

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

**March 30, 2021**

**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 331</a> .....	<a href="#">S-3102</a> .....	Adopted	TOM SHIPLEY
<a href="#">SF 455</a> .....	<a href="#">S-3100</a> .....	Adopted	JASON SCHULTZ
<a href="#">SF 496</a> .....	<a href="#">S-3105</a> .....	Adopted	JASON SCHULTZ
<a href="#">SF 541</a> .....	<a href="#">S-3106</a> .....	Filed	RECEIVED FROM THE HOUSE
<a href="#">SF 547</a> .....	<a href="#">S-3098</a> .....	Adopted	AMY SINCLAIR
<a href="#">SF 578</a> .....	<a href="#">S-3107</a> .....	Filed	RECEIVED FROM THE HOUSE
<a href="#">HF 260</a> .....	<a href="#">S-3103</a> .....	Lost	LIZ MATHIS
<a href="#">HF 555</a> .....	<a href="#">S-3104</a> .....	Lost	HERMAN C. QUIRMBACH
<a href="#">HF 561</a> .....	<a href="#">S-3099</a> .....	Adopted	JULIAN GARRETT
<a href="#">HF 654</a> .....	<a href="#">S-3101</a> .....	Adopted	TOM SHIPLEY

**Fiscal Notes**

[SF 568](#) — [Election Omnibus](#) (LSB1717SV.1)

[HF 309](#) — [Tax-Exempt Organizations, Public Disclosure of Information](#)  
(LSB1731HV.2)

[HF 736](#) — [Medicaid, Refunds and Offsets](#) (LSB2593HV.1)

[HF 775](#) — [Open Fields, Cameras](#) (LSB1238HV.1)

[HF 813](#) — [Charter School Programs](#) (LSB2241HV.1)

SENATE FILE 331

S-3102

- 1 Amend Senate File 331 as follows:
- 2 1. Page 3, by striking lines 11 through 13 and inserting
- 3 <lights.>

By TOM SHIPLEY

S-3102 FILED MARCH 29, 2021

ADOPTED

SENATE FILE 455

S-3100

1 Amend Senate File 455 as follows:

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

4 <Section 1. Section 331.301, Code 2021, is amended by adding  
5 the following new subsection:

6 NEW SUBSECTION. 18. *a.* A county shall not adopt, enforce,  
7 or otherwise administer an ordinance, motion, resolution,  
8 or amendment, or use any other means, to restrict, impede,  
9 regulate, or prohibit, intentionally or effectively, any of the  
10 following:

11 (1) The provision of natural gas service by a public utility  
12 as defined in section 476.1, a competitive natural gas provider  
13 as defined in section 476.86, or a retail propane marketer or  
14 retail propane dispenser as those terms are defined in section  
15 101C.2 to a person, business, municipality, or other wholesale  
16 or retail customer within or outside the county.

17 (2) The purchase of natural gas or propane from a  
18 competitive natural gas provider as defined in section 476.86  
19 or a retail propane marketer or retail propane dispenser as  
20 those terms are defined in section 101C.2, or the receipt of  
21 natural gas or propane service from a public utility as defined  
22 in section 476.1, by any person, business, municipality, or  
23 other wholesale or retail customer within or outside the  
24 county.

25 *b.* Paragraph "*a*" does not apply to an ordinance, motion,  
26 resolution, or amendment that regulates a retail propane  
27 marketer or retail propane dispenser, as those terms are  
28 defined in section 101C.2, adopted before the effective date  
29 of this Act.

30 Sec. 2. Section 364.3, Code 2021, is amended by adding the  
31 following new subsection:

32 NEW SUBSECTION. 13. *a.* A city shall not adopt, enforce,  
33 or otherwise administer an ordinance, motion, resolution,  
34 or amendment, or use any other means, to restrict, impede,  
35 regulate, or prohibit, intentionally or effectively, any of the

1 following:

2 (1) The provision of natural gas service by a public utility  
3 as defined in section 476.1, a competitive natural gas provider  
4 as defined in section 476.86, or a retail propane marketer or  
5 retail propane dispenser as those terms are defined in section  
6 101C.2 to a person, business, municipality, or other wholesale  
7 or retail customer within or outside the incorporated area of  
8 the city.

9 (2) The purchase of natural gas or propane from a  
10 competitive natural gas provider as defined in section 476.86  
11 or a retail propane marketer or retail propane dispenser as  
12 those terms are defined in section 101C.2, or the receipt of  
13 natural gas or propane service from a public utility as defined  
14 in section 476.1, by any person, business, municipality, or  
15 other wholesale or retail customer within or outside the  
16 incorporated area of the city.

17 b. (1) Paragraph "a" does not apply to an ordinance  
18 granting, extending, amending, or renewing a franchise pursuant  
19 to section 364.2, subsection 4, that does not restrict or  
20 impede the provision of natural gas service.

21 (2) Paragraph "a" does not apply to an ordinance, motion,  
22 resolution, or amendment relating to the rates, services, or  
23 governance of a public utility providing gas service to the  
24 public for compensation and subject to the jurisdiction of  
25 the utilities board of the department of commerce pursuant to  
26 section 476.1B.

27 (3) Paragraph "a" does not apply to an ordinance, motion,  
28 resolution, or amendment that regulates a retail propane  
29 marketer or retail propane dispenser, as those terms are  
30 defined in section 101C.2, adopted before the effective date  
31 of this Act.>

By JASON SCHULTZ

S-3100 (Continued)

ADOPTED

SENATE FILE 496

S-3105

1 Amend Senate File 496 as follows:

2 1. Page 1, by striking lines 12 through 14 and inserting:

3 <4. "*Low-wage employee*" means an employee who earns an  
4 average monthly wage that is less than or equal to fourteen  
5 dollars and fifty cents an hour.>

By JASON SCHULTZ

S-3105 FILED MARCH 29, 2021

ADOPTED

HOUSE AMENDMENT TO  
SENATE FILE 541

S-3106

- 1 Amend Senate File 541, as passed by the Senate, as follows:
- 2 1. Page 1, line 30, by striking <includes> and inserting
- 3 <may include>
- 4 2. Page 2, after line 14 by inserting:
- 5 <Sec. \_\_\_\_ . EFFECTIVE DATE. This Act takes effect January 1,
- 6 2022.>
- 7 3. Title page, line 2, after <contracts> by inserting <and
- 8 including effective date provisions>
- 9 4. By renumbering as necessary.

S-3106 FILED MARCH 29, 2021

SENATE FILE 547

S-3098

- 1 Amend Senate File 547 as follows:
- 2 1. Page 2, line 7, by striking <ten> and inserting
- 3 <twenty-five>

By AMY SINCLAIR

S-3098 FILED MARCH 29, 2021

ADOPTED



HOUSE AMENDMENT TO  
SENATE FILE 578

S-3107

1 Amend Senate File 578, as amended, passed, and reprinted by  
2 the Senate, as follows:

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

5 <DIVISION I

6 DEPARTMENTAL ORGANIZATION

7 Section 1. Section 159.5, subsection 7, Code 2021, is  
8 amended to read as follows:

9 ~~7. Establish and maintain a marketing news service bureau~~  
10 ~~in the department which shall, in cooperation with the~~  
11 ~~federal market news and grading division~~ Cooperate with the  
12 agricultural marketing service of the United States department  
13 of agriculture, to collect and disseminate data and information  
14 relative to the market prices and conditions of agricultural  
15 products raised, produced, and handled in the state.

16 DIVISION II

17 ANIMALS

18 PART A

19 COMMERCIAL ESTABLISHMENTS

20 Sec. 2. Section 162.2A, subsection 3, paragraph d, Code  
21 2021, is amended by striking the paragraph.

22 Sec. 3. Section 162.2A, Code 2021, is amended by adding the  
23 following new subsection:

24 NEW SUBSECTION. 4A. A commercial establishment shall not  
25 be issued or renewed a state license by the department, unless  
26 a person applying for the state license presents the department  
27 with a valid, government-issued identification, or other form  
28 of similar identification approved by the department, as  
29 proof of identity that the person may legally act on behalf  
30 of the commercial establishment in making the application.  
31 The application must be signed by the person under penalty of  
32 perjury subject to the penalty provisions of section 162.13,  
33 subsection 1. Upon completion of the initial inspection,  
34 the issued or renewed state license shall include a unique  
35 identification number that is a public record under chapter 22.

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PART B

VETERINARY PRACTICE

Sec. 4. Section 169.20, subsection 2, Code 2021, is amended to read as follows:

2. The board shall issue certificates to veterinary assistants who have met the educational, experience, and testing requirements as the board shall specify by rule. ~~The A certificate is not a license and does not expire. The A new certificate shall be issued for a three-year period, subject to renewal at the end of each triennium. The board may adopt rules providing for the issuance and renewal of a certificate including the issuance of a new certificate for the balance of a triennium.~~ A certificate may be suspended or revoked, or any other disciplinary action may be taken as specified in section 272C.3, subsection 2. All disciplinary actions shall be taken ~~pursuant to~~ in the same manner as provided in section 169.14.

PART C

FOREIGN ANIMAL DISEASE CONTROL

Sec. 5. Section 22.7, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 39A. Information related to the registration and identification of any premises where animals are kept as authorized pursuant to the foreign animal disease preparedness and response strategy as provided in section 163.3C.

Sec. 6. Section 163.3C, Code 2021, is amended by adding the following new subsection:

NEW SUBSECTION. 3. a. In developing and establishing a foreign animal disease preparedness and response strategy, the department may collect, maintain, and use information related to the registration and identification of any premises where animals are kept. The information may include but is not limited to all of the following:

- (1) The name, address, and contact information of an interested person.

1 (2) The location of the premises where the animals are kept.

2 (3) An identification number assigned to the premises where  
3 the animals are kept.

4 *b.* The information described in paragraph "a" is a  
5 confidential record as provided in section 22.7. Nothing  
6 in this subsection limits the department in acting as the  
7 lawful custodian of the confidential record from disclosing  
8 the record or any part of the record to another person if the  
9 department determines that such disclosure will assist in  
10 implementing, administering, or enforcing the foreign animal  
11 disease preparedness and response strategy.

12 DIVISION III

13 COMMODITY PRODUCTION AND SALE

14 PART A

15 LOCAL FARM PRODUCE PROGRAM

16 Sec. 7. NEW SECTION. 190A.11 Definitions.

17 As used in this subchapter, unless the context otherwise  
18 requires:

19 1. "*Department*" means the department of agriculture and land  
20 stewardship.

21 2. "*Farm source*" means a farmer who produces and sells fresh  
22 farm produce grown on the farmer's land or a distributor of  
23 fresh farm produce who purchases fresh farm produce directly  
24 from such farmer or sells fresh farm produce on behalf of such  
25 farmer.

26 3. "*Fresh farm produce*" means vegetables, fruits, or nuts  
27 intended for inclusion as part of a school diet, including  
28 school meals and snacks as described in section 190A.3, if the  
29 vegetables, fruits, or nuts are not processed except for being  
30 trimmed, cleaned, dried, sorted, or packaged.

31 4. "*Fund*" means the local farm produce fund created in  
32 section 190A.12.

33 5. "*Program*" means the local farm produce program created  
34 in section 190A.13.

35 6. "*School*" means a public school or nonpublic school, as

1 those terms are defined in section 280.2, or that portion of a  
2 public school or nonpublic school that provides facilities for  
3 teaching any grade from kindergarten through grade twelve.

4 7. "*School district*" means a school district as described  
5 in chapter 274.

6 Sec. 8. NEW SECTION. 190A.12 **Local farm produce fund.**

7 1. A local farm produce fund is created in the state  
8 treasury under the management and control of the department.

9 2. The fund shall include moneys appropriated to the fund  
10 by the general assembly. The fund may include other moneys  
11 available to and obtained or accepted by the department,  
12 including moneys from public or private sources.

13 3. Moneys in the fund are appropriated to support the  
14 program in a manner determined by the department, including for  
15 reasonable administrative costs incurred by the department.  
16 Moneys expended from the fund shall not require further special  
17 authorization by the general assembly.

18 4. *a.* Notwithstanding section 12C.7, interest or earnings  
19 on moneys in the fund shall be credited to the fund.

20 *b.* Notwithstanding section 8.33, moneys credited to the  
21 fund that remain unencumbered or unobligated at the end of a  
22 fiscal year shall not revert but shall remain available for the  
23 purposes designated.

24 Sec. 9. NEW SECTION. 190A.13 **Local farm produce program.**

25 1. A local farm produce program is created. The program  
26 shall be controlled and administered by the department.

27 2. The purpose of the program is to assist schools and  
28 school districts in purchasing fresh farm produce.

29 3. The department shall reimburse a school or school  
30 district for expenditures incurred by the school or school  
31 district during the school year in which the school or school  
32 district is participating in the program for purchases of fresh  
33 farm produce.

34 4. A school or school district must apply each year to the  
35 department to participate in the program according to rules

1 adopted by the department pursuant to chapter 17A.

2 5. To be eligible to participate in the program, a school or  
3 school district must purchase the fresh farm produce directly  
4 from a farm source as follows:

5 a. Except as provided in paragraph "b", the farm source must  
6 be located in this state.

7 b. If the school district shares a border with another  
8 state, or the school is part of a school district that shares  
9 a border with another state, the farm source may be located  
10 in the other state. However, the farm source must be located  
11 within thirty miles from the school district's border with that  
12 state and the department must approve the purchase.

13 6. The department shall require proof of purchase prior to  
14 reimbursing the school or school district for the purchase of  
15 fresh farm produce.

16 7. The department may administer the program in cooperation  
17 with the department of education and the participating school  
18 or school district in which a participating school is located.

19 8. a. The department shall reimburse a participating  
20 school or school district that submits a claim as required  
21 by the department. The department shall pay the claim on a  
22 matching basis with the department contributing one dollar  
23 for every three dollars expended by the school or school  
24 district. However, a school or school district shall not  
25 receive more than one thousand dollars during any year in which  
26 it participates in the program.

27 b. Notwithstanding paragraph "a", if the department  
28 determines that there are sufficient moneys in the fund to  
29 satisfy all claims that may be submitted by schools and school  
30 districts, the department shall provide for the distribution  
31 of the available moneys in a manner determined equitable by  
32 the department, which may include a prorated distribution to  
33 participating schools and school districts.

34

PART B

35

FERTILIZERS AND SOIL CONDITIONERS

1     Sec. 10. Section 200.3, subsection 24, Code 2021, is amended  
2 by striking the subsection.

3     Sec. 11. Section 200.14, Code 2021, is amended to read as  
4 follows:

5     **200.14 Rules.**

6     1. a. ~~The secretary is authorized, after public hearing,~~  
7 ~~following due notice, to~~ department may adopt rules setting  
8 forth pursuant to chapter 17A providing minimum general  
9 safety standards for the design, construction, location,  
10 installation, and operation of equipment for storage, handling,  
11 transportation by tank truck or tank trailer, and utilization  
12 of anhydrous ammonia fertilizers and soil conditioners.

13     ~~a.~~ b. The rules shall be such as are reasonably necessary  
14 for the protection and safety of the public and persons using  
15 anhydrous ammonia fertilizers or soil conditioners, and shall  
16 be in substantial conformity with the generally accepted  
17 standards of safety.

18     ~~b.~~ ~~Rules that are in substantial conformity with the~~  
19 ~~published standards of the agricultural ammonia institute for~~  
20 ~~the design, installation and construction of containers and~~  
21 ~~pertinent equipment for the storage and handling of anhydrous~~  
22 ~~ammonia, shall be deemed to be in substantial conformity with~~  
23 ~~the generally accepted standards of safety.~~

24     ~~2.~~ c. Anhydrous ammonia Fertilizer and soil conditioner  
25 equipment shall be installed and maintained in a safe operating  
26 condition and in conformity with rules adopted by the secretary  
27 department.

28     ~~3.~~ 2. ~~The secretary shall enforce this chapter and, after~~  
29 ~~due publicity and due public hearing,~~ department may adopt  
30 such reasonable rules as may be necessary in order to carry  
31 into effect the purpose, and intent and to secure the efficient  
32 administration, of this chapter.

33     ~~4.~~ 3. This chapter does not prohibit the use of storage  
34 tanks smaller than transporting tanks nor the transfer of all  
35 kinds of fertilizer including anhydrous ammonia fertilizers

1 or soil conditioners directly from transporting tanks to  
2 implements of husbandry, if proper safety precautions are  
3 observed.

4 DIVISION IV  
5 WEIGHTS AND MEASURES  
6 PART A  
7 GENERAL

8 Sec. 12. Section 214.1, Code 2021, is amended by adding the  
9 following new subsection:

10 NEW SUBSECTION. 6. "*Weighmaster*" means a person who keeps  
11 and regularly uses a commercial weighing and measuring device  
12 to accurately weigh objects for others as part of the person's  
13 business operated on a profit, cooperative, or nonprofit basis.

14 Sec. 13. Section 214.3, subsection 1, Code 2021, is amended  
15 to read as follows:

16 1. ~~The A license issued by the department for the inspection~~  
17 ~~of a commercial weighing and measuring device shall expire on~~  
18 ~~December 31 of each year, and for a motor fuel pump on June 30~~  
19 ~~of each year. The amount of the fee due for each license shall~~  
20 ~~be as provided in subsection 3, except that the fee for a motor~~  
21 ~~fuel pump shall be four dollars and fifty cents if paid within~~  
22 ~~one month from the date the license is due.~~

23 Sec. 14. Section 214.3, subsection 3, paragraph e,  
24 subparagraph (2), Code 2021, is amended to read as follows:

25 (2) Retail motor fuel pump, nine four dollars and fifty  
26 cents.

27 Sec. 15. Section 214.4, subsection 1, unnumbered paragraph  
28 1, Code 2021, is amended to read as follows:

29 If the department does not receive payment of the license  
30 fee required pursuant to section 214.3 within one month from  
31 the due date, the department shall ~~send~~ deliver a notice to  
32 the owner or operator of the device. ~~The notice shall be~~  
33 ~~delivered by certified mail.~~ The notice shall state all of the  
34 following:

35 Sec. 16. Section 214.6, Code 2021, is amended to read as

1 follows:

2 **214.6 Oath Duties of ~~weighmasters~~ weighmaster.**

3 ~~All persons keeping a commercial weighing and measuring~~  
4 ~~device, before entering upon their duties as weighmasters, A~~  
5 ~~weighmaster shall be sworn before some person having authority~~  
6 ~~to administer oaths, to keep their~~ ensure that a commercial  
7 weighing and measuring device is correctly balanced, to make  
8 true weights, and ~~to~~ shall render a correct account to the  
9 person having weighing done.

10 Sec. 17. Section 214.11, Code 2021, is amended to read as  
11 follows:

12 **214.11 Inspections — recalibrations — penalty.**

13 1. The department shall provide for annual inspections  
14 of all motor fuel pumps, including but not limited to motor  
15 fuel blender pumps, licensed under this chapter. Inspections  
16 shall be for the purpose of determining the accuracy ~~of the~~  
17 ~~pumps' measuring mechanisms, and for such~~ and correctness of  
18 motor fuel pumps. For that purpose the department's inspectors  
19 may enter upon the premises of any wholesale dealer or retail  
20 dealer, ~~as they are defined in section 214A.1, of motor fuel~~  
21 ~~or fuel oil within this state.~~

22 2. Upon completion of an inspection, the inspector shall  
23 affix the department's seal to the measuring mechanism of the  
24 motor fuel pump. The seal shall be appropriately marked,  
25 dated, and recorded by the inspector. If the owner of an  
26 inspected and sealed motor fuel pump is registered with the  
27 department as a servicer in accordance with section 215.23,  
28 or employs a person so registered as a servicer, the owner  
29 or other servicer may open the motor fuel pump, break the  
30 department's seal, recalibrate the measuring mechanism if  
31 necessary, and reseal the motor fuel pump as long as the  
32 department is notified of the recalibration within forty-eight  
33 hours, ~~on a form~~ in a manner provided by the department.

34 ~~2.~~ 3. A person violating a provision of this section is,  
35 upon conviction, guilty of a simple misdemeanor.



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PART B  
MOTOR FUEL

Sec. 18. Section 214A.2A, subsection 1, Code 2021, is amended to read as follows:

1. Fuel which is sold or is kept, offered, or exposed for sale as kerosene shall be labeled as kerosene. The label shall include the word "kerosene" ~~and a or the~~ designations as either "K1" or "K2" "K1 kerosene", and shall indicate that the kerosene is in compliance with the standard specification adopted by A.S.T.M. international specification D3699 (1982).

Sec. 19. REPEAL. Section 214A.15, Code 2021, is repealed.

PART C  
INSPECTIONS

Sec. 20. Section 215.4, Code 2021, is amended to read as follows:

**215.4 Tag for inaccurate or incorrect device — reinspection — license fee.**

A commercial weighing and measuring device found to be inaccurate or incorrect upon inspection by the department shall be rejected or tagged "condemned until repaired" and the ~~"licensed for commercial use"~~ inspection sticker shall be removed. If notice is received by the department that the device has been repaired and upon reinspection the device is found to be accurate or correct, ~~the~~ a license fee ~~shall not~~ may be charged for the reinspection. However, a second license fee shall be charged if upon reinspection the device is found to be inaccurate. The device shall be tagged "condemned" and removed from service if a third reinspection fails.

Sec. 21. Section 215.7, Code 2021, is amended to read as follows:

**215.7 Transactions by false weights or measures.**

1. A person shall be deemed to have violated the provisions of this chapter ~~and shall be punished as provided in chapter 189,~~ if the person does any of the following apply:

1. a. ~~The person sells~~ Sells, trades, delivers, charges

1 for, or claims to have delivered to a purchaser an amount  
2 of any commodity which is less in weight or measure than  
3 that which is asked for, agreed upon, claimed to have been  
4 delivered, or noted on the delivery ticket.

5 ~~2. b. The person makes~~ Makes a settlement for or enters  
6 a credit, based upon any false weight or measurement, for any  
7 commodity purchased.

8 ~~3. c. The person makes~~ Makes a settlement for or enters  
9 a credit, based upon any false weight or measurement, for any  
10 labor where the price of producing or mining is determined by  
11 weight or measure.

12 ~~4. d. The person records~~ Records a false weight or  
13 measurement upon the weight ticket or book.

14 2. The department may adopt rules pursuant to chapter 17A  
15 that allow for reasonable variations and exceptions for small  
16 packages.

17 3. A person who violates this section is guilty of a simple  
18 misdemeanor.

19 Sec. 22. Section 215.23, Code 2021, is amended to read as  
20 follows:

21 **215.23 Servicer's license.**

22 ~~1. A servicer shall not install, service, or repair a~~  
23 ~~commercial weighing and measuring device until the servicer~~  
24 ~~has demonstrated that the servicer has available adequate~~  
25 ~~testing equipment, and that the servicer possesses a working~~  
26 ~~knowledge of all devices the servicer intends to install or~~  
27 ~~repair and of all appropriate weights, measures, statutes, and~~  
28 ~~rules, as evidenced by passing a qualifying examination to~~  
29 ~~be conducted by the department and obtaining a license. The~~  
30 ~~secretary of agriculture shall establish by rule pursuant to~~  
31 ~~chapter 17A, requirements for and contents of the examination.~~  
32 The department may adopt rules pursuant to chapter 17A setting  
33 forth qualification requirements for persons applying for a  
34 servicer's license, including an examination.

35 2. In determining these a servicer's qualifications, the

1 ~~secretary shall~~ department may consider the specifications  
2 of the United States national institute of standards and  
3 technology, handbook 44, "Specifications, Tolerances, and  
4 Technical Requirements for Weighing and Measuring Devices",  
5 or the current successor or equivalent specifications adopted  
6 by the United States national institute of standards and  
7 technology.

8 3. The ~~secretary shall~~ department may require an ~~annual~~ the  
9 payment of a license fee of not more than five dollars for an  
10 amount established by rule for each license issued under this  
11 section.

12 4. Each A license shall expire ~~one year~~ two years from its  
13 date of issuance.

14 Sec. 23. REPEAL. Sections 215.3 and 215.8, Code 2021, are  
15 repealed.

16 DIVISION V

17 FARM FOOD STUDY

18 Sec. 24. FARM-TO-TABLE TASK FORCE.

19 1. The Iowa cooperative extension service in agriculture  
20 and home economics of Iowa state university of science and  
21 technology, in cooperation with the department of agriculture  
22 and land stewardship, shall establish a farm-to-table task  
23 force.

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

30 3. The task force shall consider methods to do all of the  
31 following:

32 a. Improve direct farmer to consumer transactions.

33 b. Better integrate existing public and private procurement  
34 and nutritional programs, including but not limited to the  
35 farm-to-school program as provided in chapter 190A; the from

S-3107 (Continued)

1 farm to food donation tax credit as provided in chapter 190B,  
2 subchapter I; the Iowa emergency food purchase program as  
3 provided in chapter 190B, subchapter II; and the local food and  
4 farm program as provided in chapter 267A.

5 4. a. The task force shall be jointly chaired by the vice  
6 president for extension and outreach of Iowa state university  
7 of science and technology, or a designee; and the secretary of  
8 agriculture, or a designee. The chairpersons of the task force  
9 shall appoint remaining voting members to serve on the task  
10 force.

11 b. The Iowa cooperative extension service in agriculture  
12 and home economics shall provide meeting rooms, materials, and  
13 staffing services for the task force.

14 5. The task force shall prepare and submit a report to  
15 the governor and general assembly not later than December 10,  
16 2021. The report shall include findings and recommendations,  
17 including any proposed legislation, and a suggested timeline  
18 for implementation of the task force's recommendations.

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

[S-3107](#) FILED MARCH 29, 2021

HOUSE FILE 260

S-3103

- 1 Amend House File 260, as passed by the House, as follows:  
2 1. Page 1, line 9, by striking <school-aged.> and inserting  
3 <school-aged, and the child care provider enters into a child  
4 care assistance provider agreement with the department.>

By LIZ MATHIS

S-3103 FILED MARCH 29, 2021

LOST

HOUSE FILE 555

S-3104

- 1 Amend House File 555, as amended, passed, and reprinted by  
2 the House, as follows:
- 3 1. Page 1, line 6, by striking <regulate,>
  - 4 2. Page 1, after line 26 by inserting:  
5 <c. This subsection shall not be interpreted to restrict the  
6 ability of a county to promote alternative energy.>
  - 7 3. Page 1, line 32, by striking <regulate,>
  - 8 4. Page 2, after line 28 by inserting:  
9 <c. This subsection shall not be interpreted to restrict the  
10 ability of a city to promote alternative energy.>

By HERMAN C. QUIRMBACH

S-3104 FILED MARCH 29, 2021

LOST

HOUSE FILE 561

S-3099

1 Amend House File 561, as passed by the House, as follows:  
2 1. Page 1, line 11, by striking <1> and inserting <2>  
3 2. Page 1, by striking lines 13 through 15 and inserting:  
4 <2. In a court action to challenge a mechanic's lien posted  
5 on a residential construction property, or any bond given in  
6 lieu thereof, if the person challenging the lien or defending  
7 against any action on the bond prevails, the court may award  
8 reasonable attorney fees and actual damages. If the court  
9 determines that the mechanic's lien was posted in bad faith  
10 or the supporting affidavit was materially false, the court  
11 shall award the owner reasonable attorney fees plus an amount  
12 not less than five hundred dollars or the amount of the lien,  
13 whichever is less.>

By JULIAN GARRETT

S-3099 FILED MARCH 29, 2021

ADOPTED

HOUSE FILE 654

S-3101

- 1 Amend House File 654, as passed by the House, as follows:  
2 1. Page 3, line 11, after <lights.> by inserting <Red and  
3 blue lights equipped on a towing or recovery vehicle must be  
4 rear-facing.>

By TOM SHIPLEY

S-3101 FILED MARCH 29, 2021

ADOPTED





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[SF 568](#) – Election Omnibus (LSB1717SVV.1)

Staff Contact: Maria Wagenhofer (515.281.5270) [maria.wagenhofer@legis.iowa.gov](mailto:maria.wagenhofer@legis.iowa.gov)

Fiscal Note Version – As amended and passed by the Senate

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## **Description**

[Senate File 568](#) relates to the conduct of elections, including various changes regarding nominations, proposed amendments to the Iowa Constitution, public measures, holding multiple elective offices, voter registration, ballots, voter identification, reporting election results, election audits, presidential elector per-diem, and county seals. Sections 23 and 36 of the Bill have been identified as having potential fiscal impacts.

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**Section 23:** For public measures appearing on a ballot in the month of March or September, Section 23 requires entities requesting the public measure to mail notifications to all household that include a registered voter eligible to vote on the public measure. The notification must include the following information:

- Date of the election.
- Hours during which the polls will be open.
- Information on finding the voter's polling place.
- Internet site and telephone number of the county commissioner of elections.
- Internet site of the State commissioner of elections.

## **Background**

Iowa Code section [39.2](#) governs special elections on public measures and sets the following dates on which a public measure election may be held throughout the year:

- First Tuesday after the first Monday in March.
- Second Tuesday in September.
- The first Tuesday after the first Monday in November of an odd-numbered year.

The Iowa Association of School Boards (IASB) reported that between FY 2016 and FY 2020, there were 145 bond-approval elections for school districts across the State (average of 29 per year), and between school years 2015 and 2019 there were 109 physical plant and equipment levy (PPEL) elections across the State (average of 27 per year). Additionally, there are ongoing elections for Secure an Advanced Vision for Education (SAVE) Revenue Purpose Statement reauthorizations across school districts, per Iowa Code section [423F.3](#). At the end of FY 2020, there were 220 districts with a Revenue Purpose Statement expiring in 2029 or before.

## **Assumptions**

- The governmental entities most affected by Section 23 will be counties, cities, and school districts.
- The cost will depend on whether the public measure is at the county level, city level, or school district level, and the number of households that include a registered voter eligible to vote on the public measure.
- The cost per entity per fiscal year will depend on the number of requested public measure elections each fiscal year.

- The cost per entity may depend on the method of mailing (letter or postcard) and whether the mailings are done in-house or outsourced. For purposes of this **Fiscal Note**, the LSA will illustrate the potential fiscal impact of mailings for one public measure to a varying number of households by both letter and postcard.
- For estimation purposes, it is assumed that entities will outsource the mailings; however, for entities that produce and mail the notifications in-house, there may be additional costs associated with staff time.
- For estimation purposes, the calculations for letter mailings are based on an estimate provided to a medium-sized county from a local print shop. These estimates include the cost of the letter, envelope, labor, and postage. For estimation purposes, the calculations assume that the price per mailing for the first 1,000 letters would be \$0.69; for the next 22,000 letters, \$0.52; and for every additional letter above 23,000, \$0.51.
- For estimation purposes, the calculations for postcard mailings are based on estimates from the IASB and include the cost of printing a 5 x 7 postcard and standard postage presorted.
- It is unknown how many public measures will appear on a ballot in the month of March or September and will require entities to mail notifications.
- The additional mailing costs for an entity requesting a public measure will depend on whether that entity currently provides mailings on public measures to registered voters. Entities that already mail notifications to voters will not incur additional expenses.
- Costs will be incurred by the entity requesting the public measure.

**Fiscal Impact**

The effect on local government (county, city, or school board) expenditures depends on the number of households with a registered voter eligible to vote on the public measure. The tables below include examples of potential costs per public measure based on the number of households with a registered voter eligible to vote. **Table 1** includes estimates for letter mailings and **Table 2** includes estimates for postcard mailings.

**Table 1: Estimated Cost for Letter Mailings Per Public Measure Based on Households With a Registered Voter**

<b>Number of Households With a Registered Voter</b>	<b>Estimated Cost Per Mailing</b>	<b>Estimated Cost Per Public Measure</b>
1,000	\$ 0.69	\$ 690
10,000	0.52	5,200
25,000	0.51	12,750
50,000	0.51	25,500
100,000	0.51	51,000
300,000	0.51	153,000

**Table 2: Estimated Cost for Postcard Mailings Per Public Measure Based on Households With a Registered Voter**

<b>Number of Households With a Registered Voter</b>	<b>Estimated Cost Per Mailing</b>	<b>Estimated Cost Per Public Measure</b>
1,000	\$ 0.66	\$ 660
10,000	0.42	4,200
25,000	0.36	9,000
50,000	0.34	17,000
100,000	0.32	32,000
300,000	0.31	93,000

There may also be an additional cost for staff time for entities to compile lists and mailings; however, that cost cannot be estimated at this time.

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**Section 36:** Requires the Secretary of State’s (SOS) Office to order an audit of all elections. Postelection audits are currently required following each general election.

**Assumptions**

- For estimation purposes, counties may hire between six to eight individuals to conduct the audit at approximately \$11 per hour.
- For estimation purposes, postelection audits will take approximately 1.5 hours to complete.

**Fiscal Impact**

Senate File 568 is estimated to cost counties between \$100 and \$200 per postelection audit. Costs will vary based on the number and size of special elections conducted in a given year.

**Sources**

Office of the Secretary of State  
 Iowa State Association of Counties  
 Iowa Association of School Boards  
 LSA calculations

/s/ Holly M. Lyons

March 29, 2021

Doc ID 1218239

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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 309](#) – Tax-Exempt Organizations, Public Disclosure of Information (LSB1731HV.1)  
Staff Contact: Maria Wagenhofer (515.281.5270) [maria.wagenhofer@legis.iowa.gov](mailto:maria.wagenhofer@legis.iowa.gov)  
Fiscal Note Version – REVISED (Updated Fiscal Impact Information)

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### **Description**

[House File 309](#) prohibits a public agency from seeking the disclosure of, or publishing, personal information from a tax-exempt organization under Section 501(c) of the federal Internal Revenue Code that would reveal the identity of a member, supporter, volunteer, or donor of a tax-exempt organization, or from requesting from a contractor a list of tax-exempt organizations that the contractor has supported. The Bill also requires any court-ordered inspection of corporate records containing personal information to be made under seal from public disclosure and prohibits corporate disclosure from being used to obtain personal information. House File 309 makes the following exceptions:

- Lawful warrants or discovery requests in which the requestor shows a compelling need for the information and obtains a protective order barring unnecessary disclosure.
- Agreements between an organization and a public agency.
- Information that must be reported to the Secretary of State pursuant to Iowa Code chapter [504](#) or the Attorney General or State Auditor pursuant to Iowa Code chapter 504, chapter [537](#), or section [714.16](#).
- Personal information disclosed in public judicial proceedings.

The Bill does not affect any provision of Iowa Code chapter [68A](#), which relates to campaign finance.

A person who violates the Bill commits a civil penalty, and a person who knowingly violates the Bill commits a serious misdemeanor.

### **Background**

A civil penalty includes a fine of no less than \$2,500 per violation and no more than \$7,000 per intentional violation. A serious misdemeanor is punishable by imprisonment for not more than 90 days or a fine of not more than \$1,000 or both.

### **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.

### **Correctional Impact**

The correctional impact of HF 309 cannot be determined. The Bill establishes a new criminal offense, and no historical data exists to make a reliable estimate.

**Table 1** shows estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; LOS under those supervisions; and supervision marginal costs per day for all convictions of serious misdemeanors. 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.

**Table 1 — Sentencing Estimates and LOS**

Conviction Offense Class	Percent to Prison	Avg Length of Stay Prison (months)	FY 20 Marginal Cost/Day Prison	Percent Ordered to Probation	Avg LOS on Probation	Avg Cost Per Day on Probation	Percent Sentenced to CBC Residential Facility	FY 20 Marginal Cost CBC Per Day	Percent Ordered to County Jail	Marginal Cost Per Day	Avg LOS on Parole	FY 20 Average Cost Per Day Parole
Serious Misdemeanor	2.0%	5.0	\$20.33	56.0%	13.4	\$5.38	1.0%	\$14.78	69.0%	\$50.00	2.4	\$5.38

**Minority Impact**

House File 309 establishes a new criminal offense, and a minority impact cannot be estimated due to a lack of data. 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.

**Fiscal Impact — Correctional System**

The fiscal impact of House File 309 to the correctional system cannot be determined, as the Bill establishes a new criminal offense, and the resulting cost to the justice system cannot be determined. The Department of Corrections (DOC) estimates that public agencies are likely to comply with the Bill. **Table 2** shows estimates for the average State cost for one simple misdemeanor or serious misdemeanor conviction. The cost estimates include operating costs incurred by the Judicial Branch, the State Public Defender, and the DOC for one conviction.

**Table 2 — Average State Cost Per Offense Class Type**

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

The new offense established by HF 309 may also result in an increase in civil penalty revenue, but the impact is unknown.

**Fiscal Impact — Department of Revenue**

According to the Department of Revenue, the Bill would not alter tax liability but would impact the Department’s capacities in enforcing tax obligations. For this reason, the impacts are not estimated but may be substantial and increase over time. The following were provided as areas where the administration and collection of taxes may be impacted:

- Requiring nonprofit organizations’ responsible officials to identify themselves on tax returns and other documentation, impairing collection of withholding tax.
- Auditing returns to identify ineligible deductions.
- Obtaining information sought in discovery in litigation.
- Administering some aspects of the tax code under current law, such as the School Tuition Organization Tax Credit.

**Sources**

Legislative Services Agency  
Criminal and Juvenile Justice Planning Division, Department of Human Rights  
Department of Corrections  
Department of Revenue

/s/ Holly M. Lyons

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March 29, 2021

Doc Id 1218221

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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 736](#) – Medicaid, Refunds and Offsets (LSB2593HV.1)

Staff Contact: Jess Benson (515.281.4611) [jess.benson@legis.iowa.gov](mailto:jess.benson@legis.iowa.gov)

Fiscal Note Version – As amended and passed by the House

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## **Description**

[House File 736](#) limits any post-payment review of claims paid under both Medicaid fee-for-service or managed care to 24 months from the date of payment unless the claim involves fraud or misrepresentation. In addition, any provider overpayment identified for which 24 months or more have elapsed since the date of payment of the claim shall not be subject to repayment or to offset against future reimbursement of claims by the provider, and any improper payment identified through a review may be resubmitted by the provider as a claims adjustment. The Bill does not apply to retroactive Medicaid cost settlements or rate changes based on a Medicaid or Medicare cost report.

## **Assumptions**

- The Department of Human Services (DHS) will be required to return the federal share of overpayments to the federal government even if the Bill prohibits collection of overpayments from providers.
- There will be a \$1.0 million loss in recoveries in Medicaid fee-for-service based on current recoveries that are older than 24 months.
- For the Managed Care Organizations (MCOs), based on overpayments where the initial notification to the provider was sent 24 months after the claim was paid, there will be \$2.4 million in lost recoveries.
- The reduction in MCO recoveries will need to be incorporated into the MCO capitation rates. The State will be able to draw federal share on this additional capitation payment to offset State costs, which is estimated to reduce the State need by \$1.7 million.
- There will be 200 hours at \$103 per hour in one-time costs for changes that will need to be made to the Medicaid Management Information System (MMIS) and the claims system.
- Post-payment review does not apply to retroactive Medicaid cost settlements or rate changes based on a Medicaid or Medicare cost report.

## **Fiscal Impact**

The total estimated impact of HF 736 is \$3.4 million (\$1.0 million fee-for-service and \$2.4 million for MCO) and the estimated cost to the State Medicaid program is \$1.8 million in FY 2022 and each year after.

The DHS will incur one-time costs totaling \$20,600 for upgrades to the MMIS and claims system.

**Source**

Department of Human Services

/s/ Holly M. Lyons

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March 26, 2021

Doc ID 1218039

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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 775](#) – Open Fields, Cameras (LSB1238HV.1)  
Staff Contact: Laura Book (515.205.9275) [laura.book@legis.iowa.gov](mailto:laura.book@legis.iowa.gov)  
Fiscal Note Version – As amended and passed by the House

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## **Description**

[House File 775](#) establishes the crime of unauthorized sampling under Iowa Code section 716.14. A person commits unauthorized sampling if the person knowingly enters private property, without consent of the owner or any other person having real or apparent authority to grant consent, and obtains samples of any materials specified in the Bill. The term “materials” is defined in the Bill. A person convicted of unauthorized sampling is guilty of an aggravated misdemeanor, or a Class D felony if the person has previously been convicted of committing unauthorized sampling.

House File 775 also establishes Iowa Code section 727.8A to provide that a person committing a trespass as defined under Iowa Code section [716.7](#) and who knowingly places or uses a camera or electronic surveillance device that transmits or records images or data while the device is on the trespassed property commits an aggravated misdemeanor for a first offense and a Class D felony for a second or subsequent offense.

## **Background**

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.

## **Correctional Impact**

House File 775 establishes new offenses and a correctional impact cannot be estimated due to a lack of existing conviction data. **Table 1** provides estimates for sentencing to State prison, parole, probation, or Community-Based Corrections (CBC) residential facilities; LOS under those supervisions; and supervision marginal costs per day for all convictions of aggravated misdemeanors and Class D felonies. 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.

**Table 1 — LOS and Sentencing Estimates**

Conviction Offense Class	Percent to Prison	Avg Length of Stay Prison (months)	FY 20 Marginal Cost/Day Prison	Percent Ordered to Probation	Avg LOS on Probation	Avg Cost Per Day on Probation	Percent Sentenced to CBC Residential Facility	FY 20 Marginal Cost CBC Per Day	Percent Ordered to County Jail	Avg Length of Stay in County Jail	Marginal Cost Per Day	Avg LOS on Parole	FY 20 Average Cost Per Day Parole
Class D Felony (Non-Persons)	76.0%	11.6	\$20.33	64.5%	33.4	\$5.38	12.3%	\$14.78	34.0%	N/A	\$50.00	12.6	\$5.38
Aggravated Misdemeanor (Non-Persons)	32.0%	11.6	\$20.33	69.8%	22.3	\$5.38	9.5%	\$14.78	39.6%	N/A	\$50.00	4.4	\$5.38

**Minority Impact**

House File 775 establishes new offenses and as a result, the Criminal and Juvenile Justice Planning Division (CJJP) of the Department of Human Rights cannot use prior existing data to estimate the minority impact of HF 775. 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.

**Fiscal Impact**

House File 775 establishes new offenses, and the fiscal impact cannot be estimated due to the lack of existing conviction data. **Table 2** contains cost estimates for the average State cost per offense class type for one conviction. The cost 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.

**Table 2 — Average State Cost Per Conviction**

Offense Class	Total Cost	
	Minimum	Maximum
Aggravated Misdemeanor	\$ 3,700	\$ 7,800
Class D Felony	7,700	13,500

**Sources**

CJJP, Department of Human Rights  
 Department of Corrections  
 Judicial Branch  
 LSA analysis

/s/ Holly M. Lyons

March 29, 2021

Doc ID 1218229

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.



**HF 813** – Charter School Programs (LSB2241HV.1)

Staff Contact: Lora Vargason (515.725.2249) [lora.vargason@legis.iowa.gov](mailto:lora.vargason@legis.iowa.gov)

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Fiscal Note Version – As amended and passed by the House

**Description**

[House File 813](#), as amended, establishes a new Code chapter [256E](#) establishing a new charter school program and provides for two pathways to establish a charter school in the State. A charter school can be established through application by a founding group created by a local school board, thereby creating a new attendance center that would be part of a public school district. A charter school can also be established through application by a founding group not created by a local school board, thereby creating a charter school independent of a public school district and having no boundary lines within the State. The charter school’s governing board is subject to open meetings in accordance with Code section [21](#), and membership requirements for the governing board of the charter school are detailed. Funding for each student attending a charter school will flow through the district of residence, similar to open enrollment, and includes the [State cost per pupil](#), the teacher leadership supplement, and additional weightings as detailed in the Bill. For students attending a charter school who had not been included in the previous year’s [enrollment count](#), the Bill establishes a General Fund standing unlimited appropriation to the Department of Education to be paid to the charter school for the students’ initial year of enrollment in the charter school.

**Background**

Under Iowa Code section [256F.1](#), a charter school may be established by creating a new school within an existing public school or converting an existing public school attendance center to charter school status. Storm Lake/Iowa Central/Buena Vista Early College Charter High School and West Central Charter High School are the two public charter schools in the State of Iowa. For additional information on these charter school programs, please read the Department of Education (DE) report [Legislative Report: Charter and Innovation Zone Schools in Iowa](#).

According to a 2016-2017 school year [report](#) published by the National Alliance for Public Charter Schools, 65.0% of public charter schools nationwide are freestanding and operate independently and apart from any management organization. The remaining 35.0% of public

<b>Table 1</b>	
<b>Nationwide CMO Enrollment for 2016-2017 School Year</b>	
	<u>Enrollment</u>
KIPP Foundation	79,040
Imagine Schools	33,745
Harmony Public Schools	32,084
IDEA Public Schools	29,335
Uncommon Schools	15,995

<b>Table 2</b>	
<b>Nationwide EMO Enrollment for 2016-2017 School Year</b>	
	<u>Enrollment</u>
K12 Inc.	93,561
Academica	75,586
Charter Schools USA	72,950
Connections Academy	60,569
National Heritage Academies	56,262

charter schools belong to some type of management organization or education service provider. The two types of education service providers are charter management organizations (CMOs), which hold a nonprofit tax status, or education management organizations (EMOs), which are for-profit tax entities. For the 2016-2017 school year, 23.0% of public charter schools contracted with a CMO and 12.0% of charter schools contracted with an EMO. **Table 1** provides the top CMOs and **Table 2** provides the top EMOs by enrollment for the 2016-2017 school year.

### **Fiscal Impact**

The LSA anticipates an increase of DE administration costs and the potential need for full-time equivalent (FTE) positions to fulfill the oversight requirements in this Bill, but the number of new charter school applications the State board may receive is unknown.

Federal fiscal and nonfiscal reporting requires inclusion of data for public charter schools. If a charter school is independent from a school district, determinations will be needed regarding eligibility and allocation methods used for federal funds.

There is a potential for double counting of students for State funding. For the initial year of funding for a charter school, State funding is based on an estimate of enrolled students. The potential students included in the charter school estimate may not actually attend the charter school and would in turn be funded at the school where they are actually enrolled. A reconciliation, based on actual enrollment, is to be completed during the subsequent payment to the charter school. It is unclear if the initial year of funding will be provided to the charter school through advance funding by the Department of Management, be provided through payments from the student's district of residence which through open enrollment protocols are typically paid in February and July, or be provided through some other means.

It is unknown the number of students who would be included in the General Fund standing unlimited appropriation for initial year enrollment in a charter school. Therefore, the appropriation cannot be estimated at this time. The appropriation would include funding for any student not included in the previous year's enrollment count including students attending nonpublic schools, [private instruction](#) students, or students entering kindergarten.

### **Sources**

Iowa Department of Education  
National Alliance for Public Charter Schools

/s/ Holly M. Lyons

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March 29, 2021

Doc ID 12180931218093

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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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