

House File 739 - Reprinted

HOUSE FILE 739
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 236)

(COMPANION TO LSB 2258SV BY
COMMITTEE ON JUDICIARY)

(As Amended and Passed by the House March 9, 2021)

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 retroactive applicability provisions.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

MISCELLANEOUS CHANGES

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Section 1. Section 7C.12, subsection 2, unnumbered paragraph 1, Code 2021, is amended to read as follows:

In addition to the powers and duties specified in sections 7C.1 ~~to~~ through 7C.11, the governor's designee:

Sec. 2. Section 9G.6, subsection 1, Code 2021, is amended to read as follows:

1. ~~No patents~~ Patents shall not be issued for any lands belonging to the state, except upon the certificate of the person or officer specially charged with the custody of the ~~same patents~~, setting forth the appraised value per acre, the name of person to whom sold, the date of sale, the price per acre, the amount paid, the name of the person making final payment, and the name of the person who is entitled to the patent, ~~and, if thus.~~ If a person is entitled by to a patent due to an assignment from the original purchaser, setting the certificate shall set forth fully such the assignment, which certificate and shall be filed and preserved in the land office.

Sec. 3. Section 10.1, subsection 17, paragraph b, Code 2021, is amended to read as follows:

b. As used in paragraph "a", a type of membership interest in a limited liability company includes ~~any of the following:~~

- ~~(1) (a) A series as provided in [chapter 489, article 12](#).~~
- ~~(b) This subparagraph is repealed on July 1, 2021.~~
- ~~(2) A a protected series of a series limited liability company as provided in [chapter 489, article 14](#).~~

Sec. 4. Section 10.10, subsection 1, paragraph c, subparagraph (2), Code 2021, is amended to read as follows:

(2) As used in subparagraph (1), a type of membership interest in a limited liability company includes ~~any of the following:~~

- ~~(a) (i) A series as provided in [chapter 489, article 12](#).~~
- ~~(ii) This subparagraph division is repealed on July 1, 2021.~~

1 ~~(b)~~—A a protected series of a series limited liability
2 company as provided in [chapter 489, article 14](#).

3 Sec. 5. Section 12B.14, Code 2021, is amended to read as
4 follows:

5 **12B.14 False statements or reports.**

6 Any officer or other person making a false statement or
7 report or in any manner violating any of the provisions
8 of [sections 12B.10 ~~to~~ through 12B.13](#) shall be guilty of a
9 fraudulent practice.

10 Sec. 6. Section 15.108, subsection 1, paragraph b, Code
11 2021, is amended to read as follows:

12 **b.** Provide staff assistance to the corporation formed under
13 authority of [sections 15E.11 ~~to~~ through 15E.16](#) to receive
14 and disburse funds to further the overall development and
15 well-being of the state.

16 Sec. 7. Section 15.335, subsection 4, paragraph a, Code
17 2021, is amended to read as follows:

18 **a.** In lieu of the credit amount computed in [subsection 2](#), an
19 eligible business may elect to compute the credit amount for
20 qualified research expenses incurred in this state in a manner
21 consistent with the alternative simplified credit described in
22 section 41(c)(4) of the Internal Revenue Code. The taxpayer
23 may make this election regardless of the method used for the
24 taxpayer's federal income tax. The election made under this
25 paragraph is for the tax year and the taxpayer may use another
26 or the same method for any subsequent tax year.

27 Sec. 8. Section 15.335, subsection 8, Code 2021, is amended
28 to read as follows:

29 8. Any credit in excess of the tax liability for the taxable
30 year shall be refunded with interest in accordance with section
31 421.60, subsection 2, paragraph "e". In lieu of claiming a
32 refund, a taxpayer may elect to have the overpayment shown on
33 its final, completed return credited to the tax liability for
34 the following tax year.

35 Sec. 9. Section 15.354, subsection 2, paragraph d, Code

1 2021, is amended to read as follows:

2 *d.* An applicant that does not receive a tax incentive award
3 during an application period may make additional applications
4 during subsequent application periods. Such applicant shall
5 be required to submit a new application ~~and~~, which shall be
6 competitively reviewed and scored in the same manner as other
7 ~~applicants~~ applications in that application period.

8 Sec. 10. Section 20.10, subsection 3, paragraph f, Code
9 2021, is amended to read as follows:

10 *f.* Violate the provisions of sections 732.1 ~~to~~ through
11 732.3, which are hereby made applicable to public employers,
12 public employees, and employee organizations.

13 Sec. 11. Section 20.19, subsection 1, Code 2021, is amended
14 to read as follows:

15 1. As the first step in the performance of their duty to
16 bargain, the public employer and the employee organization
17 shall endeavor to agree upon impasse procedures. Such
18 agreement shall provide for implementation of these impasse
19 procedures not later than one hundred twenty days prior to
20 the certified budget submission date of the public employer.
21 However, if public employees represented by the employee
22 organization are teachers licensed under [chapter 272](#), and the
23 public employer is a school district or area education agency,
24 the agreement shall provide for implementation of impasse
25 procedures not later than one hundred twenty days prior to May
26 31 of the year when the collective bargaining agreement is
27 to become effective. If the public employer is a community
28 college, the agreement shall provide for implementation of
29 impasse procedures not later than one hundred twenty days prior
30 to May 31 of the year when the collective bargaining agreement
31 is to become effective. If the public employer is not subject
32 to the budget certification requirements of [section 24.17](#) and
33 other applicable sections, the agreement shall provide for
34 implementation of impasse procedures not later than one hundred
35 twenty days prior to the date the next fiscal or budget year of

1 the public employer commences. If the parties fail to agree
2 upon impasse procedures under the provisions of [this section](#),
3 the impasse procedures provided in [sections 20.20](#) ~~to~~ [and 20.22](#)
4 shall apply.

5 Sec. 12. Section 24.3, unnumbered paragraph 1, Code 2021,
6 is amended to read as follows:

7 ~~No~~ A municipality shall not certify or levy in any fiscal
8 year any tax on property subject to taxation unless and until
9 the following estimates have been made, filed, and considered,
10 as ~~hereinafter~~ provided in this chapter:

11 Sec. 13. Section 24.9, subsection 2, Code 2021, is amended
12 to read as follows:

13 2. Budget estimates adopted and certified in accordance
14 with [this chapter](#) may be amended and increased as the need
15 arises to permit appropriation and expenditure during the
16 fiscal year covered by the budget of unexpended cash balances
17 on hand at the close of the preceding fiscal year and which
18 cash balances had not been estimated and appropriated for
19 expenditure during the fiscal year of the budget sought to
20 be amended, and also to permit appropriation and expenditure
21 during the fiscal year covered by the budget of amounts of cash
22 anticipated to be available during the year from sources other
23 than taxation and which had not been estimated and appropriated
24 for expenditure during the fiscal year of the budget sought
25 to be amended. Such amendments to budget estimates may be
26 considered and adopted at any time during the fiscal year
27 covered by the budget sought to be amended, by filing the
28 amendments and upon publishing them and giving notice of the
29 public hearing in the manner required in [this section](#). Within
30 ten days of the decision or order of the certifying or levying
31 board, the proposed amendment of the budget is subject to
32 protest, hearing on the protest, appeal to the state appeal
33 board and review by that body, all in accordance with sections
34 [24.27](#) ~~to~~ [through 24.32](#), so far as applicable. A local budget
35 shall be amended by May 31 of the current fiscal year to allow

1 time for a protest hearing to be held and a decision rendered
2 before June 30. An amendment of a budget after May 31 which
3 is properly appealed but without adequate time for hearing
4 and decision before June 30 is void. Amendments to budget
5 estimates accepted or issued under [this section](#) are not within
6 section 24.14.

7 Sec. 14. Section 24.24, Code 2021, is amended to read as
8 follows:

9 **24.24 Violations.**

10 Failure on the part of a public official to perform any
11 of the duties prescribed in [chapter 73A](#), and [this chapter](#),
12 ~~and sections~~ [section 8.39](#), and [sections 11.1 to, 11.2, 11.4,](#)
13 [and 11.5](#), constitutes a simple misdemeanor, and is sufficient
14 ground for removal from office.

15 Sec. 15. Section 29B.1, Code 2021, is amended to read as
16 follows:

17 **29B.1 Persons subject to code — definitions — short title.**

18 1. [This chapter](#) applies to all members of the state military
19 forces performing national guard duty or state active duty,
20 while not on federal active duty. In addition, [this chapter](#)
21 applies to all members of the state military forces who commit
22 an offense during travel to or from the member's duty location
23 or during intervals between consecutive periods of duty on the
24 same day or on consecutive days in which the victim of the
25 offense is another member of the state military forces.

26 2. As used in [this chapter](#), unless the context otherwise
27 requires, ~~"state military forces"~~ has the same meaning as in
28 ~~section 29A.6~~, and ~~"code"~~:

29 a. "Code" means [this chapter](#), which may be cited as the
30 ~~"Iowa Code of Military Justice"~~.

31 b. "State military forces" means the same as defined in
32 [section 29A.6](#).

33 3. This chapter may be cited as the "Iowa Code of Military
34 Justice".

35 Sec. 16. Section 34A.2, subsections 8 and 14, Code 2021, are

1 amended to read as follows:

2 8. "*Competitive local exchange service provider*" means the
3 ~~same as defined in section 476.96~~ any person, including a
4 municipal utility, that provides local exchange services, other
5 than a local exchange carrier or a non-rate-regulated wireline
6 provider of local exchange services under an authorized
7 certificate of public convenience and necessity within a
8 specific geographic area described in maps filed with and
9 approved by the Iowa utilities board as of September 30, 1992.

10 14. "*Local exchange carrier*" means ~~the same as defined in~~
11 ~~section 476.96~~ any person that was the incumbent and historical
12 rate-regulated wireline provider of local exchange services
13 or any successor to such person that provides local exchange
14 services under an authorized certificate of public convenience
15 and necessity within a specific geographic area described in
16 maps filed with and approved by the Iowa utilities board as of
17 September 30, 1992.

18 Sec. 17. Section 35C.4, Code 2021, is amended to read as
19 follows:

20 **35C.4 Mandamus — judicial review.**

21 A refusal to allow ~~said~~ the preference granted under this
22 chapter, or a reduction of the salary for ~~said~~ a position
23 with intent to bring about the resignation or discharge of
24 the incumbent, shall entitle the applicant or incumbent, as
25 the case may be, to maintain an action of mandamus to right
26 the wrong. ~~At their election such parties~~ The applicant or
27 incumbent may elect, in the alternative, to maintain an action
28 for judicial review in accordance with the terms of the Iowa
29 administrative procedure Act, **chapter 17A**, if that is otherwise
30 applicable to their case. An action of mandamus shall be filed
31 by an applicant or incumbent within three hundred days after
32 a refusal to allow ~~said~~ the preference, or a reduction of the
33 salary for ~~said~~ a position with intent to bring about the
34 resignation or discharge of the incumbent.

35 Sec. 18. Section 37.26, Code 2021, is amended to read as

1 follows:

2 **37.26 General powers.**

3 For the purpose of carrying out the provisions of sections
4 37.22 ~~to~~ through 37.25, the commission shall have authority to
5 receive and to convey title to real estate, to take mortgage or
6 other security and to release or transfer the same.

7 Sec. 19. Section 37.27, Code 2021, is amended to read as
8 follows:

9 **37.27 Nursing homes with memorial hospitals.**

10 If a memorial building has been constructed for the purpose
11 of a hospital pursuant to **this chapter**, additions for hospital
12 purposes, and nursing homes to be operated in conjunction
13 with the hospital may be erected or acquired by following the
14 procedure outlined in **chapter 347** and by issuing general county
15 purpose bonds in accordance with sections 331.441 ~~to~~ through
16 331.449, with the commissioners acting in the same manner and
17 fashion as the hospital trustees under **chapter 347**, and with
18 the procedure in all other respects to be identical.

19 Sec. 20. Section 43.3, Code 2021, is amended to read as
20 follows:

21 **43.3 Offices affected by primary.**

22 Candidates of all political parties for all offices which
23 are filled at a regular biennial election by direct vote of the
24 people shall be nominated at a primary election at the time and
25 in the manner ~~hereinafter~~ directed in this chapter.

26 Sec. 21. Section 43.13, Code 2021, is amended to read as
27 follows:

28 **43.13 Failure to file nomination papers.**

29 The name of a candidate for any office named in section
30 43.11 shall not be printed on the official primary ballot of
31 the candidate's party unless nomination papers are filed as
32 ~~therein~~ provided in section 43.11 except as otherwise permitted
33 by **section 43.23**.

34 Sec. 22. Section 43.46, Code 2021, is amended to read as
35 follows:

1 **43.46 Delivering returns.**

2 The precinct election officials shall deliver all election
3 supplies, by noon of the day after the close of the polls, to
4 the commissioner who shall carefully preserve them and deliver
5 the returns in the condition in which received except as is
6 otherwise required by sections 50.20 ~~to~~ through 50.22, to the
7 county board of supervisors.

8 Sec. 23. Section 43.108, Code 2021, is amended to read as
9 follows:

10 **43.108 Organization of state convention — proxies**
11 **prohibited.**

12 The convention shall be called to order by the chairperson
13 of the state central committee, or that individual's designee,
14 who shall ~~thereupon~~ present a list of delegates, as certified
15 by the various county conventions, and effect a temporary
16 organization. If any county ~~shall~~ is not ~~be~~ fully represented,
17 the delegates present from ~~such~~ that county shall cast the full
18 vote ~~thereof~~ of the county if the rules of the convention, or
19 party bylaws or constitution so allow, and there shall be no
20 proxies.

21 Sec. 24. Section 44.10, Code 2021, is amended to read as
22 follows:

23 **44.10 Effect of withdrawal.**

24 ~~No~~ The name ~~so~~ of a candidate who has withdrawn the
25 candidate's nomination as provided in section 44.9 shall not be
26 printed on the official ballot under ~~such~~ that nomination.

27 Sec. 25. Section 48A.5, subsection 4, paragraph a, Code
28 2021, is amended to read as follows:

29 a. Comply with all applicable requirements of sections 53.37
30 ~~to~~ through 53.53 relating to absentee ballots for members of
31 the armed forces and other citizens living outside the United
32 States.

33 Sec. 26. Section 54.8, subsection 2, Code 2021, is amended
34 to read as follows:

35 2. Except as otherwise provided by law of this state outside

1 of [this chapter](#), each elector shall present both completed
2 ballots to the state commissioner who shall examine the ballots
3 and accept and cast all ballots of electors whose votes are
4 consistent with their pledges executed under [section 54.5](#)
5 or [54.7](#). Except as otherwise provided by law of this state
6 outside of [this chapter](#), the state commissioner shall not
7 accept and shall not count an elector's presidential and vice
8 presidential ballots if the elector has not marked both ballots
9 or has marked ~~one~~ a ballot in violation of the elector's
10 pledge.

11 Sec. 27. Section 74.2, Code 2021, is amended to read as
12 follows:

13 **74.2 Endorsement and interest.**

14 1. If a warrant other than an anticipatory warrant is
15 presented for payment, and is not paid for want of funds, or
16 is only partially paid, the treasurer shall endorse the fact
17 ~~thereon~~ on the warrant, with the date of presentation, and
18 sign the endorsement, ~~and thereafter the~~. After the date of
19 presentation, the warrant or the balance due ~~thereon~~, on the
20 warrant shall bear interest at the rate specified in section
21 74A.2.

22 2. An anticipatory warrant issued under the authority
23 of [section 74.1, subsection 1](#), shall bear interest at a rate
24 determined by the issuing governmental body, but not exceeding
25 that permitted by [chapter 74A](#).

26 Sec. 28. Section 80.4, subsection 3, Code 2021, is amended
27 to read as follows:

28 3. The ~~aforsaid~~ allocation of duties described in this
29 section shall not be interpreted to prevent flexibility in
30 interdepartmental operations or to forbid other divisional
31 allocations of duties in the discretion of the commissioner.

32 Sec. 29. Section 80.5, subsection 1, Code 2021, is amended
33 to read as follows:

34 1. It shall be the duty of the department to prevent crime,
35 to detect and apprehend criminals, and to enforce such other

1 laws as are hereinafter specified.

2 Sec. 30. Section 80.9A, subsection 6, unnumbered paragraph
3 1, Code 2021, is amended to read as follows:

4 A peace officer of the department shall not exercise the
5 general powers of a peace officer within the limits of any
6 city, except as follows:

7 Sec. 31. Section 80B.13, subsections 3 and 9, Code 2021, are
8 amended to read as follows:

9 3. Issue certificates to law enforcement officers, reserve
10 peace officers, and jailers who have met the requirements of
11 this chapter and rules adopted under chapter 17A relative to
12 hiring and training standards.

13 9. In accordance with chapter 17A, conduct investigations,
14 hold hearings, appoint administrative law judges, administer
15 oaths, and issue subpoenas enforceable in district court on
16 matters relating to the revocation or suspension of a law
17 enforcement officer's or reserve peace officer's certification.

18 Sec. 32. Section 84A.2, subsection 5, paragraph c, Code
19 2021, is amended to read as follows:

20 c. Sections ~~1 to~~ through 13 of the federal Wagner-Peyser
21 Act, as codified at 29 U.S.C. §49 et seq., relating to
22 employment services.

23 Sec. 33. Section 85.31, subsection 3, Code 2021, is amended
24 to read as follows:

25 3. If the employee leaves dependents only partially
26 dependent upon the employee's earnings for support at the time
27 of the injury, the weekly compensation to be paid as aforesaid,
28 provided in subsections 1 and 2 shall be equal to the same
29 proportion of the weekly payments for the benefit of persons
30 wholly dependent as the amount contributed by the employee to
31 such partial dependents bears to the annual earnings of the
32 deceased at the time of the injury.

33 Sec. 34. Section 85.34, subsection 2, paragraph v, Code
34 2021, is amended to read as follows:

35 v. In all cases of permanent partial disability other than

1 those ~~hereinabove~~ described or referred to in paragraphs "a"
2 through "u" ~~hereof~~, the compensation shall be paid during
3 the number of weeks in relation to five hundred weeks as the
4 reduction in the employee's earning capacity caused by the
5 disability bears in relation to the earning capacity that the
6 employee possessed when the injury occurred. A determination
7 of the reduction in the employee's earning capacity caused
8 by the disability shall take into account the permanent
9 partial disability of the employee and the number of years in
10 the future it was reasonably anticipated that the employee
11 would work at the time of the injury. If an employee who
12 is eligible for compensation under this paragraph returns to
13 work or is offered work for which the employee receives or
14 would receive the same or greater salary, wages, or earnings
15 than the employee received at the time of the injury, the
16 employee shall be compensated based only upon the employee's
17 functional impairment resulting from the injury, and not in
18 relation to the employee's earning capacity. Notwithstanding
19 section 85.26, subsection 2, if an employee who is eligible
20 for compensation under this paragraph returns to work with the
21 same employer and is compensated based only upon the employee's
22 functional impairment resulting from the injury as provided
23 in this paragraph and is terminated from employment by that
24 employer, the award or agreement for settlement for benefits
25 under [this chapter](#) shall be reviewed upon commencement of
26 reopening proceedings by the employee for a determination of
27 any reduction in the employee's earning capacity caused by the
28 employee's permanent partial disability.

29 Sec. 35. Section 85.37, subsection 1, Code 2021, is amended
30 to read as follows:

31 1. If an employee receives a personal injury causing
32 temporary total disability, or causing a permanent partial
33 disability for which compensation is payable during a healing
34 period, compensation for the temporary total disability or for
35 the healing period shall be upon the basis provided in this

1 section. The weekly benefit amount payable to any employee
 2 for any one week shall be upon the basis of eighty percent of
 3 the employee's weekly spendable earnings, but shall not exceed
 4 an amount, rounded to the nearest dollar, equal to ~~sixty-six~~
 5 ~~and two-thirds~~ two hundred percent of the statewide average
 6 weekly wage paid employees as determined by the department
 7 of workforce development under section 96.1A, subsection 35,
 8 and in effect at the time of the injury. ~~However, as of July~~
 9 ~~1, 1981, the maximum weekly benefit amount rounded to the~~
 10 ~~nearest dollar shall be increased so that it equals two hundred~~
 11 ~~percent of the statewide average weekly wage as determined~~
 12 ~~in this section.~~ Total weekly compensation for any employee
 13 shall not exceed eighty percent per week of the employee's
 14 weekly spendable earnings. The minimum weekly benefit amount
 15 shall be equal to the weekly benefit amount of a person whose
 16 gross weekly earnings are thirty-five percent of the statewide
 17 average weekly wage, or to the spendable weekly earnings of the
 18 employee, whichever are less.

19 Sec. 36. Section 85.61, subsection 1, Code 2021, is amended
 20 to read as follows:

21 1. The word "court" ~~wherever used in this chapter and~~
 22 ~~chapters 86 and 87, unless the context shows otherwise, shall~~
 23 ~~be taken to mean~~ means the district court.

24 Sec. 37. Section 85.61, subsection 11, paragraph b, Code
 25 2021, is amended to read as follows:

26 b. The term "worker" or "employee" shall include the
 27 singular and plural. Any reference to a worker or employee
 28 who has been injured shall, when such worker or employee is
 29 dead, include the worker's or employee's dependents as herein
 30 defined in this chapter or the worker's or employee's legal
 31 representatives; and where the worker or employee is a minor
 32 or incompetent, it shall include the minor's or ~~incompetent's~~
 33 incompetent person's guardian, next friend, or trustee.

34 Notwithstanding any law prohibiting the employment of minors,
 35 all minor employees shall be entitled to the benefits of this

1 chapter and **chapters 86 and 87** regardless of the age of such
2 minor employee.

3 Sec. 38. Section 85.65A, subsection 2, Code 2021, is amended
4 to read as follows:

5 2. Prior to July 1 of each fiscal year ~~commencing on or~~
6 ~~after July 1, 1999~~, the commissioner of insurance shall conduct
7 an examination of the outstanding liabilities of the second
8 injury fund and shall make a determination as to whether
9 sufficient funds will be available in the second injury fund
10 to pay the liabilities of the fund for each of the next two
11 fiscal years. If the commissioner of insurance determines
12 sufficient funds will be available, the commissioner shall not
13 impose a surcharge on employers during the next succeeding
14 fiscal year. If the commissioner determines sufficient funds
15 will not be available, the commissioner shall impose by rule,
16 pursuant to **chapter 17A**, a surcharge on employers during the
17 next succeeding fiscal year for payment to the treasurer of
18 state for the second injury fund pursuant to the requirements
19 of **this section**.

20 Sec. 39. Section 85A.3, Code 2021, is amended to read as
21 follows:

22 **85A.3 Employees covered.**

23 All employees as defined by the workers' compensation law of
24 Iowa employed in any business or industrial process ~~hereinafter~~
25 ~~designated and described in this chapter~~ and who in the course
26 of their employment are exposed to an occupational disease as
27 ~~herein~~ defined in this chapter are subject to the provisions of
28 this chapter.

29 Sec. 40. Section 85A.11, subsections 1 and 2, Code 2021, are
30 amended to read as follows:

31 1. ~~When~~ If any employee is clinically diagnosed as having
32 brucellosis (~~undulant fever~~), it the employee shall not be
33 considered ~~that the employee has to have~~ the disease unless the
34 clinical diagnosis is confirmed by either of the following:

35 a. A positive blood culture for brucella organisms, ~~or~~.

1 **b.** A positive agglutination test which must be verified
2 by not less than two successive positive agglutination tests,
3 each of which tests shall be positive in a titer of one to one
4 hundred sixty or higher. ~~Said~~ The subsequent agglutination
5 tests must be made of specimens taken not less than seven nor
6 more than ten days after each preceding test.

7 2. The specimens for the tests required ~~herein~~ by this
8 section must be taken by a licensed practicing physician or
9 osteopathic physician, and immediately delivered to the state
10 hygienic laboratory of the Iowa department of public health
11 at Iowa City, ~~and each such.~~ Each specimen shall be in a
12 container upon which is plainly printed the name and address
13 of the subject, the date when the specimen was taken, the name
14 and address of the subject's employer, and a certificate by the
15 physician or osteopathic physician that the physician took the
16 specimen from the named subject on the date stated over the
17 physician's signature and address.

18 Sec. 41. Section 85A.13, subsection 3, Code 2021, is amended
19 to read as follows:

20 3. *Pneumoconiosis complicated with other diseases.* In case
21 of disability or death from pneumoconiosis complicated with
22 tuberculosis of the lungs, compensation shall be payable as
23 for uncomplicated pneumoconiosis, provided, however, that
24 the pneumoconiosis was an essential factor in causing such
25 disability or death. In case of disability or death from
26 pneumoconiosis complicated with any other disease, or from any
27 other disease complicated with pneumoconiosis, the compensation
28 shall be reduced as ~~herein~~ provided in this chapter.

29 Sec. 42. Section 86.12, subsection 1, Code 2021, is amended
30 to read as follows:

31 1. The workers' compensation commissioner may require any
32 employer to supply the information required by [section 86.10](#)
33 or to file a report required by [section 86.11](#) or [86.13](#) or by
34 agency rule, by written demand sent to the employer's last
35 known address. Upon failure to supply such information or file

1 such report within thirty days, the employer may be ordered to
2 appear and show cause why the employer should not be subject to
3 assessment of one thousand dollars for each occurrence. Upon
4 such hearing, the workers' compensation commissioner shall
5 enter a finding of fact and may enter an order requiring such
6 assessment to be paid into the second injury fund created by
7 sections 85.63 ~~to~~ through 85.69. In the event the assessment
8 is not voluntarily paid within thirty days, the workers'
9 compensation commissioner may file a certified copy of such
10 finding and order with the clerk of the court for the district
11 in which the employer maintains a place of business. If
12 the employer maintains no place of business in this state,
13 service shall be made as provided in [chapter 85](#) for nonresident
14 employers. In such case the finding and order may be filed in
15 any court of competent jurisdiction within this state.

16 Sec. 43. Section 89A.2, subsection 1, paragraph f,
17 unnumbered paragraph 1, Code 2021, is amended to read as
18 follows:

19 ~~A conveyance~~ An elevator installed in a building in a
20 federally designated national historic district as long as each
21 of the following conditions is met:

22 Sec. 44. Section 89A.2, subsection 2, Code 2021, is amended
23 to read as follows:

24 2. Provisions of [this chapter](#) supersede conflicting
25 provisions contained in building codes of this state or any
26 subdivision ~~thereof~~ of this state.

27 Sec. 45. Section 89A.6, subsections 4 and 6, Code 2021, are
28 amended to read as follows:

29 4. The inspections required by [subsections 1](#) ~~to~~ through
30 3 shall be made only by inspectors or special inspectors.
31 An inspection by a special inspector may be accepted by the
32 commissioner in lieu of a required inspection by an inspector.

33 6. In addition to the inspections required by subsections
34 1 ~~to~~ through 3, the safety board may provide by rule for
35 additional inspections as the safety board deems necessary to

1 enforce the provisions of **this chapter**.

2 Sec. 46. Section 91A.12, subsection 1, Code 2021, is amended
3 to read as follows:

4 1. Any employer who violates the provisions of **this chapter**
5 or the rules promulgated under it shall be subject to a civil
6 money penalty of not more than five hundred dollars per pay
7 period for each violation. The commissioner may recover such
8 civil money penalty according to the provisions of subsections
9 ~~2 to~~ through 5. Any civil money penalty recovered shall be
10 deposited in the general fund of the state.

11 Sec. 47. Section 96.9, subsection 4, paragraph b, Code 2021,
12 is amended to read as follows:

13 *b.* Money requisitioned as provided ~~herein~~ in this subsection
14 for the payment of expenses of administration shall be
15 deposited in the employment security administration fund,
16 but, until expended, shall remain a part of the unemployment
17 compensation fund. The treasurer of state shall maintain a
18 separate record of the deposit, obligation, expenditure, and
19 return of funds so deposited. Any money so deposited which
20 either will not be obligated within the period specified by
21 the appropriation law or remains unobligated at the end of
22 the period, and any money which has been obligated within the
23 period but will not be expended, shall be returned promptly to
24 the account of this state in the unemployment trust fund.

25 Sec. 48. Section 96.26, Code 2021, is amended to read as
26 follows:

27 **96.26 Moneys received.**

28 The department is authorized to accept, receive, and receipt
29 for all moneys received from the United States for the payments
30 authorized by ~~sections~~ section 96.25 ~~to~~, this section, section
31 96.27, and section 96.28 for lands and buildings and to comply
32 with any rules made under the Social Security Act or the
33 Wagner-Peyser Act.

34 Sec. 49. Section 96.28, Code 2021, is amended to read as
35 follows:

1 **96.28 Deposit of funds.**

2 All moneys received from the United States for the payments
3 authorized by [sections 96.25 ~~to~~ through 96.27](#) for lands
4 and buildings shall be deposited in the employment security
5 administration fund in the state treasury and are appropriated
6 therefrom for the purposes of [this chapter](#).

7 Sec. 50. Section 97.50, subsections 1 and 2, Code 2021, are
8 amended to read as follows:

9 1. Any person being paid any benefits under the provisions
10 of [sections 97.13 ~~to~~ through 97.18](#), Code 1950, as amended, as
11 of June 30, 1953, shall continue to receive such benefits as
12 though that chapter had not been repealed.

13 2. Any person who became entitled to any benefits under
14 the provisions of [sections 97.13 ~~to~~ through 97.19](#), Code 1950,
15 as amended, through the retirement or death of any person
16 prior to June 30, 1953, shall be paid the same benefits upon
17 proper application, subsequent to June 30, 1953, as though that
18 chapter had not been repealed.

19 Sec. 51. Section 97.53, Code 2021, is amended to read as
20 follows:

21 **97.53 Rule of construction.**

22 As used in [sections 97.50 ~~to~~ through 97.52](#), unless clearly
23 indicated by the context to the contrary, all references to
24 employment or service refer to employment or service in Iowa
25 public employment.

26 Sec. 52. Section 97B.1A, subsection 1, Code 2021, is amended
27 to read as follows:

28 1. "*Abolished system*" means the Iowa old-age and survivors'
29 insurance system repealed by [sections 97.50 ~~to~~ through 97.53](#).

30 Sec. 53. Section 97B.43, subsection 1, Code 2021, is amended
31 to read as follows:

32 1. Each member in service on July 4, 1953, who made
33 contributions under the abolished system, and who has not
34 applied for and qualified for benefit payments under the
35 abolished system, shall receive credit for years of prior

1 service in the determination of retirement allowance payments
 2 under [this chapter](#), if the member elects to become a member on
 3 or before October 1, 1953, the member has not made application
 4 for a refund of the part of the member's contributions under
 5 the abolished system which are payable under sections 97.50
 6 ~~to~~ [through](#) 97.53, and the member gives written authorization
 7 prior to October 1, 1953, to the commission to credit to the
 8 retirement fund the amount of the member's contribution which
 9 would be subject to a claim for refund. The amount so credited
 10 shall, after transfer, be considered as a contribution to the
 11 retirement system made as of July 4, 1953, by the member and
 12 shall be included in the determination of the amount of moneys
 13 payable under [this chapter](#). However, an employee who was under
 14 a contract of employment as a teacher in the public schools of
 15 the state of Iowa at the end of the school year 1952-1953, or
 16 any person covered by [section 97B.1A, subsection 20](#), paragraph
 17 "c" or "d", shall be considered as in service as of July 4,
 18 1953, if they were members of the abolished system.

19 Sec. 54. Section 97B.56, Code 2021, is amended to read as
 20 follows:

21 **97B.56 Abolished system — liquidation fund.**

22 The assets of the old-age and survivors' liquidation fund,
 23 established by [sections 97.50 to through 97.53](#) and any future
 24 payments or assets payable to the old-age and survivors'
 25 liquidation fund, are hereby transferred to the retirement
 26 fund, and all payments hereafter due in accordance with the
 27 provisions of said sections shall be paid from the retirement
 28 fund.

29 Sec. 55. Section 99.1A, Code 2021, is amended to read as
 30 follows:

31 **99.1A Houses of prostitution or other nuisances.**

32 1. ~~Whoever shall erect, establish, continue, maintain, use,~~
 33 own, or lease A person who erects, establishes, continues,
 34 maintains, uses, owns, or leases any building, erection, or
 35 place used for the purpose of prostitution or gambling, except

1 as authorized under the laws of this state is guilty of a
2 nuisance, ~~and the~~. The building, erection, or place, or the
3 ground itself, in or upon which ~~such~~ prostitution or gambling
4 is conducted, permitted, or carried on, continued, or exists,
5 and the furniture, fixtures, musical instruments, and movable
6 property used in conducting or maintaining ~~such~~ the nuisance,
7 are also declared a nuisance and shall be enjoined and abated
8 as ~~hereinafter~~ provided in this chapter.

9 2. The provisions of this section do not apply to social
10 and charitable gambling conducted pursuant to chapter 99B or to
11 devices lawful under section 99B.52 or 99B.53.

12 Sec. 56. Section 99F.7A, subsection 3, Code 2021, is amended
13 to read as follows:

14 3. A licensee under this section may enter into operating
15 agreements with one or two entities to have up to a total of
16 two individually branded internet sites to conduct advance
17 deposit sports wagering for the licensee, unless one additional
18 operating agreement or individually branded internet site
19 is authorized by the commission. However, a person shall
20 not sell, grant, assign, or turn over to another person the
21 operation of an individually branded internet site to conduct
22 advance deposit sports wagering for the licensee without the
23 approval of the commission. This section does not prohibit an
24 agreement entered into between a licensee under this section
25 and an advanced deposit sports wagering operator as approved
26 by the commission.

27 Sec. 57. Section 101A.11, subsection 2, Code 2021, is
28 amended to read as follows:

29 2. Black sporting powder is intended for handloading or
30 reloading ammunition for small arms with bores equivalent to
31 ten gauge or less, loading ~~black~~ blank ammunition, loading cap
32 and ball revolvers, loading muzzle loading arms, or loading
33 muzzle loading cannon.

34 Sec. 58. Section 123.63, Code 2021, is amended to read as
35 follows:

1 **123.63 Temporary writ.**

2 In ~~such~~ an action to enjoin a nuisance, the court shall,
3 upon the presentation of a petition ~~therefor~~, allow a temporary
4 writ of injunction without bond, if ~~it shall be made to appear~~
5 the petitioner provides evidence to the satisfaction of the
6 court, ~~by evidence~~ in the form of affidavits, depositions,
7 oral testimony, or otherwise, that the nuisance complained of
8 exists.

9 Sec. 59. Section 123.65, Code 2021, is amended to read as
10 follows:

11 **123.65 Scope of injunction.**

12 When an injunction has been granted, it shall be binding upon
13 the defendant throughout the state and any violation of the
14 provisions of **this chapter** anywhere within the state shall be
15 punished as a contempt as ~~herein~~ provided in section 123.68.

16 Sec. 60. Section 123.66, Code 2021, is amended to read as
17 follows:

18 **123.66 Trial of action.**

19 Any action brought ~~hereunder~~ to enjoin a nuisance or to
20 establish a violation of the injunction shall be accorded
21 priority over other business pending before the district court.

22 Sec. 61. Section 124.204, subsection 4, paragraph m, Code
23 2021, is amended to read as follows:

24 *m. Marijuana, except as otherwise provided in subsection 7.*

25 Sec. 62. Section 124.204, subsection 7, Code 2021, is
26 amended to read as follows:

27 *7. Exclusions. This section does not apply to any of the*
28 following:

29 *a.* Hemp as defined in **section 204.2** that is or was produced
30 in this state, or was produced in another state, in accordance
31 with the provisions of **chapter 204** with a maximum delta-9
32 tetrahydrocannabinol concentration that does not exceed
33 three-tenths of one percent on a dry weight basis.

34 *b.* A hemp product as provided in **chapter 204** with a maximum
35 delta-9 tetrahydrocannabinol concentration that does not exceed

1 three-tenths of one percent on a dry weight basis.

2 Sec. 63. Section 124E.12, subsection 6, Code 2021, is
3 amended to read as follows:

4 6. The department, ~~the department of transportation,~~
5 and any health care practitioner, including any authorized
6 agent or employee thereof, are not subject to any civil
7 or disciplinary penalties by the board of medicine or any
8 business, occupational, or professional licensing board or
9 entity, solely for activities conducted relating to a patient's
10 possession or use of medical cannabidiol as authorized under
11 this chapter. Nothing in **this section** affects a professional
12 licensing board from taking action in response to violations of
13 any other section of law.

14 Sec. 64. Section 125.3, Code 2021, is amended to read as
15 follows:

16 **125.3 Substance abuse program established.**

17 The Iowa department of public health shall develop,
18 implement, and administer a comprehensive substance abuse
19 program pursuant to sections 125.1 ~~to~~ and 125.2, this section,
20 and sections 125.7, 125.9, 125.10, 125.12 through 125.21,
21 125.25, 125.32 through 125.34, and 125.37 through 125.43.

22 Sec. 65. Section 125.7, subsection 1, Code 2021, is amended
23 to read as follows:

24 1. Approve the comprehensive substance abuse program,
25 developed by the department pursuant to sections 125.1 ~~to~~
26 through 125.3, this section, and sections 125.9, 125.10, 125.12
27 through 125.21, 125.25, 125.32 through 125.34, and 125.37
28 through 125.43.

29 Sec. 66. Section 125.85, subsection 3, Code 2021, is amended
30 to read as follows:

31 3. Upon the filing of an application for recommitment under
32 subsection 1 or 2, the court shall schedule a recommitment
33 hearing for no later than ten days after the date the
34 application is filed. A copy of the application, the notice
35 of hearing, and any reports shall be served or provided in the

1 manner and to the persons as required by sections 125.77 ~~to~~
2 through 125.80, 125.83, and 125.84.

3 Sec. 67. Section 135.79, Code 2021, is amended to read as
4 follows:

5 **135.79 Civil penalty.**

6 Any hospital or health care facility which fails to file
7 with the department the financial reports required by sections
8 135.74 ~~to~~, 135.75, 135.76, and 135.78 is subject to a civil
9 penalty of not to exceed five hundred dollars for each offense.

10 Sec. 68. Section 135B.34, subsection 7, Code 2021, is
11 amended to read as follows:

12 7. For the purposes of this ~~subsection~~ section,
13 "*comprehensive preliminary background check*" means the same as
14 defined in section 135C.1.

15 Sec. 69. Section 135C.46, subsection 1, Code 2021, is
16 amended to read as follows:

17 1. A facility shall not discriminate or retaliate in any
18 way against a resident or an employee of the facility who has
19 initiated or participated in any proceeding authorized by this
20 chapter. A facility which violates this section is subject to
21 a penalty of not less than two hundred fifty nor more than five
22 thousand dollars, to be assessed and collected by the director
23 in substantially the manner prescribed by sections 135C.40 ~~to~~
24 ~~135C.43~~ through 135C.42 and paid into the state treasury to be
25 credited to the general fund, or to immediate revocation of the
26 facility's license.

27 Sec. 70. Section 135P.3, subsection 1, unnumbered paragraph
28 1, Code 2021, is amended to read as follows:

29 If an adverse health care incident occurs in a health
30 facility, the health care provider, the health care facility,
31 or the health care provider jointly with the health facility,
32 may provide the patient with written notice of the desire of
33 the health care provider, the health care facility, or of the
34 health care provider jointly with the health facility, to enter
35 into an open discussion under this chapter. A health care

1 facility may designate a person or class of persons who have
2 authority to provide such notice on behalf of the facility.
3 If the health care provider or health facility provides such
4 notice, such notice must be sent within one year after the
5 date on which the health care provider knew, or through the
6 use of diligence should have known, of the adverse health care
7 incident. The notice must include all of the following:

8 Sec. 71. Section 142.13, Code 2021, is amended to read as
9 follows:

10 **142.13 Burial in private cemetery lot.**

11 In the event ~~such~~ that a deceased person, whose body has been
12 used for scientific purposes as provided herein, ~~shall own in~~
13 this chapter, owns or ~~have~~ has the right of burial in a private
14 or family cemetery lot in the state of Iowa, that ~~such~~ deceased
15 person's body shall be buried in such that lot.

16 Sec. 72. Section 144.5, subsection 1, Code 2021, is amended
17 to read as follows:

18 1. Administer and enforce this chapter and the rules issued
19 ~~hereunder~~ under this chapter, and issue instructions for the
20 efficient administration of the statewide system of vital
21 statistics and the division for records and statistics.

22 Sec. 73. Section 144.20, Code 2021, is amended to read as
23 follows:

24 **144.20 Information.**

25 Information in the possession of the petitioner necessary
26 to prepare the adoption report shall be furnished with the
27 petition for adoption by each petitioner for adoption or the
28 petitioner's attorney. ~~The social agency, welfare agency,~~
29 adoption services provider or other person concerned shall
30 supply the court with such additional information in their
31 possession as necessary to complete the certificate. The
32 provision of such information shall be submitted to the court
33 prior to the issuance of a final decree in the matter by
34 the court, unless found by the court to be unavailable after
35 diligent inquiry.

1 Sec. 74. Section 144.41, Code 2021, is amended to read as
2 follows:

3 **144.41 Amending local records.**

4 When a certificate is amended under sections 144.38 ~~to~~
5 through 144.40 the state registrar shall report the amendment
6 to the custodian of any permanent local records and such
7 records shall be amended accordingly.

8 Sec. 75. Section 144.50, Code 2021, is amended to read as
9 follows:

10 **144.50 Length of time records to be kept.**

11 Records maintained under sections 144.47 ~~to~~ through 144.49
12 shall be retained for a period of not less than ten years and
13 shall be made available for inspection by the state registrar
14 or the state registrar's representative upon demand.

15 Sec. 76. Section 144.56, subsection 2, Code 2021, is amended
16 to read as follows:

17 2. This section does not apply to any death investigated
18 under the authority of sections 331.802 ~~to~~ through 331.804.

19 Sec. 77. Section 144F.2, subsection 1, paragraph b, Code
20 2021, is amended to read as follows:

21 **b.** A legal representative who is an agent under a durable
22 power of attorney for health care pursuant to chapter 144B
23 shall be given the opportunity to designate a lay caregiver
24 in lieu of the patient's designation of a lay caregiver only
25 if, consistent with chapter 144B, in the judgment of the
26 attending physician, the patient is unable to make the health
27 care decision. A legal representative who is a guardian shall
28 be given the opportunity to designate a lay caregiver in lieu
29 of the patient's designation of a lay caregiver to the extent
30 consistent with the powers and duties granted the guardian
31 pursuant to sections 232D.401 and 232D.402 or section 633.635.

32 Sec. 78. Section 144F.6, Code 2021, is amended to read as
33 follows:

34 **144F.6 Construction of chapter relative to other health care**
35 **directives.**

1 Nothing in **this chapter** shall be construed to interfere with
 2 the authority or responsibilities of an agent operating under
 3 a valid durable power of attorney for health care pursuant to
 4 chapter 144B or of the powers and duties granted to a guardian
 5 pursuant to **section 232D.401**, **232D.402**, or **633.635**.

6 Sec. 79. Section 145A.7, Code 2021, is amended to read as
 7 follows:

8 **145A.7 Special election.**

9 When a protesting petition is received, the officials
 10 receiving the petition shall call a special election of all
 11 registered voters of that political subdivision upon the
 12 question of approving or rejecting the order setting out the
 13 proposed merger plan. The election shall be held on a date
 14 specified in **section 39.2, subsection 4**, paragraph "a" or "b",
 15 as applicable. The vote will be taken by ballot in the form
 16 provided by **sections 49.43 ~~to~~ through 49.47**, and the election
 17 shall be initiated and held as provided in **chapter 49**. A
 18 majority vote of those registered voters voting at the special
 19 election shall be sufficient to approve the order and thus
 20 include the political subdivision within the merged area.

21 Sec. 80. Section 148C.4, subsection 1, Code 2021, is amended
 22 to read as follows:

23 1. A physician assistant may provide any legal medical
 24 service for which the physician assistant has been prepared by
 25 the physician assistant's education, training, or experience
 26 and is competent to perform. For the purposes of **this section**,
 27 "*legal medical service for which the physician assistant has*
 28 *been prepared by the physician assistant's education, training,*
 29 *or experience and is competent to perform*" includes but is
 30 not limited to making a pronouncement of death for a patient
 31 whose death is anticipated if the death occurs in a licensed
 32 hospital, a licensed health care facility, a correctional
 33 institution listed in **section 904.102**, a Medicare-certified
 34 home health agency, or a Medicare-certified hospice program or
 35 facility.

1 Sec. 81. Section 148C.5, subsection 3, Code 2021, is amended
2 to read as follows:

3 3. The board shall not amend or rescind any of the following
4 rules unless, prior to the submission of such an amendment or
5 rescission to the administrative rules coordinator, the board
6 consults with and receives approval from the board of medicine
7 to make such a submission:

8 a. 645 IAC 326.1 regarding the following terms:

- 9 (1) "Physician".
10 (2) "Physician assistant".
11 (3) "Supervising physician".
12 (4) "Supervision".

13 b. 645 IAC 326.2(1)(f).

14 c. 645 IAC 326.4(6).

15 d. 645 IAC 326.8.

16 ~~e. 645 IAC 326.19(3)(b)(3).~~

17 ~~f. 645 IAC 327.1(1)(s)(1) - (4).~~

18 ~~g. 645 IAC 327.1(1)(u).~~

19 ~~h. e.~~ 645 IAC 327.1(1)(~~z~~)(v).

20 ~~i. f.~~ 645 IAC 327.4(1)(b)(2) - (4).

21 ~~j. g.~~ 645 IAC 327.4(2).

22 ~~k. 645 IAC 327.6(1)(d).~~

23 Sec. 82. Section 152.10, subsection 1, Code 2021, is amended
24 to read as follows:

25 1. Notwithstanding ~~sections 147.87 to~~ through 147.89, the
26 board may restrict, suspend, or revoke a license to practice
27 nursing or place the licensee on probation. The board may also
28 prescribe by rule conditions of license reinstatement. The
29 board shall ~~prescribe~~ adopt rules of procedure by which to
30 restrict, suspend, or revoke a license. These procedures shall
31 conform to the provisions of chapter 17A.

32 Sec. 83. Section 153.15, Code 2021, is amended to read as
33 follows:

34 **153.15 Dental hygienists — scope of term.**

35 1. A licensed dental hygienist may perform those services

1 which are educational, therapeutic, and preventive in nature
2 which attain or maintain optimal oral health as determined by
3 the board ~~and~~. Services may include but are not necessarily
4 limited to ~~complete~~ the following:

5 a. Complete oral prophylaxis,~~application.~~

6 b. Application of preventive agents to oral structures,
7 exposure.

8 c. Exposure and processing of radiographs,~~administration.~~

9 d. Administration of medicaments prescribed by a licensed
10 dentist,~~obtaining.~~

11 e. Obtaining and preparing nonsurgical, clinical and
12 oral diagnostic tests for interpretation by the dentist,~~and~~
13 preparation.

14 f. Preparation of preliminary written records of oral
15 conditions for interpretation by the dentist.

16 2. Such services, except educational services, shall be
17 performed under supervision of a licensed dentist but nothing
18 herein in this section shall be construed to authorize a dental
19 hygienist to practice dentistry.

20 3. Educational services shall be limited to assessing the
21 following:

22 a. Assessing the need for, planning, implementing, and
23 evaluating oral health education programs for individual
24 patients and community groups,~~and conducting.~~

25 b. Conducting workshops and in-service training sessions
26 on dental health for nurses, school personnel, institutional
27 staff, community groups, and other agencies providing
28 consultation and technical assistance for promotional,
29 preventive, and educational services.

30 Sec. 84. Section 153.17, unnumbered paragraph 1, Code 2021,
31 is amended to read as follows:

32 Except as ~~herein~~ otherwise provided in this chapter, it
33 shall be unlawful for any person to practice dentistry or
34 dental surgery or dental hygiene in this state, other than:

35 Sec. 85. Section 153.33, subsection 3, paragraphs b, d, e,

1 and f, Code 2021, are amended to read as follows:

2 **b.** If the board ~~shall deem~~ finds the charges sufficient,
3 if true, to warrant suspension or revocation of license or
4 registration, ~~it~~ the board shall ~~make~~ issue an order fixing
5 ~~the~~ a time and place for hearing ~~thereon~~ and requiring the
6 licensee or registrant to appear and answer ~~thereto~~, such to
7 the charges. The order, together with a copy of the charges
8 ~~so made to~~, shall be served upon the accused at least twenty
9 days before the date fixed for hearing, either personally or
10 by certified or registered mail, sent to the licensee's or
11 registrant's last known post office address as shown by the
12 records of the board.

13 **d.** In all ~~such~~ investigations and hearings pertaining to
14 the suspension or revocation of licenses or registrations, the
15 board and any person affected ~~thereby~~ may have the benefit
16 of counsel, ~~and upon~~. Upon the request of the licensee or
17 registrant or the licensee's or registrant's counsel, the board
18 shall issue subpoenas for the attendance of ~~such~~ witnesses in
19 behalf of the licensee or registrant, ~~which~~. The subpoenas
20 when issued shall be delivered to the licensee or registrant
21 or the licensee's or registrant's counsel. Such subpoenas for
22 the attendance of witnesses shall be effective if served upon
23 the person named ~~therein~~ in the subpoena anywhere within this
24 state, provided that, at the time of such service, the fees
25 ~~now or hereafter~~ provided by law for attendance of witnesses
26 in civil cases in district court ~~shall be~~ are paid or tendered
27 to ~~such~~ the person.

28 **e.** In case of disobedience of a subpoena lawfully served
29 ~~hereunder~~ under this subsection, the board or any party to such
30 hearing aggrieved thereby may invoke the aid of the district
31 court in the county where ~~such~~ the hearing is being conducted
32 to require the attendance and testimony of such witnesses.
33 ~~Such~~ The district court of the county within which the hearing
34 is being conducted may, in case of contumacy or refusal to obey
35 ~~such~~ the subpoena, issue an order requiring ~~such~~ the person

1 to appear before ~~said~~ the board, and, if so ordered, to give
 2 evidence touching the matter involved in the hearing. Any
 3 failure to obey such order of the court may be punished by ~~such~~
 4 the court as a contempt ~~thereof~~.

5 *f.* If the licensee or registrant pleads guilty, or after
 6 hearing ~~shall be~~ is found guilty by the board of any of the
 7 charges made, ~~it~~ the board may suspend for a limited period
 8 or revoke the license or registration, and the last renewal
 9 ~~thereof~~ of the license or registration, and shall enter the
 10 order on its records ~~and~~. The board shall notify the accused
 11 of the revocation or suspension of the person's license or
 12 registration, as the case may be, ~~who~~ and the person shall
 13 ~~thereupon forthwith~~ immediately surrender that license or
 14 registration to the board. Any ~~such~~ person whose license
 15 or registration has been ~~so~~ revoked or suspended shall not
 16 ~~thereafter and while such revocation or suspension is in force~~
 17 ~~and effect~~ practice dentistry, dental hygiene, or dental
 18 assisting within this state while the revocation or suspension
 19 is in force and effect.

20 Sec. 86. Section 153.33, subsection 5, paragraph d, Code
 21 2021, is amended to read as follows:

22 *d.* This ~~section~~ subsection shall not prohibit the board from
 23 imposing discipline on a licensee, registrant, or trainee for
 24 willful or repeated violations.

25 Sec. 87. Section 154.1, subsection 3, paragraph a, Code
 26 2021, is amended to read as follows:

27 *a.* An optometrist licensed under **this chapter** may employ
 28 all diagnostic and therapeutic pharmaceutical agents for the
 29 purpose of diagnosis and treatment of conditions of the human
 30 eye and adnexa pursuant to **this subsection**, and notwithstanding
 31 section 147.107, may without charge supply any ~~of the above~~
 32 ~~pharmaceuticals~~ diagnostic and therapeutic pharmaceutical
 33 agents to commence a course of therapy. A licensed optometrist
 34 may perform minor surgical procedures and use medications
 35 for the diagnosis and treatment of diseases, disorders, and

1 conditions of the eye and adnexa. A license to practice
2 optometry under [this chapter](#) does not authorize the performance
3 of surgical procedures which require the use of injectable
4 or general anesthesia, moderate sedation, penetration of the
5 globe, or the use of ophthalmic lasers for the purpose of
6 ophthalmic surgery within or upon the globe. The removal of
7 pterygia and Salzmann's nodules, incisional corneal refractive
8 surgery, and strabismus surgery are prohibited.

9 Sec. 88. Section 154.2, subsection 1, Code 2021, is amended
10 to read as follows:

11 1. Merchants or dealers who sell glasses as merchandise in
12 an established place of business and who do not profess to be
13 optometrists or practice optometry as ~~herein defined~~ described
14 in this chapter.

15 Sec. 89. Section 161A.48, subsection 3, Code 2021, is
16 amended to read as follows:

17 3. Upon receiving evidence of the submission of an
18 application, the commissioners shall forward to the officer or
19 agency to which the application was made a written request to
20 receive notification of the disposition of the application.
21 When notified of the approval of the application, the
22 commissioners shall issue to the same parties who received the
23 original administrative order, or their successors in interest,
24 a supplementary order, to be delivered in the same manner as
25 provided by sections 161A.43 ~~to 161A.53~~ through 161A.47, this
26 section, and sections 161A.49 through 161A.51 for delivery of
27 original administrative orders. The supplementary order shall
28 state a time, not more than six months after approval of the
29 application for public cost-sharing funds, by which the work
30 needed to comply with the original administrative order shall
31 actually be commenced, and a time thereafter when the work is
32 to be satisfactorily completed. If feasible, that time shall
33 be within one year after the date of the supplementary order,
34 but the owner of land on which a soil and water conservation
35 practice is being established under [this section](#) is not

1 required to incur a cost for the practice in any one calendar
2 year which exceeds ten dollars per acre for each acre of land
3 belonging to that owner and located in the county containing
4 the land on which the required practice is being established or
5 in counties contiguous to that county.

6 Sec. 90. Section 177A.19, subsection 4, Code 2021, is
7 amended to read as follows:

8 4. The procedures provided in [section 177A.17](#) and all other
9 applicable provisions of [sections 177A.5](#) ~~to~~ [through 177A.18](#)
10 shall govern and apply to the enforcement of [this section](#).

11 Sec. 91. Section 189.17, Code 2021, is amended to read as
12 follows:

13 **189.17 Confiscation or condemnation.**

14 Unless a procedure or method of seizure and confiscation
15 or condemnation is otherwise provided, the secretary is
16 ~~hereby~~ authorized to prohibit the entrance into channels of
17 commerce or possession of any article found to be adulterated
18 or improperly labeled according to the provisions of this
19 subchapter or rules ~~established hereunder~~ adopted pursuant
20 to this subchapter. Any articles found in channels of
21 commerce or in possession by an inspector which are not in
22 compliance with the adulteration or labeling provisions of
23 this subchapter shall be subject to immediate seizure by the
24 department. Seized articles shall be condemned unless ~~of~~
25 ~~such character that~~ the articles can be made to conform with
26 the provisions of [this subchapter](#) by methods approved by the
27 secretary. Condemned articles shall be effectively destroyed
28 for the purpose for which they were intended by the owner of
29 the article, or the owner's agent, under the supervision of an
30 inspector in such manner as the secretary may prescribe.

31 Sec. 92. Section 190B.101, Code 2021, is amended to read as
32 follows:

33 **190B.101 Definitions.**

34 As used in this ~~chapter~~ subchapter, unless the context
35 otherwise requires:

1 1. "Department" means the department of revenue.

2 2. "Tax credit" means the from farm to food donation tax
3 credit as established in this ~~chapter~~ subchapter.

4 Sec. 93. Section 190B.102, Code 2021, is amended to read as
5 follows:

6 **190B.102 Department of revenue — cooperation with other**
7 **departments.**

8 1. This ~~chapter~~ subchapter shall be administered by the
9 department of revenue.

10 2. The department shall adopt all rules necessary to
11 administer this ~~chapter~~ subchapter.

12 3. The department of agriculture and land stewardship, the
13 department of public health, the department of human services,
14 and the department of inspections and appeals shall cooperate
15 with the department of revenue to administer this ~~chapter~~
16 subchapter.

17 Sec. 94. Section 190B.103, Code 2021, is amended to read as
18 follows:

19 **190B.103 From farm to food donation tax credit.**

20 A from farm to food donation tax credit is allowed against
21 the taxes imposed in **chapter 422, subchapters II and III**, as
22 provided in this ~~chapter~~ subchapter.

23 Sec. 95. Section 196.10, Code 2021, is amended to read as
24 follows:

25 **196.10 Labeling.**

26 Sections 189.9 ~~to~~ through 189.12 shall apply to the labeling
27 of packaged eggs which have been candled and graded if not
28 inconsistent with the provisions of **this chapter**. All cases
29 of loose packed eggs sold in this state shall identify the egg
30 handler's name or license number or United States department of
31 agriculture plant number, and the grade of the eggs contained
32 in the case. Each carton containing eggs for retail sale in
33 Iowa which have been candled and graded shall be marked with
34 the grade and size of the eggs contained, the date they were
35 packed, and the name and address of the distributor or packer.

1 Sec. 96. Section 200.8, subsection 2, paragraph a, Code
2 2021, is amended to read as follows:

3 a. File not later than the last day of January and July of
4 each year, on forms furnished by the secretary, a semiannual
5 statement setting forth the number of net tons of commercial
6 fertilizer or soil conditioners distributed in this state
7 by grade for each county during the preceding ~~six months~~
8 six-month period; and upon filing such statement shall pay
9 the inspection fee at the rate stated in subsection 1 ~~of this~~
10 ~~section~~. However, in lieu of the semiannual statement by grade
11 for each county, ~~as hereinabove provided for, the registrant,~~
12 on individual packages of specialty fertilizer containing
13 twenty-five pounds or less, the registrant shall file not later
14 than the last day of July of each year, on forms furnished by
15 the secretary, an annual statement setting forth the number of
16 net tons of specialty fertilizer distributed in this state by
17 grade during the preceding twelve-month period.

18 Sec. 97. Section 200.16, Code 2021, is amended to read as
19 follows:

20 **200.16 "Stop sale" orders.**

21 The secretary may issue and enforce a written or printed
22 "stop sale, use or removal" order to the owner or custodian of
23 any lot of commercial fertilizer or soil conditioner, ~~and to~~
24 ~~hold at a designated place when~~ if the secretary finds ~~said~~
25 the commercial fertilizer or soil conditioner is being offered
26 or exposed for sale in violation of any of the provisions of
27 this chapter or any of the rules and regulations promulgated
28 ~~hereunder~~ under this chapter. The secretary may hold the
29 commercial fertilizer or soil conditioner at a designated place
30 until the law has been complied with and ~~said~~ the commercial
31 fertilizer or soil conditioner is released in writing by the
32 secretary, or ~~said~~ the violation has been otherwise legally
33 disposed of by written authority, and all costs and expenses
34 incurred in connection with the withdrawal have been paid.

35 Sec. 98. Section 200.18, subsections 1 and 6, Code 2021, are

1 amended to read as follows:

2 1. If it shall appear from the examination of any
3 commercial fertilizer or soil conditioner or any anhydrous
4 ammonia installation, equipment, or operation that any of
5 the provisions of [this chapter](#) or the rules and regulations
6 issued ~~thereunder~~ under this chapter have been violated, the
7 secretary shall cause notice of the violations to be given to
8 the registrant, distributor, or possessor from whom said sample
9 was taken; any person so notified shall be given opportunity to
10 be heard under such rules and regulations as may be prescribed
11 by the secretary. If it appears after such hearing, either in
12 the presence or absence of the person so notified, that any of
13 the provisions of [this chapter](#) or rules and regulations issued
14 ~~thereunder~~ under this chapter have been violated, the secretary
15 may certify the facts to the proper prosecuting attorney.

16 6. The secretary is hereby authorized to apply for and the
17 court to grant a temporary or permanent injunction restraining
18 any person from violating or continuing to violate any of
19 the provisions of [this chapter](#) or any rule or regulation
20 promulgated under ~~the~~ this chapter notwithstanding the
21 existence of other remedies at law, said injunction to be
22 issued without bond.

23 Sec. 99. Section 204.8, subsection 1, paragraph c, Code
24 2021, is amended to read as follows:

25 c. The department shall provide the department of public
26 safety any official test results that indicate a sample ~~exceeds~~
27 ~~the~~ has a maximum concentration of delta-9 tetrahydrocannabinol
28 in excess of two percent on a dry weight basis.

29 Sec. 100. Section 205.8, unnumbered paragraph 1, Code 2021,
30 is amended to read as follows:

31 Nothing in [sections 205.5 to through 205.7](#) shall apply:

32 Sec. 101. Section 208A.4, Code 2021, is amended to read as
33 follows:

34 **208A.4 Inspection by department.**

35 1. Before any antifreeze ~~shall be~~ is sold, exposed for

1 sale, or held with intent to sell within this state, a sample
2 ~~thereof~~ of the product must be inspected by the department of
3 agriculture and land stewardship. Upon application of the
4 manufacturer, packer, seller, or distributor and the payment of
5 a fee of twenty dollars for each brand of antifreeze submitted,
6 the department shall inspect the antifreeze submitted. If the
7 antifreeze is not adulterated or misbranded, if it meets the
8 standards of the department, and is not in violation of this
9 chapter, the department shall give the applicant a written
10 permit authorizing the sale of such antifreeze in this state
11 until the formula or labeling of the antifreeze is changed in
12 any manner.

13 2. If the department ~~shall finds~~ at a later date ~~find~~ that
14 the product to be sold, exposed for sale, or held with intent
15 to sell has been materially altered or adulterated, a change
16 has been made in the name, brand, or trademark under which
17 the antifreeze is sold, or it violates the provisions of this
18 chapter, the department shall notify the applicant and the
19 permit shall be canceled forthwith.

20 Sec. 102. Section 210.8, Code 2021, is amended to read as
21 follows:

22 **210.8 Sales of dry commodities.**

23 All dry commodities unless bought or sold in package or
24 wrapped form shall be bought or sold only by the standard
25 weight or measure ~~herein~~ established in this chapter, or by
26 numerical count, unless the parties otherwise agree in writing,
27 except as provided in sections 210.9 to through 210.12.

28 Sec. 103. Section 210.18, Code 2021, is amended to read as
29 follows:

30 **210.18 Sales to be by standard weight or measure — labeling.**

31 1. All commodities bought or sold by weight or measure shall
32 be bought or sold only by the standards established by this
33 chapter, unless the vendor and vendee otherwise agree. Sales
34 by weight shall be by avoirdupois weight unless troy weight is
35 agreed upon by the vendor and vendee.

1 2. All commodities bought or sold in package form shall be
2 labeled in compliance with the general provisions for labeling
3 provided for in ~~sections~~ section 189.9 ~~to~~ and sections 189.11
4 through 189.16, unless otherwise provided for in this chapter.

5 Sec. 104. Section 210.21, Code 2021, is amended to read as
6 follows:

7 **210.21 Violations.**

8 It shall be unlawful for any person to manufacture, procure,
9 or keep for the purpose of sale, offer or expose for sale, or
10 sell bread in the form of loaves which are not of one of the
11 weights specified in section 210.19 or violate the rules of the
12 secretary of agriculture pertaining thereto. Any person who,
13 in person or by a servant, or agent, or as the servant or agent
14 of another, shall violate any of the provisions of sections
15 210.19 ~~to~~, 210.20, this section, and sections 210.22 through
16 210.25, shall be guilty of a simple misdemeanor.

17 Sec. 105. Section 210.23, Code 2021, is amended to read as
18 follows:

19 **210.23 Exception.**

20 Any person engaged in home baking is exempt from the
21 provisions of sections 210.19 ~~to~~ through 210.22.

22 Sec. 106. Section 210.24, Code 2021, is amended to read as
23 follows:

24 **210.24 Enforcement — rules and regulations.**

25 The secretary of agriculture shall enforce the provisions of
26 sections 210.19 ~~to~~ through 210.23, this section, and section
27 210.25. The secretary shall make rules for the enforcement of
28 the provisions of said sections not inconsistent therewith, and
29 such rules and regulations shall include reasonable variations
30 and tolerances.

31 Sec. 107. Section 217.3, subsection 5, Code 2021, is amended
32 to read as follows:

33 5. Insure that all programs administered or services
34 rendered by the department directly to any citizen or
35 through a local board of welfare agency to any citizen are

1 coordinated and integrated so that any citizen does not receive
2 a duplication of services from various departments or local
3 agencies that could be rendered by one department or local
4 agency. If the council finds that such is not the case, it
5 shall hear and determine which department or local agency shall
6 provide the needed service or services and enter an order of
7 their determination by resolution of the council which must be
8 concurred in by at least a majority of the members. Thereafter
9 such order or resolution of the council shall be obeyed by all
10 state departments and local agencies to which it is directed.

11 Sec. 108. Section 218.31, Code 2021, is amended to read as
12 follows:

13 **218.31 Witnesses.**

14 In aid of any investigation the administrator shall have
15 the power to summon and compel the attendance of witnesses; to
16 examine the ~~same~~ witnesses under oath, which the administrator
17 shall have power to administer; to have access to all books,
18 papers, and property material to such investigation, and to
19 order the production of any other books or papers material
20 ~~thereto~~ to the investigation. Witnesses other than those in
21 the employ of the state shall be entitled to the same fees as in
22 civil cases in the district court.

23 Sec. 109. Section 218.43, Code 2021, is amended to read as
24 follows:

25 **218.43 Deduction to pay court costs.**

26 If ~~such wage be~~ wages are paid to a resident pursuant
27 to section 218.42, the administrator in control of ~~such an~~
28 institution listed in section 218.1 may deduct ~~therefrom~~ from
29 the wages an amount sufficient to pay all or a part of the
30 costs taxed to ~~such~~ the resident by reason of the resident's
31 commitment to ~~said~~ the institution. In such case the amount so
32 deducted shall be forwarded to the clerk of the district court
33 or proper official.

34 Sec. 110. Section 218.44, Code 2021, is amended to read as
35 follows:

1 **218.44 Wages paid to dependent — deposits.**

2 If ~~such wage be~~ wages are paid to a resident pursuant
3 to section 218.42, the administrator in control of ~~such an~~
4 institution listed in section 218.1 may pay all or any part of
5 the ~~same wages~~ directly to any dependent of ~~such the~~ resident,
6 ~~or~~. The administrator may also deposit such wage the wages to
7 the account of such resident, or may so deposit part thereof of
8 the wages and allow the resident a portion for the resident's
9 own personal use, or may pay to the county of commitment all
10 or any part of the resident's care, treatment, or subsistence
11 while at said institution from any credit balance accruing to
12 the account of ~~said~~ the resident.

13 Sec. 111. Section 218.92, Code 2021, is amended to read as
14 follows:

15 **218.92 Patients with dangerous mental disturbances.**

16 When a patient in a state resource center for persons with an
17 intellectual disability, a state mental health institute, or
18 another institution under the administration of the department
19 of human services has become so mentally disturbed as to
20 constitute a danger to self, to other patients or staff of
21 the institution, or to the public, and the institution cannot
22 provide adequate security, the administrator in charge of
23 the institution, with the consent of the director of the
24 Iowa department of corrections, may order the patient to be
25 transferred to the Iowa medical and classification center, if
26 the superintendent of the institution from which the patient
27 is to be transferred, with the support of a majority of the
28 medical staff, recommends the transfer in the interest of
29 the patient, other patients, or the public. If the patient
30 transferred was hospitalized pursuant to sections 229.6 ~~to~~
31 through 229.15, the transfer shall be promptly reported to
32 the court that ordered the hospitalization of the patient, as
33 required by section 229.15, subsection 5. The Iowa medical
34 and classification center has the same rights, duties, and
35 responsibilities with respect to the patient as the institution

1 from which the patient was transferred had while the patient
2 was hospitalized in the institution. The cost of the transfer
3 shall be paid from the funds of the institution from which the
4 transfer is made.

5 Sec. 112. Section 218.100, Code 2021, is amended to read as
6 follows:

7 **218.100 Central warehouse and supply depot.**

8 The department of human services shall establish a fund for
9 maintaining and operating a central warehouse as a supply depot
10 and distribution facility for surplus government products,
11 carload canned goods, paper products, other staples, and such
12 other items as determined by the department. The fund shall be
13 permanent and shall be composed of the receipts from the sales
14 of merchandise, recovery of handling, operating and delivery
15 charges of such merchandise, and from the funds contributed by
16 the institutions now in a contingent fund being used for this
17 purpose. All claims for purchases of merchandise, operating,
18 and salary expenses shall be subject to the provisions of
19 sections 218.86 ~~to~~, 218.87, and 218.88.

20 Sec. 113. Section 222.1, subsection 3, Code 2021, is amended
21 to read as follows:

22 3. A special intellectual disability unit may be maintained
23 at one of the state mental health institutes for the purposes
24 set forth in [sections 222.88 ~~to~~ through 222.91](#).

25 Sec. 114. Section 222.2, subsection 7, Code 2021, is amended
26 to read as follows:

27 7. "*Special unit*" means a special intellectual disability
28 unit established at a state mental health institute pursuant to
29 sections 222.88 ~~to~~ through 222.91.

30 Sec. 115. Section 225.15, subsection 1, Code 2021, is
31 amended to read as follows:

32 1. When a respondent arrives at the state psychiatric
33 hospital, the admitting physician shall examine the respondent
34 and determine whether or not, in the physician's judgment, the
35 respondent is a fit subject for observation, treatment, and

1 hospital care. If, upon examination, the physician decides
2 that the respondent should be admitted to the hospital, the
3 respondent shall be provided a proper bed in the hospital. The
4 physician who has charge of the respondent shall proceed with
5 observation, medical treatment, and hospital care as in the
6 physician's judgment are proper and necessary, in compliance
7 with sections 229.13 ~~to~~, 229.14, this section, and section
8 229.16. After the respondent's admission, the observation,
9 medical treatment, and hospital care of the respondent may be
10 provided by a mental health professional, as defined in section
11 228.1, who is licensed as a physician, advanced registered
12 nurse practitioner, or physician assistant.

13 Sec. 116. Section 225.17, subsection 2, Code 2021, is
14 amended to read as follows:

15 2. When the respondent arrives at the hospital, the
16 respondent shall receive the same treatment as is provided for
17 committed public patients in section 225.15, in compliance
18 with sections 229.13 ~~to~~ through 229.16. However, observation,
19 treatment, and hospital care under this section of a respondent
20 whose expenses are payable in whole or in part by a county
21 shall only be provided as determined through the regional
22 administrator for the respondent's county of residence.

23 Sec. 117. Section 227.2, subsection 1, paragraph g, Code
24 2021, is amended to read as follows:

25 g. Any failure to comply with standards adopted under
26 section 227.4 for care of persons with mental illness and
27 persons with an intellectual disability in county care
28 facilities, which is not covered in information submitted
29 pursuant to paragraphs "a" ~~to~~ through "f", and any other matters
30 which the director of public health, in consultation with the
31 administrator of the division, may require.

32 Sec. 118. Section 227.10, Code 2021, is amended to read as
33 follows:

34 **227.10 Transfers from county or private institutions.**

35 Patients who have been admitted at public expense to

1 any institution to which [this chapter](#) is applicable may be
2 involuntarily transferred to the proper state hospital for
3 persons with mental illness in the manner prescribed by
4 sections 229.6 ~~to~~ through 229.13. The application required by
5 section 229.6 may be filed by the administrator of the division
6 or the administrator's designee, or by the administrator of
7 the institution where the patient is then being maintained
8 or treated. If the patient was admitted to that institution
9 involuntarily, the administrator of the division may arrange
10 and complete the transfer, and shall report it as required of
11 a chief medical officer under [section 229.15, subsection 5](#).
12 The transfer shall be made at the mental health and disability
13 services region's expense, and the expense recovered, as
14 provided in [section 227.7](#). However, transfer under this
15 section of a patient whose expenses are payable in whole or
16 in part by the mental health and disability services region
17 is subject to an authorization for the transfer through the
18 regional administrator for the patient's county of residence.

19 Sec. 119. Section 227.15, Code 2021, is amended to read as
20 follows:

21 **227.15 Authority to confine in hospital.**

22 No person shall be involuntarily confined and restrained
23 in any private institution or hospital or county hospital or
24 other general hospital with a psychiatric ward for the care
25 or treatment of persons with mental illness, except by the
26 procedure prescribed in [sections 229.6 ~~to~~ through 229.15](#).

27 Sec. 120. Section 229.17, Code 2021, is amended to read as
28 follows:

29 **229.17 Status of respondent during appeal.**

30 If a respondent appeals to the supreme court from a finding
31 that the contention the respondent is seriously mentally
32 impaired has been sustained, and the respondent was previously
33 ordered taken into immediate custody under [section 229.11](#)
34 or has been hospitalized for psychiatric evaluation and
35 appropriate treatment under [section 229.13](#) before the court

1 is informed of intent to appeal its finding, the respondent
2 shall remain in custody as previously ordered by the court, the
3 time limit stated in [section 229.11](#) notwithstanding, or shall
4 remain in the hospital subject to compliance by the hospital
5 with [sections 229.13 ~~to~~ through 229.16](#), as the case may be,
6 unless the supreme court orders otherwise. If a respondent
7 appeals to the supreme court regarding a placement order, the
8 respondent shall remain in placement unless the supreme court
9 orders otherwise.

10 Sec. 121. Section 229.19, subsection 1, paragraph c, Code
11 2021, is amended to read as follows:

12 c. The advocate's responsibility with respect to any patient
13 shall begin at whatever time the attorney employed or appointed
14 to represent that patient as respondent in hospitalization
15 proceedings, conducted under [sections 229.6 ~~to~~ through 229.13](#),
16 reports to the court that the attorney's services are no longer
17 required and requests the court's approval to withdraw as
18 counsel for that patient. However, if the patient is found to
19 be seriously mentally impaired at the hospitalization hearing,
20 the attorney representing the patient shall automatically be
21 relieved of responsibility in the case and an advocate shall
22 be assigned to the patient at the conclusion of the hearing
23 unless the attorney indicates an intent to continue the
24 attorney's services and the court so directs. If the court
25 directs the attorney to remain on the case, the attorney shall
26 assume all the duties of an advocate. The clerk shall furnish
27 the advocate with a copy of the court's order approving the
28 withdrawal and shall inform the patient of the name of the
29 patient's advocate.

30 Sec. 122. Section 229.21, subsection 2, Code 2021, is
31 amended to read as follows:

32 2. When an application for involuntary hospitalization
33 under [section 229.6](#) or for involuntary commitment or treatment
34 of persons with substance-related disorders under section
35 125.75 is filed with the clerk of the district court in any

1 county for which a judicial hospitalization referee has been
2 appointed, and no district judge, district associate judge, or
3 magistrate who is admitted to the practice of law in this state
4 is accessible, the clerk shall immediately notify the referee
5 in the manner required by [section 229.7](#) or [section 125.77](#).
6 The referee shall discharge all of the duties imposed upon
7 the court by [sections 229.7](#) ~~to~~ [through 229.19](#), [this section](#),
8 [and section 229.22](#) or [sections 125.75](#) ~~to~~ [through 125.94](#) in
9 the proceeding so initiated. Subject to the provisions of
10 subsection 4, orders issued by a referee, in discharge of
11 duties imposed under [this section](#), shall have the same force
12 and effect as if ordered by a district judge. However, any
13 commitment to a facility regulated and operated under chapter
14 135C shall be in accordance with [section 135C.23](#).

15 Sec. 123. Section 229.22, subsection 4, Code 2021, is
16 amended to read as follows:

17 4. The cost of hospitalization at a public hospital of
18 a person detained temporarily by the procedure prescribed in
19 this section shall be paid in the same way as if the person had
20 been admitted to the hospital by the procedure prescribed in
21 [sections 229.6](#) ~~to~~ [through 229.13](#).

22 Sec. 124. Section 229.24, subsection 2, Code 2021, is
23 amended to read as follows:

24 2. If authorized in writing by a person who has been the
25 subject of any proceeding or report under [sections 229.6](#) ~~to~~
26 [through 229.13](#) or [section 229.22](#), or by the parent or guardian
27 of that person, information regarding that person which
28 is confidential under [subsection 1](#) may be released to any
29 designated person.

30 Sec. 125. Section 232.9, Code 2021, is amended to read as
31 follows:

32 **232.9 Motion for change of judge.**

33 Prior to a hearing pursuant to [sections 232.44](#) ~~to~~ [through](#)
34 [232.47](#), [232.50](#), or [232.54](#), the child may file a motion with the
35 district court for the appointment of a new judge. The chief

1 judge of the district court for cause shown shall appoint a new
2 judge.

3 Sec. 126. Section 232.11, subsection 2, Code 2021, is
4 amended to read as follows:

5 2. The child's right to be represented by counsel under
6 subsection 1, paragraphs "b" ~~to~~ through "f", ~~of this section~~
7 shall not be waived by a child of any age. The child's right
8 to be represented by counsel under subsection 1, paragraph "a",
9 shall not be waived by a child less than sixteen years of age
10 without the written consent of the child's parent, guardian,
11 or custodian. The waiver by a child who is at least sixteen
12 years of age is valid only if a good faith effort has been made
13 to notify the child's parent, guardian, or custodian that the
14 child has been taken into custody and of the alleged delinquent
15 act for which the child has been taken into custody, the
16 location of the child, and the right of the parent, guardian,
17 or custodian to visit and confer with the child.

18 Sec. 127. Section 232.72, subsection 3, Code 2021, is
19 amended to read as follows:

20 3. If the child's home is located in a county not served by
21 the office receiving the report, the department shall promptly
22 transfer the matter by transmitting a copy of the report of
23 injury and any other pertinent information to the office and
24 the county attorney serving the other county. ~~They~~ The office
25 and the county attorney shall promptly proceed as provided in
26 section 232.71B.

27 Sec. 128. Section 232.127, subsection 9, Code 2021, is
28 amended to read as follows:

29 9. A child found in contempt of court because of violation
30 of conditions imposed under this section shall not be
31 considered delinquent. Such a contempt may be punished by
32 imposition of a work assignment or assignments to benefit the
33 state or a governmental subdivision of the state. In addition
34 to or in lieu of such an assignment or assignments, the court
35 may impose one of the dispositions set out in sections 232.100

1 ~~to~~ through 232.102.

2 Sec. 129. Section 232.142, subsection 2, Code 2021, is
3 amended to read as follows:

4 2. For the purpose of providing and maintaining a county or
5 multicounty home, the board of supervisors of any county may
6 issue general county purpose bonds in accordance with sections
7 331.441 ~~to~~ through 331.449. Expenses for providing and
8 maintaining a multicounty home shall be paid by the counties
9 participating in a manner to be determined by the boards of
10 supervisors.

11 Sec. 130. Section 233A.11, Code 2021, is amended to read as
12 follows:

13 **233A.11 County attorney to appear for child.**

14 In case legal proceedings are necessary to enforce any
15 right conferred on any child by sections 233A.7 ~~to~~ through
16 233A.10, ~~inclusive~~, the county attorney of the county in which
17 such proceedings should be instituted shall, on request of the
18 superintendent, approved by the administrator, institute and
19 carry on, in the name of the superintendent, the proceedings in
20 behalf of the superintendent.

21 Sec. 131. Section 233A.15, Code 2021, is amended to read as
22 follows:

23 **233A.15 Transfers to work in parks.**

24 1. The administrator may detail children, classed as
25 trustworthy, from the state training school, to perform
26 services for the department of natural resources within the
27 state parks, state game and forest areas, and other lands under
28 the jurisdiction of the department of natural resources. The
29 department of natural resources shall provide permanent housing
30 and work guidance supervision, but the care and custody of
31 the children so detailed shall remain under employees of the
32 division of child and family services of the department of
33 human services. All such programs shall have as their primary
34 purpose and shall provide for inculcation or the activation of
35 attitudes, skills, and habit patterns which will be conducive

1 to the habilitation of the youths involved.

2 2. The administrator is hereby authorized to use
3 state-owned mobile housing equipment and facilities in
4 performing ~~such~~ services at temporary locations in the ~~above~~
5 areas described in subsection 1.

6 Sec. 132. Section 249.1, subsection 5, paragraph b, Code
7 2021, is amended to read as follows:

8 *b.* By the state of Iowa directly pursuant to sections 249.3
9 ~~to~~ through 249.5.

10 Sec. 133. Section 252B.1, subsection 2, Code 2021, is
11 amended to read as follows:

12 2. "*Child*" includes but shall not be limited to a stepchild,
13 foster child, or legally adopted child and means a child
14 actually or apparently under eighteen years of age, ~~and~~ or a
15 dependent person eighteen years of age or over who is unable
16 to maintain the person's self and is likely to become a public
17 charge. "*Child*" includes "*child*" as defined in [section 239B.1](#).

18 Sec. 134. Section 256.43, subsection 1, unnumbered
19 paragraph 1, Code 2021, is amended to read as follows:

20 The director, ~~pursuant to [section 256.9, subsection 55,](#)~~
21 shall establish an online learning program model that provides
22 for the following:

23 Sec. 135. Section 256.43, subsection 1, paragraph i, Code
24 2021, is amended to read as follows:

25 *i.* Criteria for school districts or schools to use when
26 choosing providers of online learning to meet the online
27 learning ~~program~~ requirements specified in rules adopted
28 pursuant to [section 256.7, subsection 32](#).

29 Sec. 136. Section 256B.6, subsection 1, Code 2021, is
30 amended to read as follows:

31 1. When the school district or area education agency
32 has provided special education services and programs as
33 provided ~~herein~~ in this chapter for any child requiring
34 special education, either by admission to a special class or
35 by supportive services, it shall be the duty of the parent or

1 guardian to enroll the child for instruction in such special
2 classes or supportive services as may be established, except in
3 the event a doctor's certificate is filed with the secretary
4 of the school district showing that it is inadvisable for
5 medical reasons for the child requiring special education to
6 receive the special education provided; all the provisions and
7 conditions of [chapter 299](#) shall be applicable to [this section](#),
8 and any violations shall be punishable as provided in chapter
9 299.

10 Sec. 137. Section 256B.9, subsection 6, Code 2021, is
11 amended to read as follows:

12 6. The division may conduct an evaluation of the special
13 education instructional program or special education support
14 services being provided by an area education agency, school
15 district, or private agency, pursuant to sections 273.1 ~~to~~
16 through 273.9 and [this chapter](#), to determine if the program or
17 service is adequate and proper to meet the needs of the child;
18 if the child is benefiting from the program or service; if
19 the costs are in proportion to the educational benefits being
20 received; and if there are any improvements that can be made
21 in the program or service. A written report of the evaluation
22 shall be sent to the area education agency, school district,
23 or private agency evaluated and to the president of the senate
24 and speaker of the house of representatives of the general
25 assembly.

26 Sec. 138. Section 257.22, Code 2021, is amended to read as
27 follows:

28 **257.22 Statutes applicable.**

29 The director of revenue shall administer the instructional
30 support income surtax imposed under [this chapter](#), and sections
31 422.4, [422.20](#), [sections 422.22 to through 422.31](#), sections
32 422.68, [422.70](#), and [sections 422.72 to through 422.75](#) shall
33 apply with respect to administration of the instructional
34 support income surtax.

35 Sec. 139. Section 257B.28, Code 2021, is amended to read as

1 follows:

2 **257B.28 Statute of limitation.**

3 Lapse of time is not a bar to action to recover a part of the
4 permanent school fund, and it does not prevent the introduction
5 of evidence in an action, except as provided in sections 614.29
6 ~~to~~ through 614.38.

7 Sec. 140. Section 260C.39, subsections 1 and 3, Code 2021,
8 are amended to read as follows:

9 1. Any merged area may combine with any adjacent merged area
10 after a favorable vote by the electors of each of the areas
11 involved. If the boards of directors of two or more merged
12 areas agree to a combination, the question shall be submitted
13 to the electors of each area at an election held on a date
14 specified in [section 39.2, subsection 4](#), paragraph "c", and held
15 on the same day in each area. Prior to the election, the board
16 of each merged area shall notify the county commissioner of
17 elections of the county in which the greatest proportion of the
18 merged area's taxable base is located, who shall publish notice
19 of the election according to [section 49.53](#). The two respective
20 county commissioners of elections shall conduct the election
21 pursuant to the provisions of [chapters 39 ~~to~~ through 53](#). The
22 votes cast in the election shall be canvassed by the county
23 board of supervisors, and the county commissioner of elections
24 of each county in the merged areas shall certify the results to
25 the board of directors of each merged area.

26 3. The terms of employment of personnel, for the academic
27 year following the effective date of the agreement to combine
28 the merged areas shall not be affected by the combination of
29 the merged areas, except in accordance with the procedures
30 under sections 279.15 ~~to~~, [279.16](#), 279.18 and ~~section~~ 279.24,
31 to the extent those procedures are applicable, or under the
32 terms of the base bargaining agreement. The authority and
33 responsibility to offer new contracts or to continue, modify,
34 or terminate existing contracts pursuant to any applicable
35 procedures under [chapter 279](#), shall be transferred to the

1 acting, and then to the new, board of the combined merged area
2 upon certification of a favorable vote to each of the merged
3 areas affected by the agreement. The collective bargaining
4 agreement of the merged area receiving the greatest amount of
5 general state aid shall serve as the base agreement for the
6 combined merged area and the employees of the merged areas
7 which combined to form the new combined merged area shall
8 automatically be accreted to the bargaining unit from that
9 former merged area for purposes of negotiating the contracts
10 for the following years without further action by the public
11 employment relations board. If only one collective bargaining
12 agreement is in effect among the merged areas which are
13 combining under [this section](#), then that agreement shall serve
14 as the base agreement, and the employees of the merged areas
15 which are combining to form the new combined merged area shall
16 automatically be accreted to the bargaining unit of that former
17 merged area for purposes of negotiating the contracts for the
18 following years without further action by the public employment
19 relations board. The board of the combined merged area, using
20 the base agreement as its existing contract, shall bargain with
21 the combined employees of the merged areas that have agreed
22 to combine for the academic year beginning with the effective
23 date of the agreement to combine merged areas. The bargaining
24 shall be completed by March 15 prior to the academic year in
25 which the agreement to combine merged areas becomes effective
26 or within one hundred eighty days after the organization of
27 the acting board of the new combined merged area, whichever
28 is later. If a bargaining agreement was already concluded in
29 the former merged area which has the collective bargaining
30 agreement that is serving as the base agreement for the new
31 combined merged area, between the former merged area board
32 and the employees of the former merged area, that agreement
33 is void, unless the agreement contained multiyear provisions
34 affecting academic years subsequent to the effective date of
35 the agreement to form a combined merged area. If the base

1 collective bargaining agreement contains multiyear provisions,
2 the duration and effect of the agreement shall be controlled
3 by the terms of the agreement. The provisions of the base
4 agreement shall apply to the offering of new contracts, or
5 the continuation, modification, or termination of existing
6 contracts between the acting or new board of the combined
7 merged area and the combined employees of the new combined
8 merged area.

9 Sec. 141. Section 260C.48, subsection 1, unnumbered
10 paragraph 1, Code 2021, is amended to read as follows:

11 The state board shall develop standards and rules for
12 the accreditation of community college programs. Except
13 as provided in [this subsection](#) and [subsection 4](#), standards
14 developed shall be general in nature so as to apply to more
15 than one specific program of instruction. With regard to
16 community college-employed instructors, the standards adopted
17 shall at a minimum require that community college instructors
18 ~~who are under contract for at least half-time or more, and by~~
19 ~~July 1, 2011, all instructors,~~ meet the following requirements:

20 Sec. 142. Section 261A.24, Code 2021, is amended to read as
21 follows:

22 **261A.24 Chapter as alternative method — powers not subject**
23 **to supervision or regulation.**

24 Sections 261A.1 through 261A.23 provide a complete,
25 additional, and alternative method for the doing of the things
26 authorized by ~~the~~ [this](#) chapter and the limitations imposed by
27 this chapter do not affect powers or rights conferred by other
28 laws, and the issuance of obligations and refunding obligations
29 under [this chapter](#) need not comply with the requirements of any
30 other law applicable to the issuance of obligations. Except
31 as otherwise expressly provided in [this chapter](#), the powers
32 granted to the authority under [this chapter](#) are not subject to
33 the supervision or regulation and do not require the approval
34 or consent of a city or political subdivision or department,
35 division, commission, board, body, bureau, official, or agency

1 of a political subdivision or of the state.

2 Sec. 143. Section 261E.11, subsection 2, Code 2021, is
3 amended to read as follows:

4 2. The programming in **this chapter** may be delivered via
5 internet-based technologies ~~including but not limited to the~~
6 ~~Iowa learning online program~~. An internet-based course may
7 qualify for additional supplemental weighting if it meets the
8 requirements of **section 261E.8** or **section 261E.10**.

9 Sec. 144. Section 272.2, subsection 14, paragraph a, Code
10 2021, is amended to read as follows:

11 a. The board may deny a license to or revoke the license
12 of a person upon the board's finding by a preponderance of
13 evidence that either the person has been convicted of an
14 offense and the offense directly relates to the duties and
15 responsibilities of the profession or that there has been
16 a founded report of child abuse against the person. Rules
17 adopted in accordance with this paragraph shall provide that
18 in determining whether a person should be denied a license or
19 that a practitioner's license should be revoked, the board
20 shall consider the nature and seriousness of the founded abuse
21 or ~~crime~~ offense in relation to the position sought, the time
22 elapsed since the ~~crime~~ offense was committed, the degree of
23 rehabilitation which has taken place since the incidence of
24 founded abuse or the commission of the ~~crime~~ offense, the
25 likelihood that the person will commit the same abuse or ~~crime~~
26 offense again, and the number of founded abuses committed by or
27 criminal convictions of the person involved.

28 Sec. 145. Section 275.11, Code 2021, is amended to read as
29 follows:

30 **275.11 Proposals involving two or more districts.**

31 Subject to the approval of the area education agency board,
32 contiguous or marginally adjacent territory located in two or
33 more school districts may be united into a single district
34 in the manner provided in sections 275.12 ~~to~~ through 275.18,
35 275.20, and 275.22.

1 Sec. 146. Section 275.23, Code 2021, is amended to read as
2 follows:

3 **275.23 Frequency of change.**

4 A school district which is enlarged, reorganized, or
5 changes its boundaries under sections 275.12 ~~to~~ through
6 275.18, 275.20, and 275.22, shall not file a petition under
7 section 275.12 for the purpose of reducing the area served or
8 changing the boundaries to exclude areas encompassed by the
9 enlargement, reorganization, or boundary changes for a period
10 of five years following the effective date of the enlargement,
11 reorganization, or boundary change unless the action is
12 approved by the director of the department of education.

13 Sec. 147. Section 275.24, Code 2021, is amended to read as
14 follows:

15 **275.24 Effective date of change.**

16 When a school district is enlarged, reorganized, or changes
17 its boundary pursuant to sections 275.12 ~~to~~ through 275.18,
18 275.20, and 275.22, the change shall take effect on July 1
19 following the date of the reorganization election held pursuant
20 to [section 275.18](#).

21 Sec. 148. Section 276.1, Code 2021, is amended to read as
22 follows:

23 **276.1 Title.**

24 ~~Sections 276.1 to~~ This section, sections 276.2 through
25 276.5, and sections 276.8 through 276.11 of [this chapter](#) shall
26 be known and may be cited as the "*Iowa Community Education Act*".

27 Sec. 149. Section 276.3, unnumbered paragraph 1, Code 2021,
28 is amended to read as follows:

29 As used in sections 276.1 ~~to~~, 276.2, this section, sections
30 276.4, 276.5, and sections 276.8 through 276.11 unless the
31 context otherwise requires:

32 Sec. 150. Section 279.9, Code 2021, is amended to read as
33 follows:

34 **279.9 Use of tobacco, alcoholic beverages, or controlled**
35 **substances.**

1 The rules adopted under section 279.8 shall ~~prohibit~~ include
2 rules prohibiting the use of tobacco and the use or possession
3 of alcoholic liquor, wine, or beer or any controlled substance
4 as defined in section 124.101, subsection 5, by any student of
5 the schools ~~and the~~. The board may suspend or expel a student
6 for a violation of a rule described under this section.

7 Sec. 151. Section 280.3, subsection 2, Code 2021, is amended
8 to read as follows:

9 2. The minimum educational program shall be the curriculum
10 set forth in ~~subsection 3 of this section~~ and section 256.11,
11 except as otherwise provided by law. The board of directors of
12 a public school district shall not allow discrimination in any
13 educational program on the basis of race, color, creed, sex,
14 marital status, or place of national origin.

15 Sec. 152. Section 280.19A, subsections 1 and 2, Code 2021,
16 are amended to read as follows:

17 1. ~~By January 15, 1995, each~~ Each school district shall
18 adopt a plan to provide alternative options education programs
19 to students who are either at risk of dropping out or have
20 dropped out. An alternative options education program may be
21 provided in a district, through a sharing agreement with a
22 school in a contiguous district, or through an areawide program
23 available at the community college serving the merged area in
24 which the school district is located. Each area education
25 agency shall provide assistance in establishing a plan to
26 provide alternative education options to students attending a
27 public school in a district served by the agency.

28 2. ~~If a district has not adopted a plan as required in this~~
29 ~~section and implemented the plan by January 15, 1996, the area~~
30 ~~education agency serving the district shall assist the district~~
31 ~~with developing a plan and an alternative options education~~
32 ~~program for the pupil.~~ When a plan is developed, the district
33 shall be responsible for the operation of the program and
34 shall reimburse the area education agency for the actual costs
35 incurred by the area education agency under this section.

1 Sec. 153. Section 285.1, subsection 16, paragraph c, Code
2 2021, is amended to read as follows:

3 c. If the nonpublic school designated for attendance of
4 a pupil is located outside the boundary line of the school
5 district of the pupil's residence and the district of residence
6 meets the requirements of subsections ~~14 to 16 of this section,~~
7 15, and this subsection by using subsection 17, paragraph
8 "c", ~~of this section~~ and the district in which the nonpublic
9 school is located is contiguous to the district of the pupil's
10 residence and is willing to provide transportation under
11 subsection 17, paragraph "a" or "b", ~~of this section,~~ the
12 district in which the nonpublic school is located may provide
13 transportation services, subject to section 285.9, subsection
14 3, and may make the claim for reimbursement under section
15 285.2. The district in which the nonpublic school is located
16 shall notify the district of the pupil's residence that it
17 is making the claim for reimbursement, and the district of
18 the pupil's residence shall be relieved of the requirement
19 for providing transportation and shall not make a claim for
20 reimbursement for those nonpublic school pupils for which a
21 claim is filed by the district in which the nonpublic school
22 is located.

23 Sec. 154. Section 285.1, subsection 17, unnumbered
24 paragraph 1, Code 2021, is amended to read as follows:

25 The public school district may meet the requirements of
26 subsections 14 ~~to~~ through 16 by any of the following:

27 Sec. 155. Section 294.11, Code 2021, is amended to read as
28 follows:

29 **294.11 Termination resolution adopted.**

30 ~~Any~~ The board of directors of any school district which has
31 in operation the pension and annuity retirement system created
32 pursuant to sections 294.8 to through 294.10 may terminate ~~such~~
33 the system by ~~the adoption by the board of directors of such~~
34 district, of adopting a resolution declaring ~~such~~ the system
35 terminated as of a date specified ~~therein~~ in the resolution.

1 Sec. 156. Section 296.4, Code 2021, is amended to read as
2 follows:

3 **296.4 Notice — ballots.**

4 Notice of the election shall be given by the county
5 commissioner of elections by publication in accordance with
6 section 49.53. The county commissioner of elections shall
7 conduct the election pursuant to the provisions of chapters
8 39 ~~to~~ through 53 and certify the results to the board of
9 directors.

10 Sec. 157. Section 306.19, subsection 4, Code 2021, is
11 amended to read as follows:

12 4. Proceedings for the condemnation of land for any
13 highway shall be under the provisions of **chapter 6A** and
14 chapter 6B. Provided that, in the condemnation of right-of-way
15 for secondary roads that is contiguous to existing road
16 right-of-way for the maintenance, safety improvement,
17 or upgrade of the existing secondary road, the board of
18 supervisors may proceed as provided in sections 306.28 ~~to~~
19 through 306.37.

20 Sec. 158. Section 306.22, subsection 2, paragraph g, Code
21 2021, is amended to read as follows:

22 g. Any tract of land sold on contract shall be listed on the
23 tax rolls by and taxed to the contract purchaser, as provided
24 in **chapters 428** and **443**; assessed and valued as provided
25 in **chapter 441**; taxes levied as provided in **chapter 444**;
26 collected as provided in **chapter 445**; and subject to tax sale,
27 redemption, and apportionment of taxes as provided in chapters
28 446 ~~to~~ through 449. The contract purchaser shall discharge and
29 pay all taxes.

30 Sec. 159. Section 306.27, Code 2021, is amended to read as
31 follows:

32 **306.27 Changes for safety, economy, and utility.**

33 The state department of transportation as to primary roads
34 and the boards of supervisors as to secondary roads on their
35 own motion may change the course of any part of any road or

1 stream, watercourse, or dry run and may pond water in order
 2 to avoid the construction and maintenance of bridges, or to
 3 avoid grades, or railroad crossings, or to straighten a road,
 4 or to cut off dangerous corners, turns, or intersections on
 5 the highway, or to widen a road above statutory width, or
 6 for the purpose of preventing the encroachment of a stream,
 7 watercourse, or dry run upon the highway. The department and
 8 the board of supervisors shall conduct their proceedings in
 9 the manner and form prescribed in [chapter 6B](#), except that the
 10 board of supervisors may use the form prescribed in sections
 11 306.28 ~~to~~ through 306.37 for the condemnation of right-of-way
 12 that is contiguous to existing road right-of-way and necessary
 13 for the maintenance, safety improvement, or upgrade of the
 14 existing secondary road. Changes are subject to [chapter 455B](#)
 15 and [chapter 459, subchapters II and III](#).

16 Sec. 160. Section 309.25, Code 2021, is amended to read as
 17 follows:

18 **309.25 Material considerations for farm-to-market roads.**

19 In planning and in adopting ~~said~~ the secondary road program
 20 or project by the board of supervisors, ~~said~~ the board and
 21 the county engineer shall give due and careful consideration,
 22 to the location of primary roads, and of roads ~~heretofore~~
 23 previously improved as county roads, to the market centers
 24 and main roads leading thereto, and to rural mail and school
 25 bus routes, ~~it being~~. It is the intent of [this chapter](#) that
 26 ~~said~~ the secondary road program or project will, when finally
 27 executed, afford the highest possible systematic, intracounty
 28 and intercounty connections of all roads of the county.

29 Sec. 161. Section 309.26, Code 2021, is amended to read as
 30 follows:

31 **309.26 Provisional selection of roads.**

32 The board after due consultation with the county engineer,
 33 shall first select in a provisional way the roads which they
 34 then consider advisable to embrace in ~~said~~ the secondary road
 35 program, ~~and~~. The board shall direct ~~said~~ the county engineer

1 to make a reconnaissance survey and estimate of all ~~said~~ of the
2 roads selected, or of such part ~~thereof~~ of the roads as, in
3 view of the public necessity and convenience, present the most
4 urgent need and necessity for early construction.

5 Sec. 162. Section 311.9, Code 2021, is amended to read as
6 follows:

7 **311.9 Publicly owned real estate.**

8 In making ~~said~~ the apportionment under section 311.8,
9 real estate owned by the state, county, or any city, shall
10 be treated as other real estate, but no other publicly owned
11 real estate shall be included. In apportioning benefits to
12 real estate owned by a city, the county, or the state, ~~no~~
13 consideration shall not be given to the buildings ~~thereon~~
14 located on that real estate.

15 Sec. 163. Section 311.15, Code 2021, is amended to read as
16 follows:

17 **311.15 Hearing — adjournment — order.**

18 1. Hearings on the proposed establishment of ~~said~~ a
19 secondary road assessment district may be adjourned from time
20 to time without loss of jurisdiction by the board. On final
21 hearing the board shall proceed to a determination of ~~said~~
22 the matters raised in the proposal. ~~It~~ The board may reject,
23 approve, or modify and approve said proposal. The board may
24 exclude lands from the district or may add lands ~~thereto~~ or
25 otherwise modify the proposal.

26 2. ~~Should~~ If the proposal ~~be~~ is approved in whole or in
27 part, the board shall establish ~~such~~ the district. The order
28 of the board establishing ~~such~~ the district shall state the
29 road or roads to be improved, the type of improvement, and the
30 lands included in ~~said~~ the district. ~~Said~~ The order shall
31 be final. ~~No~~ and lands shall ~~thereafter~~ not be added to or
32 excluded from ~~said~~ the district after the order is entered by
33 the board.

34 Sec. 164. Section 311.17, subsection 1, Code 2021, is
35 amended to read as follows:

1 1. If an owner, other than the state or a county or city,
2 of any tracts of land on which the assessment is more than
3 five hundred dollars, ~~shall,~~ files a written agreement in
4 the office of the county auditor within twenty days from the
5 date of the assessment, ~~agree in writing filed in the office~~
6 ~~of the county auditor,~~ that, in consideration of the owner
7 having the right to pay the assessment in installments, the
8 owner will not make any objection of illegality or irregularity
9 as to the assessment upon the real estate, and will pay the
10 assessment plus interest, the assessment shall be payable in
11 ten equal installments. The first installment shall be payable
12 on the date of the agreement. The other installments shall be
13 paid annually at the same time and in the same manner as the
14 September semiannual payment of ordinary taxes with interest
15 accruing as provided in [section 384.65, subsection 3](#). The
16 rate of interest shall be as established by the board, but not
17 exceeding that permitted by [chapter 74A](#).

18 Sec. 165. Section 320.6, Code 2021, is amended to read as
19 follows:

20 **320.6 Conditions — damages.**

21 1. ~~Such mains~~ Mains, pipes, and cattleways ~~shall be so~~
22 erected and maintained as under this chapter shall not ~~to~~
23 interfere with public travel or with the future improvement
24 of the highway. The owner of ~~such~~ the mains, pipes, and
25 cattleways shall be responsible for all damages arising from
26 ~~the laying, maintenance~~ maintaining, or ~~erection of~~ erecting
27 ~~the same~~ mains, pipes, or cattleways or from the ~~same~~ mains,
28 pipes, or cattleways not being kept in a proper state of
29 repair.

30 2. The location of ~~such~~ mains or pipes ~~shall~~ may be changed,
31 on reasonable notice, when ~~such~~ change ~~shall be~~ is necessary in
32 due to the improvement or maintenance of the highway.

33 Sec. 166. Section 321.57, subsection 4, Code 2021, is
34 amended to read as follows:

35 4. The provisions of [this section](#) and sections 321.58

1 ~~to~~ through 321.62 shall not apply to any vehicles offered
2 for hire, work or service vehicles owned by a transporter or
3 dealer.

4 Sec. 167. Section 321.236, subsection 1, paragraphs c and d,
5 Code 2021, are amended to read as follows:

6 c. ~~(1)~~ If the local authority regulating the standing
7 or parking of vehicles under this subsection is located in a
8 county where the renewal of registration of a vehicle shall be
9 refused for unpaid restitution under section 321.40, the simple
10 notice of fine under paragraph "b" shall contain the following
11 statement:

12 Failure to pay restitution owed by you can be grounds for
13 refusing to renew your motor vehicle's registration.

14 ~~(2) This paragraph "c" does not invalidate forms for notice
15 of parking violations in existence prior to July 1, 1980.
16 Existing forms may be used until supplies are exhausted.~~

17 d. ~~(1)~~ If the local authority regulating the standing or
18 parking of vehicles under this subsection is a county or is a
19 city which has an agreement with a county treasurer by which
20 the renewal of registration of a vehicle shall be refused for
21 uncontested and unpaid parking fines under section 321.40, the
22 simple notice of a fine under paragraph "b" shall contain the
23 following statement:

24 Failure to pay parking fines owed by you can be grounds for
25 refusing to renew your motor vehicle's registration.

26 ~~(2) This paragraph "d" does not invalidate forms for notice
27 of parking violations in existence prior to July 1, 2007.
28 Existing forms may be used until supplies are exhausted.~~

29 Sec. 168. Section 321.236, subsection 8, Code 2021, is
30 amended to read as follows:

31 8. Restricting the use of highways as authorized in sections
32 321.471 ~~to~~ through 321.473.

33 Sec. 169. Section 321.266, subsection 3, Code 2021, is
34 amended to read as follows:

35 3. Every law enforcement officer who, in the regular course

1 of duty, investigates a motor vehicle accident of which report
2 must be made as required in subsections 1 to 3 of this section
3 and 2, either at the time of and at the scene of the accident
4 or thereafter by interviewing participants or witnesses shall,
5 within twenty-four hours after completing such investigation,
6 forward a written report of such accident to the department.

7 Sec. 170. Section 321.291, Code 2021, is amended to read as
8 follows:

9 **321.291 Information or notice.**

10 In every charge of violation of section 321.285 the
11 information citation or complaint, and also the notice to
12 appear, shall specify the speed at which the defendant is
13 alleged to have driven and the speed limit applicable within
14 the district or at the location.

15 Sec. 171. Section 321.314, Code 2021, is amended to read as
16 follows:

17 **321.314 When signal required.**

18 No person shall turn a vehicle from a direct course upon
19 a highway unless and until such movement can be made with
20 reasonable safety and then only after giving a clearly audible
21 signal by sounding the horn if any pedestrian may be affected
22 by such movement or after giving an appropriate signal in
23 the manner ~~hereinafter~~ provided in sections 321.315 through
24 321.318 in the event any other vehicle may be affected by such
25 movement.

26 Sec. 172. Section 321.316, Code 2021, is amended to read as
27 follows:

28 **321.316 Stopping.**

29 ~~No~~ A person shall not stop or suddenly decrease the speed
30 of a vehicle without first giving an appropriate signal in the
31 manner provided ~~herein~~ in sections 321.314, 321.315, 321.317,
32 and 321.318 to the driver of any vehicle immediately to the
33 rear when there is opportunity to give such signal.

34 Sec. 173. Section 321.318, unnumbered paragraph 1, Code
35 2021, is amended to read as follows:

1 All signals ~~herein~~ required under this chapter which may be
2 given by hand and arm shall when so given be given from the left
3 side of the vehicle and the following manner and interpretation
4 thereof is suggested:

5 Sec. 174. Section 321.359, Code 2021, is amended to read as
6 follows:

7 **321.359 Moving other vehicle.**

8 ~~No~~ A person shall not move a vehicle not owned by ~~such~~ that
9 person into any ~~such~~ prohibited area described in section
10 321.358 or away to a place that is an unlawful distance from a
11 curb ~~such distance as is unlawful.~~

12 Sec. 175. Section 321.398, Code 2021, is amended to read as
13 follows:

14 **321.398 Lamps on other vehicles and equipment.**

15 All vehicles, including animal-drawn vehicles and including
16 those referred to in section 321.383 not ~~hereinbefore~~
17 specifically required to be equipped with lamps, shall at the
18 times specified in section 321.384 be equipped with at least
19 one lighted lamp or lantern exhibiting a white light visible
20 from a distance of five hundred feet to the front of such
21 vehicle and, except for animal-drawn vehicles, with a lamp
22 or lantern exhibiting a red light visible from a distance of
23 five hundred feet to the rear. Animal-drawn vehicles shall be
24 equipped with a flashing amber light visible from a distance
25 of five hundred feet to the rear of the vehicle during the time
26 specified in section 321.384.

27 Sec. 176. Section 321.409, subsection 1, unnumbered
28 paragraph 1, Code 2021, is amended to read as follows:

29 Except as ~~hereinafter~~ otherwise provided in this chapter,
30 the headlamps or the auxiliary driving lamp or the auxiliary
31 passing lamp or combination thereof on motor vehicles other
32 than motorcycles or motorized bicycles shall be so arranged
33 that the driver may select at will between distributions
34 of light projected to different elevations and the lamps
35 may, in addition, be so arranged that selection can be made

1 automatically, subject to the following limitations:

2 Sec. 177. Section 321.420, Code 2021, is amended to read as
3 follows:

4 **321.420 Number of lamps lighted.**

5 Whenever a motor vehicle equipped with headlamps as herein
6 required in this chapter is also equipped with any auxiliary
7 lamps or a spot lamp or any other lamp on the front thereof
8 projecting a beam of an intensity greater than three hundred
9 candlepower, not more than a total of four of any such lamps on
10 the front of a vehicle shall be lighted at any one time when
11 upon a highway.

12 Sec. 178. Section 321.501, unnumbered paragraph 1, Code
13 2021, is amended to read as follows:

14 ~~Plaintiff~~ The plaintiff in any ~~such~~ action against a
15 nonresident shall cause the original notice of suit to be
16 served as follows:

17 Sec. 179. Section 321.507, Code 2021, is amended to read as
18 follows:

19 **321.507 Venue of actions.**

20 Actions against nonresidents as contemplated by ~~this law~~
21 sections 321.498, 321.500 through 321.502, 321.504 through
22 321.506, and 321.508 through 321.512 may be brought in the
23 county of which plaintiff is a resident, or in the county in
24 which the injury was received, or damage done.

25 Sec. 180. Section 321A.2, subsection 1, paragraph a, Code
26 2021, is amended to read as follows:

27 a. The department shall administer and enforce the
28 provisions of this chapter and may make rules necessary for its
29 administration and shall provide for hearings upon request of
30 persons aggrieved by orders or acts of the department under the
31 provisions of sections 321A.4 to through 321A.11.

32 Sec. 181. Section 321A.10, Code 2021, is amended to read as
33 follows:

34 **321A.10 Custody, disposition, and return of security.**

35 1. Security deposited in compliance with the requirements

1 of sections 321A.4 through 321A.9, this section, and section
2 321A.11 shall be placed by the department in the custody of the
3 state treasurer and shall be applicable only to the payment of
4 a judgment or judgments rendered against the person or persons
5 on whose behalf the deposit was made, for damages arising
6 out of the accident in question in an action at law, begun
7 not later than one year after the date of such accident, or
8 within one year after the date of deposit of any security under
9 section 321A.7, subsection 3, ~~and such.~~

10 2. The deposit or any balance thereof of the deposit shall
11 be returned to the depositor or the depositor's personal
12 representative when evidence satisfactory to the department has
13 been filed with the department that ~~there~~ one of the following
14 has occurred:

15 a. There has been a release from liability, or a final
16 adjudication of nonliability, or a warrant for confession of
17 judgment, or a duly acknowledged agreement, in accordance with
18 section 321A.6, subsection 4, ~~or whenever,~~

19 b. Whenever, after the expiration of one year from the
20 date of the accident, or within one year after the date of
21 deposit of any security under section 321A.7, subsection 3, the
22 department ~~shall be~~ is given reasonable evidence that there is
23 no ~~such~~ action for damages arising out of the accident pending
24 and no judgment rendered in any such action has been left
25 unpaid.

26 Sec. 182. Section 321A.23, subsection 1, Code 2021, is
27 amended to read as follows:

28 1. This chapter shall not be held to apply to or affect
29 policies of automobile insurance against liability which
30 may ~~now or hereafter~~ be required by any other law of this
31 state, and such policies, if they contain an agreement or are
32 endorsed to conform with the requirements of this chapter, may
33 be certified as proof of financial responsibility under this
34 chapter.

35 Sec. 183. Section 321A.30, Code 2021, is amended to read as

1 follows:

2 **321A.30 Rights not affected.**

3 This chapter shall not prevent the owner of a motor vehicle,
4 the registration of which has been suspended ~~hereunder~~ under
5 this chapter, from effecting a bona fide sale of such motor
6 vehicle to another person whose rights or privileges are not
7 suspended under this chapter nor prevent the registration of
8 such motor vehicle by such transferee. This chapter shall not
9 in any way affect the rights of any secured party or lessor of
10 a motor vehicle registered in the name of another as owner who
11 becomes subject to the provisions of this chapter.

12 Sec. 184. Section 321J.10, subsection 8, Code 2021, is
13 amended to read as follows:

14 8. Subsections 1 to through 7 of this section do not apply
15 where a test may be administered under section 321J.7.

16 Sec. 185. Section 321J.12, subsection 2, Code 2021, is
17 amended to read as follows:

18 2. The department shall require the defendant to install
19 an ignition interlock device of a type approved by the
20 commissioner of public safety on all vehicles owned or operated
21 by the defendant if the defendant seeks a temporary restricted
22 license. A temporary restricted license shall not be granted
23 by the department until the defendant installs the ignition
24 interlock device.

25 Sec. 186. Section 321J.20, subsection 5, Code 2021, is
26 amended to read as follows:

27 5. A person holding a temporary restricted license issued
28 by the department under this chapter shall be prohibited from
29 operating a school bus.

30 Sec. 187. Section 323A.2, subsection 1, unnumbered
31 paragraph 1, Code 2021, is amended to read as follows:

32 The orderly flow of an adequate supply of motor fuel is
33 declared to be essential to the economy and to the welfare of
34 the people of this state. Therefore, in the public interest
35 and notwithstanding the terms, provisions, or conditions of

1 any franchise, a franchisee unable to obtain motor fuel from
2 the franchisor may purchase the fuel from another available
3 source, subject to subsections 2 ~~to~~ through 5 and provided the
4 franchisee has done all of the following:

5 Sec. 188. Section 327C.21, Code 2021, is amended to read as
6 follows:

7 **327C.21 Costs — attorney's fees.**

8 When a decree ~~shall be~~ is entered against a railroad
9 corporation or person under sections 327C.16 ~~to~~ through
10 327C.20, the court shall render judgment for costs, and
11 attorney's fees for counsel representing the state.

12 Sec. 189. Section 327D.40, Code 2021, is amended to read as
13 follows:

14 **327D.40 Authorization.**

15 Sections 327D.1 ~~to~~ through 327D.29 ~~of this chapter~~ shall
16 not be construed to prohibit the making of rates by two or
17 more railway companies for the transportation of property over
18 two or more of their respective lines within the state; and a
19 ~~less~~ lower charge by each of said companies for its portion
20 of such joint shipment than it charges for a shipment for the
21 same distance wholly over its own line within the state shall
22 not be considered a violation of ~~said~~ this chapter, and shall
23 not render such company ~~liable~~ subject to any of the penalties
24 ~~thereof~~ of this chapter.

25 Sec. 190. Section 327D.131, Code 2021, is amended to read
26 as follows:

27 **327D.131 Prima facie evidence.**

28 Certificates mentioned in sections 327D.127 ~~to~~ through
29 327D.130, this section, and section 327D.132 shall be prima
30 facie evidence of the facts ~~therein~~ recited in the certificates
31 in any action arising between consignors and consignees and
32 common carriers.

33 Sec. 191. Section 327D.132, Code 2021, is amended to read
34 as follows:

35 **327D.132 Violation — penalty.**

1 Any common carrier operating in this state violating any
2 of the provisions of sections 327D.127 ~~to~~ through 327D.131 by
3 neglecting or refusing to weigh cars or to furnish certificates
4 of weights as ~~therein~~ provided in those sections shall, upon
5 conviction, be subject to a schedule "one" penalty.

6 Sec. 192. Section 327D.190, Code 2021, is amended to read
7 as follows:

8 **327D.190 Damages by fire.**

9 Any corporation operating a railway shall be liable for
10 all damages sustained by any person on account of loss of or
11 injury to the person's property occasioned by fire set out or
12 caused by the operation of such railway. Such damages may
13 be recovered by the party injured in the manner set out in
14 sections 327G.6 ~~to~~ through 327G.8 and to the same extent, save
15 as to double damages.

16 Sec. 193. Section 327G.68, Code 2021, is amended to read as
17 follows:

18 **327G.68 Failure of company to act.**

19 In case of failure, neglect, or refusal of any railroad
20 company to comply with any of the provisions of sections
21 327G.65 ~~to~~ through 327G.67, the person, firm, corporation, or
22 association primarily to be served thereby may file a complaint
23 with the department setting forth the facts upon which such
24 grievance is based. The ~~said~~ department after reasonable
25 notice to the railroad company shall investigate and determine
26 all matters in controversy and make such order as the facts
27 in relation thereto will warrant. Any such order shall have
28 the same force and effect as other orders made by ~~said~~ the
29 department in other proceedings within its jurisdiction and
30 shall be enforced in the same manner.

31 Sec. 194. Section 329.6, Code 2021, is amended to read as
32 follows:

33 **329.6 Zoning powers.**

34 1. If any municipality owning or controlling an airport
35 adjacent to which there is an airport hazard area shall fail

1 or refuse, within sixty days after demand made upon it by
2 the department, to adopt reasonably adequate airport zoning
3 regulations under [section 329.3](#), or to proceed as provided in
4 section 329.4, the department may petition the district court
5 of the county in which such airport hazard area, or any part
6 thereof, is located, in the name of the state, praying that
7 zoning regulations be established for the airport hazard area
8 in question, and the provisions of section 329.4, subsections 3
9 ~~to~~ through 9, shall apply to such actions provided, however,
10 that such municipality shall be joined as a party defendant in
11 any such action.

12 2. The department may maintain actions in equity to restrain
13 and abate as nuisances the creation or establishment of airport
14 hazards appertaining to any airport within the state, in
15 violation of any zoning regulations adopted or established
16 pursuant to the provisions of [this chapter](#).

17 Sec. 195. Section 331.303, subsection 6, Code 2021, is
18 amended to read as follows:

19 6. Adopt rules relating to the labor of prisoners in the
20 county jail in accordance with sections 356.16 ~~to~~ through
21 356.19, and may establish the cost of board and provide for the
22 transportation of certain prisoners in accordance with section
23 356.30.

24 Sec. 196. Section 331.321, subsection 1, paragraphs i and r,
25 Code 2021, are amended to read as follows:

26 *i.* One or more county engineers in accordance with sections
27 309.17 ~~to~~ through 309.19.

28 *r.* A county zoning commission, an administrative officer,
29 and a board of adjustment in accordance with sections 335.8 ~~to~~
30 through 335.11, if the board adopts county zoning under chapter
31 335.

32 Sec. 197. Section 331.323, subsection 2, paragraph a, Code
33 2021, is amended to read as follows:

34 *a.* Require additional security on an officer's bond, in
35 accordance with [sections 65.2](#) and [65.3](#), or hear a petition of

1 the surety for release and require a new bond, in accordance
2 with [sections 65.4 ~~to~~ through 65.8](#).

3 Sec. 198. Section 331.324, subsection 1, paragraph b, Code
4 2021, is amended to read as follows:

5 b. Grant claims for mileage and expenses of officers and
6 employees in accordance with [sections 70A.9 ~~to~~ through 70A.13](#)
7 and [section 331.215, subsection 2](#).

8 Sec. 199. Section 331.341, subsection 3, Code 2021, is
9 amended to read as follows:

10 3. Contracts for improvements which may be paid for from
11 the secondary road fund shall be awarded in accordance with
12 sections [309.40 ~~to~~ through 309.41](#), 309.43, [310.14](#), [314.1](#),
13 [314.2](#), and other applicable state law.

14 Sec. 200. Section 331.362, subsections 8 and 9, Code 2021,
15 are amended to read as follows:

16 8. The board shall proceed upon a petition to construct a
17 sidewalk in accordance with [sections 320.1 ~~to~~ through 320.3](#).
18 The board may grant permission to lay gas and water mains,
19 construct and maintain cattleways, or construct sidewalks
20 in connection with the secondary roads, in accordance with
21 sections [320.4 ~~to~~ through 320.8](#).

22 9. A county may regulate traffic on and use of the secondary
23 roads, in accordance with sections [321.236 ~~to~~ through 321.239](#),
24 [321.241](#), [321.247 through 321.250](#), [321.254](#), [321.255](#), 321.285,
25 subsection 4, [sections 321.352](#), [321.471 ~~to~~ through 321.473](#), and
26 other applicable provisions of [chapter 321](#), [chapter 321E](#), and
27 sections [321G.9](#), [321I.10](#), and [327G.15](#).

28 Sec. 201. Section 331.381, subsections 4 and 14, Code 2021,
29 are amended to read as follows:

30 4. Comply with [chapter 222](#), including but not limited to
31 sections [222.13](#), [222.14](#), and [222.59 ~~to~~ through 222.70](#), [222.73](#)
32 [through 222.75](#), and [222.77 through 222.82](#), in regard to the
33 care of persons with an intellectual disability.

34 14. Proceed in response to a petition to establish a county
35 library district in accordance with sections [336.2 ~~to~~ through](#)

1 336.5, or a petition to provide library service by contract or
2 to terminate the service under [section 336.18](#).

3 Sec. 202. Section 331.382, subsection 1, paragraphs b and i,
4 Code 2021, are amended to read as follows:

5 *b.* Establishment of a water recreational area as provided in
6 sections 461A.59 ~~to~~ through 461A.78.

7 *i.* Establishment of an airport commission as provided in
8 sections 330.17 ~~to~~ through 330.20.

9 Sec. 203. Section 331.401, subsection 1, paragraphs b, k,
10 and m, Code 2021, are amended to read as follows:

11 *b.* Establish budgets for the farm-to-market road fund and
12 the secondary road fund in accordance with [sections 309.10](#) and
13 [309.93](#) ~~to~~ through [309.97](#).

14 *k.* Levy taxes as certified to it by tax-certifying bodies
15 in the county, in accordance with the statutes authorizing the
16 levies and in accordance with [chapter 24](#), ~~and~~ sections 444.1 ~~to~~
17 through 444.4, and sections 444.6 through 444.8, and levy taxes
18 as required in [chapters 433, 434, 437, and 438](#).

19 *m.* Apportion taxes upon receipt of a petition, in accordance
20 with [sections 449.1A](#) ~~to~~ through [449.3](#).

21 Sec. 204. Section 331.402, subsection 1, Code 2021, is
22 amended to read as follows:

23 1. The payment of county obligations by anticipatory
24 warrants is subject to [chapters 74 and 74A](#) and other applicable
25 state law. Anticipatory warrants drawn on the secondary road
26 fund are also subject to [sections 309.46](#) ~~to~~ through [309.55](#).

27 Sec. 205. Section 331.502, subsections 10, 19, and 28, Code
28 2021, are amended to read as follows:

29 10. Carry out duties relating to the determination of
30 residency, collection of funds due the county, and support of
31 persons with an intellectual disability as provided in sections
32 [222.13, 222.50, 222.61](#) ~~to~~ through [222.66, 222.69, and 222.74](#).

33 19. Carry out duties relating to the establishment,
34 alteration, and vacation of public highways as provided in
35 sections [306.21, 306.25, 306.29](#) ~~to~~ [306.30, 306.37, and](#)

1 306.40.

2 28. Carry out duties relating to the establishment and
3 management of levee and drainage districts as provided in
4 chapter 468, subchapter I, parts 1 ~~to~~ through 5, chapter 468,
5 subchapter II, parts 1, 3, and 6, and chapter 468, subchapters
6 III and V.

7 Sec. 206. Section 331.512, subsections 2, 6, 7, and 10, Code
8 2021, are amended to read as follows:

9 2. Carry out duties relating to tax sales of property within
10 special charter cities as provided in sections 420.220 ~~to~~
11 through 420.229.

12 6. Carry out duties relating to the preparation of the tax
13 list as provided in sections 428.4, 441.17, 441.21, 443.2 ~~to~~
14 through 443.4, 443.6 through 443.9, and 443.21.

15 7. Carry out duties relating to the valuation and taxation
16 of telegraph and telephone companies as provided in sections
17 433.8 ~~to~~ through 433.10 including mapping requirements as
18 provided in sections 433.14 and 433.15.

19 10. Carry out duties relating to the valuation and taxation
20 of pipeline companies as provided in sections 438.14 ~~to~~ through
21 438.16.

22 Sec. 207. Section 331.552, subsections 5, 13, 19, and 25,
23 Code 2021, are amended to read as follows:

24 5. Account for, report, and pay into the state treasury any
25 money, property, or securities received on behalf of the state
26 as provided in sections 8A.506 ~~to~~ through 8A.508.

27 13. Make transfer payments to the state for school expenses
28 for blind and deaf and hard-of-hearing children and support of
29 persons with mental illness as provided in sections 230.21, and
30 269.2, ~~and 270.7.~~

31 19. Carry out duties relating to the sale and redemption of
32 anticipatory certificates for secondary road construction as
33 provided in sections 309.50 ~~to~~ through 309.55.

34 25. Carry out duties relating to the funding of drainage
35 districts as provided in chapter 468, subchapter I, parts 1

1 ~~to~~ through 5, chapter 468, subchapter II, parts 1, 5, and 6,
2 chapter 468, subchapter III, and chapter 468, subchapter IV,
3 parts 1 and 2.

4 Sec. 208. Section 331.554, subsection 5, paragraph b, Code
5 2021, is amended to read as follows:

6 b. In lieu of the requirements and procedures specified
7 in sections 74.1, 74.2, and 74.3, when warrants other than
8 anticipatory warrants are presented for payment and not paid
9 for want of funds or are only partially paid, the treasurer
10 may issue a warrant order for an amount equal to the unpaid
11 warrants drawn on a fund. The warrant order shall be dated
12 and include the fund name, amount, and the rate of interest
13 established under section 74A.6. The warrant order shall be
14 endorsed by the treasurer, "not paid for want of funds", and
15 include the treasurer's signature. The treasurer shall keep
16 a list of all warrants comprising a warrant order and shall
17 submit a duplicate copy of the warrant order to the auditor.
18 The procedures of sections 74.4 ~~to~~ through 74.7 apply to
19 warrant orders.

20 Sec. 209. Section 331.557, subsections 1 and 2, Code 2021,
21 are amended to read as follows:

22 1. Issue, renew, and replace lost or damaged vehicle
23 registration cards or plates and issue and transfer
24 certificates of title for vehicles as provided in sections
25 321.17 ~~to~~ through 321.20B, 321.22 through 321.26, 321.28
26 through 321.32, 321.34, 321.35, and 321.37 through 321.52.

27 2. Collect, pay to the state, or refund registration fees
28 as provided in sections 321.105 ~~to~~ through 321.106, 321.109
29 through 321.113, 321.115 through 321.117, 321.119 through
30 321.135, 321.145, and 321.148 through 321.156.

31 Sec. 210. Section 331.559, subsection 1, Code 2021, is
32 amended to read as follows:

33 1. Determine and collect taxes on mobile homes and
34 manufactured homes as provided in sections 435.22 ~~to~~ through
35 435.26.

1 Sec. 211. Section 331.602, subsection 29, Code 2021, is
2 amended to read as follows:

3 29. Record the name and description of a farm as provided in
4 sections 557.22 ~~to~~ through 557.26.

5 Sec. 212. Section 331.653, subsections 30 and 32, Code 2021,
6 are amended to read as follows:

7 30. Collect unpaid motor vehicle fees and penalties as
8 provided in sections 321.133 to through 321.135.

9 32. Enforce sections 321.372 to through 321.379 relating to
10 school buses.

11 Sec. 213. Section 335.12, Code 2021, is amended to read as
12 follows:

13 **335.12 Rules.**

14 The board of adjustment shall adopt rules in accordance with
15 the provisions of any regulation or ordinance adopted pursuant
16 to this chapter. Meetings of the board of adjustment shall be
17 held at the call of the chairperson and at such other times
18 as the board may determine. ~~Such~~ The chairperson, or in the
19 chairperson's absence, the acting chairperson, may administer
20 oaths and compel the attendance of witnesses. All meetings of
21 the board shall be open to the public. The board shall keep
22 minutes of its proceedings, showing the vote of each member
23 upon each question, or if absent or failing to vote, indicating
24 such fact, and shall keep records of its examinations and other
25 official actions, all of which shall be immediately filed in
26 the office of the board and shall be a public record.

27 Sec. 214. Section 335.16, Code 2021, is amended to read as
28 follows:

29 **335.16 Decision.**

30 In exercising the ~~above-mentioned~~ powers ~~such~~ in section
31 335.15, the board of adjustment may, in conformity with
32 the provisions of this chapter, reverse or affirm, wholly
33 or partly, or may modify the order, requirement, decision,
34 or determination appealed from and may make such order,
35 requirement, decision, or determination as ought to be made,

1 and to that end shall have all the powers of the officer from
2 whom the appeal is taken.

3 Sec. 215. Section 335.17, Code 2021, is amended to read as
4 follows:

5 **335.17 Vote required.**

6 The concurring vote of three members of the board
7 of adjustment shall be necessary to reverse any order,
8 requirement, decision, or determination of ~~any such an~~
9 administrative official, or to decide in favor of the applicant
10 on any matter upon which ~~it~~ the board is required to pass under
11 ~~any such an~~ ordinance or to effect any variation in ~~such an~~
12 ordinance.

13 Sec. 216. Section 335.19, Code 2021, is amended to read as
14 follows:

15 **335.19 Review by court.**

16 Upon the presentation of such petition, the court may allow
17 a writ of certiorari directed to the board of adjustment to
18 review ~~such~~ the decision of the board of adjustment and shall
19 prescribe ~~therein~~ within the writ the time within which a
20 return ~~thereto~~ must be made and served upon the relator's
21 attorney, which shall not be less than ten days and may be
22 extended by the court. The allowance of the writ shall not
23 stay proceedings upon the decision appealed from, but the court
24 may, on application, on notice to the board and on due cause
25 shown, grant a restraining order.

26 Sec. 217. Section 335.20, Code 2021, is amended to read as
27 follows:

28 **335.20 Record advanced.**

29 The board of adjustment shall not be required to return the
30 original papers acted upon by ~~it~~ the board, but it shall be
31 sufficient to return certified or sworn copies ~~thereof~~ of the
32 originals or of such portions ~~hereof~~ of the originals as may be
33 called for by ~~such~~ the writ under section 335.19. The return
34 shall concisely set forth such other facts as may be pertinent
35 and material to show the grounds of the decision appealed from

1 and shall be verified.

2 Sec. 218. Section 335.21, subsection 2, Code 2021, is
3 amended to read as follows:

4 2. Costs shall not be allowed against the board of
5 adjustment unless it ~~shall appear~~ appears to the court that
6 the board acted with gross negligence or in bad faith or with
7 malice in making the decision appealed from.

8 Sec. 219. Section 335.27, Code 2021, is amended to read as
9 follows:

10 **335.27 Agricultural land preservation ordinance.**

11 If a county adopts an agricultural land preservation
12 ordinance under this chapter which subjects farmland to
13 the same use restrictions provided in section 352.6 for
14 agricultural areas, then section 6B.3, subsection 1, paragraph
15 "f", and sections 352.10 to through 352.12 shall apply to farms
16 and farm operations which are subject to the agricultural land
17 preservation ordinance.

18 Sec. 220. Section 335.30, subsection 1, Code 2021, is
19 amended to read as follows:

20 1. A county shall not adopt or enforce zoning regulations or
21 other ordinances which disallow the plans and specifications of
22 a proposed residential structure solely because the proposed
23 structure is a manufactured home. However, a zoning ordinance
24 or regulation shall require that a manufactured home be located
25 and installed according to the same standards, including but
26 not limited to, a permanent foundation system, set-back, and
27 minimum square footage, which would apply to a site-built,
28 single family dwelling on the same lot, and shall require
29 that the home is assessed and taxed as a site-built dwelling.
30 A zoning ordinance or other regulation shall not require a
31 perimeter foundation system for a manufactured home which is
32 incompatible with the structural design of the manufactured
33 home structure. A county shall not require more than one
34 permanent foundation system for a manufactured home. For
35 purposes of this section, a permanent foundation may be a

1 pier footing foundation system designed and constructed to be
2 compatible with the structure and the conditions of the site.
3 When units are located outside a manufactured home community
4 or mobile home park, requirements may be imposed which ensure
5 visual compatibility of the permanent foundation system
6 with surrounding residential structures. As used in this
7 section, "manufactured home" means a factory-built structure,
8 which is manufactured or constructed under the authority of 42
9 U.S.C. §5403 and is to be used as a place for human habitation,
10 but which is not constructed or equipped with a permanent hitch
11 or other device allowing it to be moved other than for the
12 purpose of moving to a permanent site, and which does not have
13 permanently attached to its body or frame any wheels or axles.
14 This section shall not be construed as abrogating a recorded
15 restrictive covenant.

16 Sec. 221. Section 349.10, Code 2021, is amended to read as
17 follows:

18 **349.10 New date fixed if all rejected.**

19 If all certified statements are rejected under the
20 provisions of [section 349.9](#), the board shall fix a new date
21 for the selection of official newspapers and nothing herein in
22 this chapter shall be construed to prevent the applicants so
23 rejected from filing new certified statements.

24 Sec. 222. Section 356.15, subsection 1, unnumbered
25 paragraph 1, Code 2021, is amended to read as follows:

26 All charges and expenses for the safekeeping and maintenance
27 of prisoners shall be allowed by the board of supervisors,
28 with the exception of charges and expenses for the following
29 prisoners:

30 Sec. 223. Section 356.28, Code 2021, is amended to read as
31 follows:

32 **356.28 Employment.**

33 The sheriff or any suitable person or agency designated by
34 the court may endeavor to secure employment for unemployed
35 prisoners granted privileges under sections 356.26 ~~to~~ through

1 356.35.

2 Sec. 224. Section 356.30, Code 2021, is amended to read as
3 follows:

4 **356.30 Prisoner to pay for board — limitations.**

5 Every prisoner of a county jail under a sentence to
6 accommodate the person's work schedule in accordance with
7 section 356.26 is liable for the cost of the prisoner's board
8 in the jail as fixed by the county board of supervisors. The
9 sheriff shall charge the prisoner's account for the board and
10 any meals provided in [section 356.31](#). If the prisoner is
11 gainfully self-employed the prisoner shall pay the sheriff for
12 the board, in default of which the prisoner's privilege under
13 this chapter is automatically forfeited. If necessarily absent
14 from jail at a meal time, the prisoner shall at the prisoner's
15 request be furnished with a lunch to carry to work. If the
16 jail food is furnished directly, by the county, the sheriff
17 shall account for and pay over the meal payments to the county
18 treasurer. The county board of supervisors may by resolution
19 provide that the county furnish or pay for the transportation
20 of prisoners employed under [sections 356.26 to through 356.35](#)
21 to and from the place of employment. However, the charges
22 for board and meals under [this section](#) shall not exceed
23 fifty percent of the wages or salaries of the prisoner, after
24 deductions required by law, including deductions to satisfy
25 any court-ordered child support obligations, earned during the
26 period of time for which the charges are made.

27 Sec. 225. Section 356.33, subsection 1, Code 2021, is
28 amended to read as follows:

29 1. District judges, district associate judges, and judicial
30 magistrates, within their respective jurisdictional authority,
31 may make all determinations and orders under [sections 356.26](#)
32 ~~to~~ [through 356.35](#).

33 Sec. 226. Section 356A.4, Code 2021, is amended to read as
34 follows:

35 **356A.4 Work release.**

1 A person detained, committed, or transferred to a facility
2 established and maintained pursuant to [section 356A.1](#) or
3 [356A.2](#), may further be released from such facility during
4 necessary and reasonable hours, by court order, for the
5 purposes stated in [section 356.26](#). Such release and any wages
6 earned shall be governed by the provisions of sections 356.27
7 ~~to~~ through 356.35 except that during such time the released
8 person shall not be in the legal custody of the sheriff; any
9 wages earned shall be collected, managed, and dispensed by the
10 person in charge of the facility and not the sheriff; and any
11 wages earned shall first be applied to the reasonable cost of
12 housing such person in the facility.

13 Sec. 227. Section 357.5, Code 2021, is amended to read as
14 follows:

15 **357.5 Decision at hearing.**

16 On the day fixed for ~~such~~ hearing under section 357.4,
17 the board of supervisors shall by resolution establish the
18 benefited water district or disallow the petition. For
19 adequate reasons, the board of supervisors may defer action
20 on ~~such~~ the petition for not to exceed ten days after the day
21 first set for a hearing.

22 Sec. 228. Section 357.8, Code 2021, is amended to read as
23 follows:

24 **357.8 Plat.**

25 The ~~said~~ engineer appointed under section 357.6 shall
26 prepare a preliminary plat showing the proper design in general
27 outline, the size and location of the water mains, the general
28 location of hydrants, if ~~such~~ hydrants are included in ~~said~~ the
29 petition, valves, and other appurtenances, and shall show the
30 lots and parcels of land within the proposed district as they
31 appear on the county auditor's plat books, together with the
32 names of the owners and the amount which it is estimated that
33 ~~such~~ each lot or parcel will be assessed.

34 Sec. 229. Section 357.14, subsection 1, Code 2021, is
35 amended to read as follows:

1 1. If the ~~result of said~~ majority of votes cast at the
2 election ~~be~~ are in favor of ~~said~~ the improvement, the board of
3 supervisors shall instruct the engineer to complete the plans
4 and specifications, ready for receiving bids for construction
5 of the project, ~~which the~~. The engineer shall ~~do~~ complete the
6 plans and specifications within thirty days of receiving notice
7 to do so, unless for adequate reason the board ~~shall extend~~
8 extends the time.

9 Sec. 230. Section 357.24, Code 2021, is amended to read as
10 follows:

11 **357.24 Fee of engineer.**

12 The fee for engineering services shall be fixed by the board
13 of supervisors and the engineer may be paid either a percentage
14 or a per diem, from proceeds of the bond sale or by cash from
15 the contractor, if the contractor takes bonds in settlement for
16 the contractor's work under the contract.

17 Sec. 231. Section 357.26, Code 2021, is amended to read as
18 follows:

19 **357.26 Duties of trustees.**

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

1 Sec. 232. Section 359.31, Code 2021, is amended to read as
2 follows:

3 **359.31 Power and control.**

4 Township trustees shall control any such cemeteries, or
5 appoint trustees for the ~~same~~ cemeteries, or sell the ~~same~~
6 property to any private corporation for cemetery purposes.

7 Sec. 233. Section 359.45, Code 2021, is amended to read as
8 follows:

9 **359.45 Anticipatory bonds.**

10 Townships may anticipate the collection of taxes authorized
11 by section 359.43 and for such purposes may direct the county
12 board of supervisors to issue bonds under sections 331.441 ~~to~~
13 through 331.449 relating to essential county purpose bonds
14 except that the bonds are payable only from tax levies on
15 property subject to the levy under section 359.43.

16 Sec. 234. Section 360.1, subsection 1, Code 2021, is amended
17 to read as follows:

18 1. The trustees, on a petition of a majority of the
19 resident freeholders of any civil township, shall request the
20 county commissioner of elections to submit the question of
21 building or acquiring by purchase, or acquiring by a lease with
22 purchase option, a public hall to the electors thereof. The
23 county commissioner shall conduct the election pursuant to the
24 applicable provisions of chapters 39 ~~to~~ through 53 and certify
25 the result to the trustees.

26 Sec. 235. Section 364.17, subsection 3, paragraph a,
27 subparagraph (3), Code 2021, is amended to read as follows:

28 (3) Authority for the issuance of citations pursuant
29 to sections 805.1 ~~to~~ through 805.5 upon a failure to
30 satisfactorily remedy a violation.

31 Sec. 236. Section 372.2, subsection 2, paragraph b, Code
32 2021, is amended to read as follows:

33 **b.** The council shall notify the county commissioner of
34 elections to publish notice of the election and conduct the
35 election pursuant to chapters 39 ~~to~~ through 53. The county

1 commissioner of elections shall certify the results of the
2 election to the council.

3 Sec. 237. Section 384.54, subsection 13, Code 2021, is
4 amended to read as follows:

5 13. Corrections of assessments or valuations made by order
6 of the district court are conclusive and not subject to review
7 on appeal, or otherwise, except as provided in subsections 10
8 ~~to~~ through 12 of **this section**. When court confirmation is
9 obtained there is no right of appeal under the provisions of
10 section 384.66.

11 Sec. 238. Section 384.75, subsection 1, Code 2021, is
12 amended to read as follows:

13 1. Any provision of law, resolution, or ordinance
14 specifying a time when or the order in which acts must be done
15 in a proceeding which may result in a special assessment, is
16 subject to the qualifications of sections 384.72 ~~to~~ through
17 384.74.

18 Sec. 239. Section 384.76, Code 2021, is amended to read as
19 follows:

20 **384.76 Application to joint undertakings.**

21 The provisions of **this subchapter** apply to any public
22 improvement undertaken jointly by the city and another city or
23 by the city and the state or any other political subdivision
24 of the state, and a city may enter into an agreement for such
25 purpose under the provisions of **chapter 28E** and may assess and
26 pay its portion of the cost of a public improvement as provided
27 in **this subchapter**, but any requirement of **this subchapter**
28 in respect to approval of detailed plans and specifications,
29 calling for construction bids, awarding construction contracts
30 and acceptance of the completed improvement may be carried
31 out by each city with other cities, the state or any other
32 political subdivision of the state, as provided in an
33 agreement entered into as permitted by **chapter 28E**. However,
34 an agreement between the city and the state department of
35 transportation is also governed by the provisions of sections

1 313.21 ~~to~~ through 313.23.

2 Sec. 240. Section 386.7, subsection 1, Code 2021, is amended
3 to read as follows:

4 1. Section 386.6, subsections 1 ~~to~~ through 5, are applicable
5 to a self-liquidating improvement to the same extent as they
6 are applicable to an improvement and the proceedings initiating
7 a self-liquidating improvement shall be governed thereby.

8 Sec. 241. Section 390.3, subsection 2, Code 2021, is amended
9 to read as follows:

10 2. However, in the performance of a joint agreement,
11 the governing body is not subject to statutes generally
12 applicable to public contracts, including hearings on
13 plans, specifications, form of contracts, costs, notice, and
14 competitive bidding required under chapter 26 and section
15 384.103, unless all parties to the joint agreement are cities
16 located within the state of Iowa.

17 Sec. 242. Section 403.15, subsection 1, Code 2021, is
18 amended to read as follows:

19 1. There is hereby created in each municipality a public
20 body corporate and politic to be known as the "urban renewal
21 agency" of the municipality. An urban renewal agency shall not
22 transact any business or exercise its powers ~~hereunder~~ under
23 this chapter until or unless the local governing body has made
24 the finding prescribed in section 403.4, and has elected to
25 have the urban renewal project powers exercised by an urban
26 renewal agency as provided in section 403.14.

27 Sec. 243. Section 403.16, Code 2021, is amended to read as
28 follows:

29 **403.16 Personal interest prohibited.**

30 1. For purposes of this section:

31 a. "Action" does not include resolutions advisory to the
32 local governing body or agency by any citizens group, board,
33 body, or commission designated to serve a purely advisory
34 approving or recommending function under this chapter.

35 b. "Action affecting such property" includes only that

1 action directly and specifically affecting such property as
2 a separate property but shall not include any action, any
3 benefits of which accrue to the public generally, or which
4 affects all or a substantial portion of the properties included
5 or planned to be included in such a project.

6 c. "Participation" does not include discussion or debate
7 preliminary to a vote of a local governing body or agency upon
8 proposed ordinances or resolutions relating to such a project
9 or any abstention from such a vote.

10 2. No A public official or employee of a municipality,
11 or board or commission thereof of a municipality, and no a
12 commissioner or employee of an urban renewal agency, which
13 has been vested by a municipality with urban renewal project
14 powers under section 403.14, shall not voluntarily acquire any
15 personal interest, as described in this section, whether direct
16 or indirect, in any urban renewal project, or in any property
17 included or planned to be included in any urban renewal project
18 of such municipality, or in any contract or proposed contract
19 in connection with such urban renewal project. Where such
20 an acquisition is not voluntary, the interest acquired shall
21 be immediately disclosed in writing to the local governing
22 body, and such disclosure shall be entered upon the minutes of
23 the governing body. If any such official, commissioner, or
24 employee presently owns or controls, or has owned or controlled
25 within the preceding two years, any interest, as described
26 proscribed in this section, whether direct or indirect, in any
27 property which the official, commissioner, or employee knows is
28 included or planned to be included in an urban renewal project,
29 the official, commissioner, or employee shall immediately
30 disclose this fact in writing to the local governing body,
31 and such disclosure shall be entered upon the minutes of the
32 governing body, and any. Any such official, commissioner, or
33 employee with an interest proscribed in this section shall not
34 participate in any action by the municipality, or board or
35 commission thereof of the municipality, or urban renewal agency

1 affecting such property, which is proscribed in this section.
2 ~~For the purposes of this section the following definitions and~~
3 ~~standards of construction shall apply:~~

4 ~~1. "Action affecting such property" shall include only~~
5 ~~that action directly and specifically affecting such property~~
6 ~~as a separate property but shall not include any action, any~~
7 ~~benefits of which accrue to the public generally, or which~~
8 ~~affects all or a substantial portion of the properties included~~
9 ~~or planned to be included in such a project.~~

10 ~~2.~~ 3. Employment by a public body, its agencies, or
11 institutions or by any other person having ~~such~~ an interest
12 proscribed in this section shall not be deemed an interest
13 by ~~such~~ the employee or of any ownership or control by ~~such~~
14 the employee of interests of the employee's employer. Such
15 an employee may participate in an urban renewal project
16 so long as any benefits of such participation accrue to
17 the public generally, such participation affects all or a
18 substantial portion of the properties included or planned to
19 be included in such a project, or such participation promotes
20 the public purposes of such project, and shall limit only that
21 participation by an employee which directly or specifically
22 affects property in which an employer of an employee has an
23 interest.

24 ~~3. The word "participation" shall be deemed not to include~~
25 ~~discussion or debate preliminary to a vote of a local governing~~
26 ~~body or agency upon proposed ordinances or resolutions relating~~
27 ~~to such a project or any abstention from such a vote.~~

28 4. The designation of a bank or trust company as depository,
29 paying agent, or agent for investment of funds shall not be
30 deemed a matter of interest or personal interest proscribed by
31 this section.

32 5. Stock ownership in a corporation having such an interest
33 shall not be deemed an indicia of an interest, or of ownership
34 or control by the person owning such stocks, proscribed by this
35 section when less than five percent of the outstanding stock of

1 the corporation is owned or controlled directly or indirectly
2 by such person.

3 ~~6. The word "action" shall not be deemed to include~~
4 ~~resolutions advisory to the local governing body or agency by~~
5 ~~any citizens group, board, body, or commission designated to~~
6 ~~serve a purely advisory approving or recommending function~~
7 ~~under this chapter.~~

8 7. 6. The limitations of this section shall be construed to
9 permit action by a public official, commissioner, or employee
10 where any benefits of such an action accrue to the public
11 generally, ~~such the~~ the action affects all or a substantial portion
12 of the properties included or planned to be included in such
13 a project, or ~~such the~~ the action promotes the public purposes
14 of such project, ~~and.~~ The limitations of this section shall
15 be construed to limit only that action by a public official,
16 commissioner, or employee which directly or specifically
17 affects property in which such official, commissioner, or
18 employee has an interest or in which an employer of such
19 official, commissioner, or employee has an interest. Any
20 disclosure required to be made by this section to the local
21 governing body shall concurrently be made to an urban renewal
22 agency which has been vested with urban renewal project
23 powers by the municipality pursuant to the provisions of
24 section 403.14. ~~No~~ A commissioner or other officer of any
25 urban renewal agency, board, or commission exercising powers
26 pursuant to this chapter shall not hold any other public office
27 under the municipality, other than the commissionership or
28 office with respect to such urban renewal agency, board, or
29 commission. Any violation of the provisions of this section
30 shall constitute misconduct in office, but ~~no~~ ordinance or
31 resolution of a municipality or agency shall not be invalid by
32 reason of a vote or votes cast in violation of the standards of
33 this section unless ~~such the~~ the vote or votes were decisive in the
34 passage of ~~such the~~ the ordinance or resolution.

35 Sec. 244. Section 414.2, Code 2021, is amended to read as

1 follows:

2 **414.2 Districts.**

3 For any or all of ~~said~~ the purposes of this chapter, the
4 local legislative body, ~~hereinafter~~ referred to as the council,
5 may divide the city into districts, including historical
6 preservation districts but only as provided in section
7 303.34, of such number, shape, and area as may be deemed best
8 suited to carry out the purposes of this chapter; and within
9 such districts ~~it~~ the council may regulate and restrict the
10 erection, construction, reconstruction, alteration, repair, or
11 use of buildings, structures, or land. All such regulations
12 and restrictions shall be uniform for each class or kind of
13 buildings throughout each district, but the regulations in one
14 district may differ from those in other districts.

15 Sec. 245. Section 414.7, subsection 1, Code 2021, is amended
16 to read as follows:

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

30 Sec. 246. Section 419.13, Code 2021, is amended to read as
31 follows:

32 **419.13 Exception to budget law and certain bond provisions.**

33 The provisions of sections 73A.12 to through 73A.16 shall
34 not apply to bonds issued under the provisions of this chapter.

35 Sec. 247. Section 419.17, subsection 1, unnumbered

1 paragraph 1, Code 2021, is amended to read as follows:

2 Cities may also issue revenue bonds for projects located
3 within a qualified urban renewal area or an area designated
4 a revitalization area pursuant to sections 404.1 ~~to~~ through
5 404.7. The revenue bonds shall be issued pursuant to the
6 provisions of this chapter and all provisions of this chapter
7 shall apply, except that:

8 Sec. 248. Section 420.41, subsection 1, paragraph g, Code
9 2021, is amended to read as follows:

10 *g.* In respect of the power to enact, make, adopt, amend
11 and repeal ordinances necessary or proper in connection with
12 any provisions referred to in paragraphs "a" ~~to~~ through "f"
13 inclusive, of this subsection.

14 Sec. 249. Section 420.229, Code 2021, is amended to read as
15 follows:

16 **420.229 Delinquent city taxes — exclusive collection**
17 **procedure.**

18 All general city taxes and special assessments which,
19 under the provisions of sections 420.220 ~~to 420.229~~ shall
20 through 420.228, are not be collectible by sale or ~~shall be~~
21 are collectible by sale only in events or in a manner ~~hereby~~
22 prescribed in this chapter shall respectively be deemed barred
23 or barred as to collection ~~thereof~~ in any other event or any
24 other manner than so prescribed.

25 Sec. 250. Section 420.240, Code 2021, is amended to read as
26 follows:

27 **420.240 Redemption statutes applicable.**

28 The provisions of sections 447.7 to through 447.13 shall,
29 so far as ~~the same~~ those sections shall be applicable, and
30 are not ~~herein~~ changed or modified in this chapter, apply to
31 sales of real estate for delinquent taxes ~~herein~~ contemplated
32 in this chapter; but where the words "auditor of the county"
33 or "treasurer" are used in ~~said~~ those sections the words "city
34 clerk", "recorder", "auditor", or "person authorized to make
35 out the tax list" and "city collector" or "city treasurer or

1 officer authorized to receive same" shall be substituted.

2 Sec. 251. Section 420.244, Code 2021, is amended to read as
3 follows:

4 **420.244 Force and effect.**

5 All deeds and conveyances hereafter made and executed on
6 account of any general or special tax sale shall be of the
7 same force and effect as deeds made by the county treasurer
8 as provided in [sections 448.3 to through 448.5](#) for delinquent
9 county taxes.

10 Sec. 252. Section 420.245, Code 2021, is amended to read as
11 follows:

12 **420.245 Rights and remedies.**

13 The purchaser as well as the owner of any real property
14 sold on account of such general or special delinquent taxes or
15 assessments shall be entitled to all the rights and remedies
16 which are granted and prescribed by [sections 446.35, 446.36,](#)
17 [and 448.6 to through 448.14](#), but wherever the words "county
18 and county treasurer and auditor" are used, the words "city,
19 city treasurer, city clerk, recorder, auditor, or collector or
20 officer authorized to act as collector," collector, shall be
21 substituted.

22 Sec. 253. Section 420.246, Code 2021, is amended to read as
23 follows:

24 **420.246 Tax and deed statutes applicable.**

25 Sections 446.16, [446.32](#), and [448.10 to through 448.12](#) are
26 applicable to cities acting under special charters, except
27 that, where the word "treasurer" is used, there shall be
28 substituted the words "city collector or treasurer or deputy
29 treasurer or deputy or officer authorized to collect city
30 taxes"; and where the word "auditor" is used, there shall be
31 substituted the words "city clerk or recorder".

32 Sec. 254. Section 420.247, Code 2021, is amended to read as
33 follows:

34 **420.247 Failure to obtain deed — cancellation of sale.**

35 After July 4, 1942, [section 446.37](#) shall apply to cities

1 acting under special charter which collect their own taxes,
2 except that the terms "county auditor" and "county treasurer"
3 in ~~said section~~ to section 446.37 shall be taken, for the
4 purposes of this section, to refer to the persons performing
5 their respective functions in relation to tax sales by such
6 cities.

7 Sec. 255. Section 421.17, subsection 19, paragraph b, Code
8 2021, is amended to read as follows:

9 b. (1) The provisions of sections 17A.10 ~~to~~ through 17A.18A
10 relating to contested cases shall not apply to any matters
11 involving the equalization of valuations of classes of property
12 as authorized by this chapter and chapter 441.

13 (2) This exemption from the provisions of sections 17A.10
14 ~~to~~ through 17A.18A shall not apply to a hearing before the
15 director as provided in section 441.49, subsection 5.

16 Sec. 256. Section 421.27, subsection 9, paragraph a,
17 subparagraph (3), Code 2021, is amended to read as follows:

18 (3) In ~~this~~ the case of all other entities, including
19 corporations described in section 422.36, subsection 5, and all
20 other entities required to file an information return under
21 section 422.15, subsection 2, the entity's Iowa net income
22 after the application of the Iowa business activity ratio, if
23 applicable, multiplied by the top income tax rate imposed under
24 section 422.5A for the tax year.

25 Sec. 257. Section 422.5, subsection 1, paragraph b,
26 subparagraph (1), Code 2021, is amended to read as follows:

27 (1) The tax imposed upon the taxable income of a nonresident
28 shall be computed by reducing the amount determined pursuant
29 to paragraph "a" by the amounts of nonrefundable credits under
30 this subchapter and by multiplying this resulting amount by a
31 fraction of which the nonresident's net income allocated to
32 Iowa, as determined in section 422.8, subsection 2, paragraph
33 "a", is the numerator and the nonresident's total net income
34 computed under section 422.7 is the denominator. This
35 ~~provision~~ subparagraph also applies to individuals who are

1 residents of Iowa for less than the entire tax year.

2 Sec. 258. Section 422.5, subsection 4, Code 2021, is amended
3 to read as follows:

4 4. The tax ~~herein~~ levied under this section shall be
5 computed and collected as ~~hereinafter~~ provided in this
6 subchapter.

7 Sec. 259. Section 422.7, subsection 12, paragraph a,
8 subparagraph (3), Code 2021, is amended to read as follows:

9 (3) An individual, whether or not domiciled in this state
10 at the time of the hiring, who is on parole or probation and to
11 whom the ~~interstate probation and parole compact under section~~
12 ~~907A.1, Code 2001, applies, or to whom the interstate compact~~
13 for adult offender supervision under **chapter 907B** applies.

14 Sec. 260. Section 422.7, subsection 12A, paragraph a,
15 subparagraph (2), Code 2021, is amended to read as follows:

16 (2) An individual, whether or not domiciled in this state
17 at the time of the hiring, who is on parole or probation and to
18 whom the ~~interstate probation and parole compact under section~~
19 ~~907A.1, Code 2001, applies, or to whom the interstate compact~~
20 for adult offender supervision under **chapter 907B** applies.

21 Sec. 261. Section 422.7, subsection 32, paragraph c,
22 subparagraph (2), subparagraph division (b), Code 2021, is
23 amended to read as follows:

24 (b) ~~(i) Except as provided in subparagraph subdivision~~
25 ~~(ii), "elementary "Elementary or secondary school" means an all~~
26 of the following:

27 (i) An elementary or secondary school in this state which is
28 accredited under **section 256.11**, and adheres to the provisions
29 of the federal Civil Rights Act of 1964 and **chapter 216**.

30 ~~(ii) "Elementary or secondary school" includes an An~~
31 elementary or secondary school located out of state that
32 educates a beneficiary who meets the definition of "*children*
33 *requiring special education*" in **section 256B.2**, if the
34 elementary or secondary school is accredited under the laws of
35 the state in which it is located and adheres to the federal

1 Civil Rights Act of 1964 and applicable state law analogous to
2 chapter 216.

3 Sec. 262. Section 422.12, subsection 2, unnumbered
4 paragraph 1, Code 2021, is amended to read as follows:

5 There shall be deducted from but not to exceed the tax, after
6 the ~~same shall have been~~ tax is computed as provided in this
7 subchapter, the following:

8 Sec. 263. Section 422.35, subsection 6, paragraph a,
9 subparagraph (3), Code 2021, is amended to read as follows:

10 (3) An individual, whether or not domiciled in this state
11 at the time of the hiring, who is on parole or probation and to
12 whom the ~~interstate probation and parole compact under section~~
13 ~~907A.1, Code 2001, applies, or to whom the~~ interstate compact
14 for adult offender supervision under [chapter 907B](#) applies.

15 Sec. 264. Section 422.35, subsection 6A, paragraph a,
16 subparagraph (2), Code 2021, is amended to read as follows:

17 (2) An individual, whether or not domiciled in this state
18 at the time of the hiring, who is on parole or probation and to
19 whom the ~~interstate probation and parole compact under section~~
20 ~~907A.1, Code 2001, applies, or to whom the~~ interstate compact
21 for adult offender supervision under [chapter 907B](#) applies.

22 Sec. 265. Section 422.89, unnumbered paragraph 1, Code
23 2021, is amended to read as follows:

24 The penalty for underpayment of any installment of estimated
25 tax imposed under [section 422.88](#) shall not be imposed if the
26 total amount of all payments of estimated tax made on or before
27 the last date prescribed for the payment of such installment
28 equals or exceeds the amount which would have been required
29 to be paid on or before such date if the estimated tax ~~amount~~
30 amounts at least to one of the following:

31 Sec. 266. Section 426A.15, Code 2021, is amended to read as
32 follows:

33 **426A.15 Penalty.**

34 Any person making a false affidavit for the purpose of
35 obtaining the exemption provided for in sections 426A.11 ~~to~~

1 through 426A.14 or who knowingly receives such exemption
2 without being legally entitled thereto, or who makes claim for
3 exemption in more than one county in the state shall be guilty
4 of a fraudulent practice.

5 Sec. 267. Section 427.1, subsection 8, paragraph b, Code
6 2021, is amended to read as follows:

7 b. All deeds or leases by which such property is held shall
8 be filed for record before the property ~~herein~~ described in
9 this subsection shall be omitted from the assessment. All such
10 property shall be listed upon the tax rolls of the district or
11 districts in which it is located and shall have ascribed to it
12 an actual fair market value and an assessed or taxable value,
13 as contemplated by [section 441.21](#), whether such property ~~be~~
14 is subject to a levy or ~~be~~ is exempted as ~~herein~~ provided in
15 this subsection and such information shall be open to public
16 inspection.

17 Sec. 268. Section 427A.1, subsection 1, paragraph h, Code
18 2021, is amended to read as follows:

19 h. Property assessed by the department of revenue pursuant
20 to sections 428.24 ~~to~~ through 428.26, 428.28, and 428.29, or
21 chapters 433, [434](#), [437](#), [437A](#), [437B](#), and [438](#).

22 Sec. 269. Section 427B.26, subsection 2, unnumbered
23 paragraph 1, Code 2021, is amended to read as follows:

24 In lieu of the valuation and assessment provisions in
25 section 441.21, subsection 8, paragraphs "b", "c", and "d", and
26 sections 428.24 ~~to~~ through 428.26, 428.28, and 428.29, wind
27 energy conversion property which is first assessed for property
28 taxation on or after January 1, 1994, and on or after the
29 effective date of the ordinance enacted pursuant to subsection
30 1, shall be valued by the local assessor for property tax
31 purposes as follows:

32 Sec. 270. Section 427B.26, subsection 3, Code 2021, is
33 amended to read as follows:

34 3. The taxpayer shall file with the local assessor by
35 February 1 of the assessment year in which the wind energy

1 conversion property is first assessed for property tax
2 purposes, a declaration of intent to have the property
3 assessed at the value determined under [this section](#) in lieu
4 of the valuation and assessment provisions in section 441.21,
5 subsection 8, paragraphs "b", "c", and "d", and sections 428.24
6 ~~to~~ through 428.26, 428.28, and 428.29.

7 Sec. 271. Section 428A.1, subsections 2 and 3, Code 2021,
8 are amended to read as follows:

9 2. When each deed, instrument, or writing by which any real
10 property in this state is granted, assigned, transferred, or
11 otherwise conveyed is presented for recording to the county
12 recorder, a declaration of value signed by at least one of the
13 sellers or one of the buyers or their agents shall be submitted
14 to the county recorder. However, if the deed, instrument, or
15 writing contains multiple parcels some of which are located in
16 more than one county, separate declarations of value shall be
17 submitted on the parcels located in each county and submitted
18 to the county recorder of that county when paying the tax as
19 provided in [section 428A.5](#). A declaration of value is not
20 required for those instruments described in section 428A.2,
21 subsections 2 ~~to~~ through 5, 7 ~~to~~ through 13, and 16 ~~to~~ through
22 21, or described in [section 428A.2, subsection 6](#), except in the
23 case of a federal agency or instrumentality, or if a transfer
24 is the result of acquisition of lands, whether by contract or
25 condemnation, for public purposes through an exercise of the
26 power of eminent domain.

27 3. The declaration of value shall state the full
28 consideration paid for the real property transferred. If
29 agricultural land, as defined in [section 9H.1](#), is purchased by
30 a corporation, limited partnership, trust, alien or nonresident
31 alien, the declaration of value shall include the name and
32 address of the buyer, the name and address of the seller, a
33 legal description of the agricultural land, and identify the
34 buyer as a corporation, limited partnership, trust, alien, or
35 nonresident alien. The county recorder shall not record the

1 declaration of value, but shall enter on the declaration of
2 value the information the director of revenue requires for the
3 production of the sales/assessment ratio study and transmit
4 all declarations of value to the city or county assessor in
5 whose jurisdiction the property is located. The city or county
6 assessor shall provide the information the director of revenue
7 requires for the production of the sales/assessment ratio study
8 at times as directed by the director of revenue. The assessor
9 shall retain for three years from December 31 of the year in
10 which the transfer of realty for which the declaration was
11 filed took place. The director of revenue shall, upon receipt
12 of the information required to be filed under [this chapter](#)
13 by the city or county assessor, send to the office of the
14 secretary of state that part of the declaration of value which
15 identifies a corporation, limited partnership, trust, alien,
16 or nonresident alien as a purchaser of agricultural land as
17 defined in [section 9H.1](#).

18 Sec. 272. Section 437.11, Code 2021, is amended to read as
19 follows:

20 **437.11 Rate — purposes.**

21 Such portions of the transmission line or lines within the
22 state referred to in [section 437.2](#), as are located outside
23 cities, shall be taxable upon said assessment provided for by
24 sections 437.6 ~~to~~ through 437.9 at the same rate, by the same
25 officers and for the same purposes as property of individuals
26 within such counties, townships, or lesser taxing districts,
27 outside cities, and the county treasurer shall collect said
28 taxes at the same time and in the same manner as other taxes,
29 and the same penalties shall be due and collectible as for the
30 nonpayment of individual taxes.

31 Sec. 273. Section 437.12, Code 2021, is amended to read as
32 follows:

33 **437.12 Assessment exclusive.**

34 Every transmission line or part of a transmission line, of
35 which the department of revenue is required by [this chapter](#)

1 to find the value, shall be exempt from other assessment or
2 taxation either under sections 428.24 through 428.26, or
3 under any other law of this state except as provided in this
4 chapter.

5 Sec. 274. Section 437B.2, subsection 1, Code 2021, is
6 amended to read as follows:

7 1. "*Centrally assessed property tax*" means property tax
8 imposed with respect to the value of property determined by the
9 director pursuant to sections 428.24 through 428.26, 428.28,
10 and 428.29, Code 2013, and allocated to water service.

11 Sec. 275. Section 438.7, Code 2021, is amended to read as
12 follows:

13 **438.7 Consolidated list of real estate.**

14 The department of revenue shall, by some convenient method
15 of binding, arrange the statements required to be made by
16 sections 438.4 through 438.6 so as to form a consolidated
17 list of all real estate reported to the department as being
18 owned or used for pipeline purposes within the state of Iowa.

19 Sec. 276. Section 441.22, Code 2021, is amended to read as
20 follows:

21 **441.22 Forest and fruit-tree reservations.**

22 Forest and fruit-tree reservations fulfilling the conditions
23 of ~~sections 427C.1 to 427C.13~~ chapter 427C shall be exempt from
24 taxation. In all other cases where trees are planted upon
25 any tract of land, without regard to area, for forest, fruit,
26 shade, or ornamental purposes, or for windbreaks, the assessor
27 shall not increase the valuation of the property because of
28 such improvements.

29 Sec. 277. Section 441.47, unnumbered paragraph 1, Code
30 2021, is amended to read as follows:

31 The department of revenue on or about August 15, 1977, and
32 every two years thereafter shall order the equalization of the
33 levels of assessment of each class of property in the several
34 assessing jurisdictions by adding to or deducting from the
35 valuation of each class of property such percentage in each

1 case as may be necessary to bring the same to its taxable value
2 as fixed in this chapter, ~~and~~ chapters 427 ~~to~~ through 440, and
3 chapter 443. The department shall adjust to actual value the
4 valuation of any class of property as set out in the abstract
5 of assessment when the valuation is at least five percent above
6 or below actual value as determined by the department. For
7 purposes of such value adjustments and before such equalization
8 the director shall adopt, in the manner prescribed by chapter
9 17A, such rules as may be necessary to determine the level of
10 assessment for each class of property in each county. The
11 rules shall cover:

12 Sec. 278. Section 441.56, Code 2021, is amended to read as
13 follows:

14 **441.56 Assessor's duties — combined appointment.**

15 When the duties of the county assessor are combined with the
16 duties of another officer or employee as provided in section
17 331.323, subsection 1, the person named to perform the combined
18 duties shall be appointed as provided in sections 441.5 ~~to~~
19 through 441.8.

20 Sec. 279. Section 443.2, Code 2021, is amended to read as
21 follows:

22 **443.2 Tax list.**

23 1. Before the first day of July in each year, the county
24 auditor shall transcribe the assessments of the townships and
25 cities into a book or record, to be known as the tax list,
26 properly ruled and headed, with separate columns, in which
27 shall be entered the names of the taxpayers, descriptions of
28 lands, number of acres and value, numbers of city lots and
29 value, and each description of tax, with a column for polls and
30 one for payments, and shall complete it by entering the amount
31 due on each installment, separately, and carrying out the total
32 of both installments. The total of all columns of each page of
33 each book or other record shall balance with the tax totals.
34 After computing the amount of tax due and payable on each
35 property, the county auditor shall round the total amount of

1 tax due and payable on the property to the nearest even whole
2 dollar.

3 2. The county auditor shall list the aggregate actual
4 value and the aggregate taxable value of all taxable property
5 within the county and each political subdivision including
6 property subject to the statewide property tax imposed under
7 section 437A.18 or 437B.14 on the tax list in order that the
8 actual value of the taxable property within the county or a
9 political subdivision may be ascertained and shown by the tax
10 list for the purpose of computing the debt-incurring capacity
11 of the county or political subdivision. As used in this
12 section, "actual value" is the value determined under section
13 441.21, subsections 1 ~~to~~ through 3, prior to the reduction to
14 a percentage of actual value as otherwise provided in section
15 441.21. "Actual value" of property subject to statewide
16 property tax is the assessed value under [section 437A.18](#) or
17 437B.14.

18 Sec. 280. Section 444.8, Code 2021, is amended to read as
19 follows:

20 **444.8 Mandatory provisions.**

21 The provisions of sections 444.1 ~~to~~ through 444.4, 444.6,
22 and 444.7, and the methods of computation, certification, and
23 levy ~~therein~~ provided in those sections shall be obligatory
24 on all officers within the several counties of the state upon
25 whom devolves the duty of determining, certifying, and levying
26 taxes.

27 Sec. 281. Section 455B.137, Code 2021, is amended to read
28 as follows:

29 **455B.137 Privileged information.**

30 Information received by the department or any employees
31 of the department through filed reports, inspections, or as
32 otherwise authorized in [this division II](#) or chapter 459,
33 subchapter II, concerning trade secrets, secret industrial
34 processes, or other privileged communications, except emission
35 data, shall not be disclosed or opened to public inspection,

1 except as may be necessary in a proceeding concerning a
2 violation of ~~said~~ this division II or chapter 459, subchapter
3 II, or of any rules promulgated thereunder under this division
4 II or chapter 459, subchapter II, or as otherwise authorized or
5 ordered by appropriate court action or proceedings. Nothing
6 in this section shall be construed to prevent the director
7 from compiling or publishing analyses or summaries relating to
8 the general condition of the atmosphere; provided that such
9 analyses or summaries do not reveal any information otherwise
10 confidential under this section.

11 Sec. 282. Section 455B.183, subsection 4, Code 2021, is
12 amended to read as follows:

13 4. Plans and specifications for all other waste disposal
14 systems and public water supply systems, including sewer
15 extensions and water supply distribution system extensions not
16 reviewed by a city or county public works department under
17 this section, shall be submitted to the department before a
18 written permit may be issued. Plans and specifications for
19 public water supply systems and water supply distribution
20 system extensions must be certified by a licensed engineer as
21 provided in subsection 1, paragraph "a". The construction of
22 any such waste disposal system or public water supply system
23 shall be in accordance with standards formulated and adopted
24 by the ~~department~~ commission pursuant to section 455B.173,
25 subsections 5 ~~to~~ through 8. If it is necessary or desirable to
26 make material changes in the plans or specifications, revised
27 plans or specifications together with reasons for the proposed
28 changes must be submitted to the department for a supplemental
29 written permit. The revised plans and specifications for a
30 public water supply system must be certified by a licensed
31 engineer as provided in subsection 1, paragraph "a".

32 Sec. 283. Section 455B.223, Code 2021, is amended to read
33 as follows:

34 **455B.223 Competent operator required.**

35 It shall be unlawful for any person, firm, corporation,

1 municipal corporation, or other governmental subdivision or
 2 agency, operating a water treatment plant, water distribution
 3 system, or wastewater treatment plant to operate same unless
 4 the competency of the operator to operate such plant or system
 5 is duly certified to by the director under the provisions of
 6 this part 2 of division III. It shall also be unlawful for any
 7 person to perform the duties of an operator, as defined ~~herein~~
 8 in this part, without being duly certified under the provisions
 9 of ~~said~~ this part.

10 Sec. 284. Section 455B.224, Code 2021, is amended to read
 11 as follows:

12 **455B.224 Simple misdemeanor.**

13 Any person, including any firm, corporation, municipal
 14 corporation, or other governmental subdivision or agency,
 15 violating any provisions of this part 2 of division III or the
 16 rules adopted ~~thereunder~~ under this part after written notice
 17 ~~thereof~~ of the violation by the executive director is guilty of
 18 a simple misdemeanor. Each day of operation in such violation
 19 of ~~said~~ this part or any rules adopted ~~thereunder~~ under this
 20 part shall constitute a separate offense. It shall be the duty
 21 of the appropriate county attorney to secure injunctions of
 22 continuing violations of any provisions of ~~said~~ this part or
 23 the rules adopted ~~thereunder~~ under this part.

24 Sec. 285. Section 455B.307, subsection 2, Code 2021, is
 25 amended to read as follows:

26 2. The director may issue any order necessary to secure
 27 compliance with or prevent a violation of the provisions of
 28 this part 1 of **division IV** or the rules adopted pursuant to
 29 ~~the~~ this part. The attorney general shall, on request of
 30 the department, institute any legal proceedings necessary in
 31 obtaining compliance with an order of the commission or the
 32 director or prosecuting any person for a violation of the
 33 provisions of ~~the~~ this part or rules issued pursuant to ~~the~~
 34 this part.

35 Sec. 286. Section 455B.473, subsection 6, Code 2021, is

1 amended to read as follows:

2 6. Subsections 1 to through 3 do not apply to an underground
3 storage tank for which notice was given pursuant to section
4 103, subsection c, of the Comprehensive Environmental Response,
5 Compensation, and Liabilities Act of 1980.

6 Sec. 287. Section 455B.803, subsection 2, paragraph e, Code
7 2021, is amended to read as follows:

8 e. On July 1, 2020, the commission shall cease enforcement
9 of the removal, collection, and recovery plans under this
10 section. ~~On or before July 1, 2020, the commission shall~~
11 ~~review the mercury-added switch removal, collection, and~~
12 ~~recovery portion of this division and submit a recommendation~~
13 ~~to the general assembly regarding the necessity of continuing~~
14 ~~the enforcement of the removal, collection, and recovery plans~~
15 ~~under this section.~~

16 Sec. 288. Section 456A.24, subsection 2, unnumbered
17 paragraph 1, Code 2021, is amended to read as follows:

18 Acquire by purchase, condemnation, lease, agreement,
19 gift, and devise lands or waters suitable for the purposes
20 ~~hereinafter~~ enumerated in this subsection, and rights-of-way
21 ~~thereto~~ to those lands and waters, and to maintain the ~~same~~
22 lands and waters for the following purposes, to wit:

23 Sec. 289. Section 456A.24, subsections 3 and 7, Code 2021,
24 are amended to read as follows:

25 3. Extend and consolidate lands or waters suitable for the
26 ~~above~~ purposes enumerated in subsection 2 by exchange for other
27 lands or waters and to purchase, erect, and maintain buildings
28 necessary to the work of the department.

29 7. Pay the salaries, wages, compensation, traveling,
30 and other necessary expenses of the commissioners, director,
31 officers, and other employees of the department, ~~and to~~ expend
32 money for necessary supplies and equipment, ~~and to~~ make such
33 other expenditures as may be necessary for the carrying into
34 effect the purposes of this chapter.

35 Sec. 290. Section 458A.2, subsections 7 and 19, Code 2021,

1 are amended to read as follows:

2 7. "Gas" means and includes all natural gas and all other
3 fluid hydrocarbons which are produced at the wellhead and not
4 ~~hereinabove~~ defined in this section as oil.

5 19. "Waste" means and includes all of the following:

6 a. Physical waste, as that term is generally understood in
7 the oil and gas industry~~τ~~.

8 b. The inefficient, excessive, or improper use of, or the
9 unnecessary dissipation of reservoir energy~~τ~~.

10 c. The location, spacing, drilling, equipping, operating,
11 or producing of any oil or gas well or wells in a manner which
12 causes, or tends to cause, reduction in the quantity of oil or
13 gas ultimately recoverable from a pool under prudent and proper
14 operations, or which causes or tends to cause unnecessary or
15 excessive surface loss or destruction of oil or gas~~τ~~.

16 d. The inefficient storing of oil~~τ~~ ~~and~~.

17 e. The production of oil or gas in excess of transportation
18 or marketing facilities or in excess of reasonable market
19 demand.

20 Sec. 291. Section 458A.16, subsection 2, Code 2021, is
21 amended to read as follows:

22 2. ~~If any~~ A person is guilty of a fraudulent practice if the
23 person, for the purpose of evading this chapter, or any rule or
24 order of the department, ~~makes~~ does any of the following:

25 a. Makes or causes to be made any false entry or statement
26 in a report required by this chapter or by any rule or order~~τ~~ ~~or~~
27 makes.

28 b. Makes or causes to be made any false entry in any record,
29 account, or memorandum required by this chapter, or by any rule
30 or order~~τ~~ ~~or omits~~.

31 c. Omits, or causes to be omitted, from any record, account,
32 or memorandum, full, true, and correct entries as required by
33 this chapter, or by any rule or order~~τ~~ ~~or removes~~.

34 d. Removes from this state or destroys, mutilates, alters,
35 or falsifies any ~~such~~ record, account, or memorandum~~τ~~ ~~the~~

1 ~~person is guilty of a fraudulent practice required by this~~
2 ~~chapter, or by any rule or order.~~

3 Sec. 292. Section 459.501, subsection 3, paragraph a,
4 subparagraph (3), subparagraph division (a), subparagraph
5 subdivision (i), Code 2021, is amended to read as follows:

6 (i) Providing for seizure of animals pursuant to sections
7 ~~169.3D~~ 163.3D and ~~169.3E~~ 163.3E.

8 Sec. 293. Section 460.302, subsection 3, paragraph a,
9 subparagraph (1), Code 2021, is amended to read as follows:

10 (1) On July 1, 1987, initiate a pilot demonstration
11 and research project concerning elimination of groundwater
12 contamination attributed to the use of agricultural chemicals
13 and agricultural drainage wells. The project shall be
14 established in a location in north central Iowa determined by
15 the department to be the most appropriate. A demonstration
16 project shall also be established in northeast Iowa to study
17 techniques for the cleanup of sinkholes.

18 Sec. 294. Section 461A.34, Code 2021, is amended to read as
19 follows:

20 **461A.34 Powers in municipalities.**

21 Municipalities, or individuals, or corporations organized
22 only for that the purpose only of establishing a park, acting
23 separately or in conjunction with each other, may establish
24 like parks outside the limits of cities, and when. If a park is
25 established without the support of the public state parks fund,
26 the municipalities, corporations, or persons establishing the
27 same park, as the case may be, shall have control thereof of
28 the park independently of the executive council; but. However,
29 none of the ~~said~~ municipalities, individuals, or corporations,
30 acting under the provisions of **this section** shall establish,
31 maintain, or operate any such park as ~~herein~~ contemplated in
32 this section for pecuniary profit.

33 Sec. 295. Section 461A.44, Code 2021, is amended to read as
34 follows:

35 **461A.44 Prohibited areas.**

1 No person shall enter upon portions of any state park
2 or preserve in disregard of official signs forbidding ~~same~~
3 entrance upon park or preserve property, except by permission
4 of the director or the director's representative.

5 Sec. 296. Section 461A.59, Code 2021, is amended to read as
6 follows:

7 **461A.59 Powers in municipalities.**

8 Municipalities or corporations organized only for ~~that~~
9 the purpose only of establishing a water recreational area,
10 acting separately or in conjunction with each other in counties
11 not having a county conservation board, may establish water
12 recreational areas ~~and when~~. If a water recreational area is
13 established without the support of public funds of the state
14 of Iowa, the municipalities or corporations establishing the
15 ~~same~~ water recreational area, as the case may be, shall have
16 control ~~thereof~~ of the water recreational area independently of
17 the executive council.

18 Sec. 297. Section 461A.61, unnumbered paragraph 1, Code
19 2021, is amended to read as follows:

20 ~~Said~~ A petition filed under section 461A.60 shall state:

21 Sec. 298. Section 462A.14D, subsection 8, Code 2021, is
22 amended to read as follows:

23 8. **Subsections 3 to through 7 of this section** do not apply
24 where a test may be administered under section 462A.14A,
25 subsection 4, paragraph "f".

26 Sec. 299. Section 462A.29, Code 2021, is amended to read as
27 follows:

28 **462A.29 Official duty exempted.**

29 Peace officers, members of the commission, ~~its~~ and the
30 commission's deputies, agents, and employees are not violating
31 the provisions of **this chapter** while acting within the scope
32 of their employment in search and rescue operations, law
33 enforcement duty, emergency duty, and other resource management
34 activities as determined by rules of the commission.

35 Sec. 300. Section 468.37, Code 2021, is amended to read as

1 follows:

2 **468.37 Contracts.**

3 All agreements and contracts for work or materials in
4 constructing the improvements of ~~such a~~ a district shall be in
5 writing, and be signed by the chairperson of the board of
6 supervisors for and on behalf of the district and the parties
7 who are to perform the work or furnish the materials specified
8 in ~~such~~ the contract. ~~Such~~ The contract shall specify the
9 particular work to be done or materials to be furnished, the
10 time when it shall begin and when it shall be completed, the
11 amount to be paid and the times of payment, ~~with~~ and contain
12 such other terms and conditions as to details as are necessary
13 to a clear understanding of the terms ~~thereof~~ of the contract.

14 Sec. 301. Section 468.71, Code 2021, is amended to read as
15 follows:

16 **468.71 Form, negotiability, and effect.**

17 Each ~~of such certificates~~ improvement certificate shall
18 state the amount of one or more drainage assessments or part
19 thereof made against the property, designating ~~it~~ the property
20 and the owner thereof liable for the payment of ~~such the~~
21 assessments. ~~Said~~ The certificates shall be negotiable and
22 transfer to the bearer all right and interest in and to the
23 tax in every such assessment or part thereof described in ~~such~~
24 the certificates, and shall authorize such bearer to collect
25 and receive every assessment embraced in ~~said certificate~~
26 the certificates by or through any of the methods provided
27 by law for ~~their~~ collection of the assessments as the ~~same~~
28 certificates mature.

29 Sec. 302. Section 468.72, Code 2021, is amended to read as
30 follows:

31 **468.72 Interest — place of payment.**

32 ~~Such~~ Improvement certificates issued under section 468.70
33 shall bear interest at a rate determined by the board, payable
34 annually, and shall be paid by the taxpayer to the county
35 treasurer, who shall receipt for the ~~same~~ interest payment and

1 cause the amount to be credited on the certificates issued
2 ~~therefor~~ for the drainage assessments.

3 Sec. 303. Section 468.214, Code 2021, is amended to read as
4 follows:

5 **468.214 Applicable statutes.**

6 Except as otherwise provided ~~herein~~ in this part, all
7 provisions of this chapter relative to assessment of damages,
8 appointment of an engineer, employment of counsel, payment for
9 work, levy and collection of drainage and levee assessments
10 and taxes, the issue of improvement certificates and drainage
11 or levee bonds, the taking of appeals and the manner of trial
12 thereof and all other proceedings relating thereto shall apply.

13 Sec. 304. Section 468.259, unnumbered paragraph 1, Code
14 2021, is amended to read as follows:

15 In lieu of the hearings provided for in section 468.258, the
16 board of either district may call an election for the purpose
17 of determining the dissolution of the contained district or the
18 acceptance of that district's improvements and rights-of-way
19 by the overlying district. The questions may be submitted at
20 a regular election of the district or at a special election
21 called for that purpose. It is not mandatory for the county
22 commissioner of elections to conduct the elections, however
23 the provisions of sections 49.43 to through 49.47, and of
24 subchapter III of this chapter, as they are applicable, shall
25 govern the elections, and the question to be submitted shall be
26 set forth in the notice of election.

27 Sec. 305. Section 468.274, Code 2021, is amended to read as
28 follows:

29 **468.274 Notice.**

30 Immediately upon the filing of the report of the
31 commissioners and the engineer, if the ~~same~~ report recommends
32 the establishment of such district, notice shall be given
33 by the auditor of each county to the owners of all the lots
34 and tracts of land in the auditor's own county respectively
35 embraced within such district as recommended by the

1 commissioners as shown by the transfer books in the office of
2 the auditor of each of said counties, and also to the persons
3 in actual occupancy of all the lots or tracts of land in such
4 district, and also to each lienholder or encumbrancer of any of
5 such lots or tracts as shown by the records of the respective
6 counties.

7 Sec. 306. Section 468.371, Code 2021, is amended to read as
8 follows:

9 **468.371 Registration.**

10 When bonds have been executed as ~~aforsaid~~ provided in this
11 part they shall be delivered to the county treasurer and the
12 treasurer's receipt taken ~~therefor~~ for each bond. The county
13 treasurer shall register ~~the same~~ each bond in a book provided
14 for that purpose, which shall show the number of each bond, its
15 date, date of sale, amount, date of maturity, and the name and
16 address of the purchaser, and if exchanged what evidences of
17 debt were received ~~therefor, which~~ for each bond. The record
18 shall at all times be open to the inspection of the owners of
19 property within the district. The treasurer shall ~~thereupon~~
20 certify on the back of each bond as follows:

21 This bond duly and properly registered in my office this
22 day of (month), ... (year).

23

24 Treasurer of the County of

25

26 Sec. 307. Section 468.553, Code 2021, is amended to read as
27 follows:

28 **468.553 Record of bonds.**

29 When the bonds have been executed as ~~aforsaid~~ provided
30 in this part they shall be delivered to the county treasurer
31 and the treasurer's receipt taken ~~therefor~~ for each of the
32 bonds. The treasurer shall register ~~said~~ each of the bonds in
33 a book provided for that purpose which shall show the number of
34 each bond, its date, date of sale, amount, date of maturity,
35 and the name and address of the purchaser, and if exchanged

1 what evidences of indebtedness were received ~~therefor, which~~
2 for each bond. The record shall at all times be open to the
3 inspection of the owners of property within ~~said~~ the drainage
4 district. The treasurer shall ~~thereupon~~ certify on the back
5 of each bond as follows:

6 This bond duly and properly registered in my office this
7 day of (month), ... (year).

8

9 Treasurer of the County of

10

11 Sec. 308. Section 476.4, subsection 3, Code 2021, is amended
12 to read as follows:

13 3. Every rate, charge, rule, and regulation contained in
14 any filing made with the commission on or prior to July 4,
15 1963, shall be effective as of such date, subject, however, to
16 investigation as provided in this chapter. If any such filing
17 is made prior to the time the commission prescribes rules as
18 ~~aforsaid~~, and if such filing does not comply as to form or
19 substance with such rules, then the public utility which filed
20 the same shall within a reasonable time after the adoption of
21 such rules make a new filing or filings complying with such
22 rules, which new filing or filings shall be deemed effective
23 as of July 4, 1963.

24 Sec. 309. Section 476.22, Code 2021, is amended to read as
25 follows:

26 **476.22 Definition.**

27 As used in ~~sections 476.23 to 476.26~~ this subchapter, unless
28 the context otherwise requires, "electric utility" includes a
29 public utility furnishing electricity as defined in section
30 476.1 and a city utility as defined in section 390.1.

31 Sec. 310. Section 476.49, subsection 1, paragraph c, Code
32 2021, is amended to read as follows:

33 *c.* "Distributed generation facility" means ~~the same as~~
34 ~~defined in section 476.58, subsection 1, paragraph "b",~~
35 ~~subparagraph (2) or (3)~~ an alternative energy production

1 facility or a small hydro facility as defined in section
2 476.42.

3 Sec. 311. Section 478.10, Code 2021, is amended to read as
4 follows:

5 **478.10 Franchise transferable — notice.**

6 When any ~~such~~ electric transmission line or lines are sold
7 and transferred either by voluntary or judicial sale, ~~such the~~
8 transfer shall carry with it the franchise under which the ~~said~~
9 improvement is owned, maintained, or operated. If a transfer
10 of such franchise is made before the improvement for which
11 it was issued is constructed, in whole or in part, ~~such the~~
12 transfer shall not be effective ~~till~~ until the person, company,
13 or corporation to whom it was issued ~~shall file~~ files in the
14 office of the utilities board granting the franchise a notice
15 in writing stating the date of ~~such the~~ transfer and the name
16 and address of the transferee.

17 Sec. 312. Section 481A.33, Code 2021, is amended to read as
18 follows:

19 **481A.33 Violations relating to dams.**

20 1. Whoever shall erect A person who erects any dam or other
21 obstruction prohibited by this chapter or at a place or in a
22 manner prohibited shall be guilty of a simple misdemeanor, ~~or~~
23 ~~shall injure or destroy.~~

24 2. A person who injures or destroys any dam lawfully
25 erected, shall be guilty of an aggravated misdemeanor.

26 Sec. 313. Section 491.10, Code 2021, is amended to read as
27 follows:

28 **491.10 Interpretative clause.**

29 Nothing in sections 491.5 to through 491.9 shall be
30 construed as repealing or modifying any statute now in force in
31 respect to the approval of articles of incorporation relating
32 to insurance companies or investment companies.

33 Sec. 314. Section 491.107, subsection 2, Code 2021, is
34 amended to read as follows:

35 2. The procedure set forth in sections 491.6 ~~to~~ through

1 491.9 of ~~this chapter~~ shall be applicable to the filing of
2 articles of consolidation or merger.

3 Sec. 315. Section 492.4, Code 2021, is amended to read as
4 follows:

5 **492.4 Certain corporations excepted.**

6 Sections 492.1 ~~to~~ through 492.3 shall not apply to railway or
7 quasi-public corporations organized before October 1, 1897.

8 Sec. 316. Section 492.10, Code 2021, is amended to read as
9 follows:

10 **492.10 Cancellation of stock — reimbursement.**

11 The capital stock of any corporation issued in violation of
12 the terms and provisions of ~~sections 492.5 to~~ through 492.8
13 shall be void, and in a suit brought by the attorney general on
14 behalf of the state in any court having jurisdiction, a decree
15 of cancellation shall be entered; and if the corporation has
16 received any money or thing of value for the said stock, such
17 money or thing of value shall be returned to the individual,
18 firm, company, or corporation from whom it was received, and if
19 represented by labor or other service of intangible nature, the
20 value thereof shall constitute a claim against the corporation
21 issuing stock in exchange therefor.

22 Sec. 317. Section 492.11, Code 2021, is amended to read as
23 follows:

24 **492.11 Dissolution — distribution of assets.**

25 Any corporation violating the provisions of sections 492.5
26 ~~to~~ through 492.8 shall, upon the application of the attorney
27 general, in behalf of the state, made to any court of competent
28 jurisdiction, be dissolved, its affairs wound up, and its
29 assets distributed among the stockholders other than those who
30 have received the stock so unlawfully issued.

31 Sec. 318. Section 492.12, Code 2021, is amended to read as
32 follows:

33 **492.12 Violation.**

34 Any officer, agent, or representative of a corporation who
35 violates any of the provisions of sections 492.5 ~~to~~ through

1 492.8 shall be guilty of a simple misdemeanor.

2 Sec. 319. Section 495.1, Code 2021, is amended to read as
3 follows:

4 **495.1 Capital stock and permit.**

5 Sections 492.5 ~~to~~ through 492.9 are applicable to any
6 foreign corporation which directly or indirectly owns, uses,
7 operates, controls, or is concerned in the operation of
8 any public gasworks, electric light plant, heating plant,
9 waterworks, interurban or street railway located within the
10 state, or the carrying on of any gas, electric light, electric
11 power, heating business, waterworks, interurban or street
12 railway business within the state, or that owns or controls,
13 directly or indirectly, any of the capital stock of any
14 corporation which owns, uses, operates or is concerned in
15 the operation of any public gasworks, electric light plant,
16 electric power plant, heating plant, waterworks, interurban
17 or street railway located within the state, or any foreign
18 corporation that exercises any control in any way or in any
19 manner over any of such works, plants, interurban or street
20 railways or the business carried on by such works, plants,
21 interurban or street railways by or through the ownership of
22 the capital stock of any corporation or corporations or in any
23 other manner whatsoever, ~~and the.~~ The ownership, operation,
24 or control of any such works, plants, interurban or street
25 railways or the business carried on by any of such works or
26 plants or the ownership or control of the capital stock in any
27 corporation owning or operating any of such works, plants,
28 interurban or street railways by any foreign corporation in
29 violation of **this chapter** is unlawful.

30 Sec. 320. Section 508.32, Code 2021, is amended to read as
31 follows:

32 **508.32 Proceeds of policy held in trust.**

33 1. As used in this section:

34 a. "Annuity contracts" and "life insurance policies" include
35 accident and health insurance policies and contracts, and

1 include undertakings, duties, and obligations incidental to or
2 in furtherance of any such policies or contracts.

3 b. "Proceeds" includes additions and contributions.

4 c. "Trust" includes but is not limited to settlement options
5 and contracts issued pursuant to policies or contracts, and
6 funds held in a separate or segregated account in connection
7 with pension or profit-sharing plans pursuant to agreements
8 with the policyholders.

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

32 2. 3. ~~As used in [this section](#), life insurance policies~~
33 ~~and annuity contracts include accident and health insurance~~
34 ~~policies and contracts, and include undertakings, duties,~~
35 ~~and obligations incidental to or in furtherance of any such~~

1 ~~policies or contracts. As used in this section, proceeds~~
 2 ~~include additions and contributions.~~ Funds held by an
 3 insurance company as authorized by **this section** may be
 4 held in a separate account established pursuant to section
 5 508A.1, except that **section 508A.1, subsection 5**, shall not
 6 be applicable to such account. However, funds held by an
 7 insurance company as authorized in **this section** shall not be
 8 chargeable with liabilities arising out of any other business
 9 the company may conduct.

10 ~~3.~~ **4.** An instrument or agreement issued or used by an
 11 insurance company as authorized by **this section** does not
 12 constitute a security as defined in **section 502.102**.

13 Sec. 321. Section 511.12, Code 2021, is amended to read as
 14 follows:

15 **511.12 Officers not to profit by investments.**

16 ~~No such~~ An officer or director of a life insurance company or
 17 association shall gain through not profit from the investment
 18 of funds of ~~any such~~ the company.

19 Sec. 322. Section 514D.3, subsection 1, unnumbered
 20 paragraph 1, Code 2021, is amended to read as follows:

21 The commissioner shall issue rules to establish specific
 22 standards, including standards of full and fair disclosure,
 23 that set forth the manner, content, and required disclosure
 24 for the sale of policies of individual accident and sickness
 25 insurance and individual subscriber contracts which shall be
 26 in addition to and in accordance with applicable laws of this
 27 state, including but not limited to sections 514A.1 ~~to~~ through
 28 514A.8 and sections 514A.10 through 514A.12. These rules may
 29 include, but shall not be limited to, any of the following
 30 subjects:

31 Sec. 323. Section 514D.4, subsection 2, Code 2021, is
 32 amended to read as follows:

33 **2.** **This section** does not prohibit the issuance of a policy
 34 which combines two or more of the categories of coverage
 35 enumerated in paragraphs "a" ~~to~~ through "f" of subsection

1 1. A category of coverage referred to in paragraph "g", "h",
2 or "i" of subsection 1 shall not be combined in a policy or
3 contract either with another category of coverage referred to
4 in paragraph "g", "h", or "i" of subsection 1 or with a category
5 of coverage referred to in any of paragraphs "a" ~~to~~ through
6 "f" of subsection 1 unless a rule issued by the commissioner
7 specifically authorizes that combination of coverages.

8 Sec. 324. Section 514D.7, subsection 2, Code 2021, is
9 amended to read as follows:

10 2. A policy of accident and sickness insurance which is
11 exempt from the provisions of sections 514A.1 ~~to~~ through 514A.8
12 and sections 514A.10 through 514A.12 by virtue of an exemption
13 set forth in section 514A.1 or 514A.8.

14 Sec. 325. Section 515.41, Code 2021, is amended to read as
15 follows:

16 **515.41 Certificate of authority.**

17 The certificate and statements ~~above~~ contemplated in
18 sections 515.38 through 515.40 shall be filed in the division
19 and the commissioner of insurance shall deliver to the company
20 a copy of the report of the examination, in the event one
21 is made, together with the commissioner's written permission
22 for ~~it~~ the company to commence the business proposed in its
23 articles of incorporation, which permission shall be ~~its~~ the
24 company's authority to commence business and issue policies.

25 Sec. 326. Section 515.48, subsection 1, paragraph b, Code
26 2021, is amended to read as follows:

27 *b.* Loss by depreciation as ~~herein~~ referred to in this
28 subsection may include the cost of repair and replacement.

29 Sec. 327. Section 515.48, subsection 10, Code 2021, is
30 amended to read as follows:

31 10. Insure any additional risk not specifically included
32 within any of the ~~foregoing~~ classes enumerated in this section,
33 which is a proper subject for insurance, is not prohibited
34 by law or contrary to sound public policy, and which, after
35 public notice and hearing, is specifically approved by

1 the commissioner of insurance, except title insurance or
2 insurance against loss or damage by reason of defective title,
3 encumbrances or otherwise. When such additional kind of
4 insurance is approved by the commissioner, the commissioner
5 shall designate within which classification of risks provided
6 for in [section 515.49](#) it shall fall.

7 Sec. 328. Section 515.109, subsection 2, paragraph c, Code
8 2021, is amended to read as follows:

9 c. The standard policy provided for ~~herein~~ in this section
10 need not be used for effecting reinsurance between insurers.

11 Sec. 329. Section 515.111, Code 2021, is amended to read as
12 follows:

13 **515.111 Nuclear loss or damage excluded.**

14 Insurers issuing the standard policy pursuant to section
15 515.109 are authorized to affix ~~thereto~~ to or include ~~therein~~
16 within a policy a written statement that the policy does not
17 cover loss or damage caused by nuclear reaction or nuclear
18 radiation or radioactive contamination, all whether directly or
19 indirectly resulting from an insured peril under the policy.
20 However, ~~that~~ nothing contained in [this section](#) shall be
21 construed to prohibit the attachment to any such policy of an
22 endorsement or endorsements specifically assuming coverage for
23 loss or damage caused by nuclear reaction or nuclear radiation
24 or radioactive contamination.

25 Sec. 330. Section 515A.11, subsection 1, Code 2021, is
26 amended to read as follows:

27 1. Every group, association or other organization of
28 insurers which engages in joint underwriting or joint
29 reinsurance, shall be subject to regulation with respect
30 thereto as herein provided, subject, however, with respect to
31 joint underwriting, to all other provisions of [this chapter](#)
32 and, with respect to joint reinsurance, to [sections 515A.12](#) and
33 [515A.16](#) ~~to~~ through [515A.19](#).

34 Sec. 331. Section 518B.2, Code 2021, is amended to read as
35 follows:

1 **518B.2 Reimbursement fund created.**

2 There is hereby created the federal riot reinsurance
3 reimbursement fund in the office of the treasurer of state
4 which shall be operated under the joint control of the
5 director of the department of administrative services and the
6 commissioner. The fund shall consist of all payments made by
7 insurers in accordance with the provisions of **this chapter**.
8 The director of the department of administrative services
9 shall have the same power to enforce the collection of the
10 assessments provided ~~hereunder~~ under this chapter as any other
11 obligation due the state.

12 Sec. 332. Section 520.2, Code 2021, is amended to read as
13 follows:

14 **520.2 Execution of contract.**

15 ~~Such~~ Reciprocal or interinsurance contracts may be executed
16 by an attorney, agent, or other representative ~~herein~~
17 designated as the attorney in fact, duly authorized and acting
18 for such subscribers under powers of attorney, ~~and such~~. The
19 attorney may be a corporation. ~~Such~~ The attorney shall have
20 the power and authority to execute any and all instruments,
21 papers, and documents incident to and a part of the business
22 of the reciprocal or interinsurance exchange, including deeds
23 for the conveyance of real estate, and acquisition and sale
24 of securities. ~~Such~~ The attorney shall have the power and
25 authority to do all things necessary and incident to the
26 management and operation of such business. The certificate
27 of the commissioner of insurance certifying the name of the
28 attorney for any reciprocal or interinsurance exchange shall be
29 sufficient proof of the authority of any such attorney.

30 Sec. 333. Section 520.11, Code 2021, is amended to read as
31 follows:

32 **520.11 Implied powers of corporations.**

33 Any corporation ~~now or hereafter~~ organized under the laws
34 of this state shall, in addition to the rights, powers, and
35 franchises specified in its articles of incorporation, have

1 full power and authority to exchange insurance contracts of the
2 kind and character ~~herein~~ mentioned in this chapter. The right
3 to exchange such contracts is hereby declared to be incidental
4 to the purposes for which such corporations are organized and
5 as fully granted as the rights and powers expressly conferred.

6 Sec. 334. Section 523.11, Code 2021, is amended to read as
7 follows:

8 **523.11 Arbitrage transactions excepted.**

9 The provisions of sections 523.7, 523.8, and 523.9 shall
10 not apply to foreign or domestic arbitrage transactions unless
11 made in contravention of such rules and regulations as the
12 commissioner may adopt in order to carry out the purposes of
13 sections 523.7 ~~to~~ through 523.10, this section, and sections
14 523.12 through 523.14.

15 Sec. 335. Section 523.12, Code 2021, is amended to read as
16 follows:

17 **523.12 Equity security defined.**

18 The term "*equity security*" when used in sections 523.7
19 ~~to~~ through 523.11, this section, and sections 523.13 and
20 523.14 means any stock or similar security; or any security
21 convertible, with or without consideration, into such a
22 security, or carrying any warrant or right to subscribe to or
23 purchase such a security; or any such warrant or right; or
24 any other security which the commissioner shall deem to be of
25 similar nature and consider necessary or appropriate, by such
26 rules and regulations as the commissioner may prescribe in the
27 public interest or for the protection of investors, to treat
28 as an equity security.

29 Sec. 336. Section 523.14, Code 2021, is amended to read as
30 follows:

31 **523.14 Rules.**

32 The commissioner shall have the power to make such rules
33 and regulations as may be necessary for the execution of the
34 functions vested in the commissioner by sections 523.7 ~~to~~
35 through 523.13, and may for such purpose classify domestic

1 stock insurance companies, securities, and other persons or
2 matters, within the commissioner's jurisdiction. No provisions
3 of [sections 523.7, 523.8, and 523.9](#) imposing any liability
4 shall apply to any act done or omitted in good faith in
5 conformity with any rule or regulation of the commissioner,
6 notwithstanding that such rule or regulation may, after such
7 act or omission, be amended or rescinded or determined by
8 judicial or other authority to be invalid for any reason.

9 Sec. 337. Section 524.1305, subsection 6, Code 2021, is
10 amended to read as follows:

11 6. Safe-deposit boxes, the contents of which have not been
12 removed by the owners after the date specified in the notice
13 given under paragraph "b" of [subsection 3 of this section](#),
14 shall be opened under the supervision of the superintendent
15 and the contents placed in sealed packages which, together
16 with unclaimed property held by the state bank in safekeeping,
17 shall be transmitted to the treasurer of state. Amounts due to
18 depositors who are unknown, or who are under a disability and
19 there is no person legally competent to receive the amount, or
20 who cannot be found after the exercise of reasonable diligence,
21 shall be transmitted to the treasurer of state, together with a
22 statement giving the name of the person, if known, entitled to
23 the amount, the person's last known address, the amount due the
24 person, and other information about the person as the treasurer
25 of state may reasonably require. All property transmitted
26 to the treasurer of state pursuant to [this subsection](#) shall
27 be treated as abandoned, retained by the treasurer of state,
28 and subject to claim, in the manner provided for in sections
29 [556.14 to through 556.21](#). All amounts due creditors described
30 in [section 490.1440](#) shall be deposited with the treasurer of
31 state in accordance with that section. Such amounts shall be
32 retained by the treasurer of state and are subject to claim in
33 the manner provided for in [section 490.1440](#).

34 Sec. 338. Section 524.1602, subsection 3, Code 2021, is
35 amended to read as follows:

1 3. On which it has money loaned, credit extended, or holds
2 discounted or purchased evidences of indebtedness or agreements
3 for the payment of money, in violation of sections 524.904
4 ~~through~~, 524.905, and 524.907.

5 Sec. 339. Section 524.1807, Code 2021, is amended to read
6 as follows:

7 **524.1807 Penalties.**

8 Any bank holding company which willfully violates any
9 provision of sections ~~524.1801~~ 524.1802 through 524.1806 shall,
10 upon conviction, be fined not less than one hundred dollars nor
11 more than one thousand dollars for each day during which the
12 violation continues. Any individual who willfully participates
13 in a violation of any provisions of sections ~~524.1801~~ 524.1802
14 through 524.1806 shall be guilty of a serious misdemeanor.

15 Sec. 340. Section 535.11, subsection 3, Code 2021, is
16 amended to read as follows:

17 3. With respect to an account other than an open account,
18 the creditor may impose a finance charge not exceeding that
19 permitted by [section 537.2201, subsections 2 ~~to~~ through 5](#).

20 Sec. 341. Section 536.21, Code 2021, is amended to read as
21 follows:

22 **536.21 Rules.**

23 The superintendent is hereby authorized and empowered to
24 ~~make~~ adopt such reasonable and relevant rules pursuant to
25 chapter 17A as may be necessary for the execution and the
26 enforcement of the provisions of [this chapter](#), in addition
27 hereto and not inconsistent herewith. ~~All rules shall be filed~~
28 ~~and entered by the superintendent in the banking division of~~
29 ~~the department of commerce in an indexed, permanent book or~~
30 ~~record, with the effective date thereof suitably indicated, and~~
31 ~~such book or record shall be a public document.~~

32 Sec. 342. Section 537.5110, subsection 2, paragraph a, Code
33 2021, is amended to read as follows:

34 a. A creditor who believes in good faith that a consumer is
35 in default may give the consumer written notice of the alleged

1 default, and, if the consumer has a right to cure the default,
2 shall give the consumer the notice of right to cure provided
3 in [section 537.5111](#) before commencing any legal action in any
4 court on an obligation of the consumer and before repossessing
5 collateral. However, [this subsection](#) and [subsection 4](#) do not
6 require a creditor to give notice of right to cure prior to
7 the filing of a petition by a creditor seeking to enforce the
8 consumer's obligation in which attachment under [chapter 639](#)
9 is sought upon any of the grounds specified in section 639.3,
10 subsections ~~3~~ through 12.

11 Sec. 343. Section 543C.2, subsection 2, paragraph a, Code
12 2021, is amended to read as follows:

13 a. The names, addresses, and business background of
14 the subdivider as required in [subsection 1](#), paragraphs "a"
15 ~~to~~ through "d". If such subdivider is a partnership or
16 corporation, the names, addresses, and business background of
17 each of the partners, officers, and principal stockholders, the
18 nature of their fiduciary relationship and their past, present,
19 or anticipated financial relationship to the subdivider.

20 Sec. 344. Section 543D.23, subsection 1, paragraphs d and e,
21 Code 2021, are amended to read as follows:

22 d. Rulemaking under chapter 17A, including orders on
23 petitions for rulemaking.

24 e. Orders on petitions for declaratory orders or waivers ~~or~~
25 variances.

26 Sec. 345. Section 557A.3, Code 2021, is amended to read as
27 follows:

28 **557A.3 Applicability to time-share programs located**
29 **out-of-state.**

30 1. [Sections 557A.4](#) ~~to~~ through [557A.10](#) apply only to
31 time-share programs located in Iowa.

32 2. [Sections 557A.1](#), [557A.2](#), and [557A.11](#) ~~to~~ through [557A.20](#)
33 apply to any time-share program, wherever located, which is
34 marketed in Iowa.

35 Sec. 346. Section 561.7, Code 2021, is amended to read as

1 follows:

2 **561.7 Changes — nonconsenting spouse.**

3 1. The owner may, from time to time, change the limits of
4 the homestead by changing the metes and bounds, as well as the
5 record of the plat and description, or vacate it.

6 2. ~~Such~~ The changes described in subsection 1 shall not
7 prejudice conveyances or liens made or created ~~previously~~
8 ~~thereto~~ prior to the changes.

9 3. No such change of the entire homestead, made without the
10 concurrence of the other spouse, shall affect that spouse's
11 rights, or those of the children.

12 Sec. 347. Section 573.14, subsection 1, Code 2021, is
13 amended to read as follows:

14 1. The fund provided for in **section 573.13** shall be retained
15 by the public corporation for a period of thirty days after the
16 completion and final acceptance of the improvement. If at the
17 end of the thirty-day period claims are on file, ~~as provided~~
18 the public corporation shall continue to retain from the unpaid
19 funds a sum equal to double the total amount of all claims
20 on file. The remaining balance of the unpaid fund, or if no
21 claims are on file, the entire unpaid fund, shall be released
22 and paid to the contractor.

23 Sec. 348. Section 573.23, Code 2021, is amended to read as
24 follows:

25 **573.23 Abandonment of public work — effect.**

26 When a contractor abandons the work on a public improvement
27 or is legally excluded ~~therefrom~~ from work on a public
28 improvement, the improvement shall be deemed completed for the
29 purpose of filing claims as ~~herein~~ provided in this chapter,
30 from the date of the official cancellation of the contract.
31 The only fund available for the payment of the claims of
32 persons for labor performed or material furnished shall be
33 the amount then due the contractor, if any, and if ~~said~~ that
34 ~~amount be~~ is insufficient to satisfy ~~said~~ the claims, the
35 claimants shall have a right of action on the bond given for

1 the performance of the contract.

2 Sec. 349. Section 591.12, Code 2021, is amended to read as
3 follows:

4 **591.12 Effect of foregoing statutes.**

5 Sections 591.1 ~~to~~ through 591.11 ~~hereof~~ shall not affect
6 pending litigation and shall not operate to revive rights or
7 claims previously barred, and shall not permit an action to be
8 brought or maintained upon any claim or cause of action which
9 was barred by any statute which was in force prior to July 4,
10 1955.

11 Sec. 350. Section 600.5, subsection 11, Code 2021, is
12 amended to read as follows:

13 11. A description of the facilities and resources,
14 including those provided under a subsidy agreement pursuant
15 to sections 600.17 to through 600.22, that the petitioner is
16 willing and able to supply for the nurture and care of any
17 minor person to be adopted.

18 Sec. 351. Section 600.18, subsection 1, Code 2021, is
19 amended to read as follows:

20 1. Any prospective adoptive parent desiring financial
21 assistance shall state this fact in the petition for adoption.
22 The department of human services shall investigate the person
23 petitioning for adoption and the child and shall file with the
24 juvenile court or court a statement of whether the department
25 will provide assistance as provided in ~~sections~~ section 600.17
26 ~~to, this section, and sections 600.19 through~~ 600.22, the
27 estimated amount, extent, and duration of assistance, and any
28 other information the juvenile court or court may order.

29 Sec. 352. Section 600.22, Code 2021, is amended to read as
30 follows:

31 **600.22 Rules.**

32 The department of human services shall adopt rules in
33 accordance with the provisions of chapter 17A, which are
34 necessary for the administration of sections 600.17 ~~to~~ through
35 600.21 and 600.23.

1 Sec. 353. Section 600A.7, subsection 1, Code 2021, is
2 amended to read as follows:

3 1. The hearing on termination of parental rights shall be
4 conducted in accordance with the provisions of sections 232.91
5 ~~to~~ through 232.96 and otherwise in accordance with the rules of
6 civil procedure. Such hearing shall be held no earlier than
7 one week after the child is born.

8 Sec. 354. Section 602.10122, subsection 5, Code 2021, is
9 amended to read as follows:

10 5. Soliciting legal business for the attorney or office,
11 either by the attorney or representative. Nothing ~~herein~~
12 contained in this section shall be construed to prevent or
13 prohibit listing in legal or other directories, law lists and
14 other similar publications, or the publication of professional
15 cards in any such lists, directories, newspapers or other
16 publication.

17 Sec. 355. Section 614.17, subsection 2, Code 2021, is
18 amended to read as follows:

19 2. For the purposes of this section, section 614.17A, and
20 sections 614.18 ~~to~~ through 614.20, a person who holds title
21 to real estate by will or descent from a person who held the
22 title of record to the real estate at the date of that person's
23 death or who holds title by decree or order of a court, or
24 under a tax deed, trustee's, referee's, guardian's, executor's,
25 administrator's, receiver's, assignee's, master's in chancery,
26 or sheriff's deed, holds chain of title the same as though
27 holding by direct conveyance.

28 Sec. 356. Section 624.28, Code 2021, is amended to read as
29 follows:

30 **624.28 Priority.**

31 ~~Said~~ The lien under section 624.27 shall be prior and
32 superior to the lien of any mortgage or trust deed executed
33 since July 4, 1862, by any railway corporation or partnership,
34 and prior and superior to the lien of any mortgage or trust
35 deed executed after August 9, 1897, by any interurban railway

1 or street railway corporation or partnership.

2 Sec. 357. Section 626.83, Code 2021, is amended to read as
3 follows:

4 **626.83 Deficiency — additional execution.**

5 If the property levied on sells for less than sufficient
6 to satisfy the execution, the judgment holder may order
7 out another, which shall be credited with the amount of the
8 previous sale. The proceedings under the second execution
9 shall conform to those ~~hereinbefore~~ prescribed in this chapter
10 for the first execution.

11 Sec. 358. Section 626.98, Code 2021, is amended to read as
12 follows:

13 **626.98 Deed.**

14 If the debtor or the debtor's assignee fails to redeem,
15 the sheriff then in office must, at the end of the period for
16 redemption provided by law for the particular action, execute
17 a deed to the person who is entitled to the certificate as
18 ~~hereinbefore~~ provided in section 626.95, or to that person's
19 assignee. If the person entitled is dead, the deed shall be
20 made to the person's heirs.

21 Sec. 359. Section 631.3, subsection 4, Code 2021, is amended
22 to read as follows:

23 4. Upon the request of a party to the action, the clerk or
24 a judicial officer shall issue subpoenas for the attendance of
25 witnesses at a hearing. Sections 622.63 ~~to~~ through 622.67,
26 622.69, 622.76, and 622.77 apply to subpoenas issued pursuant
27 to this chapter.

28 Sec. 360. Section 633.126, subsection 2, Code 2021, is
29 amended to read as follows:

30 2. "*Fiduciary*", for the purposes of this section and
31 sections 633.127 ~~to~~ through 633.129, means acting in any
32 of the following capacities, namely: testamentary trustee
33 appointed by any court, trustee under any written agreement,
34 declaration or instrument of trust, executor, administrator,
35 guardian, or conservator, custodian under chapter 565B, or

1 other capacity permitted under any state or federal law or
2 regulation governing collective investment funds maintained by
3 a bank or trust company.

4 Sec. 361. Section 633.198, Code 2021, is amended to read as
5 follows:

6 **633.198 Attorney fee.**

7 There shall also be allowed and taxed as part of the costs of
8 administration of estates as an attorney fee for the personal
9 representative's attorney, such reasonable fee as may be
10 determined by the court, for services rendered, but not in
11 excess of the schedule of fees ~~herein~~ provided in this part for
12 personal representatives.

13 Sec. 362. Section 633.210, Code 2021, is amended to read as
14 follows:

15 **633.210 Rules of descent.**

16 The estate of a person dying intestate shall descend as
17 provided in sections 633.211 to through 633.226.

18 Sec. 363. Section 633.523, Code 2021, is amended to read as
19 follows:

20 **633.523 No sufficient evidence of survivorship.**

21 Where the title to property or the devolution thereof
22 depends upon priority of death, and there is no sufficient
23 evidence that the persons have died otherwise than
24 simultaneously, the property of each person shall be disposed
25 of as if the person had survived, except as provided otherwise
26 in sections 633.524 to through 633.527.

27 Sec. 364. Section 636.3, Code 2021, is amended to read as
28 follows:

29 **636.3 Defects rectified.**

30 ~~No~~ A defective bond or other security or affidavit in any
31 case shall not prejudice the party giving or making ~~it~~ the
32 bond, security, or affidavit, provided it be so that the defect
33 is rectified, within a reasonable time after the defect is
34 discovered, so as not to cause essential injury to the other
35 party.

1 Sec. 365. Section 636.6, Code 2021, is amended to read as
2 follows:

3 **636.6 New bond required.**

4 Whenever the board of supervisors of any county shall have
5 knowledge that any attorney at law is surety upon any official
6 bond, ~~above referred to~~ as prohibited under section 636.5, it
7 shall require ~~said~~ the officer to forthwith file a new bond.

8 Sec. 366. Section 636.9, Code 2021, is amended to read as
9 follows:

10 **636.9 Effect of affidavit.**

11 The taking of ~~such~~ an affidavit under section 636.8 shall
12 not exempt the officer from any liability to which the officer
13 might otherwise be subject for taking insufficient security.

14 Sec. 367. Section 636.12, Code 2021, is amended to read as
15 follows:

16 **636.12 Certificate revoked — notice.**

17 Should ~~said~~ the certificate of authority for a corporate
18 surety be withdrawn at any time, the commissioner of insurance
19 shall at once notify the clerk of each district court to that
20 effect.

21 Sec. 368. Section 636.32, Code 2021, is amended to read as
22 follows:

23 **636.32 Receipt taken.**

24 If ~~said~~ a fiduciary not governed by the probate code shall
25 otherwise discharge all the duties imposed upon that fiduciary
26 by such appointment, the fiduciary may take the receipt of
27 the clerk of the district court for such funds, moneys, or
28 securities so deposited, which receipt shall specifically
29 set forth from whom said funds, moneys, or securities, were
30 derived, the amount thereof, and the name of the person to whom
31 due or to become due, if known.

32 Sec. 369. Section 636.33, Code 2021, is amended to read as
33 follows:

34 **636.33 Final discharge.**

35 ~~Said~~ A fiduciary not governed by the probate code may file

1 the receipt described in [section 636.32](#) with the fiduciary's
2 final report, and if it shall be made to appear to the
3 satisfaction of the court that the fiduciary has in all other
4 respects complied with the law governing the fiduciary's
5 appointment and duties, the court may approve such final report
6 and enter the fiduciary's discharge.

7 Sec. 370. Section 641.5, Code 2021, is amended to read as
8 follows:

9 **641.5 Sheriff indemnified.**

10 ~~In case~~ If any sheriff ~~shall be~~ is held liable to pay any
11 damages by reason of the wrongful execution of any writ of
12 attachment issued under [sections 641.2](#) ~~to~~ through [641.4](#) and if
13 a judgment is rendered ~~therefor~~ for those damages, the amount
14 ~~thereof~~ of the judgment, when paid by such sheriff, shall
15 become a claim against the state in the sheriff's favor, and a
16 warrant ~~therefor~~ for that amount shall be drawn by the director
17 of the department of administrative services upon proper proof.

18 Sec. 371. Section 657.2, subsection 8, Code 2021, is amended
19 to read as follows:

20 8. Any object or structure ~~hereafter~~ erected within one
21 thousand feet of the limits of any municipal or regularly
22 established airport or landing place, which may endanger or
23 obstruct aerial navigation, including take-off and landing,
24 unless such object or structure constitutes a proper use or
25 enjoyment of the land on which the same is located.

26 Sec. 372. Section 657.3, Code 2021, is amended to read as
27 follows:

28 **657.3 Penalty — abatement.**

29 ~~Whoever~~ A person who is convicted of erecting, causing, or
30 continuing a public or common nuisance as provided in this
31 chapter, or at common law when the ~~same~~ common law has not been
32 modified or repealed by statute, ~~where~~ if no other punishment
33 ~~therefor~~ for the offense is specially provided, shall be guilty
34 of an aggravated misdemeanor ~~and the~~. The court may order such
35 the nuisance abated, and issue a warrant as provided in this

1 chapter.

2 Sec. 373. Section 679A.9, Code 2021, is amended to read as
3 follows:

4 **679A.9 Change of award by arbitrators.**

5 On application of a party or, if an application to the
6 district court is pending under sections 679A.11 ~~to~~ through
7 679A.13, on submission to the arbitrators by the district court
8 under the conditions the district court orders, the arbitrators
9 may modify or correct the award upon the grounds stated in
10 section 679A.13, subsection 1, paragraphs "a" and "c", or for
11 the purpose of clarifying the award. The application shall
12 be made within twenty days after delivery of the award to the
13 applicant. Written notice of the application shall be given to
14 the opposing party, stating that the opposing party must serve
15 any objections to the application within ten days from the
16 notice. The modified or corrected award is subject to sections
17 679A.11 ~~to~~ through 679A.13.

18 Sec. 374. Section 709.13, Code 2021, is amended to read as
19 follows:

20 **709.13 Child in need of assistance complaints.**

21 During or following an investigation into allegations of
22 violations of [this chapter](#) or of [chapter 726](#) or [728](#) involving
23 an alleged victim under the age of eighteen and an alleged
24 offender who is not a person responsible for the care of the
25 ~~child~~ alleged victim, anyone with knowledge of the alleged
26 offense may file a complaint pursuant to [section 232.83](#)
27 alleging the ~~child~~ alleged victim to be a child in need of
28 assistance as defined under section 232.2. In all cases, the
29 complaint shall be filed by any peace officer with knowledge of
30 the investigation when the peace officer has reason to believe
31 that the alleged victim may require treatment as a result of
32 the alleged offense and that the ~~child's~~ alleged victim's
33 parent, guardian, or custodian will be unwilling or unable to
34 provide the treatment.

35 Sec. 375. Section 901.1, Code 2021, is amended to read as

1 follows:

2 **901.1 Short title.**

3 Chapters 901 ~~to~~ through 909 shall be known and may be cited
4 as the "*Iowa Corrections Code*".

5 Sec. 376. Section 903.3, Code 2021, is amended to read as
6 follows:

7 **903.3 Work release.**

8 The court may direct that a prisoner sentenced to
9 confinement in a county jail, alternate jail facility, or
10 community correctional residential treatment facility, be
11 released from custody during specified hours, as provided by
12 sections 356.26 ~~to~~ through 356.35.

13 Sec. 377. Section 910.3, subsections 7 and 8, Code 2021, are
14 amended to read as follows:

15 7. If the defendant has any mental or physical impairment
16 which would limit or prohibit the performance of a ~~public~~
17 community service, the defendant shall so state. The court
18 may order a mental or physical examination, or both, of the
19 defendant to determine a proper course of action.

20 8. The court shall enter a permanent restitution order
21 setting out the amount of restitution including the amount of
22 ~~public~~ community service to be performed as restitution and
23 the persons to whom restitution must be paid. A permanent
24 restitution order entered at the time of sentencing is part of
25 the final judgment of sentence as defined in [section 814.6](#) and
26 shall be considered in a properly perfected appeal.

27 Sec. 378. Section 915.36, subsections 1 and 5, Code 2021,
28 are amended to read as follows:

29 1. Prior to an arrest or the filing of an information or
30 indictment, whichever occurs first, against a person charged
31 with a violation of [chapter 709, section 726.2](#), or section
32 728.12, committed with or on a child, as defined in section
33 232.2, the identity of the child or any information reasonably
34 likely to disclose the identity of the child shall not be
35 released to the public by any public employee except as

1 authorized by the court ~~of~~ having jurisdiction.

2 5. This section also applies to ~~a child~~ an alleged victim of
3 a violation of chapter 709, section 726.2, or section 728.12,
4 ~~after attaining~~ who has attained the age of eighteen but who
5 was a child, as defined in section 232.2, at the time the
6 violation occurred.

7 Sec. 379. 2019 Iowa Acts, chapter 89, section 22, subsection
8 1, is amended to read as follows:

9 1. The section of this division of this Act amending section
10 ~~29C.20~~ 29C.20C.

11 Sec. 380. 2019 Iowa Acts, chapter 89, section 24, is amended
12 to read as follows:

13 SEC. 24. RETROACTIVE APPLICABILITY. The following applies
14 retroactively to the effective date of 2019 Iowa Acts, Senate
15 File 570, if enacted:

16 The section of this division of this Act amending section
17 ~~29C.20~~ 29C.20C.

18 Sec. 381. Section 910.2B, subsection 1, unnumbered
19 paragraph 1, as enacted by 2020 Iowa Acts, chapter 1074,
20 section 73, is amended to read as follows:

21 All of the following, if entered by a district court prior
22 to the effective date of this division of this Act, shall be
23 converted to permanent restitution orders:

24 Sec. 382. 2020 Iowa Acts, chapter 1118, section 80, is
25 amended to read as follows:

26 SEC. 80. EFFECTIVE DATE. This division of this Act, being
27 deemed of immediate importance, takes effect upon enactment.

28 Sec. 383. REPEAL. Sections 100B.8, 100B.9, and 256.85, Code
29 2021, are repealed.

30 DIVISION II

31 APPLICABILITY PROVISIONS

32 Sec. 384. RETROACTIVE APPLICABILITY. The following apply
33 retroactively to May 10, 2019:

34 1. The section of this Act amending 2019 Iowa Acts, chapter
35 89, section 22.

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1 2. The section of this Act amending 2019 Iowa Acts, chapter
2 89, section 24.

3 Sec. 385. RETROACTIVE APPLICABILITY. The following applies
4 retroactively to June 25, 2020:

5 The section of this Act amending section 910.2B, as enacted
6 by 2020 Iowa Acts, chapter 1074, section 73.

7 Sec. 386. RETROACTIVE APPLICABILITY. The following applies
8 retroactively to June 29, 2020:

9 The section of this Act amending 2020 Iowa Acts, chapter
10 1118, section 80.