

Standing Appropriations Bill House File 2502

Last Action:

House Floor

May 5, 2018

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

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available online at www.legis.iowa.gov/publications/information/appropriationBillAnalysis
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FUNDING SUMMARY

This Bill makes adjustments to various General Fund standing appropriations and results in a net decrease of \$29.2 million for FY 2019.

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

Reduces the FY 2019 standing appropriation to the Legislative Branch by \$1.4 million and permits unexpended funds budgeted during FY 2018 to carry forward to FY 2019. Page 1, Line 5

Suspends the General Fund standing appropriation of \$14.8 million to the Department of Education for the Instructional Support Program for FY 2019. Page 1, Line 25

Increases the FY 2019 General Fund appropriation to the Cash Reserve Fund by \$2.0 million. Page 1, Line 33

Authorizes a transfer of the balance in the Taxpayers Trust Fund to the General Fund for FY 2019. The balance is currently estimated at \$8.3 million. Page 2, Line 4

Reduces the FY 2019 State school aid funding to area education agencies (AEAs) by \$15.0 million. Page 2, Line 4

STUDIES AND INTENT

Prohibits the Legislative Branch from expending funds from the standing unlimited appropriation for annual membership dues to organizations and costs associated with out-of-state travel. Provides an exception for travel expenses associated with commissioners serving on the Commission of Uniform State Laws. Page 1, Line 15

Requires the Salary Model Administrator to work with the Legislative Services Agency (LSA) to maintain the State's salary model. Requires various departments to submit salary data to the Department of Management (DOM) and the LSA. Page 2, Line 19

Requires the Department of Natural Resources (DNR) to submit a report to the General Assembly by December 1, 2018 that includes all of the financial assistance provided to private entities for the acquisition of land and an inventory of all land managed or owned on behalf of the State by the Department. Page 14, Line 3

Requires the Iowa Insurance Division to conduct an evaluation regarding minimum coverage requirements of dramshop liability insurance every two years. Page 17, Line 27

SIGNIFICANT CODE CHANGES

Make a corrective change to [HF 2456](#) (Mental Health, Complex Service Needs Workgroup Report Act), which pertains to county mental health fund balances. Page 3, Line 8

Makes a correction to [SF 516](#) (FY 2018 Standing Appropriations Act) to make inapplicable a provision that requires an appropriation from the General Fund to the Cash Reserve Fund if the balance in the Cash Reserve Fund at the close of the previous fiscal year was below the statutory maximum of 7.5% of the adjusted revenue estimate. Page 3, Line 33

Amends [SF 2117](#) (FY 2018 Budget Adjustment Act) to correct a date associated with a \$13.0 million Economic Emergency Fund appropriation to the General Fund for FY 2017. Page 4, Line 9

Makes nonsubstantive corrections to various bills and Acts enacted during the 2018 Legislative Session. Page 4, Line 35

Amends the expert witness standards in medical malpractice lawsuits: Page 16, Line 4

- Permits a person certified in a specialty by the Council on Podiatric Medical Education to serve as an expert witness if the defendant is certified in the same specialty.
- Permits a general physician, osteopathic physician, or a podiatric physician licensed in Iowa or another state to serve as an expert witness if the defendant is a licensed podiatric physician in Iowa.

Allows a person holding a liquor control license for selling alcoholic beverages for consumption on the premises to permit a customer to remove one unsealed bottle of wine for consumption off the premises if the customer has purchased and consumed a portion of the bottle of wine on the licensed premises. The bottle is to be resealed in a bag designated for such purposes and a receipt must be provided. The open container of wine may also be carried into an immediately adjacent licensed establishment. Page 21, Line 5

Specifies that beer purchased for consumption off the premises is allowed to be sold in a container that is not the original container if the container is carried into an immediately adjacent licensed or permitted premise. Page 21, Line 34

Permits a committed person to waive the requirement that a final hearing be held within 60 days of the court's determination that a final hearing should be held. The committed person may reassert a demand that a final hearing be held within 60 days from the date of filing the demand with the Clerk of District Court. In addition, the final hearing may be continued upon request of either party and a showing of good cause, or by the court on its own motion in the due administration of justice, and if the committed person is not substantially prejudiced. Page 22, Line 10

Requires the sealed documents described in Iowa Code section [229A.15\(1\)](#) to be available to the prosecuting attorney or attorney general, the committed person, and the attorney for the committed person without an order of the court.

Page 22, Line 30

Specifies that an inmate committed to the DOC who is required to participate in a sex offender or domestic abuse treatment program shall not be eligible for any reduction of sentence until the inmate participates in and completes a sex offender or domestic abuse treatment program. Specifies that an inmate committed to the DOC may be ordered to forfeit any or all earned time if the inmate has failed to complete a sex offender or domestic abuse treatment program as specified in Iowa Code section [903A.2](#).

Page 23, Line 20

Changes to the earned time calculation will have a fiscal impact on the operating budget of the Department of Corrections due to the increased length of stay for offenders who are unsuccessful in the Sex Offender Treatment Program or the Domestic Abuse Treatment Program. It is estimated there will be 43 unsuccessful participants in the SOTP and 33 unsuccessful participants in the Domestic Abuse Treatment Program annually. The additional prison costs per year are estimated to be \$486,000 in FY 2019 and \$972,000 in FY 2020. The marginal costs are estimated to increase until FY 2024 when the prison population is no longer expected to further increase as a result of the Bill. For more information, see the [Fiscal Note](#) for [SF 2356](#).

A multiple employer welfare arrangement that is recognized as tax-exempt by the Internal Revenue Service will not be considered an insurance company or association of any kind, a member of the Iowa Individual Health Benefit Reinsurance Association, or a member insurer of the Iowa Life and Health Insurance Guaranty Association.

Page 24, Line 8

Prohibits a statewide elected official or member of the General Assembly from using taxpayer funds for advertisement or promotion.

Page 24, Line 32

Amends [HF 2253](#) (Competitive Bidding Requirements Act) to exempt lease-purchase contracts that result from a request for proposals or request for qualifications issued by a city with a population of less than 21,000 according to the 2016 special census. Applies retroactively to April 4, 2018.

Page 26, Line 7

Specifies that a construction vehicle may operate under the maximum gross weight for length and number of axles without route approval from local authorities if the vehicle is traveling on non-primary roads, to or from a construction site or plant, and abides by all restrictions on bridges. Requires vehicles crossing bridges to comply with weight restrictions for the bridges as posted on signage.

Page 26, Line 22

Specifies that a county or city cannot adopt an ordinance, motion, resolution, or amendment that sets standards or requirements for the sale or marketing of consumer merchandise that are different from State

Page 27, Line 6

law.

Adds a definition of “eligible peace officer or firefighter” as a peace officer or fire fighter to whom a line of duty death benefit is payable. Allows the employer to provide continuation of existing health insurance coverage to the surviving spouse and children of a State, county, or city peace officer who is killed in the line of duty.

Page 27, Line 27

Prohibits credit unions from including the name of any public university in the State in their names.

Page 30, Line 27

Requires that revenue from the moneys and credit tax assessed on credit union legal reserves is to be collected by the Department of Revenue and apportion 20.0% percent to the county, 30.0% to the city general fund, and 50.0% of revenue to the State General Fund. In addition, the amount collected in each taxing district outside of cities will be apportioned 50.0% to the county and 50.0% to the State General Fund.

Page 30, Line 35

Repeals the provision stating moneys and credits tax is to be collected at the location of the state credit union.

Page 31, Line 8

Requires the Department of Revenue to administer and enforce the collection of the moneys and credit tax.

Page 31, Line 12

Permits moneys in the Criminalistics Laboratory Fund to be used for the purchase of laboratory supplies.

Page 32, Line 28

Specifies that of the 85.0% of the 0.1% of the total gross intrastate public utilities operating revenue from gas and electric utilities that would otherwise be dedicated to the Iowa Energy Center each year, the following amounts are to be transferred to the General Fund as follows:

Page 33, Line 6

- **FY 2020:** \$1.3 million
- **FY 2021:** \$2.9 million
- **FY 2022:** \$3.5 million

Requires State and local election officials to accept a tribal identification card or other tribal enrollment document issued by a federally recognized Indian tribe or nation, if the card or enrollment document is signed prior to its presentation to an election official. The card or enrollment document must be current, include a photograph, signature and valid expiration date.

Page 33, Line 29

Prohibits application of the industrial property rollback to 90.0% of assessed value to wind energy conversion property benefiting from the special assessment valuation provisions of Iowa Code section [427B.26](#). The prohibition applies to wind conversion property approved for construction by the Iowa

Page 34, Line 10

Utilities Board on or after July 1, 2018.

Strikes Iowa Code section [901.5\(10\)](#), which revokes a defendant’s driver’s license for 180 days if the defendant is sentenced for a controlled substance offense under Iowa Code sections [124.401](#), [124.401A](#), [124.402](#), or [124.403](#). This section makes conforming changes and provides that a defendant’s driver’s license suspended or revoked pursuant to Iowa Code section [901.5\(10\)](#) prior to the effective date of the section shall be reinstated if the defendant is otherwise eligible for a driver’s license. The section provides a contingent effective date, specifying that the section takes effect on the date the Governor submits to the U.S. Secretary of Transportation a written certification that the Governor is opposed to the enforcement in Iowa of a law described in 23 U.S.C. §159(a)(3)(A), and a written certification that the General Assembly has adopted a joint resolution expressing its opposition to the same, in accordance with federal law.

Page 34, Line 24

EFFECTIVE DATE

Specifies that the changes in this Bill pertaining to [SF 2117](#) (FY 2018 Budget Adjustment Act) are retroactive to June 30, 2017.

Page 4, Line 16

Specifies that the changes in this Bill pertaining to [SF 516](#) (FY 2018 Standing Appropriations Act) are retroactive to May 12, 2017.

Page 4, Line 24

Specifies that the changes in this Bill pertaining to [HF 2441](#) (School District Program Funding Flexibility Act) are retroactive to the effective date of [HF 2441](#) (April 11, 2018).

Page 4, Line 28

Specifies that Division II of this Bill, related to miscellaneous provisions and appropriations, takes effect upon enactment.

Page 4, Line 33

House File 2502 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
2	4	4	Add	257.35.12A
5	2	15	Amend	9A.102.1
5	9	16	Amend	68B.2C
5	17	17	Amend	84A.4.4.f
5	32	18	Amend	123.92.3.a
6	25	21	Amend	148H.1.4
7	13	23	Amend	256.42.5
8	29	26	Amend	280.13C.8.a
12	27	36	Amend	716.11.1.b
16	4	46	Amend	147.139.3,4
17	11	51	Amend	123.92.1.a
17	27	52	New	505.33
18	7	54	Amend	123.30.3.a,b
18	30	55	Amend	123.30.3.c.(1)
19	13	56	Amend	123.30.3.c.(3)
19	29	57	Amend	123.30.3.d.(2)
20	5	58	Amend	123.30.3.e
21	5	59	Amend	123.30.4
21	25	60	Add	123.30.5
21	34	61	Amend	123.131.2
22	10	62	Amend	229A.8.5.e.(2)
22	30	63	Amend	229A.15
23	11	64	Amend	903A.2.1.a.(2)
23	18	65	Amend	903A.2.1.b.(2)
23	24	66	Amend	903A.3.1
24	8	67	Amend	507A.4.9.c
24	15	68	Amend	513D.1
24	32	70	New	68A.405A
26	20	73	Amend	321.463.9
27	6	74	Amend	331.301.6.c
27	14	75	Amend	364.3.3.c
27	24	76	New	509A.13C
29	22	80	Add	261.87.1.0d
30	13	81	Amend	261.87.3
30	25	82	Add	533.212.4
30	33	83	Amend	533.329.2.b
31	8	84	Strike	533.329.2.c
31	10	85	Add	533.329.3
31	20	87	Add	257.6.1.a.(8)
31	26	88	Amend	282.1.2
32	9	89	Add	282.1.3,4
32	26	90	Amend	691.9
33	6	91	Amend	476.10A.1.c.(1)
33	31	92	Add	48A.7A.1.b.(1).(f)
34	4	93	Add	49.78.2.a.(5)
34	12	94	Add	441.21.5.d
34	24	95	Amend	124.412
35	11	96	Strike	321.212.1.d
35	13	97	Amend	321.215.1.b

House File 2502 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
35	31	98	Amend	321.215.2
36	15	99	Amend	321.215.2.c
36	22	100	Amend	321.218.1
36	34	101	Amend	321A.17.4
37	12	102	Strike	901.5.10

1 1	DIVISION I	
1 2	STANDING APPROPRIATIONS AND RELATED MATTERS	
1 3	Section 1. 2017 Iowa Acts, chapter 170, is amended by adding	
1 4	the following new section:	
1 5	NEW SECTION SEC. 5A. GENERAL ASSEMBLY — FY 2018-2019.	Reduces the FY 2019 standing appropriation to the Legislative Branch
1 6	1. The appropriations made pursuant to section 2.12 for the	by \$1,417,318 and permits unexpended funds budgeted during FY
1 7	expenses of the general assembly and legislative agencies for	2018 to carry forward to FY 2019.
1 8	the fiscal year beginning July 1, 2018, and ending June 30,	
1 9	2019, are reduced by the following amount:	
1 10 \$ 1,417,318	
1 11	2. The budgeted amounts for the general assembly and	
1 12	legislative agencies for the fiscal year beginning July 1,	
1 13	2018, may be adjusted to reflect the unexpended budgeted	
1 14	amounts from the previous fiscal year.	
1 15	3. Annual membership dues for organizations, associations,	Prohibits the Legislative Branch from expending funds from the
1 16	and conferences shall not be paid from moneys appropriated	standing unlimited appropriation for annual membership dues to
1 17	pursuant to section 2.12, except reimbursement for travel	organizations and costs associated with out-of-state travel. Provides
1 18	expenses may be paid to commissioners serving on the commission	an exception for travel expenses associated with commissioners
1 19	of uniform state laws.	serving on the Commission of Uniform State Laws.
1 20	4. Costs for out-of-state travel and per diems for	
1 21	out-of-state travel shall not be paid from moneys appropriated	FISCAL IMPACT: This will reduce Legislative Branch expenditures by
1 22	pursuant to section 2.12.	approximately \$430,000 in FY 2019.
1 23	Sec. 2. 2017 Iowa Acts, chapter 170, is amended by adding	
1 24	the following new section:	
1 25	NEW SECTION SEC. 6A. INSTRUCTIONAL SUPPORT STATE AID — FY	Suspends the General Fund standing appropriation of \$14,800,000 to
1 26	2018-2019. In lieu of the appropriation provided in section	the Department of Education for the Instructional Support Program for
1 27	257.20, subsection 2, the appropriation for the fiscal year	FY 2019.
1 28	beginning July 1, 2018, and ending June 30, 2019, for paying	
1 29	instructional support state aid under section 257.20 for such	DETAIL: Although no State funding will be provided for the
1 30	fiscal years is zero.	Instructional Support Program (and has not been provided since FY
		2011), school districts may use local property tax and income surtax to
		fund their portion of the Program. In FY 2018, 327 districts
		implemented the Program and generated \$229,329,884 in local taxes
		(\$91,245,322 in income surtax and \$138,084,562 in property taxes).
1 31	Sec. 3. 2017 Iowa Acts, chapter 170, section 15, is amended	
1 32	to read as follows:	
1 33	SEC. 15. CASH RESERVE FUND APPROPRIATION — FY 2018-2019.	General Fund appropriation to the Cash Reserve Fund for FY 2019.
1 34	There is appropriated from the general fund of the state to the	
1 35	cash reserve fund for the fiscal year beginning July 1, 2018,	DETAIL: Increases the FY 2019 General Fund appropriation to the
2 1	and ending June 30, 2019, the following amount:	Cash Reserve Fund by \$2,000,000.

2 2 \$ 111,100,000
 2 3 113,100,000

FISCAL IMPACT: Appropriates \$113,100,000 to the State Cash Reserve Fund for FY 2019.

2 4 Sec. 4. Section 257.35, Code 2018, is amended by adding the
 2 5 following new subsection:

CODE: Reduces the FY 2019 State school aid funding to area education agencies (AEAs) by \$15,000,000.

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

2 6 NEW SUBSECTION 12A. Notwithstanding subsection 1, and in
 2 7 addition to the reduction applicable pursuant to subsection
 2 8 2, the state aid for area education agencies and the portion
 2 9 of the combined district cost calculated for these agencies
 2 10 for the fiscal year beginning July 1, 2018, and ending June
 2 11 30, 2019, shall be reduced by the department of management by
 2 12 fifteen million dollars. The reduction for each area education
 2 13 agency shall be prorated based on the reduction that the agency
 2 14 received in the fiscal year beginning July 1, 2003.

2 15 Sec. 5. TAXPAYERS TRUST FUND. On July 1, 2018, any
 2 16 unencumbered and unobligated moneys in the taxpayers trust fund
 2 17 created in section 8.57E are transferred to the general fund
 2 18 of the state.

Authorizes a transfer of any unencumbered and unobligated funds from the Taxpayers Trust Fund to the General Fund.

DETAIL: This transfers approximately \$8,334,123 from the Taxpayers Trust Fund to the General Fund.

2 19 Sec. 6. SALARY MODEL ADMINISTRATOR. The salary model
 2 20 administrator shall work in conjunction with the legislative
 2 21 services agency to maintain the state's salary model used for
 2 22 analyzing, comparing, and projecting state employee salary
 2 23 and benefit information, including information relating to
 2 24 employees of the state board of regents. The department of
 2 25 revenue, the department of administrative services, the five
 2 26 institutions under the jurisdiction of the state board of
 2 27 regents, the judicial district departments of correctional
 2 28 services, and the state department of transportation shall
 2 29 provide salary data to the department of management and the
 2 30 legislative services agency to operate the state's salary
 2 31 model. The format and frequency of provision of the salary
 2 32 data shall be determined by the department of management and
 2 33 the legislative services agency. The information shall be
 2 34 used in collective bargaining processes under chapter 20 and
 2 35 in calculating the funding needs contained within the annual
 3 1 salary adjustment legislation. A state employee organization
 3 2 as defined in section 20.3, subsection 4, may request

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

3 3 information produced by the model, but the information provided
 3 4 shall not contain information attributable to individual
 3 5 employees.

3 6 DIVISION II
 3 7 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

3 8 Sec. 7. Section 331.424A, subsection 9, Code 2018, as
 3 9 amended by 2018 Iowa Acts, House File 2456, section 14, is
 3 10 amended to read as follows:

3 11 a. For the fiscal year beginning July 1, 2017, and each
 3 12 subsequent fiscal year, the county budgeted amount determined
 3 13 for each county shall be the amount necessary to meet the
 3 14 county's financial obligations for the payment of services
 3 15 provided under the regional service system management plan
 3 16 approved pursuant to section 331.393, not to exceed an amount
 3 17 equal to the product of the regional per capita expenditure
 3 18 target amount multiplied by the county's population, and, for
 3 19 fiscal years beginning on or after July 1, 2021, reduced by
 3 20 the amount of the county's cash flow reduction amount for the
 3 21 fiscal year calculated under subsection 4, if applicable.

3 22 b. If a county officially joins a different region, the
 3 23 county's budgeted amount shall be the amount necessary to meet
 3 24 the county's financial obligations for payment of services
 3 25 provided under the new region's regional service system
 3 26 management plan approved pursuant to section 331.393, not to
 3 27 exceed an amount equal to the product of the new region's
 3 28 regional per capita expenditure target amount multiplied by
 3 29 the county's population, and, for fiscal years beginning on
 3 30 or after July 1, 2021, reduced by the amount of the county's
 3 31 cash flow reduction amount for the fiscal year calculated under
 3 32 subsection 4, if applicable.

3 33 Sec. 8. 2017 Iowa Acts, chapter 170, section 13, is amended
 3 34 to read as follows:

3 35 SEC. 13. TRANSFER FROM CASH RESERVE FUND. Notwithstanding
 4 1 section 8.56, subsection 3 and subsection 4, paragraph "a" and
 4 2 section 8.57, subsection 1, paragraph "a", there is transferred
 4 3 from the cash reserve fund created in section 8.56 to the
 4 4 general fund of the state for the fiscal year beginning July 1,
 4 5 2016, and ending June 30, 2017, the following amount:
 4 6 \$ 131,100,000

CODE: Amends Iowa Code section [331.424A\(9\)](#) as amended by [HF 2456](#) (Mental Health, Complex Service Needs Workgroup Report Act). This is a corrective change. This language, which pertains to county mental health fund balances, was inadvertently struck in the final version of the Act.

DETAIL: The language requires that beginning in FY 2022, counties are limited to a fund balance reserved for cash flow of 20.00% of gross expenditures if the region has a population equal to or greater than 100,000, or 25.00% of gross expenditures if the region has a population of fewer than 100,000. Counties will be required to reduce their levies by any dollar amount in excess of the cash flow amount.

Makes a correction to [SF 516](#) (FY 2018 Standing Appropriations Act) to make inapplicable a provision that requires an appropriation from the General Fund to the Cash Reserve Fund if the balance in the Cash Reserve Fund at the close of the previous fiscal year was below the statutory maximum of 7.50% of the adjusted revenue estimate.

DETAIL: [Senate File 516](#) transferred \$131,100,000 from the Cash Reserve Fund to the General Fund for FY 2017, which reduced the Cash Reserve Fund balance to \$422,400,000. This resulted in the Cash Reserve Fund balance being 5.70% of the FY 2017 adjusted revenue estimate. The Act also appropriated a total of \$131,100,000 from the General Fund to the Cash Reserve Fund over two fiscal years (\$20,000,000 for FY 2018 and \$111,100,000 for FY 2019), to reimburse the Cash Reserve Fund. It was intended that the General Fund appropriations in [SF 516](#) were to be in lieu of the statutory

4 7 Sec. 9. 2018 Iowa Acts, House File 2441, section 17,
4 8 subsection 1, is amended by striking the subsection.

appropriation in Iowa Code section [8.57\(1\)\(a\)](#).

Amends [HF 2441](#) (School District Program Funding Flexibility Act) by striking the applicability provision related to the Department of Education limitation on guidance and interpretations.

DETAIL: [House File 2441](#) was approved by the General Assembly on April 3, 2018, and signed by the Governor on April 11, 2018.

4 9 Sec. 10. 2018 Iowa Acts, Senate File 2117, section 11,
4 10 subsection 1, is amended to read as follows:
4 11 1. There is appropriated from the Iowa economic emergency
4 12 fund created in section 8.55 to the general fund of the state
4 13 for the fiscal year beginning July 1, ~~2017~~ 2016, and ending
4 14 June 30, ~~2018~~ 2017, the following amount:
4 15 \$ 13,000,000

Amends [SF 2117](#) (FY 2018 Budget Adjustment Act) to correct a date associated with a \$13,000,000 Economic Emergency Fund appropriation to the General Fund for FY 2017.

4 16 Sec. 11. 2018 Iowa Acts, Senate File 2117, section 12, is
4 17 amended to read as follows:
4 18 SEC. 12. RETROACTIVE APPLICABILITY. The following
4 19 provision or provisions of this division of this Act apply
4 20 retroactively to ~~September 28, 2017~~ June 30, 2017:
4 21 The section of this division of this Act appropriating
4 22 moneys from the Iowa economic emergency fund to the general
4 23 fund in lieu of a prior standing appropriation.

Specifies that the changes in Section 10 of this Bill pertaining to [SF 2117](#) (FY 2018 Budget Adjustment Act) are retroactive to June 30, 2017.

4 24 Sec. 12. RETROACTIVE APPLICABILITY. The following applies
4 25 retroactively to May 12, 2017:
4 26 The section of this division of this Act amending 2017 Iowa
4 27 Acts, chapter 170, section 13.

Specifies that the changes in Section 8 of this Bill pertaining to [SF 516](#) (FY 2018 Standing Appropriations Act) are retroactive to May 12, 2017.

4 28 Sec. 13. RETROACTIVE APPLICABILITY. The following applies
4 29 retroactively to the effective date of section 256.9A, as
4 30 enacted by 2018 Iowa Acts, House File 2441, section 1:
4 31 The section of this division of this Act amending 2018 Iowa
4 32 Acts, House File 2441, section 17, subsection 1.

Specifies that the changes in Section 9 of this Bill pertaining to [HF 2441](#) (School District Program Funding Flexibility Act) are retroactive to the effective date of [HF 2441](#) (April 11, 2018).

4 33 Sec. 14. EFFECTIVE DATE. This division of this Act, being
4 34 deemed of immediate importance, takes effect upon enactment.

Specifies that Division II of this Bill, related to miscellaneous provisions and appropriations, takes effect upon enactment.

4 35 DIVISION III
5 1 CORRECTIVE PROVISIONS

5 2 Sec. 15. Section 9A.102, subsection 1, Code 2017, as amended
5 3 by 2018 Iowa Acts, Senate File 385, section 2, is amended to
5 4 read as follows:
5 5 1. "Agency contract" means an agreement in which a student

Corrective provision for [SF 385](#) (Uniform Athlete Agents Bill).

DETAIL: This Bill was approved by the General Assembly on April 25, 2018. This Bill has not been signed by the Governor.

5 6 athlete authorizes a person to negotiate or solicit on behalf
 5 7 of the athlete a professional sports services contract or an
 5 8 endorsement contract.

5 9 Sec. 16. Section 68B.2C, as enacted by 2018 Iowa Acts,
 5 10 Senate File 2323, section 7, is amended to read as follows:
 5 11 68B.2C PROHIBITED OUTSIDE EMPLOYMENT AND ACTIVITIES — AGENTS
 5 12 OF FOREIGN PRINCIPALS.
 5 13 Officials and state employees shall not engage in any
 5 14 outside employment or activity that requires the person to
 5 15 register under the federal Foreign Agents Registration Act of of
 5 16 1938, as amended, 22 U.S.C. §611 et seq., ~~as amended~~.

Corrective provision for [SF 2323](#) (Foreign Agent Disclosure, State Officers and Employees Act).

DETAIL: This Act was approved by the General Assembly on March 19, 2018, and signed by the Governor on April 2, 2018.

5 17 Sec. 17. Section 84A.4, subsection 4, paragraph f, Code
 5 18 2018, if enacted by 2018 Iowa Acts, Senate File 2353, section
 5 19 6, is amended to read as follows:
 5 20 f. PROVEN AND PROMISING PRACTICES. The local workforce
 5 21 development board shall lead efforts in the local workforce
 5 22 development area to ~~do all of the following~~:
 5 23 ~~—(1) Identify~~ identify and promote proven and promising
 5 24 strategies and initiatives for meeting the needs of employers,
 5 25 workers, and jobseekers, including individuals with a barrier
 5 26 to employment, in the local workforce development system,
 5 27 including providing physical and programmatic accessibility,
 5 28 in accordance with 29 U.S.C. §3248, if applicable, applicable
 5 29 provisions of chapter 216, and applicable provisions of the
 5 30 Americans with Disabilities Act of 1990, codified at 42 U.S.C.
 5 31 §12101 et seq., to the one-stop delivery system.

Corrective provision for [SF 2353](#) (Employment Services, Workforce Development Department Bill).

DETAIL: This Bill was approved by the General Assembly on April 30, 2018. This Bill has not been signed by the Governor.

5 32 Sec. 18. Section 123.92, subsection 3, paragraph a, Code
 5 33 2018, as amended by 2018 Iowa Acts, Senate File 2310, section
 5 34 47, is amended to read as follows:

5 35 a. Notwithstanding section 123.49, subsection 1, any
 6 1 person who is injured in person or property or means of
 6 2 support by an intoxicated person who is under legal age or
 6 3 resulting from the intoxication of a person who is under
 6 4 legal age, has a right of action for all damages actually
 6 5 sustained, severally or jointly, against a person who is
 6 6 not a licensee or permittee and who dispensed or gave any
 6 7 alcoholic beverage to the intoxicated underage person when the
 6 8 nonlicensee or nonpermittee who dispensed or gave the alcoholic
 6 9 beverage to the underage person knew or should have known the
 6 10 underage person was intoxicated, or who dispensed or gave any
 6 11 alcoholic beverage to the underage person to a point where the
 6 12 nonlicensee or nonpermittee knew or should have known that the
 6 13 underage person would become intoxicated.

Corrective provision for [SF 2310](#) (Alcoholic Beverages Regulation, Technical Changes Act).

DETAIL: This Act was approved by the General Assembly on March 13, 2018, and signed by the Governor on April 2, 2018.

6 14 Sec. 19. Section 135.16A, subsection 1, paragraph a, as

Corrective provision for [HF 2408](#) (Egg Sales Requirements Act).

6 15 enacted by 2018 Iowa Acts, House File 2408, section 1, is
6 16 amended to read as follows:
6 17 a. "Conventional eggs" means eggs ~~others~~ other than
6 18 specialty eggs.

DETAIL: This Act was approved by the General Assembly on March 5, 2018, and signed by the Governor on March 21, 2018.

6 19 Sec. 20. Section 147C.1, subsection 7, paragraph e,
6 20 subparagraph (2), subparagraph division (h), as enacted by 2018
6 21 Iowa Acts, House File 2425, section 1, is amended to read as
6 22 follows:
6 23 (h) Disclosure of investigative records compiled for law
6 24 enforcement purposes ~~of any of the following~~.

Corrective Provision for [HF 2425](#) (Physical Therapy Interstate Compact Act).

DETAIL: This Act was approved by the General Assembly on March 28, 2018, and signed by the Governor on April 4, 2018.

6 25 Sec. 21. Section 148H.1, subsection 4, as enacted by 2018
6 26 Iowa Acts, Senate File 2228, section 5, is amended to read as
6 27 follows:
6 28 4. "Genetic counseling intern" means a student enrolled in
6 29 a genetic counseling program accredited by the accreditation
6 30 council for genetic counseling or its equivalent or successor
6 31 organization, or the American board of medical genetics and
6 32 genomics or its equivalent or successor organization.

Corrective provision for [SF 2228](#) (Genetic Counselors Licensure Act).

DETAIL: This Act was approved by the General Assembly on March 12, 2018, and signed by the Governor on March 29, 2018.

6 33 Sec. 22. Section 256.7, subsection 21, paragraph b,
6 34 subparagraph (2), subparagraph division (d), as enacted by 2018
6 35 Iowa Acts, House File 2235, section 1, is amended to read as
7 1 follows:
7 2 (d) That the assessment be peer-reviewed by an independent,
7 3 third-party evaluator to determine that the assessment is
7 4 aligned with the Iowa core academic standards, provides
7 5 a measurement of student growth and student proficiency,
7 6 and meets the summative assessment requirements of the
7 7 federal Every Student Succeeds Act, Pub.L. No.114-95. The
7 8 assessment developed by the Iowa testing ~~service~~ program
7 9 within the university of Iowa college of education shall ~~make~~
7 10 ~~any necessary adjustments as determined by the peer review~~
7 11 be adjusted as necessary to meet the requirements of this
7 12 subparagraph (2) as determined by the peer review.

Corrective provision for [HF 2235](#) (Statewide School Student Assessments Act).

DETAIL: This Act was approved by the General Assembly on March 21, 2018, and signed by the Governor on March 28, 2018.

7 13 Sec. 23. Section 256.42, subsection 5, Code 2018, as amended
7 14 by 2018 Iowa Acts, Senate File 2131, section 1, is amended to
7 15 read as follows:
7 16 5. Under the initiative, a student must be enrolled in
7 17 a participating school district or accredited nonpublic
7 18 school or be receiving private instruction under chapter 299A
7 19 as described in subsection 1. For a student enrolled in a
7 20 participating school district or accredited nonpublic school,
7 21 the school district or school is responsible for recording
7 22 grades received for initiative coursework in a student's
7 23 permanent record, awarding high school credit for initiative

Corrective provision for [SF 2131](#) (Iowa Learning Online, Expanded Access Act).

DETAIL: This Act was approved by the General Assembly on March 5, 2018, and signed by the Governor on March 28, 2018.

7 24 coursework, and issuing a high school diplomas diploma to a
7 25 student enrolled in the district or school who participates and
7 26 completes coursework under the initiative. Each participating
7 27 school shall identify a site coordinator to serve as a student
7 28 advocate and as a liaison between the initiative staff and
7 29 teachers and the school district or accredited nonpublic
7 30 school. The individual providing instruction to a student
7 31 under chapter 299A as described in subsection 1 shall receive
7 32 the student's score for completed initiative coursework.

7 33 Sec. 24. Section 261.131, subsection 1, paragraph d, Code
7 34 2018, as enacted by 2018 Iowa Acts, House File 2458, section
7 35 12, is amended to read as follows:

8 1 d. "Eligible program" means a program of study or an
8 2 academic major jointly approved by the commission and the
8 3 department of workforce development, in consultation with an
8 4 eligible institution, that leads to a credential aligned with a
8 5 high-demand job designated by the workforce development board
8 6 or a community college pursuant to section 84A.1B, subsection
8 7 13A. If the board or a community college removes a high-demand
8 8 job from a list created under section 84A.1B, subsection 13A,
8 9 an eligible student who received a scholarship for a program
8 10 based on that high-demand job shall continue to receive the
8 11 scholarship until achieving a postsecondary credential, up to
8 12 an associate degree, as long as the student continues to meet
8 13 all other eligibility requirements.

8 14 Sec. 25. Section 280.13C, subsection 4, paragraph a, Code
8 15 2018, as amended by 2018 Iowa Acts, House File 2442, section 1,
8 16 is amended to read as follows:

8 17 a. The department of public health, Iowa high school
8 18 athletic association, and the Iowa girls high school athletic
8 19 union shall work together to distribute the guidelines of the
8 20 centers for disease control and prevention ~~guidelines of the~~
8 21 United States department of health and human services and other
8 22 pertinent information to inform and educate coaches, students,
8 23 and the parents and guardians of students of the risks, signs,
8 24 symptoms, and behaviors consistent with a concussion or brain
8 25 injury, including the danger of continuing to participate in
8 26 extracurricular interscholastic activities after suffering a
8 27 concussion or brain injury and their responsibility to report
8 28 such signs, symptoms, and behaviors if they occur.

8 29 Sec. 26. Section 280.13C, subsection 8, paragraph a, Code
8 30 2018, as amended by 2018 Iowa Acts, House File 2442, section 1,
8 31 is amended to read as follows:

8 32 a. A school district or accredited nonpublic school that
8 33 adopts and follows the protocol required by this section and

Corrective provision for [HF 2458](#) (Future Ready Iowa Act).

DETAIL: This Act was approved by the General Assembly on March 19, 2018, and signed by the Governor on April 3, 2018.

Corrective provision for [HF 2442](#) (Brain Injury Policies Act).

DETAIL: This Act was approved by the General Assembly on April 12, 2018, and signed by the Governor on April 26, 2018.

Corrective provision for [HF 2442](#) (Brain Injury Policies Act).

DETAIL: This Act was approved by the General Assembly on April 12, 2018, and signed by the Governor on April 26, 2018.

8 34 provides an emergency medical care provider or a licensed
 8 35 health care provider at a contest that is a contact or limited
 9 1 contact activity as identified by the American academy of
 9 2 pediatrics shall not be liable for any claim for injuries or
 9 3 damages based upon the actions or inactions of the emergency
 9 4 medical care provider or the licensed health care provider
 9 5 present at the contest at the request of the school district
 9 6 or accredited nonpublic school so long as the emergency
 9 7 medical care provider or the licensed health care provider
 9 8 acts reasonably and in good faith and in the best interest of
 9 9 the student athlete and without undue influence of the school
 9 10 district or accredited nonpublic school or coaching staff
 9 11 employed by the school district or accredited nonpublic school.
 9 12 A school district or accredited nonpublic school shall not be
 9 13 liable for any claim for injuries or damages if an emergency
 9 14 medical care provider or a licensed health care provider who
 9 15 was scheduled in accordance with a prearranged agreement with
 9 16 the school district or accredited nonpublic school to be
 9 17 present and available at a contest is not able to be present
 9 18 and available due to documentable, unforeseen circumstances and
 9 19 the school district or accredited nonpublic school otherwise
 9 20 followed the protocol.

9 21 Sec. 27. Section 298.3, subsection 1, paragraph j, Code
 9 22 2018, as amended by 2018 Iowa Acts, House File 2253, section 9,
 9 23 is amended to read as follows:

9 24 j. The purchase of buildings or lease-purchase option
 9 25 agreements for school buildings. However, a contract
 9 26 for construction by a private party of property to be
 9 27 lease-purchased by a public school corporation is a contract
 9 28 for a public improvement as defined in section 26.2. If the
 9 29 estimated cost of the property to be lease-purchased that is
 9 30 renovated, repaired, or involves new construction ~~in excess~~
 9 31 ~~of exceeds~~ the competitive bid threshold in section 26.3, the
 9 32 board of directors shall comply with the competitive bidding
 9 33 requirements of section 26.3.

9 34 Sec. 28. Section 321G.13, subsection 2, paragraph b,
 9 35 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
 10 1 Senate File 2231, section 1, is amended to read as follows:

10 2 (2) A person may operate or ride on a snowmobile with a
 10 3 loaded pistol or revolver, whether concealed or not, if ~~a the~~
 10 4 person is operating or riding the snowmobile on land that is
 10 5 not owned, possessed, or rented by the person, and the person's
 10 6 conduct is otherwise lawful.

10 7 Sec. 29. Section 321I.14, subsection 2, paragraph b,
 10 8 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,

Corrective provision for [HF 2253](#) (Competitive Bidding Requirements Act).

DETAIL: This Act was approved by the General Assembly on March 28, 2018, and signed by the Governor on April 4, 2018.

Corrective provision for [SF 2231](#) (Carry Weapons and Operating Snowmobiles and All-Terrain Vehicles Act).

DETAIL: This Act was approved by the General Assembly on March 19, 2018, and signed by the Governor on April 2, 2018.

Corrective provision for [SF 2231](#) (Carry Weapons and Operating Snowmobiles and All-Terrain Vehicles Act).

10 9 Senate File 2231, section 3, is amended to read as follows:

10 10 (2) A person may operate or ride ~~on an~~ on all-terrain
 10 11 vehicle with a loaded pistol or revolver, whether concealed or
 10 12 not, if ~~a~~ the person is operating or riding the all-terrain
 10 13 vehicle on land that is not owned, possessed, or rented by the
 10 14 person, and the person's conduct is otherwise lawful.

DETAIL: This Act was approved by the General Assembly on March 19, 2018, and signed by the Governor on April 2, 2018.

10 15 Sec. 30. Section 3211.14, subsection 6, as enacted by 2018
 10 16 Iowa Acts, Senate File 2231, section 4, is amended to read as
 10 17 follows:

Corrective provision for [SF 2231](#) (Carry Weapons and Operating Snowmobiles and All-Terrain Vehicles Act).

10 18 6. As used in this section, "rented by the person" includes
 10 19 a person who does not necessarily rent the land but who
 10 20 principally provides labor for the production of crops located
 10 21 on agricultural land or for the production of livestock
 10 22 principally located on agricultural land. The person must
 10 23 personally provide such labor on a regular, continuous, and
 10 24 substantial basis.

DETAIL: This Act was approved by the General Assembly on March 19, 2018, and signed by the Governor on April 2, 2018.

10 25 Sec. 31. Section 364.4, subsection 4, paragraph i, Code
 10 26 2018, as amended by 2018 Iowa Acts, House File 2253, section
 10 27 11, is amended to read as follows:

Corrective provision for [HF 2253](#) (Competitive Bidding Requirements Act).

10 28 i. A contract for construction by a private party of
 10 29 property to be lease-purchased by a city is a contract for a
 10 30 public improvement under section 26.2, subsection 3. If the
 10 31 estimated cost of the property to be lease-purchased that is
 10 32 renovated, repaired, or involves new construction exceeds the
 10 33 competitive bid threshold set in section 26.3, the city shall
 10 34 comply with the competitive bidding requirements of section
 10 35 26.3.

DETAIL: This Act was approved by the General Assembly on March 28, 2018, and signed by the Governor on April 4, 2018.

11 1 Sec. 32. Section 633.42, subsection 1, Code 2018, as amended
 11 2 by 2018 Iowa Acts, Senate File 2098, section 3, is amended to
 11 3 read as follows:

Corrective provision for [SF 2098](#) (Probate Procedures Act).

11 4 1. At any time after the issuance of letters of appointment,
 11 5 any interested person in the proceeding may file with the
 11 6 clerk a written request for notice of the time and place of
 11 7 all hearings in such proceeding for which notice is required
 11 8 by law, by rule of court, or by an order in such proceeding.
 11 9 The request for notice shall state the name of the requester,
 11 10 the name of the requester's attorney, if any, and the reason
 11 11 the requester is an interested person in the proceeding. The
 11 12 request for notice shall provide the requester's post office
 11 13 address; and, if available, the requester's electronic mail
 11 14 address and telephone number. The request for notice shall
 11 15 also provide the requester's attorney's post office address,
 11 16 electronic mail address, and telephone number. The clerk shall
 11 17 docket the request. Thereafter, unless otherwise ordered by
 11 18 the court, the fiduciary shall serve by ordinary or electronic

DETAIL: This Act was approved by the General Assembly on March 5, 2018, and signed by the Governor on March 28, 2018.

11 19 mail a notice of each hearing upon such requester and the
11 20 requester's attorney, if any.

Corrective provision for [SF 2098](#) (Probate Procedures Act).

11 21 Sec. 33. Section 633.418, Code 2018, as amended by 2018
11 22 Iowa Acts, Senate File 2098, section 6, is amended to read as
11 23 follows:
11 24 633.418 FORM AND VERIFICATION OF CLAIMS — GENERAL
11 25 REQUIREMENTS.
11 26 No claim shall be allowed against an estate on application
11 27 of the claimant unless it shall be in writing, filed with
11 28 the clerk, stating the claimant's name; and address; and,
11 29 if available, telephone number and electronic mail address,
11 30 describing the nature and the amount thereof, if ascertainable,
11 31 and accompanied by the affidavit of the claimant, or someone
11 32 for the claimant, that the amount is justly due, or if not yet
11 33 due, when it will or may become due, that no payments have been
11 34 made thereon which are not credited, and that there are no
11 35 offsets to the same, to the knowledge of the affiant, except as
12 1 therein stated. If the claim is contingent, the nature of the
12 2 contingency shall also be stated.

DETAIL: This Act was approved by the General Assembly on March 5, 2018, and signed by the Governor on March 28, 2018.

12 3 Sec. 34. Section 651.29, subsection 5, paragraphs b and c,
12 4 as enacted by 2018 Iowa Acts, Senate File 2175, section 29, are
12 5 amended to read as follows:
12 6 b. If none of the cotenants ~~has~~ have paid the entire price
12 7 for the remaining interest in the heirs property, the court
12 8 shall resolve the partition action under section 651.30 as if
12 9 the interest of the cotenant that had requested partition by
12 10 sale of the heirs property has not been purchased.
12 11 c. If more than one cotenant ~~have~~ has paid the entire price
12 12 for the remaining interest in the heirs property, the court
12 13 shall reapportion the remaining interest among such cotenants
12 14 based on each cotenant's original fractional ownership of the
12 15 entire heirs property divided by the total original fractional
12 16 ownership of all cotenants that paid the entire price for
12 17 the remaining interest. The court shall promptly issue an
12 18 order reallocating all cotenants' interests, disburse the
12 19 amounts held by the court to the persons entitled to such
12 20 disbursements, and promptly refund any excess payments held by
12 21 the court to the appropriate persons.

Corrective provision for [SF 2175](#) (Partition of Real Property Act).

DETAIL: This Act was approved by the General Assembly on March 28, 2018 and signed by the Governor on April 11, 2018.

12 22 Sec. 35. Section 655.6, subsection 1, as enacted by 2018
12 23 Iowa Acts, House File 2232, section 5, is amended to read as
12 24 follows:
12 25 1. The mortgagee established reasonable procedures to
12 26 achieve compliance with its obligations under section 655.3.

Corrective provision for [HF 2232](#) (Mortgage Releases Act).

DETAIL: This Act was approved by the General Assembly on March 21, 2018, and signed by the Governor on March 28, 2018.

12 27 Sec. 36. Section 716.11, subsection 1, paragraph b, as

Corrective provision for [SF 2235](#) (Partition of Real Property Act).

12 28 enacted by 2018 Iowa Acts, Senate File 2235, section 1, is
 12 29 amended to read as follows:
 12 30 b. A gas, oil, petroleum, refined petroleum product,
 12 31 renewable fuel, or chemical critical generation, storage,
 12 32 transportation, or delivery system.

DETAIL: This Act was approved by the General Assembly on April 3, 2018, and signed by the Governor on April 17, 2018.

12 33 Sec. 37. 2018 Iowa Acts, Senate File 2117, section 1,
 12 34 paragraphs p and s, are amended to read as follows:
 12 35 p.—~~Department of economic~~ Economic development authority
 13 1 \$ 157,960
 13 2 s. College student aid commission
 13 3 \$ 94,172

Corrective provision for [SF 2117](#) (FY 2018 Budget Adjustment Act).

DETAIL: This Act was approved by the General Assembly on March 21, 2018, and signed by the Governor on March 28, 2018.

13 4 Sec. 38. 2018 Iowa Acts, House File 2442, section 4, is
 13 5 amended to read as follows:
 13 6 SEC. 4. STATE MANDATE FUNDING SPECIFIED. In accordance
 13 7 with section 25B.2, subsection 3, the state cost of requiring
 13 8 compliance with any state mandate included in ~~this division~~
 13 9 of this Act shall be paid by a school district from state
 13 10 school foundation aid received by the school district under
 13 11 section 257.16. This specification of the payment of the state
 13 12 cost shall be deemed to meet all of the state funding-related
 13 13 requirements of section 25B.2, subsection 3, and no additional
 13 14 state funding shall be necessary for the full implementation of
 13 15 this Act by and enforcement of this Act against all affected
 13 16 school districts.

Corrective provision for [HF 2442](#) (Brain Injury Policies Act).

DETAIL: This Act was approved by the General Assembly on April 12, 2018, and signed by the Governor on April 26, 2018.

13 17 Sec. 39. REPEAL. 2018 Iowa Acts, House File 2348, section
 13 18 9, is repealed.

Corrective provision for [HF 2348](#) (Nonsubstantive Code Corrections Act).

DETAIL: This Act was approved by the General Assembly on March 14, 2018, and signed by the Governor on March 28, 2018.

13 19 Sec. 40. REPEAL. 2018 Iowa Acts, House File 2457, sections
 13 20 115 and 116 are repealed.

Corrective provision for [HF 2457](#) (Substantive Code Editor Act).

DETAIL: This Act was approved by the General Assembly on March 6, 2018, and signed by the Governor on March 21, 2018.

13 21 Sec. 41. EFFECTIVE DATE. The following, being deemed of
 13 22 immediate importance, takes effect upon enactment:
 13 23 The section of this division of this Act amending 2018 Iowa
 13 24 Acts, Senate File 2117, section 1, paragraphs “p” and “s”.

Corrective provision for [SF 2117](#) (FY 2018 Budget Adjustment Act).

DETAIL: This Act was approved by the General Assembly on March 21, 2018, and signed by the Governor on March 28, 2018.

13 25 Sec. 42. RETROACTIVE APPLICABILITY. The following applies
 13 26 retroactively to March 28, 2018:
 13 27 The section of this division of this Act amending 2018 Iowa

Corrective provision for [SF 2117](#) (FY 2018 Budget Adjustment Act).

DETAIL: This Act was approved by the General Assembly on March

13 28 Acts, Senate File 2117, section 1, paragraphs “p” and “s”.

21, 2018, and signed by the Governor on March 28, 2018.

13 29 Sec. 43. APPLICABILITY. The following apply July 1, 2018,
13 30 to probate filings made on or after that date:

Provides that certain sections amended in [SF 2098](#) (Probate Procedures Act) are applicable on July 1, 2018.

13 31 1. The section of this division of this Act amending section
13 32 633.42.

13 33 2. The section of this division of this Act amending section
13 34 633.418.

13 35 DIVISION IV
14 1 LAND ACQUISITION AND INVENTORY
14 2 Sec. 44. LAND ACQUISITION AND INVENTORY.

14 3 1. By December 1, 2018, the department of natural resources
14 4 shall submit a report to the general assembly including all
14 5 financial assistance provided to private entities for the
14 6 acquisition of land and an inventory of all land managed or
14 7 owned on behalf of the state by the department.

Requires the Department of Natural Resources (DNR) to submit a report to the General Assembly by December 1, 2018, that includes all of the financial assistance provided to private entities for the acquisition of land and an inventory of all land managed or owned on behalf of the State by the Department.

14 8 2. The portion of the report regarding financial assistance
14 9 to private entities for land acquisition shall include the
14 10 name of the private entities, a description of the assistance
14 11 provided, the price of the tract, the date the assistance
14 12 was provided, the date of full loan repayment or cessation
14 13 of the linked deposit account, and the total amount of
14 14 outstanding loans and linked deposits associated with such land
14 15 acquisitions. This portion of the report shall also include
14 16 information regarding the land purchase including the location
14 17 and description of the land, a description of the conservation
14 18 benefits of the purchase, the name of the seller, the price
14 19 paid, and the size of the tract. If the land was later
14 20 acquired by a governmental entity, the report shall include the
14 21 name of the governmental entity, the date of the subsequent
14 22 acquisition, the price paid, and the source of the funds.

Requires the report to include the following information:

- The names of the private entities.
- Descriptions and dates of assistance provided.
- The price and size of the tract.
- The full loan repayment or cessation of the linked deposit account.
- The total amount of outstanding loans and linked deposits associated with land acquisitions.
- Location and description of the land.
- Conservation benefits of the purchase.
- The name of the seller.
- The actual amount paid.

14 23 3. The portion of the report regarding the land inventory
14 24 shall include a list of all properties owned by the state whose
14 25 purchase or donation was facilitated by the department and a
14 26 list of properties which are managed by the department, but
14 27 not owned by the state. For each owned tract of land, the
14 28 inventory shall include the location of the tract, the date
14 29 of acquisition or first management agreement, the name of the
14 30 seller or donor of the tract, the price paid for state-owned
14 31 land and the source of the funds; the owner of the tract if not
14 32 owned by the state, the size of the tract, the present use of
14 33 the tract including whether the property is open to the public,
14 34 and the identification of the government entity charged with
14 35 managing the tract. The inventory shall also identify the
15 1 location and size of all tracts which were conveyed to cities
15 2 or counties within the past twenty years after termination of

Requires the land inventory section of the report to include a list of all properties owned by the State whose purchase or donation was facilitated by the DNR, in addition to a list of properties that are managed by the Department but not owned by the State. For each owned tract of land, the inventory shall include the following information:

- The location of the tract.
- The date of acquisition.
- The name of the seller or donor of the tract.
- The price paid and the source of the funds.
- The size of the tract.
- The present use of the tract and whether the property is open to the public.
- The government entity charged with managing the tract.
- The location and size of all tracts which were conveyed to cities or

15 3 state ownership.

counties within the past twenty years after previously being owned by the State.

15 4 4. For the fiscal year beginning July 1, 2018, the
15 5 environmental protection commission shall not authorize a
15 6 contract or approve costs related to the purchase of land
15 7 which obligates moneys from the water pollution control works
15 8 revolving loan fund for financial assistance to acquire new
15 9 land under the general nonpoint source program set-aside.

Prohibits the DNR and the Iowa Finance Authority from using funds from the Water Pollution Control Works Revolving Loan Fund for financial assistance to purchase new land under funds set aside from the General Nonpoint Source Program in FY 2019.

15 10 DIVISION V
15 11 IOWA GEOLOGICAL SURVEY
15 12 Sec. 45. 2018 Iowa Acts, House File 2491, section 21, if
15 13 enacted, is amended to read as follows:

15 14 SEC. 53A. STATE UNIVERSITY OF IOWA ~~—GEOGRAPHICAL AND WATER~~
15 15 GEOLOGICAL SURVEY. There is appropriated from the environment
15 16 first fund created in section 8.57A to the state university of
15 17 Iowa for the fiscal year beginning July 1, 2018, and ending
15 18 June 30, 2019, the following amounts, or so much thereof as is
15 19 necessary, to be used for the purposes designated:

Makes a technical correction to [House File 2491](#) (FY 2019 Agriculture and Natural Resources Appropriations Bill) to transfer the Geological Survey Program from the DNR to the University of Iowa.

15 20 1. OPERATIONS
15 21 For purposes of supporting the operations of the Iowa
15 22 geological ~~and water~~ survey ~~of the state~~ as created within the
15 23 state university of Iowa pursuant to section 456.1 as amended
15 24 by 2018 Iowa Acts, House File 2303, section 12, including
15 25 but not limited to providing analysis; data maintenance,
15 26 collection, and compilation; investigative programs; and
15 27 information for water supply development and protection:
15 28 \$ 200,000

DETAIL: [House File 2491](#) (FY 2019 Agriculture and Natural Resources Appropriations Bill) specifies a transfer of the Geological Survey Program from the DNR to the University of Iowa.

15 29 2. WATER RESOURCE MANAGEMENT
15 30 For purposes of supporting the Iowa geological ~~and water~~
15 31 survey in measuring, assessing, and evaluating the quantity
15 32 of water sources in this state and assisting the department
15 33 of natural resources in regulating water quantity as provided
15 34 in chapter 455B, division III, part 4, pursuant to sections
15 35 455B.262B and 456.14, as enacted by this Act:
16 1 \$ 495,000

16 2 DIVISION VI
16 3 PODIATRY
16 4 Sec. 46. Section 147.139, subsections 3 and 4, Code 2018,
16 5 are amended to read as follows:

16 6 3. If the defendant is board-certified in a specialty, the
16 7 person is certified in the same or a substantially similar
16 8 specialty by a board recognized by the American board of
16 9 medical specialties, ~~or~~ the American osteopathic association.

CODE: Amends the expert witness standards in standard of care lawsuits:

- Permits a person certified in a specialty by the Council on

16 10 or the council on podiatric medical education.
 16 11 4. a. If the defendant is a licensed physician or
 16 12 osteopathic physician under chapter 148, the person is a
 16 13 physician or osteopathic physician licensed in this state or
 16 14 another state.
 16 15 b. If the defendant is a licensed podiatric physician under
 16 16 chapter 149, the person is a physician, osteopathic physician,
 16 17 or a podiatric physician licensed in this state or another
 16 18 state.

Podiatric Medical Education to serve as an expert witness if the defendant is certified in the same specialty.

- Permits a general physician, osteopathic physician, or a podiatric physician licensed in Iowa or another state to serve as an expert witness if the defendant is a licensed podiatric physician in Iowa.

16 19 DIVISION VII
 16 20 CATTLE GUARDS

16 21 Sec. 47. Section 314.30, subsection 1, paragraph c, as
 16 22 enacted by 2018 Iowa Acts, Senate File 449, section 1, is
 16 23 amended to read as follows:
 16 24 c. The landowner owns ~~the~~ property on both sides of the
 16 25 street or highway and owns property on both sides of any access
 16 26 to the street or highway.

Amends [SF 449](#) (Cattle Guard Installation by Landowners Along Streets or Highways Act) to specify the requirements for installation of a cattle guard by a landowner.

DETAIL: The Act was approved by the General Assembly on April 2, 2018, and was signed by the Governor on April 17, 2018.

16 27 Sec. 48. 2018 Iowa Acts, Senate File 449, is amended by
 16 28 adding the following new section:
 16 29 NEW SECTION SEC. 4. INSTALLATION OF CATTLE GUARD —
 16 30 SUBSEQUENT COUNTY ACTION. Any cattle guard installed pursuant
 16 31 to this Act on or before April 25, 2018, that meets the
 16 32 requirements of this Act at the time of installation shall not
 16 33 be ordered uninstalled or found to be noncompliant with this
 16 34 Act as a result of any action taken after April 25, 2018, by
 16 35 the county with jurisdiction over the street or highway on
 17 1 which the cattle guard is installed to alter the area service
 17 2 classification of the street or highway or to otherwise alter
 17 3 the street or highway in such a way that the installation of
 17 4 the cattle guard no longer complies with this Act.

Specifies that cattle guards installed on or before April 25, 2018, will not be ordered uninstalled or found in noncompliance if the service classification of the highway changes.

17 5 Sec. 49. EFFECTIVE DATE. This division of this Act, being
 17 6 deemed of immediate importance, takes effect upon enactment.
 17 7 Sec. 50. RETROACTIVE APPLICABILITY. This division of this
 17 8 Act applies retroactively to April 17, 2018.

This language takes effect upon enactment and applies retroactively to April 17, 2018.

17 9 DIVISION VIII
 17 10 DRAMSHOP

17 11 Sec. 51. Section 123.92, subsection 1, paragraph a, Code
 17 12 2018, as amended by 2018 Iowa Acts, Senate File 2169, section
 17 13 1, is amended to read as follows:

17 14 a.—Any Subject to the limitation amount specified in
 17 15 paragraph “c”, if applicable, any third party who is not the
 17 16 intoxicated person who caused the injury at issue and who

Amends [SF 2169](#) (Dramshop Liability Act) to specify \$250,000 as the amount payable for damages sustained by any third party who is not the intoxicated person who caused an injury, or the person who

17 17 is injured in person or property or means of support by an
 17 18 intoxicated person or resulting from the intoxication of a
 17 19 person, has a right of action for damages actually sustained,
 17 20 severally or jointly, ~~up to the amount specified in paragraph~~
 17 21 ~~"e"~~, against any licensee or permittee, whether or not the
 17 22 license or permit was issued by the division or by the
 17 23 licensing authority of any other state, who sold and served any
 17 24 beer, wine, or intoxicating liquor directly to the intoxicated
 17 25 person, provided that the person was visibly intoxicated at the
 17 26 time of the sale or service.

sustained bodily harm or damages to property by an intoxicated person. Also, requires the Iowa Insurance Division to conduct an evaluation regarding minimum coverage requirements of dramshop liability insurance every two years.

DETAIL: The Division is directed to compare the minimum dramshop liability insurance coverage requirements between states, and other relevant issues as identified by the Division. The Division is required to submit a report including findings and recommendations by January 31, 2019, and every other year thereafter.

This Act was approved by the General Assembly on April 4, 2018, and was signed by the Governor on April 10, 2018.

17 27 Sec. 52. NEW SECTION 505.33 DRAMSHOP LIABILITY INSURANCE
 17 28 EVALUATION.

17 29 The division shall biennially conduct an evaluation
 17 30 concerning minimum coverage requirements of dramshop liability
 17 31 insurance. In conducting the evaluation, the division
 17 32 shall include a comparison of other states' minimum dramshop
 17 33 liability insurance coverage and any other relevant issues
 17 34 the division identifies. By January 31, 2019, and every two
 17 35 years thereafter, the division shall submit a report, including
 18 1 any findings and recommendations, to the general assembly as
 18 2 provided in chapter 7A.

18 3 Sec. 53. REPEAL. 2018 Iowa Acts, Senate File 2169, section
 18 4 2, is repealed.

Repeals the requirement for the Alcoholic Beverages Division (ABD) to conduct an evaluation regarding minimum coverage requirements of dramshop liability insurance every two years in [SF 2169](#) (Dramshop Liability Act).

18 5 DIVISION IX
 18 6 ALCOHOL

18 7 Sec. 54. Section 123.30, subsection 3, paragraphs a and
 18 8 b, Code 2018, as amended by 2018 Iowa Acts, Senate File 2310,
 18 9 section 12, are amended to read as follows:

18 10 a. CLASS "A". A class "A" liquor control license may be
 18 11 issued to a club and shall authorize the holder to purchase
 18 12 alcoholic liquors in original unopened containers from class
 18 13 "E" liquor control licensees only, wine from class "A" wine
 18 14 permittees or class "B" wine permittees who also hold class "E"
 18 15 liquor control licenses only as provided in section 123.173
 18 16 and section 123.177, and to sell alcoholic beverages to bona
 18 17 fide members and their guests by the individual drink for
 18 18 consumption on the premises only.

Amends [SF 2310](#) (Liquor Control Licenses Act) to specify that a Class A liquor control license must be issued to a club in original unopened containers from Class E liquor control licensees only.

DETAIL: This Act was approved by the General Assembly on March 13, 2018, and was signed by the Governor on April 2, 2018.

18 19 b. CLASS "B". A class "B" liquor control license may be
18 20 issued to a hotel or motel and shall authorize the holder to
18 21 purchase alcoholic liquors in original unopened containers from
18 22 class "E" liquor control licensees only, wine from class "A"
18 23 wine permittees or class "B" wine permittees who also hold
18 24 class "E" liquor control licenses only as provided in section
18 25 123.173 and section 123.177, and to sell alcoholic beverages to
18 26 patrons by the individual drink for consumption on the premises
18 27 only. However, beer may also be sold for consumption off the
18 28 premises. Each license shall be effective throughout the
18 29 premises described in the application.
18 30 Sec. 55. Section 123.30, subsection 3, paragraph c,
18 31 subparagraph (1), Code 2018, as amended by 2018 Iowa Acts,
18 32 Senate File 2310, section 12, is amended to read as follows:

18 33 (1) A class "C" liquor control license may be issued to
18 34 a commercial establishment but must be issued in the name of
18 35 the individuals who actually own the entire business and shall
19 1 authorize the holder to purchase alcoholic liquors in original
19 2 unopened containers from class "E" liquor control licensees
19 3 only, wine from class "A" wine permittees or class "B" wine
19 4 permittees who also hold class "E" liquor control licenses only
19 5 as provided in section 123.173 and section 123.177, and to sell
19 6 alcoholic beverages to patrons by the individual drink for
19 7 consumption on the premises only. However, beer may also be
19 8 sold for consumption off the premises. The holder of a class
19 9 "C" liquor control license may also hold a special class "A"
19 10 beer permit for the premises licensed under a class "C" liquor
19 11 control license for the purpose of operating a brewpub pursuant
19 12 to this chapter.
19 13 Sec. 56. Section 123.30, subsection 3, paragraph c,
19 14 subparagraph (3), Code 2018, is amended to read as follows:

19 15 (3) A class "C" native distilled spirits liquor control
19 16 license may be issued to a native distillery but shall be
19 17 issued in the name of the individuals who actually own the
19 18 business and shall only be issued to a native distillery
19 19 which, combining all production facilities of the business,
19 20 produces and manufactures not more than one hundred thousand
19 21 proof gallons of distilled spirits on an annual basis. The
19 22 license shall authorize the holder to sell native distilled
19 23 spirits manufactured on the premises of the native distillery
19 24 to patrons by the individual drink for consumption on the
19 25 premises. All native distilled spirits sold by a native
19 26 distillery for on-premises consumption shall be purchased
19 27 from a class "E" liquor control licensee in original unopened
19 28 containers.

Specifies that a Class B liquor control license may be issued to a hotel or motel. Permits these licensees to sell alcoholic beverages to patrons by the individual drink for consumption on the premises only, and to sell beer for consumption off the premises. Permits license holders to purchase alcoholic liquors in original unopened containers from Class E liquor control licensees only and wine from Class A wine permittees or Class B wine permittees who also hold class E liquor control licenses.

Specifies that a Class C liquor control license may be issued to a commercial establishment but must be issued in the name of the owner(s) of the business. Permits these licensees to sell alcoholic beverages to patrons by the individual drink for consumption on the premises only, and to sell beer for consumption off the premises. Also permits the commercial establishment license holder of a Class C liquor control license to hold a special Class A beer permit for the purpose of operating a brewpub. Permits license holders to purchase alcoholic liquors in original unopened containers from Class E liquor control licensees only and wine from Class A wine permittees or Class B wine permittees who also hold class E liquor control licenses.

Specifies that a Class C native distilled spirits liquor control license may be issued to a native distillery in the name of the owner(s) of the business. The license holder is authorized to sell native distilled spirits manufactured on the premises for consumption by the glass on the premises. All native distilled spirits sold by a native distillery for on-premises consumption must be purchased from a Class E liquor control licensee in original unopened containers.

19 29 Sec. 57. Section 123.30, subsection 3, paragraph d,
 19 30 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
 19 31 Senate File 2310, section 12, is amended to read as follows:
 19 32 (2) A class "D" liquor control licensee who operates a
 19 33 train or a watercraft intrastate only, or an excursion gambling
 19 34 boat licensed under chapter 99F, shall purchase alcoholic
 19 35 liquor in original unopened containers from a class "E" liquor
 20 1 control licensee only, wine from a class "A" wine permittee or
 20 2 a class "B" wine permittee who also holds a class "E" liquor
 20 3 control license only as provided in section 123.173 and section
 20 4 123.177, and beer from a class "A" beer permittee only.
 20 5 Sec. 58. Section 123.30, subsection 3, paragraph e, Code
 20 6 2018, as amended by 2018 Iowa Acts, Senate File 2310, section
 20 7 12, is amended to read as follows:
 20 8 e. CLASS "E".

20 9 (1) A class "E" liquor control license may be issued and
 20 10 shall authorize the holder to purchase alcoholic liquor in
 20 11 original unopened containers from the division only and high
 20 12 alcoholic content beer from a class "A" beer permittee only and
 20 13 to sell the alcoholic liquor in original unopened containers
 20 14 and high alcoholic content beer at retail to patrons for
 20 15 consumption off the licensed premises and at wholesale to other
 20 16 liquor control licensees, provided the holder has filed with
 20 17 the division a basic permit issued by the alcohol and tobacco
 20 18 tax and trade bureau of the United States department of the
 20 19 treasury. A holder of a class "E" liquor control license
 20 20 may hold other retail liquor control licenses or retail wine
 20 21 or beer permits, but the premises licensed under a class "E"
 20 22 liquor control license shall be separate from other licensed
 20 23 premises, though the separate premises may have a common
 20 24 entrance. However, the holder of a class "E" liquor control
 20 25 license may also hold a class "B" wine or class "C" beer permit
 20 26 or both for the premises licensed under a class "E" liquor
 20 27 control license.

20 28 (2) The division may issue a class "E" liquor control
 20 29 license for premises covered by a liquor control license or
 20 30 wine or beer permit for on-premises consumption, if under any
 20 31 of the following circumstances:
 20 32 (a) If the premises are in a county having a population
 20 33 under nine thousand five hundred in which no other class "E"
 20 34 liquor control license has been issued by the division, and no
 20 35 other application for a class "E" liquor control license has
 21 1 been made within the previous twelve consecutive months.
 21 2 (b) If, notwithstanding any provision of this chapter to the
 21 3 contrary, the premises covered by a liquor control license is a
 21 4 grocery store that is at least five thousand square feet.

Permits a Class D liquor control licensee who operates train, watercraft, or excursion gambling boat to purchase alcoholic liquor in original unopened containers from Class E liquor control licensees only, wine from Class A wine permittees or Class B wine permittees who also hold Class E liquor control licenses, and beer from Class A beer permittees only.

Specifies that a Class E liquor control license may be issued and permits the license holder to purchase alcoholic liquor in original unopened containers from the ABD only and high alcoholic content beer from Class A beer permittees only.

Requires the Class E license holder to sell alcoholic liquor in original unopened containers. Permits the Class E license holder to sell high alcoholic content beer at retail to patrons for consumption off the licensed premises and at wholesale to other liquor control licensees if the licensee has filed with the ABD a basic permit issued by the United State Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

Permits the ABD to issue a Class E liquor control license for premises covered by a liquor control license or wine or beer permit for on-premises consumption if the premises are located within a county with a population of under 9,500 in which no other Class E liquor control licenses have been issued by the Division and no applications have been made with the last year or the premises covered by a liquor control license is a grocery store that is at least 5,000 square feet.

21 5 Sec. 59. Section 123.30, subsection 4, Code 2018, is amended
21 6 to read as follows:

21 7 4. Notwithstanding any provision of this chapter to the
21 8 contrary, a person holding a liquor control license to sell
21 9 alcoholic beverages for consumption on the licensed premises
21 10 may permit a customer to remove one unsealed bottle of wine
21 11 for consumption off the premises if the customer has purchased
21 12 and consumed a portion of the bottle of wine on the licensed
21 13 premises. The licensee or the licensee's agent shall securely
21 14 reseal such bottle in a bag designed so that it is visibly
21 15 apparent that the resealed bottle of wine has not been tampered
21 16 with and provide a dated receipt for the resealed bottle of
21 17 wine to the customer. A wine bottle resealed pursuant to the
21 18 requirements of this subsection is subject to the requirements
21 19 of sections 321.284 and 321.284A. A person holding a liquor
21 20 control license to sell alcoholic beverages for consumption on
21 21 the licensed premises may permit a customer to carry an open
21 22 container of wine from their licensed premises into another
21 23 immediately adjacent licensed premises, temporary closed public
21 24 right-of-way, or private property.

21 25 Sec. 60. Section 123.30, Code 2018, is amended by adding the
21 26 following new subsection:

21 27 NEW SUBSECTION 5. Notwithstanding any provision of this
21 28 chapter to the contrary, a person holding a liquor control
21 29 license to sell alcoholic beverages for consumption on the
21 30 licensed premises may permit a customer to carry an open
21 31 container of alcoholic liquor from their licensed premises
21 32 to another immediately adjacent licensed premises, temporary
21 33 closed public right-of-way, or private property.

21 34 Sec. 61. Section 123.131, subsection 2, unnumbered
21 35 paragraph 1, Code 2018, is amended to read as follows:

22 1 Subject to the rules of the division, sales of beer for
22 2 consumption off the premises made pursuant to this section
22 3 may be made in a container other than the original container
22 4 only if the container is carried into an immediately adjacent
22 5 licensed or permitted premises, temporary closed public
22 6 right-of-way, or private property, or if all of the following
22 7 requirements are met:

22 8 DIVISION X
22 9 SEXUALLY VIOLENT PREDATORS

22 10 Sec. 62. Section 229A.8, subsection 5, paragraph e,
22 11 subparagraph (2), Code 2018, is amended to read as follows:

22 12 (2)_(a). If the committed person shows by a preponderance
22 13 of the evidence that a final hearing should be held on either

CODE: Allows a person holding a liquor control license for selling alcoholic beverages for consumption on the premises to permit a customer to remove one unsealed bottle of wine for consumption off the premises if the customer has purchased and consumed a portion of the bottle of wine on the licensed premises. The bottle is to be resealed in a bag designated for such purposes and a receipt must be provided. The open container of wine may also be carried into an immediately adjacent licensed establishment.

CODE: Specifies that beer purchased for consumption off the premises is allowed to be sold in a container that is not the original container if the container is carried into an immediately adjacent licensed or permitted premise.

CODE: Permits a committed person to waive the requirement that a final hearing be held within 60 days of the court's determination that a

22 14 determination under subparagraph (1), subparagraph division (a)
 22 15 or (b), or both, the court shall set a final hearing within
 22 16 sixty days of the determination that a final hearing be held.
 22 17 (b) The committed person may waive the sixty-day final
 22 18 hearing requirement under subparagraph subdivision (a);
 22 19 however, the committed person or the attorney for the committed
 22 20 person may reassert a demand that the final hearing be held
 22 21 within sixty days from the date of filing the demand with the
 22 22 clerk of court.
 22 23 (c) The final hearing may be continued upon request of
 22 24 either party and a showing of good cause, or by the court
 22 25 on its own motion in the due administration of justice, and
 22 26 if the committed person is not substantially prejudiced. In
 22 27 determining what constitutes good cause, the court shall
 22 28 consider the length of the pretrial detention of the committed
 22 29 person.

final hearing should be held. The committed person may reassert a demand that a final hearing be held within 60 days from the date of filing the demand with the Clerk of District Court. In addition, the final hearing may be continued upon request of either party and a showing of good cause, or by the court on its own motion in the due administration of justice, and if the committed person is not substantially prejudiced.

22 30 Sec. 63. Section 229A.15, Code 2018, is amended to read as
 22 31 follows:
 22 32 229A.15 COURT RECORDS — SEALED AND OPENED BY COURT ORDER.
 22 33 1.—Any Except as otherwise provided in this section, any
 22 34 psychological reports, drug and alcohol reports, treatment
 22 35 records, reports of any diagnostic center, medical records, or
 23 1 victim impact statements which have been submitted to the court
 23 2 or admitted into evidence under this chapter shall be part of
 23 3 the record but shall be sealed and opened only on order of the
 23 4 court.
 23 5 2. The documents described in subsection 1 shall be
 23 6 available to the prosecuting attorney or attorney general, the
 23 7 committed person, and the attorney for the committed person
 23 8 without an order of the court.

CODE: Requires the sealed documents described in Iowa Code section [229A.15\(1\)](#) to be available to the prosecuting attorney or attorney general, the committed person, and the attorney for the committed person without an order of the court.

23 9 DIVISION XI
 23 10 EARNED TIME

23 11 Sec. 64. Section 903A.2, subsection 1, paragraph a,
 23 12 subparagraph (2), Code 2018, is amended to read as follows:

23 13 (2) However, an inmate required to participate in a sex
 23 14 offender treatment program shall not be eligible for a any
 23 15 reduction of sentence unless until the inmate participates in
 23 16 and completes a sex offender treatment program established by
 23 17 the director.

23 18 Sec. 65. Section 903A.2, subsection 1, paragraph b,
 23 19 subparagraph (2), Code 2018, is amended to read as follows:

23 20 (2) An inmate required to participate in a domestic abuse
 23 21 treatment program shall not be eligible for a any reduction of
 23 22 sentence unless until the inmate participates in and completes
 23 23 a domestic abuse treatment program established by the director.

CODE: Specifies that an inmate committed to the Department of Corrections (DOC) who is required to participate in a sex offender or domestic abuse treatment program shall not be eligible for any reduction of sentence until the inmate participates in and completes a sex offender or domestic abuse treatment program. Specifies that an inmate committed to the DOC may be ordered to forfeit any or all earned time if the inmate has failed to complete a sex offender or domestic abuse treatment program as specified in Iowa Code section [903A.2](#).

DETAIL: Under Iowa Code section [903A.2\(1\)\(a\)\(2\)](#), an inmate required

23 24 Sec. 66. Section 903A.3, subsection 1, Code 2018, is amended
23 25 to read as follows:

23 26 1. Upon finding that an inmate has violated an institutional
23 27 rule, has failed to complete a sex offender or domestic abuse
23 28 treatment program as specified in section 903A.2, or has
23 29 had an action or appeal dismissed under section 610A.2, the
23 30 independent administrative law judge may order forfeiture of
23 31 any or all earned time accrued and not forfeited up to the
23 32 date of the violation by the inmate and may order forfeiture
23 33 of any or all earned time accrued and not forfeited up to
23 34 the date the action or appeal is dismissed, unless the court
23 35 entered such an order under section 610A.3. The independent
24 1 administrative law judge has discretion within the guidelines
24 2 established pursuant to section 903A.4, to determine the amount
24 3 of time that should be forfeited based upon the severity of the
24 4 violation. Prior violations by the inmate may be considered by
24 5 the administrative law judge in the decision.

to participate in a sex offender treatment program (SOTP) shall not be eligible for a reduction of sentence unless the inmate participates in and completes an SOTP. Failure to complete treatment includes refusal to attend or removal by corrections officers. Prior to 2016, the DOC policy interpreted this language to mean that an inmate could no longer accrue any earned time after refusing to attend the DOC's SOTP, but would not lose any previously accrued earned time. In January 2016, the DOC revised its policy to also include the forfeiture of previously accrued earned time. In 2017, the Iowa Supreme Court ruled in [State v. Iowa District Court for Jones County](#) that the DOC policy prior to 2016 applied and the DOC could not lawfully forfeit an offender's earned time accrued prior to refusal or removal from the SOTP.

FISCAL IMPACT: This provision will have a fiscal impact on the operating budget of the DOC due to the increased length of stay for offenders who are unsuccessful in the SOTP or the Domestic Abuse Treatment Program. It is estimated there will be 43 unsuccessful participants in the SOTP and 33 unsuccessful participants in the Domestic Abuse Treatment Program annually. The additional prison costs per year are estimated to be \$486,000 in FY 2019 and \$972,000 in FY 2020. The marginal costs are estimated to increase until FY 2024 when the prison population is no longer expected to further increase as a result of the Bill. For more information, see the [Fiscal Note](#) for [SF 2356](#).

24 6 DIVISION XII
24 7 MULTIPLE EMPLOYER WELFARE ARRANGEMENTS
24 8 Sec. 67. Section 507A.4, subsection 9, paragraph c,
24 9 unnumbered paragraph 1, Code 2018, is amended to read as
24 10 follows:

24 11 A multiple employer welfare arrangement that is recognized
24 12 as tax-exempt under Internal Revenue Code section 501(c)(9)
24 13 that meets all of the conditions of paragraph "a" shall not be
24 14 considered any of the following:

CODE: A multiple employer welfare arrangement that is recognized as tax-exempt by the Internal Revenue Service will not be considered an insurance company or association of any kind, a member of the Iowa Individual Health Benefit Reinsurance Association, or a member insurer of the Iowa Life and Health Insurance Guaranty Association.

24 15 Sec. 68. Section 513D.1, as enacted by 2018 Iowa Acts,
24 16 Senate File 2349, section 5, is amended to read as follows:
24 17 513D.1 ASSOCIATION HEALTH PLANS.
24 18 The commissioner shall adopt rules that allow for the
24 19 creation of association health plans that are consistent with
24 20 the United States department of labor's regulations in 29
24 21 C.F.R.pt.2510. A multiple employer welfare arrangement that
24 22 is recognized as tax-exempt under Internal Revenue Code section
24 23 501(c)(9) and that is registered with the commissioner prior

Amends [SF 2349](#) (Association Health Plans Act) to require that a multiple employer welfare arrangement that is recognized as tax-exempt by the Internal Revenue Service and is registered with the Iowa Insurance Commission prior to January 1, 2018, is not considered an association health plan, unless the multiple employer welfare arrangement chooses this status.

24 24 to January 1, 2018, shall not be considered an association
 24 25 health plan unless the multiple employer welfare arrangement
 24 26 affirmatively elects to be treated as an association health
 24 27 plan.

24 28 Sec. 69. REPEAL. 2018 Iowa Acts, Senate File 2349, section
 24 29 7, is repealed.

Repeals the ability of the Insurance Division Commissioner to adopt emergency rules.

24 30
 24 31 DIVISION XIII
 24 31 SELF-PROMOTION — PUBLIC FUNDS
 24 32 Sec. 70. NEW SECTION 68A.405A SELF-PROMOTION WITH TAXPAYER
 24 33 FUNDS PROHIBITED.

24 34 1. a. Except as provided in sections 29C.3 and 29C.6, a
 24 35 statewide elected official or member of the general assembly
 25 1 shall not permit the expenditure of public moneys under the
 25 2 control of the statewide elected official or member of the
 25 3 general assembly, including but not limited to moneys held in a
 25 4 private trust fund as defined by section 8.2, for the purpose
 25 5 of any paid advertisement or promotion bearing the written
 25 6 name, likeness, or voice of the statewide elected official or
 25 7 member of the general assembly distributed through any of the
 25 8 following means:
 25 9 (1) A paid direct mass mailing.
 25 10 (2) A paid radio advertisement or promotion.
 25 11 (3) A paid newspaper advertisement or promotion.
 25 12 (4) A paid television advertisement or promotion.
 25 13 (5) A paid internet advertisement or promotion.
 25 14 (6) A paid exhibit display at the Iowa state fair or a
 25 15 fairground or grounds as defined in section 174.1.

CODE: Prohibits a statewide elected official or member of the General Assembly from using taxpayer funds for direct mass mailings, radio advertisement or promotions, newspaper advertisements or promotions, television advertisements or promotions, internet advertisements or promotions, or exhibit displays at the Iowa State Fair or a fairground or grounds, as defined in Iowa Code section [174.1](#).

FISCAL IMPACT: The Iowa Department of Agriculture and Land Stewardship (IDALS) estimates a total cost of approximately \$151,500 for labor, materials, and travel reimbursements associated with communications and exhibit expenditures.

IDALS estimates \$2,100 for replacing and printing new gas pump and various weight scale stickers to accommodate the proposed restrictions on designated communications and exhibit expenditures. Additionally, IDALS also inspects weight scales at the Iowa State Fair. Replacing weight scale stickers used at the State Fair is estimated to result in an additional \$500. Labor associated with replacing these stickers is estimated to take two months and will cost \$130,570. As gas pump stickers will need to be replaced statewide, the IDALS estimates travel reimbursement costs for 47,000 miles at \$0.39 per mile to be \$18,300.

25 16 b. Except as otherwise provided by law, paragraph “a”
 25 17 shall not apply to bona fide ministerial or ceremonial records
 25 18 or ordinary, common, and frequent constituent correspondence
 25 19 containing the name of the statewide elected official or member
 25 20 of the general assembly.
 25 21 2. A person who willfully violates this section shall be
 25 22 subject to a civil penalty of an amount up to the amount of
 25 23 moneys withdrawn from a public account or private trust fund
 25 24 as defined in section 8.2 used to fund the communication found
 25 25 to be in violation of this section by the board or, for members
 25 26 of the general assembly, by an appropriate legislative ethics
 25 27 committee. A penalty imposed pursuant to this section shall

Permits statewide elected officials or members of the General Assembly to use taxpayer funds for ministerial or ceremonial records and frequent correspondence with constituents. Subjects statewide elected officials or members of the General Assembly who use taxpayer funds for advertisement or promotion to a civil penalty up to the amount of moneys withdrawn from a public account or private trust fund for this purpose. The penalty must be paid by the candidate's committee and will be deposited into the public account or private trust fund from which the moneys were withdrawn.

25 28 be paid by the candidate's committee. Such penalty shall be
25 29 determined and assessed by the board or, for a member of the
25 30 general assembly, the appropriate legislative ethics committee,
25 31 and paid into the account from which such moneys were
25 32 withdrawn. Additional criminal or civil penalties available
25 33 under section 68A.701 or established by the board pursuant to
25 34 section 68B.32A may also be determined and assessed by the
25 35 board for violations of this section. Nothing in this section
26 1 shall prevent the imposition of any penalty or sanction for a
26 2 violation of this section by a legislative ethics committee.

26 3 DIVISION XIV
26 4 LEASE-PURCHASE CONTRACTS

26 5 Sec. 71. 2018 Iowa Acts, House File 2253, section 13, is
26 6 amended to read as follows:

26 7 SEC. 13. APPLICABILITY. This Act applies to lease-purchase
26 8 contracts entered into on or after the effective date of this
26 9 Act. This Act does not apply to any lease-purchase contract
26 10 that results from a request for proposals or request for
26 11 qualifications issued by a city with a population of less
26 12 than 21,000 according to the 2016 special census prior to the
26 13 effective date of this Act.

26 14 Sec. 72. RETROACTIVE APPLICABILITY. The following applies
26 15 retroactively to April 4, 2018:

26 16 The section of this division of this Act amending 2018 Iowa
26 17 Acts, House File 2253, section 13.

26 18 DIVISION XV
26 19 CONSTRUCTION VEHICLES

26 20 Sec. 73. Section 321.463, subsection 9, Code 2018, is
26 21 amended to read as follows:

26 22 9. A vehicle or combination of vehicles transporting
26 23 materials or equipment on nonprimary highways to or from a
26 24 construction project or commercial plant site may operate
26 25 under the maximum gross weight table for primary highways in
26 26 subsection 6, paragraph "a", ~~if the route is approved by the~~
26 27 ~~appropriate local authority. Route approval is not required if~~
26 28 ~~the vehicle or combination of vehicles transporting materials~~
26 29 ~~or equipment to or from a construction project or commercial~~
26 30 ~~plant site complies with~~ or the maximum gross weight table for
26 31 noninterstate highways in subsection 6, paragraph "c". When
26 32 crossing a bridge, such a vehicle or combination of vehicles
26 33 shall comply with any weight restriction imposed for the
26 34 bridge pursuant to section 321.471 or 321.474, provided signs
26 35 that conform to the manual of uniform traffic-control devices
27 1 adopted by the department that give notice of the restriction

CODE: Amends [HF 2253](#) (Competitive Bidding Requirements Act) to exempt lease-purchase contracts that result from a request for proposals or request for qualifications issued by a city with a population of less than 21,000 according to the 2016 special census. Applies retroactively to April 4, 2018.

CODE: Specifies that a construction vehicle may operate under the maximum gross weight for length and number of axles without route approval from local authorities if the vehicle is traveling on non-primary roads, to or from a construction site or plant, and abides by all restrictions on bridges. Requires vehicles crossing bridges to comply with weight restrictions for the bridges as posted on signage.

27 2 are posted as required under section 321.472 or 321.474, as
 27 3 applicable.

27 4
 27 5 DIVISION XVI
 27 6 LOCAL ORDINANCES
 27 7 Sec. 74. Section 331.301, subsection 6, paragraph c,
 27 8 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
 27 9 to read as follows:

27 9 A county shall not adopt an ordinance, motion, resolution,
 27 10 or amendment that sets standards or requirements regarding the
 27 11 sale or marketing of consumer merchandise that are different
 27 12 from, or in addition to, any ~~requirement established by~~ state
 27 13 law. For purposes of this paragraph:

27 14 Sec. 75. Section 364.3, subsection 3, paragraph c,
 27 15 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
 27 16 to read as follows:

27 17 A city shall not adopt an ordinance, motion, resolution, or
 27 18 amendment that sets standards or requirements regarding the
 27 19 sale or marketing of consumer merchandise that are different
 27 20 from, or in addition to, any ~~requirement established by~~ state
 27 21 law. For purposes of this paragraph:

27 22 DIVISION XVII
 27 23 HEALTH CARE COVERAGE — SURVIVING SPOUSE AND CHILDREN
 27 24 Sec. 76. NEW SECTION 509A.13C HEALTH CARE COVERAGE FOR
 27 25 SURVIVING SPOUSE AND CHILDREN OF FIRE FIGHTERS AND PEACE
 27 26 OFFICERS IN THE LINE OF DUTY.

27 27 1. For the purposes of this section, “eligible peace officer
 27 28 or fire fighter” means a peace officer as defined in section
 27 29 801.4, or a fire fighter, to which a line of duty death benefit
 27 30 is payable pursuant to section 97A.6, subsection 16, section
 27 31 97B.52, subsection 2, or section 411.6, subsection 15.

27 32 2. a. If a governing body, a county board of supervisors,
 27 33 or a city council has procured accident or health care coverage
 27 34 for its employees under this chapter, such coverage shall
 27 35 permit continuation of existing coverage or reenrollment in
 28 1 previously existing coverage for the surviving spouse and each
 28 2 surviving child of an eligible peace officer or fire fighter.

28 3 b. A governing body, a county board of supervisors, or
 28 4 a city council shall also permit continuation of existing
 28 5 coverage for the surviving spouse and each surviving child
 28 6 of a peace officer as defined in section 801.4, or a fire
 28 7 fighter who dies and to which a line of duty death benefit is
 28 8 reasonably expected to be payable pursuant to section 97A.6,

CODE: Specifies that a county or city cannot adopt an ordinance, motion, resolution, or amendment that sets standards or requirements for the sale or marketing of consumer merchandise that are different from State law.

CODE: Adds a definition of “eligible peace officer or firefighter” as a peace officer or fire fighter to whom a line of duty death benefit is payable. Allows the employer to provide continuation of existing health insurance coverage to the surviving spouse and children of a State, county, or city peace officer who is killed in the line of duty.

Specifies that a surviving child of an eligible peace officer or fire fighter may be provided coverage, with the coverage paid by the governing body, county board of supervisors, or city council, until the policy anniversary date on or after the child reaches the age of 26, unless the child is covered under Medicaid.

Specifies that a surviving spouse of an eligible peace officer or fire fighter may be provided coverage, with the coverage paid by the governing body, county board of supervisors, or city council, until the spouse is eligible for coverage under Medicare.

28 9 subsection 16, section 97B.52, subsection 2, or section 411.6,
28 10 subsection 15, until such time as the determination of whether
28 11 to provide a line of duty death benefit is made.

28 12 3. A governing body, a county board of supervisors, or
28 13 a city council providing accident or health care coverage
28 14 under this section shall not be required to pay for the cost
28 15 of the coverage. However, a governing body, a county board
28 16 of supervisors, or a city council may pay the full cost or a
28 17 portion of the cost of the coverage. If the full cost of the
28 18 coverage is not paid, a surviving spouse and each surviving
28 19 child eligible for coverage under this section may elect to
28 20 continue accident or health care coverage by paying that
28 21 portion of the cost of the coverage not paid by the governing
28 22 body, county board of supervisors, or city council.

28 23 4. A governing body, a county board of supervisors, or a
28 24 city council shall notify the provider of accident or health
28 25 care coverage for its employees of a surviving spouse and
28 26 each surviving child to be provided coverage pursuant to the
28 27 requirements of this section.

28 28 5. This section shall not require continuation of coverage
28 29 if the surviving spouse or surviving child who would otherwise
28 30 be entitled to continuation of coverage under this section was,
28 31 through the surviving spouse's or surviving child's actions, a
28 32 substantial contributing factor to the death of the eligible
28 33 peace officer or fire fighter.

28 34 Sec. 77. APPLICABILITY — HEALTH CARE COVERAGE FOR PRIOR
28 35 DEATHS. The surviving spouse and each surviving child of a
29 1 peace officer as defined in section 801.4, or a fire fighter
29 2 who died on or after January 1, 1985, but before July 1, 2000,
29 3 to which the requirements for providing a line of duty death
29 4 pursuant to section 97A.6, subsection 16, section 97B.52,
29 5 subsection 2, or section 411.6, subsection 15, would otherwise
29 6 have been established, and the surviving spouse and each
29 7 surviving child of an eligible peace officer or fire fighter
29 8 as defined in section 509A.13C, as enacted in this Act, may
29 9 be entitled to coverage as provided in section 509A.13C upon
29 10 written notification of the applicable governing body, county
29 11 board of supervisors, or city council. Coverage provided under
29 12 section 509A.13C pursuant to this section shall be for claims
29 13 for services incurred on or after the date of reenrollment.

29 14 Sec. 78. EFFECTIVE DATE. This division of this Act, being
29 15 deemed of immediate importance, takes effect upon enactment.

29 16 Sec. 79. RETROACTIVE APPLICABILITY. This division of this
29 17 Act applies retroactively to a death occurring on or after

Specifies that a governing body, county board of supervisors, or city council is not required to pay for the cost of accident or health care coverage.

Specifies that the continuation of coverage is not required if the surviving spouse or surviving child was a contributing factor to the death of the eligible peace officer or firefighter.

Specifies that surviving spouses and children of peace officers and fire fighters who died on or after January 1, 1985, but before July 1, 2000, may be eligible for reenrollment in health care coverage. Coverage is limited to claims for services incurred on or after the date of reenrollment.

Specifies that the Division of this Act is effective upon enactment and coverage applies retroactively to peace officer and fire fighter deaths occurring on or after January 1, 1985.

29 18 January 1, 1985.

29 19 DIVISION XVIII
29 20 SCHOLARSHIPS FOR SURVIVING CHILDREN OF CERTAIN PERSONS KILLED
29 21 IN THE LINE OF DUTY

29 22 Sec. 80. Section 261.87, subsection 1, Code 2018, is amended
29 23 by adding the following new paragraph:

29 24 NEW PARAGRAPH 0d. "Eligible surviving-child student" means
29 25 a qualified student who is under the age of twenty-six, or
29 26 under the age of thirty if the student is a veteran who is
29 27 eligible for benefits, or has exhausted the benefits, under the
29 28 federal Post-9/11 Veterans Educational Assistance Act of 2008;
29 29 who is not a convicted felon as defined in section 910.15; and
29 30 who meets any of the following criteria:

29 31 (1) Is the child of a peace officer, as defined in section
29 32 97A.1, who was killed in the line of duty as determined by
29 33 the board of trustees of the Iowa department of public safety
29 34 peace officers' retirement, accident, and disability system in
29 35 accordance with section 97A.6, subsection 16.

30 1 (2) Is the child of a police officer or a fire fighter, as
30 2 each is defined in section 411.1, who was killed in the line of
30 3 duty as determined by the statewide fire and police retirement
30 4 system in accordance with section 411.6, subsection 15.

30 5 (3) Is the child of a sheriff or deputy sheriff as each is
30 6 defined in section 97B.49C, who was killed in the line of duty
30 7 as determined by the Iowa public employees' retirement system
30 8 in accordance with section 97B.52, subsection 2.

30 9 (4) Is the child of a fire fighter or police officer
30 10 included under section 97B.49B, who was killed in the line of
30 11 duty as determined by the Iowa public employees' retirement
30 12 system in accordance with section 97B.52, subsection 2.

30 13 Sec. 81. Section 261.87, subsection 3, Code 2018, is amended
30 14 to read as follows:

30 15 3. PRIORITY FOR SCHOLARSHIP AWARDS. Priority for
30 16 scholarships under this section shall be given to eligible
30 17 foster care students, then to eligible surviving-child
30 18 students, who meet the eligibility criteria under subsection
30 19 2. Following distribution to students who meet the eligibility
30 20 criteria under subsection 2, the commission may establish
30 21 priority for awarding scholarships using any moneys that remain
30 22 in the all Iowa opportunity scholarship fund.

30 23 DIVISION XIX
30 24 CREDIT UNIONS

30 25 Sec. 82. Section 533.212, Code 2018, is amended by adding
30 26 the following new subsection:

CODE: Provides that a qualified student under the age of 26 (or under the age of 30 if the student is or was eligible for benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008) who is not a convicted felon may be eligible for continuing coverage if the student is the child of a peace officer, police officer, firefighter, sheriff, or deputy sheriff who was killed in the line of duty.

CODE: Adds surviving children who meet eligibility criteria to the priority list of awardees for the All Iowa Opportunity Scholarship Fund.

30 27 NEW SUBSECTION 4. A credit union organized in accordance
 30 28 with this chapter shall not include the name of any public
 30 29 university located in the state in its name. For purposes of
 30 30 this subsection, "public university located in the state" shall
 30 31 mean the state university of Iowa, the Iowa state university of
 30 32 science and technology, and the university of northern Iowa.
 30 33 Sec. 83. Section 533.329, subsection 2, paragraph b, Code
 30 34 2018, is amended to read as follows:

CODE: Prohibits credit unions from including the name of any public university in the State in their names.

30 35 ~~b.—The amount collected in each taxing district within~~
 31 1 ~~a city. The moneys and credits tax shall be collected by the~~
 31 2 ~~department of revenue and shall be apportioned twenty percent~~
 31 3 ~~to the county, thirty percent to the city general fund, and~~
 31 4 ~~fifty percent to the general fund of the state, and the amount~~
 31 5 ~~collected in each taxing district outside of cities shall be~~
 31 6 ~~apportioned fifty percent to the county and fifty percent to~~
 31 7 ~~the general fund of the state.~~

CODE: Requires that revenue from the moneys and credit tax assessed on credit union legal reserves is to be collected by the Department of Revenue and apportion 20.00% percent to the county, 30.00% to the city general fund, and 50.00% of revenue to the State General Fund. In addition, the amount collected in each taxing district outside of cities will be apportioned 50.00% to the county and 50.00% to the State General Fund.

31 8 Sec. 84. Section 533.329, subsection 2, paragraph c, Code
 31 9 2018, is amended by striking the paragraph.
 31 10 Sec. 85. Section 533.329, Code 2018, is amended by adding
 31 11 the following new subsection:

CODE: Repeals the provision stating moneys and credits tax is to be collected at the location of the state credit union.

31 12 NEW SUBSECTION 3. The department of revenue shall
 31 13 administer and enforce the provisions of this section.

CODE: Requires the Department of Revenue to administer and enforce the collection of the moneys and credit tax.

31 14 Sec. 86. EFFECTIVE DATE. The following takes effect April
 31 15 30, 2019:
 31 16 The section of this division of this Act amending section
 31 17 533.212.

Specifies the provision prohibiting credit unions from including the name of any public university in the State in their names is to take effect April 30, 2019.

31 18 DIVISION XX
 31 19 MILITARY INSTALLATION — SCHOOL ENROLLMENT
 31 20 Sec. 87. Section 257.6, subsection 1, paragraph a, Code
 31 21 2018, is amended by adding the following new subparagraph:

31 22 NEW SUBPARAGRAPH (8) Pupils who are enrolled in public
 31 23 schools within the district under section 282.1, subsection
 31 24 3, in grades kindergarten through twelve and including
 31 25 prekindergarten pupils enrolled in special education programs.
 31 26 Sec. 88. Section 282.1, subsection 2, Code 2018, is amended
 31 27 to read as follows:

Applies to students who are enrolled in public schools within the district in grades kindergarten through 12, and also includes prekindergarten students enrolled in special education programs.

31 28 2. For purposes of this section, "resident" means a child
 31 29 who ~~is~~ meets either of the following requirements:
 31 30 a. Isphysically present in a district, whose residence has
 31 31 not been established in another district by operation of law,

Specifies that a resident is a child who is physically present in a district and has not established residency in another district; and either is in the district for the purpose of making a home and not solely for school purposes; is technically homeless; or lives in a juvenile detention

31 32 and who meets any of the following conditions:
 31 33 —a. (1) Is in the district for the purpose of making a home
 31 34 and not solely for school purposes.
 31 35 —b. (2) Meets the definitional requirements of the term
 32 1 "homeless individual" under 42 U.S.C. §11302(a) and (c).
 32 2 —c. (3) Lives in a juvenile detention center or residential
 32 3 facility in the district.

center or residential facility in the district; or who lives with a parent or guardian who is on active duty in the military and is stationed at and resides or is domiciled within a federal military installation located contiguous to a county in the State.

FISCAL IMPACT: This is expected to slightly increase State school aid in FY 2020.

32 4 b. Is domiciled with the child's parent or guardian who is
 32 5 on active duty in the military service of the United States and
 32 6 is stationed at and resides or is domiciled within a federal
 32 7 military installation located contiguous to a county in this
 32 8 state.

Specifies that a parent or guardian who is on active duty in the military and is stationed at and resides or is domiciled within a federal military installation located contiguous to a county in the State may enroll a child in a school district in an Iowa county that is located contiguous to the out-of-state federal military installation.

32 9 Sec. 89. Section 282.1, Code 2018, is amended by adding the
 32 10 following new subsections:

32 11 NEW SUBSECTION 3. The parent or guardian of a child
 32 12 who meets the requirements of subsection 2, paragraph "b",
 32 13 paragraph may enroll the child in a school district in a county
 32 14 in this state that is located contiguous to the out-of-state
 32 15 federal military installation. Notwithstanding section 285.1
 32 16 relating to transportation of resident pupils, the parent or
 32 17 guardian is responsible for transporting the child without
 32 18 reimbursement to and from a point on a regular school bus route
 32 19 of the district of enrollment.

Specifies the parent or guardian is responsible for transporting the child to and from a point on the regular school bus route of the district of enrollment without reimbursement.

32 20 NEW SUBSECTION 4. Notwithstanding section 282.6, if a
 32 21 parent or guardian enrolls a child in a school district in
 32 22 accordance with subsection 3, the school district shall be free
 32 23 of tuition for such child.

Specifies the parent or guardian is not responsible for the cost of tuition for the child in the above case.

32 24 DIVISION XXI
 32 25 CRIMINALISTICS LABORATORY FUND
 32 26 Sec. 90. Section 691.9, Code 2018, is amended to read as
 32 27 follows:

32 28 691.9 CRIMINALISTICS LABORATORY FUND.
 32 29 A criminalistics laboratory fund is created as a separate
 32 30 fund in the state treasury under the control of the department
 32 31 of public safety. The fund shall consist of appropriations
 32 32 made to the fund and transfers of interest, and earnings. All
 32 33 moneys in the fund are appropriated to the department of public
 32 34 safety for use by the department in criminalistics laboratory
 32 35 equipment and supply purchasing, maintenance, depreciation, and
 33 1 training. Any balance in the fund on June 30 of any fiscal
 33 2 year shall not revert to any other fund of the state but shall

CODE: Permits moneys in the Criminalistics Laboratory Fund to be used for the purchase of laboratory supplies.

33 3 remain available for the purposes described in this section.

33 4 DIVISION XXII
33 5 IOWA ENERGY CENTER

33 6 Sec. 91. Section 476.10A, subsection 1, paragraph c,
33 7 subparagraph (1), Code 2018, is amended to read as follows:
33 8 ~~(1)—Eighty-five~~ Of eighty-five percent of the remittances
33 9 collected pursuant to this section ~~is, the following shall~~
33 10 occur:

33 11 (a) For the fiscal year beginning July 1, 2018, such
33 12 remittances are appropriated to the Iowa energy center created
33 13 in section 15.120.

33 14 (b) For the fiscal year beginning July 1, 2019, the first
33 15 one million two hundred eighty-thousand dollars of such
33 16 remittances shall be transferred to the general fund of the
33 17 state, and the remaining amount is appropriated to the Iowa
33 18 energy center created in section 15.120.

33 19 (c) For the fiscal year beginning July 1, 2020, the
33 20 first two million nine hundred ten thousand dollars of such
33 21 remittances shall be transferred to the general fund of the
33 22 state, and the remaining amount is appropriated to the Iowa
33 23 energy center created in section 15.120.

33 24 (d) For the fiscal year beginning July 1, 2021, the first
33 25 three million five hundred thirty thousand dollars of such
33 26 remittances shall be transferred to the general fund of the
33 27 state, and the remaining amount is appropriated to the Iowa
33 28 energy center created in section 15.120.

33 29 DIVISION XXIII
33 30 TRIBAL IDENTIFICATION CARD

33 31 Sec. 92. Section 48A.7A, subsection 1, paragraph b,
33 32 subparagraph (1), Code 2018, is amended by adding the following
33 33 new subparagraph division:

33 34 NEW SUBPARAGRAPH DIVISION (f) A tribal identification
33 35 card or other tribal enrollment document issued by a federally
34 1 recognized Indian tribe or nation, if the tribal identification
34 2 card or other tribal enrollment document is signed before the
34 3 card or document is presented to the election official.

34 4 Sec. 93. Section 49.78, subsection 2, paragraph a, Code
34 5 2018, is amended by adding the following new subparagraph:
34 6 NEW SUBPARAGRAPH (5) A current, valid tribal
34 7 identification card or other tribal enrollment document
34 8 issued by a federally recognized Indian tribe or nation, which
34 9 includes a photograph, signature, and valid expiration date.

34 10 DIVISION XXIV

CODE: Specifies that of the 85.00% of the 0.10% of the total gross intrastate public utilities operating revenue from gas and electric utilities that would otherwise be dedicated to the Iowa Energy Center each year, the following amounts are to be transferred to the General Fund as follows:

- FY 2020: \$1,280,000
- FY 2021: \$2,910,000
- FY 2022: \$3,500,000

DETAIL: The assessment and the Iowa Energy Center are repealed July 1, 2022 (FY 2023). Assuming the amount equal to the 85.00% remains at the FY 2017 level of \$4,132,301, the following amounts will be available for the Iowa Energy Center established in Iowa Code section [15.120](#) as follows:

- FY 2020: \$2,852,301
- FY 2021: \$1,222,301
- FY 2022: \$632,301

CODE: Requires State and local election officials to accept a tribal identification card or other tribal enrollment document issued by a federally recognized Indian tribe or nation, if the card or enrollment document is signed prior to its presentation to an election official. The card or enrollment document must be current, include a photograph, signature and valid expiration date.

34 11 WIND ENERGY CONVERSION PROPERTY

34 12 Sec. 94. Section 441.21, subsection 5, Code 2018, is amended
 34 13 by adding the following new paragraph:
 34 14 NEW PARAGRAPH d. For valuations established for the
 34 15 assessment year beginning January 1, 2019, and each assessment
 34 16 year thereafter, the percentages of actual value at which
 34 17 property is assessed, as determined under this subsection,
 34 18 shall not be applied to the value of wind energy conversion
 34 19 property valued under section 427B.26 the construction of which
 34 20 is approved by the Iowa utilities board on or after July 1,
 34 21 2018.

CODE: Prohibits application of the industrial property rollback to 90.00% of assessed value to wind energy conversion property benefiting from the special assessment valuation provisions of Iowa Code section [427B.26](#). The prohibition applies to wind conversion property approved for construction by the Iowa Utilities Board on or after July 1, 2018.

34 22 DIVISION XXV
 34 23 REVOCATION OF DRIVER'S LICENSE FOR DRUG-RELATED CONVICTIONS

34 24 Sec. 95. Section 124.412, Code 2018, is amended to read as
 34 25 follows:

34 26 124.412 NOTICE OF CONVICTION.

34 27 If a person enters a plea of guilty to, or forfeits bail
 34 28 or collateral deposited to secure the person's appearance in
 34 29 court, and such forfeiture is not vacated, or if a person
 34 30 is found guilty upon an indictment or information alleging a
 34 31 violation of this chapter, a copy of the minutes attached to
 34 32 the indictment returned by the grand jury, or to the county
 34 33 attorney's information, a copy of the judgment and sentence,
 34 34 and a copy of the opinion of the judge if one is filed, shall
 34 35 be sent by the clerk of the district court or the judge to
 35 1 ~~the state department of transportation and to~~ any state board
 35 2 or officer by whom the convicted person has been licensed or
 35 3 registered to practice the person's profession or carry on
 35 4 the person's business. On the conviction of a person, the
 35 5 court may suspend or revoke the license or registration of the
 35 6 convicted defendant to practice the defendant's profession
 35 7 or carry on the defendant's business. On the application of
 35 8 a person whose license or registration has been suspended or
 35 9 revoked, and upon proper showing and for good cause, the board
 35 10 or officer may reinstate the license or registration.

35 11 Sec. 96. Section 321.212, subsection 1, paragraph d, Code
 35 12 2018, is amended by striking the paragraph.

35 13 Sec. 97. Section 321.215, subsection 1, paragraph b, Code
 35 14 2018, is amended to read as follows:

35 15 b. However, a temporary restricted license shall not be
 35 16 issued to a person whose license is revoked pursuant to a court
 35 17 order issued ~~under section 901.5, subsection 10, or under~~
 35 18 section 321.209, subsections 1 through 5 or subsection 7; to a
 35 19 juvenile whose license has been suspended or revoked pursuant
 35 20 to a dispositional order under section 232.52, subsection

CODE: Strikes Iowa Code section [901.5\(10\)](#), which revokes a defendant's driver's license for 180 days if the defendant is sentenced for a controlled substance offense under Iowa Code sections [124.401](#), [124.401A](#), [124.402](#), or [124.403](#). This section makes conforming changes and provides that a defendant's driver's license suspended or revoked pursuant to Iowa Code section [901.5\(10\)](#) prior to the effective date of the section shall be reinstated if the defendant is otherwise eligible for a driver's license.

The section provides a contingent effective date, specifying that the section takes effect on the date the Governor submits to the U.S. Secretary of Transportation a written certification that the Governor is opposed to the enforcement in Iowa of a law described in 23 U.S.C. §159(a)(3)(A), and a written certification that the General Assembly has adopted a joint resolution expressing its opposition to the same, in accordance with 23 U.S.C. §159(a)(3)(B).

DETAIL: The DOT charges a \$20 reinstatement fee that must be paid at the time of license reinstatement. There is no civil penalty associated with this type of license revocation. All revenue the DOT generates from fees charged for driver's licenses is deposited into the Statutory Allocations Fund under the control of the DOT. In FY 2017, the DOT issued 4,778 driver's license revocations for drug convictions.

FISCAL IMPACT: This section is estimated to reduce revenue to the Statutory Allocations Fund from driver's license reinstatement fees. It is estimated there will be fewer individuals paying a \$20 driver's license reinstatement fee if the drug revocation provision is eliminated. However, those individuals whose licenses are revoked for a drug offense often have an additional offense that would result in a license revocation. Also, a person who has a revoked or suspended license for multiple offenses or who is serving back-to-back revocations would not

35 21 2, paragraph "a", for a violation of chapter 124 or 453B or
35 22 section 126.3; to a juvenile whose license has been suspended
35 23 under section 321.213B; or to a person whose license has been
35 24 suspended pursuant to a court order under section 714.7D. A
35 25 temporary restricted license may be issued to a person whose
35 26 license is revoked under section 321.209, subsection 6, only
35 27 if the person has no previous drag racing convictions. A
35 28 person holding a temporary restricted license issued by the
35 29 department under this section shall not operate a motor vehicle
35 30 for pleasure.

35 31 Sec. 98. Section 321.215, subsection 2, unnumbered
35 32 paragraph 1, Code 2018, is amended to read as follows:

35 33 Upon conviction and the suspension or revocation of a
35 34 person's noncommercial driver's license under section 321.209,
35 35 subsection 5 or 6, or section 321.210, 321.210A, or 321.513;
36 1 ~~or upon revocation pursuant to a court order issued under~~
36 2 ~~section 901.5, subsection 10;~~ or upon the denial of issuance
36 3 of a noncommercial driver's license under section 321.560,
36 4 based solely on offenses enumerated in section 321.555,
36 5 subsection 1, paragraph "c", or section 321.555, subsection
36 6 2; or upon suspension or revocation of a juvenile's driver's
36 7 license pursuant to a dispositional order under section 232.52,
36 8 subsection 2, paragraph "a", for a violation of chapter 124
36 9 or 453B, or section 126.3; or upon suspension of a driver's
36 10 license pursuant to a court order under section 714.7D, the
36 11 person may apply to the department for a temporary restricted
36 12 license to operate a motor vehicle for the limited purpose or
36 13 purposes specified in subsection 1. The application may be
36 14 granted only if all of the following criteria are satisfied:

36 15 Sec. 99. Section 321.215, subsection 2, paragraph c, Code
36 16 2018, is amended to read as follows:

36 17 c. Proof of financial responsibility is established as
36 18 defined in chapter 321A. However, such proof is not required
36 19 if the driver's license was suspended under section 321.210A
36 20 or 321.513 ~~or revoked pursuant to a court order issued under~~
36 21 ~~section 901.5, subsection 10.~~

36 22 Sec. 100. Section 321.218, subsection 1, Code 2018, is
36 23 amended to read as follows:

36 24 1. A person whose driver's license or operating privilege
36 25 has been denied, canceled, suspended, or revoked as provided
36 26 in this chapter or as provided in section 252J.8 ~~or section~~
36 27 ~~901.5, subsection 10,~~ and who operates a motor vehicle upon
36 28 the highways of this state while the license or privilege
36 29 is denied, canceled, suspended, or revoked, commits a
36 30 simple misdemeanor. In addition to any other penalties, the
36 31 punishment imposed for a violation of this subsection shall
36 32 include assessment of a fine of not less than two hundred fifty
36 33 dollars nor more than one thousand five hundred dollars.

have to pay the \$20 fee. As a result, the reduction in revenue to the Statutory Allocation Fund is estimated to be approximately \$24,000.

This section is also estimated to have a positive impact on the DOT operating budget. The removal of the requirement to revoke driver's licenses for a drug conviction will reduce workload for DOT staff. It is estimated there would be some salary savings due to the decrease in processing sanction notices and Temporary Restricted License applications that would offset the lost revenue. It is estimated there would be approximately 2,389 hours of increased FTE position capacity statewide, equaling approximately 1.00 FTE position. The corresponding salary savings is approximately \$55,263.

36 34 Sec. 101. Section 321A.17, subsection 4, Code 2018, is
36 35 amended to read as follows:

37 1 4. An individual applying for a driver's license following a
37 2 period of suspension or revocation pursuant to a dispositional
37 3 order issued under section 232.52, subsection 2, paragraph
37 4 "a", or under section 321.180B, section 321.210, subsection
37 5 1, paragraph "a", subparagraph (4), or section 321.210A,
37 6 321.213A, 321.213B, 321.216B, or 321.513, following a period
37 7 of suspension or revocation under section 321.178 or 321.194,
37 8 or following a period of revocation pursuant to a court order
37 9 issued under ~~section 901.5, subsection 10~~, or under section
37 10 321J.2A, is not required to maintain proof of financial
37 11 responsibility under this section.

37 12 Sec. 102. Section 901.5, subsection 10, Code 2018, is
37 13 amended by striking the subsection.

37 14 Sec. 103. REINSTATEMENT OF DRIVER'S LICENSE. A defendant's
37 15 driver's license suspended or revoked pursuant to section
37 16 901.5, subsection 10, prior to the effective date of this
37 17 division of this Act, shall be reinstated, if the defendant is
37 18 otherwise eligible for a driver's license.

37 19 Sec. 104. CONTINGENT EFFECTIVE DATE. This division of this
37 20 Act takes effect on the date the governor submits to the United
37 21 States secretary of transportation a written certification
37 22 that the governor is opposed to the enforcement in this state
37 23 of a law described in 23 U.S.C. §159(a)(3)(A) and a written
37 24 certification that the general assembly has adopted a joint
37 25 resolution expressing its opposition to the same, in accordance
37 26 with 23 U.S.C. §159(a)(3)(B). The office of the governor shall
37 27 notify the Code editor upon submission of the certifications
37 28 described in this section.

Unassigned Standings

General Fund

	Estimated Net FY 2018 (1)	Gov Rec FY 2019 (2)	Current Law (3)	FY 2019 Standings Bill HF 2502 (4)	Total (5)
<u>Administrative Services, Department of</u>					
State Accounting Trust Accounts					
Federal Cash Management - Standing	\$ 54,182	\$ 54,182	\$ 54,182	\$ 0	\$ 54,182
Unemployment Compensation - Standing	421,655	421,655	421,655	0	421,655
Total Administrative Services, Department of	\$ 475,837	\$ 475,837	\$ 475,837	\$ 0	\$ 475,837
<u>Education, Department of</u>					
Education, Dept. of					
State Foundation School Aid	\$ 3,179,629,446	\$ 3,233,675,665	\$ 3,226,590,000	\$ -15,000,000	\$ 3,211,590,000
Nonpublic School Transportation	8,197,091	8,197,091	8,197,091	0	8,197,091
Sac Fox Settlement Education	95,750	95,750	95,750	0	95,750
Instructional Support	0	0	14,800,000	-14,800,000	0
Total Education, Department of	\$ 3,187,922,287	\$ 3,241,968,506	\$ 3,249,682,841	\$ -29,800,000	\$ 3,219,882,841
<u>Executive Council</u>					
Executive Council					
Court Costs	\$ 57,232	\$ 56,455	\$ 56,455	\$ 0	\$ 56,455
Public Improvements	9,575	9,575	9,575	0	9,575
Drainage Assessments	19,367	19,367	19,367	0	19,367
Executive Council	-777	0	0	0	0
Total Executive Council	\$ 85,397	\$ 85,397	\$ 85,397	\$ 0	\$ 85,397
<u>Legislative Branch</u>					
Legislative Branch					
Legislative Branch	\$ 31,582,682	\$ 36,712,681	\$ 37,000,000	\$ -1,417,318	\$ 35,582,682
Total Legislative Branch	\$ 31,582,682	\$ 36,712,681	\$ 37,000,000	\$ -1,417,318	\$ 35,582,682
<u>Management, Department of</u>					
Management, Dept. of					
Technology Reinvestment Fund	\$ 0	\$ 0	\$ 17,500,000	\$ 0	\$ 17,500,000
Appeal Board Claims	3,000,000	3,000,000	3,000,000	0	3,000,000
Special Olympics Fund	100,000	100,000	100,000	0	100,000
Economic Emergency Fund Appropriation	13,000,000	0	0	0	0
Cash Reserve Fund Appropriation	20,000,000	55,550,000	111,100,000	2,000,000	113,100,000
Total Management, Department of	\$ 36,100,000	\$ 58,650,000	\$ 131,700,000	\$ 2,000,000	\$ 133,700,000

Unassigned Standings

General Fund

	Estimated Net FY 2018 (1)	Gov Rec FY 2019 (2)	Current Law (3)	FY 2019 Standings Bill HF 2502 (4)	Total (5)
<u>Natural Resources, Department of</u>					
Natural Resources					
REAP GF Standing	\$ 0	\$ 0	\$ 20,000,000	\$ 0	\$ 20,000,000
Total Natural Resources, Department of	\$ 0	\$ 0	\$ 20,000,000	\$ 0	\$ 20,000,000
<u>Public Defense, Department of</u>					
Public Defense, Dept. of					
Compensation and Expense	\$ 342,556	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556
Total Public Defense, Department of	\$ 342,556	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556
<u>Public Safety, Department of</u>					
Public Safety, Dept. of					
DPS-POR Unfunded Liabilities	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000
Total Public Safety, Department of	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000
<u>Revenue, Department of</u>					
Revenue, Dept. of					
Homestead Tax Credit Aid - GF	\$ 135,071,538	\$ 135,071,538	\$ 135,071,538	\$ 0	\$ 135,071,538
Elderly & Disabled Tax Credit	24,690,028	24,690,028	24,690,028	0	24,690,028
Ag Land Tax Credit - GF	39,100,000	39,100,000	39,100,000	0	39,100,000
Military Service Tax Exemption	1,961,234	1,961,234	1,961,234	0	1,961,234
Comm & Industrial Prop Tax Replacement	152,114,544	152,114,544	152,114,544	0	152,114,544
Business Property Tax Credit	125,000,000	125,000,000	125,000,000	0	125,000,000
Total Revenue, Department of	\$ 477,937,344	\$ 477,937,344	\$ 477,937,344	\$ 0	\$ 477,937,344
Total Unassigned Standings	\$ 3,739,446,103	\$ 3,821,172,321	\$ 3,922,223,975	\$ -29,217,318	\$ 3,893,006,657