

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

**June 11, 2020**

**Clip Sheet Summary**

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

<b>Bill</b>	<b>Amendment</b>	<b>Action</b>	<b>Sponsor</b>
<a href="#">SF 2284</a> .....	<a href="#">S-5134</a> .....	Filed	RECEIVED FROM THE HOUSE
<a href="#">SF 2310</a> .....	<a href="#">S-5135</a> .....	Filed	RECEIVED FROM THE HOUSE
<a href="#">SF 2338</a> .....	<a href="#">S-5125</a> .....	Lost	ROBERT M. HOGG
<a href="#">SF 2338</a> .....	<a href="#">S-5126</a> .....	Lost	NATE BOULTON
<a href="#">SF 2338</a> .....	<a href="#">S-5127</a> .....	Lost	NATE BOULTON
<a href="#">SF 2338</a> .....	<a href="#">S-5128</a> .....	Lost	NATE BOULTON
<a href="#">SF 2338</a> .....	<a href="#">S-5129</a> .....	Withdrawn	JANET PETERSEN
<a href="#">SF 2338</a> .....	<a href="#">S-5130</a> .....	Lost	JANET PETERSEN
<a href="#">SF 2338</a> .....	<a href="#">S-5131</a> .....	Lost	JANET PETERSEN
<a href="#">SF 2338</a> .....	<a href="#">S-5133</a> .....	Lost	ROBERT M. HOGG
<a href="#">SF 2356</a> .....	<a href="#">S-5136</a> .....	Filed	RECEIVED FROM THE HOUSE
<a href="#">SF 2360</a> .....	<a href="#">S-5137</a> .....	Filed	RECEIVED FROM THE HOUSE
<a href="#">HF 716</a> .....	<a href="#">S-5122</a> .....	Lost	NATE BOULTON
<a href="#">HF 2365</a> .....	<a href="#">S-5118</a> .....	Adopted	WAYLON BROWN
<a href="#">HF 2372</a> .....	<a href="#">S-5132</a> .....	Filed	DAN ZUMBACH
<a href="#">HF 2418</a> .....	<a href="#">S-5120</a> .....	Adopted	JEFF EDLER
<a href="#">HF 2443</a> .....	<a href="#">S-5121</a> .....	Adopted	AMY SINCLAIR
<a href="#">HF 2455</a> .....	<a href="#">S-5119</a> .....	Withdrawn	CHRIS COURNOYER

[HF 2486](#) ..... [S-5123](#) ..... Adopted  
[HF 2486](#) ..... [S-5124](#) ..... Lost

ROBY SMITH  
PAM JOCHUM

**Fiscal Notes**

[SF 2097](#) — [Indecent Exposure](#) (LSB5318SV.1)

[SF 2225](#) — [Theft, Third Degree](#) (LSB5074SV.1)

[HF 2629](#) — [Future Ready Iowa](#) (LSB5595HZ.1)

HOUSE AMENDMENT TO  
SENATE FILE 2284

S-5134

1 Amend Senate File 2284, as amended, passed, and reprinted by  
2 the Senate, as follows:

- 3 1. Page 3, by striking lines 7 through 12.
- 4 2. Page 7, by striking lines 2 through 9.
- 5 3. By renumbering as necessary.

S-5134 FILED JUNE 10, 2020



1 <any>

2 14. Page 4, after line 6 by inserting:

3 <(3) An online learning platform offered, subject to the  
4 initial availability of federal funds, by the department in  
5 collaboration with one or more area education agencies or in  
6 partnership with school districts and accredited nonpublic  
7 schools. The online learning platform may deliver distance  
8 education to secondary students, including students receiving  
9 independent private instruction as defined in section 299A.1,  
10 subsection 2, paragraph "b", competent private instruction  
11 under section 299A.2, or private instruction by a nonlicensed  
12 person under section 299A.3, provided the coursework offered  
13 by the online learning platform is taught and supervised by  
14 a teacher licensed under chapter 272 who has online learning  
15 experience and the course content meets the requirements  
16 established by rule pursuant to section 256.7, subsection 32,  
17 paragraph "c". The department and the area education agencies  
18 operating online learning programs pursuant to section 273.16  
19 shall coordinate to ensure the most effective use of resources  
20 and delivery of services. Federal funds, if available, may  
21 be used to offset what would otherwise be costs to school  
22 districts for participation in the program.>

23 15. Page 4, by striking line 11 and inserting:

24 <~~c. Private providers utilized to provide courses by~~Courses  
25 provided by private providers to a school>

26 16. Page 5, after line 25 by inserting:

27 <Sec. \_\_\_\_\_. Section 279.10, Code 2020, is amended by adding  
28 the following new subsection:

29 NEW SUBSECTION. 3. a. For the school year beginning July  
30 1, 2020, and ending June 30, 2021, any instruction provided in  
31 accordance with a return-to-learn plan submitted by a school  
32 district or accredited nonpublic school to the department of  
33 education in response to a proclamation of a public health  
34 disaster emergency, issued by the governor pursuant to section  
35 29C.6 and related to COVID-19, shall be deemed to meet the

1 requirements of subsection 1, regardless of the nature,  
2 location, or medium of instruction if the return-to-learn plan  
3 contains the minimum number of days or hours as required by  
4 subsection 1.

5 b. This subsection is repealed on July 1, 2021.>

6 17. Page 5, after line 26 by inserting:

7 <DIVISION \_\_\_\_

8 TEMPORARY FLEXIBILITY FOR USE OF CERTAIN MONEYS BY SCHOOL  
9 DISTRICTS TO PROVIDE ADDITIONAL INSTRUCTIONAL TIME

10 Sec. \_\_\_\_ . PROFESSIONAL DEVELOPMENT MONEYS AND HOURS  
11 REQUIREMENTS FOR ADDITIONAL INSTRUCTIONAL TIME FOR THE  
12 2020-2021 SCHOOL YEAR. Notwithstanding section 257.10,  
13 subsection 10, and the professional development requirements  
14 of chapter 284, for the school year beginning July 1, 2020,  
15 and ending June 30, 2021, the moneys calculated and paid to  
16 the school district for professional development pursuant to  
17 section 257.10, subsection 10, or section 257.37A, subsection  
18 2, to provide thirty-six hours of professional development  
19 opportunities held outside of the minimum school day, may  
20 instead be used by a school district to provide instructional  
21 time to the school calendar in addition to the amount of  
22 instructional time required under section 279.10, subsection 1,  
23 and the thirty-six-hour professional development requirement  
24 of chapter 284 shall be reduced by such number of hours of  
25 additional instructional time.

26 Sec. \_\_\_\_ . DISTRICT MANAGEMENT LEVY FUND — PERMISSIBLE USES  
27 BUDGET YEAR 2020-2021.

28 1. For the school budget year beginning July 1, 2020, and  
29 ending June 30, 2021, unencumbered moneys remaining in the  
30 district management levy fund under section 298A.3 at the  
31 end of the budget year beginning July 1, 2019, and ending  
32 June 30, 2020, and the taxes certified for levy before the  
33 effective date of this Act under section 298.4 and deposited in  
34 the district management levy fund for the school budget year  
35 beginning July 1, 2020, and ending June 30, 2021, in addition

1 to the purposes authorized under section 298.4, may be expended  
2 by a school district to provide additional instructional time  
3 to the school calendar in excess of the amount of instructional  
4 time required under section 279.10, subsection 1, during the  
5 school year beginning July 1, 2020, and ending June 30, 2021.

6 2. The board of directors of a school district,  
7 notwithstanding the budget amendment requirements of chapters  
8 24 and 257, may authorize the expenditure of specified district  
9 management levy funds for purposes specified in subsection 1  
10 by resolution of the board specifying the amount to be used  
11 and the purposes from which the funds will be reallocated, if  
12 the resolution of the board is approved and filed with the  
13 department of education on or before June 30, 2021.

14 DIVISION \_\_\_\_\_

15 TEMPORARY FLEXIBILITY FOR CERTAIN EDUCATIONAL INSTRUCTIONAL AND  
16 POLICY REQUIREMENTS

17 Sec. \_\_\_\_\_. OPEN ENROLLMENT — EXTENSION OF NOTIFICATION  
18 DEADLINE FOR THE 2020-2021 SCHOOL YEAR. Notwithstanding  
19 section 282.18, subsection 2, paragraph "a", for the school  
20 year commencing July 1, 2020, a parent or guardian shall have  
21 until July 15, 2020, to notify to the district of residence and  
22 the receiving district, on forms prescribed by the department  
23 of education, that the parent or guardian intends to enroll  
24 the parent's or guardian's child in an online public school  
25 in another school district, if the child, another resident of  
26 the child's residence, or a regular caretaker of the child  
27 has a significant health condition that increases the risk  
28 of COVID-19. The notification shall include the name of the  
29 person with the health condition, specify the person's health  
30 condition, include written verification of the health condition  
31 from the person's physician or licensed health care provider  
32 and, for persons other than the child, whether the person with  
33 the health condition is a resident of the child's residence  
34 or the child's regular caretaker. Section 282.18, subsection  
35 3, shall not apply to a notification submitted in accordance

1 with this section. Notwithstanding section 282.18, subsection  
2 2, paragraph "b", the superintendent of the receiving school  
3 district is authorized to approve a notification received  
4 under this section. Within fourteen days of receipt of such  
5 notification, the superintendent shall notify the parent or  
6 guardian and the school district of residence that the request  
7 has been approved or denied. If the notification has been  
8 denied or if further review is required, the superintendent  
9 shall provide the parent or guardian with an explanation of  
10 the approval process and expected timeline for the review. A  
11 decision to deny a request submitted under this section is  
12 subject to appeal under section 290.1. The state board shall  
13 exercise broad discretion to achieve just and equitable results  
14 that are in the best interest of the affected child. This  
15 section is not intended to extend the provisions of section  
16 282.18, subsection 2, paragraph "a", for enrollment in a  
17 physical school district.

18 Sec. \_\_\_\_\_. SCHOOL DISTRICT DUTIES RELATING TO COMPETENT  
19 PRIVATE INSTRUCTION FOR THE 2020-2021 SCHOOL YEAR. For the  
20 school year commencing July 1, 2020, each school district shall  
21 provide to children receiving competent private instruction  
22 available texts or supplementary materials on the same basis  
23 as they are provided to enrolled students and shall provide  
24 available texts or supplemental instructional materials on the  
25 same basis as they are provided to enrolled students when a  
26 child is under dual enrollment or in a home school assistance  
27 program.

28 Sec. \_\_\_\_\_. SCHOOL DISTRICT CLOSURES DURING THE 2020-2021  
29 SCHOOL YEAR. For the school year beginning July 1, 2020, and  
30 ending June 30, 2021, if the governor proclaims a public health  
31 disaster pursuant to section 29C.6, the board of directors of a  
32 school district may authorize closure of the school district  
33 or any school district attendance center due to an outbreak  
34 of COVID-19 in the school district or any school district  
35 attendance center. School districts are encouraged to follow

1 guidelines issued by the centers for disease control and  
2 prevention of the United States department of health and human  
3 services and may consult with the local board of health when  
4 determining social distancing measures or authorizing a school  
5 closure.

6 Sec. \_\_\_\_\_. INSTRUCTIONAL TIME PROVISIONS FOR SCHOOL  
7 DISTRICTS AND ACCREDITED NONPUBLIC SCHOOLS FOR THE 2020-2021  
8 SCHOOL YEAR.

9 1. Notwithstanding any other provision of law to the  
10 contrary, the instructional time requirements of section  
11 279.10, subsection 1, and the minimum school day requirements  
12 of section 256.7, subsection 19, shall not be waived any time  
13 during the school year beginning July 1, 2020, and ending June  
14 30, 2021, for school closure due to the COVID-19 pandemic  
15 unless the school district or the authorities in charge of the  
16 accredited nonpublic school, as appropriate, provide compulsory  
17 remote learning, including online learning, electronic  
18 learning, distance learning, or virtual learning.

19 2. If the board of directors of a school district or  
20 the authorities in charge of an accredited nonpublic school  
21 determines any time during the school year beginning July  
22 1, 2020, and ending June 30, 2021, that a remote-learning  
23 period is necessary, the school board or the authorities, as  
24 appropriate, shall ensure that teachers and other necessary  
25 school staff are available during the remote-learning period to  
26 support students, to participate in professional development  
27 opportunities, and to perform other job-related functions  
28 during the regular, required contract hours, even if the  
29 accessibility to or by the teachers and other necessary school  
30 staff is offered remotely through electronic means.

31 Sec. \_\_\_\_\_. TRUANCY REQUIREMENTS FOR THE 2020-2021 SCHOOL  
32 YEAR. In addition to the provisions of chapter 299, a  
33 child who is enrolled in a school district or accredited  
34 nonpublic school but who does not participate in compulsory  
35 remote-learning opportunities, including online learning,

1 electronic learning, distance learning, or virtual learning,  
2 offered by the school district or accredited nonpublic school  
3 of enrollment during a period of school closure implemented any  
4 time during the school year beginning July 1, 2020, and ending  
5 June 30, 2021, due to the COVID-19 pandemic shall be considered  
6 truant. This section is not applicable to a child who was  
7 receiving competent private instruction or independent private  
8 instruction in accordance with the requirements of chapter  
9 299A, whose parent, guardian, or legal custodian notified the  
10 school district prior to July 1, 2019. Any child who was  
11 enrolled in a public school or accredited nonpublic school  
12 prior to July 1, 2019, may be subject to the provisions of  
13 chapter 299 if the child's parent, guardian, or legal custodian  
14 did not, for the school year beginning July 1, 2020, complete  
15 and send the report required under section 299.4 to the school  
16 district of residence of the child in a timely manner.

17 Sec. \_\_\_\_ . TEACHER ENDORSEMENT WAIVER FOR THE 2020-2021  
18 SCHOOL YEAR. For the school year beginning July 1, 2020, and  
19 ending June 30, 2021, notwithstanding any provision to the  
20 contrary, if a school district or accredited nonpublic school  
21 has made every reasonable and good-faith effort to employ a  
22 teacher licensed under chapter 272 who holds an endorsement for  
23 a specified grade level or subject area and is unable to employ  
24 a teacher with the appropriate endorsement, and the school  
25 district or accredited nonpublic school is also unable to  
26 develop, or use a private provider to provide, an online course  
27 that meets the requirements of chapter 256, the director of  
28 the department of education may waive the teacher-endorsement  
29 requirements for the specified grade level or subject area for  
30 the school district or accredited nonpublic school, and the  
31 provisions of section 256.9, subsection 48, and section 272.15,  
32 subsection 4, shall not apply.

33 Sec. \_\_\_\_ . MISCELLANEOUS POLICY PROVISIONS FOR SCHOOLS  
34 FOR THE 2020-2021 SCHOOL YEAR. The following provisions are  
35 applicable for the school year beginning July 1, 2020, and

1 ending June 30, 2021:

2 1. SOCIAL DISTANCING. In implementing social distancing  
3 policies, the board of directors of each school district and  
4 the authorities in charge of each accredited nonpublic school  
5 shall prioritize core academic subjects.

6 2. STATEWIDE ASSESSMENTS. The provisions of section 256.7,  
7 subsection 21, paragraph "b", relating to the administration  
8 of statewide summative assessment of student progress, and the  
9 assessments administered in accordance with sections 279.60  
10 and 279.68, shall not be waived, and such assessments shall be  
11 administered to students as required by those sections.

12 3. CPR CERTIFICATION — EXCEPTION FOR GRADUATION. If a  
13 school district or accredited nonpublic school closes on the  
14 advice of a local board of health, the department of public  
15 health, or because the governor proclaims a public health  
16 disaster pursuant to section 29C.6, a student who meets the  
17 graduation requirements of section 256.7, subsection 26,  
18 paragraph "a", the requirements of section 280.9A, and the  
19 school district's or accredited nonpublic school's graduation  
20 requirements may graduate without meeting the cardiopulmonary  
21 resuscitation certification requirements of section 256.11,  
22 section 6, paragraph "c".

23 4. NOTIFICATION OF SIGNIFICANT HEALTH CONDITION —  
24 COMPULSORY REMOTE LEARNING. If a parent or guardian of a  
25 student enrolled in a school district or accredited nonpublic  
26 school notifies the school district or accredited nonpublic  
27 school in writing that the student, another resident of the  
28 student's residence, or a regular caretaker of the student  
29 has a significant health condition that increases the risk of  
30 COVID-19, the school district or accredited nonpublic school  
31 shall make reasonable accommodations for the student, on a  
32 case-by-case basis, to attend school through remote learning.  
33 The provision of special education and accommodations for  
34 students who have individualized education programs or  
35 section 504 plans in compliance with the requirements of

1 section 504 of the Rehabilitation Act, 29 U.S.C. §794, and  
2 with Tit. II of the Americans with Disabilities Act, 42  
3 U.S.C. §12131-12165, will be determined by each respective  
4 individualized education program team or section 504 team.  
5 The notification shall include the name of the person with  
6 the health condition, specify the person's health condition,  
7 include written verification of the health condition from the  
8 person's physician or licensed health care provider and, for  
9 persons other than the student, whether the person with the  
10 health condition is a resident of the student's residence  
11 or the student's regular caretaker. A school district or  
12 an accredited nonpublic school may collaborate with an area  
13 education agency or another school district or accredited  
14 nonpublic school to provide remote learning opportunities to a  
15 student who meets the requirements of this section.

16 5. Notwithstanding section 256.7, subsection 32; section  
17 256.9, subsection 55; section 256.43; or any other provision to  
18 the contrary, a school district or accredited nonpublic school  
19 may provide instruction primarily over the internet if such  
20 instruction is provided in accordance with a return-to-learn  
21 plan submitted by the school district or school to the  
22 department of education in response to a proclamation of a  
23 public health disaster emergency, issued by the governor  
24 pursuant to section 29C.6 and related to COVID-19, without  
25 regard to whether the school or school district is approved to  
26 provide instruction primarily over the internet. Instruction  
27 provided pursuant to this section shall be provided by teachers  
28 licensed pursuant to chapter 272 and shall assure and maintain  
29 evidence of alignment of the courses with the Iowa core and  
30 core content requirements and standards.>

31 18. Page 5, after line 26 by inserting:

32 <DIVISION \_\_\_\_  
33 SCHOOL DISTRICT SAVINGS REPORT  
34 Sec. \_\_\_\_ . SCHOOL DISTRICT COVID-19 SAVINGS REPORT FOR  
35 BUDGET YEAR 2019-2020. Each school district shall submit a

S-5135 (Continued)

1 report to the department of education, in a format and by a  
2 date as determined by the department, detailing the beginning  
3 fund balances for the budget year beginning July 1, 2020, and  
4 any savings to the school district resulting from the closure  
5 of schools due to the COVID-19 pandemic during the school  
6 budget year beginning July 1, 2019, and ending June 30, 2020,  
7 including but not limited to savings from transportation, the  
8 number of employees laid off by the school district listed  
9 by staff position and whether such employees were reported  
10 to receive unemployment compensation benefits, and spring or  
11 summer programs canceled or otherwise impacted.>

12 19. Title page, by striking lines 1 through 4 and inserting  
13 <An Act relating to educational instructional requirements and  
14 funding flexibility.>

15 20. By renumbering as necessary.

S-5135 FILED JUNE 10, 2020

SENATE FILE 2338

S-5125

1 Amend the House amendment, S-5111, to Senate File 2338, as  
2 passed by the Senate, as follows:

3 1. Page 4, line 27, after <provider> by inserting <that  
4 provides paid sick leave and additional pay for performing  
5 hazardous duties to its employees>

By ROBERT M. HOGG

S-5125 FILED JUNE 10, 2020

LOST

SENATE FILE 2338

S-5126

1 Amend the amendment, S-5111, to Senate File 2338, as passed  
2 by the Senate, as follows:

3 1. Page 7, line 9, after <411> by inserting <, except as  
4 follows:

5 a. A rebuttable presumption exists that an employee's  
6 COVID-19 infection is a personal injury arising out of and in  
7 the course of employment under chapter 85.

8 b. An employer shall pay an employee with a COVID-19  
9 infection that is a personal injury arising out of and in  
10 the course of employment a minimum of two weeks of weekly  
11 compensation benefits pursuant to section 85.33, subsection 1,  
12 to allow for a period of recovery and to minimize infections  
13 of other employees. The minimum weekly compensation benefits  
14 provided in this paragraph shall not be construed to limit any  
15 compensation or other benefits available to an injured employee  
16 pursuant to chapter 85 or 86>

By NATE BOULTON

S-5126 FILED JUNE 10, 2020

LOST

SENATE FILE 2338

S-5127

1 Amend the House amendment, S-5111, to Senate File 2338, as  
2 passed by the Senate, as follows:

3 1. Page 1, after line 8 by inserting:

4 <Sec. \_\_\_\_\_. Section 88.3, subsection 3, Code 2020, is amended  
5 to read as follows:

6 3. "*Emergency temporary standards*" means any occupational  
7 safety and health standard or modification thereof which  
8 has been adopted and promulgated by a nationally recognized  
9 standards-producing organization under procedures whereby it  
10 can be determined by the commissioner that persons interested  
11 and affected by the scope or provisions of the standard  
12 have reached substantial agreement on its adoption, and was  
13 formulated in a manner which afforded an opportunity for  
14 diverse views to be considered or is an emergency temporary  
15 standard provided by the secretary pursuant to and in  
16 conformance with the provisions of the federal law. "*Emergency*  
17 *temporary standards*" includes guidance related to the novel  
18 coronavirus identified as SARS-CoV-2 provided by the centers  
19 for disease control and prevention of the federal department of  
20 health and human services or by the federal occupational safety  
21 and health administration.

22 Sec. \_\_\_\_\_. Section 88.5, subsection 5, Code 2020, is amended  
23 to read as follows:

24 5. *Emergency temporary standards*. The commissioner shall  
25 provide for an emergency temporary standard to take immediate  
26 effect if the commissioner determines that employees are  
27 exposed to the novel coronavirus identified as SARS-CoV-2 or  
28 are exposed to grave danger from exposure from substances or  
29 agents determined to be toxic or physically harmful or from new  
30 hazards and if such emergency temporary standard is necessary  
31 to protect the employees from such danger. Such emergency  
32 standard shall cease to be effective and shall no longer  
33 be applicable after the lapse of six months following the  
34 effective date thereof unless the commissioner has initiated  
35 the procedures provided for under this chapter, for the purpose

S-5127 (Continued)

1 of promulgating a permanent standard as provided in subsection  
2 1 of this section in which case the emergency temporary  
3 standard will remain in effect until the permanent standard is  
4 adopted and becomes effective. Abandonment of the procedure  
5 for such promulgation by the commissioner shall terminate the  
6 effectiveness and applicability of the emergency temporary  
7 standard.>

8 2. Page 4, after line 14 by inserting:

9 <4. The person who possesses or is in control of the  
10 premises failed to comply with emergency temporary standards,  
11 as defined in section 88.3.>

12 3. Page 4, by striking lines 20 through 24 and inserting

13 <a duty of care was in compliance with emergency temporary  
14 standards, as defined in section 88.3, or was in substantial  
15 compliance or was consistent with any federal or state statute,  
16 regulation, order, or public health guidance related to  
17 COVID-19 that was applicable to the person or activity at issue  
18 at the time of the alleged exposure or potential exposure.>

19 4. Page 5, after line 30 by inserting:

20 <3. This section shall not relieve any person of liability  
21 for civil damages for any act or omission that is not in  
22 compliance with emergency temporary standards, as defined in  
23 section 88.3.>

24 5. Page 6, after line 33 by inserting:

25 <c. The person that designs, manufactures, labels, sells,  
26 distributes, or donates household disinfecting or cleaning  
27 supplies, personal protective equipment, or a qualified product  
28 did not comply with emergency temporary standards, as defined  
29 in section 88.3.>

30 6. By renumbering as necessary.

By NATE BOULTON

[S-5127](#) FILED JUNE 10, 2020

LOST

SENATE FILE 2338

S-5128

1 Amend the House amendment, S-5111, to Senate File 2338, as  
2 passed by the Senate, as follows:

3 1. Page 7, after line 11 by inserting:

4 <Sec. \_\_\_\_ . NEW SECTION. 686D.9 Employee reporting of  
5 COVID-19 — right to avoid exposure — civil penalty.

6 1. A person shall not discharge or in any manner  
7 discriminate against an employee because the employee has  
8 filed a complaint or instituted or caused to be instituted a  
9 proceeding under or related to any condition of employment  
10 that the employee believes to pose an undue risk of a COVID-19  
11 infection or has testified or is about to testify in any such  
12 proceeding or because of the exercise by the employee on behalf  
13 of the employee or others of a right afforded by this chapter.

14 2. A person shall not discharge or in any manner  
15 discriminate against an employee because the employee, who  
16 with no reasonable alternative, refuses in good faith to be  
17 exposed to COVID-19; provided the employee, where possible, has  
18 first sought through resort to regular statutory enforcement  
19 channels, unless there has been insufficient time due to the  
20 urgency of the situation, or the employee has sought and been  
21 unable to obtain from the person a correction of the dangerous  
22 condition.

23 3. A person violating this section shall be assessed a  
24 civil penalty of one thousand dollars, and shall reinstate the  
25 employee with back pay, pay the employee front pay equal to the  
26 total amount of back pay, and reimburse the employee for the  
27 employee's court costs and attorney fees.>

28 2. By renumbering as necessary.

By NATE BOULTON

S-5128 FILED JUNE 10, 2020

LOST

SENATE FILE 2338

S-5129

1 Amend the House amendment, S-5111, to Senate File 2338, as  
2 passed by the Senate, as follows:

3 1. Page 3, by striking line 33 and inserting:

4 <1. A person who possesses or is in control of a premises,>

5 2. Page 4, line 7, by striking <1.> and inserting <a.>

6 3. Page 4, line 10, by striking <2.> and inserting <b.>

7 4. Page 4, line 13, by striking <3.> and inserting <c.>

8 5. Page 4, after line 14 by inserting:

9 <2. In order to qualify for the protection afforded by  
10 subsection 1, the person who possesses or is in control of the  
11 premises must do all of the following:

12 a. Report any employee's or resident's positive case of  
13 COVID-19 to all individuals directly or indirectly invited onto  
14 the premises.

15 b. Report any employee's or resident's positive case of  
16 COVID-19 to the local department of public health and the  
17 department of public health.>

By JANET PETERSEN

S-5129 FILED JUNE 10, 2020

WITHDRAWN

SENATE FILE 2338

S-5130

1 Amend the House amendment, S-5111, to Senate File 2338, as  
2 passed by the Senate, as follows:

3 1. Page 7, after line 11 by inserting:

4 <Sec. \_\_\_\_ . IMMUNITY PROVIDED BY CHAPTER 686D. To take  
5 advantage of the protections afforded by chapter 686D, an  
6 employer must offer paid sick leave for a minimum of eighty  
7 hours for an employee at the employee's regular rate of pay if  
8 the employee is unable to work because of any of the following:

9 1. The employee is quarantined, pursuant to a federal,  
10 state, or local government order, or the advice of a health  
11 care provider.

12 2. The employee is experiencing COVID-19 symptoms and is  
13 seeking a medical diagnosis.

14 3. A bona fide need to care for an individual who is subject  
15 to quarantine pursuant to a federal, state, or local government  
16 order, or the advice of a health care provider.

17 4. The employee must care for a minor whose school or child  
18 care provider is closed or unavailable for reasons related to  
19 COVID-19.>

20 2. By renumbering as necessary.

By JANET PETERSEN

S-5130 FILED JUNE 10, 2020

LOST

SENATE FILE 2338

S-5131

1 Amend the House amendment, S-5111, to Senate File 2338, as  
2 passed by the Senate, as follows:

3 1. Page 3, by striking line 33 and inserting:

4 <1. A person who possesses or is in control of a premises,>

5 2. Page 4, line 7, by striking <1.> and inserting <a.>

6 3. Page 4, line 10, by striking <2.> and inserting <b.>

7 4. Page 4, line 13, by striking <3.> and inserting <c.>

8 5. Page 4, after line 14 by inserting:

9 <2. In order to qualify for the protection afforded by  
10 subsection 1, the person who possesses or is in control of the  
11 premises must do all of the following:

12 a. Report every employee's or resident's positive case of  
13 COVID-19 to all individuals directly or indirectly invited onto  
14 the premises.

15 b. Report every employee's or resident's positive case  
16 of COVID-19 to the local department of public health and the  
17 department of public health.

18 3. In order to qualify for the protection afforded by  
19 subsection 1, a school district or accredited nonpublic school  
20 must report every student's positive case of COVID-19 to  
21 the local department of public health and the department of  
22 public health. Any records provided by a school district or  
23 accredited nonpublic school pursuant to this subsection shall  
24 be kept confidential and shall not contain any personally  
25 identifying information.>

By JANET PETERSEN

S-5131 FILED JUNE 10, 2020

LOST

SENATE FILE 2338

S-5133

1 Amend the House amendment, S-5111, to Senate File 2338, as  
2 passed by the Senate, as follows:

3 1. By striking page 4, line 27, through page 5, line 30 and  
4 inserting:

5 <A health care provider providing care related to COVID-19  
6 shall be considered a state agency solely for the purposes of  
7 section 135.24 and chapter 669 and shall be afforded protection  
8 under chapter 669 as a state agency for all claims arising from  
9 the provision of the care.>

10 2. By renumbering as necessary.

By ROBERT M. HOGG

S-5133 FILED JUNE 10, 2020

LOST

HOUSE AMENDMENT TO  
SENATE FILE 2356

S-5136

- 1 Amend Senate File 2356, as passed by the Senate, as follows:  
2 1. Page 5, line 26, by striking <or endorsement for>  
3 and inserting <with an endorsement for prekindergarten,  
4 prekindergarten or elementary>  
5 2. Page 5, line 26, by striking <education> and inserting  
6 <education,>

S-5136 FILED JUNE 10, 2020

HOUSE AMENDMENT TO  
SENATE FILE 2360

S-5137

- 1     Amend Senate File 2360, as amended, passed, and reprinted by  
2 the Senate, as follows:
- 3     1. Page 1, line 4, after <to> by inserting <all>
- 4     2. Page 2, line 19, after <priority.> by inserting <Grant  
5 awards shall be distributed as equitably as possible among  
6 small, medium, and large school districts. For purposes of  
7 this subsection, a small school district is a district with an  
8 actual enrollment of fewer than six hundred pupils; a medium  
9 school district is a district with an actual enrollment that  
10 is at least six hundred pupils, but less than two thousand  
11 five hundred pupils; and a large school district is a district  
12 with an actual enrollment of two thousand five hundred or more  
13 pupils.>
- 14    3. Page 3, line 9, after <moneys> by inserting <credited  
15 to the therapeutic classroom incentive fund established under  
16 subsection 5>
- 17    4. Page 4, line 31, by striking <2022> and inserting <2023>
- 18    5. Page 5, line 3, by striking <2021> and inserting <2022>
- 19    6. Page 11, by striking lines 8 through 24.
- 20    7. Page 11, by striking lines 30 through 32 and inserting  
21 <or criminal liability which might otherwise be incurred or>
- 22    8. Page 12, by striking lines 1 through 5.
- 23    9. Page 12, by striking lines 8 through 12 and inserting:  
24     <NEW SUBSECTION. 4. A school employee's employer and the  
25 board of educational examiners shall not engage in reprisal or  
26 retaliation against a school employee who, in the reasonable  
27 course of the employee's employment responsibilities, comes  
28 into physical contact with a student in accordance with this  
29 section.>
- 30    10. Page 12, line 15, by striking <2020> and inserting  
31 <2021>
- 32    11. Page 12, line 16, by striking <2021> and inserting  
33 <2022>
- 34    12. Page 12, by striking line 35 and inserting <beginning  
35 July 1, 2021, and ending June 30, 2022, the following>

S-5137 (Continued)

- 1 13. Page 13, line 9, by striking <2020> and inserting <2021>
- 2 14. Page 13, line 10, by striking <2021> and inserting
- 3 <2022>
- 4 15. By renumbering as necessary.

S-5137 FILED JUNE 10, 2020

HOUSE FILE 716

S-5122

1 Amend House File 716, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. Page 2, after line 27 by inserting:

4 <Sec. \_\_\_\_\_. DEER HUNTING WITH PISTOL OR REVOLVER —  
5 STUDY. The department of natural resources shall conduct a  
6 study regarding hunting with pistols and revolvers, with an  
7 emphasis on hunting by persons who are twenty years of age or  
8 less. The study shall examine participation rates for hunting  
9 with a pistol or revolver and adherence to legal requirements.  
10 Based on the department's findings, the department shall assess  
11 whether provisions amended by this Act should be extended or  
12 otherwise modified. The department shall submit a report to  
13 the general assembly detailing its findings and recommendations  
14 by December 31, 2021.

15 Sec. \_\_\_\_\_. FUTURE REPEAL. This Act is repealed July 1,  
16 2022.>

17 2. By renumbering as necessary.

By NATE BOULTON

S-5122 FILED JUNE 10, 2020

LOST

HOUSE FILE 2365

S-5118

1 Amend House File 2365, as passed by the House, as follows:

2 1. Page 2, after line 6 by inserting:

3 <Sec. \_\_\_\_\_. Section 96.40, subsection 2, paragraph e, Code  
4 2020, is amended to read as follows:

5 e. The reduction in hours and corresponding reduction in  
6 wages must be applied equally to all employees in the affected  
7 unit for each week reported.

8 Sec. \_\_\_\_\_. Section 96.40, Code 2020, is amended by adding the  
9 following new subsection:

10 NEW SUBSECTION. 4A. An employer may file an appeal in  
11 writing of a denial or approval of a plan or revocation of an  
12 approved plan by the department within thirty days from the  
13 date of the decision.

14 Sec. \_\_\_\_\_. Section 96.40, subsection 9, paragraph b, Code  
15 2020, is amended to read as follows:

16 b. An employer may provide as part of the plan a training  
17 program the employees may attend during the hours that  
18 have been reduced. Such a training program may include a  
19 training program funded under the federal Workforce Investment  
20 Innovation and Opportunity Act, of 1998, Pub. L. No. 105-220  
21 113-128. If the employer is able to show that the training  
22 program will provide a substantive increase in the workplace  
23 and employability skills of the employee so as to reduce the  
24 potential for future periods of unemployment, the department  
25 shall relieve the employer of charges for benefits paid to the  
26 individual attending training under the plan. The employee  
27 may attend the training at the work site utilizing internal  
28 resources, provided the training is outside of the normal  
29 course of employment, or in conjunction with an educational  
30 institution.

31 Sec. \_\_\_\_\_. APPLICABILITY. The sections of this Act amending  
32 section 96.40 apply to all voluntary shared work plans approved  
33 by the department of workforce development on or after the  
34 effective date of this Act.>

35 2. Title page, line 3, after <benefits> by inserting <and

S-5118 (Continued)

1 the voluntary shared work program, and including applicability  
2 provisions>

By WAYLON BROWN

S-5118 FILED JUNE 10, 2020

ADOPTED

HOUSE FILE 2372

S-5132

1 Amend House File 2372, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. Page 1, before line 1 by inserting:

4 <Section 1. Section 321.189, Code 2020, is amended by adding  
5 the following new subsection:

6 NEW SUBSECTION. 10. *Autism spectrum disorder status.* A  
7 licensee who has an autism spectrum disorder, as defined in  
8 section 514C.28, may request that the license be marked to  
9 reflect the licensee's autism spectrum disorder status on  
10 the face of the license when the licensee applies for the  
11 issuance or renewal of a license. The department may adopt  
12 rules pursuant to chapter 17A establishing criteria under which  
13 a license may be marked, including requiring the licensee  
14 to submit medical proof of the licensee's autism spectrum  
15 disorder status. When a driver's license is so marked, the  
16 licensee's autism spectrum disorder status shall be noted  
17 in the electronic database used by the department and law  
18 enforcement to access registration, titling, and driver's  
19 license information. The department, in consultation with the  
20 mental health and disability services commission, shall develop  
21 educational media to raise awareness of a licensee's ability to  
22 request the license be marked to reflect the licensee's autism  
23 spectrum disorder status.

24 Sec. 2. Section 321.190, subsection 1, paragraph b, Code  
25 2020, is amended by adding the following new subparagraph:

26 NEW SUBPARAGRAPH. (6) An applicant for a nonoperator's  
27 identification card who has an autism spectrum disorder, as  
28 defined in section 514C.28, may request that the card be marked  
29 to reflect the applicant's autism spectrum disorder status  
30 on the face of the card when the applicant applies for the  
31 issuance or renewal of a card. The department may adopt rules  
32 pursuant to chapter 17A establishing criteria under which a  
33 card may be marked, including requiring the applicant to submit  
34 medical proof of the applicant's autism spectrum disorder  
35 status. The department, in consultation with the mental health

S-5132 (Continued)

1 and disability services commission, shall develop educational  
2 media to raise awareness of an applicant's ability to request  
3 the card be marked to reflect the applicant's autism spectrum  
4 disorder status.>

5 2. Title page, by striking lines 1 and 2 and inserting <An  
6 Act regarding driver's licenses, including the exemption of  
7 certain farmers and hired help operating a special truck from  
8 the requirement to be licensed as a chauffeur and the optional  
9 inclusion of a mark reflecting autism spectrum disorder status  
10 on a person's driver's license.>

11 3. By renumbering as necessary.

By DAN ZUMBACH

S-5132 FILED JUNE 10, 2020

HOUSE FILE 2418

S-5120

1 Amend House File 2418, as passed by the House, as follows:

2 1. Page 1, after line 13 by inserting:

3 <Sec. \_\_\_\_\_. Section 257.40, Code 2020, is amended to read as  
4 follows:

5 **257.40 Approval of requests for modified supplement amounts**  
6 **for adopted program plans.**

7 1. The board of directors of a school district requesting  
8 to use a modified supplemental amount for costs in excess of  
9 the funding received under section 257.11, subsection 4, for  
10 programs for at-risk students, secondary students who attend  
11 alternative programs and alternative schools, or returning  
12 dropouts and dropout prevention shall submit requests for a  
13 modified supplemental amount, including budget costs, to the  
14 school budget review committee not later than January 15 of the  
15 budget year preceding the budget year during which the program  
16 will be offered. The school budget review committee shall  
17 review the request and shall grant approval for the request if  
18 the amount requested does not exceed an amount equal to the  
19 limitation of section 257.41, subsection 3, minus any funds for  
20 the adopted program carried forward from the year prior to the  
21 base year. The board of directors shall certify by resolution  
22 that the request complies with the school district's adopted  
23 program plan. If the amount requested exceeds an amount equal  
24 to the limitation of section 257.41, subsection 3, minus any  
25 funds for the adopted program carried forward from the year  
26 prior to the base year, the amount approved by the school  
27 budget review committee shall equal the limitation amount  
28 minus any funds for the adopted program carried forward from  
29 the year prior to the base year. Not later than March 15, the  
30 school budget review committee shall notify the department  
31 of management of the names of the school districts for which  
32 programs using a modified supplemental amount for funding have  
33 been approved and the approved budget of each program listed  
34 separately for each school district having an approved request.  
35 If requested, the board of directors shall provide the adopted

S-5120 (Continued)

1 program plan for any audit performed under chapter 11 or other  
2 provision of law.

3 2. If a school district submits a request after January 15  
4 but before March 1 of the budget year preceding the budget year  
5 during which the program will be offered, the school budget  
6 review committee may grant the modified supplemental amount  
7 request based on the specifications under subsection 1.>

8 2. Page 1, after line 27 by inserting:

9 <Sec. \_\_\_\_ . EFFECTIVE DATE. This Act, being deemed of  
10 immediate importance, takes effect upon enactment.

11 Sec. \_\_\_\_ . RETROACTIVE APPLICABILITY. The following applies  
12 retroactively to January 1, 2020, for requests for modified  
13 supplemental amounts filed on or after that date:

14 The section of this Act amending section 257.40.>

15 3. Title page, line 3, by striking <examiners> and inserting  
16 <examiners, certain requests made to the school budget review  
17 committee, and including effective date and retroactive  
18 applicability provisions>

19 4. By renumbering as necessary.

By JEFF EDLER

S-5120 FILED JUNE 10, 2020

ADOPTED

HOUSE FILE 2443

S-5121

1 Amend House File 2443, as passed by the House, as follows:

2 1. Page 1, by striking lines 1 through 14 and inserting:

3 <Sec. \_\_\_\_\_. Section 261E.3, subsection 1, paragraph e, Code  
4 2020, is amended to read as follows:

5 e. (1) The student, except as otherwise provided in this  
6 paragraph "e", shall have demonstrated proficiency in reading,  
7 mathematics, and science as evidenced by achievement any of the  
8 following:

9 (a) Achievement scores on the latest administration of the  
10 state assessment for which scores are available and as defined  
11 by the department. ~~However, a~~

12 (b) If the student is receiving competent private  
13 instruction under chapter 299A, may demonstrate proficiency  
14 by submitting the written recommendation of the licensed  
15 practitioner providing supervision to the student in accordance  
16 with section 299A.2+. Such student may also demonstrate  
17 proficiency as evidenced by achievement scores on the annual  
18 achievement evaluation required under section 299A.4; or may  
19 demonstrate proficiency as evidenced by a selection index,  
20 which is the sum of the critical reading, mathematics, and  
21 writing skills assessments, of at least one hundred forty-one  
22 on the preliminary scholastic aptitude test administered by  
23 the college board; a composite score of at least twenty-one on  
24 the college readiness assessment administered by ACT, inc.;  
25 or a sum of the critical reading and mathematics scores of at  
26 least nine hundred ninety on the college readiness assessment  
27 administered by the college board.

28 (2) (a) If a student is not proficient in one or more of  
29 the content areas listed in this paragraph, has not taken the  
30 college readiness assessments identified in this paragraph,  
31 or has not achieved the scores specified in this paragraph,  
32 the subparagraph (1), the student may demonstrate proficiency  
33 through measures of college readiness jointly agreed upon by  
34 the school board and the eligible postsecondary institution.

35 (b) The school board may establish alternative but

S-5121 (Continued)

1 equivalent qualifying performance measures including but not  
2 limited to additional administrations of the state assessment,  
3 portfolios of student work, student performance rubric, or  
4 end-of-course assessments.>

5 2. Page 1, after line 16 by inserting:

6 <Sec. \_\_\_\_\_. APPLICABILITY. Notwithstanding section 261E.3,  
7 subsection 1, paragraph "e", subparagraph (1), subparagraph  
8 division (a), as enacted by this Act, for the school year  
9 beginning July 1, 2020, the achievement scores from the state  
10 assessment administered during the school year beginning July  
11 1, 2018, shall be considered the latest available scores.>

12 3. Title page, line 1, by striking <and assessments>

13 4. Title page, line 3, after <date> by inserting <and  
14 applicability>

15 5. By renumbering as necessary.

By AMY SINCLAIR

S-5121 FILED JUNE 10, 2020

ADOPTED

HOUSE FILE 2455

S-5119

1 Amend House File 2455, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. Page 1, by striking lines 5 through 8 and inserting <a  
4 dog to track and retrieve the wounded deer. Any person using a  
5 dog for tracking wounded deer>

By CHRIS COURNOYER

S-5119 FILED JUNE 10, 2020

WITHDRAWN

HOUSE FILE 2486

S-5123

1 Amend the amendment, S-5117, to House File 2486, as passed by  
2 the House, as follows:

3 1. Page 16, after line 16 by inserting:

4 <Sec. \_\_\_\_\_. Section 47.7, Code 2020, is amended by adding the  
5 following new subsection:

6 NEW SUBSECTION. 3. The state registrar of voters shall use  
7 information from the electronic registration information center  
8 to update information in the statewide voter registration  
9 system, including but not limited to the following reports:

- 10 a. In-state duplicates.
- 11 b. In-state updates.
- 12 c. Cross-state matches.
- 13 d. Deceased.
- 14 e. Eligible but unregistered.
- 15 f. National change of address.

16 Sec. \_\_\_\_\_. Section 48A.10A, subsection 1, Code 2020, is  
17 amended to read as follows:

18 1. The state registrar shall compare lists of persons who  
19 are registered to vote with the department of transportation's  
20 driver's license and nonoperator's identification card files  
21 and shall, on an initial basis, issue a voter identification  
22 card to each active, registered voter whose name does not  
23 appear in the department of transportation's files or upon the  
24 request of the registered voter. The voter identification  
25 card shall include the name of the registered voter, a  
26 signature line above which the registered voter shall  
27 sign the voter identification card, the registered voter's  
28 identification number assigned to the voter pursuant to section  
29 47.7, subsection 2, and an additional four-digit personal  
30 identification number assigned by the state commissioner.>

31 2. Page 22, after line 4 by inserting:

32 <Sec. \_\_\_\_\_. Section 68A.406, subsection 1, paragraph f, Code  
33 2020, is amended to read as follows:

34 f. Property Notwithstanding paragraphs "d" and "e",  
35 property leased by a candidate, committee, or an organization

S-5123 (Continued)

1 established to advocate the nomination, election, or defeat of  
2 a candidate or the passage or defeat of a ballot issue that  
3 has not yet registered pursuant to section 68A.201, when ~~the~~  
4 ~~property is used as campaign headquarters or a campaign office~~  
5 ~~and~~ the placement of the sign is limited to the space that is  
6 actually leased.>

7 3. By striking page 25, line 19, through page 30, line 17.

8 4. By renumbering as necessary.

By ROBY SMITH

S-5123 FILED JUNE 10, 2020

ADOPTED

HOUSE FILE 2486

S-5124

1 Amend the amendment, S-5117, to House File 2486, as passed by  
2 the House, as follows:

3 1. By striking page 1, line 4, through page 30, line 33, and  
4 inserting:

5 Sec. \_\_\_\_\_. Section 53.18, subsections 2 and 3, Code 2020, are  
6 amended to read as follows:

7 2. a. If the commissioner receives the return envelope  
8 containing the completed absentee ballot by 5:00 p.m. on the  
9 Saturday before the election for general elections and by 5:00  
10 p.m. on the Friday before the election for all other elections,  
11 the commissioner shall review the affidavit marked on the  
12 return envelope, if applicable, for completeness or shall open  
13 the return envelope to review the affidavit for completeness.  
14 ~~If the affidavit is incomplete, the commissioner shall, within~~  
15 ~~twenty-four hours of the time the envelope was received, notify~~  
16 ~~the voter of that fact and that the voter may complete the~~  
17 ~~affidavit in person at the office of the commissioner by 5:00~~  
18 ~~p.m. on the day before the election, vote a replacement ballot~~  
19 ~~in the manner and within the time period provided in subsection~~  
20 ~~3, or appear at the voter's precinct polling place on election~~  
21 ~~day and cast a ballot in accordance with section 53.19,~~  
22 subsection 3. If the affidavit lacks the signature of the  
23 registered voter, the commissioner shall, within twenty-four  
24 hours of the receipt of the envelope, notify the voter of the  
25 deficiency and inform the voter that the voter may vote a  
26 replacement ballot as provided in subsection 3, cast a ballot  
27 as provided in section 53.19, subsection 3, or complete the  
28 affidavit in person at the office of the commissioner not later  
29 than noon on the Monday following the election, or if the law  
30 authorizing the election specifies that the votes be canvassed  
31 earlier than the Monday following the election, before the  
32 canvass of the election.

33 b. If the commissioner receives the return envelope  
34 containing the completed absentee ballot after the deadline  
35 in paragraph "a", the commissioner shall submit the affidavit

1 to the absentee and special voters precinct board for review.  
2 If the absentee and special voters precinct determines that  
3 the affidavit is incomplete, the commissioner shall, within  
4 twenty-four hours of the determination, notify the voter. If  
5 the affidavit lacks the signature of the registered voter, the  
6 commissioner shall notify the voter that the voter may complete  
7 the affidavit in person at the office of the commissioner  
8 not later than noon on the Monday following the election, or  
9 if the law authorizing the election specifies that the votes  
10 be canvassed earlier than the Monday following the election,  
11 before the canvass of the election.

12 3. If the affidavit envelope or the return envelope marked  
13 with the affidavit contains a defect that would cause the  
14 absentee ballot to be rejected by the absentee and special  
15 voters precinct board, the commissioner shall immediately  
16 notify the voter of that fact and that the voter's absentee  
17 ballot shall not be counted unless the voter requests and  
18 returns a replacement ballot in the time permitted under  
19 section 53.17, subsection 2. ~~For the purposes of this section,~~  
20 ~~a return envelope marked with the affidavit shall be considered~~  
21 ~~to contain a defect if it appears to the commissioner that~~  
22 ~~the signature on the envelope has been signed by someone~~  
23 ~~other than the registered voter, in comparing the signature~~  
24 ~~on the envelope to the signature on record of the registered~~  
25 ~~voter named on the envelope. A signature or marking made~~  
26 ~~in accordance with section 39.3, subsection 17, shall not~~  
27 ~~be considered a defect for purposes of this section. The~~  
28 voter may request a replacement ballot in person, in writing,  
29 or over the telephone. The same serial number that was  
30 assigned to the records of the original absentee ballot  
31 application shall be used on the envelope and records of the  
32 replacement ballot. The envelope marked with the affidavit and  
33 containing the completed replacement ballot shall be marked  
34 "Replacement ballot". The envelope marked with the affidavit  
35 and containing the original ballot shall be marked "Defective"

1 and the replacement ballot shall be attached to such envelope  
2 containing the original ballot and shall be stored in a secure  
3 place until they are delivered to the absentee and special  
4 voters precinct board, notwithstanding sections 53.26 and  
5 53.27.

6 Sec. \_\_\_\_\_. Section 53.18, Code 2020, is amended by adding the  
7 following new subsection:

8 NEW SUBSECTION. 04. For the purposes of this section, a  
9 return envelope marked with the affidavit shall be considered  
10 incomplete if the affidavit lacks the registered voter's  
11 signature. A signature or marking made in accordance with  
12 section 39.3, subsection 17, shall not cause an affidavit to be  
13 considered incomplete.

14 Sec. \_\_\_\_\_. Section 53.22, subsection 3, Code 2020, is amended  
15 to read as follows:

16 3. Any registered voter who becomes a patient, tenant, or  
17 resident of a hospital, assisted living program, or health care  
18 facility in the county where the voter is registered to vote  
19 ~~within three days prior to the date of any election~~ after the  
20 deadline to make a written application for an absentee ballot  
21 as provided in section 53.2 or on election day may request an  
22 absentee ballot during that period or on election day. As an  
23 alternative to the application procedure prescribed by section  
24 53.2, the registered voter may make the request directly to  
25 the officers who are delivering and returning absentee ballots  
26 under this section. Alternatively, the request may be made by  
27 telephone to the office of the commissioner not later than four  
28 hours before the close of the polls. If the requester is found  
29 to be a registered voter of that county, these officers shall  
30 deliver the appropriate absentee ballot to the registered voter  
31 in the manner prescribed by this section.

32 Sec. \_\_\_\_\_. Section 53.22, subsection 6, paragraph a, Code  
33 2020, is amended to read as follows:

34 a. If the registered voter becomes a patient, tenant, or  
35 resident of a hospital, assisted living program, or health

1 care facility outside the county where the voter is registered  
2 to vote ~~within three days before the date of any election~~  
3 after the deadline to make a written application for an  
4 absentee ballot as provided in section 53.2 or on election  
5 day, the voter may designate a person to deliver and return  
6 the absentee ballot. The designee may be any person the voter  
7 chooses except that no candidate for any office to be voted  
8 upon for the election for which the ballot is requested may  
9 deliver a ballot under this subsection. The request for an  
10 absentee ballot may be made by telephone to the office of the  
11 commissioner not later than four hours before the close of the  
12 polls. If the requester is found to be a registered voter of  
13 that county, the ballot shall be delivered by mail or by the  
14 person designated by the voter. An application form shall be  
15 included with the absentee ballot and shall be signed by the  
16 voter and returned with the ballot.

17 Sec. \_\_\_\_\_. Section 331.552, subsection 4, Code 2020, is  
18 amended to read as follows:

19 4. a. Keep the official county seal provided by the county.  
20 The official seal shall be an impression seal on the face of  
21 which shall appear the name of the county, the word "county"  
22 which may be abbreviated, ~~the word "treasurer" which may be~~  
23 ~~abbreviated,~~ and the word "Iowa". A county shall have only one  
24 official county seal.

25 b. Notwithstanding paragraph "a", the county commissioner  
26 of elections may use a facsimile of the official county seal  
27 or a modified facsimile of the official county seal for the  
28 purposes of election duties set forth in sections 43.36 and  
29 49.51, and section 49.57, subsection 6. If modified, the  
30 county seal shall contain the name of the county, the word  
31 "county", which may be abbreviated, the word "auditor", which  
32 may be abbreviated, and the word "Iowa".>

33 2. Title page, by striking line 1 and inserting <An Act  
34 relating to the conduct of elections, including the use  
35 of absentee ballots and the placement of a county seal on

S-5124 (Continued)

1 materials related to elections.>

2 3. By renumbering, redesignating, and correcting internal  
3 references as necessary.>

4 2. By renumbering as necessary.

By PAM JOCHUM

S-5124 FILED JUNE 10, 2020

LOST



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[SF 2097](#) – Indecent Exposure (LSB5318SV)  
Staff Contact: Christin Mechler (515.250.0458) [christin.mechler@legis.iowa.gov](mailto:christin.mechler@legis.iowa.gov)  
Fiscal Note Version – As amended by [S-5087](#)

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**Description**

[Senate File 2097](#) as amended by the House, 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 masturbation, which is defined as the physical stimulation of a person’s own genitals or pubic area for the purpose of sexual gratification or arousal of the person, regardless of whether the genitals or pubic area is exposed or covered. The Bill specifies that indecent exposure includes an act in which a person exposes the person’s genitals or pubic area to another individual who is not the person’s spouse, or commits a sex act in the presence of or view of a third person, if all of the following apply:

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

The Bill provides that a person who masturbates in public in the presence of another person, not a child, commits a serious misdemeanor.

The Bill further provides that a person who masturbates in public in the presence of a child commits an aggravated 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. An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least \$625, but no more than \$6,250.

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 2097, as amended by the House, cannot be determined. The Bill establishes new criminal offenses by amending the definition of indecent exposure, and the number of convictions cannot be estimated. It is likely that SF 2097 will increase the number of persons entering into community-based corrections as a result of these new offenses, 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 2097 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 2097, as amended by the House, cannot be determined. The Bill expands the definition of indecent exposure and creates two new criminal offenses related to masturbation. 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**

<b>Offense</b>	<b>Cost Increase</b>	
	<b>Minimum</b>	<b>Maximum</b>
Serious Misdemeanor	\$ 410	\$ 4,900
Aggravated Misdemeanor	\$ 5,600	\$ 8,000

In FY 2019, the cost of admission to community-based corrections of one additional offender for a violation of Iowa Code section [709.9](#) totaled approximately \$4,263 annually. This cost was based on an assumed daily cost of \$9.80 per day for an individual under sex offender intensive supervision for an average length of stay of 435 days.

**Sources**

Criminal and Juvenile Justice Planning Division, Department of Human Rights  
Department of Corrections  
U.S. Census Bureau

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/s/ Holly M. Lyons

June 9, 2020

Doc ID 11372121137212

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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 2225](#) – Theft, Third Degree (LSB5074SV)  
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Fiscal Note Version – As amended by [S-5077](#) and passed by the House

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**Description**

[Senate File 2225](#) as amended and passed by the House, increases the dollar limit from \$500 to \$750 for third degree theft of any property by a person who has previously been convicted of theft.

**Background**

Under current law, theft in the third degree is defined as the theft of property that is more than \$750 but not more than \$1,500, or the theft of any property not more than \$500 by a person who has previously been twice convicted of theft. Theft in the third degree is an aggravated misdemeanor punishable by confinement for no more than two years and a fine of at least \$625 but not more than \$6,250.

Theft in the fourth degree is defined as the theft of property exceeding \$300 but not exceeding \$750 in value. Theft in the fourth degree is a serious misdemeanor punishable by confinement for no more than one year and a fine of at least \$315 but not more than \$1,875.

**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.

**Correctional Impact**

Senate File 2225 as amended by the House, will likely increase the number of third degree theft convictions, prison admissions, probationers, and jail stays, and reduce the number of fourth degree theft convictions. The full impact cannot be estimated due to a lack of data describing the dollar value of current theft convictions. In FY 2019, there were 670 convictions of third degree theft, 214 admissions to prison, 342 admissions to probation, and 456 admissions to jail. There were 1,180 convictions for fourth degree theft in FY 2019.

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**

Currently, African Americans represent 3.6% of the adult population in Iowa. In FY 2019, African Americans represented 20.8% of convictions for third degree theft and 17.5% of convictions of fourth degree theft. According to the Criminal and Juvenile Justice Planning Division (CJJP) of the Department of Human Rights, these rates exceed the population

proportion of the State and would lead to a racial impact if they remain consistent. Due to the low numbers of members of other minority categories convicted of theft, 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.

**Fiscal Impact**

The fiscal impact of SF 2225 as amended by the House, to the Justice System is unknown due to a lack of data describing the dollar value of current theft convictions and the potential increase in third degree theft convictions.

The average State cost for a serious misdemeanor ranges from \$410 to \$4,900, and the cost for an aggravated misdemeanor ranges from \$5,600 to \$8,000. As a result, the potential cost increase may range from \$3,100 to \$5,190 per offense. This estimate includes operating costs incurred by the Judicial Branch, the State Public Defender, and the Department of Corrections for one conviction. The cost would be incurred across multiple fiscal years for prison and parole supervision.

**Sources**

Criminal and Juvenile Justice Planning Division, Department of Human Rights  
Department of Corrections

/s/ Holly M. Lyons

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Doc ID 113330333303

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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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[HF 2629](#) – Future Ready Iowa (LSB5595HZ.1)  
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Fiscal Note Version – As amended and passed by the House

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**Description**

[House File 2629](#) adds to and modifies the Iowa Code provisions enacted by [2018 Iowa Acts, chapter 1067](#) (Future Ready Iowa Act), and other efforts to strengthen Iowa’s workforce, including a Child Care Challenge Program, computer science instruction, work-based learning coordinators, and a Senior Year Plus Program. This Bill is organized by divisions. The Bill may contain a State mandate, as defined in Iowa Code section [25B.2\(3\)](#).

**DIVISION I — Future Ready Iowa Apprenticeship Training Programs.**

Subject to an appropriation of funds, Division I creates an Expanded Registered Apprenticeship Opportunities Program that is similar to the existing [Registered Apprenticeship Development Program](#). The purpose of the new Program is to provide financial assistance to encourage sponsors of apprenticeship programs with 20 or fewer apprentices to maintain apprenticeship programs in [high-demand occupations](#).

**DIVISION II — Iowa Child Care Challenge Fund.**

Division II establishes an Iowa Child Care Challenge Program under the Iowa Department of Workforce Development (IWD) and creates an Iowa Child Care Challenge Fund under the control of the IWD. The IWD must administer the Program in consultation with the Workforce Development Board. The purpose of the Program is to encourage and enable businesses, nonprofit organizations, and consortiums to establish local child care facilities and increase the availability of quality, affordable child care for working Iowans. A portion of the moneys deposited in the [Iowa Employer Innovation Fund](#) created in Iowa Code section [84A.13](#), in an amount determined annually by the IWD in consultation with the Workforce Development Board, must be transferred annually to the Iowa Child Care Challenge Fund.

**DIVISION III — Computer Science Instruction — Educational Standards.**

Division III relates to computer science instruction in kindergarten through grade 12, amending Iowa Code provisions establishing the minimum educational standards and establishing or modifying computer science instruction-related responsibilities of the Department of Education (DE), school districts, and accredited nonpublic schools. Commencing with the 2022-2023 school year, accredited schools must offer and teach computer science instruction that incorporates the computer science education standards adopted by the State Board of Education in at least one grade at the elementary level and at the middle school level. In grades 9-12, commencing with the 2022-2023 school year, one-half unit of computer science

that incorporates the computer science education standards adopted by the State Board must be offered and taught; however, the one-half unit may be offered and taught online.

Each school district and accredited nonpublic school must develop and implement a K-12 computer science plan by July 1, 2022. The DE is required to develop and implement a statewide K-12 computer science instruction plan by July 1, 2022. The DE is required to convene a computer science work group to develop recommendations to strengthen computer science instruction and for the development and implementation of a statewide campaign to promote computer science to K-12 students and to the parents and legal guardians of students. The work group is required to submit its findings to the General Assembly by July 1, 2021.

[House File 2629](#) may include a State mandate as defined in Iowa Code section [25B.3](#) and requires that any State mandate in the Bill be paid by a school district from the State Foundation Aid appropriation.

#### DIVISION IV — Supplementary Weighting — Shared Operational Functions.

A work-based learning (WBL) coordinator is added to the list of eligible operational functions and positions eligible for a supplementary weighting beginning FY 2021 through FY 2025. The WBL coordinator will have a supplementary weighting of 3.0 students. For more information on operational function sharing, see [Operational Function Sharing Guidance](#).

#### DIVISION V — Future Ready Iowa Skilled Workforce Last-Dollar Scholarship Program.

Division V directs the State Board of Education to adopt administrative rules establishing a process by which the DE must approve structured educational and training programs that include authentic worksite training for purposes of participating community colleges, then expands the definition of “eligible student” under the Future Ready Iowa Skilled Workforce Last-Dollar Scholarship Program administered by the Iowa College Student Aid Commission.

#### DIVISION VI — Senior Year Plus Program and Postsecondary Enrollment Options.

Division VI amends provisions under the Senior Year Plus Program by eliminating references and provisions relating to full-time and part-time enrollment.

### **Background**

#### DIVISION III — Computer Science Instruction — Educational Standards.

In 2017, [SF 274](#) (Computer Science Education Act) was enacted to expand computer science opportunities for students statewide. Included in the legislation was the establishment of the Computer Science Professional Development Incentive Fund and a Computer Science Education Work Group. The Fund was established to provide for various forms of professional development relating to computer science and has received an annual appropriation of \$500,000. The Work Group issued its [recommendations](#) in 2017 on how to expand and strengthen computer science education in the State.

The Department of Education recently issued the Computer Science Education in Iowa [report](#), which details the implementation of computer science instruction in school districts and district needs to support computer science education. It is estimated that 51.0% of elementary schools, 39.0% of middle schools, and 38.0% of high schools will need to either incorporate computer science instruction with current staff or add additional teachers to teach computer science to meet the requirements of this Bill.

A settlement of a Microsoft class-action lawsuit will provide \$4.0 million to be used for school districts to support Division IV of the Bill. The funds will be used for supporting computer

science professional learning and training for teachers, virtual computer science curriculum for Iowa schools, and computer science curriculum for schools.

#### DIVISION VI — Senior Year Plus Program and Postsecondary Enrollment Options.

The Senior Year Plus Program offers a variety of options for eligible students, including concurrent enrollment and Postsecondary Enrollment Options (PSEO). A review of concurrent enrollment credits by the Department of Education completed during the 2018-2019 school year showed 819 students (1.8% of total enrollees) enrolled in 24 credit hours or more of coursework. One hundred seventeen districts (38.7%) enrolled at least one student in concurrent enrollment courses where credits associated with those courses met the definition of full-time enrollment (24 credits or more). The additional concurrent enrollment credit hours are already funded by supplementary weighting for an estimated total of \$240,000 in State aid from the General Fund.

PSEO enrollment has been declining in the last several years. During the 2018-2019 school year, total PSEO enrollment was 1,014 students, down from 5,916 students in the 2010-2011 school year.

#### **Assumptions**

DIVISION III — Computer Science Instruction — Educational Standards. It is unknown how many school districts will choose to hire additional computer science instruction staff.

DIVISION IV — Supplementary Weighting — Shared Operational Functions.

- Based on supplementary weighting data for FY 2021, there are 226 school districts eligible for full or partial weightings for WBL coordinators.
- It is assumed 20.0% of the eligible districts will share a WBL coordinator with another district, with an area education agency, or under a [28E](#) agreement with a local authority.
- Funding for WBL coordinators will begin in FY 2022 based on school year 2020-2021 data.
- Under current law, the State cost per pupil for FY 2022 and all future years is \$7,048.

DIVISION VI — Senior Year Plus Program and Postsecondary Enrollment Options.

- Based on an analysis by the DE of concurrent enrollment credits completed for school year 2018-2019, there may be an additional 143 students who exceed 23 credit hours during the 2020-2021 school year.
- The fiscal estimates assume each student's total credit hours will increase by 4.1 credits.
- The average cost per credit is estimated to be \$71.
- Under current law, the State cost per pupil for FY 2022 and all future years is \$7,048.
- PSEO costs will remain at \$250 per course.
- PSEO enrollment over the 23-hour credit limit may increase; however, the impact is expected to be minimal.

#### **Fiscal Impact**

The estimated fiscal impact of [HF 2629](#), by division, is as follows:

**Division I** relates to an Expanded Registered Apprenticeship Opportunities Program and is subject to an appropriation of funds. Division I of the Bill does not have a fiscal impact because this Bill does not provide an appropriation.

**Division II** relates to the establishment of an Iowa Child Care Challenge Program and Fund. The Division will have a fiscal impact that cannot be determined because this Division

authorizes the IWD to utilize a current appropriation for the new Program, and the impact on current education and training efforts supported by the Iowa Employer Innovation Fund cannot be determined because this Division does not specify the amount of the current appropriation that will be used for the new Program. Administration costs incurred by the IWD would be minimal and absorbed within the existing budget for the IWD.

**Division III** relates to computer science instruction. Division III will have minimal fiscal impact to the DE. However, the fiscal impact to school districts and accredited nonpublic schools cannot be determined. It is unknown how many school districts will choose to hire additional staff to meet the requirements of this Bill. School districts may choose to use current staff or incorporate computer science into current instruction or use an online course offering. School districts may have costs for additional staff, training and professional development of current staff, and curriculum. Some of that cost may be offset by the \$4.0 million Microsoft class-action lawsuit proceeds or by funds in the Computer Science Professional Development Incentive Fund.

**Division IV** of the Bill is expected to increase State school aid from the General Fund by an estimated \$907,000 and increase property taxes by \$108,000 each year beginning in FY 2022 and ending in FY 2026.

**Division V** relates to the Future Ready Iowa Skilled Workforce Last-Dollar Scholarship Program. The Division will result in one-time and ongoing costs to the Iowa College Student Aid Commission in FY 2021 totaling an estimated \$32,000. The ongoing costs will total between \$5,000 and \$6,000 in subsequent years. These costs will be funded from the Commission's Strategic Reserve Fund, also known as the Operating Fund. The cost of awards under the Program is capped by an annual General Fund appropriation.

**Division VI** is expected to increase State school aid from the General Fund by an estimated \$42,000 beginning in FY 2022. Any increase in PSEO enrollments may increase individual school districts' costs; however, due to the recent decline in PSEO courses, the fiscal impact is expected to be minimal.

### **Sources**

Iowa Department of Workforce Development  
Iowa Department of Education  
Iowa College Student Aid Commission  
Iowa Economic Development Authority

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/s/ Holly M. Lyons

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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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