

Standing Appropriations Bill Senate File 638

Last Action:
Final Action
April 27, 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
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FUNDING SUMMARY

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 FY 2019.

NEW PROGRAMS, SERVICES, OR ACTIVITIES

Establishes the Flood Recovery Fund under the control of the Flood Mitigation Board. Page 11, 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 15, Line 18

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

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 2, 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 2, Line 17

Reduces the FY 2020 State school aid funding to Area Education Agencies (AEAs) by \$15.0 million. Page 2, Line 23

FUNDING FOR PROJECTS AND PROGRAMS

Appropriates \$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 3, Line 15

SUPPLEMENTAL APPROPRIATIONS

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 12, Line 20

STUDIES AND INTENT

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 18, Line 29

SIGNIFICANT CODE CHANGES

Changes the due date of the annual report of the Office of the Ombudsman from April 1 to December 31. Page 4, 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 12, 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 13, Line 7

Codifies language 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. This is similar language that was included in previous Standing Appropriations Acts Page 13, Line 34

Requires State agencies to submit budget information to the DOM and include all proposed expenditures, supporting data, and explanations, prioritized by program or the results to be achieved. Page 14, Line 13

Eliminates language that requires the Judicial Branch budget request to be based on 100.0% of the current fiscal year and accounted for by program. Page 14, 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 17, Line 28

Allows a political subdivision located outside of 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 such as a river, lake, or watershed. Page 20, Line 8

Amends Iowa Code chapter [46](#) by making changes related to the State Judicial Nominating Commission. Page 20, Line 33

Amends Iowa Code section [602.4103](#) by making changes to the election and notice procedure for the Chief Justice of the Supreme Court, decreasing the term of the Chief Justice to two years, and setting the term Page 30, Line 34

expiration for the current Chief Justice to January 15, 2021.

EFFECTIVE DATE

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

Page 13, Line 3

Specifies that Division XIII of the Bill relating to the Judicial Nominating Commission is effective upon enactment.

Page 30, Line 29

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

Page #	Line #	Bill Section	Action	Code Section
2	23	3	Add	257.35.13A
4	11	6	Amend	2C.18
4	24	7	Add	558.69.9
4	32	8	Amend	29C.20C
5	20	9	Amend	216A.133.3.1
5	26	10	Amend	225C.51.1.a
5	31	11	Amend	225C.51.3
6	5	12	Amend	261H.3.1.2
6	31	13	Amend	322C.2.20
7	2	14	Amend	322C.15.2.b
7	13	15	Amend	456A.33C.1
7	19	16	Amend	513D.2.2
7	25	17	Amend	515I.4A.1.c
7	33	18	Amend	522E.13.6
8	17	19	Amend	633.648
8	29	20	Amend	692C.1.1.a
11	3	27	New	418.16
13	7	31	Add	8.6.16
13	34	32	Amend	8.23.1
14	13	33	Amend	8.23.1.a
14	25	34	Amend	602.1301.2.a
15	18	35	Add	321.34.11C
16	16	36	Amend	321.166.9
16	32	37	Amend	99F.7A.3
17	13	38	Amend	99F.13
17	28	39	Amend	476.6.15.c.(2),(4)
20	4	41	Repeal	262.67
20	8	42	Add	466B.22.5
20	33	46	Amend	46.1
21	29	47	Strike and Replace	46.2
22	13	48	Strike and Replace	46.2A
22	27	49	Amend	46.5
24	31	50	Amend	46.6
25	20	51	Amend	46.7
26	7	52	Amend	46.8
26	19	53	Amend	46.9
27	17	54	Amend	46.9A
28	1	55	Amend	46.10
28	24	56	Amend	46.11
29	1	57	Amend	46.12.1
29	11	58	Amend	46.13
30	13	59	New	46.15A
30	34	61	Amend	602.4103
31	22	62	New	602.4103A

<p>2 1 DIVISION I</p> <p>2 2 STANDING APPROPRIATIONS AND RELATED MATTERS</p> <p>2 3 Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY</p> <p>2 4 2019-2020. Notwithstanding the standing appropriation in the</p> <p>2 5 following designated section for the fiscal year beginning July</p> <p>2 6 1, 2019, and ending June 30, 2020, the amount appropriated from</p> <p>2 7 the general fund of the state pursuant to that section for the</p> <p>2 8 following designated purpose shall not exceed the following</p> <p>2 9 amount:</p> <p>2 10 For payment of claims for nonpublic school transportation</p> <p>2 11 under section 285.2:</p> <p>2 12 \$ 8,197,091</p> <p>2 13 If total approved claims for reimbursement for nonpublic</p> <p>2 14 school pupil transportation exceed the amount appropriated in</p> <p>2 15 accordance with this section, the department of education shall</p> <p>2 16 prorate the amount of each approved claim.</p> <p>2 17 Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2019-2020. In</p> <p>2 18 lieu of the appropriation provided in section 257.20,</p> <p>2 19 subsection 2, the appropriation for the fiscal year</p> <p>2 20 beginning July 1, 2019, and ending June 30, 2020, for paying</p> <p>2 21 instructional support state aid under section 257.20 for such</p> <p>2 22 fiscal year is zero.</p> <p>2 23 Sec. 3. Section 257.35, Code 2019, is amended by adding the</p> <p>2 24 following new subsection:</p> <p>2 25 NEW SUBSECTION 13A. Notwithstanding subsection 1, and in</p> <p>2 26 addition to the reduction applicable pursuant to subsection</p> <p>2 27 2, the state aid for area education agencies and the portion</p> <p>2 28 of the combined district cost calculated for these agencies</p> <p>2 29 for the fiscal year beginning July 1, 2019, and ending June</p> <p>2 30 30, 2020, shall be reduced by the department of management by</p> <p>2 31 fifteen million dollars. The reduction for each area education</p> <p>2 32 agency shall be prorated based on the reduction that the agency</p> <p>2 33 received in the fiscal year beginning July 1, 2003.</p> <p>2 34 Sec. 4. SPECIAL FUNDS — SALARY ADJUSTMENTS —</p> <p>2 35 UNAPPROPRIATED MONEYS — FY 2019-2020 — FY 2020-2021. For the</p> <p>3 1 fiscal year beginning July 1, 2019, and ending June 30, 2020,</p> <p>3 2 and for the fiscal year beginning July 1, 2020, and ending June</p> <p>3 3 30, 2021, salary adjustments otherwise provided may be funded</p> <p>3 4 as determined by the department of management, subject to any</p> <p>3 5 applicable constitutional limitation, using unappropriated</p>	<p>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.</p> <p>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.</p> <p>Suspends the General Fund standing appropriation of \$14,800,000 for the Instructional Support Program for FY 2020.</p> <p>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).</p> <p>CODE: Reduces the FY 2020 State school aid funding to Area Education Agencies (AEAs) by \$15,000,000.</p> <p>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.</p> <p>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.</p>
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3 6 moneys remaining in the department of commerce revolving
 3 7 fund, the gaming enforcement revolving fund, the gaming
 3 8 regulatory revolving fund, the primary road fund, the road
 3 9 use tax fund, the fish and game protection fund, and the Iowa
 3 10 public employees' retirement fund, and in other departmental
 3 11 revolving, trust, or special funds for which the general
 3 12 assembly has not made an operating budget appropriation.

3 13 DIVISION II
 3 14 MISCELLANEOUS APPROPRIATIONS

3 15 Sec. 5. DEPARTMENT OF PUBLIC SAFETY.
 3 16 1. There is appropriated from the general fund of the
 3 17 state to the department of public safety for the fiscal year
 3 18 beginning July 1, 2019, and ending June 30, 2020, the following
 3 19 amount, or so much thereof as is necessary, to be used for the
 3 20 purposes designated:
 3 21 For costs associated with the training and equipment needs
 3 22 of volunteer fire fighters:
 3 23 \$ 50,000

3 24 2. Notwithstanding section 8.33, moneys appropriated in
 3 25 this section that remain unencumbered or unobligated at the
 3 26 close of the fiscal year shall not revert but shall remain
 3 27 available for expenditure only for the purpose designated in
 3 28 this section until the close of the succeeding fiscal year.

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

4 9 DIVISION III
 4 10 MISCELLANEOUS PROVISIONS

4 11 Sec. 6. Section 2C.18, Code 2019, is amended to read as
 4 12 follows:

CODE: 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.

DETAIL: This is a one-time appropriation for FY 2020.

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

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.

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

<p>4 13 2C.18 REPORT TO GENERAL ASSEMBLY. 4 14 The ombudsman shall by April <u>December 31</u> of each year 4 15 submit an economically designed and reproduced report to the 4 16 general assembly and to the governor concerning the exercise of 4 17 the ombudsman's functions during the preceding calendar <u>fiscal</u> 4 18 year. In discussing matters with which the ombudsman has been 4 19 concerned, the ombudsman shall not identify specific persons 4 20 if to do so would cause needless hardship. If the annual 4 21 report criticizes a named agency or official, it shall also 4 22 include unedited replies made by the agency or official to the 4 23 criticism, unless excused by the agency or official affected.</p> <p>4 24 Sec. 7. Section 558.69, Code 2019, is amended by adding the 4 25 following new subsection: 4 26 NEW SUBSECTION 9. Notwithstanding section 331.604 or any 4 27 other provision of law to the contrary, the county recorder 4 28 shall not charge or collect a fee for the submission or filing 4 29 of a groundwater hazard statement.</p> <p>4 30 DIVISION IV 4 31 CORRECTIVE PROVISIONS</p> <p>4 32 Sec. 8. Section 29C.20C, if enacted by 2019 Iowa Acts, 4 33 Senate File 570, section 1, is amended to read as follows: 4 34 29C.20C IMMUNITY — LICENSED ARCHITECTS AND PROFESSIONAL 4 35 ENGINEERS. 5 1 An architect licensed pursuant to chapter 544A or a 5 2 professional engineer licensed pursuant to chapter 542B who, 5 3 during a disaster emergency as proclaimed by the governor or 5 4 a major disaster as declared by the president of the United 5 5 States, in good faith and at the request of or with the 5 6 approval of a national, state, or local public official, law 5 7 enforcement official, public safety official, or building 5 8 inspection official believed by the licensed architect or 5 9 professional engineer to be acting in an official capacity, 5 10 voluntarily and without compensation provides architectural, 5 11 engineering, structural, electrical, mechanical, or other 5 12 design professional services related to the disaster emergency 5 13 <u>or major disaster</u> shall not be liable for civil damages for any 5 14 acts or omissions resulting from the services provided, unless 5 15 such acts or omissions constitute recklessness or willful 5 16 and wanton misconduct. A licensed architect or professional 5 17 engineer who receives expense reimbursement for the performance 5 18 of services described in this section shall not be considered 5 19 to have received compensation for such services.</p> <p>5 20 Sec. 9. Section 216A.133, subsection 3, paragraph I, if 5 21 enacted by 2019 Iowa Acts, House File 634, section 5, is</p>	<p>scope of the report from the previous calendar year to the previous fiscal year.</p> <p>DETAIL: The annual report details the exercise of the functions of the Office of the Ombudsman for the fiscal year.</p> <p>CODE: Adds a new subsection to Iowa Code section 558.69 specifying that a county recorder shall not charge or collect a fee for the submission or filing of a groundwater hazard statement.</p> <p>CODE: Corrective provision for SF 570 (Natural Disaster Good Samaritan Law Bill).</p> <p>DETAIL: This Bill was approved by the General Assembly on April 23, 2019.</p> <p>CODE: Corrective provision for HF 634 (Criminal Law/Criminal Offenders Act).</p>
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5 22 amended to read as follows:

5 23 I. Recommending to the ~~board~~ department the adoption of
5 24 rules pursuant to chapter 17A as it deems necessary for the
5 25 board and division.

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

5 26 Sec. 10. Section 225C.51, subsection 1, paragraph a, if
5 27 enacted by 2019 Iowa Acts, House File 690, section 8, is
5 28 amended to read as follows:

5 29 a. The director of the department of human services or the
5 30 director's designee.

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

DETAIL: This Act was approved by the General Assembly on April 16, 2019, and signed by the Governor on May 1, 2019.

5 31 Sec. 11. Section 225C.51, subsection 3, if enacted by 2019
5 32 Iowa Acts, House File 690, section 8, is amended to read as
5 33 follows:

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

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

DETAIL: This Act was approved by the General Assembly on April 16, 2019, and signed by the Governor on May 1, 2019.

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

6 8 1. Noncommercial expressive activities protected under the
6 9 provisions of this chapter include but are not limited to any
6 10 lawful oral or written means by which members of the campus
6 11 community may communicate ideas to one another, including
6 12 but not limited to all forms of peaceful assembly, protests,
6 13 speeches including by invited speakers, distribution of
6 14 literature, circulating petitions, and publishing, including
6 15 publishing or streaming on an internet site, or audio or video
6 16 recorded in outdoor areas of campus.

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

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

6 17 2. A member of the campus community who wishes to engage in
6 18 noncommercial expressive activity in outdoor areas of campus
6 19 shall be permitted to do so freely, subject to reasonable
6 20 time, place, and manner restrictions, and as long as the
6 21 member's conduct is not unlawful, does not impede others'
6 22 access to a facility or use of walkways, and does not disrupt
6 23 the functioning of the public institution of higher education,
6 24 subject to the protections of subsection 1. The public
6 25 institution of higher education may designate other areas of
6 26 campus available for use by the campus community according to
6 27 institutional policy, but in all cases access to designated
6 28 areas of campus must be granted on a viewpoint-neutral basis
6 29 within the bounds of established principles of the first
6 30 amendment principles to the Constitution of the United States.

6 31 Sec. 13. Section 322C.2, subsection 20, if enacted by 2019
 6 32 Iowa Acts, Senate File 435, section 2, is amended to read as
 6 33 follows:
 6 34 20. "Towable recreational vehicle dealer" or "dealer" means
 6 35 a person required to be licensed under this chapter who is
 7 1 authorized to sell and service towable recreational vehicles.

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

DETAIL: This Act was approved by the General Assembly on April 18, 2019, and signed by the Governor on May 3, 2019.

7 2 Sec. 14. Section 322C.15, subsection 2, paragraph b, if
 7 3 enacted by 2019 Iowa Acts, Senate File 435, section 12, is
 7 4 amended to read as follows:
 7 5 b. The manufacturer's or distributor's business operations
 7 6 have been abandoned or caused the dealer's business operations
 7 7 to close for ten consecutive business days. This ~~subparagraph~~
 7 8 paragraph does not apply if the closing is due to a normal
 7 9 seasonal closing and the manufacturer or distributor notifies
 7 10 the dealer of the planned closing, an act of God, a strike,
 7 11 a labor difficulty, or any other cause over which the
 7 12 manufacturer or distributor has no control.

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

DETAIL: This Act was approved by the General Assembly on April 18, 2019, and signed by the Governor on May 3, 2019.

7 13 Sec. 15. Section 456A.33C, subsection 1, unnumbered
 7 14 paragraph 1, if enacted by 2019 Iowa Acts, House File 765,
 7 15 section 18, is amended to read as follows:
 7 16 For purposes of this section, unless the context otherwise
 7 17 requires, "eligible water body" means a body of water that ~~meet~~
 7 18 meets all of the following criteria:

CODE: Corrective provision for [HF 765](#) (Infrastructure Appropriations Bill).

DETAIL: This Bill was approved by the General Assembly on April 22, 2019.

7 19 Sec. 16. Section 513D.2, subsection 2, Code 2019, as amended
 7 20 by 2019 Iowa Acts, House File 679, section 184, if enacted, is
 7 21 amended to read as follows:
 7 22 2. The commissioner ~~or~~ of insurance may take any enforcement
 7 23 action under the commissioner's authority to enforce compliance
 7 24 with this chapter.

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

DETAIL: This Act was approved by the General Assembly on April 16, 2019, and signed by the Governor on May 1, 2019.

7 25 Sec. 17. Section 515I.4A, subsection 1, paragraph c, as
 7 26 enacted by 2019 Iowa Acts, Senate File 558, section 4, is
 7 27 amended to read as follows:
 7 28 c. The board of directors of the insurer has passed a
 7 29 resolution seeking approval as a domestic surplus lines insurer
 7 30 in this state and stating that the insurer shall only write
 7 31 surplus ~~line~~ lines business. The resolution shall not be
 7 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.

7 33 Sec. 18. Section 522E.13, subsection 6, Code 2019, as
 7 34 amended by 2019 Iowa Acts, Senate File 559, section 6, is
 7 35 amended to read as follows:

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

8 1 6. Whenever notice or correspondence with respect to a
 8 2 policy of portable electronics insurance is required pursuant
 8 3 to this section, it shall be in writing and sent within the

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

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

8 17 Sec. 19. Section 633.648, Code 2019, as amended by 2019
8 18 Iowa Acts, House File 610, section 34, if enacted, is amended
8 19 to read as follows:
8 20 633.648 APPOINTMENT OF ATTORNEY IN COMPROMISE OF PERSONAL
8 21 INJURY SETTLEMENTS.
8 22 Notwithstanding the provisions of section 633.642 prior to
8 23 authorizing a compromise of a claim for damages on account
8 24 of personal injuries to the ~~ward~~ protected person, the court
8 25 may order an independent investigation by an attorney other
8 26 than by the attorney for the conservator. The cost of such
8 27 investigation, including a reasonable attorney fee, shall be
8 28 taxed as part of the cost of the conservatorship.

8 29 Sec. 20. Section 692C.1, subsection 1, paragraph a, if
8 30 enacted by 2019 Iowa Acts, House File 681, section 1, is
8 31 amended to read as follows:
8 32 a. "Covered individual" means an individual who has, seeks
8 33 to have, or may have access to children, the elderly, or
8 34 individuals with disabilities served by a qualified entity and
8 35 who is employed by, volunteers with, or seeks to volunteer with
9 1 a qualified entity; or owns or operates or seeks to own or
9 2 operate, a qualified entity.

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

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

DETAIL: This Act was approved by the General Assembly on April 15, 2019, and signed by the Governor on May 1, 2019.

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

DETAIL: This Act was approved by the General Assembly on April 23, 2019, and signed by the Governor on May 1, 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.

9 14 unnumbered paragraph 1; 135.63, subsection 2, paragraph “f”;
 9 15 135.63, subsection 2, paragraph “g”, subparagraph (1); 135.63,
 9 16 subsection 2, paragraph “h”, subparagraph (1), unnumbered
 9 17 paragraph 1; 135.63, subsection 2, paragraph “j”; 135.63,
 9 18 subsection 2, paragraph “k”, subparagraph (1), unnumbered
 9 19 paragraph 1; 135.63, subsection 2, paragraph “l”, unnumbered
 9 20 paragraph 1; 135.63, subsection 2, paragraphs “m” and “n”;
 9 21 135.63, subsection 2, paragraph “p”, unnumbered paragraph 1;
 9 22 135.63, subsection 3; 135.64, subsection 3; 135.72, unnumbered
 9 23 paragraph 1; 135.73, subsection 1; 135.73, subsection
 9 24 2, unnumbered paragraph 1; 135.73, subsection 3; 135.74,
 9 25 subsections 1 and 3; 135.75, subsection 2; 135.76, subsection
 9 26 1; 135.100, unnumbered paragraph 1; 135.105A, subsection 5;
 9 27 135.108, unnumbered paragraph 1; 135.140, unnumbered paragraph
 9 28 1; 249K.2, subsection 6; 490.120, subsection 12, paragraph “c”,
 9 29 subparagraph (1); 490.140, subsection 29; 490.640, subsection
 9 30 8; 490.809, subsection 2; 490.858, subsection 2; 490.1101,
 9 31 unnumbered paragraph 1; 490.1105, subsection 3; 490.1107,
 9 32 subsection 1, paragraph “h”; 490.1107, subsection 2; 490.1107,
 9 33 subsection 4, paragraph “b”; 490.1108, subsection 1; 490.1114,
 9 34 subsection 1; 490.1114, subsection 2, paragraph “g”; 490.1202,
 9 35 subsection 7; 490.1301, unnumbered paragraph 1; 490.1320,
 10 1 subsection 1; 490.1320, subsection 3, paragraphs “a” and “b”;
 10 2 490.1322, subsection 2, paragraph “c”; 490.1323, subsection
 10 3 3; 490.1331, subsection 1; 490.1340, subsection 2, paragraph
 10 4 “a”, subparagraph (1); 490.1403, subsection 3; 490.1405,
 10 5 subsection 2, paragraph “c”; 499.69A, subsection 6; 524.1309,
 10 6 subsection 8; 524.1406, subsection 1; 524.1417, subsection 1;
 10 7 and 524.1805, subsection 6, Code 2019, are amended by striking
 10 8 the word “division” and inserting in lieu thereof the word
 10 9 “subchapter”.

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

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

10 16 Sec. 23. EFFECTIVE DATE. The following takes effect January
 10 17 1, 2020:
 10 18 The section of this division of this Act amending section
 10 19 633.648.

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

10 20 Sec. 24. RETROACTIVE APPLICABILITY. The following applies
 10 21 retroactively to the effective date of 2019 Iowa Acts, Senate
 10 22 File 570, if enacted:
 10 23 The section of this division of this Act amending section

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

10 24 29C.20.

10 25 Sec. 25. RETROACTIVE APPLICABILITY. The following applies
10 26 retroactively to March 27, 2019:

10 27 The section of this division of this Act amending section
10 28 261H.3, subsections 1 and 2.

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

10 29 Sec. 26. APPLICABILITY. The following applies to
10 30 guardianships and guardianship proceedings for adults and
10 31 conservatorships and conservatorship proceedings for adults and
10 32 minors established or pending before, on, or after January 1,
10 33 2020:

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

10 34 The section of this division of this Act amending section
10 35 633.648.

11 1 DIVISION V
11 2 FLOOD RECOVERY

11 3 Sec. 27. NEW SECTION 418.16 FLOOD RECOVERY FUND.

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

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

DETAIL: The Flood Recovery Fund will be administered by the Department of Homeland Security and Emergency Management. 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.

11 12 2. The board may award moneys from the fund to eligible
11 13 political subdivisions of the state. A political subdivision
11 14 of the state is eligible to receive moneys from the fund if
11 15 the political subdivision is located in a county designated
11 16 under presidential disaster declaration DR-4421-IA and is also
11 17 located in a county where the federal emergency management
11 18 agency's individual assistance program has been activated.

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

11 19 3. In order to be awarded moneys from the fund, a political
11 20 subdivision of the state shall submit a project application
11 21 to the department for consideration by the board. The board
11 22 shall prescribe application forms and application instructions.
11 23 Project applications shall include all of the following:
11 24 a. A description of the project and the manner in which
11 25 the project supports flood response, flood recovery, or flood
11 26 mitigation activities.
11 27 b. A description of the financial assistance needed from the
11 28 fund.
11 29 c. Details on any additional moneys to be applied to the
11 30 project.

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

- A description of the project and 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.

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

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

12 20 Sec. 28. FLOOD RECOVERY APPROPRIATION. There is
 12 21 appropriated from the general fund of the state to the
 12 22 department of homeland security and emergency management, for
 12 23 the fiscal year beginning July 1, 2018, and ending June 30,
 12 24 2019, the following amount, or so much thereof as is necessary,
 12 25 to be credited to the flood recovery fund created in section
 12 26 418.16, as enacted by this Act, and used for the purposes
 12 27 designated in section 418.16, as enacted by this Act:
 12 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.

12 29 Sec. 29. EMERGENCY RULES. The department of homeland
 12 30 security and emergency management may adopt emergency
 12 31 rules under section 17A.4, subsection 3, and section 17A.5,
 12 32 subsection 2, paragraph "b", to implement the provisions of
 12 33 this division of this Act and the rules shall be effective
 12 34 immediately upon filing unless a later date is specified in the
 12 35 rules. Any rules adopted in accordance with this section shall
 13 1 also be published as a notice of intended action as provided
 13 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.

13 3 Sec. 30. EFFECTIVE DATE. This division of this Act, being

Specifies that Division V takes effect upon enactment.

13 4 deemed of immediate importance, takes effect upon enactment.

13 5 DIVISION VI

13 6 STATE BUDGET PROCESS

13 7 Sec. 31. Section 8.6, Code 2019, is amended by adding the
 13 8 following new subsection:
 13 9 NEW SUBSECTION 16. SALARY MODEL ADMINISTRATOR. To
 13 10 designate a position within the department to serve as the
 13 11 salary model administrator.

13 12 a. The salary model administrator shall work in conjunction
 13 13 with the legislative services agency to maintain the state's
 13 14 salary model used for analyzing, comparing, and projecting
 13 15 state employee salary and benefit information, including
 13 16 information relating to employees of the state board of
 13 17 regents.

13 18 b. The department of revenue, the department of
 13 19 administrative services, the institutions governed by the state
 13 20 board of regents pursuant to section 262.7, each judicial
 13 21 district's department of correctional services, and the state
 13 22 department of transportation shall provide salary data to the
 13 23 department of management and the legislative services agency
 13 24 to operate the state's salary model. The format and frequency
 13 25 of provision of the salary data shall be determined by the
 13 26 department of management and the legislative services agency.

13 27 c. The information shall be used in collective bargaining
 13 28 processes under chapter 20 and in calculating the funding needs
 13 29 contained within any annual salary adjustment legislation.
 13 30 A state employee organization as defined in section 20.3,
 13 31 subsection 4, may request information produced by the model,
 13 32 but the information provided shall not contain information
 13 33 attributable to individual employees.

13 34 Sec. 32. Section 8.23, subsection 1, unnumbered paragraph
 13 35 1, Code 2019, is amended to read as follows:

14 1 On or before October 1, prior to each legislative session,
 14 2 all departments and establishments of the government shall
 14 3 transmit to the director, on blanks to be furnished by the
 14 4 director, estimates of their expenditure requirements,
 14 5 including every proposed expenditure, for the ensuing fiscal
 14 6 year, ~~classified so as to distinguish between expenditures~~
 14 7 ~~estimated for administration, operation, and maintenance, and~~
 14 8 ~~the cost of each project involving the purchase of land or the~~
 14 9 ~~making of a public improvement or capital outlay of a permanent~~
 14 10 ~~character,~~ together with supporting data and explanations
 14 11 as called for by the director after consultation with the
 14 12 legislative services agency.

CODE: Adds a new subsection to Iowa Code section [8.6](#) 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.

DETAIL: This is similar language that has been included in previous Standing Appropriations Acts.

CODE: Codifies language 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.

DETAIL: This is similar language that has been included in previous Standing Appropriations Acts.

14 13 Sec. 33. Section 8.23, subsection 1, paragraph a, Code 2019,
 14 14 is amended to read as follows:
 14 15 a. The estimates of expenditure requirements shall be
 14 16 ~~based upon seventy five percent of the funding provided for~~
 14 17 ~~the current fiscal year accounted for by program reduced by~~
 14 18 ~~the historical employee vacancy factor in a form specified by~~
 14 19 ~~the director, and the remainder of the estimate of expenditure~~
 14 20 ~~requirements shall include all proposed expenditures and shall~~
 14 21 ~~be prioritized by program or the results to be achieved.~~ The
 14 22 estimates shall be accompanied ~~with~~ by performance measures
 14 23 for evaluating the effectiveness of the ~~program~~ programs or
 14 24 results.

CODE: Requires State agencies to submit budget information to the 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.

14 25 Sec. 34. Section 602.1301, subsection 2, paragraph a,
 14 26 unnumbered paragraph 1, Code 2019, is amended to read as
 14 27 follows:
 14 28 As early as possible, but not later than December 1, the
 14 29 supreme court shall submit to the legislative services agency
 14 30 the annual budget request and detailed supporting information
 14 31 for the judicial branch. The submission shall be designed
 14 32 to assist the legislative services agency in its preparation
 14 33 for legislative consideration of the budget request. The
 14 34 information submitted shall contain and be arranged in a format
 14 35 substantially similar to the format specified by the director
 15 1 of the department of management and used by all departments
 15 2 and establishments in transmitting to the director estimates
 15 3 of their expenditure requirements pursuant to section 8.23;
 15 4 ~~except the estimates of expenditure requirements shall be based~~
 15 5 ~~upon one hundred percent of funding for the current fiscal~~
 15 6 ~~year accounted for by program, and using the same line item~~
 15 7 ~~definitions of expenditures as used for the current fiscal~~
 15 8 ~~year's budget request, and the remainder of the estimate of~~
 15 9 ~~expenditure requirements prioritized by program.~~ The supreme
 15 10 court shall also make use of the department of management's
 15 11 automated budget system when submitting information to the
 15 12 director of the department of management to assist the director
 15 13 in the transmittal of information as required under section
 15 14 8.35A. The supreme court shall budget and track expenditures
 15 15 by the following separate organization codes:

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

15 16 DIVISION VII
 15 17 BLACKOUT SPECIAL REGISTRATION PLATES

15 18 Sec. 35. Section 321.34, Code 2019, is amended by adding the
 15 19 following new subsection:
 15 20 NEW SUBSECTION 11C. BLACKOUT PLATES.
 15 21 a. Upon application and payment of the proper fees,
 15 22 the director may issue blackout plates to the owner of a

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

DETAIL: The fee for the license plate is \$35 with an annual \$10 registration fee charged in addition to the regular annual registration

15 23 motor vehicle subject to registration under section 321.109,
 15 24 subsection 1, autocycle, motor truck, motor home, multipurpose
 15 25 vehicle, motorcycle, trailer, or travel trailer.
 15 26 b. Blackout plates shall be designed by the department. A
 15 27 blackout plate's background shall be black, and the plate's
 15 28 letters and numbers shall be white.
 15 29 c. The special blackout fee for letter-number designated
 15 30 blackout plates is thirty-five dollars. An applicant may
 15 31 obtain personalized blackout plates upon payment of the fee for
 15 32 personalized plates as provided in subsection 5, which is in
 15 33 addition to the special blackout fee. The fees collected by
 15 34 the director under this subsection shall be paid monthly to the
 15 35 treasurer of state and deposited in the road use tax fund.
 16 1 d. Upon receipt of the special registration plates, the
 16 2 applicant shall surrender the current registration plates to
 16 3 the county treasurer. The county treasurer shall validate
 16 4 the special registration plates in the same manner as regular
 16 5 registration plates are validated under this section. The
 16 6 annual special blackout fee for letter-number designated plates
 16 7 is ten dollars which shall be paid in addition to the regular
 16 8 annual registration fee. The annual fee for personalized
 16 9 blackout plates is five dollars which shall be paid in addition
 16 10 to the annual special blackout fee and the regular annual
 16 11 registration fee. The annual special blackout fee shall be
 16 12 credited as provided under paragraph "c".
 16 13 e. The department shall not condition the issuance of
 16 14 blackout plates on the receipt of any number of orders for
 16 15 blackout plates.

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

16 30 DIVISION VIII
 16 31 GAMBLING REGULATION

16 32 Sec. 37. Section 99F.7A, subsection 3, if enacted by 2019

fee. An additional \$5 fee is applied for personalized plates in addition 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 exempt 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) to prevent a person

16 33 Iowa Acts, Senate File 617, section 10, is amended to read as
16 34 follows:

16 35 3. A licensee under this section may enter into operating
17 1 agreements with one or two entities to have up to a total of
17 2 two individually branded internet sites to conduct advance
17 3 deposit sports wagering for the licensee, unless one additional
17 4 operating agreement or individually branded internet site
17 5 is authorized by the commission. However, a person shall
17 6 not sell, grant, assign, or turn over to another person the
17 7 operation of an individually branded internet site to conduct
17 8 advance deposit wagering for the licensee without the approval
17 9 of the commission. This section does not prohibit an agreement
17 10 entered into between a licensee under this section and an
17 11 advanced deposit sports wagering operator as approved by the
17 12 commission.

17 13 Sec. 38. Section 99F.13, Code 2019, is amended to read as
17 14 follows:

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

17 26 DIVISION IX
17 27 PUBLIC UTILITIES

17 28 Sec. 39. Section 476.6, subsection 15, paragraph c,
17 29 subparagraphs (2) and (4), Code 2019, are amended to read as
17 30 follows:

17 31 (2) Notwithstanding the goals developed pursuant to
17 32 paragraph "b", the board shall not require or allow a gas
17 33 utility to adopt an energy efficiency plan that results in
17 34 projected cumulative average annual costs that exceed one
17 35 and one-half percent of the gas utility's expected annual
18 1 Iowa retail rate revenue from retail customers in the state,
18 2 shall not require or allow an electric utility to adopt an
18 3 energy efficiency plan that results in projected cumulative
18 4 average annual costs that exceed two percent of the electric
18 5 utility's expected annual Iowa retail rate revenue from retail
18 6 customers in the state, and shall not require or allow an
18 7 electric utility to adopt a demand response plan that results

operating an individually branded Internet site that 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 Bill, 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 that exceed 2.00% of its expected annual
Iowa retail rate revenue.

18 8 in projected cumulative average annual costs that exceed two
 18 9 percent of the electric utility's expected annual Iowa retail
 18 10 rate revenue from retail customers in the state. For purposes
 18 11 of determining the two percent threshold amount, the board
 18 12 shall exclude from an electric utility's expected annual Iowa
 18 13 retail rate revenue the revenues expected from customers that
 18 14 have received exemptions from energy efficiency plans pursuant
 18 15 to paragraph "a". This subparagraph shall apply to energy
 18 16 efficiency plans and demand response plans that are effective
 18 17 on or after January 1, 2019.

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

CODE: Requires the Iowa Utilities Board to approve, reject, or modify an energy efficiency 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.

18 27 DIVISION X
 18 28 BOARD OF REGENTS CAPITAL PROJECTS

18 29 Sec. 40. BOARD OF REGENTS CAPITAL PROJECTS REPORT.

18 30 1. The state board of regents shall submit a written report,
 18 31 including such information and recommendations as required by
 18 32 this section, to the general assembly by December 13, 2019,
 18 33 regarding the financing of capital projects at institutions
 18 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.

18 35 2. The written report shall include a list of all capital
 19 1 projects initiated by an institution under the control of the
 19 2 state board of regents since January 1, 2004, in which the
 19 3 state provided at least a part of the financing for the project
 19 4 from an appropriation from the rebuild Iowa infrastructure fund
 19 5 created in section 8.57. For each project listed, the report
 19 6 shall include all of the following information:
 19 7 a. Total cost of each project.
 19 8 b. The amount and percentage of each project financed
 19 9 through donations and gifts from private sources.
 19 10 c. The amount and percentage of each project financed
 19 11 through funding from the federal government.
 19 12 d. The amount and percentage of each project financed
 19 13 through institution sources.
 19 14 e. The amount and percentage of each project financed

CODE: Requires that the report 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.

19 15 through state dollars.
 19 16 f. The amount and percentage of each project financed
 19 17 through other sources.
 19 18 g. Whether each project was considered a renovation or new
 19 19 construction.

19 20 3. The written report shall include, for each year since
 19 21 January 1, 2004, the percentage of capital project costs that
 19 22 were covered by donations and gifts from private sources for
 19 23 capital projects that did not receive state funding.

19 24 4. The written report shall include information regarding
 19 25 how the state board of regents defines new construction and
 19 26 renovations, a list of capital projects initiated due to
 19 27 extraordinary circumstances, and the current method used by
 19 28 the state board of regents and institutions under the control
 19 29 of the state board of regents to develop financing plans for
 19 30 capital projects.

19 31 5. The written report shall also include recommendations to
 19 32 the general assembly regarding the following:
 19 33 a. The type of capital projects that should be eligible for
 19 34 state funding.
 19 35 b. The share of state-funded capital projects that should be
 20 1 funded with non-state dollars.
 20 2 c. How the fundraising plan will be developed for
 20 3 state-funded projects.

20 4 Sec. 41. REPEAL. Section 262.67, if enacted by 2019 Iowa
 20 5 Acts, House File 765, section 16, is repealed.

20 6 DIVISION XI
 20 7 WATERSHED MANAGEMENT AUTHORITIES

20 8 Sec. 42. Section 466B.22, Code 2019, is amended by adding
 20 9 the following new subsection:
 20 10 NEW SUBSECTION 5. If a portion of a United States
 20 11 geological survey hydrologic unit code 8 watershed is located
 20 12 outside of this state, any political subdivision in such a
 20 13 watershed may participate in any watershed management authority
 20 14 which includes the county in which the political subdivision
 20 15 is located.

20 16 DIVISION XII
 20 17 ELECTIONS

CODE: Requires that the report include 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: Requires that the report 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: Requires the report 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](#) (Infrastructure Appropriations Bill) that requires the Board to raise matching funds as a condition of receiving appropriations from the RIIF. Under HF 765, 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 an 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 such as a river, lake, or watershed.

20 18 Sec. 43. 2019 Iowa Acts, House File 692, section 33, if
20 19 enacted, is amended to read as follows:

20 20 SEC. 33. EFFECTIVE DATE.

20 21 1. This division of this Act, being deemed of immediate
20 22 importance, takes effect upon enactment.

20 23 2. Notwithstanding subsection 1, the section of this
20 24 division of this Act amending section 39.2 takes effect July
20 25 1, 2019.

20 26 Sec. 44. EFFECTIVE DATE. This division of this Act, being
20 27 deemed of immediate importance, takes effect upon enactment.

20 28 Sec. 45. RETROACTIVE APPLICABILITY. This division of this
20 29 Act applies retroactively to the date of enactment of 2019 Iowa
20 30 Acts, House File 692, if enacted.

20 31 DIVISION XIII
20 32 JUDICIAL NOMINATING COMMISSION MODERNIZATION

20 33 Sec. 46. Section 46.1, Code 2019, is amended to read as
20 34 follows:

20 35 46.1 APPOINTMENT OF STATE JUDICIAL NOMINATING COMMISSIONERS.

21 1 1. The governor shall appoint, subject to confirmation by
21 2 the senate, ~~one eligible elector of each congressional district~~
21 3 nine eligible electors to the state judicial nominating
21 4 ~~commission for a six-year term beginning and ending as provided~~
21 5 ~~in section 69.19.~~

21 6 2. ~~The appointments made by the governor shall be~~
21 7 staggered terms of six years each and shall begin and end
21 8 in even-numbered years as provided in section 69.19. ~~The~~
21 9 ~~terms of no more than three nor less than two of the members~~
21 10 commissioners shall expire within the same two-year period.

21 11 3. No more than a simple majority of the ~~members~~
21 12 commissioners appointed by the governor shall be of the same
21 13 gender.

21 14 4. All commissioners shall be chosen without reference to
21 15 political affiliation.

21 16 5. There shall be at least one commissioner appointed by
21 17 the governor from each congressional district and there shall
21 18 not be more than two commissioners appointed by the governor
21 19 from a single congressional district unless each congressional
21 20 district has at least two commissioners appointed by the
21 21 governor.

21 22 6. A commissioner who has served a full six-year term on the
21 23 state judicial nominating commission, whether the commissioner
21 24 was appointed or elected, shall be ineligible to be appointed
21 25 to a second six-year term.

CODE: Corrective provision for [HF 692](#) (Elections and Politics/Voting Bill). Specifies that Section 5 of [HF 692](#) takes effect on July 1, 2019, if enacted.

DETAIL: This Bill was approved by the General Assembly on April 25, 2019.

Specifies that the Division XII of this Bill takes effect upon enactment.

Specifies that the Division XII of this Bill applies retroactively to the enactment date of [HF 692](#), if enacted.

CODE: Makes the following changes to the State Judicial Nominating Commission:

- Increases the number of Governor appointees on the Commission from eight to nine.
- Makes changes to the terms of the commissioners and sets term limits.
- Establishes certain requirements regarding the appointment of the commissioners.

21 26 7. No person may be appointed who holds an office of
 21 27 profit of the United States or of the state at the time of
 21 28 appointment.

21 29 Sec. 47. Section 46.2, Code 2019, is amended by striking the
 21 30 section and inserting in lieu thereof the following:
 21 31 46.2 ELECTION OF STATE JUDICIAL NOMINATING COMMISSIONERS.
 21 32 1. The resident members of the bar of each congressional
 21 33 district shall elect two eligible electors of different genders
 21 34 to the state judicial nominating commission.
 21 35 2. The commissioners elected by the bar shall serve
 22 1 staggered terms of six years each and shall be elected in the
 22 2 month of January for terms commencing July 1 of odd-numbered
 22 3 years. The terms of no more than three of the commissioners
 22 4 shall expire within the same two-year period.
 22 5 3. All of the commissioners elected by the bar shall be
 22 6 chosen without reference to political affiliation.
 22 7 4. A commissioner who has served a full six-year term on the
 22 8 state judicial nominating commission, whether the commissioner
 22 9 was appointed or elected, shall be ineligible to be elected to
 22 10 a second six-year term.
 22 11 5. No person may be elected who holds an office of profit of
 22 12 the United States or of the state at the time of election.

22 13 Sec. 48. Section 46.2A, Code 2019, is amended by striking
 22 14 the section and inserting in lieu thereof the following:
 22 15 46.2A SPECIAL APPOINTMENT OF STATE JUDICIAL NOMINATING
 22 16 COMMISSIONERS AND TRANSITION PROVISIONS.
 22 17 1. The initial term of the ninth commissioner appointed by
 22 18 the governor shall begin on the effective date of this division
 22 19 of this Act and shall expire on April 30, 2024.
 22 20 2. After the initial term is served pursuant to subsection
 22 21 1, a new commissioner shall be appointed by the governor to a
 22 22 six-year term as provided in section 46.1.
 22 23 3. The terms of any commissioner currently serving on
 22 24 the state judicial nominating commission or any commissioner
 22 25 already elected to begin serving on July 1, 2019, shall not be
 22 26 affected by this Act.

22 27 Sec. 49. Section 46.5, Code 2019, is amended to read as
 22 28 follows:
 22 29 46.5 VACANCIES.
 22 30 1. When a vacancy occurs in the office of an appointive
 22 31 judicial nominating commissioner, the chairperson of the
 22 32 particular commission shall promptly notify the governor in
 22 33 writing of such fact or the governor may take note of such a
 22 34 vacancy. Vacancies in the office of an appointive judicial
 22 35 nominating commissioner shall be filled by appointment by the

CODE: Changes the requirements for electing State Judicial Nominating Commissioners. This Section establishes the following:

- Increases the number of eligible electors from each congressional district from one to two and requires the electors to be of different genders.
- Requires the commissioners to serve staggered terms of six years each.
- Requires the commissioners to be chosen without reference to political affiliation.
- Sets a one-term limit for commissioners.
- Prohibits a person from holding an elected State or federal office at the time of election to the Commission.

CODE: Establishes the initial term of the ninth Commissioner appointed by the Governor to begin on the effective date of this Bill and to expire on April 30, 2024.

CODE: Makes changes to vacancy procedures and adding removal procedures for the State Judicial Nominating Commission.

23 1 governor, consistent with eligibility requirements. The term
23 2 of state judicial nominating commissioners so appointed shall
23 3 commence upon their appointment pending confirmation by the
23 4 senate at the then session of the general assembly or at its
23 5 next session if it is not then in session. The term of district
23 6 judicial nominating commissioners so appointed shall commence
23 7 upon their appointment.

23 8 ~~2.—Except where the term has less than ninety days
23 9 remaining, vacancies in the office of elective member of the
23 10 state judicial nominating commission shall be filled consistent
23 11 with eligibility requirements by a special election within the
23 12 congressional district where the vacancy occurs, such election
23 13 to be conducted as provided in sections 46.9 and 46.10. An
23 14 appointive commissioner shall be deemed to have submitted a
23 15 resignation if the commissioner fails to attend a meeting of
23 16 the commission that is properly noticed under section 46.13
23 17 and at which the commission conducts interviews or selects
23 18 nominees for judicial office. The governor, in the governor's
23 19 discretion, may accept or reject the resignation. If the
23 20 governor accepts the resignation, the governor shall notify the
23 21 commissioner and the chairperson of the commission in writing
23 22 and shall then make another appointment.~~

23 23 ~~3. Vacancies in the office of elective judicial nominating
23 24 commissioner of district judicial nominating commissions shall
23 25 be filled consistent with eligibility requirements and by
23 26 majority vote of the authorized number of elective members of
23 27 the particular commission, at a meeting of such members called
23 28 in the manner provided in section 46.13. The term of judicial
23 29 nominating commissioners so chosen shall commence upon their
23 30 selection by a special election within the judicial election
23 31 district or congressional district where the vacancy occurs
23 32 unless the term has less than ninety days remaining, in which
23 33 case the office shall remain vacant. The special election
23 34 shall be completed within ninety days of the vacancy arising
23 35 and shall be conducted as provided in sections 46.9, 46.9A, and
24 1 46.10.~~

24 2 ~~4. If a vacancy occurs in the office of chairperson of a the
24 3 state judicial nominating commission, or in the members of the
24 4 commission shall elect a new chairperson as provided in section
24 5 46.6. If a vacancy occurs in the office of chairperson of a
24 6 district judicial nominating commission or in the absence of
24 7 the chairperson, the members of the particular commission shall
24 8 elect a temporary chairperson from their own number.~~

24 9 ~~5.—When a vacancy in an office of an elective judicial
24 10 nominating commissioner occurs, the state court administrator
24 11 shall cause to be mailed to each member of the bar whose name
24 12 appears on the certified list prepared pursuant to section 46.8
24 13 for the district or districts affected, a notice stating the~~

24 14 ~~existence of the vacancy, the requirements for eligibility,~~
 24 15 ~~and the manner in which the vacancy will be filled. Other~~
 24 16 ~~items may be included in the same mailing if they are on sheets~~
 24 17 ~~separate from the notice. The election of a district judicial~~
 24 18 ~~nominating commissioner or the close of nominations for a state~~
 24 19 ~~judicial nominating commissioner shall not occur until thirty~~
 24 20 ~~days after the mailing of the notice. Notwithstanding section~~
 24 21 ~~69.1A, appointed and elected commissioners on the state and~~
 24 22 ~~district judicial nominating commissions shall not hold over~~
 24 23 ~~until their successor is elected and qualified.~~
 24 24 ~~6. All judicial nominating commissioners, including~~
 24 25 ~~those elected by the bar, shall be subject to removal by~~
 24 26 ~~the executive council in the same manner as appointive state~~
 24 27 ~~officers under section 66.26. When the status of a judicial~~
 24 28 ~~nominating commissioner is in question, the governor shall be~~
 24 29 ~~the officer responsible for deciding whether a vacancy exists~~
 24 30 ~~under section 69.2.~~

24 31 Sec. 50. Section 46.6, Code 2019, is amended to read as
 24 32 follows:
 24 33 ~~46.6—EQUAL SENIORITY CHAIRPERSON .~~
 24 34 ~~—If the judges of longest service, other than the chief~~
 24 35 ~~justice, of the supreme court or of the district court in~~
 25 1 ~~a district are of equal service, the eldest of such judges~~
 25 2 ~~shall be chairperson of the particular judicial nominating~~
 25 3 ~~commission.~~
 25 4 ~~1. The commissioners of the state judicial nominating~~
 25 5 ~~commission shall elect a chairperson from their own number.~~
 25 6 ~~The chairperson shall serve a two-year term that expires~~
 25 7 ~~on April 30 of even-numbered years. A commissioner may be~~
 25 8 ~~reelected for a second or third term as chairperson. If a~~
 25 9 ~~chairperson of a judicial nominating commission desires to~~
 25 10 ~~be relieved of the duties of chairperson while retaining the~~
 25 11 ~~status of commissioner, the chairperson shall notify the~~
 25 12 ~~governor and the other commissioners of the commission. At the~~
 25 13 ~~next meeting of the commission, the commissioners shall elect a~~
 25 14 ~~new chairperson for the remainder of the two-year term.~~
 25 15 ~~2. The judge of longest service in the district shall serve~~
 25 16 ~~as the chair of a particular district judicial nominating~~
 25 17 ~~commission. If the judges of longest service in the district~~
 25 18 ~~are of equal service, the eldest of such judges shall be~~
 25 19 ~~chairperson of the particular judicial nominating commission.~~

CODE: Changes the chairperson of the State Judicial Nominating Commission from the most senior judge of the Supreme Court to a commissioner elected by the Commission to serve as the chairperson and sets a term of two years. For District Judicial Nominating Commission, the judge of longest service in the district will serve as the chairperson of that particular Judicial Nominating Commission.

25 20 Sec. 51. Section 46.7, Code 2019, is amended to read as
 25 21 follows:
 25 22 46.7 ELIGIBILITY TO VOTE.
 25 23 To be eligible to vote in elections of judicial nominating
 25 24 commissioners, a member of the bar must be eligible to

CODE: Makes changes to the voting eligibility requirements for members of the bar to vote in elections of Judicial Nominating Commissioners.

25 25 practice and must be a resident of the state of Iowa and of
 25 26 the appropriate congressional district or judicial election
 25 27 district as shown by the member's most recent filing with the
 25 28 supreme court for the purposes of showing compliance with
 25 29 the court's continuing legal education requirements, or for
 25 30 members of the bar eligible to practice who are not required
 25 31 to file such compliance, any paper on file by July 1 with the
 25 32 state court administrator, for the purpose of establishing
 25 33 eligibility to vote under this section, which the court
 25 34 determines to show the requisite residency requirements at the
 25 35 time the member votes in the election. The member's residency
 26 1 shall be determined by the home address shown on the member's
 26 2 most recent electronic or paper submission to the commission
 26 3 on continuing education and the client security commission or
 26 4 on the member's bar admission records. A judge who has been
 26 5 admitted to the bar of the state of Iowa shall be considered a
 26 6 member of the bar.

26 7 Sec. 52. Section 46.8, Code 2019, is amended to read as
 26 8 follows:

26 9 46.8 CERTIFIED LIST.

26 10 1. Each year the The state court administrator shall certify
 26 11 a maintain a certified list of the names, addresses, electronic
 26 12 mail addresses, and years of admission of members of the bar
 26 13 who are eligible to vote for state and district judicial
 26 14 nominating commissioners.

26 15 2. Upon request, the state court administrator shall
 26 16 provide the certified list in electronic form and without
 26 17 charge to any properly qualified nominee for state or district
 26 18 judicial nominating commissioner.

CODE: Requires the State Court Administrator to maintain a certified list of eligible members of the bar to vote in Judicial Nominating Commission elections, and requires the State Court Administrator to provide a copy of the list without charge, to any properly qualified nominee for State or District Judicial Nominating Commissioner.

26 19 Sec. 53. Section 46.9, Code 2019, is amended to read as
 26 20 follows:

26 21 46.9 CONDUCT OF ELECTIONS.

26 22 1. When an election of judicial nominating commissioners
 26 23 is to be held, the state court administrator shall administer
 26 24 the voting. The state court administrator may administer
 26 25 the voting by electronic notification and voting or by paper
 26 26 ballot mailed to each eligible attorney. The state court
 26 27 administrator shall mail paper ballots to eligible attorneys or
 26 28 electronically notify and enable eligible attorneys to vote.
 26 29 ~~The elector receiving the most votes shall be elected. When~~
 26 30 ~~more than one commissioner is to be elected, the electors~~
 26 31 ~~receiving the most votes shall be elected, in the same number~~
 26 32 ~~as the offices to be filled.~~

26 33 2. The state court administrator shall provide a voting
 26 34 period of at least twenty-one days from when the electronic
 26 35 voting notification is sent or the paper ballots are mailed

CODE: Makes changes to the election procedure for the election of Judicial Nominating Commissioners.

27 1 during which eligible attorneys may vote electronically or
 27 2 submit a paper ballot.
 27 3 3. In an election to elect a single commissioner, each
 27 4 eligible attorney may cast a single vote, and the qualified
 27 5 eligible elector receiving the most votes shall be elected.
 27 6 4. In an election to elect one male commissioner and one
 27 7 female commissioner, each eligible attorney may cast one vote
 27 8 for male commissioner and one vote for female commissioner, and
 27 9 the qualified eligible elector of each gender receiving the
 27 10 most votes shall each be elected.
 27 11 5. The election results, including the number of votes cast
 27 12 for each elector and the total number of the members of the
 27 13 bar eligible to vote in each election, shall be made publicly
 27 14 available on the judicial branch internet site and shall be
 27 15 reported to the governor and to the general assembly within ten
 27 16 days after the conclusion of the election.

27 17 Sec. 54. Section 46.9A, Code 2019, is amended to read as
 27 18 follows:
 27 19 46.9A NOTICE PRECEDING NOMINATION OF ELECTIVE NOMINATING
 27 20 COMMISSIONERS.

27 21 At least sixty days prior to the expiration of the term of an
 27 22 elective state or district judicial nominating commissioner or
 27 23 the expiration of the period within which a special election
 27 24 must be held, the state court administrator shall ~~mail paper~~
 27 25 ~~ballots to eligible attorneys or electronically notify and~~
 27 26 ~~enable eligible attorneys to vote. An eligible attorney is~~
 27 27 ~~a member of the bar whose name appears on the certified list~~
 27 28 ~~prepared pursuant to section 46.8 for the district or districts~~
 27 29 ~~affected provide notice of the current or upcoming vacancy~~
 27 30 and the nomination and election process by making the notice
 27 31 publicly available on the judicial branch internet site,
 27 32 issuing a press release, and electronically notifying members
 27 33 of the bar. The election shall not commence until at least
 27 34 thirty days after the issuance of the notice required by this
 27 35 section.

CODE: Makes changes to the vacancy and election notice procedures for Judicial Nomination Commissioners.

28 1 Sec. 55. Section 46.10, Code 2019, is amended to read as
 28 2 follows:
 28 3 46.10 NOMINATION OF ELECTIVE JUDICIAL NOMINATING
 28 4 COMMISSIONERS.

28 5 1. In order to have an eligible elector's name printed
 28 6 on the ballot for state or district judicial nominating
 28 7 commissioner, the eligible elector must file in the office of
 28 8 the state court administrator at least thirty days prior to
 28 9 expiration of the period within which the election must be
 28 10 held a nominating petition signed by at least ~~fifty resident~~
 28 11 ~~members of the bar ten eligible electors~~ of the congressional

CODE: Decreases the number of signatures required for an eligible elector's name to be printed on the ballot for the State or District Judicial Nominating Commissioner from 50 resident members of the bar to 10 eligible electors of the congressional district.

28 12 district in case of a candidate for state judicial nominating
 28 13 commissioner, or at least ten ~~resident members of the bar~~
 28 14 eligible electors of the judicial district in case of a
 28 15 candidate for district judicial nominating commissioner. ~~No~~
 28 16 ~~member of the bar may sign more nominating petitions for state~~
 28 17 ~~or district judicial nominating commissioner than there are~~
 28 18 ~~such commissioners to be elected.~~
 28 19 2. Ballots or electronic voting forms for state and district
 28 20 judicial nominating commissioners shall contain blank lines
 28 21 equal to the number of such commissioners to be elected, where
 28 22 names may be written in. Any electronic voting form must
 28 23 permit a voter to write in the name of any eligible elector.

28 24 Sec. 56. Section 46.11, Code 2019, is amended to read as
 28 25 follows:
 28 26 46.11 CERTIFICATION OF COMMISSIONERS.
 28 27 ~~—The Upon making an appointment, the governor and the state~~
 28 28 ~~court administrator respectively shall promptly certify~~
 28 29 ~~the names and addresses of appointive and elective judicial~~
 28 30 ~~nominating commissioners to the state commissioner of~~
 28 31 ~~elections and the chairperson of the respective nominating~~
 28 32 ~~commissions. Upon the completion of an election, the state~~
 28 33 court administrator shall certify the names and addresses of
 28 34 the elected judicial nominating commissioners to the state
 28 35 commissioner of elections and the governor.

CODE: Makes changes to the certification procedure for the commissioners.

29 1 Sec. 57. Section 46.12, subsection 1, Code 2019, is amended
 29 2 to read as follows:
 29 3 1. When a vacancy occurs or will occur within one hundred
 29 4 twenty days in the supreme court, the court of appeals, or
 29 5 district court, the state commissioner of elections shall
 29 6 forthwith so notify the ~~chairperson of the proper judicial~~
 29 7 ~~nominating commission governor.~~ The ~~chairperson governor~~ shall
 29 8 call a meeting of the proper judicial nominating commission
 29 9 within ten days after such notice; if the ~~chairperson governor~~
 29 10 fails to do so, the chief justice shall call such meeting.

CODE: Makes changes to the vacancy procedure for the State or District Judicial Nominating Commission. The Governor is required to be notified when a vacancy occurs or will occur, and the Governor must call a meeting of the proper Judicial Nominating Commission within 10 days after such notice.

29 11 Sec. 58. Section 46.13, Code 2019, is amended to read as
 29 12 follows:
 29 13 46.13 NOTICE OF MEETINGS AND APPLICATION PROCESS .
 29 14 1. The governor or chairperson of each judicial nominating
 29 15 commission shall give the members of the commission at least
 29 16 five days' written notice by mail or electronic mail of the
 29 17 time and place of every meeting, except as to members who
 29 18 execute written waivers of notice at or before the meeting or
 29 19 unless the commission at its next previous meeting designated
 29 20 the time and place of the meeting.
 29 21 2. Each commission, with the technical support of the

CODE: Makes changes to the Judicial Nominating Commission meeting notice requirements and notice requirements for the commissioner application process.

29 22 judicial branch, shall publish all of the following on the
 29 23 judicial branch internet site:
 29 24 a. Notice that the commission is accepting applications
 29 25 for judge or justice along with a copy of the application form
 29 26 at least two weeks before applications are required to be
 29 27 submitted to the commission.
 29 28 b. Copies of nonconfidential application materials submitted
 29 29 by applicants.
 29 30 c. The schedule of applicant interviews before the
 29 31 commission.
 29 32 d. The list of nominees submitted by the commission to the
 29 33 governor and the chief justice.
 29 34 3. Commissioners shall be permitted to conduct individual
 29 35 interviews with applicants in advance of the commission's
 30 1 meetings to choose the nominees.
 30 2 4. The state judicial nominating commission shall adopt
 30 3 uniform rules for the state and district judicial nominating
 30 4 commissions that shall be consistent with this chapter
 30 5 and shall provide for a uniform and fair process for the
 30 6 commissions to consider applicants and select nominees. The
 30 7 state judicial nominating commission shall provide for a public
 30 8 comment period of at least thirty days on its proposed uniform
 30 9 rules prior to adopting the rules and shall adopt the rules
 30 10 within six months of the effective date of this division of
 30 11 this Act. Such rules shall be made publicly available on the
 30 12 judicial branch internet site.

30 13 Sec. 59. NEW SECTION 46.15A SEVERABILITY AND JUDICIAL
 30 14 REVIEW.

30 15 1. If any provision or clause of this chapter or any
 30 16 application of this chapter to any person or circumstances
 30 17 is held invalid, such invalidity shall not affect other
 30 18 provisions, clauses, or applications of this chapter which can
 30 19 be given effect without the invalid provision or application,
 30 20 and to this end the provisions and clauses of this chapter are
 30 21 declared to be severable.

30 22 2. Notwithstanding any provision of law to the contrary,
 30 23 if any provision of this chapter is preliminarily enjoined,
 30 24 no judicial nominating commission shall meet to nominate
 30 25 persons to serve as a judge or justice while the preliminary
 30 26 injunction is in effect or while any appeal of the preliminary
 30 27 injunction or a related permanent injunction is pending unless
 30 28 the injunction is subsequently stayed or otherwise lifted.

30 29 Sec. 60. EFFECTIVE UPON ENACTMENT. This division of this
 30 30 Act, being deemed of immediate importance, takes effect upon
 30 31 enactment.

CODE: Creates a severability clause in the event that any section of Iowa Code chapter 46 is held invalid and states that no Judicial Nominating Commission shall meet to nominate persons to serve as a judge or justice while a preliminary injunction is in place if any provision of Iowa Code chapter 46 is preliminarily enjoined.

Specifies that Division XIII is effective upon enactment.

30 32 DIVISION XIV
30 33 CHIEF JUSTICE SELECTION

30 34 Sec. 61. Section 602.4103, Code 2019, is amended to read as
30 35 follows:

31 1 602.4103 CHIEF JUSTICE.

31 2 ~~The justices of the supreme court shall select one justice as~~
31 3 ~~chief justice, to serve during that justice's term of office.~~

31 4 1. At the first meeting in each odd-numbered year, the
31 5 justices of the supreme court by majority vote shall designate
31 6 one justice as chief justice, to serve for a two-year term.

31 7 A vacancy in the office of chief justice shall be filled for
31 8 the remainder of the unexpired term by majority vote of the
31 9 justices of the supreme court, after any vacancy on the court
31 10 has been filled.

31 11 2. If the chief justice desires to be relieved of the duties
31 12 of chief justice while retaining the status of justice of the
31 13 supreme court, the chief justice shall notify the governor and
31 14 the other justices of the supreme court. The office of chief
31 15 justice shall be deemed vacant, and shall be filled as provided
31 16 in this section.

31 17 3. The chief justice is eligible for reselection.

31 18 4. The chief justice shall appoint one of the other justices
31 19 to act during the absence or inability of the chief justice
31 20 to act, and when so acting the appointee has all the rights,
31 21 duties, and powers of the chief justice.

31 22 Sec. 62. NEW SECTION 602.4103A TRANSITION PROVISIONS.

31 23 1. The term of the chief justice serving on the effective
31 24 date of this division of this Act shall expire on January
31 25 15, 2021, or upon the conclusion of the first meeting of the
31 26 justices of the supreme court in January 2021, whichever occurs
31 27 earlier.

31 28 2. If the office of chief justice becomes vacant prior to
31 29 the expiration of the term in January 2021, the office shall be
31 30 filled for the remainder of the unexpired term as provided for
31 31 in section 602.4103.

31 32 3. This section is repealed July 1, 2021.

CODE: Makes changes to the election and vacancy notice procedures for the Chief Justice of the Supreme Court and decreases the term length of the Chief Justice to two years.

CODE: Establishes the term expiration date of the current Chief Justice of the Supreme Court to January 15, 2021. This Iowa Code section will be repealed on July 1, 2021.

Unassigned Standings

General Fund

	Actual FY 2018 (1)	Estimated FY 2019 (2)	FY 2020		Net Total (5)
			Current Law (3)	Final Action SF 638 (4)	
<u>Administrative Services, Department of</u>					
State Accounting Trust Accounts					
Federal Cash Management - Standing	\$ 0	\$ 54,182	\$ 54,182	\$ 0	\$ 54,182
Unemployment Compensation - Standing	469,374	421,655	421,655	0	421,655
Total Administrative Services, Dept. of	\$ 469,374	\$ 475,837	\$ 475,837	\$ 0	\$ 475,837
<u>Education, Department of</u>					
Education, Dept. of					
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
Total Education, Department of	\$ 3,187,843,864	\$ 3,215,864,442	\$ 3,329,056,180	\$ -31,749,689	\$ 3,297,306,491
<u>Executive Council</u>					
Executive Council					
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
Total Executive Council	\$ 579,049	\$ 85,397	\$ 85,397	\$ 0	\$ 85,397
<u>Legislative Branch</u>					
Legislative Branch					
Legislative Branch	\$ 35,248,979	\$ 35,582,682	\$ 37,000,000	\$ 0	\$ 37,000,000
Total Legislative Branch	\$ 35,248,979	\$ 35,582,682	\$ 37,000,000	\$ 0	\$ 37,000,000
<u>Management, Department of</u>					
Management, Dept. of					
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
Total Management, Department of	\$ 40,634,732	\$ 128,900,000	\$ 41,100,000	\$ 0	\$ 41,100,000

Unassigned Standings General Fund

	Actual FY 2018 (1)	Estimated FY 2019 (2)	Current Law (3)	Final Action SF 638 (4)	Net Total (5)
Public Defense, Department of					
Public Defense, Dept. of					
Compensation and Expense	\$ 612,201	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556
Total Public Defense, Department of	\$ 612,201	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556
Public Safety, Department of					
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
Total Public Safety, Department of	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 50,000	\$ 5,000,000
Revenue, Department of					
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
Total Revenue, Department of	\$ 476,078,606	\$ 477,937,344	\$ 478,778,044	\$ 0	\$ 478,778,044
Total Unassigned Standings	\$ 3,746,466,804	\$ 3,864,188,258	\$ 3,891,838,014	\$ -31,699,689	\$ 3,860,088,325