

**EIGHTY-EIGHTH GENERAL ASSEMBLY
2020 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

February 11, 2020

Clip Sheet Summary

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

Bill	Amendment	Action	Sponsor
SF 2096	S-5002	Adopted	DAN DAWSON
SF 2142	S-5003	Lost	ERIC GIDDENS, et al

Fiscal Notes

[SF 2097](#) — [Indecent Exposure](#) (LSB5318SV)

[SF 2142](#) — [Senate Supplemental State Aid \(2.10% growth\)](#) (LSB5516SV)

[SF 2155](#) — [Extra Bonding Capacity, School Resource Officers](#) (LSB5594SV)

SENATE FILE 2096

S-5002

1 Amend Senate File 2096 as follows:
2 1. Page 1, by striking lines 10 through 17 and inserting:
3 <(2) A person may be issued a permit to carry weapons
4 if the person is an emergency medical care provider who is
5 designated and attached to a law enforcement tactical team by
6 the authorities having jurisdiction. A person issued a permit
7 to carry weapons under this paragraph shall train with the law
8 enforcement tactical team the person is designated and attached
9 to, complete a prescribed firearm safety training course
10 offered pursuant to section 724.9, subsection 1, paragraph
11 "e", complete any additional training as prescribed by the
12 authorities having jurisdiction, and not be disqualified under
13 section 724.8.>

By DAN DAWSON

S-5002 FILED FEBRUARY 10, 2020

ADOPTED

SENATE FILE 2142

S-5003

1 Amend Senate File 2142 as follows:

2 1. Page 1, lines 9 and 10, by striking <two and one-tenth>
3 and inserting <three>

4 2. Page 1, lines 23 and 24, by striking <two and one-tenth>
5 and inserting <three>

By ERIC GIDDENS
TONY BISIGNANO
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S-5003 FILED FEBRUARY 10, 2020

LOST



[SF 2097](#) – Indecent Exposure (LSB5318SV)
Staff Contact: Christin Mechler (515.250.0458) christin.mechler@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2097](#) relates to the criminal offense of indecent exposure and makes penalties applicable. The Bill expands the definition of indecent exposure in Iowa Code section [709.9](#) to include masturbating underneath or outside of the person’s clothing in the presence of another if the following apply:

- The person does so to arouse or satisfy the sexual desires of either party.
- The person knows or reasonably should know that the act is offensive to the viewer or the viewer was a child at the time of the act.

The Bill specifically expands the definition of the viewer of the indecent exposure to include children. A person who violates Iowa Code section [709.9](#) commits a serious misdemeanor.

Background

A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least \$315, but no more than \$1,875.

In FY 2019, there were 44 convictions of indecent exposure under Iowa Code section [709.9](#). Of these 44 convictions, 27 offenders were committed to community-based corrections supervision.

Additionally, a person who violates Iowa Code section [709.9](#) is designated as a Tier I sex offender under Iowa Code section [692A.102\(1\)\(a\)\(5\)](#), and must follow the requirements related to registering as a sex offender pursuant to Iowa Code section [692A.103](#).

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay; revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A lag effect of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- Marginal costs for county jails cannot be estimated due to a lack of data. For purposes of this analysis, the marginal cost for county jails is assumed to be \$50 per day.
- The daily cost of a person under sex offender intensive supervision totals approximately \$9.80.

Correctional Impact

The correctional impact of [SF 2079](#) cannot be determined. The Bill establishes a new criminal offense by amending the definition of indecent exposure, and the number of convictions cannot be estimated. It is likely that [SF 2079](#) will increase the number of persons entering into community-based corrections as a result of this new offense, but the extent of that increase cannot be estimated.

In FY 2019, the average length of stay for an offender serving a violation of Iowa Code section [709.9](#) totaled approximately 435 days under community-based corrections supervision. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 16, 2020, for information related to the correctional system.

Minority Impact

The minority impact of [SF 2079](#) is as follows: African Americans comprised 3.6% of the adult population of the State in FY 2019 and 15.9% of the convictions for Iowa Code section [709.9](#) offenses in FY 2019. This exceeds the population proportion of the State, which would lead to a racial impact if trends remain constant. Due to low numbers of other minority populations, the impact on those populations cannot be assessed. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 15, 2020, for information related to minorities in the criminal justice system.

Table 1 provides a breakdown of the demographics of the FY 2019 convictions under Iowa Code section [709.9](#) with respect to percentage of the State’s population.

Table 1 — FY 2019 Convictions and Population Percentage

Demographic	Percentage of FY 2019 Indecent Exposure Convictions	Demographic Percentage of Iowa’s Total Population
White	70.5%	90.2%
African American	15.9%	3.6%
Hispanic	4.6%	6.2%
Other/ Unknown	4.6%	3.0%

Fiscal Impact

The fiscal impact of [SF 2079](#) cannot be determined. The Bill expands the definition of indecent exposure and creates a new criminal offense. The resulting number of convictions and cost to the justice system cannot be estimated. **Table 2** shows estimates for the average State cost per offense class type. The estimates include operating costs incurred by the Judicial Branch, the State Public Defender, and the Department of Corrections for one additional conviction. The cost would be incurred across multiple fiscal years for prison and parole supervision.

Table 2 — Average State Cost Per Defense Class Type

Offense	Cost Increase Estimate	
	Minimum	Maximum
Serious Misdemeanor	\$ 410	\$ 4,900



[SF 2142](#) – Senate Supplemental State Aid (2.10% growth) (LSB5516SV)
Staff Contact: Michael Guanci (515.725.1286) michael.guanci@legis.iowa.gov
Fiscal Note Version – Revised Fiscal Estimate

Description

[Senate File 2142](#) modifies and establishes provisions related to the funding of school districts, including establishing a State supplemental aid rate (percent of growth) and the categorical State percent of growth for the budget year beginning July 1, 2020 (FY 2021), and providing for other changes to the school aid formula.

Senate File 2142 has three provisions with a fiscal impact:

- Establishes a 2.10% State percent of growth rate to be applied to the State cost per pupil for FY 2021.
- Establishes a 2.10% State percent of growth rate to be applied to each of the State categorical cost per pupil amounts, and to the standing appropriation for the Transportation Equity Fund for FY 2021.
- Provides additional property tax replacement funding based on the per pupil increase that results from the establishment of the State percent of growth in FY 2021. The Bill requires the additional levy portion of the FY 2021 State cost per pupil amount to be frozen at \$750 per pupil, regardless of the per pupil increase for FY 2021. Without enactment of this provision, the increase in the FY 2021 State cost per pupil due to the State percent of growth will include a per pupil property tax increase equivalent to one-eighth (12.5%) of the total per pupil increase.

The Bill takes effect upon enactment.

Background

State Cost Per Pupil. The school aid formula provides funding to school districts and Area Education Agencies (AEAs) through a mix of State aid and property taxes. In general, funding is generated on a per pupil basis, with the per pupil amounts providing an overall budget limitation (or spending authority). There are five FY 2021 State cost per pupil funding levels that would be increased by a 2.10% State percent of growth for FY 2021 with the enactment of SF 2142.

Table 1 provides the supplemental State aid amounts (also referred to as per pupil growth amounts) and State cost per pupil amounts for FY 2021 based on a 2.10% growth rate. The supplemental State aid amounts will be applied to all corresponding district and AEA cost per pupil amounts.

Table 1 — SF 2142
FY 2021 State Cost Per Pupil Calculations

	FY 2020 State Cost Per Pupil	FY 2021 State Percent of Growth	FY 2021 Supplemental State Aid	FY 2021 State Cost Per Pupil
Regular Program	\$ 6,880	2.10%	\$ 144	\$ 7,024
Special Education Program	6,880	2.10%	144	7,024
AEA Special Education Services	301.62	2.10%	6.33	307.95
AEA Media Services	56.24	2.10%	1.18	57.42
AEA Education Services	62.05	2.10%	1.30	63.35

In addition to the State percent of growth and supplemental State aid amounts for FY 2021, enrollments, weightings, and taxable valuations within each school district have an impact on the amount of total school aid funding, including the amount of State aid and local property tax required to generate the total funding amount.

State Categorical Supplements. The State categorical supplements are funded entirely through State aid and generate funds for each school district and AEA through the school aid formula on a per pupil basis. The FY 2021 State cost per pupil funding levels for the teacher salary supplement (district and AEA), professional development supplement (district and AEA), early intervention supplement (district only), and Teacher Leadership and Compensation (TLC) (district only) supplement would be increased by a 2.10% State percent of growth for FY 2021. **Table 2** provides the per pupil growth amounts and State cost per pupil amounts for FY 2021 based on SF 2142.

Table 2 — SF 2142
FY 2021 State Categorical Cost Per Pupil Calculations

	FY 2020 State Cost Per Pupil	FY 2021 State Percent of Growth	FY 2021 Supplemental State Aid	FY 2021 State Cost Per Pupil
Teacher Salary - Districts	\$ 591.96	2.10%	\$12.43	\$ 604.39
Professional Development - Districts	67.04	2.10%	1.41	68.45
Early Intervention	73.03	2.10%	1.53	74.56
Teacher Leadership and Compensation	333.23	2.10%	7.00	340.23
Teacher Salary - AEA's	30.98	2.10%	0.65	31.63
Professional Development - AEA's	3.62	2.10%	0.08	3.70

Additionally, there is a budget guarantee provision for each of the State categorical supplements, which provides each district and AEA with a minimum of the previous fiscal year’s level of funding (net of the previous year’s budget guarantee amount). This provision for the State categorical supplements is funded entirely through State aid.

Transportation Equity Fund. 2019 Iowa Acts, chapter [2](#) (School Finance — Regular State Cost Per Pupil — School Transportation Funding) allows for the standing appropriation to the Transportation Equity Fund to grow at the same rate as the categorical State percent of growth. The Transportation Equity Fund appropriation is not included in the combined district cost, or in the total State aid appropriation. The FY 2020 appropriation to the Transportation Equity Fund was \$19.0 million.

Property Tax Replacement Payment (PTRP). 2013 Iowa Acts, chapter [121](#) (Education Reform) included the creation of the property tax replacement payment (PTRP) provision to replace local property tax amounts with State aid. The provision froze the additional levy portion of the State cost per pupil at \$750; based on the State percent of growth enacted during the intervening fiscal years, this provision created \$15 per pupil in property tax relief in FY 2014 and up to \$128 per pupil in FY 2021. The continual growth is a result of this provision requiring that the per pupil property tax relief of previous fiscal years carry forward into future fiscal years. Enactment of SF 2142 will maintain the additional levy portion of the State cost per pupil at \$750 in FY 2021. The per pupil property tax relief amount will be based on the State percent of growth enacted for FY 2021. **Table 3** provides detail regarding the State cost per pupil funding levels as provided by a 2.10% growth rate for FY 2021 in SF 2142.

**Table 3 — SF 2142
FY 2021 Property Tax Replacement Payment Calculation**

		FY 2020	Increase Due To Supplemental State Aid Rate	FY 2021
Regular Program	\$	6,880	\$ 144	\$ 7,024
Unadjusted Additional Levy		860	18	878
PTRP Portion		110	18	128
Fixed Additional Levy Portion		750	0	750

Assumptions

- Estimates are based on October 2019 certified enrollments and supplementary weightings for FY 2021, which were approved by the School Budget Review Committee (SBRC) in December 2019.
- A statewide taxable valuation growth rate of 4.92% for FY 2021 was previously agreed upon by the Legislative Services Agency (LSA) and the Department of Management. Based on this assumed rate, the statewide total for the uniform levy is estimated to account for \$47.2 million (+4.98%) of the school foundation property tax change in FY 2021 (including the uniform levy portion of the commercial/industrial rollback replacement payment). The

estimated increase in the uniform levy amount is not affected by the establishment of the State percent of growth rate. Property tax adjustment aid amounts are based on the statewide taxable valuation growth factor applied to each school district's FY 2021 taxable valuation amount.

- Total State aid includes funding from the State General Fund and other funds appropriated or deposited in the Property Tax Equity and Relief (PTER) Fund, which is used to provide additional property tax relief through the school aid formula.
- Establishing an FY 2021 State percent of growth will also affect the amount of funding generated for the Statewide Voluntary Preschool Program. Funding for the Program is provided by State General Fund dollars and is included in the overall State aid total.
- Districts eligible for the 101.00% budget adjustment will approve use of that provision.
- Beginning in FY 2021, the additional \$15.0 million State aid reduction to AEAs implemented in FY 2020 will be restored.
- The General Fund appropriation to the Transportation Equity Fund will increase by the categorical State percent of growth.
- Other legislation may have an impact on the amount of State aid and property tax generated through the school aid formula. The fiscal impact in **Table 4** includes only the provisions in this Bill.

Fiscal Impact

The following table provides the estimated fiscal impact of the three provisions of SF 2142: State Supplemental Aid, State categorical rate, and PTRP implementation. These provisions include:

- Restoration of the \$15.0 million reduction in State aid to the AEAs. Under current law, the reduction will total \$7.5 million (a statutory reduction implemented annually).
- \$73.3 million in PTRP funding, an increase of \$10.7 million (17.06%) compared to FY 2020.
- \$551.9 million for the State categorical supplements for school districts and AEAs, an increase of \$14.0 million (2.60%). This includes:
 - \$312.9 million for the teacher salary supplement at the district and AEA level.
 - \$35.5 million for the professional development supplement at the district and AEA level.
 - \$36.5 million for the early intervention supplement.
 - \$167.0 million for the teacher leadership supplement.
- \$87.8 million for preschool formula funding, an increase of \$1.7 million (1.97%) compared to FY 2020. The preschool formula funding is included in the State aid amount, but is not included in the combined district cost total.
- \$10.0 million in budget adjustment funding for 125 qualifying districts, an increase of \$0.2 million (1.90%) compared to FY 2020. The budget guarantee adjustment is calculated at the school district level so that school districts receive 101.00% of their previous year's funding. The budget guarantee adjustment is funded entirely through property taxes.
- The total property tax funds generated through the school aid formula are estimated to be \$1.616 billion, an increase of \$53.1 million (3.40%) compared to FY 2020.
- The total State aid from the General Fund (reflecting the total school aid funding level for school districts and AEAs generated through the school aid formula) is estimated to be \$3.376 billion, an increase of \$90.7 million (2.76%) compared to FY 2020. Any legislative action affecting FY 2021 school aid provisions will have an impact on school aid amounts.

Additionally, any variations in the assumptions noted may result in changes in the FY 2021 estimates provided in the following table.

Table 4 further provides the fiscal impact SF 2142 has on the standing appropriation to the Transportation Equity Fund, which includes a \$19.4 million General Fund appropriation, an increase of \$0.4 million (2.10%) compared to FY 2020. The Transportation Equity Fund appropriation is not included in the combined district cost, or in the total State aid amount.

Table 4**Legislative Services Agency: FY 2021 School Aid Estimates — Senate File 2142 (Statewide Dollars in Millions)**

State Percent of Growth: 2.10%	State Cost Per Pupil: \$7,024	State Supplemental Aid: \$144		
AEA Reduction: \$7,500,000	Additional Reduction: \$0	Total AEA Reduction: \$7,500,000		
Program Funding:	FY 2020	Est. FY 2021	Est. Change	% Change
Regular Program District Cost	\$ 3,364.1	\$ 3,451.5	\$ 87.4	2.60%
Regular Program Budget Adjustment	9.8	10.0	0.2	1.90%
Supplementary Weighting (District)	104.8	106.2	1.5	1.40%
Special Education Instruction (District)	460.2	477.2	17.0	3.69%
Teacher Salary Supplement (District)	288.6	296.1	7.4	2.58%
Professional Development Supplement (District)	32.7	33.5	0.8	2.58%
Early Intervention Supplement (District)	35.6	36.5	0.9	2.57%
Teacher Leadership Supplement (District)	162.7	167.0	4.3	2.61%
AEA Special Ed Support District Cost	167.3	171.9	4.6	2.73%
AEA Special Ed Support Adjustment	1.4	1.2	-0.2	-11.85%
AEA Media Services	29.3	30.1	0.8	2.58%
AEA Ed Services	32.4	33.2	0.8	2.58%
AEA Teacher Salary Supplement	16.4	16.8	0.5	2.83%
AEA Professional Development Supplement	1.9	2.0	0.1	2.93%
Dropout and Dropout Prevention	124.9	124.9	0.0	0.00%
Combined District Cost	\$ 4,809.6	\$ 4,950.6	\$ 141.0	2.93%
Statewide Voluntary Preschool Program	\$ 86.2	\$ 87.8	\$ 1.7	1.97%
State Aid:	FY 2020	Est. FY 2021	Est. Change	% Change
Regular Program	\$ 1,964.5	\$ 1,994.7	\$ 30.2	1.54%
Supplementary Weighting	91.4	92.7	1.3	1.41%
Special Education Weighting	401.6	416.4	14.8	3.69%
Property Tax Adjustment Aid (1992)	7.7	7.4	-0.4	-4.92%
Property Tax Replacement Payment (PTRP)	62.6	73.3	10.7	17.06%
Adjusted Additional Property Tax - General Fund	24.0	24.0	0.0	0.00%
Statewide Voluntary Preschool Program	86.2	87.8	1.7	1.97%
Minimum State Aid	0.0	0.0	0.0	
State Aid from General Fund	\$ 3,285.4	\$ 3,376.2	\$ 90.7	2.76%
*Excess from SAVE Fund	10.1	10.4	0.3	2.67%
Total State Aid (Includes Non-General Fund)	\$ 3,295.6	\$ 3,386.6	\$ 91.0	2.76%
Local Property Tax:	FY 2020	Est. FY 2021	Est. Change	% Change
Uniform Levy Amount	\$ 948.3	\$ 995.5	\$ 47.2	4.98%
Additional Levy	614.1	620.0	5.9	0.96%
Total Levy to Fund Combined District Cost	\$ 1,562.5	\$ 1,615.5	\$ 53.1	3.40%
Comm/Ind - Uniform Levy Replacement	22.8	21.9	-0.9	-3.95%
Comm/Ind - Additional Levy Replacement	14.9	14.5	-0.4	-2.73%
Miscellaneous Information:	FY 2020	Est. FY 2021	Est. Change	% Change
State Cost Per Pupil	\$ 6,880	\$ 7,024	\$ 144	2.09%
Number of Districts with Budget Adjustment	114	125	11	9.65%
Percent of Districts with Budget Adjustment	34.86%	38.23%		
Statewide Categoricals Total	\$ 537.9	\$ 551.9	\$ 14.0	2.60%
Property Tax Relief Payment Per Pupil	110	128	18	16.36%
Statewide AEA Funding Reduction	-22.5	-7.5	15.0	66.67%
Statewide AEA Funding	226.2	247.7	21.5	9.48%
Transportation Equity Fund	19.0	19.4	0.4	2.10%

Notes:

Totals may not sum due to data duplication and exclusion. For example, other funds are provided by State Aid but not included in the State Aid section because the funds are represented in the Program Funding section listed above. Transportation Equity Fund dollars are not included in the total State aid amounts.

The provision for minimum State aid requires that the State provide at least \$300 per student.

* Secure an Advanced Vision for Education (SAVE) Fund.

Sources: Department of Management (School Aid File), LSA analysis and calculations

Sources

Iowa Department of Education, Certified Enrollment and Enrollment Projections File
Iowa Department of Management, School Aid File
Iowa Department of Revenue
LSA analysis and calculations

/s/ Holly M. Lyons

February 10, 2020

Doc ID 1129090

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.

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[SF 2155](#) – Extra Bonding Capacity, School Resource Officers (LSB5594SV)
Staff Contact: Michael Guanci (515.725.1286) michael.guanci@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2155](#) gives school districts the authority to raise additional amounts of property tax or income tax under the Instructional Support Program for certain expenses related to one school resource officer (SRO). The additional amount of funding for an SRO is to be adopted by board resolution under Iowa Code section [257.19](#).

Background

The Instructional Support Program was created by 1989 Iowa Acts, chapter [135](#) (School and Area Education Agency Financing), and the implementation of the Program began in FY 1992. The Program allows districts to increase their general fund budgets by up to 10.0% of the total regular program district cost. Districts may implement the Program for a five-year duration with local board approval (subject to a reverse referendum), or for 10 years with voter approval. For the FY 2020 budget year, 326 out of 327 school districts are participating in the Instructional Support Program.

An SRO is not defined in Iowa Code. This Bill defines an SRO by federal code in 34 U.S.C. § [10389](#). It is not known how many school districts currently employ an SRO under this definition. In general, a school district contracts for an SRO under a [28E](#) agreement with a nearby political subdivision. Contracts vary by school district. For example:

- The Creston Community School District contracts with the City of Creston for an SRO on a full-time basis when school is in session. The contract stipulates that the district reimburse the City of Creston at 75.0% of the total cost for the SRO position. The hours, office facilities, equipment, and duties are specified in the contract. The SRO is a police department employee.
- The Prairie Valley Community School District contracts with the City of Gowrie for an SRO part-time on an hourly basis which can vary between 5 and 25 hours per week, based on the school calendar. The cost for the SRO is based on an established hourly rate which includes salary, travel, and equipment, but does not cover benefits. The SRO is a police department employee.
- The Des Moines Independent Community School District contracts with the City of Des Moines for 10 SROs, splitting costs 50/50 based on a mutually approved budget with Des Moines. The SROs are police department employees.

Assumptions

- It is not known how many districts will pass board resolutions to increase property tax or income surtax to cover allowed expenses under the provisions of this Bill.
- School districts that pass board resolutions for allowable expenses for one SRO will increase property tax or income surtaxes under the Instructional Support Program.
- Allowable expenses for SROs will vary by district depending on a contract with the nearby political authority. Based on SRO contracts reviewed, this may range from an estimated \$15,000 to \$80,000 annually.

Fiscal Impact

- Under the provisions of this Bill, there is no fiscal impact to the State.
- The Bill may increase property taxes or income surtaxes; however, the extent is not currently known and will vary by school district.

Sources

Iowa Department of Education
Iowa Association of School Boards
Department of Management

/s/ Holly M. Lyons

February 7, 2020

Doc ID 1129160

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.

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