

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

April 8, 2021

Clip Sheet Summary

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

Bill	Amendment	Action	Sponsor
SF 144	S-3137	Adopted	CRAIG JOHNSON
HF 311	S-3138	Adopted	CRAIG JOHNSON
HF 380	S-3139	Ruled Out of Order	KEN ROZENBOOM
HF 532	S-3143	Filed	COMMITTEE ON APPROPRIATIONS, et al
HF 558	S-3140	Lost	NATE BOULTON
HF 746	S-3141	Adopted	JEFF EDLER
HF 746	S-3142	Filed	JANET PETERSEN

SENATE FILE 144

S-3137

1 Amend Senate File 144 as follows:

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

4 <Section 1. Section 99B.12, subsection 2, paragraph c,
5 subparagraph (5), Code 2021, is amended to read as follows:

6 (5) One game night each calendar ~~year~~ month during the
7 two-year period, subject to the requirements of section 99B.26.

8 Sec. 2. Section 99B.12, subsection 3, paragraph b,
9 subparagraph (3), Code 2021, is amended to read as follows:

10 (3) One game night during the ~~one-year~~ one-month period,
11 subject to the requirements of section 99B.26.

12 Sec. 3. Section 99B.12, subsection 4, paragraph b,
13 subparagraph (3), Code 2021, is amended to read as follows:

14 (3) One game night per calendar month during the period of
15 one hundred eighty days, subject to the requirements of section
16 99B.26.

17 Sec. 4. Section 99B.12, subsection 5, paragraph b,
18 subparagraph (3), Code 2021, is amended to read as follows:

19 (3) One game night per calendar month during the period of
20 ninety days, subject to the requirements of section 99B.26.

21 Sec. 5. Section 99B.12, subsection 6, paragraph b,
22 subparagraph (5), Code 2021, is amended to read as follows:

23 (5) One game night per calendar month during the period of
24 fourteen days, subject to the requirements of section 99B.26.

25 Sec. 6. Section 99B.26, subsection 1, Code 2021, is amended
26 to read as follows:

27 1. A licensed qualified organization may conduct one game
28 night per calendar ~~year~~ month subject to the provisions of this
29 section.

30 Sec. 7. Section 99B.27, subsection 2, paragraph o, Code
31 2021, is amended to read as follows:

32 o. A qualified organization representing veterans licensed
33 under this section shall not hold ~~more than two card game~~
34 ~~tournaments per month and shall not hold~~ a card game tournament
35 within ~~seven~~ six calendar days of another card game tournament

S-3137 (Continued)

1 conducted by that qualified organization representing veterans.
2 Card game tournaments held during a game night conducted
3 pursuant to section 99B.26 shall not count toward the limit
4 of one card game tournament per ~~week~~ six calendar days for a
5 license holder. A qualified organization representing veterans
6 shall be allowed to hold only one card game tournament during
7 any period of twenty-four consecutive hours, starting from the
8 time the card game tournament begins.>

By CRAIG JOHNSON

[S-3137](#) FILED APRIL 7, 2021

ADOPTED

HOUSE FILE 311

S-3138

1 Amend House File 311, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, line 3, by striking <each> and inserting <each
4 per>

5 2. Page 1, line 7, after <night> by inserting <per calendar
6 month>

7 3. Page 1, line 7, by striking <~~one-year~~ one-month> and
8 inserting <one-year>

By CRAIG JOHNSON

S-3138 FILED APRIL 7, 2021

ADOPTED

HOUSE FILE 380

S-3139

1 Amend House File 380, as passed by the House, as follows:

2 1. Page 1, after line 4 by inserting:

3 <Sec. ____ . Section 321.178A, subsection 2, paragraph c,
4 Code 2021, is amended to read as follows:

5 *c.* *"Teaching parent"* means a student's parent, guardian,
6 or legal custodian ~~of a student who is currently providing~~
7 ~~competent private instruction to the student pursuant to~~
8 ~~section 299A.2 or 299A.3 and who provided such instruction to~~
9 ~~the student during the previous year;~~ who has a valid driver's
10 license, other than a motorized bicycle license or a temporary
11 restricted license, that permits unaccompanied driving; and
12 who has maintained a clear driving record for the previous two
13 years. For purposes of this paragraph, *"clear driving record"*
14 means the individual has not been identified as a candidate
15 for suspension or revocation of a driver's license under the
16 habitual violator or habitual offender provisions of the
17 department's regulations; is not subject to a driver's license
18 suspension, revocation, denial, cancellation, disqualification,
19 or bar; and has no record of a conviction for a moving traffic
20 violation determined to be the cause of a motor vehicle
21 accident.>

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

23 <Sec. ____ . Section 321.178A, subsection 4, paragraph b,
24 Code 2021, is amended by striking the paragraph.>

25 3. Title page, by striking lines 1 and 2 and inserting
26 <An Act relating to driver education, including by providing
27 for instruction concerning distracted driving and authorizing
28 certain teaching parents to provide instruction to a student.>

29 4. By renumbering as necessary.

By KEN ROZENBOOM

S-3139 FILED APRIL 7, 2021

RULED OUT OF ORDER

S-3143

1 Amend House File 532, as amended, passed, and reprinted by
2 the House, as follows:

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

5 <Section 1. QUALIFIED INSTRUCTION FUNDING SUPPLEMENT FOR
6 FY 2021-2022 — APPROPRIATION.

7 1. a. For the school budget year beginning July 1,
8 2021, and ending June 30, 2022, each brick-and-mortar public
9 school district shall receive a qualified instruction funding
10 supplement. Each school district's qualified instruction
11 funding supplement shall be in an amount calculated by the
12 department of education equal to the school district's
13 enrollment served multiplied by the school district's qualified
14 instruction factor.

15 b. For purposes of this section:

16 (1) "Enrollment served" means that portion of the basic
17 enrollment of the school district, as determined under section
18 257.6, subsection 1, paragraph "a", subparagraphs (1), (3),
19 (4), (7), and (8), for the budget year beginning July 1, 2020,
20 minus the number of students under section 282.18 for which
21 the school district was the district of residence, plus the
22 number of students under section 282.18 for which the school
23 was the receiving district, and excluding each pupil for which
24 the portion of the pupil's instruction received from the school
25 district was provided by a full-time remote learning program
26 offered by the school district.

27 (2) "Qualified instruction factor" means an amount equal
28 to sixty dollars multiplied by the quotient of the school
29 district's total qualified instruction days divided by ninety.

30 (3) "Total qualified instruction days" means the sum of the
31 number of school days during the period beginning July 1, 2020,
32 and ending January 29, 2021, but not exceeding ninety days,
33 that the school district offered at least one of the following:

34 (a) Full-time in-person instruction.

35 (b) Hybrid learning or remote learning in accordance with

1 or under an approved waiver from the department of education
2 pursuant to the requirements of 2020 Iowa Acts, chapter
3 1107; section 279.10; the governor's proclamation of a public
4 health disaster emergency issued July 24, 2020; or subsequent
5 applicable proclamations of a public health disaster emergency
6 issued by the governor pursuant to section 29C.6 and related
7 to COVID-19.

8 (c) (i) For school days between August 10, 2020, and
9 January 29, 2021, instruction primarily through remote learning
10 or hybrid learning, as the direct result of damage to a school
11 attendance center caused by severe weather on or about August
12 10, 2020, for which a proclamation of disaster emergency was
13 issued by the governor.

14 (ii) In addition, for school days between August 10, 2020,
15 and January 29, 2021, each day the school district was unable
16 to provide in-person instruction, remote learning, or hybrid
17 learning as the direct result of damage to a school attendance
18 center caused by severe weather on or about August 10, 2020,
19 for which a proclamation of disaster emergency was issued by
20 the governor, and that day was previously scheduled as an
21 instructional day as part of the school district's calendar
22 approved by the school district's board of directors, shall be
23 counted as a qualified instruction day.

24 2. Each school district shall pay to the school district's
25 area education agency a portion of the school district's
26 qualified instruction funding supplement. The amount to be
27 paid to the area education agency shall be an amount equal to
28 the product of one dollar multiplied by the school district's
29 enrollment served, but not to exceed the total amount of the
30 school district's qualified instruction funding supplement.

31 3. The qualified instruction funding supplement shall be
32 miscellaneous income, shall be deposited in the general fund of
33 the school district, shall not be included in district cost,
34 and, except as provided in subsection 2, shall be used only for
35 purposes for which a school district may use funds received

1 from the Elementary and Secondary School Emergency Relief
2 Fund under the federal Coronavirus Aid, Relief, and Economic
3 Security Act, Pub. L. No. 116-136, or the federal American
4 Rescue Plan Act of 2021, Pub. L. No. 117-2.

5 4. There is appropriated from the general fund of the state
6 to the department of education for the fiscal year beginning
7 July 1, 2021, and ending June 30, 2022, an amount necessary,
8 but not to exceed twenty-seven million two hundred thousand
9 dollars to be used for the payment of qualified instruction
10 funding supplement payments under this section. If the amount
11 appropriated under this subsection is insufficient to pay
12 in full all qualified instruction funding supplements, the
13 department of education shall prorate such supplement amounts.
14 The proration of funding amounts under this subsection shall
15 not, however, reduce the portion of the funding supplement
16 amount required to be paid to the area education agencies under
17 subsection 2.

18 5. If requested by the department of education, each school
19 district in the state shall provide to the department of
20 education all necessary information in order for the department
21 of education to determine the school district's qualified
22 instruction funding supplement amount.

23 Sec. 2. PRESCHOOL MODIFIED SUPPLEMENTAL AMOUNT — SCHOOL
24 BUDGET REVIEW COMMITTEE.

25 1. Notwithstanding section 256C.4, subsection 1, paragraph
26 "f", and any provision of section 257.31 to the contrary, if
27 fifty percent of a school district's actual enrollment of
28 eligible students in preschool programming provided by the
29 school district within the meaning of section 256C.5 on October
30 1, 2021, is greater than the preschool budget enrollment
31 determined under section 256C.5 for the budget year beginning
32 July 1, 2021, the school district may apply to the school
33 budget review committee for a modified supplemental amount for
34 the budget year beginning July 1, 2021. An approved modified
35 supplemental amount under this section shall not exceed an

1 amount equal to the product of the regular program state
2 cost per pupil for the budget year beginning July 1, 2021,
3 multiplied by the difference of fifty percent of a school
4 district's actual enrollment of eligible students in preschool
5 programming provided by the school district on October 1, 2021,
6 minus the preschool budget enrollment determined under section
7 256C.5 for the budget year beginning July 1, 2021.

8 2. The school budget review committee shall review a school
9 district's unexpended preschool fund balance for the budget
10 year ending June 30, 2021, when deciding whether to grant a
11 modified supplemental amount request under this section. For
12 a school district with an unexpended preschool fund balance
13 that is equal to or less than twenty-five percent of the school
14 district's preschool foundation aid under section 256C.5
15 for the budget year beginning July 1, 2020, the modified
16 supplemental amount shall be granted. For a school district
17 with an unexpended preschool fund balance that is greater
18 than twenty-five percent of the school district's preschool
19 foundation aid under section 256C.5 for the budget year
20 beginning July 1, 2020, the modified supplemental amount may
21 be granted.

22 3. A modified supplemental amount granted under this
23 section must be used for the purposes of chapter 256C,
24 including amounts passed through to a community-based provider.

25 4. Amounts received as the result of a modified supplemental
26 amount granted under this section shall not be eligible for
27 transfer to a school district's flexibility account under
28 section 298A.2, subsection 2, and, notwithstanding section
29 256C.4, subsection 1, paragraph "e", a school district that
30 is granted a modified supplemental amount under this section
31 shall not be eligible to transfer any preschool foundation
32 aid that remains unexpended and unobligated at the end of the
33 fiscal year beginning July 1, 2021, to the school district's
34 flexibility account under section 298A.2, subsection 2.

35 5. Modified supplemental amounts granted under this section

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1 shall be subject to available funding and be funded solely
2 through aid awarded by the school budget review committee from
3 funds made available to the school budget review committee for
4 purposes of this section. If amounts made available to the
5 school budget review committee for purposes of this section are
6 insufficient to fund all modified supplemental amounts granted
7 under this section, the amount of each modified supplement
8 amount shall be prorated.

9 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
10 importance, takes effect upon enactment.>

11 2. Title page, by striking lines 1 through 3 and inserting
12 <An Act relating to education funding by establishing a
13 qualified instruction funding supplement for the school budget
14 year beginning July 1, 2021, authorizing modified supplemental
15 amounts for preschool funding, making appropriations, and
16 including effective date provisions.>

By COMMITTEE ON APPROPRIATIONS
TIM KRAAYENBRINK, CHAIRPERSON

S-3143 FILED APRIL 7, 2021

HOUSE FILE 558

S-3140

1 Amend House File 558 as follows:

2 1. Page 1, after line 17 by inserting:

3 <3. If an operator employs an attendant who controls patron
4 restraints or the operation, starting, stopping, or speed of
5 an amusement ride and who is at least sixteen years of age but
6 under eighteen years of age, the operator shall ensure that a
7 supervisor who is at least eighteen years of age is readily
8 available at the carnival or fair.>

By NATE BOULTON

S-3140 FILED APRIL 7, 2021

LOST

HOUSE FILE 746

S-3141

- 1 Amend House File 746, as passed by the House, as follows:
- 2 1. Page 1, lines 2 through 4, by striking <An action for
3 professional negligence or malpractice for injuries to a person
4 or property against an individual licensed under this chapter>
5 and inserting <Any action for professional negligence against
6 an individual licensed under this chapter resulting in damage
7 to property>
- 8 2. Page 1, line 8, after <first.> by inserting <For purposes
9 of this section, "*property*" includes an animal.>
- 10 3. Title page, line 2, by striking <a person or>

By JEFF EDLER

S-3141 FILED APRIL 7, 2021

ADOPTED

HOUSE FILE 746

S-3142

1 Amend House File 746, as passed by the House, as follows:

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

3 <Section 1. Section 614.1, Code 2021, is amended by adding
4 the following new subsections:

5 NEW SUBSECTION. 11A. *Sexual abuse.* An action for damages
6 for injury suffered as a result of sexual abuse in the first
7 degree as defined in section 709.2, sexual abuse in the second
8 degree as defined in section 709.3, or sexual abuse in the
9 third degree as defined in section 709.4 may be commenced at
10 any time after the commission of the offense.

11 NEW SUBSECTION. 12A. *Kidnapping and human trafficking.* An
12 action for damages for injury suffered as a result of
13 kidnapping as defined in section 710.1 or human trafficking as
14 defined in section 710A.2 may be commenced at any time after
15 the commission of the offense.

16 Sec. _____. Section 614.1, subsection 12, Code 2021, is
17 amended to read as follows:

18 12. *Sexual abuse or sexual exploitation by a counselor,*
19 *therapist, or school employee.*

20 a. An action for damages for injury suffered as a result
21 of sexual abuse, as defined in section 709.1, by a counselor,
22 therapist, or school employee, as defined in section 709.15, or
23 as a result of sexual exploitation by a counselor, therapist,
24 or school employee ~~shall be brought within five years of the~~
25 ~~date the victim was last treated by the counselor or therapist,~~
26 ~~or within five years of the date the victim was last enrolled~~
27 ~~in or attended the school~~ may be commenced at any time after
28 the commission of the offense.

29 b. A claim or cause of action brought against any party
30 under paragraph "a" alleging intentional or negligent acts
31 or omissions by a person for physical, psychological, or any
32 other injury or condition suffered as a result of conduct
33 by a counselor, therapist, or school employee as defined in
34 section 709.15, if barred as of the effective date of this Act
35 because the applicable period of limitation has expired or

1 the plaintiff previously failed to file a petition, is hereby
2 revived, and action thereon may be commenced not later than
3 three years after the effective date of this Act.

4 c. Dismissal of a previous action, ordered before the
5 effective date of this Act, on grounds that such previous
6 action was time-barred or due to the failure of a party to file
7 a petition, shall not be grounds for dismissal of a revival
8 action pursuant to paragraph "b".

9 Sec. _____. Section 614.8A, Code 2021, is amended to read as
10 follows:

11 **614.8A Damages for child sexual abuse, incest, kidnapping,**
12 **and human trafficking — time limitation.**

13 ~~An action for damages for injury suffered as a result of~~
14 ~~sexual abuse which occurred when the injured person was a~~
15 ~~child, but not discovered until after the injured person is of~~
16 ~~the age of majority, shall be brought within four years from~~
17 ~~the time of discovery by the injured party of both the injury~~
18 ~~and the causal relationship between the injury and the sexual~~
19 ~~abuse.~~

20 1. Notwithstanding section 614.1, subsections 11A and
21 12A, every claim or cause of action brought against any
22 party alleging intentional or negligent acts or omissions
23 by a person for physical, psychological, any other injury
24 or condition suffered as a result of conduct which would
25 constitute a violation of any of the following, if barred as of
26 the effective date of this Act because the applicable period of
27 limitation has expired or the plaintiff previously failed to
28 file a petition, is hereby revived, and action thereon may be
29 commenced not later than three years after the effective date
30 of this Act:

31 a. Sexual abuse as defined in section 709.1.

32 b. Incest in violation of section 726.2.

33 c. Kidnapping as defined in section 710.1.

34 d. Human trafficking as defined in section 710A.2.

35 2. Dismissal of a previous action, ordered before the

1 effective date of this Act, on grounds that such previous
2 action was time-barred or due to the failure of a party to file
3 a petition, shall not be grounds for dismissal of a revival
4 action pursuant to this section.>

5 2. Page 1, line 1, by striking <169.21> and inserting
6 <614.8B>

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

8 <Sec. _____. Section 802.2, Code 2021, is amended to read as
9 follows:

10 **802.2 Sexual abuse — first, second, or third degree.**

11 ~~1. An information or indictment for sexual abuse in the~~
12 ~~first, second, or third degree committed on or with a person~~
13 ~~who is under the age of eighteen years shall be found within~~
14 ~~fifteen years after the person upon whom the offense is~~
15 ~~committed attains eighteen years of age, or if the person~~
16 ~~against whom the information or indictment is sought is~~
17 ~~identified through the use of a DNA profile, an information or~~
18 ~~indictment shall be found within three years from the date the~~
19 ~~person is identified by the person's DNA profile, whichever is~~
20 ~~later may be commenced at any time after the commission of the~~
21 ~~offense.~~

22 ~~2. An information or indictment for any other sexual abuse~~
23 ~~in the first, second, or third degree shall be found within ten~~
24 ~~years after its commission, or if the person against whom the~~
25 ~~information or indictment is sought is identified through the~~
26 ~~use of a DNA profile, an information or indictment shall be~~
27 ~~found within three years from the date the person is identified~~
28 ~~by the person's DNA profile, whichever is later.~~

29 ~~3. As used in this section, "identified" means a person's~~
30 ~~legal name is known and the person has been determined to be~~
31 ~~the source of the DNA.~~

32 Sec. _____. Section 802.2A, Code 2021, is amended to read as
33 follows:

34 **802.2A Incest — sexual exploitation by a counselor,**
35 **therapist, or school employee.**

1 1. An information or indictment for incest under section
2 ~~726.2 committed on or with a person who is under the age of~~
3 ~~eighteen shall be found within fifteen years after the person~~
4 ~~upon whom the offense is committed attains eighteen years of~~
5 ~~age. An information or indictment for any other incest shall~~
6 ~~be found within ten years after its commission~~ may be commenced
7 at any time after the commission of the offense.

8 2. An indictment or information for sexual exploitation by
9 a counselor, therapist, or school employee under section 709.15
10 ~~committed on or with a person who is under the age of eighteen~~
11 ~~shall be found within fifteen years after the person upon whom~~
12 ~~the offense is committed attains eighteen years of age. An~~
13 ~~information or indictment for any other sexual exploitation~~
14 ~~shall be found within ten years of the date the victim was last~~
15 ~~treated by the counselor or therapist, or within ten years of~~
16 ~~the date the victim was enrolled in or attended the school~~ may
17 be commenced at any time after the commission of the offense.

18 Sec. _____. Section 802.2C, Code 2021, is amended to read as
19 follows:

20 **802.2C Kidnapping.**

21 An information or indictment for kidnapping in the first,
22 second, or third degree ~~committed on or with a person who is~~
23 ~~under the age of eighteen years shall be found within ten~~
24 ~~years after the person upon whom the offense is committed~~
25 ~~attains eighteen years of age, or if the person against whom~~
26 ~~the information or indictment is sought is identified through~~
27 ~~the use of a DNA profile, an information or indictment shall~~
28 ~~be found within three years from the date the person is~~
29 ~~identified by the person's DNA profile, whichever is later~~ may
30 be commenced at any time after the commission of the offense.

31 Sec. _____. Section 802.2D, Code 2021, is amended to read as
32 follows:

33 **802.2D Human trafficking.**

34 An information or indictment for human trafficking in
35 violation of section 710A.2, ~~committed on or with a person~~

S-3142 (Continued)

1 ~~who is under the age of eighteen years shall be found within~~
2 ~~ten years after the person upon whom the offense is committed~~
3 ~~attains eighteen years of age, or if the person against whom~~
4 ~~the information or indictment is sought is identified through~~
5 ~~the use of a DNA profile, an information or indictment shall~~
6 ~~be found within three years from the date the person is~~
7 ~~identified by the person's DNA profile, whichever is later may~~
8 be commenced at any time after the commission of the offense.

9 Sec. ____ . Section 802.10, subsection 1, paragraph b, Code
10 2021, is amended to read as follows:

11 *b.* ~~"Identified" means the same as defined in section 802.2 a~~
12 person's legal name is known and the person has been determined
13 to be the source of the DNA.>

14 4. Title page, line 3, after <veterinarian> by inserting
15 <and for certain criminal and civil actions>

16 5. By renumbering as necessary.

By JANET PETERSEN

S-3142 FILED APRIL 7, 2021