with the
33 court a certified copy of the criminal history data and in no
34 other situation shall the division furnish an individual or the
35 individual's attorney with a certified copy, except as provided

1 by this chapter.

2 3. Upon the request of the petitioner, the record and
3 evidence in a judicial review proceeding shall be closed to
4 all but the court and its officers, and access thereto shall
5 be refused unless otherwise ordered by the court. The clerk
6 shall maintain a separate docket for such actions. A person,
7 other than the petitioner, shall not permit a copy of any of
8 the testimony or pleadings or the substance thereof to be made
9 available to any person other than a party to the action or
10 the party's attorney. Violation of this section shall be a
11 public offense, punishable under section 692.7. The provisions
12 of this section shall be the sole right of action against the
13 department, its subdivisions, or employees regarding improper
14 storage or release of criminal history data.

15 4. Whenever the division corrects or eliminates data as
16 requested or as ordered by the court, the division shall advise
17 all agencies or individuals who have received the incorrect
18 information to correct their files. Upon application to the
19 district court and service of notice on the commissioner of
20 public safety, any individual may request and obtain a list of
21 all persons and agencies who received criminal history data
22 referring to the individual, unless good cause be shown why the
23 individual should not receive ~~said~~ the list.

24 Sec. 134. Section 707.11, subsection 1, Code 2014, is
25 amended to read as follows:

26 1. A person commits the offense of attempt to commit murder
27 when, with the intent to cause the death of another person
28 and not under circumstances which would justify the person's
29 actions, the person does any act by which the person expects
30 to set in motion a force or chain of events which will cause or
31 result in the death of the other person.

32 Sec. 135. Section 715C.1, subsection 11, Code 2014, is
33 amended to read as follows:

34 11. a. "*Personal information*" means an individual's first
35 name or first initial and last name in combination with any

1 one or more of the following data elements that relate to the
2 individual if any of the data elements are not encrypted,
3 redacted, or otherwise altered by any method or technology in
4 such a manner that the name or data elements are unreadable:

5 ~~a.~~ (1) Social security number.

6 ~~b.~~ (2) Driver's license number or other unique
7 identification number created or collected by a government
8 body.

9 ~~c.~~ (3) Financial account number, credit card number, or
10 debit card number in combination with any required security
11 code, access code, or password that would permit access to an
12 individual's financial account.

13 ~~d.~~ (4) Unique electronic identifier or routing code, in
14 combination with any required security code, access code, or
15 password that would permit access to an individual's financial
16 account.

17 ~~e.~~ (5) Unique biometric data, such as a fingerprint, retina
18 or iris image, or other unique physical representation or
19 digital representation of biometric data.

20 b. "*Personal information*" does not include information
21 that is lawfully obtained from publicly available sources, or
22 from federal, state, or local government records lawfully made
23 available to the general public.

24 Sec. 136. Section 719.1, subsections 1 and 2, Code 2014, are
25 amended to read as follows:

26 1. a. A person commits interference with official acts when
27 the person knowingly resists or obstructs anyone known by the
28 person to be a peace officer, emergency medical care provider
29 under chapter 147A, or fire fighter, whether paid or volunteer,
30 in the performance of any act which is within the scope of the
31 lawful duty or authority of that officer, emergency medical
32 care provider under chapter 147A, or fire fighter, whether paid
33 or volunteer, or who knowingly resists or obstructs the service
34 or execution by any authorized person of any civil or criminal
35 process or order of any court.

1 ~~a.~~ b. Interference with official acts is a simple
2 misdemeanor. In addition to any other penalties, the
3 punishment imposed under this paragraph shall include
4 assessment of a fine of not less than two hundred fifty
5 dollars.

6 ~~b.~~ c. If a person commits interference with official acts,
7 as defined in this subsection, which results in bodily injury,
8 the person commits a serious misdemeanor.

9 ~~c.~~ d. If a person commits interference with official acts,
10 as defined in this subsection, which results in serious injury,
11 the person commits an aggravated misdemeanor.

12 ~~d.~~ e. If a person commits an interference with official
13 acts, as defined in this subsection, and in so doing inflicts
14 bodily injury other than serious injury, that person commits an
15 aggravated misdemeanor.

16 ~~e.~~ f. If a person commits an interference with official
17 acts, as defined in this subsection, and in so doing inflicts
18 or attempts to inflict serious injury, or displays a dangerous
19 weapon, as defined in section 702.7, or is armed with a
20 firearm, that person commits a class "D" felony.

21 2. a. A person under the custody, control, or supervision
22 of the department of corrections commits interference with
23 official acts when the person knowingly resists, obstructs, or
24 interferes with a correctional officer, agent, employee, or
25 contractor, whether paid or volunteer, in the performance of
26 the person's official duties.

27 ~~a.~~ b. Interference with official acts in violation of this
28 subsection is a serious misdemeanor.

29 ~~b.~~ c. If a person violates this subsection and in so doing
30 commits an assault, as defined in section 708.1, the person
31 commits an aggravated misdemeanor.

32 ~~c.~~ d. If a person violates this subsection and the
33 violation results in bodily injury to another, the person
34 commits an aggravated misdemeanor.

35 ~~d.~~ e. If a person violates this subsection and the

1 violation results in serious injury to another, the person
2 commits a class "D" felony.

3 ~~e,~~ f. If a person violates this subsection and in so
4 doing inflicts or attempts to inflict bodily injury other
5 than serious injury to another, displays a dangerous weapon,
6 as defined in section 702.7, or is armed with a firearm, the
7 person commits a class "D" felony.

8 ~~f,~~ g. If a person violates this subsection and uses or
9 attempts to use a dangerous weapon, as defined in section
10 702.7, or inflicts serious injury to another, the person
11 commits a class "C" felony.

12 Sec. 137. Section 904.602, subsection 10, Code 2014, is
13 amended to read as follows:

14 10. Regulations, procedures, and policies that govern the
15 internal administration of the department and the judicial
16 district departments of correctional services under chapter
17 905, which if released may jeopardize the secure operation of a
18 correctional institution operation or program are confidential
19 unless otherwise ordered by a court. These records include
20 procedures on inmate movement and control, staffing patterns
21 and regulations, emergency plans, internal investigations,
22 equipment use and security, building plans, operation,
23 and security, security procedures for inmate, staff, and
24 visits, daily operation records, and contraband and medicine
25 control. These records are exempt from the public inspection
26 requirements in section 17A.3 and section 22.2.

27 ~~These records are exempt from the public inspection~~
28 ~~requirements in section 17A.3 and section 22.2.~~

29 DIVISION II

30 CORRESPONDING CHANGES

31 Sec. 138. Section 99F.15, subsection 6, Code 2014, is
32 amended to read as follows:

33 6. Except for wagers on gambling games or exchanges for
34 money as provided in section 99F.9, subsection 4 3, a licensee
35 who exchanges tokens, chips, or other forms of credit to be

1 used on gambling games for anything of value commits a simple
2 misdemeanor.

3 Sec. 139. Section 99F.16, subsection 2, Code 2014, is
4 amended to read as follows:

5 2. Except for coins authorized in section 99F.9, subsection
6 4 3, all moneys, coin, and currency found in close proximity of
7 wagers, or of records of wagers are presumed forfeited. The
8 burden of proof is upon the claimant of the property to rebut
9 this presumption.

10 Sec. 140. Section 422.34A, subsection 8, Code 2014, is
11 amended to read as follows:

12 8. Utilizing a distribution facility within this state,
13 owning or leasing property at a distribution facility within
14 this state that is used at or distributed from the distribution
15 facility, or selling property shipped or distributed from
16 a distribution facility. For purposes of this subsection,
17 "*distribution facility*" means an establishment where shipments
18 of tangible personal property are processed for delivery
19 to customers. "*Distribution facility*" does not include an
20 establishment where retail sales of tangible personal property
21 or returns of such property are undertaken with respect to
22 retail customers on more than twelve days a year except for a
23 distribution facility which processes customer sales orders
24 by mail, telephone, or electronic means, if the distribution
25 facility also processes shipments of tangible personal property
26 to customers provided that not more than ten percent of the
27 dollar amount of goods are delivered and shipped so as to be
28 included in the gross sales of the corporation within this
29 state as provided in section 422.33, subsection 2, paragraph ~~"b"~~
30 "a", subparagraph ~~(6)~~ (2), subparagraph division (f).

31 Sec. 141. Section 422.36, subsection 6, Code 2014, is
32 amended to read as follows:

33 6. A foreign corporation is not required to file a return
34 if its only activities in Iowa are the storage of goods for a
35 period of sixty consecutive days or less in a warehouse for

1 hire located in this state whereby the foreign corporation
2 transports or causes a carrier to transport such goods
3 to that warehouse and provided that none of the goods are
4 delivered or shipped so as to be included in the gross sales
5 of the corporation within this state as provided in section
6 422.33, subsection 2, paragraph ~~"b"~~ "a", subparagraph ~~(6)~~ (2),
7 subparagraph division (f).

8 Sec. 142. Section 805.8C, subsection 5, paragraphs a and b,
9 Code 2014, are amended to read as follows:

10 a. For violations of legal age for gambling wagering under
11 section 99D.11, subsection 7, section 99F.9, subsection ~~5~~ 4,
12 and section 725.19, subsection 1, the scheduled fine is five
13 hundred dollars. Failure to pay the fine by a person under the
14 age of eighteen shall not result in the person being detained
15 in a secure facility.

16 b. For legal age violations for entering or attempting
17 to enter a facility under section 99F.9, subsection ~~6~~ 5, the
18 scheduled fine is five hundred dollars. Failure to pay the
19 fine by a person under the age of eighteen shall not result in
20 the person being detained in a secure facility.

21 DIVISION III

22 DIRECTIVES

23 Sec. 143. CODE EDITOR DIRECTIVES.

24 1. Sections 53.38, 53.39, 53.41, 53.44, 53.48, 53.49,
25 53.50, 53.51, 53.52, 73.15, 73.21, 85.63, 85.67, 85.68,
26 234.24, 234.26, 234.27, 234.28, 260C.56, 260C.57, 260C.61,
27 260C.63, 260C.64, 260C.65, 260C.67, 262.53, 262.56, 262.59,
28 262.60, 262.62, 262.63, 262.64, 262.65, 263.13, 358.36, 358.37,
29 461A.75, 461A.76, 461A.78, 462A.85, 476.26, 476.82, 483A.56,
30 and 499.71, are amended by striking the word "division" and
31 inserting in lieu thereof the word "subchapter".

32 2. Sections 53.46, subsections 1, 3, 5, 6, and 7; 53.53,
33 subsections 1 and 3; 73.16, subsection 2, paragraph "c";
34 85.65A, subsection 3, paragraph "e"; 85.66, subsection 1;
35 262.55, unnumbered paragraph 1; 263.11, unnumbered paragraph

1 1; 462A.77, subsection 9; 462A.83, unnumbered paragraph 1;
2 476.23, subsections 2 and 4; 476.25, subsection 1; 476.42,
3 unnumbered paragraph 1; 476.42, subsection 1, paragraph
4 "b"; 476.42, subsection 4, paragraph "b"; 476.44, subsection
5 2, paragraph "a"; 476.72, unnumbered paragraph 1; 476.76,
6 unnumbered paragraph 1; 483A.50, unnumbered paragraph 1;
7 483A.50, subsection 1; 483A.51, subsections 2, 5, and 6;
8 499.61, unnumbered paragraph 1; 499.69, subsection 1, paragraph
9 "a"; and 499.69, subsection 1, paragraph "b", subparagraph (3),
10 are amended by striking the word "division" and inserting in
11 lieu thereof the word "subchapter".

12 3. Sections 144A.12, 331.449, 331.470, 554.9801, 554.9802,
13 554.9803, 554.9805, and 554.9809 are amended by striking,
14 within the Iowa Acts citation, the word "chapter" and inserting
15 in lieu thereof the abbreviation "ch.".

16 4. Sections 202B.202, subsections 2 and 3; 490.1703,
17 subsection 1, unnumbered paragraph 1; 490.1703, subsection
18 2; 514C.27, subsection 1, unnumbered paragraph 1; 516B.2,
19 unnumbered paragraph 1; 535.2, subsection 6, paragraph "a";
20 554.9804, subsection 1; 554.9806, subsection 1, paragraph "a";
21 554.9806, subsection 2, paragraph "b"; 554.9806, subsection
22 3, paragraph "a"; 554.9807, subsections 2 and 5; 602.11101,
23 subsection 2, paragraph "b"; and 602.11101, subsection 3, are
24 amended by striking, within the Iowa Acts citation, the word
25 "chapter" and inserting in lieu thereof the abbreviation "ch.".

26 5. Section 589.22 is amended by striking, within the Iowa
27 Acts citation, the letters "ch" and inserting in lieu thereof
28 the abbreviation "ch.".

29 6. Sections 202B.202, subsection 1; 426C.4, subsection
30 1, paragraph "b", subparagraph (2); 504.1703, subsection 1,
31 unnumbered paragraph 1; 504.1703, subsection 2; and 508.38,
32 subsection 11, are amended by striking, within the Iowa Acts
33 citation, the letters "ch" and inserting in lieu thereof the
34 abbreviation "ch.".

35 7. Section 155A.43 is amended by striking, within the Iowa

1 Acts citation, the words "chapter" and "section" and inserting
2 in lieu thereof the abbreviation "ch." and the symbol "§".

3 8. Sections 8.57, subsection 2; 135C.2, subsection 5;
4 144D.4, subsection 10; 233A.1, subsection 3; 233B.1, subsection
5 3; and 411.30, subsection 1, paragraph "c", are amended by
6 striking, within the Iowa Acts citation, the words "chapter"
7 and "section" and inserting in lieu thereof the abbreviation
8 "ch." and the symbol "§".

9 9. Section 554.11101 is amended by striking, within the Iowa
10 Acts citation, the words "chapter" and "sections" and inserting
11 in lieu thereof the abbreviation "ch." and the symbol "§".

12 10. Sections 12E.3A, subsection 1; 16.54, subsection
13 2; 135.153, subsection 1; 135.166, subsection 1; 249L.4,
14 subsection 5, paragraph "a"; 312A.3, subsection 1, paragraph
15 "a"; 315.4, subsection 1, paragraph "a", subparagraph (2);
16 455E.11, subsection 2, paragraph "a", subparagraph (2),
17 subparagraph division (f); and 505.32, subsection 2, paragraph
18 "g", are amended by striking, within the Iowa Acts citation,
19 the word "section" and inserting in lieu thereof the symbol
20 "§".

21 11. Section 446.45 is amended by striking, within the
22 Iowa Acts citation, the word "sections" and inserting in lieu
23 thereof the symbol "§".

24 12. Section 229.39, subsection 3, paragraph "a", is amended
25 by striking, within the Iowa Acts citation, the word "sections"
26 and inserting in lieu thereof the symbol "§".