

# **Standing Appropriations Bill Senate File 638**

Last Action:  
Senate Floor  
April 26, 2019

**An Act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and including effective date, applicability, and retroactive applicability provisions.**

**Fiscal Services Division  
Legislative Services Agency**

## **NOTES ON BILLS AND AMENDMENTS (NOBA)**

Available online at [www.legis.iowa.gov/publications/information/appropriationBillAnalysis](http://www.legis.iowa.gov/publications/information/appropriationBillAnalysis)

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**FUNDING SUMMARY**

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This Bill makes adjustments to various standing appropriations that result in a decrease in appropriations of \$31.7 million for FY 2020. This Bill also includes a supplemental appropriation of \$15.0 million for estimated FY 2019. Page 1, Line 1

**NEW PROGRAMS, SERVICES, OR ACTIVITIES**

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Establishes the Flood Recovery Fund under the control of the Flood Mitigation Board. Page 10, Line 3

Creates a new special motor vehicle license plate with a blackout design. Revenues from the blackout license plate design will be deposited in the Road Use Tax Fund (RUTF). Page 14, Line 18

**MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS**

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Limits the FY 2020 General Fund appropriation to the Department of Education for nonpublic school transportation to \$8.2 million. Requires the appropriation to be prorated if the claims exceed the appropriation. Page 1, Line 3

Suspends the General Fund standing appropriation of \$14.8 million to the Department of Education for the Instructional Support Program for FY 2020. Page 1, Line 17

Reduces the FY 2020 State school aid funding to Area Education Agencies (AEAs) by \$15.0 million. Page 1, Line 23

**FUNDING FOR PROJECTS AND PROGRAMS**

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Appropriates a total of \$50,000 from the General Fund to the Department of Public Safety to be used for costs associated with training and equipment needs of volunteer fire fighters. Page 2, Line 15

**SUPPLEMENTAL APPROPRIATIONS**

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Provides a \$15.0 million General Fund supplemental appropriation to the Flood Recovery Fund for FY 2019. The Fund will provide assistance to counties that have been designated under a Presidential Disaster Declaration (DR-4421-IA). Page 11, Line 20

**STUDIES AND INTENT**

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*Required Reports*

Requires the Board of Regents to submit a written report to the General Assembly by December 13, 2019, related to the financing of Regents capitals projects.

Page 17, Line 29

**SIGNIFICANT CODE CHANGES**

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Changes the due date of the annual Office of the Ombudsman report from April 1 to December 31.

Page 3, Line 11

Provides that moneys appropriated for the Flood Recovery Fund will not revert at the end of a fiscal year, but will remain available for expenditure for disaster assistance.

Page 11, Line 13

Requires the Salary Model Administrator to work with the Legislative Services Agency (LSA) to maintain the State's salary model. Requires various departments to submit salary data to the Department of Management (DOM) and the LSA.

Page 12, Line 7

Codifies similar language included in previous Standing Appropriations Acts relating to the submission of annual budgets of State departments. Requires the Director of the DOM to consult with the LSA concerning the content of the budget data.

Page 12, Line 34

Codifies similar language included in previous Standing Appropriations Acts requiring the submission of estimated expenditure requirements, prioritized by program or results to be achieved, to the DOM.

Page 13, Line 13

Eliminates language that requires the Judicial Branch budget request be based on 100.00% of the current fiscal year and accounted for by program.

Page 13, Line 25

Prevents the Iowa Utilities Board from allowing gas and electric utilities to adopt energy efficiency or demand response plans that exceed applicable annual cost thresholds.

Page 16, Line 28

Allows a political subdivision located outside the State of Iowa to participate in a Iowa Watershed Management Authority if the political subdivision is part of a Hydrologic Unit Code (HUC) 8 watershed. The federal Geological Survey uses the HUC system to identify a hydrological feature like a river, lake, or a watershed.

Page 19, Line 8

**EFFECTIVE DATE**

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Specifies that Division V of the Bill relating to flood recovery assistance takes effect upon enactment.

Page 12, Line 3

Senate File 638 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
1	23	3	Add	257.35.13A
3	11	6	Amend	2C.18
3	24	7	Add	558.69.9
3	32	8	Amend	29C.20C
4	20	9	Amend	216A.133
4	26	10	Amend	225C.51
4	31	11	Amend	225C.51
5	5	12	Amend	261H.3.1,2
6	19	16	Amend	513D.2.2
6	25	17	Amend	515I.4A.1.c
6	33	18	Amend	522E.13.6
7	17	19	Amend	633.648
10	3	27	New	418.16
12	7	31	Add	8.6.16
12	34	32	Amend	8.23.1
13	13	33	Amend	8.23.1.a
13	25	34	Amend	602.1301.2.a
14	18	35	Add	321.34.11C
15	16	36	Amend	321.166.9
15	32	37	Amend	99F.7A.3
16	13	38	Amend	99F.13
16	28	39	Amend	476.6.15.c.(2),(4)
19	4	41	Repeal	262.67
19	8	42	Add	466B.22.5

1 1 DIVISION I  
 1 2 STANDING APPROPRIATIONS AND RELATED MATTERS

1 3 Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY  
 1 4 2019-2020. Notwithstanding the standing appropriation in the  
 1 5 following designated section for the fiscal year beginning July  
 1 6 1, 2019, and ending June 30, 2020, the amount appropriated from  
 1 7 the general fund of the state pursuant to that section for the  
 1 8 following designated purpose shall not exceed the following  
 1 9 amount:

1 10 For payment of claims for nonpublic school transportation  
 1 11 under section 285.2:  
 1 12 ..... \$ 8,197,091

1 13 If total approved claims for reimbursement for nonpublic  
 1 14 school pupil transportation exceed the amount appropriated in  
 1 15 accordance with this section, the department of education shall  
 1 16 prorate the amount of each approved claim.

1 17 Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2019-2020. In  
 1 18 lieu of the appropriation provided in section 257.20,  
 1 19 subsection 2, the appropriation for the fiscal year  
 1 20 beginning July 1, 2019, and ending June 30, 2020, for paying  
 1 21 instructional support state aid under section 257.20 for such  
 1 22 fiscal year is zero.

1 23 Sec. 3. Section 257.35, Code 2019, is amended by adding the  
 1 24 following new subsection:  
 1 25 NEW SUBSECTION 13A. Notwithstanding subsection 1, and in  
 1 26 addition to the reduction applicable pursuant to subsection  
 1 27 2, the state aid for area education agencies and the portion  
 1 28 of the combined district cost calculated for these agencies  
 1 29 for the fiscal year beginning July 1, 2019, and ending June  
 1 30 30, 2020, shall be reduced by the department of management by  
 1 31 fifteen million dollars. The reduction for each area education  
 1 32 agency shall be prorated based on the reduction that the agency  
 1 33 received in the fiscal year beginning July 1, 2003.

1 34 Sec. 4. SPECIAL FUNDS — SALARY ADJUSTMENTS —  
 1 35 UNAPPROPRIATED MONEYS — FY 2019-2020 — FY 2020-2021. For the  
 2 1 fiscal year beginning July 1, 2019, and ending June 30, 2020,  
 2 2 and for the fiscal year beginning July 1, 2020, and ending June  
 2 3 30, 2021, salary adjustments otherwise provided may be funded  
 2 4 as determined by the department of management, subject to any  
 2 5 applicable constitutional limitation, using unappropriated

CODE: Limits the FY 2020 General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,197,091. Requires the appropriation to be prorated if the claims exceed the appropriation.

DETAIL: This represents no change compared to estimated net FY 2019. This also represents a decrease of \$1,949,689 compared to the estimated standing unlimited appropriation of \$10,146,780 based on current law.

Suspends the General Fund standing appropriation of \$14,800,000 for the Instructional Support Program for FY 2020.

DETAIL: Although no State funding will be provided for the Instructional Support Program, school districts may use local property tax and income surtax to fund their portion of the Program. In FY 2019, 329 school districts implemented the Program and generated \$234,605,541 in local taxes (\$91,908,949 in income surtax and \$142,696,592 in property taxes).

CODE: Reduces the FY 2020 State school aid funding to Area Education Agencies (AEAs) by \$15,000,000.

DETAIL: In addition to the \$15,000,000 State aid reduction for FY 2020, the AEAs have an annual statutory reduction of \$7,500,000. The State aid reduction to the AEAs will total \$22,500,000 for FY 2020. Funding was reduced by the same amount for FY 2019.

Permits salary adjustments to be funded from unappropriated moneys remaining in various revolving, trust, or special funds for FY 2020 and FY 2021 for which the General Assembly has not established an operating budget.

2 6 moneys remaining in the department of commerce revolving  
 2 7 fund, the gaming enforcement revolving fund, the gaming  
 2 8 regulatory revolving fund, the primary road fund, the road  
 2 9 use tax fund, the fish and game protection fund, and the Iowa  
 2 10 public employees' retirement fund, and in other departmental  
 2 11 revolving, trust, or special funds for which the general  
 2 12 assembly has not made an operating budget appropriation.

2 13 DIVISION II  
 2 14 MISCELLANEOUS APPROPRIATIONS

2 15 Sec. 5. DEPARTMENT OF PUBLIC SAFETY.  
 2 16 1. There is appropriated from the general fund of the  
 2 17 state to the department of public safety for the fiscal year  
 2 18 beginning July 1, 2019, and ending June 30, 2020, the following  
 2 19 amount, or so much thereof as is necessary, to be used for the  
 2 20 purposes designated:  
 2 21 For costs associated with the training and equipment needs  
 2 22 of volunteer fire fighters:  
 2 23 ..... \$ 50,000

Appropriates \$50,000 from the General Fund to the Department of Public Safety (DPS) to be used for costs associated with training and equipment needs of volunteer fire fighters. This is a one-time appropriation for FY 2020.

2 24 2. Notwithstanding section 8.33, moneys appropriated in  
 2 25 this section that remain unencumbered or unobligated at the  
 2 26 close of the fiscal year shall not revert but shall remain  
 2 27 available for expenditure only for the purpose designated in  
 2 28 this section until the close of the succeeding fiscal year.

Specifies that any unexpended funds appropriated for fire fighter training and equipment must remain available through the end of FY 2021 for the purposes designated.

2 29 3. Notwithstanding section 8.39, the department of public  
 2 30 safety may reallocate moneys appropriated in this section  
 2 31 and moneys appropriated in 2019 Iowa Acts, Senate File 615,  
 2 32 section 15, if enacted, as necessary to best fulfill the needs  
 2 33 provided for in the appropriation. However, the department  
 2 34 shall not reallocate moneys appropriated to the department  
 2 35 in this section and moneys appropriated in 2019 Iowa Acts,  
 3 1 Senate File 615, section 15, if enacted, unless notice of the  
 3 2 reallocation is given to the legislative services agency and  
 3 3 the department of management prior to the effective date of the  
 3 4 reallocation. The notice shall include information regarding  
 3 5 the rationale for reallocating the moneys. The department  
 3 6 shall not reallocate moneys appropriated in this section and  
 3 7 moneys appropriated in 2019 Iowa Acts, Senate File 615, section  
 3 8 15, if enacted, for the purpose of eliminating any program.

Specifies that the DPS may reallocate funds appropriated in this section and Section 15 of [SF 615](#) (FY 2020 Justice System Appropriations Bill) as necessary to best fulfill the needs provided for in the appropriation. The Department must notify the Legislative Services Agency (LSA) and the Department of Management (DOM) of any reallocation and provide information regarding the rationale for reallocating moneys. However, the DPS is prohibited from reallocating moneys for the purpose of eliminating any program.

3 9 DIVISION III  
 3 10 MISCELLANEOUS PROVISIONS

3 11 Sec. 6. Section 2C.18, Code 2019, is amended to read as  
 3 12 follows:

CODE: Changes the due date of the annual Office of the Ombudsman report from April 1 to December 31, and changes the scope of the

3 13 2C.18 REPORT TO GENERAL ASSEMBLY.  
 3 14 The ombudsman shall by ~~April 4~~ December 31 of each year  
 3 15 submit an economically designed and reproduced report to the  
 3 16 general assembly and to the governor concerning the exercise of  
 3 17 the ombudsman's functions during the preceding ~~calendar~~ fiscal  
 3 18 year. In discussing matters with which the ombudsman has been  
 3 19 concerned, the ombudsman shall not identify specific persons  
 3 20 if to do so would cause needless hardship. If the annual  
 3 21 report criticizes a named agency or official, it shall also  
 3 22 include unedited replies made by the agency or official to the  
 3 23 criticism, unless excused by the agency or official affected.  
 3 24 Sec. 7. Section 558.69, Code 2019, is amended by adding the  
 3 25 following new subsection:  
 3 26 NEW SUBSECTION 9. Notwithstanding section 331.604 or any  
 3 27 other provision of law to the contrary, the county recorder  
 3 28 shall not charge or collect a fee for the submission or filing  
 3 29 of a groundwater hazard statement.

report from the previous calendar year to the previous fiscal year.

DETAIL: The annual report details the exercise of the functions of the Office of the Ombudsman for the fiscal year.

3 30 DIVISION IV  
 3 31 CORRECTIVE PROVISIONS

3 32 Sec. 8. Section 29C.20C, if enacted by 2019 Iowa Acts,  
 3 33 Senate File 570, section 1, is amended to read as follows:  
 3 34 29C.20C IMMUNITY — LICENSED ARCHITECTS AND PROFESSIONAL  
 3 35 ENGINEERS.

CODE: Corrective provision for [SF 570](#) (Natural Disaster Good Samaritan Law Bill).

DETAIL: This Bill was approved by the General Assembly on April 23, 2019.

4 1 An architect licensed pursuant to chapter 544A or a  
 4 2 professional engineer licensed pursuant to chapter 542B who,  
 4 3 during a disaster emergency as proclaimed by the governor or  
 4 4 a major disaster as declared by the president of the United  
 4 5 States, in good faith and at the request of or with the  
 4 6 approval of a national, state, or local public official, law  
 4 7 enforcement official, public safety official, or building  
 4 8 inspection official believed by the licensed architect or  
 4 9 professional engineer to be acting in an official capacity,  
 4 10 voluntarily and without compensation provides architectural,  
 4 11 engineering, structural, electrical, mechanical, or other  
 4 12 design professional services related to the disaster emergency  
 4 13 or major disaster shall not be liable for civil damages for any  
 4 14 acts or omissions resulting from the services provided, unless  
 4 15 such acts or omissions constitute recklessness or willful  
 4 16 and wanton misconduct. A licensed architect or professional  
 4 17 engineer who receives expense reimbursement for the performance  
 4 18 of services described in this section shall not be considered  
 4 19 to have received compensation for such services.

4 20 Sec. 9. Section 216A.133, subsection 3, paragraph I, if  
 4 21 enacted by 2019 Iowa Acts, House File 634, section 5, is  
 4 22 amended to read as follows:

CODE: Corrective provision for [HF 634](#) (Criminal Law/Criminal Offenders Act)

4 23 I. Recommending to the ~~board~~ department the adoption of  
4 24 rules pursuant to chapter 17A as it deems necessary for the  
4 25 board and division.

DETAIL: This Bill was approved by the General Assembly on April 18, 2019.

4 26 Sec. 10. Section 225C.51, subsection 1, paragraph a, if  
4 27 enacted by 2019 Iowa Acts, House File 690, section 8, is  
4 28 amended to read as follows:

CODE: Corrective provision for [HF 690](#) (Behavioral Health System Bill).

4 29 a. The director of the department of human services or the  
4 30 director's designee.

DETAIL: This Bill was approved by the General Assembly on April 16, 2019.

4 31 Sec. 11. Section 225C.51, subsection 3, if enacted by 2019  
4 32 Iowa Acts, House File 690, section 8, is amended to read as  
4 33 follows:

CODE: Corrective provision for [HF 690](#) (Behavioral Health System Bill).

4 34 3. The director of the department of human services and the  
4 35 director of the department of education, or their designees,  
5 1 shall serve as co-chairpersons of the state board. Board  
5 2 members shall not be entitled to a per diem as specified in  
5 3 section 7E.6 and shall not be entitled to actual and necessary  
5 4 expenses incurred while engaged in their official duties.

DETAIL: This Bill was approved by the General Assembly on April 16, 2019.

5 5 Sec. 12. Section 261H.3, subsections 1 and 2, as enacted by  
5 6 2019 Iowa Acts, Senate File 274, section 3, are amended to read  
5 7 as follows:

CODE: Corrective provision for [SF 274](#) (College Campus Free Speech Act).

5 8 1. Noncommercial expressive activities protected under the  
5 9 provisions of this chapter include but are not limited to any  
5 10 lawful oral or written means by which members of the campus  
5 11 community may communicate ideas to one another, including  
5 12 but not limited to all forms of peaceful assembly, protests,  
5 13 speeches including by invited speakers, distribution of  
5 14 literature, circulating petitions, and publishing, including  
5 15 publishing or streaming on an internet site, or audio or video  
5 16 recorded in outdoor areas of campus.

DETAIL: This Act was approved by the General Assembly on March 26, 2019, and signed by the Governor on March 27, 2019.

5 17 2. A member of the campus community who wishes to engage in  
5 18 noncommercial expressive activity in outdoor areas of campus  
5 19 shall be permitted to do so freely, subject to reasonable  
5 20 time, place, and manner restrictions, and as long as the  
5 21 member's conduct is not unlawful, does not impede others'  
5 22 access to a facility or use of walkways, and does not disrupt  
5 23 the functioning of the public institution of higher education,  
5 24 subject to the protections of subsection 1. The public  
5 25 institution of higher education may designate other areas of  
5 26 campus available for use by the campus community according to  
5 27 institutional policy, but in all cases access to designated  
5 28 areas of campus must be granted on a viewpoint-neutral basis  
5 29 within the bounds of established principles of the first  
5 30 amendment principles to the Constitution of the United States.



5 31 Sec. 13. Section 322C.2, subsection 20, if enacted by 2019  
 5 32 Iowa Acts, Senate File 435, section 2, is amended to read as  
 5 33 follows:

5 34 20. "Towable recreational vehicle dealer" or "dealer" means  
 5 35 a person required to be licensed under this chapter who is  
 6 1 authorized to sell and service towable recreational vehicles.

CODE: Corrective provision for [SF 435](#) (Towable Recreational Vehicles Bill).

DETAIL: This Bill was approved by the General Assembly on April 18, 2019.

6 2 Sec. 14. Section 322C.15, subsection 2, paragraph b, if  
 6 3 enacted by 2019 Iowa Acts, Senate File 435, section 12, is  
 6 4 amended to read as follows:

6 5 b. The manufacturer's or distributor's business operations  
 6 6 have been abandoned or caused the dealer's business operations  
 6 7 to close for ten consecutive business days. This ~~subparagraph~~  
 6 8 paragraph does not apply if the closing is due to a normal  
 6 9 seasonal closing and the manufacturer or distributor notifies  
 6 10 the dealer of the planned closing, an act of God, a strike,  
 6 11 a labor difficulty, or any other cause over which the  
 6 12 manufacturer or distributor has no control.

CODE: Corrective provision for [SF 435](#) (Towable Recreational Vehicles Bill).

DETAIL: This Bill was approved by the General Assembly on April 18, 2019.

6 13 Sec. 15. Section 456A.33C, subsection 1, unnumbered  
 6 14 paragraph 1, if enacted by 2019 Iowa Acts, House File 765,  
 6 15 section 18, is amended to read as follows:

6 16 For purposes of this section, unless the context otherwise  
 6 17 requires, "eligible water body" means a body of water that ~~meet~~  
 6 18 meets all of the following criteria:

CODE: Corrective provision for [HF 765](#) (Capitals Appropriation Bill).

DETAIL: This Bill was approved by the General Assembly on April 18, 2019.

6 19 Sec. 16. Section 513D.2, subsection 2, Code 2019, as amended  
 6 20 by 2019 Iowa Acts, House File 679, section 184, if enacted, is  
 6 21 amended to read as follows:

6 22 2. The commissioner ~~or~~ of insurance may take any enforcement  
 6 23 action under the commissioner's authority to enforce compliance  
 6 24 with this chapter.

CODE: Corrective provision for [HF 679](#) (Substantive Code Editor's Bill).

DETAIL: This Bill was approved by the General Assembly on April 16, 2019.

6 25 Sec. 17. Section 515I.4A, subsection 1, paragraph c, as  
 6 26 enacted by 2019 Iowa Acts, Senate File 558, section 4, is  
 6 27 amended to read as follows:

6 28 c. The board of directors of the insurer has passed a  
 6 29 resolution seeking approval as a domestic surplus lines insurer  
 6 30 in this state and stating that the insurer shall only write  
 6 31 surplus ~~line~~ lines business. The resolution shall not be  
 6 32 amended without approval of the commissioner.

CODE: Corrective provision for [SF 558](#) (Domestic Surplus Lines Insurers Act).

DETAIL: This Act was approved by the General Assembly on April 8, 2019, and signed by the Governor on April 9, 2019.

6 33 Sec. 18. Section 522E.13, subsection 6, Code 2019, as  
 6 34 amended by 2019 Iowa Acts, Senate File 559, section 6, is  
 6 35 amended to read as follows:

7 1 6. Whenever notice or correspondence with respect to a  
 7 2 policy of portable electronics insurance is required pursuant  
 7 3 to this section, it shall be in writing and sent within the

Corrective provision for [SF 559](#) (Electronic Notices, Insurers Act).

DETAIL: This Act was approved by the General Assembly on April 8, 2019, and signed by the Governor on April 8, 2019.

7 4 notice period required pursuant to this section. Notices  
7 5 and correspondence shall be sent to the licensed portable  
7 6 electronics vendor that is the policyholder at the portable  
7 7 electronics vendor's mailing or electronic mail address  
7 8 specified for that purpose and to its affected enrolled  
7 9 consumers' last known mailing or electronic mail addresses on  
7 10 file with the insurer or the portable electronics vendor. All  
7 11 notices and documents that are delivered by electronic means  
7 12 shall comply with section 505B.1, except for the provisions  
7 13 in section 505B.1, subsection 4. The insurer or portable  
7 14 electronics vendor shall maintain proof that the notice or  
7 15 correspondence was sent for not less than three years after  
7 16 that notice or correspondence was sent.

7 17 Sec. 19. Section 633.648, Code 2019, as amended by 2019  
7 18 Iowa Acts, House File 610, section 34, if enacted, is amended  
7 19 to read as follows:  
7 20 633.648 APPOINTMENT OF ATTORNEY IN COMPROMISE OF PERSONAL  
7 21 INJURY SETTLEMENTS.

7 22 Notwithstanding the provisions of section 633.642 prior to  
7 23 authorizing a compromise of a claim for damages on account  
7 24 of personal injuries to the ~~ward~~ protected person, the court  
7 25 may order an independent investigation by an attorney other  
7 26 than by the attorney for the conservator. The cost of such  
7 27 investigation, including a reasonable attorney fee, shall be  
7 28 taxed as part of the cost of the conservatorship.

7 29 Sec. 20. Section 692C.1, subsection 1, paragraph a, if  
7 30 enacted by 2019 Iowa Acts, House File 681, section 1, is  
7 31 amended to read as follows:  
7 32 a. "Covered individual" means an individual who has, seeks  
7 33 to have, or may have access to children, the elderly, or  
7 34 individuals with disabilities served by a qualified entity and  
7 35 who is employed by, volunteers with, or seeks to volunteer with  
8 1 a qualified entity; or owns or operates or seeks to own or  
8 2 operate, a qualified entity.

8 3 Sec. 21. 2019 Iowa Acts, Senate File 333, section 104,  
8 4 subsection 6, is amended to read as follows:  
8 5 6. Sections 15E.206, subsection 3, paragraph "a";  
8 6 15E.207, subsection 2, paragraph "b", subparagraph (2),  
8 7 subparagraph division (c); 15E.208, subsection 5, paragraph  
8 8 "g", subparagraphs (1) and (2); 15E.208, subsection 6,  
8 9 paragraph "d", subparagraph (1), subparagraph division  
8 10 (a); 135.61, unnumbered paragraph 1; 135.61, subsection  
8 11 1, paragraph "d"; 135.61, subsection 4; 135.62, subsection  
8 12 1; 135.62, subsection 2, paragraph "f", subparagraphs (2),  
8 13 (4), and (5); 135.63, subsection 1; 135.63, subsection 2,

CODE: Corrective provision for [HF 610](#) (Guardianship and Conservatorship, Adult Bill).

DETAIL: This Bill was approved by the General Assembly on April 15, 2019.

CODE: Corrective provision for [HF 681](#) (Background Checks Bill).

DETAIL: This Bill was approved by the General Assembly on April 23, 2019.

CODE: Corrective provision for [SF 333](#) (Nonsubstantive Code Corrections Act).

DETAIL: This Act was approved by the General Assembly on April 3, 2019, and signed by the Governor on April 15, 2019.

8 14 unnumbered paragraph 1; 135.63, subsection 2, paragraph “f”;  
 8 15 135.63, subsection 2, paragraph “g”, subparagraph (1); 135.63,  
 8 16 subsection 2, paragraph “h”, subparagraph (1), unnumbered  
 8 17 paragraph 1; 135.63, subsection 2, paragraph “j”; 135.63,  
 8 18 subsection 2, paragraph “k”, subparagraph (1), unnumbered  
 8 19 paragraph 1; 135.63, subsection 2, paragraph “l”, unnumbered  
 8 20 paragraph 1; 135.63, subsection 2, paragraphs “m” and “n”;  
 8 21 135.63, subsection 2, paragraph “p”, unnumbered paragraph 1;  
 8 22 135.63, subsection 3; 135.64, subsection 3; 135.72, unnumbered  
 8 23 paragraph 1; 135.73, subsection 1; 135.73, subsection  
 8 24 2, unnumbered paragraph 1; 135.73, subsection 3; 135.74,  
 8 25 subsections 1 and 3; 135.75, subsection 2; 135.76, subsection  
 8 26 1; 135.100, unnumbered paragraph 1; 135.105A, subsection 5;  
 8 27 135.108, unnumbered paragraph 1; 135.140, unnumbered paragraph  
 8 28 1; 249K.2, subsection 6; 490.120, subsection 12, paragraph “c”,  
 8 29 subparagraph (1); 490.140, subsection 29; 490.640, subsection  
 8 30 8; 490.809, subsection 2; 490.858, subsection 2; 490.1101,  
 8 31 unnumbered paragraph 1; 490.1105, subsection 3; 490.1107,  
 8 32 subsection 1, paragraph “h”; 490.1107, subsection 2; 490.1107,  
 8 33 subsection 4, paragraph “b”; 490.1108, subsection 1; 490.1114,  
 8 34 subsection 1; 490.1114, subsection 2, paragraph “g”; 490.1202,  
 8 35 subsection 7; 490.1301, unnumbered paragraph 1; 490.1320,  
 9 1 subsection 1; 490.1320, subsection 3, paragraphs “a” and “b”;  
 9 2 490.1322, subsection 2, paragraph “c”; 490.1323, subsection  
 9 3 3; 490.1331, subsection 1; 490.1340, subsection 2, paragraph  
 9 4 “a”, subparagraph (1); 490.1403, subsection 3; 490.1405,  
 9 5 subsection 2, paragraph “c”; 499.69A, subsection 6; 524.1309,  
 9 6 subsection 8; 524.1406, subsection 1; 524.1417, subsection 1;  
 9 7 and 524.1805, subsection 6, Code 2019, are amended by striking  
 9 8 the word “division” and inserting in lieu thereof the word  
 9 9 “subchapter”.

9 10 Sec. 22. EFFECTIVE DATE. The following, being deemed of  
 9 11 immediate importance, take effect upon enactment:  
 9 12 1. The section of this division of this Act amending section  
 9 13 29C.20.  
 9 14 2. The section of this division of this Act amending section  
 9 15 261H.3, subsections 1 and 2.

9 16 Sec. 23. EFFECTIVE DATE. The following takes effect January  
 9 17 1, 2020:  
 9 18 The section of this division of this Act amending section  
 9 19 633.648.

9 20 Sec. 24. RETROACTIVE APPLICABILITY. The following applies  
 9 21 retroactively to the effective date of 2019 Iowa Acts, Senate  
 9 22 File 570, if enacted:  
 9 23 The section of this division of this Act amending section

Specifies that [SF 274](#) (College Campus Free Speech Act) and [SF 570](#) (Natural Disaster Good Samaritan Law Bill) take effect upon enactment.

Specifies that [HF 610](#) (Guardianship and Conservatorship, Adult Bill) takes effect on January 1, 2020.

Specifies that the section of this Division of this Act amending Iowa Code section [29C.20](#) takes effect upon enactment of [SF 570](#) (Natural Disaster Good Samaritan Law Bill).

9 24 29C.20.

9 25 Sec. 25. RETROACTIVE APPLICABILITY. The following applies  
9 26 retroactively to March 27, 2019:

9 27 The section of this division of this Act amending section  
9 28 261H.3, subsections 1 and 2.

9 29 Sec. 26. APPLICABILITY. The following applies to  
9 30 guardianships and guardianship proceedings for adults and  
9 31 conservatorships and conservatorship proceedings for adults and  
9 32 minors established or pending before, on, or after January 1,  
9 33 2020:

9 34 The section of this division of this Act amending section  
9 35 633.648.

Specifies that [SF 274](#) (College Campus Free Speech Act) is retroactively applicable to March 27, 2019.

Specifies that [HF 610](#) (Guardianship and Conservatorship, Adult Bill) applies to guardianship and guardianship proceedings established or pending before, on, or after January 1, 2020.

10 1 DIVISION V  
10 2 FLOOD RECOVERY

10 3 Sec. 27. NEW SECTION 418.16 FLOOD RECOVERY FUND.

10 4 1. A flood recovery fund is established in the state  
10 5 treasury under the control of the board. The fund shall  
10 6 consist of moneys appropriated to the fund by the general  
10 7 assembly and any other moneys available to, obtained by, or  
10 8 accepted by the board for deposit in the fund. Moneys in the  
10 9 fund are appropriated to the department and shall be used for  
10 10 the purposes designated in this section. Moneys in the fund  
10 11 shall not supplant any federal disaster recovery moneys.

CODE: Establishes the Flood Recovery Fund under the control of the Flood Mitigation Board.

DETAIL: The Flood Mitigation Board was created by 2012 Iowa Acts, ch. [1094](#) (Flood Mitigation Act), and administers the Flood Mitigation Program, which provides a funding source to finance approved flood mitigation projects undertaken by local governments.

10 12 2. The board may award moneys from the fund to eligible  
10 13 political subdivisions of the state. A political subdivision  
10 14 of the state is eligible to receive moneys from the fund if  
10 15 the political subdivision is located in a county designated  
10 16 under presidential disaster declaration DR-4421-IA and is also  
10 17 located in a county where the federal emergency management  
10 18 agency's individual assistance program has been activated.

CODE: Permits the Flood Mitigation Board to award moneys from the Fund to political subdivisions located within a county designated under a Presidential Disaster Declaration (DR-4421-IA) and is also located within a county where the Federal Emergency Management Agency's individual assistance program has been activated.

10 19 3. In order to be awarded moneys from the fund, a political  
10 20 subdivision of the state shall submit a project application  
10 21 to the department for consideration by the board. The board  
10 22 shall prescribe application forms and application instructions.  
10 23 Project applications shall include all of the following:  
10 24 a. A description of the project and the manner in which  
10 25 the project supports flood response, flood recovery, or flood  
10 26 mitigation activities.  
10 27 b. A description of the financial assistance needed from the  
10 28 fund.  
10 29 c. Details on any additional moneys to be applied to the  
10 30 project.

CODE: The Board shall provide an application process for eligible political subdivisions which shall include:

- A description of the project including how the project supports flood response, flood recovery, or flood mitigation.
- A description of the financial assistance needed from the Fund.
- Additional moneys being applied to the project.

10 31 4. a. The board shall review all project applications.  
 10 32 During the review of a project application, the board shall  
 10 33 consider, at a minimum, all of the following:  
 10 34 (1) Whether the project supports flood response, flood  
 10 35 recovery, or flood mitigation activities.  
 11 1 (2) Whether moneys from the fund are essential to meet  
 11 2 the necessary expenses or serious needs of the political  
 11 3 subdivision related to flood response, flood recovery, or flood  
 11 4 mitigation.  
 11 5 b. Upon review of a project application, the board shall  
 11 6 approve, defer, or deny the application. If a project  
 11 7 application is approved, the board shall specify the amount of  
 11 8 moneys from the fund awarded to the political subdivision. The  
 11 9 board shall negotiate and execute on behalf of the department  
 11 10 all necessary agreements to provide the moneys. If a project  
 11 11 application is deferred or denied, the board shall state the  
 11 12 reasons for such deferral or denial.

CODE: Specifies the review process the Board will follow in determining whether to approve, deny, or defer an application.

11 13 5. Notwithstanding section 8.33, moneys in the fund  
 11 14 that remain unencumbered or unobligated at the close of a  
 11 15 fiscal year shall not revert but shall remain available for  
 11 16 expenditure for the purposes designated in this section.  
 11 17 Notwithstanding section 12C.7, subsection 2, interest or  
 11 18 earnings on moneys deposited in the fund shall be credited to  
 11 19 the fund.

CODE: Provides that moneys appropriated for the Flood Recovery Fund will not revert at the end of a fiscal year, but will remain available for expenditure for the purposes designated in this section.

11 20 Sec. 28. FLOOD RECOVERY APPROPRIATION. There is  
 11 21 appropriated from the general fund of the state to the  
 11 22 department of homeland security and emergency management, for  
 11 23 the fiscal year beginning July 1, 2018, and ending June 30,  
 11 24 2019, the following amount, or so much thereof as is necessary,  
 11 25 to be credited to the flood recovery fund created in section  
 11 26 418.16, as enacted by this Act, and used for the purposes  
 11 27 designated in section 418.16, as enacted by this Act:  
 11 28 ..... \$ 15,000,000

General Fund supplemental appropriation to the Flood Recovery Fund for FY 2019.

DETAIL: This is a new appropriation for FY 2019.

11 29 Sec. 29. EMERGENCY RULES. The department of homeland  
 11 30 security and emergency management may adopt emergency  
 11 31 rules under section 17A.4, subsection 3, and section 17A.5,  
 11 32 subsection 2, paragraph "b", to implement the provisions of  
 11 33 this division of this Act and the rules shall be effective  
 11 34 immediately upon filing unless a later date is specified in the  
 11 35 rules. Any rules adopted in accordance with this section shall  
 12 1 also be published as a notice of intended action as provided  
 12 2 in section 17A.4.

Specifies that the Department of Homeland Security and Emergency Management may adopt emergency rules to implement the provisions of this Division of the Bill.

12 3 Sec. 30. EFFECTIVE DATE. This division of this Act, being  
 12 4 deemed of immediate importance, takes effect upon enactment.

Specifies that Division V takes effect upon enactment.

<p>12 5 DIVISION VI 12 6 STATE BUDGET PROCESS</p> <p>12 7 Sec. 31. Section 8.6, Code 2019, is amended by adding the 12 8 following new subsection: 12 9 NEW SUBSECTION 16. SALARY MODEL ADMINISTRATOR. To 12 10 designate a position within the department to serve as the 12 11 salary model administrator. 12 12 a. The salary model administrator shall work in conjunction 12 13 with the legislative services agency to maintain the state's 12 14 salary model used for analyzing, comparing, and projecting 12 15 state employee salary and benefit information, including 12 16 information relating to employees of the state board of 12 17 regents. 12 18 b. The department of revenue, the department of 12 19 administrative services, the institutions governed by the state 12 20 board of regents pursuant to section 262.7, each judicial 12 21 district's department of correctional services, and the state 12 22 department of transportation shall provide salary data to the 12 23 department of management and the legislative services agency 12 24 to operate the state's salary model. The format and frequency 12 25 of provision of the salary data shall be determined by the 12 26 department of management and the legislative services agency. 12 27 c. The information shall be used in collective bargaining 12 28 processes under chapter 20 and in calculating the funding needs 12 29 contained within any annual salary adjustment legislation. 12 30 A state employee organization as defined in section 20.3, 12 31 subsection 4, may request information produced by the model, 12 32 but the information provided shall not contain information 12 33 attributable to individual employees.</p> <p>12 34 Sec. 32. Section 8.23, subsection 1, unnumbered paragraph 12 35 1, Code 2019, is amended to read as follows: 13 1 On or before October 1, prior to each legislative session, 13 2 all departments and establishments of the government shall 13 3 transmit to the director, on blanks to be furnished by the 13 4 director, estimates of their expenditure requirements, 13 5 including every proposed expenditure, for the ensuing fiscal 13 6 year, <del>classified so as to distinguish between expenditures</del> 13 7 <del>estimated for administration, operation, and maintenance, and</del> 13 8 <del>the cost of each project involving the purchase of land or the</del> 13 9 <del>making of a public improvement or capital outlay of a permanent</del> 13 10 <del>character, together with supporting data and explanations</del> 13 11 as called for by the director <u>after consultation with the</u> 13 12 <u>legislative services agency.</u></p> <p>13 13 Sec. 33. Section 8.23, subsection 1, paragraph a, Code 2019,</p>	<p>CODE: Adds a new subsection to the Iowa Code section <a href="#">8.6</a> requiring the Salary Model Administrator to work with the LSA to maintain the State's salary model. Requires various departments to submit salary data to the DOM and the LSA.</p> <p>DETAIL: Codifies language included in previous Standings Appropriations Acts.</p> <p>CODE: Codifies similar language included in previous Standing Appropriations Acts relating to the submission of annual budgets by State departments. Requires the Director of the DOM to consult with the LSA concerning the content of the budget data.</p> <p>CODE: Requires State agencies to submit budget information to the</p>
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13 14 is amended to read as follows:

13 15 a. The estimates of expenditure requirements shall be  
 13 16 ~~based upon seventy-five percent of the funding provided for~~  
 13 17 ~~the current fiscal year accounted for by program reduced by~~  
 13 18 ~~the historical employee vacancy factor in a form specified by~~  
 13 19 ~~the director, and the remainder of the estimate of expenditure~~  
 13 20 ~~requirements shall include all proposed expenditures and shall~~  
 13 21 ~~be prioritized by program or the results to be achieved.~~ The  
 13 22 estimates shall be accompanied ~~with~~ by performance measures  
 13 23 for evaluating the effectiveness of the ~~program~~ programs or  
 13 24 results.

13 25 Sec. 34. Section 602.1301, subsection 2, paragraph a,  
 13 26 unnumbered paragraph 1, Code 2019, is amended to read as  
 13 27 follows:

13 28 As early as possible, but not later than December 1, the  
 13 29 supreme court shall submit to the legislative services agency  
 13 30 the annual budget request and detailed supporting information  
 13 31 for the judicial branch. The submission shall be designed  
 13 32 to assist the legislative services agency in its preparation  
 13 33 for legislative consideration of the budget request. The  
 13 34 information submitted shall contain and be arranged in a format  
 13 35 substantially similar to the format specified by the director  
 14 1 of the department of management and used by all departments  
 14 2 and establishments in transmitting to the director estimates  
 14 3 of their expenditure requirements pursuant to section 8.23;  
 14 4 ~~except the estimates of expenditure requirements shall be based~~  
 14 5 ~~upon one hundred percent of funding for the current fiscal~~  
 14 6 ~~year accounted for by program, and using the same line item~~  
 14 7 ~~definitions of expenditures as used for the current fiscal~~  
 14 8 ~~year's budget request, and the remainder of the estimate of~~  
 14 9 ~~expenditure requirements prioritized by program.~~ The supreme  
 14 10 court shall also make use of the department of management's  
 14 11 automated budget system when submitting information to the  
 14 12 director of the department of management to assist the director  
 14 13 in the transmittal of information as required under section  
 14 14 8.35A. The supreme court shall budget and track expenditures  
 14 15 by the following separate organization codes:

14 16 DIVISION VII  
 14 17 BLACKOUT SPECIAL REGISTRATION PLATES

14 18 Sec. 35. Section 321.34, Code 2019, is amended by adding the  
 14 19 following new subsection:

14 20 NEW SUBSECTION 11C. BLACKOUT PLATES.

14 21 a. Upon application and payment of the proper fees,  
 14 22 the director may issue blackout plates to the owner of a  
 14 23 motor vehicle subject to registration under section 321.109,

DOM and include all proposed expenditures, supporting data, and  
 explanations, prioritized by program or the results to be achieved.

DETAIL: This requirement replaces the statutory budget submission  
 requirements for Executive Branch agencies in Iowa Code section  
[8.23](#), which requires all departments to submit annual budgets based  
 upon 75.00% of the funding provided for the current fiscal year. The  
 budget submission requirement in this Bill has been in place for the  
 past 10 fiscal years and was first applicable to the FY 2007 budget.

CODE: Eliminates language that requires the Judicial Branch budget  
 request be based on 100.00% of the current fiscal year and accounted  
 for by program.

CODE: Creates a new special motor vehicle license plate with a  
 blackout design.

DETAIL: The fee for the license plate is \$35 with an annual \$10  
 registration fee charged in addition to the regular annual registration  
 fee. An additional \$5 fee is applied for personalized plates in addition



14 24 subsection 1, autocycle, motor truck, motor home, multipurpose  
 14 25 vehicle, motorcycle, trailer, or travel trailer.  
 14 26 b. Blackout plates shall be designed by the department. A  
 14 27 blackout plate's background shall be black, and the plate's  
 14 28 letters and numbers shall be white.  
 14 29 c. The special blackout fee for letter-number designated  
 14 30 blackout plates is thirty-five dollars. An applicant may  
 14 31 obtain personalized blackout plates upon payment of the fee for  
 14 32 personalized plates as provided in subsection 5, which is in  
 14 33 addition to the special blackout fee. The fees collected by  
 14 34 the director under this subsection shall be paid monthly to the  
 14 35 treasurer of state and deposited in the road use tax fund.  
 15 1 d. Upon receipt of the special registration plates, the  
 15 2 applicant shall surrender the current registration plates to  
 15 3 the county treasurer. The county treasurer shall validate  
 15 4 the special registration plates in the same manner as regular  
 15 5 registration plates are validated under this section. The  
 15 6 annual special blackout fee for letter-number designated plates  
 15 7 is ten dollars which shall be paid in addition to the regular  
 15 8 annual registration fee. The annual fee for personalized  
 15 9 blackout plates is five dollars which shall be paid in addition  
 15 10 to the annual special blackout fee and the regular annual  
 15 11 registration fee. The annual special blackout fee shall be  
 15 12 credited as provided under paragraph "c".  
 15 13 e. The department shall not condition the issuance of  
 15 14 blackout plates on the receipt of any number of orders for  
 15 15 blackout plates.

15 16 Sec. 36. Section 321.166, subsection 9, Code 2019, is  
 15 17 amended to read as follows:  
 15 18 9. Special registration plates issued pursuant to section  
 15 19 321.34, other than gold star, medal of honor, collegiate, fire  
 15 20 fighter, ~~and natural resources, and blackout~~ registration  
 15 21 plates, shall be consistent with the design and color of  
 15 22 regular registration plates but shall provide a space on a  
 15 23 portion of the plate for the purpose of allowing the placement  
 15 24 of a distinguishing processed emblem or an organization  
 15 25 decal. Special registration plates shall also comply with  
 15 26 the requirements for regular registration plates as provided  
 15 27 in this section to the extent the requirements are consistent  
 15 28 with the section authorizing a particular special vehicle  
 15 29 registration plate.

15 30 DIVISION VIII  
 15 31 GAMBLING REGULATION

15 32 Sec. 37. Section 99F.7A, subsection 3, if enacted by 2019  
 15 33 Iowa Acts, Senate File 617, section 10, is amended to read as

to the standard \$25 personalized plate fee. Revenues from the  
 blackout license plate fees will be deposited into the Road Use Tax  
 Fund.

CODE: Adds the blackout license plate design to license plates  
 exempted from Iowa Code section [321.34](#) license plate requirements  
 regarding design, color, and emblems/decals.

DETAIL: The blackout license plate design will be exempted along with  
 gold star, medal of honor, collegiate, fire fighter, and natural resources  
 license plates from requiring a space for the placement of an emblem  
 or an organization decal.

CODE: Amends [SF 617](#) (Sports Wagering Bill) as passed by the  
 Senate to prevent a person operating an individually branded Internet



15 34 follows:

15 35 3. A licensee under this section may enter into operating  
 16 1 agreements with one or two entities to have up to a total of  
 16 2 two individually branded internet sites to conduct advance  
 16 3 deposit sports wagering for the licensee, unless one additional  
 16 4 operating agreement or individually branded internet site  
 16 5 is authorized by the commission. However, a person shall  
 16 6 not sell, grant, assign, or turn over to another person the  
 16 7 operation of an individually branded internet site to conduct  
 16 8 advance deposit wagering for the licensee without the approval  
 16 9 of the commission. This section does not prohibit an agreement  
 16 10 entered into between a licensee under this section and an  
 16 11 advanced deposit sports wagering operator as approved by the  
 16 12 commission.

16 13 Sec. 38. Section 99F.13, Code 2019, is amended to read as  
 16 14 follows:

16 15 99F.13 ANNUAL AUDIT OF LICENSEE OPERATIONS.  
 16 16 Within ninety days after the end of the licensee's fiscal  
 16 17 year, the licensee shall transmit to the commission an audit  
 16 18 of the licensee's total gambling operations, including an  
 16 19 itemization of all expenses and subsidies. For a licensed  
 16 20 subsidiary of a parent company, an audit of the parent company  
 16 21 meets the requirements of this section. All audits shall  
 16 22 be conducted by certified public accountants authorized  
 16 23 to practice in the state of Iowa under chapter 542 ~~who are~~  
 16 24 ~~selected by the board of supervisors of the county in which the~~  
 16 25 ~~licensee operates.~~

16 26 DIVISION IX  
 16 27 PUBLIC UTILITIES

16 28 Sec. 39. Section 476.6, subsection 15, paragraph c,  
 16 29 subparagraphs (2) and (4), Code 2019, are amended to read as  
 16 30 follows:

16 31 (2) Notwithstanding the goals developed pursuant to  
 16 32 paragraph "b", the board shall not require or allow a gas  
 16 33 utility to adopt an energy efficiency plan that results in  
 16 34 projected cumulative average annual costs that exceed one  
 16 35 and one-half percent of the gas utility's expected annual  
 17 1 Iowa retail rate revenue from retail customers in the state,  
 17 2 shall not require or allow an electric utility to adopt an  
 17 3 energy efficiency plan that results in projected cumulative  
 17 4 average annual costs that exceed two percent of the electric  
 17 5 utility's expected annual Iowa retail rate revenue from retail  
 17 6 customers in the state, and shall not require or allow an  
 17 7 electric utility to adopt a demand response plan that results  
 17 8 in projected cumulative average annual costs that exceed two

site which conducts advance deposit wagering for a licensee, from  
 transferring the site to another person.

DETAIL: [Senate File 617](#) requires that a licensee may enter into  
 agreements with one or two entities for a total of two individually  
 branded internet sites unless additional sites are authorized by the  
 Iowa Racing and Gaming Commission.

CODE: Requires a licensee of a gaming entity to submit an audit  
 within 90 days after the end of the licensee's fiscal year. The audit  
 must be submitted to the Iowa Racing and Gaming Commission and is  
 required to cover the entity's total gambling operations, including an  
 itemization of all expenses and subsidies. In the case of a licensed  
 subsidiary of a parent company, an audit of the parent company will  
 suffice.

CODE: Prevents the Iowa Utilities Board from allowing gas and electric  
 utilities to adopt energy efficiency or demand response plans that  
 exceed applicable annual cost thresholds.

DETAIL: Iowa Code section [476.6\(15\)](#) requires rate-regulated gas and  
 electric utilities to file certain energy efficiency or demand response  
 plans with the Iowa Utilities Board effective on or after January 1,  
 2019. Under the amended language, the Iowa Utilities Board shall not  
 require or allow a gas utility to adopt a plan that results in projected  
 cumulative average annual costs which exceed 1.50% of its expected  
 annual Iowa retail rate revenue. Congruently, an electric utility shall not  
 be required or allowed to adopt plans which exceed 2.00% of its  
 expected annual Iowa retail rate revenue.

17 9 percent of the electric utility's expected annual Iowa retail  
 17 10 rate revenue from retail customers in the state. For purposes  
 17 11 of determining the two percent threshold amount, the board  
 17 12 shall exclude from an electric utility's expected annual Iowa  
 17 13 retail rate revenue the revenues expected from customers that  
 17 14 have received exemptions from energy efficiency plans pursuant  
 17 15 to paragraph "a". This subparagraph shall apply to energy  
 17 16 efficiency plans and demand response plans that are effective  
 17 17 on or after January 1, 2019.

17 18 (4) The board shall approve, reject, or modify a plan filed  
 17 19 pursuant to this subsection no later than March 31, 2019. If  
 17 20 the board fails to approve, reject, or modify a plan filed by a  
 17 21 gas or electric utility on or before such date, any plan filed  
 17 22 by the gas or electric utility that was approved by the board  
 17 23 prior to May 4, 2018, shall be terminated. The board shall  
 17 24 not require or allow a gas or electric utility to implement an  
 17 25 energy efficiency plan or demand response plan that does not  
 17 26 meet the requirements of this subsection.

CODE: The Iowa Utilities Board shall approve, reject, or modify an energy efficient or demand response plan no later than March 31, 2019. If no action is taken by the specified date, plans approved prior to May 4, 2018, shall be terminated. Plans that do not meet the requirements of Iowa Code section [476.6\(15\)](#) shall not be required or allowed.

DETAIL: Iowa Code section [476.6\(15\)](#) requires rate-regulated gas and electric utilities to file certain energy efficiency or demand response plans with the Iowa Utilities Board.

17 27 DIVISION X  
 17 28 BOARD OF REGENTS CAPITAL PROJECTS

17 29 Sec. 40. BOARD OF REGENTS CAPITAL PROJECTS REPORT.

17 30 1. The state board of regents shall submit a written report,  
 17 31 including such information and recommendations as required by  
 17 32 this section, to the general assembly by December 13, 2019,  
 17 33 regarding the financing of capital projects at institutions  
 17 34 under the control of the state board of regents.

CODE: Requires the Board of Regents to submit a written report to the General Assembly by December 13, 2019, related to the financing of Regents capitals projects.

17 35 2. The written report shall include a list of all capital  
 18 1 projects initiated by an institution under the control of the  
 18 2 state board of regents since January 1, 2004, in which the  
 18 3 state provided at least a part of the financing for the project  
 18 4 from an appropriation from the rebuild Iowa infrastructure fund  
 18 5 created in section 8.57. For each project listed, the report  
 18 6 shall include all of the following information:  
 18 7 a. Total cost of each project.  
 18 8 b. The amount and percentage of each project financed  
 18 9 through donations and gifts from private sources.  
 18 10 c. The amount and percentage of each project financed  
 18 11 through funding from the federal government.  
 18 12 d. The amount and percentage of each project financed  
 18 13 through institution sources.  
 18 14 e. The amount and percentage of each project financed  
 18 15 through state dollars.

CODE: Specifies that the report is required to include projects initiated after January 1, 2004, that received an appropriation from the Rebuild Iowa Infrastructure Fund (RIIF). The report shall include the following information.

- The total cost of each project.
- The amount of each project that was funded by the federal government, Regents institutions, State dollars, other sources, and donations and gifts from private sources.
- If the project was considered a renovation or new construction.

18 16 f. The amount and percentage of each project financed  
 18 17 through other sources.  
 18 18 g. Whether each project was considered a renovation or new  
 18 19 construction.

18 20 3. The written report shall include, for each year since  
 18 21 January 1, 2004, the percentage of capital project costs that  
 18 22 were covered by donations and gifts from private sources for  
 18 23 capital projects that did not receive state funding.

18 24 4. The written report shall include information regarding  
 18 25 how the state board of regents defines new construction and  
 18 26 renovations, a list of capital projects initiated due to  
 18 27 extraordinary circumstances, and the current method used by  
 18 28 the state board of regents and institutions under the control  
 18 29 of the state board of regents to develop financing plans for  
 18 30 capital projects.

18 31 5. The written report shall also include recommendations to  
 18 32 the general assembly regarding the following:

18 33 a. The type of capital projects that should be eligible for  
 18 34 state funding.

18 35 b. The share of state-funded capital projects that should be  
 19 1 funded with non-state dollars.

19 2 c. How the fundraising plan will be developed for  
 19 3 state-funded projects.

19 4 Sec. 41. REPEAL. Section 262.67, if enacted by 2019 Iowa  
 19 5 Acts, House File 765, section 16, is repealed.

19 6 DIVISION XI  
 19 7 WATERSHED MANAGEMENT AUTHORITIES

19 8 Sec. 42. Section 466B.22, Code 2019, is amended by adding  
 19 9 the following new subsection:  
 19 10 NEW SUBSECTION 5. If a portion of a United States  
 19 11 geological survey hydrologic unit code 8 watershed is located  
 19 12 outside of this state, any political subdivision in such a  
 19 13 watershed may participate in any watershed management authority  
 19 14 which includes the county in which the political subdivision  
 19 15 is located.

CODE: Specifies that the report is required to provide the percentage of capital project costs that were covered by donations and gifts from private donors for buildings that did not receive State funding.

CODE: Specifies that the report is required to identify how the Board defines new construction and renovation, a list of capital projects initiated due to extraordinary circumstances, and the method the Board uses to develop financing plans.

CODE: Specifies that the report is required to include recommendations to the General Assembly regarding the type of capital projects that should be eligible for State funding, the share of State-funded capitals projects that should be funded with non-State dollars, and how fundraising plans will be developed.

CODE: Repeals a section of [HF 765](#) (Capitals Appropriation Bill) that requires the Board to raise matching funds as a condition of receiving appropriations from the RIIF. The University of Iowa and Iowa State University are required to raise 40.00% of the total cost of a project, and the University of Northern Iowa is required to raise 20.00% of the total cost of a project.

CODE: Allows a political subdivision located outside the State of Iowa to participate in a Iowa Watershed Management Authority if the political subdivision is part of a Hydrologic Unit Code (HUC) 8 watershed.

DETAIL: The federal Geological Survey uses the HUC system to identify a hydrological feature like a river, lake, or a watershed.

# Unassigned Standings

## General Fund

	Actual FY 2018 (1)	Estimated FY 2019 (2)	FY 2020		Net Total (5)
			Current Law (3)	Senate Standings SF 638 (4)	
<b><u>Administrative Services, Department of</u></b>					
<b>State Accounting Trust Accounts</b>					
Federal Cash Management - Standing	\$ 0	\$ 54,182	\$ 54,182	\$ 0	\$ 54,182
Unemployment Compensation - Standing	469,374	421,655	421,655	0	421,655
<b>Total Administrative Services, Dept. of</b>	<b>\$ 469,374</b>	<b>\$ 475,837</b>	<b>\$ 475,837</b>	<b>\$ 0</b>	<b>\$ 475,837</b>
<b><u>Education, Department of</u></b>					
<b>Education, Dept. of</b>					
State Foundation School Aid	\$ 3,179,552,712	\$ 3,207,571,601	\$ 3,301,100,000	-15,000,000	\$ 3,286,100,000
State Aid \$5 Per Pupil Increase	0	0	2,909,400	0	2,909,400
Nonpublic School Transportation	8,195,634	8,197,091	10,146,780	-1,949,689	8,197,091
Sac Fox Settlement Education	95,518	95,750	100,000	0	100,000
Instructional Support	0	0	14,800,000	-14,800,000	0
<b>Total Education, Department of</b>	<b>\$ 3,187,843,864</b>	<b>\$ 3,215,864,442</b>	<b>\$ 3,329,056,180</b>	<b>\$ -31,749,689</b>	<b>\$ 3,297,306,491</b>
<b><u>Executive Council</u></b>					
<b>Executive Council</b>					
Court Costs	\$ 416,153	\$ 56,455	\$ 56,455	\$ 0	\$ 56,455
Public Improvements	0	9,575	9,575	0	9,575
Drainage Assessment	162,895	19,367	19,367	0	19,367
<b>Total Executive Council</b>	<b>\$ 579,049</b>	<b>\$ 85,397</b>	<b>\$ 85,397</b>	<b>\$ 0</b>	<b>\$ 85,397</b>
<b><u>Legislative Branch</u></b>					
<b>Legislative Branch</b>					
Legislative Branch	\$ 35,248,979	\$ 35,582,682	\$ 37,000,000	\$ 0	\$ 37,000,000
<b>Total Legislative Branch</b>	<b>\$ 35,248,979</b>	<b>\$ 35,582,682</b>	<b>\$ 37,000,000</b>	<b>\$ 0</b>	<b>\$ 37,000,000</b>
<b><u>Management, Department of</u></b>					
<b>Management, Dept. of</b>					
Technology Reinvestment Fund	\$ 0	\$ 0	\$ 17,500,000	\$ 0	\$ 17,500,000
Appeal Board Claims	7,496,569	4,500,000	4,500,000	0	4,500,000
Special Olympics Fund	100,000	100,000	100,000	0	100,000
Economic Emergency Fund	13,038,163	0	0	0	0
Cash Reserve Fund Appropriation	20,000,000	113,100,000	0	0	0
Transportation Equity Fund	0	11,200,000	19,000,000	0	19,000,000
<b>Total Management, Department of</b>	<b>\$ 40,634,732</b>	<b>\$ 128,900,000</b>	<b>\$ 41,100,000</b>	<b>\$ 0</b>	<b>\$ 41,100,000</b>

## Unassigned Standings

### General Fund

	Actual FY 2018 (1)	Estimated FY 2019 (2)	Current Law (3)	Senate Standings SF 638 (4)	Net Total (5)
<b><u>Public Defense, Department of</u></b>					
Public Defense, Dept. of					
Compensation and Expense	\$ 612,201	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556
<b>Total Public Defense, Department of</b>	<b>\$ 612,201</b>	<b>\$ 342,556</b>	<b>\$ 342,556</b>	<b>\$ 0</b>	<b>\$ 342,556</b>
<b><u>Public Safety, Department of</u></b>					
Public Safety, Dept. of					
DPS - POR Unfunded Liabilities	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000
Firefighter Training Equipment	0	0	0	50,000	0
<b>Total Public Safety, Department of</b>	<b>\$ 5,000,000</b>	<b>\$ 5,000,000</b>	<b>\$ 5,000,000</b>	<b>\$ 50,000</b>	<b>\$ 5,000,000</b>
<b><u>Revenue, Department of</u></b>					
Revenue, Dept. of					
Homestead Tax Credit Aid - GF	\$ 137,306,758	\$ 135,071,538	\$ 130,316,500	\$ 0	\$ 130,316,500
Elderly & Disabled Tax Credit	20,741,534	24,690,028	30,895,000	0	30,895,000
Ag Land Tax Credit - GF	39,072,143	39,100,000	39,100,000	0	39,100,000
Military Service Tax Exemption	1,894,661	1,961,234	1,352,000	0	1,352,000
Comm & Industrial Prop Tax Replacement	152,063,510	152,114,544	152,114,544	0	152,114,544
Business Property Tax Credit	125,000,000	125,000,000	125,000,000	0	125,000,000
<b>Total Revenue, Department of</b>	<b>\$ 476,078,606</b>	<b>\$ 477,937,344</b>	<b>\$ 478,778,044</b>	<b>\$ 0</b>	<b>\$ 478,778,044</b>
<b>Total Unassigned Standings</b>	<b>\$ 3,746,466,804</b>	<b>\$ 3,864,188,258</b>	<b>\$ 3,891,838,014</b>	<b>\$ -31,699,689</b>	<b>\$ 3,860,088,325</b>