

House File 2348 - Reprinted

HOUSE FILE 2348
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 621)

(As Amended and Passed by the House February 22, 2018)

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 7A.14, Code 2018, is amended to read as follows:

7A.14 Number of copies — style.

1. The annual and biennial reports shall be published, printed, and bound in such number as the director of the department of administrative services may order. The officials and heads of departments shall furnish the director with information necessary to determine the number of copies to be printed.

2. ~~They~~ The reports shall be printed on good paper, in legible type with pages substantially six inches by nine inches in size. ~~They~~ The reports may be divided for binding where one portion should receive larger distribution than another, or be issued in parts or sections for greater convenience.

Sec. 2. Section 12.1, Code 2018, is amended to read as follows:

12.1 Office — accounts — reports.

1. The treasurer shall keep the treasurer's office at the seat of government, and shall keep an accurate account of the receipts and disbursements at the treasury in books kept for that purpose, in which the treasurer shall specify the names of the persons from whom money is received, and on what account, and the time ~~thereof~~ of receipt.

2. The treasurer is responsible for reporting on the bonding activities of all political subdivisions, instrumentalities, and agencies of the state and shall make recommendations to the general assembly and the governor on modification in the bonding authority. The treasurer shall notify each political subdivision, instrumentality, and agency of the state to report to the treasurer the amount of bonds outstanding and each new bond issue. The treasurer shall adopt rules and establish forms for carrying out this ~~provision~~ section. Each political subdivision, instrumentality, and agency of the state shall

1 provide all the information required by the treasurer under
2 this ~~provision~~ section.

3 Sec. 3. Section 15.333, Code 2018, is amended to read as
4 follows:

5 **15.333 Investment tax credit.**

6 1. For purposes of this section, "new investment" means the
7 cost of machinery and equipment, as defined in section 427A.1,
8 subsection 1, paragraphs "e" and "j", purchased for use in the
9 operation of the eligible business, the purchase price of which
10 has been depreciated in accordance with generally accepted
11 accounting principles, the purchase price of real property and
12 any buildings and structures located on the real property, and
13 the cost of improvements made to real property which is used
14 in the operation of the eligible business. "New investment"
15 also means the annual base rent paid to a third-party developer
16 by an eligible business for a period not to exceed ten years,
17 provided the cumulative cost of the base rent payments for that
18 period does not exceed the cost of the land and the third-party
19 developer's costs to build or renovate the building for the
20 eligible business.

21 ~~1.~~ 2. An eligible business may claim a tax credit equal
22 to a percentage of the new investment directly related to new
23 jobs created or retained by the project. The tax credit shall
24 be amortized equally over five calendar years. The tax credit
25 shall be allowed against taxes imposed under chapter 422,
26 division II, III, or V, and against the moneys and credits tax
27 imposed in [section 533.329](#). If the business is a partnership,
28 S corporation, limited liability company, cooperative organized
29 under [chapter 501](#) and filing as a partnership for federal tax
30 purposes, or estate or trust electing to have the income taxed
31 directly to the individual, an individual may claim the tax
32 credit allowed. The amount claimed by the individual shall
33 be based upon the pro rata share of the individual's earnings
34 of the partnership, S corporation, limited liability company,
35 cooperative organized under [chapter 501](#) and filing as a

1 partnership for federal tax purposes, or estate or trust. The
 2 percentage shall be determined as provided in [section 15.335A](#).
 3 Any tax credit in excess of the tax liability for the tax year
 4 may be credited to the tax liability for the following seven
 5 years or until depleted, whichever occurs first.

6 ~~2. 3. For purposes of [this section](#), "new investment" means~~
 7 ~~the cost of machinery and equipment, as defined in section~~
 8 ~~427A.1, subsection 1, paragraphs "e" and "j", purchased for use~~
 9 ~~in the operation of the eligible business, the purchase price~~
 10 ~~of which has been depreciated in accordance with generally~~
 11 ~~accepted accounting principles, the purchase price of real~~
 12 ~~property and any buildings and structures located on the real~~
 13 ~~property, and the cost of improvements made to real property~~
 14 ~~which is used in the operation of the eligible business.~~
 15 ~~"New investment" also means the annual base rent paid to a~~
 16 ~~third-party developer by an eligible business for a period not~~
 17 ~~to exceed ten years, provided the cumulative cost of the base~~
 18 ~~rent payments for that period does not exceed the cost of the~~
 19 ~~land and the third-party developer's costs to build or renovate~~
 20 ~~the building for the eligible business. The eligible business~~
 21 ~~shall enter into a lease agreement with the third-party~~
 22 ~~developer for a minimum of five years. If, however, within~~
 23 ~~five years of purchase, the eligible business sells, disposes~~
 24 ~~of, razes, or otherwise renders unusable all or a part of the~~
 25 ~~land, buildings, or other existing structures for which tax~~
 26 ~~credit was claimed under [this section](#), the tax liability of~~
 27 ~~the eligible business for the year in which all or part of the~~
 28 ~~property is sold, disposed of, razed, or otherwise rendered~~
 29 ~~unusable shall be increased by one of the following amounts:~~
 30 ~~a. One hundred percent of the tax credit claimed under~~
 31 ~~this section if the property ceases to be eligible for the tax~~
 32 ~~credit within one full year after being placed in service.~~
 33 ~~b. Eighty percent of the tax credit claimed under this~~
 34 ~~section if the property ceases to be eligible for the tax~~
 35 ~~credit within two full years after being placed in service.~~

1 c. Sixty percent of the tax credit claimed under this
2 section if the property ceases to be eligible for the tax
3 credit within three full years after being placed in service.

4 d. Forty percent of the tax credit claimed under this
5 section if the property ceases to be eligible for the tax
6 credit within four full years after being placed in service.

7 e. Twenty percent of the tax credit claimed under this
8 section if the property ceases to be eligible for the tax
9 credit within five full years after being placed in service.

10 Sec. 4. Section 15.333A, Code 2018, is amended to read as
11 follows:

12 **15.333A Insurance premium tax credits.**

13 1. For purposes of this section, "new investment" means the
14 cost of machinery and equipment, as defined in section 427A.1,
15 subsection 1, paragraphs "e" and "j", purchased for use in the
16 operation of the eligible business, the purchase price of which
17 has been depreciated in accordance with generally accepted
18 accounting principles, the purchase price of real property and
19 any buildings and structures located on the real property, and
20 the cost of improvements made to real property which is used
21 in the operation of the eligible business. "New investment"
22 also means the annual base rent paid to a third-party developer
23 by an eligible business for a period not to exceed ten years,
24 provided the cumulative cost of the base rent payments for that
25 period does not exceed the cost of the land and the third-party
26 developer's costs to build or renovate the building for the
27 eligible business.

28 ~~1.~~ 2. An eligible business may claim an insurance premium
29 tax credit equal to a percentage of the new investment directly
30 related to new jobs created by the project. The tax credit
31 shall be amortized equally over a five-year period. The tax
32 credit shall be allowed against taxes imposed in [chapter 432](#).
33 A tax credit in excess of the tax liability for the tax year may
34 be credited to the tax liability for the following seven years
35 or until depleted, whichever occurs first. The percentage

1 shall be determined as provided in [section 15.335A](#).

2 2. ~~3. For purposes of [this section](#), "new investment" means~~
3 ~~the cost of machinery and equipment, as defined in section~~
4 ~~427A.1, subsection 1, paragraphs "e" and "j", purchased for use~~
5 ~~in the operation of the eligible business, the purchase price~~
6 ~~of which has been depreciated in accordance with generally~~
7 ~~accepted accounting principles, the purchase price of real~~
8 ~~property and any buildings and structures located on the real~~
9 ~~property, and the cost of improvements made to real property~~
10 ~~which is used in the operation of the eligible business.~~

11 ~~"New investment" also means the annual base rent paid to a~~
12 ~~third-party developer by an eligible business for a period not~~
13 ~~to exceed ten years, provided the cumulative cost of the base~~
14 ~~rent payments for that period does not exceed the cost of the~~
15 ~~land and the third-party developer's costs to build or renovate~~
16 ~~the building for the eligible business. The eligible business~~
17 ~~shall enter into a lease agreement with the third-party~~
18 ~~developer for a minimum of five years. If, however, within~~
19 ~~five years of purchase, the eligible business sells, disposes~~
20 ~~of, razes, or otherwise renders unusable all or a part of the~~
21 ~~land, buildings, or other existing structures for which tax~~
22 ~~credit was claimed under [this section](#), the tax liability of~~
23 ~~the eligible business for the year in which all or part of the~~
24 ~~property is sold, disposed of, razed, or otherwise rendered~~
25 ~~unusable shall be increased by one of the following amounts:~~

26 a. One hundred percent of the tax credit claimed under
27 this section if the property ceases to be eligible for the tax
28 credit within one full year after being placed in service.

29 b. Eighty percent of the tax credit claimed under this
30 section if the property ceases to be eligible for the tax
31 credit within two full years after being placed in service.

32 c. Sixty percent of the tax credit claimed under this
33 section if the property ceases to be eligible for the tax
34 credit within three full years after being placed in service.

35 d. Forty percent of the tax credit claimed under this

1 section if the property ceases to be eligible for the tax
2 credit within four full years after being placed in service.

3 e. Twenty percent of the tax credit claimed under this
4 section if the property ceases to be eligible for the tax
5 credit within five full years after being placed in service.

6 Sec. 5. Section 15A.4, Code 2018, is amended to read as
7 follows:

8 **15A.4 Competitive programs — good neighbor agreement —**
9 **additional consideration.**

10 1. A good neighbor agreement is an enforceable contract
11 between a business and a community group or coalition of
12 community groups which requires the business to adhere to
13 negotiated environmental, economic, labor, or other social and
14 community standards.

15 2. For any program providing financial assistance for
16 economic development in which the assistance is provided on a
17 competitive basis, a business which enters into a good neighbor
18 agreement shall receive extra consideration of at least ten
19 points or the equivalent. ~~A good neighbor agreement is an~~
20 ~~enforceable contract between the business and a community group~~
21 ~~or coalition of community groups which requires the business to~~
22 ~~adhere to negotiated environmental, economic, labor, or other~~
23 ~~social and community standards. A business which fails to~~
24 abide by the good neighbor agreement shall repay all financial
25 assistance received under the program.

26 ~~A business which fails to abide by the good neighbor~~
27 ~~agreement shall repay all financial assistance received under~~
28 ~~the program.~~

29 Sec. 6. Section 17A.2, subsection 11, paragraph f, Code
30 2018, is amended to read as follows:

31 f. Those portions of staff manuals, instructions, or other
32 statements issued by an agency which set forth criteria or
33 guidelines to be used by its staff in auditing, in making
34 inspections, in settling commercial disputes or negotiating
35 commercial arrangements, or in the selection or handling of

1 cases, such as operational tactics or allowable tolerances or
2 criteria for the defense, prosecution, or settlement of cases,
3 when the disclosure of such statements would do any of the
4 following:

- 5 (1) ~~enable~~ Enable law violators to avoid detection; ~~or.~~
- 6 (2) ~~facilitate~~ Facilitate disregard of requirements imposed
7 by law; ~~or.~~
- 8 (3) ~~give~~ Give a clearly improper advantage to persons who
9 are in an adverse position to the state.

10 Sec. 7. Section 17A.5, subsection 2, paragraph b,
11 subparagraph (1), Code 2018, is amended to read as follows:

12 (1) Subject to applicable constitutional or statutory
13 provisions, a rule becomes effective immediately upon filing
14 with the administrative rules coordinator, or at a subsequent
15 stated date prior to indexing and publication, or at a stated
16 date less than thirty-five days after filing, indexing, and
17 publication, if the agency finds any of the following:

- 18 (a) That a statute so provides;~~.~~
- 19 (b) That the rule confers a benefit or removes a restriction
20 on the public or some segment thereof; ~~or.~~
- 21 (c) That this effective date is necessary because of
22 imminent peril to the public health, safety, or welfare.

23 Sec. 8. Section 22.9, Code 2018, is amended to read as
24 follows:

25 **22.9 Denial of federal funds — rules.**

26 1. If it is determined that any provision of **this chapter**
27 would cause the denial of funds, services or essential
28 information from the United States government which would
29 otherwise definitely be available to an agency of this state,
30 such provision shall be suspended as to such agency, but only
31 to the extent necessary to prevent denial of such funds,
32 services, or essential information.

33 2. An agency within the meaning of section 17A.2, subsection
34 1, shall adopt as a rule, in each situation where **this section**
35 is believed applicable, ~~its~~ the agency's determination

1 identifying those particular provisions of [this chapter](#) that
2 must be waived in the circumstances to prevent the denial of
3 federal funds, services, or information.

4 Sec. 9. Section 26.2, subsection 3, Code 2018, is amended
5 to read as follows:

6 3. "*Public improvement*" means a building or construction
7 work which is constructed under the control of a governmental
8 entity and is paid for in whole or in part with funds of the
9 governmental entity, including a building or improvement
10 constructed or operated jointly with any other public or
11 private agency, but excluding ~~urban~~ all of the following:

12 a. Urban renewal demolition and low-rent housing projects,
13 ~~industrial.~~

14 b. Industrial aid projects authorized under [chapter 419](#),
15 ~~emergency.~~

16 c. Emergency work or repair or maintenance work performed by
17 employees of a governmental entity, ~~and excluding a.~~

18 d. A highway, bridge, or culvert project, ~~and excluding~~
19 ~~construction.~~

20 e. Construction or repair or maintenance work performed for
21 a city utility under [chapter 388](#) by its employees or performed
22 for a rural water district under [chapter 357A](#) by its employees.

23 Sec. 10. Section 43.2, Code 2018, is amended to read as
24 follows:

25 **43.2 Definitions.**

26 1. As used in [this chapter](#), unless the context otherwise
27 requires:

28 ~~1.~~ a. "*Book*", "*list*", "*record*", or "*schedule*" kept by a
29 county auditor, assessor, treasurer, recorder, sheriff, or
30 other county officer means the county system as defined in
31 section 445.1.

32 ~~2.~~ a. b. "*Political party*" shall mean a party which, at
33 the last preceding general election, cast for its candidate for
34 president of the United States or for governor, as the case
35 may be, at least two percent of the total vote cast for all

1 candidates for that office at that election. It shall be the
2 responsibility of the state commissioner to determine whether
3 any organization claiming to be a political party qualifies as
4 such under the foregoing definition.

5 ~~b.~~ 2. A political organization which is not a "political
6 party" within the meaning of this subsection 1, paragraph "b",
7 may nominate candidates and have the names of such candidates
8 placed upon the official ballot by proceeding under chapters
9 44 and 45.

10 Sec. 11. Section 43.115, subsection 2, Code 2018, is amended
11 to read as follows:

12 2. A Notwithstanding any statute to the contrary, a
13 candidate for precinct committee member may also file as
14 a candidate for one additional office, ~~any statute to the~~
15 ~~contrary notwithstanding.~~

16 Sec. 12. Section 49.5, Code 2018, is amended to read as
17 follows:

18 **49.5 City precincts.**

19 1. As used in this section:

20 a. "The convenience of the voters" refers to but is not
21 necessarily limited to the use of precinct boundaries which can
22 be readily described to and identified by voters and for which
23 there is ease of access by voters to their respective precinct
24 polling places by reasonably direct routes of travel.

25 b. "Promoting electoral efficiency" means reducing the cost
26 of staffing election precincts by requiring cities to avoid
27 creating more precincts than is reasonably necessary to provide
28 voters access to voting.

29 2. The council of a city where establishment of more
30 than one precinct is necessary or deemed advisable shall, at
31 the time required by law, divide the city into the number
32 of election precincts as will best serve the convenience of
33 the voters while promoting electoral efficiency. ~~As used in~~
34 ~~this section,~~ the term "~~the convenience of the voters~~" refers
35 to, ~~but is not necessarily limited to,~~ the use of precinct

~~1 boundaries which can be readily described to and identified
2 by voters and for which there is ease of access by voters to
3 their respective precinct polling places by reasonably direct
4 routes of travel. As used in [this section](#), the term “*promoting*
5 *electoral efficiency*” means reducing the cost of staffing
6 election precincts by requiring cities to avoid creating more
7 precincts than is reasonably necessary to provide voters access
8 to voting.~~

9 3. The precinct boundaries shall conform to [section 49.3](#)
10 and shall be described in an ordinance adopted by the council
11 within the time required by [section 49.7](#). Before final
12 adoption of any change in election precinct boundaries pursuant
13 to [this section](#) or [section 49.6](#), the council shall permit the
14 commissioner not less than seven and not more than ten days’
15 time to offer written comments to the council on the proposed
16 reprecincting. If the commissioner recommends changes in the
17 proposed reprecincting which the commissioner concludes could
18 better serve the convenience of the voters or could promote
19 electoral efficiency, including lowering election costs, the
20 council shall, if no changes to the reprecincting are made,
21 include reasons in the ordinance for not adopting the proposed
22 changes of the commissioner. A public hearing shall be held
23 before final adoption of the ordinance. Notice of the date,
24 time, and place of the hearing shall be given as provided in
25 chapter 21.

26 Sec. 13. Section 53.26, Code 2018, is amended to read as
27 follows:

28 **53.26 Rejected ballots — how handled.**

29 Every ballot not counted shall be endorsed on the back
30 thereof “Rejected because (giving reason therefor)”. All
31 rejected ballots shall be enclosed and securely sealed in an
32 envelope on which the precinct election officials shall endorse
33 “Defective ballots”, with a statement of the precinct in which
34 and the date of the election at which they were cast, and be
35 signed by the precinct election officials and returned to the

1 same officer and in the same manner as by law provided for
2 the return and preservation of official ballots voted at such
3 election.

4 Sec. 14. Section 59.1, subsection 1, Code 2018, is amended
5 to read as follows:

6 1. The contestant for a seat in either branch of the general
7 assembly shall, prior to twenty days before the first day of
8 the next session, serve on the incumbent in the manner provided
9 by the rules of civil procedure for service of an original
10 notice a statement of notice of contest which shall allege a
11 fact or facts, believed true by the contestant which, if true,
12 would alter the outcome of the election.

13 Sec. 15. Section 59.3, Code 2018, is amended to read as
14 follows:

15 **59.3 Depositions.**

16 Depositions may be taken in such cases in the same manner
17 and under the same rules as in an action at law in the district
18 court, but no cause for taking the ~~same~~ depositions need be
19 shown.

20 Sec. 16. Section 62.11, Code 2018, is amended to read as
21 follows:

22 **62.11 Subpoenas.**

23 Subpoenas for witnesses may be issued at any time after
24 the notice of trial is served, either by the county treasurer
25 or by the county auditor, and shall command the witnesses to
26 ~~appear~~ appear at, on, to testify in relation to
27 a contested election, wherein (Insert contestant's
28 name) is contestant and (Insert incumbent's name) is
29 ~~incumbent~~ incumbent".

30 Sec. 17. Section 63A.2, subsection 1, Code 2018, is amended
31 to read as follows:

32 1. Governor, secretary of state, secretary of agriculture,
33 auditor of state, treasurer of state, and attorney general.

34 Sec. 18. Section 68B.39, Code 2018, is amended to read as
35 follows:

1 **68B.39 Supreme court rules.**

2 1. The supreme court of this state shall prescribe rules
3 establishing a code of ethics for officials and employees of
4 the judicial branch of this state, and the immediate family
5 members of the officials and employees. Rules prescribed under
6 this ~~paragraph~~ subsection shall include provisions relating to
7 the receipt or acceptance of gifts and honoraria, interests in
8 public contracts, services against the state, and financial
9 disclosure which are substantially similar to the requirements
10 of this chapter.

11 2. The supreme court of this state shall also prescribe
12 rules which relate to activities by officials and employees of
13 the judicial branch which constitute conflicts of interest.

14 Sec. 19. Section 69.16, Code 2018, is amended to read as
15 follows:

16 **69.16 Appointive boards — political affiliation.**

17 1. All appointive boards, commissions, and councils of the
18 state established by the Code if not otherwise provided by law
19 shall be bipartisan in their composition. No person shall be
20 appointed or reappointed to any board, commission, or council
21 established by the Code if the effect of that appointment or
22 reappointment would cause the number of members of the board,
23 commission, or council belonging to one political party to be
24 greater than one-half the membership of the board, commission,
25 or council plus one.

26 2. In the case where the appointment of members of the
27 general assembly is allowed, and the law does not otherwise
28 provide, if an even number of legislators are appointed they
29 shall be equally divided by political party affiliation; if an
30 odd number of members of the general assembly are appointed,
31 the number representing a certain political party shall not
32 exceed by more than one the legislative members of the other
33 political party who may be appointed.

34 3. If there are multiple appointing authorities for a board,
35 commission or council, the appointing authorities shall consult

1 to avoid a violation of [this section](#).

2 [4. This section](#) shall not apply to any board, commission, or
3 council established by the Code for which other restrictions
4 regarding the political affiliations of members are provided
5 by law.

6 Sec. 20. Section 70A.20, Code 2018, is amended to read as
7 follows:

8 **70A.20 Employees disability program.**

9 1. As used in this section, unless the context otherwise
10 requires:

11 a. "Adult" means a person who is eighteen years of age or
12 older.

13 b. "Primary and family social security" shall not include
14 social security benefits awarded to an adult child with a
15 disability of the state employee with a disability who does
16 not reside with the state employee with a disability if the
17 social security benefits were awarded to the adult child with
18 a disability prior to the approval of the state employee's
19 benefits under this section, regardless of whether the United
20 States social security administration records the benefits
21 to the social security number of the adult child with a
22 disability, the state employee with a disability, or any other
23 family member, and such social security benefits shall not
24 reduce the benefits payable pursuant to this section.

25 2. A state employees disability insurance program is
26 created, which shall be administered by the director of the
27 department of administrative services and which shall provide
28 disability benefits in an amount and for the employees as
29 provided in [this section](#). The monthly disability benefits
30 shall, at a minimum, provide twenty percent of monthly
31 earnings if employed less than one year, forty percent of
32 monthly earnings if employed one year or more but less than
33 two years, and sixty percent of monthly earnings thereafter,
34 reduced by primary and family social security determined
35 at the time social security disability payments commence,

1 railroad retirement disability income, workers' compensation
 2 if applicable, and any other state-sponsored sickness or
 3 disability benefits payable. However, the amount of benefits
 4 payable under the Iowa public employees' retirement system
 5 pursuant to [chapter 97B](#) shall not reduce the benefits payable
 6 pursuant to [this section](#). Subsequent social security or
 7 railroad retirement increases shall not be used to further
 8 reduce the insurance benefits payable. ~~As used in this~~
 9 ~~section, "primary and family social security" shall not include~~
 10 ~~social security benefits awarded to an adult child with a~~
 11 ~~disability of the state employee with a disability who does~~
 12 ~~not reside with the state employee with a disability if the~~
 13 ~~social security benefits were awarded to the adult child with~~
 14 ~~a disability prior to the approval of the state employee's~~
 15 ~~benefits under [this section](#), regardless of whether the United~~
 16 ~~States social security administration records the benefits~~
 17 ~~to the social security number of the adult child with a~~
 18 ~~disability, the state employee with a disability, or any other~~
 19 ~~family member, and such social security benefits shall not~~
 20 ~~reduce the benefits payable pursuant to [this section](#). As~~
 21 ~~used in [this section](#), unless the context otherwise requires,~~
 22 ~~"adult" means a person who is eighteen years of age or older.~~
 23 State employees shall receive credit for the time they were
 24 continuously employed prior to and on July 1, 1974.

25 3. The following provisions apply to the employees
 26 disability insurance program:

27 ~~1-~~ a. Waiting period of no more than ninety working days of
 28 continuous sickness or accident disability or the expiration of
 29 accrued sick leave, whichever is greater.

30 ~~2-~~ b. Maximum period benefits paid for both accident or
 31 sickness disability:

32 ~~a-~~ (1) If the disability occurs prior to the time the
 33 employee attains the age of sixty-one years, the maximum
 34 benefit period shall end sixty months after continuous benefit
 35 payments begin or on the date on which the employee attains the

1 age of sixty-five years, whichever is later.

2 ~~b.~~ (2) If the disability occurs on or after the time the
3 employee attains the age of sixty-one years but prior to the
4 age of sixty-nine years, the maximum benefit period shall end
5 sixty months after continuous benefit payments begin or on the
6 date on which the employee attains the age of seventy years,
7 whichever is earlier.

8 ~~c.~~ (3) If the disability occurs on or after the time the
9 employee attains the age of sixty-nine years, the maximum
10 benefit period shall end twelve months after continuous benefit
11 payments begin.

12 ~~3. a.~~ c. (1) Minimum and maximum benefits of not less
13 than fifty dollars per month and not exceeding three thousand
14 dollars per month.

15 ~~b.~~ (2) In no event shall benefits exceed one hundred
16 percent of the claimant's predisability covered monthly
17 compensation.

18 ~~4. d.~~ All probationary and permanent full-time state
19 employees shall be covered under the employees disability
20 insurance program, except board members and members of
21 commissions who are not full-time state employees, and state
22 employees who on July 1, 1974, are under another disability
23 program financed in whole or in part by the state, and
24 state employees who have agreed to participation in another
25 disability program through a collective bargaining agreement.
26 For purposes of [this section](#), members of the general assembly
27 serving on or after January 1, 1989, are eligible for the plan
28 during their tenure in office, on the basis of enrollment
29 rules established for full-time state employees excluded from
30 collective bargaining as provided in [chapter 20](#).

31 Sec. 21. Section 80.18, Code 2018, is amended to read as
32 follows:

33 **80.18 Expenses and supplies — reimbursement.**

34 1. The commissioner shall provide peace officers of the
35 department when on duty, with suitable uniforms, subsistence,

1 arms, equipment, quarters, and other necessary supplies, and
2 also the expense and means of travel and boarding, according
3 to rules adopted by the commissioner, and as may be provided
4 by appropriation.

5 2. The department may expend moneys from the support
6 allocation of the department as reimbursement for replacement
7 or repair of personal items of the department's peace officers
8 or employees damaged or destroyed during a peace officer's or
9 employee's course of employment. However, the reimbursement
10 shall not exceed the greater of one hundred fifty dollars or
11 the amount agreed to under the collective bargaining agreement
12 for each item. The department shall adopt rules in accordance
13 with [chapter 17A](#) to administer this ~~paragraph~~ subsection.

14 Sec. 22. Section 80A.13, subsection 1, Code 2018, is amended
15 to read as follows:

16 1. File with the sheriff of the county in which the campus
17 is located evidence that the individual has successfully
18 completed an approved firearm safety training under section
19 724.9. This requirement does not apply to armored car
20 personnel.

21 Sec. 23. Section 84A.4, subsection 1, Code 2018, is amended
22 to read as follows:

23 1. A local workforce development board shall be established
24 in each service delivery area as defined in [section 84B.3](#).
25 The voting members of each board shall be appointed by the
26 governor, consistent with the requirements of federal law
27 and in consultation with chief elected officials within the
28 local workforce development area. Chief elected officials
29 responsible for recommendations for each board's voting
30 membership shall include but are not limited to county
31 elected officials, municipal elected officials, and community
32 college directors. The voting membership of each board shall
33 provide for equal representation of business and labor and
34 shall include a county elected official, a city official, a
35 representative of a school district, and a representative of

1 a community college. A local workforce development board may
2 appoint ex officio, nonvoting members.

3 Sec. 24. Section 84A.7, subsections 2 and 3, Code 2018, are
4 amended to read as follows:

5 2. *Iowa conservation corps established.* The Iowa
6 conservation corps is established in this state to provide
7 meaningful and productive public service jobs for youth,
8 unemployed persons, persons with disabilities, disadvantaged
9 persons, and elderly persons, and to provide participants
10 with an opportunity to explore careers, gain work experience,
11 and contribute to the general welfare of their communities
12 and the state. The corps shall provide opportunities in the
13 areas of natural resource and wildlife conservation, park
14 maintenance and restoration, land management, energy savings,
15 community improvement projects, tourism, economic development,
16 and work benefiting human services programs. The department
17 of workforce development shall administer the corps and shall
18 adopt rules pursuant to chapter 17A governing its operation,
19 eligibility for participation, cash contributions, and
20 implementation of an incentive program.

21 3. *Funding.* Corps projects shall be funded by
22 appropriations to the Iowa conservation corps account and
23 by cash, services, and material contributions made by other
24 state agencies or local public and private agencies. Public
25 and private entities who benefit from a corps project shall
26 contribute at least thirty-five percent of the total project
27 budget. The contributions may be in the form of cash,
28 materials, or services. Materials and services shall be
29 intended for the project and acceptable to the department of
30 workforce development. Minimum levels of contributions shall
31 be prescribed in rules adopted by the department of workforce
32 development pursuant to chapter 17A.

33 Sec. 25. Section 84A.8, Code 2018, is amended to read as
34 follows:

35 **84A.8 Workforce investment program.**

1 A workforce investment program is established to enable
2 more Iowans to enter or reenter the workforce. The workforce
3 investment program shall provide training and support services
4 to population groups that have historically faced barriers to
5 employment. The department of workforce development shall
6 administer the workforce investment program and shall adopt
7 rules pursuant to chapter 17A governing its operation and
8 eligibility guidelines for participation.

9 Sec. 26. Section 85.22, unnumbered paragraph 1, Code 2018,
10 is amended to read as follows:

11 When an employee receives an injury or incurs an
12 occupational disease or an occupational hearing loss for
13 which compensation is payable under [this chapter](#), chapter
14 85A, or [chapter 85B](#), and which injury or occupational disease
15 or occupational hearing loss is caused under circumstances
16 creating a legal liability against some person, other than
17 the employee's employer or any employee of such employer as
18 provided in [section 85.20](#) to pay damages, the employee, or
19 the employee's dependent, or the trustee of such dependent,
20 may take proceedings against the employer for compensation,
21 and the employee or, in case of death, the employee's legal
22 representative may also maintain an action against such third
23 party for damages. When an injured employee or the employee's
24 legal representative brings an action against such third party,
25 a copy of the original notice shall be served upon the employer
26 by the plaintiff, not less than ten days before the trial of
27 the case, but a failure to give such notice shall not prejudice
28 the rights of the employer, and the following rights and duties
29 shall ensue:

30 Sec. 27. Section 85.27, subsections 1 and 5, Code 2018, are
31 amended to read as follows:

32 1. The employer, for all injuries compensable under this
33 chapter or [chapter 85A](#), shall furnish reasonable surgical,
34 medical, dental, osteopathic, chiropractic, podiatric, physical
35 rehabilitation, nursing, ambulance, and hospital services

1 and supplies therefor and shall allow reasonably necessary
2 transportation expenses incurred for such services. The
3 employer shall also furnish reasonable and necessary crutches,
4 artificial members and appliances but shall not be required to
5 furnish more than one set of permanent prosthetic devices.

6 5. When an artificial member or orthopedic appliance,
7 whether or not previously furnished by the employer, is damaged
8 or made unusable by circumstances arising out of and in the
9 course of employment other than through ordinary wear and tear,
10 the employer shall repair or replace it. When any crutch,
11 artificial member or appliance, whether or not previously
12 furnished by the employer, either is damaged or made unusable
13 in conjunction with a personal injury entitling the employee to
14 disability benefits, or services as provided by [this section](#),
15 or is damaged in connection with employee actions taken which
16 avoid such personal injury, the employer shall repair or
17 replace it.

18 Sec. 28. Section 85.33, subsection 3, paragraph a, Code
19 2018, is amended to read as follows:

20 a. If an employee is temporarily, partially disabled and
21 the employer for whom the employee was working at the time of
22 injury offers to the employee suitable work consistent with the
23 employee's disability the employee shall accept the suitable
24 work, and be compensated with temporary partial benefits. If
25 the employer offers the employee suitable work and the employee
26 refuses to accept the suitable work offered by the employer,
27 the employee shall not be compensated with temporary partial,
28 temporary total, or healing period benefits during the period
29 of the refusal. Work offered at the employer's principal
30 place of business or established place of operation where the
31 employee has previously worked is presumed to be geographically
32 suitable for an employee whose duties involve travel away from
33 the employer's principal place of business or established place
34 of operation more than fifty percent of the time. If suitable
35 work is not offered by the employer for whom the employee was

1 working at the time of the injury and the employee who is
2 temporarily, partially disabled elects to perform work with
3 a different employer, the employee shall be compensated with
4 temporary partial benefits.

5 Sec. 29. Section 85.43, subsections 1 and 3, Code 2018, are
6 amended to read as follows:

7 1. If the deceased employee leaves a surviving spouse
8 qualified under the provisions of [section 85.42](#), the full
9 compensation shall be paid to the surviving spouse, as provided
10 in [section 85.31](#); provided that where a deceased employee leave
11 leaves a surviving spouse and a dependent child or children the
12 workers' compensation commissioner may make an order of record
13 for an equitable apportionment of the compensation payments.

14 3. If the deceased leaves a dependent child or children who
15 was or were such at the time of the injury, and the surviving
16 spouse remarries, then and in such case, the payments shall be
17 paid to the proper compensation trustee for the use and benefit
18 of such dependent child or children for the period provided in
19 section 85.31.

20 Sec. 30. Section 85.49, Code 2018, is amended to read as
21 follows:

22 **85.49 Trustees for minors and dependents.**

23 1. When a minor or a dependent who is mentally incompetent
24 is entitled to weekly benefits under [this chapter](#), or chapter
25 85A or [85B](#), payment shall be made to the parent, guardian, or
26 conservator, who shall act as trustee, and the money coming
27 into the trustee's hands shall be expended for the use and
28 benefit of the person entitled to it under the direction and
29 orders of a district judge. The trustee shall qualify and give
30 bond in an amount as the district judge directs, which may be
31 increased or diminished from time to time.

32 2. If the domicile or residence of the minor or dependent
33 who is mentally incompetent is outside the state of Iowa, the
34 workers' compensation commissioner may order and direct that
35 benefits to the ~~minors~~ minor or ~~dependents~~ dependent be paid to

1 a guardian, conservator, or legal representative duly qualified
2 under the laws of the jurisdiction wherein the ~~minors~~ minor or
3 ~~dependents~~ dependent shall be domiciled or reside. Proof of
4 the identity and qualification of the guardian, conservator, or
5 other legal representative shall be furnished to the workers'
6 compensation commissioner.

7 Sec. 31. Section 85.61, subsection 3, Code 2018, is amended
8 to read as follows:

9 3. "*Gross earnings*" means recurring payments by the
10 employer to the employee for employment, before any authorized
11 or lawfully required deduction or withholding of funds by
12 the employer, excluding irregular bonuses, retroactive pay,
13 overtime, penalty pay, reimbursement of expenses, expense
14 allowances, and the employer's contribution for welfare
15 benefits.

16 Sec. 32. Section 85.70, subsection 2, paragraphs c, d, and
17 f, Code 2018, are amended to read as follows:

18 c. The employee shall be entitled to financial support from
19 the employer or the employer's insurer for participation in
20 the new career vocational ~~and education~~ training and education
21 program in a total amount not to exceed fifteen thousand
22 dollars to be used for the payment of tuition and fees and
23 the purchase of required supplies. The community college in
24 which an employee is enrolled pursuant to the program shall
25 bill the employer or the employer's insurer for the employee's
26 tuition and fees each semester, or the equivalent, that the
27 employee is enrolled in the program. The employer or the
28 employer's insurer shall also pay for the purchase of supplies
29 required by the employee to participate in the program, upon
30 receipt of documentation from the employee detailing the cost
31 of the supplies and the necessity for purchasing the supplies.
32 Such documentation may include written course requirements or
33 other documentation from the community college or the course
34 instructor regarding the necessity for the purchase of certain
35 supplies.

1 *d.* The employer or the employer's insurer may request a
2 periodic status report each semester from the community college
3 documenting the employee's attendance and participation in and
4 completion of the ~~education and~~ career vocational training
5 and education program. If an employee does not meet the
6 attendance requirements of the community college at which the
7 employee is enrolled or does not maintain a passing grade in
8 each course in which the employee is enrolled each semester,
9 or the equivalent, the employee's eligibility for continued
10 participation in the program is terminated.

11 *f.* Beginning on or before December 1, 2018, the department
12 of workforce development, in cooperation with the department
13 of education, the insurance division of the department of
14 commerce, and all community colleges that are participating
15 in the new career ~~and~~ vocational training and education
16 program, shall prepare an annual report for submission to the
17 general assembly that provides information about the status
18 of the program including but not limited to the utilization
19 of and participants in the program, program completion rates,
20 employment rates after completion of the program and the types
21 of employment obtained by the program participants, and the
22 effects of the program on workers' compensation premium rates.

23 Sec. 33. Section 88.7, subsection 1, paragraph b, Code 2018,
24 is amended to read as follows:

25 *b.* If, upon inspection or investigation, the commissioner or
26 the commissioner's authorized representative believes that an
27 employee, under the employee's own volition, has violated the
28 requirements of [section 88.4](#), of any standard, rule or rules
29 promulgated pursuant to [section 88.5](#), or of any regulations
30 prescribed pursuant to [this chapter](#), the commissioner shall
31 with reasonable promptness issue a citation to the employee.
32 Each citation shall be in writing and shall describe with
33 particularity the nature of the violation, including a
34 reference to the provision of the chapter, standard, rules,
35 regulations or order alleged to have been violated. The

1 commissioner shall prescribe procedures for the issuance of
2 a notice in lieu of a citation with respect to de minimis
3 violations which have no direct or immediate relationship to
4 safety and health.

5 Sec. 34. Section 88A.3, subsection 1, Code 2018, is amended
6 to read as follows:

7 1. The commissioner shall adopt rules pursuant to chapter
8 17A for the safe installation, repair, maintenance, use,
9 operation, and inspection of amusement devices, amusement
10 rides, concession booths, and related electrical equipment at
11 carnivals and fairs to the extent necessary for the protection
12 of the public. The rules shall be based on generally accepted
13 engineering standards and shall be concerned with, but not
14 necessarily limited to, engineering force stresses, safety
15 devices, and preventive maintenance. If standards are
16 available in suitable form, the standards may be incorporated
17 by reference. The rules shall provide for the reporting of
18 accidents and injuries incurred from the operation of amusement
19 devices or rides, concession booths, or related electrical
20 equipment.

21 Sec. 35. Section 92.4, subsection 1, Code 2018, is amended
22 to read as follows:

23 1. Those persons legally out of school, ~~and~~ if such status
24 is verified by the submission of written proof to the labor
25 commissioner.

26 Sec. 36. Section 92.21, Code 2018, is amended to read as
27 follows:

28 **92.21 Rules and orders of labor commissioner.**

29 1. The labor commissioner may adopt rules pursuant to
30 chapter 17A to more specifically define the occupations and
31 equipment permitted or prohibited in **this chapter**, to determine
32 occupations for which work permits are required, and to
33 issue general and special orders prohibiting or allowing the
34 employment of persons under eighteen years of age in any place
35 of employment defined in **this chapter** as hazardous to the

1 health, safety, and welfare of the persons.

2 2. The labor commissioner shall adopt rules pursuant to
3 chapter 17A specifically defining the civil penalty amount to
4 be assessed for violations of this chapter.

5 Sec. 37. Section 100.19, subsection 4, paragraph d, Code
6 2018, is amended by striking the paragraph.

7 Sec. 38. Section 100.19, Code 2018, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 4A. A retailer or community group shall not
10 transfer consumer fireworks, as described in APA 87-1, chapter
11 3, to a person who is under eighteen years of age.

12 Sec. 39. Section 123.38, subsection 2, Code 2018, is amended
13 to read as follows:

14 2. a. Any licensee or permittee, or the licensee's or
15 permittee's executor or administrator, or any person duly
16 appointed by the court to take charge of and administer the
17 property or assets of the licensee or permittee for the benefit
18 of the licensee's or permittee's creditors, may voluntarily
19 surrender a license or permit to the division. When a license
20 or permit is surrendered the division shall notify the local
21 authority, and the division or the local authority shall
22 refund to the person surrendering the license or permit, a
23 proportionate amount of the fee received by the division or the
24 local authority for the license or permit as follows: ~~if~~

25 (1) If a license or permit is surrendered during the first
26 three months of the period for which it was issued, the refund
27 shall be three-fourths of the amount of the fee; ~~if.~~

28 (2) If surrendered more than three months but not more than
29 six months after issuance, the refund shall be one-half of the
30 amount of the fee; ~~if.~~

31 (3) If surrendered more than six months but not more than
32 nine months after issuance, the refund shall be one-fourth of
33 the amount of the fee.

34 (4) No refund shall be made, ~~however,~~ for any special
35 permit, liquor control license, wine permit, or beer permit

1 surrendered more than nine months after issuance.

2 b. For purposes of [this subsection](#), any portion of license
3 or permit fees used for the purposes authorized in section
4 331.424, subsection 1, paragraph "a", subparagraphs (1) and
5 (2), and in [section 331.424A](#), shall not be deemed received
6 either by the division or by a local authority.

7 c. No refund shall be made to any licensee or permittee
8 upon the surrender of the license or permit if there is at the
9 time of surrender a complaint filed with the division or local
10 authority charging the licensee or permittee with a violation
11 of [this chapter](#).

12 d. If upon a hearing on a complaint the license or permit
13 is not revoked or suspended, then the licensee or permittee is
14 eligible, upon surrender of the license or permit, to receive a
15 refund as provided in [this section](#). However, if the license or
16 permit is revoked or suspended upon hearing, the licensee or
17 permittee is not eligible for the refund of any portion of the
18 license or permit fee.

19 Sec. 40. Section 124.206, subsection 2, paragraph d,
20 unnumbered paragraph 1, Code 2018, is amended to read as
21 follows:

22 Coca leaves and any salt, compound, derivative, or
23 preparation of coca leaves, including cocaine and ecgonine and
24 their salts, isomers, derivatives and salts of isomers and
25 derivatives, and any salt, compound, derivative, or preparation
26 thereof that is chemically equivalent or identical to any of
27 such substances, except that the substances shall not include:

28 Sec. 41. Section 124.510, Code 2018, is amended to read as
29 follows:

30 **124.510 Reports of arrests and analyses to department.**

31 Any peace officer who arrests for any crime, any known
32 unlawful user of the drugs described in schedule I, II, III,
33 or IV, or who arrests any person for a violation of this
34 chapter, or charges any person with a violation of [this chapter](#)
35 subsequent to the person's arrest, shall within five days after

1 the arrest or the filing of the charge, whichever is later,
2 report the arrest and the charge filed to the department. The
3 peace officer or any other peace officer or law enforcement
4 agency which makes or obtains any quantitative or qualitative
5 analysis of any substance seized in connection with the arrest
6 of the person charged, shall report to the department the
7 results of the analysis at the time the arrest is reported
8 or at such later time as the results of the analysis become
9 available. This information is for the exclusive use of the
10 division of narcotics enforcement in the department of public
11 safety, and shall not be a matter of public record.

12 ~~This information is for the exclusive use of the division of~~
13 ~~narcotics enforcement in the department of public safety, and~~
14 ~~shall not be a matter of public record.~~

15 Sec. 42. Section 126.14, subsection 1, Code 2018, is amended
16 to read as follows:

17 1. a. It bears or contains a poisonous or deleterious
18 substance which may render it injurious to users under the
19 conditions of use prescribed in its labeling or under customary
20 or usual conditions of use. However, this does not apply to
21 coal-tar hair dye if the label of the dye bears the following
22 legend conspicuously displayed and the label bears adequate
23 directions for the preliminary testing:

24 ~~"Caution Caution — This product contains ingredients~~
25 ~~which may cause skin irritation on certain individuals and a~~
26 ~~preliminary test according to accompanying directions should~~
27 ~~first be made. This product must not be used for dyeing the~~
28 ~~eyelashes or eyebrows; to do so may cause blindness"; and the~~
29 ~~label bears adequate directions for the preliminary testing~~
30 blindness.

31 b. For the purposes of **this subsection** and **subsection 5,**
32 **"hair dye"** does not include eyelash dyes or eyebrow dyes.

33 Sec. 43. Section 135B.21, Code 2018, is amended to read as
34 follows:

35 **135B.21 Functions of hospital.**

1 The ownership, ~~and~~ maintenance, and operation of the
2 laboratory and X-ray facilities ~~and the operation of same~~ under
3 this subchapter are proper functions of a hospital.

4 Sec. 44. Section 137C.1, Code 2018, is amended to read as
5 follows:

6 **137C.1 Title.**

7 This chapter shall be known as the ~~Iowa hotel sanitation code~~
8 "Iowa Hotel Sanitation Code".

9 Sec. 45. Section 137C.35, Code 2018, is amended to read as
10 follows:

11 **137C.35 Bed and breakfast homes and inns.**

12 1. This chapter does not apply to bed and breakfast homes as
13 defined in section 137F.1. However, a bed and breakfast home
14 shall have a smoke detector in proper working order in each
15 sleeping room and a fire extinguisher in proper working order
16 on each floor. A bed and breakfast home which does not receive
17 its drinking water from a public water supply shall have its
18 drinking water tested at least annually by the state hygienic
19 laboratory or the local board of health. ~~A violation of this~~
20 ~~section is punishable as provided in section 137C.28.~~

21 2. A bed and breakfast inn is subject to regulation,
22 licensing, and inspection under this chapter, but separate
23 toilet and lavatory facilities shall not be required for each
24 guest room. Additionally, a bed and breakfast inn is exempt
25 from fire safety rules adopted pursuant to section 100.35 and
26 applicable to hotels, but is subject to fire safety rules which
27 the state fire marshal shall specifically adopt for bed and
28 breakfast inns.

29 3. A violation of this section is punishable as provided in
30 section 137C.28.

31 Sec. 46. Section 147.136A, subsection 1, paragraph a, Code
32 2018, is amended to read as follows:

33 a. "Health care provider" means a hospital as defined in
34 section 135B.1, a health care facility as defined in section
35 135C.1, a health facility as defined in section 135P.1, a

1 physician or an osteopathic physician licensed under chapter
 2 148, ~~a chiropractor licensed under chapter 151, a podiatrist~~
 3 ~~licensed under chapter 149,~~ a physician assistant licensed and
 4 practicing under a supervising physician under chapter 148C, a
 5 podiatrist licensed under chapter 149, a chiropractor licensed
 6 under chapter 151, a licensed practical nurse, a registered
 7 nurse, or an advanced registered nurse practitioner licensed
 8 under chapter 152 or 152E, a dentist licensed under chapter
 9 153, an optometrist licensed under chapter 154, a pharmacist
 10 licensed under chapter 155A, ~~a hospital as defined in section~~
 11 ~~135B.1, a health care facility as defined in section 135C.1, a~~
 12 ~~health facility as defined in section 135P.1,~~ a professional
 13 corporation under chapter 496C that is owned by persons
 14 licensed to practice a profession listed in this paragraph,
 15 or any other person or entity who is licensed, certified, or
 16 otherwise authorized or permitted by the law of this state to
 17 administer health care in the ordinary course of business or in
 18 the practice of a profession.

19 Sec. 47. Section 148D.2, Code 2018, is amended to read as
 20 follows:

21 **148D.2 Establishment.**

22 1. A statewide medical education system is established
 23 for the purpose of training resident physicians in family
 24 practice. The dean of the college of medicine is responsible
 25 for implementing the development and expansion of residency
 26 programs in cooperation with the medical profession, hospitals,
 27 and clinics located throughout the state. The head of the
 28 department of family practice in the college of medicine
 29 shall determine where affiliated residency programs shall be
 30 established, giving consideration to communities in the state
 31 where the population, hospital facilities, number of physicians
 32 and interest in medical education indicate the potential
 33 success of the residency programs. The medical education
 34 systems shall provide financial support for residents in
 35 training in accredited affiliated residency programs and shall

1 establish positions for a director, assistant director, and
2 other faculty in the programs.

3 2. To assure continued growth, development, and academic
4 essentials in ongoing programs, nonaffiliated residency
5 programs which are accredited by a recognized national
6 accrediting organization, shall be funded under **this chapter**
7 at a level commensurate with the support of the affiliated
8 residency programs having a comparable number of residents in
9 training or, if there are no affiliated residency programs
10 having a comparable number of residents in training, then a
11 nonaffiliated program shall be funded in an amount determined
12 on a pro rata capitation basis for each resident in training,
13 equivalent to the per capita funding for each resident in
14 training in an affiliated program having the nearest number of
15 residents in training. As used in ~~the preceding sentence~~ this
16 subsection, "*support*" means both cash grants and the value of
17 service directly provided to affiliated residency programs by
18 the college of medicine.

19 Sec. 48. Section 161A.24, Code 2018, is amended to read as
20 follows:

21 **161A.24 Assessment for improvements.**

22 1. At the time of appointing ~~said~~ the appraisers, the
23 governing body shall fix the time within which said assessment,
24 classification, and apportionment shall be made, which may
25 be extended for good cause shown. Within twenty days after
26 their appointment, ~~they~~ the appraisers shall begin to inspect
27 and classify all the lands within ~~said~~ the district, or any
28 change, extension, enlargement, or relocation thereof in tracts
29 of forty acres or less according to the legal or recognized
30 subdivisions, in a graduated scale of benefits to be numbered
31 according to the benefit to be received by each of such tracts
32 from such improvement, and pursue ~~said~~ the work continuously
33 until completed ~~and, when~~. When the work is completed, the
34 appraisers shall make a full, accurate, and detailed report
35 thereof and file the same report with the governing body. The

1 lands receiving the greatest benefit shall be marked on a scale
2 of one hundred, and those benefited in a less degree with such
3 percentage of one hundred as the benefits received bear in
4 proportion thereto.

5 2. The amount of benefit appraised to each forty acres
6 of land within the subdistrict shall be determined by the
7 improvements within said subdistrict based upon the work plan
8 as agreed upon by the subdistrict.

9 Sec. 49. Section 164.3, Code 2018, is amended to read as
10 follows:

11 **164.3 Female animals vaccinated.**

12 Native female bovine animals of any breed between the ages
13 of four months and twelve months may be officially vaccinated
14 for brucellosis according to procedures approved by the United
15 States department of agriculture. Native female designated
16 animals other than bovine animals may be vaccinated as provided
17 by rules adopted by the department of agriculture and land
18 stewardship. The expense of the vaccination shall be borne in
19 the same manner as provided in [section 164.6](#).

20 Sec. 50. Section 179.8, Code 2018, is amended to read as
21 follows:

22 **179.8 Payment of expenses — limitation.**

23 1. No part of the expense incurred by the commission
24 shall be paid out of moneys in the state treasury except
25 moneys transferred to the commission from the dairy industry
26 fund. Moneys transferred from the fund to the commission, as
27 provided in [section 179.5](#), shall be used for the payment of
28 all salaries, and other expenses necessary, to carry out the
29 provisions of [this chapter](#). However, in no event shall the
30 total expenses exceed the total taxes collected and transferred
31 from the fund to the commission.

32 2. No more than five percent of the excise tax collected and
33 received by the commission pursuant to [section 179.5](#) shall be
34 utilized for administrative expenses of the commission.

35 Sec. 51. Section 185.25, Code 2018, is amended to read as

1 follows:

2 **185.25 Special referendum — producer petition.**

3 1. Upon receipt of a petition not less than one hundred
4 fifty nor more than two hundred forty days from a four-year
5 anniversary of the effective date of an initial promotional
6 order signed within that same period by a number of producers
7 equal to or greater than one percent of the number of
8 producers reported in the most recent United States census
9 of agriculture, requesting a referendum to determine whether
10 to extend the promotional order, the secretary shall call a
11 referendum to be conducted not earlier than thirty days before
12 the four-year anniversary date. If the secretary determines
13 that extension of the promotional order is not favored by
14 a majority of the producers voting in the referendum, the
15 promotional order shall be terminated as provided in section
16 185.24. If the promotional order is terminated, another
17 referendum shall not be held within one hundred eighty days. A
18 succeeding referendum shall be called by the secretary upon the
19 petition of a number of producers equal to or greater than one
20 percent of the number of producers reported in the most recent
21 United States census of agriculture requesting a referendum,
22 who shall guarantee the costs of the referendum.

23 2. If no valid petition is received by the secretary
24 within the time period described ~~above~~ in subsection 1, or
25 if a petition is received but the referendum to extend the
26 promotional order passes, the promotional order shall continue
27 in effect for four additional years from the anniversary of its
28 effective date.

29 Sec. 52. Section 192.103, subsections 1 and 2, Code 2018,
30 are amended to read as follows:

31 1. Only grade "A" pasteurized milk and milk products
32 shall be sold to the final consumer, or to restaurants, soda
33 fountains, grocery stores, or similar establishments; ~~except.~~
34 However, in an emergency, the sale of pasteurized milk and milk
35 products which have not been graded, or the grade of which is

1 unknown, may be authorized by the secretary, in which case,
2 such products shall be labeled "ungraded".

3 2. No person shall within the state produce, provide,
4 sell, offer, or expose for sale, or have in possession with
5 intent to sell, any milk or milk product which is adulterated
6 or misbranded; ~~except.~~ However, in an emergency, the sale
7 of pasteurized milk and milk products which have not been
8 graded, or the grade of which is unknown, may be authorized by
9 the secretary, in which case such products shall be labeled
10 "ungraded".

11 Sec. 53. Section 200.17, Code 2018, is amended to read as
12 follows:

13 **200.17 Seizure, condemnation, and sale.**

14 Any lot of commercial fertilizer or soil conditioner not
15 in compliance with the provisions of **this chapter** shall be
16 subject to seizure on complaint of the secretary to a court
17 of competent jurisdiction in the county or adjoining county
18 in which ~~said~~ the commercial fertilizer or soil conditioner
19 is located. In the event the court finds the ~~said~~ commercial
20 fertilizer or soil conditioner to be in violation of this
21 chapter and orders the condemnation of ~~said~~ the commercial
22 fertilizer or soil conditioner, it shall be disposed of in any
23 manner consistent with the quality of the commercial fertilizer
24 or soil conditioner and the laws of the ~~state.~~ Except state.
25 However, in no instance shall the disposition of ~~said~~ the
26 commercial fertilizer or soil conditioner be ordered by the
27 court without first giving the claimant an opportunity to apply
28 to the court for release of ~~said~~ the commercial fertilizer or
29 soil conditioner or for permission to reprocess or relabel ~~said~~
30 the commercial fertilizer or soil conditioner to bring it into
31 compliance with **this chapter**.

32 Sec. 54. Section 206.2, subsection 18, paragraph b,
33 subparagraph (8), Code 2018, is amended to read as follows:

34 (8) If in the case of a plant growth regulator, defoliant,
35 or desiccant when used as directed it shall be injurious to

1 living ~~man~~ humans or other vertebrate animals, or vegetation to
2 which it is applied, or to the person applying such pesticide;
3 provided, that physical or physiological effects on plants or
4 parts thereof shall not be deemed to be injury, when this is
5 the purpose for which the plant growth regulator, defoliant, or
6 desiccant was applied, in accordance with the label claims and
7 recommendations.

8 Sec. 55. Section 206.2, subsection 31, Code 2018, is amended
9 to read as follows:

10 31. *“Unreasonable adverse effects on the environment”* means
11 any unreasonable risk to ~~man~~ humans or the environment, taking
12 into account the economic, social, and environmental costs and
13 benefits of the use of any pesticide.

14 Sec. 56. Section 217.5, Code 2018, is amended to read as
15 follows:

16 **217.5 Director of human services.**

17 The chief administrative officer for the department of human
18 services is the director of human services. The director shall
19 be appointed by the governor subject to confirmation by the
20 senate and shall serve at the pleasure of the governor. The
21 governor shall fill a vacancy in this office in the same manner
22 as the original appointment was made. The director shall be
23 selected primarily for administrative ability. The director
24 shall not be selected on the basis of political affiliation
25 and shall not engage in political activity while holding this
26 position.

27 ~~The director shall not be selected on the basis of political~~
28 ~~affiliation and shall not engage in political activity while~~
29 ~~holding this position.~~

30 Sec. 57. Section 218.4, subsection 2, Code 2018, is amended
31 to read as follows:

32 2. Rules adopted by the council pursuant to chapter 17A
33 shall be uniform and shall apply to all institutions under the
34 particular administrator and to all other institutions under
35 the administrator's jurisdiction, ~~and the~~. The primary rules

1 for use in institutions where persons with mental illness are
2 served shall, unless otherwise indicated, uniformly apply
3 to county or private hospitals in which persons with mental
4 illness are served, but the rules shall not interfere with
5 proper medical treatment administered to patients by competent
6 physicians. Annually, signed copies of the rules shall be
7 sent to the superintendent of each institution or hospital
8 under the control or supervision of a particular administrator
9 ~~and copies.~~ Copies shall also be sent to the clerk of each
10 district court, the chairperson of the board of supervisors
11 of each county and, as appropriate, to the officer in charge
12 of institutions or hospitals caring for persons with mental
13 illness in each county who shall be responsible for seeing
14 that the rules are posted in each institution or hospital in a
15 prominent place. The rules shall be kept current to meet the
16 public need and shall be revised and published annually.

17 Sec. 58. Section 218.9, Code 2018, is amended to read as
18 follows:

19 **218.9 Appointment of superintendents.**

20 1. The administrator in charge of an institution, subject to
21 the approval of the director of human services, shall appoint
22 the superintendent of the institution. The tenure of office
23 shall be at the pleasure of the appointing authority. The
24 appointing authority may transfer a superintendent or warden
25 from one institution to another.

26 2. The superintendent or warden shall have immediate
27 custody and control, subject to the orders and policies of the
28 division administrator in charge of the institution, of all
29 property used in connection with the institution except as
30 provided in **this chapter**. ~~The tenure of office shall be at the~~
31 ~~pleasure of the appointing authority. The appointing authority~~
32 ~~may transfer a superintendent or warden from one institution~~
33 ~~to another.~~

34 Sec. 59. Section 218.21, Code 2018, is amended to read as
35 follows:

1 **218.21 Record of residents.**

2 The administrator of the department of human services in
3 control of a state institution shall, as to every person
4 committed to any of ~~said~~ the institutions, keep the following
5 record:

- 6 1. ~~Name, residence, sex, age, nativity, occupation, civil.~~
- 7 2. Residence.
- 8 3. Sex.
- 9 4. Age.
- 10 5. Nativity.
- 11 6. Occupation.
- 12 7. Civil condition, ~~date.~~
- 13 8. Date of entrance or commitment, ~~date.~~
- 14 9. Date of discharge, ~~whether.~~
- 15 10. Whether a discharge was final, ~~condition.~~
- 16 11. Condition of the person when discharged, ~~the.~~
- 17 12. The name of the institutions from which and to which
18 such person has been transferred, ~~and, if.~~
- 19 13. If dead, the date, ~~and~~ cause of the person's death.

20 Sec. 60. Section 222.85, Code 2018, is amended to read as
21 follows:

22 **222.85 Deposit of moneys — exception to guardians.**

23 1. Any funds coming into the possession of the
24 superintendent or any employee of a resource center or special
25 unit belonging to any patient in that institution shall be
26 deposited in the name of the patient in the patients' personal
27 deposit fund, except that if a guardian of the property has
28 been appointed for the person, the guardian shall have the
29 right to demand and receive such funds. Funds belonging to a
30 patient deposited in the patients' personal deposit fund may
31 be used for the purchase of personal incidentals, desires, and
32 comforts for the patient.

33 2. Money paid to a resource center from any source other
34 than state appropriated funds and intended to pay all or a
35 portion of the cost of care of a patient, which cost would

1 otherwise be paid from state or county funds or from the
2 patient's own funds, shall not be deemed ~~money~~ "funds belonging
3 to ~~the patient~~ a patient" for the purposes of this section.

4 Sec. 61. Section 232.52, subsection 2, paragraph a,
5 subparagraph (4), subparagraph division (a), subparagraph
6 subdivision (viii), Code 2018, is amended to read as follows:

7 (viii) Section 724.4 ~~or 724.4B~~.

8 Sec. 62. Section 232.72, subsection 2, Code 2018, is amended
9 to read as follows:

10 2. ~~However, if~~ If the person making a report of child
11 abuse pursuant to this chapter does not know where the child's
12 home is located, or if the child's home is not located in the
13 service area where the health practitioner examines, attends,
14 or treats the child, the report may be made to the department
15 or to the local office serving the county where the person
16 making the report resides or the county where the health
17 practitioner examines, attends, or treats the child. These
18 agencies shall promptly proceed as provided in section 232.71B,
19 unless the matter is transferred as provided in this section.

20 Sec. 63. Section 232.158A, subsection 1, unnumbered
21 paragraph 1, Code 2018, is amended to read as follows:

22 Notwithstanding any provision of the interstate compact
23 on the placement of children under section 232.158 to the
24 contrary, the department of human services shall permit the
25 legal risk placement of a child under the interstate compact on
26 the placement of children if the prospective adoptive parent
27 provides a legal risk statement, in writing, acknowledging all
28 of the following:

29 Sec. 64. Section 249A.47, subsection 4, Code 2018, is
30 amended to read as follows:

31 4. Of any amount recovered arising out of a claim under Tit.
32 XIX or XXI of the federal Social Security Act, the department
33 shall receive the amount bearing the same proportion paid by
34 the department for such claims, including any federal share
35 that must be returned to the centers for Medicare and Medicaid

1 services of the United States department of health and human
2 services. The remainder of any amount recovered shall be
3 deposited in the general fund of the state.

4 Sec. 65. Section 251.1, Code 2018, is amended to read as
5 follows:

6 **251.1 Definitions.**

7 As used in [this chapter](#):

8 1. "Administrator" means the administrator of the division
9 of adult, children, and family services of the department of
10 human services.

11 2. "Division" or "state division" means the division of
12 child adult, children, and family services of the department
13 of human services; "administrator" means the administrator of
14 the division of child and family services of the department of
15 human services.

16 Sec. 66. Section 260C.35, Code 2018, is amended to read as
17 follows:

18 **260C.35 Limitation on land.**

19 1. A merged area shall not purchase land which will increase
20 the aggregate of land owned by the merged area, excluding land
21 acquired by donation or gift, to more than three hundred twenty
22 acres without the approval of the director of the department
23 of education. The limitation does not apply to a merged area
24 owning more than three hundred twenty acres, excluding land
25 acquired by donation or gift, prior to January 1, 1969.

26 2. With the approval of the director of the department
27 of education, the board of directors of a merged area at any
28 time may sell any land in excess of one hundred sixty acres
29 owned by the merged area, and an election is not necessary in
30 connection with the sale. The proceeds of the sale may be
31 used for any of the purposes stated in [section 260C.22](#). This
32 ~~paragraph~~ subsection is in addition to any authority under
33 other provisions of law.

34 Sec. 67. Section 260F.2, subsection 11, Code 2018, is
35 amended to read as follows:

1 11. "Project" means a training arrangement which is the
2 subject of an agreement entered into between the community
3 college and a business to provide program services. "Project"
4 also means ~~an authority-sponsored~~ a training arrangement which
5 is sponsored by the authority and administered under sections
6 260F.6A and 260F.6B.

7 Sec. 68. Section 261.1, subsection 2, paragraph d,
8 subparagraph (2), Code 2018, is amended to read as follows:

9 (2) One member shall be selected to represent Iowa's
10 community colleges. When appointing this member, the governor
11 shall give careful consideration to any person ~~or persons~~
12 nominated or recommended by any organization or association of
13 Iowa community colleges.

14 Sec. 69. Section 261.2, subsection 10, paragraph b, Code
15 2018, is amended to read as follows:

16 b. The institutions are eligible to participate in a federal
17 student aid program authorized under Tit. IV of the federal
18 Higher Education Act of 1965, Pub. L. No. 89-329, as amended.

19 Sec. 70. Section 262.75, Code 2018, is amended to read as
20 follows:

21 **262.75 Incentives for cooperating teachers.**

22 1. A cooperating teacher incentive program is established
23 to encourage experienced teachers to serve as cooperating
24 teachers for student teachers enrolled in the institutions of
25 higher education under the control of the board.

26 2. An individual who submits evidence to an institution
27 that the individual has satisfactorily served as a cooperating
28 teacher for a student teacher from any of the institutions
29 of higher education under the control of the board for the
30 duration of the student teaching experience shall receive from
31 the institution either a monetary recompense or a reduction
32 in tuition for graduate hours of coursework equivalent to the
33 value of the monetary recompense, rounded to the nearest whole
34 credit hour.

35 a. If, because of a policy adopted by the board of directors

1 employing the teacher, the amount of the monetary recompense
2 is not made available to the teacher for the teacher's own
3 personal use or the salary paid to the cooperating teacher by
4 the employing board is correspondingly reduced, the institution
5 shall grant the teacher the reduction in tuition pursuant to
6 this section in lieu of the monetary recompense.

7 b. In lieu of the payment of monetary recompense to a
8 cooperating teacher, the cooperating teacher may direct that
9 the monetary recompense be paid by the institution directly
10 into a scholarship fund which has been established jointly by
11 the board of directors of the school district that employs
12 the teacher and the local teachers' association. In such
13 cases, the cooperating teacher shall receive neither monetary
14 recompense nor any reduction in tuition at the institution.

15 Sec. 71. Section 263.17, subsection 2, Code 2018, is amended
16 to read as follows:

17 2. a. The center shall be a cooperative effort of
18 representatives of the following organizations:

19 (1) The state university of Iowa department of ~~preventive~~
20 ~~medicine~~ occupational and environmental health.

21 (2) The department of pediatrics of the university of Iowa
22 college of medicine.

23 (3) The state hygienic laboratory.

24 (4) The institute of ~~agricultural medicine~~ rural and
25 environmental health.

26 (5) The university of Iowa Holden comprehensive cancer
27 center.

28 (6) The department of civil and environmental engineering.

29 (7) Appropriate clinical and basic science departments.

30 (8) The college of law.

31 (9) The college of liberal arts and sciences.

32 (10) The Iowa department of public health.

33 (11) The department of natural resources.

34 (12) The department of agriculture and land stewardship.

35 b. The active participation of the national cancer

1 institute, the agency for toxic substances and disease
2 ~~registries registry~~, the national ~~center~~ centers for disease
3 control and prevention, the United States environmental
4 protection agency, and the United States geological survey,
5 shall also be sought and encouraged.

6 Sec. 72. Section 273.25, Code 2018, is amended to read as
7 follows:

8 **273.25 Dissolution commission meetings.**

9 1. The commission shall hold an organizational meeting
10 not more than fifteen days after its appointment and shall
11 elect a chairperson and vice chairperson from its membership.
12 Thereafter the commission may meet as often as deemed
13 necessary upon the call of the chairperson or a majority of the
14 commission members.

15 2. The commission shall request statements from contiguous
16 area education agencies outlining each agency's willingness to
17 accept attachments of the affected area education agency to the
18 contiguous agencies and what conditions, if any, the contiguous
19 agency recommends. The commission shall meet with boards of
20 contiguous area education agencies and with boards of directors
21 of the affected school districts to the extent possible in
22 drawing up the dissolution proposal.

23 3. The commission may seek assistance from the department
24 of education.

25 Sec. 73. Section 274.37, Code 2018, is amended to read as
26 follows:

27 **274.37 Boundaries changed by action of boards — buildings**
28 **constructed.**

29 1. The boundary lines of contiguous school corporations may
30 be changed by the concurrent action of the respective boards
31 of directors at their regular meetings in July, or at special
32 meetings called for that purpose. Such concurrent action shall
33 be subject to the approval of the area education agency board
34 but such concurrent action shall stand approved if the ~~said~~
35 board does not disapprove such concurrent action within thirty

1 days following receipt of notice thereof. The corporation from
2 which territory is detached shall, after the change, contain
3 not less than four government sections of land.

4 2. The boards in the respective districts, the boundaries
5 of which have been changed under this section, complete in
6 all respects except for the passage of time prior to the
7 effective date of the change, and when the right of appeal of
8 the change has expired, may enter into joint contracts for the
9 construction of buildings for the benefit of the corporations
10 whose boundaries have been changed, using funds accumulated
11 under the physical plant and equipment levy in section 298.2.
12 The district in which the building is to be located may use any
13 funds authorized in accordance with chapter 75.

14 3. This section does not permit the changed districts to
15 expend any funds jointly which they are not entitled to expend
16 acting individually.

17 Sec. 74. Section 275.2, Code 2018, is amended to read as
18 follows:

19 **275.2 Scope of surveys.**

20 1. The scope of the studies and surveys shall include
21 all of the following matters in the various districts in the
22 area education agency and all districts adjacent to the area
23 education agency: ~~the~~

24 a. The adequacy of the educational program,~~pupil.~~

25 b. Pupil enrollment,~~property.~~

26 c. Property valuations,~~existing.~~

27 d. Existing buildings and equipment,~~natural.~~

28 e. Natural community areas,~~road.~~

29 f. Road conditions,~~transportation, economic.~~

30 g. Transportation.

31 h. Economic factors,~~individual.~~

32 i. Individual attention given to the needs of students,~~the.~~

33 j. The opportunity of students to participate in a wide
34 variety of activities related to the total development of the
35 student,~~and other.~~

1 k. Other matters that may bear on educational programs
2 meeting minimum standards required by law.

3 2. The plans shall also include suggested alternate plans
4 that incorporate the school districts in the area education
5 agency into reorganized districts that meet the enrollment
6 standards specified in [section 275.3](#) and may include alternate
7 plans proposed by school districts for sharing programs
8 under [section 28E.9](#), [256.13](#), [280.15](#), [282.7](#), or [282.10](#) as an
9 alternative to school reorganization.

10 Sec. 75. Section 275.52, Code 2018, is amended to read as
11 follows:

12 **275.52 Meetings.**

13 1. The commission shall hold an organizational meeting
14 not more than fifteen days after its appointment and shall
15 elect a chairperson and vice chairperson from its membership.
16 Thereafter the commission may meet as often as deemed
17 necessary upon the call of the chairperson or a majority of the
18 commission members.

19 2. The commission shall request statements from contiguous
20 school districts outlining each district's willingness
21 to accept attachments of the affected school district to
22 the contiguous districts and what conditions, if any, the
23 contiguous school district recommends. The commission shall
24 meet with boards of contiguous school districts and with
25 residents of the affected school district to the extent
26 possible in drawing up the dissolution proposal.

27 3. The commission may seek assistance from the area
28 education agency and the department of education.

29 Sec. 76. Section 306.41, Code 2018, is amended to read as
30 follows:

31 **306.41 Temporary closing for construction.**

32 1. The agency having jurisdiction and control over any
33 highway in the state, or the chief engineer of ~~said~~ the
34 agency when delegated by such agency, may temporarily close
35 sections of a highway by formal resolution entered upon the

1 minutes of such agency when reasonably necessary because
 2 of construction, reconstruction, maintenance or natural
 3 disaster and shall cause to be erected "road closed" signs
 4 and partial or total barricades in the roadway at each end
 5 of the closed highway section and on the closed highway
 6 where that highway is intersected by other highways if such
 7 intersection remains open. Any numbered road closed for over
 8 forty-eight hours shall have a designated detour route. The
 9 agency having jurisdiction over a section of highway closed
 10 in accordance with the provisions of [this section](#), or the
 11 persons or contractors employed to carry out the construction,
 12 reconstruction, or maintenance of the closed section of
 13 highway, shall not be liable for any damages to any vehicle
 14 that enters the closed section of highway or the contents of
 15 such vehicle or for any injuries to any person that enters the
 16 closed section of highway, unless the damages are caused by
 17 gross negligence of the agency or contractor.

18 2. Nothing ~~herein~~ in this section shall be construed to
 19 prohibit or deny any person from gaining lawful access to the
 20 person's property or residence, nor shall it change or limit
 21 liability to such persons.

22 Sec. 77. Section 306A.5, Code 2018, is amended to read as
 23 follows:

24 **306A.5 Acquisition of property and property rights.**

25 1. For the purposes of [this chapter](#), cities and highway
 26 authorities having jurisdiction and control over the highways
 27 of the state, as provided by [chapter 306](#), may acquire private
 28 or public property rights for controlled-access facilities
 29 and service roads, including rights of access, air, view, and
 30 light, by gift, devise, purchase, or condemnation in the same
 31 manner as such units are authorized by law to acquire such
 32 property or property rights in connection with highways and
 33 streets within their respective jurisdictions. All property
 34 rights acquired under [this chapter](#) shall be in fee simple. In
 35 connection with the acquisition of property or property rights

1 for a controlled-access facility or portion of, or service road
2 in connection with a controlled-access facility, the cities and
3 highway authorities, in their discretion, may acquire an entire
4 lot, block, or tract of land, if by so doing the interests of
5 the public will be best served, even though the entire lot,
6 block, or tract is not immediately needed for the right-of-way
7 proper.

8 2. ~~No access~~ Access rights to any highway shall not be
9 acquired by any authority having jurisdiction and control
10 over the highways of this state by adverse possession or
11 prescriptive right. ~~No action heretofore or hereafter~~ Action
12 taken by any such authority shall not form the basis for any
13 claim of adverse possession of, or prescriptive right to any
14 access rights by any such authority.

15 Sec. 78. Section 308.1, Code 2018, is amended to read as
16 follows:

17 **308.1 Planning commission.**

18 1. The Mississippi parkway planning commission shall be
19 composed of ten members appointed by the governor, five members
20 to be appointed for two-year terms beginning July 1, 1959, and
21 five members to be appointed for four-year terms beginning July
22 1, 1959. In addition to the above members there shall be seven
23 advisory ex officio members who shall be as follows:

24 a. One member from the state transportation commission, ~~one.~~

25 b. One member from the natural resource commission, ~~one.~~

26 c. One member from the state soil conservation and water
27 quality committee, ~~one.~~

28 d. One member from the state historical society of Iowa, ~~one.~~

30 e. One member from the faculty of the landscape
31 architectural division of the Iowa state university of science
32 and technology, ~~one.~~

33 f. One member from the economic development authority, ~~and~~
34 ~~one.~~

35 g. One member from the environmental protection commission.

1 2. Members and ex officio members shall serve without pay,
2 but the actual and necessary expenses of members and ex officio
3 members may be paid if the commission so orders and if the
4 commission has funds available for that purpose.

5 Sec. 79. Section 308A.3, Code 2018, is amended to read as
6 follows:

7 **308A.3 Certain elevated structures prohibited — exception.**

8 Bikeways and walkways approved as either incidental features
9 of highway construction projects primarily for motor vehicular
10 traffic or as an independent bikeway or walkway construction
11 project constructed pursuant to the Highway Act of 1973, 23
12 U.S.C. §217, shall not be constructed as elevated structures
13 joining private buildings or so constructed to provide elevated
14 access or egress facilities to private buildings unless ~~the~~
15 ~~following condition is met:~~

16 ~~That~~ the portion of project funds that is necessary to obtain
17 federal funds is provided by private parties benefited by the
18 facilities.

19 Sec. 80. Section 317.3, Code 2018, is amended to read as
20 follows:

21 **317.3 Weed commissioner — standards for noxious weed**
22 **control.**

23 1. The board of supervisors of each county may annually
24 appoint a county weed commissioner who may be a person
25 otherwise employed by the county and who passes minimum
26 standards established by the department of agriculture and land
27 stewardship for noxious weed identification and the recognized
28 methods for noxious weed control and elimination. The county
29 weed commissioner's appointment shall be effective as of March
30 1 and shall continue for a term at the discretion of the
31 board of supervisors unless the commissioner is removed from
32 office as provided for by law. ~~The county weed commissioner~~
33 ~~may, with the approval of the board of supervisors, require~~
34 ~~that commercial applicators and their appropriate employees~~
35 ~~pass the same standards for noxious weed identification~~

1 ~~as established by the department of agriculture and land~~
2 ~~stewardship.~~ The name and address of the person appointed
3 as county weed commissioner shall be certified to the county
4 auditor and to the secretary of agriculture within ten days of
5 the appointment.

6 2. The board of supervisors shall fix the compensation
7 of the county weed commissioner and deputies. Compensation
8 shall be for the period of actual work only, although a
9 weed commissioner assigned other duties not related to weed
10 eradication may receive an annual salary. The board of
11 supervisors shall likewise determine whether employment shall
12 be by hour, day, or month and the rate of pay for the employment
13 time. In addition to compensation, the commissioner and
14 deputies shall be paid their necessary travel expenses.

15 3. At the discretion of the board of supervisors, the weed
16 commissioner shall attend a seminar or school conducted or
17 approved by the department of agriculture and land stewardship
18 relating to the identification, control, and elimination of
19 noxious weeds. The county weed commissioner may, with the
20 approval of the board of supervisors, require that commercial
21 applicators and their appropriate employees pass the same
22 standards for noxious weed identification as established by the
23 department of agriculture and land stewardship.

24 4. The board of supervisors shall prescribe the time of year
25 the weed commissioner shall perform the powers and duties of
26 county weed commissioner under ~~this chapter~~ which may be during
27 that time of year when noxious weeds can effectively be killed.
28 ~~Compensation shall be for the period of actual work only~~
29 ~~although a weed commissioner assigned other duties not related~~
30 ~~to weed eradication may receive an annual salary.~~ The board of
31 ~~supervisors shall likewise determine whether employment shall~~
32 ~~be by hour, day or month and the rate of pay for the employment~~
33 ~~time.~~

34 Sec. 81. Section 317.13, Code 2018, is amended to read as
35 follows:

1 **317.13 Program of control.**

2 1. The board of supervisors of each county may each
3 year, upon recommendation of the county weed commissioner by
4 resolution prescribe and order a program of weed control for
5 purposes of complying with all sections of **this chapter**. The
6 county board of supervisors of each county may also by adopting
7 an integrated roadside vegetation management plan prescribe and
8 order a program of weed control for purposes of complying with
9 all sections of **this chapter**. The program for weed control
10 ordered or adopted by the county board of supervisors shall
11 provide that spraying for control of weeds shall be limited
12 to those circumstances when it is not practical to mow or
13 otherwise control the weeds.

14 2. The program of weed control shall include a program of
15 permits for the burning, mowing, or spraying of roadsides by
16 private individuals. The county board of supervisors shall
17 allow only that burning, mowing, or spraying of roadsides
18 by private individuals that is consistent with the adopted
19 integrated roadside vegetation management plan. ~~This paragraph~~
20 subsection applies only to those roadside areas of a county
21 which are included in an integrated roadside vegetation
22 management plan.

23 Sec. 82. Section 321.285, subsection 7, Code 2018, is
24 amended to read as follows:

25 7. A person who violates **this section** for excessive speed
26 in violation of a speed limit commits a simple misdemeanor
27 punishable as a scheduled violation under section 805.8A,
28 subsection 5. A person who operates a school bus at a speed
29 which exceeds a limit established under **this section** by
30 ten miles an per hour or less commits a simple misdemeanor
31 punishable as a scheduled violation under section 805.8A,
32 subsection 10. A person who violates any other provision of
33 this section commits a simple misdemeanor.

34 Sec. 83. Section 350.2, Code 2018, is amended to read as
35 follows:

1 **350.2 Petition — board membership.**

2 1. Upon a petition to the board of supervisors which
3 meets the requirements of [section 331.306](#), the board of
4 supervisors shall submit to the voters at the next general
5 election the question of whether a county conservation board
6 shall be created as provided for in [this chapter](#). If at the
7 election the majority of votes favors the creation of a county
8 conservation board, the board of supervisors within sixty days
9 after the election shall create a county conservation board to
10 consist of five bona fide residents of the county.

11 2. The members first appointed shall hold office for the
12 term of one, two, three, four, and five years respectively, as
13 indicated and fixed by the board of supervisors. Thereafter,
14 succeeding members shall be appointed for a term of five years,
15 except that vacancies occurring otherwise than by expiration
16 of term shall be filled by appointment for the unexpired term.
17 When a member of the county conservation board, during the term
18 of office, ceases to be a bona fide resident of the county,
19 the member is disqualified as a member and the office becomes
20 vacant.

21 3. Members of the county conservation board shall be
22 selected and appointed on the basis of their demonstrated
23 interest in conservation matters, and shall serve without
24 compensation, but may be paid their actual and necessary
25 expenses incurred in the performance of their official duties.

26 4. Members of the county conservation board may be
27 removed for cause by the board of supervisors as provided in
28 section 331.321, subsection 3, if the cause is malfeasance,
29 nonfeasance, disability, or failure to participate in board
30 activities as set forth by the rules of the county conservation
31 board.

32 Sec. 84. Section 350.3, Code 2018, is amended to read as
33 follows:

34 **350.3 Meetings — records — annual report.**

35 1. Within thirty days after the appointment of members

1 of the county conservation board, the board shall organize
2 by selecting from its members a president and secretary and
3 such other officers as are deemed necessary, who shall hold
4 office for the calendar year in which elected and until
5 their successors are selected and qualify. ~~Three members of~~
6 ~~the board shall constitute a quorum for the transaction of~~
7 ~~business.~~

8 2. The board shall hold regular monthly meetings. Special
9 meetings may be called by the president, and shall be called
10 on the request of a majority of members, as the necessity may
11 require. Three members of the board shall constitute a quorum
12 for the transaction of business. The county conservation board
13 shall have power to adopt bylaws, to adopt and use a common
14 seal, and to enter into contracts.

15 3. The county board of supervisors shall provide suitable
16 offices for the meetings of the county conservation board
17 and for the safekeeping of its records. Such records shall
18 be subject to public inspection at all reasonable hours and
19 under such regulations as the county conservation board may
20 prescribe.

21 4. The county conservation board shall annually make a full
22 and complete report to the county board of supervisors of ~~its~~
23 the county conservation board's transactions and operations
24 for the preceding year. Such report shall contain a full
25 statement of ~~its~~ the board's receipts, disbursements, and the
26 program of work for the period covered, and may include such
27 recommendations as may be deemed advisable.

28 Sec. 85. Section 350.5, Code 2018, is amended to read as
29 follows:

30 **350.5 Regulations — penalty — officers.**

31 1. The county conservation board may make, alter, amend or
32 repeal regulations for the protection, regulation, and control
33 of all museums, parks, preserves, parkways, playgrounds,
34 recreation centers, and other property under its control. The
35 regulations shall not be contrary to, or inconsistent with, the

1 laws of this state.

2 2. The regulations shall not take effect until ten days
3 after their adoption by the board and after their publication
4 as provided in [section 331.305](#) and after a copy of the
5 regulations has been posted near each gate or principal
6 entrance to the public ground to which they apply.

7 3. After the publication and posting, a person violating a
8 provision of the regulations which are then in effect is guilty
9 of a simple misdemeanor.

10 4. The board may designate the director and those employees
11 as the director may designate as police officers who shall
12 have all the powers conferred by law on police officers, peace
13 officers, or sheriffs in the enforcement of the laws of this
14 state and the apprehension of violators upon all property under
15 its control within and without the county. The board may grant
16 the director and those employees of the board designated as
17 police officers the authority to enforce the provisions of
18 chapters 321G, [321I](#), [461A](#), [462A](#), [481A](#), and [483A](#) on land not
19 under the control of the board within the county.

20 Sec. 86. Section 355.8, subsection 17, Code 2018, is amended
21 to read as follows:

22 17. Interior excepted parcels shall be clearly indicated
23 and labeled, ~~“not as follows:~~

24 Nota part of this survey (or ~~subdivision~~)“ subdivision).

25 Sec. 87. Section 357E.5, Code 2018, is amended to read as
26 follows:

27 **357E.5 Hearing of petition — action by board.**

28 At the public hearing required in [section 357E.3](#), the board
29 of supervisors may consider the boundaries of a proposed
30 district, whether the boundaries shall be as described in the
31 petition or otherwise, and for that purpose may amend the
32 petition and change the boundaries of the proposed district
33 as stated in the petition. The supervisors may adjust the
34 boundaries of a proposed district as needed to exclude land
35 that has no reasonable likelihood of benefit from inclusion in

1 the proposed district. However, the boundaries of a proposed
2 district shall not be changed to incorporate property which
3 is not included in the original petition. Within ten days
4 after the hearing, the board of supervisors shall establish the
5 district by resolution or disallow the petition.

6 ~~After, and within ten days of, the hearing, the board of~~
7 ~~supervisors shall establish the district by resolution or~~
8 ~~disallow the petition.~~

9 Sec. 88. Section 358.5, Code 2018, is amended to read as
10 follows:

11 **358.5 Hearing of petition and order.**

12 1. The board of supervisors to whom the petition is
13 addressed shall preside at the hearing provided for in
14 section 358.4 and shall continue the hearing in session, with
15 adjournments from day to day, if necessary, until completed,
16 without being required to give any further notice of the
17 hearing. Proof of the residences and qualifications of the
18 petitioners as eligible electors shall be made by affidavit
19 or otherwise as the board may direct. The board may consider
20 the boundaries of a proposed sanitary district, whether they
21 shall be as described in the petition or otherwise, and for
22 that purpose may alter and amend the petition and limit or
23 change the boundaries of the proposed district as stated in the
24 petition. The board shall adjust the boundaries of a proposed
25 district as needed to exclude land that has no reasonable
26 likelihood of benefit from inclusion in the proposed district.
27 The boundaries of a proposed district shall not be changed to
28 incorporate property not included in the original petition
29 and published notice until the owner of the property is given
30 notice of inclusion as on the original hearing. All persons
31 in the proposed district shall have an opportunity to be heard
32 regarding the location and boundaries of the proposed district
33 and to make suggestions regarding the location and boundaries.
34 The board of supervisors, after hearing the statements,
35 evidence and suggestions made and offered at the hearing, shall

1 enter an order fixing and determining the limits and boundaries
2 of the proposed district and directing that an election be held
3 for the purpose of submitting to the registered voters residing
4 within the boundaries of the proposed district the question
5 of organization and establishment of the proposed sanitary
6 district as determined by the board of supervisors. The order
7 shall fix a date for the election not more than sixty days
8 after the date of the order.

9 2. ~~However,~~ a majority of the landowners, owning in the
10 aggregate more than seventy percent of the total land in the
11 proposed district, may file a written remonstrance against
12 the proposed district at or before the time fixed for the
13 hearing on the proposed district with the county auditor.
14 If the remonstrance is filed, the board of supervisors
15 shall discontinue all further proceedings on the proposed
16 district and charge the costs incurred to date relating to the
17 establishment of the proposed district.

18 Sec. 89. Section 414.28, Code 2018, is amended to read as
19 follows:

20 **414.28 Manufactured home.**

21 1. As used in this section, "*manufactured home*" means a
22 factory-built structure, which is manufactured or constructed
23 under the authority of 42 U.S.C. §5403 and is to be used as a
24 place for human habitation, but which is not constructed or
25 equipped with a permanent hitch or other device allowing it to
26 be moved other than for the purpose of moving to a permanent
27 site, and which does not have permanently attached to its body
28 or frame any wheels or axles.

29 2. A city shall not adopt or enforce zoning regulations or
30 other ordinances which disallow the plans and specifications of
31 a proposed residential structure solely because the proposed
32 structure is a manufactured home. However, a zoning ordinance
33 or regulation shall require that a manufactured home be located
34 and installed according to the same standards, including but
35 not limited to, a permanent foundation system, set-back, and

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

25 3. A city shall not adopt or enforce construction,
26 building, or design ordinances, regulations, requirements, or
27 restrictions which would mandate width standards greater than
28 twenty-four feet, roof pitch, or other design standards for
29 manufactured housing if the housing otherwise complies with 42
30 U.S.C. §5403. However, this ~~paragraph~~ subsection shall not
31 prohibit a city from adopting and enforcing zoning regulations
32 related to transportation, water, sewerage, or other land
33 development.

34 4. This section shall not be construed as abrogating a
35 recorded restrictive covenant.

1 Sec. 90. Section 414.28A, Code 2018, is amended to read as
2 follows:

3 **414.28A Land-leased communities.**

4 1. "Land-leased community" means any site, lot, field,
5 or tract of land under common ownership upon which ten or
6 more occupied manufactured homes are harbored, either free of
7 charge or for revenue purposes, and shall include any building,
8 structure, or enclosure used or intended for use as part of the
9 equipment of the land-leased community. The term "land-leased
10 community" shall not be construed to include homes, buildings,
11 or other structures temporarily maintained by any individual,
12 educational institution, or company on their own premises and
13 used exclusively to house their own labor or students.

14 2. A city shall not adopt or enforce zoning or subdivision
15 regulations or other ordinances which disallow or make
16 infeasible the plans and specifications of land-leased
17 communities because the housing within the land-leased
18 community will be manufactured housing.

19 ~~3. "Land-leased community" means any site, lot, field,~~
20 ~~or tract of land under common ownership upon which ten or~~
21 ~~more occupied manufactured homes are harbored, either free of~~
22 ~~charge or for revenue purposes, and shall include any building,~~
23 ~~structure, or enclosure used or intended for use as part of the~~
24 ~~equipment of the land-leased community. The term "land-leased~~
25 ~~community" shall not be construed to include homes, buildings,~~
26 ~~or other structures temporarily maintained by any individual,~~
27 ~~educational institution, or company on their own premises and~~
28 ~~used exclusively to house their own labor or students. A~~
29 ~~manufactured home located in a land-leased community shall be~~
30 ~~taxed under [section 435.22](#) as if the manufactured home were~~
31 ~~located in a mobile home park.~~

32 Sec. 91. Section 422.30, Code 2018, is amended to read as
33 follows:

34 **422.30 Jeopardy assessments — posting of bond.**

35 1. If the director believes that the assessment or

1 collection of taxes will be jeopardized by delay, the director
2 may immediately make an assessment of the estimated amount of
3 tax due, together with all interest, additional amounts, or
4 penalties, as provided by law. The director shall serve the
5 taxpayer by regular mail at the taxpayer's last known address
6 or in person, with a written notice of the amount of tax,
7 interest, and penalty due, which notice may include a demand
8 for immediate payment. Service of the notice by regular mail
9 is complete upon mailing. A distress warrant may be issued or
10 a lien filed against the taxpayer immediately.

11 2. The director shall be permitted to accept a bond from
12 the taxpayer to satisfy collection until the amount of tax
13 legally due shall be determined. Such bond to be in an amount
14 deemed necessary, but not more than double the amount of the
15 tax involved, and with securities satisfactory to the director.

16 Sec. 92. Section 425.20, Code 2018, is amended to read as
17 follows:

18 **425.20 Filing dates — affidavit — extension.**

19 1. A claim for reimbursement for rent constituting property
20 taxes paid shall not be paid or allowed, unless the claim is
21 filed with and in the possession of the department of revenue
22 on or before June 1 of the year following the base year.

23 2. A claim for credit for property taxes due shall not
24 be paid or allowed unless the claim is filed with the county
25 treasurer between January 1 and June 1, both dates inclusive,
26 immediately preceding the fiscal year during which the property
27 taxes are due. However, in case of sickness, absence, or other
28 disability of the claimant, or if in the judgment of the county
29 treasurer good cause exists, the county treasurer may extend
30 the time for filing a claim for credit through September 30 of
31 the same calendar year. The county treasurer shall certify to
32 the director of revenue on or before May 1 of each year the
33 total amount of dollars due for claims allowed.

34 3. In case of sickness, absence, or other disability of the
35 claimant or if, in the judgment of the director of revenue,

1 good cause exists and the claimant requests an extension,
2 the director may extend the time for filing a claim for
3 reimbursement or credit. However, any further time granted
4 shall not extend beyond December 31 of the year following the
5 year in which the claim was required to be filed. Claims filed
6 as a result of this ~~paragraph~~ subsection shall be filed with
7 the director who shall provide for the reimbursement of the
8 claim to the claimant.

9 Sec. 93. Section 428A.1, Code 2018, is amended to read as
10 follows:

11 **428A.1 Amount of tax on transfers — declaration of value.**

12 1. a. There is imposed on each deed, instrument, or writing
13 by which any lands, tenements, or other realty in this state
14 are granted, assigned, transferred, or otherwise conveyed, a
15 tax determined in the following manner:

16 (1) When there is no consideration or when the deed,
17 instrument, or writing is executed and tendered for recording
18 as an instrument corrective of title, and so states, there is
19 no tax.

20 (2) When there is consideration and the actual market value
21 of the real property transferred is in excess of five hundred
22 dollars, the tax is eighty cents for each five hundred dollars
23 or fractional part of five hundred dollars in excess of five
24 hundred dollars.

25 b. The term "*consideration*", as used in [this chapter](#), means
26 the full amount of the actual sale price of the real property
27 involved, paid or to be paid, including the amount of an
28 encumbrance or lien on the property, if assumed by the grantee.

29 c. It is presumed that the sale price so stated includes
30 the value of all personal property transferred as part of the
31 sale unless the dollar value of personal property is stated on
32 the instrument of conveyance. When the dollar value of the
33 personal property included in the sale is so stated, it shall
34 be deducted from the consideration shown on the instrument for
35 the purpose of determining the tax.

1 2. When each deed, instrument, or writing by which any real
2 property in this state is granted, assigned, transferred, or
3 otherwise conveyed is presented for recording to the county
4 recorder, a declaration of value signed by at least one of the
5 sellers or one of the buyers or their agents shall be submitted
6 to the county recorder. However, if the deed, instrument, or
7 writing contains multiple parcels some of which are located in
8 more than one county, separate declarations of value shall be
9 submitted on the parcels located in each county and submitted
10 to the county recorder of that county when paying the tax as
11 provided in [section 428A.5](#). A declaration of value is not
12 required for those instruments described in section 428A.2,
13 subsections 2 to 5, 7 to 13, and 16 to 21, or described in
14 section 428A.2, subsection 6, except in the case of a federal
15 agency or instrumentality, or if a transfer is the result of
16 acquisition of lands, whether by contract or condemnation, for
17 public purposes through an exercise of the power of eminent
18 domain.

19 3. The declaration of value shall state the full
20 consideration paid for the real property transferred. If
21 agricultural land, as defined in [section 9H.1](#), is purchased by
22 a corporation, limited partnership, trust, alien or nonresident
23 alien, the declaration of value shall include the name and
24 address of the buyer, the name and address of the seller, a
25 legal description of the agricultural land, and identify the
26 buyer as a corporation, limited partnership, trust, alien, or
27 nonresident alien. The county recorder shall not record the
28 declaration of value, but shall enter on the declaration of
29 value information the director of revenue requires for the
30 production of the sales/assessment ratio study and transmit
31 all declarations of value to the city or county assessor in
32 whose jurisdiction the property is located. The city or
33 county assessor shall enter on the declaration of value the
34 information the director of revenue requires for the production
35 of the sales/assessment ratio study and transmit one copy of

1 each declaration of value to the director of revenue, at times
2 as directed by the director of revenue. The assessor shall
3 retain one copy of each declaration of value for three years
4 from December 31 of the year in which the transfer of realty
5 for which the declaration was filed took place. The director
6 of revenue shall, upon receipt of the information required to
7 be filed under [this chapter](#) by the city or county assessor,
8 send to the office of the secretary of state that part of the
9 declaration of value which identifies a corporation, limited
10 partnership, trust, alien, or nonresident alien as a purchaser
11 of agricultural land as defined in [section 9H.1](#).

12 Sec. 94. Section 441.29, Code 2018, is amended to read as
13 follows:

14 **441.29 Plat book — index system.**

15 1. The county auditor shall furnish to each assessor a
16 plat book on which shall be platted the lands and lots in the
17 assessor's assessment district, showing on each subdivision
18 or part thereof, written in ink or pencil, the name of the
19 owner, the number of acres, or the boundary lines and distances
20 in each, and showing as to each tract the number of acres
21 to be deducted for railway right-of-way and for roads and
22 for rights-of-way for public levees and open public drainage
23 improvements.

24 2. The auditor, or the auditor's designee, of any county
25 shall establish a permanent real estate index number system
26 with related tax maps for all real estate tax administration
27 purposes, including the assessment, levy, and collection of
28 such taxes. Wherever in real property tax administration the
29 legal description of tax parcels is required, such permanent
30 number system shall be adopted in addition thereto. The
31 permanent real estate index numbers shall begin with the
32 two-digit county number and be a unique identifying number
33 for each parcel within the county. These numbers shall
34 follow the property, not the owner, and can be an alphanumeric
35 system. In the event of a division of an existing parcel, the

1 original permanent parcel index number shall be retired and
2 new numbers assigned. The auditor shall prepare and maintain
3 permanent real estate index number tax maps, which shall carry
4 such numbers. The auditor shall prepare and maintain cross
5 indexes of the numbers assigned under this system, with legal
6 descriptions of the real estate to which such numbers relate.
7 Indexes and tax maps established as provided ~~herein~~ in this
8 section shall be open to public inspection.

9 Sec. 95. Section 455B.311, subsection 3, Code 2018, is
10 amended to read as follows:

11 3. Grants shall be awarded only for an amount determined by
12 the department to be reasonable and necessary to conduct the
13 work as set forth in the grant application. Grants for less
14 than a ~~county-wide~~ countywide planning area shall be limited to
15 twenty-five percent state funds, for a single-county planning
16 area the state funds shall be limited to fifty percent, and for
17 a two-county planning area the state funds shall be limited
18 to seventy-five percent. For each additional county above a
19 two-county planning area, the maximum allowable state funds
20 shall be increased by an additional five percent, up to a
21 maximum of ninety percent state funds.

22 Sec. 96. Section 455B.337, Code 2018, is amended to read as
23 follows:

24 **455B.337 Emergency action.**

25 1. Whenever the director finds that an emergency exists
26 requiring immediate action to protect the public health and
27 safety, the director may, without notice or hearing, issue an
28 emergency order reciting that an emergency exists and requiring
29 that such action be taken as the director deems necessary
30 to meet the emergency. The order may be issued orally to
31 the person whose operation constitutes the emergency by the
32 director and confirmed by a copy of such order to be sent by
33 certified mail within twenty-four hours after the issuance
34 of the oral order. The emergency order shall be effective
35 immediately. Any person receiving an emergency order may

1 request a hearing before the commission within thirty days
2 following the receipt of the order. The commission shall
3 schedule a hearing within fourteen days after receipt of the
4 request for a hearing and give written notice to the alleged
5 violator by certified mail. The commission may also schedule a
6 hearing in the absence of a request by the alleged violator.
7 On the basis of the findings, the commission shall issue a
8 final order which shall be forwarded to the alleged violator
9 by certified mail.

10 2. The director may, if an emergency exists, impound
11 or order the impounding of any radioactive material in the
12 possession of any person who is not equipped to observe, or
13 fails to observe, the provisions of this part 2 of **division IV**
14 or any rules adopted under ~~said~~ this part.

15 Sec. 97. Section 465C.11, Code 2018, is amended to read as
16 follows:

17 **465C.11 Area held in trust.**

18 1. An area designated as a preserve within the system is
19 hereby declared put to its highest, best, and most important
20 use for public benefit. It shall be held in trust and shall
21 not be alienated except to another public use upon a finding by
22 the board of imperative and unavoidable public necessity and
23 with the approval of the commission, the general assembly by
24 concurrent resolution, and the governor. The board's interest
25 or interests in any area designated as a preserve shall not be
26 taken under the condemnation statutes of this state without
27 such a finding of imperative and unavoidable public necessity
28 by the board, and with the consent of the commission, the
29 general assembly by concurrent resolution, and the governor.

30 2. The board, with the approval of the governor, may enter
31 into amendments to any articles of dedication upon its finding
32 that such amendment will not permit an impairment, disturbance,
33 or development of the area inconsistent with the purposes of
34 this chapter.

35 3. Before the board shall make a finding of imperative and

1 unavoidable public necessity, or shall enter into any amendment
2 to articles of dedication, ~~it~~ the board shall provide notice of
3 such proposal and opportunity for any person to be heard. Such
4 notice shall be published at least once in a newspaper with a
5 general circulation in the county or counties wherein the area
6 directly affected is situated, and mailed within ten days of
7 such published notice to all persons who have requested notice
8 of all such proposed actions. Each notice shall set forth the
9 substance of the proposed action and describe, with or without
10 legal description, the area affected, and shall set forth a
11 place and time not less than sixty days thence for all persons
12 desiring to be heard to have reasonable opportunity to be heard
13 prior to the finding of the board.

14 Sec. 98. Section 468.68, Code 2018, is amended to read as
15 follows:

16 **468.68 Drainage warrants received for assessments.**

17 Warrants drawn upon the construction or maintenance funds
18 of any district for which an assessment has been or must be
19 levied, shall be transferable by endorsement, and may be
20 acquired by any taxpayer of such district and applied at their
21 accrued face value upon the assessment levied to create the
22 fund against which the warrant was drawn; when the amount of
23 the warrant exceeds the amount of the assessment, the treasurer
24 shall cancel the ~~said~~ warrant, and give the holder thereof a
25 certificate for the amount of such excess, which certificate
26 shall be filed with the auditor, who shall issue a warrant for
27 the amount of such excess, and charge the treasurer therewith.
28 Such certificate is transferable by endorsement, and will
29 entitle the holder to the new warrant, made payable to the
30 holder's order, and bearing the original number, preceded by
31 the ~~words,~~ following words:

32 "Issued ~~Issued~~ as unpaid balance due on warrant ~~number~~"
33 number

34 Sec. 99. Section 476.52, Code 2018, is amended to read as
35 follows:

1 **476.52 Management efficiency.**

2 1. It is the policy of this state that a public utility
3 shall operate in an efficient manner.

4 2. If the board determines in the course of a proceeding
5 conducted under [section 476.3](#) or [476.6](#) that a utility is
6 operating in an inefficient manner, or is not exercising
7 ordinary, prudent management, or in comparison with other
8 utilities in the state the board determines that the utility is
9 performing in a less beneficial manner than other utilities,
10 the board may reduce the level of profit or adjust the revenue
11 requirement for the utility to the extent the board believes
12 appropriate to provide incentives to the utility to correct its
13 inefficient operation.

14 3. If the board determines in the course of a proceeding
15 conducted under [section 476.3](#) or [476.6](#) that a utility is
16 operating in such an extraordinarily efficient manner that
17 tangible financial benefits result to the ratepayer, the
18 board may increase the level of profit or adjust the revenue
19 requirement for the utility.

20 4. In making its determination under [this section](#),
21 the board may also consider a public utility's pursuit of
22 energy efficiency programs. The board shall adopt rules for
23 determining the level of profit or the revenue requirement
24 adjustment that would be appropriate. The board shall also
25 adopt rules establishing a methodology for an analysis of a
26 utility's management efficiency.

27 ~~The board shall also adopt rules establishing a methodology~~
28 ~~for an analysis of a utility's management efficiency.~~

29 Sec. 100. Section 476.86, subsection 2, Code 2018, is
30 amended to read as follows:

31 2. a. "*Competitive natural gas provider*" means a person who
32 takes title to natural gas and sells it for consumption by a
33 retail end user in the state of Iowa. "*Competitive natural gas*
34 *provider*" includes an affiliate of an Iowa gas utility.

35 b. "*Competitive natural gas provider*" does not include the

1 following:

2 ~~a-~~ (1) A public utility which is subject to rate regulation
3 under this chapter.

4 ~~b-~~ (2) A municipally owned utility which provides natural
5 gas service within its incorporated area or within the
6 municipal natural gas competitive service area, as defined in
7 section 437A.3, subsection 22, paragraph "a", subparagraph (1),
8 in which the municipally owned utility is located.

9 Sec. 101. Section 479.4, Code 2018, is amended to read as
10 follows:

11 **479.4 Dangerous construction — inspection.**

12 1. The board is vested with power and authority and it
13 shall be ~~its~~ the board's duty to supervise all pipelines and
14 underground storage and pipeline companies and shall from time
15 to time inspect and examine the construction, maintenance,
16 and ~~the~~ condition of ~~said~~ the pipelines and underground
17 storage ~~facilities and whenever said~~ facilities. Whenever
18 the board shall determine that any pipeline and underground
19 storage facilities or any apparatus, device, or equipment
20 used in connection therewith is unsafe and dangerous ~~it,~~ the
21 board shall immediately in writing notify ~~said~~ the pipeline
22 company, which is constructing or operating ~~said~~ the pipeline
23 and underground storage facilities, device, apparatus, or
24 other equipment to repair or replace any defective or unsafe
25 part or portion of ~~said~~ the pipeline and underground storage
26 facilities, device, apparatus, or equipment.

27 2. All faulty construction, as determined by the inspector,
28 shall be repaired immediately by the contractor operating for
29 the pipeline company and the cost of such repairs shall be
30 paid by ~~said~~ the contractor. If such repairs are not made by
31 the contractor, the board shall proceed to collect under the
32 provisions of section 479.26.

33 Sec. 102. Section 514A.8, Code 2018, is amended to read as
34 follows:

35 **514A.8 Nonapplication to certain policies.**

1 Nothing in this chapter shall apply to or affect ~~(1)~~ any of
2 the following:

3 1. Any policy of workers' compensation insurance or any
4 policy of liability insurance with or without supplementary
5 expense coverage therein; ~~or (2)~~ any.

6 2. Any policy or contract of reinsurance; ~~or (3)~~ any.

7 3. Any blanket or group policy of insurance; ~~or (4)~~ life.

8 4. Life insurance, endowment or annuity contracts, or
9 contracts supplemental thereto which contain only such
10 provisions relating to accident and sickness insurance as ~~(a)~~
11 provide additional benefits in case of death or dismemberment
12 or loss of sight by accident, or as ~~(b)~~ operate to safeguard
13 such contracts against lapse, or to give a special surrender
14 value or special benefit or an annuity in the event that the
15 insured or annuitant shall become totally and permanently
16 disabled, as defined by the contract or supplemental contract.

17 Sec. 103. Section 514C.15, subsection 1, Code 2018, is
18 amended to read as follows:

19 1. Discussing treatment options with a covered individual,
20 notwithstanding the carrier's, or plan's position on such
21 treatment option.

22 Sec. 104. Section 515F.2, subsection 3, Code 2018, is
23 amended to read as follows:

24 3. "*Developed losses*" means losses ~~(including, including~~
25 ~~loss adjustment expenses)~~ expenses, adjusted, using standard
26 actuarial techniques, to eliminate the effect of differences
27 between current payment or reserve estimates and those needed
28 to provide actual ultimate loss ~~(including, including~~
29 ~~adjustment expense)~~ expense, payments.

30 Sec. 105. Section 519A.4, subsection 2, Code 2018, is
31 amended to read as follows:

32 2. The plan of operation shall provide for economic, fair
33 and nondiscriminatory administration, and for the prompt and
34 efficient provision of medical malpractice insurance. The plan
35 shall contain other provisions, including but not limited to

1 preliminary assessment of all members for initial expenses
2 necessary to commence operations, establishment of necessary
3 facilities, management of the association, assessment of
4 members to defray losses and expenses, commission arrangements,
5 reasonable and objective underwriting standards, acceptance and
6 cession of reinsurance, appointment of servicing carriers or
7 other servicing arrangements, and procedures for determining
8 amounts of insurance to be provided by the association.

9 Sec. 106. Section 543B.8, Code 2018, is amended to read as
10 follows:

11 **543B.8 Real estate commission created — staff.**

12 1. A real estate commission is created within the
13 professional licensing and regulation bureau of the banking
14 division of the department of commerce. The commission
15 consists of five members licensed under **this chapter** and two
16 members not licensed under **this chapter** and who shall represent
17 the general public. Commission members shall be appointed by
18 the governor subject to confirmation by the senate.

19 2. No more than one member shall be appointed from a
20 county. A commission member shall not hold any other elective
21 or appointive state or federal office. At least one of the
22 licensed members shall be a licensed real estate salesperson,
23 except that if the licensed real estate salesperson becomes
24 a licensed real estate broker during a term of office,
25 that person may complete the term, but is not eligible for
26 reappointment on the commission as a licensed real estate
27 salesperson. A licensed member shall be actively engaged
28 in the real estate business and shall have been so engaged
29 for five years preceding the appointment, the last two of
30 which shall have been in Iowa. Professional associations or
31 societies of real estate brokers or real estate salespersons
32 may recommend the names of potential commission members to
33 the governor. However, the governor is not bound by their
34 recommendations. A commission member shall not be required to
35 be a member of any professional association or society composed

1 of real estate brokers or salespersons. ~~Commission members~~
2 ~~shall be appointed by the governor subject to confirmation by~~
3 ~~the senate.~~

4 3. Appointments shall be for three-year terms and shall
5 commence and end as provided in [section 69.19](#). A member
6 shall serve no more than three terms or nine years, whichever
7 is less. ~~No more than one member shall be appointed from a~~
8 ~~county. A commission member shall not hold any other elective~~
9 ~~or appointive state or federal office.~~ Vacancies shall be
10 filled for the unexpired term by appointment of the governor
11 and are subject to senate confirmation.

12 4. A majority of the commission members constitutes a
13 quorum.

14 5. The administrator of the professional licensing and
15 regulation bureau of the banking division shall hire and
16 provide staff to assist the commission with implementing this
17 chapter. The administrator of the professional licensing and
18 regulation bureau of the banking division of the department of
19 commerce shall hire a real estate education director to assist
20 the commission in administering education programs for the
21 commission.

22 ~~The administrator of the professional licensing and~~
23 ~~regulation bureau of the banking division of the department of~~
24 ~~commerce shall hire a real estate education director to assist~~
25 ~~the commission in administering education programs for the~~
26 ~~commission.~~

27 Sec. 107. Section 544A.17, subsection 2, Code 2018, is
28 amended to read as follows:

29 2. Persons acting under the instruction, control, or
30 supervision of, and those executing the plans of, a licensed
31 architect or a professional engineer licensed under chapter
32 542B, provided that such unlicensed persons shall not be
33 placed in responsible charge of architectural or professional
34 engineering work.

35 Sec. 108. Section 554.1201, subsection 1, Code 2018, is

1 amended to read as follows:

2 1. Unless the context otherwise requires, words or phrases
3 defined in this section, or in the additional definitions
4 contained in other Articles of this chapter that apply to
5 particular Articles or ~~Parts~~ parts thereof, have the meanings
6 stated.

7 Sec. 109. Section 554.1201, subsection 2, unnumbered
8 paragraph 1, Code 2018, is amended to read as follows:

9 Subject to definitions contained in other Articles of this
10 chapter that apply to particular Articles or ~~Parts~~ parts
11 thereof:

12 Sec. 110. Section 569.4, Code 2018, is amended to read as
13 follows:

14 **569.4 Costs and expenses.**

15 1. In all cases in which the state becomes the purchaser of
16 real estate under the provisions of this chapter, the costs and
17 expenses attending such purchases shall be audited and allowed
18 by the director of the department of administrative services,
19 and paid out of any ~~money~~ moneys in the state treasury not
20 otherwise appropriated, upon the director's warrant, and
21 charged to the fund to which the indebtedness belonged upon
22 which such real estate was taken.

23 2. If the real estate is purchased by a county, the costs
24 and expenses shall be audited by the board of supervisors and
25 paid out of the county treasury, upon a warrant drawn by the
26 auditor on the treasurer, from the fund to which the debt
27 belonged upon which said real estate was purchased.

28 3. If the real estate is purchased by any other municipal
29 corporation, then the costs shall be audited and paid by ~~it~~
30 the municipal corporation in the same manner as other claims
31 against ~~it~~ the municipal corporation are audited and paid.

32 Sec. 111. Section 642.21, subsection 1, unnumbered
33 paragraph 1, Code 2018, is amended to read as follows:

34 The disposable earnings of an individual are exempt from
35 garnishment to the extent provided by the federal Consumer

1 Credit Protection Act, Tit. III, 15 U.S.C. §1671 - 1677
2 (1982). The maximum amount of an employee's earnings which
3 may be garnished during any one calendar year is two hundred
4 fifty dollars for each judgment creditor, except as provided
5 in [chapter 252D](#) and [sections 598.22, 598.23, and 627.12](#), or
6 when those earnings are reasonably expected to be in excess of
7 twelve thousand dollars for that calendar year as determined
8 from the answers taken by the sheriff or by the court pursuant
9 to [section 642.5, subsection 1](#), question number four. When the
10 employee's earnings are reasonably expected to be more than
11 twelve thousand dollars, the maximum amount of those earnings
12 which may be garnished during a calendar year for each creditor
13 is as follows:

14 Sec. 112. Section 657.9, Code 2018, is amended to read as
15 follows:

16 **657.9 Shooting ranges.**

17 1. Before a person improves property acquired to establish,
18 use, and maintain a shooting range by the erection of
19 buildings, breastworks, ramparts, or other works or before a
20 person substantially changes the existing use of a shooting
21 range, the person shall obtain approval of the county zoning
22 commission or the city zoning commission, whichever is
23 appropriate. The appropriate commission shall comply with
24 section 335.8 or [414.6](#). In the event a county or city does
25 not have a zoning commission, the county board of supervisors
26 or the city council shall comply with [section 335.6](#) or [414.5](#)
27 before granting the approval.

28 2. A person who acquires title to or who owns real property
29 adversely affected by the use of property with a permanently
30 located and improved range shall not maintain a nuisance action
31 against the person who owns the range to restrain, enjoin,
32 or impede the use of the range where there has not been a
33 substantial change in the nature of the use of the range.

34 3. [This section](#) does not prohibit actions for negligence or
35 recklessness in the operation of the range or by a person using

1 the range.

2 Sec. 113. Section 674.6, Code 2018, is amended to read as
3 follows:

4 **674.6 Notice — consent.**

5 1. If the petitioner is married, the petitioner must give
6 legal notice to the spouse, in the manner of an original
7 notice, of the filing of the petition.

8 2. If the petition includes or is filed on behalf of a
9 minor child fourteen years of age or older, the child's written
10 consent to the change of name of that child is required.

11 3. If the petition includes or is filed on behalf of a
12 minor child under fourteen, both parents as stated on the birth
13 certificate of the minor child shall file their written consent
14 to the name change. If one of the parents does not consent
15 to the name change, a hearing shall be set on the petition on
16 twenty days' notice to the nonconsenting parent pursuant to the
17 rules of civil procedure. At the hearing the court may waive
18 the requirement of consent as to one of the parents if it finds
19 any of the following:

20 ~~1.~~ a. That the parent has abandoned the child~~;~~.

21 ~~2.~~ b. That the parent has been ordered to contribute to the
22 support of the child or to financially aid in the child's birth
23 and has failed to do so without good cause~~;~~ or.

24 ~~3.~~ c. That the parent does not object to the name change
25 after having been given due and proper notice.

26 Sec. 114. Section 692.8, Code 2018, is amended to read as
27 follows:

28 **692.8 Intelligence data.**

29 1. Intelligence data contained in the files of the
30 department of public safety or a criminal or juvenile justice
31 agency may be placed within a computer data storage system,
32 provided that access to the computer data storage system
33 is restricted to authorized employees of the department or
34 criminal or juvenile justice agency. The department shall
35 adopt rules to implement this ~~paragraph~~ subsection.

1 2. Intelligence data in the files of the department may
2 be disseminated only to a peace officer, criminal or juvenile
3 justice agency, or state or federal regulatory agency, and
4 only if the department is satisfied that the need to know and
5 the intended use are reasonable. However, intelligence data
6 may also be disseminated to an agency, organization, or person
7 when disseminated for an official purpose, and in order to
8 protect a person or property from a threat of imminent serious
9 harm. Whenever intelligence data relating to a defendant
10 or juvenile who is the subject of a petition under section
11 232.35 for the purpose of sentencing or adjudication has been
12 provided a court, the court shall inform the defendant or
13 juvenile or the defendant's or juvenile's attorney that ~~it~~ the
14 court is in possession of such data and shall, upon request
15 of the defendant or juvenile or the defendant's or juvenile's
16 attorney, permit examination of such data.

17 3. If the defendant or juvenile disputes the accuracy
18 of the intelligence data, the defendant or juvenile shall
19 do so by filing an affidavit stating the substance of the
20 disputed data and wherein it is inaccurate. If the court finds
21 reasonable doubt as to the accuracy of such information, ~~it~~ the
22 court may require a hearing and the examination of witnesses
23 relating thereto on or before the time set for sentencing or
24 adjudication.

25 Sec. 115. Section 708.2B, Code 2018, is amended to read as
26 follows:

27 **708.2B Treatment of domestic abuse offenders.**

28 1. As used in [this section](#), "*district department*" means
29 a judicial district department of correctional services,
30 established pursuant to [section 905.2](#).

31 2. A person convicted of, or receiving a deferred judgment
32 for, domestic abuse assault as defined in [section 708.2A](#), shall
33 report to the district department in order to participate in
34 a batterers' treatment program for domestic abuse offenders.
35 In addition, a person convicted of, or receiving a deferred

1 judgment for, an assault, as defined in [section 708.1](#), which
2 is domestic abuse, as defined in [section 236.2, subsection 2](#),
3 paragraph "e", may be ordered by the court to participate in a
4 batterers' treatment program. Participation in the batterers'
5 treatment program shall not require a person to be placed on
6 probation, but a person on probation may participate in the
7 program.

8 3. The district departments may contract for services in
9 completing the duties relating to the batterers' treatment
10 programs. The district departments shall assess the fees for
11 participation in the program, and shall either collect or
12 contract for the collection of the fees to recoup the costs of
13 treatment, but may waive the fee or collect a lesser amount
14 upon a showing of cause. The fees shall be used by each of
15 the district departments or contract service providers for the
16 establishment, administration, coordination, and provision of
17 direct services of the batterers' treatment programs.

18 4. District departments or contract service providers shall
19 receive upon request peace officers' investigative reports
20 regarding persons participating in programs under [this section](#).
21 The receipt of reports under [this section](#) shall not waive the
22 confidentiality of the reports under [section 22.7](#).

23 Sec. 116. Section 805.8B, subsection 3, paragraph h, Code
24 2018, is amended to read as follows:

25 *h.* For violations of [section 481A.48](#) relating to
26 restrictions on game birds and animals, the scheduled fines are
27 as follows:

28 ~~Out-of-season~~ For out-of-season, the scheduled fine is
29 one hundred dollars.

30 ~~Over~~ For over limit, the scheduled fine is one hundred
31 dollars.

32 ~~Attempt~~ For attempt to take, the scheduled fine is fifty
33 dollars.

34 ~~General~~ For general waterfowl restrictions, the
35 scheduled fine is fifty dollars.

1 (a) ~~No~~ For no federal stamp, the scheduled fine is fifty
2 dollars.

3 (b) ~~Unplugged~~ For unplugged shotgun, the scheduled fine is
4 ten dollars.

5 (c) ~~Possession~~ For possession of other than steel shot, the
6 scheduled fine is twenty-five dollars.

7 (d) Early For early or late shooting, the scheduled fine is
8 twenty-five dollars.

9 (5) ~~Possession~~ For possession of a prohibited pistol or
10 revolver while hunting deer, the scheduled fine is one hundred
11 dollars.

12 (6) ~~Possession~~ For possession of a prohibited rifle while
13 hunting deer, the scheduled fine is two hundred fifty dollars.

14 Sec. 117. Section 904.319, Code 2018, is amended to read as
15 follows:

16 **904.319 Temporary quarters in emergency.**

17 If the buildings at any institution under the management of
18 the director are destroyed or rendered unfit for habitation
19 by reason of fire, storms, or other like causes, to such an
20 extent that the inmates cannot be confined and cared for at the
21 institution, the director shall make temporary provision for
22 the confinement and care of the inmates at some other place in
23 the state. Like provision may be made in case of an epidemic
24 among the inmates. The reasonable cost of the change including
25 the cost of transfer of inmates, shall be paid from any ~~money~~
26 moneys in the state treasury not otherwise appropriated.

27 Sec. 118. Section 906.1, Code 2018, is amended to read as
28 follows:

29 **906.1 ~~Definition~~ Definitions of parole and work release —**
30 **temporary assignment to director.**

31 1. a. Parole "Parole" is the release of a person who
32 has been committed to the custody of the director of the
33 Iowa department of corrections by reason of the person's
34 commission of a public offense, which release occurs prior to
35 the expiration of the person's term, is subject to supervision

1 by the district department of correctional services, and is on
2 conditions imposed by the district department.

3 b. ~~Work release~~ "Work release" is the release of a person,
4 who has been committed to the custody of the director of the
5 Iowa department of corrections, pursuant to sections 904.901
6 through 904.909.

7 2. A person who has been released on parole or work release
8 may be temporarily assigned to the supervision of the director
9 of the department of corrections as a result of placement in a
10 violator facility established pursuant to [section 904.207](#).

11 DIVISION II

12 CORRESPONDING CHANGES

13 Sec. 119. Section 22.7, subsection 10, Code 2018, is amended
14 to read as follows:

15 10. A claim for compensation and reimbursement for legal
16 assistance and supporting documents submitted to the state
17 public defender for payment from the indigent defense fund
18 established in [section 815.11](#), as provided in section ~~13B.4B~~
19 [13B.4A](#).

20 Sec. 120. Section 232.68, unnumbered paragraph 1, Code
21 2018, is amended to read as follows:

22 The definitions in [section 235A.13](#) are applicable to this
23 part 2 of [division III](#). As used in sections 232.67 through
24 232.77 and ~~235A.12 through 235A.24~~ chapter 235A, subchapter II,
25 unless the context otherwise requires:

26 Sec. 121. Section 232.151, Code 2018, is amended to read as
27 follows:

28 **232.151 Criminal penalties.**

29 Any person who knowingly discloses, receives, or makes
30 use or permits the use of information derived directly or
31 indirectly from the records concerning a child referred to in
32 sections 232.147 through 232.150, except as provided by those
33 sections or section ~~13B.4B~~ [13B.4A](#), subsection 2, paragraph "c",
34 shall be guilty of a serious misdemeanor.

35 Sec. 122. Section 235A.13, unnumbered paragraph 1, Code

1 2018, is amended to read as follows:

2 As used in chapter 232, division III, part 2, and ~~sections~~
3 ~~235A.13 to 235A.24~~ this subchapter, unless the context
4 otherwise requires:

5 Sec. 123. Section 331.486, Code 2018, is amended to read as
6 follows:

7 **331.486 Assessment of costs of public improvements.**

8 A county may assess to property within a county special
9 assessment district the cost of construction and repair of
10 public improvements benefiting the district and may assess to
11 property within a joint special assessment district the cost of
12 construction and repair of public improvements benefiting the
13 district. A county may construct and assess the cost of public
14 improvements within a district in the same manner as a city may
15 proceed under chapter 384, division subchapter IV, and chapter
16 384, ~~division subchapter~~ IV, applies to counties with respect
17 to public improvements, the assessment of their costs, and the
18 issuance of bonds for the public improvements. A county may
19 contract for a public improvement benefiting a district under
20 this part pursuant to ~~chapter 331, division subchapter~~ III,
21 part 3, of this chapter.

22 Sec. 124. Section 355.16, Code 2018, is amended to read as
23 follows:

24 **355.16 Iowa plane coordinate system defined.**

25 As used in this ~~section, and sections 355.17 through 355.19~~
26 subchapter, unless the context otherwise requires, "*Iowa plane*
27 *coordinate system*" or "*coordinate system*" means the system of
28 plane coordinates established by the United States national
29 ocean survey, or the United States national geodetic survey,
30 or a successor agency, for defining and stating the geographic
31 positions or locations of points on the surface of the earth
32 within the state of Iowa.

33 Sec. 125. Section 452A.76, Code 2018, is amended to read as
34 follows:

35 **452A.76 Enforcement authority.**

1 1. Authority to enforce division subchapter III is given
2 to the state department of transportation. Employees of the
3 state department of transportation designated enforcement
4 employees have the power of peace officers in the performance
5 of their duties; however, they shall not be considered members
6 of the state patrol. The state department of transportation
7 shall furnish enforcement employees with necessary equipment
8 and supplies in the same manner as provided in section 80.18,
9 including uniforms which are distinguishable in color and
10 design from those of the state patrol. Enforcement employees
11 shall be furnished and shall conspicuously display badges of
12 authority.

13 2. Authority is given to the department of revenue, the
14 state department of transportation, the department of public
15 safety, and any peace officer as requested by such departments
16 to enforce the provisions of division subchapter I and this
17 division subchapter of this chapter. The department of
18 revenue shall adopt rules providing for enforcement under
19 division subchapter I and this division subchapter of this
20 chapter regarding the use of motor fuel or special fuel in
21 implements of husbandry. Enforcement personnel or requested
22 peace officers are authorized to stop a conveyance suspected
23 to be illegally transporting motor fuel or special fuel on
24 the highways, to investigate the cargo, and also have the
25 authority to inspect or test the fuel in the supply tank of a
26 conveyance to determine if legal fuel is being used to power
27 the conveyance. The operator of any vehicle transporting
28 motor fuel or special fuel shall, upon request, produce and
29 offer for inspection the manifest or loading and delivery
30 invoices pertaining to the load and trip in question and shall
31 permit the authority to inspect and measure the contents of
32 the vehicle. If the vehicle operator fails to produce the
33 evidence or if, when produced, the evidence fails to contain
34 the required information and it appears that there is an
35 attempt to evade payment of the fuel tax, the vehicle operator

1 will be subject to the penalty provisions contained in section
2 452A.74A.

3 3. For purposes of this section, "vehicle" means as defined
4 in section 321.1.

5 Sec. 126. Section 453A.13, subsection 2, paragraph a, Code
6 2018, is amended to read as follows:

7 a. The department shall issue state permits to distributors,
8 wholesalers, and cigarette vendors, and retailers that make
9 delivery sales of alternative nicotine products and vapor
10 products, subject to the conditions provided in this ~~division~~
11 subchapter. If an out-of-state retailer makes delivery
12 sales of alternative nicotine products or vapor products, an
13 application shall be filed with the department and a permit
14 shall be issued for the out-of-state retailer's principal place
15 of business. Cities may issue retail permits to retailers
16 with a place of business located within their respective
17 limits. County boards of supervisors may issue retail permits
18 to retailers with a place of business in their respective
19 counties, outside of the corporate limits of cities.

20 DIVISION III

21 CODE EDITOR DIRECTIVES

22 Sec. 127. CODE EDITOR DIRECTIVES.

23 1. Section 508E.8, subsection 1, paragraph "f", Code 2018,
24 is amended by striking the word "recision" and inserting in
25 lieu thereof the word "rescission".

26 2. Sections 100B.21 and 135.11, Code 2018, are amended by
27 striking the word "firefighters" and inserting in lieu thereof
28 the words "fire fighters".

29 3. Sections 92.5, subsection 7; 160.5, subsection 2; and
30 298.3, subsection 1, paragraph "m", Code 2018, are amended by
31 striking the word "clean-up" and inserting in lieu thereof the
32 word "cleanup".

33 4. Sections 537.2202, 537.2308, and 537.2508, Code 2018,
34 are amended by striking the words "open end" and inserting in
35 lieu thereof the word "open-end".

1 5. Sections 537.1201, subsections 1 and 2; 537.2201,
2 subsection 1; 537.2504, unnumbered paragraph 1; 537.2506,
3 subsection 2; 537.2601, subsection 2; 537.3203, unnumbered
4 paragraph 1; 537.3206, subsection 3; 537.3212, subsections 1
5 and 3; 537.3303, subsections 1 and 2; 537.3308, subsection 2,
6 paragraph "b"; 537.3403, subsection 5; 537.3404, subsection 3,
7 paragraphs "a" and "b"; and 537.3405, subsection 3, paragraphs
8 "a" and "b", Code 2018, are amended by striking the words "open
9 end" and inserting in lieu thereof the word "open-end".

10 6. Sections 28M.3, 145A.20, 331.486, 331.487, 347A.3,
11 364.13, 384.11, 384.23, 384.31, 384.34, 384.35, 384.44, 384.67,
12 384.76, 384.79, 384.88, 384.90, 384.93, 392.1, 392.3, 425.16,
13 425.18, 425.19, 425.21, 425.22, 425.24, 425.27, 425.29, 425.30,
14 425.31, 425.32, 425.35, 425.36, 425.37, 425.39, 452A.1, 452A.9,
15 452A.50, 452A.51, 452A.55, 452A.76, 453A.9, 453A.11, 453A.12,
16 453A.18, 453A.28, 453A.37, 453A.47, 453A.49, 453A.50, 468.240,
17 468.586, 468.587, 633.246A, 633.352, 633.402, 633.700, 633.722,
18 and 633.751, Code 2018, are amended by striking the word
19 "division" and inserting in lieu thereof the word "subchapter".

20 7. Sections 97B.1A, subsection 8, paragraph "b",
21 subparagraph (2); 231E.4, subsection 6, paragraph "e"; 231E.5,
22 subsection 2, paragraph "h", subparagraphs (1) and (3); 231E.8,
23 subsection 4; 249A.3, subsection 11, paragraph "d"; 331.231,
24 subsection 1; 331.233, subsection 1, unnumbered paragraph
25 1; 331.238, subsection 2, paragraph "a", subparagraph (2);
26 331.382, subsection 8, paragraph "b"; 331.384, subsection
27 3; 331.424A, subsection 1, unnumbered paragraph 1; 331.447,
28 subsection 1, paragraph "a"; 331.552, subsection 21; 350.6,
29 subsection 4; 357A.11, subsection 9; 358.16, subsection
30 3; 384.13, subsection 1; 384.24, unnumbered paragraph 1;
31 384.25, subsection 1; 384.26, subsection 1; 384.37, unnumbered
32 paragraph 1; 384.37, subsection 10; 384.49, subsection 3,
33 paragraph "a"; 384.58, subsection 1, unnumbered paragraph 1;
34 384.66, subsection 4; 384.68, subsection 2; 384.68, subsection
35 6, paragraph "a"; 384.74, unnumbered paragraph 2; 384.75,

1 unnumbered paragraph 2; 384.80, unnumbered paragraph 1; 384.83,
2 subsection 5; 384.84, subsection 1; 386.7, subsection 6;
3 386.12 subsection 3; 403.12, subsection 5; 420.41, subsection
4 3; 423A.7, subsection 4, paragraph "d", subparagraph (1);
5 425.17, unnumbered paragraph 1; 425.17, subsection 2, paragraph
6 "a", subparagraphs (1) and (2); 425.17, subsections 4,
7 7, 8, 9, and 10; 425.23, unnumbered paragraph 1; 425.33,
8 subsection 1; 425.33, subsection 2, unnumbered paragraph 1;
9 425.40, subsection 2; 452A.2, unnumbered paragraph 1; 452A.2,
10 subsection 27; 452A.3, subsection 1, unnumbered paragraph
11 1; 452A.3, subsection 2; 452A.3, subsection 6, paragraph
12 "a", subparagraph (1); 452A.3, subsection 6, paragraph "a",
13 subparagraph (2), unnumbered paragraph 1; 452A.3, subsection
14 10, paragraph "b"; 452A.3, subsection 11; 452A.4, subsection
15 3, paragraph "a"; 452A.6, subsection 1, paragraph "a"; 452A.8,
16 subsection 1, paragraph "c"; 452A.15, subsection 1, paragraph
17 c; 452A.15, subsection 4; 452A.17, subsection 1, unnumbered
18 paragraph 1; 452A.21, subsection 1; 452A.31, unnumbered
19 paragraph 1; 452A.52, subsection 1; 452A.54, subsections 1,
20 3, and 4; 452A.57, subsections 1 and 5; 452A.58, subsections
21 1 and 3; 452A.65, subsection 2; 453A.6, subsection 6; 453A.8,
22 subsection 4; 453A.13, subsection 2, paragraph "a"; 453A.13,
23 subsection 3, paragraph "a"; 453A.13, subsection 10; 453A.14,
24 subsection 1, unnumbered paragraph 1; 453A.14, subsection 2;
25 453A.15, subsections 1 and 7; 453A.17, subsection 2; 453A.22,
26 subsections 1 and 8; 453A.23, subsections 1 and 2; 453A.24,
27 subsection 2; 453A.31, subsection 1, unnumbered paragraph
28 1; 453A.32, subsections 1 and 6; 453A.36, subsections 1 and
29 6; 453A.42, unnumbered paragraph 1; 453A.42, subsection 12;
30 453A.43, subsection 1, paragraph "d"; 453A.43, subsection 5;
31 453A.44, subsections 2, 3, 4, 5, 7, 10, 11, and 12; 453A.45,
32 subsection 1, paragraph "b"; 453A.46, subsection 5; 453A.47A,
33 subsection 4; 453A.47A, subsection 7, paragraph "a", unnumbered
34 paragraph 1; 453A.47A, subsection 11; 453A.48, subsections 1
35 and 2; 633.3, unnumbered paragraph 1; 633.701, subsection 1;

1 633.703, subsection 1; 633.713, subsection 4; and 633.720,
2 subsection 2, Code 2018, are amended by striking the word
3 "division" and inserting in lieu thereof the word "subchapter".

4 8. The Code editor may change chapter division designations
5 to subchapter designations and correct internal references as
6 necessary in and to the following chapters:

- 7 a. 331.
- 8 b. 384.
- 9 c. 425.
- 10 d. 452A.
- 11 e. 453A.
- 12 f. 633.

13 9. The Code editor may designate unnumbered chapter
14 headings as numbered subchapters and correct internal
15 references as necessary within and to the following chapters:

- 16 a. 137C.
- 17 b. 235A.
- 18 c. 235B.
- 19 d. 309.
- 20 e. 313.
- 21 f. 321A.
- 22 g. 327D.
- 23 h. 355.
- 24 i. 481A.
- 25 j. 515.
- 26 k. 614.
- 27 l. 622.
- 28 m. 636.
- 29 n. 654.

30 10. The Code editor may add or delete subchapters in the
31 following chapters:

- 32 a. 235B: After section 235B.15, add a new subchapter
33 entitled "Miscellaneous Provisions".
- 34 b. 515: After section 515.119, delete header entitled
35 "Surplus Lines Insurance".

1 11. The Code editor is directed to make the following
2 transfer:

3 a. Section 13B.4B to section 13B.4A.

4 b. The Code editor shall correct internal references in the
5 Code and in any enacted legislation as necessary due to the
6 transfer of this section.

7 12. The Code editor may number unnumbered paragraphs
8 within sections 28M.3, 43.42, 49.58, 85.32, 85.37, 135.11A,
9 135.69, 135.71, 161E.6, 215A.9, 249A.20, 252.22, 257.27,
10 257.33, 257.36, 257.48, 306.8, 313.36, 321I.23, 321J.2A,
11 321J.11, 327D.67, 327G.17, 347A.3, 384.74, 384.75, 421B.11,
12 422.30, 427B.4, 427B.21, 435.25, 441.42, 441.46, 445.16,
13 445.56, 446.31, 452A.55, 452A.56, 452A.61, 452A.63, 452A.67,
14 452A.75, 452A.77, 453A.12, 453A.28, 453B.2, 453B.3, 453B.9,
15 453B.11, 455B.117, 455B.276, 455B.277, 455B.281, 455B.303,
16 455B.362, 455E.6, 462A.20, 465C.9, 465C.13, 468.159, 478.6,
17 479.24, 479.41, 479.42, 479B.6, 479B.11, 479B.16, 479B.25,
18 479B.26, 481A.36, 483A.21, 491.13, 491.28, 491.55, 491.107,
19 496C.9, 496C.11, 496C.22, 499.42, 499.54, 499.65, 499A.3A,
20 499A.3C, 499A.19, 506.10, 507B.8, 507B.12, 508.4, 508.32,
21 508.32A, 508B.2, 508B.5, 508B.9, 508B.14, 514A.13, 514B.13,
22 514B.24, 514B.26, 514B.30, 515.71, 515B.4, 515G.5, 522B.16,
23 524.222, 524.535, 524.608, 524.610, 524.611, 524.703, 524.1004,
24 524.1006, 533D.13, 535.16, 536A.11, 542.17, 542B.20, 543B.45,
25 548.106, 554.10101, 554.10105, 594A.6, 594A.8, 595.4, 600.1,
26 600.14, 600.18, 600A.1, 600A.3, 690.5, 692.14, 692.22, 708.6,
27 708A.3, 709.2, 709.14, 710.2, 710.3, 710.4, 710.6, 714.12,
28 714.13, 718A.6, 729A.5, 804.10, 804.23, 808.6, 820.5, 820.12,
29 820.25, 822.6, 904.311, 904.514, 906.14, 906.15, 907.2, 908.10,
30 908.10A, 909.6, 909.7, and 910.9, Code 2018, in accordance with
31 established section hierarchy and correct internal references
32 in the Code and in any enacted Iowa Acts, as necessary.

33 13. The Code editor may number unnumbered paragraphs within
34 section 96.7, subsection 2, paragraphs "e" and "f", Code 2018,
35 in accordance with established section hierarchy and correct

1 internal references in the Code and in any enacted Iowa Acts,
2 as necessary.