

House File 2536 - Reprinted

HOUSE FILE 2536
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 692)

(As Amended and Passed by the House March 4, 2020)

A BILL FOR

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

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

DIVISION I

MISCELLANEOUS CHANGES

1
2
3 Section 1. Section 6B.32, Code 2020, is amended to read as
4 follows:

5 **6B.32 Removal of condemner.**

6 The sheriff, upon being furnished with a copy of the
7 assessment as determined on appeal, certified to by the clerk
8 of the district court, may remove from said premises the
9 condemner and all persons acting for or under the condemner,
10 unless the amount of the assessment is forthwith paid or
11 deposited as ~~hereinbefore~~ provided in sections 6B.25 through
12 6B.31.

13 Sec. 2. Section 8.2, subsection 5, Code 2020, is amended to
14 read as follows:

15 5. The terms "*department and establishment*" and "*department*"
16 or "*establishment*", mean any executive department, commission,
17 board, institution, bureau, office, or other agency of the
18 state government, by whatever name called, that uses, expends,
19 or receives any state funds, including the state department of
20 transportation, except for funds which are required to match
21 federal aid allotted to the state by the federal government for
22 highway special purposes, ~~and except~~ but excluding the courts,
23 ~~by whatever name called, other than and~~ the legislature, ~~that~~
24 ~~uses, expends or receives any state funds.~~

25 Sec. 3. Section 8.35, Code 2020, is amended to read as
26 follows:

27 **8.35 General supervisory control.**

28 The governor and the director of the department of
29 management and any officer of the department of management,
30 ~~hereinabove provided for,~~ when authorized by the governor,
31 are hereby authorized to make such inquiries regarding the
32 receipts, custody, and application of state funds, existing
33 organization, activities, and methods of business of the
34 departments and establishments, assignments of particular
35 activities to particular services and regrouping of such

1 services, as in the opinion of the governor, will enable the
2 governor to make recommendations to the legislature, and,
3 within the scope of the powers possessed by the governor, to
4 order action to be taken, having for their purpose to bring
5 about increased economy and efficiency in the conduct of the
6 affairs of government.

7 Sec. 4. Section 8D.3, subsection 3, paragraph e,
8 subparagraph (3), Code 2020, is amended by striking the
9 subparagraph.

10 Sec. 5. Section 8D.13, subsection 13, Code 2020, is amended
11 by striking the subsection.

12 Sec. 6. Section 9H.1, subsection 23, Code 2020, is amended
13 to read as follows:

14 23. "*Testamentary trust*" means a trust created by devising
15 or bequeathing property in trust in a will as such terms are
16 used in the Iowa ~~probate~~ trust code as provided in chapter
17 633A. Testamentary trust includes a revocable trust that has
18 not been revoked prior to the grantor's death.

19 Sec. 7. Section 10.2, unnumbered paragraph 1, Code 2020, is
20 amended to read as follows:

21 As used in this chapter, all of the following apply:

22 Sec. 8. Section 12.20, Code 2020, is amended to read as
23 follows:

24 **12.20 Issuance of new check.**

25 Upon presentation of any check voided as ~~above~~ provided in
26 section 12.19 by the holder ~~thereof~~ of the check after ~~said the~~
27 ~~six-months'~~ six-months' period, the state treasurer is hereby
28 authorized to issue ~~to said holder,~~ a new check for the amount
29 of the original check to the holder.

30 Sec. 9. Section 12.30, subsection 1, paragraph a, Code 2020,
31 is amended to read as follows:

32 a. "*Authority*" means a department, or public or quasi-public
33 instrumentality of the state including but not limited to the
34 authority created under chapter 12E, 16, 257C, or 261A, which
35 has the power to issue obligations, except that "*authority*"

1 does not include the state board of regents or the Iowa finance
2 authority to the extent ~~it~~ the Iowa finance authority acts
3 pursuant to chapter 260C. "Authority" also includes a port
4 authority created under chapter 28J.

5 Sec. 10. Section 16.2, subsection 1, Code 2020, is amended
6 to read as follows:

7 1. An Iowa finance authority board of directors is
8 created. The powers of the authority are vested in and shall
9 be exercised by the board. The authority includes nine voting
10 members appointed by the governor subject to confirmation by
11 the senate. The authority also includes one ex officio voting
12 member who must be designated by the agricultural development
13 board created in section 16.2C and be a member of that board.

14 a. Not more than five members shall belong to the same
15 political party.

16 b. As far as possible, when appointing members the governor
17 shall include ~~within the membership~~ persons who represent
18 community and housing development industries, housing finance
19 industries, the real estate sales industry, elderly families,
20 minorities, lower income families, very low income families,
21 families which include persons with disabilities, average
22 taxpayers, local government, business interests, and any other
23 person specially interested in community housing, finance, or
24 small business.

25 Sec. 11. Section 16.47, subsection 1, Code 2020, is amended
26 to read as follows:

27 1. A home and community-based services revolving loan
28 program fund is created within the authority to further the
29 goals specified in section 231.3, adult day services, case
30 management services, options counseling, family caregiving,
31 homemaker services, respite services, congregate and home
32 delivered meals, health and wellness, health screening,
33 and nutritional assessments. The moneys in the home and
34 community-based services revolving loan program fund shall be
35 used by the authority for the development and operation of a

1 revolving loan program to develop and expand facilities and
2 infrastructure that provide adult day services, case management
3 services, options counseling, family caregiving, homemaker
4 services, respite services, congregate and home delivered
5 meals, and programming space for health and wellness, health
6 screening, and nutritional assessments that address the needs
7 of persons with low incomes.

8 Sec. 12. Section 24.4, Code 2020, is amended to read as
9 follows:

10 **24.4 Time of filing estimates.**

11 ~~All such~~ The estimates required under section 24.3 and any
12 other estimates required by law shall be made and filed a
13 sufficient length of time in advance of any regular or special
14 meeting of the certifying board or levying board, as the case
15 may be, at which tax levies are authorized to be made to permit
16 publication, discussion, and consideration thereof and action
17 thereon as hereinafter provided.

18 Sec. 13. Section 24.5, Code 2020, is amended to read as
19 follows:

20 **24.5 Estimates itemized.**

21 The estimates ~~herein~~ required under this chapter shall be
22 fully itemized and classified so as to show each particular
23 class of proposed expenditure, showing under separate heads the
24 amount required in such manner and form as shall be prescribed
25 by the state board.

26 Sec. 14. Section 29A.1, unnumbered paragraph 1, Code 2020,
27 is amended to read as follows:

28 The following words, terms, and phrases when used in this
29 chapter shall have the respective meanings ~~herein~~ set forth in
30 this section:

31 Sec. 15. Section 29A.1, subsection 14, Code 2020, is amended
32 to read as follows:

33 14. Except when otherwise expressly defined ~~herein~~ in this
34 section, military words, terms, and phrases shall have the
35 meaning commonly ascribed to them in the military profession.

1 Sec. 16. Section 29A.4, Code 2020, is amended to read as
2 follows:

3 **29A.4 Organization — armament — equipment and discipline.**

4 The organization, armament, equipment and discipline of
5 the national guard, and the militia when called into state
6 active duty, except as hereinafter specifically provided in
7 this chapter, shall be the same as that which is now or may
8 be hereafter prescribed under the provisions of federal law
9 and regulations as to those requirements which are mandatory
10 ~~therein~~ under federal law and regulation, but as to those
11 things which are optional ~~therein~~ under federal law and
12 regulation they shall become effective when an order or
13 regulation to that effect ~~shall have been~~ is promulgated by the
14 governor.

15 Sec. 17. Section 29A.20, Code 2020, is amended to read as
16 follows:

17 **29A.20 Officers.**

18 Officers of the national guard shall be selected from the
19 classes of persons having the qualifications prescribed by
20 federal law and regulations. They shall be appointed by the
21 governor upon the recommendation of their superiors in the
22 chain of command, provided that they shall have successfully
23 passed such tests as to physical, moral, and professional
24 fitness, as shall be prescribed by law and regulations. Each
25 officer shall take an oath of office and shall hold office
26 until the officer shall have attained the maximum age of
27 retirement that is prescribed by federal law or regulations
28 pertaining to officers of the armed forces of the United
29 States, unless the officer's commission or warrant is sooner
30 vacated by resignation, death, or as hereinafter provided in
31 this chapter. In case the officer has no immediate superiors,
32 within the state, in the chain of command, the officer shall
33 be appointed, as ~~above~~ provided in this section, upon the
34 recommendation of the adjutant general. A commission shall
35 designate the arm or branch of service in which the officer

1 is commissioned. Provided, however, that no person shall be
2 appointed a commissioned or warrant officer who has not reached
3 the person's eighteenth birthday at or prior to the time of
4 such appointment.

5 Sec. 18. Section 29A.74, subsection 2, Code 2020, is amended
6 to read as follows:

7 2. Except as otherwise provided in this chapter ~~no~~, a report
8 or listing, either official or otherwise, of "missing" or
9 "missing in action" shall not constitute or be interpreted as
10 constituting actual knowledge or actual notice of the death of
11 such principal or notice of any facts indicating the same, or
12 shall operate to revoke the agency.

13 Sec. 19. Section 29B.119, subsection 1, Code 2020, is
14 amended to read as follows:

15 1. Whenever complaint is made to any commanding officer that
16 willful damage has been done to the property of any person or
17 that the person's property has been wrongfully taken by members
18 of the state military forces, the person may, subject to such
19 regulations as the adjutant general may prescribe, convene a
20 board to investigate the complaint. The board shall consist of
21 from one to three commissioned officers and, for the purpose
22 of that investigation, it has power to summon witnesses and
23 examine them upon oath or affirmation, to receive depositions
24 or other documentary evidence, and to assess the damages
25 sustained against the responsible parties. The assessment of
26 damages made by the board is subject to the approval of the
27 commanding officer, and in the amount approved shall be charged
28 against the pay of the offenders. The order of the commanding
29 officer directing charges ~~herein~~ authorized in this section
30 is conclusive, except as provided ~~herein~~ in this chapter, on
31 any disbursement officer for the payment by the officer to the
32 injured parties of the damages so assessed and approved.

33 Sec. 20. Section 29C.24, subsection 6, Code 2020, is amended
34 to read as follows:

35 6. *Powers and duties not created.* This Act section shall

1 not be construed to place any new mandates or duties upon
2 a local emergency management commission or create any new
3 authority or power for a local emergency management commission
4 not already expressly granted in another provision of this
5 chapter.

6 Sec. 21. Section 39.25, Code 2020, is amended to read as
7 follows:

8 **39.25 ~~Sex~~ Gender not a disqualification.**

9 ~~No~~ A person shall not be disqualified on account of ~~sex~~ the
10 person's gender from holding any office created by the statutes
11 of this state.

12 Sec. 22. Section 43.77, subsection 1, Code 2020, is amended
13 to read as follows:

14 1. ~~No~~ Either no person filed under section 43.11 as a
15 candidate for the party's nomination for that office in the
16 primary election, or all persons who filed under section 43.11
17 as candidates for the party's nomination for that office in
18 the primary election subsequently withdrew as candidates, were
19 found to lack the requisite qualifications for the office, or
20 died before the date of the primary election, and no candidate
21 received a sufficient number of write-in votes to be nominated.

22 Sec. 23. Section 43.103, Code 2020, is amended to read as
23 follows:

24 **43.103 Duty of county commissioner.**

25 The commissioner, in case the district delegates for the
26 commissioner's county have not been selected, shall deliver a
27 copy of ~~said~~ the call of the state party chairperson to the
28 chairperson of the convention which selects said delegates.

29 Sec. 24. Section 43.112, Code 2020, is amended to read as
30 follows:

31 **43.112 Nominations in certain cities.**

32 1. This chapter shall, so far as applicable, govern the
33 nominations of candidates by political parties for all offices
34 to be filled by a direct vote of the people in cities acting
35 under a special charter in 1973 and having a population of

1 over fifty thousand, except all such cities as choose by
2 special election to conduct nonpartisan city elections under
3 the provisions of [chapter 44, 45, or 376](#). An election on the
4 question of conducting city elections in such a special charter
5 city on a nonpartisan basis may be called by the city council
6 on its own initiative, and shall be called by the council upon
7 receipt of a petition of the voters which so requests and
8 is presented in conformity with [section 362.4](#), but a special
9 election on that question shall be held concurrently with any
10 election being held on the first Tuesday after the first Monday
11 in November of any odd-numbered year.

12 2. [Sections 43.114 to through 43.118](#) shall apply only
13 to cities to which [this chapter](#) is made applicable by this
14 section.

15 Sec. 25. Section 43.116, subsection 1, paragraph a, Code
16 2020, is amended to read as follows:

17 *a.* ~~No~~ Either no person filed at the time required by section
18 43.115 as a candidate for the party's nomination for that
19 office in the city primary election held under [section 43.112](#),
20 or all persons who did so subsequently withdrew as candidates,
21 were found to lack the requisite requirements for the office,
22 or died before the date of the city primary election, and no
23 candidate received a number of write-in votes sufficient for
24 nomination under [section 43.53](#); or

25 Sec. 26. Section 44.13, Code 2020, is amended to read as
26 follows:

27 **44.13 Certificates in matter of vacancies.**

28 The certificates of nominations made to ~~supply~~ fill such
29 vacancies shall state, in addition to the facts and candidate's
30 affidavit required in an original certificate, the name of
31 the original nominee, the date of death or declination of
32 nomination, or the fact that the former nomination has been
33 held insufficient or inoperative, and the measures taken in
34 accordance with the above requirements for filling a vacancy,
35 and shall be signed and sworn to by the presiding officer and

1 secretary of the convention, or caucus, or by the chairperson
2 and secretary of the committee, as the case may be.

3 Sec. 27. Section 46.2A, subsection 3, Code 2020, is amended
4 to read as follows:

5 3. The terms of any commissioner ~~currently~~ serving on May
6 8, 2019, on the state judicial nominating commission or any
7 commissioner already elected to begin serving on July 1, 2019,
8 shall not be affected by 2019 Iowa Acts, ch. 89.

9 Sec. 28. Section 46.2A, Code 2020, is amended by adding the
10 following new subsection:

11 NEW SUBSECTION. 4. This section is repealed July 1, 2024.

12 Sec. 29. Section 46.5, subsection 5, Code 2020, is amended
13 to read as follows:

14 5. Notwithstanding [section 69.1A](#), appointed and elected
15 commissioners on the state and district judicial nominating
16 commissions shall not hold over until their successor is
17 appointed or elected and qualified.

18 Sec. 30. Section 49.31, subsection 1, paragraph b, Code
19 2020, is amended to read as follows:

20 b. (1) The commissioner shall determine the order of
21 candidates on the ballot as provided in this paragraph. The
22 order shall be the same for each office on the ballot and for
23 each precinct in the county voting in the election.

24 (2) The state commissioner shall compile a list of each
25 county in the state in alphabetical order and assign a number
26 to each county such that the first county listed is number
27 one, the second county listed is number two, and continuing
28 in descending order in the same manner. The commissioner
29 shall put in alphabetical order the top two political parties
30 receiving the highest votes from the most recent election.

31 (3) The commissioner of each county assigned an even number
32 pursuant to subparagraph (2) shall arrange the ballot as
33 follows:

34 (a) The candidates of the first political party by
35 alphabetical order pursuant to subparagraph (2) shall appear

1 first on the ballot for the first general election at which
2 the president of the United States is to be elected following
3 July 1, 2019, and second on the ballot for the first general
4 election at which the governor will be elected following July
5 1, 2019, and second on the ballot for the second general
6 election at which the president of the United States is to be
7 elected following July 1, 2019, and first on the ballot for the
8 second general election at which the governor will be elected
9 following July 1, 2019, and thereafter alternating with the
10 candidates of the second political party by alphabetical order
11 pursuant to subparagraph (2).

12 (b) The candidates of the second political party by
13 alphabetical order pursuant to subparagraph (2) shall appear
14 second on the ballot for the first general election at which
15 the president of the United States is to be elected following
16 July 1, 2019, and first on the ballot for the first general
17 election at which the governor will be elected following
18 July 1, 2019, and first on the ballot for the second general
19 election at which the president of the United States is to
20 be elected following July 1, 2019, and second on the ballot
21 for the second general election at which the governor will be
22 elected following July 1, 2019, and thereafter alternating with
23 the candidates of the first political party by alphabetical
24 order pursuant to subparagraph (2).

25 (4) The commissioner of each county assigned an odd number
26 pursuant to subparagraph (2) shall arrange the ballot as
27 follows:

28 (a) The candidates of the second political party by
29 alphabetical order pursuant to subparagraph (2) shall appear
30 first on the ballot for the first general election at which
31 the president of the United States is to be elected following
32 July 1, 2019, and second on the ballot for the first general
33 election at which the governor will be elected following July
34 1, 2019, and second on the ballot for the second general
35 election at which the president of the United States is to be

1 elected following July 1, 2019, and first on the ballot for the
2 second general election at which the governor will be elected
3 following July 1, 2019, and thereafter alternating with the
4 candidates of the first political party by alphabetical order
5 pursuant to subparagraph (2).

6 (b) The candidates of the first political party by
7 alphabetical order pursuant to subparagraph (2) shall appear
8 second on the ballot for the first general election at which
9 the president of the United States is to be elected following
10 July 1, 2019, and first on the ballot for the first general
11 election at which the governor will be elected following
12 July 1, 2019, and first on the ballot for the second general
13 election at which the president of the United States is to
14 be elected following July 1, 2019, and second on the ballot
15 for the second general election at which the governor will be
16 elected following July 1, 2019, and thereafter alternating with
17 the candidates of the second political party by alphabetical
18 order pursuant to subparagraph (2).

19 ~~(e)~~ (5) The commissioner shall determine the order of
20 candidates of nonparty political organizations on the ballot.
21 The order shall be the same for each office on the ballot and
22 for each precinct in the county voting in the election.

23 Sec. 31. Section 49.38, Code 2020, is amended to read as
24 follows:

25 **49.38 Candidate's name to appear but once.**

26 The name of a candidate shall not appear upon the ballot in
27 more than one place for the same office, whether nominated by
28 convention, primary, caucus, or petition, except as hereinafter
29 otherwise provided in this chapter.

30 Sec. 32. Section 49.49, Code 2020, is amended to read as
31 follows:

32 **49.49 Certain sample ballots prohibited.**

33 The commissioner and state commissioner of elections shall
34 not distribute or authorize the distribution of sample ballots
35 to voters other than as provided in sections 43.30, 49.53, and

1 52.29.

2 Sec. 33. Section 49.58, subsection 2, Code 2020, is amended
3 to read as follows:

4 2. Each candidate for that office whose name appeared
5 on the general election ballot shall also be a candidate for
6 the office in the special election, except that the deceased
7 candidate's political party may designate another candidate in
8 substantially the manner provided by [section 43.78](#) for filling
9 vacancies on the general election ballot. However, a political
10 party which did not have a candidate on the general election
11 ballot for the office in question may similarly designate a
12 candidate for that office in the special election. The name
13 of any replacement or additional candidate so designated shall
14 be submitted in writing to the state commissioner, or the
15 commissioner in the case of a candidate for county supervisor,
16 not later than 5:00 p.m. on the first Tuesday after the date of
17 the general election. The name of a any other candidate that
18 did not appear on the general election ballot as a candidate
19 for the office in question shall not be placed on the ballot
20 for the special election, in any manner. The special election
21 shall be held and canvassed in the manner prescribed by law for
22 the general election.

23 Sec. 34. Section 49A.10, subsection 1, Code 2020, is amended
24 to read as follows:

25 1. Whenever an amendment to the Constitution of the State of
26 Iowa ~~shall have been~~ is proposed and agreed to by the general
27 assembly and ~~shall have been~~ is agreed to by the succeeding
28 general assembly, any taxpayer may file suit in equity in
29 the district court at the seat of government of the state,
30 challenging the validity, legality, or constitutionality of
31 ~~such the~~ the amendment, ~~and in such.~~ In the suit, the district
32 court shall have jurisdiction to determine the validity,
33 legality, or constitutionality of ~~said the~~ the amendment and enter
34 its decree accordingly, ~~and.~~ The court may grant a writ of
35 injunction enjoining the governor and state commissioner of

1 elections from submitting ~~such~~ the constitutional amendment to
2 the electorate, if the proposed constitutional amendment ~~shall~~
3 ~~have been~~ is found to be invalid, illegal, or unconstitutional.

4 Sec. 35. Section 49A.11, Code 2020, is amended to read as
5 follows:

6 **49A.11 Parties.**

7 In ~~such~~ a suit under section 49A.10, the taxpayer shall be
8 plaintiff and the governor and state commissioner of elections
9 shall be defendants. Any taxpayer may intervene, either as
10 party plaintiff or defendant.

11 Sec. 36. Section 50.8, Code 2020, is amended to read as
12 follows:

13 **50.8 Error on state or district office — tie vote.**

14 If the error ~~be~~ is in relation to a district or state office,
15 ~~it~~ the error shall be certified with the number of the excess
16 to the state commissioner. If the error affects the result
17 of the election, the canvass shall be suspended and a new
18 vote ordered in the precinct where the error occurred. When
19 there is a tie vote due to such an excess, there shall be a
20 new election. ~~No~~ A person who was not a registered voter in
21 that precinct at the time of the general election shall not be
22 allowed to vote at ~~such~~ the special election. When the new
23 vote is taken and returned, the canvass shall be completed.

24 Sec. 37. Section 69.2, subsection 1, paragraph h, Code 2020,
25 is amended to read as follows:

26 *h.* The incumbent simultaneously holding more than one
27 elective office at the same level of government. This
28 ~~subsection~~ paragraph does not apply to the county agricultural
29 extension council or the soil and water conservation district
30 commission.

31 Sec. 38. Section 69.16, subsection 1, Code 2020, is amended
32 to read as follows:

33 1. All appointive boards, commissions, and councils of
34 the state established by the Code if not otherwise provided
35 by law shall be bipartisan in their composition. ~~No~~ A person

1 shall not be appointed or reappointed to any board, commission,
2 or council established by the Code, if the effect of that
3 appointment or reappointment would cause the number of members
4 of the board, commission, or council belonging to one political
5 party to be greater than one-half the membership of the board,
6 commission, or council plus one.

7 Sec. 39. Section 76.1, subsection 1, Code 2020, is amended
8 to read as follows:

9 1. ~~Hereafter issues~~ Issues of bonds of every kind and
10 character by counties, cities, and school corporations shall be
11 consecutively numbered.

12 Sec. 40. Section 84A.1B, subsection 14, paragraph a, Code
13 2020, is amended to read as follows:

14 a. An entry-level hourly wage of not less than fourteen
15 dollars.

16 Sec. 41. Section 84A.2, subsection 1, paragraph b, Code
17 2020, is amended to read as follows:

18 b. If a local workforce development area includes more
19 than one unit of general local government, the individuals
20 designated under the agreement described in section 84A.4,
21 subsection 2, paragraph ~~"h"~~ "g", subparagraph (2).

22 Sec. 42. Section 85.22, subsection 5, Code 2020, is amended
23 to read as follows:

24 5. For subrogation purposes ~~hereunder~~, any payment made
25 unto an injured employee, the employee's guardian, parent,
26 next friend, or legal representative, by or on behalf of any
27 third party, or the third party's principal or agent liable
28 for, connected with, or involved in causing an injury to
29 such employee shall be considered as having been so paid as
30 damages resulting from and because said injury was caused under
31 circumstances creating a legal liability against said third
32 party, whether such payment be made under a covenant not to
33 sue, compromise settlement, denial of liability or otherwise.

34 Sec. 43. Section 85.42, subsection 1, paragraph a, Code
35 2020, is amended to read as follows:

1 a. When it is shown that at the time of the injury the
2 surviving spouse had willfully deserted the deceased without
3 fault of the deceased, then ~~such survivor~~ the surviving spouse
4 shall not be considered as dependent in any degree.

5 Sec. 44. Section 85A.5, Code 2020, is amended to read as
6 follows:

7 **85A.5 Compensation payable.**

8 1. All employees subject to the provisions of this
9 chapter who shall become disabled from injurious exposure
10 to an occupational disease ~~herein~~ designated and defined in
11 this chapter and within the conditions, limitations, and
12 requirements provided ~~herein~~ in this chapter, shall receive
13 compensation, reasonable surgical, medical, osteopathic,
14 chiropractic, physical rehabilitation, nursing, and hospital
15 services and supplies therefor, and burial expenses as provided
16 in the workers' compensation law of Iowa except as otherwise
17 provided in this chapter.

18 2. If, however, an employee incurs an occupational
19 disease for which the employee would be entitled to receive
20 compensation if the employee were disabled as provided ~~herein~~
21 in this chapter, but is able to continue in employment and
22 requires medical treatment for said disease, then the employee
23 shall receive reasonable medical services therefor.

24 Sec. 45. Section 85A.6, Code 2020, is amended to read as
25 follows:

26 **85A.6 Dependents — defined.**

27 Dependents of a deceased employee whose death has been
28 caused by an occupational disease as ~~herein~~ defined in this
29 chapter and under the provisions, conditions, and limitations
30 of this chapter shall be those persons defined as dependents
31 under the workers' compensation law of Iowa and such dependents
32 shall receive compensation benefits as provided by said law.

33 Sec. 46. Section 85A.16, Code 2020, is amended to read as
34 follows:

35 **85A.16 Reference to compensation law.**

1 The provisions of the workers' compensation law, so far as
2 applicable, and not inconsistent ~~herewith~~ with this chapter,
3 shall apply in cases of compensable occupational diseases as
4 specified and defined ~~herein~~ in this chapter.

5 Sec. 47. Section 85A.18, Code 2020, is amended to read as
6 follows:

7 **85A.18 Notice of disability or death — filing of claims.**

8 Except as ~~herein~~ otherwise provided in this chapter,
9 procedure with respect to notice of disability or death, as
10 to the filing of claims and determination of claims shall be
11 the same as in cases of injury or death arising out of and
12 in the course of employment under the workers' compensation
13 law. Written notice shall be given to the employer of an
14 occupational disease by the employee within ninety days after
15 the first distinct manifestation thereof, and in the case of
16 death from such an occupational disease, written notice of such
17 claim shall also be given to the employer within ninety days
18 thereafter.

19 Sec. 48. Section 96.7, subsection 2, paragraph d,
20 subparagraph (1), Code 2020, is amended to read as follows:

21 (1) The current reserve fund ratio is computed by dividing
22 the total funds available for payment of benefits, on the
23 computation date or on August 15 following the computation
24 date if the total funds available for payment of benefits
25 is a higher amount on August 15, by the total wages paid in
26 covered employment excluding reimbursable employment wages
27 during the first four calendar quarters of the five calendar
28 quarters immediately preceding the computation date. However,
29 in computing the current reserve fund ratio, beginning July
30 1, 2007, one hundred fifty million dollars shall be added to
31 the total funds available for payment of benefits on each
32 ~~subsequent~~ computation date.

33 Sec. 49. Section 97B.7A, subsection 5, Code 2020, is amended
34 to read as follows:

35 5. *Travel*. In the administration of the investment of

1 moneys in the retirement fund, employees of the system and
2 members of the board may travel outside the state for the
3 purpose of meeting with investment firms and consultants and
4 attending conferences and meetings to fulfill their fiduciary
5 responsibilities. ~~This travel is not subject to section~~
6 ~~8A.512, subsection 2.~~

7 Sec. 50. Section 99D.7, subsection 23, Code 2020, is amended
8 to read as follows:

9 23. To establish a process to allow a person to be
10 voluntarily excluded from advance deposit wagering as defined
11 in [section 99D.11](#), from an internet fantasy sports contest as
12 defined in [section 99E.1](#), from advance deposit sports wagering
13 as defined in [section 99F.9](#), and from the wagering area of
14 a racetrack enclosure, and from the gaming floor, and from
15 the sports wagering area, as defined in [section 99F.1](#), of all
16 other licensed facilities under [this chapter](#) and [chapter 99F](#)
17 as provided in [this subsection](#). The process shall provide
18 that an initial request by a person to be voluntarily excluded
19 shall be for a period of five years or life and any subsequent
20 request following any five-year period shall be for a period of
21 five years or life. The process established shall require that
22 licensees be provided electronic access to names and social
23 security numbers of persons voluntarily excluded through a
24 secured interactive internet site maintained by the commission
25 and information regarding persons voluntarily excluded shall
26 be disseminated to all licensees under [this chapter](#), [chapter](#)
27 [99E](#), and [chapter 99F](#). The names, social security numbers, and
28 information regarding persons voluntarily excluded shall be
29 kept confidential unless otherwise ordered by a court or by
30 another person duly authorized to release such information.
31 The process established shall also require a person requesting
32 to be voluntarily excluded be provided information compiled
33 by the Iowa department of public health on gambling treatment
34 options. The state and any licensee under [this chapter](#),
35 [chapter 99E](#), or [chapter 99F](#) shall not be liable to any person

1 for any claim which may arise from this process. In addition
2 to any other penalty provided by law, any money or thing of
3 value that has been obtained by, or is owed to, a voluntarily
4 excluded person as a result of wagers made by the person after
5 the person has been voluntarily excluded shall be forfeited by
6 the person and shall be credited to the general fund of the
7 state.

8 Sec. 51. Section 99F.1, subsection 14, Code 2020, is amended
9 to read as follows:

10 14. "*Gambling game*" means any game of chance authorized by
11 the commission. However, for racetrack enclosures, "*gambling*
12 *game*" does not include table games of chance or video machines
13 which simulate table games of chance, unless otherwise
14 authorized by [this chapter](#). "*Gambling game*" does not include
15 sports ~~betting~~ wagering.

16 Sec. 52. Section 99F.10, subsection 4, paragraph a, Code
17 2020, is amended to read as follows:

18 a. In determining the license fees and state regulatory
19 fees to be charged as provided under [section 99F.4](#) and this
20 section, the commission shall use as the basis for determining
21 the amount of revenue to be raised from the license fees and
22 regulatory fees the amount appropriated to the commission plus
23 ~~the following as applicable:~~

24 ~~(1) Prior to July 1, 2016, the cost of salaries for no more~~
25 ~~than two special agents for each excursion gambling boat or~~
26 ~~gambling structure and no more than four gaming enforcement~~
27 ~~officers for each excursion gambling boat or gambling structure~~
28 ~~with a patron capacity of less than two thousand persons or no~~
29 ~~more than five gaming enforcement officers for each excursion~~
30 ~~gambling boat or gambling structure with a patron capacity of~~
31 ~~at least two thousand persons, plus any direct and indirect~~
32 ~~support costs for the agents and officers, for the division of~~
33 ~~criminal investigation's excursion gambling boat or gambling~~
34 ~~structure activities. However, the division of criminal~~
35 ~~investigation may add one additional special agent to the~~

1 ~~number of special agents specified in this subparagraph for~~
2 ~~each excursion gambling boat or gambling structure if at least~~
3 ~~two gaming enforcement officer full-time equivalent positions~~
4 ~~are vacant. Otherwise, the division of criminal investigation~~
5 ~~shall not fill vacant gaming enforcement officer positions.~~

6 (2) ~~On or after July 1, 2016, the cost of salaries for no~~
7 ~~more than three special agents for each excursion gambling~~
8 ~~boat or gambling structure, plus any direct and indirect~~
9 ~~support costs for the agents, for the division of criminal~~
10 ~~investigation's excursion gambling boat or gambling structure~~
11 ~~activities.~~

12 Sec. 53. Section 123.36, subsection 5, paragraph c, Code
13 2020, is amended to read as follows:

14 c. For air common carriers, each company shall pay a base an
15 annual fee of five hundred dollars.

16 Sec. 54. Section 123.45, subsection 1, paragraph a, Code
17 2020, is amended to read as follows:

18 a. Directly or indirectly supply, furnish, give, or pay for
19 any furnishings, fixtures, or equipment used in the storage,
20 handling, serving, or dispensing of alcoholic beverages, ~~wine,~~
21 ~~beer,~~ or food within the place of business of a licensee or
22 permittee authorized under [this chapter](#) to sell at retail.

23 Sec. 55. Section 123.45, subsection 3, Code 2020, is amended
24 to read as follows:

25 3. ~~However,~~ a A person engaged in the wholesaling of
26 beer or wine may sell only disposable glassware, which is
27 constructed of paper, paper laminated, or plastic materials and
28 designed primarily for personal consumption on a one-time usage
29 basis, to retailers for use within the premises of licensed
30 establishments, for an amount which is greater than or equal
31 to an amount which represents the greater of either the amount
32 paid for the disposable glassware by the supplier or the amount
33 paid for the disposable glassware by the wholesaler. Also, a
34 person engaged in the business of manufacturing beer may sell
35 beer at retail for consumption on or off the premises of the

1 manufacturing facility and, notwithstanding any other provision
2 of [this chapter](#) or the fact that a person is the holder of a
3 class "A" beer permit, may be granted not more than one class
4 "B" beer permit as defined in [section 123.124](#) for that purpose
5 regardless of whether that person is also a manufacturer
6 of native distilled spirits pursuant to a class "A" native
7 distilled spirits license or a manufacturer of native wine
8 pursuant to a class "A" wine permit.

9 Sec. 56. Section 123.90, Code 2020, is amended to read as
10 follows:

11 **123.90 Penalties generally.**

12 Unless other penalties are ~~herein~~ provided in this chapter,
13 any person, except a person under legal age, who violates
14 any of the provisions of [this chapter](#), or who makes a false
15 statement concerning any material fact in submitting an
16 application for a permit or license, shall be guilty of a
17 serious misdemeanor. Any person under legal age who violates
18 any of the provisions of [this chapter](#) shall upon conviction be
19 guilty of a simple misdemeanor.

20 Sec. 57. Section 123.188, subsection 1, Code 2020, is
21 amended to read as follows:

22 1. A person desiring to deliver wine subject to direct
23 shipment within this state pursuant to [section 123.187](#) shall
24 submit an application for a wine carrier permit electronically,
25 or in a manner prescribed by the administrator, ~~and~~ which shall
26 be accompanied by a fee in the amount of one hundred dollars.

27 Sec. 58. Section 124.201, subsection 2, Code 2020, is
28 amended to read as follows:

29 2. After considering the ~~above~~ factors described in
30 subsection 1, the board shall make a recommendation to the
31 general assembly, specifying the change which should be made in
32 existing schedules, if it finds that the potential for abuse or
33 lack thereof of the substance is not properly reflected by the
34 existing schedules.

35 Sec. 59. Section 135.42, Code 2020, is amended to read as

1 follows:

2 **135.42 Unlawful use.**

3 All information, interviews, reports, statements, memoranda,
4 or other data furnished in accordance with **this subchapter** and
5 any findings or conclusions resulting from such studies shall
6 not be used or offered or received in evidence in any legal
7 proceedings of any kind or character, but nothing contained
8 ~~herein~~ in this subchapter shall be construed as affecting the
9 admissibility as evidence of the primary medical or hospital
10 records pertaining to the patient or of any other writing,
11 record or reproduction thereof not contemplated by this
12 subchapter.

13 Sec. 60. Section 135.74, subsection 1, Code 2020, is amended
14 to read as follows:

15 1. The department, after study and in consultation with
16 any advisory committees which may be established pursuant to
17 law, shall promulgate by rule pursuant to **chapter 17A** uniform
18 methods of financial reporting, including such allocation
19 methods as may be prescribed, by which hospitals and health
20 care facilities shall respectively record their revenues,
21 expenses, other income, other outlays, assets and liabilities,
22 and units of service, according to functional activity center.
23 These uniform methods of financial reporting shall not preclude
24 a hospital or health care facility from using any accounting
25 methods for its own purposes provided these accounting methods
26 can be reconciled to the uniform methods of financial reporting
27 prescribed by the department and can be audited for validity
28 and completeness. Each hospital and each health care facility
29 shall adopt the appropriate system for its fiscal year,
30 effective upon such date as the department shall direct. ~~In~~
31 ~~determining the effective date for reporting requirements, the~~
32 ~~department shall consider both the immediate need for uniform~~
33 ~~reporting of information to effectuate the purposes of this~~
34 ~~subchapter and the administrative and economic difficulties~~
35 ~~which hospitals and health care facilities may encounter in~~

1 ~~complying with the uniform financial reporting requirement, but~~
2 ~~the effective date shall not be later than January 1, 1980.~~

3 Sec. 61. Section 144A.7, subsection 1, paragraph b, Code
4 2020, is amended to read as follows:

5 b. The guardian of the person of the patient if one has been
6 appointed, provided court approval is obtained in accordance
7 with section 232D.401, subsection 4, paragraph "a", or section
8 633.635, subsection 3, paragraph "b", subparagraph (1). This
9 paragraph does not require the appointment of a guardian in
10 order for a treatment decision to be made under [this section](#).

11 Sec. 62. Section 144F.1, subsection 6, Code 2020, is amended
12 to read as follows:

13 6. "*Legal representative*" means, in order of priority,
14 an attorney in fact under a durable power of attorney for
15 health care pursuant to [chapter 144B](#) or, if no durable power
16 of attorney for health care has been executed pursuant to
17 chapter 144B or if the attorney in fact is unavailable, a legal
18 guardian appointed pursuant to [chapter 232D or 633](#).

19 Sec. 63. Section 144F.6, Code 2020, is amended to read as
20 follows:

21 **144F.6 Construction of chapter relative to other health care**
22 **directives.**

23 Nothing in [this chapter](#) shall be construed to interfere with
24 the authority or responsibilities of an agent operating under
25 a valid durable power of attorney for health care pursuant to
26 chapter 144B or of the powers and duties granted to a guardian
27 pursuant to [section 232D.401 or 633.635](#).

28 Sec. 64. Section 152.2, Code 2020, is amended to read as
29 follows:

30 **152.2 Executive director.**

31 The board shall retain a full-time executive director, who
32 shall be appointed pursuant to ~~section 135B.11~~ [135.11B](#). The
33 executive director shall be a registered nurse. The governor,
34 with the approval of the executive council pursuant to section
35 8A.413, subsection 3, under the pay plan for exempt positions

1 in the executive branch of government, shall set the salary of
2 the executive director.

3 Sec. 65. Section 153.33B, unnumbered paragraph 1, Code
4 2020, is amended to read as follows:

5 ~~The board shall appoint a~~ A full-time executive director
6 shall be appointed as provided under section 135.11B. The
7 executive director shall not be a member of the board. The
8 duties of the executive director shall be the following:

9 Sec. 66. Section 159.23, Code 2020, is amended to read as
10 follows:

11 **159.23 Special fund.**

12 All fees collected as a result of the inspection and grading
13 provisions set out herein in this chapter shall be paid into
14 the state treasury, there to be set aside in a separate fund
15 which is hereby appropriated for the use of the department
16 except as indicated. Withdrawals ~~therefrom~~ from the fund
17 shall be by warrant of the director of the department of
18 administrative services upon requisition by the secretary
19 of agriculture. ~~Such~~ The fund shall be continued from year
20 to year, provided, however, that if there be any balance
21 remaining at the end of the biennium which, in the opinion of
22 the governor, director of the department of management, and
23 secretary of agriculture, is greater than necessary for the
24 proper administration of the inspection and grading program
25 referred to herein in this section, the treasurer of state is
26 hereby authorized on the recommendation and with the approval
27 of the governor, director of the department of management,
28 and secretary of agriculture to transfer to the general fund
29 of the state that portion of such account as they shall deem
30 advisable.

31 Sec. 67. Section 163.51, subsection 1, paragraph a,
32 subparagraph (3), Code 2020, is amended to read as follows:

33 (3) The compelling of a person who is the owner or custodian
34 of the animal to provide information regarding the movement
35 or relocation of the animal or the vaccination status of the

1 animal or the herd where the animal originates. The department
2 may issue a subpoena for relevant testimony or records as
3 defined in section ~~516E.1~~ 523C.1. In the case of a failure
4 or refusal of the person to provide testimony or records,
5 the district court upon application of the department or the
6 attorney general acting upon behalf of the department, may
7 order the person to show cause why the person should not be
8 held in contempt. The court may order the person to provide
9 testimony or produce the record or be punished for contempt as
10 if the person refused to testify before the court or disobeyed
11 a subpoena issued by the court.

12 Sec. 68. Section 176A.4, Code 2020, is amended to read as
13 follows:

14 **176A.4 Establishment — body corporate — county agricultural**
15 **extension districts.**

16 1. Each county, except Pottawattamie, is constituted and
17 established as a "county agricultural extension district"
18 and shall be a public body corporate organized in accordance
19 with the provisions of **this chapter** for the purposes, with the
20 powers and subject to the restrictions ~~hereinafter~~ set forth in
21 this chapter.

22 2. Pottawattamie county shall be divided into and
23 constitute two districts ~~with one~~ as follows:

24 a. A district to be known as "East Pottawattamie" which
25 shall include the following townships: Pleasant, Layton, Knox,
26 James, Valley, Lincoln, Washington, Belknap, Center, Wright,
27 Carson, Macedonia, Grove, Waveland; ~~and the other.~~

28 b. A district to be known as "West Pottawattamie" which
29 shall include the following townships: Rockford, Boomer,
30 Neola, Minden, Hazel Dell, York, Crescent, Norwalk, Lake,
31 Garner, Hardin, Kane, Lewis, Keg Creek, Silver Creek.

32 Sec. 69. Section 176A.8, subsections 3, 6, 7, 10, and 11,
33 Code 2020, are amended to read as follows:

34 3. a. ~~To and shall,~~ at least ninety days prior to the
35 date fixed for the election of council members, appoint a

1 nominating committee consisting of four persons who are not
2 council members and designate the chairperson. The membership
3 of the nominating committee shall be gender balanced. The
4 nominating committee shall consider the geographic distribution
5 of potential nominees in nominating one or more resident
6 registered voters of the extension district as candidates for
7 election to each office to be filled at the election. To
8 qualify for the election ballot, each nominee shall file a
9 nominating petition signed by at least twenty-five eligible
10 electors of the district with the county commissioner of
11 elections at least sixty-nine days before the date of election.

12 *b.* To ~~and shall also~~ provide for the nomination by petition
13 of candidates for election to membership on the extension
14 council. A nominating petition shall be signed by at least
15 twenty-five eligible electors of the extension district and
16 shall be filed with the county commissioner of elections at
17 least sixty-nine days before the date of the election.

18 6. To prepare annually before March 15 a budget for the
19 fiscal year beginning July 1 and ending the following June 30,
20 in accordance with the provisions of [chapter 24](#) and certify the
21 ~~same~~ budget to the board of supervisors of the county of their
22 extension district as required by law.

23 7. To ~~and shall~~ be responsible for the preparation
24 and adoption of the educational program on extension work
25 in agriculture, home economics, and 4-H club work, and
26 periodically review ~~said~~ the program, and for the carrying out
27 of the ~~same~~ program in cooperation with the extension service
28 in accordance with the memorandum of understanding with ~~said~~
29 the extension service.

30 10. To ~~and shall~~, as soon as possible following the meeting
31 at which the officers are elected, file in the office of the
32 board of supervisors and of the county treasurer a certificate
33 signed by ~~its~~ the chairperson and secretary of the extension
34 council certifying the names, addresses, and terms of office of
35 each member, and the names and addresses of the officers of the

1 extension council with the signatures of the officers affixed
2 ~~thereto, and said~~ to the certificate. The certificate shall be
3 conclusive as to the organization of the extension district,
4 its extension council, and as to its members and ~~its~~ officers.

5 11. To ~~and shall~~ deposit all funds received from the
6 "county agricultural extension education fund" in a bank or
7 banks approved by ~~it~~ the extension council in the name of the
8 extension district. These receipts shall constitute a fund
9 known as the "county agricultural extension education fund"
10 which shall be disbursed by the treasurer of the extension
11 council on vouchers signed by its chairperson and secretary and
12 approved by the extension council and recorded in its minutes.

13 Sec. 70. Section 176A.9, subsection 5, Code 2020, is amended
14 to read as follows:

15 5. The extension council and its employed personnel may
16 cooperate with, and give information and advice to organized
17 and unorganized groups, but shall not promote, sponsor,
18 or engage in the organization of any group for any purpose
19 except the promoting, organization, and the development of the
20 programs of 4-H clubs. Nothing in **this chapter** shall prevent
21 the county extension council or extension agents employed by
22 it from using or seeking opportunities to reach an audience of
23 persons interested in agricultural extension work through the
24 help of interested farm organizations, civic organizations, or
25 any other group: ~~Provided, that.~~ However, in using or seeking
26 such opportunities, the county extension council or agents
27 employed by ~~it~~ the extension council shall make available to
28 all groups and organizations in the county equal opportunity to
29 cooperate in the educational extension program.

30 Sec. 71. Section 200.15, Code 2020, is amended to read as
31 follows:

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

34 The secretary is authorized and empowered to cancel the
35 registration of any product of commercial fertilizer or soil

1 conditioner or license or to refuse to register any product
2 of commercial fertilizer or soil conditioner or refuse to
3 license any applicant ~~as herein provided~~, upon satisfactory
4 evidence that the registrant or licensee has used fraudulent
5 or deceptive practices or ~~who has willfully violates~~ violated
6 any provisions of this chapter or any rules and regulations
7 promulgated ~~thereunder: Except no~~ under this chapter.
8 However, a registration or license shall not be revoked or
9 refused until the registrant or licensee ~~shall have~~ has been
10 given the opportunity to appear for a hearing by the secretary.

11 Sec. 72. Section 204.9, subsection 2, paragraph b, Code
12 2020, is amended to read as follows:

13 b. The department of public safety or a local law
14 enforcement agency may obtain a sample of plants that are part
15 of the crop and provide for a test of that sample as provided in
16 section 204.8. The department of public safety or a local law
17 enforcement agency shall not impose, assess, or collect a fee
18 for conducting an inspection or test under this section.

19 Sec. 73. Section 204.15, subsection 3, Code 2020, is amended
20 to read as follows:

21 3. A licensee shall ~~not~~ be ineligible to participate in
22 the negligent violation program, if a test of a sample of
23 plants that are part of a crop produced on the licensee's crop
24 site exceeds a maximum concentration of two percent delta-9
25 tetrahydrocannabinol on a dry weight basis.

26 Sec. 74. Section 214A.12, Code 2020, is amended to read as
27 follows:

28 **214A.12 Industrial petroleum — permits.**

29 Any wholesale dealer as ~~herein~~ defined in this chapter may
30 apply to the department for a permit to make importations of
31 petroleum products for industrial use only and not intended
32 to be used for internal combustion engines, on a form to be
33 supplied by the department, and upon receiving such permission
34 may make importations of petroleum products for industrial use
35 only, exempt from the specifications of this chapter.

1 Sec. 75. Section 216A.135, subsection 2, paragraph c, Code
2 2020, is amended to read as follows:

3 c. Analysis of and recommendations ~~of~~ regarding current
4 criminal code provisions.

5 Sec. 76. Section 216A.136, subsection 1, Code 2020, is
6 amended to read as follows:

7 1. Juvenile court records and all other information
8 maintained under sections 232.147 through 232.153 232.151.

9 Sec. 77. Section 218.68, Code 2020, is amended to read as
10 follows:

11 **218.68 Money deposited with treasurer of state.**

12 ~~Said money~~ Moneys under section 218.67 shall be transmitted
13 to the treasurer of state as soon after one year after the
14 death of the intestate as practicable, and be credited to the
15 support fund of the institution of which the intestate was a
16 resident.

17 Sec. 78. Section 218.70, Code 2020, is amended to read as
18 follows:

19 **218.70 Payment to party entitled.**

20 ~~Said money~~ Moneys transmitted to the treasurer or state
21 under section 218.68 shall be paid, at any time within ten
22 years from the death of the intestate, to any person who is
23 shown to be entitled thereto. Payment shall be made from the
24 state treasury out of the support fund of such institution in
25 the manner provided for the payment of other claims from that
26 fund.

27 Sec. 79. Section 222.7, subsection 2, Code 2020, is amended
28 to read as follows:

29 2. In the case of a patient hospitalized pursuant to
30 sections 229.6 ~~to~~ through 229.15, the consent of the court
31 which hospitalized the patient is obtained in advance, rather
32 than afterward as otherwise permitted by section 229.15,
33 subsection 4.

34 Sec. 80. Section 222.34, Code 2020, is amended to read as
35 follows:

1 **222.34 Guardianship proceedings.**

2 If a guardianship is proposed for a person with an
3 intellectual disability, guardianship proceedings shall be
4 initiated and conducted as provided in [chapter 232D or 633](#).

5 Sec. 81. Section 222.84, Code 2020, is amended to read as
6 follows:

7 **222.84 Patients' personal deposit fund.**

8 There is hereby established at each resource center and
9 special unit a fund which shall be known as the "patients'
10 personal deposit fund"; provided that in the case of a special
11 unit, the director may direct that the patients' personal
12 deposit fund be maintained and administered as a part of the
13 fund established, pursuant to sections 226.43 ~~to~~ through
14 226.46, by the mental health institute where the special unit
15 is located.

16 Sec. 82. Section 225C.2, subsection 13, Code 2020, is
17 amended to read as follows:

18 13. "*Serious emotional disturbance*" means a diagnosable
19 mental, behavioral, or emotional disorder of sufficient
20 duration to meet diagnostic criteria specified within the most
21 current diagnostic and statistical manual of mental disorders
22 published by the American psychiatric association that results
23 in a functional impairment. "*Serious emotional disturbance*"
24 does not include substance use ~~and~~ or developmental disorders
25 unless ~~such~~ those disorders co-occur with such a diagnosable
26 mental, behavioral, or emotional disorder.

27 Sec. 83. Section 225C.52, subsection 4, Code 2020, is
28 amended to read as follows:

29 4. Submit a written report on or before December 1 of each
30 year to the governor and the general assembly. At a minimum,
31 the report shall include a summary of all activities undertaken
32 by the state board, ~~a summary of state board activities,~~
33 and results from identified behavioral health outcomes and
34 indicators for the children's behavioral health system.

35 Sec. 84. Section 226.31, Code 2020, is amended to read as

1 follows:

2 **226.31 Examination by court — notice.**

3 Before granting the order authorized in [section 226.30](#),
4 the court or judge shall investigate the allegations of the
5 petition and before proceeding to a hearing on the allegations
6 shall require notice to be served on the attorney who
7 represented the patient in any prior proceedings under sections
8 229.6 ~~to~~ through 229.15 or the advocate appointed under section
9 229.19, or in the case of a patient who entered the hospital
10 voluntarily, on any relative, friend, or guardian of the person
11 in question of the filing of the application. At the hearing
12 the court or judge shall appoint a guardian ad litem for the
13 person, if the court or judge deems such action necessary to
14 protect the rights of the person. The guardian ad litem shall
15 be a practicing attorney.

16 Sec. 85. Section 229.1, subsection 20, paragraph d,
17 subparagraph (2), Code 2020, is amended to read as follows:

18 (2) Lack of compliance has resulted in one or more acts ~~of~~
19 causing serious physical injury to the person's self or others
20 or an attempt to physically injure the person's self or others.

21 Sec. 86. Section 229.13, subsection 7, paragraph b, Code
22 2020, is amended to read as follows:

23 *b.* A region shall contract with mental health professionals
24 to provide the appropriate treatment including treatment by
25 the use of oral medicine or injectable antipsychotic medicine
26 pursuant to [this section](#).

27 Sec. 87. Section 229.36, Code 2020, is amended to read as
28 follows:

29 **229.36 Limitation on proceedings.**

30 The proceeding authorized in sections 229.31 ~~to~~ through
31 229.35, ~~inclusive~~, shall not be had more often than once
32 in six months regarding the same person; nor regarding any
33 patient within six months after the patient's admission to the
34 hospital.

35 Sec. 88. Section 229.38, Code 2020, is amended to read as

1 follows:

2 **229.38 Cruelty or official misconduct.**

3 If any person having the care of a person with mental illness
4 who has voluntarily entered a hospital or other facility for
5 treatment or care, or who is responsible for psychiatric
6 examination care, treatment, and maintenance of any person
7 involuntarily hospitalized under sections 229.6 ~~to~~ through
8 229.15, whether in a hospital or elsewhere, with or without
9 proper authority, shall treat such patient with unnecessary
10 severity, harshness, or cruelty, or in any way abuse the
11 patient or if any person unlawfully detains or deprives of
12 liberty any person with mental illness or any person who is
13 alleged to have mental illness, or if any officer required
14 by the provisions of this chapter and chapters 226 and 227,
15 to perform any act shall willfully refuse or neglect to
16 perform the same, the offending person shall, unless otherwise
17 provided, be guilty of a serious misdemeanor.

18 Sec. 89. Section 232.99, subsection 4, Code 2020, is amended
19 to read as follows:

20 4. When the dispositional hearing is concluded the court
21 shall make the least restrictive disposition appropriate
22 considering all the circumstances of the case. The
23 dispositions which may be entered under this division are
24 listed in sections 232.100 ~~to~~ through 232.102 in order from
25 least to most restrictive.

26 Sec. 90. Section 232.103, subsection 6, Code 2020, is
27 amended to read as follows:

28 6. If the court vacates the order it may make any other
29 order in accordance with and subject to the provisions of
30 sections 232.100 ~~to~~ through 232.102.

31 Sec. 91. Section 232.166, Code 2020, is amended to read as
32 follows:

33 **232.166 Statutes not affected.**

34 Nothing contained in sections 232.158 ~~to~~ through 232.165
35 shall be deemed to affect or modify the other provisions of

1 this chapter or of [chapter 600](#).

2 Sec. 92. Section 232.178, subsection 1, Code 2020, is
3 amended to read as follows:

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

12 Sec. 93. Section 232D.105, subsection 1, Code 2020, is
13 amended to read as follows:

14 1. A petition alleging that a minor is in need of a
15 conservatorship is not subject to [this chapter](#). Such
16 proceedings shall be governed by [chapter 633](#) and may be
17 initiated pursuant to [section 633.627 633.557](#).

18 Sec. 94. Section 249A.4, subsections 11 and 15, Code 2020,
19 are amended to read as follows:

20 11. Shall provide an opportunity for a fair hearing before
21 the department of inspections and appeals to an individual
22 whose claim for medical assistance under [this chapter](#) is
23 denied or is not acted upon with reasonable promptness. Upon
24 completion of a hearing, the department of inspections and
25 appeals shall issue a decision which is subject to review by
26 the department of human services. Judicial review of the
27 decisions of the department of human services may be sought in
28 accordance with chapter 17A. If a petition for judicial review
29 is filed, the department of human services shall furnish the
30 petitioner with a copy of the application and all supporting
31 papers, a transcript of the testimony taken at the hearing, if
32 any, and a copy of its decision.

33 15. Establish appropriate reimbursement rates for community
34 mental health centers that are accredited by the mental health
35 and disability services commission.

1 ~~Judicial review of the decisions of the department of human~~
2 ~~services may be sought in accordance with [chapter 17A](#). If~~
3 ~~a petition for judicial review is filed, the department of~~
4 ~~human services shall furnish the petitioner with a copy of~~
5 ~~the application and all supporting papers, a transcript of~~
6 ~~the testimony taken at the hearing, if any, and a copy of its~~
7 ~~decision.~~

8 Sec. 95. Section 249L.2, subsection 6, Code 2020, is amended
9 to read as follows:

10 6. *"Nursing facility"* means a licensed nursing facility as
11 defined in [section 135C.1](#) that is a freestanding facility or
12 a nursing facility operated by a hospital licensed pursuant
13 to [chapter 135B](#), but does not include a distinct-part skilled
14 nursing unit or a swing-bed unit operated by a hospital, or
15 a nursing facility owned by the state or federal government
16 or other governmental unit. *"Nursing facility"* includes a
17 non-state government-owned nursing facility if the nursing
18 facility participates in the non-state government-owned nursing
19 facility quality of care rate add-on program.

20 Sec. 96. Section 249L.2, Code 2020, is amended by adding the
21 following new subsections:

22 NEW SUBSECTION. 5A. *"Non-state governmental entity"* means a
23 hospital authority, hospital district, health care district,
24 city, or county.

25 NEW SUBSECTION. 5B. *"Non-state government-owned nursing*
26 *facility"* means a nursing facility that is owned or operated
27 by a non-state governmental entity and for which a non-state
28 governmental entity holds the nursing facility's license and is
29 party to the nursing facility's Medicaid contract.

30 Sec. 97. Section 252B.2, Code 2020, is amended to read as
31 follows:

32 **252B.2 Unit established — intervention.**

33 There is created within the department of human services a
34 child support recovery unit for the purpose of providing the
35 services required in [sections 252B.3 to through 252B.6](#). The

1 unit is not required to intervene in actions to provide such
2 services.

3 Sec. 98. Section 252H.5, unnumbered paragraph 1, Code 2020,
4 is amended by striking the unnumbered paragraph.

5 Sec. 99. Section 252H.12, subsection 3, Code 2020, is
6 amended by striking the subsection.

7 Sec. 100. Section 256.7, subsection 32, paragraph b,
8 subparagraph (1), unnumbered paragraph 1, Code 2020, is amended
9 to read as follows:

10 Adopt rules which require that educational instruction
11 and course content delivered primarily over the internet be
12 aligned with the Iowa core content standards as applicable.
13 Under such rules, a school district may develop and offer to
14 students enrolled in the district educational instruction and
15 course content for delivery primarily over the internet. A
16 school district providing educational instruction and course
17 content that are delivered primarily over the internet shall
18 annually submit to the department, in the manner prescribed by
19 the department, data that includes but is not limited to the
20 following:

21 Sec. 101. Section 260I.3, subsection 1, Code 2020, is
22 amended to read as follows:

23 1. The state board of education, ~~in consultation with the~~
24 ~~economic development authority,~~ shall adopt rules pursuant
25 to [chapter 17A](#) defining eligibility criteria for persons
26 applying to receive tuition assistance under [this chapter](#).

27 Sec. 102. Section 261.130, subsection 8, paragraph b, Code
28 2020, is amended to read as follows:

29 *b.* Adopt rules for approving career-technical or career
30 option programs in industries identified by the department of
31 workforce development ~~pursuant to section 84A.6, subsection 4;~~
32 determining financial need; defining residence for the purposes
33 of [this section](#); processing and approving applications for
34 grants; and determining priority for grants.

35 Sec. 103. Section 261A.24, Code 2020, is amended to read as

1 follows:

2 **261A.24 Chapter as alternative method — powers not subject**
3 **to supervision or regulation.**

4 Sections 261A.1 ~~to~~ through 261A.23 provide a complete,
5 additional, and alternative method for the doing of the things
6 authorized by the chapter and the limitations imposed by this
7 chapter do not affect powers or rights conferred by other laws,
8 and the issuance of obligations and refunding obligations under
9 this chapter need not comply with the requirements of any
10 other law applicable to the issuance of obligations. Except
11 as otherwise expressly provided in **this chapter**, the powers
12 granted to the authority under **this chapter** are not subject to
13 the supervision or regulation and do not require the approval
14 or consent of a city or political subdivision or department,
15 division, commission, board, body, bureau, official, or agency
16 of a political subdivision or of the state.

17 Sec. 104. Section 261E.8, subsection 2, paragraph b,
18 subparagraph (3), Code 2020, is amended to read as follows:

19 (3) A community college that enters into a contract as
20 provided in this paragraph shall submit to the department,
21 during the fall and spring semesters, or the equivalent, a
22 list of the accredited nonpublic school students enrolled for
23 the semester, or the equivalent, who are participating in the
24 program. The community college and the accredited nonpublic
25 school shall verify to the department that the accredited
26 nonpublic school and the coursework provided under this
27 paragraph meet the requirements of **this section** and section
28 257.11, subsection 3, and shall provide to the department data
29 and information elements as required under **subsection 8 9** by
30 rule.

31 Sec. 105. Section 262.9, subsections 10 and 15, Code 2020,
32 are amended to read as follows:

33 10. Direct the expenditure of all appropriations made to
34 ~~said~~ institutions under the control of the board, and of any
35 other moneys belonging ~~thereto~~ to those institutions, but in no

1 event shall the perpetual funds of the Iowa state university
2 of science and technology, nor the permanent funds of the
3 state university of Iowa derived under Acts of Congress, be
4 diminished.

5 15. Lease properties and facilities, either as lessor or
6 lessee, for the proper use and benefit of ~~said~~ institutions
7 under the control of the board upon such terms, conditions,
8 and considerations as the board deems advantageous, including
9 leases with provisions for ultimate ownership by the state of
10 Iowa, and to pay the rentals from funds appropriated to the
11 institution for operating expenses thereof or from such other
12 funds as may be available therefor.

13 Sec. 106. Section 262.23, Code 2020, is amended to read as
14 follows:

15 **262.23 Duties of treasurer.**

16 The treasurer of each of ~~said~~ the institutions under the
17 control of the board shall:

18 1. Receive all appropriations made by the general assembly
19 for ~~said~~ the institution, and all other funds from all other
20 sources, belonging to ~~said~~ the institution.

21 2. Pay out ~~said~~ funds on order of the board of regents,
22 or of such committee or official as ~~it~~ the board of regents
23 designates, on bills duly audited in accordance with the rules
24 prescribed by ~~said~~ the board.

25 3. Retain all bills, ~~so~~ paid by the treasurer, with receipts
26 for their payment as vouchers.

27 4. Keep an accurate account of all revenue and expenditures
28 of ~~said~~ the institution, so that the receipts and disbursements
29 of each of ~~its~~ the institution's several departments shall be
30 apparent at all times.

31 5. Annually, and at such other times as the board may
32 require, report to ~~it~~ said the board all receipts and
33 disbursements in detail.

34 Sec. 107. Section 262.24, Code 2020, is amended to read as
35 follows:

1 **262.24 Reports of executive officers.**

2 The executive officer of each of ~~said~~ the institutions under
3 the control of the board shall, on or before the first day of
4 August of each even-numbered year, make a report to the board,
5 setting forth ~~such~~ all of the following:

6 1. Such observations and recommendations as in the
7 executive officer's judgment are for the benefit of the
8 institution, ~~and also the.~~

9 2. The executive officer's recommendations of a budget for
10 the several colleges and departments of the institution, in
11 detail, ~~and estimates.~~

12 3. Estimates of the amount of funds required therefor for
13 the ensuing biennium.

14 Sec. 108. Section 262.31, Code 2020, is amended to read as
15 follows:

16 **262.31 Payment.**

17 The contract for ~~such~~ instruction under section 262.30 shall
18 authorize the payment for ~~such service~~ services furnished to
19 the school district, or for such service services furnished
20 to the state, and the amount to be agreed upon by the state
21 board of regents and the board of the school district thus
22 cooperating.

23 Sec. 109. Section 262.32, Code 2020, is amended to read as
24 follows:

25 **262.32 Contract — time limit.**

26 ~~Such contracts~~ A contract for instruction under section
27 262.30 shall be in writing and shall extend over a period of
28 not to exceed two years, ~~and a.~~ A copy thereof of the contract
29 shall be filed in the office of the administrator of the area
30 education agency.

31 Sec. 110. Section 262.37, Code 2020, is amended to read as
32 follows:

33 **262.37 Title to property.**

34 The title to all real estate ~~so~~ acquired under section 262.36
35 and the improvements erected ~~thereon~~ on that real estate shall

1 be taken and held in the name of the state.

2 Sec. 111. Section 262.38, unnumbered paragraph 1, Code
3 2020, is amended to read as follows:

4 In carrying out the ~~above~~ powers enumerated in this
5 subchapter, said the board may:

6 Sec. 112. Section 262.39, unnumbered paragraph 1, Code
7 2020, is amended to read as follows:

8 ~~No~~ An obligation created ~~hereunder~~ under this subchapter
9 shall ~~ever~~ never be ~~or~~ nor become a charge against the state
10 of Iowa but all such obligations, including principal and
11 interest, shall be payable solely:

12 Sec. 113. Section 262.41, Code 2020, is amended to read as
13 follows:

14 **262.41 Exemption from taxation.**

15 All obligations created ~~hereunder~~ under this subchapter
16 shall be exempt from taxation.

17 Sec. 114. Section 262.42, Code 2020, is amended to read as
18 follows:

19 **262.42 Limitation on funds.**

20 ~~No state~~ State funds shall not be loaned or used for ~~this~~
21 ~~purpose~~ the purposes of this subchapter. This prohibition
22 shall not apply to funds derived from the net earnings of
23 dormitories ~~now or hereafter~~ owned by the state.

24 Sec. 115. Section 262.45, Code 2020, is amended to read as
25 follows:

26 **262.45 Purchase or condemnation of real estate.**

27 The erection of the buildings, improvements, and facilities
28 for the educational institutions of higher learning in this
29 state is a public necessity and the board is vested with full
30 power to purchase or condemn at ~~said~~ those institutions, or
31 convenient ~~thereto~~ to those institutions, all real estate
32 necessary to carry out the powers herein granted.

33 Sec. 116. Section 262.46, Code 2020, is amended to read as
34 follows:

35 **262.46 Title in name of state.**

1 The title to all real estate ~~so~~ acquired under this
2 subchapter and the improvements erected ~~thereon~~ on that real
3 estate shall be taken and held in the name of the state.

4 Sec. 117. Section 262.48, unnumbered paragraph 1, Code
5 2020, is amended to read as follows:

6 In carrying out the ~~above~~ powers ~~said~~ enumerated in this
7 subchapter, the board may:

8 Sec. 118. Section 262.48, subsection 2, Code 2020, is
9 amended to read as follows:

10 2. Mortgage any real estate ~~so~~ acquired under this
11 subchapter and the improvements erected ~~thereon~~ on that real
12 estate in order to secure necessary loans.

13 Sec. 119. Section 262.49, unnumbered paragraph 1, Code
14 2020, is amended to read as follows:

15 ~~No~~ An obligation created ~~hereunder~~ under this subchapter
16 shall ~~ever~~ never be ~~or~~ nor become a charge against the state
17 of Iowa but all such obligations, including principal and
18 interest, shall be payable solely from any of the following:

19 Sec. 120. Section 262.51, Code 2020, is amended to read as
20 follows:

21 **262.51 Tax exemption.**

22 All obligations created ~~hereunder~~ under this subchapter
23 shall be exempt from taxation, together with the interest
24 ~~thereon~~ on the obligations.

25 Sec. 121. Section 262.52, Code 2020, is amended to read as
26 follows:

27 **262.52 No state funds loaned.**

28 ~~No state~~ State funds shall not be loaned for ~~this purpose~~
29 the purposes of this subchapter. This prohibition shall not
30 apply to funds derived from the net earnings of ~~such~~ buildings,
31 structures, areas, and facilities ~~now or hereafter~~ owned by the
32 state or to funds received from student fees or charges.

33 Sec. 122. Section 262.68, Code 2020, is amended to read as
34 follows:

35 **262.68 Speed limit on institutional grounds.**

1 1. The maximum speed limit of all vehicles on institutional
2 roads at institutions under the control of the state board of
3 regents shall be forty-five miles per hour. All driving shall
4 be confined to driveways designated by the state board.

5 2. Whenever the state board shall determine that the speed
6 limit ~~hereinbefore~~ set forth in subsection 1 is greater than
7 is reasonable or safe under the conditions found to exist at
8 any place of congestion or upon any part of its institutional
9 roads, ~~said~~ the board shall determine and declare a reasonable
10 and safe speed limit, ~~thereat~~ which shall be effective when
11 appropriate signs giving notice ~~thereof~~ of the speed limit are
12 erected at such places of congestion or other parts of its
13 institutional roads.

14 3. Any person violating the ~~aforementioned~~ speed limits
15 established in subsections 1 and 2 shall be guilty of a simple
16 misdemeanor.

17 Sec. 123. Section 272.15, subsection 3, Code 2020, is
18 amended to read as follows:

19 3. Information required to be reported to the board under
20 this section shall be reported within thirty days of ~~the~~ either
21 of the following:

22 a. The date action was taken which necessitated the report,
23 including the date of disciplinary action taken, nonrenewal
24 or termination of a contract for reasons of alleged or actual
25 misconduct, or resignation of a person following an incident
26 or allegation of misconduct as required under subsection 1, ~~or~~
27 awareness.

28 b. The date the employee becomes aware of alleged misconduct
29 as required under subsection 2.

30 Sec. 124. Section 273.2, subsection 3, Code 2020, is amended
31 to read as follows:

32 3. The area education agency board shall furnish
33 educational services and programs as provided in section
34 273.1, this section, sections 273.3 to 273.9 through 273.8,
35 and chapter 256B to the pupils enrolled in public or nonpublic

1 schools located within its boundaries which are on the list of
2 accredited schools pursuant to [section 256.11](#). The programs
3 and services provided shall be at least commensurate with
4 programs and services existing on July 1, 1974. The programs
5 and services provided to pupils enrolled in nonpublic schools
6 shall be comparable to programs and services provided to pupils
7 enrolled in public schools within constitutional guidelines.

8 Sec. 125. Section 273.3, subsections 2 and 12, Code 2020,
9 are amended to read as follows:

10 2. Be authorized to receive and expend money for providing
11 programs and services as provided in [sections 273.1, 273.2,](#)
12 [this section, sections 273.4 ~~to 273.9~~ through 273.8,](#) and
13 chapters 256B and [257](#). All costs incurred in providing the
14 programs and services, including administrative costs, shall
15 be paid from funds received pursuant to [sections 273.1, 273.2,](#)
16 [this section, sections 273.4 ~~to 273.9~~ through 273.8,](#) and
17 chapters 256B and [257](#).

18 12. Prepare an annual budget estimating income and
19 expenditures for programs and services as provided in sections
20 [273.1, 273.2, this section, sections 273.4 ~~to 273.9~~ through](#)
21 [273.8,](#) and [chapter 256B](#) within the limits of funds provided
22 under [section 256B.9](#) and [chapter 257](#). The board shall
23 give notice of a public hearing on the proposed budget by
24 publication in an official county newspaper in each county
25 in the territory of the area education agency in which the
26 principal place of business of a school district that is a
27 part of the area education agency is located. The notice
28 shall specify the date, which shall be not later than March
29 1 of each year, the time, and the location of the public
30 hearing. The proposed budget as approved by the board shall
31 then be submitted to the state board of education, on forms
32 provided by the department, no later than March 15 preceding
33 the next fiscal year for approval. The state board shall
34 review the proposed budget of each area education agency and
35 shall before May 1, either grant approval or return the budget

1 without approval with comments of the state board included. An
2 unapproved budget shall be resubmitted to the state board for
3 final approval not later than May 15. The state board shall
4 give final approval only to budgets submitted by area education
5 agencies accredited by the state board or that have been given
6 conditional accreditation by the state board.

7 Sec. 126. Section 277.3, Code 2020, is amended to read as
8 follows:

9 **277.3 Election laws applicable.**

10 The provisions of ~~chapters 39 to~~ through 53 shall apply to
11 the conduct of all school elections and the school elections
12 shall be conducted by the county commissioner of elections,
13 except as otherwise specifically provided in this chapter.

14 Sec. 127. Section 279.50A, subsection 1, unnumbered
15 paragraph 1, Code 2020, is amended to read as follows:

16 If a school district's total enrollment exceeds six hundred
17 pupils, the school district may enter into an agreement with a
18 community college under which the community college may offer,
19 or provide a community college-employed instructor to teach,
20 one of the units in accordance with section 256.11, subsection
21 5, paragraph "a", or one of the units in accordance with section
22 256.11, subsection 5, paragraph "d" or "e", and if the unit of
23 coursework under the agreement meets the requirements specified
24 in section 257.11, subsection 3, paragraph "b", subparagraphs
25 (2) through (7), the unit offered shall be deemed to meet the
26 education program requirement for a unit of mathematics or
27 science, as applicable, under section 256.11, subsection 5,
28 paragraph "a", "d", or "e". The provisions of this subsection
29 are applicable only if all of the following conditions are met:

30 Sec. 128. Section 282.3, subsection 3, Code 2020, is amended
31 to read as follows:

32 ~~3. Nothing herein provided shall~~ This section does not
33 prohibit a school board from requiring the attainment of a
34 greater age than the age requirements ~~herein~~ set forth in this
35 section.

1 Sec. 129. Section 303.21, Code 2020, is amended to read as
2 follows:

3 **303.21 Petition.**

4 1. ~~Not less than ten percent of the~~ The eligible voters
5 in an area of asserted historical significance may petition
6 the department for a referendum for the establishment of a
7 district.

8 2. The petition ~~shall~~ must be signed by not less than ten
9 percent of the eligible voters of the area and shall contain
10 both a description of the property suggested for inclusion in
11 the district and the reasons justifying the creation of the
12 district.

13 Sec. 130. Section 303.34, subsections 2 and 4, Code 2020,
14 are amended to read as follows:

15 2. A city shall not designate an area as an area of
16 historical significance unless it contains contiguous pieces
17 of property under diverse ownership which meets the criteria
18 specified in [section 303.20, subsection 1](#), paragraphs "a" to
19 through "f".

20 4. An area shall be designated an area of historical
21 significance upon enactment of an ordinance of the city.
22 Before the ordinance or an amendment to ~~it~~ the ordinance is
23 enacted, the governing body of the city shall submit the
24 ordinance or amendment to the historical division for its
25 review and recommendations.

26 Sec. 131. Section 306.13, Code 2020, is amended to read as
27 follows:

28 **306.13 Notice — requirements.**

29 ~~Said~~ The notice of the hearing under section 306.11 shall
30 state the time and place of such hearing, the location of the
31 particular road, or part thereof, or crossing, the vacation and
32 closing of which is to be considered, and such other data as
33 may be deemed pertinent.

34 Sec. 132. Section 306.24, Code 2020, is amended to read as
35 follows:

1 **306.24 Conditions.**

2 Any sale of land as ~~herein~~ authorized in this chapter shall
3 be upon the conditions that the tract, parcel, or piece of land
4 so sold shall not be used in any manner so as to interfere with
5 the use of the highway by the public, or to endanger public
6 safety in the use of the highway, or to the material damage of
7 the adjacent owner.

8 Sec. 133. Section 306A.6, Code 2020, is amended to read as
9 follows:

10 **306A.6 New and existing facilities — grade-crossing**
11 **eliminations.**

12 1. Cities and highway authorities having jurisdiction and
13 control over the highways of the state, as provided by chapter
14 306, may designate and establish an existing street or highway
15 as included within a controlled-access facility. The state or
16 any of its subdivisions shall have authority to provide for
17 the elimination of intersections at grade of controlled-access
18 facilities with existing state and county roads, and city or
19 village streets, by grade separation or service road, or by
20 closing off such roads and streets at the right-of-way boundary
21 line of such controlled-access facility, ~~the.~~

22 2. The provisions of ~~sections 306.11 to~~ through 306.17
23 shall apply and govern the procedure for the closing of ~~such a~~
24 road or street and the method of ascertaining damages sustained
25 by any person as a consequence of ~~such~~ the closing, provided,
26 however, that the highway authority desiring the closing of
27 such road or street shall conduct the hearing and carry out the
28 procedure therefor and pay any damages, including any allowed
29 on appeal, as a consequence thereof, any law to the contrary
30 notwithstanding, ~~and after.~~

31 3. After the establishment of any controlled-access
32 facility, no highway or street which is not part of said
33 facility shall intersect the same at grade. ~~No~~ A city or
34 village street, county or state highway, or other public
35 way shall not be opened into or connected with any such

1 controlled-access facility without the consent and previous
2 approval of the highway authority in the state, county, city
3 or village having jurisdiction over ~~such~~ the controlled-access
4 facility. Such consent and approval shall be given only if the
5 public interest shall be served thereby.

6 Sec. 134. Section 307.48, Code 2020, is amended to read as
7 follows:

8 **307.48 Longevity pay.**

9 1. An employee of the department who was hired by the state
10 highway commission on or before June 30, 1971, is entitled to
11 longevity pay. An employee eligible for longevity pay under
12 this section whose employment is terminated on or after July 1,
13 1971, if reemployed by the department, forfeits any right the
14 employee may have had to longevity pay.

15 2. An employee under the supervision of the department's
16 administrator of highways who became an employee of the state
17 department of transportation on July 1, 1974, retains all
18 rights to longevity pay so long as the employee continues
19 employment with the department.

20 Sec. 135. Section 309.24, Code 2020, is amended to read as
21 follows:

22 **309.24 Uniform and unified plan required.**

23 ~~Said~~ The secondary road construction program or project
24 shall be planned on the basis of one general, uniform, and
25 unified plan for the complete and permanent construction of the
26 roads embraced ~~therein~~ in the program or project as to bridge,
27 culvert, tile, and grading or other improvements.

28 Sec. 136. Section 309.27, Code 2020, is amended to read as
29 follows:

30 **309.27 Report of engineer.**

31 In addition to ~~the foregoing~~ meeting the requirements of
32 sections 309.22 through 309.26, the engineer, when so ordered
33 by the board, shall make written report to the board and shall
34 designate therein in their order of importance the roads which,
35 in the engineer's judgment, are most urgently in need of

1 construction.

2 Sec. 137. Section 309.37, unnumbered paragraph 1, Code
3 2020, is amended to read as follows:

4 ~~Said~~ The engineer's survey shall show:

5 Sec. 138. Section 309.47, unnumbered paragraph 1, Code
6 2020, is amended to read as follows:

7 ~~Such certificates~~ Certificates issued under this subchapter
8 shall be authorized by a duly adopted resolution which shall
9 specify all of the following:

10 Sec. 139. Section 309.51, Code 2020, is amended to read as
11 follows:

12 **309.51 Taxation.**

13 ~~Said certificates~~ Certificates issued under this subchapter
14 shall be exempt from taxation.

15 Sec. 140. Section 312.3, subsection 1, Code 2020, is amended
16 to read as follows:

17 1. ~~For the fiscal year ending June 30, 2006, apportion among~~
18 ~~the counties the road use tax funds credited to the secondary~~
19 ~~road fund by using the allocation method contained in section~~
20 ~~312.3, subsection 1, Code 2005. For subsequent fiscal years,~~
21 ~~apportion~~ Apportion among the counties the road use tax funds
22 credited to the secondary road fund by using the distribution
23 methodology adopted pursuant to [section 312.3C](#).

24 Sec. 141. Section 313.4, subsection 3, Code 2020, is amended
25 to read as follows:

26 3. There is appropriated from funds appropriated to the
27 department which would otherwise revert to the primary road
28 fund pursuant to the provisions of the Act appropriating the
29 funds or [chapter 8](#), an amount sufficient to pay the increase
30 in salaries, which increase is not otherwise provided for by
31 the general assembly in an appropriation bill, resulting from
32 the annual review of the merit pay plan as provided in section
33 8A.413, subsection 3. The appropriation ~~herein~~ provided in
34 this subsection shall be in effect from the effective date of
35 the revised pay plan to the end of the fiscal biennium in which

1 it becomes effective.

2 Sec. 142. Section 313.20, Code 2020, is amended to read as
3 follows:

4 **313.20 Auditor — appointment — bond — duties.**

5 The director of the department of administrative services
6 shall appoint the auditor of the department who shall give
7 bond in the sum of fifty thousand dollars for the faithful
8 performance of the auditor's duties. The premium on ~~said~~
9 the bond shall be paid by the department from the primary
10 road fund. ~~Said~~ The auditor shall check and audit all claims
11 against the department before such claims are approved by the
12 department, and shall keep all records and accounts relating
13 to the expenditures of the department. The auditor shall, in
14 the checking and auditing of claims against the department, and
15 keeping the records and accounts of the department, be under
16 the direction and supervision of the director of the department
17 of administrative services, and act as an agent of ~~said~~ the
18 director. The department shall furnish ~~said~~ the auditor with
19 such help and assistants as may be necessary to properly
20 perform the duties ~~herein~~ specified in this section. The ~~said~~
21 auditor may be removed by the director of the department of
22 administrative services.

23 Sec. 143. Section 313.24, Code 2020, is amended to read as
24 follows:

25 **313.24 Separated cities.**

26 The department shall designate the street or streets which
27 shall constitute the primary road extensions in any city of
28 the state, which city is separated from the remainder of
29 the state by a river more than five hundred feet in width
30 from bank to bank. The laws of this state relating to the
31 construction, reconstruction, or maintenance of the extensions
32 of primary roads in cities, and to the purchase or condemnation
33 of right-of-way ~~therefor~~ for those primary roads, and to the
34 expenditure of primary road funds thereon, shall apply to the
35 roads or streets designated ~~hereunder~~ under this section, the

1 same as though said community were not so separated from the
2 rest of the state.

3 Sec. 144. Section 313.29, Code 2020, is amended to read as
4 follows:

5 **313.29 Detours located in city.**

6 When the temporary primary road detour or temporary primary
7 road haul road, or any portion thereof, is located within
8 the corporate limits of a city, then as to the portion so
9 located, the provisions of [section 313.28](#) as to consultation,
10 designation, restoration, and payment by the department shall
11 apply in like manner to the benefit of the city, ~~and credits~~
12 ~~thereunder.~~ Credits under section 313.28 shall be made to the
13 general fund of the city. A city may designate the county
14 engineer or city engineer to inspect such street so used
15 jointly with the representative of the department.

16 Sec. 145. Section 321.1, subsection 26, Code 2020, is
17 amended to read as follows:

18 26. "*Foreign vehicle*" means every vehicle of a type required
19 to be registered ~~hereunder~~ under this chapter brought into this
20 state from another state, territory, or country other than in
21 the ordinary course of business by or through a manufacturer or
22 dealer and not registered in this state.

23 Sec. 146. Section 321.187, subsection 2, paragraph c, Code
24 2020, is amended to read as follows:

25 c. Any third-party skills test examiner used by the
26 third-party tester shall meet the requirements of 49 C.F.R.
27 §383.75 and [49 C.F.R. §384.228](#), as adopted by rule by the
28 department. The department shall adopt rules requiring that a
29 third-party tester, other than a community college established
30 under [chapter 260C](#), ~~shall~~ either be an Iowa-based motor
31 carrier, or its subsidiary, that has its principal office
32 within this state and operates a permanent commercial driver
33 training facility in this state, or be an Iowa nonprofit
34 corporation that serves as a trade association for Iowa-based
35 motor carriers. The rules may also provide that a third-party

1 tester conduct a number of skills test examinations above the
2 number required under 49 C.F.R. §383.75 in order to remain
3 qualified as a third-party tester under this section.

4 Sec. 147. Section 321.258, subsection 1, paragraphs b and c,
5 Code 2020, are amended to read as follows:

6 b. Steady ~~and/or~~ flashing left-turn red arrow.

7 c. Steady ~~and/or~~ flashing right-turn red arrow.

8 Sec. 148. Section 321.258, subsection 2, paragraphs b and c,
9 Code 2020, are amended to read as follows:

10 b. Steady ~~and/or~~ flashing left-turn red arrow.

11 c. Steady ~~and/or~~ flashing right-turn red arrow.

12 Sec. 149. Section 321.378, Code 2020, is amended to read as
13 follows:

14 **321.378 Applicability.**

15 The provisions of sections 321.372 ~~to~~ through 321.377, this
16 section, and sections 321.379 and 321.380, shall apply to all
17 public and nonpublic schools where children are transported to
18 and from school.

19 Sec. 150. Section 321.380, Code 2020, is amended to read as
20 follows:

21 **321.380 Enforcement.**

22 It shall be the duty of all peace officers and of the state
23 patrol to enforce the provisions of sections 321.372 ~~to~~ through
24 321.379.

25 Sec. 151. Section 321.431, subsections 2 and 3, Code 2020,
26 are amended to read as follows:

27 2. Under the ~~above~~ conditions specified in subsection 1,
28 the hand brake shall be adequate to hold ~~such~~ the vehicle or
29 vehicles stationary on any grade upon which operated.

30 3. Under the ~~above~~ conditions specified in subsection 1,
31 the service brakes upon a motor vehicle equipped with two-wheel
32 brakes only, and when permitted ~~hereunder~~ under this section,
33 shall be adequate to stop the vehicle within a distance of
34 forty-five feet and the hand brake adequate to stop the vehicle
35 within a distance of fifty-five feet.

1 Sec. 152. Section 321.463, subsection 4, paragraph b,
2 subparagraph (4), subparagraph division (b), Code 2020, is
3 amended to read as follows:

4 (b) *"Fence-line feeder, grain cart, or tank wagon"* means ~~all~~
5 ~~of the following:~~

6 ~~(i) A fence-line feeder, grain cart, or tank wagon~~
7 ~~manufactured on or after July 1, 2001.~~

8 ~~(ii) After July 1, 2005, any fence-line feeder, grain cart,~~
9 ~~or tank wagon.~~

10 Sec. 153. Section 321.480, Code 2020, is amended to read as
11 follows:

12 **321.480 Limitation on expense.**

13 For the purposes of sections 321.476 ~~to~~ through 321.479,
14 this section, and section 321.481 and the enforcement of the
15 provisions of the motor vehicle laws relating to the size,
16 weight, and load of motor vehicles and trailers the department
17 is hereby authorized to expend from the primary road fund only
18 the amount appropriated for each biennium.

19 Sec. 154. Section 321.481, Code 2020, is amended to read as
20 follows:

21 **321.481 No impairment of other authority.**

22 Nothing in sections 321.476 to through 321.480 shall be so
23 construed as to limit or impair the authority or duties of
24 other peace officers in the enforcement of the motor vehicle
25 laws or any portion thereof.

26 Sec. 155. Section 321.488, Code 2020, is amended to read as
27 follows:

28 **321.488 Procedure not exclusive.**

29 The provisions of this chapter shall govern all peace
30 officers in making arrests without a warrant for violations
31 of this chapter for offenses committed in their presence, but
32 the procedure prescribed ~~herein~~ in this chapter shall not be
33 exclusive of any other method prescribed by law for the arrest
34 and prosecution of a person.

35 Sec. 156. Section 321.504, Code 2020, is amended to read as

1 follows:

2 **321.504 Optional notification.**

3 In lieu of mailing ~~said~~ the notification described in
4 section 321.502 to the defendant in a foreign state, the
5 plaintiff may cause ~~said~~ the notification to be personally
6 served in the foreign state on the defendant by any adult
7 person not a party to the suit, by delivering ~~said~~ the
8 notification to the defendant or by offering to make such
9 delivery in case defendant refuses to accept delivery.

10 Sec. 157. Section 321.511, Code 2020, is amended to read as
11 follows:

12 **321.511 Dismissal — effect.**

13 The dismissal of an action after the nonresident has
14 entered a general appearance under the substituted service
15 herein authorized in section 321.498, sections 321.500 through
16 321.502, and sections 321.504 through 321.510, shall bar the
17 recommencement of the same action against the same defendant
18 unless ~~said~~ the recommenced action is accompanied by actual
19 personal service of the original notice of suit on ~~said~~ the
20 defendant in this state.

21 Sec. 158. Section 321A.11, Code 2020, is amended to read as
22 follows:

23 **321A.11 Matters not to be evidence in civil suits.**

24 Neither the report required by section 321A.4, the action
25 taken by the department pursuant to sections 321A.4 ~~to~~
26 through 321A.10 and this section, the findings, if any, of the
27 department upon which action is based, nor the security filed
28 as provided in said sections shall be referred to in any way,
29 or be any evidence of the negligence or due care of either
30 party, at the trial of any action at law to recover damages.

31 Sec. 159. Section 321A.13, subsection 3, Code 2020, is
32 amended to read as follows:

33 3. Any person whose license, registration, or nonresident's
34 operating privilege has been suspended or is about to be
35 suspended or shall become subject to suspension under the

1 provisions of [section 321A.12](#), [this section](#), and sections
 2 321A.14 through 321A.29 may be relieved from the effect of ~~such~~
 3 ~~the~~ judgment as ~~hereinbefore~~ prescribed in ~~said~~ those sections
 4 by filing with the department an affidavit stating that at the
 5 time of the accident upon which ~~such~~ the judgment has been
 6 rendered the affiant was insured, that the insurer is liable to
 7 pay ~~such~~ the judgment, and the reason, if known, why ~~such~~ the
 8 insurance company has not paid such judgment. Such a person
 9 shall also file the original policy of insurance or a certified
 10 copy thereof, if available, and such other documents as the
 11 department may require to show that the loss, injury, or damage
 12 for which ~~such~~ the judgment was rendered, was covered by ~~such~~
 13 the policy of insurance. If the department is satisfied ~~from~~
 14 ~~such papers~~ that ~~such~~ the insurer was authorized to issue ~~such~~
 15 the policy of insurance at the time and place of issuing ~~such~~
 16 the policy and that ~~such~~ the insurer is liable to pay ~~such~~ the
 17 judgment, at least to the extent and for the amounts required
 18 in [this chapter](#), the department shall not suspend ~~such~~ the
 19 person's license or registration or nonresident's operating
 20 privilege, or, if already suspended, shall reinstate them.

21 Sec. 160. Section 321A.14, Code 2020, is amended to read as
 22 follows:

23 **321A.14 Suspension to continue until judgments paid and proof**
 24 **given.**

25 A license, registration, and nonresident's operating
 26 privilege shall remain suspended under [section 321A.13](#),
 27 and shall not be renewed, nor shall any such license or
 28 registration be subsequently issued in the name of the person,
 29 including any person not previously licensed, until every
 30 judgment is satisfied in full or to the extent ~~hereinafter~~
 31 provided in this chapter, or until evidence is provided, to
 32 the satisfaction of the department, that the judgment has not
 33 been renewed and is no longer enforceable. A person whose
 34 license, registration, or nonresident's operating privilege
 35 was suspended under [section 321A.13](#) must provide proof to

1 the department of financial responsibility subject to the
2 exemptions stated in [sections 321A.13](#) and [321A.16](#) prior to
3 obtaining a license, registration, or nonresident's operating
4 privilege.

5 Sec. 161. Section 321A.26, Code 2020, is amended to read as
6 follows:

7 **321A.26 Owner may give proof for others.**

8 Whenever any person required to give proof of financial
9 responsibility ~~hereunder~~ under this chapter is or later becomes
10 an operator in the employ of any owner, or is or later becomes
11 a member of the immediate family or household of the owner,
12 the department shall accept proof given by such owner in lieu
13 of proof by such other person to permit such other person to
14 operate a motor vehicle for which the owner has given proof
15 as ~~herein~~ provided in this subchapter or has qualified as a
16 self-insurer under [section 321A.34](#). The department shall
17 designate the restrictions imposed by [this section](#) on the face
18 of such person's license.

19 Sec. 162. Section 321A.31, Code 2020, is amended to read as
20 follows:

21 **321A.31 Surrender of license and registration.**

22 Any person whose license or registration ~~shall have~~ has been
23 suspended as ~~herein~~ provided in this chapter, or whose policy
24 of insurance or bond, when required under [this chapter](#), ~~shall~~
25 ~~have~~ has been canceled or terminated, or who ~~shall neglect~~
26 ~~neglects~~ to furnish other proof upon request of the department
27 shall immediately return the person's license and registration
28 to the department. If any person ~~shall fail~~ fails to return to
29 the department the license or registration as provided ~~herein~~
30 in this section, the department shall forthwith direct any
31 peace officer to secure possession ~~thereof~~ and to return the
32 ~~same~~ license or registration to the department.

33 Sec. 163. Section 322.13, Code 2020, is amended to read as
34 follows:

35 **322.13 Rules.**

1 1. The department shall have full authority to prescribe
2 reasonable rules for the administration and enforcement of
3 this chapter, which shall be in addition hereto to and not
4 inconsistent ~~herewith~~ with this chapter. All rules shall
5 be filed and entered by the department in its office in an
6 indexed, permanent book or record, with the effective date
7 ~~thereof of the rules~~ suitably indicated, and such. The book
8 or record shall be a public document. The department may
9 provide notice of a new rule or regulation by a posting on the
10 department's internet site.

11 2. The department shall have power to prescribe the forms to
12 be used in connection with the licensing of persons as ~~herein~~
13 provided in this chapter.

14 Sec. 164. Section 322.15, subsection 2, Code 2020, is
15 amended to read as follows:

16 2. Nothing contained ~~herein~~ in this chapter shall be
17 construed to require the licensing or to apply to any bank,
18 credit union, or trust company in Iowa.

19 Sec. 165. Section 322.19, subsection 2, paragraph a, Code
20 2020, is amended to read as follows:

21 a. A motor vehicle service contract as defined in section
22 ~~516E.1~~ 523C.1.

23 Sec. 166. Section 322.32, Code 2020, is amended to read as
24 follows:

25 **322.32 Construction of applicability to contracts.**

26 Nothing in **this chapter** shall be construed to impair the
27 obligations of a contract or to prevent a licensee ~~hereunder~~
28 under this chapter from requiring performance of a written
29 contract entered into with another licensee ~~hereunder~~ under
30 this chapter, nor shall the requirement of such performance
31 constitute a violation of any of the provisions of this
32 chapter.

33 Sec. 167. Section 322C.4, subsection 4, Code 2020, is
34 amended to read as follows:

35 4. Before the issuance of a dealer's license, the applicant

1 shall furnish a surety bond executed by the applicant as
2 principal and executed by a corporate surety company licensed
3 and qualified to do business within this state, which
4 bond shall run to the state of Iowa, be in the amount of
5 seventy-five thousand dollars, and be conditioned upon the
6 faithful compliance by the applicant as a dealer with all
7 statutes of this state regulating or applicable to a dealer,
8 and shall indemnify any person dealing or transacting business
9 with the dealer from loss or damage caused by the failure of
10 the dealer to comply with the provisions of chapter 321 and
11 this chapter, including the furnishing of a proper and valid
12 certificate of title to a towable recreational vehicle. The
13 bond shall be filed with the department prior to the issuance
14 of the license.

15 Sec. 168. Section 322C.14, subsection 3, paragraph c,
16 subparagraph (2), Code 2020, is amended to read as follows:

17 (2) The dealer has abandoned or closed the dealer's
18 business operations for ten consecutive business days. This
19 subparagraph does not apply if the closing is due to a normal
20 seasonal closing and the dealer notifies the manufacturer or
21 distributor of the planned closing, or is due to an act of God,
22 a strike, a labor difficulty, or any other cause over which the
23 dealer has no control.

24 Sec. 169. Section 322C.15, subsection 2, paragraph b, Code
25 2020, is amended to read as follows:

26 b. The manufacturer's or distributor's business operations
27 have been abandoned or caused the dealer's business operations
28 to close for ten consecutive business days. This paragraph
29 does not apply if the closing is due to a normal seasonal
30 closing and the manufacturer or distributor notifies the
31 dealer of the planned closing, or is due to an act of God, a
32 strike, a labor difficulty, or any other cause over which the
33 manufacturer or distributor has no control.

34 Sec. 170. Section 322C.21, subsection 2, paragraph f, Code
35 2020, is amended to read as follows:

1 f. Each party to the mediation shall pay ~~its~~ the party's own
2 costs for attorney fees. The costs of the mediation services
3 shall be ~~equally~~ allocated ~~among each party~~ equally amongst the
4 parties.

5 Sec. 171. Section 322C.21, subsection 3, Code 2020, is
6 amended to read as follows:

7 3. In addition to the remedies provided in this section, and
8 notwithstanding the existence of any ~~additional~~ remedy at law,
9 a manufacturer, distributor, warrantor, or dealer may petition
10 the district court, ~~upon a hearing and for cause shown~~, for a
11 temporary or permanent injunction, or both, restraining any
12 person from acting as a dealer without being properly licensed,
13 from violating or continuing to violate any of the provisions
14 of this chapter, or from failing or refusing to comply with the
15 requirements of this chapter. Such injunction shall be issued,
16 upon a hearing and for cause shown, without bond. A single act
17 in violation of this chapter shall be considered sufficient
18 cause to authorize the issuance of an injunction pursuant to
19 this subsection.

20 Sec. 172. Section 327F.27, subsection 1, unnumbered
21 paragraph 1, Code 2020, is amended to read as follows:

22 Every railroad corporation shall ~~insure~~ ensure that
23 vegetation on railroad property which is on or immediately
24 adjacent to the roadbed be controlled so that it does not:

25 Sec. 173. Section 330.4, Code 2020, is amended to read as
26 follows:

27 **330.4 Joint exercise of powers.**

28 Agreements between political subdivisions for joint exercise
29 of any powers relating to airports may provide for the creation
30 and establishment of a joint airport commission which, when
31 so created or established, shall function in accordance with
32 the provisions of sections 330.17 ~~to~~ through 330.24 insofar as
33 provided by ~~said~~ the agreements.

34 Sec. 174. Section 330.24, Code 2020, is amended to read as
35 follows:

1 **330.24 No restrictions on former commissions.**

2 Nothing in sections 330.17 ~~to~~ through 330.22 shall be
3 interpreted as limiting or affecting airport commissions of
4 cities in the above classification which have already been in
5 existence and operation prior to January 1, 1941, under the
6 provisions of this chapter.

7 Sec. 175. Section 331.322, subsection 3, Code 2020, is
8 amended to read as follows:

9 3. Fill vacancies in county offices in accordance with
10 sections 69.8 ~~to~~ through 69.12 and section 69.14A, and make
11 appointments in accordance with section 69.16 unless a special
12 election is called pursuant to section 69.14A.

13 Sec. 176. Section 331.383, Code 2020, is amended to read as
14 follows:

15 **331.383 Duties and powers relating to elections.**

16 The board shall ensure that the county commissioner of
17 elections conducts primary, general, city, school, and special
18 elections in accordance with applicable state law. The board
19 shall canvass elections in accordance with sections 43.49 ~~to~~
20 through 43.51, 43.60 ~~to~~ through 43.62, 46.24, 50.13, 50.24 ~~to~~
21 through 50.29, 50.44 ~~to~~ through 50.47, 260C.39, 275.25, 277.20,
22 376.1, 376.7, and 376.9. The board shall prepare and deliver
23 a list of persons nominated in accordance with section 43.55,
24 provide for a recount in accordance with section 50.48, provide
25 for election precincts in accordance with sections 49.3, 49.4,
26 49.6 ~~to~~ through 49.8, and 49.11, pay election costs as provided
27 in section 47.3, participate in election contests as provided
28 in sections 62.1A and 62.9, and perform other election duties
29 required by state law. The board ~~may~~ shall provide for the
30 use of an optical scan voting system as provided in sections
31 52.2~~7~~ and 52.3~~7~~ and 52.8, and exercise other election powers as
32 provided by state law.

33 Sec. 177. Section 331.390, subsection 2, Code 2020, is
34 amended to read as follows:

35 2. The governing board shall comply with all of the

1 following requirements:

2 *a.* The voting membership of the governing board shall
3 consist of at least one board of supervisors member from each
4 county comprising the region or ~~their designees~~ a person
5 designated by the board of each county.

6 *b.* The membership of the governing board shall also include
7 one adult person who utilizes mental health and disability
8 services or is an actively involved relative of such an adult
9 person. This member shall be designated by the regional
10 advisory committee formed by the governing board pursuant to
11 paragraph ~~"h"~~ "e".

12 *c.* The membership of the governing board shall not include
13 employees of the department of human services or an ~~unelected~~
14 nonelected employee of a county.

15 *d.* The membership of the governing board shall also consist
16 of ~~one~~ all of the following:

17 (1) One member representing adult service providers in
18 the region. This member shall be designated by the regional
19 advisory committee formed by the governing board pursuant to
20 paragraph ~~"h"~~ "e". The member designated in accordance with
21 this ~~paragraph~~ subparagraph shall serve in a nonvoting, ex
22 officio capacity.

23 ~~*e.* (2) The membership of the governing board shall also~~
24 ~~consist of one~~ One member representing children's behavioral
25 health services providers in the region. This member shall
26 be designated by the regional children's advisory committee
27 formed by the governing board pursuant to paragraph ~~"i"~~ "f".
28 The member designated in accordance with this ~~paragraph~~
29 subparagraph shall serve in a nonvoting, ex officio capacity.

30 ~~*f.* (3) The membership of the governing board shall also~~
31 ~~consist of one~~ One member representing the education system in
32 the region. This member shall be designated by the regional
33 children's advisory committee formed by the governing board
34 pursuant to paragraph ~~"i"~~ "f".

35 ~~*g.* (4) The membership of the governing board shall also~~

1 ~~consist of one~~ One member who is a parent of a child who
2 utilizes children's behavioral health services or who is an
3 ~~actively involved relatives~~ relative of such ~~children~~ a child.
4 This member shall be designated by the regional children's
5 advisory committee formed by the governing board pursuant to
6 paragraph ~~"i"~~ "f".

7 ~~h,~~ e. The governing board shall have a regional advisory
8 committee consisting of adults who utilize services or actively
9 involved relatives of such adults, service providers, and
10 regional governing board members.

11 ~~i,~~ f. The governing board shall have a regional children's
12 advisory committee consisting of parents of children who
13 utilize services or actively involved relatives of such
14 children, a member of the education system, an early childhood
15 advocate, a child welfare advocate, a children's behavioral
16 health service provider, a member of the juvenile court, a
17 pediatrician, a child care provider, a local law enforcement
18 representative, and regional governing board members.

19 Sec. 178. Section 331.397A, subsection 5, unnumbered
20 paragraph 1, Code 2020, is amended to read as follows:

21 A region shall ensure that services within the following
22 additional core service domains are available to children not
23 eligible for the medical assistance program under [chapter 249A](#)
24 or not receiving other third-party payment for the services,
25 when public funds are made available for such services:

26 Sec. 179. Section 331.606, subsection 3, Code 2020, is
27 amended to read as follows:

28 3. The county recorder may give the county sheriff the
29 records filed under [this chapter](#) ~~or chapter 695, Code 1977,~~
30 pertaining to the sale and registration of weapons or may
31 dispose of those records if the sheriff does not wish to
32 receive the records.

33 Sec. 180. Section 335.4, Code 2020, is amended to read as
34 follows:

35 **335.4 Areas and districts.**

1 ~~For any and all of said purposes the~~ The board of supervisors
2 may divide the county, or any area or areas within the county,
3 into districts of such number, shape, and area as may be
4 deemed best suited to carry out the purposes of **this chapter**;
5 and within such districts it may regulate and restrict the
6 erection, construction, reconstruction, alteration, repair, or
7 use of buildings, structures or land. All such regulations
8 and restrictions shall be uniform for each class or kind of
9 buildings throughout each district, but the regulations in one
10 district may differ from those in other districts.

11 Sec. 181. Section 335.10, Code 2020, is amended to read as
12 follows:

13 **335.10 Board of adjustment — review and remand.**

14 1. The board of supervisors shall provide for the
15 appointment of a board of adjustment, and in the regulations
16 and restrictions adopted pursuant to the authority of this
17 chapter shall provide that the said board of adjustment may,
18 in appropriate cases, and subject to appropriate conditions
19 and safeguards, make special exceptions to the terms of the
20 ordinances or regulations in harmony with its general purpose
21 and intent and in accordance with the general or specific
22 rules ~~therein~~ contained in the ordinances or regulations, and
23 provide that any property owner aggrieved by the action of the
24 board of supervisors in the adoption of such regulations and
25 restrictions may petition the said board of adjustment direct
26 to modify regulations and restrictions as applied to such
27 property owners.

28 2. The board of supervisors may provide for its review
29 of variances granted by the board of adjustment before their
30 effective date. The board of supervisors may remand a decision
31 to grant a variance to the board of adjustment for further
32 study. If remanded, the effective date of the variance is
33 delayed for thirty days from the date of the remand.

34 Sec. 182. Section 335.21, Code 2020, is amended to read as
35 follows:

1 **335.21 Trial to court.**

2 1. If upon the hearing which shall be tried de novo it
3 shall appear to the court that testimony is necessary for
4 the proper disposition of the matter, ~~it~~ the court may take
5 evidence or appoint a referee to take such evidence as ~~it~~ the
6 court may direct and report the ~~same~~ evidence to the court
7 with the referee's findings of fact and conclusions of law,
8 ~~which.~~ The evidence and the referee's findings and conclusions
9 shall constitute a part of the proceedings upon which the
10 determination of the court shall be made. The court may
11 reverse or affirm, wholly or partly, or may modify the decision
12 brought up for review.

13 2. Costs shall not be allowed against the board unless
14 it shall appear to the court that ~~it~~ the board acted with
15 gross negligence or in bad faith or with malice in making the
16 decision appealed from.

17 Sec. 183. Section 347.9, subsections 1 and 3, Code 2020, are
18 amended to read as follows:

19 1. When it has been determined by the voters of a county
20 to establish a county public hospital, the board shall appoint
21 five or seven trustees chosen from among the resident citizens
22 of the county with reference to their fitness for office.
23 The appointed trustees shall hold office until the following
24 general election, at which time their successors shall be
25 elected, three for a term of four years and the remainder
26 for a term of two years, and they shall determine by lot
27 their respective terms, and thereafter their successors shall
28 be elected for regular terms of four years each, ~~except as~~
29 ~~provided in~~ subsection 3.

30 3. Trustees Notwithstanding subsections 1 and 2, trustees
31 in a county with a population of at least four hundred thousand
32 shall serve for a term of six years. A trustee elected to a
33 term of four years in or after January 2018 shall instead serve
34 a term of six years.

35 Sec. 184. Section 347.25, subsection 1, Code 2020, is

1 amended to read as follows:

2 1. The election of hospital trustees whose offices are
3 established by **this chapter** or **chapter 145A** or **347A** shall
4 take place at the general election on ballots which shall
5 not reflect a nominee's political affiliation. Nomination
6 shall be made by petition in accordance with **chapter 45**. The
7 petition form shall be furnished by the county commissioner
8 of elections, shall be signed by fifty eligible electors of
9 the county, and shall be filed with the county commissioner
10 of elections. A plurality is sufficient to elect hospital
11 trustees.

12 Sec. 185. Section 349.6, subsection 1, Code 2020, is amended
13 to read as follows:

14 1. The county auditor shall, on the direction of the board
15 while it is in session, open ~~said~~ the envelopes which have
16 been deposited as provided under section 349.5. The board
17 may receive other evidence of circulation. In counties in
18 which two newspapers are to be selected, the two newspapers
19 showing the largest number of bona fide yearly subscribers
20 living within the county shall be selected as such official
21 newspapers. In counties in which three newspapers are to
22 be selected, the three showing the largest number of such
23 subscribers shall be selected except when such three newspapers
24 are all published in the same city, in which case the two
25 newspapers in such city having the largest lists of such
26 subscribers and the newspaper having the next largest list of
27 such subscribers and published outside such city, shall be
28 selected as such official newspapers.

29 Sec. 186. Section 349.8, Code 2020, is amended to read as
30 follows:

31 **349.8 Tie lists.**

32 When newspapers are, by equality of circulation, equally
33 entitled to ~~such~~ selection as an official newspaper, the board
34 shall, in the presence of the contestants, determine the
35 question by lot.

1 Sec. 187. Section 357.3, Code 2020, is amended to read as
2 follows:

3 **357.3 Scope of assessment.**

4 The special assessment ~~hereinafter~~ provided for in this
5 chapter may be used to cover the costs of installing all the
6 necessary elements of a water system, for both production and
7 distribution.

8 Sec. 188. Section 357.26, Code 2020, is amended to read as
9 follows:

10 **357.26 Duties of trustees.**

11 It is anticipated that this ~~law~~ chapter will usually be
12 utilized to finance a distribution system where the source of
13 supply is without the district, and not under its control,
14 and that individuals within the district will pay water rent
15 to a municipality or corporation without the district. It is
16 intended that the trustees may so operate the utility as will
17 best serve the users, and they are expressly authorized to buy
18 and sell water, to fix the rates to consumers and make all
19 contracts reasonable or necessary to accomplish the purpose of
20 this chapter and to carry on all the operations incident to
21 maintaining and operating said utility and to the procuring
22 and furnishing of water to the consumers therein. If the
23 development of a source of supply is within the means of the
24 district, the trustees may install wells, tanks, meters and any
25 other equipment properly pertaining to operate it.

26 Sec. 189. Section 357.27, Code 2020, is amended to read as
27 follows:

28 **357.27 Public property in district.**

29 Whenever property of the state of Iowa, or any political
30 subdivision thereof, shall be included either wholly or in part
31 within ~~such~~ the water district and ~~shall own~~ the state of Iowa
32 or the political subdivision owns facilities which may be used
33 as a part of such water system, the executive council, board of
34 supervisors, or city council, as the case may be, may permit
35 ~~such~~ the use of ~~said~~ the facilities for such consideration and

1 on such terms as may be agreed upon with the board of trustees.

2 Sec. 190. Section 357A.20, subsection 2, paragraph e, Code
3 2020, is amended to read as follows:

4 e. The district shall bring its operation and structure
5 in compliance with [sections 357A.7 ~~to~~ through 357A.10](#) at the
6 first annual meeting of the participating members and board of
7 directors.

8 Sec. 191. Section 358.2, subsection 2, Code 2020, is amended
9 to read as follows:

10 2. ~~No territory~~ Territory shall not be included within more
11 than one sanitary district organized under [this chapter](#), and
12 if any proposed sanitary district ~~shall fail~~ fails to receive
13 a majority of votes cast at any election ~~thereon at which~~
14 the establishment of the district is proposed as hereinafter
15 provided in this chapter, ~~no~~ a petition shall not be filed for
16 establishment of such a sanitary district within one year from
17 the date of such previous election.

18 Sec. 192. Section 358.23, Code 2020, is amended to read as
19 follows:

20 **358.23 Appeal to district court.**

21 Any person aggrieved by any proceeding had by the board of
22 supervisors or by the board of trustees as ~~herein~~ provided in
23 this chapter in relation to any matter involving the person's
24 rights not included under the provisions of [section 358.22](#)
25 may appeal to the district court of the county in which the
26 proceedings were had. Such appeals shall be governed in all
27 respects as is provided by pertinent sections under chapter
28 468, subchapter I, parts 1 ~~to~~ through 5.

29 Sec. 193. Section 358.25, Code 2020, is amended to read as
30 follows:

31 **358.25 Revenue bonds.**

32 Sanitary districts incorporated under [this chapter](#) may
33 exercise the powers granted to counties in sections 331.462 ~~to~~
34 through 331.470, to issue revenue bonds for the purposes in
35 section 331.461, subsection 2, paragraphs "b" and "c".

1 Sec. 194. Section 358.30, Code 2020, is amended to read as
2 follows:

3 **358.30 Annexation of land by a city — compensation.**

4 A sanitary district shall be fairly compensated for losses
5 resulting from annexation by a city. The governing body of a
6 city or city utility and the board of trustees of the sanitary
7 district may agree to terms which provide that the facilities
8 owned by the sanitary district and located within the city
9 shall be retained by the sanitary district for the purpose
10 of sanitary service to customers outside the city. If an
11 agreement is not reached within ninety days, the issues may be
12 submitted to arbitration. If submitted, an arbitrator shall
13 be selected by a committee which includes one member of the
14 governing body of the city or its designee, one member of the
15 sanitary district's board of trustees or its designee, and a
16 disinterested party selected by the other two members of the
17 committee. A list of qualified arbitrators may be obtained
18 from the American arbitration association or another recognized
19 arbitration organization or association.

20 Sec. 195. Section 359.6, Code 2020, is amended to read as
21 follows:

22 **359.6 Petition — remonstrance.**

23 Such petition shall be accompanied by the affidavit of
24 three eligible electors, to the effect that all the signatures
25 to such petition are genuine, and that the signers thereof
26 are all eligible electors of said township, residing outside
27 said corporate limits. Remonstrances signed by such eligible
28 electors may also be presented at the hearing before the board
29 of supervisors ~~hereinafter~~ provided for in this subchapter, and
30 if the same persons petition and remonstrate, they shall be
31 counted on the remonstrance only.

32 Sec. 196. Section 359.15, Code 2020, is amended to read as
33 follows:

34 **359.15 Hearing — order.**

35 If, at the time fixed for the hearing of ~~said~~ a petition

1 filed under section 359.14, the board ~~be~~ is satisfied that
2 there is a majority in favor of ~~such~~ the change of name, ~~it~~ the
3 board shall make an order granting the ~~same~~ name change, which
4 shall be attested by the auditor, and recorded in the office
5 of the recorder of the county.

6 Sec. 197. Section 359.30, Code 2020, is amended to read as
7 follows:

8 **359.30 Cemetery and park tax.**

9 They Township trustees shall, at the regular meeting
10 in November, levy a tax sufficient to pay for any lands so
11 condemned or purchased, or for the necessary improvement
12 and maintenance of cemeteries thus established, and for the
13 necessary improvement and the maintenance of public parks
14 acquired by gift, devise, or bequest under section 359.29,
15 or for the maintenance and improvement of cemeteries so
16 established in adjoining townships, ~~in case they~~ if the
17 trustees deem such action advisable.

18 Sec. 198. Section 359.31, Code 2020, is amended to read as
19 follows:

20 **359.31 Power and control.**

21 They Township trustees shall control any such cemeteries, or
22 appoint trustees for the same, or sell the same to any private
23 corporation for cemetery purposes.

24 Sec. 199. Section 359.32, Code 2020, is amended to read as
25 follows:

26 **359.32 Sale of lots — gifts.**

27 They Township trustees shall have authority to provide for
28 the sale of lots or portions thereof, in any cemetery under
29 their control, and make rules in regard thereto, ~~and~~. Township
30 trustees may provide for perpetual upkeep by the establishment
31 of a perpetual upkeep fund from the proceeds of sale of lots,
32 and may accept gifts, devise or bequest, made to them for that
33 purpose.

34 Sec. 200. Section 359.33, Code 2020, is amended to read as
35 follows:

1 **359.33 Tax for nonowned cemetery.**

2 ~~They~~ Township trustees may levy a tax not to exceed six and
3 three-fourths cents per thousand dollars of assessed value
4 of taxable property to improve and maintain any cemetery not
5 owned by the township, provided the ~~same~~ cemetery is devoted
6 to general public use.

7 Sec. 201. Section 359.37, Code 2020, is amended to read as
8 follows:

9 **359.37 Regulations.**

10 1. The trustees, board of directors, or other officers
11 having the custody and control of any cemetery in this state,
12 shall have power, subject to the bylaws and regulations of such
13 cemetery, to do all of the following:

14 a. To enclose, improve, and adorn the ground of such
15 cemetery; ~~to.~~

16 b. To construct avenues in the ~~same; to~~ cemetery.

17 c. To erect proper buildings for the use of ~~said~~ the
18 cemetery; ~~to.~~

19 d. To prescribe rules for the improving or adorning the lots
20 ~~therein,~~ in the cemetery or for the erection of monuments or
21 other memorials of the dead upon ~~such~~ the lots; ~~and to.~~

22 e. To prohibit any use, division, improvement, or adornment
23 of a lot which ~~they~~ the trustees, directors, or officers may
24 deem improper.

25 2. The trustees, after such land has been advertised for
26 sealed bids by the trustees, shall have authority to sell and
27 dispose of any lands or parcels of lands ~~heretofore~~ previously
28 dedicated for cemetery purposes and which are no longer
29 necessary for such purposes, for the reason that no burials
30 are being made in ~~such~~ the cemetery; ~~provided that.~~ However,
31 any portion of ~~said~~ the cemetery in which burials have been
32 made shall be kept and maintained by ~~said~~ the trustees. The
33 proceeds from such sales shall be deposited in the tax fund
34 established in accordance with [section 359.30](#), to be used for
35 the purposes of that fund.

1 Sec. 202. Section 376.1, Code 2020, is amended to read as
2 follows:

3 **376.1 City election held.**

4 1. A city shall hold a regular city election on the first
5 Tuesday after the first Monday in November of each odd-numbered
6 year. A city shall hold regular, special, primary, or runoff
7 city elections as provided by state law.

8 2. The mayor or council shall give notice of any special
9 election to the county commissioner of elections. The county
10 commissioner of elections shall publish notice of any city
11 election and conduct the election pursuant to the provisions
12 of ~~chapters 39 to~~ through 53, except as otherwise specifically
13 provided in ~~chapters 362 to~~ through 392. The results of any
14 election shall be canvassed by the county board of supervisors
15 and certified by the county commissioner of elections to the
16 mayor and the council of the city for which the election is
17 held.

18 Sec. 203. Section 376.3, Code 2020, is amended to read as
19 follows:

20 **376.3 Nominations.**

21 Candidates for elective city offices must be nominated as
22 provided in ~~sections 376.4 to~~ through 376.9 unless by ordinance
23 a city chooses the provisions of ~~chapters 44 or 45~~. However,
24 a city acting under a special charter in 1973 and having a
25 population of over fifty thousand shall continue to hold
26 partisan elections as provided in sections 43.112 ~~to~~ through
27 43.118 and ~~420.126 to~~ through 420.137 unless the city by
28 election as provided in ~~section 43.112~~ chooses to conduct city
29 elections under ~~this chapter or chapter 44 or 45~~. The choice
30 of one of these options by such a special charter city does not
31 otherwise affect the validity of the city's charter. However,
32 special charter cities which choose to exercise the option
33 to conduct nonpartisan city elections may choose in the same
34 manner the original decision was made, to resume holding city
35 elections on a partisan basis.

1 Sec. 204. Section 386.7, subsection 3, Code 2020, is amended
2 to read as follows:

3 3. If the council orders the construction of the
4 self-liquidating improvement, contracts for ~~it~~ the improvement
5 shall be let in accordance with **chapter 26**.

6 Sec. 205. Section 388.3, subsection 3, Code 2020, is amended
7 to read as follows:

8 3. A public officer or a salaried employee of the city ~~may~~
9 shall not serve on a utility board.

10 Sec. 206. Section 388.9, subsection 1, Code 2020, is amended
11 to read as follows:

12 1. Notwithstanding **section 21.5, subsection 1**, the
13 governing body of a city utility or combined utility system,
14 or a city enterprise or combined city enterprise as defined in
15 section 384.80, by a vote of two-thirds of the members of the
16 body or all of the members present at the meeting, may hold a
17 closed session to discuss marketing and pricing strategies or
18 proprietary information if its competitive position would be
19 harmed by public disclosure not required of potential or actual
20 competitors, and if no public purpose would be served by such
21 disclosure. The minutes and ~~a tape~~ an audio or audiovisual
22 recording of a session closed under **this subsection** shall be
23 available for public examination at that point in time when
24 the public disclosure would no longer harm the utility's
25 competitive position.

26 Sec. 207. Section 390.3, Code 2020, is amended to read as
27 follows:

28 **390.3 Hearing — exception to general statutes.**

29 1. Before a city may enter into or amend a joint agreement,
30 the governing body shall adopt a proposed form of agreement and
31 give notice and conduct a public hearing on the agreement in
32 the manner provided by **sections 73A.1 ~~to~~ through 73A.11**, which
33 action shall be subject to appeal as provided in **chapter 73A**.

34 2. However, in the performance of a joint agreement,
35 the governing body is not subject to statutes generally

1 applicable to public contracts, including hearings on
2 plans, specifications, form of contracts, costs, notice and
3 competitive bidding required under **chapter 26** and section
4 384.103, unless all parties to the joint agreement are cities
5 located within the state of Iowa.

6 Sec. 208. Section 400.14, Code 2020, is amended to read as
7 follows:

8 **400.14 Civil service status of chiefs.**

9 A police officer under civil service may be appointed
10 chief of police and a fire fighter under civil service may be
11 appointed chief of the fire department without losing civil
12 service status, and shall retain, while holding the office of
13 chief, the same civil service rights that the officer or fire
14 fighter may have had immediately previous to appointment as
15 chief, but nothing herein in this section shall be deemed to
16 extend to such individual any civil service right upon which
17 the individual may retain the position of chief.

18 Sec. 209. Section 403.2, subsection 1, Code 2020, is amended
19 to read as follows:

20 1. It is hereby found and declared that there exist in
21 municipalities of the state slum and blighted areas, as herein
22 defined in this chapter, which constitute a serious and growing
23 menace, injurious to the public health, safety, morals, and
24 welfare of the residents of the state; that the existence
25 of such areas contributes substantially and increasingly to
26 the spread of disease and crime, constitutes an economic and
27 social liability imposing onerous municipal burdens which
28 decrease the tax base and reduce tax revenues, substantially
29 impairs or arrests the sound growth of municipalities, retards
30 the provision of housing accommodations, aggravates traffic
31 problems and substantially impairs or arrests the elimination
32 of traffic hazards and the improvement of traffic facilities;
33 and that the prevention and elimination of slums and blighted
34 areas is a matter of state policy and state concern in order
35 that the state and its municipalities shall not continue to be

1 endangered by areas which are focal centers of disease, promote
2 juvenile delinquency and consume an excessive proportion of
3 state revenues because of the extra services required for
4 police, fire, accident, hospitalization, and other forms of
5 public protection, services, and facilities.

6 Sec. 210. Section 403.4, unnumbered paragraph 1, Code 2020,
7 is amended to read as follows:

8 ~~No~~ A municipality shall not exercise the authority herein
9 conferred upon municipalities by [this chapter](#) until after
10 its local governing body ~~shall have~~ has adopted a resolution
11 finding that:

12 Sec. 211. Section 403.9, subsections 1 and 6, Code 2020, are
13 amended to read as follows:

14 1. A municipality shall have power to periodically issue
15 bonds in its discretion to pay the costs of carrying out
16 the purposes and provisions of [this chapter](#), including but
17 not limited to the payment of principal and interest upon
18 any advances for surveys and planning, and the payment of
19 interest on bonds, ~~herein~~ authorized under this chapter, not
20 to exceed three years from the date the bonds are issued. The
21 municipality shall have power to issue refunding bonds for the
22 payment or retirement of such bonds previously issued by the
23 municipality. Said bonds shall be payable solely from the
24 income and proceeds of the fund and portion of taxes referred
25 to in [section 403.19, subsection 2](#), and revenues and other
26 funds of the municipality derived from or held in connection
27 with the undertaking and carrying out of urban renewal projects
28 under [this chapter](#). The municipality may pledge to the payment
29 of the bonds the fund and portion of taxes referred to in
30 [section 403.19, subsection 2](#), and may further secure the
31 bonds by a pledge of any loan, grant, or contribution from
32 the federal government or other source in aid of any urban
33 renewal projects of the municipality under [this chapter](#), or
34 by a mortgage of any such urban renewal projects, or any part
35 thereof, title which is vested in the municipality.

1 6. In any suit, action, or proceeding involving the validity
2 or enforceability of any bond issued under [this chapter](#) or the
3 security therefor, any such bond reciting in substance that it
4 has been issued by the municipality in connection with an urban
5 renewal project, as ~~herein~~ defined in this chapter, shall be
6 conclusively deemed to have been issued for such purpose and
7 such project shall be conclusively deemed to have been planned,
8 located, and carried out in accordance with the provisions of
9 this chapter.

10 Sec. 212. Section 403.14, subsection 1, Code 2020, is
11 amended to read as follows:

12 1. A municipality may itself exercise its urban renewal
13 project powers, as ~~herein~~ defined in this section, or may,
14 if the local governing body by resolution determines such
15 action to be in the public interest, elect to have such
16 powers exercised by the urban renewal agency, if one exists
17 or is subsequently established in the community. In the
18 event the local governing body makes such determination,
19 the urban renewal agency shall be vested with all of the
20 urban renewal project powers in the same manner as though
21 all such powers were conferred on such agency instead of the
22 municipality. If the local governing body does not elect to
23 make such determination, the municipality in its discretion may
24 exercise its urban renewal project powers through a board or
25 commissioner, or through such officers of the municipality as
26 the local governing body may by resolution determine.

27 Sec. 213. Section 403.16, unnumbered paragraph 1, Code
28 2020, is amended to read as follows:

29 No public official or employee of a municipality, or board
30 or commission thereof, and no commissioner or employee of an
31 urban renewal agency, which has been vested by a municipality
32 with urban renewal project powers under [section 403.14](#), shall
33 voluntarily acquire any personal interest, as ~~hereinafter~~
34 ~~defined~~ described in this section, whether direct or indirect,
35 in any urban renewal project, or in any property included

1 or planned to be included in any urban renewal project of
 2 such municipality, or in any contract or proposed contract
 3 in connection with such urban renewal project. Where such
 4 acquisition is not voluntary, the interest acquired shall
 5 be immediately disclosed in writing to the local governing
 6 body, and such disclosure shall be entered upon the minutes
 7 of the governing body. If any such official, commissioner,
 8 or employee presently owns or controls, or has owned or
 9 controlled within the preceding two years, any interest, as
 10 ~~hereinafter defined~~ described in this section, whether direct
 11 or indirect, in any property which the official, commissioner,
 12 or employee knows is included or planned to be included in an
 13 urban renewal project, the official, commissioner, or employee
 14 shall immediately disclose this fact in writing to the local
 15 governing body, and such disclosure shall be entered upon
 16 the minutes of the governing body; and any such official,
 17 commissioner, or employee shall not participate in any action
 18 by the municipality, or board or commission thereof, or urban
 19 renewal agency affecting such property, ~~as the terms of such~~
 20 ~~proscription are hereinafter defined~~ which is proscribed in
 21 this section. For the purposes of **this section** the following
 22 definitions and standards of construction shall apply:

23 Sec. 214. Section 414.13, Code 2020, is amended to read as
 24 follows:

25 **414.13 Decision on appeal.**

26 In exercising the ~~above-mentioned~~ powers ~~such~~ enumerated
 27 in section 414.12, the board of adjustment may, in conformity
 28 with the provisions of **this chapter**, reverse or affirm, wholly
 29 or partly, or may modify the order, requirement, decision,
 30 or determination appealed from and may make such order,
 31 requirement, decision, or determination as ought to be made,
 32 and to that end shall have all the powers of the officer from
 33 whom the appeal is taken.

34 Sec. 215. Section 420.43, subsection 2, Code 2020, is
 35 amended to read as follows:

1 2. **This section** shall not be construed as depriving boards
2 of supervisors, county auditors, and county treasurers of their
3 powers to spread tax levies and collect taxes certified by
4 cities acting under special charter as provided in section
5 420.206 and other state law. Nothing contained ~~herein~~ in
6 this section shall be deemed to affect the procedure for the
7 assessment of property by the city or county assessor.

8 Sec. 216. Section 420.224, Code 2020, is amended to read as
9 follows:

10 **420.224 Limitation on resale by city.**

11 Property which may be sold at tax sale to any such
12 city shall not be offered at any sale for taxes or special
13 assessments, collectible by such city, while it holds the
14 certificate of purchase thereof or tax deed thereon ~~except~~
15 ~~that if any special assessment or installment thereof levied~~
16 ~~by any such city prior to April 22, 1941, shall be or become~~
17 ~~delinquent after purchase of such property at tax sale by the~~
18 ~~city, then the property against which the same was levied may~~
19 ~~be sold therefor only at the first regular tax sale of such~~
20 ~~city occurring within such a period of time after delinquency~~
21 ~~that sale for such assessment or installment might lawfully~~
22 ~~be made at such first regular tax sale.~~ Nothing in sections
23 420.220 ~~to~~ through 420.223, this section, or sections 420.225
24 through 420.229 shall prevent the sale of property for any
25 unpaid taxes collectible by the county.

26 Sec. 217. Section 420.226, Code 2020, is amended to read as
27 follows:

28 **420.226 City clerk makes purchases.**

29 The city clerk shall act on behalf of the city under general
30 or specific resolutions of its city council in making the
31 purchases at tax sale ~~hereby~~ authorized under this subchapter.

32 Sec. 218. Section 420.228, Code 2020, is amended to read as
33 follows:

34 **420.228 City may compromise tax — effect.**

35 For the purpose of collecting and realizing on account

1 of delinquent taxes and special assessments collectible by
 2 ~~it~~ a city as fully and expeditiously as deemed possible in
 3 the judgment of its city council, any such city is hereby
 4 authorized to settle, compromise, and adjust any general tax,
 5 then having been delinquent for a period of two years or more
 6 and any special assessment then having been delinquent in whole
 7 or as to any installment thereof for a period of two years
 8 or more, ~~and, in.~~ In connection with any such settlement,
 9 compromise, or adjustment, the city is also authorized to
 10 accept a conveyance of real property and extend the time for
 11 payment of any installment of any special assessment. If any
 12 special assessment ~~shall be~~ is reduced in amount in connection
 13 with any such settlement, compromise, or adjustment, the full
 14 amount of the reduction shall thereby become an obligation of
 15 ~~such~~ the city to the special assessment fund into which such
 16 assessment was payable. The lien or charge created by law for
 17 the payment of any special assessment certificates or bonds
 18 against any special assessment so reduced in amount or against
 19 the proceeds thereof shall remain in effect against the balance
 20 of such special assessment and the proceeds of such balance.
 21 All such settlements, compromises, and adjustments heretofore
 22 effected are hereby ratified and validated.

23 Sec. 219. Section 420.235, Code 2020, is amended to read as
 24 follows:

25 **420.235 Tax receipt.**

26 1. The collector or treasurer shall in all cases make out
 27 and deliver to the taxpayer a receipt, which receipt shall
 28 contain the description and the assessed value of each lot
 29 and parcel of real estate, and the assessed value of personal
 30 property, and in case the property has been sold for taxes and
 31 not redeemed, the date of such sale and to whom sold, also the
 32 amount of taxes, interest, and costs paid; ~~and the.~~

33 2. The collector or treasurer shall give separate receipts
 34 for each year; ~~whereupon the collector or treasurer and~~ shall
 35 make proper entries of such payments on the books of the

1 collector's or treasurer's office.

2 Sec. 220. Section 420.238, Code 2020, is amended to read as
3 follows:

4 **420.238 Redemption — terms.**

5 Real property sold under the provisions of **this chapter**, or
6 by virtue of any other power heretofore given, may be redeemed
7 before the time of redemption expires, as ~~hereinafter~~ provided
8 in this chapter, by payment to the treasurer, collector, or
9 person authorized to receive the ~~same~~, to payment. The payment
10 shall be held by the treasurer, collector, or other authorized
11 person subject to the order of the purchaser on surrender of
12 the certificate, or ~~in case~~ if the same certificate is lost
13 ~~and~~ or destroyed, on the purchaser's making affidavit of such
14 fact, and of the further fact that ~~it~~ the certificate was not
15 assigned, of the amount for which the ~~same~~ real property was
16 sold, and ten percent of such amount immediately added as a
17 penalty, with eight percent per annum on the whole amount thus
18 made from the day of sale, and the amount of all taxes, either
19 general or special, with interest and costs, paid at any time
20 by the purchaser or the purchaser's assignee subsequent to the
21 sale, and a similar penalty of ten percent added as before on
22 the amount of the payment made at any subsequent time, with
23 eight percent interest per annum on the whole of such amount
24 or amounts from the day or days of payment; provided that such
25 penalty for the nonpayment of the taxes at any subsequent time
26 or times shall not attach, unless such subsequent tax or taxes
27 shall have remained unpaid for thirty days after they became
28 delinquent.

29 Sec. 221. Section 422.19, Code 2020, is amended to read as
30 follows:

31 **422.19 Scope of nonresidents tax.**

32 The tax ~~herein~~ imposed under this subchapter upon certain
33 income of nonresidents shall apply to all such income actually
34 received by such nonresident regardless of when such income was
35 earned. If the nonresident is reporting on the accrual basis

1 it shall apply to all such income which first became available
2 to the nonresident so that the nonresident might demand payment
3 thereof regardless of when such income was earned. The duty to
4 withhold ~~herein~~ imposed under this subchapter upon withholding
5 agents shall apply only to amounts paid after June 30, 1937.

6 Sec. 222. Section 422.20, subsections 1 and 2, Code 2020,
7 are amended to read as follows:

8 1. a. It shall be unlawful for any present or former
9 officer or employee of the state to divulge or to make known
10 in any manner whatever not provided by law to any person the
11 amount or source of income, profits, losses, expenditures, or
12 any particular thereof, set forth or disclosed in any income
13 return, or to permit any income return or copy thereof or any
14 book containing any abstract or particulars thereof to be seen
15 or examined by any person except as provided by law; ~~and it.~~

16 b. It shall be unlawful for any person to print or publish
17 in any manner whatever not provided by law any income return,
18 or any part thereof or source of income, profits, losses, or
19 expenditures appearing in any income return; ~~and any.~~

20 c. Any person committing an offense ~~against the foregoing~~
21 provision described in this subsection shall be guilty of a
22 serious misdemeanor. If the offender is an officer or employee
23 of the state, such person shall also be dismissed from office
24 or discharged from employment.

25 d. Nothing ~~herein~~ in this section shall prohibit turning
26 over to duly authorized officers of the United States or tax
27 officials of other states state information and income returns
28 pursuant to agreement between the director and the secretary of
29 the treasury of the United States or the secretary's delegate
30 or pursuant to a reciprocal agreement with another state.

31 2. It is unlawful for an officer, employee, or agent, or
32 former officer, employee, or agent of the state to disclose
33 to any person, except as authorized in [subsection 1](#) of this
34 section, any federal tax return or return information as
35 defined in section 6103(b) of the Internal Revenue Code. It

1 is unlawful for a person to whom any federal tax return or
2 return information, as defined in section 6103(b) of the
3 Internal Revenue Code, is disclosed in a manner unauthorized
4 by subsection 1 of this section to thereafter print or publish
5 in any manner not provided by law any such return or return
6 information. A person violating this ~~provision~~ subsection is
7 guilty of a serious misdemeanor.

8 Sec. 223. Section 422.21, subsection 3, Code 2020, is
9 amended to read as follows:

10 3. The department shall make available to persons required
11 to make personal income tax returns under the provisions of
12 this chapter, and when such income is derived mainly from
13 salaries and wages or from the operation of a business or
14 profession, a form which shall take into consideration the
15 normal deductions and credits allowable to any such taxpayer,
16 and which will permit the computation of the tax payable
17 without requiring the listing of specific deductions and
18 credits. In arriving at schedules for payment of taxation
19 under such forms the department shall as nearly as possible
20 base such schedules upon a total of deductions and credits
21 which will result in substantially the same payment as
22 would have been made by such taxpayer were the taxpayer to
23 specifically list the taxpayer's allowable deductions and
24 credits. In lieu of such return any taxpayer may elect to
25 list permissible deductions and credits as provided by law.
26 It is the intent and purpose of this provision to simplify
27 the procedure of collection of personal income tax, and the
28 director shall have the power in any case when deemed necessary
29 or advisable to require any taxpayer, who has made a return
30 in accordance with the schedule ~~herein~~ provided for in this
31 section, to make an additional return in which all deductions
32 and credits are specifically listed. The department may revise
33 the schedules adopted in connection with such simplified form
34 whenever such revision is necessitated by changes in federal
35 income tax laws, or to maintain the collection of substantially

1 the same amounts from taxpayers as would be received were the
2 specific listing of deductions and credits required.

3 Sec. 224. Section 422.33, subsection 3, Code 2020, is
4 amended to read as follows:

5 3. If any taxpayer believes that the method of allocation
6 and apportionment ~~hereinbefore~~ prescribed in subsections 1A
7 and 2, as administered by the director and applied to the
8 taxpayer's business, has operated or will so operate as to
9 subject the taxpayer to taxation on a greater portion of
10 the taxpayer's net income than is reasonably attributable
11 to business or sources within the state, the taxpayer shall
12 be entitled to file with the director a statement of the
13 taxpayer's objections and of such alternative method of
14 allocation and apportionment as the taxpayer believes to be
15 proper under the circumstances with such detail and proof and
16 within such time as the director may reasonably prescribe; and
17 if the director shall conclude that the method of allocation
18 and apportionment theretofore employed is in fact inapplicable
19 and inequitable, the director shall redetermine the taxable
20 income by such other method of allocation and apportionment as
21 seems best calculated to assign to the state for taxation the
22 portion of the income reasonably attributable to business and
23 sources within the state, not exceeding, however, the amount
24 which would be arrived at by application of the statutory rules
25 for apportionment.

26 Sec. 225. Section 422.38, Code 2020, is amended to read as
27 follows:

28 **422.38 Statutes governing corporations.**

29 All the provisions of sections 422.15 to through 422.22 of
30 division II, insofar as the same are applicable, shall apply to
31 corporations taxable under this division.

32 Sec. 226. Section 422.39, Code 2020, is amended to read as
33 follows:

34 **422.39 Statutes applicable to corporation tax.**

35 All the provisions of sections 422.24 to through 422.27 of

1 division II, respecting payment and collection, shall apply in
2 respect to the tax due and payable by a corporation taxable
3 under [this division](#).

4 Sec. 227. Section 423.3, subsection 29, Code 2020, is
5 amended by striking the subsection.

6 Sec. 228. Section 423.3, subsection 47A, Code 2020, is
7 amended to read as follows:

8 47A. The sales price from the sale or rental of central
9 office equipment or transmission equipment primarily used
10 by local exchange carriers and competitive local exchange
11 service providers as defined in [section 476.96, Code 2017](#);
12 by franchised cable television operators, mutual companies,
13 municipal utilities, cooperatives, and companies furnishing
14 communications services that are not subject to rate regulation
15 as provided in [chapter 476](#); by long distance companies as
16 defined in [section 477.10](#); or for a commercial mobile radio
17 service as defined in [47 C.F.R. §20.3](#) in the furnishing of
18 telecommunications services on a commercial basis. For the
19 purposes of [this subsection](#), "*central office equipment*" means
20 equipment utilized in the initiating, processing, amplifying,
21 switching, or monitoring of telecommunications services.
22 "*Transmission equipment*" means equipment utilized in the process
23 of sending information from one location to another location.
24 "*Central office equipment*" and "*transmission equipment*" also
25 include ancillary equipment and apparatus which support,
26 regulate, control, repair, test, or enable such equipment to
27 accomplish its function.

28 Sec. 229. Section 423F.3, subsection 6, Code 2020, is
29 amended to read as follows:

30 6. a. (1) For purposes of [this chapter](#), "*school*
31 *infrastructure*" means those activities authorized in section
32 423E.1, subsection 3, Code 2007.

33 ~~b.~~ (2) Additionally, "*school infrastructure*" includes
34 the payment or retirement of outstanding bonds previously
35 issued for school infrastructure purposes as defined in this

1 subsection, and the payment or retirement of bonds issued under
2 sections 423E.5 and 423F.4.

3 ~~e.~~ (3) Additionally, "school infrastructure" includes
4 the acquisition or installation of information technology
5 infrastructure. For purposes of this ~~paragraph~~ subparagraph,
6 "information technology infrastructure" means the basic,
7 underlying physical framework or system necessary to deliver
8 technology connectivity to a school district and to network
9 school buildings within a school district.

10 ~~d.~~ (4) Additionally, "school infrastructure" includes
11 school safety and security infrastructure. For purposes
12 of this ~~paragraph~~ subparagraph, "school safety and security
13 infrastructure" includes but is not limited to safe rooms,
14 remote entry technology and equipment, security camera systems,
15 card access systems, and communication systems with access
16 to fire and police emergency frequencies. For purposes of
17 this ~~paragraph~~ subparagraph, "school safety and security
18 infrastructure" does not include the cost of personnel,
19 development of safety and security plans, or training related
20 to the implementation of safety and security plans.

21 b. It is the intent of the general assembly that each school
22 district prioritize the use of revenues under [this chapter](#) for
23 secure entries for the district's attendance centers before
24 expending such revenues for athletic facility infrastructure
25 projects.

26 ~~e.~~ c. A school district that uses secure an advanced vision
27 for education fund moneys for school infrastructure shall
28 comply with the state building code in the absence of a local
29 building code.

30 Sec. 230. Section 425.8, subsection 1, Code 2020, is amended
31 to read as follows:

32 1. The director of revenue shall prescribe the form
33 for the making of a verified statement and designation of
34 homestead, the form for the supporting affidavits required
35 herein, and such other forms as may be necessary for the proper

1 administration of [this chapter](#). Whenever necessary, the
2 department of revenue shall forward to the county auditors of
3 the several counties in the state the prescribed sample forms,
4 and the county auditors shall furnish blank forms prepared in
5 accordance therewith with the assessment rolls, books, and
6 supplies delivered to the assessors. The department of revenue
7 shall prescribe and the county auditors shall provide on the
8 forms for claiming the homestead credit a statement to the
9 effect that the owner realizes that the owner must give written
10 notice to the assessor when the owner changes the use of the
11 property.

12 Sec. 231. Section 425.16, Code 2020, is amended to read as
13 follows:

14 **425.16 Additional tax credit.**

15 In addition to the homestead tax credit allowed under
16 section 425.1, subsections 1 ~~to~~ through 4, persons who own or
17 rent their homesteads and who meet the qualifications provided
18 in [this subchapter](#) are eligible for an extraordinary property
19 tax credit or reimbursement.

20 Sec. 232. Section 434.10, Code 2020, is amended to read as
21 follows:

22 **434.10 Reports additional.**

23 The reports provided for in [sections 434.7 ~~to~~ through 434.9](#)
24 are not in lieu of, but in addition to, the reports provided
25 for by law, and they shall be made at the time and as a part of
26 the reports already required.

27 Sec. 233. Section 434.12, Code 2020, is amended to read as
28 follows:

29 **434.12 Refusal to obey.**

30 If any railway company shall fail or refuse to obey or
31 conform to the rules, regulations, method, and requirements
32 so made or prescribed by the director of revenue under the
33 provisions of [sections 434.7 ~~to~~ through 434.11](#) or to make
34 the reports therein provided, the department of revenue
35 shall proceed to assess the property of such railway company

1 so failing or refusing, according to the best information
2 obtainable, and shall then add to the taxable valuation of such
3 railway company twenty-five percent thereof, which valuation
4 and penalty shall be separately shown, and together shall
5 constitute the assessment for that year.

6 Sec. 234. Section 434.18, Code 2020, is amended to read as
7 follows:

8 **434.18 Plats.**

9 Every railroad company owning or operating a line of
10 railroad within this state shall, on or before the first day of
11 August 1902, place on file in the office of the county auditor
12 of each county in the state into which any part of the lines of
13 any said company lies, a plat of the lines of said companies
14 within said county, showing the length of their said lines and
15 the area of the land owned or occupied by said companies in
16 each government subdivision of land not included within the
17 platted portion of any city, within each of said counties, and
18 the length of the said lines within the platted portion of
19 cities. Companies having on file such plats of part or all of
20 their lines, in any of said counties, shall be required to file
21 plats only of that part of their lines not fully shown as above
22 required on the plats now on file. On the first day of January
23 of each year hereafter, like plats shall be filed of all new
24 lines or extensions of existing lines built or completed within
25 the calendar year preceding.

26 Sec. 235. Section 437A.3, subsection 3, Code 2020, is
27 amended to read as follows:

28 3. "*Centrally assessed property tax*" means property tax
29 imposed with respect to the value of property determined by the
30 director pursuant to [section 427.1, subsection 2, Code 1997](#),
31 [section 428.29, Code 1997](#), and ~~chapters~~ [chapter 437, Code 1997](#),
32 and [chapter 438, Code 1997](#), and allocated to electric service
33 and natural gas service. For purposes of [this subsection](#),
34 "*natural gas service*" means such service provided by natural gas
35 pipelines permitted pursuant to [chapter 479](#).

1 Sec. 236. Section 452A.66, subsection 2, Code 2020, is
2 amended to read as follows:

3 2. All the provisions of [section 422.26](#) shall apply in
4 respect to the taxes, penalties, interest, and costs imposed
5 by [this chapter](#) excepting that as applied to any tax imposed
6 by [this chapter](#), the lien provided in [section 422.26](#) shall be
7 prior and paramount over all subsequent liens upon any personal
8 property within this state, or right to such personal property,
9 belonging to the taxpayer without the necessity of recording
10 as ~~therein~~ provided in section 422.26. The requirements for
11 recording shall, as applied to the tax imposed by [this chapter](#),
12 apply only to the liens upon real property. When requested to
13 do so by any person from whom a taxpayer is seeking credit,
14 or with whom the taxpayer is negotiating the sale of any
15 personal property, or by any other person having a legitimate
16 interest in such information, the director shall, upon being
17 satisfied that such a situation exists, inform such person as
18 to the amount of unpaid taxes due by such taxpayer under the
19 provisions of [this chapter](#). The giving of such information
20 under such circumstances shall not be deemed a violation of
21 section 452A.63 as applied to [this chapter](#).

22 Sec. 237. Section 453A.20, Code 2020, is amended to read as
23 follows:

24 **453A.20 Subpoena for witnesses and papers.**

25 For the purpose of enforcing the provisions of [this chapter](#)
26 and of detecting violations thereof, the director shall have
27 the power to administer oaths and to require by subpoena the
28 attendance and testimony of witnesses and the production of
29 all relevant books, papers, and records. Such attendance and
30 production may be required at the statehouse at Des Moines,
31 or at any place convenient for such investigation. In case
32 any person fails or refuses to obey a subpoena so issued, the
33 director may procure an order from the district court in the
34 county where such person resides, or where such person is
35 found, requiring such person to appear for examination ~~and/or~~

1 or to produce such books, papers, and records as are required
2 in the subpoena. Failure to obey such order shall be punished
3 by such court as contempt thereof.

4 Sec. 238. Section 453A.33, Code 2020, is amended to read as
5 follows:

6 **453A.33 Seizure not to affect criminal prosecution.**

7 The seizure, forfeiture, and sale of cigarettes, tobacco
8 products, and other property under the terms and conditions
9 ~~hereinabove~~ set out in section 453A.32, shall not constitute
10 any defense to the person owning or having control or
11 possession of the property from criminal prosecution for any
12 act or omission made or offense committed under **this chapter** or
13 from liability to pay penalties provided by **this chapter**.

14 Sec. 239. Section 453A.44, subsection 6, Code 2020, is
15 amended to read as follows:

16 6. A distributor or subjobber applying for a license between
17 January 1 and June 30 of any year shall be required to pay
18 only one-half of the license fee provided for ~~herein~~ in this
19 section.

20 Sec. 240. Section 455B.137, Code 2020, is amended to read
21 as follows:

22 **455B.137 Privileged information.**

23 Information received by the department or any employees
24 of the department through filed reports, inspections, or as
25 otherwise authorized in this **division II** or chapter 459,
26 subchapter II, concerning trade secrets, secret industrial
27 processes, or other privileged communications, except
28 emission data, shall not be disclosed or opened to public
29 inspection, except as may be necessary in a proceeding
30 concerning a violation of said division or of any rules
31 promulgated thereunder, or as otherwise authorized or ordered
32 by appropriate court action or proceedings. Nothing ~~herein~~
33 in this section shall be construed to prevent the director
34 from compiling or publishing analyses or summaries relating to
35 the general condition of the atmosphere; provided that such

1 analyses or summaries do not reveal any information otherwise
2 confidential under [this section](#).

3 Sec. 241. Section 455B.340, Code 2020, is amended to read
4 as follows:

5 **455B.340 Penalty.**

6 Any person who violates any provisions of this part 2 of
7 division IV or rules adopted under [this part 2](#), or any order of
8 the department or director issued pursuant to ~~said~~ [this part 2](#),
9 shall be guilty of a serious misdemeanor and, in addition, the
10 person may be enjoined from continuing such violation. Each
11 day of continued violation after notice that a violation is
12 being committed shall constitute a separate violation.

13 Sec. 242. Section 455B.476, subsection 1, Code 2020, is
14 amended to read as follows:

15 1. If there is substantial evidence that a person has
16 violated or is violating a provision of [this part](#) or a rule
17 adopted under [this part](#), the director may issue an order
18 directing the person to desist in the practice ~~which~~ [that](#)
19 constitutes the violation, and to take corrective action as
20 necessary to ensure that the violation will cease, and may
21 impose appropriate administrative penalties pursuant to section
22 455B.109. The person to whom the order is issued may appeal
23 the order to the commission as provided in [chapter 17A](#). On
24 appeal, the commission may affirm, modify, or vacate the order
25 of the director. The applicable time frames for the issuance
26 and appeal of the order are defined in [section 455B.110](#).

27 Sec. 243. Section 455D.23, Code 2020, is amended to read as
28 follows:

29 **455D.23 Administrative enforcement — compliance orders.**

30 The director may issue any order necessary to secure
31 compliance with or prevent a violation of the provisions of
32 this chapter or any rule adopted or permit or order issued
33 pursuant to [this chapter](#). Any order issued to enforce section
34 455D.4A may include a requirement to remove and properly
35 dispose of materials being accumulated speculatively from a

1 property and impose costs and penalties as determined by the
2 department by rule. The person to whom ~~such~~ a compliance
3 order is issued under this section may cause to be commenced a
4 contested case within the meaning of **chapter 17A** by filing a
5 notice of appeal to the commission. On appeal, the commission
6 may affirm, modify, or vacate the order of the director. The
7 applicable time frames for the issuance and appeal of the order
8 are defined in **section 455B.110**.

9 Sec. 244. Section 455E.11, subsection 2, paragraph b,
10 subparagraph (2), Code 2020, is amended by striking the
11 subparagraph.

12 Sec. 245. Section 456.5, Code 2020, is amended to read as
13 follows:

14 **456.5 Authority to enter lands.**

15 For the purpose of carrying on ~~the aforesaid~~ investigations,
16 the state geologist and the state geologist's assistants and
17 employees shall have authority to enter and cross all lands
18 within the state; provided that in so doing no damage is done
19 to private property.

20 Sec. 246. Section 458A.11, subsection 4, Code 2020, is
21 amended to read as follows:

22 4. Any notice required by **this chapter** shall be given at
23 the election of the department either by personal service or by
24 letter to the last recorded address and one publication in a
25 newspaper of general circulation in the state capital city and
26 in a newspaper of general circulation in the county where the
27 land affected or some part of the land is situated. The notice
28 shall issue in the name of the state, shall be signed by the
29 director, shall specify the style and number of the proceeding,
30 and the time and place of the hearing, and shall briefly state
31 the purpose of the proceeding. Should the department elect to
32 give notice by personal service, the service may be made by any
33 officer authorized to serve process, or by any agent of the
34 department, in the same manner as is provided by law for the
35 service of original notices in civil actions in the district

1 court of the state. Proof of the service by such agent shall be
2 by the affidavit of the person making personal service.

3 Sec. 247. Section 461A.31, Code 2020, is amended to read as
4 follows:

5 **461A.31 Sale of islands.**

6 ~~No islands~~ Islands in any of the meandered streams and lakes
7 of this state or in any of the waters bordering upon this state
8 shall ~~hereafter~~ not be sold, except with the majority vote of
9 the executive council upon the majority recommendation of the
10 commission, ~~and in.~~ In the event that any of such islands are
11 sold as ~~herein~~ provided in this section, the proceeds ~~thereof~~
12 of the sale shall become a part of the funds to be expended
13 under the terms and provisions of this chapter.

14 Sec. 248. Section 461A.77, Code 2020, is amended to read as
15 follows:

16 **461A.77 Prohibited near borders of state.**

17 In order to reduce the possibility of affecting conservation
18 measures to flood control projects which may be in progress in
19 other states, water recreational areas shall not be established
20 ~~hereunder~~ under this subchapter within seventy miles of the
21 border of any other state.

22 Sec. 249. Section 462A.27, Code 2020, is amended to read as
23 follows:

24 **462A.27 Removal of nonpermanent structures.**

25 Every structure, not considered a permanent structure by the
26 commission or excepted by the rules of the commission, shall
27 be removed from the waters, ice, or land of this state under
28 the jurisdiction of the commission on or before December 15 of
29 each year. Failure to comply with this section shall cause
30 the structure to be declared a public nuisance and disposition
31 shall be in accordance with sections 483A.32 ~~to~~ through
32 483A.34.

33 Sec. 250. Section 466B.2, subsection 2, Code 2020, is
34 amended by striking the subsection.

35 Sec. 251. Section 468.20, Code 2020, is amended to read as

1 follows:

2 **468.20 Adjournment for service — jurisdiction retained.**

3 If at the date set for hearing, it ~~shall appear~~ appears that
4 any person entitled to notice has not been properly served with
5 notice, the board may postpone ~~said the~~ hearing and set another
6 time for the same not less than thirty days from ~~said the~~
7 original hearing date, and notice. Notice of such hearing as
8 ~~hereinbefore provided~~ shall be served on such omitted parties
9 in the manner provided in sections 468.15 through 468.18. By
10 fixing such a new date for hearing and ~~the adjournment of said~~
11 adjourning the proceeding to ~~said the~~ new date, the board
12 shall not lose jurisdiction of the subject matter of ~~said the~~
13 proceeding nor of any parties already served with notice.

14 Sec. 252. Section 468.22, Code 2020, is amended to read as
15 follows:

16 **468.22 Establishment — further investigation.**

17 1. a. If the board shall find that such petition complies
18 with the requirements of law in form and substance, and that
19 such improvement would be conducive to the public health,
20 convenience, welfare, benefit, or utility, and that the cost
21 thereof is not excessive, and no claim shall have been filed
22 for damages, ~~it the board~~ may locate and establish the said
23 district in accordance with the recommendation of the engineer
24 and the report and plans on file; ~~or it.~~

25 b. The board may refuse to establish the proposed district
26 if it deem best, or it may direct the engineer or another
27 one employed for that purpose to make further examinations,
28 surveys, plats, profiles, and reports for the modification
29 of said plans, or for new plans in accordance with sections
30 468.11 and 468.12, and continue further hearing to a fixed
31 date. All parties over whom the board then has jurisdiction
32 shall take notice of such further hearing; but any new parties
33 rendered necessary by any modification or change of plans shall
34 be served with notice in the same manner as for the original
35 establishment of a district.

1 2. The county auditor shall appoint three appraisers as
2 provided for in [section 468.24](#) to assess the value of the
3 right-of-way required for open ditches or other improvements.

4 Sec. 253. Section 468.75, Code 2020, is amended to read as
5 follows:

6 **468.75 Form.**

7 Each of such bonds shall be numbered and have printed upon
8 its face that it is a "Drainage Bond", stating the county and
9 number of the district for which it is issued, the date and
10 maturity thereof, that it is in pursuance of a resolution
11 of the board of supervisors, and that it is to be paid only
12 from taxes for levee and drainage improvement purposes levied
13 and collected on the lands assessed for benefits within the
14 district for which the bond is issued.

15 Sec. 254. Section 468.184, subsection 10, Code 2020, is
16 amended to read as follows:

17 10. *a.* All proceedings taken prior to July 1, 1968,
18 purporting to establish or reestablish a drainage or levee
19 district or districts, or to enlarge or change the boundaries
20 of any drainage or levee district, and any assessments not
21 heretofore declared invalid by any court, are hereby legalized,
22 validated, and confirmed.

23 *b.* ~~The foregoing Paragraph "a" shall not be construed to~~
24 ~~affect any litigation that may be pending at the time this~~
25 ~~section becomes effective on July 1, 1968,~~ involving the
26 establishment, reestablishment, enlargement, or change in
27 boundaries or any assessments of drainage or levee districts.

28 Sec. 255. Section 468.293, Code 2020, is amended to read as
29 follows:

30 **468.293 Failure of board to act.**

31 When the establishment of a district, extending into two or
32 more counties, is petitioned for as ~~hereinbefore~~ provided in
33 this part and one or more of such boards fails to take action
34 thereon, the petitioners may cause notice in writing to be
35 served upon the chairperson of each board demanding that action

1 be taken upon the petition within twenty days from and after
2 the service of such notice.

3 Sec. 256. Section 468.396, Code 2020, is amended to read as
4 follows:

5 **468.396 Cost of maintaining.**

6 The board of supervisors shall have the right and power to
7 keep and maintain any such levee, ditches, drains, or system
8 of drainage, either in whole or in part, established under
9 sections 468.390 through 468.395, as may in their judgment be
10 required, and to levy the expense thereof upon the real estate
11 within such drainage district as ~~herein~~ provided for in this
12 part, and collect and expend the same; provided, however, that
13 no such work which shall impose a tax exceeding three dollars
14 and thirty-seven and one-half cents per thousand dollars on
15 the assessable value of the lands and improvements within the
16 district shall be authorized by ~~them~~ the board, unless the ~~same~~
17 work is first petitioned for and authorized in substantially
18 the manner required by this part for the inauguration of new
19 work ~~except that.~~ However, if such work is of the kinds
20 contemplated by section 468.126, and the cost thereof is within
21 the limitations of ~~said~~ section 468.126, or is of the kinds
22 contemplated by section 468.188, and the cost thereof is within
23 the limitations of ~~said~~ section 468.188, then the provisions
24 of section 468.126 or section 468.188 shall supersede the
25 limitations of this section.

26 Sec. 257. Section 468.557, Code 2020, is amended to read as
27 follows:

28 **468.557 Effect of extension.**

29 The extension of the time of payment of any unpaid
30 assessments or installment or installments thereof, in the
31 manner ~~aforsaid~~ provided in section 468.556, shall in no way
32 impair the lien of said assessments as originally levied or
33 the priority thereof, nor the right, duty, and power of the
34 officers authorized by law to levy, collect, and apply the
35 proceeds thereof to the payment of said drainage refunding

1 bonds.

2 Sec. 258. Section 468.626, Code 2020, is amended to read as
3 follows:

4 **468.626 Original plat filed.**

5 In lieu of making the record as ~~herein~~ provided in section
6 468.623, any landowner may file with the county recorder the
7 original plat used in the establishment of the drainage system,
8 or a copy of the plat, which shall be certified by the engineer
9 having made the same. If practicable, a plat filed under this
10 section shall be made a matter of record and shall contain the
11 applicable entries specified in sections 558.49 and 558.52.

12 Sec. 259. Section 468.627, Code 2020, is amended to read as
13 follows:

14 **468.627 Record not part of title.**

15 The drainage records ~~herein~~ provided for in this subchapter
16 shall not be construed as an essential part of the title to
17 said lands, but may upon request be set out by abstracters as
18 part of the record title of said lands.

19 Sec. 260. Section 473.1, subsection 3, Code 2020, is amended
20 by striking the subsection.

21 Sec. 261. Section 474.2, Code 2020, is amended to read as
22 follows:

23 **474.2 Certain persons barred from office.**

24 ~~No~~ A person in the employ of who is employed by any common
25 carrier or other public utility, ~~or owning~~ who owns any bonds,
26 stock, or property in any public utility shall not be eligible
27 to hold the office of utilities board member or chief operating
28 officer of the utilities board. ~~The entering~~ A member or chief
29 operating officer who enters into ~~the employ of~~ employment with
30 any common carrier or other public utility or ~~the acquiring of~~
31 who acquires any stock or other interest in any common carrier
32 or other public utility ~~by such member or chief operating~~
33 ~~officer~~ after appointment shall ~~disqualify the~~ as a member or
34 chief operating officer ~~to hold~~ shall be disqualified from
35 holding or perform performing the duties of the office.

1 Sec. 262. Section 476.2, subsection 1, Code 2020, is amended
2 to read as follows:

3 1. The board shall have broad general powers to effect the
4 purposes of [this chapter](#) notwithstanding the fact that certain
5 specific powers are ~~hereinafter~~ set forth in this section. The
6 board shall have authority to issue subpoenas and to pay the
7 same fees and mileage as are payable to witnesses in the courts
8 of record of general jurisdiction and shall establish all
9 needful, just and reasonable rules, not inconsistent with law,
10 to govern the exercise of its powers and duties, the practice
11 and procedure before it, and to govern the form, contents and
12 filing of reports, documents and other papers provided for in
13 this chapter or in the board's rules. In the establishment,
14 amendment, alteration or repeal of any of such rules, the board
15 shall be subject to the provisions of [chapter 17A](#).

16 Sec. 263. Section 476.4, subsection 3, Code 2020, is amended
17 to read as follows:

18 3. Every rate, charge, rule, and regulation contained in
19 any filing made with the commission on or prior to July 4,
20 1963, shall be effective as of such date, subject, however,
21 to investigation as ~~herein~~ provided in this chapter. If any
22 such filing is made prior to the time the commission prescribes
23 rules as aforesaid, and if such filing does not comply as to
24 form or substance with such rules, then the public utility
25 which filed the same shall within a reasonable time after the
26 adoption of such rules make a new filing or filings complying
27 with such rules, which new filing or filings shall be deemed
28 effective as of July 4, 1963.

29 Sec. 264. Section 476.6, subsection 2, Code 2020, is amended
30 to read as follows:

31 2. *Written notice of increase.* All public utilities,
32 except those exempted from rate regulation by [section 476.1](#)
33 and telecommunications service providers registered pursuant
34 to [section 476.95A](#), shall give written notice of a proposed
35 increase of any rate or charge to all affected customers served

1 by the public utility no more than sixty-two days prior to
 2 ~~and prior to~~ the time the application for the increase is
 3 filed with the board. Public utilities exempted from rate
 4 regulation by [section 476.1](#), except telecommunications service
 5 providers registered pursuant to [section 476.95A](#), shall give
 6 written notice of a proposed increase of any rate or charge to
 7 all affected customers served by the public utility at least
 8 thirty days prior to the effective date of the increase. If
 9 the public utility is subject to rate regulation, the notice
 10 to affected customers shall also state that the customer has
 11 a right to file a written objection to the rate increase and
 12 that the affected customers may request the board to hold a
 13 public hearing to determine if the rate increase should be
 14 allowed. The board shall prescribe the manner and method that
 15 the written notice to each affected customer of the public
 16 utility shall be served.

17 Sec. 265. Section 476.55, subsection 2, paragraph a,
 18 unnumbered paragraph 1, Code 2020, is amended to read as
 19 follows:

20 Notwithstanding [section 476.1D](#), the board may receive
 21 a complaint from a local exchange carrier that another
 22 local exchange carrier has engaged in an activity that is
 23 inconsistent with antitrust laws and the policies which
 24 underlie them. For purposes of [this subsection](#), "*local exchange*
 25 *carrier*" means the same as defined in [section 476.96, Code 2017](#),
 26 and includes a city utility authorized pursuant to section
 27 388.2 to provide local exchange services. If, after notice and
 28 opportunity for hearing, the board finds that a local exchange
 29 carrier has engaged in an activity that is inconsistent with
 30 antitrust laws and the policies which underlie them, the board
 31 may order any of the following:

32 Sec. 266. Section 489.701A, subsection 2, paragraph b, Code
 33 2020, is amended to read as follows:

34 *b.* If the limited liability company has delivered to the
 35 secretary of state for filing a statement of dissolution and

1 any of the following applies:

2 (1) ~~The~~ If the statement has not become effective, delivery
3 to the secretary of state for filing of a statement of
4 withdrawal under section 489.205 applicable to the statement
5 of dissolution.

6 (2) If the statement of dissolution has become effective,
7 delivery to the secretary of state for filing of a statement of
8 rescission stating the name of the company and that dissolution
9 has been rescinded under this section.

10 Sec. 267. Section 489.701A, subsection 3, Code 2020, is
11 amended to read as follows:

12 3. If a limited liability company rescinds its dissolution
13 all of the following apply:

14 a. The company ~~resumes~~ shall resume carrying on its
15 activities and affairs as if the dissolution had never
16 occurred.

17 b. Subject to paragraph "c", any liability incurred by the
18 company after the dissolution and before the rescission has
19 become effective ~~is~~ shall be determined as if dissolution had
20 never occurred.

21 c. The rights of a third party arising out of conduct in
22 reliance on the dissolution before the third party knew or had
23 notice of the rescission ~~may~~ must not be adversely affected.

24 Sec. 268. Section 489.1105, subsection 2, Code 2020, is
25 amended by adding the following new paragraph:

26 NEW PARAGRAPH. c. For purposes of this section, marital
27 and family therapy, mental health counseling, psychology, and
28 social work shall be deemed to be professions which could
29 lawfully be practiced in combination by licensed individuals or
30 a partnership of licensed individuals.

31 Sec. 269. Section 505B.1, subsection 1, paragraph a,
32 unnumbered paragraph 1, Code 2020, is amended to read as
33 follows:

34 ~~"Delivered or deliver or delivery by electronic means"~~
35 "Delivered by electronic means", "deliver by electronic means",

1 or "delivery by electronic means" means any of the following:

2 Sec. 270. Section 507B.7, subsection 2, Code 2020, is
3 amended to read as follows:

4 2. Until the expiration of the time allowed under section
5 507B.8 for filing a petition for review if no such petition has
6 been duly filed within such time, or, if a petition for review
7 has been filed within such time, then until the transcript of
8 the record in the proceeding has been filed in the district
9 court, ~~as hereinafter provided,~~ the commissioner may at any
10 time, upon such notice and in such manner as the commissioner
11 may deem proper, modify or set aside in whole or in part any
12 order issued by the commissioner under [this section](#).

13 Sec. 271. Section 507B.12, subsection 2, Code 2020, is
14 amended to read as follows:

15 2. The powers vested in the commissioner by [this chapter](#)
16 shall be additional to any other powers to enforce any
17 penalties, fines, or forfeitures authorized by law with respect
18 to the methods, acts, and practices ~~hereby~~ declared to be
19 unfair or deceptive.

20 Sec. 272. Section 508.14, subsection 1, Code 2020, is
21 amended to read as follows:

22 1. Upon a failure of a company organized under the laws
23 of this state to make the deposit provided in section 511.8,
24 subsection 16, or file the statement in the time ~~herein~~ stated
25 in section 508.11, or to file in a timely manner any financial
26 statement required by rule of the commissioner of insurance,
27 the commissioner of insurance shall notify the attorney
28 general of the default, who shall at once apply to the district
29 court of the county where the home office of the company is
30 located for an order requiring the company to show cause, upon
31 reasonable notice to be fixed by the court, why its business
32 shall not be discontinued. If, upon the hearing, sufficient
33 cause is not shown, the court shall decree its dissolution.

34 Sec. 273. Section 508.32, subsection 1, Code 2020, is
35 amended to read as follows:

1 1. Any life insurance company organized under the
2 provisions of this chapter and doing business in this state,
3 shall have the power to hold in trust the premiums or
4 consideration paid for, or the proceeds of any life insurance
5 policy or annuity contract, either individual or group, issued
6 by it, upon such terms and subject to such limitations as
7 to revocation or control by the policyholder or beneficiary
8 thereunder, as shall have been agreed to in writing by
9 such company and the policyholder; provided that the trust
10 provisions ~~herein~~ contemplated in this section shall in no
11 manner subject ~~said~~ the corporation to any of the provisions
12 of the laws of Iowa relating to banks or trust companies; and
13 provided further, that the trust or trusts for premiums or
14 considerations may be invested by such company in the manner
15 specified in the trust instruments or agreements and held in
16 a separate or segregated account; and provided further, that
17 the forms of such trust agreements for beneficiaries shall
18 be first submitted to and approved by the commissioner of
19 insurance. The word "*trust*" shall include, but not be limited
20 to settlement options and contracts issued pursuant to policies
21 or contracts, and funds held in a separate or segregated
22 account in connection with pension or profit-sharing plans
23 pursuant to agreements with the policyholders.

24 Sec. 274. Section 508C.3, subsection 4, paragraph k,
25 subparagraph (5), Code 2020, is amended to read as follows:

26 (5) A claim for penalties, consequential damages, or
27 incidental damages.

28 Sec. 275. Section 508C.8, subsection 1, paragraph a, Code
29 2020, is amended to read as follows:

30 a. Guarantee, assume, reissue, reinsure, or cause to be
31 guaranteed, assumed, reissued, or reinsured, any or all of the
32 covered policies or contracts of the impaired insurer.

33 Sec. 276. Section 508C.13, subsection 3, Code 2020, is
34 amended to read as follows:

35 3. For the purpose of carrying out its obligations under

1 this chapter, the association shall be deemed to be a creditor
2 of the impaired or insolvent insurer to the extent of assets
3 attributable to covered policies or contracts reduced by any
4 amounts to which the association is entitled pursuant to its
5 subrogation rights under **section 508C.8, subsection 7**. Assets
6 of the impaired or insolvent insurer attributable to covered
7 policies or contracts shall be used to continue all covered
8 policies or contracts and pay all contractual obligations of
9 the impaired or insolvent insurer as required by **this chapter**.
10 As used in **this subsection**, "*assets attributable to covered*
11 *policies or contracts*" means that proportion of the assets which
12 the reserves that should have been established for the policies
13 or contracts bear to the reserves that should have been
14 established for all policies of insurance or health benefit
15 plans written by the impaired or insolvent insurer.

16 Sec. 277. Section 509A.9, Code 2020, is amended to read as
17 follows:

18 **509A.9 Exemption from debts.**

19 All amounts payable to employees under and pursuant to the
20 plan of group insurance established as ~~herein~~ provided in this
21 chapter shall be exempt from liability for debts of the person
22 to or on account of whom the same is payable and shall not be
23 subject to seizure upon execution or other process.

24 Sec. 278. Section 509A.10, Code 2020, is amended to read as
25 follows:

26 **509A.10 Decisions of governing body final.**

27 The decisions of the governing body upon all matters upon
28 which the said governing body is empowered to act, under and
29 pursuant to the provisions ~~hereof~~ of this chapter, shall be
30 final and conclusive, in the absence of fraud, and no appeal
31 shall be allowed therefrom nor shall such decisions of the
32 governing body, in the absence of fraud, be reviewed, enjoined
33 or set aside by any court.

34 Sec. 279. Section 510C.1, subsections 1, 2, 8, and 9, Code
35 2020, are amended to read as follows:

1 1. "*Administrative fees*" means a fee or payment, other than
2 a rebate, under a contract between a pharmacy ~~benefit~~ benefits
3 manager and a pharmaceutical drug manufacturer in connection
4 with the pharmacy ~~benefit~~ benefits manager's management of a
5 health carrier's prescription drug benefit, that is paid by a
6 pharmaceutical drug manufacturer to a pharmacy ~~benefit~~ benefits
7 manager or is retained by the pharmacy ~~benefit~~ benefits
8 manager.

9 2. "*Aggregate retained rebate percentage*" means the
10 percentage of all rebates received by a pharmacy ~~benefit~~
11 benefits manager that is not passed on to the pharmacy ~~benefit~~
12 benefits manager's health carrier clients.

13 8. "*Health carrier administrative service fee*" means a fee or
14 payment under a contract between a pharmacy ~~benefit~~ benefits
15 manager and a health carrier in connection with the pharmacy
16 ~~benefit~~ benefits manager's administration of the health
17 carrier's prescription drug benefit that is paid by a health
18 carrier to a pharmacy ~~benefit~~ benefits manager or is otherwise
19 retained by a pharmacy ~~benefit~~ benefits manager.

20 9. "*Pharmacy ~~benefit~~ benefits manager*" means a person who,
21 pursuant to a contract or other relationship with a health
22 carrier, either directly or through an intermediary, manages a
23 prescription drug benefit provided by the health carrier.

24 Sec. 280. Section 510C.1, subsection 11, unnumbered
25 paragraph 1, Code 2020, is amended to read as follows:

26 "*Rebate*" means all discounts and other negotiated price
27 concessions paid directly or indirectly by a pharmaceutical
28 manufacturer or other entity, other than a covered person,
29 in the prescription drug supply chain to a pharmacy ~~benefit~~
30 benefits manager, and which may be based on any of the
31 following:

32 Sec. 281. Section 510C.1, subsection 11, paragraph c, Code
33 2020, is amended to read as follows:

34 c. To maintain a net price for a prescription drug for a
35 specified period of time for the pharmacy ~~benefit~~ benefits

1 manager in the event the pharmaceutical manufacturer's list
2 price increases.

3 Sec. 282. Section 510C.2, subsection 1, Code 2020, is
4 amended to read as follows:

5 1. Each pharmacy ~~benefit~~ benefits manager shall provide
6 a report annually by February 15 to the commissioner
7 that contains all of the following information regarding
8 prescription drug benefits provided to covered persons of each
9 health carrier with whom the pharmacy benefits manager has
10 contracted during the prior calendar year:

11 a. The aggregate dollar amount of all rebates received by
12 the pharmacy ~~benefit~~ benefits manager.

13 b. The aggregate dollar amount of all administrative fees
14 received by the pharmacy ~~benefit~~ benefits manager.

15 c. The aggregate dollar amount of all health carrier
16 administrative service fees received by the pharmacy ~~benefit~~
17 benefits manager.

18 d. The aggregate dollar amount of all rebates received by
19 the pharmacy ~~benefit~~ benefits manager that the pharmacy ~~benefit~~
20 benefits manager did not pass through to the health carrier.

21 e. The aggregate amount of all administrative fees received
22 by the pharmacy ~~benefit~~ benefits manager that the pharmacy
23 ~~benefit~~ benefits manager did not pass through to the health
24 carrier.

25 f. The aggregate retained rebate percentage as calculated by
26 dividing the dollar amount in paragraph "d" by the dollar amount
27 in paragraph "a".

28 g. Across all health carrier clients with whom the pharmacy
29 benefits manager was contracted, the highest and the lowest
30 aggregate retained rebate percentages.

31 Sec. 283. Section 510C.2, subsection 2, paragraph a,
32 unnumbered paragraph 1, Code 2020, is amended to read as
33 follows:

34 A pharmacy ~~benefit~~ benefits manager shall provide the
35 information pursuant to [subsection 1](#) to the commissioner in a

1 format approved by the commissioner that does not directly or
2 indirectly disclose any of the following:

3 Sec. 284. Section 510C.2, subsection 2, paragraph b, Code
4 2020, is amended to read as follows:

5 b. Information provided under this section by a pharmacy
6 ~~benefit~~ benefits manager to the commissioner that may reveal
7 the identity of a specific health carrier, the price charged
8 by a specific pharmaceutical manufacturer for a specific
9 prescription drug or class of prescription drugs, or the amount
10 of rebates provided for a specific prescription drug or class
11 of prescription drugs shall be considered a confidential record
12 and be recognized and protected as a trade secret pursuant to
13 section 22.7, subsection 3.

14 Sec. 285. Section 511.23, Code 2020, is amended to read as
15 follows:

16 **511.23 Penalties.**

17 Any person, firm, or corporation violating any of the
18 provisions of section 511.22, ~~or~~ sections 515.8 through
19 515.10 ~~and, or~~ section 515.23 or failing to comply with any of
20 the provisions in those sections, shall be subjected to the
21 penalties provided in sections 507.10 and 507.12.

22 Sec. 286. Section 515.10, Code 2020, is amended to read as
23 follows:

24 **515.10 Subscriptions of stock — applications.**

25 After compliance by the incorporators with sections 515.1
26 and 515.2, the secretary of state shall certify the articles
27 of incorporation to the commissioner of insurance. When the
28 commissioner of insurance is satisfied that all provisions of
29 law in relation to the promotion and organization of ~~said~~ the
30 corporation, including sections 506.4 to through 506.6, have
31 been complied with, the commissioner shall issue a certificate
32 to that effect, ~~and thereupon such~~. The corporation may then
33 open books for subscriptions to the stock of stock companies
34 or, if a mutual company, take applications and receive
35 premiums for insurance at such times and places as it may find

1 convenient, ~~and~~. The corporation may keep such books open
2 until the full amount required is subscribed or taken, or the
3 time granted therefor has expired, or until an order is issued
4 by the commissioner of insurance to desist for failure to
5 comply with the provisions of law in reference thereto.

6 Sec. 287. Section 515.19, Code 2020, is amended to read as
7 follows:

8 **515.19 Advancement of funds.**

9 Any director, officer, or member of any such mutual company,
10 or any other person, may advance to such company, any sum or
11 sums of money necessary for the purpose of its business, or
12 to enable it to comply with any of the requirements of the
13 law, and such moneys and such interest thereon as may have
14 been agreed upon, not exceeding the maximum statutory rate
15 of interest, shall not be a liability or claim against the
16 company or any of its assets, except as ~~herein~~ provided in this
17 chapter, and upon approval of the commissioner of insurance
18 may be repaid, but only out of the surplus earnings of such
19 company. No commission or promotion expenses shall be paid in
20 connection with the advance of any such money to the company.
21 The amount of such advance shall be reported in each annual
22 statement.

23 Sec. 288. Section 515.38, Code 2020, is amended to read as
24 follows:

25 **515.38 Examination — certificate of compliance.**

26 Such commissioner may appoint in writing some disinterested
27 person to make an examination and if it shall be found that
28 the capital or assets ~~herein~~ required under this chapter of
29 the company named, according to the nature of the business
30 proposed to be transacted by such company, have been paid in,
31 and are now possessed by it in money or such stock, bonds,
32 and mortgages as are required by the preceding sections of
33 this chapter, the commissioner shall so certify; but if the
34 examination is made by another than the commissioner, the
35 certificate shall be by that person, and under that person's

1 oath.

2 Sec. 289. Section 515.40, subsection 3, Code 2020, is
3 amended to read as follows:

4 3. Other securities, as the case may be, to the extent and
5 value ~~hereinbefore~~ required under this chapter.

6 Sec. 290. Section 515.111, Code 2020, is amended to read as
7 follows:

8 **515.111 Nuclear loss or damage excluded.**

9 Insurers issuing the standard policy pursuant to section
10 515.109 are authorized to affix thereto or include therein a
11 written statement that the policy does not cover loss or damage
12 caused by nuclear reaction or nuclear radiation or radioactive
13 contamination, all whether directly or indirectly resulting
14 from an insured peril under ~~said the policy; provided, however.~~
15 However, that nothing ~~herein~~ contained in this section shall be
16 construed to prohibit the attachment to any such policy of an
17 endorsement or endorsements specifically assuming coverage for
18 loss or damage caused by nuclear reaction or nuclear radiation
19 or radioactive contamination.

20 Sec. 291. Section 520.5, Code 2020, is amended to read as
21 follows:

22 **520.5 Actions — venue — commissioner as process agent.**

23 Concurrently with the filing of the declaration provided
24 for by the terms of [section 520.4](#), the attorney shall file
25 with the commissioner of insurance, an instrument in writing
26 executed by the attorney for ~~said the~~ subscribers, conditioned
27 that, upon the issuance of certificate of authority provided
28 for in [this chapter](#), action may be brought in the county in
29 which the property or person insured thereunder is located,
30 and that service of process shall be had upon the commissioner
31 of insurance or upon the attorney in fact in all suits in
32 this state, whether arising out of such policies, contracts,
33 agreements or otherwise, ~~which service.~~ Service shall be
34 valid and binding upon all subscribers exchanging at any time
35 reciprocal or interinsurance contracts through such attorney.

1 All suits of every kind and description brought against ~~such~~
2 the reciprocal exchange, or the subscribers ~~thereto~~ on account
3 of their connection ~~therewith~~ with the reciprocal exchange,
4 must be brought against the attorney in fact ~~therefor~~ or the
5 exchange as such, and shall not be brought against any of the
6 subscribers ~~thereto~~ individually on account of their connection
7 with or membership in such reciprocal exchange, and must
8 be brought in the manner and method ~~above~~ provided in this
9 section.

10 Sec. 292. Section 520.15, Code 2020, is amended to read as
11 follows:

12 **520.15 Refusal or revocation of certificate.**

13 In addition to the ~~foregoing~~ penalties provided in sections
14 520.10 and 520.12, and where not otherwise provided, the
15 penalty for failure or refusal to comply with any of the terms
16 and provisions of **this chapter**, upon the part of the attorney,
17 shall be the refusal, suspension, or revocation of certificate
18 of authority or license by the commissioner of insurance and
19 the public announcement of the commissioner's act, after due
20 notice and opportunity for hearing has been given such attorney
21 so that the attorney may appear and show cause why such action
22 should not be taken.

23 Sec. 293. Section 521I.5, subsections 2 and 3, Code 2020,
24 are amended to read as follows:

25 2. A dividing insurer shall not amend the dividing insurer's
26 plan of division after the plan of division becomes effective
27 under section 521I.10, subsection 2.

28 3. A dividing insurer shall not amend the dividing insurer's
29 plan of division after the plan of division is approved by the
30 commissioner under section 521I.8.

31 Sec. 294. Section 521I.6, subsection 2, Code 2020, is
32 amended to read as follows:

33 2. A dividing insurer shall not abandon the dividing
34 insurer's plan of division after the plan of division becomes
35 effective under section 521I.10, subsection 2.

1 Sec. 295. Section 521I.7, subsection 2, Code 2020, is
2 amended to read as follows:

3 2. If a provision of a dividing insurer's articles of
4 incorporation or bylaws adopted before July 1, 2019, requires
5 that a specific number of or a percentage of the board of
6 directors or shareholders propose or adopt a plan of merger
7 or impose other procedures for the proposal or adoption of
8 a plan of merger, the dividing insurer shall adhere to such
9 provision in proposing or adopting a plan of division. If any
10 such provision of the articles of incorporation or bylaws is
11 amended on or after July 1, 2019, ~~such~~ the amended provision
12 shall apply to a division ~~thereafter~~ occurring after adoption
13 of the amendment only in accordance with ~~its~~ the express terms
14 of the provision as amended.

15 Sec. 296. Section 522E.1, subsection 3, Code 2020, is
16 amended to read as follows:

17 3. ~~"Delivered or deliver by electronic means"~~ "Delivered by
18 electronic means" or "deliver by electronic means" means the same
19 as defined in [section 505B.1](#).

20 Sec. 297. Section 522E.9, subsection 7, Code 2020, is
21 amended to read as follows:

22 7. In order for ~~all~~ portable electronic insurance notices
23 and documents to be delivered by electronic means to the
24 consumer, affirmative consent shall be obtained pursuant to
25 section 505B.1, subsection 5.

26 Sec. 298. Section 522E.13, subsection 6, Code 2020, is
27 amended to read as follows:

28 6. Whenever notice or correspondence with respect to a
29 policy of portable electronics insurance is required pursuant
30 to [this section](#), it shall be in writing and sent within the
31 notice period required pursuant to [this section](#). Notices
32 and correspondence shall be sent to the licensed portable
33 electronics vendor that is the policyholder at the portable
34 electronics vendor's mailing or electronic mail address
35 specified for that purpose and to its affected enrolled

1 consumers' last known mailing or electronic mail addresses on
2 file with the insurer or the portable electronics vendor. All
3 notices and documents that are delivered by electronic means
4 shall comply with [section 505B.1](#), except for the provisions
5 in [section 505B.1, subsection 4](#). The insurer or portable
6 electronics vendor shall maintain proof that the notice or
7 correspondence was sent for not less than three years ~~after~~
8 from the date that the notice or correspondence was sent.

9 Sec. 299. Section 523C.7, subsection 2, paragraph a, Code
10 2020, is amended to read as follows:

11 a. A service contract shall be written in clear,
12 understandable language in at least eight point ~~font~~ type.

13 Sec. 300. Section 523C.9, subsection 3, Code 2020, is
14 amended to read as follows:

15 3. The service company has without just cause refused to
16 perform or negligently or incompetently performed services
17 required to be performed under its service contracts and
18 the refusal, or negligent or incompetent performance has
19 occurred with such frequency, as determined by the commissioner
20 ~~determines~~, as to indicate the general business practices of
21 the service company.

22 Sec. 301. Section 524.108, Code 2020, is amended to read as
23 follows:

24 **524.108 Applicability of safe deposit provisions.**

25 The provisions of [sections 524.809 ~~to~~ through 524.812](#) shall
26 apply, to the extent applicable, to any person engaged in this
27 state in the business of leasing safe deposit boxes for the
28 storage of property.

29 Sec. 302. Section 524.1309, unnumbered paragraph 1, Code
30 2020, is amended to read as follows:

31 In lieu of the dissolution procedure prescribed in sections
32 [524.1303 ~~to~~ through 524.1306](#), a state bank may cease to carry
33 on the business of banking and, after compliance with this
34 section, continue as a corporation subject to [chapter 490](#); or
35 if the state bank is organized as a limited liability company

1 under [this chapter](#), continue as a limited liability company
2 subject to [chapter 489](#).

3 Sec. 303. Section 524.1310, subsection 1, paragraph b, Code
4 2020, is amended to read as follows:

5 *b.* All amounts due creditors and shareholders described
6 in [section 490.1440](#) shall be deposited with the treasurer of
7 state in accordance with that section. Such amounts shall be
8 retained by the treasurer of state and subject to claim in
9 the manner provided for in [section 490.1440](#). Amounts due to
10 depositors who are unknown, or who are under a disability and
11 there is no person legally competent to receive the amount, or
12 who cannot be found after the exercise of reasonable diligence,
13 shall be transmitted to the treasurer of state in the manner
14 required by [section 524.1305, subsection 6](#). Such property
15 shall be treated as abandoned, retained by the treasurer of
16 state, and is subject to claim, in the manner provided for in
17 sections 556.14 ~~to~~ through 556.21.

18 Sec. 304. Section 524.1602, subsection 3, Code 2020, is
19 amended to read as follows:

20 3. On which it has money loaned, credit extended or holds
21 discounted or purchased evidences of indebtedness or agreements
22 for the payment of money, in violation of sections 524.904 ~~to~~
23 through 524.907.

24 Sec. 305. Section 524.1807, Code 2020, is amended to read
25 as follows:

26 **524.1807 Penalties.**

27 Any bank holding company which willfully violates any
28 provision of [sections 524.1801 to through 524.1806](#) shall, upon
29 conviction, be fined not less than one hundred dollars nor
30 more than one thousand dollars for each day during which the
31 violation continues. Any individual who willfully participates
32 in a violation of any provisions of sections 524.1801 ~~to~~
33 through 524.1806 shall be guilty of a serious misdemeanor.

34 Sec. 306. Section 533.401, subsection 2, Code 2020, is
35 amended to read as follows:

1 2. ~~Prior to the sending of~~ At least fifteen days before
2 notice of balloting for the membership vote on a merger is sent
3 to the members, a merging credit union shall submit to the
4 superintendent all materials to be included in the notice ~~at~~
5 ~~least fifteen days before the notice is sent to the members.~~
6 The superintendent shall review and approve the materials to
7 be included in the notice at least ten days before the notice
8 is sent to the members. The superintendent may direct any
9 materials to be included in the notice of balloting sent to
10 members.

11 Sec. 307. Section 533.508, subsection 1, Code 2020, is
12 amended to read as follows:

13 1. A director, officer, or employee of a state credit union
14 shall not intentionally publish, disseminate, or distribute
15 any advertising or notice containing any false, misleading, or
16 deceptive statements concerning rates, terms, or conditions
17 on which loans are made, or deposits or share installments
18 are received, or concerning any charge which the state credit
19 union is authorized to impose pursuant to this chapter, or
20 concerning the financial condition of the state credit union.
21 Any director, officer, or employee of a state credit union who
22 violates the provisions of this section subsection is guilty of
23 a fraudulent practice.

24 Sec. 308. Section 536.4, subsection 2, Code 2020, is amended
25 to read as follows:

26 2. If the superintendent shall determine from such
27 application and from such investigation that the applicant
28 can have a reasonable expectancy of a successful lending
29 business at the location of the office for which application
30 is made, and that there is a real need and necessity in that
31 community for additional lending facilities to adequately
32 serve the local people, and that said applicant is one who
33 will command the respect of and confidence from the people in
34 that community; that the financial responsibility, experience,
35 character, and general fitness of the applicant, and of

1 the members thereof if the applicant be a partnership or
2 association, and of the officers and directors thereof if
3 the applicant be a corporation, are such as to warrant the
4 belief that the business will be operated lawfully, honestly,
5 fairly, and efficiently within the purposes of **this chapter**,
6 and if the superintendent shall find that the applicant has
7 available or actually in use the assets described in section
8 536.2, the superintendent shall thereupon issue and deliver a
9 license to the applicant to make loans in accordance with the
10 provisions of **this chapter** at the place of business specified
11 in the said application; if the superintendent shall not so
12 find the superintendent shall not issue such license and the
13 superintendent shall notify the applicant of the denial and
14 return to the applicant the bond and the sum paid by the
15 applicant as a license fee, retaining the investigation fee
16 to cover the costs of investigating the application. The
17 superintendent shall approve or deny every application for a
18 license ~~hereunder~~ under this chapter within sixty days from the
19 filing of the application and the approved bond and the payment
20 of the said fees.

21 Sec. 309. Section 536.11, subsection 1, Code 2020, is
22 amended to read as follows:

23 1. The licensee shall keep such books, accounts, and
24 records as the superintendent may require in order to determine
25 whether such licensee is complying with the provisions of this
26 chapter and with the rules and regulations lawfully made by the
27 superintendent ~~hereunder~~ under this chapter. Every licensee
28 shall preserve for at least two years after making the last
29 entry on any loan recorded therein all books, accounts, and
30 records, including cards used in the card system, if any.

31 Sec. 310. Section 537.1101, Code 2020, is amended to read
32 as follows:

33 **537.1101 Short title.**

34 Articles 1 ~~to~~ through 7 of this chapter shall be known and
35 may be cited as the "*Iowa Consumer Credit Code*".

1 Sec. 311. Section 537.2201, subsection 1, Code 2020, is
2 amended to read as follows:

3 1. With respect to a consumer credit sale, other than a
4 sale pursuant to open-end credit, a creditor may contract for
5 and receive a finance charge not exceeding the maximum charge
6 permitted by the law of this state or the United States for
7 similar creditors. In addition, with respect to a consumer
8 credit sale of goods or services, other than a sale pursuant
9 to open-end credit or a sale of a motor vehicle, a creditor
10 may contract for and receive a finance charge not exceeding
11 that permitted in subsections 2 to through 6. With respect
12 to a consumer credit sale of a motor vehicle, a creditor
13 may contract for and receive a finance charge as provided in
14 section 322.19, and a finance charge in excess of that provided
15 in section 322.19, is an excess charge in violation of this
16 chapter.

17 Sec. 312. Section 544B.19, Code 2020, is amended to read as
18 follows:

19 **544B.19 Injunction.**

20 In addition to any other remedies, and on the petition of the
21 board or any person, any person violating any of the provisions
22 of ~~sections 544B.1 to 544B.5 and 544B.7 to 544B.21~~ this chapter
23 may be restrained and permanently enjoined from committing or
24 continuing the violations.

25 Sec. 313. Section 551A.1, subsection 11, Code 2020, is
26 amended to read as follows:

27 11. "Record" means the same as defined in section ~~516E.1~~
28 523C.1.

29 Sec. 314. Section 558.33, Code 2020, is amended to read as
30 follows:

31 **558.33 Subpoenas.**

32 An officer having power to take the proof ~~hereinbefore~~
33 ~~contemplated~~ of execution and delivery of a deed or other
34 instrument under section 558.31 may issue the necessary
35 subpoenas, and compel the attendance of witnesses residing

1 within the county, in the manner provided for the taking of
2 depositions.

3 Sec. 315. Section 573.1, subsection 4, Code 2020, is amended
4 to read as follows:

5 4. "*Public improvement*" is an improvement, the cost of which
6 is payable from taxes or other funds under the control of the
7 public corporation, except that in cases of public improvement
8 for drainage or levee purposes the provisions of the drainage
9 law, chapter 468, in cases of conflict shall govern.

10 Sec. 316. Section 573.19, Code 2020, is amended to read as
11 follows:

12 **573.19 Insufficiency of funds.**

13 When the retained percentage aforesaid is insufficient to
14 pay all claims for labor or materials, the court shall, in
15 making distribution under section 573.18, order the claims in
16 each class paid in the order of filing the same.

17 Sec. 317. Section 573.22, Code 2020, is amended to read as
18 follows:

19 **573.22 Unpaid claimants — judgment on bond.**

20 If, after the said retained percentage has been applied to
21 the payment of duly filed and established claims, there remain
22 any ~~such~~ claims that are unpaid in whole or in part, judgment
23 shall be entered for the amount ~~thereof~~ of the claims that are
24 unpaid against the principal and sureties on the bond. In case
25 the said percentage has been paid over as ~~herein~~ provided in
26 this chapter, judgment shall be entered against the principal
27 and sureties on all such claims.

28 Sec. 318. Section 578A.7, subsection 2, paragraph b, Code
29 2020, is amended to read as follows:

30 b. Notify all persons ~~whom the operator has actual knowledge~~
31 who claim a security interest in the personal property of whom
32 the operator has actual knowledge. An operator shall conduct
33 a search to determine whether there is a security interest in
34 property subject to sale if the property is registered under
35 chapter 321 or 462A. At least seven days before the sale, the

1 operator shall also advertise the time, place, and terms of
2 the sale in a commercially reasonable manner. The manner of
3 advertisement is deemed commercially reasonable if it is likely
4 to attract at least three independent bidders to attend or view
5 the sale in person or online at the time and place advertised.
6 The operator may buy the occupant's personal property at any
7 public sale held pursuant to [this section](#).

8 Sec. 319. Section 578A.7, subsection 5, Code 2020, is
9 amended to read as follows:

10 5. In the event of a sale under [this section](#), the operator
11 may satisfy the lien from the proceeds of the sale, but shall
12 hold the balance, if any, for a period of ninety days for
13 delivery on demand to the occupant. If the occupant does not
14 claim the balance within ninety days, the balance shall be paid
15 to the county treasurer in the county where the self-service
16 storage facility is located. The county treasurer shall hold
17 the funds for a period of two years. If a claim is not made
18 by the ~~owner of~~ occupant for the fund funds, then the ~~fund~~
19 funds shall become the property of the county. There shall be
20 no further recourse by any person against the operator for an
21 action pursuant to [this section](#).

22 Sec. 320. Section 597.13, Code 2020, is amended to read as
23 follows:

24 **597.13 Annulment of decree.**

25 The husband or wife affected by the proceedings contemplated
26 in [sections 597.10 to through 597.12](#) may obtain an annulment
27 thereof, upon filing a petition ~~therefor~~ and serving a notice
28 on the person in whose favor the ~~same~~ decree or order was
29 granted, as in ordinary actions; but the setting aside of such
30 decree or order shall not affect any act done thereunder.

31 Sec. 321. Section 597.17, Code 2020, is amended to read as
32 follows:

33 **597.17 Liability for separate debts.**

34 Neither husband nor wife is liable for the debts or
35 liabilities of the other incurred before marriage, and, except

1 as ~~herein~~ otherwise declared in this chapter, they are not
2 liable for the debts of each other contracted after marriage;
3 nor are the wages, earnings, or property of either, nor is
4 the rent or income of the property of either, liable for the
5 separate debts of the other.

6 Sec. 322. Section 602.9106, Code 2020, is amended to read
7 as follows:

8 **602.9106 Retirement.**

9 Any person who shall have become separated from service as a
10 judge of any of the courts included in this article and who has
11 had an aggregate of at least four years of service as a judge
12 of one or more of such courts and shall have attained the age
13 of sixty-five years or who has had twenty years of consecutive
14 service as a judge of one or more of said courts and shall have
15 attained the age of fifty years, and who shall have otherwise
16 qualified as provided in this article, shall be entitled to an
17 annuity as ~~hereinafter~~ provided in this article.

18 Sec. 323. Section 602.10122, subsection 3, Code 2020, is
19 amended to read as follows:

20 3. A willful violation of any of the duties of an attorney
21 or counselor as ~~hereinbefore~~ prescribed in this article.

22 Sec. 324. Section 614.10, Code 2020, is amended to read as
23 follows:

24 **614.10 Failure of action.**

25 If, after the commencement of an action, the plaintiff, for
26 any cause except negligence in its prosecution, fails therein,
27 and a new one is brought within six months thereafter, the
28 second shall, ~~for the purposes herein contemplated,~~ be held a
29 continuation of the first.

30 Sec. 325. Section 614.13, Code 2020, is amended to read as
31 follows:

32 **614.13 Injunction.**

33 When the commencement of an action shall be stayed
34 by injunction or statutory prohibition, the time of the
35 continuance of such injunction or prohibition shall not be part

1 of the time limited for the commencement of the action, except
2 as ~~herein~~ otherwise provided in this chapter.

3 Sec. 326. Section 614.20, Code 2020, is amended to read as
4 follows:

5 **614.20 Limitation on Act.**

6 Sections 614.17 ~~to~~ through 614.19 do not limit or extend
7 the time within which actions by a spouse to recover dower or
8 distributive share in real estate within this state may be
9 brought or maintained under the provisions of [section 614.15](#),
10 nor do they limit or extend the time within which actions may
11 be brought or maintained to foreclose or enforce any real
12 estate mortgage, bond for deed, trust deed, or contract for
13 the sale or conveyance of real estate under the provisions of
14 section 614.21, nor do they revive or permit an action to be
15 brought or maintained upon any claim or cause of action which
16 is barred by a statute which is in force prior to July 1, 1991;
17 nor do they affect litigation pending on July 1, 1991.

18 Sec. 327. Section 614.26, Code 2020, is amended to read as
19 follows:

20 **614.26 Indexing.**

21 The provisions of [section 614.18](#) are made applicable to the
22 provisions of sections 614.24 ~~to~~ and 614.25, this section, and
23 sections 614.27 and 614.28.

24 Sec. 328. Section 614.27, Code 2020, is amended to read as
25 follows:

26 **614.27 Persons under disability.**

27 The provisions of [section 614.8](#) as to the rights of minors
28 and persons with mental illness shall not be applicable against
29 the provisions of sections 614.24 ~~to~~ through 614.26, this
30 section, and section 614.28.

31 Sec. 329. Section 614.28, Code 2020, is amended to read as
32 follows:

33 **614.28 Barred claims.**

34 The provisions of [sections 614.24 to through 614.27](#),
35 ~~inclusive~~, or the filing of a claim or claims, ~~hereunder~~ under

1 this subchapter, shall not revive or permit an action to be
2 brought or maintained upon any claim or cause of action which
3 is barred by any other statute. Provided further, that nothing
4 contained in these sections shall affect litigation pending on
5 July 4, 1965.

6 Sec. 330. Section 622.51, Code 2020, is amended to read as
7 follows:

8 **622.51 Official signature presumed genuine.**

9 In the cases contemplated in sections 622.41 ~~to~~ through
10 622.50, the signature of the officer shall be presumed to be
11 genuine until the contrary is shown.

12 Sec. 331. Section 626.14, Code 2020, is amended to read as
13 follows:

14 **626.14 Delivery of possession and money recovery.**

15 1. If ~~it is for~~ the judgment requires the delivery of the
16 possession of real or personal property, ~~it~~ execution shall
17 require the sheriff to deliver the possession of the ~~same~~
18 property, particularly describing it, to the party entitled
19 ~~thereto~~ to the property, and may, at the same time, require the
20 party to satisfy any costs, damages, or rents and profits, with
21 interest, recovered by the same judgment, out of the property
22 of the party against whom ~~it~~ judgment was rendered subject to
23 execution.

24 2. The value of the property for which judgment was
25 recovered shall be specified ~~therein~~ in the execution, if a
26 delivery ~~thereof~~ of the property cannot be had, and it shall in
27 that respect be regarded as an execution against property.

28 Sec. 332. Section 631.8, subsection 3, Code 2020, is amended
29 to read as follows:

30 3. If commenced as a regular civil action or under the
31 statutes relating to probate proceedings, a small claim
32 shall be transferred to the small claims docket. A small
33 claim commenced as a regular action shall not be dismissed
34 but shall be transferred to the small claims docket. Civil
35 and probate actions not small claims but commenced ~~hereunder~~

1 under this chapter shall be dismissed without prejudice except
2 for defendants who have appeared, as to whom such actions
3 shall be transferred to the combination or probate docket, as
4 appropriate.

5 Sec. 333. Section 633.3, subsections 9 and 22, Code 2020,
6 are amended to read as follows:

7 9. *Conservator* — means a person appointed by the court to
8 have the custody and control of the property of a ward under
9 the provisions of this probate code.

10 22. *Guardian* — means the person appointed by the court to
11 have the custody of the person of the ward under the provisions
12 of this probate code.

13 Sec. 334. Section 633.14, Code 2020, is amended to read as
14 follows:

15 **633.14 Concurrent jurisdiction.**

16 When a case is originally within the jurisdiction of the
17 courts of two or more counties, the ~~one~~ court which first takes
18 cognizance ~~thereof~~ of the case by the commencement of the
19 proceedings shall ~~retain the same~~ jurisdiction throughout the
20 case.

21 Sec. 335. Section 633.71, Code 2020, is amended to read as
22 follows:

23 **633.71 Legal effect of appointment.**

24 1. By qualifying as fiduciary, any ~~person,~~ resident or
25 nonresident, person submits to the jurisdiction of the court
26 making the appointment of the fiduciary and, in addition, shall
27 be deemed to agree ~~that~~ to all of the following:

28 ~~1-~~ a. All property coming into the fiduciary's hands is
29 subject to the jurisdiction of the court wherein are pending
30 the proceedings in which the fiduciary is serving, ~~and.~~

31 ~~2-~~ b. The fiduciary is subject to all orders entered by
32 the court in the proceedings in which the fiduciary is serving
33 and ~~that~~ notices served upon the fiduciary with respect ~~thereto~~
34 to the proceedings, that are in compliance with the procedure
35 prescribed by the this probate code, ~~shall~~ have the same force

1 and effect as if such service had been personally made upon the
2 fiduciary within the state.

3 ~~3.~~ c. The fiduciary ~~shall be~~ is subject to the jurisdiction
4 of the courts of this state in all actions and proceedings
5 against the fiduciary arising from or growing out of the
6 fiduciary relationship and activities; ~~and that the service of~~
7 process in such actions and proceedings may be made upon the
8 fiduciary by serving the original notice upon the fiduciary
9 outside this state; ~~and that such service shall have~~ has the
10 same force and effect as though the service had been personally
11 made upon the fiduciary within this state.

12 ~~4.~~ 2. The clerk of the court in which is pending the
13 proceedings in which the fiduciary is serving is the lawful
14 attorney or resident agent of such nonresident fiduciary upon
15 whom service of process may be made whether such process be
16 an order of the court entered in the proceedings in which
17 the fiduciary is serving or an original notice of an action
18 arising from or growing out of the fiduciary relationship and
19 activities of the nonresident fiduciary.

20 Sec. 336. Section 633.83, Code 2020, is amended to read as
21 follows:

22 **633.83 Continuation of business.**

23 Upon a showing of advantage to the estate, the court may
24 authorize the fiduciary to continue any business of the estate
25 for the estate's benefit ~~thereof~~. The order may be without
26 notice, or after such notice as the court may prescribe. The
27 court may on its own motion, and upon the application of any
28 interested party shall, review ~~such~~ the authorization, and upon
29 such review, may revoke or modify the ~~same~~ authorization. The
30 order may provide for any of the following:

31 1. ~~For the~~ The conduct of the business solely by the
32 fiduciary, or jointly with one or more other persons; ~~for the~~
33 formation of a partnership for the conduct of such business;
34 or ~~for the~~ formation of, or for the fiduciary to join in the
35 formation of, a corporation for the conduct of such business.

1 2. ~~For the~~ The extent of the liability of the estate,
2 or any part ~~thereof~~ of the estate, or of the fiduciary, for
3 obligations incurred in the continuation of the business~~;~~.

4 3. ~~As to whether~~ Whether liabilities incurred in the conduct
5 of the business are to be chargeable solely to the part of the
6 estate set aside for use in the business, or to the estate as a
7 whole~~;~~.

8 4. ~~As to the~~ The period of time for which the business may
9 be conducted~~;~~and.

10 5. Such other conditions, restrictions, regulations~~,~~ and
11 requirements as the court may order.

12 Sec. 337. Section 633.85, Code 2020, is amended to read as
13 follows:

14 **633.85 Liability of fiduciary employing agents.**

15 The fiduciary shall not be personally liable for the acts
16 or omissions of any ~~such~~ specialist, subordinate~~,~~ or agent,
17 unless it can be shown that ~~said~~ the acts or omissions of the
18 specialist, subordinate, or agent would have been a breach of
19 duty by the fiduciary had the fiduciary personally done it, and
20 that~~,~~ one of the following applies:

21 1. The fiduciary directed or permitted the breach~~;~~or.

22 2. The fiduciary did not select or retain the ~~said~~
23 specialist, subordinate~~,~~ or agent with reasonable care~~;~~or.

24 3. The fiduciary did not properly supervise the specialist,
25 subordinate~~,~~ or agent;or.

26 4. The fiduciary approved, acquiesced~~,~~ or cooperated in the
27 neglect, omission, misconduct~~,~~ or default by the specialist,
28 subordinate~~,~~ or agent.

29 Sec. 338. Section 633.98, Code 2020, is amended to read as
30 follows:

31 **633.98 Certificate of appointment and authority.**

32 When any instrument executed in accordance with sections
33 633.95 ~~to~~ through 633.97~~, inclusive,~~ is to be recorded in a
34 county other than the county in which the estate is pending,
35 there shall also be recorded a certificate executed by the

1 clerk of the court making the appointment, with seal affixed,
2 showing the name of the court making the appointment, the date
3 of the same, and that such fiduciary had not been discharged at
4 the time of the execution of such instrument.

5 Sec. 339. Section 633.129, Code 2020, is amended to read as
6 follows:

7 **633.129 Uniformity of interpretation.**

8 Sections 633.126 ~~to~~ through 633.128 shall be so interpreted
9 and construed as to effectuate their general purpose to make
10 uniform the law of those states which enact the common trust
11 funds.

12 Sec. 340. Section 633.146, unnumbered paragraph 1, Code
13 2020, is amended to read as follows:

14 The certificate ~~aforesaid~~ under section 633.145 shall be
15 filed for record:

16 Sec. 341. Section 633.158, Code 2020, is amended to read as
17 follows:

18 **633.158 Liability for property not a part of estate.**

19 Every fiduciary shall be chargeable in the fiduciary's
20 accounts with property not a part of the estate that comes
21 into the fiduciary's hands at any time, and shall be liable to
22 the persons entitled ~~thereto~~ to the property, if either of the
23 following applies:

24 1. The property was received under a duty imposed upon the
25 fiduciary by law in the capacity of fiduciary, ~~or~~.

26 2. The fiduciary has commingled ~~such~~ the property with the
27 assets of the estate.

28 Sec. 342. Section 633.310, Code 2020, is amended to read as
29 follows:

30 **633.310 Objections prior to admission of will to probate.**

31 Nothing ~~herein~~ contained in this part shall prevent any
32 interested person from filing objections to probate of a
33 proposed will prior to admission of the will to probate
34 ~~thereof~~. If such objections are filed prior to the admission
35 of the will to probate, the will shall not be admitted to

1 probate pending trial and determination as to whether or not
2 ~~said~~ the instrument is the last will of the decedent.

3 Sec. 343. Section 633.331, Code 2020, is amended to read as
4 follows:

5 **633.331 Limitation of administration.**

6 Probate of a will, original administration of an intestate
7 estate, or ancillary administration of an estate, shall not
8 be granted after five years from the death of the decedent,
9 whether the decedent died within or without this state, unless
10 a petition for probate or administration is filed prior to the
11 expiration of the five-year period. ~~However, this section does~~
12 ~~not apply to the probate of a will of a decedent who died prior~~
13 ~~to January 1, 1964.~~

14 Sec. 344. Section 633.335, Code 2020, is amended to read as
15 follows:

16 **633.335 Share of survivor.**

17 The share of ~~such~~ a survivor in the proceeds of ~~such~~ a policy
18 or certificate made payable as ~~aforsaid~~ provided in sections
19 633.333 and 633.334 shall be the same as that provided by law
20 for the distribution of the personal property of intestates.

21 Sec. 345. Section 633.423, subsection 1, Code 2020, is
22 amended to read as follows:

23 1. If the creditor shall exhaust the security before
24 receiving payment, then upon the full amount of the claim
25 allowed, less the amount realized upon exhausting the security,
26 ~~or.~~

27 Sec. 346. Section 633.424, subsections 1, 2, and 3, Code
28 2020, are amended to read as follows:

29 1. The creditor and personal representative may determine,
30 by agreement, arbitration, or compromise, the value ~~thereof~~ of
31 the claim, according to its probable present worth, and upon
32 approval thereof by the court, ~~it~~ the contingent claim may be
33 allowed and paid in the same manner as an absolute claim, ~~or.~~

34 2. The court may order the personal representative to make
35 distribution of the estate but to retain sufficient funds to

1 pay the claim if and when the same becomes absolute, ~~but,~~
2 However, for this purpose, the estate shall not be kept open
3 longer than two years after distribution of the remainder of
4 the estate, ~~and if such.~~ If the contingent claim has not
5 become absolute within that time, distribution shall be made
6 to the distributees of the funds so retained, after paying
7 any costs and expenses accruing during such period, ~~and~~
8 such. The distributees shall be liable to the creditor to the
9 extent of the estate received by them, if ~~such~~ the contingent
10 claim ~~thereafter~~ becomes absolute after distribution. When
11 distribution is so made to distributees, the court may require
12 ~~such~~ the distributees to give bond for the satisfaction of
13 their liability to the contingent creditor, ~~or.~~

14 3. The court may order distribution of the estate as though
15 ~~such~~ the contingent claim did not exist, but the distributees
16 shall be liable to the creditor to the extent of the estate
17 received by them, if the contingent claim ~~thereafter~~ becomes
18 absolute, ~~and the~~ after distribution. The court may require
19 ~~such~~ the distributees to give bond for the performance of their
20 liability to the contingent creditor, ~~or.~~

21 Sec. 347. Section 633.528, Code 2020, is amended to read as
22 follows:

23 **633.528 Uniformity of interpretation.**

24 Sections 633.523 ~~to~~ through 633.527 shall be so construed
25 and interpreted as to effectuate their general purpose to make
26 uniform the law relating to simultaneous death.

27 Sec. 348. Section 633.560A, subsection 2, paragraph a, Code
28 2020, is amended to read as follows:

29 a. The parties ~~will~~ must participate in good faith.

30 Participation in mediation shall include attendance at
31 a mediation session with the mediator and the parties to
32 the action, listening to the mediator's explanation of the
33 mediation process, presentation of one party's view of the
34 case, and listening to the response of the other party.

35 Participation in mediation does not require that the parties

1 reach an agreement.

2 Sec. 349. Section 633.561, subsection 4, paragraphs c and f,
3 Code 2020, are amended to read as follows:

4 c. Ensure that the respondent has been properly advised of
5 the respondent's rights in a guardianship or conservatorship
6 proceeding.

7 f. Ensure that the guardianship or conservatorship
8 procedures conform to the statutory and due process
9 requirements of Iowa law.

10 Sec. 350. Section 633.561, subsection 5, paragraphs a and b,
11 Code 2020, are amended to read as follows:

12 a. Inform the respondent of the effects of the order entered
13 for appointment of guardian or conservator.

14 b. Advise the respondent of the respondent's rights to
15 petition for modification or termination of the guardianship
16 or conservatorship.

17 Sec. 351. Section 633.562, subsection 5, paragraphs a and b,
18 Code 2020, are amended to read as follows:

19 a. A recommendation regarding the appropriateness of a
20 limited guardianship or conservatorship for the respondent,
21 including whether less restrictive alternatives are available.

22 b. A statement of the qualifications of the guardian or
23 conservator together with a statement of whether the respondent
24 has expressed agreement with the appointment of the proposed
25 guardian or conservator.

26 Sec. 352. Section 633.563, subsection 7, unnumbered
27 paragraph 1, Code 2020, is amended to read as follows:

28 The results of the evaluation ordered by the court shall be
29 ~~made available to~~ filed with the court and made available to
30 the following:

31 Sec. 353. Section 633.565, Code 2020, is amended to read as
32 follows:

33 **633.565 Qualifications and selection of guardian or**
34 **conservator for an adult.**

35 The court shall appoint as guardian or conservator for an

1 adult any qualified and suitable person who is willing to serve
2 as guardian or conservator.

3 Sec. 354. Section 633.568, Code 2020, is amended to read as
4 follows:

5 **633.568 Appointment of guardian for an adult on a standby**
6 **basis.**

7 A petition for the appointment of a guardian for an
8 adult on a standby basis may be filed by any person under
9 the same procedure and requirements as provided in sections
10 633.591 ~~to~~ through 633.597, for appointment of standby
11 conservator, insofar as applicable. In all proceedings to
12 appoint a guardian, the court shall consider whether a limited
13 guardianship, as authorized in [section 633.635](#), is appropriate.

14 Sec. 355. Section 633.569, subsection 2, paragraph c, Code
15 2020, is amended to read as follows:

16 c. The reason the emergency appointment of a temporary
17 guardian or conservator is sought.

18 Sec. 356. Section 633.569, subsection 3, unnumbered
19 paragraph 1, Code 2020, is amended to read as follows:

20 The court may enter an ex parte order appointing a temporary
21 guardian or conservator on an emergency basis under this
22 section if the court finds that all of the following conditions
23 are met:

24 Sec. 357. Section 633.653, Code 2020, is amended to read as
25 follows:

26 **633.653 Claims against the ward, the conservatorship, or the**
27 **conservator in that capacity.**

28 Claims accruing before or after the appointment of the
29 conservator, and whether arising in contract or tort or
30 otherwise, after being allowed or established as provided in
31 sections 633.654 ~~to~~ through 633.656, shall be paid by the
32 conservator from the assets of the conservatorship.

33 Sec. 358. Section 633.670, subsection 1, paragraphs b and d,
34 Code 2020, are amended to read as follows:

35 b. Within two days after filing the initial plan, the

1 conservator shall give notice of the filing of the initial plan
2 with a copy of the plan to the protected person, the protected
3 person's attorney and court ~~advisor~~ visitor, if any, and others
4 as directed by the court. The notice must state that any
5 person entitled to a copy of the plan must file any objections
6 to the plan not later than fifteen days after it is filed.

7 *d.* After approval by the court, the conservator shall
8 provide a copy of the approved plan and order approving the
9 plan to the protected person, the protected person's attorney
10 and court ~~advisor~~ visitor, if any, and others as directed by
11 the court.

12 Sec. 359. Section 633.670, subsection 2, Code 2020, is
13 amended to read as follows:

14 2. A conservator shall file an inventory of the protected
15 person's assets within ninety days after appointment which
16 includes an oath or affirmation that the inventory is believed
17 to be complete and accurate as far as information permits.
18 Copies of the inventory shall be provided to the protected
19 person, the protected person's attorney and court ~~advisor~~
20 visitor, if any, and others as directed by the court. When
21 the conservator receives additional property of the protected
22 person, or becomes aware of its existence, a description of the
23 property shall be included in the conservator's next annual
24 report.

25 Sec. 360. Section 633.670, subsection 3, paragraph c, Code
26 2020, is amended to read as follows:

27 *c.* Reports required by [this section](#) shall be served on the
28 protected person's attorney and court ~~advisor~~ visitor, if any,
29 and the veterans administration if the protected person is
30 receiving veterans benefits.

31 Sec. 361. Section 633.675, subsection 1, unnumbered
32 paragraph 1, Code 2020, is amended to read as follows:

33 A guardianship ~~and~~ or a conservatorship shall terminate upon
34 the occurrence of any of the following circumstances:

35 Sec. 362. Section 633.675, subsection 2, Code 2020, is

1 amended to read as follows:

2 2. The court shall terminate a guardianship if it finds by
3 clear and convincing evidence that the basis for appointing a
4 guardian pursuant to [section 633.552](#) ~~is~~ has not satisfied been
5 established.

6 Sec. 363. Section 633.679, subsection 1, Code 2020, is
7 amended to read as follows:

8 1. ~~Except as otherwise provided in [subsection 2](#), at~~ At
9 any time after the appointment of a guardian or conservator,
10 the person under guardianship or conservatorship may apply to
11 the court by petition, alleging that the person is no longer
12 a proper subject thereof, and asking that the guardianship or
13 conservatorship be terminated.

14 Sec. 364. Section 633A.3110, subsection 2, unnumbered
15 paragraph 1, Code 2020, is amended to read as follows:

16 The trustee may give notice as described ~~herein~~ in this
17 section to creditors, heirs, and the surviving spouse of the
18 settlor for the purpose of establishing their rights to contest
19 the trust and to file claims against the trust assets.

20 Sec. 365. Section 636.23, subsections 5, 6, and 7, Code
21 2020, are amended to read as follows:

22 5. *Real estate mortgage bonds.* Notes or bonds of any
23 individual secured by a first mortgage on improved real estate
24 located in this state, provided the aggregate amount of such
25 notes ~~and/or~~ or bonds secured by such first mortgage, does not
26 exceed fifty percent of the value of the mortgage property as
27 determined by the fiduciary; any such loan may be made in an
28 amount not to exceed seventy-five percentum of the appraised
29 value of the real estate offered as security and for a term not
30 longer than twenty years if the loan is secured by an amortized
31 mortgage, deed of trust, or other such instrument under the
32 terms of which the installment payments are sufficient to
33 amortize the entire principal of the loan within the period
34 ending on the date of its maturity.

35 6. *Corporate mortgages.* Notes or bonds of any corporation

1 secured by a first mortgage on improved real estate located in
2 this or any adjoining state upon which no default in payment of
3 principal or interest shall have occurred within five preceding
4 years provided the aggregate amount of such notes ~~and/or~~ or
5 bonds secured by such first mortgage does not exceed fifty
6 percent of the value of the mortgage property as determined by
7 the fiduciary.

8 7. *Railroad bonds.* Bonds of any railroad corporation which
9 are secured by a first lien mortgage or trust deed upon not
10 less than one hundred miles of main track in the United States
11 and which mortgage or trust deed has been outstanding not less
12 than fifteen years and upon which bonds issued thereunder there
13 has been no default in the payment of principal ~~and/or~~ or
14 interest since the date of said such trust deed.

15 Sec. 366. Section 657.3, Code 2020, is amended to read as
16 follows:

17 **657.3 Penalty — abatement.**

18 Whoever is convicted of erecting, causing, or continuing
19 a public or common nuisance as provided in **this chapter**, or
20 at common law when the same has not been modified or repealed
21 by statute, where no other punishment therefor is specially
22 provided, shall be guilty of an aggravated misdemeanor and the
23 court may order such nuisance abated, and issue a warrant as
24 hereinafter provided in this chapter.

25 Sec. 367. Section 657A.1, subsection 3, Code 2020, is
26 amended to read as follows:

27 3. "*Building*" means a building or structure, ~~excluding a~~
28 ~~mobile home, a modular home, and a manufactured home as defined~~
29 ~~in **section 435.1**, unless the mobile home or manufactured~~
30 ~~home has been converted to real estate pursuant to section~~
31 ~~435.26~~, located in a city or outside the limits of a city in
32 a county, which is used or intended to be used for commercial
33 or industrial purposes or which is used or intended to be
34 used for residential purposes and includes a building or
35 structure in which some floors may be used for retail stores,

1 shops, salesrooms, markets, or similar commercial uses, or for
2 offices, banks, civic administration activities, professional
3 services, or similar business or civic uses, and other floors
4 are used, designed, or intended to be used for residential
5 purposes. "Building" does not include a mobile home, a modular
6 home, and a manufactured home as defined in section 435.1,
7 unless the mobile home or manufactured home has been converted
8 to real estate pursuant to section 435.26.

9 Sec. 368. Section 657A.2, subsection 1, Code 2020, is
10 amended to read as follows:

11 1. No sooner than the ~~latter~~ later of thirty days after
12 ~~provision of~~ the responsible building official's findings have
13 been provided under section 657A.1A ~~and~~ or six months after a
14 building has become abandoned, a petition for abatement under
15 this chapter may be filed in the district court of the county
16 in which the property is located by the city in which the
17 property is located, by the county if the property is located
18 outside the limits of a city, by a neighboring landowner, or
19 by a duly organized nonprofit corporation which has as one of
20 its goals the improvement of housing conditions in the county
21 or city in which the property in question is located. The
22 petition shall not demand a personal judgment against any
23 party, but shall concern only the interests in the property. A
24 petition for abatement filed under this chapter shall include
25 the legal description of the real property upon which the
26 public nuisance is located unless the public nuisance is not
27 situated on or confined to a parcel of real property, or is
28 portable or capable of being removed from the real property.
29 Service shall be made on all interested persons by personal
30 service or, if personal service cannot be made, by certified
31 mail and first class mail to the last known address of record
32 of the interested person and by posting the notice in a
33 conspicuous place on the building, or by publication. The last
34 known address of record for the property owner shall be the
35 address of record with the county treasurer of the county where

1 the property is located. Service may also be made as provided
2 in [section 654.4A](#).

3 Sec. 369. Section 657A.4, Code 2020, is amended to read as
4 follows:

5 **657A.4 Appointment of receiver.**

6 ~~If after~~ After expiration of a date established pursuant to
7 section 657A.3, subsection 1, or a hearing pursuant to section
8 657A.3, the court may appoint a receiver to take possession and
9 control of the property in question. A person shall not be
10 appointed as a receiver unless the person has first provided
11 the court with a viable financial and construction plan for the
12 rehabilitation of the property in question and has demonstrated
13 the capacity and expertise to perform the required work in a
14 satisfactory manner. The appointed receiver may be a financial
15 institution that possesses an interest of record in the
16 property, a nonprofit corporation that is duly organized and
17 exists for the primary purpose of improving housing conditions
18 in the county or city in which the property in question is
19 located, or any person deemed qualified by the court. No part
20 of the net earnings of a nonprofit corporation serving as a
21 receiver under [this section](#) shall benefit a private shareholder
22 or individual. Membership on the board of trustees of a
23 nonprofit corporation does not constitute the holding of a
24 public office or employment and is not an interest, either
25 direct or indirect, in a contract or expenditure of money by
26 a city or county. ~~No~~ A member of a board of trustees of a
27 nonprofit corporation appointed as receiver is not disqualified
28 from holding public office or employment, ~~nor~~ and is ~~a member~~
29 also not required to forfeit public office or employment by
30 reason of the membership on the board of trustees.

31 Sec. 370. Section 669.17, Code 2020, is amended to read as
32 follows:

33 **669.17 Adjustment of other claims.**

34 Nothing contained ~~herein~~ in this chapter shall be deemed to
35 repeal any provision of law authorizing any state agency to

1 consider, ascertain, adjust, compromise, settle, determine,
2 allow, or pay any claim other than a claim as defined in this
3 chapter.

4 Sec. 371. Section 670.4, subsection 1, unnumbered paragraph
5 1, Code 2020, is amended to read as follows:

6 The liability imposed by [section 670.2](#) shall have no
7 application to any claim enumerated in [this section](#). As to
8 any ~~such claim~~ of the following claims, a municipality shall
9 be liable only to the extent liability may be imposed by the
10 express statute dealing with such claims and, in the absence
11 of such express statute, the municipality shall be immune from
12 liability-:

13 Sec. 372. Section 670.4, subsection 2, Code 2020, is amended
14 to read as follows:

15 2. The remedy against the municipality provided by section
16 670.2 shall hereafter be exclusive of any other civil action
17 or proceeding by reason of the same subject matter against the
18 officer, employee or agent whose act or omission gave rise to
19 the claim, or the officer's, employee's, or agent's estate.

20 Sec. 373. Section 701.1, Code 2020, is amended to read as
21 follows:

22 **701.1 Short title.**

23 Chapters 701 ~~to~~ through 728 shall be known and may be cited
24 as the "*Iowa Criminal Code*".

25 Sec. 374. Section 709.15, subsection 1, paragraph f,
26 subparagraph (l), subparagraph division (f), Code 2020, is
27 amended to read as follows:

28 (f) A person employed by a community college full-time,
29 part-time, or as a substitute who provides instruction to
30 high school students under a sharing or concurrent enrollment
31 program offered in accordance with [section 257.11](#) or [261E.8](#).

32 Sec. 375. Section 714H.3, subsection 2, paragraph d, Code
33 2020, is amended to read as follows:

34 *d.* Section ~~516E.5, 516E.9,~~ 523C.7 or ~~516E.10~~ 523C.13.

35 Sec. 376. Section 724.8A, subsection 1, Code 2020, is

1 amended to read as follows:

2 1. ~~Notwithstanding subsections 2 and 3,~~ the The governing
3 board of a university under the control of the state board
4 of regents as provided in chapter 262 or a community college
5 under the jurisdiction of a board of directors for a merged
6 area as provided in chapter 260C shall not adopt or enforce any
7 policy or rule that prohibits the carrying, transportation,
8 or possession of a dangerous weapon that directs an electric
9 current, impulse, wave, or beam that produces a high-voltage
10 pulse designed to immobilize a person in the buildings or on
11 the grounds of such a college or university, as long as such a
12 dangerous weapon does not generate a projectile that directs
13 an electric current, impulse, wave, or beam that produces a
14 high-voltage pulse designed to immobilize a person, and such
15 a dangerous weapon is not used in the commission of a public
16 offense.

17 Sec. 377. Section 724.11, subsection 1, Code 2020, is
18 amended to read as follows:

19 1. Applications for permits to carry weapons shall be made
20 to the sheriff of the county in which the applicant resides.
21 Applications for professional permits to carry weapons for
22 persons who are nonresidents of the state, or whose need to go
23 armed arises out of employment by the state, shall be made to
24 the commissioner of public safety. In either case, the sheriff
25 or commissioner, before issuing the permit, shall determine
26 that the requirements of sections 724.6 ~~to~~ through 724.10
27 have been satisfied. A renewal applicant shall apply within
28 thirty days prior to the expiration of the permit, or within
29 thirty days after the expiration of the permit; otherwise the
30 applicant shall be considered an applicant for an initial
31 permit for purposes of renewal fees under subsection 3.

32 Sec. 378. Section 801.1, Code 2020, is amended to read as
33 follows:

34 **801.1 Short title.**

35 Chapters 801 ~~to~~ through 819 shall be known and may be cited

1 as the "*Iowa Code of Criminal Procedure*".

2 Sec. 379. Section 802.6, subsection 1, Code 2020, is amended
3 to read as follows:

4 1. When a person leaves the state, the indictment or
5 information may be found within the ~~time herein limited period~~
6 of limitation prescribed in this chapter after the person's
7 coming into the state, and no period during which the party
8 charged was not publicly resident within the state is a part
9 of the limitation.

10 Sec. 380. Section 805.15, Code 2020, is amended to read as
11 follows:

12 **805.15 Other citation forms.**

13 The provisions of [sections 321.485 to through 321.487](#) shall
14 govern with respect to offenses charged in the manner provided
15 in [section 321.485](#). The provisions of sections 805.6 to
16 through 805.14 shall govern with respect to offenses chargeable
17 upon a uniform citation and complaint.

18 Sec. 381. Section 901.11, subsection 5, Code 2020, is
19 amended to read as follows:

20 5. At the time of sentencing, the court shall determine when
21 a person convicted of arson in the first degree as described
22 in [section 902.12, subsection 5](#), shall first become eligible
23 for parole or work release within the parameters specified
24 in section 902.12, subsection 4 5, based upon all pertinent
25 information including the person's criminal record, a validated
26 risk assessment, and the negative impact the offense has had
27 on the victim or other persons.

28 Sec. 382. Section 901D.7, subsection 2, Code 2020, is
29 amended to read as follows:

30 2. An order or directive placing a participant in the
31 program shall include the type of testing required to be
32 administered in the program and the length of time that the
33 participant is required to remain in the program which shall
34 be for no less than ninety days. The order or directive shall
35 additionally require that the participant not have failed a

1 ~~test result~~ required testing or have missed a required testing
2 during the thirty-day period immediately preceding the end of
3 participation in the program. The person issuing the order or
4 directive shall send a copy of the order or directive to the
5 law enforcement agency of the participating jurisdiction.

6 Sec. 383. 2019 Iowa Acts, chapter 26, section 14, is amended
7 to read as follows:

8 SEC. 14. NEW SECTION. **489.12206 Information required in**
9 **biennial report — effect of failure to provide.**

10 1. In the biennial report required by [section 489.209](#), a
11 series limited liability company shall include the name of each
12 protected series of the company for which all of the following
13 ~~applies~~ apply:

14 a. For which the company has previously delivered to the
15 secretary of state for filing a protected series designation.

16 b. Which has not dissolved and completed winding up.

17 2. A failure by a series limited liability company to comply
18 with [subsection 1](#) with regard to a protected series prevents
19 issuance of a certificate of ~~good standing~~ existence pertaining
20 to the protected series but does not otherwise affect the
21 protected series.

22 Sec. 384. 2019 Iowa Acts, chapter 26, section 44, is amended
23 by striking the section and inserting in lieu thereof the
24 following:

25 SEC. 44. [Section 489.101](#), Code 2019, is amended to read as
26 follows:

27 **489.101 Short title.**

28 1. [This chapter](#) may be cited as the “*Revised Uniform Limited*
29 *Liability Company Act*”.

30 2. In addition, article 14 of this chapter may be cited as
31 provided in section 489.14101.

32 Sec. 385. 2019 Iowa Acts, chapter 135, section 27, is
33 amended to read as follows:

34 SEC. 27. [Section 260I.10](#), Code 2019, is amended by adding
35 the following new subsection:

1 NEW SUBSECTION. 4. The department of education, in
2 coordination with the community colleges, may adjust the
3 allocations generated pursuant to section ~~260I~~ 206I.2,
4 subsection 2, paragraph "c", to ensure efficient delivery of
5 services.

6 Sec. 386. 2019 Iowa Acts, chapter 148, section 48, is
7 amended to read as follows:

8 SEC. 48. Section 49.31, subsection 1, paragraph b, Code
9 2019, is amended to read as follows:

10 b. (1) The commissioner shall determine the order of
11 candidates on the ballot as provided in this paragraph. The
12 order shall be the same for each office on the ballot and for
13 each precinct in the county voting in the election.

14 (2) The state commissioner shall compile a list of each
15 county in the state in alphabetical order and assign a number
16 to each county such that the first county listed is number
17 one, the second county listed is number two, and continuing
18 in descending order in the same manner. The commissioner
19 shall put in alphabetical order the top two political parties
20 receiving the highest votes from the most recent election.

21 (3) The commissioner of each county assigned an even number
22 pursuant to subparagraph (2) shall arrange the ballot as
23 follows:

24 (a) The candidates of the first political party by
25 alphabetical order pursuant to subparagraph (2) shall appear
26 first on the ballot for the first general election at which the
27 president of the United States is to be elected following the
28 effective date of this division of this Act and second on the
29 ballot for the first general election at which the governor
30 will be elected following the effective date of this division
31 of this Act and second on the ballot for the second general
32 election at which the president of the United States is to be
33 elected following the effective date of this division of this
34 Act and first on the ballot for the second general election at
35 which the governor will be elected following the effective date

1 of this division of this Act, and thereafter alternating with
2 the candidates of the second political party by alphabetical
3 order pursuant to subparagraph (2).

4 (b) The candidates of the second political party by
5 alphabetical order pursuant to subparagraph (2) shall appear
6 second on the ballot for the first general election at which
7 the president of the United States is to be elected following
8 the effective date of this division of this Act and first on
9 the ballot for the first general election at which the governor
10 will be elected following the effective date of this division
11 of this Act and first on the ballot for the second general
12 election at which the president of the United States is to be
13 elected following the effective date of this division of this
14 Act and second on the ballot for the second general election at
15 which the governor will be elected following the effective date
16 of this division of this Act, and thereafter alternating with
17 the candidates of the first political party by alphabetical
18 order pursuant to subparagraph (2).

19 (4) The commissioner of each county assigned an odd number
20 pursuant to subparagraph (2) shall arrange the ballot as
21 follows:

22 (a) The candidates of the second political party by
23 alphabetical order pursuant to subparagraph (2) shall appear
24 first on the ballot for the first general election at which the
25 president of the United States is to be elected following the
26 effective date of this division of this Act and second on the
27 ballot for the first general election at which the governor
28 will be elected following the effective date of this division
29 of this Act and second on the ballot for the second general
30 election at which the president of the United States is to be
31 elected following the effective date of this division of this
32 Act and first on the ballot for the second general election at
33 which the governor will be elected following the effective date
34 of this division of this Act, and thereafter alternating with
35 the candidates of the first political party by alphabetical

1 order pursuant to subparagraph (2).

2 (b) The candidates of the first political party by
3 alphabetical order pursuant to subparagraph (2) shall appear
4 second on the ballot for the first general election at which
5 the president of the United States is to be elected following
6 the effective date of this division of this Act and first on
7 the ballot for the first general election at which the governor
8 will be elected following the effective date of this division
9 of this Act and first on the ballot for the second general
10 election at which the president of the United States is to be
11 elected following the effective date of this division of this
12 Act and second on the ballot for the second general election at
13 which the governor will be elected following the effective date
14 of this division of this Act, and thereafter alternating with
15 the candidates of the second political party by alphabetical
16 order pursuant to subparagraph (2).

17 (c) The commissioner shall determine the order of
18 candidates of nonparty political organizations on the ballot.
19 The order shall be the same for each office on the ballot and
20 for each precinct in the county voting in the election.

21 Sec. 387. 2019 Iowa Acts, chapter 155, section 4, is amended
22 to read as follows:

23 SEC. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
24 the annual salary rates for judicial officers established by
25 ~~2013 Iowa Acts, chapter 140, section 40~~ section 6 of this Act,
26 for the fiscal year beginning July 1, 2019, and ending June
27 30, 2020, the supreme court may by order place all judicial
28 officers on unpaid leave status on any day employees of
29 the judicial branch are placed on temporary layoff status.
30 The biweekly pay of the judicial officers shall be reduced
31 accordingly for the pay period in which the unpaid leave date
32 occurred in the same manner as for noncontract employees of the
33 judicial branch. Through the course of the fiscal year, the
34 judicial branch may use an amount equal to the aggregate amount
35 of salary reductions due to the judicial officer unpaid leave

1 days for any purpose other than for judicial salaries.

2 Sec. 388. REPEAL. 2019 Iowa Acts, chapter 26, section 52,
3 is repealed.

4 Sec. 389. REPEAL. Sections 15.300, 15.301, 52.8, 189.10,
5 and 235.6, Code 2020, are repealed.

6 Sec. 390. IMPLEMENTATION PROVISION.

7 1. The sections of this division of this Act amending
8 section 249L.2, shall only be implemented upon receipt by
9 the department of human services of approval of the Medicaid
10 state plan amendment by CMS, and if such approval is received,
11 is applicable no earlier than the first day of the calendar
12 quarter following the date of receipt of such approval.

13 Sec. 391. EFFECTIVE DATE. The following, being deemed of
14 immediate importance, take effect upon enactment:

15 1. The section of this Act amending 2019 Iowa Acts, chapter
16 135, section 27.

17 2. The section of this Act amending 2019 Iowa Acts, chapter
18 148, section 48.

19 3. The section of this Act amending 2019 Iowa Acts, chapter
20 155, section 4.

21 Sec. 392. RETROACTIVE APPLICABILITY. The following apply
22 retroactively to July 1, 2019:

23 1. The section of this Act amending 2019 Iowa Acts, chapter
24 135, section 27.

25 2. The section of this Act amending 2019 Iowa Acts, chapter
26 148, section 48.

27 3. The section of this Act amending 2019 Iowa Acts, chapter
28 155, section 4.

29 DIVISION II

30 CODE EDITOR DIRECTIVES

31 Sec. 393. CODE EDITOR DIRECTIVES.

32 1. The Code editor may designate unnumbered chapter
33 headings as numbered subchapters and correct internal
34 references as necessary within and to chapter 359.

35 2. The Code editor may add a new subchapter to chapter 359,

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1 preceding section 359.52 and entitled "DISPOSAL OF PROPERTY".