

**EIGHTY-NINTH GENERAL ASSEMBLY
2021 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

March 23, 2021

Clip Sheet Summary

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

Bill	Amendment	Action	Sponsor
SF 514	S-3086	Adopted	JASON SCHULTZ
SF 525	S-3089	Filed	JEFF EDLER
SF 535	S-3087	Adopted	JASON SCHULTZ
SF 569	S-3090	Adopted	JEFF REICHMAN
SF 578	S-3088	Adopted	ANNETTE SWEENEY
HF 756	S-3092	Lost	ZACH WAHLS
HF 761	S-3091	Adopted	JEFF REICHMAN

Fiscal Notes

[SF 561](#) — [Cold Case Unit](#) (LSB1946SV)

[SF 579](#) — [Model Business Corporations Act](#) (LSB1234SZ)

[HF 626](#) — [Property Tax Abatement for Home Improvements](#) (LSB1168HV)

[HF 756](#) — [Firearms Omnibus](#) (LSB1852HV.1)

SENATE FILE 514

S-3086

1 Amend Senate File 514 as follows:

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

4 <Section 1. NEW SECTION. 683.1 Prohibition of certain
5 actions resulting from the criminal or unlawful use of a firearm,
6 firearm accessory, or ammunition by a third party — definitions.

7 1. As used in this chapter, unless the context otherwise
8 requires:

9 a. "*Ammunition*" means any projectile capable of being
10 expelled or propelled from any firearm by the action of
11 a propellant, any cartridge or shotshell designed for the
12 purpose of expelling such a projectile from a firearm, and any
13 component parts thereof.

14 b. "*Firearm*" means any weapon that is capable of expelling,
15 designed to expel, or that may readily be converted to expel
16 ammunition.

17 2. A person shall not bring or maintain an action against
18 a firearm, firearm accessory, or ammunition manufacturer,
19 importer, distributor, trade association, seller, or dealer for
20 any of the following:

21 a. Recovery of damages resulting from, or injunctive
22 relief or abatement of a nuisance, statutory or in common law,
23 relating to the lawful design, manufacture, marketing, or sale
24 of a firearm, firearm accessory, or ammunition.

25 b. Recovery of damages resulting from the criminal or
26 unlawful use of a firearm, firearm accessory, or ammunition by
27 a third party. All defenses provided for in section 668.12
28 shall apply to actions under this section.

29 Sec. 2. NEW SECTION. 683.2 Fees and costs awarded for
30 prohibited actions.

31 If a court finds that a party has brought an action under a
32 theory of recovery described in section 683.1, subsection 2,
33 the finding constitutes conclusive evidence that the action is
34 groundless, and the court shall dismiss the claim or action and
35 award to the defendant any reasonable attorney fee and costs

1 incurred in defending the claim or action.

2 Sec. 3. NEW SECTION. 683.3 Allowable actions.

3 This chapter shall not be construed to prohibit a person from
4 bringing or maintaining an action against a firearm, firearm
5 accessory, or ammunition manufacturer, importer, distributor,
6 trade association, seller, or dealer for recovery of damages
7 for any of the following:

8 1. Breach of contract or warranty concerning firearms,
9 firearms accessories, or ammunition purchased by a person.

10 2. Damage or harm to a person or to property owned or leased
11 by a person caused by a defective firearm, firearm accessory,
12 or ammunition.

13 3. Injunctive relief to enforce a valid statute, rule, or
14 ordinance. However, a person shall not bring an action seeking
15 injunctive relief if that action is barred under section 683.1,
16 subsection 2.>

17 2. Title page, by striking lines 1 through 3 and inserting
18 <An Act establishing which actions may be brought against
19 firearm, firearm accessory, and ammunition manufacturers,
20 distributors, importers, trade associations, sellers, or
21 dealers.>

By JASON SCHULTZ

S-3086 FILED MARCH 22, 2021

ADOPTED

SENATE FILE 525

S-3089

1 Amend Senate File 525 as follows:

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

3 <Section 1. Section 232.2, subsection 39, Code 2021, is
4 amended to read as follows:

5 39. "*Parent*" means a biological or adoptive mother or father
6 of a child; or a father whose paternity has been established
7 by operation of law due to the individual's marriage to the
8 mother at the time of conception, birth, or at any time during
9 the period between conception and birth of the child, by order
10 of a court of competent jurisdiction, or by administrative
11 order when authorized by state law. "*Parent*" does not include a
12 mother or father whose parental rights have been terminated or
13 a father whose paternity has been disestablished pursuant to
14 section 232.96A or 600B.41A.>

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

16 <c. If a court makes a finding that no relative listed in
17 paragraph "a" would be appropriate for placement of the child,
18 the court shall order placement of the child with a person with
19 whom the child had a significant, positive relationship at the
20 time of the removal.

21 d. If a court finds there is no person with whom the child
22 had a significant, positive relationship at the time of the
23 removal with whom placement of the child would be appropriate,
24 then the court shall order placement of the child in a manner
25 that the court believes is in the child's best interests.>

26 3. By striking page 1, line 26, through page 2, line 14, and
27 inserting:

28 <Sec. _____. NEW SECTION. 232.96A Disestablishment of
29 paternity — child in need of assistance proceedings.

30 1. For the purposes of this section:

31 a. "*Disestablished father*" means a person whose paternity of
32 a child has been disestablished pursuant to this section.

33 b. "*Established father*" means a person whose paternity of a
34 child has been legally established by operation of law due to
35 the person's marriage to the mother at the time of conception,

1 birth, or at any time during the period between conception
2 and birth of the child, by order of a court of competent
3 jurisdiction, or by administrative order.

4 2. Upon a motion filed by a child subject to a child in
5 need of assistance proceeding, the mother of the child, the
6 established father of the child, or the legal representative
7 of any of these persons, a court with jurisdiction over the
8 child in need of assistance proceeding shall enter an order
9 disestablishing the established father's paternity of the child
10 if all of the following conditions are met:

11 a. The child has been adjudicated as a child in need of
12 assistance in an active juvenile court case.

13 b. A guardian ad litem has been appointed for the child.

14 c. If paternity was established pursuant to section 252A.3A,
15 the motion asserts the signed affidavit was based on fraud,
16 duress, or material mistake of fact.

17 d. Notice of the motion is served on both legally
18 established parents of the child in accordance with the rules
19 of civil procedure.

20 e. If enforcement services are being provided by the child
21 support recovery unit pursuant to chapter 252B, notice of
22 the motion is served on the child support recovery unit in
23 accordance with the rules of civil procedure.

24 f. The results of a blood or genetic test is on record in
25 the child in need of assistance proceeding and concludes that
26 the established father is not the child's biological father.

27 3. An order disestablishing paternity under subsection
28 2 shall include all of the provisions provided in section
29 600B.41A, subsection 4.

30 4. Upon entry of an order disestablishing paternity under
31 subsection 2, the clerk of the juvenile court shall send a copy
32 of the order to the disestablished father at the disestablished
33 father's last known address and to the clerk of the district
34 court.

35 5. Upon request by the child support recovery unit or a

1 disestablished father and without the need for a prior court
2 order, the clerk of the juvenile court shall disclose to the
3 child support recovery unit a copy of an order entered under
4 subsection 2.

5 6. All costs of testing, fees for a child's guardian ad
6 litem, and court costs related to disestablishing paternity
7 shall be paid by the person moving to disestablish paternity
8 pursuant to subsection 2.

9 7. Participation of the child support recovery unit created
10 in section 252B.2 in an action brought under this section shall
11 be limited as follows:

12 a. The unit shall only participate in actions if services
13 are being provided by the unit pursuant to chapter 252B.

14 b. When services are being provided by the unit under
15 chapter 252B, the unit may enter an administrative order for
16 blood and genetic tests pursuant to chapter 252F.

17 c. The unit is not responsible for or required to provide
18 for or assist in obtaining blood or genetic tests in any case
19 in which services are not being provided by the unit.

20 d. The unit is not responsible for the costs of blood or
21 genetic testing conducted pursuant to an action brought under
22 this section.

23 e. Pursuant to section 252B.7, subsection 4, an attorney
24 employed by the unit represents the state in any action
25 under this section. The unit's attorney is not the legal
26 representative of the mother, the established father, or the
27 child in a child in need of assistance proceeding under this
28 subchapter.

29 Sec. ____ . NEW SECTION. 232.121 Reinstatement of parental
30 rights.

31 1. A child, the child's guardian ad litem, the department,
32 or an agency or person to whom guardianship and custody of the
33 child has been transferred following termination of parental
34 rights of a parent under section 232.117, may petition the
35 juvenile court to reinstate the parental rights of the child's

1 former parent if all of the following circumstances exist,
2 making the child an eligible child for purposes of this
3 section:

4 *a.* The child was previously found to be a child in need of
5 assistance under this chapter.

6 *b.* The child has not achieved the goals of the child's case
7 permanency plan, and is not likely to do so.

8 *c.* The child does not have a permanent placement or a
9 planned permanent placement, is not subject to a permanent
10 guardianship, is not in an adoptive placement, is not likely
11 to be adopted within a reasonable period of time, and other
12 permanency options have been exhausted.

13 *d.* The child's former parent's parental rights were
14 terminated in a proceeding under this chapter, but the
15 termination of the parent-child relationship was not based on a
16 finding of sexual abuse, a near child fatality, a suspicious
17 child fatality, or an incident of egregious abuse or neglect
18 against a child as evidenced by the aggravated circumstances
19 specified pursuant to section 232.102, subsection 12,
20 paragraphs "d" through "g".

21 *e.* Two years have passed since the final order of
22 termination of parental rights was entered.

23 *f.* The child is at least twelve years of age when the
24 petition is filed, or is younger than twelve years of age when
25 the petition is filed but is part of a sibling group including
26 a child for whom reinstatement is being sought and that child
27 meets the other conditions for reinstatement.

28 2. *a.* If a child meets the criteria of an eligible
29 child under subsection 1, the child's guardian ad litem,
30 the department, or an agency or person to whom guardianship
31 and custody of the child has been transferred under section
32 232.117, shall notify the child of the child's right to
33 petition the court for the reinstatement.

34 *b.* If the former parent whose rights were previously
35 terminated contacts the child's guardian ad litem, the

1 department, or the agency or other person to whom guardianship
2 and custody of the child has been transferred under section
3 232.117, and the child is eligible pursuant to subsection 1,
4 the guardian ad litem, department, agency, or other person
5 shall notify the eligible child of the child's right to
6 petition the court for the reinstatement.

7 3. If a child seeking to petition for reinstatement of
8 parental rights under this section does not have a guardian
9 ad litem or attorney, the court shall appoint a guardian ad
10 litem and counsel for the child at no cost to the child. If a
11 guardian ad litem has previously been appointed for the child
12 in a proceeding under this chapter, the same person may serve
13 both as the child's counsel and as guardian ad litem. However,
14 the court may appoint a separate guardian ad litem if the same
15 person cannot properly represent the legal interests of the
16 child as legal counsel and also represent the best interest of
17 the child as guardian ad litem.

18 4. The petition must be signed by the child unless good
19 cause is shown as to why the child is unable to do so. The
20 former parent for whom reinstatement of parental rights is
21 sought must consent in writing to the petition.

22 5. The court shall hold a threshold hearing to consider
23 the former parent's apparent interest in the reinstatement of
24 parental rights. At a minimum, the threshold hearing shall
25 determine all of the following:

26 a. Whether the former parent has remedied the former
27 parent's deficits as provided in the record of the prior
28 termination proceedings and prior termination order.

29 b. Whether the former parent has participated in an
30 assessment based on evidence-based criteria that supports the
31 reinstatement of the parent-child relationship as being in the
32 best interest of the child.

33 6. If, after a threshold hearing to consider the former
34 parent's apparent fitness and interest in the reinstatement
35 of parental rights, the court finds by a preponderance of the

1 evidence that the best interest of the child may be served by
2 the reinstatement of parental rights, the court shall order
3 that a hearing on the merits of the petition be held.

4 7. Before a hearing is held on the merits of the petition,
5 notice shall be provided to the child's guardian ad litem, the
6 department, the agency or other person to whom guardianship
7 and custody of the child has been transferred under section
8 232.117, the child's attorney, the child, the child's former
9 parent whose parental rights are the subject of the petition,
10 any parent whose rights have not been terminated, the child's
11 current foster parent, the child's relative caregiver, and the
12 child's tribe, if applicable. Notice shall be provided in the
13 same manner as in section 232.37.

14 8. The court shall conditionally grant the petition if the
15 court finds by clear and convincing evidence that the child has
16 not been adopted, has not achieved the goals of the child's
17 case permanency plan, and is not imminently likely to achieve
18 such goals, and that reinstatement of parental rights is in the
19 child's best interest. In determining whether reinstatement is
20 in the child's best interest the court shall consider, but is
21 not limited to considering, all of the following:

22 a. Whether the former parent whose rights are to be
23 reinstated is a fit parent and has remedied the former parent's
24 deficits as provided in the record of the prior termination
25 proceedings and prior termination order.

26 b. Whether the former parent whose rights are to be
27 reinstated understands the legal obligations, rights, and
28 consequences of the reinstatement of parental rights and is
29 willing and able to accept such obligations, rights, and
30 consequences.

31 c. The age and maturity of the child, and the ability of the
32 child to express the child's preference.

33 d. Whether the reinstatement of parental rights will present
34 a risk to the child's health, welfare, or safety.

35 e. Other material changes in circumstances, if any, that may

1 have occurred which warrant the granting of the petition.

2 9. In determining whether the child has or has not achieved
3 the goals of the child's case permanency plan or whether the
4 child is imminently likely to achieve the goals of the child's
5 case permanency plan, the department, or the agency or other
6 person to whom guardianship and custody of the child has been
7 transferred under section 232.117, shall provide the court, and
8 the court shall review, information related to any efforts to
9 achieve the goals of the case permanency plan including efforts
10 to achieve adoption or a permanent placement.

11 10. *a.* If the court conditionally grants the petition under
12 subsection 8, the case shall be continued for six months and a
13 temporary order of reinstatement entered. During this period,
14 the child shall be placed in the custody of the former parent.
15 The department or agency shall develop a case permanency plan
16 for the child reflecting reunification and shall provide
17 transition services to the family, as appropriate.

18 *b.* If the child must be removed from the former parent due
19 to allegations of abuse or neglect prior to the expiration
20 of the conditional six-month period, the court shall dismiss
21 the petition for reinstatement of parental rights if the court
22 finds the allegations have been proven by a preponderance of
23 the evidence.

24 11. At the end of the six-month period, the court shall hold
25 a hearing and order one of the following:

26 *a.* If the placement with the former parent has been
27 successful, the court shall enter a final order of
28 reinstatement of parental rights which shall restore all
29 rights, powers, privileges, immunities, duties, and obligations
30 of the parent as to the child, including those relating
31 to custody, control, and support of the child. The court
32 shall vacate the dispositional order in the child in need
33 of assistance proceeding and direct the clerk's office to
34 provide a certified copy of the final order of reinstatement of
35 parental rights to the parent at no cost.

1 *b.* If the placement with the former parent has not been
2 successful, the court shall dismiss the petition and the
3 child's case permanency plan shall remain in effect.

4 12. A proceeding to reinstate parental rights is a separate
5 action from the termination of parental rights proceeding
6 and does not vacate or otherwise affect the validity of the
7 original termination of parental rights order. An order
8 granted under this section reinstates the former parent's
9 rights to the child. The reinstatement is a recognition that
10 the situation of the parent and child has changed since the
11 time of the termination of parental rights and reunification
12 is now appropriate.

13 13. A parent whose rights are reinstated under this
14 section shall not be liable for any child support owed to the
15 department or costs of other services provided to a child for
16 the time period from the date of termination of parental rights
17 to the date parental rights are reinstated.

18 14. This section shall apply to any eligible child who is
19 under the jurisdiction of the juvenile court at the time of the
20 hearing regardless of the date parental rights were terminated.

21 15. The state, the department, or an agency or other person
22 or an employee of such entities is not liable for civil damages
23 resulting from any act or omission in the provision of services
24 under this section unless the act or omission constitutes gross
25 negligence. This section does not create any duty and shall
26 not be construed to create a duty where none exists. This
27 section does not create a cause of action against the state,
28 the department, an agency, another person, or the employees of
29 such entities concerning the original termination.>

30 4. Title page, line 3, by striking <cases.> and inserting
31 <cases, the reinstatement of parental rights of a former parent
32 under certain circumstances, and the disestablishment of
33 paternity under certain circumstances.>

34 5. By renumbering as necessary.

S-3089 (Continued)

By JEFF EDLER

S-3089 FILED MARCH 22, 2021

S-3087

1 Amend Senate File 535 as follows:

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

4 <DIVISION I

5 ACQUIRING PISTOLS AND REVOLVERS

6 Section 1. Section 724.11A, Code 2021, is amended to read
7 as follows:

8 **724.11A Recognition.**

9 A valid permit or license issued by another state to any
10 nonresident of this state shall be considered to be a valid
11 permit or license to carry weapons issued pursuant to this
12 chapter, except that such permit or license shall not be
13 ~~considered to be a substitute for a permit to acquire pistols~~
14 ~~or revolvers issued pursuant to section 724.15~~ deemed to
15 satisfy the requirements of section 724.15.

16 Sec. 2. Section 724.15, Code 2021, is amended by striking
17 the section and inserting in lieu thereof the following:

18 **724.15 Acquiring pistols or revolvers.**

19 1. It is the intent of this section to satisfy federal
20 requirements of 18 U.S.C. §922(t)(3) in order to acquire
21 pistols or revolvers. In order to acquire a pistol or revolver
22 from a federally licensed firearms dealer, an unlicensed person
23 is required to have a valid permit to acquire or a valid permit
24 to carry weapons issued in accordance with this chapter or the
25 person must complete a satisfactory national instant criminal
26 background check pursuant to 18 U.S.C. §922(t).

27 2. A person shall not acquire a pistol or revolver if the
28 person is any of the following:

29 a. Under twenty-one years of age except for those persons
30 included in section 724.22, subsection 4, who acquire a pistol
31 or revolver when the person's duty so requires.

32 b. Prohibited by section 724.26 or federal law from
33 possessing, shipping, transporting, or receiving a firearm.

34 c. Prohibited by court order from possessing, shipping,
35 transporting, or receiving a firearm.

1 *d.* Ineligible to possess dangerous weapons pursuant to
2 section 724.8B.

3 *e.* Intoxicated as provided under the conditions set out in
4 section 321J.2, subsection 1.

5 3. An issuing officer who finds that a person issued a
6 permit to acquire pistols or revolvers under this chapter
7 has been arrested for a disqualifying offense or who is
8 the subject of proceedings that could lead to the person's
9 ineligibility for such permit, may immediately suspend such
10 permit. An issuing officer proceeding under this subsection
11 shall immediately notify the permit holder of the suspension
12 by personal service or certified mail on a form prescribed
13 and published by the commissioner of public safety and the
14 suspension shall become effective upon the permit holder's
15 receipt of such notice. If the suspension is based on an
16 arrest or a proceeding that does not result in a disqualifying
17 conviction or finding against the permit holder, the issuing
18 officer shall immediately reinstate the permit upon receipt
19 of proof of the matter's final disposition. If the arrest
20 leads to a disqualifying conviction or the proceedings to a
21 disqualifying finding, the issuing officer shall revoke the
22 permit. The issuing officer may also revoke the permit of a
23 person whom the issuing officer later finds was not qualified
24 for such a permit at the time of issuance or whom the officer
25 finds provided materially false information on the permit
26 application. A person aggrieved by a suspension or revocation
27 under this subsection may seek review of the decision pursuant
28 to section 724.21A.

29 Sec. 3. Section 724.16, Code 2021, is amended by striking
30 the section and inserting in lieu thereof the following:

31 **724.16 Prohibited transfers of firearms.**

32 1. A person shall not transfer a firearm to another person
33 if the person knows or reasonably should know that the other
34 person is ineligible to possess dangerous weapons pursuant to
35 section 724.8B, is intoxicated as provided under the conditions

1 set out in section 321J.2, subsection 1, or is prohibited from
2 receiving or possessing a firearm under section 724.26 or
3 federal law.

4 2. A person shall not loan or rent a firearm to another
5 person for temporary use during lawful activities if the
6 person knows or reasonably should know that the other person
7 is ineligible to possess dangerous weapons pursuant to section
8 724.8B, is intoxicated as provided under the conditions set
9 out in section 321J.2, subsection 1, or is prohibited from
10 receiving or possessing a firearm under section 724.26 or
11 federal law.

12 3. A person who transfers, loans, or rents a firearm in
13 violation of this section commits a class "D" felony.

14 Sec. 4. Section 724.27, Code 2021, is amended to read as
15 follows:

16 **724.27 Offenders' rights restored.**

17 1. The provisions of section 724.8, section 724.15,
18 subsection ~~±~~ 2, and section 724.26 shall not apply to a person
19 who is eligible to have the person's civil rights regarding
20 firearms restored ~~under section 914.7~~ if any of the following
21 occur:

22 a. The person is pardoned by the President of the United
23 States or the chief executive of a state for a disqualifying
24 conviction.

25 b. The person's civil rights have been restored after a
26 disqualifying conviction, commitment, or adjudication.

27 c. The person's conviction for a disqualifying offense has
28 been expunged.

29 2. Subsection 1 shall not apply to a person whose pardon,
30 restoration of civil rights, or expungement of conviction
31 expressly forbids the person to receive, transport, or possess
32 firearms or destructive devices and a person not eligible to
33 have the person's civil rights restored under section 914.7.

34 Sec. 5. NEW SECTION. **724.31A Identifying information —**
35 **background checks.**

1 1. When a court issues an order or judgment by which a
2 person is prohibited from acquiring a pistol or revolver under
3 section 724.15, subsection 2, paragraph "d", the clerk of
4 the district court shall forward only such information as is
5 necessary to identify the person to the department of public
6 safety, which in turn shall forward the information to the
7 federal bureau of investigation or its successor agency for
8 the sole purpose of inclusion in the national instant criminal
9 background check system database. The clerk of the district
10 court shall also notify the person of the prohibitions imposed
11 under this section.

12 2. The department of public safety shall, as soon as
13 is practicable after receiving a written request from the
14 person prohibited from acquiring a pistol or revolver under
15 section 724.15, subsection 2, paragraph "d", update, correct,
16 modify, or remove the person's record in any database that the
17 department of public safety makes available to the national
18 instant criminal background check system and shall notify the
19 United States department of justice that the basis for such
20 record being made available no longer applies.

21 DIVISION II

22 CARRYING AND POSSESSING WEAPONS — SCHOOL GROUNDS — EMERGENCY
23 MEDICAL CARE PROVIDERS

24 Sec. 6. Section 8A.322, subsection 3, Code 2021, is amended
25 to read as follows:

26 3. The director shall establish, publish, and enforce
27 rules regulating and restricting the use by the public of the
28 capitol buildings and grounds and of the state laboratories
29 facility in Ankeny. The rules when established shall be
30 posted in conspicuous places about the capitol buildings and
31 grounds and the state laboratories facility, as applicable.
32 Any person violating any rule, except a parking regulation,
33 shall be guilty of a simple misdemeanor. The rules shall
34 prohibit a person, other than a peace officer, from openly
35 carrying a pistol or revolver in the capitol building and on

1 the grounds surrounding the capitol building including state
2 parking lots and parking garages. However, this subsection
3 shall not be construed to allow the director to prohibit
4 the lawful carrying, transportation, or possession of any
5 pistol or revolver in the capitol building and on the grounds
6 surrounding the capitol building including state parking lots
7 and parking garages by a any person who displays to capitol
8 security personnel a valid permit to carry weapons upon request
9 regardless of whether the person has a valid permit to carry
10 weapons.

11 Sec. 7. Section 232.52, subsection 2, paragraph a,
12 subparagraph (4), subparagraph division (a), subparagraph
13 subdivision (viii), Code 2021, is amended to read as follows:

14 (viii) Section 724.4, if the child used the dangerous weapon
15 in the commission of a crime.

16 Sec. 8. Section 724.2A, Code 2021, is amended to read as
17 follows:

18 **724.2A Peace officer — defined — reserved peace officer**
19 **included.**

20 As used in sections ~~724.4~~, 724.4B, 724.6, and 724.11, "peace
21 officer" includes a reserve peace officer as defined in section
22 80D.1A.

23 Sec. 9. Section 724.4, Code 2021, is amended by striking the
24 section and inserting in lieu thereof the following:

25 **724.4 Use of a dangerous weapon in the commission of a crime.**

26 A person who goes armed with a dangerous weapon on or about
27 the person, and who uses the dangerous weapon in the commission
28 of a crime, commits an aggravated misdemeanor, except as
29 provided in section 708.8.

30 Sec. 10. Section 724.4B, Code 2021, is amended by striking
31 the section and inserting in lieu thereof the following:

32 **724.4B Carrying firearms on school grounds — penalty —**
33 **exceptions.**

34 1. A person who goes armed with, carries, or transports a
35 firearm of any kind, whether concealed or not, on the grounds

1 of a school commits a class "D" felony. For the purposes of
2 this section, "school" means a public or nonpublic school as
3 defined in section 280.2.

4 2. Subsection 1 does not apply to the following:

5 a. A person who has been specifically authorized by the
6 school to go armed with, carry, or transport a firearm on the
7 school grounds for any lawful purpose.

8 b. A peace officer including a peace officer who has
9 not been certified and a federal officer when the officer's
10 employment requires going armed, whether or not the peace
11 officer or federal officer is acting in the performance of
12 official duties.

13 c. A member of the armed forces of the United States or
14 of the national guard or person in the service of the United
15 States, when the firearm is carried in connection with the
16 person's duties as such.

17 d. A correctional officer, when the officer's duties require
18 the officer to carry a firearm, serving under the authority of
19 the Iowa department of corrections.

20 e. A person who for any lawful purpose carries an unloaded
21 pistol, revolver, or other firearm inside a closed and fastened
22 container or securely wrapped package that is too large to be
23 concealed on the person.

24 f. A person who for any lawful purpose carries or
25 transports an unloaded pistol, revolver, or other firearm
26 in a vehicle or common carrier inside a closed and fastened
27 container or securely wrapped package that is too large to be
28 concealed on the person or carries or transports an unloaded
29 pistol, revolver, or other firearm inside a cargo or luggage
30 compartment where the pistol or revolver will not be readily
31 accessible to any person riding in the vehicle or common
32 carrier.

33 g. A law enforcement officer from another state when the
34 officer's duties require the officer to carry a firearm and the
35 officer is in this state for any of the following reasons:

1 (1) The extradition or other lawful removal of a prisoner
2 from this state.

3 (2) Pursuit of a suspect in compliance with chapter 806.

4 (3) Activities in the capacity of a law enforcement officer
5 with the knowledge and consent of the chief of police of the
6 city or the sheriff of the county in which the activities occur
7 or of the commissioner of public safety.

8 *h.* A licensee under chapter 80A or an employee of such
9 a licensee, while the licensee or employee is engaged in
10 the performance of duties, and if the licensee or employee
11 possesses a valid professional or nonprofessional permit to
12 carry weapons issued pursuant to this chapter.

13 **Sec. 11. NEW SECTION. 724.4D Carrying of dangerous weapons**
14 **— duty to cooperate — reasonable suspicion.**

15 A person carrying a dangerous weapon whose behavior creates
16 a reasonable suspicion that the person presents a danger to the
17 person's self or others shall cooperate with an investigating
18 officer.

19 **Sec. 12. NEW SECTION. 724.4E Possession of dangerous**
20 **weapons and loaded firearms by minors.**

21 1. A minor who goes armed with a dangerous weapon concealed
22 on or about the person commits a serious misdemeanor.

23 2. A minor who carries, transports, or possesses a loaded
24 firearm of any kind within the limits of a city or knowingly
25 carries or transports a pistol or revolver in a vehicle commits
26 a serious misdemeanor.

27 3. A minor who goes armed with a dangerous weapon that
28 directs an electric current impulse, wave, or beam that
29 produces a high-voltage pulse designed to immobilize a person,
30 whether concealed or not, commits a simple misdemeanor.

31 **Sec. 13. Section 724.5, Code 2021, is amended by striking**
32 **the section and inserting in lieu thereof the following:**

33 **724.5 Availability of permit not to be construed as**
34 **prohibition on unlicensed carrying of weapons.**

35 The availability of a professional or nonprofessional permit

1 to carry weapons under this chapter shall not be construed to
2 impose a general prohibition on the otherwise lawful unlicensed
3 carrying or transport, whether openly or concealed, of a
4 dangerous weapon, including a loaded firearm.

5 Sec. 14. Section 724.6, subsection 1, paragraph a, Code
6 2021, is amended to read as follows:

7 a. (1) A person may be issued a permit to carry weapons
8 when the person's employment in a private investigation
9 business or private security business licensed under chapter
10 80A, or a person's employment as a peace officer, correctional
11 officer, security guard, bank messenger or other person
12 transporting property of a value requiring security, or in
13 police work, reasonably justifies that person going armed.

14 (2) A person may be issued a permit to carry weapons
15 if the person is an emergency medical care provider who is
16 designated and attached to a law enforcement tactical team by
17 the authorities having jurisdiction. A person issued a permit
18 to carry weapons under this paragraph shall train with the law
19 enforcement tactical team the person is designated and attached
20 to, complete a prescribed firearm safety training course
21 offered pursuant to section 724.9, subsection 1, paragraph
22 "e", complete any additional training as prescribed by the
23 authorities having jurisdiction, and not be disqualified under
24 section 724.8.

25 Sec. 15. Section 724.6, subsection 2, Code 2021, is amended
26 to read as follows:

27 2. Notwithstanding subsection 1, fire fighters, as defined
28 in section 411.1, subsection 10, airport fire fighters included
29 under section 97B.49B, and emergency medical care providers,
30 ~~as defined in section 147A.1~~ other than emergency medical
31 care providers specified in subsection 1, paragraph "a",
32 subparagraph (2), shall not, as a condition of employment,
33 be required to obtain a permit under this section. However,
34 the provisions of this subsection shall not apply to a person
35 designated as an arson investigator by the chief fire officer

1 of a political subdivision.

2 Sec. 16. Section 724.6, Code 2021, is amended by adding the
3 following new subsection:

4 NEW SUBSECTION. 3. For purposes of this section, "*emergency*
5 *medical care provider*" means the same as defined in section
6 147A.1.

7 Sec. 17. NEW SECTION. **724.8B Persons ineligible to carry**
8 **dangerous weapons.**

9 A person determined to be ineligible to receive a permit
10 to carry weapons under section 724.8, subsection 2, 3, 4, 5,
11 or 6, a person who illegally possesses a controlled substance
12 included in chapter 124, subchapter II, or a person who is
13 committing an indictable offense is prohibited from carrying
14 dangerous weapons. Unless otherwise provided by law, a person
15 who violates this section commits a serious misdemeanor.

16 Sec. 18. Section 724.31, subsection 1, Code 2021, is amended
17 to read as follows:

18 1. When a court issues an order or judgment under the
19 laws of this state by which a person becomes subject to the
20 provisions of 18 U.S.C. §922(d)(4) and (g)(4), the clerk of
21 the district court shall forward only such information as is
22 necessary to identify the person to the department of public
23 safety, which in turn shall enter the information on the Iowa
24 on-line warrants and articles criminal justice information
25 network and forward the information to the federal bureau of
26 investigation or its successor agency for the sole purpose of
27 inclusion in the national instant criminal background check
28 system database. The clerk of the district court shall also
29 notify the person of the prohibitions imposed under 18 U.S.C.
30 §922(d)(4) and (g)(4).

31 DIVISION III

32 HANDGUN SAFETY TRAINING

33 Sec. 19. Section 724.9, subsection 1, paragraphs a and b,
34 Code 2021, are amended to read as follows:

35 a. Completion of any national rifle association handgun

1 safety training course or a handgun safety training course
2 offered by an instructor certified by an organization approved
3 by the department of public safety pursuant to section 724.9A.

4 b. Completion of any handgun safety training course
5 available to the general public offered by a law enforcement
6 agency, community college, college, private or public
7 institution or organization, or firearms training school,
8 utilizing instructors certified by the national rifle
9 association or an organization approved by the department of
10 public safety pursuant to section 724.9A or another state's
11 department of public safety, state police department, or
12 similar certifying body.

13 Sec. 20. NEW SECTION. 724.9A **Approval of organizations that**
14 **may certify handgun safety training instructors.**

15 The department of public safety shall adopt rules to approve
16 organizations that may certify individuals as handgun safety
17 training instructors eligible to offer a handgun safety
18 training course under section 724.9, subsection 1, paragraphs
19 "a" and "b".

20 DIVISION IV

21 FIREARM REGULATION BY POLITICAL SUBDIVISIONS

22 Sec. 21. Section 724.28, subsections 2 and 3, Code 2021, are
23 amended to read as follows:

24 2. A political subdivision of the state shall not enact an
25 ordinance, motion, resolution, policy, or amendment regulating
26 the ownership, possession, carrying, legal transfer, lawful
27 transportation, modification, registration, or licensing of
28 firearms, firearms attachments, or other weapons when the
29 ownership, possession, carrying, transfer, transportation, or
30 modification is otherwise lawful under the laws of this state.
31 An ordinance regulating firearms, firearms attachments, or
32 other weapons in violation of this section existing on or after
33 April 5, 1990, is void.

34 3. If a political subdivision of the state, prior to, on,
35 or after July 1, 2020, adopts, makes, enacts, or amends any

1 ordinance, measure, enactment, rule, resolution, motion, or
2 policy regulating the ownership, possession, carrying, legal
3 transfer, lawful transportation, modification, registration,
4 or licensing of firearms, firearms attachments, or other
5 weapons when the ownership, possession, carrying, transfer,
6 transportation, modification, registration, or licensing
7 of firearms, firearms attachments, or other weapons is
8 otherwise lawful under the laws of this state, a person
9 adversely affected by the ordinance, measure, enactment, rule,
10 resolution, motion, or policy may file suit in the appropriate
11 court for declaratory and injunctive relief and all damages
12 attributable to the violation. A court shall also award the
13 prevailing party in any such lawsuit reasonable attorney fees
14 and court costs.

15 DIVISION V

16 POSSESSION AND STORAGE OF A FIREARM BY A TENANT

17 Sec. 22. Section 562A.11, Code 2021, is amended to read as
18 follows:

19 **562A.11 Prohibited provisions in rental agreements.**

20 1. A rental agreement shall not provide that the tenant or
21 landlord does any of the following:

22 a. Agrees to waive or to forego rights or remedies under
23 this chapter provided that this restriction shall not apply to
24 rental agreements covering single family residences on land
25 assessed as agricultural land and located in an unincorporated
26 area~~;~~.

27 b. Authorizes a person to confess judgment on a claim
28 arising out of the rental agreement~~;~~.

29 c. Agrees to pay the other party's attorney fees~~;~~ ~~or~~.

30 d. Agrees to the exculpation or limitation of any liability
31 of the other party arising under law or to indemnify the other
32 party for that liability or the associated costs ~~connected~~
33 ~~therewith~~.

34 1A. If the landlord receives rental assistance payments
35 under a rental assistance agreement administered by the

1 United States department of agriculture under the multifamily
2 housing rental assistance program under Tit. V of the federal
3 Housing Act of 1949, Pub. L. No. 81-171, or receives housing
4 assistance payments under a housing assistance payment contract
5 administered by the United States department of housing and
6 urban development under the housing choice voucher program,
7 the new construction program, the substantial rehabilitation
8 program, or the moderate rehabilitation program under section 8
9 of the United States Housing Act of 1937, Pub. L. No. 75-412, a
10 rental agreement shall not contain a provision or impose a rule
11 that requires a person to agree, as a condition of tenancy, to
12 a prohibition or restriction on the lawful ownership, use, or
13 possession of a firearm, a firearm component, or ammunition
14 within the tenant's specific rental unit. A landlord may
15 impose reasonable restrictions related to the possession,
16 use, or transportation of a firearm, a firearm component, or
17 ammunition within common areas as long as those restrictions do
18 not circumvent the purpose of this subsection. A tenant shall
19 exercise reasonable care in the storage of a firearm, a firearm
20 component, or ammunition. This subsection does not apply to
21 any prohibition or restriction that is required by federal or
22 state law, rule, or regulation.

23 2. A provision prohibited by ~~subsection 1~~ this section
24 included in a rental agreement is unenforceable. If a landlord
25 willfully uses a rental agreement containing provisions known
26 by the landlord to be prohibited, a tenant may recover actual
27 damages sustained by the tenant and not more than three months'
28 periodic rent and reasonable attorney fees.

29 Sec. 23. Section 562A.16, Code 2021, is amended by adding
30 the following new subsection:

31 NEW SUBSECTION. 3. Except in cases of willful, reckless, or
32 gross negligence, a landlord is not liable in a civil action
33 for personal injury, death, property damage, or other damages
34 resulting from or arising out of an occurrence involving a
35 firearm, a firearm component, or ammunition that the landlord

1 is required to allow on the property under section 562A.11.

2 Sec. 24. Section 562A.27A, subsection 2, paragraph b, Code
3 2021, is amended to read as follows:

4 b. Illegal use of a firearm or other weapon, the threat to
5 use a firearm or other weapon illegally, or possession of an
6 illegal firearm. The mere possession or storage of a firearm
7 by a tenant in the dwelling unit that the tenant rents does not
8 constitute a clear and present danger.

9 Sec. 25. Section 562B.11, Code 2021, is amended by adding
10 the following new subsection:

11 NEW SUBSECTION. 1A. If the landlord receives rental
12 assistance payments under a rental assistance agreement
13 administered by the United States department of agriculture
14 under the multifamily housing rental assistance program
15 under Tit. V of the federal Housing Act of 1949, Pub. L.
16 No. 81-171, or receives housing assistance payments under a
17 housing assistance payment contract administered by the United
18 States department of housing and urban development under the
19 housing choice voucher program, the new construction program,
20 the substantial rehabilitation program, or the moderate
21 rehabilitation program under section 8 of the United States
22 Housing Act of 1937, Pub. L. No. 75-412, a rental agreement
23 shall not contain a provision or impose a rule that requires a
24 person to agree, as a condition of tenancy, to a prohibition or
25 restriction on the lawful ownership, use, or possession of a
26 firearm, a firearm component, or ammunition within the tenant's
27 specific rental unit. A landlord may impose reasonable
28 restrictions related to the possession, use, or transportation
29 of a firearm, a firearm component, or ammunition within common
30 areas as long as those restrictions do not circumvent the
31 purpose of this subsection. A tenant shall exercise reasonable
32 care in the storage of a firearm, a firearm component, or
33 ammunition. This subsection does not apply to any prohibition
34 or restriction that is required by federal or state law, rule,
35 or regulation.

S-3087 (Continued)

1 Sec. 26. Section 562B.11, subsection 2, Code 2021, is
2 amended to read as follows:

3 2. A provision prohibited by ~~subsection 1~~ this section
4 included in a rental agreement is unenforceable. If a landlord
5 or tenant knowingly uses a rental agreement containing
6 provisions known to be prohibited by this chapter, the other
7 party may recover actual damages sustained.

8 Sec. 27. Section 562B.17, Code 2021, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 3. Except in cases of willful, reckless, or
11 gross negligence, a landlord is not liable in a civil action
12 for personal injury, death, property damage, or other damages
13 resulting from or arising out of an occurrence involving a
14 firearm, a firearm component, or ammunition that the landlord
15 is required to allow on the property under section 562B.11.

16 Sec. 28. Section 562B.25A, subsection 2, paragraph b, Code
17 2021, is amended to read as follows:

18 *b.* Illegal use of a firearm or other weapon, the threat to
19 use a firearm or other weapon illegally, or possession of an
20 illegal firearm. The mere possession or storage of a firearm
21 by a tenant in the tenant's dwelling unit does not constitute a
22 clear and present danger.>

By JASON SCHULTZ

[S-3087](#) FILED MARCH 22, 2021

ADOPTED

SENATE FILE 569

S-3090

1 Amend Senate File 569 as follows:

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

4 <Section 1. Section 100.19, subsection 7, paragraph b, Code
5 2021, is amended by striking the paragraph and inserting in
6 lieu thereof the following:

7 *b.* The state fire marshal shall establish a local fire
8 protection and emergency medical service providers grant
9 program to provide grants to all of the following:

10 (1) Local fire protection service providers and local
11 emergency medical service providers to establish or provide
12 fireworks safety education programming to members of the
13 public, and for the purchase of necessary enforcement,
14 protection, or emergency response equipment related to the sale
15 and use of consumer fireworks in this state.

16 (2) Local fire protection service providers for the
17 purchase of necessary enforcement, protection, or emergency
18 response equipment.>

By JEFF REICHMAN

S-3090 FILED MARCH 22, 2021

ADOPTED

SENATE FILE 578

S-3088

1 Amend Senate File 578 as follows:

2 1. By striking page 2, line 14, through page 6, line 1.

3 2. Page 11, after line 17 by inserting:

4 <DIVISION ____

5 FARM FOOD STUDY

6 Sec. ____ . FARM-TO-TABLE TASK FORCE.

7 1. The Iowa cooperative extension service in agriculture
8 and home economics of Iowa state university of science and
9 technology, in cooperation with the department of agriculture
10 and land stewardship, shall establish a farm-to-table task
11 force.

12 2. The purpose of the task force is to recommend how
13 institutional purchasers, including schools, may be provided
14 with long-term practical options to routinely acquire fresh
15 food derived from locally or regionally produced and processed
16 farm commodities, including meat, poultry, fish, and dairy
17 products; eggs; vegetables; fruits; nuts; and honey.

18 3. The task force shall consider methods to do all of the
19 following:

20 a. Improve direct farmer to consumer transactions.

21 b. Better integrate existing public and private procurement
22 and nutritional programs, including but not limited to the
23 farm-to-school program as provided in chapter 190A; the from
24 farm to food donation tax credit as provided in chapter 190B,
25 subchapter I; the Iowa emergency food purchase program as
26 provided in chapter 190B, subchapter II; and the local food and
27 farm program as provided in chapter 267A.

28 4. a. The task force shall be jointly chaired by the vice
29 president for extension and outreach of Iowa state university
30 of science and technology, or a designee; and the secretary of
31 agriculture, or a designee. The chairpersons of the task force
32 shall appoint remaining voting members to serve on the task
33 force.

34 b. The Iowa cooperative extension service in agriculture
35 and home economics shall provide meeting rooms, materials, and

S-3088 (Continued)

1 staffing services for the task force.

2 5. The task force shall prepare and submit a report to
3 the governor and general assembly not later than December 10,
4 2021. The report shall include findings and recommendations,
5 including any proposed legislation, and a suggested timeline
6 for implementation of the task force's recommendations.

7 6. This section is repealed December 11, 2021.>

8 3. By renumbering as necessary.

By ANNETTE SWEENEY

S-3088 FILED MARCH 22, 2021

ADOPTED

HOUSE FILE 756

S-3092

1 Amend House File 756, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, by striking line 19 and inserting <from any other
4 person, and in order to provide proof of a background check and
5 notify that the purchaser is of legal age, a person>

By ZACH WAHLS

S-3092 FILED MARCH 22, 2021

LOST

HOUSE FILE 761

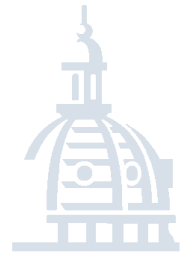
S-3091

- 1 Amend House File 761, as passed by the House, as follows:
- 2 1. Page 1, by striking line 6 and inserting <program to
- 3 provide grants in the following order of priority:>
- 4 2. Page 1, line 13, after <Local> by inserting <volunteer>

By JEFF REICHMAN

S-3091 FILED MARCH 22, 2021

ADOPTED



[SF 561](#) – Cold Case Unit (LSB1946SV)

Staff Contact: Christin Mechler (515.250.0458) christin.mechler@legis.iowa.gov

Fiscal Note Version – New

Description

[Senate File 561](#) establishes a Cold Case Investigation Unit within the Department of Public Safety (DPS). The Unit is tasked, within its capabilities, with conducting criminal investigations after an initial criminal investigation has been completed by law enforcement. The Unit is to focus on investigations involving unsolved murders, missing children, and missing adults presumed to be dead. The Bill requires the Commissioner of Public Safety to appoint at least 2.0 full-time equivalent (FTE) positions to the Cold Case Investigation Unit.

Background

Currently, no specific unit within the DPS is assigned to handle existing cold cases. At this time, the Major Crimes Unit (MCU) takes responsibility for investigating cold cases as time and resources allow.

Assumptions

- Due to the complex nature of cold case investigations, the DPS will need to appoint agents at the position classification level of Special Agent. In order to investigate cold cases, significant crime-solving experience is needed.
- It is assumed that the DPS will reassign 2.0 existing Special Agent positions. In order to backfill these two positions and to accommodate the Department's internal hiring process, the DPS assumes it would eventually hire two Trooper I positions.
- Due to the strict timeline of the hiring process and subsequent academy admission, it is likely that the DPS will not be able to fully onboard the two Trooper I positions needed for personnel backfill until FY 2023.
- For FY 2024, compensation totals are adjusted for a 3.0% increase in salary and benefits.

Fiscal Impact

Table 1 provides a breakdown of the cost for 2.0 Trooper I FTE position for two years, including salary and benefit details.

Table 1 — Cost of 2.0 Trooper I FTE Positions, FY 2023 – FY 2024

Expense	FY 2023	FY 2024
Salary & Benefits	\$ 134,200	\$ 138,400
Uniform & Outerwear	9,160	0
Firearms & Ammunition	6,800	0
Portable Radio & Equipment	18,600	0
Vehicle	52,000	0
Laptop & Accessories	12,000	0
Additional Vehicle Equipment	\$ 65,800	\$ 0
Total	\$ 298,560	\$ 138,400

Senate File 561 will increase the cost to the DPS by an estimated \$298,600 in FY 2023 and \$138,400 in FY 2024.

Sources

Department of Public Safety
LSA analysis

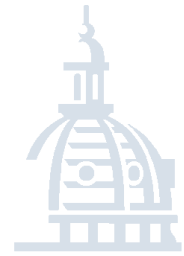
/s/ Holly M. Lyons

March 22, 2021

Doc ID 1216610

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.

www.legis.iowa.gov



[SF 579](#) – Model Business Corporation Act (LSB1234SZ)
Staff Contact: Maria Wagenhofer (515.281.5270) maria.wagenhofer@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 579](#) amends and creates new provisions under Iowa Code chapter [490](#), the Iowa Business Corporation Act (IBCA), relating to domestic or foreign for-profit corporations authorized to do business in Iowa.

Background

The IBCA governs the default requirements of for-profit corporations, including creation, organization, operations, and relationships of the corporation. The IBCA was created in 1989 based on legislation by the American Bar Association (ABA) referred to as the [Model Business Corporation Act](#) (MBCA) and has subsequently been amended to reflect changes in the MBCA. Senate File 579 includes amendments to the IBCA that reflect the current version of the MBCA, which was adopted by the ABA in 2016. The Secretary of State (SOS) administers the IBCA.

In addition to making changes to existing law, Division I, Section 4, and Division III of the Bill have been identified as having potential fiscal impacts and are outlined below.

Division I, Section 4: This Division reconfigures various SOS filing fees for business entities governed under the IBCA and increases the electronic biennial report electronic filing fee from \$45 to \$60. The changes are effective January 1, 2022.

Background

As established in Iowa Code chapter [9](#), the SOS's Office, Business Services Division, is responsible for reviewing, processing, approving, and filing, on a limited basis, statutory documents relating to domestic and foreign business entities operating within Iowa. Each domestic and foreign corporation registered to do business in the State must deliver to the SOS a biennial report containing information related to the two-year period preceding the calendar year in which the report is filed.

2017 Iowa Acts, [chapter 170](#) (FY 2018 Standing Appropriations Act), created a Technology Modernization Fund under the control of the SOS. From each fee collected by the SOS, the amount credited to the Fund equals the difference between the fee amount collected and the amount assessed for the same fee on June 30, 2017. No more than \$2.0 million is credited to the Fund in a fiscal year, and moneys in the Fund are appropriated to the SOS for purposes of modernizing technology used by the SOS's Office to fulfill its duties. The Fund will be repealed on July 1, 2022 (FY 2023). The Fund is codified in Iowa Code section [9.4A](#).

In 2017, the SOS set biennial report filing fees in rule [721 IAC 40.8\(3\)](#) for business entities governed under the IBCA. Fees for electronic filings were set at \$45 per biennial report, and fees for paper filings were set at \$60 per biennial report. Biennial report filing fees were previously set at \$30 for electronic filings and \$45 for paper filings.

Assumptions

- Business entities governed under the IBCA file biennial reports with the SOS in even-numbered years. Limited liability corporations (LLCs) file biennial reports in odd-numbered years.
- Senate File 579 sets the biennial report filing fee at \$60 for business entities governed under the IBCA, regardless of filing mechanism, and the filing fee will remain at \$60 following the repeal of the Technology Modernization Fund on July 1, 2022.
- The SOS’s Office will still continue to collect \$15 per biennial report as established in 2017 Iowa Acts, [chapter 170](#), for deposit into the Technology Modernization Fund until July 1, 2022.
- The additional fee revenue collected by the SOS from the increased biennial report filing fee for electronic filings established in SF 579 will be deposited into the General Fund beginning January 1, 2022.
- Following the repeal of the Technology Modernization Fund on July 1, 2022, all filing fee revenue from biennial reports will be deposited into the General Fund.
- In FY 2020, the SOS processed 62,987 total biennial reports, of which 60,307 were filed electronically. While some of those filings may have included late LLC biennial reports, the majority of the filings were submitted by business entities governed under the IBCA. For estimation purposes, it is assumed that there will be approximately 60,000 biennial reports filed electronically in FY 2022 and each even-numbered fiscal year thereafter.
- In FY 2020, biennial report filing fee revenue was \$2.9 million. The majority of that revenue was from business entities governed under the IBCA.

Fiscal Impact

Senate File 579 is projected to increase annual fee revenue in FY 2022, FY 2024, and subsequent even-numbered fiscal years by an estimated \$900,000. This increased fee revenue would be deposited into the General Fund. Following the repeal of the Technology Modernization Fund on July 1, 2022, the fees collected will be deposited into the General Fund beginning in FY 2024.

Senate File 579 also creates a new fee for reinstatements without amended articles. However, no historical data exists to make a fiscal impact estimate for this provision.

Division III: The Bill creates a Business Administration Fund under the SOS to collect surcharges from requested preclearance and expedited filing services. **Table 1** and **Table 2** include the services provided and the amount of surcharge assessed.

Table 1 — Preclearance Filing Services

Service	Surcharge
Same-Day Service	\$250
Two-Day Service	Twice the amount of the filing fee
Three-Day Service	Same amount as the filing fee

Table 2 — Expedited Filing Services

Service	Surcharge
Two-Day Service	\$50
Five-Day Service	\$15

Surcharges are to be added to the amount of the fee implemented, assessed, and collected for the actual filing of the document. All moneys are to be deposited into the Business Administration Fund, and moneys in the Fund are to be appropriated to the SOS's Office for the purpose of supporting the administration of business entities under Iowa Code [Title XII](#). The SOS's Office is to adopt rules pursuant to Iowa Code chapter [17A](#) to administer these extra services, and the Bill grants the SOS's Office the authority to offer extra filing services upon request by filers, increase the amount of a surcharge, or modify the period of service.

Assumptions

- The surcharge amount does not change.
- The number of filings affected is an approximation and may change due to increases or decreases in demand.
- Surcharge revenue will be retained by the SOS's Office to ensure sufficient staffing is available to address demand in filings.

Fiscal Impact

The total revenue generated as a result of the preclearance and expedited filing services will depend on the demand for the services. The SOS's Office anticipates an annual revenue increase of between approximately \$25,000 to \$75,000 as a result of the added filing services.

Sources

Secretary of State
LSA analysis

/s/ Holly M. Lyons

March 22, 2021

Doc ID 1217253

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 626 – Property Tax Abatement for Home Improvements (LSB1168HV)
Staff Contact: Jeff Robinson (515.281.4614) jeff.robinson@legis.iowa.gov
Fiscal Note Version – As passed by the House

Description

[House File 626](#) creates an additional option for a city or a county to provide a property tax exemption to owner-occupied residential property located in an area designated as a federal targeted area. The Bill defines “federal targeted area” as an area that has been designated in the past as less desirable, declining, hazardous, or risky for mortgage lending by the [Home Owners’ Loan Corporation](#) or similar entity or as the result of implementation of the [National Housing Act of 1934](#), the [United States Housing Act of 1937](#), or successor provisions of federal law prior to the enactment of the [Fair Housing Act of 1968](#). The allowed exemption is based on a percentage of the actual value of the qualified property. The exemption runs for 15 years, beginning at 100.0% for the first year and ending at 16.0% for the 15th year. The change is effective for areas established on or after July 1, 2021.

Background

Iowa Code chapter [404](#) allows cities and counties to provide property tax exemptions based on the value added to the property by the property owner. The allowed exemptions vary in both exemption years and percent of exempt value. Current law allows cities and counties to establish, by ordinance, urban revitalization areas with associated property tax exemptions within five categories:

- Areas where the condition of a predominance of existing buildings is detrimental to public health, safety, and welfare.
- Areas where the presence of a substantial number of deteriorated buildings or other physical or ownership limitations or conditions creates a menace to public health, safety, or welfare.
- Areas where there is a predominance of structures which by reason of their age, history, architecture, or significance should be preserved or restored to productive use.
- Economic development areas as defined in Iowa Code section [403.17\(10\)](#).
- Areas designated as appropriate for housing and residential development including single or multifamily housing.

Current exemptions a city or county is allowed to offer under Iowa Code chapter 404 include:

- Iowa Code section [404.3\(1\)](#) — Residential property is allowed an exemption equal to 115.0% of the value of improvements for a period of 10 years. The exemption is limited to no more than \$25,000 and is further limited so as to not allow the assessed value, after application of the exemption, to fall below \$4,850.
- Iowa Code section [404.3\(2\)](#) — All qualified property is allowed an exemption equal to a percentage of the value added to the property. The exemption is for 10 years, beginning at 80.0% of the value added in year one and declining to 20.0% for the 10th year.
- Iowa Code section [404.3\(3\)](#) — All qualified property is allowed an exemption equal to 100.0% of the value added to the property for a period of three years.

- Iowa Code section [404.3](#)(4) — Residential property (and commercial or multiresidential property, with conditions) is allowed an exemption equal to 100.0% of the value added to the property for a period of 10 years.
- Iowa Code section [404.3A](#) — Residential property in an area designated as appropriate for housing and residential development is allowed an exemption equal to the first \$75,000 of the value of improvements for a period of five years.
- Iowa Code section [404.3B](#)(1) — All qualified property that is abandoned is allowed an exemption equal to a percentage of the value added to the property. The exemption is for 15 years, beginning at 80.0% of the value added for year one and declining to 20.0% for the 15th year.
- Iowa Code section [404.3B](#)(2) — All qualified property that is abandoned is allowed an exemption equal to 100.0% of the value added to the property for a period of five years.

Under current law, property value that may qualify for the exemption (qualified real estate) is limited to the value of real property that is not land, which is in an urban revitalization area, and was added during the time the urban revitalization area was in existence. Cities and counties are allowed in some instances to approve a property tax exemption benefit that offers a lower benefit in years or percentage of exemption than the maximum allowed under law.

Iowa law contains a number of programs, of which Urban Revitalization is an example, that allow for property tax exemptions. For assessment year (AY) 2019 (FY 2021), a total of \$6,441.5 million in assessed property value benefited from the various statutory exemptions. The percentage of total statewide value of each property classification for FY 2021 that is exempt from property tax through the various exemption programs equals:

- Residential = 1.0%
- Multiresidential = 9.9%
- Commercial = 5.3%
- Industrial = 16.2%

For residential and multiresidential, Urban Revitalization is the main program that provides the authority for the property tax exemption with 84.0% of residential exemptions and 99.2% of multiresidential exemptions granted through Urban Revitalization.

The property tax exemptions under Urban Revitalization are strictly a decision of the city or county that allows the exemption. Once the exemption is granted, the exemption reduces local government property tax revenue (cities, counties, schools, community colleges, etc.) when compared to a situation where an exemption is not granted. Exemptions also impact State General Fund expenditures through the school aid formula. All taxed property in the State pays \$5.40 per \$1,000 of taxed valuation as part of its consolidated property tax levy. Exempt property value does not pay this \$5.40 rate, and as a consequence of school finance, the State General Fund pays the \$5.40 rate on behalf of the exempt property.

Assumptions

- The provisions of the Bill apply to owner-occupied residential property. The Bill does not apply to multiresidential or any other property class, or to residential property that is constructed, repaired, or enhanced and then sold.
- The tax exemption proposed in the Bill applies to all value of the qualified property, not just the value added. The exemption schedule runs for 15 years, starting at 100.0% of value and declining to 16.0% by the 15th year. In many situations, this exemption will be more advantageous to the owner than any of the existing Urban Revitalization schedules currently available to residential property owners. For this reason, it is assumed that the new

schedule will increase the use of Urban Revitalization and its associated property tax exemption.

- For AY 2019 (FY 2021), \$1,558.0 million in residential assessed value was exempt from property tax through Urban Revitalization. For this estimate, it is assumed that the proposed new exemption schedule will increase the amount of value that is exempt through Urban Revitalization by 0.3% for the first year available (AY 2022, FY 2024), with the exempt value increasing to 9.8% ofw the AY 2019 level by AY 2027/FY 2029. Once the program has been in place six years, new exemptions are assumed to equal expired exemptions or exemption reductions that are the result of the declining exemption percentage schedule.
- The residential rollback for FY 2022 will equal 56.4094% and for this projection that rollback is assumed to be constant in future years.
- It is assumed that almost all Urban Revitalization property is located within urban areas and it is further assumed that federal targeted areas as defined in the Bill will be concentrated in seven Iowa counties. The FY 2021 average urban residential property tax rate for Black Hawk, Dubuque, Linn, Polk, Pottawatomie, Scott, and Woodbury counties combined is \$38.78 per \$1,000 of taxed value. Of the statewide rate, \$5.40 per \$1,000 is the school finance basic levy and the remainder generates local government property tax revenue. This tax rate is assumed for all future years.

Fiscal Impact

The additional Urban Revitalization exemption schedule is projected to reduce property taxes owed, increase the State General Fund appropriation for school aid, and decrease local government property tax revenue by the amounts listed below.

Projected Property Tax Reduction and Government Impact			
In Millions			
	Property Tax Reduction	State Gen. Fund Appropriation Increase	Prop. Tax Revenue Decrease
FY 2024	\$ -0.1	\$ 0.0	\$ -0.1
FY 2025	-0.6	0.1	-0.5
FY 2026	-1.3	0.2	-1.1
FY 2027	-2.0	0.3	-1.7
FY 2028	-2.7	0.4	-2.3
FY 2029	-3.4	0.5	-2.9

Section 4 of the Bill specifies that to qualify for the tax exemption within an area designated by a city or county, the owner must add improvements to the property that equal or exceed 30.0% of the “actual value of the property as of the date the area was designated.” Since an area, once designated, may exist for decades, the specification tying the expenditures to the value of the property as of the designation date of the area may prove problematic as years pass between when an area is designated and when an owner chooses to take advantage of the property tax exemption by adding improvements to the property.

Sources

Department of Revenue property tax exemption files
Legislative Services Agency analysis

/s/ Holly M. Lyons

March 22, 2021

Doc ID 1217175

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 756](#) – Firearms Omnibus (LSB1852HV)
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Fiscal Note Version – As amended and passed by the House

Description

[House File 756](#) relates to the acquisition and possession of weapons, and makes numerous changes to Iowa's existing weapons laws.

Division I

Division I provides that in order to acquire a pistol or revolver from a federally licensed firearms dealer, an unlicensed individual must either have a valid permit to acquire or valid permit to carry a weapon issued in compliance with Iowa Code chapter [724](#), or must satisfactorily complete a national instant criminal background check. The following individuals are prohibited from acquiring a pistol or revolver:

- Individuals under the age of 21, except for those who acquire a pistol or revolver when the person's duty requires.
- Persons convicted of a felony in a State or federal court.
- Individuals prohibited by court order from possessing, shipping, transporting, or receiving a firearm.
- Individuals ineligible from possessing a dangerous weapon under new Iowa Code section 724.8B, including:
 - A person addicted to the use of alcohol.
 - A person for whom there exists probable cause to believe, based on documented action by the person, that the person is likely to use the weapon unlawfully or in a way to endanger oneself or others. Such action must have occurred within the last two years immediately preceding the date of the permit application.
 - Persons subject to provisions of Iowa Code section [724.26](#) pertaining to possession, receipt, transportation, or dominion and control of firearms, offensive weapons, and ammunition by felons and others.
 - A person who, within the last three years, has been convicted of any serious or aggravated misdemeanor defined in Iowa Code chapter [708](#) not involving the use of firearms.
 - A person who illegally possesses a controlled substance under Iowa Code chapter [124](#).
 - A person who is committing an indictable offense.

An individual who violates these provisions is guilty of a serious misdemeanor. An individual who is denied a license to acquire a pistol by the issuing party may appeal the denial with administrative law judge under Iowa Code section [724.21A](#).

Additionally, the Bill prohibits the transfer of a firearm to another person who does not possess a permit if the person knows or reasonably should know that the recipient is prohibited from receiving or possessing a firearm; and prohibits a person from loaning or renting a firearm to another person for temporary use during lawful activities if the person loaning or renting the weapon knows or reasonably should know that the recipient is prohibited from receiving or

possessing a firearm under State or federal law, is ineligible under new Iowa Code section 724.8B, or is intoxicated. A person who violates this provision commits a Class D felony.

This Division also provides that when a court issues an order or judgment that prohibits a person from acquiring a pistol or revolver, the clerk of the court must provide only such information as is necessary to identify the person to the Department of Public Safety (DPS), which is required to forward the same information to the Federal Bureau of Investigation for inclusion in the National Instant Criminal Background Check System (NICS). Upon receiving a written request from a prohibited person to update, correct, modify, or remove the person's record, the DPS shall notify the United States Department of Justice that the basis for such a record being made available no longer applies and shall make the request available to the NICS.

Division II

Division II removes the provision that prohibits a person other than a peace officer from openly carrying a pistol or revolver in the Iowa State Capitol building, State parking lots, and parking garages unless the individual displays a valid permit to carry weapons upon request of Capitol security personnel. Division II also eliminates the existing penalty for carrying a dangerous weapon and provides that a person who goes armed with a dangerous weapon on or about the person and uses the dangerous weapon in the commission of a crime is guilty of an aggravated misdemeanor, except as provided in Iowa Code section [708.8](#). The Bill also allows the following individuals, among others, to carry or transport a firearm on school property:

- A person who has been specifically authorized by the school to carry or transport a firearm for a lawful purpose.
- A peace officer, including a peace officer who has not been certified and a federal officer when the officer's employment requires going armed, regardless of whether the officer is on duty.
- A member of the U.S. Armed Forces or National Guard, when the weapon is carried in connection with the member's official duties.
- A correctional officer, as part of the officer's official duties.
- A person who for any lawful purpose carries an unloaded pistol, revolver, or other firearm inside a closed and fastened container or securely wrapped package that is too large to be concealed.

This Division provides that a person carrying a dangerous weapon whose behavior demonstrates a danger to oneself or others must fully cooperate with an investigating officer. A minor who goes armed and concealed with a dangerous weapon commits a serious misdemeanor. A minor who carries, transports, or possesses a loaded firearm within the limits of a city, or knowingly carries or transports a pistol or revolver in a vehicle, is guilty of a serious misdemeanor. Additionally, a minor who goes armed with a dangerous weapon designed to immobilize a person by directing an electric current impulse, wave, or beam that produces a high-voltage pulse, concealed or not, is guilty of a simple misdemeanor.

Section 13 of Division II allows emergency medical care providers to obtain a professional permit to carry weapons if the provider is attached to a law enforcement tactical team and undergoes training as required in the Bill. An emergency medical care provider must also apply and undergo a criminal history background check prior to receiving a professional permit to carry weapons.

Division III

Division III relates to handgun safety training. House File 756 requires the DPS to adopt rules to approve organizations that may certify an individual as an instructor eligible to offer certain handgun safety training courses.

Division IV

Division IV extends to the prohibition that bars a political subdivision from enacting provisions regulating the ownership, possession, legal transfer, lawful transportation, modification, registration, or licensing of firearms and firearm attachments, or other weapons when the ownership, possession, transfer, transportation, or modification is otherwise lawful to include carrying firearms and firearm attachments, and other weapons.

Division V

Division V relates to the possession and storage of a firearm by a tenant in the context of leasing certain property. The Division provides that if a landlord receives certain federal rental assistance payments, the rental agreement subject to the tenant's lease is prohibited from including a provision or rule that requires the tenant to agree to prohibited or restricted ownership, use, or possession of a firearm, firearm component, or ammunition with the tenant's dwelling unit.

Division V also provides that except in cases of willful, reckless, or gross negligence, a landlord is not liable in a civil action for personal injury, death, property damage, or other damages resulting from or arising out of an occurrence involving a firearm, firearm component, or ammunition. Additionally, the Bill states that the storage or possession of a firearm alone does not constitute a clear and present danger.

Background

Current law stipulates that any person who intends to purchase a pistol or revolver is required to first obtain an annual permit unless the person is exempt from doing so. A person who acquires ownership of a pistol or revolver without a valid permit to do so, or a person who transfers ownership of a pistol or revolver to a person who does not have a valid permit is guilty of an aggravated misdemeanor.

Under current law, rules promulgated by the Department of Administrative Services require a person to display a permit to carry upon request of State Capitol security guards, if the individual chooses to carry in the Capitol building, parking garages and parking lots. Additionally, under current law, any individual who goes armed with, carries, or transports a firearm on the grounds of a school is guilty of a Class D felony.

A simple misdemeanor is punishable by confinement of no more than 30 days and a fine of at least \$105 but not more than \$855. A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least \$430 but not more than \$2,560. An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least \$855 but not more than \$8,540. A Class D felony is punishable by confinement for no more than five years and a fine of at least \$1,025 but not more than \$10,245.

Assumptions

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends, prisoner length of stay (LOS), 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.
- Data provided by the Criminal Juvenile Justice Division (CJJP) of the Department of Human Rights related to convictions under Iowa Code section [724.4](#) includes data on the crime of carrying or acquiring a firearm without a permit and going armed with a dangerous weapon. It is not possible to parse out the data for the individual conviction rate. The data provides an aggregate total of both convictions and is not duplicative.
- For estimating purposes, it is assumed under current law that the number of convictions under Iowa Code section 724.4 will total 600 annually beginning in FY 2022.
- For estimating purposes, it is assumed under current law that the number of convictions under Iowa Code section [724.4B](#) will total four annually beginning in FY 2022.
- It is assumed that any property and employee liability insurance claims arising out of the expansion of the group of persons allowed to carry a firearm on school grounds will likely be covered by existing school liability insurance policies.
- The DPS estimates that it will lose fee revenue from the removal of the requirement to obtain a permit to acquire or carry weapons.

Correctional Impact

Divisions I and II

Except as stated below, Divisions I and II will have a positive correctional impact. This Division decriminalizes acquiring or carrying a pistol or revolver without a permit. In FY 2019, there were 631 aggravated misdemeanor convictions under Iowa Code section 724.4. It is estimated that beginning in FY 2022, there will be a reduction of 600 convictions annually. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 22, 2021, for information related to the correctional system.

Division I, Section 2: This section expands the list of individuals ineligible to acquire a pistol or a revolver and provides that anyone who violates this section is guilty of a serious misdemeanor. Division I, Section 2, establishes a new crime, and the resulting correctional impact cannot be estimated.

Division I, Section 3: This section provides that the penalty for the transfer of ownership of a pistol or revolver to a person that the transferor knows or should reasonably know is prohibited from acquiring ownership of a pistol or revolver remains unchanged and as a result, is not estimated to have a correctional impact.

Division II, Section 9: This section may have a positive correctional impact as it expands the group of individuals allowed to carry a firearm on school grounds. In FY 2019, there were four Class D felony convictions under Iowa Code section 724.4B. It is estimated that beginning FY 2022, there may be a reduction of four convictions annually.

Division II, Section 11: This section establishes several new crimes related to a minor carrying a dangerous weapon; carrying, transporting, or possessing a firearm; and going armed with a specific weapon such as a taser. As these are new crimes, the resulting correctional impact cannot be estimated.

Divisions III, IV, and V are not estimated to have a correctional impact.

Minority Impact

Divisions I and II

Except as stated below, Divisions I and II will have a positive minority impact. In FY 2019, of the total 631 convictions under Iowa Code section [724.4](#), 170 (26.9%) were African American. In FY 2019, Caucasian and African Americans comprised 90.2% and 3.6% of the total Iowa population, respectively. This indicates a conviction rate for African Americans that exceeds the population proportion of the State. The decriminalization of acquiring or carrying a pistol or revolver without a permit will lead to a decrease in the disproportionate minority impact. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 27, 2021, for information related to minorities in the criminal justice system.

Division I, Section 2: This section expands the list of individuals ineligible to acquire a pistol or a revolver under Iowa Code section [724.15](#). As a result, the CJJP cannot use prior existing data to estimate the minority impact of this section.

Division I, Section 3: This section does not change the existing penalty for the transfer of ownership of a pistol or revolver to a person who the transferor knows or should reasonably know is prohibited from acquiring ownership of a pistol or revolver. The penalty remains unchanged and as a result, is not estimated to have a minority impact.

Division II, Section 9: This section will also have a positive minority impact. In FY 2019, of the total four convictions under Iowa Code section 724.4B, two were African American. In FY 2019, Caucasian and African Americans comprised 90.2% and 3.6% of the total Iowa population, respectively. This indicates a conviction rate for African Americans that exceeds the population proportion of the State. The expansion of the group of individuals allowed to carry a firearm on school grounds may lead to a decrease in the disproportionate minority impact.

Division II, Section 11: This section establishes new crimes related to a minor carrying a dangerous weapon; carrying, transporting, or possessing a firearm; and going armed with a specific weapon such as a taser. As these are new crimes, the CJJP cannot use prior existing data to estimate the minority impact of this section.

Divisions III, IV, and V are not estimated to have a minority impact.

Fiscal Impact

Divisions I and II

Divisions I and II are estimated to have a positive fiscal impact on the correctional system. The Divisions will reduce the number of convictions under Iowa Code section 724.4 as it strikes the penalty associated with acquiring or carrying a firearm without a permit. **Table 1** provides the estimated range of costs for a single, simple, serious, and aggravated misdemeanor conviction. The estimates include operating costs incurred by the Judicial Branch, the State Public Defender, and the Department of Corrections (DOC) for one additional conviction. The cost would be incurred across multiple fiscal years for prison and parole supervision.

Table 1 — Average State Cost Per Offense Class Type

Offense Class	Total Minimum Cost	Total Maximum Cost
Simple Misdemeanor	\$ 40	\$ 350
Serious Misdemeanor	410	7,500
Aggravated Misdemeanor	3,700	7,800

The estimated cost reduction to the Justice System associated with decriminalizing, acquiring, or carrying a pistol or revolver without a permit or going armed with a dangerous weapon will range from \$2.2 million to \$4.7 million annually.

The elimination of the requirement to obtain a permit to acquire or carry a firearm will lead to a reduction in permit fee revenue. In FY 2019, the DPS approved a total of 5,980 initial and renewal permits. These permits are valid for a five-year cycle. Although the exact fiscal impact resulting from the loss of permit revenue cannot be estimated at this time, it may have a significant impact on the Department’s operating budget.

Section 9 of Division II may also have a positive fiscal impact as this section will reduce the number of convictions under Iowa Code section [724.4B](#) as it expands the group of individuals allowed to carry a firearm on school grounds. **Table 2** provides the estimated range of costs for a single Class D felony conviction. The estimates include operating costs incurred by the Judicial Branch, the State Public Defender, and the DOC for one additional conviction. The cost would be incurred across multiple fiscal years for prison and parole supervision.

Table 2 — Average State Cost Per Offense Class Type

Offense Class	Total Minimum Cost	Total Maximum Cost
Class D Felony	\$ 7,700	\$ 13,500

The estimated positive fiscal impact of expanding the group of individuals allowed to carry a firearm on school grounds may range from \$30,800 to \$54,000 annually.

The Iowa Association of School Boards notes that any property and employee liability insurance claims arising out of the expansion of the group of persons allowed to carry a firearm on school grounds will likely be covered by existing school liability insurance policies. The cost of any rate increases associated with such claims cannot be determined at this time.

Division III

Division III is not expected to have a fiscal impact.

Division IV

The fiscal impact of Division IV cannot be determined at this time. It is unknown if any political subdivisions will need to adjust existing regulations regarding carrying firearms and what costs may be associated with these adjustments.

Division V

Division V is not expected to have a fiscal impact.

Table 3 summarizes the correctional, minority, and fiscal impact of HF 756.

Table 3 — Impact Summary, HF 756 as amended and passed by the House

Division	Correctional Impact	Minority Impact	Fiscal Impact
Division I — Acquiring Pistols and Revolvers/Permits	Yes – Positive impact as estimated, reduction of 600 convictions.	Yes – Will result in a decrease in the disproportionate minority impact.	Justice System – Cost reduction range of \$2.2 to \$4.7 million annually due to fewer convictions. DPS – Loss of permit fee revenue unknown but may impact budget.
Violation of Iowa Code section 724.15	Cannot be determined.	Cannot be determined.	Justice System - Cost increase ranging from \$410 to \$7,500 per one conviction.
Division II — Possession on School Grounds	Yes – Positive impact as estimated, reduction of 4 convictions.	Yes – May lead to a decrease in the disproportionate minority impact.	Justice System – Cost reduction range of \$30,800 to \$54,000 annually due to fewer convictions.
Possession of Loaded Firearms/Dangerous Weapons by Minors	Cannot be determined.	Cannot be determined.	Justice System - Cost increase ranging from \$410 to \$7,500 per one conviction.
Possession of Taser by Minors	Cannot be determined.	Cannot be determined.	Justice System - Cost increase ranging from \$40 to \$350 per one conviction.
Division III — Handgun Safety Training	No.	No.	No.
Division IV — Firearm Regulation by Political Subdivisions	No.	No.	Cannot be determined.
Division V — Possession and Storage by a Tenant	No.	No.	No.

Sources

Legislative Services Agency
Department of Corrections
Criminal and Juvenile Justice Planning Division, Department of Human Rights
Department of Public Safety
Iowa State Association of Counties
Iowa League of Cities
Iowa State Association of School Boards

/s/ Holly M. Lyons

March 22, 2021

Doc ID 12175357535

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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