

# **Standing Appropriations Bill House File 2465**

*As amended by S-5236*

*(Strike everything after the enacting clause)*

Last Action:

**Senate Appropriations  
Committee**

April 26, 2012

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

**Fiscal Services Division  
Legislative Services Agency**

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

Available on line at <http://www.legis.iowa.gov/LSA/Reports/noba.aspx>

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**FUNDING SUMMARY**

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- **OVERALL FUNDING SUMMARY:** Amendment S-5236 reduces FY 2013 General Fund appropriations by a net amount of \$54.1 million and makes a total of \$18.9 million in General Fund supplemental appropriations for FY 2012. Page 1, Line 3

**MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS**

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- Limits the General Fund appropriation to the DCA for operational support grants and community cultural grants to \$416,000. Page 1, Line 16
- Limits the General Fund appropriation to the Department of Economic Development (DED) for regional tourism marketing to \$810,000. Page 1, Line 21
- Restores the General Fund appropriation to the DPH for the Center for Congenital and Inherited Disorders Central Registry to the estimated statutory level of \$232,500. Page 1, Line 25
- Restores the General Fund appropriation to the Department of Human Services (DHS) for Child Abuse Prevention Programs to the estimated statutory level of \$232,500. Page 1, Line 29
- Limits the General Fund appropriation to the Department of Education for Children At-Risk Programs to \$10,728,000. Requires the reduction to be prorated among the programs specified in statute that are to receive funding. Page 1, Line 33
- Limits the General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$18,000. Page 1, Line 48
- Limits the General Fund appropriation to the Department of Revenue for the Homestead Property Tax Credit to \$86.2 million. Page 2, Line 2
- Limits the General Fund appropriation to the Department of Revenue for the Family Farm and Agricultural Land Tax Credit to \$32.4 million. Page 2, Line 5
- Appropriates \$137,000 from the General Fund to the Department of Public Health (DPH) to contract the development of an Iowa youth suicide prevention program. Page 2, Line 11
- Establishes the FY 2014 regular school aid allowable growth rate and each of the FY 2014 State categorical Page 39, Line 9

supplement allowable growth rates at 4.0%.

FISCAL IMPACT: The following provides the estimated fiscal impact for FY 2014:

- An increase of State aid for regular school aid of \$122,500,000.
- An increase of State aid for the Statewide Voluntary Preschool Program of \$5,500,000.
- An increase of State aid for the State categorical supplements of \$14,600,000.
- The total estimated General Fund expenditure increase for State school aid is estimated at \$142,600,000 for FY 2014.
- The estimated increase in school aid property taxes is \$59,000,000 million.
- The estimated increase in the combined district cost is \$196,200,000.

**SIGNIFICANT CODE CHANGES**

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- Extends the reversion of the FY 2008 Rebuild Iowa Infrastructure Fund (RIIF) appropriations to the Department of Administrative Services (DAS) for costs associated with leases and relocation of State agencies located off the Capitol Complex and with the restoration and development of the West Capitol Terrace through the end of FY 2013. Page 3, Line 3
- Increases the limit on earnable compensation from one and one-half times the earnable compensation of an active member of the same rank and position on the salary scale to two and one-half times for the Peace Officers' Retirement System (PORS). Page 5, Line 17
- Extends the bona fide retirement exception under the Iowa Public Employees' Retirement System (IPERS) for licensed health care professionals for two years. Page 6, Line 29
- Permits up to 5.0% of preschool foundation aid received by a school district to be used for administering the program beginning in FY 2013. Also specifies that beginning in FY 2013, at least 95.0% of the preschool formula foundation aid be paid to the community-based provider for the approved local program. Additionally, beginning in FY 2012, allows not more than 5.0% of the funding paid to the community-based provider to be used for provider administrative costs. Page 6, Line 38
- Reduces the FY 2013 State aid funding to area education agencies (AEAs) by an additional \$5.0 million (from \$10.0 million to \$15.0 million). Page 7, Line 10
- Requires first priority in awarding Iowa Grants to be given to qualified children of peace officers, police officers, firefighters, sheriffs, or deputies that have been totally and permanently disabled or killed in the line of duty. Page 7, Line 23

- Makes technical corrective changes to various bills that have passed both the House and the Senate. Page 12, Line 46
- Requires partnerships doing business in the State of Iowa or deriving income from sources within the State to file an Iowa partnership return. Page 28, Line 27
- Allows applications for partial property tax exemptions (property tax abatements) to be filed no later than two assessment years after the project is completed. Page 30, Line 22
- Requires offenders revoked from probation to receive credit for time served while in an alternate jail facility or community corrections facility. Permits a person that commits an offense before the effective date of this Bill to waive any rights under the *Anderson* case, and agree to be sentenced using credits as calculated under this Bill. Page 31, Line 26
- Prohibits installments payments on a property tax assessment unless the assessment exceeds \$500. This is an increase from the \$100 limit in current law. Page 32, Line 16
- Allows a county treasurer to appropriate partial payment of delinquent taxes to the various local taxing entities either on a monthly basis after such amounts are collected or following the due date of the next semiannual tax installment. Page 34, Line 16
- Allows a city that is subject to a judgment, court-approved settlement, court-approved compromise, refund, or other required return of previously collected franchise fee revenue to impose a franchise fee at the rate of up to 7.5% for any seven-year time period beginning July 1, 2012, through June 30, 2030. Page 40, Line 15
- Eliminates the repeal of the Early Intervention Block Grant Program. Under current law, the Program would be repealed at the end of FY 2012. Page 42, Line 42
- Modifies the placement in district court and the sentencing options for a youthful offender. Page 42, Line 48
- Expands the definition, for sales and use tax collection purposes, of a retailer maintaining a place of business in the State to include any person that has substantial nexus in Iowa, other than a common carrier, if that person engages in various retail activities. Page 49, Line 50
- Makes changes to the Commercial Establishment Fund administered by the DALS by defining when a fiscal quarter ends and creating two accounts within the Fund. Page 52, Line 19

- Makes a \$320,000 General Fund FY 2012 supplemental appropriation to the Department of Cultural Affairs (DCA) for FY 2012 to be used to preserve and restore the Iowa State Memorial at Vicksburg National Military Park in Mississippi. Page 22, Line 42
- Makes a \$3.0 million General Fund FY 2012 supplemental appropriation to the Board of Regents for the Malcolm Price Laboratory School. Page 24, Line 8
- Makes a \$2.9 million FY 2012 supplemental appropriation from the Economic Emergency Fund to the Department of Natural Resources (DNR) to repair damage caused by flooding of the Missouri River. Page 24, Line 24
- Makes a \$5.0 million General Fund FY 2012 supplemental appropriation to the Statewide Fire and Police Retirement System Fund and permits the money to carryforward. Page 24, Line 48
- Makes a \$50,000 General Fund FY 2012 supplemental appropriation to the Department of Public Safety (DPS) for a Public Safety Training and Facilities Task Force. The Department is required to provide interim reports to the General Assembly by December 31 of each year and a final report by December 31, 2015 (FY 2016). Page 25, Line 15
- Makes a \$5.0 million General Fund FY 2012 supplemental appropriation to the Department of Agriculture and Land Stewardship (DALs) for the Watershed Improvement Review Board. Page 27, Line 32
- Makes a \$5.5 million General Fund FY 2012 supplemental appropriation to the Board of Regents for the Bioscience Initiative at Iowa State University (ISU). Page 27, Line 48

S5236 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	42	7	New	15E.71	
4	3	8	Strike	16.27.4,5	
4	5	9	New	17A.6A	
4	27	10	Strike and Replace	17A.7.2	
4	44	11	Amend	17A.8.4	
5	17	12	Amend	97A.6.7.a.(1)	
6	29	13	Amend	97B.52A.1.c.(2).(b)	
6	38	14	Add	256C.4.1.g	
7	10	15	Amend	257.35.7	
7	23	16	Amend	261.93	
8	18	17	Amend	261.93A	
8	41	18	Amend	261.95.1	
9	5	19	Amend	262.34.1	
9	25	20	Amend	321.20B.6	
9	31	21	New	327F.21	
10	3	23	Amend	422.11D.2	
10	30	24	Amend	507.14.4	
10	44	25	New	514C.29	
12	48	33	Amend	9B.2.10.a	
13	5	34	Amend Free-form	105.2.8	
13	27	35	Amend	135.156E.1.b	
13	33	36	Amend Free-form	135C.6.8.a,b	
14	12	37	Amend	144D.3.4	
14	28	38	Amend	152B.2.1.a.(2)	
14	40	39	Amend	152B.3.1.u1	
14	49	40	Amend	152B.3.2	
15	7	41	Amend	152B.4	
15	20	42	Amend	161A.63	
15	46	43	Amend	203C.14	
16	48	44	Amend Free-form	249A.12.5	
17	17	45	Amend	261.115.3.c,d	
17	34	46	Amend	261.115	
18	4	47	Amend	261.115.9.b	
18	13	48	Amend	273.2.3	
18	30	49	Add	321.188.6.c	
18	36	50	Amend Free-form	321.323A.3.c.(1)	
18	45	51	Amend	321.457.2.n.(4)	
19	8	53	Amend Free-form	322.5.6.b.(2)	

S5236 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
19	16	54	New	326.3.19	
19	26	55	Amend	418.4.1.b	
19	42	56	Amend	418.5.7	
19	47	57	Amend	418.9.2.g	
20	4	58	Amend	504.719	
20	12	59	Amend	508.37.5.a,c	
20	35	60	Amend	515I.1.2	
20	40	61	Amend	536A.10	
21	21	62	Amend	602.9202.4	
21	30	63	Amend	617.11.3.u1	
28	18	83	Strike	2.48.3.c.(4)	
28	21	84	Strike	2.48.3.e.(5)	
28	24	85	Strike	15.119.2.e	
28	27	86	Amend	422.15.2	
28	39	87	Amend	422.25.1.b	
29	16	88	Strike	422.33.9,27	
29	19	89	Amend	423.37.2	
29	48	90	Amend	424.10.2.a	
30	22	91	Amend	427B.4	
31	12	92	Repeal	16.211,16.212	
31	28	95	Amend	907.3.3.u1	
32	18	98	Amend	161A.35.u1	
32	30	99	Amend	311.17.1	
33	1	100	Amend	311.19.u1	
33	9	101	Amend	331.384.3	
33	17	102	Amend	357.20	
33	32	103	Amend	358.16.3	
33	41	104	Amend	364.13	
33	50	105	Amend	384.60.1.b	
34	5	106	Amend	384.65.1	
34	16	107	Amend	435.24.6.b	
34	40	108	Amend	445.36A.2	
35	14	109	Amend	445.57.u1	
35	33	110	Amend	446.32	
36	9	111	Amend	468.57.1	
37	36	112	Amend	28B.1.1.u1	
37	45	113	Amend	28B.4	
38	29	114	Amend	216A.132.1.c	

S5236 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
39	7	115	Repeal	249A.36	
39	11	116	Amend Free-form	257.8.1	
39	27	117	Amend	257.8.2	
40	17	121	Amend	364.2.4.f	
41	23	122	Add	384.3A.3.j	
41	47	124	Amend Free-form	514J.102.1,10	
42	23	125	Add	514J.102.11A	
42	29	126	Amend	514J.103.1	
42	35	127	Amend	514J.103.2.a	
42	44	128	Repeal	256D.9	
42	50	130	Amend	232.8.1.c	
43	31	131	Amend	232.8.3.a	
44	2	132	Amend	232.45.6.u1	
44	9	133	Amend	232.45.7.a.(1)	
44	17	134	Amend	232.45A.2,3	
44	50	135	Amend	232.50.1	
45	10	136	Amend	232.52.1	
45	30	137	Amend Free-form	232.54.1.g	
46	6	138	Amend Free-form	232.54.1.h.u1	
46	16	139	Amend Free-form	232.55.3	
46	24	140	Amend	232.56	
46	41	141	Add	901.5.14	
47	4	142	Amend	907.3A	
48	45	143	Amend	8D.10	
49	7	145	Amend	262.93	
49	23	146	Amend	263.19	
49	38	147	Amend	432.13	
50	2	148	Amend	423.1.47	
50	28	149	Amend	423.1.48	
51	27	150	New	423.13A	
51	49	151	Add	423.36.1A	
52	21	152	Add	162.2.12A,16A	
52	27	153	Add	162.2C.2A,2B	
53	3	154	New	162.2D	
54	14	155	Add	717B.1.3A	
54	18	156	New	717B.5A	



S5236

1 1 Amend House File 2465, as amended, passed, and  
 1 2 reprinted by the House, as follows:  
 1 3 1 By striking everything after the enacting clause  
 1 4 and inserting:

1 5 DIVISION I  
 1 6 STANDING APPROPRIATIONS AND RELATED MATTERS

1 7 Section 1. 2011 Iowa Acts, chapter 131, section 42,  
 1 8 is amended to read as follows:  
 1 9 SEC. 42. LIMITATION OF STANDING APPROPRIATIONS.  
 1 10 Notwithstanding the standing appropriations in the  
 1 11 following designated sections for the fiscal year  
 1 12 beginning July 1, 2012, and ending June 30, 2013, the  
 1 13 amounts appropriated from the general fund of the state  
 1 14 pursuant to these sections for the following designated  
 1 15 purposes shall not exceed the following amounts:

1 16 1. For operational support grants and community  
 1 17 cultural grants under section 99F.11, subsection 3,  
 1 18 paragraph "d", subparagraph (1):  
 1 19 .....\$ 208,351  
 1 20 ..... 416,702

CODE: Limits selected FY 2012 standing appropriations to specified amounts.

Limits the General Fund appropriation to the Department of Cultural Affairs (DCA) for operational support grants and community cultural grants to \$416,702.

DETAIL: This is an increase of \$208,351 compared to the amount enacted for FY 2013 during the 2011 Legislative Session. The revised FY 2013 appropriation represents the same level of funding compared to estimated FY 2012. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the DCA.

1 21 2. For regional tourism marketing under section  
 1 22 99F.11, subsection 3, paragraph "d", subparagraph (2):  
 1 23 .....\$ 405,153  
 1 24 ..... 810,306

Limits the General Fund appropriation to the Department of Economic Development (DED) for regional tourism marketing to \$810,306.

DETAIL: This is an increase of \$405,153 compared to the amount enacted for FY 2013 during the 2011 Legislative Session. The revised FY 2013 appropriation represents the same level of funding compared to estimated FY 2012. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the Economic Development Authority.

1 25 ~~3. For the center for congenital and inherited~~  
 1 26 ~~disorders central registry under section 144.13A,~~  
 1 27 ~~subsection 4, paragraph "a":~~  
 1 28 .....\$ 85,560

Restores the General Fund appropriation to the Department of Public Health (DPH) for the Center for Congenital and Inherited Disorders Central Registry to the estimated statutory level of \$232,500.

DETAIL: This is an estimated increase of \$146,940 compared to the

			amount enacted for FY 2013 during the 2011 Legislative Session. The revised FY 2013 appropriation represents an increase of \$61,379 compared to estimated FY 2012.
1 29	<del>4. For primary and secondary child abuse prevention</del>		
1 30	<del>programs under section 144.13A, subsection 4, paragraph</del>		Restores the General Fund appropriation to the Department of Human Services (DHS) for Child Abuse Prevention Programs to the estimated statutory level of \$232,500.
1 31	<del>"a".</del>		
1 32	..... \$	108,886	
			DETAIL: This is an increase of \$123,614 compared to the amount enacted for FY 2013 during the 2011 Legislative Session. The revised FY 2013 appropriation represents an increase of \$14,728 compared to estimated FY 2012.
1 33	5. For programs for at-risk children under section		
1 34	279.51:		Limits the General Fund appropriation to the Department of Education for Children At-Risk Programs to \$10,728,891. Requires the reduction to be prorated among the programs specified in statute that are to receive funding.
1 35	..... \$	5,364,446	
1 36		<u>10,728,891</u>	
1 37	The amount of any reduction in this subsection shall		
1 38	be prorated among the programs specified in section		DETAIL: This is an increase of \$5,364,446 compared to the amount enacted for FY 2013 during the 2011 Legislative Session. The revised FY 2013 appropriation represents the same level of funding compared to estimated FY 2012.
1 39	279.51, subsection 1, paragraphs "a", "b", and "c".		
1 40	6. For payment for nonpublic school transportation		
1 41	under section 285.2:		This appropriation, for nonpublic school transportation, was limited to \$7,060,931 in SF 533 (Standing Appropriation Act) during the 2011 Legislative Session and is not being changed in this Bill.
1 42	..... \$	7,060,931	
1 43	If total approved claims for reimbursement for		
1 44	nonpublic school pupil transportation exceed the amount		DETAIL: Maintains the current level of funding.
1 45	appropriated in accordance with this subsection, the		
1 46	department of education shall prorate the amount of		
1 47	each approved claim.		
1 48	7. For the enforcement of chapter 453D relating to		
1 49	tobacco product manufacturers under section 453D.8:		Limits the General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$18,416.
1 50	..... \$	9,208	
2 1		<u>18,416</u>	DETAIL: This is an increase of \$9,208 compared to the amount enacted for FY 2013 during the 2011 Legislative Session. This amount matches the appropriation for FY 2012.
2 2	<u>8. For reimbursement for the homestead property tax</u>		
2 3	<u>credit under section 425.1:</u>		Limits the General Fund appropriation to the Department of Revenue for the Homestead Property Tax Credit to \$86,188,000.
2 4	..... \$	86,188,387	
			DETAIL: This is a reduction of \$48,811,613 compared to the projected demand to be paid by the standing appropriation specified in statute.

The revised FY 2013 appropriation represents the same level of funding as estimated FY 2012.

2 5 9. For reimbursement for the family farm and  
 2 6 agricultural land tax credits under sections 425A.1 and  
 2 7 426.1:  
 2 8 ..... \$ 32,395,131

Limits the General Fund appropriation to the Department of Revenue for the Family Farm and Agricultural Land Tax Credit to \$32,395,131.

DETAIL: This is a reduction of \$6,704,869 compared to the standing appropriation specified in statute. The revised FY 2013 appropriation represents the same level of funding as estimated FY 2012.

2 9 DIVISION II  
 2 10 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

2 11 Sec. 2. DEPARTMENT OF PUBLIC HEALTH — IOWA YOUTH  
 2 12 SUICIDE PREVENTION PROGRAM. There is appropriated  
 2 13 from the general fund of the state to the department  
 2 14 of public health for the fiscal year beginning July 1,  
 2 15 2012, and ending June 30, 2013, the following amount,  
 2 16 or so much thereof as is necessary, to be used for the  
 2 17 purposes designated:  
 2 18 To contract for a program to develop an Iowa youth  
 2 19 suicide prevention program:  
 2 20 ..... \$ 137,000

General Fund appropriation to the Department of Public Health (DPS) to contract the development of an Iowa youth suicide prevention program.

DETAIL: This is a new appropriation for FY 2013. The Department is to select a qualified applicant by issuing a request for proposals (RFP). The RFP specifications are to be based on a suicide prevention plan developed during FY 2012. A progress report and recommendations for program continuation and necessary support is to be submitted to the General Assembly by January 13, 2013. Proposals are to articulate activities and costs for the following:

2 21 1. The department of public health shall issue  
 2 22 a request for proposals to select the most qualified  
 2 23 applicant that is experienced in working with the  
 2 24 target population to develop and administer an Iowa  
 2 25 youth suicide prevention program that employs a program  
 2 26 coordinator and provides for all of the following:  
 2 27 a. Administrative expenses, including but not  
 2 28 limited to facilities, communications, and professional  
 2 29 services and staff development.  
 2 30 b. School, community, and health care training for  
 2 31 specific groups identified as strategically placed to  
 2 32 enhance protective factors.  
 2 33 c. Resources and outreach, including but not  
 2 34 limited to site visits and school climate surveys, to  
 2 35 Iowa's high schools.  
 2 36 d. An antibullying internet site; internet-based  
 2 37 communications, including but not limited to texting  
 2 38 capabilities; and a telephone hotline.  
 2 39 e. Program evaluation criteria for evaluation of  
 2 40 the performance of the program administered by the  
 2 41 applicant selected.  
 2 42 2. The department shall establish a request

- A program coordinator.
- Administrative expenses.
- School, community, and health care training for specific groups.
- Resources and outreach, including high school site visits and climate surveys.
- Antibullying internet site, including limited texting capabilities and a telephone hotline.
- Program evaluation criteria.

2 43 for proposals process which shall be based upon  
 2 44 specifications established under a suicide prevention  
 2 45 plan for youth who are targets of bullying, which was  
 2 46 developed in partnership with the department during the  
 2 47 2011-2012 fiscal year.

2 48 3. The department shall submit to the general  
 2 49 assembly a progress report on or before January 15,  
 2 50 2013, providing a detailed analysis of the program, its  
 3 1 budgetary requirements, and the department's findings  
 3 2 and recommendations for continuation of the program.

3 3 Sec. 3. 2007 Iowa Acts, chapter 219, section 2,  
 3 4 subsection 2, paragraph a, as enacted by 2011 Iowa  
 3 5 Acts, chapter 133, section 32, is amended to read as  
 3 6 follows:

3 7 a. Notwithstanding section 8.33, moneys  
 3 8 appropriated in section 1, subsection 1, paragraphs  
 3 9 "a" and "f" of this division of this Act that remain  
 3 10 unencumbered or unobligated at the close of the fiscal  
 3 11 year for which they were appropriated shall not revert  
 3 12 but shall remain available for the purposes designated  
 3 13 until the close of the fiscal year that begins July  
 3 14 1, ~~2011~~ 2012, or until the project for which the  
 3 15 appropriation was made is completed, whichever is  
 3 16 earlier.

CODE: Extends the reversion of the FY 2008 Rebuild Iowa Infrastructure Fund (RIIF) appropriations to the Department of Administrative Services (DAS) for costs associated with leases and relocation of State agencies located off the Capitol Complex and with the restoration and development of the West Capitol Terrace through the end of FY 2013.

DETAIL: The DAS received \$1,824,500 for leases and relocation and \$1,600,000 for Phase II of the restoration and development of the West Capitol Terrace. The relocation and tenant improvement work, including work at the Iowa and Wallace Buildings, has been delayed while the DAS evaluates use of downtown space, and the Iowa and Wallace Buildings. Pending direction from the Governor and the General Assembly on the potential demolition of the Iowa Building and remodeling of the Wallace Building, DAS will complete the use of these funds. Additional work on the West Capitol Terrace project was delayed until the DAS received further direction on the demolition or sale of 707/709 E. Locust Street (Rowhouse and Community College Trustees buildings). The Rowhouse is being sold and will be moved to the East Village. The Community College Trustees building will be demolished. Once action on the properties is completed in 2012, the Phase II work for the West Capitol Terrace will continue. The two DAS appropriations received an extension on reversions in the 2011 Legislative Session.

3 17 Sec. 4. 2010 Iowa Acts, chapter 1193, section 29,  
 3 18 subsection 2, as enacted by 2011 Iowa Acts, chapter  
 3 19 127, section 54, is amended to read as follows:

3 20 2. Notwithstanding section 8.33, moneys  
 3 21 appropriated in this section that remain unencumbered  
 3 22 or unobligated at the close of the fiscal year ending  
 3 23 June 30, 2011, shall not revert but shall remain  
 3 24 available for expenditure for the purposes designated  
 3 25 until the close of the fiscal year ending June 30, ~~2012~~

CODE: Extends the carry forward of the \$2,300,000 FY 2011 General Fund appropriation to the DAS for implementing the government information technology services provisions in SF 2088 (Government Reorganization and Efficiency Act) to the end of FY 2013.

DETAIL: This is the second year for the carry forward. The amount carried forward into FY 2012 is \$1,455,251. Through March 2012, \$226,840 has been expended. It is projected that \$1,153,000 will carry forward to FY 2013.

3 26 2013.

3 27 Sec. 5. 2011 Iowa Acts, chapter 127, section 72,  
3 28 subsection 4, paragraph b, unnumbered paragraph 1, as  
3 29 amended by 2012 Iowa Acts, Senate File 2313, section  
3 30 13, if enacted, is amended to read as follows:

3 31 The department shall, in coordination with the health  
3 32 facilities division, make the following information  
3 33 available to the public by December 31, 2012, as part  
3 34 of the department's development efforts to revise the  
3 35 department's internet website:

CODE: Adds a specific date of December 31, 2012, for the Department of Inspections and Appeals (DIA) to provide information related to health facilities inspections available to the public on their website.

DETAIL: The original language allowed the DIA until the end of FY 2013, so this change moves up the deadline by six months.

3 36 Sec. 6. 2012 Iowa Acts, House File 675, section 28,  
3 37 subsection 2, is amended to read as follows:

3 38 2. The notice provisions contained in this Act  
3 39 relating to residential construction apply only  
3 40 to material furnished or labor performed after the  
3 41 effective date of this Act.

CODE: Technical clarification concerning mechanics' liens to conform the Iowa Code to the current practice.

3 42 Sec. 7. NEW SECTION 15E.71 EXECUTIVE COUNCIL  
3 43 ACTION.

3 44 Notwithstanding section 7D.29, subsection 1,  
3 45 the executive council may take any action deemed  
3 46 necessary to protect the interests of the state with  
3 47 respect to any certificates, tax credits, entities  
3 48 created, or action taken in relation to this division.

3 49 Such actions may include but are not limited to  
3 50 initiation of legal action, commencement of special  
4 1 investigations, institution of special audits of any  
4 2 involved entity, or establishment of receiverships.

Allows the Executive Council to take any action deemed necessary to protect the interests of the State in regards to certificates, tax credits, entities created, or action taken in relation to the Iowa Capital Investment Board and the Iowa Fund of Funds. This includes the ability to initiate legal action, commence investigations or audits, and establish receiverships.

FISCAL IMPACT: Due to the variety of actions outlined and entities involved, the fiscal impact cannot be determined.

4 3 Sec. 8. Section 16.27, subsections 4 and 5, Code  
4 4 2011, are amended by striking the subsections.

Eliminates certain bond reserve fund reporting requirements and certain repayment requirements of the Iowa Finance Authority (IFA).

FICAL IMPACT: No fiscal impact

4 5 Sec. 9. NEW SECTION 17A.6A RULEMAKING INTERNET  
4 6 SITE.

4 7 1. Subject to the direction of the administrative  
4 8 rules coordinator, each agency shall make available to  
4 9 the public a uniform, searchable, and user-friendly  
4 10 rules database, published on an internet site.

4 11 2. An agency's rulemaking internet site shall also  
4 12 make available to the public all of the following:

4 13 a. A brief summary of the rulemaking process,  
4 14 including a description of any opportunity for public

CODE: Directs each agency to make available to the public a uniform, searchable, and user-friendly internet-based administrative rules database. The Administrative Rules Coordinator is directed to create a uniform format for the administrative rules internet sites. The internet sites must also include:

- Brief summary of the rulemaking process and opportunities for public input.
- Comment or complaint forms.
- Forms and instructions for filing a petition for rulemaking,

4 15 participation in the process.  
 4 16 b. Process forms for filing comments or complaints  
 4 17 concerning proposed or adopted rules.  
 4 18 c. Process forms and instructions for filing a  
 4 19 petition for rulemaking, a petition for a declaratory  
 4 20 order, or a request for a waiver of an administrative  
 4 21 rule.  
 4 22 d. Any other material prescribed by the  
 4 23 administrative rules coordinator.  
 4 24 3. To the extent practicable, the administrative  
 4 25 rules coordinator shall create a uniform format for  
 4 26 rulemaking internet sites.

4 27 Sec. 10. Section 17A.7, subsection 2, Code 2011,  
 4 28 is amended by striking the subsection and inserting in  
 4 29 lieu thereof the following:  
 4 30 2. Beginning July 1, 2012, over each five-year  
 4 31 period of time, an agency shall conduct an ongoing  
 4 32 and comprehensive review of all of the agency's  
 4 33 rules. The goal of the review is the identification  
 4 34 and elimination of all rules of the agency that are  
 4 35 outdated, redundant, or inconsistent or incompatible  
 4 36 with statute or its own rules or those of other  
 4 37 agencies. An agency shall commence its review by  
 4 38 developing a plan of review in consultation with major  
 4 39 stakeholders and constituent groups. When the agency  
 4 40 completes its five-year review of its rules, the  
 4 41 agency shall provide a summary of the results to the  
 4 42 administrative rules coordinator and the administrative  
 4 43 rules review committee.

4 44 Sec. 11. Section 17A.8, subsection 4, Code 2011, is  
 4 45 amended to read as follows:  
 4 46 4. a. The committee shall ~~choose a chairperson~~  
 4 47 ~~from its membership and~~ prescribe its rules of  
 4 48 procedure. The committee may employ a secretary or may  
 4 49 appoint the administrative code editor or a designee  
 4 50 to act as secretary.  
 5 1 b. The chairperson of the committee shall be  
 5 2 chosen as provided in this paragraph. For the term  
 5 3 commencing with the convening of the first regular  
 5 4 session of each general assembly and ending upon  
 5 5 the convening of the second regular session of that  
 5 6 general assembly, the chairperson shall be chosen by  
 5 7 the committee from its members who are members of the  
 5 8 house of representatives. For the term commencing with

petition for a declaratory order, and a request of a waiver of an administrative rule.  
 • Other materials prescribed by the Administrative Rules Coordinator.

FISCAL IMPACT: Minimal impact to the General Fund. Most agencies currently have sections of their websites dedicated to the administrative rules process. Agencies may need to update, improve, or consolidate sections of their website to conform to the uniform format created by the Administrative Rules Coordinator.

CODE: Removes Iowa Code language pertaining to requests for a formal review of agencies' administrative rules and inserts language requiring a complete, formal review of agencies' administrative rules every five years. A plan of review is to be created with input from major stakeholders and constituent groups. At the conclusion of a five-year review, a summary report is to be provided to the Administrative Rules Coordinator and Administrative Rules Review Committee.

FISCAL IMPACT: Minimal fiscal impact to the General Fund. Most agencies currently review administrative rules on an ongoing basis and could meet the five-year review process with little or no additional resources.

CODE: Amends the process for selecting the Administrative Rules Review Committee Chairperson. The Chairperson during the first regular session of each General Assembly is to be chosen by the members from the House of Representatives. The Chairperson during the second regular session of each General Assembly is to be chosen by the members from the Senate. Vacancies are to be filled in the same manner.

5 9 the convening of the second regular session of each  
 5 10 general assembly and ending upon the convening of the  
 5 11 first regular session of the next general assembly.  
 5 12 the chairperson shall be chosen by the committee from  
 5 13 its members who are members of the senate. A vacancy  
 5 14 shall be filled in the same manner as the original  
 5 15 appointment and shall be for the remainder of the  
 5 16 unexpired term of the vacancy.

5 17 Sec. 12. Section 97A.6, subsection 7, paragraph  
 5 18 a, subparagraph (1), Code 2011, is amended to read as  
 5 19 follows:

5 20 (1) Should any beneficiary for either ordinary  
 5 21 or accidental disability, except a beneficiary  
 5 22 who is fifty-five years of age or over and would  
 5 23 have completed twenty-two years of service if the  
 5 24 beneficiary had remained in active service, be engaged  
 5 25 in a gainful occupation paying more than the difference  
 5 26 between the member's net retirement allowance and  
 5 27 ~~one~~ two and one-half times the current earnable  
 5 28 compensation of an active member at the same position  
 5 29 on the salary scale within the member's rank as the  
 5 30 member held at retirement, then the amount of the  
 5 31 retirement allowance shall be reduced to an amount  
 5 32 such that the member's net retirement allowance plus  
 5 33 the amount earned by the member shall equal ~~one~~ two  
 5 34 and one-half times the amount of the current earnable  
 5 35 compensation of an active member at the same position  
 5 36 on the salary scale within the member's rank as the  
 5 37 member held at retirement. Should the member's earning  
 5 38 capacity be later changed, the amount of the retirement  
 5 39 allowance may be further modified, provided that the  
 5 40 new retirement allowance shall not exceed the amount of  
 5 41 the retirement allowance originally granted adjusted by  
 5 42 annual readjustments of pensions pursuant to subsection  
 5 43 14 of this section nor an amount which would cause the  
 5 44 member's net retirement allowance, when added to the  
 5 45 amount earned by the beneficiary, to equal ~~one~~ two  
 5 46 and one-half times the amount of the current earnable  
 5 47 compensation of an active member at the same position  
 5 48 on the salary scale within the member's rank as the  
 5 49 member held at retirement. A beneficiary restored  
 5 50 to active service at a salary less than the average  
 6 1 final compensation upon the basis of which the member  
 6 2 was retired at age fifty-five or greater, shall not  
 6 3 again become a member of the retirement system and

Increases the limit on earnable compensation, as it relates to the Peace Officers Retirement System (PORS), from one and one-half times the earnable compensation of an active member of the same rank and position on the salary scale to two and one-half times.

DETAIL: Net retirement allowance is the amount determined by subtracting the amount paid during the previous calendar year by the member for health insurance or similar health care coverage for the member and the member's dependents from the pension benefit received from the PORS for the same year. Earnable compensation is what a member will earn on the basis of the stated compensation for the member's rank including longevity and the daily meal allowance. If a member of the PORS retired for either ordinary or accidental disability, is under the age of 55, is engaged in a gainful occupation, and earns more than the difference between the member's net retirement allowance and one and one-half times the earnable compensation of an active member of the same rank and position on the salary scale, then the retirement allowance will be reduced. This is being increased from one and one-half times the earnable compensation to two and one-half times.

FISCAL IMPACT: The fiscal impact of this Section is anticipated to be minimal; however, the actuary of the PORS will determine if the System can absorb the increase.

6 4 shall have the member's retirement allowance suspended  
 6 5 while in active service. If the rank or position  
 6 6 held by the retired member is subsequently abolished,  
 6 7 adjustments to the allowable limit on the amount of  
 6 8 income which can be earned in a gainful occupation  
 6 9 shall be computed in the same manner as provided in  
 6 10 subsection 14, paragraph "c", of this section for  
 6 11 readjustment of pensions when a rank or position has  
 6 12 been abolished. If the salary scale associated with a  
 6 13 member's rank at retirement is changed after the member  
 6 14 retires, earnable compensation for purposes of this  
 6 15 section shall be based upon the salary an active member  
 6 16 currently would receive at the same rank and with  
 6 17 seniority equal to that of the retired member at the  
 6 18 time of retirement. For purposes of this paragraph,  
 6 19 "net retirement allowance" means the amount determined  
 6 20 by subtracting the amount paid during the previous  
 6 21 calendar year by the beneficiary for health insurance  
 6 22 or similar health care coverage for the beneficiary  
 6 23 and the beneficiary's dependents from the amount of  
 6 24 the member's retirement allowance paid for that year  
 6 25 pursuant to this chapter. The beneficiary shall submit  
 6 26 sufficient documentation to the board of trustees  
 6 27 to permit the system to determine the member's net  
 6 28 retirement allowance for the applicable year.

6 29 Sec. 13. Section 97B.52A, subsection 1, paragraph  
 6 30 c, subparagraph (2), subparagraph division (b), Code  
 6 31 2011, is amended to read as follows:

6 32 (b) For a member whose first month of entitlement  
 6 33 is July 2004 or later, but before July ~~2012~~ 2014,  
 6 34 covered employment does not include employment as a  
 6 35 licensed health care professional by a public hospital  
 6 36 as defined in section 249J.3, with the exception of  
 6 37 public hospitals governed pursuant to chapter 226.

6 38 Sec. 14. Section 256C.4, subsection 1, Code 2011,  
 6 39 is amended by adding the following new paragraphs:  
 6 40 NEW PARAGRAPH g. For the fiscal year beginning  
 6 41 July 1, 2011, and each succeeding fiscal year, of the  
 6 42 amount of preschool foundation aid received by a school  
 6 43 district for a fiscal year in accordance with section  
 6 44 257.16, not more than five percent may be used by  
 6 45 the school district for administering the district's  
 6 46 approved local program.  
 6 47 NEW PARAGRAPH h. For the fiscal year beginning

CODE: Extends the bona fide retirement exception under the Iowa Public Employees Retirement System (IPERS) for licensed health care professionals for two years.

DETAIL: Current law allows licensed health care professionals to retire with IPERS benefits and return to work in one month. The exception sunsets June 30, 2012. This legislation extends the exception for two years.

CODE: Beginning in FY 2012, up to 5.00% of preschool foundation aid received by a school district may be used for administering the Program. Beginning in FY 2013, at least 95.00% of the preschool formula foundation aid is to be paid to the community-based provider for the approved local program. Additionally, beginning in FY 2012, not more than 5.00% of the funding paid to the community-based provider may be used for provider administrative costs.

Based on estimated FY 2013 preschool formula aid total of \$59,700,000:



6 48 July 1, 2012, and each succeeding fiscal year, of  
 6 49 the amount of preschool foundation aid received by a  
 6 50 school district for a fiscal year in accordance with  
 7 1 section 257.16, not less than ninety-five percent  
 7 2 of the per pupil amount shall be passed through to  
 7 3 a community-based provider for each pupil enrolled  
 7 4 in the district's approved local program. For the  
 7 5 fiscal year beginning July 1, 2011, and each succeeding  
 7 6 fiscal year, not more than five percent of the  
 7 7 amount of preschool foundation aid passed through  
 7 8 to a community-based provider may be used by the  
 7 9 community-based provider for administrative costs.

- Approximately \$3,000,000 may be used by school districts for the costs of administration.
- Approximately \$56,700,000 will be used for program funding by the school district or paid to the community-based provider.
- The amount allowed for the community-based provider administrative costs will not exceed \$2,800,000 in FY 2013.

FISCAL IMPACT: There is no fiscal impact as a result of this Section. Preschool formula aid funding and allocation amounts to school districts will not change.

7 10 Sec. 15. Section 257.35, subsection 7, Code  
 7 11 Supplement 2011, is amended to read as follows:  
 7 12 7. Notwithstanding subsection 1, and in addition  
 7 13 to the reduction applicable pursuant to subsection  
 7 14 2, the state aid for area education agencies and the  
 7 15 portion of the combined district cost calculated for  
 7 16 these agencies for the fiscal year beginning July 1,  
 7 17 2012, and ending June 30, 2013, shall be reduced by  
 7 18 the department of management by ~~ten~~ fifteen million  
 7 19 dollars. The reduction for each area education agency  
 7 20 shall be prorated based on the reduction that the  
 7 21 agency received in the fiscal year beginning July 1,  
 7 22 2003.

CODE: Reduces the FY 2013 State aid funding to area education agencies (AEAs) by an additional \$5,000,000 (from \$10,000,000 to \$15,000,000).

DETAIL: In addition to the \$15,000,000 State aid reduction for FY 2013, the AEAs have an annual statutory reduction of \$7,500,000. The State aid reduction to AEAs will total \$22,500,000 and will result in \$500,000 less than the FY 2012 total State aid reduction amount.

FISCAL IMPACT: The fiscal impact of the State aid reduction to AEAs will reduce General Fund expenditures by an additional \$5,000,000 in FY 2013 compared to funding previously enacted for FY 2013.

7 23 Sec. 16. Section 261.93, Code 2011, is amended to  
 7 24 read as follows:  
 7 25 261.93 PROGRAM ESTABLISHED — WHO QUALIFIED.  
 7 26 1. An Iowa grant program is established.  
 7 27 2. a. A grant may be awarded to a resident of  
 7 28 Iowa who is admitted and in attendance as a full-time  
 7 29 or part-time resident student at an accredited higher  
 7 30 education institution and who establishes financial  
 7 31 need.  
 7 32 b. Top priority in awarding program grants shall  
 7 33 be given to a qualified student who is a resident of  
 7 34 Iowa; is under the age of twenty-six, or the age of  
 7 35 thirty if the student is a veteran who is eligible for  
 7 36 benefits, or has exhausted the benefits, under the  
 7 37 federal Post-9/11 Veterans Educational Assistance Act  
 7 38 of 2008; is not a convicted felon as defined in section  
 7 39 910.15; and who meets any of the following criteria:  
 7 40 (1) Is the child of a peace officer, as defined  
 7 41 in section 97A.1, who is totally and permanently

Requires the top priority in awarding Iowa Grants to be given to qualified children of peace officers, police officers, firefighters, sheriffs, or deputies that have been totally and permanently disabled or killed in the line of duty.

FISCAL IMPACT: Based on FY 2012 tuition rates, the cost per qualifying student will range from \$3,072 at the least expensive community college to \$6,436 at the University of Iowa. The number of qualifying students in FY 2013 is estimated to be between three and five. The fiscal impact of this provision in FY 2013 is estimated to range from \$9,216 to \$32,180.

7 42 disabled and who receives benefits under section  
 7 43 97A.6, subsection 5, or was killed in the line of duty  
 7 44 as determined by the board of trustees of the Iowa  
 7 45 department of public safety peace officers' retirement,  
 7 46 accident, and disability system in accordance with  
 7 47 section 97A.6, subsection 16.  
 7 48 (2) Is the child of a police officer or a fire  
 7 49 fighter, as defined in section 411.1, who is totally  
 7 50 and permanently disabled and who receives benefits  
 8 1 under section 411.6, subsection 5, or was killed in the  
 8 2 line of duty as determined by the statewide fire and  
 8 3 police retirement system in accordance with section  
 8 4 411.6, subsection 15.  
 8 5 (3) Is the child of a sheriff or deputy sheriff  
 8 6 as defined in section 97B.49C, who is totally and  
 8 7 permanently disabled and who receives an in-service  
 8 8 disability retirement allowance under section 97B.50A,  
 8 9 subsection 2, or was killed in the line of duty as  
 8 10 determined by the Iowa public employees' retirement  
 8 11 system in accordance with section 97B.52, subsection 2.  
 8 12 3. Grants awarded shall be distributed to the  
 8 13 appropriate accredited higher education institution for  
 8 14 payment of educational expenses, including tuition,  
 8 15 room, board, and mandatory fees, with any balance to  
 8 16 be distributed to the student for whom the grant is  
 8 17 awarded.

8 18 Sec. 17. Section 261.93A, Code 2011, is amended to  
 8 19 read as follows:  
 8 20 261.93A APPROPRIATION — PERCENTAGES.  
 8 21 1. Of the funds appropriated to the college student  
 8 22 aid commission to be allocated for the Iowa grant  
 8 23 program for each fiscal year, ~~thirty-seven moneys shall~~  
 8 24 be distributed for grants awarded to qualified students  
 8 25 who meet the criteria established pursuant to section  
 8 26 261.93, subsection 2, and the funds remaining shall be  
 8 27 distributed as follows:  
 8 28 a. ~~Thirty-seven~~and six-tenths percent shall be  
 8 29 reserved for students attending regents institutions;  
 8 30 ~~twenty-five.~~  
 8 31 b. ~~Twenty-five~~and nine-tenths percent shall be  
 8 32 reserved for students attending community colleges, ~~and~~  
 8 33 ~~thirty-six.~~  
 8 34 c. ~~Thirty-six~~and five-tenths percent shall be  
 8 35 reserved for students attending private colleges and  
 8 36 universities.

CODE: Requires Iowa Grant funds to first be awarded to qualified children of peace officers, police officers, firefighters, sheriffs, or deputies that have been totally and permanently disabled or killed in the line of duty, before the remaining funds are allocated to Regents universities, community colleges, and private colleges and universities.

8 37 2. Funds appropriated for the Iowa grant program  
 8 38 shall be used to supplement, not supplant, funds  
 8 39 appropriated for other existing programs at the  
 8 40 eligible institutions.

8 41 Sec. 18. Section 261.95, subsection 1, Code 2011,  
 8 42 is amended to read as follows:

8 43 1. The amount of a grant to a qualified full-time  
 8 44 student for an academic year shall be ~~the~~ as follows:

8 45 a. For a student who qualifies under section  
 8 46 261.93, subsection 2, paragraph "a", the lesser of the  
 8 47 student's financial need for that period or up to one  
 8 48 thousand dollars.

8 49 b. For a student who qualifies under section  
 8 50 261.93, subsection 2, paragraph "b", the lesser of  
 9 1 the student's financial need for that period or not  
 9 2 more than the resident tuition rate established for  
 9 3 institutions of higher learning under the control of  
 9 4 the state board of regents.

9 5 Sec. 19. Section 262.34, subsection 1, Code 2011,  
 9 6 is amended to read as follows:

9 7 1. When the estimated cost of construction,  
 9 8 repairs, or improvement of buildings or grounds under  
 9 9 charge of the state board of regents exceeds one  
 9 10 hundred thousand dollars, the board shall advertise for  
 9 11 bids for the contemplated improvement or construction  
 9 12 and shall let the work to the lowest responsible  
 9 13 bidder. However, if in the judgment of the board bids  
 9 14 received are not acceptable, the board may reject all  
 9 15 bids and proceed with the construction, repair, or  
 9 16 improvement by a method as the board may determine.  
 9 17 ~~All plans and specifications bid documents~~ for repairs  
 9 18 or construction, together with bids on the ~~plans or~~  
 9 19 ~~specifications bid documents~~, shall be filed by the  
 9 20 board and be open for public inspection. All bids  
 9 21 submitted under this section shall be accompanied by a  
 9 22 deposit of money, a certified check, or a credit union  
 9 23 certified share draft in an amount as the board may  
 9 24 prescribe.

9 25 Sec. 20. Section 321.20B, subsection 6, Code 2011,  
 9 26 is amended to read as follows:

9 27 6. This section does not apply to a ~~snowmobile or~~  
 9 28 ~~all-terrain vehicle or to a~~ motor vehicle identified in  
 9 29 section 321.18, ~~subsections 1 through 6, and subsection~~  
 9 30 1, 2, 3, 4, 5, 6, or 8.

CODE: Requires all bid documents on projects for repairs or construction at Regents institutions, with an estimated cost of \$100,000 or more, to be filed by the Board and open for public inspection.

CODE: Requires individuals that own snowmobiles and all-terrain vehicles to maintain proof of financial responsibility and liability.

9 31 Sec. 21. NEW SECTION 327F.21 RAILROAD WORKER  
 9 32 WALKWAYS.  
 9 33 The state department of transportation shall adopt  
 9 34 rules requiring the provision of safe walkways for  
 9 35 railroad workers in areas where work is regularly  
 9 36 performed on the ground.

CODE: Requires the Department of Transportation (DOT) to adopt rules providing for safe walkways for railroad workers in areas where work is regularly performed. A violation of rules concerning walkways is subject to a penalty of \$100 per violation.

9 37 Sec. 22. Section 418.4, subsection 3, paragraph b,  
 9 38 as enacted by 2012 Iowa Acts, Senate File 2217, section  
 9 39 5, is amended to read as follows:  
 9 40 b. For projects proposing to use sales tax  
 9 41 increment revenues or approved by the board to use  
 9 42 sales tax increment revenues, the project, or an  
 9 43 earlier phase of the project, has been approved to  
 9 44 receive financial assistance in an amount equal to  
 9 45 at least twenty percent of the total project cost or  
 9 46 thirty million dollars, whichever is less, under a  
 9 47 financial assistance program administered by the United  
 9 48 States environmental protection agency, the federal  
 9 49 Water Resources Development Act, the federal Clean  
 9 50 Water Act as defined in section 455B.291, or other  
 10 1 federal program providing assistance specifically for  
 10 2 hazard mitigation.

CODE: Requires projects that receive funding from the Sales Tax Increment Fund as outlined in SF 2217 (FY 2013 Flood Mitigation Act) to receive at least 20.00% of the total project cost from a federal financial assistance program administered by the federal Environmental Protection Agency, the federal Water Resources Development Act, the federal Clean Water Act, or another federal program that provides funding specifically for hazard mitigation.

10 3 Sec. 23. Section 422.11D, subsection 2, Code 2011,  
 10 4 is amended to read as follows:  
 10 5 2. An individual may claim a historic preservation  
 10 6 and cultural and entertainment district tax credit  
 10 7 allowed a partnership, limited liability company, S  
 10 8 corporation, estate, or trust electing to have the  
 10 9 income taxed directly to the individual. ~~The For~~  
 10 10 projects beginning before July 1, 2012, the amount  
 10 11 claimed by the individual shall be based upon the  
 10 12 pro rata share of the individual's earnings of a  
 10 13 partnership, limited liability company, S corporation,  
 10 14 estate, or trust except when low-income housing tax  
 10 15 credits authorized under section 42 of the Internal  
 10 16 Revenue Code are used to assist in the financing  
 10 17 of the housing development in which case the amount  
 10 18 claimed by a partner if the business is a partnership,  
 10 19 a shareholder if the business is an S corporation,  
 10 20 or a member if the business is a limited liability  
 10 21 company shall be based on the amounts designated by  
 10 22 the eligible partnership, S corporation, or limited  
 10 23 liability company. For projects beginning on or  
 10 24 after July 1, 2012, the amount claimed by a partner

CODE: Beginning July 1, 2012, permits State historic tax credits awarded to the members or shareholders of a partnership, limited liability company, S corporation, estate, or trust to be allocated to the members and shareholders at the discretion of the business. Currently, the tax credits are required to be allocated based on the pro rata share of the individual's earnings from the business.

FISCAL IMPACT: State historic preservation tax credits are fully refundable so it is assumed that under current law all tax credits that are issued are redeemed. This change will not alter that assumption so the change has no fiscal impact.

10 25 if the business is a partnership, a shareholder if  
 10 26 the business is an S corporation, or a member if the  
 10 27 business is a limited liability company shall be based  
 10 28 on the amounts designated by the eligible partnership,  
 10 29 S corporation, or limited liability company.

10 30 Sec. 24. Section 507.14, subsection 4, Code 2011,  
 10 31 is amended to read as follows:  
 10 32 4. Confidential documents, materials, information,  
 10 33 administrative or judicial orders, or other actions may  
 10 34 be disclosed to a regulatory official of any state,  
 10 35 federal agency, or foreign country provided that the  
 10 36 recipients are required, under their law, to maintain  
 10 37 their confidentiality. Confidential records may be  
 10 38 disclosed to the national association of insurance  
 10 39 commissioners, the international association of  
 10 40 insurance supervisors, and the bank for international  
 10 41 settlements provided that the ~~association~~ certifies  
 10 42 associations and bank certify by written statement that  
 10 43 the confidentiality of the records will be maintained.

CODE: Amends the requirements for maintaining confidential documents and records during the examination of a domestic or foreign insurer to include the International Association of Insurance Supervisors (IAIS) and the Bank for International Settlements (BIS). These entities are required to maintain the confidentiality.

DETAIL: The IAIS is an organization for insurance regulators and supervisors from 140 countries. The IAIS promotes globally consistent supervision of the insurance industry in order to develop and maintain fair, safe and stable insurance markets for the benefit and protection of policyholders, and to contribute to global financial stability. The BIS is an intergovernmental organization of central banks which promotes international monetary and financial cooperation and serves as a bank for central banks, providing banking services to central banks or to international organizations like itself. As an organization of central banks, the BIS seeks to make monetary policy more predictable and transparent among its 58 member central banks.

10 44 Sec. 25. NEW SECTION 514C.29 SERVICES PROVIDED BY  
 10 45 A DOCTOR OF CHIROPRACTIC.  
 10 46 1. Notwithstanding the uniformity of treatment  
 10 47 requirements of section 514C.6, a policy, contract, or  
 10 48 plan providing for third-party payment or prepayment of  
 10 49 health or medical expenses shall not impose a copayment  
 10 50 or coinsurance amount on an insured for services  
 11 1 provided by a doctor of chiropractic licensed pursuant  
 11 2 to chapter 151 that is greater than the copayment  
 11 3 or coinsurance amount imposed on the insured for  
 11 4 services provided by a person engaged in the practice  
 11 5 of medicine and surgery or osteopathic medicine and  
 11 6 surgery under chapter 148 for the same or a similar  
 11 7 diagnosed condition even if a different nomenclature is  
 11 8 used to describe the condition for which the services  
 11 9 are provided.  
 11 10 2. This section applies to the following classes  
 11 11 of third-party payment provider policies, contracts,  
 11 12 or plans delivered, issued for delivery, continued, or  
 11 13 renewed in this state on or after July 1, 2012:  
 11 14 a. Individual or group accident and sickness  
 11 15 insurance providing coverage on an expense-incurred

CODE: Adds services provided by chiropractors to the Iowa Code chapter regarding special health and accident insurance coverage. Prohibits insurers from imposing a copayment for chiropractic services greater than that charged for medical and osteopathic physicians for similar diagnoses. Specifies the classes of insurance covered by this Section and those that are not covered.

11 16 basis.  
 11 17 b. An individual or group hospital or medical  
 11 18 service contract issued pursuant to chapter 509, 514,  
 11 19 or 514A.  
 11 20 c. An individual or group health maintenance  
 11 21 organization contract regulated under chapter 514B.  
 11 22 d. A plan established pursuant to chapter 509A for  
 11 23 public employees.  
 11 24 e. An organized delivery system licensed by the  
 11 25 director of public health.  
 11 26 3. This section shall not apply to accident-only,  
 11 27 specified disease, short-term hospital or medical,  
 11 28 hospital confinement indemnity, credit, dental, vision,  
 11 29 Medicare supplement, long-term care, basic hospital  
 11 30 and medical-surgical expense coverage as defined  
 11 31 by the commissioner, disability income insurance  
 11 32 coverage, coverage issued as a supplement to liability  
 11 33 insurance, workers' compensation or similar insurance,  
 11 34 or automobile medical payment insurance.

11 35 Sec. 26. REPEAL. 2012 Iowa Acts, House File 2168,  
 11 36 section 5, is repealed.

CODE: Repeals a Section enacted in HF 2168 regarding the authorization deposit of public funds to conform the Iowa Code to the current practice.

11 37 Sec. 27. HOUSING ENTERPRISE ZONE TAX CREDIT  
 11 38 ISSUANCE.  
 11 39 1. Notwithstanding section 15E.193B, subsection 4,  
 11 40 the authority may issue a tax credit to an eligible  
 11 41 housing business for a project not completed within two  
 11 42 years from the time the business began construction if  
 11 43 a city failed to file the appropriate paperwork with  
 11 44 the authority requesting an extension for the project  
 11 45 pursuant to section 15E.193B, subsection 4.  
 11 46 2. The authorization described in subsection 1 only  
 11 47 applies to projects for which a city failed to file  
 11 48 an extension between January 1, 2007, and January 1,  
 11 49 2008, and only to benefits earned for a project between  
 11 50 February 8, 2005, and February 8, 2008.

Allows the EDA to issue tax credits to a business for a project that was not completed within two years from the project start date because the city failed to file the appropriate paperwork to obtain an extension. The project must be within a city that failed to file an extension between January 1, 2007, and January 1, 2008, and only for benefits earned for work done on the project between February 8, 2005, and February 8, 2008.

DETAIL: This is for a Housing Enterprise Zone Award from FY 2005 in Waterloo.

FISCAL IMPACT: Minimal fiscal impact.

12 1 Sec. 28. CODE EDITOR DIRECTIVE. Sections 572.1,  
 12 2 572.8, 572.10, 572.13, 572.18, 572.22, and 572.24, Code  
 12 3 and Code Supplement 2011, as amended by 2012 Iowa Acts,  
 12 4 House File 675, sections 2, 4, 6, 8, 15, 16, and 18, if  
 12 5 enacted, are amended as follows:  
 12 6 1. By striking from the sections the words "state  
 12 7 construction registry" and inserting in lieu thereof

CODE: Technical clarification concerning mechanics' liens to conform the Iowa Code to the current practice.

12 8 the words “mechanics’ notice and lien registry”.

12 9 Sec. 29. CODE EDITOR DIRECTIVE. Sections 572.13A,  
12 10 572.13B, and 572.34, if enacted by 2012 Iowa Acts,  
12 11 House File 675, sections 9, 10, and 25, are amended as  
12 12 follows:  
12 13 1. By striking from the sections the words “state  
12 14 construction registry” and inserting in lieu thereof  
12 15 the words “mechanics’ notice and lien registry”.

CODE: Technical clarification concerning mechanics' liens to conform the Code to the current practice.

12 16 Sec. 30. EFFECTIVE UPON ENACTMENT. The following  
12 17 provision or provisions of this division of this Act,  
12 18 being deemed of immediate importance, take effect upon  
12 19 enactment:  
12 20 1. The section of this division of this Act  
12 21 enacting section 15E.71.  
12 22 2. The section of this division of this Act  
12 23 enacting section 256C.4, subsection 1, paragraphs “g”  
12 24 and “h”.  
12 25 3. The section of this division of this Act  
12 26 amending section 418.4, subsection 3, paragraph “b”, as  
12 27 enacted by 2012 Iowa Acts, Senate File 2217, section 5.  
12 28 4. The section of this division of this Act  
12 29 amending 2010 Iowa Acts, chapter 1193, section 29,  
12 30 subsection 2, as enacted by 2011 Iowa Acts, chapter  
12 31 127, section 54.  
12 32 5. The section of this division of this Act  
12 33 amending 2007 Iowa Acts, chapter 219, section 2,  
12 34 subsection 2, paragraph a, as enacted by 2011 Iowa  
12 35 Acts, chapter 133, section 32.  
12 36 Sec. 31. EFFECTIVE DATE. The sections of this  
12 37 division of this Act amending sections 572.1, 572.8,  
12 38 572.10, 572.13, 572.13A, 572.13B, 572.18, 572.22,  
12 39 572.24, and 572.34, take effect January 1, 2013.

The following Sections are effective on enactment:

- Section 7
- Section 14
- Section 22
- Section 4
- Section 3
- Section 28
- Section 29

12 40 Sec. 32. RETROACTIVE APPLICABILITY. The following  
12 41 provision or provisions of this division of this Act  
12 42 apply retroactively to April 19, 2012:  
12 43 1. The section of this division of this Act  
12 44 amending section 418.4, subsection 3, paragraph “b”, as  
12 45 enacted by 2012 Iowa Acts, Senate File 2217, section 5.

The effective date for changes to SF 2217 (FY 2013 Flood Mitigation Act) for projects receiving funds from the Sales Tax Increment Fund are retroactive to April 19, 2012.

12 46 DIVISION III  
12 47 CORRECTIVE PROVISIONS

12 48 Sec. 33. Section 9B.2, subsection 10, paragraph a,  
12 49 if enacted by 2012 Iowa Acts, Senate File 2265, section

CODE: Makes a technical correction to SF 2265 relating to notarial acts, fees, and effective date provisions.

12 50 2, is amended to read as follows:

13 1 a. "Personal appearance" means an act of a party  
 13 2 to physically appear within the presence of a ~~notary~~  
 13 3 ~~public notarial officer~~ at the time the ~~notarization~~  
 13 4 ~~occurs~~ notarial act is performed.

13 5 Sec. 34. Section 105.2, subsection 8, Code  
 13 6 Supplement 2011, as amended by 2012 Iowa Acts, House  
 13 7 File 2285, section 1, if enacted, is amended to read  
 13 8 as follows:

13 9 8. "Hydronic" means a heating or cooling system  
 13 10 that transfers heating or cooling by circulating fluid  
 13 11 through a closed system, including boilers, pressure  
 13 12 vessels, refrigerated equipment in connection with  
 13 13 chilled water systems, all steam piping, hot or chilled  
 13 14 water piping together with all control devices and  
 13 15 accessories, installed as part of, or in connection  
 13 16 with, any heating or cooling system or appliance whose  
 13 17 primary purpose is to provide comfort using a liquid,  
 13 18 water, or steam as the heating or cooling media.  
 13 19 "Hydronic" includes all low-pressure and high-pressure  
 13 20 systems and all natural, propane, liquid propane, or  
 13 21 other gas lines associated with any component of a  
 13 22 hydronic system. For purposes of this definition,  
 13 23 "primary purpose is to provide comfort" means a system  
 13 24 or appliance in which at least fifty-one percent of  
 13 25 the capacity generated by its operation, on an annual  
 13 26 average, is dedicated to comfort heating or cooling.

13 27 Sec. 35. Section 135.156E, subsection 1, paragraph  
 13 28 b, if enacted by 2012 Iowa Acts, Senate File 2318,  
 13 29 section 14, is amended to read as follows:  
 13 30 b. Require authentication controls to verify the  
 13 31 ~~identify identity~~ and role of the participant using the  
 13 32 Iowa health information network.

13 33 Sec. 36. Section 135C.6, subsection 8, paragraphs a  
 13 34 and b, Code 2011, as amended by 2012 Iowa Acts, Senate  
 13 35 File 2247, section 15, are amended to read as follows:  
 13 36 a. Residential programs providing care to not more  
 13 37 than four individuals and receiving moneys appropriated  
 13 38 to the department of human services under provisions of  
 13 39 a federally approved home and community-based services  
 13 40 waiver for persons with an intellectual ~~disabilities~~  
 13 41 disability or other medical assistance program under  
 13 42 chapter 249A. In approving a residential program under

CODE: Makes a technical correction to HF 2285 relating to the definition of hydronic for the purposes of plumber, mechanical professional, and contractor licensing.

CODE: Makes technical corrections to SF 2318 relating to the Iowa Health Information Network.

CODE: Makes technical corrections to SF 2247 relating to terminology changes in the Iowa Code referencing mental retardation.



13 43 this paragraph, the department of human services shall  
13 44 consider the geographic location of the program so as  
13 45 to avoid an overconcentration of such programs in an  
13 46 area. In order to be approved under this paragraph, a  
13 47 residential program shall not be required to involve  
13 48 the conversion of a licensed residential care facility  
13 49 for persons with an intellectual disability.

13 50 b. Not more than forty residential care facilities  
14 1 for persons with an intellectual disability that are  
14 2 licensed to serve not more than five individuals may  
14 3 be authorized by the department of human services  
14 4 to convert to operation as a residential program  
14 5 under the provisions of a medical assistance home and  
14 6 community-based services waiver for persons with an  
14 7 intellectual ~~disabilities~~ disability. A converted  
14 8 residential program operating under this paragraph  
14 9 is subject to the conditions stated in paragraph "a"  
14 10 except that the program shall not serve more than five  
14 11 individuals.

14 12 Sec. 37. Section 144D.3, subsection 4, as enacted  
14 13 by 2012 Iowa Acts, House File 2165, section 4, is  
14 14 amended to read as follows:

14 15 4. In the absence of actual notice of the  
14 16 revocation of a POST form, a health care provider,  
14 17 hospital, health care facility, or any other person who  
14 18 complies with a POST form shall not be subject to civil  
14 19 or criminal liability or professional disciplinary  
14 20 action for actions taken under this chapter which are  
14 21 in accordance with reasonable medical standards. A  
14 22 health care provider, hospital, health care facility,  
14 23 or other person against whom criminal or civil  
14 24 liability or professional disciplinary action is  
14 25 asserted because of conduct in compliance with this  
14 26 chapter may interpose the restriction on liability in  
14 27 this ~~paragraph~~ subsection as an absolute defense.

14 28 Sec. 38. Section 152B.2, subsection 1, paragraph  
14 29 a, subparagraph (2), Code 2011, as amended by 2012  
14 30 Iowa Acts, Senate File 2248, section 2, if enacted, is  
14 31 amended to read as follows:

14 32 (2) Direct and indirect respiratory care services  
14 33 including but not limited to the administration of  
14 34 pharmacological and diagnostic and therapeutic agents  
14 35 related to respiratory care procedures necessary to  
14 36 implement a treatment, disease prevention, pulmonary

CODE: Makes a technical correction to HF 2165 relating to physician orders for scopes of treatment.

CODE: Makes a technical correction to SF 2248 relating to professionals authorized to prescribe respiratory care services.

14 37 rehabilitative, or diagnostic regimen prescribed by a  
14 38 licensed physician; or surgeon; or a qualified health  
14 39 care professional prescriber.

14 40 Sec. 39. Section 152B.3, subsection 1, unnumbered  
14 41 paragraph 1, Code 2011, as amended by 2012 Iowa Acts,  
14 42 Senate File 2248, section 5, if enacted, is amended to  
14 43 read as follows:

14 44 The performance of respiratory care shall be  
14 45 in accordance with the prescription of a licensed  
14 46 physician; or surgeon; or a qualified health care  
14 47 professional prescriber and includes but is not limited  
14 48 to the diagnostic and therapeutic use of the following:

CODE: Makes a technical correction to SF 2248 relating to professionals authorized to prescribe respiratory care services.

14 49 Sec. 40. Section 152B.3, subsection 2, Code 2011,  
14 50 as amended by 2012 Iowa Acts, Senate File 2248, section  
15 1 6, if enacted, is amended to read as follows:

15 2 2. A respiratory care practitioner may transcribe  
15 3 and implement a written or verbal order from a licensed  
15 4 physician; or surgeon; or a qualified health care  
15 5 professional prescriber pertaining to the practice of  
15 6 respiratory care.

CODE: Makes a technical correction to SF 2248 relating to professionals authorized to prescribe respiratory care services.

15 7 Sec. 41. Section 152B.4, Code 2011, as amended  
15 8 by 2012 Iowa Acts, Senate File 2248, section 7, if  
15 9 enacted, is amended to read as follows:

15 10 152B.4 LOCATION OF RESPIRATORY CARE.  
15 11 The practice of respiratory care may be performed  
15 12 in a hospital as defined in section 135B.1, subsection  
15 13 3, and other settings where respiratory care is to  
15 14 be provided in accordance with a prescription of a  
15 15 licensed physician; or surgeon; or a qualified health  
15 16 care professional prescriber. Respiratory care may  
15 17 be provided during transportation of a patient and  
15 18 under circumstances where an emergency necessitates  
15 19 respiratory care.

CODE: Makes a technical correction to SF 2248 relating to professionals authorized to prescribe respiratory care services.

15 20 Sec. 42. Section 161A.63, Code 2011, as amended  
15 21 by 2012 Iowa Acts, Senate File 2311, section 16, if  
15 22 enacted, is amended to read as follows:

15 23 161A.63 RIGHT OF PURCHASER OF AGRICULTURAL LAND TO  
15 24 OBTAIN INFORMATION.

15 25 A prospective purchaser of an interest in  
15 26 agricultural land located in this state is entitled  
15 27 to obtain from the seller, or from the office of the  
15 28 soil and water conservation district in which the land  
15 29 is located, a copy of the most recently updated farm

CODE: Makes technical corrections to SF 2311 relating to the administration of the Department of Agriculture and Land Stewardship (DALs) and the right of a purchaser of agricultural land to obtain information.

15 30 unit soil conservation plan, developed pursuant to  
15 31 section 161A.62, subsection 2, which ~~are~~ is applicable  
15 32 to the agricultural land proposed to be purchased. A  
15 33 prospective purchaser of an interest in agricultural  
15 34 land located in this state is entitled to obtain  
15 35 additional copies of ~~either or both~~ of the ~~documents~~  
15 36 document referred to in this section from the office of  
15 37 the soil and water conservation district in which the  
15 38 land is located, promptly upon request, at a fee not to  
15 39 exceed the cost of reproducing them. All persons who  
15 40 identify themselves to the commissioners or staff of  
15 41 a soil and water conservation district as prospective  
15 42 purchasers of agricultural land in the district shall  
15 43 be given information, prepared in accordance with  
15 44 rules of the department, which clearly explains the  
15 45 provisions of section 161A.76.

15 46 Sec. 43. Section 203C.14, Code 2011, as amended  
15 47 by 2012 Iowa Acts, Senate File 2311, section 107, if  
15 48 enacted, is amended to read as follows:  
15 49 203C.14 SUIT — CLAIMS — NOTICE OF REVOCATION.

CODE: Makes technical corrections to SF 2311 relating to the  
administration of the DALs and notices of revocation.

15 50 1. A person injured by the breach of an obligation  
16 1 of a warehouse operator, for the performance of which a  
16 2 bond on agricultural products other than bulk grain, a  
16 3 deficiency bond, or an irrevocable letter of credit has  
16 4 been given under any of the provisions of this chapter,  
16 5 may sue on the bond on agricultural products other than  
16 6 bulk grain, deficiency bond, or irrevocable letter of  
16 7 credit in the person's own name in a court of competent  
16 8 jurisdiction to recover any damages the person has  
16 9 sustained by reason of the breach.  
16 10 2. a. Upon the cessation of a warehouse operator's  
16 11 license due to revocation, cancellation, or expiration,  
16 12 a claim against the warehouse operator arising  
16 13 under this chapter shall be made in writing with  
16 14 the warehouse operator, with the issuer of a bond  
16 15 on agricultural products other than bulk grain, a  
16 16 deficiency bond, or an irrevocable letter of credit,  
16 17 and, if the claim relates to bulk grain, with the  
16 18 department. The claim must be made within one hundred  
16 19 twenty days after the cessation of the license. The  
16 20 failure to make a timely claim relieves the issuer  
16 21 and, if the claim relates to bulk grain, the grain  
16 22 depositors and sellers indemnity fund provided in  
16 23 chapter 203D of all obligations to the claimant.  
16 24 ~~—3. b.~~ Upon revocation of a warehouse license, the

16 25 department shall cause notice of the revocation to be  
16 26 published once each week for two consecutive weeks  
16 27 in a newspaper of general circulation in each of the  
16 28 counties in which the licensee maintains a business  
16 29 location and in a newspaper of general circulation  
16 30 within the state. The notice shall state the name and  
16 31 address of the warehouse operator and the effective  
16 32 date of revocation. The notice shall also state that  
16 33 any claims against the warehouse operator shall be made  
16 34 in writing and sent by ordinary mail to the warehouse  
16 35 operator, to the issuer of a bond on agricultural  
16 36 products other than bulk grain, deficiency bond, or an  
16 37 irrevocable letter of credit, and to the department  
16 38 within one hundred twenty days after revocation, and  
16 39 the notice shall state that the failure to make a  
16 40 timely claim does not relieve the warehouse operator  
16 41 from liability to the claimant.  
16 42 c. This ~~paragraph~~ subsection does not apply if  
16 43 a receiver is appointed as provided in this chapter  
16 44 pursuant to a petition which is filed by the department  
16 45 prior to the expiration of one hundred twenty days  
16 46 after ~~revocation, termination, or cancellation~~  
16 47 cessation of warehouse operator's license.

16 48 Sec. 44. Section 249A.12, subsection 5, paragraph  
16 49 a, unnumbered paragraph 1, Code 2011, as amended by  
16 50 2012 Iowa Acts, Senate File 2247, section 101, is  
17 1 amended to read as follows:  
17 2 The mental health and disability services commission  
17 3 shall recommend to the department the actions necessary  
17 4 to assist in the transition of individuals being served  
17 5 in an intermediate care facility for persons with  
17 6 an intellectual disability, who are appropriate for  
17 7 the transition, to services funded under a medical  
17 8 assistance home and community-based services waiver  
17 9 for persons with an intellectual disability in a  
17 10 manner which maximizes the use of existing public and  
17 11 private facilities. The actions may include but are  
17 12 not limited to submitting any of the following or  
17 13 a combination of any of the following as a request  
17 14 for a revision of the medical assistance home and  
17 15 community-based services waiver for persons with an  
17 16 intellectual ~~disabilities~~ disability:

17 17 Sec. 45. Section 261.115, subsection 3, paragraphs  
17 18 c and d, if enacted by 2012 Iowa Acts, House File 2458,

CODE: Makes a technical correction to SF 2247 relating to terminology changes in statutory references to mental retardation.

CODE: Makes a technical correction to SF 2458 relating to the establishment of a rural Iowa primary care loan repayment program

and trust fund.

17 19 section 1, are amended to read as follows:  
17 20 c. Complete ~~their~~ the residency program requirement  
17 21 with an Iowa-based residency program.  
17 22 d. Within nine months of graduating from ~~their~~ the  
17 23 residency program and receiving a permanent license in  
17 24 accordance with paragraph "b", engage in the full-time  
17 25 practice of medicine and surgery or osteopathic  
17 26 medicine and surgery specializing in family medicine,  
17 27 pediatrics, psychiatry, internal medicine, or general  
17 28 surgery for a period of sixty consecutive months in the  
17 29 service commitment area specified under subsection 6,  
17 30 unless the loan repayment recipient receives a waiver  
17 31 from the commission to complete the months of practice  
17 32 required under the agreement in another service  
17 33 commitment area pursuant to subsection 6.

CODE: Makes a technical correction to SF 2458 relating to the establishment of a rural Iowa primary care loan repayment program and trust fund.

17 34 Sec. 46. Section 261.115, subsection 8, if enacted  
17 35 by 2012 Iowa Acts, House File 2458, section 1, is  
17 36 amended to read as follows:  
17 37 8. PART-TIME PRACTICE — AGREEMENT AMENDED. A  
17 38 person who entered into an agreement pursuant to  
17 39 subsection 3 may apply to the commission to amend the  
17 40 agreement to allow the person to engage in less than  
17 41 the full-time practice specified in the agreement and  
17 42 under subsection 3, paragraph "d". If the commission  
17 43 determines exceptional circumstances exist, the  
17 44 commission and the person may consent to amend the  
17 45 agreement under which the person shall engage in less  
17 46 than full-time practice of medicine and surgery or  
17 47 osteopathic medicine and surgery specializing in family  
17 48 medicine, pediatrics, psychiatry, internal medicine,  
17 49 or general surgery in a service commitment area for  
17 50 an extended period of part-time practice determined  
18 1 by the commission to be proportional to the amount  
18 2 of full-time practice remaining under the original  
18 3 agreement.

CODE: Makes a technical correction to SF 2458 relating to the establishment of a rural Iowa primary care loan repayment program and trust fund.

18 4 Sec. 47. Section 261.115, subsection 9, paragraph  
18 5 b, if enacted by 2012 Iowa Acts, House File 2458,  
18 6 section 1, is amended to read as follows:  
18 7 b. Except for a postponement under paragraph "a",  
18 8 subparagraph (6), an obligation to engage in practice  
18 9 under an agreement entered into pursuant to subsection  
18 10 3, shall not be postponed for more than two years from  
18 11 the time the full-time practice was to have commenced  
18 12 under the agreement.

18 13 Sec. 48. Section 273.2, subsection 3, Code  
18 14 Supplement 2011, as amended by 2012 Iowa Acts, Senate  
18 15 File 2203, section 38, if enacted, is amended to read  
18 16 as follows:

18 17 3. The area education agency board shall furnish  
18 18 educational services and programs as provided in  
18 19 ~~sections~~ section 273.1, this section, sections 273.3  
18 20 to 273.9, and chapter 256B to the pupils enrolled  
18 21 in public or nonpublic schools located within its  
18 22 boundaries which are on the list of accredited schools  
18 23 pursuant to section 256.11. The programs and services  
18 24 provided shall be at least commensurate with programs  
18 25 and services existing on July 1, 1974. The programs  
18 26 and services provided to pupils enrolled in nonpublic  
18 27 schools shall be comparable to programs and services  
18 28 provided to pupils enrolled in public schools within  
18 29 constitutional guidelines.

CODE: Makes a technical correction to SF 2203 relating to nonsubstantive statutory corrections and effective date revisions.

18 30 Sec. 49. Section 321.188, subsection 6, paragraph  
18 31 c, if enacted by 2012 Iowa Acts, House File 2403,  
18 32 section 1, is amended to read as follows:  
18 33 c. An applicant who obtains a skills test waiver  
18 34 under this subsection shall take and successfully pass  
18 35 the knowledge test required pursuant to subsection ~~2~~ 1.

CODE: Makes a technical correction to HF 2403 relating to requirements for a commercial driver's license for persons transitioning from military service.

18 36 Sec. 50. Section 321.323A, subsection 3, paragraph  
18 37 c, subparagraph (1), if enacted by 2012 Iowa Acts,  
18 38 House File 2228, section 3, is amended to read as  
18 39 follows:  
18 40 (1) For a violation causing damage to the property  
18 41 of another person, but not resulting in bodily injury  
18 42 ~~to~~ or death of ~~to~~ another person, the department shall  
18 43 suspend the violator's driver's license or operating  
18 44 privileges for ninety days.

CODE: Makes a technical correction to HF 2228 relating to requirements for a motor vehicle operator to have control of the vehicle at all times and to change lanes or reduce speed in specific situations.

18 45 Sec. 51. Section 321.457, subsection 2, paragraph  
18 46 n, subparagraph (4), if enacted by 2012 Iowa Acts,  
18 47 House File 2428, section 1, is amended to read as  
18 48 follows:

18 49 (4) For purposes of this paragraph "n", "full  
18 50 trailer" means as defined in 49 C.F.R. § ~~390~~ 390.5.

CODE: Makes a technical correction to HF 2428 relating to movement of certain combinations of vehicles on economic export corridors established by the DOT.

19 1 Sec. 52. Section 321.7, subsection 3, Code 2011,  
19 2 as amended by 2012 Iowa Acts, House File 2467, section  
19 3 39, is amended to read as follows:

19 4 3. Duplicate registrations may be issued by a  
19 5 county recorder or a license agent ~~and~~ upon the payment

19 6 of a five dollar fee plus a writing fee as provided in  
19 7 section 321I.29.

19 8 Sec. 53. Section 322.5, subsection 6, paragraph b,  
19 9 subparagraph (2), if enacted by 2012 Iowa Acts, Senate  
19 10 File 2249, section 4, is amended to read as follows:  
19 11 (2) The state in which the person is licensed as  
19 12 a motor vehicle dealer allows a motor vehicle dealer  
19 13 licensed in Iowa to be issued a permit substantially  
19 14 similar to the temporary permit authorized under this  
19 15 ~~section~~ subsection.

CODE: Makes a technical correction to SF 2249 relating to motor vehicle dealers at events and the definition of travel trailers for the purpose of dealer requirements.

19 16 Sec. 54. Section 326.3, subsection 19, if enacted  
19 17 by 2012 Iowa Acts, Senate File 2216, section 18, is  
19 18 amended to read as follows:  
19 19 19. "Operational records" means source documents  
19 20 that evidence distance traveled by a fleet in each  
19 21 member jurisdiction, such as ~~fuel~~ fuel reports, trip  
19 22 sheets, and driver logs, including those which may  
19 23 be generated through on-board devices and maintained  
19 24 electronically, as required by the audit procedures  
19 25 manual.

CODE: Makes technical corrections to SF 2216 relating to the registration and implementation of commercial motor vehicles under the international registration plan.

19 26 Sec. 55. Section 418.4, subsection 1, paragraph b,  
19 27 if enacted by 2012 Iowa Acts, Senate File 2217, section  
19 28 5, is amended to read as follows:  
19 29 b. A governmental entity as defined in section  
19 30 418.1, subsection 4, paragraph "c", shall have the  
19 31 power to construct, acquire, own, repair, improve,  
19 32 operate, and maintain a project, may sue and be sued,  
19 33 contract, and acquire and hold real and personal  
19 34 property, subject to the limitation in paragraph "c",  
19 35 and shall have such other powers as may be included in  
19 36 the chapter 28E agreement. Such a governmental entity  
19 37 may contract with a city or the county participating in  
19 38 the chapter 28E agreement to perform any governmental  
19 39 service, activity, or undertaking that the city or  
19 40 county is authorized by law to perform, including but  
19 41 not limited to contracts for administrative services.

CODE: Makes technical corrections to SF 2217 relating to the establishment of a flood mitigation program, establishing a flood mitigation board, and authorizing the use of certain sales tax revenues and other assistance for flood mitigation projects.

19 42 Sec. 56. Section 418.5, subsection 7, if enacted by  
19 43 2012 Iowa Acts, Senate File 2217, section 6, is amended  
19 44 to read as follows:  
19 45 7. A majority of the ~~board~~ voting members  
19 46 constitutes a quorum.

CODE: Makes technical corrections to SF 2217 relating to the establishment of a flood mitigation program, establishing a flood mitigation board, and authorizing the use of certain sales tax revenues and other assistance for flood mitigation projects.

19 47 Sec. 57. Section 418.9, subsection 2, paragraph g,

CODE: Makes technical corrections to SF 2217 relating to the

19 48 if enacted by 2012 Iowa Acts, Senate File 2217, section  
 19 49 10, is amended to read as follows:  
 19 50 g. Whether the project plan is consistent with  
 20 1 the applicable comprehensive, ~~countywide~~ emergency  
 20 2 operations plan in effect and other applicable local  
 20 3 hazard mitigation plans.

establishment of a flood mitigation program, establishing a flood mitigation board, and authorizing the use of certain sales tax revenues and other assistance for flood mitigation projects.

20 4 Sec. 58. Section 504.719, subsection 3, as enacted  
 20 5 by 2012 Iowa Acts, Senate File 2260, section 8, is  
 20 6 amended to read as follows:  
 20 7 3. An inspector may, but is not required to, be a  
 20 8 director, ~~member of a designated body~~, member, officer,  
 20 9 or employee of the corporation. A person who is a  
 20 10 candidate for an office to be filled at the meeting  
 20 11 shall not be an inspector at that meeting.

CODE: Makes technical corrections to SF 2260 relating to the revision of the Iowa Nonprofit Corporation Act.

20 12 Sec. 59. Section 508.37, subsection 5, paragraph c,  
 20 13 Code 2011, as amended by 2012 Iowa Acts, Senate File  
 20 14 2203, section 105, if enacted, is amended to read as  
 20 15 follows:

CODE: Makes a technical correction to SF 2203 relating to nonsubstantive statutory corrections and effective dates.

20 16 c. The adjusted premiums for a policy providing  
 20 17 term insurance benefits by rider or supplemental policy  
 20 18 provision shall be equal to (1) the adjusted premiums  
 20 19 for an otherwise similar policy issued at the same age  
 20 20 without such term insurance benefits, increased during  
 20 21 the period for which premiums for such term insurance  
 20 22 benefits are payable, by (2) the adjusted premiums  
 20 23 for such term insurance, the foregoing items (1) and  
 20 24 (2) being calculated separately and as specified in  
 20 25 paragraphs "a" and "b" of this subsection except that,  
 20 26 for the purposes of ~~of~~ paragraph "a", subparagraph  
 20 27 (1), subparagraph divisions (b), (c), and (d), the  
 20 28 amount of insurance or equivalent uniform amount of  
 20 29 insurance used in the calculation of the adjusted  
 20 30 premiums referred to in item (2) in this paragraph  
 20 31 shall be equal to the excess of the corresponding  
 20 32 amount determined for the entire policy over the amount  
 20 33 used in the calculation of the adjusted premiums in  
 20 34 item (1) in this paragraph.

20 35 Sec. 60. Section 515I.1, subsection 2, if enacted  
 20 36 by 2012 Iowa Acts, House File 2145, section 1, is  
 20 37 amended to read as follows:  
 20 38 2. This ~~division chapter~~ shall be liberally  
 20 39 construed to promote these purposes.

CODE: Makes a technical correction to HF 2145 relating to regulations, penalties, provisions, and repeals to permit access to surplus lines insurance in Iowa.

20 40 Sec. 61. Section 536A.10, Code 2011, as amended

CODE: Makes a technical correction to SF 2203 relating to



nonsubstantive statutory corrections and effective dates.

20 41 by 2012 Iowa Acts, Senate File 2203, section 139, if  
 20 42 enacted, is amended to read as follows:  
 20 43 536A.10 ISSUANCE OF LICENSE.  
 20 44 1.—~~If The superintendent shall approve the~~  
 20 45 ~~application and issue to the applicant a license~~  
 20 46 ~~to engage in the industrial loan business in~~  
 20 47 ~~accordance with the provisions of this chapter, if the~~  
 20 48 superintendent shall find:  
 20 49 a. That the financial responsibility, experience,  
 20 50 character and general fitness of the applicant and  
 21 1 of the officers thereof are such as to command the  
 21 2 confidence of the community, and to warrant the belief  
 21 3 that the business will be operated honestly, fairly and  
 21 4 efficiently within the purpose of this chapter;  
 21 5 b. That a reasonable necessity exists for a new  
 21 6 industrial loan company in the community to be served;  
 21 7 c. That the applicant has available for the  
 21 8 operation of the business at the specified location  
 21 9 paid-in capital and surplus as required by section  
 21 10 536A.8; and  
 21 11 d. That the applicant is a corporation organized  
 21 12 for pecuniary profit under the laws of the state of  
 21 13 Iowa.  
 21 14 2.—~~The superintendent shall approve the application~~  
 21 15 ~~and issue to the applicant a license to engage in~~  
 21 16 ~~the industrial loan business in accordance with the~~  
 21 17 ~~provisions of this chapter. The superintendent shall~~  
 21 18 approve or deny an application for a license within one  
 21 19 hundred twenty days from the date of the filing of such  
 21 20 application.

CODE: Makes a technical correction to SF 2285 relating to statutory corrections.

21 21 Sec. 62. Section 602.9202, subsection 4, Code 2011,  
 21 22 as amended by 2012 Iowa Acts, Senate File 2285, section  
 21 23 106, is amended to read as follows:  
 21 24 4. "Senior judge retirement age" means seventy-eight  
 21 25 years of age or, if the senior judge is reappointed as  
 21 26 a senior judge for an additional one-year term upon  
 21 27 attaining seventy-eight years of age, and then to a  
 21 28 succeeding one-year term, pursuant to section 602.9203,  
 21 29 eighty years of age.

CODE: Makes a technical correction to HF 2370 relating to real estate and mortgage foreclosure civil actions.

21 30 Sec. 63. Section 617.11, subsection 3, unnumbered  
 21 31 paragraph 1, if enacted by 2012 Iowa Acts, House File  
 21 32 2370, section 1, is amended to read as follows:  
 21 33 If a claim of interest against the property is  
 21 34 acquired prior to the indexing of a petition or

21 35 municipal infraction citation affecting real estate  
 21 36 and filed by a city and such claim is not indexed or  
 21 37 filed of record prior to the indexing of the petition  
 21 38 or citation, it is subject to the pending action  
 21 39 as provided in subsection 1, unless either of the  
 21 40 following occurs:

21 41 Sec. 64. EFFECTIVE DATE. The section of this  
 21 42 division of this Act amending section 9B.2, subsection  
 21 43 10, paragraph a, takes effect January 1, 2013.

The Section making a technical correction to SF 2265 relating to notarial acts, fees, and effective date provisions is effective on January 1, 2013.

21 44 Sec. 65. EFFECTIVE UPON ENACTMENT. The section  
 21 45 of this division of this Act amending section 105.2,  
 21 46 subsection 8, being deemed of immediate importance,  
 21 47 takes effect upon enactment.

The Section making a technical correction to HF 2285 relating to the definition of hydronic for the purposes of plumber, mechanical professional, and contractor licensing is effective on enactment.

21 48 Sec. 66. RETROACTIVE APPLICABILITY. The section  
 21 49 of this division of this Act amending section 105.2,  
 21 50 subsection 8, applies retroactively to the effective  
 22 1 date of 2012 Iowa Acts, House File 2285.

The Section making the technical correction to HF 2285 relating to the definition of hydronic for the purposes of plumber, mechanical professional, and contractor licensing is retroactive to March 29, 2012.

22 2 Sec. 67. EFFECTIVE UPON ENACTMENT. The section of  
 22 3 this division of this Act amending section 135.156E,  
 22 4 subsection 1, paragraph b, being deemed of immediate  
 22 5 importance, takes effect upon enactment.

The Section making a technical correction to SF 2318 relating to the Iowa Health Information Network is effective on enactment.

22 6 Sec. 68. RETROACTIVE APPLICABILITY. The section of  
 22 7 this division of this Act amending section 135.156E,  
 22 8 subsection 1, paragraph b, applies retroactively to the  
 22 9 effective date of 2012 Iowa Acts, Senate File 2318.

The Section making a technical correction to SF 2318 relating to the Iowa Health Information Network is retroactive to the enactment date of SF 2318.

22 10 Sec. 69. EFFECTIVE UPON ENACTMENT. The section  
 22 11 of this division of this Act amending section 322.5,  
 22 12 subsection 6, paragraph "b", subparagraph (2), being  
 22 13 deemed of immediate importance, takes effect upon  
 22 14 enactment.

The Section making a technical correction to SF 2249 relating to a motor vehicle dealers at events and the definition of travel trailers for the purpose of dealer requirements is effective on enactment.

22 15 Sec. 70. RETROACTIVE APPLICABILITY. The section  
 22 16 of this division of this Act amending section 322.5,  
 22 17 subsection 6, paragraph "b", subparagraph (2), applies  
 22 18 retroactively to the effective date of 2012 Iowa Acts,  
 22 19 Senate File 2249.

The Section making a technical correction to SF 2249 is retroactive to the date SF 2249 is enacted.

22 20 Sec. 71. EFFECTIVE UPON ENACTMENT. The sections  
 22 21 of this division of this Act amending section 418.4,  
 22 22 subsection 1, paragraph b, section 418.5, subsection

The Section making a technical correction to SF 2217 relating to the establishment of a flood mitigation program, establishing a flood mitigation board, and authorizing the use of certain sales tax revenues

22 23 7, and section 418.9, subsection 2, paragraph g,  
 22 24 being deemed of immediate importance, take effect upon  
 22 25 enactment.

and other assistance for flood mitigation projects is effective on enactment.

22 26 Sec. 72. RETROACTIVE APPLICABILITY. The sections  
 22 27 of this division of this Act amending section 418.4,  
 22 28 subsection 1, paragraph b, section 418.5, subsection  
 22 29 7, and section 418.9, subsection 2, paragraph g, apply  
 22 30 retroactively to the effective date of 2012 Iowa Acts,  
 22 31 Senate File 2217.

The Section making a technical correction to SF 2217 relating to the establishment of a flood mitigation program, establishing a flood mitigation board, and authorizing the use of certain sales tax revenues and other assistance for flood mitigation projects is retroactive to the date SF 2217 is enacted.

22 32 Sec. 73. EFFECTIVE UPON ENACTMENT. The section  
 22 33 of this division of this Act amending section 515I.1,  
 22 34 subsection 2, being deemed of immediate importance,  
 22 35 takes effect upon enactment.

The Section making a technical correction to HF 2145 relating to regulations, penalties, provisions, and repeals to permit access to surplus lines insurance in Iowa is effective on enactment.

22 36 Sec. 74. RETROACTIVE APPLICABILITY. The section  
 22 37 of this division of this Act amending section 515I.1,  
 22 38 subsection 2, applies retroactively to the effective  
 22 39 date of 2012 Iowa Acts, House File 2145.

The Section making a technical correction to HF 2145 is retroactive to the date HF 2145 was enacted (March 29, 2012).

22 40 DIVISION IV  
 22 41 CARRY FORWARD APPROPRIATIONS

22 42 Sec. 75. IOWA STATE MEMORIAL — RESTORATION. There  
 22 43 is appropriated from the general fund of the state to  
 22 44 the department of cultural affairs for the fiscal year  
 22 45 beginning July 1, 2011, and ending June 30, 2012, the  
 22 46 following amount, or so much thereof as is necessary,  
 22 47 to be used for the purposes designated:

General Fund FY 2012 supplemental appropriation to the DCA for FY 2012 to be used to preserve and restore the Iowa State Memorial at Vicksburg National Military Park in Mississippi. The funds do not revert to the General Fund at the close of the fiscal year, but carry forward to the close of FY 2014.

22 48 For the preservation and restoration of the Iowa  
 22 49 state memorial at Vicksburg national military park:  
 22 50 ..... \$ 320,000

DETAIL: This is a new General Fund supplemental appropriation of \$320,000 for FY 2012. The Iowa Memorial was originally completed in 1912 and is one of 31 Civil War state memorials located in the Park.

23 1 Notwithstanding section 8.33, moneys appropriated in  
 23 2 this section that remain unencumbered or unobligated  
 23 3 at the close of the fiscal year shall not revert but  
 23 4 shall remain available for expenditure for the purposes  
 23 5 designated until the close of the fiscal year that  
 23 6 begins July 1, 2013.

23 7 Sec. 76. MALCOLM PRICE LABORATORY SCHOOL.  
 23 8 1. INTERIM STUDY.

23 9 a. The legislative council is requested to  
 23 10 establish an interim study committee for the 2012  
 23 11 legislative interim to study the method of education  
 23 12 and training persons who are attending an institution  
 23 13 under the control of the board of regents with the

Requests that the Legislative Council establish an interim study committee in 2012 to study the education and training of preservice preK-12 teachers currently provided by the University of Northern Iowa through the Malcolm Price Laboratory School and alternative methods of education and training.

23 14 intent to become a prekindergarten through grade twelve  
23 15 school educator. The study shall include but is not  
23 16 limited to:  
23 17 (1) A review and analysis of the educational  
23 18 methods used in a laboratory school, such as the  
23 19 Malcolm Price laboratory school on the campus of  
23 20 the university of northern Iowa, to enhance the  
23 21 preparation, training, and professional competence of  
23 22 the educators in this state.  
23 23 (2) A review and analysis of the education methods,  
23 24 which are alternatives to those applied in a laboratory  
23 25 school, used to enhance the preparation, training, and  
23 26 professional competence of the educators in this state.  
23 27 (3) A comprehensive financial analysis of the costs  
23 28 of the methods presented for review and analysis under  
23 29 this lettered paragraph.  
23 30 (4) Such other matters as the legislative members  
23 31 of the committee determine are in the best interest of  
23 32 the state to enhance the preparation and professional  
23 33 competence of the educators in this state.  
23 34 b. In addition to legislative members, the  
23 35 membership of the interim study committee shall include  
23 36 the following public members:  
23 37 (1) Three persons with expertise in the  
23 38 preparation, training, and professional competence of  
23 39 prekindergarten through grade twelve educators. One  
23 40 member shall be appointed by the board of education.  
23 41 One member shall be appointed by the board of regents.  
23 42 One member shall be appointed by the dean of the  
23 43 department of education at the university of northern  
23 44 Iowa.  
23 45 (2) Three public members appointed by the  
23 46 legislative council including one person who is a  
23 47 graduate of the Malcolm Price laboratory school on the  
23 48 university of northern Iowa campus, one person who is  
23 49 a prekindergarten through grade twelve educator in the  
23 50 Cedar Falls community school district, and one person  
24 1 who is an administrator of a prekindergarten through  
24 2 grade twelve school in the Cedar Falls community school  
24 3 district.  
24 4 c. The committee shall meet at least twice during  
24 5 the 2012 legislative interim and shall submit findings  
24 6 and any recommendations in a report for consideration  
24 7 during the 2013 session of the general assembly.

24 8 2. APPROPRIATION. There is appropriated from

General Fund FY 2012 supplemental appropriation to the Board of

24 9 the general fund of the state to the state board of  
 24 10 regents for the fiscal year beginning July 1, 2011, and  
 24 11 ending June 30, 2012, the following amount, or so much  
 24 12 thereof as is necessary, to be used for the purposes  
 24 13 designated:  
 24 14 For the Malcolm Price laboratory school at the  
 24 15 university of northern Iowa during the fiscal year  
 24 16 beginning July 1, 2012:  
 24 17 ..... \$ 3,000,000  
 24 18 Notwithstanding section 8.33, moneys appropriated in  
 24 19 this subsection that remain unencumbered or unobligated  
 24 20 at the close of the fiscal year shall not revert but  
 24 21 shall remain available for expenditure for the purposes  
 24 22 designated until the close of the succeeding fiscal  
 24 23 year.

Regents for the Malcolm Price Laboratory School.

DETAIL: This is a new appropriation. Requires nonreversion of funds through the end of FY 2014.

24 24 Sec. 77. DEPARTMENT OF NATURAL RESOURCES —  
 24 25 ECONOMIC EMERGENCY FUND. There is appropriated from  
 24 26 the Iowa economic emergency fund to the department of  
 24 27 natural resources for the fiscal year beginning July 1,  
 24 28 2011, and ending June 30, 2012, the following amount,  
 24 29 or so much thereof as is necessary, to be used for the  
 24 30 purposes designated, notwithstanding section 8.55,  
 24 31 subsection 1:  
 24 32 For the repair of damages due to the flooding of the  
 24 33 Missouri river during the calendar year 2011 in the  
 24 34 Lewis and Clark, lake Manawa, and Wilson island state  
 24 35 parks and recreation area:  
 24 36 ..... \$ 2,865,743  
 24 37 For purposes of section 8.33, unless specifically  
 24 38 provided otherwise, unencumbered or unobligated  
 24 39 moneys remaining from the appropriation made in this  
 24 40 section shall not revert but shall remain available  
 24 41 for expenditure for the purposes designated until the  
 24 42 close of the fiscal year that ends two years after the  
 24 43 end of the fiscal year for which the appropriation is  
 24 44 made. However, if the project or projects for which  
 24 45 the appropriation was made are completed in an earlier  
 24 46 fiscal year, unencumbered or unobligated moneys shall  
 24 47 revert at the close of that same fiscal year.

Economic Emergency Fund FY 2012 supplemental appropriation to the Department of Natural Resources (DNR) to repair damage caused by flooding of the Missouri River at Lewis and Clark, Lake Manawa, and Wilson Island State Parks.

DETAIL: Requires nonreversion of funds for two years from the date of the appropriation. If there are funds remaining after repairs are completed in an earlier fiscal year, the money will revert at the close of that fiscal year.

24 48 Sec. 78. STATEWIDE FIRE AND POLICE RETIREMENT  
 24 49 SYSTEM FUND — APPROPRIATION.  
 24 50 1. There is appropriated from the general fund  
 25 1 of the state for deposit in the statewide fire and  
 25 2 police retirement fund created in section 411.8, for

General Fund FY 2012 supplemental appropriation to the Statewide Fire and Police Retirement System Fund.

DETAIL: House File 2518 (Public Retirement Systems Act) phased out the State contribution to the 411 System, eliminating the contribution in

25 3 the fiscal year beginning July 1, 2011, and ending June  
 25 4 30, 2012, the following amount to be credited to the  
 25 5 retirement fund in the succeeding fiscal year:

25 6 ..... \$ 5,000,000

25 7 2. Moneys appropriated by the state pursuant to  
 25 8 this section shall not be used to reduce the normal  
 25 9 rate of contribution of any city below 17 percent.

25 10 3. Notwithstanding section 8.33, moneys  
 25 11 appropriated in this section that remain unencumbered  
 25 12 or unobligated at the close of the fiscal year shall  
 25 13 not revert but shall remain available for expenditure  
 25 14 for the purposes designated until expended.

25 15 Sec. 79. PUBLIC SAFETY TRAINING AND FACILITIES TASK  
 25 16 FORCE.

25 17 1. a. There is appropriated from the general fund  
 25 18 of the state to the department of public safety for the  
 25 19 fiscal period beginning July 1, 2011, and ending June  
 25 20 30, 2012, the following amount, or so much thereof as  
 25 21 is necessary, to be used for the purposes designated:

25 22 For providing administrative support for the public  
 25 23 safety training and facilities task force established  
 25 24 by this section:

25 25 ..... \$ 50,000

25 26 b. Notwithstanding section 8.33, moneys  
 25 27 appropriated in this subsection that remain  
 25 28 unencumbered or unobligated at the close of the fiscal  
 25 29 year shall not revert but shall remain available for  
 25 30 expenditure for the purposes designated until the close  
 25 31 of the succeeding fiscal year.

25 32 2. A public safety training and facilities task  
 25 33 force is established. The department of public safety  
 25 34 shall provide administrative support for the task  
 25 35 force.

25 36 3. The task force shall consist of the following  
 25 37 members:

25 38 a. One member appointed by the Iowa peace officers  
 25 39 association.

25 40 b. One member appointed by the Iowa state sheriff's  
 25 41 and deputies association.

25 42 c. One member appointed by the Iowa police chiefs  
 25 43 association.

25 44 d. One member who is a fire chief appointed by the  
 25 45 Iowa fire chiefs association.

25 46 e. One member who is a fire chief appointed by the  
 25 47 Iowa professional fire chiefs association.

FY 2013. The FY 2013 contribution rate for the employee is 9.40% and for the employer is 26.12%. Requires nonreversion of funds until expended.

General Fund FY 2012 supplemental appropriation to the Department of Public Safety (DPS) for a Public Safety Training and Facilities Task Force.

FISCAL IMPACT: The DPS will add a 0.4 FTE position for an Administrative Assistant II (780 hour employee) to support the legislation at an annual cost of \$16,700. The Department is required to provide interim reports to the General Assembly by December 31 of each year and will submit a final report by December 31, 2015 (FY 2016). The language also specifies the membership of the task force. Requires nonreversion of funds through FY 2013.

25 48 f. One member who is the chief of the Iowa fire  
25 49 service training bureau or the chief's designee.  
25 50 g. Two members who are representatives of the fire  
26 1 service appointed by the Iowa firefighters association.  
26 2 h. The administrative head of the homeland security  
26 3 and emergency management division of the department  
26 4 of public defense, or its successor agency, or the  
26 5 administrative head's designee.  
26 6 i. The adjutant general of the department of public  
26 7 defense or the adjutant general's designee.  
26 8 j. The director of the Iowa law enforcement academy  
26 9 or the director's designee.  
26 10 k. The commissioner of public safety or the  
26 11 commissioner's designee.  
26 12 l. Two members who are appointed by the Iowa  
26 13 professional firefighters.  
26 14 m. The state fire marshal or the state fire  
26 15 marshal's designee.  
26 16 n. The director of the department of corrections or  
26 17 the director's designee.  
26 18 o. One member appointed by the chief of the bureau  
26 19 of emergency medical services of the Iowa department  
26 20 of public health.  
26 21 p. One member appointed by the Iowa emergency  
26 22 medical services association.  
26 23 q. One member appointed by the Iowa state police  
26 24 association.  
26 25 r. One member appointed by the state police  
26 26 officers council who is representing peace officers  
26 27 within the department of public safety.  
26 28 s. One member appointed by the state police  
26 29 officers council who is representing employees of the  
26 30 department of natural resources.  
26 31 t. One member who is the chief of the law  
26 32 enforcement bureau of the department of natural  
26 33 resources or the chief's designee.  
26 34 u. One member appointed by the governor who  
26 35 is a public member who has no personal interest  
26 36 or occupational responsibilities in the area of  
26 37 responsibility given to the task force and represents  
26 38 the interests of the public in general.  
26 39 v. One member appointed by the collective  
26 40 bargaining unit that represents the largest number of  
26 41 employees in the department of corrections.  
26 42 w. One member appointed by the collective  
26 43 bargaining unit that represents the largest number of

26 44 jailers and dispatchers in this state.  
26 45 x. One member appointed by the Iowa association of  
26 46 community college presidents.  
26 47 4. The members of the task force shall select  
26 48 one chairperson and one vice chairperson. The vice  
26 49 chairperson shall preside in the absence of the  
26 50 chairperson. Section 69.16A shall apply to the  
27 1 appointed members of the task force.

27 2 5. The task force shall consider and develop  
27 3 strategies relating to public safety training  
27 4 facility governance with the goal of all public safety  
27 5 disciplines being represented. Each public safety  
27 6 discipline shall advise the task force by developing  
27 7 individual training policies as determined by the  
27 8 discipline's governing bodies. The task force shall  
27 9 also develop a proposal for a joint public safety  
27 10 training facility, a budget for construction and future  
27 11 operation of this facility, and potential locations,  
27 12 that are centrally located in this state, for the  
27 13 facility.

27 14 6. a. The task force shall provide interim reports  
27 15 to the general assembly by December 31 of each year  
27 16 concerning the activities of the task force and shall  
27 17 submit its final report, including its findings and  
27 18 recommendations, to the general assembly by December  
27 19 31, 2015.

27 20 b. The final report shall include but not be  
27 21 limited to recommendations concerning the following:  
27 22 (1) Consolidation of public safety governance  
27 23 within a single board and the membership of the board.

27 24 (2) Development of a consolidated fire and police  
27 25 public safety training facility, including possible  
27 26 locations, building recommendations, and financing  
27 27 options.

27 28 (3) Development of sustainable funding alternatives  
27 29 for public safety training and facilities.

27 30 (4) Any other recommendations relating to public  
27 31 safety training and facilities requirements.

27 32 Sec. 80. WATERSHED IMPROVEMENT FUND —  
27 33 APPROPRIATION. There is appropriated from the general  
27 34 fund of the state to the department of agriculture and  
27 35 land stewardship for the fiscal year beginning July 1,  
27 36 2011, and ending June 30, 2012, the following amount,  
27 37 or so much thereof as is necessary, to be used for the  
27 38 purposes designated:

General Fund FY 2012 supplemental appropriation of \$5,000,000 to the DALS for the Watershed Improvement Review Board (WIRB). The WIRB Board is administered by the DALS and approves projects to receive funding.

FISCAL IMPACT: The WIRB was established in FY 2006 and has received annual funding; however, no funding was appropriated for FY



27 39 For deposit in the watershed improvement fund  
 27 40 created in section 466A.2:  
 27 41 ..... \$ 5,000,000  
 27 42 Notwithstanding section 8.33, moneys appropriated in  
 27 43 this section that remain unencumbered or unobligated  
 27 44 at the close of the fiscal year shall not revert but  
 27 45 shall remain available for expenditure for the purposes  
 27 46 designated until the close of the succeeding fiscal  
 27 47 year.

2012. The Watershed Improvement Fund balance as of April 25, 2012, is \$4,360,431. These funds are obligated for project funding.

CODE: Requires nonreversion of funds through FY 2013.

27 48 Sec. 81. BIOSCIENCE INITIATIVE — IOWA STATE  
 27 49 UNIVERSITY — APPROPRIATION. There is appropriated  
 27 50 from the general fund of the state to the state board  
 28 1 of regents for the fiscal year beginning July 1, 2011,  
 28 2 and ending June 30, 2012, the following amount, or  
 28 3 so much thereof as is necessary, to be used for the  
 28 4 purposes designated:  
 28 5 For the bioscience initiative at Iowa state  
 28 6 university of science and technology:  
 28 7 ..... \$ 5,500,000  
 28 8 Notwithstanding section 8.33, moneys appropriated in  
 28 9 this section that remain unencumbered or unobligated  
 28 10 at the close of the fiscal year shall not revert but  
 28 11 shall remain available for expenditure for the purposes  
 28 12 designated until expended.  
 28 13 Sec. 82. EFFECTIVE UPON ENACTMENT. This division  
 28 14 of this Act, being deemed of immediate importance,  
 28 15 takes effect upon enactment.

General Fund appropriation to the Board of Regents for the Bioscience Initiative at Iowa State University (ISU).

DETAIL: This is a new appropriation. The Initiative will develop new kinds of value-added agricultural products and processes. The State appropriation will be used to leverage private investment. Requires nonreversion of funds through the end of FY 2013.

28 16 DIVISION V  
 28 17 DEPARTMENT OF REVENUE

28 18 Sec. 83. Section 2.48, subsection 3, paragraph c,  
 28 19 subparagraph (4), Code 2011, is amended by striking the  
 28 20 subparagraph.

CODE: Repeals the disaster recovery housing tax credit from the list of tax credits to be reviewed by the Legislative Tax Expenditure Review Committee in 2013.

28 21 Sec. 84. Section 2.48, subsection 3, paragraph e,  
 28 22 subparagraph (5), Code 2011, is amended by striking the  
 28 23 subparagraph.

CODE: Repeals the assistive device tax credit from the list of tax credits to be reviewed by the Legislative Tax Expenditure Review Committee in 2015.

28 24 Sec. 85. Section 15.119, subsection 2, paragraph  
 28 25 e, Code Supplement 2011, is amended by striking the  
 28 26 paragraph.

CODE: Repeals the assistive device tax credit from the list of tax credits the Economic Development Authority (EDA) may allocate resources to under the annual aggregate tax credit cap (\$120,000,000).

28 27 Sec. 86. Section 422.15, subsection 2, Code 2011,  
28 28 is amended to read as follows:

28 29 2. Every partnership, including limited  
28 30 partnerships organized under chapter 488, ~~having a~~  
28 31 ~~place of business in the state~~ doing business in this  
28 32 state or deriving income from sources within this state  
28 33 as defined in section 422.33, subsection 1, shall make  
28 34 a return, stating specifically the net income and  
28 35 capital gains ~~(or losses)~~ or losses reported on the  
28 36 federal partnership return, the names and addresses  
28 37 of the partners, and their respective shares in said  
28 38 amounts.

28 39 Sec. 87. Section 422.25, subsection 1, paragraph b,  
28 40 Code 2011, is amended to read as follows:

28 41 b. The period for examination and determination of  
28 42 the correct amount of tax is unlimited in the case of  
28 43 a false or fraudulent return made with the intent to  
28 44 evade tax or in the case of a failure to file a return.  
28 45 In lieu of the period of limitation for any prior year  
28 46 for which an overpayment of tax or an elimination or  
28 47 reduction of an underpayment of tax due for that prior  
28 48 year results from the carryback to that prior year of a  
28 49 net operating loss or net capital loss, the period is  
28 50 the period of limitation for the taxable year of the  
29 1 net operating loss or net capital loss which results  
29 2 in the carryback. If the tax found due is greater  
29 3 than the amount paid, the department shall compute  
29 4 the amount due, together with interest and penalties  
29 5 as provided in subsection 2, and shall mail a notice  
29 6 of assessment to the taxpayer and, if applicable, to  
29 7 the taxpayer's authorized representative of the total,  
29 8 which shall be computed as a sum certain ~~if paid on or~~  
29 9 ~~before, with interest computed to~~ the last day of the  
29 10 month in which the notice is dated, ~~or on or before the~~  
29 11 ~~last day of the following month if the notice is dated~~  
29 12 ~~after the twentieth day of any month. The notice shall~~  
29 13 ~~also inform the taxpayer of the additional interest and~~  
29 14 ~~penalty which will be added to the total due if not~~  
29 15 ~~paid on or before the last day of the applicable month.~~

29 16 Sec. 88. Section 422.33, subsections 9 and 27,  
29 17 Code Supplement 2011, are amended by striking the  
29 18 subsections.

CODE: Requires that partnerships doing business in the State of Iowa or deriving income from sources within the State must file an Iowa partnership return.

DETAIL: This language is consistent with the filing requirements of corporations doing business in the State and will apply retroactively to January 1, 2012. This provision conforms current practices to the filing requirements of corporations, and is expected to have a minimal fiscal impact.

CODE: Eliminates a requirement that notices of assessment mailed to taxpayers by the Department of Revenue after the twentieth day of the month also include an interest and penalty calculation for the next month.

DETAIL: This change is expected to have a minimal fiscal impact as the additional interest and penalty potentially owed is usually a minimal amount.

CODE: Repeals the assistive device tax credit and the disaster recovery housing tax credit from the list of available income tax credits.

FISCAL IMPACT: The assistive device tax credit and the disaster recovery housing tax credit are not currently being used and not

expected to be used in the future. Repealing the credits will have no fiscal impact.

CODE: Eliminates a requirement that the Department of Revenue send a notice to filers of sales or use tax returns if the return is either incorrect or insufficient.

DETAIL: For late filers of sales and use tax returns, the Department of Revenue is authorized to determine the amount of tax due and send a notice of assessment to the person liable for the tax without sending a 20-day notice.

29 19 Sec. 89. Section 423.37, subsection 2, Code 2011,  
29 20 is amended to read as follows:

29 21 2. If a return required by this subchapter is  
29 22 not filed, or if a return when filed is incorrect or  
29 23 insufficient ~~and the maker fails to file a corrected~~  
29 24 ~~or sufficient return within twenty days after the~~  
29 25 ~~same is required by notice from the department~~, the  
29 26 department shall determine the amount of tax due from  
29 27 information as the department may be able to obtain  
29 28 and, if necessary, may estimate the tax on the basis of  
29 29 external indices, such as number of employees of the  
29 30 person concerned, rentals paid by the person, stock  
29 31 on hand, or other factors. The determination may be  
29 32 made using any generally recognized valid and reliable  
29 33 sampling technique, whether or not the person being  
29 34 audited has complete records, as mutually agreed upon  
29 35 by the department and the taxpayer. The department  
29 36 shall give notice of the determination to the person  
29 37 liable for the tax. The determination shall fix the  
29 38 tax unless the person against whom it is assessed  
29 39 shall, within sixty days after the giving of notice of  
29 40 the determination, apply to the director for a hearing  
29 41 or unless the taxpayer contests the determination by  
29 42 paying the tax, interest, and penalty and timely filing  
29 43 a claim for refund. At the hearing, evidence may be  
29 44 offered to support the determination or to prove that  
29 45 it is incorrect. After the hearing the director shall  
29 46 give notice of the decision to the person liable for  
29 47 the tax.

CODE: Eliminates a requirement that the Department of Revenue send a courtesy notice after 20 days to a taxpayer that has filed a sales or use tax return or who has paid an environmental protection charge that is either incorrect or insufficient.

DETAIL: There is no expected fiscal impact from these changes.

29 48 Sec. 90. Section 424.10, subsection 2, paragraph a,  
29 49 Code Supplement 2011, is amended to read as follows:

29 50 a. If a return required by this chapter is not  
30 1 filed, or if a return when filed is incorrect or  
30 2 insufficient ~~and the maker fails to file a corrected~~  
30 3 ~~or sufficient return within twenty days after the~~  
30 4 ~~return is required by notice from the department~~,  
30 5 the department shall determine the amount of charge  
30 6 due from information as the department may be able  
30 7 to obtain and, if necessary, may estimate the charge  
30 8 on the basis of external indices or factors. The  
30 9 department shall give notice of the determination to  
30 10 the person liable for the charge. The determination

30 11 shall fix the charge unless the person against whom it  
30 12 is assessed shall, within sixty days after the date of  
30 13 the notice of the determination, apply to the director  
30 14 for a hearing or unless the person against whom it  
30 15 is assessed contests the determination by paying the  
30 16 charge, interest, and penalty and timely filing a claim  
30 17 for refund. At the hearing evidence may be offered  
30 18 to support the determination or to prove that it is  
30 19 incorrect. After the hearing the director shall give  
30 20 notice of the decision to the person liable for the  
30 21 charge.

30 22 Sec. 91. Section 427B.4, Code 2011, is amended to  
30 23 read as follows:

30 24 427B.4 APPLICATION FOR EXEMPTION BY PROPERTY OWNER.

30 25 1. a. An application shall be filed for each  
30 26 project resulting in actual value added for which  
30 27 an exemption is claimed. The first application for  
30 28 exemption shall be filed by the owner of the property  
30 29 with the ~~local assessor~~ governing board of the city or  
30 30 county in which the property is located by February  
30 31 1 of the assessment year ~~in which the value added is~~  
30 32 ~~first assessed for taxation for which the exemption is~~  
30 33 ~~first claimed, but not later than the year in which all~~  
30 34 ~~improvements included in the project are first assessed~~  
30 35 ~~for taxation, or the following two assessment years.~~

30 36 b. Applications for exemption shall be made on  
30 37 forms prescribed by the director of revenue and shall  
30 38 contain information pertaining to the nature of the  
30 39 improvement, its cost, the estimated or actual date of  
30 40 completion, whether the exemption schedules described  
30 41 in section 427B.3 or an alternate schedule adopted  
30 42 pursuant to section 427B.1 will be elected, and any  
30 43 other information deemed necessary by the director of  
30 44 revenue.

30 45 2. a. A person may submit a proposal to the city  
30 46 council of the city or the board of supervisors of  
30 47 a county to receive prior approval for eligibility  
30 48 for a tax exemption on new construction. The city  
30 49 council or the board of supervisors, by ordinance, may  
30 50 give its prior approval of a tax exemption for new  
31 1 construction if the new construction is in conformance  
31 2 with the zoning plans for the city or county. The  
31 3 prior approval shall also be subject to the hearing  
31 4 requirements of section 427B.1.

31 5 b. Prior approval received under this subsection

CODE: Allows applications for partial property tax exemptions (property tax abatements) to be filed no later than two assessment years after the project is completed. Current law requires the application to be filed no later than February 1 of the assessment year that the added value of the project is first assessed. The provision also changes where the application is filed. Currently the application is filed with the local assessor. This provision requires the application to be filed with the governing board of the city or county.

31 6 does not entitle the owner to exemption from taxation  
 31 7 until the new construction has been completed and  
 31 8 found to be qualified real estate. However, if the  
 31 9 tax exemption for new construction is not approved,  
 31 10 the person may submit an amended proposal to the city  
 31 11 council or board of supervisors to approve or reject.

31 12 Sec. 92. REPEAL. Sections 16.211, 16.212, and  
 31 13 422.11X, Code 2011, are repealed.

CODE: Repeals the disaster recovery housing tax credit.

FISCAL IMPACT: The disaster recovery housing tax credit has never been utilized. Repeal of the credit has no fiscal impact.

31 14 Sec. 93. RETROACTIVE APPLICABILITY. The following  
 31 15 provision or provisions of this division of this Act  
 31 16 apply retroactively to January 1, 2012, for tax years  
 31 17 beginning on or after that date:  
 31 18 1. The section of this division of this Act  
 31 19 amending section 422.15, subsection 2.

The Section related to the filing of partnership returns is effective on enactment and retroactive to January 1, 2012.

31 20 Sec. 94. RETROACTIVE APPLICABILITY. The following  
 31 21 provision or provisions of this division of this Act  
 31 22 apply retroactively to January 1, 2012, for assessment  
 31 23 years beginning on or after that date:  
 31 24 1. The section of this division of this Act  
 31 25 amending section 427B.4.

The Section related to applications for partial property tax exemptions is effective on enactment and retroactive to January 1, 2012.

31 26 DIVISION VI  
 31 27 TIME SERVED

31 28 Sec. 95. Section 907.3, subsection 3, unnumbered  
 31 29 paragraph 1, Code Supplement 2011, is amended to read  
 31 30 as follows:

31 31 By record entry at the time of or after sentencing,  
 31 32 the court may suspend the sentence and place the  
 31 33 defendant on probation upon such terms and conditions  
 31 34 as it may require including commitment to an alternate  
 31 35 jail facility or a community correctional residential  
 31 36 treatment facility to be followed by a period of  
 31 37 probation as specified in section 907.7, or commitment  
 31 38 of the defendant to the judicial district department  
 31 39 of correctional services for supervision or services  
 31 40 under section 901B.1 at the level of sanctions which  
 31 41 the district department determines to be appropriate  
 31 42 and the payment of fees imposed under section 905.14.  
 31 43 A person so committed who has probation revoked shall  
 31 44 not be given credit for such time served. However, ~~the~~

CODE: Specifies that offenders revoked from probation receive credit for time served while in an alternate jail facility or community corrections facility. Permits a person that commits an offense before the effective date of this Bill to waive any rights under the *Anderson* case, and agree to be sentenced using credits as calculated under this Bill.

CORRECTIONAL IMPACT: The *Anderson* ruling reduced the length of stay in the prison system for certain offenders. Therefore, this Division will increase the length of stay in prison, by reversing the *Anderson* ruling.

MINORITY IMPACT: It is anticipated this Division will have a disproportionate impact on minorities because they will remain in the prison system longer than they are under current practices.

FISCAL IMPACT: The fiscal impact of the *Anderson* ruling is \$766,000

31 45 a person committed to an alternate jail facility or a  
 31 46 community correctional residential treatment facility  
 31 47 who has probation revoked shall be given credit for  
 31 48 time served in the facility. The court shall not  
 31 49 suspend any of the following sentences:  
 31 50 Sec. 96. APPLICABILITY AND WAIVER OF RIGHTS. A  
 32 1 person who commits an offense prior to the effective  
 32 2 date of this division of this Act may expressly state  
 32 3 to the court, at the time of sentencing, that the  
 32 4 person waives any rights under *Anderson v. State*, 801  
 32 5 N.W.2d 1, relating to the calculation of credit for  
 32 6 time served, and agree to be sentenced using credits  
 32 7 as calculated under section 907.3, as amended by this  
 32 8 division of this Act. If the court finds the waiver  
 32 9 voluntary, the sentencing order shall reference the  
 32 10 person's waiver of rights under *Anderson*, and order  
 32 11 that credit for time served be calculated under section  
 32 12 907.3, as amended by this division of this Act.  
 32 13 Sec. 97. EFFECTIVE UPON ENACTMENT. This division  
 32 14 of this Act, being deemed of immediate importance,  
 32 15 takes effect upon enactment.

in net cost avoidance for FY 2012, primarily due to a reduction in the average length of stay in the prison system. This Division reduces that amount by approximately \$21,000 in FY 2012. The fiscal impact of the *Anderson* ruling is estimated to be \$212,500 in cost avoidance in FY 2013. This Division reverses the *Anderson* ruling effective on enactment. Therefore, \$212,500 in cost avoidance will not be achieved in FY 2013.

32 16 DIVISION VII  
 32 17 COUNTY TREASURERS

32 18 Sec. 98. Section 161A.35, unnumbered paragraph 1,  
 32 19 Code 2011, is amended to read as follows:  
 32 20 If the owner of any premises against which a levy  
 32 21 exceeding ~~one~~ five hundred dollars has been made and  
 32 22 certified shall, within thirty days from the date of  
 32 23 such levy, agree in writing in a separate agreement,  
 32 24 that in consideration of having a right to pay the  
 32 25 owner's assessment in installments, the owner will not  
 32 26 make any objection as to the legality of the assessment  
 32 27 for benefit, or the levy of the taxes against the  
 32 28 owner's property, then such owner shall have the  
 32 29 following options:

CODE: This Section prohibits installment payments of property tax assessments unless the total owed exceeds \$500. This is a change from the \$100 limit in current law. This provision applies to property improvements made for watershed or flood protection.

32 30 Sec. 99. Section 311.17, subsection 1, Code 2011,  
 32 31 is amended to read as follows:  
 32 32 1. If an owner other than the state or a county or  
 32 33 city, of any tracts of land on which the assessment  
 32 34 is more than ~~one~~ five hundred dollars, shall, within  
 32 35 twenty days from the date of the assessment, agree in  
 32 36 writing filed in the office of the county auditor,  
 32 37 that in consideration of the owner having the right

CODE: This Section prohibits installment payments of property tax assessments unless the total owed exceeds \$500. This is a change from the \$100 limit in current law. This provision relates to secondary road assessments.

32 38 to pay the assessment in installments, the owner will  
32 39 not make any objection of illegality or irregularity  
32 40 as to the assessment upon the real estate, and will  
32 41 pay the assessment plus interest, the assessment  
32 42 shall be payable in ten equal installments. The  
32 43 first installment shall be payable on the date of  
32 44 the agreement. The other installments shall be paid  
32 45 annually at the same time and in the same manner  
32 46 as the September semiannual payment of ordinary  
32 47 taxes with interest accruing as provided in section  
32 48 384.65, subsection 3. The rate of interest shall be  
32 49 as established by the board, but not exceeding that  
32 50 permitted by chapter 74A.

33 1 Sec. 100. Section 311.19, unnumbered paragraph 1,  
33 2 Code 2011, is amended to read as follows:  
33 3 Assessments of ~~one~~ five hundred dollars or less  
33 4 against any tract of land, and assessments against  
33 5 lands owned by the state, county, or city, shall be  
33 6 due and payable from the date of levy by the board of  
33 7 supervisors, or in the case of any appeal, from the  
33 8 date of final confirmation of the levy by the court.

CODE: This Section prohibits installment payments of property tax assessments unless the total owed exceeds \$500. This is a change from the \$100 limit in current law. This provision relates to secondary road assessments.

33 9 Sec. 101. Section 331.384, subsection 3, Code 2011,  
33 10 is amended to read as follows:  
33 11 3. If any amount assessed against property under  
33 12 this section exceeds ~~one~~ five hundred dollars, a county  
33 13 may permit the assessment to be paid in up to ten  
33 14 annual installments in the same manner and with the  
33 15 same interest rates provided for assessments against  
33 16 benefited property under chapter 384, division IV.

CODE: This Section prohibits installment payments of property tax assessments unless the total owed exceeds \$500. This is a change from the \$100 limit in current law. This provision relates to the abatement of public health and safety hazards.

33 17 Sec. 102. Section 357.20, Code 2011, is amended to  
33 18 read as follows:  
33 19 357.20 DUE DATE — BONDS.  
33 20 Assessments of ~~less than one~~ five hundred dollars  
33 21 or less will come due at the first taxpaying date  
33 22 after the approval of the final assessment, and  
33 23 assessments of ~~one hundred dollars or more~~ than five  
33 24 hundred dollars may be paid in ten annual installments  
33 25 with interest on the unpaid balance at a rate not  
33 26 exceeding that permitted by chapter 74A. The board of  
33 27 supervisors shall issue bonds against the completed  
33 28 assessment in an amount equal to the total cost of the  
33 29 project, so that the amount of the assessment will be  
33 30 approximately ten percent greater than the amount of

CODE: This Section prohibits installment payments of property tax assessments unless the total owed exceeds \$500. This is a change from the \$100 limit in current law. This provision relates to property within a water district.

33 31 the bonds.

33 32 Sec. 103. Section 358.16, subsection 3, Code 2011,  
33 33 is amended to read as follows:  
33 34 3. If any amount assessed against property pursuant  
33 35 to this section will exceed ~~one~~ five hundred dollars,  
33 36 the board of trustees may permit the assessment to be  
33 37 paid in up to ten annual installments, in the manner  
33 38 and with the same interest rates as provided for  
33 39 assessments against benefited property under chapter  
33 40 384, division IV.

CODE: This Section prohibits installment payments of property tax assessments unless the total owed exceeds \$500. This is a change from the \$100 limit in current law. This provision relates to property within a sanitary district.

33 41 Sec. 104. Section 364.13, Code 2011, is amended to  
33 42 read as follows:  
33 43 364.13 INSTALLMENTS.  
33 44 If any amount assessed against property under  
33 45 section 364.12 will exceed ~~one~~ five hundred dollars, a  
33 46 city may permit the assessment to be paid in up to ten  
33 47 annual installments, in the same manner and with the  
33 48 same interest rates provided for assessments against  
33 49 benefited property under chapter 384, division IV.

CODE: This Section prohibits installment payments of property tax assessments unless the total owed exceeds \$500. This is a change from the \$100 limit in current law. This provision relates to certain properties within a city.

33 50 Sec. 105. Section 384.60, subsection 1, paragraph  
34 1 b, Code 2011, is amended to read as follows:  
34 2 b. State the number of annual installments, not  
34 3 exceeding fifteen, into which assessments of ~~one~~ more  
34 4 than five hundred dollars ~~or more~~ are divided.

CODE: This Section prohibits installment payments of property tax assessments unless the total owed exceeds \$500. This is a change from the \$100 limit in current law. This provision relates to certain properties within a city.

34 5 Sec. 106. Section 384.65, subsection 1, Code 2011,  
34 6 is amended to read as follows:  
34 7 1. The first installment of each assessment, or  
34 8 the total amount if ~~less than one~~ five hundred dollars  
34 9 or less, is due and payable on July 1 next succeeding  
34 10 the date of the levy, unless the assessment is filed  
34 11 with the county treasurer after May 31 in any year.  
34 12 The first installment shall bear interest on the  
34 13 whole unpaid assessment from the date of acceptance of  
34 14 the work by the council to the first day of December  
34 15 following the due date.

CODE: This Section prohibits installment payments of property tax assessments unless the total owed exceeds \$500. This is a change from the \$100 limit in current law. This provision relates to certain properties within a city.

34 16 Sec. 107. Section 435.24, subsection 6, paragraph  
34 17 b, Code 2011, is amended to read as follows:  
34 18 b. Partial payment of taxes which are delinquent  
34 19 may be made to the county treasurer. For the  
34 20 installment being paid, payment shall first be applied  
34 21 toward any interest, fees, and costs accrued and the  
34 22 remainder applied to the tax due. A partial payment

CODE: Permits a county treasurer to apportion partial payment of delinquent taxes to the various local taxing entities either on a monthly basis after such amounts are collected or following the due date of the next semiannual tax installment.



34 23 must equal or exceed the interest, fees, and costs of  
34 24 the installment being paid. A partial payment made  
34 25 under this paragraph shall be apportioned in accordance  
34 26 with section 445.57, however, such partial payment  
34 27 may, at the discretion of the county treasurer, be  
34 28 apportioned either on or before the tenth day of the  
34 29 month following the receipt of the partial payment  
34 30 or on or before the tenth day of the month following  
34 31 the due date of the next semiannual tax installment.  
34 32 If the payment does not include the whole of any  
34 33 installment of the delinquent tax, the unpaid tax  
34 34 shall continue to accrue interest pursuant to section  
34 35 445.39. Partial payment shall not be permitted in lieu  
34 36 of redemption if the property has been sold for taxes  
34 37 under chapter 446 and under any circumstances shall not  
34 38 constitute an extension of the time period for a sale  
34 39 under chapter 446.

34 40 Sec. 108. Section 445.36A, subsection 2, Code 2011,  
34 41 is amended to read as follows:  
34 42 2. Partial payment of taxes which are delinquent  
34 43 may be made to the county treasurer. For the  
34 44 installment being paid, payment shall first be applied  
34 45 to any interest, fees, and costs accrued and the  
34 46 remainder applied to the taxes due. A partial payment  
34 47 must equal or exceed the amount of interest, fees, and  
34 48 costs of the installment being paid. A partial payment  
34 49 made under this subsection shall be apportioned in  
34 50 accordance with section 445.57, however, such partial  
35 1 payment may, at the discretion of the county treasurer,  
35 2 be apportioned either on or before the tenth day of  
35 3 the month following the receipt of the partial payment  
35 4 or on or before the tenth day of the month following  
35 5 the due date of the next semiannual tax installment.  
35 6 If the payment does not include the whole of any  
35 7 installment of the delinquent tax, the unpaid tax  
35 8 shall continue to accrue interest pursuant to section  
35 9 445.39. Partial payment shall not be permitted in lieu  
35 10 of redemption if the property has been sold for taxes  
35 11 under chapter 446 and under any circumstances shall not  
35 12 constitute an extension of the time period for a sale  
35 13 under chapter 446.

35 14 Sec. 109. Section 445.57, unnumbered paragraph 1,  
35 15 Code 2011, is amended to read as follows:  
35 16 On or before the tenth day of each month, the county

CODE: This Section prohibits installment payments of property tax assessments unless the total owed exceeds \$500. This is a change from the \$100 limit in current law. This provision relates to property within a levee and drainage district.

CODE: Permits exceptions for partial payments made in the previous two Sections of this Bill.

35 17 treasurer shall apportion all taxes collected during  
35 18 the preceding month, except partial payment amounts  
35 19 collected pursuant to section 445.36A, subsection 1  
35 20 and, partial payments collected and not yet designated  
35 21 by the county treasurer for apportionment pursuant  
35 22 to section 445.36A, subsection 2, partial payments  
35 23 collected pursuant to section 435.24, subsection  
35 24 6, paragraph "a", and partial payments collected  
35 25 and not yet designated by the county treasurer for  
35 26 apportionment pursuant to section 435.24, subsection  
35 27 6, paragraph "b", among the several funds to which they  
35 28 belong according to the amount levied for each fund,  
35 29 and shall apportion the interest, fees, and costs on  
35 30 the taxes to the general fund, and shall enter those  
35 31 amounts upon the treasurer's cash account, and report  
35 32 the amounts to the county auditor.

35 33 Sec. 110. Section 446.32, Code 2011, is amended to  
35 34 read as follows:

35 35 446.32 PAYMENT OF SUBSEQUENT TAXES BY PURCHASER.

35 36 The county treasurer shall provide to the purchaser  
35 37 of a parcel sold at tax sale a receipt for the total  
35 38 amount paid by the purchaser after the date of purchase  
35 39 for a subsequent year. Taxes for a subsequent year  
35 40 may be paid by the purchaser beginning one month  
35 41 and fourteen days following the date from which an  
35 42 installment becomes delinquent as provided in section  
35 43 445.37. Notwithstanding any provision to the contrary,  
35 44 a subsequent payment must be received and recorded  
35 45 by the treasurer in the county system no later than  
35 46 ~~five 5:00~~ p.m. on the last business day of the month  
35 47 for interest for that month to accrue and be added  
35 48 to the amount due under section 447.1. However, the  
35 49 treasurer may establish a deadline for receipt of  
35 50 subsequent payments that is other than ~~five 5:00~~ p.m.  
36 1 on the last business day of the month to allow for  
36 2 timely processing of the subsequent payments. Late  
36 3 interest shall be calculated through the date that the  
36 4 subsequent payment is recorded by the treasurer in  
36 5 the county system. In no instance shall the date of  
36 6 postmark of a subsequent payment be used by a treasurer  
36 7 either to calculate interest or to determine whether  
36 8 interest shall accrue on the subsequent payment.

36 9 Sec. 111. Section 468.57, subsection 1, Code  
36 10 Supplement 2011, is amended to read as follows:

CODE: Allows the purchaser of a tax sale to pay the delinquent tax beginning one month and 14 days following the date an installment becomes delinquent.

CODE: This Section prohibits installment payments of property tax assessments unless the total owed exceeds \$500. This is a change

36 11 1. If the owner of any land against which a levy  
36 12 exceeding ~~one five~~ hundred dollars has been made and  
36 13 certified shall, within thirty days from the date  
36 14 of such levy, agree in writing endorsed upon any  
36 15 improvement certificate referred to in section 468.70,  
36 16 or in a separate agreement, that in consideration  
36 17 of having a right to pay the owner's assessment in  
36 18 installments, the owner will not make any objection as  
36 19 to the legality of the assessment for benefit, or the  
36 20 levy of the taxes against the property, then such owner  
36 21 shall have the following options:  
36 22 a. To pay one-third of the amount of the assessment  
36 23 at the time of filing the agreement; one-third within  
36 24 twenty days after the engineer in charge certifies to  
36 25 the auditor that the improvement is one-half completed;  
36 26 and the remaining one-third within twenty days after  
36 27 the improvement has been completed and accepted by the  
36 28 board. All installments shall be without interest if  
36 29 paid at said times, otherwise the assessments shall  
36 30 bear interest from the date of the levy at a rate  
36 31 determined by the board notwithstanding chapter 74A,  
36 32 payable annually, and be collected as other taxes on  
36 33 real estate, with like interest for delinquency.  
36 34 b. To pay the assessments in not less than ten nor  
36 35 more than twenty equal installments, with the number  
36 36 of payments and interest rate determined by the board,  
36 37 notwithstanding chapter 74A. The first installment  
36 38 of each assessment, or the total amount if ~~less than~~  
36 39 ~~one five~~ hundred dollars or less, is due and payable  
36 40 on July 1 next succeeding the date of the levy, unless  
36 41 the assessment is filed with the county treasurer  
36 42 after May 31 in any year. The first installment shall  
36 43 bear interest on the whole unpaid assessment from the  
36 44 date of the levy as set by the board to the first day  
36 45 of December following the due date. The succeeding  
36 46 annual installments, with interest on the whole unpaid  
36 47 amount, to the first day of December following the due  
36 48 date, are respectively due on July 1 annually, and must  
36 49 be paid at the same time and in the same manner as  
36 50 the first semiannual payment of ordinary taxes. All  
37 1 future installments of an assessment may be paid on  
37 2 any date by payment of the then outstanding balance  
37 3 plus interest to the next December 1, or additional  
37 4 annual installments may be paid after the current  
37 5 installment has been paid before December 1 without  
37 6 interest. A payment must be for the full amount of

from the \$100 limit in current law. Assessments less than \$500 are to be paid on July 1 succeeding the date of the levy, unless the assessment is filed with the county treasurer after May 31 in any year.

37 7 the next installment. If installments remain to be  
37 8 paid, the next annual installment with interest added  
37 9 to December 1 will be due. After December 1, if a  
37 10 drainage assessment is not delinquent, a property owner  
37 11 may pay one-half or all of the next annual installment  
37 12 of principal and interest of a drainage assessment  
37 13 prior to the delinquency date of the installment.  
37 14 When the next installment has been paid in full,  
37 15 successive principal installments may be prepaid.  
37 16 The county treasurer shall accept the payments of the  
37 17 drainage assessment, and shall credit the next annual  
37 18 installment or future installments of the drainage  
37 19 assessment to the extent of the payment or payments,  
37 20 and shall remit the payments to the drainage fund. If  
37 21 a property owner elects to pay one or more principal  
37 22 installments in advance, the pay schedule shall be  
37 23 advanced by the number of principal installments  
37 24 prepaid. Each installment of an assessment with  
37 25 interest on the unpaid balance is delinquent from  
37 26 October 1 after its due date. However, when the last  
37 27 day of September is a Saturday or Sunday, that amount  
37 28 shall be delinquent from the second business day of  
37 29 October. Taxes assessed pursuant to this chapter  
37 30 which become delinquent shall bear the same delinquent  
37 31 interest as ordinary taxes. When collected, the  
37 32 interest must be credited to the same drainage fund as  
37 33 the drainage special assessment.

37 34 DIVISION VIII  
37 35 BOARDS AND COMMISSIONS

37 36 Sec. 112. Section 28B.1, subsection 1, unnumbered  
37 37 paragraph 1, Code 2011, is amended to read as follows:  
37 38 ~~—The In accordance with a resolution adopted for~~  
37 39 ~~this purpose by the legislative council, an Iowa~~  
37 40 ~~commission on interstate cooperation is hereby~~  
37 41 ~~established shall be appointed to address the charge~~  
37 42 ~~and other responsibilities for the commission outlined~~  
37 43 ~~in the resolution. ‡ The commission~~ shall consist of  
37 44 thirteen members to be appointed as follows:

37 45 Sec. 113. Section 28B.4, Code 2011, is amended to  
37 46 read as follows:  
37 47 28B.4 REPORT.  
37 48 1. The commission shall report to the governor  
37 49 and to the legislature within fifteen days after the

CODE: Requires an Iowa Commission on Interstate Cooperation to be appointed upon resolution by the Executive Council to address the charge and responsibilities outlined in the resolution.

CODE: Changes the reporting submission requirement for the Commission on Interstate Cooperation from 15 days after the General Assembly convenes to instead reference direction articulated in the Executive Council's charge to the Commission. A technical Iowa Code reference change is also included concerning per diem payments.

37 50 convening of each general assembly general assembly in  
 38 1 accordance with the commission's charge, and ~~at may~~  
 38 2 report at other times as it ~~deems~~ deemed appropriate by  
 38 3 the commission.  
 38 4 2.—Its The commission's members and the members of  
 38 5 all committees which it establishes shall be reimbursed  
 38 6 for their travel and other necessary expenses in  
 38 7 carrying out their obligations under this chapter  
 38 8 and legislative members shall be paid a per diem  
 38 9 ~~as specified in section 7E.6~~ for each day in which  
 38 10 engaged in the performance of their duties, the per  
 38 11 diem and legislators' expenses to be paid from funds  
 38 12 appropriated by sections 2.10 and 2.12. Expenses of  
 38 13 administrative officers, state officials, or state  
 38 14 employees who are members of the Iowa commission on  
 38 15 interstate cooperation or a committee appointed by the  
 38 16 commission shall be paid from funds appropriated to the  
 38 17 agencies or departments which persons represent except  
 38 18 as may otherwise be provided by the general assembly.  
 38 19 Expenses of citizen members who may be appointed to  
 38 20 committees of the commission may be paid from funds as  
 38 21 authorized by the general assembly. Expenses of the  
 38 22 secretary or employees of the secretary and support  
 38 23 services in connection with the administration of the  
 38 24 commission shall be paid from funds appropriated to the  
 38 25 legislative services agency unless otherwise provided  
 38 26 by the general assembly. Expenses of commission  
 38 27 members shall be paid upon approval of the chairperson  
 38 28 or the secretary of the commission.

38 29 Sec. 114. Section 216A.132, subsection 1, paragraph  
 38 30 c, Code 2011, is amended to read as follows:  
 38 31 c. (1) The chief justice of the supreme court  
 38 32 shall designate one member who is a district judge and  
 38 33 one member who is either a district associate judge or  
 38 34 associate juvenile judge. ~~The chairperson and ranking~~  
 38 35 ~~member of the senate committee on judiciary shall be~~  
 38 36 ~~members. In alternating four-year intervals, the~~  
 38 37 ~~chairperson and ranking member of the house committee~~  
 38 38 ~~on judiciary or of the house committee on public~~  
 38 39 ~~safety shall be members, with the chairperson and~~  
 38 40 ~~ranking member of the house committee on public safety~~  
 38 41 ~~serving during the initial interval. Nonlegislative~~  
 38 42 The members appointed pursuant to this paragraph  
 38 43 subparagraph shall serve as ex officio, nonvoting  
 38 44 members for four-year terms beginning and ending as

CODE: Requires the Chief Justice of the Supreme Court to designate district, district associate, and associate juvenile judges as ex officio, nonvoting members of the Juvenile Justice Planning Advisory Council. Designates the Chairpersons and Ranking Members of the Senate and House Judiciary Committees as ex officio, nonvoting members of the Juvenile Justice Planning Advisory Council.

38 45 provided in section 69.19, unless the member ceases to  
 38 46 serve as a ~~district court~~ judge.  
 38 47 (2) The chairperson and ranking member of the  
 38 48 senate committee on judiciary shall be ex officio,  
 38 49 nonvoting members. In alternating two-year terms,  
 38 50 beginning and ending as provided in section 69.16B, the  
 39 1 chairperson and ranking member of the house committee  
 39 2 on judiciary or of the house committee on public  
 39 3 safety shall be ex officio, nonvoting members, with the  
 39 4 chairperson and ranking member of the house committee  
 39 5 on public safety serving during the term beginning in  
 39 6 January 2011.  
 39 7 Sec. 115. REPEAL. Section 249A.36, Code 2011, is  
 39 8 repealed.

39 9 DIVISION IX  
 39 10 ALLOWABLE GROWTH

39 11 Sec. 116. Section 257.8, subsection 1, Code  
 39 12 Supplement 2011, is amended to read as follows:  
 39 13 1. STATE PERCENT OF GROWTH.—~~The state percent of~~  
 39 14 ~~growth for the budget year beginning July 1, 2010,~~  
 39 15 ~~is two percent.~~ The state percent of growth for the  
 39 16 budget year beginning July 1, 2012, is two percent.  
 39 17 The state percent of growth for the budget year  
 39 18 beginning July 1, 2013, is four percent. The state  
 39 19 percent of growth for each subsequent budget year shall  
 39 20 be established by statute which shall be enacted within  
 39 21 thirty days of the submission in the year preceding the  
 39 22 base year of the governor's budget under section 8.21.  
 39 23 The establishment of the state percent of growth for  
 39 24 a budget year shall be the only subject matter of the  
 39 25 bill which enacts the state percent of growth for a  
 39 26 budget year.  
 39 27 Sec. 117. Section 257.8, subsection 2, Code  
 39 28 Supplement 2011, is amended to read as follows:  
 39 29 2. CATEGORICAL STATE PERCENT OF GROWTH.—~~The~~  
 39 30 ~~categorical state percent of growth for the budget~~  
 39 31 ~~year beginning July 1, 2010, is two percent.~~ The  
 39 32 categorical state percent of growth for the budget  
 39 33 year beginning July 1, 2012, is two percent. The  
 39 34 categorical state percent of growth for the budget  
 39 35 year beginning July 1, 2013, is four percent. The  
 39 36 categorical state percent of growth for each budget  
 39 37 year shall be established by statute which shall  
 39 38 be enacted within thirty days of the submission in

CODE: Establishes the FY 2014 regular school aid allowable growth rate and each of the FY 2014 State categorical supplement allowable growth rates at 4.00%.

This Division is effective on enactment and applies to the FY 2014 school budget year. Specifies that the requirements of establishing the allowable growth rates within 30 days of the Governor's budget submission and that the subject matter of each bill establishing the allowable growth rates be the only subject matter in the bill do not apply to this Division.

DETAIL: The FY 2014 allowable growth rates will be applied to each of the FY 2013 State cost per pupil amounts to establish the FY 2014 State cost per pupil, district cost per pupil, and Area Education Agency (AEA) cost per pupil amounts.

FISCAL IMPACT: The following provides the estimated fiscal impact for FY 2014:

- An increase of State aid for regular school aid of \$122,500,000.
- An increase of State aid for the Statewide Voluntary Preschool Program of \$5,500,000.
- An increase of State aid for the State categorical supplements of \$14,600,000.
- The total estimated General Fund expenditure increase for State school aid is estimated at \$142,600,000 for FY 2014.
- The estimated increase in school aid property taxes is \$59,000,000.
- The estimated increase in the combined district cost is

39 39 the year preceding the base year of the governor's  
39 40 budget under section 8.21. The establishment of the \$196,200,000.

39 41 categorical state percent of growth for a budget year  
39 42 shall be the only subject matter of the bill which  
39 43 enacts the categorical state percent of growth for a  
39 44 budget year. The categorical state percent of growth  
39 45 may include state percents of growth for the teacher  
39 46 salary supplement, the professional development  
39 47 supplement, and the early intervention supplement.

39 48 Sec. 118. EFFECTIVE UPON ENACTMENT. This division  
39 49 of this Act, being deemed of immediate importance,  
39 50 takes effect upon enactment.

40 1 Sec. 119. APPLICABILITY. This division of this Act  
40 2 is applicable for computing state aid under the state  
40 3 school foundation program for the school budget year  
40 4 beginning July 1, 2013.

40 5 Sec. 120. CODE SECTION 257.8 — IMPLEMENTATION.

40 6 The requirements of section 257.8 regarding the  
40 7 enactment of the regular program state percent of  
40 8 growth and categorical state percent of growth within  
40 9 thirty days of the submission in the year preceding the  
40 10 base year of the governor's budget and the requirements  
40 11 that the subject matter of each bill establishing  
40 12 the state percent of growth or the categorical state  
40 13 percent of growth be the only subject matter of the  
40 14 bill do not apply to this division of this Act.

40 15 DIVISION X  
40 16 CITY FRANCHISE FEES

40 17 Sec. 121. Section 364.2, subsection 4, paragraph f,  
40 18 Code 2011, is amended to read as follows:  
40 19 f. (1) (a) A franchise fee assessed by a city may  
40 20 be based upon a percentage of gross revenues generated  
40 21 from sales of the franchisee within the city not to  
40 22 exceed five percent, except as provided in subparagraph  
40 23 division (b). without regard to the city's cost of  
40 24 inspecting, supervising, and otherwise regulating the  
40 25 franchise.  
40 26 (b) For franchise fees assessed and collected  
40 27 during fiscal years beginning on or after July 1,  
40 28 2012, but before July 1, 2030, by a city that is the  
40 29 subject of a judgment, court-approved settlement, or  
40 30 court-approved compromise providing for payment of  
40 31 restitution, a refund, or a return described in section  
40 32 384.3A, subsection 3, paragraph "j", the rate of the

CODE: Allows a city that is subject to a judgment, court-approved settlement, court-approved compromise, refund, or other required return of previously collected franchise fee revenue to impose a franchise fee at the rate of up to 7.50% for any seven-year time period beginning July 1, 2012, through June 30, 2030.

DETAIL: This provision will allow certain cities to institute or increase a franchise fee with a maximum rate of 7.50%. The current maximum rate is 5.00%. To be eligible to institute a rate above 5.00%, the city must be subject to a judgment, court-approved settlement or other repayment agreement involving the previous collection of franchise fees in excess of what was allowed. The revenue generated from a rate above 5.00% must be used solely for the payment of the judgment or court-approved settlement.

This Division is effective on enactment.

40 33 franchise fee shall not exceed seven and one-half  
40 34 percent of gross revenues generated from sales of the  
40 35 franchisee in the city, and franchise fee amounts  
40 36 assessed and collected during such fiscal years in  
40 37 excess of five percent of gross revenues generated  
40 38 from sales shall be used solely for the purpose  
40 39 specified in section 384.3A, subsection 3, paragraph  
40 40 "j". A city may assess and collect a franchise fee  
40 41 in excess of five percent of gross revenues generated  
40 42 from the sales of the franchisee pursuant to this  
40 43 subparagraph division (b) for a period not to exceed  
40 44 seven consecutive fiscal years once the franchise fee  
40 45 is first imposed at a rate in excess of five percent.  
40 46 This subparagraph division is repealed July 1, 2030.  
40 47 \_\_ (2) Franchise fees collected pursuant to an  
40 48 ordinance in effect on May 26, 2009, shall be deposited  
40 49 in the city's general fund and such fees collected in  
40 50 excess of the amounts necessary to inspect, supervise,  
41 1 and otherwise regulate the franchise may be used by  
41 2 the city for any other purpose authorized by law.  
41 3 Franchise fees collected pursuant to an ordinance  
41 4 that is adopted or amended on or after May 26, 2009,  
41 5 to increase the percentage rate at which franchise  
41 6 fees are assessed shall be credited to the franchise  
41 7 fee account within the city's general fund and used  
41 8 pursuant to section 384.3A. If a city franchise fee  
41 9 is assessed to customers of a franchise, the fee shall  
41 10 not be assessed to the city as a customer. Before a  
41 11 city adopts or amends a franchise fee rate ordinance  
41 12 or franchise ordinance to increase the percentage  
41 13 rate at which franchise fees are assessed, a revenue  
41 14 purpose statement shall be prepared specifying the  
41 15 purpose or purposes for which the revenue collected  
41 16 from the increased rate will be expended. If property  
41 17 tax relief is listed as a purpose, the revenue purpose  
41 18 statement shall also include information regarding the  
41 19 amount of the property tax relief to be provided with  
41 20 revenue collected from the increased rate. The revenue  
41 21 purpose statement shall be published as provided in  
41 22 section 362.3.  
41 23 Sec. 122. Section 384.3A, subsection 3, Code 2011,  
41 24 is amended by adding the following new paragraph:  
41 25 NEW PARAGRAPH j. For franchise fees assessed  
41 26 and collected by a city in excess of five percent of  
41 27 gross revenues generated from sales of the franchisee  
41 28 within the city pursuant to section 364.2, subsection

FISCAL IMPACT: The fiscal impact of this Division is unknown. At least one city is currently required to return previously collected franchise fee revenue. If this additional franchise fee is not enacted, the impacted city or cities will have to utilize a different revenue source for repayment of the excess franchise tax.



41 29 4, paragraph “f”, subparagraph (1), subparagraph  
41 30 division (b), during fiscal years beginning on or after  
41 31 July 1, 2012, but before July 1, 2030, the adjustment,  
41 32 renewing, or extension of any part or all of the legal  
41 33 indebtedness of a city, whether evidenced by bonds,  
41 34 warrants, court-approved settlements, court-approved  
41 35 compromises, or judgments, or the funding or refunding  
41 36 of the same, if such legal indebtedness relates to  
41 37 restitution, a refund, or a return ordered by a court  
41 38 of competent jurisdiction for franchise fees assessed  
41 39 and collected by the city before the effective date of  
41 40 this division of this Act. This paragraph is repealed  
41 41 July 1, 2030.  
41 42 Sec. 123. EFFECTIVE UPON ENACTMENT. This division  
41 43 of this Act, being deemed of immediate importance,  
41 44 takes effect upon enactment.

41 45 DIVISION XI  
41 46 EXTERNAL REVIEW OF HEALTH CARE COVERAGE DECISIONS

41 47 Sec. 124. Section 514J.102, subsections 1 and 10,  
41 48 Code Supplement 2011, are amended to read as follows:  
41 49 1. “Adverse determination” means a determination  
41 50 by a health carrier that an admission, availability  
42 1 of care, continued stay, or other health care service  
42 2 that is a covered benefit has been reviewed and,  
42 3 based upon the information provided, does not meet the  
42 4 health carrier’s requirements for medical necessity,  
42 5 appropriateness, health care setting, level of  
42 6 care, or effectiveness, and the requested service or  
42 7 payment for the service is therefore denied, reduced,  
42 8 or terminated. “Adverse determination” includes a  
42 9 denial of coverage for a dental care service that is  
42 10 a covered benefit that has been reviewed and, based  
42 11 upon the information provided, does not meet the health  
42 12 carrier’s requirements for medical necessity, and  
42 13 the requested service or payment for the dental care  
42 14 service is therefore denied, reduced, or terminated.  
42 15 in whole or in part. “Adverse determination” does not  
42 16 include a denial of coverage for a service or treatment  
42 17 specifically listed in plan or evidence of coverage  
42 18 documents as excluded from coverage.  
42 19 10. “Covered benefits” or “benefits” means those  
42 20 health care services and dental care services to which  
42 21 a covered person is entitled under the terms of a  
42 22 health benefit plan.

CODE: Extends the definition of “adverse determination” and “covered benefits” to include dental care.

42 23 Sec. 125. Section 514J.102, Code Supplement 2011,  
 42 24 is amended by adding the following new subsection:  
 42 25 NEW SUBSECTION 11A. "Dental care services" means  
 42 26 services for diagnostic, preventive, maintenance, and  
 42 27 therapeutic dental care that is provided under chapter  
 42 28 153.

CODE: Defines dental care services.

42 29 Sec. 126. Section 514J.103, subsection 1, Code  
 42 30 Supplement 2011, is amended to read as follows:  
 42 31 1. Except as provided in subsection 2, this chapter  
 42 32 shall apply to all health carriers, including health  
 42 33 carriers issuing a policy or certificate that provides  
 42 34 coverage for dental care.

CODE: Adds dental insurance to the requirements of the Iowa Code chapter regarding special health and accident insurance coverage.

42 35 Sec. 127. Section 514J.103, subsection 2, paragraph  
 42 36 a, Code Supplement 2011, is amended to read as follows:  
 42 37 a. A policy or certificate that provides coverage  
 42 38 only for a specified disease, specified accident or  
 42 39 accident-only, credit, disability income, hospital  
 42 40 indemnity, long-term care, ~~dental care~~, vision care, or  
 42 41 any other limited supplemental benefit.

CODE: Technical change. Removes dental care insurance from the list of insurance coverages exempted from the Iowa Code chapter regarding special health and accident insurance coverage.

42 42 DIVISION XII  
 42 43 EARLY INTERVENTION BLOCK GRANT PROGRAM

42 44 Sec. 128. REPEAL. Section 256D.9, Code 2011, is  
 42 45 repealed.  
 42 46 Sec. 129. EFFECTIVE DATE. This division of this  
 42 47 Act takes effect June 30, 2012.

CODE: Eliminates the repeal of the Early Intervention Block Grant Program. This Division is effective on June 30, 2012.

DETAIL: Under current law, the Program will be repealed at the end of FY 2012. Funding for the Program is generated through the State categorical supplement provision in the State school aid formula and is estimated to generate approximately \$30,300,000 in FY 2013.

42 48 DIVISION XIII  
 42 49 JUVENILE OFFENDERS

42 50 Sec. 130. Section 232.8, subsection 1, paragraph c,  
 43 1 Code 2011, is amended to read as follows:  
 43 2 c. Violations by a child, aged sixteen or older,  
 43 3 which subject the child to the provisions of section  
 43 4 124.401, subsection 1, paragraph "e" or "f", or  
 43 5 violations of section 723A.2 which involve a violation  
 43 6 of chapter 724, or violation of chapter 724 which  
 43 7 constitutes a felony, or violations which constitute  
 43 8 a forcible felony are excluded from the jurisdiction  
 43 9 of the juvenile court and shall be prosecuted as

CODE: Modifies the placement in district court and the sentencing options for a youthful offender.

FISCAL IMPACT: Minimal fiscal impact.

43 10 otherwise provided by law unless the district court  
43 11 transfers jurisdiction of the child to the juvenile  
43 12 court upon motion and for good cause pursuant to  
43 13 section 803.6. ~~A child over whom jurisdiction has not~~  
43 14 ~~been transferred to the juvenile court, and who is~~  
43 15 ~~convicted of a violation excluded from the jurisdiction~~  
43 16 ~~of the juvenile court under this paragraph, shall be~~  
43 17 ~~sentenced pursuant to section 124.401B, 902.9, or~~  
43 18 ~~903.1.~~ Notwithstanding any other provision of the  
43 19 Code to the contrary, the district court may accept  
43 20 from a child in district court a plea of guilty, or  
43 21 may instruct the jury on a lesser included offense  
43 22 to the offense excluded from the jurisdiction of the  
43 23 juvenile court under this section, in the same manner  
43 24 as regarding an adult. The judgment and sentence of  
43 25 a child in district court shall be as provided in  
43 26 section 901.5. However, the juvenile court shall  
43 27 have exclusive original jurisdiction in a proceeding  
43 28 concerning an offense of animal torture as provided in  
43 29 section 717B.3A alleged to have been committed by a  
43 30 child under the age of seventeen.

43 31 Sec. 131. Section 232.8, subsection 3, paragraph a,  
43 32 Code 2011, is amended to read as follows:

43 33 a. The juvenile court, after a hearing and in  
43 34 accordance with the provisions of section 232.45, may  
43 35 waive jurisdiction of a child alleged to have committed  
43 36 a public offense so that the child may be prosecuted  
43 37 as an adult or youthful offender for such offense in  
43 38 another court. If the child, ~~except a child being~~  
43 39 ~~prosecuted as a youthful offender,~~ pleads guilty or is  
43 40 found guilty of a public offense other than a class "A"  
43 41 felony in another court of this state, that court may  
43 42 suspend the sentence or, with the consent of the child,  
43 43 defer judgment and without regard to restrictions  
43 44 placed upon deferred judgments for adults, place the  
43 45 child on probation for a period of not less than one  
43 46 year upon such conditions as it may require. Upon  
43 47 fulfillment of the conditions of probation, a child  
43 48 who receives a deferred judgment shall be discharged  
43 49 without entry of judgment. A child prosecuted as  
43 50 a youthful offender shall be sentenced pursuant to  
44 1 section 907.3A.

44 2 Sec. 132. Section 232.45, subsection 6, unnumbered  
44 3 paragraph 1, Code 2011, is amended to read as follows:

44 4 At the conclusion of the waiver hearing the court  
44 5 may waive its jurisdiction over the child for the

44 6 alleged commission of the public offense for the  
44 7 purpose of prosecution of the child as an adult if all  
44 8 of the following apply:  
44 9 Sec. 133. Section 232.45, subsection 7, paragraph  
44 10 a, subparagraph (1), Code 2011, is amended to read as  
44 11 follows:  
44 12 (1) The child is twelve through fifteen years of  
44 13 age or ~~younger the child is ten or eleven years of age~~  
44 14 and has been charged with a public offense that would  
44 15 be classified as a class "A" felony if committed by an  
44 16 adult.  
44 17 Sec. 134. Section 232.45A, subsections 2 and 3,  
44 18 Code 2011, are amended to read as follows:  
44 19 2. Once a child sixteen years of age or older  
44 20 has been waived ~~to and convicted of an aggravated~~  
44 21 ~~misdemeanor or a felony in~~ by the juvenile court to the  
44 22 district court, all subsequent criminal proceedings  
44 23 against the child for any aggravated misdemeanor  
44 24 or felony occurring subsequent to the date of the  
44 25 conviction of the child for any delinquent act  
44 26 committed after the date of the waiver by the juvenile  
44 27 court shall begin in district court, notwithstanding  
44 28 sections 232.8 and 232.45. A copy of the findings  
44 29 required by section 232.45, subsection 10, shall  
44 30 be made a part of the record in the district court  
44 31 proceedings. However, upon acquittal or dismissal  
44 32 in district court of all waived offenses and all  
44 33 lesser included offenses of the waived offenses, the  
44 34 proceedings for any delinquent act committed by the  
44 35 child subsequent to such acquittal or dismissal shall  
44 36 begin in juvenile court. Any proceedings initiated in  
44 37 district court for a public offense committed by the  
44 38 child subsequent to the waiver by the juvenile court,  
44 39 but prior to any acquittal or dismissal of all waived  
44 40 offenses and lesser included offenses in district  
44 41 court, shall remain in district court.  
44 42 3. If proceedings against a child ~~for an aggravated~~  
44 43 ~~misdemeanor or a felony sixteen years of age or older~~  
44 44 who has previously been waived to ~~and convicted of~~  
44 45 ~~an aggravated misdemeanor or a felony in the district~~  
44 46 court are mistakenly begun in the juvenile court, the  
44 47 matter shall be transferred to district court upon  
44 48 the discovery of the prior waiver and conviction,  
44 49 notwithstanding sections 232.8 and 232.45.  
44 50 Sec. 135. Section 232.50, subsection 1, Code 2011,  
45 1 is amended to read as follows:

45 2 1. As soon as practicable following the entry  
45 3 of an order of adjudication pursuant to section  
45 4 232.47 or notification that the child has ~~received a~~  
45 5 ~~youthful offender deferred sentence~~ been placed on  
45 6 youthful offender status pursuant to section 907.3A,  
45 7 the court shall hold a dispositional hearing in order  
45 8 to determine what disposition should be made of the  
45 9 matter.

45 10 Sec. 136. Section 232.52, subsection 1, Code 2011,  
45 11 is amended to read as follows:

45 12 1. Pursuant to a hearing as provided in section  
45 13 232.50, the court shall enter the least restrictive  
45 14 dispositional order appropriate in view of the  
45 15 seriousness of the delinquent act, the child's  
45 16 culpability as indicated by the circumstances of  
45 17 the particular case, the age of the child, the  
45 18 child's prior record, or the fact that the child has  
45 19 ~~received a youthful offender deferred sentence~~ been  
45 20 placed on youthful offender status under section  
45 21 907.3A. The order shall specify the duration and  
45 22 the nature of the disposition, including the type of  
45 23 residence or confinement ordered and the individual,  
45 24 agency, department, or facility in whom custody is  
45 25 vested. In the case of a child who has ~~received a~~  
45 26 ~~youthful offender deferred sentence~~ been placed on  
45 27 youthful offender status, the initial duration of the  
45 28 dispositional order shall be until the child reaches  
45 29 the age of eighteen.

45 30 Sec. 137. Section 232.54, subsection 1, paragraph  
45 31 g, Code 2011, is amended to read as follows:

45 32 g. With respect to a juvenile court dispositional  
45 33 order entered regarding a child who has ~~received a~~  
45 34 ~~youthful offender deferred sentence~~ been placed on  
45 35 youthful offender status under section 907.3A, the  
45 36 dispositional order may be terminated prior to the  
45 37 child reaching the age of eighteen upon motion of the  
45 38 child, the person or agency to whom custody of the  
45 39 child has been transferred, or the county attorney  
45 40 following a hearing before the juvenile court if it is  
45 41 shown by clear and convincing evidence that it is in  
45 42 the best interests of the child and the community to  
45 43 terminate the order. The hearing may be waived if all  
45 44 parties to the proceeding agree. The dispositional  
45 45 order regarding a child who has ~~received a youthful~~  
45 46 ~~offender deferred sentence~~ been placed on youthful  
45 47 offender status may also be terminated prior to the

45 48 child reaching the age of eighteen upon motion of the  
45 49 county attorney, if the waiver of the child to district  
45 50 court was conditioned upon the terms of an agreement  
46 1 between the county attorney and the child, and the  
46 2 child violates the terms of the agreement after the  
46 3 waiver order has been entered. The district court  
46 4 shall discharge the child's youthful offender status  
46 5 upon receiving a termination order under this section.  
46 6 Sec. 138. Section 232.54, subsection 1, paragraph  
46 7 h, unnumbered paragraph 1, Code 2011, is amended to  
46 8 read as follows:  
46 9 With respect to a dispositional order entered  
46 10 regarding a child who has ~~received a youthful offender~~  
46 11 ~~deferred sentence~~ been placed on youthful offender  
46 12 status under section 907.3A, the juvenile court may,  
46 13 in the case of a child who violates the terms of the  
46 14 order, modify or terminate the order in accordance with  
46 15 the following:  
46 16 Sec. 139. Section 232.55, subsection 3, Code 2011,  
46 17 is amended to read as follows:  
46 18 3. This section does not apply to dispositional  
46 19 orders entered regarding a child who has ~~received a~~  
46 20 ~~youthful offender deferred sentence~~ been placed on  
46 21 youthful offender status under section 907.3A who  
46 22 is not discharged from probation before or upon the  
46 23 child's eighteenth birthday.  
46 24 Sec. 140. Section 232.56, Code 2011, is amended to  
46 25 read as follows:  
46 26 232.56 YOUTHFUL OFFENDERS — TRANSFER TO DISTRICT  
46 27 COURT SUPERVISION.  
46 28 The juvenile court shall deliver a report, which  
46 29 includes an assessment of the child by a juvenile court  
46 30 officer after consulting with the judicial district  
46 31 department of correctional services, to the district  
46 32 court prior to the eighteenth birthday of a child who  
46 33 has ~~received a youthful offender deferred sentence~~  
46 34 been placed on youthful offender status under section  
46 35 907.3A. A hearing shall be held in the district court  
46 36 in accordance with section 907.3A to determine whether  
46 37 the child should be discharged from youthful offender  
46 38 status or whether the child shall continue under the  
46 39 supervision of the district court after the child's  
46 40 eighteenth birthday.  
46 41 Sec. 141. Section 901.5, Code Supplement 2011, is  
46 42 amended by adding the following new subsection:  
46 43 NEW SUBSECTION 14. Notwithstanding any provision

46 44 in section 907.3 or any other provision of law  
46 45 prescribing a mandatory minimum sentence for the  
46 46 offense, if the defendant is guilty of a public offense  
46 47 other than a class "A" felony, and was a minor at  
46 48 the time the offense was committed, the court may  
46 49 suspend the sentence in whole or in part, including any  
46 50 mandatory minimum sentence, defer sentence, or with the  
47 1 consent of the defendant, defer judgment, and place the  
47 2 defendant on probation, upon such conditions as the  
47 3 court may require.

47 4 Sec. 142. Section 907.3A, Code 2011, is amended to  
47 5 read as follows:

47 6 907.3A YOUTHFUL ~~—OFFENDER DEFERRED SENTENCE—~~  
47 7 ~~—YOUTHFUL~~ OFFENDER STATUS.

47 8 1. Notwithstanding section 907.3 but subject to any  
47 9 conditions of the waiver order, the trial court shall,  
47 10 upon a plea of guilty or a verdict of guilty, ~~defer~~  
47 11 ~~sentence of a youthful offender~~ place the juvenile  
47 12 over whom the juvenile court has waived jurisdiction  
47 13 pursuant to section 232.45, subsection 7, and place  
47 14 the juvenile on youthful offender status. The court  
47 15 shall transfer supervision of the youthful offender  
47 16 to the juvenile court for disposition in accordance  
47 17 with section 232.52. An adjudication of delinquency  
47 18 entered by the juvenile court at disposition for  
47 19 a public offense shall not be deemed a conviction  
47 20 and shall not preclude the subsequent entry of a  
47 21 deferred judgment, conviction, or sentence by the  
47 22 district court. The court shall require supervision  
47 23 of the youthful offender in accordance with section  
47 24 232.54, subsection 1, paragraph "h", or subsection 2  
47 25 of this section. ~~Notwithstanding section 901.2, a~~  
47 26 ~~presentence investigation shall not be ordered by the~~  
47 27 ~~court subsequent to an entry of a plea of guilty or~~  
47 28 ~~verdict of guilty or prior to deferral of sentence of a~~  
47 29 ~~youthful offender under this section.~~

47 30 2. The court shall hold a hearing prior to a  
47 31 youthful offender's eighteenth birthday to determine  
47 32 whether the youthful offender shall continue on  
47 33 youthful offender status after the youthful offender's  
47 34 eighteenth birthday ~~under the supervision of the~~  
47 35 ~~court or be discharged.~~ Notwithstanding section  
47 36 901.2, the court may order a presentence investigation  
47 37 report including a report for an offense classified  
47 38 as a class "A" felony. The court shall review the  
47 39 report of the juvenile court regarding the youthful

47 40 offender and prepared pursuant to section 232.56.  
47 41 and any presentence investigation report, if ordered  
47 42 by the court. The court shall hear evidence by or  
47 43 on behalf of the youthful offender, by the county  
47 44 attorney, and by the person or agency to whom custody  
47 45 of the youthful offender was transferred. The court  
47 46 shall make its decision, pursuant to the sentencing  
47 47 options available in subsection 3, after considering  
47 48 the services available to the youthful offender, the  
47 49 evidence presented, the juvenile court's report, the  
47 50 presentence investigation report if ordered by the  
48 1 court, the interests of the youthful offender, and  
48 2 interests of the community.

48 3 3. a. Notwithstanding any provision of the Code  
48 4 which prescribes a mandatory minimum sentence for the  
48 5 offense committed by the youthful offender, following  
48 6 transfer of the youthful offender from the juvenile  
48 7 court back to the court having jurisdiction over the  
48 8 criminal proceedings involving the youthful offender,  
48 9 the court ~~may continue the youthful offender deferred~~  
48 10 ~~sentence or enter a sentence, which may be a suspended~~  
48 11 ~~sentence.~~ shall order one of the following sentencing  
48 12 options:

48 13 (1) Defer judgment and place the youthful offender  
48 14 on probation, upon the consent of the youthful  
48 15 offender.

48 16 (2) Defer the sentence and place the youthful  
48 17 offender on probation upon such terms and conditions  
48 18 as the court may require.

48 19 (3) Suspend the sentence and place the youthful  
48 20 offender on probation upon such terms and conditions  
48 21 as the court may require.

48 22 (4) A term of confinement.

48 23 (5) Discharge the youthful offender from youthful  
48 24 offender status and terminate the sentence.

48 25 b. Notwithstanding anything in section 907.7 to  
48 26 the contrary, if the district court ~~either grants~~  
48 27 the youthful offender a deferred judgment, continues  
48 28 the youthful offender deferred sentence, or enters a  
48 29 sentence; ~~and~~ suspends the sentence, and places the  
48 30 youthful offender on probation, the term of formal  
48 31 supervision shall commence upon entry of the order by  
48 32 the district court and may continue for a period not  
48 33 to exceed five years. If the district court enters a  
48 34 sentence of confinement, and the youthful offender was  
48 35 previously placed in secure confinement by the juvenile



48 36 court under the terms of the initial disposition order  
 48 37 or any modification to the initial disposition order,  
 48 38 the person shall receive credit for any time spent in  
 48 39 secure confinement. During any period of probation  
 48 40 imposed by the district court, a youthful offender who  
 48 41 violates the terms of probation is subject to section  
 48 42 908.11.

48 43 DIVISION XIV  
 48 44 STATE BOARD OF REGENTS

48 45 Sec. 143. Section 8D.10, Code 2011, is amended to  
 48 46 read as follows:  
 48 47 8D.10 REPORT OF SAVINGS BY STATE AGENCIES.  
 48 48 A state agency which is a part of the network shall  
 48 49 annually provide a written report to the general  
 48 50 assembly certifying the identified savings associated  
 49 1 with the state agency's use of the network. The report  
 49 2 shall be delivered on or before January 15 for the  
 49 3 previous fiscal year of the state agency. This section  
 49 4 does not apply to the state board of regents or to  
 49 5 any institution under control of the state board of  
 49 6 regents.

CODE: Specifies that the Board of Regents and its institutions are exempt from the requirement to report on savings obtained through use of the Iowa Communications Network.

49 7 Sec. 145. Section 262.93, Code 2011, is amended to  
 49 8 read as follows:  
 49 9 262.93 REPORTS TO GENERAL ASSEMBLY.  
 49 10 The college student aid commission and the state  
 49 11 board of regents each shall submit to the general  
 49 12 assembly, by January 15 of each year, a report on  
 49 13 the progress and implementation of the programs  
 49 14 which they administer under sections 261.102 through  
 49 15 261.105, ~~262.82~~, and 262.92. By January 31 of each  
 49 16 year, the state board of regents shall submit a report  
 49 17 to the general assembly regarding the progress and  
 49 18 implementation of the program administered pursuant to  
 49 19 section 262.82. The reports shall include; but are  
 49 20 not limited to; the numbers of students and educators  
 49 21 participating in the programs and allocation of funds  
 49 22 appropriated for the programs.

CODE: Requires the Board of Regents to submit a report to the General Assembly by January 31 of each year regarding the Minority and Women Educators Enhancement Program.

49 23 Sec. 146. Section 263.19, Code 2011, is amended to  
 49 24 read as follows:  
 49 25 263.19 PURCHASES.  
 49 26 Any purchase ~~in excess of ten thousand dollars;~~  
 49 27 of materials, appliances, instruments, or supplies by  
 49 28 the university of Iowa hospitals and clinics, ~~when the~~

CODE: Clarifies the requirement that purchases made by the University of Iowa Hospitals and Clinics utilize a competitive bid process. Specifies that such contracts must comply with the Board's purchasing policies.

49 29 ~~price of the materials, appliances, instruments, or~~  
 49 30 ~~supplies to be purchased is subject to competition,~~  
 49 31 shall be made pursuant to open competitive quotations,  
 49 32 and all contracts for such purchases shall be subject  
 49 33 ~~to chapter 72. However, purchases may be made through~~  
 49 34 ~~a hospital group purchasing organization provided~~  
 49 35 ~~that the university of Iowa hospitals and clinics~~  
 49 36 ~~is a member of the organization in compliance with~~  
 49 37 ~~purchasing policies of the state board of regents.~~

49 38 Sec. 147. Section 432.13, Code 2011, is amended to  
 49 39 read as follows:  
 49 40 432.13 PREMIUM TAX EXEMPTION — HAWK-I PROGRAM —  
 49 41 STATE EMPLOYEE BENEFITS.  
 49 42 1. Premiums collected by participating insurers  
 49 43 under chapter 514I are exempt from premium tax.  
 49 44 2. Premiums received for benefits acquired  
 49 45 on behalf of state employees by the department of  
 49 46 administrative services ~~on behalf of state employees~~  
 49 47 pursuant to section 8A.402, subsection 1, and by the  
 49 48 state board of regents pursuant to chapter 262, are  
 49 49 exempt from premium tax.

49 50 DIVISION XV  
 50 1 SALES AND USE TAX

50 2 Sec. 148. Section 423.1, subsection 47, Code  
 50 3 Supplement 2011, is amended to read as follows:  
 50 4 47. "Retailer" means and includes every person  
 50 5 engaged in the business of selling tangible personal  
 50 6 property or taxable services at retail, or the  
 50 7 furnishing of gas, electricity, water, or communication  
 50 8 service, and tickets or admissions to places of  
 50 9 amusement and athletic events or operating amusement  
 50 10 devices or other forms of commercial amusement  
 50 11 from which revenues are derived and includes but is  
 50 12 not limited to every retailer maintaining a place  
 50 13 of business in this state. However, when in the  
 50 14 opinion of the director it is necessary for the  
 50 15 efficient administration of this chapter to regard any  
 50 16 salespersons, representatives, truckers, peddlers,  
 50 17 or canvassers as agents of the dealers, distributors,  
 50 18 supervisors, employers, or persons under whom they  
 50 19 operate or from whom they obtain tangible personal  
 50 20 property sold by them irrespective of whether or not  
 50 21 they are making sales on their own behalf or on behalf

CODE: Technical clarification relating to the hawk-i Program to conform the Iowa Code to the current practice.

CODE: Expands the definition, for sales and use tax collection purposes, of a retailer maintaining a place of business in the State to include any person that has substantial nexus in Iowa, other than a common carrier, if that person engages in any of the following activities:

- Sells a similar line of products as the retailer and does so under the same or a similar name.
- Maintains an office, distribution facility, warehouse, storage place, or similar place of business in the State to facilitate the delivery of property or services sold by the retailer to the retailer's customers.
- Uses trademarks, service marks, or trade names in the State that are the same or substantially similar to those used by the retailer.
- Delivers, installs, assembles, or performs maintenance services for the retailer's customers.
- Facilitates the retailer's deliveries of property to customers in the State by allowing the retailer's customers to take delivery of property sold by the retailer at an office, distribution facility, warehouse, storage place, or similar place of business

50 22 of such dealers, distributors, supervisors, employers,  
 50 23 or persons, the director may so regard them, and  
 50 24 may regard such dealers, distributors, supervisors,  
 50 25 employers, or persons as retailers for the purposes of  
 50 26 this chapter. "Retailer" includes a seller obligated  
 50 27 to collect sales or use tax.

50 28 Sec. 149. Section 423.1, subsection 48, Code  
 50 29 Supplement 2011, is amended to read as follows:

50 30 48. a. "Retailer maintaining a place of business  
 50 31 in this state" or any like term includes any retailer  
 50 32 having or maintaining within this state, directly  
 50 33 or by a subsidiary, an office, distribution house,  
 50 34 sales house, warehouse, or other place of business,  
 50 35 or any representative operating within this state  
 50 36 under the authority of the retailer or its subsidiary,  
 50 37 irrespective of whether that place of business  
 50 38 or representative is located here permanently or  
 50 39 temporarily, or whether the retailer or subsidiary is  
 50 40 admitted to do business within this state pursuant to  
 50 41 chapter 490.

50 42 b. (1) A retailer shall be presumed to be  
 50 43 maintaining a place of business in this state, as  
 50 44 defined in paragraph "a", if any person that has  
 50 45 substantial nexus in this state, other than a person  
 50 46 acting in its capacity as a common carrier, does any  
 50 47 of the following:  
 50 48 (a) Sells a similar line of products as the  
 50 49 retailer and does so under the same or similar business  
 50 50 name.

51 1 (b) Maintains an office, distribution facility,  
 51 2 warehouse, storage place, or similar place of business  
 51 3 in this state to facilitate the delivery of property  
 51 4 or services sold by the retailer to the retailer's  
 51 5 customers.

51 6 (c) Uses trademarks, service marks, or trade  
 51 7 names in this state that are the same or substantially  
 51 8 similar to those used by the retailer.

51 9 (d) Delivers, installs, assembles, or performs  
 51 10 maintenance services for the retailer's customers.

51 11 (e) Facilitates the retailer's delivery of  
 51 12 property to customers in this state by allowing the  
 51 13 retailer's customers to take delivery of property sold  
 51 14 by the retailer at an office, distribution facility,  
 51 15 warehouse, storage place, or similar place of business  
 51 16 maintained by the person in this state.

51 17 (f) Conducts any other activities in this state

maintained by the person in the State.

- Conducts any other activities in the State that are significantly associated with the retailer's ability to establish and maintain a market for the retailer's sales.

FISCAL IMPACT: The provisions of this Division will currently not impact any retailers in Iowa and is not anticipated to have a fiscal impact in FY 2013. However, in future fiscal years this change may provide for the potential of increased sales tax collection from e-commerce sales within the State. The potential impact on State sales tax revenue may result in an increase in excess of \$4,700,000 annually.

51 18 that are significantly associated with the retailer's  
51 19 ability to establish and maintain a market in this  
51 20 state for the retailer's sales.  
51 21 (2) The presumption established in this paragraph  
51 22 may be rebutted by a showing of proof that the  
51 23 person's activities in this state are not significantly  
51 24 associated with the retailer's ability to establish  
51 25 or maintain a market in this state for the retailer's  
51 26 sales.

51 27 Sec. 150.NEW SECTION 423.13A ADMINISTRATION —  
51 28 EFFECTIVENESS OF AGREEMENTS WITH RETAILERS.

51 29 1. Notwithstanding any provision of this chapter  
51 30 to the contrary, any ruling, agreement, or contract,  
51 31 whether written or oral, express or implied, entered  
51 32 into after the effective date of this division of  
51 33 this Act between a retailer and a state agency which  
51 34 provides that a retailer is not required to collect  
51 35 sales and use tax in this state despite the presence  
51 36 in this state of a warehouse, distribution center, or  
51 37 fulfillment center that is owned and operated by the  
51 38 retailer or an affiliate of the retailer shall be null  
51 39 and void unless such ruling, agreement, or contract  
51 40 is approved by a majority vote of both houses of the  
51 41 general assembly.

51 42 2. For purposes of this section, "state agency"  
51 43 means the executive branch, including any executive  
51 44 department, commission, board, institution, division,  
51 45 bureau, office, agency, or other entity of state  
51 46 government. "State agency" does not mean the general  
51 47 assembly, or the judicial branch as provided in section  
51 48 602.1102.

51 49 Sec. 151. Section 423.36, Code 2011, is amended by  
51 50 adding the following new subsection:

52 1 NEW SUBSECTION 1A. a. Notwithstanding subsection  
52 2 1, if any person will make taxable sales of tangible  
52 3 personal property or furnish services to any state  
52 4 agency, that person shall, prior to the sale, apply  
52 5 for and receive a permit to collect sales or use tax  
52 6 pursuant to this section. A state agency shall not  
52 7 purchase tangible personal property or services from  
52 8 any person unless that person has a valid, unexpired  
52 9 permit issued pursuant to this section and is in  
52 10 compliance with all other requirements in this chapter  
52 11 imposed upon retailers, including but not limited to  
52 12 the requirement to collect and remit sales and use tax  
52 13 and file sales tax returns.

52 14 b. For purposes of this subsection, "state  
52 15 agency" means any executive, judicial, or legislative  
52 16 department, commission, board, institution, division,  
52 17 bureau, office, agency, or other entity of state  
52 18 government.

52 19 DIVISION XVI  
52 20 COMMERCIAL ESTABLISHMENT FUND

52 21 Sec. 152. Section 162.2, Code 2011, is amended by  
52 22 adding the following new subsections:  
52 23 NEW SUBSECTION 12A. "Dispositional expenses" means  
52 24 the same as defined in section 717B.1.  
52 25 NEW SUBSECTION 16A. "Local authority" means the  
52 26 same as defined in section 717B.1.

CODE: Adds the definitions of "dispositional expenses" and "local authority" to the Iowa Code section for the Commercial Establishment Fund.

52 27 Sec. 153. Section 162.2C, Code 2011, is amended by  
52 28 adding the following new subsections:  
52 29 NEW SUBSECTION 2A. The fiscal year of the fund  
52 30 begins July 1 and ends June 30. Fiscal quarters of the  
52 31 fund begin July 1, October 1, January 1, and April 1.  
52 32 NEW SUBSECTION 2B. The fund shall include two  
52 33 accounts, a general account and a dispositional  
52 34 account.

CODE: Makes changes to the Commercial Establishment Fund administered by the DALS by defining when a fiscal quarter ends and by creating two accounts within the Fund. This includes the General Account that pays for administrative and enforcement expenditures and the Dispositional Account that will be used to reimburse local authorities that have eligible claims for enforcing the law related to animals in commercial establishments. Further specifies that fees collected will first be deposited in the Dispositional Account until the balance has reached \$250,000.

52 35 a. Except as provided in paragraph "b", the general  
52 36 account is composed of all moneys deposited in the fund  
52 37 as provided in subsection 2. The department shall  
52 38 utilize moneys in the general account to provide for  
52 39 the administration and enforcement of this chapter.  
52 40 b. The dispositional account is composed of all  
52 41 fees collected pursuant to section 162.2B, until the  
52 42 department determines that the account has achieved  
52 43 a threshold of at least two hundred fifty thousand  
52 44 dollars. At the end of each fiscal quarter the  
52 45 department shall determine the balance of unencumbered  
52 46 and unobligated moneys in the account, and may transfer  
52 47 any moneys in the account exceeding the threshold to  
52 48 the general account. The department shall return  
52 49 any unexpended and unobligated moneys expended from  
52 50 the dispositional account back to that account, or  
53 1 the general account if the dispositional account's  
53 2 threshold is achieved.

FISCAL IMPACT: The Fund has collected \$233,000 in revenue and the current balance in the Fund is \$225,000.

53 3 Sec. 154. NEW SECTION 162.2D PAYMENT OF  
53 4 DISPOSITIONAL EXPENSES INCURRED BY LOCAL AUTHORITIES.  
53 5 1. Moneys deposited into the dispositional account  
53 6 of the commercial establishment fund created in section

CODE: Specifies that funds in the Dispositional Account will be used to reimburse local authorities for eligible claims and specifies the procedures for paying an eligible claim.

53 7 162.2C are appropriated to the department to pay  
53 8 eligible claims submitted to the department by local  
53 9 authorities for dispositional expenses incurred by  
53 10 the local authority, including by providing for the  
53 11 maintenance of a vertebrate animal subject to a court  
53 12 hearing pursuant to section 717B.4 or rescued pursuant  
53 13 to section 717B.5. This section does not apply to  
53 14 livestock as defined in section 717.1.

53 15 2. The department shall pay an eligible claim  
53 16 according to procedures adopted by departmental  
53 17 rule. In order for a claim to be eligible, all of the  
53 18 following must apply:

53 19 a. At the time of the hearing for the disposition  
53 20 of the vertebrate animal or the rescue of the  
53 21 vertebrate animal, the vertebrate animal must have been  
53 22 possessed or controlled by a commercial establishment  
53 23 that possessed or controlled more than twenty  
53 24 vertebrate animals at any one time during the prior  
53 25 twelve months.

53 26 b. The commercial establishment must be required to  
53 27 operate pursuant to an authorization issued or renewed  
53 28 pursuant to section 162.2A, regardless of whether the  
53 29 commercial establishment is actually issued or renewed  
53 30 such authorization.

53 31 c. The dispositional expenses must be actually  
53 32 and reasonably incurred by the local authority,  
53 33 including by an animal care provider providing for the  
53 34 maintenance of the vertebrate animal under contract  
53 35 with the local authority.

53 36 d. The local authority must submit the claim to the  
53 37 department according to procedures established by rules  
53 38 adopted by the department. A claim is not eligible  
53 39 if submitted twelve months or more after the local  
53 40 authority has incurred its final dispositional expense.

53 41 3. A claim is eligible for payment even if any of  
53 42 the following applies:

53 43 a. The responsible party has posted a bond or  
53 44 other security with the local authority as provided in  
53 45 section 717B.4.

53 46 b. The local authority may receive a future payment  
53 47 for the dispositional expense from a responsible party  
53 48 as provided in section 717B.4.

53 49 4. Upon a determination that the claim is eligible,  
53 50 the department shall provide for payment to the local  
54 1 authority of one hundred percent of the claimed amount.  
54 2 If there are insufficient moneys in the dispositional

54 3 account to make full payment of all eligible claims,  
54 4 the department shall prorate the payment amounts and  
54 5 defer the remaining payment until the dispositional  
54 6 account again contains sufficient moneys.  
54 7 5. A local authority shall repay the department  
54 8 the claimed amount as provided in subsection 4 from  
54 9 any moneys received by the local authority from a  
54 10 responsible party for dispositional expenses pursuant  
54 11 to section 717B.4. The department shall deposit the  
54 12 moneys in the commercial establishment fund as provided  
54 13 in section 162.2C.

54 14 Sec. 155. Section 717B.1, Code 2011, is amended by  
54 15 adding the following new subsection:  
54 16 NEW SUBSECTION 3A. "Department" means the  
54 17 department of agriculture and land stewardship.

CODE: Adds the definition of "Department" to the Iowa Code section for injury to animals other than livestock.

54 18 Sec. 156. NEW SECTION 717B.5A DISPOSITIONAL  
54 19 EXPENSES — COMMERCIAL ESTABLISHMENT FUND.  
54 20 A local authority may submit a claim to the  
54 21 department to pay for dispositional expenses incurred  
54 22 by the local authority if the local authority complies  
54 23 with the requirements provided in section 162.2D.

CODE: Allows local authorities to submit eligible claims to the Dispositional Account in the Commercial Establishment Fund.

54 24 2 Title page, by striking lines 1 through 5 and  
54 25 inserting An Act relating to state and local finances  
54 26 by making and adjusting appropriations, providing for  
54 27 funding of property tax credits and reimbursements and  
54 28 for other matters pertaining to taxation, providing  
54 29 for fees and criminal penalties, providing for legal  
54 30 responsibilities, providing for certain insurance and  
54 31 employee benefits, and providing for properly related  
54 32 matters, and including effective date and retroactive  
54 33 and other applicability provisions.

54 34 3 By renumbering as necessary.

## Summary Data

### General Fund

	Supp-Senate Approp FY 2012	Enacted FY 2013	House Action FY 2013	Total House FY 2013	Senate Approp FY 2013	Total Senate FY 2013	Senate vs House
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Agriculture and Natural Resources	\$ 5,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Economic Development	320,000	0	0	0	0	0	0
Education	8,500,000	0	0	0	0	0	0
Health and Human Services	0	0	0	0	137,000	137,000	137,000
Justice System	50,000	0	0	0	0	0	0
Unassigned Standings	5,000,000	2,895,381,604	-61,801,695	2,833,579,909	-54,258,771	2,841,122,833	7,542,924
<b>Grand Total</b>	<b>\$ 18,870,000</b>	<b>\$ 2,895,381,604</b>	<b>\$ -61,801,695</b>	<b>\$ 2,833,579,909</b>	<b>\$ -54,121,771</b>	<b>\$ 2,841,259,833</b>	<b>\$ 7,679,924</b>



Agriculture and Natural Resources  
General Fund

	Supp-Senate Approp FY 2012	Enacted FY 2013	House Action FY 2013	Total House FY 2013	Senate Approp FY 2013	Total Senate FY 2013	Senate vs House
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Agriculture and Land Stewardship</u>							
Agriculture and Land Stewardship							
Watershed Improvement Fund	\$ 5,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Agriculture and Land Stewardship	\$ 5,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Agriculture and Natural Resources	\$ 5,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

Economic Development  
General Fund

	Supp-Senate Approp FY 2012	Enacted FY 2013	House Action FY 2013	Total House FY 2013	Senate Approp FY 2013	Total Senate FY 2013	Senate vs House
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Cultural Affairs, Dept. of							
Cultural Affairs, Dept. of							
Iowa Memorial at Vicksburg	\$ 320,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Cultural Affairs, Dept. of	\$ 320,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Economic Development	\$ 320,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

Education  
General Fund

	Supp-Senate Approp FY 2012	Enacted FY 2013	House Action FY 2013	Total House FY 2013	Senate Approp FY 2013	Total Senate FY 2013	Senate vs House
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Regents, Board of							
Regents, Board of							
UNI - Price Lab School	\$ 3,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
ISU - Bioscience Initiative	5,500,000	0	0	0	0	0	0
Total Regents, Board of	\$ 8,500,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Education	\$ 8,500,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

Health and Human Services  
General Fund

	Supp-Senate Approp FY 2012 (1)	Enacted FY 2013 (2)	House Action FY 2013 (3)	Total House FY 2013 (4)	Senate Approp FY 2013 (5)	Total Senate FY 2013 (6)	Senate vs House (7)
Public Health, Dept. of							
Public Health, Dept. of Iowa Youth Suicide Prevention	\$ 0	\$ 0	\$ 0	\$ 0	\$ 137,000	\$ 137,000	\$ 137,000
Total Public Health, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 137,000	\$ 137,000	\$ 137,000
Total Health and Human Services	\$ 0	\$ 0	\$ 0	\$ 0	\$ 137,000	\$ 137,000	\$ 137,000

Justice System  
General Fund

	Supp-Senate Approp FY 2012	Enacted FY 2013	House Action FY 2013	Total House FY 2013	Senate Approp FY 2013	Total Senate FY 2013	Senate vs House
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Public Safety, Department of							
Public Safety, Dept. of							
Public Safety Training Task Force	\$ 50,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Public Safety, Department of	\$ 50,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Justice System	\$ 50,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

# Unassigned Standings

## General Fund

	Supp-Senate Approp FY 2012 (1)	Enacted FY 2013 (2)	House Action FY 2013 (3)	Total House FY 2013 (4)	Senate Approp FY 2013 (5)	Total Senate FY 2013 (6)	Senate vs House (7)
<u>Administrative Services, Dept. of</u>							
State Accounting Trust Accounts							
Municipal Fire & Police Retirement	\$ 5,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Administrative Services, Dept. of	\$ 5,000,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
<u>Cultural Affairs, Dept. of</u>							
Cultural Affairs, Dept. of							
County Endowment Funding - DCA Grants	\$ 0	\$ 208,351	\$ 166,264	\$ 374,615	\$ 208,351	\$ 416,702	\$ 42,087
Total Cultural Affairs, Dept. of	\$ 0	\$ 208,351	\$ 166,264	\$ 374,615	\$ 208,351	\$ 416,702	\$ 42,087
<u>Economic Development Authority</u>							
Economic Development Authority							
Tourism Marketing - Adjusted Gross Receipts	\$ 0	\$ 405,153	\$ 323,312	\$ 728,465	\$ 405,153	\$ 810,306	\$ 81,841
Total Economic Development Authority	\$ 0	\$ 405,153	\$ 323,312	\$ 728,465	\$ 405,153	\$ 810,306	\$ 81,841
<u>Education, Dept. of</u>							
Education, Dept. of							
Child Development	\$ 0	\$ 5,364,446	\$ 4,280,827	\$ 9,645,273	\$ 5,364,445	\$ 10,728,891	\$ 1,083,618
State Foundation School Aid	0	2,659,200,000	-10,000,000	2,649,200,000	-5,000,000	2,654,200,000	5,000,000
Total Education, Dept. of	\$ 0	\$ 2,664,564,446	\$ -5,719,173	\$ 2,658,845,273	\$ 364,445	\$ 2,664,928,891	\$ 6,083,618
<u>Legislative Branch</u>							
Legislative Services Agency							
Legislative Branch	\$ 0	\$ 35,900,000	\$ -2,150,000	\$ 33,750,000	\$ 0	\$ 35,900,000	\$ 2,150,000
Total Legislative Branch	\$ 0	\$ 35,900,000	\$ -2,150,000	\$ 33,750,000	\$ 0	\$ 35,900,000	\$ 2,150,000
<u>Public Health, Dept. of</u>							
Public Health, Dept. of							
Congenital & Inherited Disorders Registry	\$ 0	\$ 85,560	\$ 146,940	\$ 232,500	\$ 146,940	\$ 232,500	\$ 0
Total Public Health, Dept. of	\$ 0	\$ 85,560	\$ 146,940	\$ 232,500	\$ 146,940	\$ 232,500	\$ 0

# Unassigned Standings

## General Fund

	Supp-Senate Approp FY 2012	Enacted FY 2013	House Action FY 2013	Total House FY 2013	Senate Approp FY 2013	Total Senate FY 2013	Senate vs House
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Human Services, Dept. of</u>							
Assistance							
Child Abuse Prevention	\$ 0	\$ 108,886	\$ 123,614	\$ 232,500	\$ 123,614	\$ 232,500	\$ 0
Total Human Services, Dept. of	\$ 0	\$ 108,886	\$ 123,614	\$ 232,500	\$ 123,614	\$ 232,500	\$ 0
<u>Management, Dept. of</u>							
Management, Dept. of							
Health Care-Employee Contribution	\$ 0	\$ 0	\$ -46,700,000	\$ -46,700,000	\$ 0	\$ 0	\$ 46,700,000
Total Management, Dept. of	\$ 0	\$ 0	\$ -46,700,000	\$ -46,700,000	\$ 0	\$ 0	\$ 46,700,000
<u>Natural Resources, Dept. of</u>							
Natural Resources							
REAP GF Standing	\$ 0	\$ 20,000,000	\$ -8,000,000	\$ 12,000,000	\$ 0	\$ 20,000,000	\$ 8,000,000
Total Natural Resources, Dept. of	\$ 0	\$ 20,000,000	\$ -8,000,000	\$ 12,000,000	\$ 0	\$ 20,000,000	\$ 8,000,000
<u>Revenue, Dept. of</u>							
Revenue, Dept. of							
Ag Land Tax Credit - GF	\$ 0	\$ 39,100,000	\$ 0	\$ 39,100,000	\$ -6,704,869	\$ 32,395,131	\$ -6,704,869
Homestead Tax Credit Aid - GF	0	135,000,000	0	135,000,000	-48,811,613	86,188,387	-48,811,613
Tobacco Reporting Requirements	0	9,208	7,348	16,556	9,208	18,416	1,860
Total Revenue, Dept. of	\$ 0	\$ 174,109,208	\$ 7,348	\$ 174,116,556	\$ -55,507,274	\$ 118,601,934	\$ -55,514,622
Total Unassigned Standings	\$ 5,000,000	\$ 2,895,381,604	\$ -61,801,695	\$ 2,833,579,909	\$ -54,258,771	\$ 2,841,122,833	\$ 7,542,924

Summary Data  
Other Fund

	Supp-Senate Approp FY 2012	Enacted FY 2013	House Action FY 2013	Total House FY 2013	Senate Approp FY 2013	Total Senate FY 2013	Senate vs House
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Agriculture and Natural Resources	\$ 2,865,743	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Unassigned Standings	0	0	-62,000,000	-62,000,000	0	0	62,000,000
Grand Total	\$ 2,865,743	\$ 0	\$ -62,000,000	\$ -62,000,000	\$ 0	\$ 0	\$ 62,000,000



Agriculture and Natural Resources  
Other Fund

	Supp-Senate Approp FY 2012	Enacted FY 2013	House Action FY 2013	Total House FY 2013	Senate Approp FY 2013	Total Senate FY 2013	Senate vs House
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Natural Resources, Dept. of							
Natural Resources							
Missouri River Flood Damage-EEF	\$ 2,865,743	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Natural Resources, Dept. of	\$ 2,865,743	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total Agriculture and Natural Resources	\$ 2,865,743	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

Unassigned Standings  
Other Fund

	Supp-Senate Approp FY 2012 (1)	Enacted FY 2013 (2)	House Action FY 2013 (3)	Total House FY 2013 (4)	Senate Approp FY 2013 (5)	Total Senate FY 2013 (6)	Senate vs House (7)
Management, Dept. of							
Management, Dept. of							
Health Care - Employee Contribution (OF)	\$ 0	\$ 0	\$ -62,000,000	\$ -62,000,000	\$ 0	\$ 0	\$ 62,000,000
Total Management, Dept. of	\$ 0	\$ 0	\$ -62,000,000	\$ -62,000,000	\$ 0	\$ 0	\$ 62,000,000
Total Unassigned Standings	\$ 0	\$ 0	\$ -62,000,000	\$ -62,000,000	\$ 0	\$ 0	\$ 62,000,000