

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

April 7, 2021

Clip Sheet Summary

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

Bill	Amendment	Action	Sponsor
SJR 2	S-3127	Adopted	JAKE CHAPMAN
SF 388	S-3125	Adopted	BRAD ZAUN
SF 390	S-3124	Adopted	CARRIE KOELKER, et al
SF 390	S-3130	Filed	JANET PETERSEN, et al
SF 424	S-3132	Filed	RECEIVED FROM THE HOUSE
SF 527	S-3136	Filed	MARK COSTELLO
SF 587	S-3133	Adopted	DAN DAWSON
SF 587	S-3134	Lost	SARAH TRONE GARRIOTT
HJR 5	S-3128	Adopted	JAKE CHAPMAN
HF 196	S-3122	Adopted	CHRIS COURNOYER
HF 228	S-3120	Adopted	AMY SINCLAIR
HF 390	S-3123	Adopted	CRAIG JOHNSON
HF 452	S-3129	Adopted	ZACH WHITING
HF 468	S-3121	Filed	COMMITTEE ON EDUCATION, et al
HF 561	S-3131	Filed	RECEIVED FROM THE HOUSE

[HF 605](#) [S-3126](#) Lost

[HF 848](#) [S-3135](#) Lost

HERMAN C.
QUIRMBACH
JANET
PETERSEN, et al

Fiscal Notes

[SF 581](#) — [Antlerless Deer](#) (LSB2542SZ)

SENATE JOINT RESOLUTION 2

S-3127

1 Amend Senate Joint Resolution 2 as follows:

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

4 <Section 1. The following amendment to the Constitution of
5 the State of Iowa is proposed:

6 Article I of the Constitution of the State of Iowa is amended
7 by adding the following new section:

8 Sec. 26. To defend and protect unborn children, we the
9 people of the State of Iowa declare that this Constitution does
10 not recognize, grant, or secure a right to abortion or require
11 the public funding of abortion.

12 Sec. 2. REFERRAL AND PUBLICATION. The foregoing amendment
13 to the Constitution of the State of Iowa is referred to the
14 general assembly to be chosen at the next general election for
15 members of the general assembly, and shall be published as
16 provided by law for three consecutive months previous to the
17 date of that election.>

18 2. Title page, by striking lines 1 through 5 and inserting
19 <A Joint Resolution proposing an amendment to the Constitution
20 of the State of Iowa that the Constitution of the State of Iowa
21 does not recognize, grant, or secure a right to abortion or
22 require the public funding of abortion.>

By JAKE CHAPMAN

S-3127 FILED APRIL 6, 2021

ADOPTED

S-3125

1 Amend Senate File 388 as follows:

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

4 <Section 1. NEW SECTION. 152C.5B License and
5 government-issued identification — peace officer request.

6 1. For purposes of this section, unless the context
7 otherwise requires:

8 a. "Government-issued identification" means any of the
9 following:

10 (1) An unexpired driver's license issued by any state,
11 territory, or district of the United States.

12 (2) An unexpired identification card issued by any state,
13 territory, or district of the United States.

14 (3) An unexpired United States passport.

15 (4) A naturalization certificate issued by the United
16 States citizenship and immigration services.

17 (5) An unexpired permanent resident card, also known as
18 a green card, issued by the United States citizenship and
19 immigration services.

20 (6) An unexpired employment authorization document issued
21 by the United States citizenship and immigration services.

22 b. "Peace officer" means any of the following:

23 (1) Sheriffs and their regular deputies who are subject to
24 mandated law enforcement training.

25 (2) Marshals and police officers of cities.

26 (3) Peace officer members of the department of public safety
27 as defined in chapter 80.

28 (4) Special security officers employed by board of regents
29 institutions as set forth in section 262.13.

30 (5) Such employees of the department of transportation as
31 are designated "peace officers" by resolution of the department
32 under section 321.477.

33 (6) Employees of an aviation authority designated as "peace
34 officers" by the authority under section 330A.8, subsection 16.

35 2. A person licensed or who purports to be licensed under

1 this chapter shall, upon the request of any peace officer
2 investigating a complaint of illegal services, present a
3 copy of the person's valid Iowa massage therapist license
4 and a government-issued identification to the peace officer.
5 A person who violates this subsection commits a serious
6 misdemeanor.

7 Sec. 2. NEW SECTION. 152C.5C **Announcements to the public.**

8 1. For purposes of this section, "*announcement to the*
9 *public*" means the use of any print media, broadcast media,
10 subscription internet site, internet site available to the
11 public, or any other means to do any of the following:

- 12 a. Advertise or market massage therapy services.
13 b. Provide a site for clients to post reviews.
14 c. Offer a virtual marketplace at which goods or services
15 may be offered or clients may be solicited.

16 2. A person shall not do any of the following in an
17 announcement to the public:

- 18 a. Represent that another person is licensed under this
19 chapter when the person knows, or has reason to know, that the
20 other person is not licensed.
21 b. Falsely represent the person's self as licensed under
22 this chapter.
23 c. Offer the services of massage therapy if paragraph "a" or
24 "b" of this subsection applies.
25 d. Offer, or imply the offer of, services that violate state
26 law.

27 3. A person who violates subsection 2 commits a serious
28 misdemeanor.

29 Sec. 3. NEW SECTION. 157.4A **License and government-issued**
30 **identification — peace officer request.**

31 1. For purposes of this section, unless the context
32 otherwise requires:

33 a. "*Government-issued identification*" means any of the
34 following:

- 35 (1) An unexpired driver's license issued by any state,

1 territory, or district of the United States.

2 (2) An unexpired identification card issued by any state,
3 territory, or district of the United States.

4 (3) An unexpired United States passport.

5 (4) A naturalization certificate issued by the United
6 States citizenship and immigration services.

7 (5) An unexpired permanent resident card, also known as
8 a green card, issued by the United States citizenship and
9 immigration services.

10 (6) An unexpired employment authorization document issued
11 by the United States citizenship and immigration services.

12 *b. "Peace officer" means any of the following:*

13 (1) Sheriffs and their regular deputies who are subject to
14 mandated law enforcement training.

15 (2) Marshals and police officers of cities.

16 (3) Peace officer members of the department of public safety
17 as defined in chapter 80.

18 (4) Special security officers employed by board of regents
19 institutions as set forth in section 262.13.

20 (5) Such employees of the department of transportation as
21 are designated "*peace officers*" by resolution of the department
22 under section 321.477.

23 (6) Employees of an aviation authority designated as "*peace*
24 *officers*" by the authority under section 330A.8, subsection 16.

25 2. A person licensed or who purports to be licensed under
26 this chapter shall, upon the request of any peace officer
27 investigating a complaint of illegal services, present a copy
28 of the person's valid license issued pursuant to this chapter
29 and a government-issued identification to the peace officer.

30 **Sec. 4. NEW SECTION. 157.4B Announcements to the public.**

31 1. For purposes of this section, "*announcement to the*
32 *public*" means the use of any print media, broadcast media,
33 subscription internet site, internet site available to the
34 public, or any other means to do any of the following:

35 *a.* Advertise or market cosmetology services.

1 *b.* Provide a site for clients to post reviews.

2 *c.* Offer a virtual marketplace at which goods or services
3 may be offered or clients may be solicited.

4 2. A person shall not do any of the following in an
5 announcement to the public:

6 *a.* Represent that another person is licensed under this
7 chapter when the person knows, or has reason to know, that the
8 other person is not licensed.

9 *b.* Falsely represent the person's self as licensed under
10 this chapter.

11 *c.* Offer, or imply the offer of, services that violate state
12 law.

13 3. A person who violates subsection 2 commits a serious
14 misdemeanor.

15 Sec. 5. Section 710A.1, subsection 3, Code 2021, is amended
16 to read as follows:

17 3. "*Forced labor or services*" means labor or services
18 that are performed or provided by another person and that are
19 obtained or maintained through any of the following:

20 *a.* Causing or threatening to cause serious physical injury
21 to any person.

22 *b.* Physically restraining or threatening to physically
23 restrain another person.

24 *c.* Abusing or threatening to abuse the law or legal process.

25 *d.* Knowingly destroying, concealing, removing,
26 confiscating, or possessing any actual or purported ~~passport or~~
27 ~~other immigration document, or any other actual or purported~~
28 government identification ~~document,~~ of another person.

29 *e.* Knowingly providing or facilitating the provision of
30 a forged, altered, or fraudulent license purportedly issued
31 pursuant to chapter 152C or 157, or a forged, altered, or
32 fraudulent government identification, to another person in
33 order to force, coerce, entice, assist, facilitate, or permit
34 the other person to perform labor or services.

35 *f.* Knowingly forcing, coercing, enticing, assisting,

1 facilitating, or permitting another person in possession of
2 a forged, altered, or fraudulent license purportedly issued
3 pursuant to chapter 152C or 157, or a forged, altered, or
4 fraudulent government identification, to produce such license
5 or government identification to a peace officer upon request of
6 the peace officer pursuant to section 152C.5B or 157.4A.

7 g. Knowingly forcing, coercing, intimidating, or compelling
8 another person to perform an act in violation of state or
9 federal law through the use of debt bondage or servitude or as
10 a condition of being allowed to remain in the United States.

11 Sec. 6. Section 710A.2, subsection 6, Code 2021, is amended
12 to read as follows:

13 6. A person who knowingly engages in human trafficking
14 by knowingly destroying, concealing, removing, confiscating,
15 or possessing any actual or purported ~~passport or other~~
16 ~~immigration document, or any other actual or purported~~
17 ~~government identification document of a victim~~ another person
18 is guilty of a class "D" felony, except ~~that~~ if that other
19 person is under the age of eighteen, the person is guilty of a
20 class "C" felony.

21 Sec. 7. Section 710A.2, Code 2021, is amended by adding the
22 following new subsections:

23 NEW SUBSECTION. 7A. A person who knowingly engages in
24 human trafficking by knowingly providing or facilitating
25 the provision of a forged, altered, or fraudulent license
26 purportedly issued pursuant to chapter 152C or 157, or a
27 forged, altered, or fraudulent government identification to
28 another person, to force, coerce, entice, assist, facilitate,
29 or permit the other person to perform labor or services is
30 guilty of an aggravated misdemeanor, except if that other
31 person is under the age of eighteen, the person is guilty of a
32 class "D" felony.

33 NEW SUBSECTION. 7B. A person who knowingly engages in
34 human trafficking by knowingly forcing, coercing, enticing,
35 assisting, facilitating, or permitting another person in

1 possession of a forged, altered, or fraudulent license
2 purportedly issued pursuant to chapter 152C or 157, or a
3 forged, altered, or fraudulent government identification, to
4 produce such license or government identification upon request
5 of a peace officer pursuant to section 152C.5B or 157.4A, is
6 guilty of an aggravated misdemeanor, except if that other
7 person is under the age of eighteen, the person is guilty of a
8 class "D" felony.

9 NEW SUBSECTION. 9. A person who is found guilty, enters
10 a plea of guilty, receives a deferred judgment, or receives a
11 deferred or suspended sentence for a violation of this chapter
12 shall be ineligible for a license pursuant to chapter 152C or
13 157 for a period of not less than five years from the date of
14 conviction, plea, judgment, or sentence.

15 Sec. 8. NEW SECTION. 710A.2B **Premises used for human**
16 **trafficking.**

17 1. A person who owns, rents, leases, or uses any part of
18 a building, structure, boat, trailer, or other place offering
19 shelter or seclusion, and who knows, or has reason to know,
20 that the building, structure, boat, trailer, or other place
21 offering shelter or seclusion is being used for the purposes of
22 human trafficking, commits a class "D" felony.

23 2. It shall be an affirmative defense to a prosecution of a
24 person pursuant to subsection 1, if immediately upon acquiring
25 knowledge that the building, structure, boat, trailer, or other
26 place offering shelter or seclusion is used for the purposes of
27 human trafficking, the person notifies a law enforcement agency
28 with jurisdiction and fully cooperates with any subsequent
29 investigation.

30 3. a. If a law enforcement agency notifies a person who
31 owns, rents, leases, or uses any part of a building, structure,
32 boat, trailer, or other place offering shelter or seclusion
33 of an investigation pursuant to chapter 152C or 157 that may
34 involve the building, structure, boat, trailer, or other
35 place offering shelter or seclusion, the person shall have an

1 affirmative duty to fully cooperate with the investigation.

2 **b.** A person who fails to fully cooperate with an
3 investigation pursuant to paragraph "a" commits a serious
4 misdemeanor.

5 Sec. 9. Section 710A.3, Code 2021, is amended by striking
6 the section and inserting in lieu thereof the following:

7 **710A.3 Affirmative defense.**

8 It shall be an affirmative defense, in addition to any other
9 affirmative defenses for which a defendant may be eligible,
10 to a prosecution for a criminal violation of section 152C.5B,
11 152C.5C, 157.4A, 157.4B, 710A.2, 710A.2A, or 710A.2B, that the
12 violation directly resulted from the defendant's status as a
13 victim of any human trafficking crime under chapter 710A.

14 Sec. 10. Section 710A.4, Code 2021, is amended to read as
15 follows:

16 **710A.4 Restitution — restorative expenses.**

17 1. For purposes of this section, "restorative expenses"
18 means the projected costs of education, vocational training,
19 medical health, mental health, transportation, housing, child
20 care, or other projected costs that will aid in a victim's
21 recovery.

22 2. The gross income of the a defendant or the value of
23 labor or services performed by the a victim to of the defendant
24 shall be considered when determining the amount of restitution
25 pursuant to chapter 910. For purposes of this section,
26 restitution may include restorative expenses for a period not
27 to exceed three years as approved and ordered by the court.

28 3. A defendant's ability to pay shall not be a factor in the
29 court's decision to order restorative expenses.

30 4. A defendant's obligation to pay court-ordered
31 restorative expenses shall not be dischargeable in any
32 proceeding under the federal Bankruptcy Act of 1898, as
33 amended.

34 Sec. 11. NEW SECTION. **710A.7 Peace officer referral.**

35 If during the course of an investigation or prosecution

S-3125 (Continued)

1 under this chapter a peace officer has reason to believe that
2 a person who purports to be licensed pursuant to chapter 152C
3 or 157 does not possess a valid license or is in violation of
4 any other state or federal laws, the peace officer may report
5 such noncompliance to the appropriate licensing board under the
6 professional licensure division within the department of public
7 health, and to the appropriate state or federal authorities.>

By BRAD ZAUN

S-3125 FILED APRIL 6, 2021

ADOPTED

S-3124

1 Amend Senate File 390 as follows:

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

4 <Section 1. Section 8B.1, subsections 5, 13, and 14, Code
5 2021, are amended to read as follows:

6 5. "*Facilitate*" means a communication service provider's
7 ability to provide broadband service at or above the download
8 and upload speeds specified in the definition of targeted
9 service area in this section ~~or section 8B.11, subsection~~
10 ~~5, paragraph "a", if applicable,~~ to a home, farm, school,
11 or business within a commercially reasonable time and at a
12 commercially reasonable price upon request by a consumer.

13 13. "*Targeted service area*" means any of the following:

14 a. A United States census bureau census block located in
15 this state, including any crop operation located within the
16 census block, or other geographic unit the office sets by
17 rule, within which no communications service provider offers
18 or facilitates broadband service at or above the tier 1, tier
19 2, or tier 3 download and upload speeds ~~identified by the~~
20 ~~federal communications commission pursuant to section 706 of~~
21 ~~the federal Telecommunications Act of 1996, as amended.~~ As
22 used in this subsection:

23 (1) "Tier 1" means a maximum download speed of less than
24 twenty-five megabits per second and a maximum upload speed of
25 less than three megabits per second.

26 (2) "Tier 2" means a minimum download speed of greater than
27 or equal to twenty-five megabits per second but less than fifty
28 megabits per second.

29 (3) "Tier 3" means a minimum download speed of greater than
30 or equal to fifty megabits per second but less than eighty
31 megabits per second.

32 b. Any geographic area, as the office sets by rule, that
33 is materially underserved by broadband service such that
34 ~~the download and upload speeds identified by the federal~~
35 ~~communications commission pursuant to section 706 of the~~

1 ~~federal Telecommunications Act of 1996, as amended, of the~~
2 ~~broadband service in the geographic area tier 1, tier 2,~~
3 ~~and tier 3 download and upload speeds are not meaningfully~~
4 available. The office's power to determine the geographic
5 area by rule under this paragraph includes the power to define
6 and interpret standards as to whether a geographic area is
7 materially underserved and broadband service is meaningfully
8 available.

9 14. "*Underserved area*" means any portion of a targeted
10 service area within which no communications service provider
11 facilitates broadband service meeting the tier 1 download and
12 upload speeds specified in the definition of targeted service
13 area in this section.

14 Sec. 2. Section 8B.10, subsection 1, Code 2021, is amended
15 to read as follows:

16 1. The determination of whether a communications service
17 provider facilitates broadband service meeting the tier
18 1, tier 2, or tier 3 download and upload speeds specified
19 in the definition of targeted service area in section 8B.1
20 shall be determined or ascertained by reference to broadband
21 availability maps or data sources that are identified by
22 the office by rule. The office shall periodically make
23 renewed determinations of whether a communications service
24 provider facilitates broadband service at or above the tier
25 1, tier 2, or tier 3 download and upload speeds specified
26 in the definition of targeted service area in section 8B.1,
27 which shall, to the extent updated maps and data sources are
28 available at the time, include making such determinations prior
29 to each round of grant applications solicited by the office
30 pursuant to section 8B.11. The office is not required to make
31 renewed determinations of whether a communications service
32 provider facilitates broadband service at or above the tier
33 1, tier 2, or tier 3 download and upload speeds specified in
34 the definition of targeted service area in section 8B.1 more
35 frequently than once in any calendar year.

1 Sec. 3. Section 8B.11, Code 2021, is amended to read as
2 follows:

3 **8B.11 Empower rural Iowa — broadband grants — fund.**

4 1. The office shall administer a broadband grant program
5 designed to reduce or eliminate unserved and underserved
6 areas in the state, leveraging federal funds and public and
7 private partnerships where possible, by awarding grants to
8 communications service providers that reduce or eliminate
9 targeted service areas by installing broadband infrastructure
10 that facilitates broadband service ~~in targeted service areas at~~
11 ~~or above the download and upload speeds specified in subsection~~
12 ~~5, in accordance with this section~~ in accordance with the
13 following:

14 a. The broadband infrastructure facilitates broadband
15 service that provides a minimum download speed of one hundred
16 megabits per second and a minimum upload speed of one hundred
17 megabits per second in a targeted service area within which no
18 communications service provider offers or facilitates broadband
19 service that provides download and upload speeds less than or
20 equal to the tier 1 download and upload speeds specified in the
21 definition of targeted service area in section 8B.1.

22 b. The broadband infrastructure facilitates broadband
23 service that provides a minimum download speed of one hundred
24 megabits per second and a minimum upload speed of one hundred
25 megabits per second in a targeted service area within which no
26 communications service provider offers or facilitates broadband
27 service that provides any of the following:

28 (1) Download speeds less than or equal to the tier 2
29 download speed specified in the definition of targeted service
30 area in section 8B.1.

31 (2) Download speeds less than or equal to the tier 3
32 download speed specified in the definition of targeted service
33 area in section 8B.1.

34 2. *a.* An empower rural Iowa broadband grant fund is
35 established in the state treasury under the authority of the

1 office. The fund shall consist of moneys available to and
2 obtained or accepted by the office. Moneys in the fund are
3 appropriated to the office to be used for the grant program,
4 including for broadband mapping and the administration and
5 operation of the grant program, and for the fiberoptic network
6 conduit installation program established in section 8B.25.

7 *b.* The office shall use moneys in the fund to provide
8 grants to communications service providers pursuant to this
9 section and to lead and coordinate the fiberoptic network
10 conduit installation program pursuant to section 8B.25. The
11 office may use not more than ~~one~~ two and one-half percent of
12 the moneys in the fund at the beginning of the fiscal year to
13 pay the costs and expenses associated with the administration
14 and operation of the grant program and the fiberoptic network
15 conduit installation program. The office shall use moneys in
16 the fund to leverage available federal moneys if possible.

17 *c.* Notwithstanding section 8.33, moneys in the fund
18 that remain unencumbered or unobligated at the close of the
19 fiscal year shall not revert but shall remain available for
20 expenditure for the purposes designated until three years
21 following the last day of the fiscal year in which the funds
22 were originally appropriated.

23 *d.* Notwithstanding paragraph "c" or any provision to the
24 contrary, moneys in the fund that have been awarded but not
25 paid to a communications service provider shall not revert
26 but shall remain available to the office for purposes of
27 administering the award in a manner consistent with the terms
28 and conditions of any corresponding contract or grant agreement
29 governing the administration of the award.

30 3. Communications service providers may apply to the office
31 for a grant pursuant to this section for the installation of
32 broadband infrastructure that facilitates broadband service
33 in targeted service areas ~~at or above the download and upload~~
34 ~~speeds specified in subsection 5.~~ ~~The office shall include~~
35 ~~representatives from schools, communities, agriculture,~~

1 ~~industry, and other areas as appropriate to review and~~
2 ~~recommend grant awards. The office shall conduct an open~~
3 ~~application review process that includes the opportunity~~
4 ~~for the public to submit factual information as part of a~~
5 ~~validation process to address claims that a targeted service~~
6 ~~area is currently served with broadband service at or above the~~
7 ~~download and upload speeds specified in subsection 5. Upon~~
8 ~~completion of the validation process, the office may modify~~
9 ~~a proposed targeted service area to account for information~~
10 ~~received during the validation process. The office shall make~~
11 ~~available a public internet site identifying all publicly~~
12 ~~available information contained in the applications, the~~
13 ~~members of the review committee, a summary of the review~~
14 ~~committee's recommended results, and any results of performance~~
15 ~~testing conducted after the project is completed. The office~~
16 shall devote one full-time equivalent position to evaluate
17 applications submitted under this section and provide technical
18 assistance to communications service providers in completing
19 applications for federal funds, or any other funds from any
20 public or private sources, related to improving broadband
21 infrastructure.

22 4. a. The office shall award grants on a competitive
23 basis for the installation of broadband infrastructure that
24 facilitates broadband service as provided in subsection 3 in
25 ~~targeted service areas at or above the download and upload~~
26 ~~speeds specified in subsection 5,~~ after considering the
27 following:

28 (1) The relative need for broadband infrastructure in the
29 area and the existing broadband service speeds, including
30 whether the project serves a rural area or areas.

31 (2) The applicant's total proposed budget for the project,
32 including all of the following:

33 (a) The amount or percentage of local or federal matching
34 funds, if any, and any funding obligations shared between
35 public and private entities.

1 (b) The percentage of funding provided directly from the
2 applicant, including whether the applicant requested from the
3 office an amount less than the maximum amount the office could
4 award pursuant to subsection 5 and, if so, the percentage of
5 the project cost that the applicant is requesting.

6 (3) The relative download and upload speeds of proposed
7 projects for all applicants.

8 (4) The specific product attributes resulting from the
9 proposed project, including technologies that provide higher
10 qualities of service, such as service levels, latency, and
11 other service attributes as determined by the office.

12 (5) The percentage of the homes, farms, schools, and
13 businesses in the targeted service area that will be provided
14 access to broadband service.

15 ~~(6) The geographic diversity of the project areas of all the~~
16 ~~applicants.~~

17 ~~(7) The economic impact of the project to the area.~~

18 (6) The proportion of proposed projects that will result
19 in the installation of broadband infrastructure in a targeted
20 service area within which the only broadband service available
21 provides the tier 1 download and upload speeds specified in the
22 definition of targeted service area in section 8B.1.

23 ~~(8)~~ (7) Other factors the office deems relevant.

24 *b.* In considering the factors listed in paragraph "a"
25 for awarding grants pursuant to this section, the office
26 shall afford the greatest weight to the factors described in
27 paragraph "a", subparagraphs (1) through (3), and subparagraph
28 (6).

29 ~~*c.* Except as otherwise provided in this section, the office~~
30 ~~shall not evaluate applications based on the office's knowledge~~
31 ~~of the applicant except for information obtained by the office~~
32 ~~during the application process or period for public comment.~~

33 ~~5. The office shall not award a grant pursuant to this~~
34 ~~section that exceeds thirty-five percent of the communications~~
35 ~~service provider's project cost. The total amount of the~~

1 grants the office awards from the empower rural Iowa broadband
2 grant fund pursuant to this section shall ~~be as follows~~ not
3 exceed any of the following amounts:

4 a. For Seventy-five percent of a communications service
5 provider's project costs for projects that will result in the
6 installation of broadband infrastructure that will facilitate
7 broadband service providing a minimum download speed less than
8 one hundred megabits per second but greater than or equal to
9 the download speed specified in the definition of targeted
10 service area in section 8B.1, and a minimum upload speed less
11 than twenty megabits per second but greater than or equal
12 to the upload speed specified in the definition of targeted
13 service area in section 8B.1, the total amount of the grants
14 the office awards shall not exceed fifty percent of the moneys
15 in the fund at the beginning of the fiscal year. However, if
16 the amount requested for projects that facilitate broadband
17 service at the speeds described in paragraph "b" for the fiscal
18 year is less than the amount reserved for projects under
19 paragraph "b", the office may award the difference to projects
20 under this paragraph for the same fiscal year in a targeted
21 service area within which no communications service provider
22 offers or facilitates broadband service that provides download
23 and upload speeds less than or equal to the tier 1 download and
24 upload speeds specified in the definition of targeted service
25 area in section 8B.1.

26 b. For Fifty percent of a communications service provider's
27 project costs for projects that will result in the installation
28 of broadband infrastructure that will facilitate broadband
29 service providing a minimum download speed of one hundred
30 megabits per second and a minimum upload speed of twenty
31 megabits per second, the total amount of the grants the office
32 awards shall not exceed fifty percent of the moneys in the fund
33 at the beginning of the fiscal year. However, if the amount
34 requested for projects that facilitate broadband service at
35 the speeds described in paragraph "a" for the fiscal year is

1 ~~less than the amount reserved for projects under paragraph~~
2 ~~"a", the office may award the difference to projects under~~
3 ~~this paragraph for the same fiscal year in a targeted service~~
4 ~~area within which no communications service provider offers or~~
5 ~~facilitates broadband service that provides download and upload~~
6 ~~speeds less than or equal to the tier 2 download and upload~~
7 ~~speeds specified in the definition of targeted service area in~~
8 ~~section 8B.1.~~

9 c. Thirty-five percent of a communications service
10 provider's project costs for projects that will result in the
11 installation of broadband infrastructure in a targeted service
12 area within which no communications service provider offers or
13 facilitates broadband service that provides download speeds
14 less than or equal to the tier 3 download speed specified in
15 the definition of targeted service area in section 8B.1.

16 6. Notwithstanding subsections 3 and 5, communications
17 service providers may apply to the office for a grant
18 pursuant to this section for the installation of broadband
19 infrastructure that facilitates broadband service providing a
20 minimum download speed of one hundred megabits per second and a
21 minimum upload speed of twenty megabits per second in targeted
22 service areas pursuant to this subsection. The office shall
23 make available a public internet site identifying all publicly
24 available information contained in the applications and any
25 results of performance testing conducted after the project is
26 completed.

27 a. The office shall award grants under this subsection on
28 a competitive basis after considering the factors provided in
29 subsection 4 and affording weight to the factors pursuant to
30 subsection 4, paragraph "b".

31 b. The total amount of the grants the office shall award
32 pursuant to this subsection shall not exceed fifty percent
33 of a communications service provider's project costs for
34 projects that will result in the installation of broadband
35 infrastructure in a targeted service area within which no

1 communications service provider offers or facilitates broadband
2 service that provides download and upload speeds less than or
3 equal to the tier 1 download and upload speeds specified in the
4 definition of targeted service area in section 8B.1.

5 7. Notwithstanding subsections 5 and 6, at least twenty
6 percent of the total amount of the grants the office awards
7 from the empower rural Iowa broadband grant fund pursuant to
8 this section shall be allocated to projects that will result
9 in the installation of broadband infrastructure in difficult
10 to serve targeted service areas within which no communications
11 service provider offers or facilitates broadband service that
12 provides download and upload speeds less than or equal to the
13 tier 1 download and upload speeds specified in the definition
14 of targeted service area in section 8B.1. For purposes of this
15 subsection, a targeted service area is difficult to serve if
16 the soil conditions, topography, or other local conditions make
17 the installation of broadband infrastructure in the targeted
18 service area more time-consuming or labor-intensive compared to
19 other areas of the state.

20 ~~6. 8.~~ The office shall provide public notice regarding the
21 application process and receipt of funding.

22 ~~7. The office shall not award a grant pursuant to this~~
23 ~~section on or after July 1, 2025.~~

24 ~~8. 9.~~ The office may adopt rules pursuant to chapter 17A
25 interpreting this chapter or necessary for administering this
26 chapter, including but not limited to rules relating to the
27 broadband grant program process, management, and measurements
28 as deemed necessary by the office.

29 ~~9. 10.~~ The office shall adopt rules establishing procedures
30 to allow aggrieved applicants an opportunity to challenge the
31 office's award of grants under this section.

32 Sec. 4. EMERGENCY RULES. The office of the chief
33 information officer may adopt emergency rules under section
34 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph
35 "b", to implement the provisions of this Act and the rules

S-3124 (Continued)

1 shall be effective immediately upon filing unless a later
2 date is specified in the rules, unless the effective date of
3 the rules is delayed or the applicability of the rules is
4 suspended by the administrative rules review committee. Any
5 rules adopted in accordance with this section shall not take
6 effect before the rules are reviewed by the administrative
7 rules review committee. The delay authority provided to
8 the administrative rules review committee under section
9 17A.4, subsection 7, and section 17A.8, subsection 9,
10 shall be applicable to a delay imposed under this section,
11 notwithstanding a provision in those sections making them
12 inapplicable to section 17A.5, subsection 2, paragraph "b".
13 Any rules adopted in accordance with the provisions of this
14 section shall also be published as a notice of intended action
15 as provided in section 17A.4.

16 Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate
17 importance, takes effect upon enactment.

18 Sec. 6. APPLICABILITY. This Act applies to applications
19 for grants submitted pursuant to section 8B.11 on or after the
20 effective date of this Act.>

By CARRIE KOELKER
JASON SCHULTZ

S-3124 FILED APRIL 6, 2021

ADOPTED

SENATE FILE 390

S-3130

1 Amend Senate File 390 as follows:

2 1. Page 7, after line 19 by inserting:

3 <7. A communications service provider that receives a
4 grant award pursuant to this section shall offer its broadband
5 service customers in this state who are eligible individuals
6 a reduced rate for broadband service. The office shall adopt
7 rules establishing a schedule or range of reduced rates that
8 communications service providers may charge in accordance with
9 this subsection. For purposes of this subsection, "*eligible*
10 *individual*" means an individual or household with an annual
11 income which is one hundred fifty percent or less of the United
12 States poverty level as defined by the most recently revised
13 poverty income guidelines published by the United States
14 department of health and human services.>

15 2. Page 7, line 20, by striking <8. 7.> and inserting <8.>

16 3. Page 7, line 25, by striking <9. 8.> and inserting <9.>

By JANET PETERSEN
JOE BOLKCOM

S-3130 FILED APRIL 6, 2021

HOUSE AMENDMENT TO
SENATE FILE 424

S-3132

1 Amend Senate File 424, as passed by the Senate, as follows:
2 1. Page 1, line 4, by striking <103> and inserting <100C,
3 100D, 103,>
4 2. Page 1, by striking lines 25 and 26 and inserting:
5 <6. a. A board shall adopt rules to implement this section
6 upon receipt of a petition for rulemaking submitted pursuant
7 to section 17A.7.
8 b. A board shall not grant a license pursuant to this
9 section prior to the effective date of rules adopted by the
10 board to implement this section.>

S-3132 FILED APRIL 6, 2021

SENATE FILE 527

S-3136

1 Amend Senate File 527 as follows:

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

4 <Section 1. Section 12I.1, subsection 2, paragraphs b and g,
5 Code 2021, are amended to read as follows:

6 *b.* "*Account owner*" means an individual who ~~enters into~~ is
7 the designated beneficiary under a participation agreement
8 under this chapter for the payment of qualified disability
9 expenses on behalf of a the designated beneficiary.

10 *g.* "*Participation agreement*" means an agreement ~~between~~
11 ~~the account owner and~~ establishing an account with the trust
12 ~~entered into under this chapter.~~

13 Sec. 2. Section 12I.2, subsection 7, Code 2021, is amended
14 to read as follows:

15 7. Enter into participation agreements ~~with account owners.~~

16 Sec. 3. Section 12I.3, unnumbered paragraph 1, Code 2021,
17 is amended to read as follows:

18 On or after July 1, 2016, the trust may enter into
19 participation agreements ~~with account owners~~ pursuant to the
20 following terms and agreements:

21 Sec. 4. Section 12I.3, subsection 1, paragraph b, Code 2021,
22 is amended to read as follows:

23 *b.* Unless otherwise permitted under section 529A of the
24 Internal Revenue Code, the account owner must also be the
25 designated beneficiary of the account. ~~However, a trustee or~~
26 ~~legal guardian may be designated as custodian of an account for~~
27 ~~a designated beneficiary who is a minor or who lacks capacity~~
28 ~~to enter into a participation agreement if such designation~~
29 ~~is not prohibited under section 529A of the Internal Revenue~~
30 ~~Code.~~ A person other than the account owner may enter into
31 a participation agreement and have signature authority over
32 the account on behalf of the account owner in accordance with
33 section 529A of the Internal Revenue Code and regulations
34 promulgated under that section.

35 Sec. 5. Section 12I.3, subsection 1, Code 2021, is amended

1 by adding the following new paragraph:

2 NEW PARAGRAPH. *g.* Any funds retained in a medical
3 assistance special needs trust pursuant to chapter 633C, or in
4 a supplemental needs trust pursuant to chapter 634A, may be
5 transferred to the Iowa ABLE savings plan trust account of a
6 designated beneficiary who is also the beneficiary of any such
7 trust, in accordance with the applicable provisions of chapters
8 633C, 634A, and this chapter.

9 Sec. 6. Section 12I.4, subsection 3, Code 2021, is amended
10 to read as follows:

11 3. Moneys in the account of a designated beneficiary ~~may~~
12 shall not be claimed by the Iowa Medicaid program as provided
13 authorized in section 529A(f) of the Internal Revenue Code and
14 ~~subject to limitations imposed by the treasurer of state unless~~
15 such claim is required to maintain qualified ABLE program
16 status under section 529A of the Internal Revenue Code.

17 Sec. 7. Section 249A.53, Code 2021, is amended by adding the
18 following new subsection:

19 NEW SUBSECTION. 3. *a.* Following the death of an individual
20 who is a designated beneficiary of an account established under
21 a participation agreement pursuant to chapter 12I, all of the
22 following shall apply to the extent permitted pursuant to
23 chapter 12I and under federal law including section 529A of the
24 Internal Revenue Code:

25 (1) The department shall not seek recovery of any account
26 balance remaining in the designated beneficiary's account for
27 medical assistance paid to or on behalf of the designated
28 beneficiary on or after the date the participation agreement
29 was entered into and the account established for the designated
30 beneficiary.

31 (2) The department shall not file a claim for payment under
32 section 529A(f) of the Internal Revenue Code.

33 (3) Any account balance remaining in the designated
34 beneficiary's account may be transferred to an account for
35 another eligible individual specified by the designated

1 beneficiary, or if another eligible beneficiary is not so
2 designated, then the account balance shall be transferred to
3 the estate of the designated beneficiary or to the successor
4 as defined in section 633.356.

5 *b.* For the purposes of this section, "*designated*
6 *beneficiary*", "*Internal Revenue Code*", and "*participation*
7 *agreement*" mean the same as defined in section 12I.1.

8 *c.* For the purposes of this section, "*eligible individual*"
9 means the same as defined in section 529A of the Internal
10 Revenue Code.

11 Sec. 8. Section 633C.2, Code 2021, is amended to read as
12 follows:

13 **633C.2 Disposition of medical assistance special needs**
14 **trusts.**

15 Any income or assets added to or received by and any income
16 or principal retained in a medical assistance special needs
17 trust shall be used in accordance with a standard that is
18 no more restrictive than specified under federal law. All
19 distributions from a medical assistance special needs trust
20 shall be for the sole benefit of the beneficiary to enhance
21 the quality of life of the beneficiary, and the trustee shall
22 have sole discretion regarding such disbursements to ensure
23 compliance with beneficiary eligibility requirements. Any
24 funds retained in the medical assistance special needs trust of
25 a beneficiary who is also a designated beneficiary as defined
26 in section 12I.1 may be transferred to the Iowa ABLE savings
27 plan trust account of the designated beneficiary in accordance
28 with this chapter and chapter 12I. Any distinct disbursement
29 in excess of one thousand dollars shall be subject to review by
30 the district court sitting in probate. The department shall
31 adopt rules pursuant to chapter 17A for the establishment and
32 disposition of medical assistance special needs trusts in
33 accordance with this section.

34 Sec. 9. Section 634A.2, Code 2021, is amended by adding the
35 following new subsection:

S-3136 (Continued)

1 NEW SUBSECTION. 8. Any funds retained in a supplemental
2 needs trust of a beneficiary who is also a designated
3 beneficiary as defined in section 12I.1 may be transferred to
4 the Iowa ABLE savings plan trust account of the designated
5 beneficiary in accordance with this chapter and chapter 12I.>

By MARK COSTELLO

[S-3136](#) FILED APRIL 6, 2021

SENATE FILE 587

S-3133

1 Amend Senate File 587 as follows:

2 1. Page 3, line 21, by striking <a and b> and inserting <a,
3 b, and c>

4 2. Page 4, by striking lines 4 and 5 and inserting:

5 <c. For fiscal years beginning on or after July 1, 2023,
6 the region's cash flow amount, ~~either reserved in the region's~~
7 ~~combined account or reserved among all separate county accounts~~
8 ~~under the control of the governing board,~~ shall not exceed
9 forty five percent of the gross actual expenditures from the
10 combined account or from all separate county accounts under
11 control of the governing board for the fiscal year preceding
12 the fiscal year in progress.>

13 3. Page 7, by striking lines 10 through 15 and inserting:

14 <Sec. ____ . Section 331.432, subsection 3, Code 2021, is
15 amended to read as follows:

16 3. a. Except as authorized in section 331.477, transfers
17 of moneys between the county services fund created pursuant
18 to section 331.424A and any other fund are prohibited. This
19 subsection paragraph does not apply to appropriations made or
20 the value of in-kind care and treatment provided pursuant to
21 section 347.7, subsection 1, paragraph "c", Code 2021, or to
22 transfers from a county public hospital fund under section
23 347.7. This paragraph is repealed July 1, 2022.

24 b. Payments or transfers of moneys from any fund of the
25 county to a mental health and disability services region's
26 combined account under section 331.391 are prohibited. This
27 paragraph applies to fiscal years beginning on or after July
28 1, 2022, but does not apply to transfers from a county public
29 hospital fund under section 347.7 for the fiscal year beginning
30 July 1, 2022, or the fiscal year beginning July 1, 2023.>

31 4. Page 10, by striking line 3 and inserting <actual
32 expenditures of the region for the fiscal year preceding the
33 fiscal year in progress,>

34 5. Page 10, by striking lines 8 and 9 and inserting <the
35 actual expenditures of the region for the fiscal year preceding

1 the fiscal year in progress, but the amount of the reduction
2 shall not exceed the>

3 6. Page 10, by striking line 23 and inserting <actual
4 expenditures of the region for the fiscal year preceding the
5 fiscal year in progress,>

6 7. Page 10, by striking lines 28 and 29 and inserting <the
7 actual expenditures of the region for the fiscal year preceding
8 the fiscal year in progress, but the amount of the reduction
9 shall not exceed the>

10 8. Page 11, by striking lines 6 through 11 and inserting
11 <services region for which the amount certified during the
12 fiscal year under section 331.391, subsection 4, paragraph "b",
13 exceeds five percent of the actual expenditures of the region
14 for the fiscal year preceding the fiscal year in progress,
15 the remaining quarterly payments of the region's regional
16 supplement payment shall be reduced by an amount equal to the
17 amount by which the region's amount certified under section
18 331.391, subsection 4, paragraph "b", exceeds five percent
19 of the actual expenditures of the region for the fiscal year
20 preceding the fiscal year in progress, but the amount of the
21 reduction>

22 9. Page 13, by striking lines 3 through 10 and inserting
23 <two mental health and disability services region governing
24 board members, two mental health and disability services region
25 fiscal officers or agents, a member of the mental health and
26 disability services commission who is not a governing board
27 member or chief operating officer of a mental health and
28 disability services region, a member of the county finance
29 committee created in chapter 333A who is not an elected
30 official, a representative of a provider of mental health or
31 developmental disabilities services selected from nominees
32 submitted by the Iowa association of community providers, a
33 representative of a provider of mental health developmental
34 disabilities services selected from nominees submitted by
35 the Iowa behavioral health association, one member of the

- 1 children's behavioral health system state board who is not a
2 governing board member or chief operating officer of a mental
3 health and disability services region, and two chief operating
4 officers of>
- 5 10. Page 13, line 18, by striking <county of origin> and
6 inserting <the region to which the member's county belongs>
- 7 11. Page 13, line 34, by striking <Basic> and inserting
8 <In addition to application and assistance requirements under
9 subsections 6, 7, and 9, basic>
- 10 12. Page 14, by striking lines 5 through 7 and inserting:
11 <b. (1) In the fiscal year that commenced two years prior
12 to the>
- 13 13. Page 14, line 17, by striking <gross>
- 14 14. Page 14, line 22, by striking <gross>
- 15 15. Page 14, after line 25 by inserting:
16 <(c) For applications for assistance for fiscal years
17 beginning on or after July 1, 2023, five percent of the actual
18 expenditures of the mental health and disability services
19 region for the fiscal year that commenced two years prior to
20 the fiscal year of application for assistance.>
- 21 16. Page 15, line 17, by striking <mandated> and inserting
22 <core>
- 23 17. Page 15, line 20, by striking <consumers'> and inserting
24 <an individual's>
- 25 18. Page 15, lines 21 and 22, by striking <a mobile crisis
26 team or other critical emergency services> and inserting <core
27 crisis services>
- 28 19. Page 15, by striking lines 25 through 27.
- 29 20. Page 15, line 28, by striking <e.> and inserting <d.>
- 30 21. Page 15, line 29, by striking <consumers> and inserting
31 <an individual>
- 32 22. Page 15, line 31, by striking <consumers> and inserting
33 <individuals needing services and supports>
- 34 23. Page 16, line 22, after <commission,> by inserting <the
35 children's behavioral health system state board,>

1 24. Page 18, by striking lines 1 through 9 and inserting:
2 <Sec. _____. EFFECTIVE DATE. This division of this Act, being
3 deemed of immediate importance, takes effect upon enactment.>

4 25. Page 19, by striking lines 14 through 18 and inserting:
5 <b. For each fiscal year beginning on or after July 1, 2022,
6 but before July 1, 2027, each county treasurer shall be paid
7 by the department of revenue an amount equal to the sum of the
8 commercial and industrial property tax replacement claims for
9 all taxing authorities, or portion thereof, located in the
10 county, as calculated in subsection 4A. The county treasurer
11 shall pay to each taxing authority the taxing authority's
12 commercial and industrial property tax replacement claim, or
13 portion thereof, as calculated in subsection 4A.>

14 26. Page 19, by striking lines 26 and 27 and inserting:
15 <b. On or before July 1, 2022, the department of management
16 shall calculate and report to the department of revenue>

17 27. Page 20, line 24, by striking <fourteen> and inserting
18 <twenty-four>

19 28. Page 21, by striking lines 27 and 28 and inserting:
20 <(3) The department of management shall calculate and
21 report to the department of revenue the amount received by>

22 29. Page 21, line 31, by striking <2021> and inserting
23 <2021, and the portion of the amount attributable to each
24 county where the taxing authority is located, if applicable>

25 30. Page 22, line 21, by striking <4A> and inserting <4A, or
26 portion thereof,>

27 31. Page 22, line 22, by striking <taxing authority>
28 and inserting <appropriate county treasurer, as provided in
29 subsection 2, paragraph "b",>

30 32. Page 22, line 24, by striking <The> and inserting <After
31 payment by the county treasurer to the taxing authority, the>

32 33. Page 25, by striking line 31 and inserting <2023, and
33 ending June 30, 2024, shall be expended by the school>

34 34. Page 25, after line 33 by inserting:

35 <Sec. _____. Section 300.2, Code 2021, is amended by adding

1 the following new subsection:

2 NEW SUBSECTION. 4. a. A levy under this chapter shall not
3 be approved by the voters on or after the effective date of
4 this division of this Act.

5 b. If the levy has not been discontinued under section
6 300.3, the authorization to impose the levy under this chapter
7 shall terminate July 1, 2024.

8 c. Notwithstanding subsection 2, including a proposition
9 approved at an election held before the effective date of this
10 division of this Act, the rate of a levy imposed by a board of
11 directors under this chapter for the fiscal year beginning July
12 1, 2023, shall not exceed one-half of the levy rate imposed by
13 the board of directors for the fiscal year beginning July 1,
14 2022.>

15 35. Page 26, line 20, by striking <This division> and
16 inserting <Except as otherwise provided in this division of
17 this Act, this division>

18 36. Page 26, line 21, by striking <2022> and inserting
19 <2024>

20 37. Page 26, after line 21 by inserting:

21 <Sec. ____ . EFFECTIVE DATE. The following, being deemed of
22 immediate importance, takes effect upon enactment:

23 The section of this division of this Act enacting section
24 300.2, subsection 4.>

25 38. Page 26, line 22, by striking <This division> and
26 inserting <Except for the section of this division of this Act
27 enacting section 300.2, subsection 4, this division>

28 39. Page 26, line 23, by striking <2022> and inserting
29 <2024>

30 40. Page 26, line 30, by striking <2> and inserting <1,
31 paragraph "b">

32 41. By striking page 26, line 31, through page 27, line 2.

33 42. By striking page 29, line 34, through page 30, line 19,
34 and inserting:

35 <Sec. ____ . Section 425.39, subsection 1, as amended by 2021

1 Iowa Acts, House File 368, section 33, is amended to read as
2 follows:

3 1. a. The elderly and disabled property tax credit fund is
4 created. There is appropriated annually from the general fund
5 of the state to the department of revenue to be credited to the
6 elderly and disabled property tax credit fund, from funds not
7 otherwise appropriated, an amount sufficient to implement this
8 subchapter for credits for property taxes due for claimants
9 described in section 425.17, subsection 2, paragraph "a",
10 ~~subparagraph~~ subparagraphs (1) and (3), subject to paragraph
11 "b".

12 b. Regardless of the amount of the credit determined under
13 section 425.23, subsection 1, paragraph "c", the amount paid by
14 the director of revenue to each county treasurer for credits
15 for claimants described under section 425.17, subsection 2,
16 paragraph "a", subparagraph (3), shall not exceed the amount
17 calculated for the claimant under section 425.23, subsection 1,
18 paragraph "c", subparagraph (1), and section 25B.7, subsection
19 1, shall not apply to the amount of the credit in excess of the
20 amount paid by the director of revenue.>

21 43. Page 37, after line 25 by inserting:

22 <DIVISION ____
23 TRANSIT FUNDING

24 Sec. ____ . Section 28M.3, subsection 1, Code 2021, is amended
25 to read as follows:

26 1. A regional transit district shall have all the rights,
27 powers, and duties of a county enterprise pursuant to sections
28 331.462 through 331.469 as they relate to the purpose for
29 which the regional transit district is created, including
30 the authority to issue revenue bonds for the establishment,
31 construction, reconstruction, repair, equipping, remodeling,
32 extension, maintenance, and operation of works, vehicles, and
33 facilities of a regional transit district. In addition, a
34 regional transit district, with the approval of the board of
35 supervisors, may issue general obligation bonds as an essential

1 county purpose pursuant to chapter 331, subchapter IV, part 3,
2 for the establishment, construction, reconstruction, repair,
3 equipping, remodeling, extension, maintenance, and operation of
4 works, vehicles, and facilities of a regional transit district.
5 Such general obligation bonds are payable from the property tax
6 levy authorized in section 28M.5 and from the transit hotel and
7 motel tax imposed under section 423A.4, subsection 1, paragraph
8 "b", if applicable.

9 Sec. _____. Section 28M.4, subsection 3, Code 2021, is amended
10 to read as follows:

11 3. A commission shall adopt and certify an annual budget
12 for the regional transit district. A commission in its budget
13 shall allocate the revenue responsibilities of each county and
14 city participating in the regional transit district, subject
15 to reductions in the maximum authorized property tax levy
16 rate under section 28M.5, if applicable. A commission shall
17 be considered a municipality for purposes of adopting and
18 certifying a budget pursuant to chapter 24.

19 Sec. _____. Section 28M.4, Code 2021, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 4A. A commission may, following approval at
22 election, impose a transit hotel and motel tax under section
23 423A.4, subsection 1, paragraph "b".

24 Sec. _____. Section 28M.4, subsections 5 and 6, Code 2021, are
25 amended to read as follows:

26 5. A commission shall levy ~~for~~ the tax under section 28M.5
27 and shall control any tax revenues paid to the regional transit
28 district the commission administers and, including all moneys
29 derived from the operation of the regional transit district,
30 a transit hotel and motel tax imposed under section 423A.4,
31 subsection 1, paragraph "b", the sale of its the district's
32 property, interest on investments, or from any other source
33 related to the regional transit district.

34 6. Tax revenues collected from a regional transit district
35 levy or a transit hotel and motel tax under section 423A.4,

1 subsection 1, paragraph "b", shall be held by the county
2 treasurer. Before the fifteenth day of each month, the county
3 treasurer shall send the amount collected for each fund through
4 the last day of the preceding month for direct deposit into
5 the depository and account designated by the commission. The
6 county treasurer shall send a notice to the secretary of the
7 commission or the secretary's designee stating the amount
8 deposited, the date, the amount to be credited to each fund
9 according to the budget, and the source of the revenue.

10 Sec. _____. Section 28M.5, subsections 1 and 4, Code 2021, are
11 amended to read as follows:

12 1. a. The commission, with the approval of the board of
13 supervisors of participating counties and the city council of
14 participating cities in the chapter 28E agreement, may, subject
15 to the reductions required under paragraph "b", levy annually a
16 tax not to exceed ninety-five cents per thousand dollars of the
17 assessed value of all taxable property in a regional transit
18 district to the extent provided in this section. The chapter
19 28E agreement may authorize the commission to levy the tax at
20 different rates within the participating cities and counties in
21 amounts sufficient to meet the revenue responsibilities of such
22 cities and counties as allocated in the budget adopted by the
23 commission. However, for a city participating in a regional
24 transit district, the total of all the tax levies imposed in
25 the city pursuant to section 384.12, subsection 10, and this
26 section shall not exceed the aggregate of ninety-five cents per
27 thousand dollars of the assessed value of all taxable property
28 in the participating city or the levy rate determined under
29 paragraph "b", whichever is less.

30 b. (1) If a regional transit district imposes a transit
31 hotel and motel tax under section 423A.4, subsection 1,
32 paragraph "b", the maximum levy rate authorized under this
33 section shall be reduced as provided in this paragraph. For
34 each fiscal year beginning on or after July 1 following the
35 first calendar year for which the transit hotel and motel

1 tax is imposed in the regional transit district, and until
2 subparagraph (4) applies, the levy rate imposed under this
3 section shall not exceed a rate equal to the rate that would
4 be required for the fiscal year beginning July 1 following the
5 election approving the transit hotel and motel tax to collect
6 an amount equal to the property taxes collected by the regional
7 transit district for the fiscal year beginning July 1 following
8 the election approving the transit hotel and motel tax minus
9 the amount of transit hotel and motel tax revenue received by
10 the regional transit district for the first calendar year for
11 which the transit hotel and motel tax is imposed.

12 (2) If the regional transit district authorizes the
13 commission to levy the tax at different rates within the
14 participating cities and counties, as authorized under
15 paragraph "a", the levy rate reduction required under this
16 paragraph shall be applied by the department of management
17 to each participating city and county based upon the revenue
18 responsibilities of such cities and counties as provided in the
19 chapter 28E agreement on the date the transit hotel and motel
20 tax is approved at election.

21 (3) If a regional transit district increases the rate of the
22 transit hotel and motel tax, further reductions in the maximum
23 authorized levy rate under this section shall be implemented
24 in the same manner as provided under subparagraphs (1) and (2)
25 for the reductions following initial imposition of the transit
26 hotel and motel tax.

27 (4) If the regional transit district repeals the transit
28 hotel and motel tax, the maximum authorized levy rate shall be
29 ninety-five cents per thousand dollars of the assessed value
30 for fiscal years beginning after the date of termination under
31 section 423A.4, unless the transit hotel and motel tax is
32 reinstated.

33 4. The proceeds of the tax levy and other authorized
34 revenues of the regional transit district shall be used for
35 the operation and maintenance of a regional transit district,

1 for payment of debt obligations of the district, and for the
2 creation of a reserve fund. The commission may divide the
3 territory of a regional transit district outside the boundaries
4 of a city into separate service areas and impose a regional
5 transit district levy not to exceed the maximum rate authorized
6 by this section in each service area.

7 Sec. _____. Section 303.52, subsection 4, paragraph a, Code
8 2021, is amended to read as follows:

9 a. The board of trustees may by ordinance impose a local
10 hotel and motel tax in accordance with chapter 423A.

11 Sec. _____. Section 331.402, subsection 2, paragraph f, Code
12 2021, is amended to read as follows:

13 f. Impose a local hotel and motel tax in accordance with
14 chapter 423A.

15 Sec. _____. Section 384.12, subsection 10, Code 2021, is
16 amended to read as follows:

17 10. a. A tax for the operation and maintenance of a
18 municipal transit system or for operation and maintenance of a
19 regional transit district, and for the creation of a reserve
20 fund for the system or district, in an amount not to exceed
21 ninety-five cents per thousand dollars of assessed value
22 each year or the levy rate determined under paragraph "b",
23 if applicable, when the revenues from the transit system or
24 district are insufficient for such purposes.

25 b. (1) If the city participates in a regional transit
26 district under chapter 28M that imposes a transit hotel and
27 motel tax under section 423A.4, the maximum levy rate shall be
28 the levy rate determined under section 28M.5, subsection 1,
29 paragraph "b".

30 (2) (a) If the city imposes a transit hotel and motel tax
31 under section 423A.4, the maximum levy rate shall be reduced as
32 provided in this subparagraph. For each fiscal year beginning
33 on or after July 1 following the first calendar year for which
34 the transit hotel and motel tax is imposed in the city, and
35 until subparagraph division (c) applies, the levy rate imposed

1 under this subsection shall not exceed a rate equal to the rate
2 that would be required for the fiscal year beginning July 1
3 following the election approving the transit hotel and motel
4 tax to collect an amount equal to the property taxes collected
5 by the city under this subsection for the fiscal year beginning
6 July 1 following the election approving the transit hotel and
7 motel tax minus the amount of transit hotel and motel tax
8 revenue received by the city for the first calendar year for
9 which the transit hotel and motel tax is imposed.

10 (b) If a city increases the rate of the transit hotel and
11 motel tax, further reductions in the maximum authorized levy
12 rate under this subsection shall be implemented in the same
13 manner as provided under subparagraph division (a) for the
14 reduction following initial imposition of the transit hotel and
15 motel tax.

16 (c) If the city repeals the transit hotel and motel tax,
17 the maximum authorized levy rate shall be ninety-five cents
18 per thousand dollars of the assessed value for fiscal years
19 beginning after the date of termination under section 423A.4,
20 unless the transit hotel and motel tax is reinstated.

21 Sec. _____. Section 423A.4, Code 2021, is amended to read as
22 follows:

23 **423A.4 ~~Locally imposed~~ Local hotel and motel tax — transit**
24 **hotel and motel tax.**

25 1. a. A city, a county, or a land use district created
26 under chapter 303, subchapter IV, may impose, by ordinance of
27 the city council or by resolution of the board of supervisors
28 or by ordinance of the board of trustees, a local hotel and
29 motel tax, at a rate not to exceed seven percent, which shall
30 be imposed in increments of one or more full percentage points
31 upon the sales price from the renting of lodging. The tax
32 when imposed by a city shall apply only within the corporate
33 boundaries of that city, when imposed by a county shall apply
34 only outside incorporated areas within that county, and when
35 imposed by a land use district shall apply only within the

1 corporate boundaries of that district. A local hotel and motel
2 tax imposed by a city or county shall not be imposed within the
3 corporate boundaries of a land use district during any period
4 of time that the land use district is imposing a local hotel
5 and motel tax.

6 b. A regional transit district or a city that is not
7 participating in a regional transit district may impose, by
8 resolution of the regional transit district commission or by
9 ordinance of the city council, a transit hotel and motel tax,
10 at a rate not to exceed five percent, which shall be imposed
11 in increments of one or more full percentage points upon the
12 sales price from the renting of lodging. The tax when imposed
13 by a regional transit district shall apply only within the
14 boundaries of the regional transit district and may be imposed
15 in addition to any tax imposed under paragraph "a". The tax
16 when imposed by a city shall apply only within the corporate
17 boundaries of that city and may be imposed in addition to any
18 tax imposed under paragraph "a".

19 2. Within ten days of the election at which a majority of
20 those voting on the question favors the imposition, repeal,
21 or change in the rate of the local hotel and motel tax or the
22 transit hotel and motel tax, the county auditor shall give
23 written notice by sending a copy of the abstract of votes from
24 the favorable election to the director of revenue.

25 3. A local hotel and motel tax imposed by a city, county,
26 or land use district shall be imposed on January 1 or July
27 1, following the notification of the director of revenue. A
28 transit hotel and motel tax imposed by a regional transit
29 district or a city shall be imposed on January 1, following the
30 notification of the director of revenue. Once imposed, the tax
31 shall remain in effect at the rate imposed for a minimum of
32 one year. A local hotel and motel tax or a transit hotel and
33 motel tax shall terminate only on June 30 or December 31. At
34 least forty-five days prior to the tax being effective or prior
35 to a revision in the tax rate or prior to the repeal of the

1 tax, a city, county, ~~or~~ land use district, or regional transit
2 district shall provide notice by mail of such action to the
3 director of revenue. The director shall have the authority to
4 waive the notice requirement.

5 4. a. A city, county, or land use district shall impose
6 or repeal a hotel and motel tax or increase or reduce the
7 tax rate only after an election at which a majority of those
8 voting on the question favors imposition, repeal, or change
9 in rate. A regional transit district or city shall impose or
10 repeal a transit hotel and motel tax or increase or reduce the
11 tax rate only after an election at which a majority of those
12 voting on the question favors imposition, repeal, or change in
13 rate. However, a local hotel and motel tax of a city or county
14 shall not be repealed or reduced in rate if obligations are
15 outstanding which are payable as provided in section 423A.7,
16 unless funds sufficient to pay the principal, interest, and
17 premium, if any, on the outstanding obligations at and prior
18 to maturity have been properly set aside and pledged for that
19 purpose.

20 b. (1) If the local hotel and motel tax applies only within
21 the corporate boundaries of a city, only the registered voters
22 of the city shall be permitted to vote. The election shall be
23 held at the time of the regular city election or at a special
24 election called for that purpose.

25 (2) If the local hotel and motel tax applies only in the
26 unincorporated areas of a county or only within the corporate
27 boundaries of a land use district, only the registered voters
28 of the unincorporated areas of the county or the registered
29 voters of the land use district, as applicable, shall be
30 permitted to vote. The election shall be held at the time of
31 the general election or at a special election called for that
32 purpose.

33 (3) For a transit hotel and motel tax imposed by a regional
34 transit district, only the registered voters of the regional
35 transit district shall be permitted to vote. The election

1 shall be held at the time of the general election or the
2 regular city election.

3 (4) For a transit hotel and motel tax imposed by a city,
4 only the registered voters of the city shall be permitted to
5 vote. The election shall be held at the time of the general
6 election or the regular city election.

7 5. ~~The locally imposed~~ local hotel and motel tax and the
8 transit hotel and motel tax shall be collected and remitted as
9 provided in section 423A.5A.

10 Sec. _____. Section 423A.5A, subsection 3, Code 2021, is
11 amended to read as follows:

12 3. Unless otherwise provided in this section, the
13 state-imposed tax under section 423A.3 ~~and any locally,~~ the
14 local hotel and motel tax imposed tax under section 423A.4, and
15 the transit hotel and motel tax imposed under section 423A.4,
16 shall be collected by the lodging provider from the user of
17 that lodging and shall be remitted to the department. The
18 lodging provider shall add the state-imposed tax to the sales
19 price of the lodging and the tax, when collected, shall be
20 stated as a distinct item, separate and apart from the sales
21 price of the lodging and from the ~~locally imposed tax~~ taxes
22 imposed under section 423A.4, if any. The lodging provider
23 shall add ~~the locally imposed~~ each tax imposed under section
24 423A.4, if any, to the sales price of the lodging and the tax,
25 when collected, shall be stated as a distinct item, separate
26 and apart from the sales price of the lodging, ~~and~~ from the
27 state-imposed tax, and from the other taxes imposed under
28 section 423A.4.

29 Sec. _____. Section 423A.6, subsections 1, 3, and 4, Code
30 2021, are amended to read as follows:

31 1. The director of revenue shall administer the state,
32 ~~and local,~~ and transit hotel and motel tax taxes as nearly as
33 possible in conjunction with the administration of the state
34 sales tax law, except that portion of the law which implements
35 the streamlined sales and use tax agreement. The director

1 shall provide appropriate forms, or provide on the regular
2 state tax forms, for reporting state, and local, and transit
3 hotel and motel tax liability. All moneys received or refunded
4 one hundred eighty days after the date on which a city, county,
5 ~~or~~ land use district, or regional transit district, terminates
6 its local hotel and motel tax or transit hotel and motel tax
7 and all moneys received from the state hotel and motel tax
8 shall be deposited in or withdrawn from the general fund of the
9 state.

10 3. The director, in consultation with local officials,
11 shall collect and account for a local hotel and motel tax and a
12 transit hotel and motel tax and shall credit all revenues to
13 the local transient guest tax fund created in section 423A.7.
14 Local authorities shall not require any tax permit not required
15 by the director of revenue.

16 4. Section 422.25, subsection 4, sections 422.30, 422.67,
17 and 422.68, section 422.69, subsection 1, sections 422.70,
18 422.71, 422.72, 422.74, and 422.75, section 423.14, subsection
19 1, and sections 423.23, 423.24, 423.25, 423.31, 423.33,
20 423.35, 423.37 through 423.42, and 423.47, consistent with the
21 provisions of this chapter, apply with respect to the taxes
22 authorized under this chapter, in the same manner and with
23 the same effect as if the state, and local, and transit hotel
24 and motel taxes were retail sales taxes within the meaning of
25 those statutes. Notwithstanding this subsection, the director
26 shall provide for quarterly filing of returns and for other
27 than quarterly filing of returns both as prescribed in section
28 423.31. The director may require all persons who are engaged
29 in the business of deriving any sales price subject to tax
30 under this chapter to register with the department. All taxes
31 collected under this chapter by a retailer, lodging provider,
32 lodging facilitator, lodging platform, or any other person are
33 deemed to be held in trust for the state of Iowa and the local
34 jurisdictions imposing the taxes.

35 Sec. _____. Section 423A.7, subsections 2 and 3, Code 2021,

1 are amended to read as follows:

2 2. All moneys in the local transient guest tax fund shall
3 be remitted at least quarterly by the department, pursuant to
4 rules of the director of revenue, to each city in the amount
5 collected under section 423A.4, subsection 1, paragraph "a",
6 from businesses in that city, to each county in the amount
7 collected under section 423A.4, subsection 1, paragraph "a",
8 from businesses in the unincorporated areas of the county, and
9 to each land use district in the amount collected under section
10 423A.4, subsection 1, paragraph "a", from businesses in that
11 land use district, to each regional transit district in the
12 amount collected under section 423A.4, subsection 1, paragraph
13 "b", from businesses within the boundaries of the regional
14 transit district and to each city in the amount collected under
15 section 423A.4, subsection 1, paragraph "b", from businesses
16 in that city.

17 3. Moneys received by the city from this fund collected
18 under section 423A.4, subsection 1, paragraph "a", shall be
19 credited to the general fund of the city, subject to the
20 provisions of subsection 4.

21 Sec. _____. Section 423A.7, Code 2021, is amended by adding
22 the following new subsection:

23 NEW SUBSECTION. 6. a. The revenue derived by a regional
24 transit district from the transit hotel and motel tax
25 authorized by section 423A.4 shall be expended exclusively for
26 the purposes of the regional transit district under chapter 28M
27 and shall result in a reduction in the maximum levy rate for
28 the regional transit district, as provided in section 28M.5,
29 subsection 1, paragraph "b". However, the amount of revenue
30 derived by the regional transit district in the second calendar
31 year that transit hotel and motel tax is imposed that exceeds
32 the amount of revenue derived by the regional transit district
33 in the first calendar year that transit hotel and motel tax
34 is imposed shall be used for property tax relief for the levy
35 under section 28M.5 in addition to the reduction to the levy

S-3133 (Continued)

1 rate as the result of the revenue derived in the first calendar
2 year that the transit hotel and motel tax is imposed.

3 *b.* The revenue derived by a city from the transit hotel
4 and motel tax authorized by section 423A.4 shall be expended
5 exclusively for the operation and maintenance of a municipal
6 transit system and shall result in a reduction in the maximum
7 levy rate for the city under section 384.12, subsection 10.
8 However, the amount of revenue derived by the city in the
9 second calendar year that transit hotel and motel tax is
10 imposed that exceeds the amount of revenue derived by the
11 city in the first calendar year that transit hotel and motel
12 tax is imposed shall be used for property tax relief for the
13 levy under section 384.12, subsection 10, in addition to the
14 reduction to the levy rate as the result of the revenue derived
15 in the first calendar year that the transit hotel and motel tax
16 is imposed.>

17 44. By renumbering as necessary.

By DAN DAWSON

S-3133 FILED APRIL 6, 2021

ADOPTED

SENATE FILE 587

S-3134

1 Amend Senate File 587 as follows:

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

4 <Section 1. Section 425.17, subsection 2, Code 2021, is
5 amended to read as follows:

6 2. *a.* "*Claimant*" means either any of the following:

7 (1) A person either filing a claim for credit or
8 reimbursement under this subchapter who ~~has attained the age~~
9 ~~of sixty-five years on or before December 31 of the base year~~
10 ~~or who~~ is totally disabled and was totally disabled on or
11 before December 31 of the base year or filing a claim for
12 reimbursement under this subchapter who has attained the age of
13 sixty-five years on or before December 31 of the base year and
14 who is domiciled in this state at the time the claim is filed or
15 at the time of the person's death in the case of a claim filed
16 by the executor or administrator of the claimant's estate.

17 (2) A person filing a claim for credit or reimbursement
18 under this subchapter who has attained the age of twenty-three
19 years on or before December 31 of the base year or was a head
20 of household on December 31 of the base year, as defined in
21 the Internal Revenue Code, but has not attained the age or
22 disability status described in ~~this paragraph "a",~~ subparagraph
23 (1) or the age status and eligibility criteria of subparagraph
24 (3), and is domiciled in this state at the time the claim is
25 filed or at the time of the person's death in the case of a
26 claim filed by the executor or administrator of the claimant's
27 estate, and was not claimed as a dependent on any other
28 person's tax return for the base year.

29 (3) A person filing a claim for credit under this subchapter
30 who has attained the age of sixty-five years on or before
31 December 31 of the base year, who has a household income of
32 less than two hundred fifty percent of the federal poverty
33 level, as defined by the most recently revised poverty income
34 guidelines published by the United States department of health
35 and human services, and is domiciled in this state at the time

1 the claim is filed or at the time of the person's death in the
2 case of a claim filed by the executor or administrator of the
3 claimant's estate.

4 *b.* "Claimant" under paragraph "a", ~~subparagraph (1) or (2),~~
5 includes a vendee in possession under a contract for deed and
6 may include one or more joint tenants or tenants in common.
7 In the case of a claim for rent constituting property taxes
8 paid, the claimant shall have rented the property during any
9 part of the base year. In the case of a claim for property
10 taxes due, the claimant shall have occupied the property during
11 any part of the fiscal year beginning July 1 of the base year.
12 If a homestead is occupied by two or more persons, and more
13 than one person is able to qualify as a claimant, the persons
14 may each file a claim based upon each person's income and rent
15 constituting property taxes paid or property taxes due.

16 Sec. 2. Section 425.23, subsection 1, paragraph a,
17 unnumbered paragraph 1, Code 2021, is amended to read as
18 follows:

19 The tentative credit or reimbursement for a claimant
20 described in section 425.17, subsection 2, paragraph "a",
21 ~~subparagraphs subparagraph (1) and (2), if no appropriation is~~
22 ~~made to the fund created in section 425.40~~ shall be determined
23 in accordance with the following schedule:

24 Sec. 3. Section 425.23, subsection 1, Code 2021, is amended
25 by adding the following new paragraph:

26 NEW PARAGRAPH. *c.* The tentative credit for a claimant
27 described in section 425.17, subsection 2, paragraph "a",
28 subparagraph (3), shall be the greater of the following:

29 (1) The amount of the credit under the schedule specified
30 in paragraph "a" of this subsection as if the claimant was a
31 claimant as defined in section 425.17, subsection 2, paragraph
32 "a", subparagraph (1), filing for a credit under paragraph "a"
33 of this subsection.

34 (2) The difference between the actual amount of property
35 taxes due on the homestead during the fiscal year next

1 following the base year minus the actual amount of property
2 taxes due on the homestead during the first fiscal year for
3 which the claimant filed a claim for a credit calculated under
4 this paragraph "c" and for which the property taxes due on the
5 homestead were calculated on an assessed valuation that was
6 not a partial assessment and if the claimant has filed for the
7 credit calculated under this paragraph "c" for each of the
8 subsequent fiscal years after the first credit claimed.

9 Sec. 4. Section 425.23, subsection 4, paragraph a, Code
10 2021, is amended to read as follows:

11 a. For the base year beginning in the 1999 calendar year
12 and for each subsequent base year, the dollar amounts set
13 forth in ~~subsections~~ subsection 1, paragraphs "a" and "b", and
14 subsection 3 shall be multiplied by the cumulative adjustment
15 factor for that base year. "*Cumulative adjustment factor*" means
16 the product of the annual adjustment factor for the 1998 base
17 year and all annual adjustment factors for subsequent base
18 years. The cumulative adjustment factor applies to the base
19 year beginning in the calendar year for which the latest annual
20 adjustment factor has been determined.

21 Sec. 5. Section 425.24, Code 2021, is amended to read as
22 follows:

23 **425.24 Maximum property tax for purpose of credit or**
24 **reimbursement.**

25 ~~For~~ For claimants under section 425.17, subsection 2,
26 paragraph "a", subparagraphs (1) and (2), and for the
27 calculation under section 425.23, subsection 1, paragraph "c",
28 subparagraph (1), in any case in which property taxes due or
29 rent constituting property taxes paid for any household exceeds
30 one thousand dollars, the amount of property taxes due or rent
31 constituting property taxes paid shall be deemed to have been
32 one thousand dollars for purposes of this subchapter.

33 Sec. 6. Section 425.39, subsection 1, as amended by 2021
34 Iowa Acts, House File 368, section 33, if enacted, is amended
35 to read as follows:

S-3134 (Continued)

1 1. The elderly and disabled property tax credit fund is
2 created. There is appropriated annually from the general fund
3 of the state to the department of revenue to be credited to the
4 elderly and disabled property tax credit fund, from funds not
5 otherwise appropriated, an amount sufficient to implement this
6 subchapter for credits for property taxes due for claimants
7 described in section 425,17, subsection 2, paragraph "a",
8 ~~subparagraph~~ subparagraphs (1) and (3).

9 Sec. 7. APPLICABILITY. This Act applies to claims under
10 chapter 425, subchapter II, filed on or after January 1, 2022.>

11 2. Title page, by striking lines 1 through 7 and inserting
12 <An Act relating to the elderly property tax credit and
13 including applicability provisions.>

By SARAH TRONE GARRIOTT

S-3134 FILED APRIL 6, 2021

LOST

HOUSE JOINT RESOLUTION 5

S-3128

1 Amend House Joint Resolution 5, as passed by the House, as
2 follows:

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

5 <Section 1. The following amendment to the Constitution of
6 the State of Iowa is proposed:

7 Article I of the Constitution of the State of Iowa is amended
8 by adding the following new section:

9 Sec. 26. **Protection of life.** To defend the dignity of all
10 human life, and to protect mothers and unborn children from
11 efforts to expand abortion even to the day of birth, we the
12 people of the State of Iowa declare that this Constitution
13 shall not be construed to recognize, grant, or secure a right
14 to abortion or to require the public funding of abortion.

15 Sec. 2. REFERRAL AND PUBLICATION. The foregoing amendment
16 to the Constitution of the State of Iowa is referred to the
17 general assembly to be chosen at the next general election for
18 members of the general assembly, and shall be published as
19 provided by law for three consecutive months previous to the
20 date of that election.>

21 2. Title page, by striking lines 1 through 4 and inserting
22 <A Joint Resolution proposing an amendment to the Constitution
23 of the State of Iowa to protect life by declaring that the
24 Constitution of the State of Iowa shall not be construed to
25 recognize, grant, or secure a right to abortion or to require
26 the public funding of abortion.>

By JAKE CHAPMAN

S-3128 FILED APRIL 6, 2021

ADOPTED

HOUSE FILE 196

S-3122

- 1 Amend House File 196, as passed by the House, as follows:
2 1. Page 1, after line 33 by inserting:
3 <Sec. ____ . Section 261.115, subsection 5, paragraph b, Code
4 2021, is amended to read as follows:
5 *b. "Health care professional" means a an athletic trainer,*
6 *occupational therapist, physician, physician assistant,*
7 *podiatrist, or physical therapist who is licensed, accredited,*
8 *registered, or certified to perform specified health care*
9 *services consistent with state law.>*
10 2. By renumbering as necessary.

By CHRIS COURNOYER

S-3122 FILED APRIL 6, 2021

ADOPTED

HOUSE FILE 228

S-3120

- 1 Amend House File 228, as passed by the House, as follows:
- 2 1. Page 3, after line 12 by inserting:
- 3 <Sec. _____. OPEN ENROLLMENT DEADLINE FOR THE SCHOOL YEAR
- 4 BEGINNING JULY 1, 2021. Notwithstanding section 282.18, the
- 5 March 1 deadlines established under section 282.18 shall not
- 6 apply to an application submitted by a parent or guardian for
- 7 purposes of enrolling the parent's or guardian's child in a
- 8 school district for the school year beginning July 1, 2021,
- 9 and ending June 30, 2022, if a voluntary diversity plan was in
- 10 effect in the school district of residence during the school
- 11 year beginning July 1, 2020, and ending June 30, 2021.
- 12 Sec. _____. EFFECTIVE DATE. This Act, being deemed of
- 13 immediate importance, takes effect upon enactment.>
- 14 2. Title page, line 2, after <law> by inserting <and
- 15 including effective date provisions>
- 16 3. By renumbering as necessary.

By AMY SINCLAIR

S-3120 FILED APRIL 6, 2021

ADOPTED

HOUSE FILE 390

S-3123

1 Amend House File 390, as amended, passed, and reprinted by
2 the House, as follows:

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

4 <3. Section 135.38 does not apply to violations of this
5 section.>

6 2. Title page, lines 2 and 3, by striking <system, and
7 making penalties applicable.> and inserting <system.>

By CRAIG JOHNSON

S-3123 FILED APRIL 6, 2021

ADOPTED

HOUSE FILE 452

S-3129

1 Amend House File 452, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking page 6, line 27, through page 7, line 1.

By ZACH WHITING

S-3129 FILED APRIL 6, 2021

ADOPTED

HOUSE FILE 468

S-3121

1 Amend House File 468, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 2, after line 9 by inserting:

4 <Sec. ____ . MEDICAL RESIDENCY POSITIONS AND AUDITION
5 CLINICALS — MEDICAL STUDENTS AND APPLICANTS MEETING CERTAIN
6 CRITERIA — ANNUAL REPORT.

7 1. The university of Iowa hospitals and clinics shall offer
8 an interview for an available medical residency position to
9 any applicant who has a residency specialty in obstetrics and
10 gynecology, psychiatry, general surgery, emergency medicine,
11 cardiology, neurology, or primary care and who also is a
12 resident of Iowa, attended and earned an undergraduate degree
13 from an Iowa college or university, or attended and earned a
14 medical degree from a medical school in Iowa.

15 2. The university of Iowa hospitals and clinics shall
16 provide the opportunity to a medical student attending a
17 medical school in Iowa to participate in an audition clinical
18 in the medical residency specialty for which the medical
19 student applies to allow the university to constructively
20 review the student in a clinical setting.

21 3. The university of Iowa hospitals and clinics shall
22 submit a report to the governor and the general assembly by
23 January 15, annually, regarding the audition clinicals and
24 interviews as specified in this section during the prior
25 fiscal year. Specifically, the report shall include for each
26 audition clinical or interview the name of the student's or
27 applicant's medical school, whether the student was offered and
28 participated in an audition clinical, whether an applicant was
29 offered and participated in an interview, whether the applicant
30 was accepted for one of the residency program positions, and
31 the total number of available residency positions filled by an
32 applicant meeting the criteria under this section.>

33 2. Title page, lines 3 and 4, by striking <dentistry and
34 requiring an annual report> and inserting <dentistry, to
35 medical residency positions and audition clinicals for medical

S-3121 (Continued)

1 students and medical residency position applicants meeting
2 certain criteria, and requiring annual reports>
3 3. By renumbering as necessary.

By COMMITTEE ON EDUCATION
AMY SINCLAIR, CHAIRPERSON

[S-3121](#) FILED APRIL 6, 2021

HOUSE AMENDMENT TO SENATE AMENDMENT TO
TO HOUSE FILE 561

S-3131

- 1 Amend the Senate amendment, H-1328, to House File 561, as
2 passed by the House, as follows:
- 3 1. Page 1, by striking lines 2 through 13 and inserting:
4 <___. Page 1, line 11, by striking <subsection 1,>
5 ___. Page 1, after line 12 by inserting:
6 **<572.32 Attorney fees — remedies.>**
7 ___. Page 1, after line 15 by inserting:
8 <2. In a court action to challenge a mechanic's lien posted
9 on a residential construction property, or any bond given in
10 lieu thereof, if the person challenging the lien or defending
11 against any action on the bond prevails, the court may award
12 reasonable attorney fees and actual damages. If the court
13 determines that the mechanic's lien was posted in bad faith
14 or the supporting affidavit was materially false, the court
15 shall award the owner reasonable attorney fees plus an amount
16 not less than five hundred dollars or the amount of the lien,
17 whichever is less.>>
- 18 2. By renumbering as necessary.

S-3131 FILED APRIL 6, 2021

HOUSE FILE 605

S-3126

- 1 Amend House File 605, as passed by the House, as follows:
- 2 1. Page 2, line 25, by striking <twenty-one> and inserting
- 3 <twenty-two>

By HERMAN C. QUIRMBACH

S-3126 FILED APRIL 6, 2021

LOST

HOUSE FILE 848

S-3135

- 1 Amend House File 848, as passed by the House, as follows:
- 2 1. Page 9, after line 20 by inserting:
- 3 <9. A communications service provider that receives a
- 4 grant award pursuant to this section shall offer its broadband
- 5 service customers in this state who are eligible individuals
- 6 a reduced rate for broadband service. The office shall adopt
- 7 rules establishing a schedule or range of reduced rates that
- 8 communications service providers may charge in accordance with
- 9 this subsection. For purposes of this subsection, "eligible
- 10 individual" means an individual or household with an annual
- 11 income which is one hundred fifty percent or less of the United
- 12 States poverty level as defined by the most recently revised
- 13 poverty income guidelines published by the United States
- 14 department of health and human services.>
- 15 2. Page 9, line 21, by striking <9.> and inserting <10.>
- 16 3. Page 9, line 26, by striking <10.> and inserting <11.>

By JANET PETERSEN
JOE BOLKCOM

S-3135 FILED APRIL 6, 2021

LOST



SF 581 – Antlerless Deer (LSB2542SZ)

Staff Contact: Rodrigo Acevedo (515.281.6764) rodrigo.acevedo@legis.iowa.gov

Fiscal Note Version – New

Description

[Senate File 581](#) makes several changes regarding antlerless deer population management.

Under current law, a person convicted of unlawfully selling, taking, catching, killing, injuring, destroying, or having in possession an antlerless deer shall reimburse the State \$1,500.

Section 1 of the Bill reduces the reimbursement value of antlerless deer from \$1,500 to \$200, a reduction of \$1,300 per antlerless deer.

Section 3 of the Bill sets depredation license and permit fees at \$2 (currently \$15) and directs the Department of Natural Resources (DNR) to allow licenses and permits issued under the Bill to be used during September, October, November, and December, at minimum.

Section 4 of the Bill directs unsold antlerless deer licenses in each county to be made available during a January antlerless deer only hunting season.

Section 5 of the Bill requires the DNR to conduct a triennial deer population study by county. The study is to provide information on population impacts such as crops and trees, disease spread, and deer-vehicle collision impacts such as property loss, medical costs, and fatalities.

The funding for the study is to come from the Fish and Wildlife Protection Fund, and the first study is to be completed and a report submitted to the General Assembly by October 1, 2023.

Assumptions

- The number of illegal harvest penalties will remain similar to FY 2020 at 11.
- The number of depredation licenses sold will remain similar to FY 2020 at 3,649.

Fiscal Impact

First Year

A reduction of \$1,300 in revenue per each illegal harvest (11) is expected, for a total of \$14,000. A reduction of \$13 in revenue per depredation license (3,649) is expected, for a total of \$47,000.

Recurring

It will cost an estimated \$150,000 to conduct a study every three years, assuming a contract with Iowa State University Extension Service.

The change would cause a permanent reduction of approximately \$62,000 to the Fish and Wildlife Protection Fund in the first year (FY 2022). The study would create a recurring cost of \$150,000 every three years to the Fish and Wildlife Protection Fund.

Source

Department of Natural Resources

/s/ Holly M. Lyons

April 6, 2021

Doc ID 1218575

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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