

**EIGHTY-EIGHTH GENERAL ASSEMBLY
2019 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

April 26, 2019

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
SF 93	S-3232	Concurred	RECEIVED FROM THE HOUSE
SF 139	S-3233	Concurred	RECEIVED FROM THE HOUSE
SF 152	S-3227	Adopted	DAN DAWSON
SF 597	S-3234	Filed	RECEIVED FROM THE HOUSE
SF 624	S-3228	Adopted	RANDY FEENSTRA
SF 638	S-3237	Filed	MICHAEL BREITBACH
HF 499	S-3235	Concurred	RECEIVED FROM THE HOUSE
HF 531	S-3229	Adopted	JIM CARLIN
HF 531	S-3230	Adopted	WILLIAM A. DOTZLER, JR.
HF 692	S-3231	Concurred	RECEIVED FROM THE HOUSE
HF 759	S-3236	Filed	DENNIS GUTH

Fiscal Notes

[SF 597](#) — [Blood Processing Centers, Sales Tax Exemption](#) (LSB1397SV.2)

HOUSE AMENDMENT TO
SENATE FILE 93

S-3232

1 Amend Senate File 93, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 10, line 32, before <The> by inserting <1.>
4 2. Page 10, after line 34 by inserting:
5 <2. The provisions of sections 657A.1A through 657A.10
6 shall not apply to a house, barn, outbuilding, or other
7 building or structure located on agricultural land. For
8 purposes of this subsection, "*agricultural land*" means land
9 suitable for use in farming. For purposes of this subsection,
10 "*farming*" means the cultivation of land for the production
11 of agricultural crops, the production of fruit or other
12 horticultural crops, grazing, or the production of livestock.>
13 3. Page 11, line 1, before <As> by inserting <1.>
14 4. Page 11, after line 7 by inserting:
15 <2. This section shall not apply to a house, barn,
16 outbuilding, or other building or structure located on
17 agricultural land. For purposes of this subsection,
18 "*agricultural land*" means land suitable for use in farming. For
19 purposes of this subsection, "*farming*" means the cultivation of
20 land for the production of agricultural crops, the production
21 of fruit or other horticultural crops, grazing, or the
22 production of livestock.>

S-3232 FILED APRIL 25, 2019
CONCURRED

HOUSE AMENDMENT TO
SENATE FILE 139

S-3233

1 Amend Senate File 139, as passed by the Senate, as follows:

2 1. Page 1, line 6, by striking <2022-2023> and inserting

3 <2020-2021>

S-3233 FILED APRIL 25, 2019

CONCURRED

SENATE FILE 152

S-3227

1 Amend Senate File 152 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 235F.1, subsection 17, Code 2019, is
5 amended to read as follows:

6 17. "*Vulnerable elder*" means a person sixty years of age or
7 older who is unable to protect himself or herself from elder
8 abuse as a result of ~~age~~ or a mental or physical condition
9 or because of a personal circumstance which results in an
10 increased risk of harm to the person.>

By DAN DAWSON

S-3227 FILED APRIL 25, 2019

ADOPTED

HOUSE AMENDMENT TO
SENATE FILE 597

S-3234

- 1 Amend Senate File 597, as passed by the Senate, as follows:
2 1. Page 1, by striking lines 16 through 31.
3 2. Title page, by striking lines 2 and 3 and inserting <sold
4 or furnished to nonprofit blood centers.>

S-3234 FILED APRIL 25, 2019

SENATE FILE 624

S-3228

1 Amend Senate File 624 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 2.48, subsection 3, paragraph e,
5 subparagraph (1), Code 2019, is amended to read as follows:

6 (1) The ~~agricultural assets transfer~~ beginning farmer
7 tax credit program as provided in ~~section 16.80~~ chapter 16,
8 subchapter VIII, part 5, subpart B.

9 Sec. 2. Section 16.2, subsection 1, unnumbered paragraph 1,
10 Code 2019, is amended to read as follows:

11 An Iowa finance authority board of directors is created. The
12 powers of the authority are vested in and shall be exercised
13 by the board. The authority includes nine members appointed
14 by the governor subject to confirmation by the senate. The
15 authority also includes one ex officio voting member who must
16 be designated by the agricultural development board created in
17 section 16.2C and be a member of that board.

18 Sec. 3. Section 16.2, subsections 2 and 3, Code 2019, are
19 amended to read as follows:

20 2. ~~Members~~ The members of the authority ~~shall be~~ appointed
21 by the governor shall serve for staggered terms of six years
22 beginning and ending as provided in section 69.19. A person
23 appointed by the governor to fill a vacancy shall serve only
24 for the unexpired portion of the term. A member is eligible
25 for reappointment. The ex officio voting member designated by
26 the agricultural development board shall serve at the pleasure
27 of that board. A member of the authority may be removed from
28 office by the governor for misfeasance, malfeasance, or willful
29 neglect of duty or other just cause, after notice and hearing,
30 unless the notice and hearing is expressly waived in writing.

31 3. ~~Five~~ Six members of the authority constitute a quorum and
32 the affirmative vote of a majority of the ~~appointed~~ members is
33 necessary for any substantive action taken by the authority.
34 The majority shall not include any member who has a conflict of
35 interest and a statement by a member of a conflict of interest

1 shall be conclusive for this purpose. A vacancy in the
2 membership does not impair the right of a quorum to exercise
3 all rights and perform all duties of the authority.

4 Sec. 4. Section 16.2B, subsection 3, paragraph b, Code 2019,
5 is amended to read as follows:

6 *b. ~~Obtain agricultural assets transfer~~ Claim beginning*
7 *farmer tax credits, including tax credit certificates issued*
8 *pursuant to subchapter VIII, part 5, subpart B.*

9 Sec. 5. Section 16.59, subsection 4, Code 2019, is amended
10 to read as follows:

11 4. For a family farm limited liability company, an aggregate
12 net worth of all members, including each member's ownership
13 interest in the family farm limited liability company, and
14 each member's spouse and minor children of not greater than
15 twice the low or moderate net worth. However, the aggregate
16 net worth of each member and that member's spouse and minor
17 children shall not exceed the low or moderate net worth.

18 Sec. 6. NEW SECTION. 16.77 Definitions.

19 As used in this subpart B, unless the context otherwise
20 requires:

21 1. "*Agricultural development board*" means the agricultural
22 development board created in section 16.2C.

23 2. "*Agricultural lease agreement*" or "*agreement*" means an
24 agreement for the transfer of agricultural assets, that must at
25 least include a lease of agricultural land, from an eligible
26 taxpayer to a qualified beginning farmer as provided in section
27 16.79A.

28 3. "*Department*" means the department of revenue.

29 4. "*Eligible taxpayer*" means a taxpayer who may participate
30 in the beginning farmer tax credit program, including by
31 meeting all the criteria as provided in section 16.79.

32 5. "*Program*" means the beginning farmer tax credit program
33 created pursuant to section 16.78.

34 6. "*Qualified beginning farmer*" means a beginning farmer
35 as defined in section 16.58 who meets the requirements to

1 participate in a beginning farmer tax credit program as
2 provided in section 16.79.

3 7. "*Tax credit*" means the beginning farmer tax credit
4 allowed under section 16.82.

5 Sec. 7. NEW SECTION. 16.78 **Beginning farmer tax credit**
6 **program — establishment and administration.**

7 1. A beginning farmer tax credit program is established
8 under the control of the authority.

9 2. The authority and the department shall cooperate in
10 administering the program. The department shall have all
11 rulemaking powers necessary to administer its responsibilities
12 under this subpart as it does under chapter 422.

13 3. To every extent practicable, the authority shall
14 administer the program in a manner that encourages
15 participation by eligible taxpayers and qualifying beginning
16 farmers for the primary purposes of providing beginning farmers
17 access to farmland and enhancing the stability of the beginning
18 farmer's farming business.

19 4. The authority and the department shall each adopt
20 rules in accordance with chapter 17A as necessary for the
21 administration of their respective responsibilities under this
22 subpart. The eligibility requirements for taxpayers and the
23 qualifications for beginning farmers as provided in the rules
24 shall not be more stringent than provided in this subpart.

25 5. The authority shall provide for the preparation or
26 revision and publication or distribution of forms necessary to
27 administer their responsibilities under this subpart.

28 Sec. 8. NEW SECTION. 16.79 **Beginning farmer tax credit**
29 **program — eligibility criteria.**

30 1. A taxpayer is eligible to participate in the beginning
31 farmer tax credit program if the taxpayer meets all of the
32 following requirements:

33 a. The taxpayer is a person who may acquire or otherwise
34 obtain or lease agricultural land in this state pursuant to
35 chapter 9H or 9I. However, the taxpayer must not be a person

1 who may acquire or otherwise obtain or lease agricultural
2 land exclusively because of an exception provided in one of
3 those chapters or in a provision of another chapter of this
4 Code including but not limited to chapter 10, 10D, or 501, or
5 section 15E.207.

6 *b.* The taxpayer has entered into an agricultural lease
7 agreement with a qualified beginning farmer to lease
8 agricultural land as provided in section 16.79A.

9 *c.* The taxpayer has not been at fault for terminating a
10 prior agreement under the program or another agreement in which
11 the taxpayer was allowed to claim a tax credit under section
12 175.37 as it existed prior to January 1, 2015, or section 16.80
13 as it existed prior to January 1, 2018.

14 *d.* If the agreement includes the lease of a confinement
15 feeding operation structure as defined in section 459.102, the
16 taxpayer is not a party to a pending administrative or judicial
17 action, including a contested case proceeding under chapter
18 17A, relating to an alleged violation involving an animal
19 feeding operation as regulated by the department of natural
20 resources, regardless of whether the pending action is brought
21 by the department or the attorney general.

22 *e.* The taxpayer is not classified as a habitual violator for
23 a violation of state law involving an animal feeding operation
24 as regulated by the department of natural resources under
25 chapter 459.

26 *f.* The taxpayer is not a partner of a partnership,
27 shareholder of a family farm corporation, or member of a
28 family farm limited liability company that is the lessee of
29 an agricultural asset that is part of an agricultural lease
30 agreement.

31 2. A beginning farmer is a qualified beginning farmer
32 eligible to participate in the program by meeting all of the
33 following criteria:

34 *a.* Is a resident of the state. If the beginning farmer is a
35 partnership, all partners must be residents of the state. If a

1 beginning farmer is a family farm corporation, all shareholders
2 must be residents of the state. If the beginning farmer is
3 a family farm limited liability company, all members must be
4 residents of the state.

5 *b.* Has sufficient education, training, or experience in
6 farming. If the beginning farmer is a partnership, at least
7 one partner who is not a minor must have sufficient education,
8 training, or experience in farming. If the beginning farmer is
9 a family farm corporation, at least one shareholder who is not
10 a minor must have sufficient education, training, or experience
11 in farming. If the beginning farmer is a family farm limited
12 liability company, at least one member who is not a minor must
13 have sufficient education, training, or experience in farming.

14 *c.* Has access to adequate working capital and production
15 items.

16 *d.* Will materially and substantially participate in
17 farming. If the beginning farmer is a partnership, family farm
18 corporation, or family farm limited liability company, at least
19 one of the partners, shareholders, or members who is not a
20 minor must materially and substantially participate in farming.

21 *e.* Does not own more than a ten percent ownership interest
22 in an agricultural asset included in the agreement.

23 **Sec. 9. NEW SECTION. 16.79A Agricultural lease agreement.**

24 1. A beginning farmer tax credit is allowed only for
25 agricultural assets that are subject to an agricultural lease
26 agreement entered into by an eligible taxpayer and a qualifying
27 beginning farmer participating in the beginning farmer tax
28 credit program established pursuant to section 16.78.

29 2. The agreement must include the lease of agricultural
30 land located in this state, including any improvements, and may
31 provide for the rental of agricultural equipment as defined in
32 section 322F.1.

33 3. *a.* The agreement must include provisions which describe
34 the consideration paid for the agreement in a manner that
35 allows the authority to calculate the value of the lease in

1 order to determine the tax credit amount as provided in section
2 16.82.

3 *b.* The agreement must be in writing.

4 *c.* The agreement must be for at least two years, but not
5 more than five years. The agreement may be renewed by the
6 eligible taxpayer and qualified beginning farmer for a term of
7 at least two years, but not more than five years.

8 *d.* The agreement shall not include a lease or rental of
9 equipment intended as a security.

10 *e.* The agreement cannot be assigned and the agricultural
11 land subject to the agreement shall not be subleased.

12 *f.* (1) The agricultural assets shall not be leased or
13 rented at a rate that is substantially higher than the market
14 rate for similar agricultural assets leased or rented within
15 the same community.

16 (2) As used in subparagraph (1), when referring to an
17 agricultural asset that is cropland, "*substantially higher*"
18 means not more than thirty percent above the average cash rent
19 paid for cropland rented in the same county according to the
20 most recent cash rent survey for cropland published by a unit
21 of Iowa state university of science and technology recognized
22 by the authority.

23 4. *a.* The agreement may be amended after the authority
24 approves an application and makes a tax credit award without
25 changing the eligibility status of the taxpayer, except as
26 provided in paragraph "*b*".

27 *b.* The underlying lease for agricultural land may only be
28 amended without submitting a new application if any of the
29 following apply:

30 (1) The terms of the amended lease are more favorable to the
31 qualified beginning farmer, including but not limited to the
32 rent payment being reduced.

33 (2) A party has changed their name.

34 (3) The owner of an agricultural asset is changed to the
35 owner's estate or trust upon the eligible taxpayer's death.

1 *c.* If an amendment to an agreement changes the total amount
2 that will be paid to the eligible taxpayer under the agreement,
3 the eligible taxpayer shall notify the authority in a manner
4 and form prescribed by the authority within thirty days of the
5 date the amendment is executed by the parties.

6 (1) If the amendment will reduce the total amount paid to
7 the eligible taxpayer under the agreement, the authority shall
8 recalculate and reduce the eligible taxpayer's tax credit award
9 under section 16.82A.

10 (2) If the amendment will increase the total amount paid to
11 the eligible taxpayer under the agreement, the tax credit award
12 shall not be increased unless the eligible taxpayer submits an
13 amended application to the authority in the manner and form
14 prescribed by the authority and that meets the requirements of
15 section 16.81. If the amended application is approved under
16 section 16.81, the authority may increase the amount of the tax
17 credit award. The increased amount of the tax credit award
18 shall be subject to the aggregate award limitation in section
19 16.82A for the calendar year in which the increased award is
20 made.

21 (3) This paragraph "c" does not apply to an amendment to an
22 agreement that requires a new application under paragraph "b" in
23 order to be valid.

24 5. An eligible taxpayer or qualified beginning farmer may
25 terminate an agreement as provided in the agreement or by
26 law. The eligible taxpayer must notify the authority of the
27 termination within thirty days of the date of termination in
28 the manner and form prescribed by the authority.

29 Sec. 10. NEW SECTION. 16.81 **Beginning farmer tax credit**
30 **— application.**

31 1. The deadline for submitting an application to the
32 authority to claim a beginning farmer tax credit is August 1 of
33 each year. The application shall be for a period that is not
34 longer than the term of the lease.

35 2. *a.* The authority shall impose, assess, and collect

1 application fees on an interim basis until December 31, 2021.
2 The amount of an application fee shall not be more than the
3 following:

4 (1) For an application that includes an agreement for the
5 lease of one hundred acres or less of agricultural land, a fee
6 of three hundred dollars.

7 (2) For an application that includes an agreement for the
8 lease of more than one hundred acres, but not more than two
9 hundred fifty acres of agricultural land, a fee of four hundred
10 dollars.

11 (3) For an application that includes an agreement for the
12 lease of more than two hundred fifty acres of agricultural
13 land, a fee of five hundred dollars.

14 (4) For an amendment to an agreement that is part of an
15 application that has been previously approved, a fee of one
16 hundred dollars.

17 *b.* Any amount of fees collected by the authority under this
18 subsection shall be considered repayment receipts as defined
19 in section 8.2.

20 *c.* This subsection is repealed on January 1, 2022.

21 3. *a.* The authority shall impose, assess, and collect
22 application fees and shall adopt rules as necessary to
23 administer this subsection, including by providing for the rate
24 of those fees.

25 *b.* The authority may establish different rates based on
26 separate categories of applications or agricultural lease
27 agreements as determined relevant by the authority.

28 *c.* The authority shall calculate the rates of the
29 application fees to be effective for each successive
30 twelve-month period. The total amount of application fees
31 collected by the authority for that period shall not be more
32 than the authority's estimate of the total amount of revenues
33 necessary to administer the provisions of this subpart based
34 on the expected revenue to be collected from the application
35 fees and the expected costs to be incurred by the authority

1 in administering the provisions of this subpart during that
2 period. The authority may adjust the rates throughout that
3 period as the authority determines necessary to comply with
4 this paragraph.

5 *d.* The amount of application fees collected by the authority
6 under this subsection shall be considered repayment receipts as
7 defined in section 8.2.

8 *e.* (1) The rules described in this subsection shall first
9 take effect immediately after the repeal of subsection 2.

10 (2) This paragraph "e" is repealed immediately after the
11 rules described in this subsection take effect.

12 4. An eligible taxpayer shall not participate in the
13 beginning farmer tax credit program for more than ten years,
14 and shall not receive more than ten tax credit certificates
15 under the program.

16 5. The agricultural development board shall review and
17 recommend approval of an application for a tax credit as
18 provided by rules adopted by the authority. The application
19 must include a copy of the agricultural lease agreement. The
20 authority may require that the parties to an agreement provide
21 additional information as determined relevant by the authority.

22 6. The authority shall approve all beginning farmer tax
23 credit applications that meet the requirements of this subpart
24 and make tax credit awards on a first-come, first-served basis,
25 subject to the limitations in section 16.82A.

26 7. After the authority has approved an application and made
27 a tax credit award, all of the following apply:

28 *a.* The authority shall issue beginning farmer tax credit
29 certificates to an eligible taxpayer on an annual basis as
30 provided in section 16.82A.

31 *b.* An eligible taxpayer may claim the tax credit each tax
32 year as provided in section 16.82.

33 8. Any financial, contractual, or legal authorization
34 records provided to the authority shall be kept confidential
35 and are not subject to chapter 22.

1 Sec. 11. NEW SECTION. 16.82 **Beginning farmer tax credit**
2 **— allowance.**

3 1. A beginning farmer tax credit is authorized under the
4 beginning farmer tax credit program as provided in section
5 16.78. The beginning farmer tax credit is allowed against
6 the taxes imposed in chapter 422, division II, as provided in
7 section 422.11E, and in chapter 422, division III, as provided
8 in section 422.33, subsection 21, to facilitate the transfer of
9 agricultural assets from an eligible taxpayer to a qualifying
10 beginning farmer participating in the program.

11 2. An individual may claim a beginning farmer tax credit
12 under this section of a partnership, limited liability company,
13 S corporation, estate, or trust electing to have income
14 taxed directly to the individual. The amount claimed by the
15 individual shall be based upon the pro rata share of the
16 individual's earnings from the partnership, limited liability
17 company, S corporation, estate, or trust.

18 3. Subject to the limitations described in subsections 5,
19 6, and 7, the authority shall determine the amount of the tax
20 credit under an agreement using the following methods:

21 *a.* In the case of an agreement on a fixed basis, in which
22 an eligible taxpayer receives a fixed cash rent payment, the
23 amount of the tax credit equals five percent of the amount of
24 the fixed cash rent payment for each year.

25 *b.* In the case of an agreement on a commodity share basis,
26 in which an eligible taxpayer receives as a rent payment a
27 percentage of the commodity produced, the amount of the tax
28 credit shall equal fifteen percent of the gross amount that
29 the eligible taxpayer would receive as a rent payment from
30 the sale of the eligible taxpayer's share of the crop in each
31 harvest year. The amount of the tax credit shall be based on
32 an equation established by rule adopted by the authority which
33 shall use data compiled by the United States department of
34 agriculture, which shall include all of the following factors:

35 (1) The past ten-year average per bushel yield for the

1 same type of grain as produced under the agreement in the same
2 county where the leased agricultural land is located excluding
3 the years of highest and lowest per bushel yields.

4 (2) The per bushel state price established for the same
5 type of grain harvested as described in subparagraph (1).
6 Price information shall be averaged from the past five years
7 excluding the years of the highest and lowest per bushel state
8 price.

9 c. In the case of an agreement made on a flexible basis in
10 which an eligible taxpayer receives a rent payment consisting
11 of a fixed cash payment and an amount subject to adjustment
12 according to a risk-sharing arrangement, or receives a rent
13 payment consisting of an amount subject to adjustment according
14 to a risk-sharing arrangement, the amount of the tax credit
15 equals the sum of the following amounts:

16 (1) To the extent that a portion of the amount of the
17 rent payment is calculated on a fixed basis as described in
18 paragraph "a", that portion of the tax credit equals five
19 percent of the fixed cash payment in the same manner as
20 provided in paragraph "a".

21 (2) To the extent that a portion of the amount of the rent
22 payment is calculated on a commodity share basis as described
23 in paragraph "b", that portion of the tax credit equals fifteen
24 percent of the amount that the eligible taxpayer would receive
25 from the sale of the eligible taxpayer's share of the commodity
26 in the same manner as provided in paragraph "b".

27 (3) (a) To the extent that the amount of the rent payment
28 may be adjusted after taking into account all risk-sharing
29 factors provided in the agreement, that portion of the tax
30 credit equals fifteen percent of the highest adjusted amount
31 that the eligible taxpayer could receive in excess of the
32 amounts calculated in subparagraphs (1) and (2) based on an
33 equation adopted by rule by the authority.

34 (b) As used in subparagraph division (a), "*risk-sharing*
35 *factor*" means an occurrence or lack of occurrence that may

1 affect the commodity's production or profitability as provided
2 in the agreement, and which may include but is not limited to
3 production costs, per acre crop yield, gross revenue, or market
4 price.

5 (c) The authority shall adopt rules establishing criteria
6 for commonly used risk-sharing factors and adjustment limits.

7 4. The authority shall provide the department with data, in
8 the format prescribed by the department, of eligible taxpayers
9 and persons who have been decertified due to lease termination
10 or other cause of ineligibility by January 31 of each year.
11 The data shall include the amount of the tax credit issued
12 for the most recent year and all expected future tax credits
13 under an agreement for each eligible taxpayer and the type of
14 agreement.

15 5. The amount of tax credits that may be awarded to an
16 eligible taxpayer for any one year under all agreements shall
17 not exceed fifty thousand dollars.

18 6. The amount of the tax credit shall be reduced by the
19 percent ownership interest of the qualifying beginning farmer
20 in the agricultural asset.

21 7. A tax credit in excess of the eligible taxpayer's
22 tax liability for the tax year is not refundable but may be
23 credited to the tax liability for the following ten tax years
24 or until depleted, whichever is earlier. A tax credit shall
25 not be carried back to a tax year prior to the tax year in which
26 the eligible taxpayer redeems the tax credit.

27 8. a. To claim a tax credit under this section, an eligible
28 taxpayer shall include one or more tax credit certificates with
29 the eligible taxpayer's tax return pursuant to rules adopted
30 by the department.

31 b. A tax credit shall not be transferable to any other
32 person other than the eligible taxpayer's estate or trust upon
33 the eligible taxpayer's death pursuant to rules adopted by the
34 department.

35 9. If an agreement is terminated by the eligible taxpayer,

1 all of the following shall apply:

2 *a.* Any tax credit properly claimed by the eligible taxpayer
3 prior to the date of termination or for the year during which
4 the termination occurred shall be allowed except as provided
5 in paragraph "*b*", but no additional tax credits may be issued
6 or claimed under the program for that agreement. The eligible
7 taxpayer may apply for and be awarded another beginning farmer
8 tax credit under a new agreement for the same agricultural
9 assets as provided in this section.

10 *b.* If the authority determines that the eligible taxpayer is
11 at fault for the termination, any beginning farmer tax credit
12 that is claimed by the eligible taxpayer for the year during
13 which the termination occurred shall be disallowed and the
14 amount shall be considered a tax payment due. If an eligible
15 taxpayer does not notify the authority of the termination
16 within thirty days of the date of the termination in the manner
17 and form prescribed by the authority, the eligible taxpayer
18 shall be conclusively deemed at fault for the termination.

19 Sec. 12. NEW SECTION. **16.82A Beginning farmer tax credit**
20 **awards — amount and availability.**

21 1. *a.* Upon approval of an application as provided in
22 section 16.81, the authority shall make a tax credit award
23 to the eligible taxpayer. The tax credit award shall equal
24 the sum of the tax credits calculated by the authority under
25 section 16.82 for all eligible years under the approved
26 agreement.

27 *b.* The authority shall notify the eligible taxpayer of
28 the tax credit award under the program. The notification
29 shall include the total tax credit award, the amount of the
30 tax credit award that will be issued by way of a tax credit
31 certificate in each future year under the approved agreement,
32 and a statement that the eligible taxpayer has no right to
33 receive tax credit certificates and claim tax credits under the
34 program if all requirements of the agreement and the program
35 are not satisfied.

1 *c.* If after making a tax credit award the eligible taxpayer
2 or qualified beginning farmer no longer meets the requirements
3 of the agreement or the program, the authority may revoke a tax
4 credit award and may rescind a tax credit certificate.

5 2. The amount of beginning farmer tax credits that may be
6 awarded by the authority in any one calendar year under the
7 beginning farmer tax credit program shall not in the aggregate
8 exceed a limit of twelve million dollars. Tax credits shall
9 be awarded by the authority not later than December 15 of each
10 calendar year after the agricultural development board reviews
11 applications as provided in section 16.81 and the authority
12 determines tax credit amounts for the approved applications as
13 provided in section 16.82, aggregated for purposes of meeting
14 the annual program award limits.

15 3. *a.* The authority shall issue tax credit certificates
16 on an annual basis to eligible taxpayers who have received a
17 tax credit award. The tax credit certificate shall contain the
18 information required by the department.

19 *b.* The aggregate amount of tax credit certificates issued to
20 an eligible taxpayer shall not exceed the eligible taxpayer's
21 tax credit award.

22 *c.* A tax credit certificate, unless rescinded by the
23 authority, shall be accepted by the department as payment for
24 taxes pursuant to chapter 422, divisions II and III, subject
25 to any conditions or restrictions placed by the authority upon
26 the face of the tax credit certificate and subject to the
27 limitations of the program.

28 Sec. 13. NEW SECTION. **422.11E Beginning farmer tax credit**
29 **program.**

30 The taxes imposed under this division, less the credits
31 allowed under section 422.12, shall be reduced by a beginning
32 farmer tax credit as allowed under chapter 16, subchapter VIII,
33 part 5, subpart B.

34 Sec. 14. Section 422.33, subsection 21, Code 2019, is
35 amended to read as follows:

1 21. The taxes imposed under this division shall be reduced
2 by ~~an agricultural assets transfer~~ a beginning farmer tax
3 credit as allowed under ~~section 16.80~~ chapter 16, subchapter
4 VIII, part 5, subpart B.

5 Sec. 15. REPEAL. Sections 16.80 and 422.11M, Code 2019,
6 are repealed.

7 Sec. 16. APPLICABILITY OF PRIOR TAX CREDITS — APPROVED
8 APPLICATIONS AND CERTIFICATES.

9 1. Notwithstanding any provision of this Act to the
10 contrary, any agricultural asset transfer tax credit
11 application approved prior to the effective date of this Act
12 under section 16.80 as that section existed on or before
13 December 31, 2018, for a year prior to 2019 but for which tax
14 credit certificates could have been issued for a tax year
15 beginning on or after January 1, 2019, shall be governed by
16 section 16.80, Code 2019, and shall be eligible to receive
17 tax credit certificates for tax years beginning on or after
18 January 1, 2019, for the remainder of the agricultural lease
19 term as provided by section 16.80, Code 2019. Tax credit
20 certificates approved and issued pursuant to this subsection
21 are not considered an award subject to the maximum tax credit
22 award limitation in section 16.82A, as enacted in this Act.

23 2. a. Any application which was submitted prior to the
24 effective date of this Act for the agricultural assets transfer
25 tax credit pursuant to section 16.80 as that section existed
26 on December 31, 2018, for the tax year beginning January 1,
27 2019, shall be governed by section 16.80, Code 2019, except as
28 provided in paragraph "b".

29 b. Any amount of tax credit certificate approved and issued
30 pursuant to this subsection shall not be subject to the maximum
31 tax credit issuance limitation in section 16.80, subsection
32 10, Code 2019, but shall instead be counted in the same manner
33 as an award for purposes of the twelve million dollar calendar
34 year award limitation in section 16.82A, subsection 2, as
35 enacted in this Act, and shall reduce, dollar-for-dollar, that

S-3228 (Continued)

1 maximum calendar year award limitation for the calendar year
2 during which the tax credit certificate is issued.

3 Sec. 17. APPLICABILITY OF PRIOR TAX CREDITS — CONTINUANCE
4 OF CARRYOVER PROVISIONS. For any tax year commencing in
5 calendar years 2014 through 2018, a tax credit that could
6 have been first issued, awarded, or allowed and claimed under
7 sections 16.75 through 16.82 as those sections existed on
8 December 31, 2017, or under section 16.80 as that section
9 existed on December 31, 2018, may be credited to the tax
10 liability of that taxpayer for ten tax years following the tax
11 year for which the eligible taxpayer could have first claimed
12 the tax credit, or until depleted, whichever is earlier.

13 Sec. 18. EFFECTIVE DATE. This Act, being deemed of
14 immediate importance, takes effect upon enactment.

15 Sec. 19. RETROACTIVE APPLICABILITY. This Act applies
16 retroactively to January 1, 2019, for tax years beginning on or
17 after that date.>

18 2. Title page, by striking lines 1 through 3 and inserting
19 <An Act relating to agricultural development, by providing
20 for the Iowa finance authority, a beginning farmer tax credit
21 program, fees, and including effective date and retroactive
22 applicability provisions.>

By RANDY FEENSTRA

S-3228 FILED APRIL 25, 2019

ADOPTED

SENATE FILE 638

S-3237

1 Amend Senate File 638 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 STANDING APPROPRIATIONS AND RELATED MATTERS

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

13 For payment of claims for nonpublic school transportation
14 under section 285.2:

15 \$ 8,197,091

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

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

26 Sec. 3. Section 257.35, Code 2019, is amended by adding the
27 following new subsection:

28 NEW SUBSECTION. 13A. Notwithstanding subsection 1, and in
29 addition to the reduction applicable pursuant to subsection
30 2, the state aid for area education agencies and the portion
31 of the combined district cost calculated for these agencies
32 for the fiscal year beginning July 1, 2019, and ending June
33 30, 2020, shall be reduced by the department of management by
34 fifteen million dollars. The reduction for each area education
35 agency shall be prorated based on the reduction that the agency

1 received in the fiscal year beginning July 1, 2003.

2 Sec. 4. SPECIAL FUNDS — SALARY ADJUSTMENTS —
3 UNAPPROPRIATED MONEYS — FY 2019-2020 — FY 2020-2021. For the
4 fiscal year beginning July 1, 2019, and ending June 30, 2020,
5 and for the fiscal year beginning July 1, 2020, and ending June
6 30, 2021, salary adjustments otherwise provided may be funded
7 as determined by the department of management, subject to any
8 applicable constitutional limitation, using unappropriated
9 moneys remaining in the department of commerce revolving
10 fund, the gaming enforcement revolving fund, the gaming
11 regulatory revolving fund, the primary road fund, the road
12 use tax fund, the fish and game protection fund, and the Iowa
13 public employees' retirement fund, and in other departmental
14 revolving, trust, or special funds for which the general
15 assembly has not made an operating budget appropriation.

16 DIVISION II

17 MISCELLANEOUS APPROPRIATIONS

18 Sec. 5. DEPARTMENT OF PUBLIC SAFETY.

19 1. There is appropriated from the general fund of the
20 state to the department of public safety for the fiscal year
21 beginning July 1, 2019, and ending June 30, 2020, the following
22 amount, or so much thereof as is necessary, to be used for the
23 purposes designated:

24 For costs associated with the training and equipment needs
25 of volunteer fire fighters:
26 \$ 50,000

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

32 3. Notwithstanding section 8.39, the department of public
33 safety may reallocate moneys appropriated in this section
34 and moneys appropriated in 2019 Iowa Acts, Senate File 615,
35 section 15, if enacted, as necessary to best fulfill the needs

1 provided for in the appropriation. However, the department
2 shall not reallocate moneys appropriated to the department
3 in this section and moneys appropriated in 2019 Iowa Acts,
4 Senate File 615, section 15, if enacted, unless notice of the
5 reallocation is given to the legislative services agency and
6 the department of management prior to the effective date of the
7 reallocation. The notice shall include information regarding
8 the rationale for reallocating the moneys. The department
9 shall not reallocate moneys appropriated in this section and
10 moneys appropriated in 2019 Iowa Acts, Senate File 615, section
11 15, if enacted, for the purpose of eliminating any program.

12 DIVISION III

13 MISCELLANEOUS PROVISIONS

14 Sec. 6. Section 2C.18, Code 2019, is amended to read as
15 follows:

16 **2C.18 Report to general assembly.**

17 The ombudsman shall by ~~April 1~~ December 31 of each year
18 submit an economically designed and reproduced report to the
19 general assembly and to the governor concerning the exercise of
20 the ombudsman's functions during the preceding ~~calendar~~ fiscal
21 year. In discussing matters with which the ombudsman has been
22 concerned, the ombudsman shall not identify specific persons
23 if to do so would cause needless hardship. If the annual
24 report criticizes a named agency or official, it shall also
25 include unedited replies made by the agency or official to the
26 criticism, unless excused by the agency or official affected.

27 Sec. 7. Section 558.69, Code 2019, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 9. Notwithstanding section 331.604 or any
30 other provision of law to the contrary, the county recorder
31 shall not charge or collect a fee for the submission or filing
32 of a groundwater hazard statement.

33 DIVISION IV

34 CORRECTIVE PROVISIONS

35 Sec. 8. Section 29C.20C, if enacted by 2019 Iowa Acts,

1 Senate File 570, section 1, is amended to read as follows:

2 **29C.20C Immunity — licensed architects and professional**
3 **engineers.**

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

23 Sec. 9. Section 216A.133, subsection 3, paragraph 1, if
24 enacted by 2019 Iowa Acts, House File 634, section 5, is
25 amended to read as follows:

26 1. Recommending to the ~~board~~ department the adoption of
27 rules pursuant to chapter 17A as it deems necessary for the
28 board and division.

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

32 a. The director of the department of human services or the
33 director's designee.

34 Sec. 11. Section 225C.51, subsection 3, if enacted by 2019
35 Iowa Acts, House File 690, section 8, is amended to read as

1 follows:

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

8 Sec. 12. Section 261H.3, subsections 1 and 2, as enacted by
9 2019 Iowa Acts, Senate File 274, section 3, are amended to read
10 as follows:

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

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

34 Sec. 13. Section 322C.2, subsection 20, if enacted by 2019
35 Iowa Acts, Senate File 435, section 2, is amended to read as

1 follows:

2 20. "*Towable recreational vehicle dealer*" or "*dealer*" means
3 a person required to be licensed under this chapter who is
4 authorized to sell and service towable recreational vehicles.

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

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

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

19 For purposes of this section, unless the context otherwise
20 requires, "*eligible water body*" means a body of water that ~~meet~~
21 meets all of the following criteria:

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

25 2. The commissioner ~~or~~ of insurance may take any enforcement
26 action under the commissioner's authority to enforce compliance
27 with this chapter.

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

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

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

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

20 Sec. 19. Section 633.648, Code 2019, as amended by 2019
21 Iowa Acts, House File 610, section 34, if enacted, is amended
22 to read as follows:

23 **633.648 Appointment of attorney in compromise of personal**
24 **injury settlements.**

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

32 Sec. 20. Section 692C.1, subsection 1, paragraph a, if
33 enacted by 2019 Iowa Acts, House File 681, section 1, is
34 amended to read as follows:

35 a. "*Covered individual*" means an individual who has, seeks

1 to have, or may have access to children, the elderly, or
2 individuals with disabilities served by a qualified entity and
3 who is employed by, volunteers with, or seeks to volunteer with
4 a qualified entity; or owns or operates or seeks to own or
5 operate, a qualified entity.

6 Sec. 21. 2019 Iowa Acts, Senate File 333, section 104,
7 subsection 6, is amended to read as follows:

8 6. Sections 15E.206, subsection 3, paragraph "a";
9 15E.207, subsection 2, paragraph "b", subparagraph (2),
10 subparagraph division (c); 15E.208, subsection 5, paragraph
11 "g", subparagraphs (1) and (2); 15E.208, subsection 6,
12 paragraph "d", subparagraph (1), subparagraph division
13 (a); 135.61, unnumbered paragraph 1; 135.61, subsection
14 1, paragraph "d"; 135.61, subsection 4; 135.62, subsection
15 1; 135.62, subsection 2, paragraph "f", subparagraphs (2),
16 (4), and (5); 135.63, subsection 1; 135.63, subsection 2,
17 unnumbered paragraph 1; 135.63, subsection 2, paragraph "f";
18 135.63, subsection 2, paragraph "g", subparagraph (1); 135.63,
19 subsection 2, paragraph "h", subparagraph (1), unnumbered
20 paragraph 1; 135.63, subsection 2, paragraph "j"; 135.63,
21 subsection 2, paragraph "k", subparagraph (1), unnumbered
22 paragraph 1; 135.63, subsection 2, paragraph "l", unnumbered
23 paragraph 1; 135.63, subsection 2, paragraphs "m" and "n";
24 135.63, subsection 2, paragraph "p", unnumbered paragraph 1;
25 135.63, subsection 3; 135.64, subsection 3; 135.72, unnumbered
26 paragraph 1; 135.73, subsection 1; 135.73, subsection
27 2, unnumbered paragraph 1; 135.73, subsection 3; 135.74,
28 subsections 1 and 3; 135.75, subsection 2; 135.76, subsection
29 1; 135.100, unnumbered paragraph 1; 135.105A, subsection 5;
30 135.108, unnumbered paragraph 1; 135.140, unnumbered paragraph
31 1; 249K.2, subsection 6; 490.120, subsection 12, paragraph "c",
32 subparagraph (1); 490.140, subsection 29; 490.640, subsection
33 8; 490.809, subsection 2; 490.858, subsection 2; 490.1101,
34 unnumbered paragraph 1; 490.1105, subsection 3; 490.1107,
35 subsection 1, paragraph "h"; 490.1107, subsection 2; 490.1107,

1 subsection 4, paragraph "b"; 490.1108, subsection 1; 490.1114,
2 subsection 1; 490.1114, subsection 2, paragraph "g"; 490.1202,
3 subsection 7; 490.1301, unnumbered paragraph 1; 490.1320,
4 subsection 1; 490.1320, subsection 3, paragraphs "a" and "b";
5 490.1322, subsection 2, paragraph "c"; 490.1323, subsection
6 3; 490.1331, subsection 1; 490.1340, subsection 2, paragraph
7 "a", subparagraph (1); 490.1403, subsection 3; 490.1405,
8 subsection 2, paragraph "c"; 499.69A, subsection 6; 524.1309,
9 subsection 8; 524.1406, subsection 1; 524.1417, subsection 1;
10 and 524.1805, subsection 6, Code 2019, are amended by striking
11 the word "division" and inserting in lieu thereof the word
12 "subchapter".

13 Sec. 22. EFFECTIVE DATE. The following, being deemed of
14 immediate importance, take effect upon enactment:

15 1. The section of this division of this Act amending section
16 29C.20.

17 2. The section of this division of this Act amending section
18 261H.3, subsections 1 and 2.

19 Sec. 23. EFFECTIVE DATE. The following takes effect January
20 1, 2020:

21 The section of this division of this Act amending section
22 633.648.

23 Sec. 24. RETROACTIVE APPLICABILITY. The following applies
24 retroactively to the effective date of 2019 Iowa Acts, Senate
25 File 570, if enacted:

26 The section of this division of this Act amending section
27 29C.20.

28 Sec. 25. RETROACTIVE APPLICABILITY. The following applies
29 retroactively to March 27, 2019:

30 The section of this division of this Act amending section
31 261H.3, subsections 1 and 2.

32 Sec. 26. APPLICABILITY. The following applies to
33 guardianships and guardianship proceedings for adults and
34 conservatorships and conservatorship proceedings for adults and
35 minors established or pending before, on, or after January 1,

1 2020:

2 The section of this division of this Act amending section
3 633.648.

4 DIVISION V
5 FLOOD RECOVERY

6 Sec. 27. NEW SECTION. **418.16 Flood recovery fund.**

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

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

22 3. In order to be awarded moneys from the fund, a political
23 subdivision of the state shall submit a project application
24 to the department for consideration by the board. The board
25 shall prescribe application forms and application instructions.
26 Project applications shall include all of the following:

27 a. A description of the project and the manner in which
28 the project supports flood response, flood recovery, or flood
29 mitigation activities.

30 b. A description of the financial assistance needed from the
31 fund.

32 c. Details on any additional moneys to be applied to the
33 project.

34 4. a. The board shall review all project applications.
35 During the review of a project application, the board shall

1 consider, at a minimum, all of the following:

2 (1) Whether the project supports flood response, flood
3 recovery, or flood mitigation activities.

4 (2) Whether moneys from the fund are essential to meet
5 the necessary expenses or serious needs of the political
6 subdivision related to flood response, flood recovery, or flood
7 mitigation.

8 b. Upon review of a project application, the board shall
9 approve, defer, or deny the application. If a project
10 application is approved, the board shall specify the amount of
11 moneys from the fund awarded to the political subdivision. The
12 board shall negotiate and execute on behalf of the department
13 all necessary agreements to provide the moneys. If a project
14 application is deferred or denied, the board shall state the
15 reasons for such deferral or denial.

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

23 Sec. 28. FLOOD RECOVERY APPROPRIATION. There is
24 appropriated from the general fund of the state to the
25 department of homeland security and emergency management, for
26 the fiscal year beginning July 1, 2018, and ending June 30,
27 2019, the following amount, or so much thereof as is necessary,
28 to be credited to the flood recovery fund created in section
29 418.16, as enacted by this Act, and used for the purposes
30 designated in section 418.16, as enacted by this Act:

31 \$ 15,000,000

32 Sec. 29. EMERGENCY RULES. The department of homeland
33 security and emergency management may adopt emergency
34 rules under section 17A.4, subsection 3, and section 17A.5,
35 subsection 2, paragraph "b", to implement the provisions of

1 this division of this Act and the rules shall be effective
2 immediately upon filing unless a later date is specified in the
3 rules. Any rules adopted in accordance with this section shall
4 also be published as a notice of intended action as provided
5 in section 17A.4.

6 Sec. 30. EFFECTIVE DATE. This division of this Act, being
7 deemed of immediate importance, takes effect upon enactment.

8 DIVISION VI

9 STATE BUDGET PROCESS

10 Sec. 31. Section 8.6, Code 2019, is amended by adding the
11 following new subsection:

12 NEW SUBSECTION. 16. *Salary model administrator.* To
13 designate a position within the department to serve as the
14 salary model administrator.

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

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

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

1 attributable to individual employees.

2 Sec. 32. Section 8.23, subsection 1, unnumbered paragraph
3 1, Code 2019, is amended to read as follows:

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

16 Sec. 33. Section 8.23, subsection 1, paragraph a, Code 2019,
17 is amended to read as follows:

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

28 Sec. 34. Section 602.1301, subsection 2, paragraph a,
29 unnumbered paragraph 1, Code 2019, is amended to read as
30 follows:

31 As early as possible, but not later than December 1, the
32 supreme court shall submit to the legislative services agency
33 the annual budget request and detailed supporting information
34 for the judicial branch. The submission shall be designed
35 to assist the legislative services agency in its preparation

1 for legislative consideration of the budget request. The
2 information submitted shall contain and be arranged in a format
3 substantially similar to the format specified by the director
4 of the department of management and used by all departments
5 and establishments in transmitting to the director estimates
6 of their expenditure requirements pursuant to section 8.23,
7 ~~except the estimates of expenditure requirements shall be based~~
8 ~~upon one hundred percent of funding for the current fiscal~~
9 ~~year accounted for by program, and using the same line item~~
10 ~~definitions of expenditures as used for the current fiscal~~
11 ~~year's budget request, and the remainder of the estimate of~~
12 ~~expenditure requirements prioritized by program.~~ The supreme
13 court shall also make use of the department of management's
14 automated budget system when submitting information to the
15 director of the department of management to assist the director
16 in the transmittal of information as required under section
17 8.35A. The supreme court shall budget and track expenditures
18 by the following separate organization codes:

19 DIVISION VII

20 BLACKOUT SPECIAL REGISTRATION PLATES

21 Sec. 35. Section 321.34, Code 2019, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 11C. *Blackout plates.*

24 a. Upon application and payment of the proper fees,
25 the director may issue blackout plates to the owner of a
26 motor vehicle subject to registration under section 321.109,
27 subsection 1, autocycle, motor truck, motor home, multipurpose
28 vehicle, motorcycle, trailer, or travel trailer.

29 b. Blackout plates shall be designed by the department. A
30 blackout plate's background shall be black, and the plate's
31 letters and numbers shall be white.

32 c. The special blackout fee for letter-number designated
33 blackout plates is thirty-five dollars. An applicant may
34 obtain personalized blackout plates upon payment of the fee for
35 personalized plates as provided in subsection 5, which is in

1 addition to the special blackout fee. The fees collected by
2 the director under this subsection shall be paid monthly to the
3 treasurer of state and deposited in the road use tax fund.

4 *d.* Upon receipt of the special registration plates, the
5 applicant shall surrender the current registration plates to
6 the county treasurer. The county treasurer shall validate
7 the special registration plates in the same manner as regular
8 registration plates are validated under this section. The
9 annual special blackout fee for letter-number designated plates
10 is ten dollars which shall be paid in addition to the regular
11 annual registration fee. The annual fee for personalized
12 blackout plates is five dollars which shall be paid in addition
13 to the annual special blackout fee and the regular annual
14 registration fee. The annual special blackout fee shall be
15 credited as provided under paragraph "c".

16 *e.* The department shall not condition the issuance of
17 blackout plates on the receipt of any number of orders for
18 blackout plates.

19 Sec. 36. Section 321.166, subsection 9, Code 2019, is
20 amended to read as follows:

21 9. Special registration plates issued pursuant to section
22 321.34, other than gold star, medal of honor, collegiate, fire
23 fighter, ~~and~~ natural resources, and blackout registration
24 plates, shall be consistent with the design and color of
25 regular registration plates but shall provide a space on a
26 portion of the plate for the purpose of allowing the placement
27 of a distinguishing processed emblem or an organization
28 decal. Special registration plates shall also comply with
29 the requirements for regular registration plates as provided
30 in this section to the extent the requirements are consistent
31 with the section authorizing a particular special vehicle
32 registration plate.

33 DIVISION VIII

34 GAMBLING REGULATION

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

1 Iowa Acts, Senate File 617, section 10, is amended to read as
2 follows:

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

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

18 **99F.13 Annual audit of licensee operations.**

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

29 DIVISION IX

30 PUBLIC UTILITIES

31 Sec. 39. Section 476.6, subsection 15, paragraph c,
32 subparagraphs (2) and (4), Code 2019, are amended to read as
33 follows:

34 (2) Notwithstanding the goals developed pursuant to
35 paragraph "b", the board shall not require or allow a gas

1 utility to adopt an energy efficiency plan that results in
2 projected cumulative average annual costs that exceed one
3 and one-half percent of the gas utility's expected annual
4 Iowa retail rate revenue from retail customers in the state,
5 shall not require or allow an electric utility to adopt an
6 energy efficiency plan that results in projected cumulative
7 average annual costs that exceed two percent of the electric
8 utility's expected annual Iowa retail rate revenue from retail
9 customers in the state, and shall not require or allow an
10 electric utility to adopt a demand response plan that results
11 in projected cumulative average annual costs that exceed two
12 percent of the electric utility's expected annual Iowa retail
13 rate revenue from retail customers in the state. For purposes
14 of determining the two percent threshold amount, the board
15 shall exclude from an electric utility's expected annual Iowa
16 retail rate revenue the revenues expected from customers that
17 have received exemptions from energy efficiency plans pursuant
18 to paragraph "a". This subparagraph shall apply to energy
19 efficiency plans and demand response plans that are effective
20 on or after January 1, 2019.

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

30 DIVISION X

31 BOARD OF REGENTS CAPITAL PROJECTS

32 Sec. 40. BOARD OF REGENTS CAPITAL PROJECTS REPORT.

33 1. The state board of regents shall submit a written report,
34 including such information and recommendations as required by
35 this section, to the general assembly by December 13, 2019,

1 regarding the financing of capital projects at institutions
2 under the control of the state board of regents.

3 2. The written report shall include a list of all capital
4 projects initiated by an institution under the control of the
5 state board of regents since January 1, 2004, in which the
6 state provided at least a part of the financing for the project
7 from an appropriation from the rebuild Iowa infrastructure fund
8 created in section 8.57. For each project listed, the report
9 shall include all of the following information:

10 a. Total cost of each project.

11 b. The amount and percentage of each project financed
12 through donations and gifts from private sources.

13 c. The amount and percentage of each project financed
14 through funding from the federal government.

15 d. The amount and percentage of each project financed
16 through institution sources.

17 e. The amount and percentage of each project financed
18 through state dollars.

19 f. The amount and percentage of each project financed
20 through other sources.

21 g. Whether each project was considered a renovation or new
22 construction.

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

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

34 5. The written report shall also include recommendations to
35 the general assembly regarding the following:

S-3237 (Continued)

1 a. The type of capital projects that should be eligible for
2 state funding.

3 b. The share of state-funded capital projects that should be
4 funded with non-state dollars.

5 c. How the fundraising plan will be developed for
6 state-funded projects.

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

9 DIVISION XI

10 WATERSHED MANAGEMENT AUTHORITIES

11 Sec. 42. Section 466B.22, Code 2019, is amended by adding
12 the following new subsection:

13 NEW SUBSECTION. 5. If a portion of a United States
14 geological survey hydrologic unit code 8 watershed is located
15 outside of this state, any political subdivision in such a
16 watershed may participate in any watershed management authority
17 which includes the county in which the political subdivision
18 is located.>

19 2. Title page, line 4, by striking <date> and inserting
20 <date, applicability, and retroactive applicability>

By MICHAEL BREITBACH

[S-3237](#) FILED APRIL 25, 2019

HOUSE AMENDMENT TO SENATE AMENDMENT TO
TO HOUSE FILE 499

S-3235

- 1 Amend the Senate amendment, H-1257, to House File 499, as
2 passed by the House, as follows:
- 3 1. Page 1, line 7, by striking <nine> and inserting <~~nine~~
4 ten>
- 5 2. Page 1, line 21, by striking <eight or fewer pupils,>
6 and inserting <~~eight~~ ten or fewer ~~pupils~~persons, including the
7 driver,>

S-3235 FILED APRIL 25, 2019
CONCURRED

S-3229

1 Amend House File 531, as passed by the House, as follows:

2 1. Page 1, before line 34 by inserting:

3 <Sec. _____. Section 96.5, subsection 2, Code 2019, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *d.* For purposes of this subsection,
6 "*misconduct*" means a deliberate act or omission by an
7 employee that constitutes a material breach of the duties
8 and obligations arising out of the employee's contract of
9 employment. "*Misconduct*" is limited to conduct evincing such
10 willful or wanton disregard of an employer's interest as
11 is found in deliberate violation or disregard of standards
12 of behavior which the employer has the right to expect of
13 employees, or in carelessness or negligence of such degree of
14 recurrence as to manifest equal culpability, wrongful intent
15 or evil design, or to show an intentional and substantial
16 disregard of the employer's interests or of the employee's
17 duties and obligations to the employer. "*Misconduct*" includes
18 but is not limited to all of the following:

19 (1) Falsification by the individual of an employment
20 application to obtain employment.

21 (2) Knowing violation by the individual of a reasonable and
22 uniformly enforced rule of an employer.

23 (3) Damage of the employer's property through intentional
24 conduct by the individual.

25 (4) Dishonesty with the employer by the individual in
26 relation to the individual's employment.

27 (5) Consumption by the individual of alcohol, illegal or
28 nonprescribed prescription drugs, or an impairing substance
29 in an off-label manner, or a combination of such substances,
30 on the employer's premises in violation of the employer's
31 employment policies.

32 (6) Reporting to work under the influence of alcohol,
33 illegal or nonprescribed prescription drugs, or an impairing
34 substance used in an off-label manner, or a combination of such
35 substances, in violation of the employer's employment policies,

1 unless the individual is compelled to report to work by the
2 employer outside of scheduled or on-call working hours.

3 (7) Conduct by the individual that endangers the personal
4 safety of the individual, coworkers, or the general public.

5 (8) Incarceration of the individual that results in missing
6 work for an act for which one could reasonably expect to be
7 incarcerated.

8 (9) Incarceration of the individual following conviction of
9 a misdemeanor or felony by a court of competent jurisdiction.

10 (10) Excessive unexcused tardiness or absenteeism.

11 (11) Falsification by the individual of any work-related
12 report, task, or job that could expose the employer or
13 coworkers to legal liability or sanction for violation of
14 health or safety laws.

15 (12) Failure by the individual to maintain any license,
16 registration, or certification that is reasonably required by
17 the employer, that is required by law, or that is a functional
18 requirement to perform the individual's regular job duties,
19 unless the failure is not within the control of the individual.

20 (13) Conduct by the individual that is libelous or
21 slanderous toward the employer or an employee of the employer
22 if such conduct is not protected under state or federal law.

23 (14) Conduct by the individual creating or attempting to
24 create dissention or animus against the employer or a coworker
25 if such conduct is not protected under state or federal law.

26 (15) Theft of funds or property of the employer or a
27 coworker by the individual.

28 (16) Misrepresentation by the individual of time worked
29 or work carried out that results in the individual receiving
30 unearned wages or unearned benefits.>

31 2. Page 3, by striking lines 30 and 31 and inserting:

32 <Sec. _____. Section 96.40, subsection 2, paragraph e, Code
33 2019, is amended to read as follows:>

34 3. By striking page 3, line 35, through page 4, line 2.

35 4. Page 4, by striking lines 3 through 7.

S-3229 (Continued)

- 1 5. Page 5, line 6, by striking <paragraphs "e" and "i"> and
- 2 inserting <paragraph "e">
- 3 6. Page 5, by striking lines 7 and 8.
- 4 7. By renumbering as necessary.

By JIM CARLIN

[S-3229](#) FILED APRIL 25, 2019

ADOPTED

HOUSE FILE 531

S-3230

- 1 Amend House File 531, as passed by the House, as follows:
- 2 1. Page 3, before line 5 by inserting:
- 3 <Sec. ____ . Section 96.11, Code 2019, is amended by adding
- 4 the following new subsection:
- 5 NEW SUBSECTION. 17. *Electronic notifications for weekly*
- 6 *claims.* The department shall provide an individual submitting
- 7 a claim for benefits with an electronic confirmation that the
- 8 claim was successfully submitted. The confirmation shall
- 9 include a confirmation number for the claim and shall be
- 10 provided for each weekly claim. Such confirmation shall not be
- 11 considered an acknowledgment that a claim is valid.>
- 12 2. Page 5, after line 12 by inserting:
- 13 <3. The following apply to any new claim for unemployment
- 14 benefits with an effective date on or after January 5, 2020:
- 15 a. The section of this Act amending section 96.11.>
- 16 3. By renumbering as necessary.

By WILLIAM A. DOTZLER, JR.

S-3230 FILED APRIL 25, 2019

ADOPTED

HOUSE AMENDMENT TO SENATE AMENDMENT TO
TO HOUSE FILE 692

S-3231

1 Amend the Senate amendment, H-1244, to House File 692, as
2 passed by the House, as follows:

3 1. By striking page 1, line 4, through page 56, line 8, and
4 inserting:

5 <<DIVISION I

6 HOSPITAL BOARD OF TRUSTEES ELECTIONS

7 Section 1. Section 347.9, subsection 1, Code 2019, is
8 amended to read as follows:

9 1. When it has been determined by the voters of a county
10 to establish a county public hospital, the board shall appoint
11 five or seven trustees chosen from among the resident citizens
12 of the county with reference to their fitness for office.
13 The appointed trustees shall hold office until the following
14 general election, at which time their successors shall be
15 elected, three for a term of four years and the remainder
16 for a term of two years, and they shall determine by lot
17 their respective terms, and thereafter their successors shall
18 be elected for regular terms of four years each, except as
19 provided in subsection 3.

20 Sec. 2. Section 347.9, Code 2019, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. 3. Trustees in a county with a population
23 of at least four hundred thousand shall serve for a term of six
24 years. A trustee elected to a term of four years in or after
25 January 2018 shall instead serve a term of six years.

26 Sec. 3. Section 347.10, Code 2019, is amended to read as
27 follows:

28 **347.10 Vacancies.**

29 Vacancies on the board of trustees may, ~~until the next~~
30 ~~general election,~~ be filled by appointment by the remaining
31 members of the board of trustees or, if fewer than a
32 majority of the trustees remain on the board, by the board of
33 supervisors for the period until the vacancies are filled by
34 election. An appointment made under this section shall be for
35 the unexpired balance of the term of the preceding trustee. If

1 a board member is absent for four consecutive regular board
2 meetings, without prior excuse, or fails to comply with more
3 stringent attendance requirements for regular board meetings
4 included in the bylaws governing the board, the member's
5 position shall be declared vacant and filled as set out in this
6 section.

7 Sec. 4. HOSPITAL BOARD OF TRUSTEES ELECTIONS.

8 Notwithstanding section 347.9, for elections held pursuant to
9 section 347.9 in 2022 in which more than seventy percent of
10 trustee positions on a board are on the ballot:

11 1. If there are seven trustees on the board:

12 a. If six trustees are to be elected, the four elected who
13 receive the highest number of votes are elected for four-year
14 terms. The remainder are elected for two-year terms. In case
15 of a tie, the county auditor shall determine by lot which of
16 the trustees with the lowest number of winning votes shall
17 serve two-year terms and thereafter their successors shall be
18 elected for regular terms as provided in section 347.9.

19 b. If five trustees are to be elected, the four elected who
20 receive the highest number of votes are elected for four-year
21 terms. The remaining trustee is elected for a two-year term.
22 In case of a tie, the county auditor shall determine by lot
23 which of the trustees with the lowest number of winning votes
24 shall serve the two-year term and thereafter their successors
25 shall be elected for regular terms as provided in section
26 347.9.

27 2. If there are five trustees on the board, if four trustees
28 are to be elected, the three elected who receive the highest
29 number of votes are elected for four-year terms. The remaining
30 trustee is elected for a two-year term. In case of a tie, the
31 county auditor shall determine by lot which of the trustees
32 with the lowest number of winning votes shall serve the
33 two-year term and thereafter their successors shall be elected
34 for regular terms as provided in section 347.9.

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DIVISION II

TECHNICAL CHANGES

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Sec. 5. Section 39.2, subsection 4, paragraphs a, b, and c, Code 2019, are amended to read as follows:

~~a. For a county, on the day of the general election, on the day of the regular city election, on the date of a special election held to fill a vacancy in the same county, or on the first Tuesday in March in an odd-numbered year, the first Tuesday in May March, or the first second Tuesday in August of each year September, or the first Tuesday after the first Monday in November. For a county, in an even-numbered year, the first Tuesday in March or the second Tuesday in September.~~

~~b. For a city, on the day of the general election, on the day of the regular city election, on the date of a special election held to fill a vacancy in the same city, or on the first Tuesday in March in an odd-numbered year, the first Tuesday in May March, or the first second Tuesday in August of each year September, or the first Tuesday after the first Monday in November. For a city, in an even-numbered year, the first Tuesday in March or the second Tuesday in September.~~

~~c. For a school district or merged area, in the odd-numbered year, the first Tuesday in February March, the first Tuesday in April, the last second Tuesday in June September, or the second first Tuesday after the first Monday in September November. For a school district or merged area, in the even-numbered year, the first Tuesday in February, the first Tuesday in April March, or the second Tuesday in September, or the second Tuesday in December.~~

Sec. 6. Section 39A.3, subsection 1, paragraph a, Code 2019, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (5) Falsely or fraudulently signs nomination papers on behalf of another person.

Sec. 7. Section 39A.3, subsection 1, Code 2019, is amended by adding the following new paragraph:

NEW PARAGRAPH. *c. Miscellaneous offenses.* Uses voter registration information, including resale or redistribution

1 of the voter registration list without written permission of
2 the state registrar, for purposes other than those permitted
3 by section 48A.39.

4 Sec. 8. Section 39A.4, subsection 1, paragraph c,
5 subparagraph (5), Code 2019, is amended by striking the
6 subparagraph.

7 Sec. 9. Section 39A.6, Code 2019, is amended to read as
8 follows:

9 **39A.6 Technical infractions — notice.**

10 1. If the state commissioner or county commissioner becomes
11 aware of an apparent technical violation of a provision of
12 chapters 39 through 53, the state commissioner or county
13 commissioner may administratively provide a written notice
14 and letter of instruction to the responsible person regarding
15 proper compliance procedures.

16 2. If the state commissioner sends a notice of such a
17 technical infraction to a county commissioner, the state
18 commissioner may require a written explanation of the
19 occurrence, and measures that the person took to redress the
20 issues contained within the notice.

21 3. This notice is not a final determination of facts or law
22 in the matter, and does not entitle a person to a proceeding
23 under chapter 17A.

24 Sec. 10. Section 43.14, subsection 1, Code 2019, is amended
25 by adding the following new paragraph:

26 NEW PARAGRAPH. *g.* The printed name, signature, address,
27 and phone number of the person responsible for circulating the
28 petition page.

29 Sec. 11. Section 43.14, subsection 2, Code 2019, is amended
30 to read as follows:

31 2. a. Signatures on a petition page shall be counted only
32 if the information required in subsection 1 is written or
33 printed at the top of the page.

34 b. Nomination papers on behalf of candidates for seats in
35 the general assembly need only designate the number of the

1 senatorial or representative district, as appropriate, and
2 not the county or counties, in which the candidate and the
3 petitioners reside.

4 c. A signature line shall not be counted if the line
5 lacks the signature of the eligible elector and the signer's
6 residential address, with street and number, if any, and city.
7 A signature line shall not be counted if an eligible elector
8 supplies only a partial address or a post office box address,
9 or if the signer's address is obviously outside the boundaries
10 of the district.

11 d. A signature line shall not be counted if any of the
12 required information is crossed out or redacted at the time
13 the nomination papers are filed with the state commissioner or
14 commissioner.

15 Sec. 12. Section 43.14, subsection 4, Code 2019, is amended
16 by adding the following new paragraph:

17 NEW PARAGRAPH. f. Any other information required by section
18 43.18.

19 Sec. 13. Section 43.15, subsection 2, Code 2019, is amended
20 to read as follows:

21 2. Each signer shall add the signer's ~~residence~~ residential
22 address, with street and number, if any, and the date of
23 signing.

24 Sec. 14. Section 43.22, unnumbered paragraph 1, Code 2019,
25 is amended to read as follows:

26 The state commissioner shall, at least sixty-nine days
27 before a primary election, or as soon as practicable if an
28 objection under section 43.24 is pending, furnish to the
29 commissioner of each county a certificate under the state
30 commissioner's hand and seal, which certificate shall show:

31 Sec. 15. Section 43.24, subsection 1, paragraph b,
32 subparagraphs (1) and (2), Code 2019, are amended to read as
33 follows:

34 (1) Those filed with the state commissioner, not less than
35 seventy-four days before the date of the election, or for

1 certificates of nomination filed under section 43.23, not less
2 than seventy days before the date of the election.

3 (2) Those filed with the commissioner, not less than
4 sixty-four days before the date of the election, or for
5 certificates of nomination filed under section 43.23, not less
6 than sixty-two days before the date of the election.

7 Sec. 16. Section 45.5, subsection 1, Code 2019, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *f.* The printed name, signature, address,
10 and phone number of the person responsible for circulating the
11 petition page.

12 Sec. 17. Section 45.5, subsection 2, Code 2019, is amended
13 to read as follows:

14 2. a. Signatures on a petition page shall be counted only
15 if the information required in subsection 1 is written or
16 printed at the top of the page.

17 b. Nomination papers on behalf of candidates for seats in
18 the general assembly need only designate the number of the
19 senatorial or representative district, as appropriate, and
20 not the county or counties, in which the candidate and the
21 petitioners reside.

22 c. A signature line in a nomination petition shall not be
23 counted if the line lacks the signature of the eligible elector
24 and the signer's residential address, with street and number,
25 if any, and city. A signature line shall not be counted if
26 an eligible elector supplies only a partial address or a post
27 office box address, or if the signer's address is obviously
28 outside the boundaries of the appropriate ward, city, school
29 district or school district director district, legislative
30 district, or other district.

31 d. A signature line shall not be counted if any of the
32 required information is crossed out or redacted at the time
33 the nomination papers are filed with the state commissioner or
34 commissioner.

35 Sec. 18. Section 45.6, subsection 2, Code 2019, is amended

1 to read as follows:

2 2. Each signer shall add the signer's ~~residence~~ residential
3 address, with street and number, if any, and city.

4 Sec. 19. Section 47.1, subsection 6, Code 2019, is amended
5 to read as follows:

6 6. The state commissioner may, at the state commissioner's
7 discretion, examine the records of a commissioner to evaluate
8 complaints and to ensure compliance with the provisions
9 of chapters 39 through 53. This examination shall include
10 assessments conducted or authorized by private or government
11 entities to evaluate a county's security readiness for
12 elections-related technology or physical facilities. The state
13 commissioner shall adopt rules pursuant to chapter 17A to
14 require a commissioner to provide written explanations related
15 to examinations conducted pursuant to this subsection. Any
16 information that is requested by or in the possession of the
17 state commissioner pursuant to this chapter shall not lose its
18 confidential status pursuant to section 22.7, subsection 50.

19 Sec. 20. Section 47.1, Code 2019, is amended by adding the
20 following new subsections:

21 NEW SUBSECTION. 7. The state commissioner may share
22 information a county provides to an appropriate government
23 agency to safeguard against cybersecurity or physical threats.

24 NEW SUBSECTION. 8. The state commissioner may adopt rules
25 pursuant to chapter 17A to create minimum security protocols
26 applicable to county commissioners of elections. If a county
27 fails to adhere to these protocols, the state commissioner may
28 limit access to the statewide voter registration system.

29 Sec. 21. Section 47.2, Code 2019, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 7. The county commissioner of elections
32 shall, to maintain election security, do all of the following:

33 a. When the county commissioner believes that a
34 cybersecurity incident or data breach has occurred, the county
35 commissioner shall immediately inform the state commissioner

1 of elections.

2 *b.* If the county commissioner has no reason to believe
3 that a cybersecurity incident or data breach has occurred,
4 the county commissioner shall certify that fact to the state
5 commissioner on an annual basis.

6 Sec. 22. Section 47.7, subsection 2, paragraph d, Code 2019,
7 is amended to read as follows:

8 *d.* The state registrar shall prescribe by rule the
9 procedures for access to the state voter registration file,
10 ~~security requirements, and access protocols for adding,~~
11 ~~changing, or deleting information from the state voter~~
12 ~~registration file including all of the following:~~

13 (1) Access protocols for adding, changing, or deleting
14 information from the state voter registration file.

15 (2) Training requirements for all state voter registration
16 file users.

17 (3) Technology safeguards, including county information
18 technology network requirements, necessary to access the state
19 voter registration file.

20 (4) Breach incident response requirements and protocols on
21 all matters related to elections.

22 Sec. 23. Section 47.7, subsection 2, Code 2019, is amended
23 by adding the following new paragraph:

24 NEW PARAGRAPH. *e.* The state registrar may rescind access to
25 the statewide voter registration file from a user who is not in
26 compliance with the prescribed rules.

27 Sec. 24. Section 48A.9, subsection 4, Code 2019, is amended
28 to read as follows:

29 4. Registration forms submitted to voter registration
30 agencies, to motor vehicle driver's license stations, and to
31 county treasurer's offices participating in county issuance of
32 driver's licenses under chapter 321M shall be considered on
33 time if they are received no later than ~~5:00~~ 11:59 p.m. on the
34 day registration closes for that election. Offices or agencies
35 other than the county commissioner's office are not required

1 to be open for voter registration purposes at times other than
2 their usual office hours.

3 Sec. 25. Section 48A.26, subsection 1, Code 2019, is amended
4 to read as follows:

5 1. *a.* Except as otherwise provided in paragraph
6 paragraphs "b" and "c" of this subsection, or section 48A.26A,
7 within seven working days of receipt of a voter registration
8 form or change of information in a voter registration record
9 the commissioner shall send an acknowledgment to the registrant
10 at the mailing address shown on the registration form. The
11 acknowledgment shall be sent by nonforwardable mail.

12 *b.* For a voter registration form or change of information
13 in a voter registration record submitted at a precinct caucus,
14 the commissioner shall send an acknowledgment within forty-five
15 days of receipt of the form or change of information.

16 *c.* For a voter registration form or change of information in
17 a voter registration record submitted within fourteen days of a
18 regularly scheduled election, the commissioner shall send an
19 acknowledgment within forty-eight hours of receipt of the form
20 or change of information.

21 Sec. 26. Section 49.11, Code 2019, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 4. Notice of changes made pursuant to
24 subsection 3 shall be reported to the state commissioner at
25 least twenty-five days before the next election in which the
26 temporary precinct will be active, or, for elections held
27 pursuant to section 69.14 while the general assembly is in
28 session or within forty-five days of the convening of a session
29 of the general assembly, at least ten days before election day.

30 Sec. 27. Section 49.31, subsection 1, paragraph a, Code
31 2019, is amended to read as follows:

32 *a.* All ballots shall be arranged with the names of
33 candidates for each office listed below the office title.
34 For partisan elections the name of the political party or
35 organization which nominated each candidate shall be listed

1 after or below each candidate's name. The state commissioner
2 may prescribe, and a county commissioner may use, uniform
3 abbreviations for political parties and organizations.

4 Sec. 28. Section 49.57, subsection 2, Code 2019, is amended
5 to read as follows:

6 2. After the name of each candidate for a partisan office
7 the name of the candidate's political party shall be printed
8 in at least six point type. The names of political parties
9 and nonparty political organizations may be abbreviated on
10 the remainder of the ballot if both the full name and the
11 abbreviation appear in the voter instruction area of the
12 ballot.

13 Sec. 29. Section 50.51, subsection 6, Code 2019, is amended
14 to read as follows:

15 6. The state commissioner shall adopt rules, pursuant
16 to chapter 17A, to implement this section, which may include
17 the establishment of pilot programs related to post-election
18 audits.

19 Sec. 30. NEW SECTION. 53.1A Rules.

20 The state commissioner shall adopt rules pursuant to chapter
21 17A for the implementation of this chapter.

22 Sec. 31. Section 53.8, subsection 1, paragraph a,
23 unnumbered paragraph 1, Code 2019, is amended to read as
24 follows:

25 Upon receipt of an application for an absentee ballot
26 and immediately after the absentee ballots are printed,
27 but not more than twenty-nine days before the election, the
28 commissioner shall mail an absentee ballot to the applicant
29 within twenty-four hours, except as otherwise provided in
30 subsection 3. When the United States post office is closed
31 in observance of a federal holiday and is not delivering mail
32 on the twenty-ninth day before the election, the first day to
33 mail absentee ballots is the next business day on which mail
34 delivery is available. The absentee ballot shall be sent to
35 the registered voter by one of the following methods:

1 Sec. 32. 2017 Iowa Acts, chapter 155, section 13, is amended
2 by striking the section.

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

5 DIVISION III

6 CONDUCT OF ELECTIONS

7 Sec. 34. Section 43.30, subsection 2, Code 2019, is amended
8 to read as follows:

9 2. The commissioner shall make sample ballots available to
10 the public upon request. The sample ballots shall be clearly
11 marked as sample ballots. A reasonable fee may be charged for
12 printing costs if a person requests multiple copies of sample
13 ballots. The commissioner shall not distribute sample ballots
14 except as provided in this subsection.

15 Sec. 35. Section 43.36, Code 2019, is amended to read as
16 follows:

17 **43.36 Australian ballot.**

18 The Australian ballot system as now used in this state,
19 except as herein modified, shall be used at said primary
20 election. The endorsement of the precinct election officials
21 and the ~~facsimile of the commissioner's signature~~ county
22 seal shall appear upon the ballots as provided for general
23 elections.

24 Sec. 36. Section 43.91, Code 2019, is amended to read as
25 follows:

26 **43.91 Voter at caucus ~~must be precinct resident~~ —**
27 **qualifications.**

28 Any person voting at a precinct caucus must be a person who
29 is or will by the date of the next general election become
30 an eligible elector, who has not already participated in the
31 caucus of any political party within the same year, and who is
32 a resident of the precinct. A list of the names and addresses
33 of each person to whom a ballot was delivered or who was
34 allowed to vote in each precinct caucus shall be prepared by
35 the caucus chairperson and secretary who shall certify such

1 list to the commissioner at the same time as the names of
2 those elected as delegates and party committee members are so
3 certified.

4 Sec. 37. Section 44.4, subsection 1, Code 2019, is amended
5 to read as follows:

6 1. a. Nominations made pursuant to this chapter and
7 chapter 45 which are required to be filed in the office of the
8 state commissioner shall be filed in that office not more than
9 ninety-nine days nor later than 5:00 p.m. on the ~~seventy-third~~
10 eighty-first day before the ~~date of the general election to be~~
11 held in November first Tuesday after the first Monday in June
12 in each even-numbered year. Nominations made for a special
13 election called pursuant to section 69.14 shall be filed by
14 5:00 p.m. not less than twenty-five days before the date of
15 an election called upon at least forty days' notice and not
16 less than fourteen days before the date of an election called
17 upon at least eighteen days' notice. Nominations made for
18 a special election called pursuant to section 69.14A shall
19 be filed by 5:00 p.m. not less than twenty-five days before
20 the date of the election. Nominations made pursuant to this
21 chapter and chapter 45 which are required to be filed in the
22 office of the commissioner shall be filed in that office not
23 more than ninety-two days nor later than 5:00 p.m. on the
24 ~~sixty-ninth~~ seventy-fourth day before the ~~date of the general~~
25 election first Tuesday after the first Monday in June in each
26 even-numbered year. Nominations made pursuant to this chapter
27 or chapter 45 for city office shall be filed not more than
28 seventy-two days nor later than 5:00 p.m. on the forty-seventh
29 day before the city election with the county commissioner
30 of elections responsible under section 47.2 for conducting
31 elections held for the city, who shall process them as provided
32 by law.

33 b. Notwithstanding paragraph "a", nominations for president
34 and vice president of the United States shall be filed in the
35 office of the state commissioner not more than ninety-nine days

1 nor later than 5:00 p.m. on the eighty-first day before the
2 date of the general election to be held in November.

3 Sec. 38. Section 47.2, subsection 2, Code 2019, is amended
4 to read as follows:

5 2. a. When an election is to be held as required by law
6 or is called by a political subdivision of the state and the
7 political subdivision is located in more than one county, the
8 county commissioner of elections of the county having the
9 greatest taxable base within the political subdivision shall
10 conduct that election. The county commissioners of elections
11 of the other counties in which the political subdivision
12 is located shall cooperate with the county commissioner of
13 elections who is conducting the election.

14 b. Notwithstanding paragraph "a", for a city primary
15 election, city runoff election or a special election for
16 a city, school district, or merged area, if a political
17 subdivision is located in more than one county, the county
18 commissioner of elections of a county not having the greatest
19 taxable base within the political subdivision may designate
20 that the controlling commissioner of the political subdivision
21 shall conduct that election if fewer than one hundred and
22 twenty-five registered voters of the political subdivision
23 are located within such county commissioner's county. If the
24 controlling commissioner is so designated, section 50.24,
25 subsections 3A and 3B, as enacted by 2017 Iowa Acts, ch. 155,
26 828, shall not apply. For the purposes of this paragraph, the
27 number of registered voters shall be the number of registered
28 voters in the political subdivision of a county not having the
29 greatest taxable base on May 1 immediately preceding the first
30 day of the filing period for candidates for the election. If
31 May 1 falls on a day when the county commissioner's office is
32 closed for business, the county commissioner shall use the
33 number of registered voters on the next day that the county
34 commissioner's office is open for business to determine the
35 number of registered voters.

1 Sec. 39. Section 47.2, Code 2019, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 7. The county commissioner shall not
4 participate in an absentee ballot drive or collection effort in
5 cooperation with a candidate, candidate's committee, political
6 party, or nonparty political organization. However, when a
7 county commissioner is a candidate for election, such a county
8 commissioner may participate in an absentee ballot drive or
9 collection effort, but shall not aid any other candidate,
10 candidate's committee, political party, or nonparty political
11 organization.

12 Sec. 40. Section 49.21, Code 2019, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 4. The commissioner shall remove or obscure
15 from the view of voters any published material displaying the
16 name of a candidate or elected official other than a ballot or
17 sample ballot or envelope.

18 Sec. 41. NEW SECTION. **49.49 Certain sample ballots**
19 **prohibited.**

20 The commissioner and state commissioner of elections shall
21 not distribute or authorize the distribution of sample ballots
22 to voters other than as provided in sections 49.53 and 52.29.

23 Sec. 42. Section 49.51, Code 2019, is amended to read as
24 follows:

25 **49.51 Commissioner to control printing.**

26 The commissioner shall have charge of the printing of the
27 ballots to be used for any election held in the county, unless
28 the commissioner delegates that authority as permitted by this
29 section. The commissioner may delegate this authority only
30 to another commissioner who is responsible under section 47.2
31 for conducting the elections held for a political subdivision
32 which lies in more than one county, and only with respect to
33 printing of ballots containing only public questions or the
34 names of candidates to be voted upon by the registered voters
35 of that political subdivision. Only one ~~faesimile~~ signature

1 county seal, that of the county of the commissioner under
2 whose direction the ballot is printed, shall appear on the
3 ballot. It is the duty of the commissioner to insure that the
4 arrangement of any ballots printed under the commissioner's
5 direction conforms to all applicable requirements of this
6 chapter.

7 Sec. 43. Section 49.57, subsection 6, Code 2019, is amended
8 to read as follows:

9 6. A portion of the ballot shall include the words "Official
10 ballot", the unique identification number or name assigned by
11 the commissioner to the ballot style, the date of the election,
12 and ~~a facsimile of the signature~~ the county seal of the county
13 of the commissioner who has caused the ballot to be printed
14 pursuant to section 49.51.

15 Sec. 44. Section 49.82, Code 2019, is amended to read as
16 follows:

17 **49.82 Voter to receive one ballot — endorsement.**

18 When an empty voting booth is available, one of the precinct
19 election officials shall endorse the official's initials on
20 each ballot the voter will receive. The initials shall be
21 placed so that they may be seen when the ballot is properly
22 folded or enclosed in a secrecy folder. The name or signature
23 of the commissioner shall not appear on the ballot except as
24 part of the list of candidates when the commissioner is a
25 candidate for election. The official shall give the voter one
26 and only one of each of the ballots to be voted at that election
27 in that precinct, except as provided by section 49.100. No
28 ballot without the required official endorsement shall be
29 placed in the ballot box.

30 Sec. 45. Section 53.11, Code 2019, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 6. The commissioner shall remove or obscure
33 from the view of voters any published material displaying the
34 name of a candidate or elected official other than a ballot or
35 sample ballot or envelope.

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DIVISION IV

CONFLICTS OF INTEREST

Sec. 46. Section 314.2, Code 2019, is amended by striking the section and inserting in lieu thereof the following:

314.2 Conflicts of interest.

A state or county official who is a voting member of a governmental entity responsible for awarding a contract pursuant to section 314.1 and is the apparent low bidder for the contract shall not participate in a vote to award the contract and shall include an explanation of the official's conflict in the resolution entered pursuant to section 26.12.

Sec. 47. EFFECTIVE DATE. This division of this Act takes effect January 1, 2023.

DIVISION V

BALLOT ORDER

Sec. 48. Section 49.31, subsection 1, paragraph b, Code 2019, is amended to read as follows:

b. (1) The commissioner shall determine the order of ~~political parties and nonparty political organizations~~ candidates on the ballot as provided in this paragraph. The ~~sequence order~~ shall be the same for each office on the ballot and for each precinct in the county voting in the election.

(2) The state commissioner shall compile a list of each county in the state in alphabetical order and assign a number to each county such that the first county listed is number one, the second county listed is number two, and continuing in descending order in the same manner. The commissioner shall put in alphabetical order the top two political parties receiving the highest votes from the most recent election.

(3) The commissioner of each county assigned an even number pursuant to subparagraph (2) shall arrange the ballot as follows:

(a) The candidates of the first political party by alphabetical order pursuant to subparagraph (2) shall appear first on the ballot for the first general election at which the

1 president of the United States is to be elected following the
2 effective date of this Act and second on the ballot for the
3 first general election at which the governor will be elected
4 following the effective date of this Act and second on the
5 ballot for the second general election at which the president
6 of the United States is to be elected following the effective
7 date of this Act and first on the ballot for the second general
8 election at which the governor will be elected following the
9 effective date of this Act, and thereafter alternating with the
10 candidates of the second political party by alphabetical order
11 pursuant to subparagraph (2).

12 (b) The candidates of the second political party by
13 alphabetical order pursuant to subparagraph (2) shall appear
14 second on the ballot for the first general election at which
15 the president of the United States is to be elected following
16 the effective date of this Act and first on the ballot for
17 the first general election at which the governor will be
18 elected following the effective date of this Act and first
19 on the ballot for the second general election at which the
20 president of the United States is to be elected following the
21 effective date of this Act and second on the ballot for the
22 second general election at which the governor will be elected
23 following the effective date of this Act, and thereafter
24 alternating with the candidates of the first political party by
25 alphabetical order pursuant to subparagraph (2).

26 (4) The commissioner of each county assigned an odd number
27 pursuant to subparagraph (2) shall arrange the ballot as
28 follows:

29 (a) The candidates of the second political party by
30 alphabetical order pursuant to subparagraph (2) shall appear
31 first on the ballot for the first general election at which the
32 president of the United States is to be elected following the
33 effective date of this Act and second on the ballot for the
34 first general election at which the governor will be elected
35 following the effective date of this Act and second on the

1 ballot for the second general election at which the president
2 of the United States is to be elected following the effective
3 date of this Act and first on the ballot for the second general
4 election at which the governor will be elected following the
5 effective date of this Act, and thereafter alternating with the
6 candidates of the first political party by alphabetical order
7 pursuant to subparagraph (2).

8 (b) The candidates of the first political party by
9 alphabetical order pursuant to subparagraph (2) shall appear
10 second on the ballot for the first general election at which
11 the president of the United States is to be elected following
12 the effective date of this Act and first on the ballot for
13 the first general election at which the governor will be
14 elected following the effective date of this Act and first
15 on the ballot for the second general election at which the
16 president of the United States is to be elected following the
17 effective date of this Act and second on the ballot for the
18 second general election at which the governor will be elected
19 following the effective date of this Act, and thereafter
20 alternating with the candidates of the second political party
21 by alphabetical order pursuant to subparagraph (2).

22 (c) The commissioner shall determine the order of
23 candidates of nonparty political organizations on the ballot.
24 The order shall be the same for each office on the ballot and
25 for each precinct in the county voting in the election.

26 Sec. 49. Section 49.31, subsection 2, paragraph b, Code
27 2019, is amended to read as follows:

28 b. The Notwithstanding any provision of subsection 1,
29 paragraph "b", to the contrary, the commissioner shall then
30 arrange the surnames of each political party's candidates for
31 each office to which two or more persons are to be elected at
32 large alphabetically for the respective offices for the first
33 precinct on the list; thereafter, for each political party and
34 for each succeeding precinct, the names appearing first for
35 the respective offices in the last preceding precinct shall

1 be placed last, so that the names that were second before the
2 change shall be first after the change. The commissioner may
3 also rotate the names of candidates of a political party in the
4 reverse order of that provided in this subsection or alternate
5 the rotation so that the candidates of different parties shall
6 not be paired as they proceed through the rotation. The
7 procedure for arrangement of names on ballots provided in this
8 section shall likewise be substantially followed in elections
9 in political subdivisions of less than a county.

10 DIVISION VI

11 MUNICIPAL ELECTIONS

12 Sec. 50. Section 44.9, subsection 3, Code 2019, is amended
13 to read as follows:

14 3. In the office of the proper school board secretary, at
15 least ~~thirty-five~~ forty-two days before the day of a regularly
16 scheduled school election.

17 Sec. 51. Section 50.48, subsection 7, Code 2019, is amended
18 to read as follows:

19 7. If the election is ~~an election held by a city which~~
20 ~~is not the final election for the office in question~~ a city
21 primary election held pursuant to section 376.7, the recount
22 shall progress according to the times provided by this
23 subsection. If this subsection applies the canvass shall be
24 held by the second day after the election, the request for
25 a recount must be made by the third day after the election,
26 the board shall convene to conduct the recount by the sixth
27 day after the election, and the report shall be filed by the
28 ~~eleventh~~ eighth day after the election.

29 Sec. 52. Section 50.48, Code 2019, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 8. When a city council has chosen a runoff
32 election pursuant to section 376.9, the recount shall progress
33 according to the times provided by this subsection. If this
34 subsection applies, the canvass shall be conducted pursuant
35 to section 50.24. The request for a recount must be made

1 by the day after the canvass, and the board shall convene
2 for the first time not later than the first Friday following
3 the canvass. The report shall be filed not later than the
4 fourteenth day after the election.

5 Sec. 53. Section 260C.12, subsection 1, as amended by
6 2017 Iowa Acts, chapter 155, section 2, is amended to read as
7 follows:

8 1. The board of directors of the merged area shall organize
9 at the first regular meeting following the regular school
10 election or at a special meeting called by the secretary of the
11 board to organize the board in advance of the first regular
12 meeting ~~following the regular school election~~ after the canvass
13 for the regular school election. Organization of the board
14 shall be effected by the election of a president and other
15 officers from the board membership as board members determine.
16 The board of directors shall appoint a secretary and a
17 treasurer who shall each give bond as prescribed in section
18 291.2 and who shall each receive the salary determined by the
19 board. The secretary and treasurer shall perform duties under
20 chapter 291 and additional duties the board of directors deems
21 necessary. However, the board may appoint one person to serve
22 as the secretary and treasurer. If one person serves as the
23 secretary and treasurer, only one bond is necessary for that
24 person. The frequency of meetings other than organizational
25 meetings shall be as determined by the board of directors but
26 the president or a majority of the members may call a special
27 meeting at any time.

28 Sec. 54. Section 260C.15, subsection 5, as amended by
29 2017 Iowa Acts, chapter 155, section 4, is amended to read as
30 follows:

31 5. The votes cast in the election shall be canvassed and
32 abstracts of the votes cast shall be certified as required by
33 section 277.20. In each county whose commissioner of elections
34 is responsible under section 47.2 for conducting elections
35 held for a merged area, the county board of supervisors shall

1 ~~convene on the last Monday in November or at the last regular~~
2 ~~board meeting in November, on the second Monday or Tuesday~~
3 after the day of the election to canvass the abstracts of votes
4 cast and declare the results of the voting. The commissioner
5 shall at once issue certificates of election to each person
6 declared elected, and shall certify to the merged area board in
7 substantially the manner prescribed by section 50.27 the result
8 of the voting on any public question submitted to the voters
9 of the merged area. Members elected to the board of directors
10 of a merged area shall qualify by taking the oath of office
11 prescribed in section 277.28.

12 Sec. 55. Section 277.4, subsection 3, Code 2019, is amended
13 to read as follows:

14 3. The secretary of the school board shall accept the
15 petition for filing if on its face it appears to have the
16 requisite number of signatures and if it is timely filed. The
17 secretary of the school board shall note upon each petition
18 and affidavit accepted for filing the date and time that the
19 petition was filed. The secretary of the school board shall
20 deliver all nomination petitions, together with the complete
21 text of any public measure being submitted by the board to the
22 electorate, to the county commissioner of elections on the day
23 following the last day on which nomination petitions can be
24 filed, and not later than ~~5:00 p.m.~~ 12:00 noon on that day.

25 Sec. 56. Section 279.1, subsection 1, Code 2019, is amended
26 to read as follows:

27 1. The board of directors of each school corporation shall
28 meet and organize at the first regular meeting or at a special
29 meeting called by the secretary of the board to organize the
30 board in advance of the first regular meeting after the canvass
31 for the regular school election at some suitable place to be
32 designated by the secretary. Notice of the place and hour of
33 the meeting shall be given by the secretary to each member and
34 member-elect of the board.

35 Sec. 57. Section 279.7, subsection 3, Code 2019, is amended

1 to read as follows:

2 3. In the case of a special election as provided in this
3 section to fill a vacancy occurring among the elective officers
4 or members of a school board before the expiration of a full
5 term, the person so elected shall qualify within ten days
6 ~~thereafter~~ from the final canvass of the election by the county
7 board in the manner required by section 277.28 and shall hold
8 office for the residue of the unexpired term and until a
9 successor is elected, or appointed, and qualified.

10 Sec. 58. Section 376.5, Code 2019, is amended to read as
11 follows:

12 **376.5 Publication of ballot.**

13 Notice containing a copy of the ballot for each regular,
14 special, primary, or runoff city election must be published by
15 the county commissioner of elections as provided in section
16 362.3, except that notice of a regular, primary, or runoff
17 election may be published not less than four days before the
18 date of the election. The published ~~ballot~~ notice must contain
19 the names of all candidates, and may not contain any party
20 designations. The published ~~ballot~~ notice must contain any
21 question to be submitted to the voters.

22 Sec. 59. Section 376.7, Code 2019, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 3. If the city holding a primary
25 election is located in more than one county, the controlling
26 commissioner for that city under section 47.2, subsection
27 2, shall conduct a second canvass on the first Monday or
28 Tuesday after the day of the election. However, if a recount
29 is requested pursuant to section 50.48, the controlling
30 commissioner shall conduct the second canvass within two
31 business days after the conclusion of the recount proceeding.
32 Each commissioner conducting a canvass for the city pursuant
33 to section 50.24, subsection 1, shall transmit abstracts for
34 the offices of that city to the controlling commissioner for
35 that city, along with individual tallies for each write-in

1 candidate. At the second canvass, the county board of
2 supervisors of the county of the controlling commissioner shall
3 canvass the abstracts received pursuant to this subsection and
4 shall prepare a combined city abstract stating the number of
5 votes cast in the city for each office. The combined city
6 abstract shall further indicate the name of each person who
7 received votes for each office on the ballot, and the number of
8 votes each person received for that office. The votes of all
9 write-in candidates who each received less than five percent
10 of the total votes cast in the city for an office shall be
11 reported collectively under the heading "scattering".

12 Sec. 60. Section 376.9, subsection 1, Code 2019, is amended
13 to read as follows:

14 1. A runoff election may be held only for positions unfilled
15 because of failure of a sufficient number of candidates to
16 receive a majority vote in the regular city election. When a
17 council has chosen a runoff election in lieu of a primary, the
18 county board of supervisors shall publicly canvass the tally
19 lists of the vote cast in the regular city election, following
20 the procedures prescribed in section 50.24, ~~at a meeting to be~~
21 ~~held on the second day following the regular city election, and~~
22 ~~beginning no earlier than 1:00 p.m. on that day.~~ Candidates
23 who do not receive a majority of the votes cast for an office,
24 but who receive the highest number of votes cast for that
25 office in the regular city election, to the extent of twice
26 the number of unfilled positions, are candidates in the runoff
27 election.

28 Sec. 61. 2017 Iowa Acts, chapter 155, section 45, is amended
29 to read as follows:

30 SEC. 45. TERM OF OFFICE — TRANSITION PROVISIONS.

31 1. Notwithstanding the provisions of section 260C.11
32 designating a term of four years for members of a board of
33 directors of a merged area, the term of office for a seat on a
34 board of directors filled at the regular school election held
35 on:

1 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon
2 the board's organizational meeting held pursuant to section
3 260C.12, subsection 1.

4 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
5 the board's organizational meeting held pursuant to section
6 260C.12, subsection 1.

7 2. Notwithstanding the provisions of section 273.8,
8 subsection 1, designating a term of four years for members of
9 a board of directors of an area education agency, the term of
10 office for a seat on a board of directors filled by election
11 in:

12 a. September 2015 shall expire November 30, 2019.

13 b. September 2017 shall expire November 30, 2021.

14 3. Notwithstanding the provisions of section 274.7
15 designating a term of four years for members of a board of
16 directors of a school district, the term of office for a seat
17 on a board of directors filled at the regular school election
18 held on:

19 a. September 8, 2015, shall expire ~~November 5, 2019~~ upon the
20 board's organizational meeting held pursuant to section 279.1.

21 b. September 12, 2017, shall expire ~~November 2, 2021~~ upon
22 the board's organizational meeting held pursuant to section
23 279.1.

24 DIVISION VII

25 ABSENTEE BALLOT COUNTING

26 Sec. 62. Section 49.128, subsection 3, Code 2019, is amended
27 to read as follows:

28 3. The commissioner shall file a copy of ~~the~~ a certification
29 or report under this section with the state commissioner.

30 Sec. 63. Section 49.128, Code 2019, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 6. The commissioner shall place on
33 file in the commissioner's office a report, and shall file
34 a copy of the report with the state commissioner, regarding
35 absentee ballot tracking and counting no later than December 1

1 following each general election. The report shall be in a form
2 prescribed by the state commissioner.

3 Sec. 64. Section 53.17, subsection 1, paragraph b, Code
4 2019, is amended to read as follows:

5 b. The sealed return envelope may be mailed to the
6 commissioner by the registered voter or by the voter's
7 designee. If mailed by the voter's designee, the envelope
8 must be mailed within seventy-two hours of retrieving it from
9 the voter or within time to be postmarked or, if applicable,
10 to have the ~~intelligent-mail~~ postal service barcode traced to
11 a date of entry into the federal mail system not later than
12 the day before the election, as provided in section 53.17A,
13 whichever is earlier.

14 Sec. 65. Section 53.17, subsection 2, Code 2019, is amended
15 to read as follows:

16 2. In order for the ballot to be counted, the return
17 envelope must be received in the commissioner's office before
18 the polls close on election day or be clearly postmarked by an
19 officially authorized postal service or bear an ~~intelligent~~
20 ~~mail~~ a postal service barcode traceable to a date of entry
21 into the federal mail system not later than the day before the
22 election, as provided in section 53.17A, and received by the
23 commissioner not later than noon on the Monday following the
24 election.

25 Sec. 66. Section 53.17, subsection 4, paragraph f, Code
26 2019, is amended to read as follows:

27 f. A statement that the completed absentee ballot will
28 be delivered to the commissioner's office within seventy-two
29 hours of retrieving it from the voter or before the closing of
30 the polls on election day, whichever is earlier, or that the
31 completed absentee ballot will be mailed to the commissioner
32 within seventy-two hours of retrieving it from the voter or
33 within time to be postmarked or, if applicable, to have the
34 ~~intelligent-mail~~ postal service barcode traced to a date of
35 entry into the federal mail system not later than the day

1 before the election, as provided in section 53.17A, whichever
2 is earlier.

3 Sec. 67. NEW SECTION. **53.17A Absentee ballot tracking.**

4 1. For the purposes of this chapter:

5 *a.* "*Postal service barcode*" means a barcode purchased by the
6 sender and supplied by the United States postal service that is
7 used to sort and track letters and flat packages and is printed
8 on an absentee ballot return envelope at the direction of the
9 commissioner before the envelope is sent to the voter.

10 *b.* "*Tracking information database*" means a database
11 administered by the United States postal service that is
12 accessible to the commissioner and contains information
13 regarding letters or flat packages.

14 2. *a.* Prior to implementing for the first time,
15 discontinuing the usage of, or reimplementing the usage
16 of a postal service barcode and tracking information, the
17 commissioner shall send notice to the state commissioner prior
18 to October 1, 2020, for an election taking place in 2020 after
19 that date, and by October 1 of each year thereafter.

20 *b.* The commissioner shall not implement or discontinue
21 the use of a postal service barcode or tracking information
22 database during an election after an absentee ballot has been
23 mailed for that election pursuant to section 53.8.

24 *c.* The state commissioner shall adopt rules regarding
25 the statewide implementation of a postal service barcode and
26 tracking information database, including procedures to be
27 followed when usage of a postal service barcode or the tracking
28 information database is negatively impacted. Each commissioner
29 shall use a postal service barcode and tracking information
30 database consistent with rules of the state commissioner.
31 Every commissioner shall send notice to the state commissioner
32 and implement the use of a postal service barcode and tracking
33 information database prior to October 1, 2020.

34 3. *a.* An absentee ballot received after the polls close
35 on election day but prior to the official canvass shall be

1 counted if the commissioner determines that the ballot entered
2 the federal mail system by the deadline specified in section
3 53.17 or 53.22. The date of entry of such an absentee ballot
4 into the federal mail system shall only be verified as provided
5 in paragraph "b".

6 *b.* (1) If the postmark indicates that the absentee ballot
7 entered the federal mail system by the deadline specified
8 in section 53.17 or 53.22, the ballot shall be included for
9 canvass by the absentee and special voters precinct board.

10 (2) If the postmark is illegible, missing, or dated on or
11 after election day, the commissioner shall attempt to verify
12 the ballot's date of entry into the federal mail system by
13 querying the postal service barcode in the tracking information
14 database. If the tracking information database indicates that
15 the absentee ballot entered the federal mail system by the
16 deadline specified in section 53.17 or 53.22, the ballot shall
17 be included for canvass by the absentee and special voters
18 precinct board. The commissioner shall provide a report to
19 the absentee and special voters precinct board regarding the
20 information available in the tracking information database.

21 (3) If there is a discrepancy between the date indicated by
22 the postmark and the postal service barcode, the earlier of the
23 two shall determine the date of entry of the absentee ballot
24 into the federal mail system.

25 (4) (a) If neither the postmark nor the postal service
26 barcode indicates that the absentee ballot entered the federal
27 mail system by the deadline specified in section 53.17 or
28 53.22, the absentee ballot shall be sent to the absentee
29 and special voters precinct board pursuant to subparagraph
30 division (b) with the numeric value assigned to the postal
31 service barcode and a full report from the tracking information
32 database.

33 (b) Up to five absentee and special voters precinct board
34 members from each political party for partisan elections,
35 or any two members of the board for nonpartisan elections,

S-3231 (Continued)

1 shall review the postal service barcode and tracking database
2 information report of each absentee ballot submitted pursuant
3 to subparagraph division (a) and certify that the tracking
4 information database report corresponds to the absentee ballot
5 by initialing the report and the absentee ballot envelope.
6 If the board concludes that the postal service barcode and
7 tracking information database report verify that the absentee
8 ballot entered the federal mail system by the deadline
9 specified in section 53.17 or 53.22, the ballot shall be
10 counted. Otherwise, the ballot shall not be counted.

11 Sec. 68. Section 53.22, subsection 6, paragraph b, Code
12 2019, is amended to read as follows:

13 b. Absentee ballots voted under this subsection shall be
14 delivered to the commissioner no later than the time the polls
15 are closed on election day. If the ballot is returned by mail
16 the return envelope must be received by the time the polls
17 close, or be clearly postmarked by an officially authorized
18 postal service or bear ~~an intelligent mail~~ a postal service
19 barcode traceable to a date of entry into the federal mail
20 system not later than the day before the election, as provided
21 in section 53.17A, and received by the commissioner no later
22 than the time established for the canvass by the board of
23 supervisors for that election.>>

S-3231 FILED APRIL 25, 2019

CONCURRED

HOUSE FILE 759

S-3236

1 Amend House File 759, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <DIVISION I
6 FY 2019-2020

7 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.

8 1. There is appropriated from the general fund of the state
9 to the department of administrative services for the fiscal
10 year beginning July 1, 2019, and ending June 30, 2020, the
11 following amounts, or so much thereof as is necessary, to be
12 used for the purposes designated:

13 a. For salaries, support, maintenance, and miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions:

16 \$ 3,616,936
17 FTEs 47.62

18 b. For the payment of utility costs, and for not more than
19 the following full-time equivalent positions:

20 \$ 3,524,611
21 FTEs 1.00

22 Notwithstanding section 8.33, any excess moneys appropriated
23 for utility costs in this lettered paragraph shall not revert
24 to the general fund of the state at the end of the fiscal year
25 but shall remain available for expenditure for the purposes of
26 this lettered paragraph during the succeeding fiscal year.

27 c. For Terrace Hill operations, and for not more than the
28 following full-time equivalent positions:

29 \$ 418,200
30 FTEs 5.07

31 d. For establishing a listing of real property owned or
32 leased by the state as required in the annual report submitted
33 to the general assembly pursuant to section 8A.111, subsection
34 12, and for salaries, support, maintenance, and miscellaneous
35 purposes:

1 \$ 50,000

2 2. Any moneys and premiums collected by the department
3 for workers' compensation shall be segregated into a separate
4 workers' compensation fund in the state treasury to be used
5 for payment of state employees' workers' compensation claims
6 and administrative costs. Notwithstanding section 8.33,
7 unencumbered or unobligated moneys remaining in this workers'
8 compensation fund at the end of the fiscal year shall not
9 revert but shall be available for expenditure for purposes of
10 the fund for subsequent fiscal years.

11 3. The department shall conduct a study regarding the
12 feasibility, timeline, and costs of developing and maintaining
13 a searchable database available on the department's internet
14 site containing a listing, updated annually, of real property
15 owned or leased by the state. Real property listed in the
16 searchable database shall be listed by location and searchable
17 by county, address, and any other method deemed beneficial
18 to the public. If real property listed in the searchable
19 database is leased by the state, the searchable database shall
20 also include the rental or lease costs of such real property.
21 The department shall submit its findings and recommendations
22 in a report to the general assembly and to the chairpersons
23 and ranking members of the senate and house committees on
24 appropriations by December 31, 2019.

25 Sec. 2. REVOLVING FUNDS. There is appropriated to the
26 department of administrative services for the fiscal year
27 beginning July 1, 2019, and ending June 30, 2020, from the
28 revolving funds designated in chapter 8A and from internal
29 service funds created by the department such amounts as the
30 department deems necessary for the operation of the department
31 consistent with the requirements of chapter 8A.

32 Sec. 3. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
33 CHARGE. For the fiscal year beginning July 1, 2019, and ending
34 June 30, 2020, the monthly per contract administrative charge
35 which may be assessed by the department of administrative

1 services shall be \$2 per contract on all health insurance plans
2 administered by the department.

3 Sec. 4. AUDITOR OF STATE.

4 1. There is appropriated from the general fund of the state
5 to the office of the auditor of state for the fiscal year
6 beginning July 1, 2019, and ending June 30, 2020, the following
7 amounts, or so much thereof as is necessary, to be used for the
8 purposes designated:

9 For salaries, support, maintenance, and miscellaneous
10 purposes, and for not more than the following full-time
11 equivalent positions:

12	\$	986,193
13	FTEs	103.00

14 2. The auditor of state may retain additional full-time
15 equivalent positions as is reasonable and necessary to
16 perform governmental subdivision audits which are reimbursable
17 pursuant to section 11.20 or 11.21, to perform audits which are
18 requested by and reimbursable from the federal government, and
19 to perform work requested by and reimbursable from departments
20 or agencies pursuant to section 11.5A or 11.5B. The auditor
21 of state shall notify the department of management, the
22 legislative fiscal committee, and the legislative services
23 agency of the additional full-time equivalent positions
24 retained.

25 3. The auditor of state shall allocate moneys from the
26 appropriation in this section solely for audit work related to
27 the comprehensive annual financial report, federally required
28 audits, and investigations of embezzlement, theft, or other
29 significant financial irregularities until the audit of the
30 comprehensive annual financial report is complete.

31 Sec. 5. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
32 is appropriated from the general fund of the state to the
33 Iowa ethics and campaign disclosure board for the fiscal year
34 beginning July 1, 2019, and ending June 30, 2020, the following
35 amount, or so much thereof as is necessary, to be used for the

1 purposes designated:

2 For salaries, support, maintenance, and miscellaneous
3 purposes, and for not more than the following full-time
4 equivalent positions:

5	\$	666,001
6	FTEs	7.00

7 Sec. 6. OFFICE OF THE CHIEF INFORMATION OFFICER.

8 1. There is appropriated from the general fund of the state
9 to the office of the chief information officer for the fiscal
10 year beginning July 1, 2019, and ending June 30, 2020, the
11 following amount, or so much thereof as is necessary, to be
12 used for the purposes designated:

13 For deposit in the connecting Iowa farms, schools, and
14 communities broadband grant fund established under section
15 8B.11 for a broadband grant program; and for salaries, support,
16 maintenance, and miscellaneous purposes:

17	\$	5,000,000
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18 2. There is appropriated to the office of the chief
19 information officer for the fiscal year beginning July 1, 2019,
20 and ending June 30, 2020, from the revolving funds designated
21 in chapter 8B and from internal service funds created by the
22 office such amounts as the office deems necessary for the
23 operation of the office consistent with the requirements of
24 chapter 8B.

25 3. a. Notwithstanding section 321A.3, subsection 1, for the
26 fiscal year beginning July 1, 2019, and ending June 30, 2020,
27 the first \$750,000 collected and transferred to the treasurer
28 of state with respect to the fees for transactions involving
29 the furnishing of a certified abstract of a vehicle operating
30 record under section 321A.3, subsection 1, shall be transferred
31 to the IowAccess revolving fund created in section 8B.33 for
32 the purposes of developing, implementing, maintaining, and
33 expanding electronic access to government records as provided
34 by law.

35 b. All fees collected with respect to transactions

1 involving IowAccess shall be deposited in the IowAccess
2 revolving fund created under section 8B.33 and shall be used
3 only for the support of IowAccess projects.

4 Sec. 7. DEPARTMENT OF COMMERCE.

5 1. There is appropriated from the general fund of the state
6 to the department of commerce for the fiscal year beginning
7 July 1, 2019, and ending June 30, 2020, the following amounts,
8 or so much thereof as is necessary, to be used for the purposes
9 designated:

10 a. ALCOHOLIC BEVERAGES DIVISION

11 For salaries, support, maintenance, and miscellaneous
12 purposes, and for not more than the following full-time
13 equivalent positions:

14	\$	1,019,556
15	FTEs	17.25

16 b. PROFESSIONAL LICENSING AND REGULATION BUREAU

17 For salaries, support, maintenance, and miscellaneous
18 purposes, and for not more than the following full-time
19 equivalent positions:

20	\$	370,263
21	FTEs	10.00

22 2. There is appropriated from the department of commerce
23 revolving fund created in section 546.12 to the department of
24 commerce for the fiscal year beginning July 1, 2019, and ending
25 June 30, 2020, the following amounts, or so much thereof as is
26 necessary, to be used for the purposes designated:

27 a. BANKING DIVISION

28 For salaries, support, maintenance, and miscellaneous
29 purposes, and for not more than the following full-time
30 equivalent positions:

31	\$	11,145,778
32	FTEs	80.00

33 b. CREDIT UNION DIVISION

34 For salaries, support, maintenance, and miscellaneous
35 purposes, and for not more than the following full-time

1 equivalent positions:

2	\$	2,204,256
3	FTEs	15.00

4 c. INSURANCE DIVISION

5 (1) For salaries, support, maintenance, and miscellaneous
6 purposes, and for not more than the following full-time
7 equivalent positions:

8	\$	5,705,889
9	FTEs	119.50

10 (2) From the full-time equivalent positions authorized in
11 this paragraph, the insurance division shall use 2.00 full-time
12 equivalent positions to hire two fraud investigators.

13 (3) Except as provided in subparagraph (2), the
14 insurance division may reallocate authorized full-time
15 equivalent positions as necessary to respond to accreditation
16 recommendations or requirements.

17 (4) The insurance division expenditures for examination
18 purposes may exceed the projected receipts, refunds, and
19 reimbursements, estimated pursuant to section 505.7, subsection
20 7, including the expenditures for retention of additional
21 personnel, if the expenditures are fully reimbursable and the
22 division first does both of the following:

23 (a) Notifies the department of management, the legislative
24 services agency, and the legislative fiscal committee of the
25 need for the expenditures.

26 (b) Files with each of the entities named in subparagraph
27 division (a) the legislative and regulatory justification for
28 the expenditures, along with an estimate of the expenditures.

29 d. UTILITIES DIVISION

30 (1) For salaries, support, maintenance, and miscellaneous
31 purposes, and for not more than the following full-time
32 equivalent positions:

33	\$	8,732,098
34	FTEs	70.00

35 (2) The utilities division may expend additional moneys,

1 including moneys for additional personnel, if those additional
2 expenditures are actual expenses which exceed the moneys
3 budgeted for utility regulation and the expenditures are fully
4 reimbursable. Before the division expends or encumbers an
5 amount in excess of the moneys budgeted for regulation, the
6 division shall first do both of the following:

7 (a) Notify the department of management, the legislative
8 services agency, and the legislative fiscal committee of the
9 need for the expenditures.

10 (b) File with each of the entities named in subparagraph
11 division (a) the legislative and regulatory justification for
12 the expenditures, along with an estimate of the expenditures.

13 3. CHARGES. Each division and the office of consumer
14 advocate shall include in its charges assessed or revenues
15 generated an amount sufficient to cover the amount stated
16 in its appropriation and any state-assessed indirect costs
17 determined by the department of administrative services.

18 Sec. 8. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING
19 AND REGULATION BUREAU. There is appropriated from the housing
20 trust fund created pursuant to section 16.181, to the bureau of
21 professional licensing and regulation of the banking division
22 of the department of commerce for the fiscal year beginning
23 July 1, 2019, and ending June 30, 2020, the following amounts,
24 or so much thereof as is necessary, to be used for the purposes
25 designated:

26 For salaries, support, maintenance, and miscellaneous
27 purposes:

28 \$ 62,317

29 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is
30 appropriated from the general fund of the state to the offices
31 of the governor and the lieutenant governor for the fiscal year
32 beginning July 1, 2019, and ending June 30, 2020, the following
33 amounts, or so much thereof as is necessary, to be used for the
34 purposes designated:

35 1. GENERAL OFFICE

S-3236 (Continued)

1 For salaries, support, maintenance, and miscellaneous
2 purposes, and for not more than the following full-time
3 equivalent positions:

4 \$ 2,303,954
5 FTEs 21.00

6 2. TERRACE HILL QUARTERS

7 For the governor's quarters at Terrace Hill, including
8 salaries, support, maintenance, and miscellaneous purposes, and
9 for not more than the following full-time equivalent positions:

10 \$ 140,070
11 FTEs 1.93

12 Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There
13 is appropriated from the general fund of the state to the
14 governor's office of drug control policy for the fiscal year
15 beginning July 1, 2019, and ending June 30, 2020, the following
16 amount, or so much thereof as is necessary, to be used for the
17 purposes designated:

18 For salaries, support, maintenance, and miscellaneous
19 purposes, including statewide coordination of the drug abuse
20 resistance education (D.A.R.E.) programs or similar programs,
21 and for not more than the following full-time equivalent
22 positions:

23 \$ 238,147
24 FTEs 4.00

25 Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
26 from the general fund of the state to the department of human
27 rights for the fiscal year beginning July 1, 2019, and ending
28 June 30, 2020, the following amounts, or so much thereof as is
29 necessary, to be used for the purposes designated:

30 1. CENTRAL ADMINISTRATION DIVISION

31 For salaries, support, maintenance, and miscellaneous
32 purposes, and for not more than the following full-time
33 equivalent positions:

34 \$ 210,075
35 FTEs 5.50

1 2. COMMUNITY ADVOCACY AND SERVICES DIVISION

2 For salaries, support, maintenance, and miscellaneous
3 purposes, and for not more than the following full-time
4 equivalent positions:

5	\$	956,894
6	FTEs	6.33

7 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There
8 is appropriated from the general fund of the state to the
9 department of inspections and appeals for the fiscal year
10 beginning July 1, 2019, and ending June 30, 2020, the following
11 amounts, or so much thereof as is necessary, to be used for the
12 purposes designated:

13 1. ADMINISTRATION DIVISION

14 For salaries, support, maintenance, and miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:

17	\$	511,580
18	FTEs	10.65

19 2. ADMINISTRATIVE HEARINGS DIVISION

20 For salaries, support, maintenance, and miscellaneous
21 purposes, and for not more than the following full-time
22 equivalent positions:

23	\$	625,827
24	FTEs	23.00

25 3. INVESTIGATIONS DIVISION

26 a. For salaries, support, maintenance, and miscellaneous
27 purposes, and for not more than the following full-time
28 equivalent positions:

29	\$	2,471,791
30	FTEs	53.00

31 b. By December 1, 2019, the department, in coordination
32 with the investigations division, shall submit a report to the
33 general assembly concerning the division's activities relative
34 to fraud in public assistance programs for the fiscal year
35 beginning July 1, 2018, and ending June 30, 2019. The report

1 shall include but is not limited to a summary of the number
2 of cases investigated, case outcomes, overpayment dollars
3 identified, amount of cost avoidance, and actual dollars
4 recovered.

5 4. HEALTH FACILITIES DIVISION

6 a. For salaries, support, maintenance, and miscellaneous
7 purposes, and for not more than the following full-time
8 equivalent positions:

9	\$	4,734,682
10	FTEs	112.00

11 b. The department shall, in coordination with the health
12 facilities division, make the following information available
13 to the public as part of the department's development efforts
14 to revise the department's internet site:

15 (1) The number of inspections conducted by the division
16 annually by type of service provider and type of inspection.

17 (2) The total annual operations budget for the division,
18 including general fund appropriations and federal contract
19 dollars received by type of service provider inspected.

20 (3) The total number of full-time equivalent positions in
21 the division, to include the number of full-time equivalent
22 positions serving in a supervisory capacity, and serving as
23 surveyors, inspectors, or monitors in the field by type of
24 service provider inspected.

25 (4) Identification of state and federal survey trends,
26 cited regulations, the scope and severity of deficiencies
27 identified, and federal and state fines assessed and collected
28 concerning nursing and assisted living facilities and programs.

29 c. It is the intent of the general assembly that the
30 department and division continuously solicit input from
31 facilities regulated by the division to assess and improve
32 the division's level of collaboration and to identify new
33 opportunities for cooperation.

34 5. EMPLOYMENT APPEAL BOARD

35 a. For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time
2 equivalent positions:

3	\$	38,912
4	FTEs	11.00

5 b. The employment appeal board shall be reimbursed by
6 the labor services division of the department of workforce
7 development for all costs associated with hearings conducted
8 under chapter 91C, related to contractor registration. The
9 board may expend, in addition to the amount appropriated under
10 this subsection, additional amounts as are directly billable
11 to the labor services division under this subsection and to
12 retain the additional full-time equivalent positions as needed
13 to conduct hearings required pursuant to chapter 91C.

14 6. CHILD ADVOCACY BOARD

15 a. For foster care review and the court appointed special
16 advocate program, including salaries, support, maintenance, and
17 miscellaneous purposes, and for not more than the following
18 full-time equivalent positions:

19	\$	2,570,605
20	FTEs	30.00

21 b. The department of human services, in coordination with
22 the child advocacy board and the department of inspections and
23 appeals, shall submit an application for funding available
24 pursuant to Tit. IV-E of the federal Social Security Act for
25 claims for child advocacy board administrative review costs.

26 c. The court appointed special advocate program shall
27 investigate and develop opportunities for expanding
28 fund-raising for the program.

29 d. Administrative costs charged by the department of
30 inspections and appeals for items funded under this subsection
31 shall not exceed 4 percent of the amount appropriated in this
32 subsection.

33 7. FOOD AND CONSUMER SAFETY

34 For salaries, support, maintenance, and miscellaneous
35 purposes, and for not more than the following full-time

1 equivalent positions:

2 \$ 574,819
3 FTEs 32.40

4 8. APPROPRIATION REALLOCATION. Notwithstanding section
5 8.39, the department of inspections and appeals, in
6 consultation with the department of management, may reallocate
7 moneys appropriated in this section as necessary to best
8 fulfill the needs of the department provided for in the
9 appropriation. However, the department of inspections and
10 appeals shall not reallocate moneys appropriated to the child
11 advocacy board in this section.

12 Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS — LICENSE OR
13 REGISTRATION FEES.

14 1. For the fiscal year beginning July 1, 2019, and ending
15 June 30, 2020, the department of inspections and appeals
16 shall collect any license or registration fees or electronic
17 transaction fees generated during the fiscal year as a result
18 of licensing and registration activities under chapters 99B,
19 137C, 137D, and 137F.

20 2. From the fees collected by the department under this
21 section on behalf of a municipal corporation with which
22 the department has an agreement pursuant to section 137F.3,
23 through a statewide electronic licensing system operated by
24 the department, notwithstanding section 137F.6, subsection 2,
25 the department shall remit the amount of those fees to the
26 municipal corporation for whom the fees were collected less
27 any electronic transaction fees collected by the department to
28 enable electronic payment.

29 3. From the fees collected by the department under this
30 section, other than those fees described in subsection 2,
31 the department shall deposit the amount of \$800,000 into the
32 general fund of the state prior to June 30, 2020.

33 4. From the fees collected by the department under this
34 section, other than those fees described in subsections 2 and
35 3, the department shall retain the remainder of the fees for

1 the purposes of enforcing the provisions of chapters 99B, 137C,
2 137D, and 137F. Notwithstanding section 8.33, moneys retained
3 by the department pursuant to this subsection that remain
4 unencumbered or unobligated at the end of the fiscal year
5 shall not revert but shall remain available for expenditure
6 for the purposes of enforcing the provisions of chapters 99B,
7 137C, 137D, and 137F during the succeeding fiscal year. The
8 department shall provide an annual report to the department of
9 management and the legislative services agency on fees billed
10 and collected and expenditures from the moneys retained by
11 the department in a format as determined by the department
12 of management in consultation with the legislative services
13 agency.

14 Sec. 14. RACING AND GAMING COMMISSION — RACING AND GAMING
15 REGULATION. There is appropriated from the gaming regulatory
16 revolving fund established in section 99F.20 to the racing and
17 gaming commission of the department of inspections and appeals
18 for the fiscal year beginning July 1, 2019, and ending June 30,
19 2020, the following amount, or so much thereof as is necessary,
20 to be used for the purposes designated:

21 1. For salaries, support, maintenance, and miscellaneous
22 purposes for regulation, administration, and enforcement of
23 pari-mutuel racetracks, excursion boat gambling, and gambling
24 structure laws, and website construction and maintenance for
25 conducting regulation as required by 2018 Iowa Acts, chapter
26 1099, and for not more than the following full-time equivalent
27 positions:

28	\$	6,492,010
29	FTEs	50.70

30 2. In addition to the moneys appropriated and full-time
31 equivalent positions authorized in subsection 1, and contingent
32 on the enactment of 2019 Iowa Acts, Senate File 617, the
33 racing and gaming commission of the department of inspections
34 and appeals is appropriated an additional \$275,000 and is
35 authorized an additional 3.00 full-time equivalent positions to

1 assist in implementing the provisions of 2019 Iowa Acts, Senate
2 File 617, if enacted.

3 Sec. 15. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF
4 INSPECTIONS AND APPEALS. There is appropriated from the road
5 use tax fund created in section 312.1 to the administrative
6 hearings division of the department of inspections and appeals
7 for the fiscal year beginning July 1, 2019, and ending June 30,
8 2020, the following amount, or so much thereof as is necessary,
9 to be used for the purposes designated:

10 For salaries, support, maintenance, and miscellaneous
11 purposes:

12 \$ 1,623,897

13 Sec. 16. DEPARTMENT OF MANAGEMENT. There is appropriated
14 from the general fund of the state to the department of
15 management for the fiscal year beginning July 1, 2019, and
16 ending June 30, 2020, the following amounts, or so much thereof
17 as is necessary, to be used for the purposes designated:

18 1. For enterprise resource planning, providing for a salary
19 model administrator, conducting performance audits, and the
20 department's LEAN process; for salaries, support, maintenance,
21 and miscellaneous purposes; and for not more than the following
22 full-time equivalent positions:

23 \$ 2,652,389

24 FTEs 21.00

25 2. a. For distribution of moneys to other governmental
26 entities for the payment of rate adjustments established by
27 the office of the chief information officer; and for salaries,
28 support, maintenance, and miscellaneous purposes:

29 \$ 1,300,751

30 b. Moneys appropriated in this subsection shall be
31 separately accounted for in a distribution account and shall
32 be distributed to other governmental entities to pay for rate
33 adjustments established by the office of the chief information
34 officer related to the overpayment of federal funds for
35 information technology services. The department of management

1 may reduce the amount of moneys to be distributed to another
 2 governmental entity for the payment of rate adjustments under
 3 this subsection if the amount to be distributed is less than
 4 the amount currently paid by the governmental entity for such
 5 rates. In addition to moneys appropriated in this subsection,
 6 rate adjustments may also be funded using unencumbered and
 7 unobligated moneys remaining in the department of commerce
 8 revolving fund created in section 546.12, the primary road
 9 fund created in section 313.3, the road use tax fund created
 10 in section 312.1, the fish and game protection fund created in
 11 section 456A.17, the Iowa public employees' retirement fund
 12 created in section 97B.7, or any other departmental revolving,
 13 trust, or special fund for which the general assembly has not
 14 made an operating budget appropriation, as determined by the
 15 department of management. The department of management shall
 16 transmit financial statements to the legislative services
 17 agency regarding distributions of moneys provided to other
 18 governmental entities for the payment of rate adjustments
 19 pursuant to this subsection. The statements shall indicate
 20 the amount of the distributions and the dates on which the
 21 distributions are provided.

22 Sec. 17. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF
 23 MANAGEMENT. There is appropriated from the road use tax fund
 24 created in section 312.1 to the department of management for
 25 the fiscal year beginning July 1, 2019, and ending June 30,
 26 2020, the following amount, or so much thereof as is necessary,
 27 to be used for the purposes designated:

28 For salaries, support, maintenance, and miscellaneous
 29 purposes:
 30 \$ 56,000

31 Sec. 18. IOWA PUBLIC INFORMATION BOARD. There is
 32 appropriated from the general fund of the state to the Iowa
 33 public information board for the fiscal year beginning July
 34 1, 2019, and ending June 30, 2020, the following amounts, or
 35 so much thereof as is necessary, to be used for the purposes

1 designated:

2 For salaries, support, maintenance, and miscellaneous
3 purposes and for not more than the following full-time
4 equivalent positions:

5	\$	339,343
6	FTEs	3.00

7 Sec. 19. DEPARTMENT OF REVENUE.

8 1. There is appropriated from the general fund of the state
9 to the department of revenue for the fiscal year beginning July
10 1, 2019, and ending June 30, 2020, the following amounts, or
11 so much thereof as is necessary, to be used for the purposes
12 designated:

13 a. For salaries, support, maintenance, and miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions:

16	\$	15,474,482
17	FTEs	160.34

18 b. For technology upgrades to the department's primary
19 processing systems, and for salaries, support, maintenance, and
20 miscellaneous purposes:

21	\$	1,070,460
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22 2. From the moneys appropriated in subsection 1, paragraph
23 "a", the department shall use \$400,000 to pay the direct costs
24 of compliance related to the collection and distribution of
25 local sales and services taxes imposed pursuant to chapters
26 423B and 423E.

27 3. The director of revenue shall prepare and issue a state
28 appraisal manual and the revisions to the state appraisal
29 manual as provided in section 421.17, subsection 17, without
30 cost to a city or county.

31 Sec. 20. MOTOR VEHICLE FUEL TAX FUND APPROPRIATION. There
32 is appropriated from the motor vehicle fuel tax fund created
33 pursuant to section 452A.77 to the department of revenue for
34 the fiscal year beginning July 1, 2019, and ending June 30,
35 2020, the following amount, or so much thereof as is necessary,

1 to be used for the purposes designated:

2 For salaries, support, maintenance, and miscellaneous
3 purposes, and for administration and enforcement of the
4 provisions of chapter 452A and the motor vehicle fuel tax
5 program:

6 \$ 1,305,775

7 Sec. 21. SECRETARY OF STATE. There is appropriated from
8 the general fund of the state to the office of the secretary of
9 state for the fiscal year beginning July 1, 2019, and ending
10 June 30, 2020, the following amounts, or so much thereof as is
11 necessary, to be used for the purposes designated:

12 1. ADMINISTRATION AND ELECTIONS

13 a. For salaries, support, maintenance, and miscellaneous
14 purposes, and for not more than the following full-time
15 equivalent positions:

16 \$ 2,109,755

17 FTEs 16.00

18 b. The state department or agency that provides data
19 processing services to support voter registration file
20 maintenance and storage shall provide those services without
21 charge.

22 2. BUSINESS SERVICES

23 For salaries, support, maintenance, and miscellaneous
24 purposes, and for not more than the following full-time
25 equivalent positions:

26 \$ 1,405,530

27 FTEs 16.00

28 Sec. 22. ADDRESS CONFIDENTIALITY PROGRAM REVOLVING FUND
29 APPROPRIATION — SECRETARY OF STATE. There is appropriated
30 from the address confidentiality program revolving fund created
31 in section 9.8 to the office of the secretary of state for the
32 fiscal year beginning July 1, 2019, and ending June 30, 2020,
33 the following amount, or so much thereof as is necessary, to be
34 used for the purposes designated:

35 For salaries, support, maintenance, and miscellaneous

1 purposes:

2 \$ 195,400

3 Sec. 23. SECRETARY OF STATE FILING FEES

4 REFUND. Notwithstanding the obligation to collect fees
5 pursuant to the provisions of section 489.117, subsection
6 1, paragraphs "a" and "o", section 490.122, subsection 1,
7 paragraphs "a" and "s", and section 504.113, subsection 1,
8 paragraphs "a", "c", "d", "j", "k", "l", and "m", for the
9 fiscal year beginning July 1, 2019, the secretary of state may
10 refund these fees to the filer pursuant to rules established by
11 the secretary of state. The decision of the secretary of state
12 not to issue a refund under rules established by the secretary
13 of state is final and not subject to review pursuant to chapter
14 17A.

15 Sec. 24. TREASURER OF STATE.

16 1. There is appropriated from the general fund of the
17 state to the office of treasurer of state for the fiscal year
18 beginning July 1, 2019, and ending June 30, 2020, the following
19 amount, or so much thereof as is necessary, to be used for the
20 purposes designated:

21 For salaries, support, maintenance, and miscellaneous
22 purposes, and for not more than the following full-time
23 equivalent positions:

24 \$ 1,017,442
25 FTEs 28.80

26 2. The office of treasurer of state shall supply
27 administrative support for the executive council.

28 Sec. 25. ROAD USE TAX FUND APPROPRIATION — OFFICE OF
29 TREASURER OF STATE. There is appropriated from the road use
30 tax fund created in section 312.1 to the office of treasurer of
31 state for the fiscal year beginning July 1, 2019, and ending
32 June 30, 2020, the following amount, or so much thereof as is
33 necessary, to be used for the purposes designated:

34 For enterprise resource management costs related to the
35 distribution of road use tax funds:

1 \$ 93,148

2 Sec. 26. IPERS — GENERAL OFFICE. There is appropriated
3 from the Iowa public employees' retirement fund created in
4 section 97B.7 to the Iowa public employees' retirement system
5 for the fiscal year beginning July 1, 2019, and ending June 30,
6 2020, the following amount, or so much thereof as is necessary,
7 to be used for the purposes designated:

8 For salaries, support, maintenance, and other operational
9 purposes to pay the costs of the Iowa public employees'
10 retirement system, and for not more than the following
11 full-time equivalent positions:

12 \$ 17,988,567
13 FTEs 88.13

14 Sec. 27. IOWA PRODUCTS. As a condition of receiving an
15 appropriation, any agency appropriated moneys pursuant to this
16 Act shall give first preference when purchasing a product to an
17 Iowa product or a product produced by an Iowa-based business.
18 Second preference shall be given to a United States product or
19 a product produced by a business based in the United States.

20 DIVISION II

21 STANDING APPROPRIATIONS — LIMITATIONS

22 Sec. 28. LIMITATION OF STANDING APPROPRIATION — FY
23 2019-2020. Notwithstanding the standing appropriation in the
24 following designated section for the fiscal year beginning July
25 1, 2019, and ending June 30, 2020, the amount appropriated from
26 the general fund of the state pursuant to this section for the
27 following designated purpose shall not exceed the following
28 amount:

29 For the enforcement of chapter 453D relating to tobacco
30 product manufacturers under section 453D.8:

31 \$ 17,525

32 DIVISION III

33 SUPPLEMENTAL APPROPRIATIONS

34 Sec. 29. 2017 Iowa Acts, chapter 171, section 28, subsection
35 1, paragraph b, as amended by 2018 Iowa Acts, chapter 1164,

1 section 1, is amended to read as follows:

2 b. For the payment of utility costs, and for not more than
3 the following full-time equivalent positions:

4	\$ 2,899,231
5	<u>3,356,210</u>
6	FTEs 1.00

7 Notwithstanding section 8.33, any excess moneys appropriated
8 for utility costs in this lettered paragraph shall not revert
9 to the general fund of the state at the end of the fiscal year
10 but shall remain available for expenditure for the purposes of
11 this lettered paragraph during the succeeding fiscal year.

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

14 DIVISION IV

15 IOWA CODE CHANGES

16 Sec. 31. Section 8A.111, Code 2019, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 12. By December 31, 2019, and by the same
19 date each year thereafter, an annual report submitted to the
20 general assembly and to the chairpersons and ranking members of
21 the senate and house committees on appropriations containing
22 a listing of real property owned or leased by the state. The
23 report shall be grouped by county and shall include identifying
24 information for each real property listed, including but not
25 limited to the physical address. If real property is leased by
26 the state, the report shall also include the rental or lease
27 costs of such real property.

28 Sec. 32. Section 8B.9, Code 2019, is amended by adding the
29 following new subsection:

30 NEW SUBSECTION. 6. Beginning October 1, 2019, a quarterly
31 report regarding the status of technology upgrades or
32 enhancements for state agencies, submitted to the general
33 assembly and to the chairpersons and ranking members of
34 the senate and house committees on appropriations. The
35 quarterly report shall also include a listing of state agencies

S-3236 (Continued)

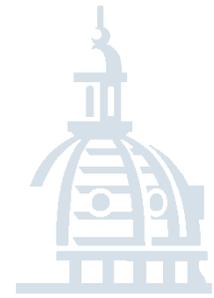
1 coordinating or working with the office and a listing of state
2 agencies not coordinating or working with the office.

3 Sec. 33. Section 137C.9, subsection 1, paragraph c, Code
4 2019, is amended to read as follows:

5 c. For a hotel containing ~~more than~~ one hundred one guest
6 rooms or more, one hundred fifty dollars.>

By DENNIS GUTH

[S-3236](#) FILED APRIL 25, 2019



[SF 597](#) – Blood Processing Centers, Sales Tax Exemption (LSB1397SV.2)
Analyst: Kent Ohms (515.725.2200) kenneth.ohms@legis.iowa.gov
Fiscal Note Version – As amended by House Amendment [S-3234](#)

Description

House Amendment [S-3234](#) strikes lines 16 through 31 of [SF 597](#). This would do the following:

- Removes the addition of “nonprofit blood centers” to the definition of “commercial enterprise” in Iowa Code section [423.3\(104\)](#) for the purposes of the sales tax exemption for specified digital products when used for commercial purposes.
- Removes the provision making the Bill effective upon enactment and retroactive to May 30, 2018. The amendment also removes the section of the Bill that permits refunds for any sales taxes paid between May 30, 2018, and the effective date if the claims are filed prior to October 1, 2019.

The Bill as amended would take effect on July 1, 2019 (FY 2020). The remainder of the description, background, and assumptions can be found in the [Fiscal Note](#) for [SF 597](#).

Fiscal Impact

The calendar year (CY) sales tax liability for 2019 for each nonprofit blood center is estimated in **Table 1**. Under House Amendment [S-3234](#), the digital services tax would remain in place, and the other line items listed in **Table 1** would be exempt from sales tax.

Table 1 — CY 2019 Estimated Tax Liability for Nonprofit Blood Centers

	<u>Mississippi Valley</u>	<u>LifeServe</u>	<u>Total</u>
Laboratory Reagents	Exempt	\$ 287,000	\$ 287,000
Blood Bags	\$ 0	214,000	214,000
Medical Supplies	271,000	131,000	402,000
Equipment Rental and Maintenance	66,000	34,000	100,000
Digital Services	117,000	163,000	280,000
Total	\$ 454,000	\$ 829,000	\$ 1,283,000

[Senate File 597](#) as amended would reduce revenue to the General Fund, Secure an Advanced Vision for Education (SAVE) Fund, and Local Option Sales Tax (LOST) by the estimates presented in **Table 2**.

Table 2 — Revenue Reduction by Fund

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
General Fund					
Receipts	\$ 0	\$ -734,000	\$ -697,000	\$ -662,000	\$ -629,000
Refunds	0	0	0	0	0
Total	\$ 0	\$ -734,000	\$ -697,000	\$ -662,000	\$ -629,000
SAVE					
Receipts	\$ 0	\$ -147,000	\$ -139,000	\$ -132,000	\$ -126,000
Refunds	0	0	0	0	0
Total	\$ 0	\$ -147,000	\$ -139,000	\$ -132,000	\$ -126,000
LOST					
Receipts	\$ 0	\$ -147,000	\$ -139,000	\$ -132,000	\$ -126,000
Refunds	0	0	0	0	0
Total	\$ 0	\$ -147,000	\$ -139,000	\$ -132,000	\$ -126,000

Sources

IRS 990 forms for Mississippi Valley Regional Blood Center, 2014-2017
IRS 990 forms for LifeServe Blood Center, 2014-2017
Interviews with Mississippi Valley Regional Blood Center and LifeServe Blood Center
LSA analysis and calculations

/s/ Holly M. Lyons

April 25, 2019

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.